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An Administrative Study of the Duchy of Cornwall, 1500-1650.

Graham Haslam
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AN ADMINISTRATIVE STUDY OF THE DUCHY OF CORNWALL, 1500-1650

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AN ADMINISTRATIVE STUDY OF THE
DUCHY OF CORNWALL, 1500-1650

A Dissertation

Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

in
The Department of History

by

Graham Haslam
B.A., University of Washington, 1969
M.A., Western Washington University, 1971
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ABSTRACT

This study traces the political, economic and administrative history of the duchy of Cornwall from 1500 until abolished by the government in 1650. It held an important, though autonomous place in the early Tudor constitution. Henry VII consolidated its political and economic dominance of southwestern England by reorganisation of its administrative structure to ensure that effective authority devolved from the monarch to the Warden of the stannaries, the duchy's principal officer. Henry VIII extended the duchy's influence in the Southwest in 1540 by significantly augmenting its landed estates in Cornwall.

In the early-modern period the duchy contributed financially and politically to the Tudor and Stuart polity. Revenues derived from estates located within all the geographical areas of England south of the Trent and tax derived from the assaying and weighing of tin produced in Devon and Cornwall, provided a lucrative income. The Tudors utilised the rich source of patronage which the duchy offered to reward and honour prominent local men as well as courtiers. The most influential Cornish families dominated its affairs in the Southwest through the sixteenth century.

In contrast to the Tudor regime, James I determined that the duchy must primarily serve as a financial agency to support the heir to the throne. First under Prince Henry and after 1616, under Prince Charles, policies were evolved...
to increase landed income. Elizabeth had granted a monopoly for buying tin, but this ill-conceived experiment failed. James opted for a scheme run by the duchy. This was financially successful, but lack of capital forced the crown again to sell the monopoly to London mercantile interests. However, successive grants produced a greatly enhanced income.

The Stuart princes also introduced a Council which quickly assumed control of the duchy. Composed of duchy servants, members of the Prince's households and legal advisers, it administered every facet of its affairs and acted as a court of appeal for duchy tenants. The Warden of the stannaries was excluded and Cornish families lost much of their influence. Acting upon carefully prepared surveys of duchy lands, it increased net income more than threefold within a decade. The revenue devices employed by this Council resemble those employed in the 1630's, the era of personal rule.

The duchy also provided political patronage. When Edward VI and Queen Mary extended the political franchise in Cornwall, it became the most represented county in Parliament. The duchy was then able to influence the small, poor boroughs tied to it economically. However, this was not undertaken systematically until after 1614, when lists of duchy candidates were successfully recommended to fourteen Cornish boroughs for most of the Parliaments before 1640.
INTRODUCTION

The duchy of Cornwall is the oldest of English duchies. Created on 17 March, 1337 to honour and maintain Edward of Woodstock, eldest son of Edward III, it quickly acquired a unique place within the English constitution. From its foundation to the present day, with only the brief interruption of the interregnum, the duchy has continually performed its function. Even by British standards that is a remarkable achievement. It is an indication of the inherent utility of a special institution for the heir apparent. As with other English honours, when no lawful recipient of the title exists, the dukedom reverts to the crown. The unique entail of the original charter ensures that as soon as a legitimate male heir to the throne is born he shall automatically assume the title of duke of Cornwall. The collection of estates and regalities which make up the duchy gravitate between crown and heir as the situation requires.

The early-modern period was central to the history of the duchy. Henry VII provided the stability necessary for it to consolidate its lands and prerogatives after the confusion wrought by the dynastic struggles of the fifteenth century. From his accession until the Civil War the duchy played a prominent part in Tudor and Stuart government by providing significant revenues, serving as an important source of patronage to reward both courtiers.
and local worthies alike and acting as the most important expression of crown authority in the Southwest. Characteristic of both Tudor and Stuart dynasties, each shaped and molded the received institution in order to allow it to adapt to changed circumstances. Whether the instrument of royal government or the appanage of the heir apparent, the duchy was uniquely identified with the dynastic ambitions of the crown. After the execution of Charles I in 1649, Parliament moved quickly to arrange the sale of duchy lands and extinguish the mechanism which more than any other single constitutional element symbolised the lawful succession.

There existed a natural division between the Tudor and Stuart periods. From the death of Prince Arthur, eldest son of Henry VII, in 1502 until the accession of James I, no heir apparent received title to the duchy. For just over a century the patronage and revenues of the institution remained directly at the disposal of the crown. The lack of family which is such a conspicuous characteristic of Tudor monarchy meant that duchy revenues were not as important as other considerations. Receipts could sometimes be sacrificed to more general political and social policies if necessary.

In the Jacobean period the existence of a prince, a larger royal family, and the impact of inflation meant that the heir to the throne was forced to attempt to live
on his own as much as possible. Political and social considerations had to be subordinated to financial expediency. The first two decades of the seventeenth century witnessed a period of fiscal experimentation by those who managed the affairs of the duchy. As will be shown, the implications of this period reached beyond the duchy; the future king and the advisers he gathered about him developed financially effective policies to govern his estates which might eventually be employed in the realm at large.

The revenue produced by the duchy in the early-modern period was always a significant addition to crown finances. By the end of the reign of Henry VII the duchy supplied approximately twelve per cent of the revenues derived from crown lands and nearly five per cent of the total estimated annual revenues of £104,863 for the years 1502 to 1505. The duchy was attached to the General Surveyors in 1509. From that date through 1539 the net receipts of the duchy were paid to the Treasurer of the Chamber without significant exception. Of all the estates under the control of the Surveyors, it was the single most lucrative. The account for 1514-1515 shows a net yield of £1,740 3s 5d for Warwick and Spenser lands, the earldom of Richmond produced £2,406 15s 9d, North Wales' receipts were £970 3s 7d and Chester and Flint yielded £933 18s 2d. In the same year the duchy produced a net yield of £5,540 10s 9d which was paid to John Heron,

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Treasurer of the Chamber, in nine separate payments.  
This practice of staggered payments was usual and was accomplished by signed bills from the Treasurer as he needed cash. Usually, the largest sum became available late in the year, a month or two after the Michaelmas audit, and other smaller payments were made over the next six months as amounts were received.

Though gross amounts remained roughly the same between 1509 and 1530, the sums actually turned over to the Chamber declined. This was largely due to increased expenses in building and maintenance costs as well as occasionally heavy demands for defence. There were charges of corruption. William Nanfan reported to Cardinal Wolsey that fraud was prevalent at the annual assays of tin, which the duchy controlled, but he refused to elaborate his allegations on paper. A further note was prepared in 1531 again containing accusations of corruption, but these charges were aimed at the Surveyors General and not solely at the duchy. No convincing proof of either corruption or malfeasance exists. At the same time it is clear that duchy funds were increasingly being diverted from the Chamber and by 1539 Brian Tuke, Treasurer of the Chamber, complained to Cromwell that he no longer received enough money to meet his payments. In fact, he received only £2,968 13s 5d from that year's duchy account. These extraordinary charges continued
until 1545-1546 when the Chamber was paid £4,556 7s 10d which once again represented almost the whole of the duchy's net income.

In 1547 the Court of General Surveyors was absorbed by a reorganised Augmentations. This made the Receiver-General of the duchy responsible to the new Court, though in fact successive crises continued to divert duchy funds from the hands of the Treasurer. Only in 1546-1547 did Sir John Williams receive all available duchy money. In the years following, the unsettled pattern extended as the rebellion of 1549 absorbed duchy receipts for Lord Russell's army in the west and Henry Killigrew was granted payments for maintenance of defensive installations in Cornwall. Queen Mary continued to sanction these interventions in the orderly structure of the duchy, allowing £2,000 to Sir Edward Peckham, Treasurer of the Mint, and £2,438 18s 0d to be expended upon silk in 1555-1556 for the use of the Great Wardrobe. After the absorption of Augmentations into the Exchequer in 1553, various sums were paid directly to it as well. The removal of Sir Henry Gates from his post of Receiver of the duchy in her first year and the dissolution of the Court of Augmentations were only negative steps which did nothing in themselves to clarify how the monarchy wished to deploy the resources of the duchy and establish a new relationship to the crown.
The initial Elizabethan settlement was arranged when the Lord High Treasurer, Winchester, and barons of the Exchequer promulgated a warrant dated 13 February, 1560 which once again authorised payment of duchy revenues to the Treasurer of the Chamber. From that date until the last decade of the sixteenth century net receipts did not exceed £4,100 and were often less than £3,500. In fact, the financial situation reflects a growing ambivalence by the crown and its servants to the duchy.

From 1603 until 1611 James I adopted a policy of gradual reconstruction of the duchy. Sir Walter Raleigh, who as Lord Warden and High Steward was its most important spokesman, in what amounted to a volte-face, went to the King in April, 1603, only a month after the accession, in order to argue for the maintenance of the duchy and to complain of the Exchequer's meddling in its affairs. In particular, he inveighed against Lord Buckhurst, High Treasurer, but though James proved sympathetic, he was non-committal, only ordering that nothing further should be done until he had determined a course of action. Rapidly, the King granted emancipation from Exchequer control to duchy officers, though the duchy's net revenues continued to flow to it. Receipts increased very rapidly. By Michaelmas, 1610 the duchy yielded £11,000, and six years later in 1616, when fully independent, it produced £19,570. By 1630 net receipts had begun to decline.
producing only £10,999, but in 1639, when the crown was again in grave financial need because of the Scottish campaign, the duchy yielded £16,451.

The range of control exercised by the duchy was varied and extensive. The scattered lands conformed to the traditional pattern of English noble estates. The duchy encompassed manors as far north as the Humber estuary to Sussex in the south, Norfolk in the east, and the Isles of Scilly in the west. All the counties of the southwest, Cornwall, Dorset, Devon, Somerset and Wiltshire contained estates belonging to the duchy. In two of the counties, Cornwall and Devon, it actually controlled more land than did the crown. One of the largest landed estates in England, it may well have been second only to the crown itself in actual acreage under its direct control.

In Cornwall and Devon the duchy possessed regalities which gave it additional powers and responsibilities beyond those of other landlords. In Cornwall the duchy controlled seventeen manors, known as assessionable from their shared form of tenure, the eight towns of Liskeard, Grampound, Helston, Bossiny, Lostwithiel, Camelford, Saltash and Launceston, and the hundreds of Kerrier, Penwith, Powder, Pyder, East, West, Stratton, Trigg and Lesnewith. The fees for the sheriff's office and the right to nominate him were also duchy possessions. A feodary was responsible for escheats. Briefly, the
powers exercised on duchy lands in Cornwall may be summarised as follows: the right to seize goods of outlaws and felons, to exercise wardship, to distraint anybody who held of the prince who had not properly been granted livery, and to take reliefs. In addition, duchy officers had the exclusive right to return all writs to his lands. Another duchy officer, known as the havenor, collected certain customs dues at the major ports and ensured that its right to wreck and royal fish in Cornwall was not encroached by crown officers. The right to customs dues extended to all of Cornwall as well as Plymouth and Dartmouth in Devon.

The duchy also exercised control over the stannaries. These were districts in Cornwall and Devon where tin was mined and smelted. In the pre-industrial world this metal, along with copper and lead, was far more important than iron because it could be worked at a much lower temperature. Tin was used in the pewter industry and also played a vital role in the manufacture of artillery. Devon and Cornwall remained the single most important source of the metal for Europe through the sixteenth century. When the Atlantic countries began trading directly with the Orient it constituted one of the most valuable exports for European merchants.

Devon and Cornwall each possessed four stannary districts. In Cornwall these areas were Tywarnhaile,
Blackmoor, Foweymoor and Penwith in Kerrier. Those in Devon were Plympton, Tavistock, Ashburton and Chagford. Each was administered by a bailiff who acted as officer for the stannary court. These areas had no sharply defined geographical boundaries. As tin production shifted as one area became depleted and another began to be exploited, the stannaries adjusted also. They acted as legal focal points where tanners could carry out mining operations under the auspices of stannary law.

By the sixteenth century their jurisdiction extended to wherever tin was extracted or smelted. The industry possessed its own laws and disputes could only be heard in stannary courts.

The duchy also supervised the administration of the assaying, known as the "coining", of tin. Once it had been smelted it was presented on a fixed day to the duchy controller of the coinage who weighed it and ensured that it was free of impurities. The metal was taxed by weight and the duchy seal affixed or "coined" upon the ingots as symbol of the receipt of tax. Duchy officials visited the Cornish towns of Liskeard, Lostwithiel, Truro and Helston and the Devon towns of Chagford, Ashburton, Plympton and Tavistock each year in order to conduct the coinage. Only after the metal had been assayed and taxed could it be legally sold to merchants.

The duchy maintained an array of imposing buildings in the coinage towns which represented the crown's
interests and served as the centre of royal government in the Southwest. Though formerly true for Devon also, by the sixteenth century Devon tin production had fallen to a mere fraction of that of its more westerly neighbour, and although its legal and administrative privileges remained, they were steadily becoming more insignificant. However, Helston, Truro, Lostwithiel and Launceston all possessed halls in which the coining of tin was undertaken each year. Necessarily, these were large structures which could store huge quantities of tin, house the weighing beams and provide space for those who stamped the metal.

The charter and grants which constituted the duchy were concerned only with matters of title and contained no suggestion of how the new entity should be governed. Prince Edward created a precedent in 1346 by appointing a Council to administer his affairs while he was absent from the Kingdom. In fact, this body was not a constitutional adjunct of the duchy nor an administrative part of it. Convened by him, its powers of action were strictly limited to whatever tasks he chose to assign to it. Legally, it was solely his creature and had no life beyond that which he gave it. This was as true in the early Stuart era as in the middle of the fourteenth century.

Henry VII clearly intended to follow medieval precedents affecting the disposition of the duchy. Prince Arthur gained entry to his estates in 1489. Eventually
when he was old enough he appointed a Council to advise him. Unfortunately, none of the records of this body survive and only a partial reconstruction is possible. Duchy officers held by patent issued under the Prince's privy seal; John Arundell was clerk of the seal and chancellor of the Council. There is no doubt that Arthur consulted this body when granting appointments. Thomas Burton, solicitor to the duke, gained his office with the "assent of our council." William, Bishop of Lichfield and Coventry, acted as president and convened meetings at Ludlow Castle. The King intended the Prince to amalgamate the duchy, his Welsh lands, the earldom of Chester and the marches of Wales, granted 10 February, 1495, into an appanage which could effectively control the West from the strategically located castle at Ludlow. The marches were not a traditional part of the estates of the Prince of Wales and the crown exacted a fee of £1,000 for their gift. The Bishop of Lichfield and Coventry also acted as treasurer, receiving money from the duchy and other estates. No information concerning the business and frequency of meetings survives. The total number of councillors appears to have been ten and it was not constituted until 1501, when the Prince was sixteen years old, and it may be that it did not have time to actually begin work before his death the following year. From his decease no heir apparent gained livery of the duchy

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and the concomitant right to hold a council until the advent of the Stuart dynasty. Edward was only nine when he came to the throne in 1547 and though styled duke, he had not been granted livery of his lands. The founding charter entailed the duchy to the eldest male issue, which automatically excluded his half-sisters.

The arrangements made by Henry VII for the disposition of the duchy after the death of Arthur were purely ad hoc. Once his son had succeeded to the throne they were given administrative formality and legal sanction. In 1511 Sir Robert Southwell and Bartholomew Westby were granted a commission to survey and approve the possessions of the Principality of Wales, duchy of Cornwall, the palatine county of Chester and Flint, the earldom of March and Richmond as well as other lands. They gained a chamber at Westminster from which to work and an usher was appointed. These measures were consolidated by Parliamentary act and served to confirm in law the control of lands most of which had been held formerly by Prince Arthur and Prince Henry while duke of York. Though creating a more formal structure, this act consolidated earlier procedures and continued the practice of payments of receipts to the Chamber rather than the Exchequer. The crown gained a ready source of cash, a formal organisation which could control the affairs of the duchy as well as act as monitor of its practices.

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and yet it also maintained the institution as a separate and distinct entity. The grant to Southwell and Westby was confirmed in 1513, and the role of the Surveyors further enhanced and gradually expanded in a number of statutes over the next two decades. They acted in place of the lord of the manor and those who held lands of the duchy could appeal disputed cases of tenure to them. James Calcott, tenant of a holding in the manor of Kennington, Surrey, dispossessed by Richard Stowton, bailiff, in the manor court, petitioned the General Surveyors who gathered depositions relative to the case.

Henry VIII drastically altered the nature and authority of the duchy. In 1540 he decided upon an exchange of lands. In return for the honour of Wallingford, located in Oxfordshire and the single most lucrative estate possessed by the duchy, he annexed to it a range of former monastic lands. These included six manors from the former Priory of Tywardreth and seven from the Priory of Launceston. Another thirteen manors, once the property of the marquess of Exeter who had been executed for treason two years before also were included. Collectively, these estates generated roughly the same net yield as did Wallingford. It was natural that the duchy should be chosen to fill the void left after the dissolution of the monasteries and replace them as patron and landlord. This exchange further extended the duchy's influence in Cornwall

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and made it much more a regional institution than it had previously been. The King accomplished this major change by means of a private act. This served to ensure that the original grant of entail, which stipulated that estates could not be alienated from the duchy and had been approved by Edward III in Parliament, was not violated. Two years after this exchange in 1542 the King severed the honour of Rysing, Norfolk, and granted it by private Parliamentary act to the duke of Norfolk. This large and lucrative estate was the single most important duchy property in East Anglia. No compensation was received for its loss. This demonstrates the vulnerability of the duchy's outlying estates to the ambitions of a great local magnate. Consolidated estates were easier to manage and protect.

As indicated, the reigns of Edward and Mary witnessed increasing uncertainty and dislocation in duchy affairs. Mary sought to re-establish the power of the Courteneys in the West Country. By letters patent she ceded in 1553 ten of the thirteen former Exeter estates, which Henry VIII had annexed in 1540, to the earl of Devon. This brief attempt to rehabilitate the Courteneys failed dismally when she and the earl quarrelled and the Roman Catholic faction she had hastily assembled dissolved in confusion and anger. When Elizabeth came to the throne, she was content to try to restore the status quo ante by once
again assigning the receipts of the duchy to the Chamber.

By 1574 Lord Burghley had become concerned and it was decided to install William Neale, an Exchequer auditor, as auditor of the duchy. Accounts of the Receiver-General had been passed by a baron of the Exchequer since the reign of Henry VIII, but this served as an internal check only, ensuring that the stated sums added up properly. Absorption of the auditorship into the Land Revenue Office of the Exchequer ensured that the Lord High Treasurer and the Chancellor could exercise control long before accounts were rendered. How little or how much or even in what areas if any they chose to interfere is difficult to judge before the advent of the crises of the 1590's. The previous tenant of the office, John Conyers, who held his patent for life, was retired and granted an annuity of £20 per annum. The new incumbent produced a memorandum in 1577 listing abuses of tenants and the need of good management by stewards and other local officials. The earl of Bedford, who became Lord Warden in 1572, undoubtedly acquiesced to this move. A powerful and independent courtier in his own right, he was perfectly capable of withstanding these encroachments. All other duchy officers remained outside Exchequer control. Unfortunately, Bedford's successor, Sir Walter Raleigh, possessed no comparable
political base and in 1595 allowed the duchy to drift
further into the hands of Exchequer officials and payment
of the total net revenues was transferred from the
Chamber. This severed the unique, personal tie the
duchy possessed through the household to the person of
the sovereign. Yet with no discernible resistance, this
move very nearly completed the administrative conquest
of the duchy. Certainly, it created a wholly unsatis-
factory situation which allowed crown ministers with no
direct responsibilities or powers in duchy affairs to
become involved, but without regard for the purposes and
intentions laid down in the original Parliamentary
statutes governing it.

Exchequer control of the duchy had turned from benign
neglect to active dismemberment. Duchy lands were quickly
integrated into the larger entity of crown estates.
Lord Buckhurst, as Treasurer, and Raleigh and Burghley
failed to ensure that it was endowed with a status which
would preserve the conditions of the original entail.
Though it had undergone quite drastic changes at the hands
of Henry VIII, his ministers had not overtly committed
any act contrary to the conditions of the founding
charter. In contrast, duchy manors were auctioned as
part of the more general sale of crown estates, and by
1601 some eighteen Cornish manors had been sold off by
order of the Treasurer and Chancellor. The Exchequer
ignored the legal niceties of the act of 1337 and the provisions for the entail, the auditors simply endorsing the particular with the observation that they were not part of the ancient duchy. Cecil, Buckhurst, perhaps even the Exchequer auditors, may actually not have realised the position, but Raleigh either knew or should have known. He was culpable because not only did he not resist, he actively helped arrange the sale of at least one of the manors himself. Of lands alienated, Cecil, one of the commissioners for the sale, acquired the fee-farms of five and Essex bought three other manors.

James I's policy of reconstruction led to a legal offensive designed to recover the estates sold by the Exchequer. In 1606 the "Prince's Case" established that lands which had been annexed to the duchy by Parliamentary act could not be severed unless by a subsequent act. Efforts continued through the reign of James and into that of Charles I to ensure that all lands were recovered. This policy extended beyond the restoration of the lands sold by the Exchequer. A group of ten manors in Somerset had been ceded to the duchy in 1421 by Henry V as compensation for the loss of the honour of Isleworth, Middlesex. These estates, known as Gurney lands, had been leased to the earl of Huntingdon in 1460 and placed in Lord Russell's care sometime in the 1540's. In Edward's reign they simply disappeared from the records. All ten
of these estates were recovered. By 1615 seven had been returned and the remaining three were annexed to the duchy by the 1630's.

The Stuarts also revived the duchy Council. The first was created in 1611, but dissolved when Prince Henry, eldest son of James I, died suddenly the following year. It was reconstituted by Charles in 1616 and thereafter remained a functional body until 1643 when the disruption of the Civil War overwhelmed its activities. All authority became centralised under its direction and the duchy found a new, far more prominent role. Its policies became the precursors of those adopted by the monarchy after 1625 in order to solve the twin crises of finance and authority.
NOTES

1 For a full discussion of the creation of the duchy see John Hatcher, Rural Economy and Society in the Duchy of Cornwall, 1300-1500 (Cambridge: C.U.P., 1970), pp. 3-7 and 37-51. Subsequent grants confirmed, enlarged or specified aspects of the original charter. A grant of 18 March, 1337, bestowed the right to return writs in Cornwall, the right to take the goods and chattels of felons as well as fines and amercements on duchy lands. The charter of 30 January, 1338, granted rights of wardship, marriage and escheat to the duke of Cornwall. On 10 July, 1342 the King conveyed the right to all custom in duchy ports. These acts were supplemented by others which annexed additional lands. D.C.O., An Abstract of the Charters (MS), ff.1-12, 12-16, 27-32 and 33-35. In fact, the estates of the duchy were largely carved out of the former earldom of Cornwall. L.E. Elliott-Binns, Medieval Cornwall (London: Methuen & Co., 1955), pp. 156-172.


3 S.C. 6/345. Appended to the Receiver's account is a list of the monies from all the lands under the General Surveyors.

4 Governed by when money was available and when it was actually needed, the number of payments varied from year to year. In 1530-1531 fifteen payments were made; occasionally bailiffs and other local officers paid directly to the Chamber. See S.C. 6/5953 and 5940.


8 D.C.O., Receiver-Generals' Accounts, Roll 220.

9 S.C. 6/5965.


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12See Chapter I, p. 31.


14Ibid., Roll 230.

15Ibid., Roll 234. The order is quoted, see m. 6.


17D.C.O., Receiver-Generals' Accounts, Roll 277.

18Ibid., Roll 283.

19Ibid., Roll 293.


21See for example P.R.O., S.C. 6/1682. This was the crown's Receiver's account for Cornwall and Devon for 1619. It yielded only £913 14s 5d.

22S.P. 15/57/81. There existed certain important exceptions which may be summarised as disputes involving life, limb and land. Specifically, writs of habeas corpus, certiorari and curi us non prohibitos by tradition had to be served, though at least once the Lord Warden found it necessary to remind tenants of the duty to obey. Royal Institute of Cornwall, Henderson Collection, H.K./15/1.


26Ibid.

27Ibid.


33E. 315, Vol. 19, ff. 11-12. Though without date, the documents are undoubtedly of Henry VII's reign.


35Ibid., c. 80, p. xxxvii.


37See Chapter I, Appendix C for a list of auditors.

38C.P.R., Vol. VI, p. 58. It may be that Conyers received the office through a connection with the Wildmays for he was one of the auditors of the Prests and also one of the two auditors of First Fruits and Tenths.


40D.C.O., Receiver-Generals' Accounts, Roll 263. This was accomplished by levying a tallia on virtually the whole of the disposable income.


42D.C.O., Sale of Duchy Lands by Queen Elizabeth, Anno. 1601, Particulars and Warrants (YS vol.).

43Coke, Reports, Vol. VIII, pp. 146-201.

44D.C.O., Sale of Duchy Lands by Queen Elizabeth, Anno. 1601, Particulars and Warrants (YS vol.).

45Coke, Reports, Vol. VIII, pp. 146-201.

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47. D.C.O., Receiver-Generals' Accounts, Roll 221.
CHAPTER I

OFFICE AND OFFICERS

The duchy maintained a continuous, though variable, establishment in London. Many of its records and all of its major officials were centred there. In particular there were two establishments which were inherited from the fifteenth century. The first, known as "le Prince's Wardrobe" was a chamber which had an appointed custodian. Little is known of the function of this office; it is possible that it had at some time served as a treasury for the Prince of Wales. The likely location of the building was in Old Jewry and its connection with the duchy dated from 1354. Whatever its function, the chamber ceased to be used sometime in the reign of Henry VIII, probably with the death of the last custodian, Edgar Davyes.

The most important centre of duchy activity was intended to be the Prince's Council Chamber located within Westminster Palace. It was here that most of the records of the duchy were maintained. The care of documents was entrusted to an individual variously described as an usher, clerk to the duchy Council, keeper of the records or custodian of books. It is clear that the room was of no mean importance to the duchy. In the late fifteenth century, when the room served as an Exchequer.
it also possessed a door keeper. The custodian of this chamber needed fairly sophisticated skills; Thomas Tamworth, appointed clerk to the Chamber in 6 Henry VIII, received an additional appointment the following year as a commissioner for the audit of the duchy. This latter duty demonstrates that he was capable of dealing with accounts and records of a complicated financial nature. However, no duchy Council existed in the sixteenth century after the death of Prince Arthur, and the chamber seems to have survived solely as a record depository. As late as 1513 it was the scene for the meetings of surveyors of duchy property. Begun in 1511, this project was an attempt to survey all estates normally vested in the heir apparent, the duchy of York, earldoms of March and Richmond and the estates of many who had been attainted. The surveyors were granted a clerk and usher appointed by John Heron, Treasurer of the Chamber. By 1574 the offices associated with this Chamber totally disappeared. The records were maintained by the auditors of the land revenue and by Chamber officials. It is clear that by the second decade of Elizabeth's reign the duchy had ceased to possess its own distinct London establishment. The last twenty years of Elizabeth's reign represent the nadir of the duchy when its lack of forceful central direction brought it near to extinction.

In the Parliament held the year following his elder brother's death, Prince Henry surrendered his estates
and title of duke of York receiving the style of Prince of Wales and duke of Cornwall. However, he did not receive any of the revenues of his lands and held no Council. The King had risked the health of his eldest son by burdening him with affairs and he may well have decided to withhold responsibilities of office from Henry until he was more mature. Also, conferring these titles, even by Parliamentary statute, did not conform strictly to the entail provided in the 1337 charter; it may have represented a means by which the crown sought to gain legal assurances concerning the succession, but it was at best a dubious proposition that Henry of Greenwich had a claim to the duchy. The King negotiated these delicate legal issues by arranging for the receipts of the estates to be paid into his Chamber and delayed indefinitely a grant of seisin for the Prince's inheritance. In this way the new heir received Parliamentary recognition of the titles normally the prerogative of the heir apparent without actually being confronted with a legal challenge to his right to them. Form replaced function.

Naturally, the monarchy could and sometimes did exercise the right to direct action or shape policy, but even so, this would not have occurred without consultation with the premier administrative duchy figure, the Warden of the Stannaries and High Steward of duchy lands in Cornwall and Devon. The office, invariably held by a prominent courtier close to the sovereign, clearly
emerged as the most important in the duchy by the end of the fifteenth century and remained so throughout the early-modern period. Over the long period from the death of Prince Arthur in 1501 until 1611 lack of heirs male meant there was also no Council. It was not constituted until an heir reached maturity and had been granted seisin of his lands. The administrative officers of the duchy felt the burden of complete responsibility for not only day to day affairs, but general matters as well. Nevertheless, the man was at least as important as the office and an inopportune fall from favour, untimely death of a sovereign or that great sixteenth-century game of fortune, the prevailing religious orthodoxy, led to the diminution or even exclusion of men from an effective role in affairs whose patents made them seemingly crucial duchy figures. Further, the pecking order between office and office, officer and officer, could be disrupted by these changes in personal fortune. The responsibilities and privileges of place were charges as much to the individual as the office; effective power was firmly chained not only to the position, but the prevailing circumstances of the holder.

Not only was the position of Lord Warden and High Steward held by very different individuals, but opportunities for exercising power differed from reign to reign. An important and enduring feature of the office began when Robert Willoughby, lord de Broke, became
Lord Warden in 1502. Unlike his predecessors, he was created Warden of the Stannaries for both Devon and Cornwall. At the same time he was made High Steward of the duchy, steward of manors and honours in Devon and of the borough of Bradninch, and master forester of the forest and chace of Dartmoor. These distinct functions concentrated a great deal of power into the hands of a single individual; with very minor variations each succeeding Warden received the same authority.

Undisturbed continuity in the nature of the office from 1502 onwards allows a fairly accurate estimate of its available patronage to be made. In Devon the Lord Warden appointed bailiffs for each of the four stannary districts of Chagford, Ashburton, Plympton and Tavistock. In the first decade of the seventeenth century these offices were reckoned to be worth £80 each. The courts were estimated to yield £100 a year while the four foresters of Dartmoor were worth £20 each. The Honour of Trematon, situated across the Tamar in Cornwall, produced £20 from fees owed in Devon. No estimate may be safely derived for the Honour of Bradninch in Devon, but the county could not have yielded less than £500 a year from all the offices at the disposal of the Lord Warden. The four Cornish stannary courts and the offices of bailiff to them must have been substantially more lucrative because by the end of the sixteenth century it produced far more tin. Presumably, he would have been
consulted concerning the sheriff's appointment and the administration of the eight hundred courts, which were also in the duchy's control. Finally, the High Steward controlled the many manorial courts in Cornwall. This provided the officeholder with more political and economic leverage in the county than anyone else except the monarch. Anybody who sought an office or some other favour in connection with the West Country would have turned naturally to the Lord Warden to help with his suit.

Whoever assumed the responsibilities of Warden of the Stannaries and High Steward became the effective spokesman for the crown in the southwestern counties, especially Cornwall and Devon. As Warden, he was the chief judicial officer of the stannary courts located in Devon and Cornwall, which ruled in all matters concerning the mining and smelting of tin. This gave him significant leverage in the single most important non-agricultural economic activity of the area. It was he who convened the Parliament or Convocation of tinners. These bodies sat irregularly in order to define or amend stannary custom or consider extraordinary measures concerning the industry, and they remained as an important expression of the measure of autonomy possessed by those associated with tin mining. Indirectly, his actions could affect not only miners and mine owners, but merchants who traded this sought-after commodity on continents far from Cornwall. He and not the Lord Lieutenant of the county had the exclusive right to
muster tanners. This gave him a possible military role in addition to the economic and political roles already outlined. An office of great trust, it required somebody in whom the crown could repose complete confidence. In general, though not invariably, someone with personal connections in the Southwest was chosen; after the fall of the marquess of Exeter in 1538, Cornwall had no peer of its own and therefore the Warden doubled as surrogate local magnate. Before and after that date the office required a judicious exercise of patronage and an understanding of the local conflicts which were often the result of the competitive zeal exhibited by the Cornish in search of place.

To aid him in his manifold tasks the Warden appointed deputies to carry out particular functions of his office. Stannary affairs were handled by vice-wardens, one for Devon and another for Cornwall, and deputy stewards were appointed for the various manorial courts. Generally, these positions were held by local men who derived occasional profit from fees taken from the registering of copyholds at manorial courts in the case of stewards, or presiding over the stannary courts in the case of vice-wardens. The latter positions were considered important and were always held by prominent local men. All of them, however, exercised their authority in the name and on behalf of the Lord Warden and High Steward.

The Lord Warden or his nominees governed the stannaries and Cornish estates from an impressive array of buildings.
within the county. The coinage halls also served as courts where disputes concerning tin mining or its refining were adjudicated. As the focal point of duchy administration in the West, these buildings were kept in good repair. In 1565, the coinage hall at Truro received extensive repairs which included £15 in wages to stone masons for working "English stone", 66s 8d to carpenters, and £8 6s 8d to labourers, for installing glass costing £6 13s 7d. They tiled the roof also, bringing the total expenditure to £58 16s 8d. In the same year the coinage house at Lostwithiel received repairs and improvements worth £8 10s 0d. In 1570 some 2,000 bricks were purchased and bricklayers hired for the same structure, and in the next year John Harrys, custodian, received £8 17s 3d for further repairs. Between 1565 and 1573 a total of £29 1s 1d was spent on this building alone. This was no mean sum by sixteenth-century standards, and these costs were for only one of the four structures used for coinage in Cornwall.

When a Council was again created in 1611 by Prince Henry, significantly, the Lord Warden, William, earl of Pembroke, was excluded, though confirmed in his office. In fact, this marked the end of the pre-eminent role of the Lord Warden in duchy affairs. Virtually all the available political patronage and many of his other prerogatives were preempted by the Council, which very quickly began to supervise virtually every aspect of the duchy.
He became the instrument of the Council, and except for the interlude from Henry's death in 1612 until the creation of a new Council in 1616, he only carried out its instructions.

Other functions central to duchy affairs were carried out by the Receiver-General. A post which existed in the Henrician revenue courts, the Elizabethan Exchequer, and in the great households of the day, it was pivotal for the management of a great landed estate. Though no precise distinction may be drawn between a treasurer and a receiver-general, a number of significant differences existed. A receiver was responsible for the collection of monies owed from a variety of sources while a treasurer normally acted as a kind of banker, caring for money taken into specific repositories, assuming responsibility only after the money had been delivered into his hands. Both officials had a "charge", that is, the money collected or turned over to them, and each had to account for his expenses or "discharge". Since there were no banks, the receiver-general was entrusted with large sums until called to account by the crown office to which he was responsible. In the case of the duchy, the Receiver-General was charged with the collection of revenues from landed rents, the coinage of tin, and various regalities in Cornwall, Devon and elsewhere. Rent collecting, then as now, was a thankless and time-consuming occupation. There were significant rewards for those willing to put up with the
difficulties. Outstanding among these was that large sums of money were in his control which he could expect to utilise in the short term for his own gain. Naturally, any Receiver speculating with money which in fact was not his own ran the risk of being caught out should his loans or investments turn sour. The fact that the office was sought repeatedly by families with extensive trading connections indicates that the advantages outweighed the risks.

Though many who held the office were from prominent Cornish families, their interests were diverse. The Arundells were a landed family; the Cosoworths were cloth merchants in the City; and Sir Francis Godolphin was the most important and richest tin mine owner in England. The early Stuart receivership passed to the Smythe family, which was not Cornish. Nevertheless, they, too, were men of substance widely connected and experienced in commerce. All Receivers in the early-modern period were from relatively well-to-do families. Fees amounted to an inconsequential £41 yearly. It may be that the special connection they enjoyed with the coining of tin served as a sufficient reward. Certainly, the office was coveted. Sir Edward Waldegrave, trusted Councillor to Mary, gained a licence to sell his joint interest in the office which he held with John Cosoworth for whatever they could agree. In fact, Waldegrave continued in office until his death, though clearly Cosoworth did all the work. In turn, the merchant resigned in 1573 in favour of his son.
All of these figures would have naturally employed the financial expertise available in their own households, but also there is evidence that there was a permanent office staffed by a small cadre which carried on the work regardless of who held the appointment of Receiver.

As early as 1604 John Hawries (Harris?) acted as a deputy-receiver, helping to collect rents. He was not a manorial official; rather he acted on behalf of the Receiver-General, taking net sums from various local officers and issuing receipts in his own name. He is mentioned again in 1624 and 1635 in the same capacity.

Edward Bartlett acted as another deputy, referred to first in 1594 and later in 1604. Both continued to carry out their tasks despite new appointments to the senior office of Receiver-General. The latter example is particularly significant in that Bartlett served not only a Godolphin, but also Sir Richard Smythe for a brief time. The fact that families tended to monopolise the Receiver's post probably contributed to stability and a settled pattern for servants completely at the mercy of the current officeholder. This evidence proves fairly conclusively that staff were inherited from one patentee to the next so that private and duchy administration were grafted together.

The existence of a cadre of deputies does not mean that the office of Receiver was simply a sinecure. He, too, helped in the labourious work of collecting money.
It seems most likely that the financial expertise available to an appointee in his own household was used to augment the existing machinery, and the result was something more than just an occasional, purely private administration. This arrangement was only practical in areas where duchy lands lay relatively close to each other. Distant estates, especially the larger manors, either had a particular receiver appointed by the crown or were leased for a period of years. Though both owed their receipt to the Receiver-General, they were not his "office" and did not act on his behalf.

As suggested, the annual accounts of the Receiver-General do not represent a complete record of duchy finances, but they are the single most important source of financial and other information available. The fact that all but a very few accounts have survived enhances their value considerably. More than anything else, they serve as a useful record of the activities of the most important officials in the duchy.

Another office vital to a large estate was that of auditor. Its functions were very different from its modern counterpart. The role of this officer was not to ensure that the accounts balanced, but to make out the "charge", that is, the receipt of the receiver. To perform this task the auditor had to be part lawyer and part accountant. He examined the manorial court rolls and certified the correct rents to be collected based upon
the information contained in them. This obliged the receiver to take and become responsible for certain sums actually in advance of payment and also, that whoever paid the rent had a legal right to do so. To be guaranteed legal protection, a tenant had to ensure that his holding was duly enrolled by the auditor. He was thus a vital link between individual, local administration and a central control.

Information collected by the auditor was formalised and abbreviated in the "ministers' accounts". Manor by manor they are an exact rendering of all monies and dues owed, by whom, and from whence, and all payments made to local officials or any extraordinary expenses. The residue or net became the "charge" of the receiver. The two systems, the Receiver-Generals' rolls and the ministers' accounts, form a vertical accounting procedure. All manorial or local officials drew up their accounts, arrears, collections and expenditures. In turn, the receiver drew up his accounts, but of course, his gross figure was only the sum total of all the net receipts charged to him from the manorial and other local officials. His account then deducted expenses which may be termed extra-manorial. This makes calculation of gross and net receipts extremely hazardous. Both sets of accounts must be employed simultaneously in order to be able to conclude accurate figures for the whole of duchy administration.
It was only with difficulty that the office of auditor was separated from the Exchequer and once more made independent of it in 1603. This move precipitated a squalid patronage fight. Within five months of the new King's accession it was decided to restore the ancient independence of the office. Richard Connock quickly gained the appointment. Scion of a Cornish family, his father, John served William Killigrew as deputy feodary for the duchy. The Killigrew connection with the Exchequer may have been a means of introduction for the Connocks with Lord Buckhurst and the Cecils. When Raleigh, Buckhurst and Sir Robert Cecil undertook delicate negotiations with the tin miners in 1600 concerning a prospective tin monopoly, they enlisted Connock to aid Raleigh to persuade the miners of the benefits of the scheme. The Lord Warden replied, "you could not have reported any man, as I think, both for diligence and knowledge, of more sufficiency."

In addition to his political service, he also associated himself with Inigo Jones and John Donne.

The new office initially went to Sir Francis Godolphin who immediately assigned it to Connock. A rival, Walter Cope, complained to Cecil that Godolphin paid courtiers £200 in order to further his suit while he had been told that the office was discontinued and still a part of the Exchequer. Though Lake apparently interceded for Cope, Cecil was unmoved by his pleas. It is possible that the Secretary was in fact a recipient of Godolphin's money.
It is unlikely that Godolphin planned to assume the responsibilities of the office himself. Increasingly out of touch, he had been associated with Essex in the latter years of Elizabeth's regime; he was opposed to the new policies concerning the duchy and only a year or so away from withdrawing from its affairs.

Connock's problems did not cease once he had received his appointment. Nathaniel Fulwer, the Exchequer auditor who had been responsible for the duchy, refused to surrender any of his records so that Connock could carry out his duties. The two could not resolve the matter to their mutual satisfaction and the Lord Treasurer and Chief Baron agreed to adjudicate. The former arranged "to hear us and our counsel on both parts, requiring me to send you intelli-

Fulwer employed the simple expedient of not appearing and claiming that he had not received notice. The fact that Connock's original letter to him exists in the P.R.O. with other of Fulwer's papers rather incriminates him. But, the maneuver failed and Connock eventually took up his duties. Whenever an opportunity arose, Fulwer continued to issue letters of complaint. As late as 1610 he recited his grievances to Salisbury and claimed the loss of the position cost him at least 1,000 marks a year in fees. Perhaps by way of partial compensation, he was granted the auditorship of the Prince's lands for South Wiltshire, Gloucestershire, Somerset and Dorset during pleasure at a fee of £10 a year.
The auditorship remained securely independent; the duchy even took up the offensive in 1618 when the auditor, William Hockmore, tried to gain control of Exchequer lands granted to Prince Charles for life to augment his income. Strenuous resistance from Mr. Budd, the Exchequer auditor responsible for the lands, successfully managed to fend off the attack.

Just as with other duchy officeholders, auditors employed deputies who continued under different masters. Usually nameless, they appear in documents attending to the details of office. In 1637 Richard Langford had served as a clerk to successive auditors for over twenty years "being employed therein by diverse Auditors succeeding one the other." Though small, a yearly fee was received by these deputies for the duties they performed. William Bennett, employed in 1613, was paid 40 marks for his service.

In order to look after its legal interests the duchy maintained an attorney-general. Usually the appointment included not only responsibility for the legal affairs of the duchy, but also the other two areas where a Prince had special interests, Wales and the earldom of Chester. Fees of £20 per annum for the post remained unchanged for the whole of the early-modern period. A minor office, which occasionally attracted an ambitious man seeking a career, such as Richard Riche or John Walter, it was normally a path to attention and favour only when a prince
exist. Besides actually pleading cases he would also have been responsible for advising other officers on legal matters submitted to him. In periods when there was a Council, he was an integral part of it. Of all who held the office, only one or two may clearly be associated with the West Country.

There were four relatively minor posts with only a regional jurisdiction. The duchy had the right to appoint the sheriff in Cornwall. Though for long of no economic importance, the office held obvious political significance when election writs were returned. Unfortunately, the process for choosing the sheriff remains totally obscure and there is no direct evidence that the duchy wielded its influence in any systematic way. The pattern of officeholding is little different from other counties in that the sheriff was usually a prominent local figure. Frequently, local duchy officials performed the task, but they were also important Cornish gentlemen who were natural choices in any case. The sheriff accounted to the duchy Receiver, though a "nihil" return was usual. Just as in other counties, the office conferred social status upon its recipients and the Cornish gentry sought the honour as ardently as those elsewhere.

A coinage master or comptroller of the coinage was appointed to oversee the assaying and weighing of tin in the coinage towns. Typically sixteenth-century administrative practice, the appointment normally went to an
individual who possessed extensive interests in mining. Certainly, it was the first important stepping stone used by the Godolphins in their long inexorable quest for great office. The ubiquitous Godolphins acquired it in 1520 and tenaciously clung to it for three generations until 1584. When first they came to the appointment, they were still a quite provincial, rough-hewn family, clever enough to prosper from their fortunate marriage alliance with the Glyns. They began their ascent toward the Renaissance splendours of the Elizabethan Godolphin House. The Bonython family, who took the office in 1584, were connected by marriage with the Godolphins. At the same time Sir Francis, head of the family, was about to become Receiver-General of the duchy.

Obviously of enormous practical worth to its recipient, the post was zealously guarded as an appanage of the Cornish tin interest and was occasionally defended with violence. In 1555 William Isham secured what he thought was a patent to the office. Undoubtedly, the Godolphins, closely allied with Seymour, were out of favour with the Marian court. When Isham entered the coinage hall at Truro and demanded that the hammers used to stamp the metal be turned over to him, James Godolphin, Peter Bere and a gang of at least half a dozen more men led by Sir William Godolphin drew weapons and drove him out of the hall. The triumphant group then bore the hammer before them, seizing all the rooms. When confronted by a
persistent Isham, Bere pulled a knife and dragged him from his bench. The hapless claimant was only saved by the intervention of a third party. The mayor refused to become involved, pointing out that he did not have jurisdiction inside the coinage hall. Three days of sporadic violence ensued. The deputy receiver attempted a compromise, but Isham refused and continued to press his claim. In the end Godolphin kept his office.

There were two other duchy officers in the county, havenor and escheator. The duchy had the right to customs in Plymouth and the Cornish ports. It usually farmed its prerogatives in the major ports, Fowey, Dartmouth or Plymouth, and revenues collected were little. Since the duchy also possessed the rights to feudal incidents, principally escheat and wardship, over its ancient Cornish estates, an officer was always appointed to protect these privileges. However, the annual sums returned by escheator and feodary were meagre and it is clear that the duchy made little attempt to exploit these rights in the sixteenth century.

The havenor, besides collecting rents from the farmers of the customs of the ports, also received revenues from customs on wine imported by foreign merchants, "maletot", presage of wine, ancorage of ships, keelage ("culagium"), or moorage dues, wreck of the sea, the measure of grain and the fishing of the water of Fowey. His work was complex and involved multifarious operations connected
with ships and shipping. He could be called upon to store cargo, for which fees were subsequently claimed ("cellergium"), provide baskets ("hope") for measuring grain, and collect "ullage", that is, money for casks of wine which were not full. Also, in connection with wine the havenor collected a tax known as "le garinge vino" as well as "carcagium", landing charges. Native merchants carried on an active trade importing wines from La Rochelle, sherry from Spain, sweet wine from the Canary Islands, "bastard malmsey" and muscatel. By far the heaviest volume of trade was with Gascony; in 1600-1601 the presage of wines produced £34 6s 8d, of which £28 6s 8d was collected on 17 casks ("dolia") of Gascon wine. In addition, there was also a duty levied upon salt which may have been sea salt exported from La Rochelle. A dozen Cornish ports owed annual fee-farm rents to the havenor: Fowey, 40s, Mousehole, 100s, and Portthea, £6. These were the highest rents and probably reflect their status as the most active ports in the tin trade.

Both the feodary and havenor had quasi-legal powers and presided at a court. The "court maritime" of the havenor was held at Plymouth, Portlooe and Mountsbay. The feodary probably utilised the facilities of Lostwithiel or one of the other coinage halls. Both officers, prominent local gentlemen, normally employed deputies to aid them in their work.

The very token fees paid to officers occasionally led to difficulties. In 1635 the feodary had fallen behind in
payment of his receipts and owed £358. This considerable sum could not be recovered because the officeholder was found to be imprisoned already in the Fleet. The havenor, too, experienced difficulties carrying out his functions on such meagre fees and in 1617 William Roscarrock requested additional money. The duchy Council granted him an eighth of all that he was able to collect in addition to his annual salary of £6 13s 4d. As with crown service generally, token payment was characteristic of the duchy. Because the Receiver-Generals' accounts do not represent a full account of expenses or receipts, it is also the case that officials could collect particular payments connected with specific functions which are obscured by the nature of the records. The duchy auditors, John Turnor and Guthlac Overton, received 20s travelling expenses for auditing the accounts of the manor of Newportpound, Essex, in 1518, shared 6s 8d for examining the manorial records and were allowed 8d for parchment. Similarly, they received 20s fees, were allowed 8d for parchment and a clerk's fee of 3s 4d when auditing the manor of Byfleet, Surrey, in 1516. These fees, collected for virtually every manor, went far to augment the seemingly small salaries recorded in the Receiver-Generals' accounts. The fact that these payments are recorded only in the ministers' accounts which were rendered for each manor or small groups of manors makes it difficult to collate the annual earnings of an officer.
Salaries were also supplemented by the category known as "necessary expenses" allowed by the Receiver-General. Though an itemized list of expenditure, it usually did not indicate to whom payments were made. The account for 1571-1572, representative of expenses normally incurred, totalled £109 15s 4d under this heading. Approximately 86.2% of the total sum (£94 6s 8d) was paid directly to officials for services rendered. By far the largest single payment of £70 was for the audit of lands in Devon and Cornwall held that year at Lostwithiel, Okehampton and Bradninch. The bailiff itinerant received £4 and the sheriff of Cornwall, 10s. Riding expenses, which included the auditor and his entourage as well as the Receiver-General and his deputies, amounted to 40s. The preparation of accounts at London cost £6 13s 4d, and, rather dubiously, the expenses of the auditor and his clerks in London at the determination of the same accounts was an identical £6 13s 4d. Clerks received 40s for duplicating the rolls and another 40s were expended upon consideration of arrears by officials. The remainder of the money went to buy parchment, paper, ink and wax. The Receiver was allowed 24s for three virgates of green cloth ("virid coloria") for the accounts table and the auditor was paid 48s for six virgates of the same material. This green cloth was a symbol of the judicial powers of these officials as representatives of the duke in his lands. Determination and payment of rent bound the lord to the
tenant and those who did not appear in person or by representative could not expect their claim to tenancy to have sanctity in law. Fluctuations in the totals of "necessary expenses" do not correspond with the inflationary spiral of the later sixteenth century. For almost the whole of the Henrician period the figure remained stable at under £45 per annum; in 1531 it was £43 13s 11d. However, by 1547 it had more than doubled to £97 0s 6d. The totals fell back again under Edward and Mary, only to return to the higher levels of expenditure once Elizabeth came to the throne. In fact, these abrupt changes cannot really be related to general economic conditions, but more probably to opportunities presented the officials in periods when the monarchy was weakened and central control was lacking.

It must be emphasised again that there is no single source which records all payments and expenses of office. This form of accounting was not employed simply to conceal information from contemporaries or frustrate later generations of researchers, but rather, it reflects accurately the then prevalent attitude towards office. Servants were allowed particular sums for performing specific tasks. The fact that much work was related or even repetitive did not matter. Payment was for actual performance and not for a priori skills needed. For example, until the resurgent Exchequer extended its control, auditors received sizeable payments directly
from the receipts of certain manors. Each year Liskeard owed £20 to the office and the same amount was derived from the revenues of Calstock manor. His clerk received 2s from each of the seventeen assessable manors and various amounts from the thirty-four other duchy manors in Cornwall, Devon and other counties. From Cornwall alone these fees provided an additional income of £46 10s 0d.

It is impossible to derive exact administrative expenses for the whole of the early-modern period or compare these costs with revenues to determine how much money actually was paid to servants for performing their tasks. Examination alone of the court rolls, ministers' accounts or Receiver-Generals' accounts will not accurately reflect how individuals sought recompense for the services they rendered. However, comparison of the ministers' and Receiver-Generals' rolls for the same years yields a reliable estimate of total expenses for all offices. Unfortunately, the requisite documents survive together only for very brief periods, all during the reign of Elizabeth. The method is as follows: the gross manorial receipts less arrears as well as capital and other expenditure for all duchy estates in Cornwall, Devon, Dorset and Wiltshire have been compared with the net receipts indicated in the ministers' accounts. The difference between these totals represents payments to
officials. Certain local functions, the hayward or reeve for example, were usually granted a commutation of rent or exemption from services connected with the terms of their tenure. Since it is impossible to translate these into monetary terms, they are ignored. Hence the totals produced from these accounts are consistently lower than the true figures. These amounts are then supplemented by comparing them with the administrative costs charged against the Receiver-General in his account for the same year using the total amount of cash he actually received from all duchy sources. This latter figure is also below the actual total because those responsible for the coinage of tin, which represented a significant proportion of his receipts, received their fees before the monies were turned over to him. Hence the estimate produced by this method is inherently conservative.

In fact, the crown's administrative costs were high, especially when it is remembered that many officials were in a position to demand fees from crown tenants and those who had to transact legal or administrative business with the crown. Such evidence as may be gleaned, and it is confined to the Elizabethan period, demonstrates that though fees, diets and emoluments paid to duchy servants represent a significant percentage of monies actually collected, they did not increase. In the first full accounting year of Elizabeth's reign, 1559-1560, the gross manorial receipts for all the manors mentioned above

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totalled £1,068 0s 4d and the net figure after deducting administrative expenses was £923 9s 7d. This means that 13.5% of the revenue went to pay officials before a penny was turned over to the Receiver-General. His account for that year indicates further payments of salaries and fees representing 9.6% of the cash actually collected from all sources of revenue. The amounts dispersed to officers at each of the two collections was thus an average 11.6% of the receipt. The amount expended upon duchy servants in 1566-1567 indicated by the ministers' account represented 12% of the total receipt while the Receiver-General paid 9.4% of his actual collection yielding an average dispersal for fees of 10.7% at each of the two accounting points.

The amounts expended upon personnel and costs incidental to their work in the first year of Elizabeth's reign are reflective of an institution which had changed little since the inception of the Tudor dynasty. The increasing intervention of the Exchequer into duchy affairs after 1570 coupled with the greater demands for cash imposed by a monarchy squeezed simultaneously by inflation and the costly Irish problem in the last decade of the sixteenth century produced a very different result. By 1601 only 9.1% of the manorial collection went as an administrative charge while the Receiver dispersed 8.5% of his cash receipts in payment of fees and wages. This produced an average of 8.8% of gross received income.

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assigned to fees in each of the two accounts. A sample of only three years is not overwhelming evidence. Nevertheless, these figures suggest that estate management was an expensive exercise requiring significant outlays of cash. They point to why individuals zealously sought even offices of secondary importance. The trickle of fees and emoluments coming from a multitude of sources was the reward for that small cadre of clerks and deputies who plied their trade unceasingly. It is not surprising that in periods of financial crisis the crown granted its lands on long, seemingly unfavourable leases or sold off estates.

The occasional nature of administration and the subtle but real distinctions which continued to exist between forms of tenure from one manor to the next as well as the vested interests of office meant there was little the crown could do to improve the situation. Innovation in administrative procedures was hardly practicable; when the Jacobeans presented the realm with a duke, and all his concomitant expenses, those who ministered his estates turned their gaze not so much upon duchy servants as the land itself and those who used it.

Insofar as the duchy was a centrally governed unit, the axis was very much between London and Cornwall. However, neither the Tudor nor the Stuart monarchy was anxious to build lavish monuments for its administration. Only after Richard Weston, a justice of the assize in 1565,
who after suffering the draughts and leaking roof of
Launceston coinage hall while presiding over the Western
circuit, requested that repairs be made, did duchy officials
feel compelled to take action. Nevertheless, the coinage
halls were imposing structures by contemporary standards
upon which fairly large sums of money were occasionally
expended for maintenance and improvements. Shortly after
the accession of James I a series of ambitious building
and rebuilding projects was undertaken in Cornwall. The
coinage hall at Helston was completely reconstructed at a
cost of £363 2s 4d. In the same year, 1608, extensive
repairs to the hall at Truro cost £226 14s 3d and
restoration of the stannary court at Lostwithiel amounted
to £25 0s 3d. These capital expenditures demonstrate
the crown's commitment to the continuing importance of
the local administration in Cornwall. In contrast, there
is no corresponding evidence of heavy outlays of cash for
repairs or improvements for the four stannary districts
in Devon. The decline of tin production there simply did
not justify the same kind of expense.

Besides the coinage hall, the duchy also possessed at
Lostwithiel a gaol to which stannary officers could commit
prisoners. It was a structure that provided both the duchy
and local inhabitants with many difficulties. In 1616 the
prisoners actually petitioned the duchy Council in order
to list their grievances both against the gaol and the
gailer, Richard Bonython. They complained that the prison
measured only twelve feet by seventeen, did not have windows, fireplace or furnishings of any kind and often contained as many as fourteen and sometimes twenty prisoners. This room was known as the "Grate". The only relief open to the inmates lay in paying a daily fee to the warden who then provided prisoners with board and lodging in his own house. Those unfortunates who could not find the fee were clapped in irons and kept permanently in the "Grate". The petitioners even had the temerity to complain that because the prison stood in a "dark lane" they could not raise the sums from begging which would have come to them had it been in the high street.

Richard Polstagg, Bonnython's deputy, who actually kept the prison, doubtless received little or nothing and was forced to exact fees in order to maintain the gaol and himself. He was accused of using prison labour to keep his house and work in his fields. Further, the prisoners charged that upon release they were fined 6s 4d or more each for fictitious offenses while in gaol. Those who spent only a day or two in detention found that board and lodging was by the week only when presented the bill at the end of their stay. More seriously, it was maintained that the gaolers refused access to an attorney unless they remained present and would not allow letters to be sent until first censored.
The complaining prisoners received serious consideration from the Council. By 1621 the old prison had been totally demolished and a new structure erected to the satisfaction of the duchy feodary, Richard Billing, and William Roscarrock, duchy havenor, both of whom were West Country men and well known in Cornwall. The gaoler, too, had been replaced by the date of their inspection, but there is no surviving evidence that he was dismissed. However, though the duchy Council had done much to rectify the complaints of prisoners, the basic system remained; the keeper still received only a nominal fee and thus the practice of exacting fines for privileges from inmates probably continued.

In addition to the buildings and capital projects described, the duchy also regularly defrayed charges in relation to the defense of the realm. Generally, these outlays involved the Southwest, where the duchy was the prime organ of royal administration. It was usually in periods when war was imminent or actually declared that this kind of project was undertaken. The duchy simply provided assistance in the costly task of defending the Tudor monarchy. The brief mid-Henrician crisis of 1523 necessitated a naval reconnaissance in the Channel and its western approaches to guard against the possibility of a French invasion. In that year a warrant from Wolsey authorised the payment from duchy revenues for the maintenance of three ships based at Plymouth. William West,
capable of carrying soldiers as well as mariners. In order to protect against the possibility of raids on the southern coast of the Cornish peninsula a rider was constantly kept ready to bring news from the west to Plymouth so that the ships could intercept raiders before they escaped to the open seas. These vessels, expensive to maintain, were kept for only one year; once the crisis had passed, the expedient was quickly abandoned.

Toward the end of Henry VIII's reign the realm was once again threatened by the Catholic antagonists of the Protestant Reformation. By 1540 the crown recognised the potential danger and decided upon a system of forts along the south coast which would be capable of repelling attack from the sea. At the western approaches to the Channel, possessing many inlets and creeks, Cornwall was the natural western pivot of the line of defense. Outstanding among the harbours was the wide and fairly deep Carrick Roads which led to the Cornish port of Falmouth. On the eastern and western headlands of the bay it was decided to construct fortresses which could completely envelop the water approaches with cannon fire. St. Mawes Castle was built between 1540 and 1543. It was constructed in the renaissance style: relatively low, a series of
concentric walls running into each other clover-leaf fashion in order to dispatch and withstand the maximum of artillery fire. Across the bay on the western headland the counterpart to St. Hawes, Pendennis Castle, was completed by 1546. This fortress was not as complex and the outer redoubts not added until the invasion scare at the end of the sixteenth century when in 1595 the Spanish burned several Cornish towns. In fact no evidence exists to link the duchy with the construction of Pendennis.

It is likely that St. Hawes was constructed with duchy money. In 1540 Lord Russell, "president of your council in the West," authorised John Hull to undertake the construction of fortifications, walls, counter-walls and other buildings for the King around Falmouth. Stephen the German designed the fortress while Hull acted as paymaster and builder. Monies for materials and wages were paid directly to Hull upon orders countersigned by Lord Russell. By 8th July, 1540, Hull had expended £2,266 13s 4d upon the fortifications. The following year activities were concluded with the expenditure of a further £1,300 0s 0d. It seems likely that those sums were devoted to St. Hawes alone. Of the two structures, only it has inscriptions, especially written by John Leland, adorning its walls, and a number of these refer directly to Prince Edward in a way suggesting that he as duke of Cornwall was involved in the construction of the fort: "Gaudeat Edwardo Duce Nunc Cornubia Felix." It does
seem that the Prince is commemorated not only as duke, but as benefactor as well.

Built primarily as gun platforms capable of delivering withering fire while absorbing bombardment, the two garrisons were manned by local commanders who hired their own soldiers. Presumably they did not live permanently in the fortifications, but must have had some regular routine of training and watch, assembling within the walls whenever a crisis loomed. Finished no more than a year before the death of Henry, these forts may not have been manned by then. The clearly Protestant tack of the Edwardian regime demanded that these defenses be garrisoned without delay. However, no duchy connection with either fortress seems to have existed prior to 1552. In the first year of Mary's reign there is a payment to John Killigrew senior as captain of Pendennis. This marks the first appearance among the duchy accounts of the Killigrews' connection with the fort, but in fact both appear to have been guarded before this date. A Protestant family active in duchy affairs, the Killigrews treated defense as other matters — with a singularly entrepreneurial flare.

Queen Mary appointed the Roman Catholic Thomas Arundell as captain of St. Mawes, perhaps to create a balance of power to ensure, that the Protestant sympathies of Killigrew would not cause difficulties. Arundell was paid a shilling a day and given allowances for a vice-captain and three servants, the fees also granted to Killigrew. In all

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each commander received £118 12s 6d a year for the garrisons. As the years passed new commanders were appointed, and the duchy carried on supporting the two defensive installations throughout the reign of Elizabeth I. Upon the accession of King James, payments for the fort at St. Hawes were withdrawn. By 1607 the more pacific Stuart monarchy had severed the duchy connection with Pendennis as well, and this marked the end of over half a century of association between these two castles and the duchy.

In the period of crisis which necessitated their construction upon the headlands of Carrick Roads, it was also decided to extend the line of fortifications westward to the Isles of Scilly. This was a logical step for the archipelago rises out of the sea on the western edge of the Channel. Thomas Godolphin, Thomas Guye and John Killigrew were selected to begin construction of fortifications on the Islands. Over £1,500 was spent creating a complex of defenses. John Killigrew, the son of the captain of Pendennis, was chosen as leader, but the post only lasted for a brief period. The Scilly Isles were difficult to reach from the mainland and it probably proved impossible to maintain a permanent force in the Islands, especially during winter. This costly project was abandoned after the accession of Mary when the need of defense was not so vital, and perhaps mistakes could be a little more easily admitted.
It has been shown that with the appointment of Lord de Broke in 1502 a consolidation of authority was accomplished by combining the powers of Lord Warden and High Steward, but the realities of political power in the sixteenth century worked to destroy this arrangement. Between the death of Arthur in 1502 and the granting of livery to Prince Henry in 1611, most of the Wardens were courtiers, administrators or soldiers who were close to the monarch. Henry Courtenay, marquess of Exeter, who became Warden in 1523, was probably uniquely placed to concentrate power in his own hands: his extensive lands in the west, duchy patronage and financial resources, and his blood connections with the crown provided him with a power base perhaps unparalleled in the mid-Henrician regime. Doubtless, some of his followers found places in the duchy and the Warden's exclusive power to array the tinners might allow him to reinforce his impressive retinue. It is more than simply ironic that after his execution in 1538 many of his Cornish estates were added to the duchy. This served to break up the patrimony of a politically dangerous family and increased the authority of the High Steward. The monarchy did not in future have to worry about independent western nobles. When the rebellion of 1549 erupted in Cornwall, the government called upon Exeter's successor as Lord Warden, Lord Russell, to take command of the royal troops and lead them against the insurgents. The army which Russell led to Cornwall and successfully

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employed to put down the rebellion was actually financed with the net receipts of the duchy. The Lord Warden emerged as the hammer of the Cornish. His powers derived from that office may explain why the Council of the West and his role as president was only short-lived.

The establishment of firm control amply demonstrated by Lord Russell in 1549 dissolved in the quick lime of the rival religious ideologies which dominated the middle of the sixteenth century. High office did not always mean the exercise of power. The exigencies of religious change caught out Sir Edward Hastings, Baron Loughborough, appointed Warden in 1556. A prominent Roman Catholic, gaol ed by Elizabeth in 1561, he was released after taking the oath of supremacy. He then discreetly retired to his Buckinghamshire home to live out his days quietly. Until his death in 1573 he remained Warden, but it is hardly likely that he could have exercised full control of the office. This period from 1559 to 1573 marks the beginnings of Exchequer influence in the duchy; however, it seems improbable that the reins of patronage were gathered into a single pair of hands. The Wildmays had an important interest and connection with the duchy through the auditorship and the Lord High Treasurer, Winchester, also spared a thought for it from time to time. Nevertheless, this twelve-year period remains confused and it seems likely that influence was dispersed among various courtiers and crown officers.
When the earl of Bedford became Warden in 1572, this provided a period of stability under a powerful courtier. However, the appointment of Raleigh to office in 1585 again made the duchy a vulnerable institution. Lacking a sound political or financial base, he could not withstand the pressures of the Exchequer men, Burghley and Buckhurst, or of Sir Robert Cecil. Raleigh understood the needs and aspirations of the West Country better than any of his immediate predecessors, but he simply did not possess the means with which to represent them adequately. He was actually evicted into the street from his London townhouse in 1603 upon the advice of Cecil. The Howards, too, schemed to destroy him and allied with the Secretary as soon as the Queen died. His imprisonment upon the accession of James I was followed quickly by his surrender of the seals of office of Lord Warden. Had the drift of the last five years of Elizabeth's reign continued, the duchy would not have survived long. The new monarch, endowed with sons, was more careful of the institution. Its renaissance eventually came not through the auspices of the office of Lord Warden, but under the guidance of a Council.
NOTES

1 He was appointed to office 28 June, 1515. See S.C. 6/5934.


3 The Council was apparently concerned exclusively with the Marches of Wales, but William, Bishop of Lichfield and Coventry, was described as "President of the Prince's Council at Ludlow." D.C.O., Receiver-Generals' Accounts, Roll 213. It is clear that the administrative centre had to be as mobile as the duke. The Council Chamber at Westminster was maintained and described as a Treasury. Obviously, this latter function ceased upon Arthur's death, and was never revived.


7 Ibid., Vol. XXV, pp. 113-114.

8 S.P. 14/23/130.

9 Ibid.

10 S. L., Add. MSS., 6713, pp. 101-104 and pp. 112-115. This was affirmed in 1496 and again in 1521.

11 George Randall Lewis, The Stannaries, a Study of the English Tin Miner (Cambridge, Mass.: H.U.P., 1924). This remains the standard work and contains the most detailed description of the activities of the stannary courts.

12 D.C.O., Receiver-Generals' Accounts, Roll 274.


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See Appendix B for a list of Receiver-Generals. Biographical information has been acquired from *The History of Parliament Trust*, files, early Tudor and Elizabethan sections.

Cal. S.P., Domestic, Vol. IV, p. 235. The license was necessary in order to circumvent the act against buying and selling offices. *St. of the Realm*, Vol. IV, 5-6 Edw. VI, c. 16, pp. 151-152.


E. 315/69. File 3.

Ibid. All the original receipts contained in these files are signed by the officer actually collecting the money.

E. 315/71 and E. 315/73, File 1.

L.R. 8/109 and E. 315/69, File 3.

E. 315/69, File 5 and E. 315/73, File 1.

These are contained in S.C. 6 and also in D.C.O., Ministers' Accounts.


S.P. 14/5/30.

H.X.C., *Reports*, Vol. IX, Part VIII, pp. 439-441. Godolphin was completely opposed to the proposed tin monopoly which was contrary to his interests as a mine owner.

31 S.P. 46/162/Part I. The calendar indicates this undated letter to be Edwardian, but it probably originated sometime in late 1603 and is addressed from Connock to Pulver.


33 S.P. 14/57/79.


38 See Appendix D for a list of Attorney-Generals.


40 Riche was granted the office in 1532 and Walter in 1615. Both were at the beginning of their careers. Riche shared his appointment with a John Cock, who may have actually carried out the work. It is likely that under Henry VIII it was the practice to appoint two attorneys, one of whom, such as Sir Robert Southwell or Riche, had an administrative connection with a financial court to which the duchy paid its revenues.

41 Manibal Vivian, who held the appointment in 1600-1601, is a rare example.


44 Royal Institute of Cornwall, Henderson Calendars, 3, pp. 258-261. This was not the first time the family had involved itself in violence. In 1527 Thomas St. Aubyn and William Godolphin were accused by the factor of John, King of Portugal, of robbing one of his ships wrecked upon the
Cornish coast. When survivors appealed to local J.P.'s they were told that it was the custom of the country. Godolphin and his gang forced the unfortunate captain to ride behind on horseback in order to show him about the countryside. They then robbed his crew. L. & P., Vol. IV, Part 2, p. 1256.

45S.c. 6/385.

46S.c. 6/388.

47Ibid. The total yield, which included payments from eight other towns also, was £21 3s 4d.

48D.C.C., Receiver-Generals' Accounts, Roll 297.

49D.C.O., Receivers' Accounts, 1634-1649 (MS).


51S.c. 6/5926.

52S.c. 6/5925.

53S.c. 6/5953.

54S.c. 6/5965.

55S.c. 6/385 and 390.

56S.c. 6/386 and D.C.C., Receiver-Generals' Accounts, Roll 236.

57S.c. 6/388 and 393.


60Ibid., Roll 274.

61Ibid.


63Ibid.

64Ibid.

66s.c. 6/171.

67R.B. Wernham, Before the Armada, The Emergence of the English Nation, 1485-1588 (New York: The Norton Library, 1966), pp. 102-104. This purely defensive measure illustrates the expense and trouble the crown faced each time an invasion was threatened; the problem of defense for the West was not solved until the 1540's.

68s.c. 6/5939.


70Daphne Drake, Saint Iawes Castle and Pendennis Castle (K.Y.S.C., 1939).

71s.c. 6/5962.


73s.c. 6/5964.


75D.C.C., Receiver-Generals' Accounts, Roll 226


77D.C.C., Receiver-Generals' Accounts, Roll 227.

78s.c. 6/90 and D.C.C., Receiver-Generals' Accounts, Rolls 225 and 226.

79See Appendix A for a list of Wardens.


81s.c. 6/91.

82D.N.B., Vol. XXV, pp. 113-114.


84Ibid., p. 271.

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CHAPTER II

THE COUNCIL

By the time James I came to the throne the duchy had become a constitutional backwater which had suffered from neglect and exploitation in the hands of a Queen who had no immediate heirs and remained vague until the end concerning the question of the succession. For a century there had not been a duke in possession and just how in fact the institution should be governed when there was an heir was enveloped in obscurity by 1603. One hapless individual in pursuit of office, probably writing in 1612, found that when he applied for the post of clerk of the Prince's Council, nobody could tell him anything about its responsibilities, privileges or fees. He interviewed Richard Connock, duchy auditor, but found he "remembered so little of it at that time" that he was forced to look out old patents recovered from the Prince's Council Chamber.

So that this being all that I can any way gather, either of the practise of this place, or of the allowances that have anciently gone with it, I would more willingly have left it to the consideration and judgment of his Highness' Council, than to have said anything of it; but being they have pleased to command me to deliver them in writing what rights I suppose to have belonged unto it, I will be bold to offer unto them by way of information those observations that I have made . . .

The new dynasty had few precedents to follow and Prince Henry was only nine years old in 1603, hardly of an
age to enjoy liberty of the great franchises which were the hereditary right of the heir apparent. One of the great attractions of James for the English was the fact that he possessed heirs and this promised at last to end the succession crises which had troubled the last half of the sixteenth century and led more than one unwary politician to his doom. To demonstrate that these problems were at last laid to rest, it was important eventually to secure a prominent place for the heir apparent and invest him with all the customary trappings of legitimacy.

The costs of keeping the young Prince grew quickly in the first decade of James' reign and became a noticeable drain upon royal finances. Early in 1610 the marquess of Salisbury, who had succeeded Dorset as Lord High Treasurer in 1608, estimated that Henry's diet alone cost £10,000. By that year the heir to the throne was receiving £18,000 for his house, £3,000 for his wardrobe and a further £1,400 for his privy purse. The Prince was thus costing the crown £22,400 each year, though the King continued to receive the duchy's income through the Exchequer, which partially helped to ameliorate the impact upon the crown purse. Nevertheless, James was in a far from easy financial position. Inflation had savaged the basis of revenues and Salisbury was alarmed by the ability of the King's family to absorb large amounts of the crown's disposable cash. However, James could not consider the problem only from the financial point of view. He was
still working to establish a secure and stable dynasty. The very fact that he had heirs was welcomed in England and fostered the initial popularity of his reign. To serve both of these factors it was important to ensure Prince Henry a visible role which at once would please the Kingdom and enhance his own dynasty's grip on the throne. For these reasons James ignored bleak economic realities and on 1 September, 1610 granted livery of the duchy to the sixteen year old Prince.

Inflation and endemic corruption doubtless caused continuing erosion of the crown's financial position, but too often the fact that James by necessity had to support a wife, two sons and a daughter in a royal manner has been ignored. For him to be frugal at their expense would have been an affront to their dignity and by implication, a denial of the legitimacy of his dynasty. England did not only accept a king in 1603, but a royal family anxious to assume the trappings of monarchy.

Salisbury worried about the nature of the grant of livery itself. The charter inherently conveyed to the Prince the political and social prerogatives of the duchy which for long had been vested solely in the crown. These could be exploited by Henry and his advisers in relative freedom. It removed from the immediate grasp of the Exchequer and the Privy Council important tools of patronage and bestowed them on those who were not necessarily his allies. This unease surfaced, albeit
obtusely, in 1610 within a week of the grant, when Salisbury petulantly insisted that a minor clerk in Henry's household surrender the right to a diet of five dishes on the grounds that it was the equal of his counterparts in the King's household. It is possible that the complaint was actually aimed at Lord Knollys, cofferer to the Prince since 1606, and patron of the clerk.  It is telling that the Lord High Treasurer felt compelled to antagonize a minor servant of the Prince over a trivial matter. The duchy lands, which he had purchased in the sale of 1601, he surrendered voluntarily after proceedings had been initiated to recover all duchy manors illegally sold at the end of Elizabeth's reign. This could only have served to aggravate his uncertainty. If not openly opposed to Sir Adam Newton, Henry's tutor, he was at least willing to listen to criticism of him. The bishop of Durham complained to him that Newton, as non-resident Dean, obstructed effective government in the palatine county.

The Lord Treasurer also was concerned at the sheer expense of a bona fide palace. The costs of the festivities associated with the grant alone were staggering: £1,300 was spent on fireworks for the celebration and Henry's robes cost a further £7,001 and the clothes worn on 1 September cost £1,311. From Easter 1610 until 20 May, 1611 his household expenses ran to £11,200 and total payments for the period amounted to £31,849. Henry

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received additions to his income out of the Exchequer in order to support his new status and Salisbury reckoned the Prince received not less than £51,000 a year from all sources. These were colossal sums and it is little wonder that he should have been worried by the King's generosity. The Prince's annual income was nearly ten per cent of all crown revenues. The government simply could not afford the additional expenditure. As long as the duchy produced only a fraction of the Prince's income, he could not expect to be independent. As will be shown, this point was not lost on either Henry or his advisers.

After receiving livery of the duchy, which provided the heir with an income completely independent of Salisbury or the King, Prince Henry quickly moved to establish a household not unlike that of his father. These were purely personal servants and not necessarily connected with the duchy. Income generated by the duchy was turned over to it. This apparently two-tier system was in fact blurred in practice. An officer of the household, Adam Newton, for example, acted as the recipient of all correspondence directed to the Prince by duchy tenants; Richard Connock served as auditor of not only the duchy's revenue, but also all the monies spent by his household. In this way the two tiers often merged. At one end of the spectrum were duchy officers, especially those locally employed, whose duties were confined purely to traditional duchy matters. At the other end were those members of the Prince's
household who had no contact with the duchy. At the centre were those whose responsibilities encompassed both organisations.

Besides the two-tier administration, the duchy was at the centre of a new matrix of financial agencies. The principality of Wales and the earldom of Chester also contributed to the Prince's maintenance. However, the duchy provided far greater revenue than either. Because the Prince held special regalities within the duchy it also held out the most promise of yielding an increased income. At the same time it provided the heir with a patronage reservoir which could be employed to bestow favours upon members of his entourage. Relatively important and lucrative prizes went to those influential locally. The earl of Lincoln gained the useful office of steward of the vast soke of Kirton in Lindsey, Lincolnshire, and Humphrey Arundell was appointed bailiff of Widcomb, Farrington Gurney, Laverton and Westharptree in Somerset. There were places also for minor household officers: Edward Salter, a carver at table, received the stewardship of the Honour of Berkhamsted in Hertfordshire. Preferment for ecclesiastics was available. Daniel Price, a chaplain in Henry's household, received the living of Lanteglos, a parish near Camelford, Cornwall. Inigo Jones was appointed surveyor of works with annual fees of £54 15s 0d.

Prince Arthur, first son of Henry VII, briefly utilised the services of a Council which gathered at Ludlow under the
preidency of the bishop of Lichfield. None of the records of this body survive and exactly how it worked is not known. Arthur's premature death in 1502 and the reversion of his estates to the crown ended this brief episode in the Council's resuscitation.

Henry moved swiftly after the grant of livery to create a Council of Revenue which would have jurisdiction over his financial affairs. A commission dated 8 December, 1610, to Edward Phelps, George Moore, Augustine Nicolls, Sir William Fleetwood, Adam Newton, Thomas Stephens and Richard Connock was issued to administer the oaths of office to all councillors, servants and officers of his revenue. The Council consisted of Phelps, Newton, Moore, Sir Oliver Cromwell, Fleetwood, Nicolls, Stephens, and Connock. All were appointed during pleasure. A quorum was four, but had to include the Chancellor, secretary, Receiver-General and surveyor-general, but could be only two if the Prince gave express permission.

On 9 July, 1611 the Council was granted two important commissions which demonstrate how it intended to seek additional revenues from the estates under its control. The first, constituted of all councillors as well as John Thorpe, a surveyor, was empowered to examine juries, stewards, under-stewards, bailiffs and reeves on the manors of Old Shorham, Sussex, and Kirton in Lindsey to search for decays and defects of rents and revenues, dilapidations and illegal enclosures and spoils of woods.

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The second, which again included all councillors, but also comprised the famous surveyor and cartographer John Norden, ordered surveys of the duchy manors of Vere, Wiltshire, Shippon, Berkshire, Fordington and Rythe, Dorset, nine manors in Somerset and thirty in Cornwall. Any estates not parcel of the duchy were also included in this latter commission. A final commission to the same group, with the addition of Anthony Parsons, who like Thorpe and Norden may have been a surveyor, was issued 13 July, 1612. Addressed to all ministers of the Prince's estates, it detailed exactly how the surveyors were to proceed with their work of determining the exact acreage of lands and their condition. They were granted great latitude and could compound with copyholders and tenants on the spot once a new value and rent had been determined. Nevertheless, they were to report as quickly as possible to the whole Council and ensure that clear and accurate records of their work were turned over to it.

And the Inquisitions thereupon and all and singular other things therefore requisite or behooving you and execute with effect in form aforesaid, and the same Inquisitions and all rest of your doings and proceedings of or in the premises distinctly and plainly taken and done by you or any two or more of you as is aforesaid you or any two or more of you as aforesaid have before our Council of our Revenue with convenient speed after the execution thereof under your Seals. ...17

The instructions were explicit and provided great detail concerning how the surveyors were to gather information.
and clearly indicate that the intention of the Council was to increase fines and rents.

The Stuart Council proved peripatetic. To function effectively the secretarial organisation was created. To serve this body a clerk was nominated who was custodian of the books and records while another was granted the office of guardian of the Council Chamber at Westminster. In fact, it proved impossible to reconstitute the Chamber. After an initial attempt, it was decided to forego Westminster for the City. To the two main administrative needs, proximity to the head whether duke or monarch and a central repository for records, a third was added when a Council came into existence under Charles. By November, 1615, correspondence from the duchy Council emanated from Salisbury Court.

Within a year letters were addressed from Denmark House; presumably the Secretariat for the Prince had an office there and so the Council used the facilities from time to time. Occasional meetings continued there until Charles became King. In addition the Council decided upon its own chamber, and by 1617 began to let a room in Fleet Street for the purpose of meetings. Though the room continued to be the scene of meetings through the 1630's in a representative expression of early-modern administrative practice, the chamber was only leased and never purchased. In 1617, £120 was paid as annual rent to Margaret Hare, but by 1621 the same rent for the room went
to Sir Henry Montagu, Viscount Mandeville, after he had purchased the premises. The advantages of this location were manifold: it was close to both Somerset House and the Inns of Court. Occasionally, the Council met at Hobart House, Sergeant's Inn or St. James Palace in addition to the Fleet Street chamber meetings. It is obvious that the Council met when and where convenient for its chief officers, though it seems likely that when the Council sat to audit financial accounts it did so only in the Fleet Street chamber.

Most important of councillors was Sir Edward Philips who became chancellor and custodian of the Prince's great seal during pleasure with fees of £200 a year. When he received an order from the Secretary requesting a lease or grant, the chancellor issued a warrant to the auditor for a particular and then asked that the lease or grant be prepared by the attorney or solicitor for the Prince's signature. Once the document was returned under the privy seal, he could engross it with his own signature and allow it to pass under the great seal. For any office of receipt or proposed lease he was required to take bonds or recognisances against default. Another councillor, Sir George Moore, displaced Knollys and became Treasurer of the household and receiver-general for all the Prince's ministers with fees of £100 per annum. His function included receiving money not only from the duchy, but from the other estates and interests granted by James to his son. He was
charged with preparing exact accounts so that "we may always understand the estate of the Treasure" and to keep information confidential. Further, his duties included recommending and securing the performance of inferiors and making payments only by direction of a warrant under privy seal or by debenture from the auditor. The money was then paid over to the cofferer, David Powles, for the use of Prince Henry.

The new regime resurrected an Henrician office by appointing Sir William Fleetwood surveyor-general at £50 a year. This function had disappeared when the General Surveyors were absorbed by the Court of Augmentations. It added a new dimension to estate management which portended much for the future. This office co-ordinated the work of the surveyors, served as a focus for the reports they produced and could weld together a comprehensive policy from the data provided. Surveying had progressed since the early sixteenth century and had become a fledgling science.

The role of the surveyor had been transformed by the end of the sixteenth century which made accurate reappraisals of land values accessible. In the sixteenth century the traditional method of garnering information was to summon an extraordinary manorial court to which questions were put by the crown's representatives. Descriptions of the boundaries of the land, its use, etc., were simply answered by reference to geographical features. This led
to obvious difficulties. Not only were features liable to change, but quite naturally juries could only be expected to be specific about their prerogatives and cautious about their responsibilities. The situation was transformed by augmenting this information with the production of accurate maps which could delineate acreages and other features and become a permanent point of reference. There are enough surviving maps by Norden to suggest that he mapped virtually all duchy property and that these were used by the Council as an invaluable reference tool. The Prince's tutor, Adam Newton, took the office of Secretary to His Highness at 100 marks per annum with emoluments. His duties included that of keeper of the privy seal, presenting and answering petitions submitted to Henry, marshalling correspondence which was to be directed to the Council and providing copies of answers, preparing warrants for the chancellor for leases or money and also acting as head of the secretariat for the acts, letters, mandates and certificates passing under the Council seal. Eventually to purchase a baronetcy in 1620, he is typical of the new men who gathered first around Henry and later Prince Charles. A learned adventurer, active as a teacher in France between 1580 and 1590, he eventually made his way to Scotland where he came to the King's attention. He rapidly acquired a modest fortune serving his pupil and by 1614 he had purchased
land in Kent worth £500. Finally, the Council included Sir Oliver Cromwell, uncle and benefactor of the future Protector. He received the relatively minor office of master of the Prince's game. Favoured by James, his fortunes nevertheless declined until in 1627 he was forced to sell his estate at Hinchinbrook because of debts. He would not be the only councillor to lose all he had serving his Prince.

Those who received councillor appointments were not young or inexperienced. Moore was fifty-seven years old, Fleetwood and Phelips, about forty-seven, and Newton, probably in his forties. Connock may well have been the youngest member. With the exception of Sir Edward Phelips, none of them were at the centre of the Jacobean political scene. Certainly, Connock and Newton were totally dependent upon the good will of the Duke for preferment. Though mature and with developed careers in law or entrenched in crown service, councillors, with the single exception of Phelips, were on the fringes of the political scene and by the standards of the day most were too young to hold high office. Connock was the only member who clearly had Cornish connections and an intimate knowledge of the local situation. The chancellor could deal with problems arising from important duchy estates in Somerset. To aid in its organisation and marshal its paperwork, Francis Crane was appointed clerk of the Council on 6 July, 1611. He received charge of all the records.
and books kept by it and presumably would have organised petitions, reports and general correspondence directed to and from it. Though not Cornish, he was connected by family marriage alliances with the Arundels and other gentry of the county. As clerk he was not a voting member, although he was probably present at any meetings and actually drafted correspondence and was in charge of a small secretariat.

All councillors held additional appointments from the Prince. Besides maintaining the auditorship of the duchy with the much-enhanced fee of £240 a year, Connock also received the offices of solicitor-general at £30 per annum and auditor-general for the whole of the Prince's revenues with fees of £100, and he was also granted the duchy parks of Liskeard and Restormel with the fishing of the Lyner and Fowey rivers for forty years. In addition to examining the accounts of all receivers and the escheator, he was also charged with preparing an account of the household, the wardrobe and buildings which was then submitted to the Council for approval. He monitored the accounts of particular auditors before they were presented to the full Council and ensured that all grants, patents and leases were properly inrolled to provide a true and accurate record. Thomas Stephens was confirmed in his office of attorney-general at the usual fees of £50 a year, but he was also made a steward for the manor of Ryme, Dorset, and other estates which were not parcel of the duchy.
Sir Augustine Nicolls was created sergeant-at-law with fees of £20 per annum. He probably acted as personal legal adviser to the Prince.

The Council had decided to plunge into water which had been stirred for several years. Whether or not Sir Julius Caesar, Chancellor of the Exchequer during Salisbury's period, had reservations concerning the Great Contract remains problematical; it could be that he or somebody associated with him generated statistics only in order effectively to lobby H.P.'s into acceptance of the Treasurer's scheme. It is likely, however, that even before Salisbury attempted a firm proposal to Parliament, the Exchequer had considered the alternative of rigorously pressing the King's feudal rights in an effort to increase land revenues. The early appointment of Norden in 1605 suggests that Dorset was prepared to look closely at the possibilities offered by the duchy in particular. Once Salisbury's scheme had been rejected, the Prince's Council was presented with a unique opportunity to exploit the situation. Further evidence for the existence of a deliberately contrived policy may be circuitously derived from the account of Prince Henry written by Sir Charles Cornwallis in 1626. By then he was a member of the opposition and had actually suffered imprisonment in 1614. An edition of his work published in 1641 states that the Prince sought to live within his means and did not seek to improve fines, take advantage of forfeitures or reap the
"benefit that both law and right afforded unto him . . ."

This edition, published in a year of grave political crisis, was dedicated to the young Prince Charles and seems to have been deployed as covert criticism of the King. It is probable that the work was carefully edited in order to provide an embarrassing contrast between Charles I and his deceased elder brother by the use of innuendo and irony. The author died in 1629.

Another edition of Cornwallis' work appeared over a century later when the contents were no longer politically sensitive. This work has a much more detailed text and provides a very different description of Henry's intentions:

At last, bethinking himself that Wales and Cornwall, etc. his Principality, had a long time been without a Prince of their own, he thought he might the rather show his Authority in renewing and avoiding Leases; wherefore having first by a Writ, called Scire facias, avoided and annihilated all the former Rights and Leases, he brought them under a general Submission to compound, take and hold new of him . . . Whereupon Surveyors, and Commissioners were appointed, and dispatched to survey all his Lands, and to return a true Certificate of the whole Value . . .

If this represents Cornwallis' actual view of events, it suggests that the Prince's Council had decided to exercise his right to renew all crown leases previously granted to duchy tenants and ensure that any new leases were issued only after increased rents had been negotiated.

The Prince's Council may have taken the lead from Caesar and possibly even Dorset. The commissions granted to establish more economic rents, promulgated only six months after Parliament had been dissolved, suggest that
the case prepared prior to Salisbury's negotiations was taken seriously and as a basis for action. Unlike the King, Henry was presented with an ideal situation to adjust rents to a more realistic level because all his tenants were forced to seek renewals simultaneously. It was the chance to act decisively which probably urged Henry's advisers forward. This contrasted markedly with the crown's own position. On royal lands not only did the law concerning tenure vary significantly from manor to manor, as it indeed did on duchy estates, but the Exchequer was faced with numbers of leases for lives and term of years as well as copyholders and other forms which could only be renewed haphazardly as they fell in. A sudden change of policy would create obvious anomalies and favour those who had acquired their leases before increased rents and could look forward many years before being forced to seek a new agreement under modified terms. The Exchequer could only deal with its tenants piecemeal. Increased rents would effectively take years to implement. The Prince's Council, once surveys of the manors had been carried out to determine local custom, size of holdings and their realistic value, could enforce a broad policy which would affect all tenants simultaneously.

The dénouement of these measures did not in fact occur because Prince Henry contracted a sudden, fatal illness and died on 6th November, 1612. With his death the Council automatically ceased to function, the charter of
livery was abrogated and the duchy again merged in the crown. All leases and other grants which had been made by the Exchequer prior to the principe once again became valid instruments and the surveyors continued their work of gathering information seemingly without purpose. Immediately after his death rumours began circulating concerning the possible disposition of the duchy. The inimitable gossip, Chamberlain, notified Carlton of the sudden death and repeated the story that Charles was excluded by a "quirk" of the entail from succeeding to his former brother's honours. Very quickly Henry's household servants were paid off and Connock produced a final account of the balance of his revenues.

The question of Charles' right to the dukedom was a difficult legal problem. The entail simply stipulated the king's eldest son, which Charles of course was once his elder brother had died. More to the point, Henry VII had created his only surviving son duke of Cornwall in the Parliament of 1503-1504, though he did not grant livery to the lands. Nevertheless, this important precedent served as a guide for the crown. Five months after Chamberlain reported the dilemma to Carlton, Sir Edward Phelips wrote to him stating that the question of the reversion of the duchy had been settled in favour of the Prince. Early in 1613 the crown published its argument in favour of its decision to allow the new heir apparent to succeed in title and form to the duchy. Printed as a
tract, the text was circulated widely to ensure that the
King's subjects received word of the important decision.
Although the author is unknown, the closely argued text
is clearly the product of a legal mind. It is also im-
possible to discern whether or not James himself took part
in the proceedings. Despite the heavy additional drain
on his revenue which would inevitably result if Charles
eventually gained livery to the duchy, it was still im-
portant for the King's dynastic interest to ensure that
his heir should be recognised and place the succession
beyond any reasonable doubt. The opinion took a broad
view of the entail, arguing that Charles had every right
to the titles of the heir apparent as the eldest surviving
son of the monarch. The King obviously approved of this
interpretation. Unlike Henry VII, he could not afford the
luxury of an appeal to Parliament for confirmation, but
there was no discernible criticism of the decision.
Though hostile, the Commons could not question the matter
without precipitating a new succession crisis. The whole
problem seems to have been left entirely to the King's
discretion.

James decided to break with the early Tudor compromise
and on 21 June, 1615 he granted livery of the duchy to
Charles. It was a further eight months before livery
of the other titles and lands which Henry had also enjoyed
were also granted. During this period the Exchequer
gradually withdrew from duchy affairs and Charles governed

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his estates by the creation of a temporary commission to deal with specific problems. It was not until 1 March, 1617 that Sir Francis Bacon took the oaths of supremacy, allegiance, councillor and chancellor to the Prince at St. James Palace before Prince Charles himself. On the same day he also administered the oaths to Sir James Fullerton, Thomas Murray and Thomas Trevor. Three days later at Grays Inn, three more councillors, Sir Thomas Howard, Sir Robert Cary and Sir John Dackombe, were sworn in. Within a month Bacon surrendered his office. Active in duchy affairs since the preceding October as a commissioner, it was probably he who led the move to create a formal structure modelled upon that of Prince Henry.

Sir Henry Hobart replaced him on April 3rd, and five days later Murray, Adam Newton, John Walter, Sir Richard Smyth and Sir Oliver Cromwell were also sworn to the Council. Nevertheless, Charles still had not firmly settled the composition of the Council and it was not until 20th July when Hobart, Howard, Cary, Dackombe, Murray, Fullerton, Newton, Walter and Trevor were charged with governing all the Prince's rights, lands and revenues that an established group at last emerged.

Though granted wide powers to deal with all matters concerning revenue, individual councillors were appointed only during pleasure, a characteristic of this and all subsequent commissions, and any five of the nine members constituted a quorum. Between the first commission of
7 October, 1616 and the last of 8 October, 1622 issued while still Prince of Wales, Charles reorganised his Council a total of eight times. On average it numbered 9.5 members. Each new commission included a change of personnel, though its broad powers remained intact.

As with Prince Henry's Council, members were duchy servants, household officers or possessed legal expertise. These distinctions were in practice somewhat blurred. Hobart, a distinguished lawyer who succeeded Coke as Chief Justice of the Common Pleas and had been attorney-general of the Court of Wards and Liveries since 1605, could contribute valuable legal advice while carrying out the tasks of chancellor and keeper of Charles' great seal. Walter and Trevor also could make a contribution as legal men, but both were also duchy officers as well. These two individuals were to enhance their careers after Charles was crowned. Walter became Chief Baron of the Exchequer in 1625 and Trevor was one of the twelve judges who answered a favourable verdict for the crown in 1637 on the issue of ship money. Smyth also was a duchy representative and brought to the Council considerable financial expertise. Charles Chiborne, who served on the Council from January to November, 1619, probably was appointed as the personal legal adviser of the Prince.

Household servants included Sir Robert Cary, a man of fashion whose ship came in when his wife was appointed Charles' governess. He gained the post of Chamberlain of
the household and gentleman of the bed chamber. He followed Charles to Spain and in 1625 received an earldom. Sir Thomas Howard was made Master of the Horse. The second son of Suffolk, Lord High Treasurer, he remained close to Charles throughout the principe. Sir James Fullerton received the office of Groom of the Stole, but was briefly surveyor-general. Thomas Murray, regarded as honest and with a puritan disposition, was Charles' tutor and succeeded to the secretaryship as Newton had under Prince Henry. He eventually came into disfavour when he opposed the Spanish match and in 1621 he was confined to his house.

The Council increased in size from its original six to fourteen by the end of 1622. Nevertheless, five remained the quorum in each successive commission and the numbers are more analogous to the Privy Council of Elizabeth in the 1570's than the contemporary Jacobean Council. However, with only one or two significant exceptions, Charles' councillors were not established figures and most of them anticipated important office rather than having already attained it. A sample of five members appointed between 1616 and 1622 yields an average age of 48.6 at the creation of the first Council in 1616, the oldest being Cary, who was 56, and the youngest, Thomas Trevor, who was only 30. Fully six of the nineteen individuals appointed in the Carolingian principate owed their reputations more or less exclusively to their legal
abilities. Only two may be described as recipients of landed wealth, Howard and Cromwell, but the latter only in the sense of a country gentlemen. Relative youth, an im-
portant bias toward the law, and a comparatively small group which could work rapidly and cohesively were the three outstanding characteristics of the Council in this period.

A List of Councillors and the Dates Appointed

<table>
<thead>
<tr>
<th>Date of Council Commission</th>
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<tr>
<td>1616</td>
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Francis Bacon (#) *
Robert Cary *
Charles Chiborne *
Francis Cottington *
Sir Oliver Cromwell *
John Dackombe (#) *
Robert Douglas *
Henry Fane *
James Fullerton (#) *
Henry Hobart (#) *
Thomas Howard *
James Ley (#) *
Thomas Murray *
Adam Newton *
Thomas Savage *
Richard Smyth (#) *
Thomas Trevor (#) *
John Villiers *
John Walter (#) *

(#) indicates duchy staff.

Neither lawyers, nor courtiers, nor administrators dominated. It was genuinely a ministry of all the talents. It is difficult to judge the amount of work carried out by each individual member of the Council. Signatures on letters, orders and warrants are not necessarily an indication that an individual actually participated in

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creating policy; correspondence could easily be shunted around to garner the requisite number of signatures for a particular item. Nevertheless, an individual signing a piece of correspondence assumed a measure of responsibility and the number of times his signature appears is at least suggestive of the amount of business brought to his attention. In the year 1621 Thomas Trevor's name proved most ubiquitous, appearing on 142 items of correspondence; Fullerton signed 141. Sir Richard Smyth added his name to 114 documents and John Walter, 94. The Chancellor signed 87 pieces of correspondence, Newton, 73 and Cromwell's signature occurs only 50 times. The secretary, Thomas Murray, signed only 65 letters, but he fell from office in that year. The names of Howard and Cary do not appear after March and they were probably in personal attendance of the Prince. Interestingly, James Ley, who did not gain appointment to the Council officially until 1619, signed no less than 110 items. The incidence of signatures for 1622 changed markedly. Fane and Fullerton each penned their names on 201 documents, Savage, 186, Smyth, 168, Trevor, 141, Newton, 100, Cromwell, 79, Hobart, 74, Walter, 70, Howard, 67, and Cary, 45. Robert Douglas and Francis Cottington were not appointed until October, each signing 8 items. Some of the correspondence was simply endorsed "by advice of the Council" and letters bearing the same date occasionally were signed by different people. These figures suggest that a fair amount of work
was seen by all members, though four or five individuals each year dealt with the bulk of the correspondence. There is no correlation between individual expertise and the incidence of signatures; courtiers signed financial and administrative documents and duchy officers who were also councillors signed items relating to the household.

Frequency of meetings may only be inferred from the dates both by letters and warrants combined with the incidence of orders. Of course, it was entirely possible that either kind of correspondence could be issued without a formal meeting of councillors. In this way at least some business could be done piecemeal and without actual discussion by members of the Council. The volume and incidence of correspondence, however, indicates that the Council met frequently and followed a regular schedule. A survey of the four years between 1621 and 1624 suggests an extremely active body which dealt with a voluminous correspondence. The least number of orders and letters were produced in 1624 when the Council generated 193 items. The most active year was 1622 when 336 pieces of business were transacted. The average for each of the four years was 256. Very little work was accomplished in the months of August and September, but by the end of October the Council was again very busy. The Easter period, too, was usually a quiet time. The other months until July were normally the most active. The average amount of work on a monthly basis ranged from sixteen items in 1624 to a high

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of twenty-eight in 1622. In this latter year July witnessed the greatest volume of work completed, with 78 transactions, while in the next month only a single letter was produced.

Based upon a comparison of the orders, letters and warrants, tentative figures may be derived for the frequency of Council meetings. Again, using data from the same four years suggests that in 1621 the Council sat an average of just over seven times each month. Averages for the other three years are remarkably similar: in 1623, 7.9 meetings each month; in 1624, 7.5 monthly meetings; but the figure for 1622 increases to an average of just over 9 per month. Though these figures must only be considered estimates, they do suggest that the Council met often in order to keep abreast of its considerable work. It was equally possible for the Council to meet without actually producing any correspondence.

In 1624 they gathered to consider the sale of the right of Greenwax, a fine for sealing certain legal documents, to the Exchequer. Individual councillors argued for various amounts of compensation. Cottington suggested a price of £1,400, though he felt the right in Cornwall should be reserved. Cromwell felt that the prerogative in toto should be sold for that price while Francis Crane, clerk of the Council, argued for a sale price of £2,000. No agreement could be reached at the meeting and it was not until the following day that they agreed to Hobart's
recommandation to sell at £1,300, but reserve the right in Cornwall, Chester and Wales.

The jurisdiction of the Council during the principate was extensive. It acted in the name of the lord of the manor to resolve all disputes which could not be settled in the manorial court. All petitions for renewals of copyholds or for leases were referred to it for decision. Duchy officers received instructions directly from the Council and it audited all financial accounts. Appointments to offices outside the Prince's household were confirmed by it and as early as 1615 fees were established for the secretariat which serviced it. Charles himself did not intrude upon its work directly. He did sign general orders governing the conduct of his officers and both specific and general warrants for payment of money into his household treasury. His views concerning particular matters could have been sought readily by either his secretary or any of the other household officers who were also councillors.

Manorial discipline was constantly maintained by the Council. The edifice of the law relating to land was still administered through the ancient auspices of the manorial court. All those who held by copyhold, at will or by some other inferior form of tenure could only gain legal title through it. These tenants owed a variety of services to their local courts which could be commuted for a money payment, thus producing revenue, and the
exercise of these rights allowed the manorial lord an
important means of influence at the local level.
Continually, the Council ensured that these prerogatives
did not lapse through neglect. It was no easy task.
Rights of common, heriots, the nature of copyhold, suit
and service at court all varied from one manor to the
next and depended upon immemorial local custom. In 1620
the Council dispatched an open letter to the tenants at
Here ordering them to cease grinding corn at a mill
owned by William Chafyn. Formerly the customary mill
had produced £100 a year for its occupant and it was
obviously important for both lord and tenant to guard
the manorial custom. This problem was not new.
A year before the Council had complained of two new grist
mills within the confines of the manor and others "near
adjoining" which were successfully competing with the
manorial mills. Another complaint was sent to the
steward of Carnedon Prior, Cornwall, to take action
against a new mill there. Similarly, in 1616 the mayor
and burgesses of Bradninch in Devon were cautioned to
hold the market only on the prescribed days and to
ensure that a proper account of the profits was prepared
so that the duchy would receive the correct sums.

Though anxious to press those prerogatives which
yielded revenue, the Council also undertook to protect
tenants from demands which it found doubtful. In 1618
it wrote to the farmer of tithes at Stratton Sanctuary
in Cornwall requiring him to cease exacting payments from duchy tenants in the parish by suing them in Church courts. Many were too poor to afford a proper defense and the Council argued that the tithes might have been discharged at the dissolution of the former monastery and should be discontinued until they were completely satisfied of his title. In 1620 a complaint was directed to the sheriff of the county of Hertfordshire that the citizens of Berkhamsted did not owe him suit or service and he must desist from summoning them to his court.

The Council tempered its policies with a measured paternalism. When in 1621 Walter Swigg, a Cornish yeoman, was convicted of manslaughter, it ordered his goods valued by the feodary. Though he reported the estate to be worth £198 19s 8d, the Council ordered that only £20 be taken as a token of the Prince's right and £24 was immediately distributed amongst the felon's children. Again, in 1626 the feodary seized the estate of Richard Worden, another convicted felon in Cornwall, which amounted to £31 5s 2d. After the widow petitioned the Council, the official was ordered to collect only £5 6s 2d as an "acknowledgement" of the duke's prerogative, deduct his own expenses and turn the remainder over to the widow as a gift to alleviate her "distressed estate." When the lands of Francis Buckland at Westharptree, Widcombe and Milton Falconbridge
were seized and fines of £1,290 exacted, he was left almost completely impecunious. In 1617 he petitioned for aid for himself and seven children. Dackombe and Trevor recommended he be allowed a small tenement for his keep and Prince Charles assented to this suggestion.

Besides a regard for the poor and unfortunate, the Council generally attempted to be flexible with tenants in order to give them every opportunity to remain on the land. When an individual compounded for a fine of £90 which he was to pay in three instalments of £30 at quarterly intervals and then defaulted, the Council allowed him additional time to raise the cash and arrange sufficient security for the payments.

Disputes which could not be resolved by local manorial officials were often referred to the Council for arbitration. Although not a court of record, it allowed contesting parties to be represented by counsel so that their case could be properly argued. In a controversy concerning tithes at Ledbury in Hertfordshire councillors listened to arguments of counsel before actually deciding the matter. In 1634 the steward of Fordington manor, Dorset, Sir John Strangewales, was ordered to grant a tenement to John Gardner after a disputed claim could not be settled in the manorial court.

Control of local affairs was not only exercised by right of appeal to the Council. Patronage of manorial stewardships was divided amongst councillors. Hobart gained the
right, apparently at the expense of the local magnate, the earl of Lincoln, to appoint the steward of Kirton in Lindsey, and the same privilege for Curry Kallet, Shepton Kallet and Stratton-on-the-Fosse, all manors in Somerset, went to Sir Richard Smyth. The Lord Warden was allowed only a single appointment, the stewardship of Mere, Wiltshire. Smyth was also asked to make recommendations for the office of bailiff for the manors of Shippon in Berkshire and Berkhamsted, though Fullerton was also consulted concerning the latter appointment.

The Council's powers of direct action were extended in 1622 when the Prince ordered that any petition for land, lease or tenement under 20 marks value should be directed to the Chancellor and Council directly. Further, Charles granted Hobart the right to appoint to all duchy benefices of the same value. As will be demonstrated, the tangible result of this organisation and the powers granted to it was to treble the net revenues.

The Council pursued a vigorous policy of enhancing the Prince's income by pressing the fruits of his prerogatives within his estates both at the expense of the crown and individual tenants alike. On 12 June, 1619 the legal contingent, Hobart, Chiborne, Walter, Trevor and also Fullerton reached agreement with Sir Benjamin Rudyard, Surveyor, Sir James Ley, Attorney, and Sir Miles Fleetwood, Receiver-General, of the Court of Wards and Liveries, concerning their jurisdictions. The Prince's
Council gained wardship and livery in the whole of Cornwall, Chester and Flint on all crown, duchy and earldom lands. In exchange they surrendered their rights within the manors outside these counties to the crown if they were not a part of the duchy. In the case of individuals who died within the counties, but also held lands in knight's service in capite elsewhere, the Prince gained the right of wardship. For those who died outside the three counties, but held estates within them, the Prince could claim jurisdiction for the lands in his counties. Charles was granted the right to sue in the Court in the crown's name or his own in order to recover his prerogative rights. Finally, if disputes arose between crown officers and the Prince's Council, provision was made for informal discussions so that the issues could be resolved without "suit or law." This agreement went far to clear the confusion which had resulted through the latter half of the sixteenth century. It is remarkable that the Prince was allowed to sue in the crown's name. This was probably initiated to allow him to use the machinery of the Court as it already existed. Ley was appointed the Prince's attorney for his wards and lunatics, and could act for both the King and the Prince as each case warranted.

A formal structure was created to deal with wardship when earlier in the same year Sir James Fullerton was made Master of the Prince's Wards on 28 January, 1619. His
instructions stipulated that he should follow the precedents established by the Master of the King's Wards to ensure the Prince's "reasonable profit" and the proper education of the wards in "religion and good breeding." Three months later Murray, Chiborne, and Walter received a commission to aid Sir James Fullerton to carry out his duties. The accord with the crown reached the following July settled the question until Charles came to the throne. Ley's part in the negotiations probably brought him to the notice of the Prince and led to his inclusion as a councillor. At the time of the appointment he was styled attorney for the Prince's wards which indicates that he had been acting in a dual capacity since the previous summer. These arrangements remained unmodified until 1625 when the Council surrendered the former Prince's prerogative for an annuity of £3,000.

The Council also acted upon the information received from Morden and other surveyors to increase fines and rents on those manors where it was possible. In 1618 the tenants of Stratton-on-the-Fosse petitioned to take a coal mine on the manor. The former lessee paid only 20s rent annually, but they offered a fine of £200 and an annual rent of 13s 4d or an improved rent of £30 per annum for a twenty-one-year lease. The former occupant could not match this bid and the mine was secured by the tenants. These increases sometimes caused consternation
amongst leaseholders and copyholders. A duchy officer related that a Cornish gentleman had complained that the visits of the duchy rent collector

was like that of the gospel that when one devil was cast out seven worst came instead of him. But seriously: I pray put him in mind thereof carefully, for it must either be redressed or the Prince's profit of that kind must not be collected.82

The fact that a general increase in rents, tempered with a paternalistic regard for the poor, could be applied to virtually all tenants simultaneously, helped to confine criticism.

The Council did not fundamentally alter the arrangements negotiated by the crown for a monopoly of tin first initiated in 1601. In this field it only introduced changes appropriate to the prevailing economic climate which could best serve all the parties concerned. As has been indicated, however, it adopted a far-reaching policy with regard to landed income. As early as 1597 the crown had brought an action in Chancery to recover three Cornish manors, West Anthony, Trelowia and Landulph, which had been sold by letters patent from Queen Elizabeth in 1595. The action was brought by means of a writ of *scire facias* and the purchasers and their heirs were made to prove title. The Court found that the original charter had the force of an act of Parliament and could only be modified by subsequent Parliamentary legislation. As a result the title was declared defective and the lands were once again annexed to the duchy. The effect of this decision was
to threaten all those who had purchased lands which had formerly been parcel of the duchy.

Between 1607 and 1615 some thirty-two actions were either threatened or actually initiated in Chancery on behalf of the Prince. Over twenty manors were recovered by the duchy. A group of seven, all in Somerset, were regained between 1612 and 1615. Originally granted to John Tiptoft in the fifteenth century, they had been conceded to John Russell by letters patent in 1543 after passing through the hands of Huntingdon. In turn, Russell sold several of them to various individuals. Any must have had no idea that the land had formerly belonged to the duchy of Cornwall. The Council did sometimes try to accommodate when possible. It wrote to one unfortunate landholder:

 Whereas you hold the manor of Ryme Extreensis in the county of Dorset which is parcel of the possessions of the duchy of Cornwall and belongeth to our Master the Prince's Highness. Although the usual course heretofore hath been in like cases to sue out a Scire Facias without any other warning, which hath been a great charge and trouble to the personna which held such lands in their possessions, we being desirous to prevent such charge and trouble if it may be . . . [ask that] you shall this next term repair unto us and acknowledge the defect and weaknesses of your Estate and submit yourself to his Highness . . .

Many similar offers were made. Those who cooperated by surrendering their holdings without legal action usually received all or part of the lands in lease. Thomas Randall, pursued from 1613 first by the Exchequer and then by the Prince's Council, finally conceded the manor.
of Trelugan in 1619. In return he was granted by warrant benefit of the copyhold of the whole estate as well as a tenement of his own choosing for two lives in reversion without paying any fines. It was not only in the West that lands were recovered; Chamberlain reported to Carlton that Sir Edward Cary was forced to surrender Berkhamsted to Prince Henry in 1611,

and your cousin Pawlet hath lost 400 marks a year of domains about his house, wherein his grandfather had a long term, and getting the fee simple in recompense of his service, drowned his lease and thereby hath lost both lease and land. . . . 87

Occasionally, those who surrendered lands to the Prince received payment as compensation. In 1618 John Holles, who had lost the manor of Tregamere, received £100. 88 Lord Stanhope, represented by counsel, requested £300 as recompense for the surrender of the manor of Eastway, Cornwall. After careful consideration the Council agreed to the request. 89 Pawlet compounded for Curry 1alley in 1615 and received a lease for three lives at a fine of £500. 90 After the recovery of the manor of Ryme, Dorset; the Council ordered that the duchy solicitor and attorney, Trevor and Walter, be given £20 each in consideration of "their pains and careful endeavours for his Highness' service. . . ." 91

The success of the Council in increasing revenues from all sources is impressive. In the accounting year 1607-08 the duchy produced a net income of £5,256 and by 1610 it had doubled to £11,000. By Michaelmas, 1616, it had again
increased to £18,345. Revenue remained at or near these figures for the remainder of the principate, but by 1630 it had slipped to only £10,999. The position was recovered by the middle of the decade, the net yield being £15,498, where it remained until the beginning of the Civil War. These totals represent receipts from all sources, including the tin monopoly, but they are a clear indication of the Council's financial success.

Despite a greatly enhanced income from the duchy and other sources, Charles' demand for cash was usually in excess of what the Council could produce. The household alone absorbed £800 each month and to cover any large additional expenditure councillors continually borrowed money. Most of these loans were short term, six months or less, and virtually every councillor was involved except Cromwell. Some of the money was used to raise troops for the Protestant cause in the Netherlands and Philip Burlamachi, the merchant Prince and crown financier, employed his expertise as well. Sir Richard Smyth continually arranged loans, nominating himself as guarantor and occasionally advanced his own money without asking or receiving any security. Charles was ruthless with those who involved themselves in his financial affairs. Burlamachi was bankrupt by 1640 and the Smyth family suffered a similar fate. Thomas Smyth, who succeeded Sir Richard as Receiver-General in 1629, defaulted on his accounts in 1637. The family disappeared into anonymous poverty.
When Charles came to the throne in 1625 he chose to maintain the Council and allow it to continue to govern the affairs of the duchy. On 28 May, 1625, only two months after his accession, he issued a new Council commission. Membership increased to eighteen, including all previous councillors, as well as Richard Weston, Chancellor of the Exchequer, Humphrey May, Chancellor of the duchy of Lancaster, Sir Edward Brozley, Sir John Denham, both barons of the Exchequer, Sir Francis Crane, Sir Walter Pye, attorney of the Court of Wards and Liveries, and Sir Thomas Fanshaw, surveyor-general. It gave them full authority to make leases and agreements, audit accounts and supervise all duchy officers. As in previous commissions, five was a quorum. This maintained the estates of the duchy as a separate entity from crown lands and ensured their unique purpose would be preserved. As before the principate, net revenues could be called upon by tally from the Exchequer or a warrant from the King's receiver-general could instruct direct payment to the household. With all its powers intact the Council continued to function until 1643 when London was abandoned. Charles' heir did not receive livery of his lands and the crown possessed ultimate authority. The volume of Council business decreased markedly, however, and of the eighteen nominated to it, only the usual appointees continued to attend to its affairs. The office of chancellor lapsed in 1625, since there was no longer a Prince of Wales and new grants and patents were issued under royal authority.
The success of the Council between 1610 and 1643 was remarkable. Recovering concealed lands, ensuring accurate surveys of duchy estates, concerning itself with rich and poor tenants alike, it provided consistently vigorous leadership which sought to enhance revenues by pressing the prerogatives of the Prince in his lands. It demonstrated how much profit in fact could be exacted from fiscal feudalism. Many of those who served Prince Charles went on to hold important office after he became king: most, as Trevor or Walter until his last year, took a high view of the royal prerogative. The lessons they and the Prince learned managing the duchy were carried into their conduct of national affairs. The economic policies of the 1630's were strikingly similar to the kinds of devices employed by the Council during the principate.

The period after 1625 did not yield any new departure from policy within the duchy. In fact, it may be said that duchy policy merely reflected the actions taken by the Exchequer in generating money. More correctly, of course, the Exchequer of the 1630's had adopted the financial expedients first employed in the duchy during the principate. Some of the men who had designed these policies had gone from the scheme: one or two had joined the opposition, but several had come to attain some of the most important crown posts in the Carolingian regime. Cottington, Ley, Trevor, and Walter are all examples of men who received their first impetus in the principate as councillors and carried
this forward to successful careers in the service of the crown.

Effective conciliar government broke down after 1643 and both royalists and Parliamentary forces struggled for control of the duchy. By 1646 it was fully in the hands of Parliament, as the King’s military hopes in the West faded, and they appointed duchy officials without reference to a council. In 1649 surveys of the estates were undertaken so that the lands could be sold with other crown estates. This marked the end of the duchy until the Restoration.
NOTES


2 S.P. 14/57/80.


4 D.C.O., Charter of Livery (18th century copy MS).

5 H.M.C., Reports, Salisbury MSS., Vol. IX, Pt. XXI, p. 249. In fact, Anollys, second son and heir of Sir Francis Anollys, had been allied with Cecil in 1601 against Essex, even testifying in Cecil's favour. However, in 1605 Anollys, then 58, married the 19 year-old Elizabeth Howard and she may have exercised her influence against Cecil. See D.C.O., Vol. XXXI, pp. 286-289.


7 H.M.C., Reports, Salisbury MSS., Vol. IX, Pt. XXI, pp. 73-74.

8 Ibid., p. 800.

9 Ibid., pp. 270-271.


11 Ibid. His patent was issued 9 August, 1611.

12 Ibid., Roll 540. The patent is dated 30 November, 1611.

13 Ibid. Price's patent is dated 12 May, 1612.

14 Ibid., Roll 539.

15 orden had petitioned for the office of surveyor for the duchy on 6 January, 1605, claiming that he had spent £1,000 on surveys of duchy lands. He was supported by Nottingham and Cranbourne. His request was successful and he gained office on 30 January. See Cal. S.P., Vol. XII, p. 186 and p. 191 and S.P. 38/8 (Docquets), 1605.


17 Ibid., Roll 540.

18 Ibid., Roll 539.

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21D.C.O., Prince Henry's Patent Roll, 539. In addition he and his son, Sir Robert, received the stewardship of the duchy manors of Milton Falconbridge, Inglescombe, Stratton-on-the-Fosse, Laverton and Farrington Gurney all of which were located in Somerset. This was an important prize which doubtless increased their stature locally. Phelps served as Speaker of the House of Commons and was master of the rolls. He had taken part in Raleigh's trial, but without any of the venom of Coke. See D.N.B., Vol XLIV, pp. 143-144.

22D.C.O., _MS. Vol., "Orders and Instructions Allowed and Approved by Prince Henry for the True Collecting and Disposing of His Revenues;"_ hereinafter referred to as "Orders and Instructions."

23Ibid.

24Ibid.

25Pococke was also Chancellor of the order of the Garter and in 1615 made lieutenant of the Tower. He was eventually deprived of office in March, 1611, but the reasons are unclear. The Prince seems to have attempted economies in his household and decided to have only a receiver-general and not a treasurer. Sir Charles Cornwallis received appointment for the former function. Thomas Birch, _The Life of Henry Prince of Wales_ (London: A. Villar, 1760), pp. 229-230.

26The eldest son of William Fleetwood, recorder of London, he was a relatively obscure figure. See D.N.B., Vol. XIX, p. 286.


28D.C.O., "Orders and Instructions."

29D.N.B., Vol. XL, p. 364. Birch's biography of Henry was largely based upon Newton's correspondence.

31 D.N.B., Vol. XIII, mentioned p. 156. Virtually all of the patents were issued on 8 December, 1610. See D.C.O., Prince Henry's Patent Roll, 539, but a few minor offices were granted in 1611. See D.C.O. Prince Henry's Patent Roll, 540.


34 D.C.O., Prince Henry's Patent Roll, 539. The land grants were given "in consideration of the good and faithful service heretofore done to his Highness . . . and of great sums of money heretofore laid out and disbursed in and about the causes and affairs and business of the said Prince." He was also granted the bailiwicks of Glaston and Sherbourne at £10 17s 0d p.a. See D.C.O., Prince Henry's Patent Roll, 540. In fact, within the year Connock relinquished the auditorship of the duchy to William Hockmore, who was appointed 9 August, 1611.

35 D.C.O., "Orders and Instructions." This is an 18th century copy of a lost original.


37 John Norden's Speculium Britanniae Pars: A Topographical and Historical Description of Cornwall, which must have been written between 1605 and 1612 because he mentioned that he was in the service of Prince Henry, details the nature of tenures upon duchy lands and carefully lists the prerogatives available to the duke.

38 D.N.B., Vol. XII, p. 234.

39 Sir Charles Cornwallis, A Discourse of the Most Illustrious Prince, Henry, Late Prince of Wales (London: John Benson, 1641), p. 10.


41 S.P. 14/71/32. Chamberlain to Carlton, 12 November, 1612.

42 S.P. 14/71/47 and 48. Henry had 96 servants in his household and another 36 in his chamber.
The story that the opinion was the work of Sir John Davies was reported by George Moore, Essay on the Rights of the Prince of Wales Relative to the Duchy of Cornwall (London: W. Clarke & Son, 1795), p. 23. Though active in Irish legal affairs, he was in England during 1613 and did later receive a small reward from Charles.

The original charter is missing.

By December, 1615, Suffolk and Grenville were trying to arrange for extraordinary payments of arrears so that the accounts could be settled when Charles took full control.

He replaced Fullerton as Surveyor-General on 4 November, 1617. D.C.O., Inrolments of Patents, Prince Charles, 1615-1618 (MS), f. 143.

On 9 June, 1616 he was granted the site of Berkhamsted for life. Ibid., ff. 20-21d. Deprived of his office in 1621, he was replaced by Cottington who had been secretary to Cornwallis. D.N.B., Vol. XII, p. 234. D.C.O., Inrolments of Patents, Prince Charles, 1620-1625 (MS), f. 143. The patent is dated 5 October, 1622 and Cottington had all the prerequisites formerly enjoyed by Murray.

58 D.C.O., Letters and Warrants, 1620-1621 and 1621-1623 (both MSS).

59 These percentages are derived from a collection of the material contained in the following MSS: Letters and Warrants, 1620-1621; 1621-1623; 1623-1626 (X.S. vols.) and Book of Orders, 1621-1625 (X.S).


61 Ibid., 1615-1618.


63 D.C.O., Letters and Warrants, 1615-1619 (X.S), 11 Feb., 1619, f. 63d.

64 Ibid., 1623-1626, 29 November, 1624, f. 136d.

65 Ibid., 1615-1619, 16 February, 1616.

66 Ibid., 5 July, 1618.

67 Ibid., 16 May, 1620.

68 D.C.O., Book of Orders, 1619-1621 (X.S), 20 June, 1621.

69 D.C.O., Letters and Warrants, 1626-1632 (X.S), 16 Feb., 1626, f. 43d.


71 Ibid., 15 May, 1618.

72 D.C.O., Book of Orders, 1621-1625 (X.S), 20 Apr., 1624.

73 Ibid., 1626-1642, 28 November, 1634.


75 Ibid., May, 1616 and 15 October, 1616.

76 D.C.O., Inrolments of Patents, Prince Charles, 1620-1625 (X.S), ff. 120-120d and 202d-203d.

77 Cornwall County Record Office: A.D. 403 (Accession 1648).
78 D.C.O., Inrolments of Patents, Prince Charles, 1618-1620 (MS), ff. 9-12.

79 Ibid., ff. 21d-22d.


82 S.P. 14/117/21.

83 Coke, Reports. Vol. VIII, pp. 146-201.

84 S.P. 14/47/52.

85 D.C.O., Letters and Warrants, 1615-1619 (MS), 29 Dec., 1615.

86 Ibid., 1619-1620. 17 November, 1619, ff. 45d-46.

87 S.P. 14/67/67. 27 November, 1611.

88 D.C.O., Letters and Warrants, 1615-1619 (MS), 12 June, 1618, 155d.

89 D.C.O., Liber Irrotuli (MS), f. 57.

90 Ibid., f. 68.

91 Ibid. 15 November, 1619, f. 34d.


93 D.C.O., Prince Charles in Spain, Bond Debts and Burgess in Parliament, 1623-1624 (MS).

94 D.C.O., Book of Orders, 1635-1642 (MS).

95 D.C.O., "The Commission for Governing of His Highness' Revenues," an 18th century copy of a lost original.

96 Virtually all duchy manors were surveyed between 1649 and 1650. See D.C.O., unbound MS. S/boxes 1-8.
CHAPTER III

THE LANDED ESTATE

The landed estate of the duchy formed a variegated collection of honours, liberties, manors, farms and tenements scattered throughout southern England. Local custom and law differed from one area to the next just as size of holdings did, and types of crops. Each locale offered unique opportunities and encompassed particular limitations; farmers near London enjoyed ready access to a lucrative outlet for their produce while some duchy tenants in Somerset benefitted from near by outcroppings of coal. Though manorial courts had declined as royal courts gained in stature and jurisdiction, manorial law was still crucial to all those who held by copyhold, at will or other tenure which made them responsible to the lord's court. Whether manor, honour, liberty or soke, each had its own peculiar legal and administrative hierarchy which continued to exercise important social and economic influence amongst those who resided within them. Most of the services owed to the lord, many associated with demesne land which had long ceased to be farmed by the lord, had been commuted for fines, but title to land still derived in theory from the manorial court roll. A large estate with scattered holdings depended upon cooperation between lord and local officials. A survey of the individual estates will help to provide
an understanding of the possibilities and restrictions faced by each.

While a study of the duchy's estates is valuable for the information it yields concerning the internal order of a great landed estate, it is also the case that in the sixteenth century these manors were effectively a part of crown lands generally and representative of them. The nature of tenure and manorial discipline was also representative of the position in royal estates. As with other sixteenth-century crown lands, the landlord was a perpetual absentee and his prerogatives and responsibilities were always administered by deputies. Though more stable than other landed estates because the duchy was protected by an entail with the force of an act of Parliament, constituent estates were severed from time to time and others added. As will be shown, these changes, too, are reflective of early-modern attitudes towards estates in general and crown lands in particular. The duchy was also representative of the larger agrarian scene in one other important way. The character, situation and diversity of duchy estates reflected the plurality of custom and local law which continued to exercise an important influence in the early-modern period.

Duchy lands may be divided broadly into four categories. First, a group known as "foreign manors" consisted of about a dozen estates which were scattered from Dorset to Sussex and north to Lincolnshire. The second group, located in
Cornwall, were the seventeen assessable manors. Besides showing a similar topography and climate, these lands also possessed a common system of tenure. The duchy was also vested with an additional twenty-seven Cornish manors by act of Parliament in 1540. These estates were derived from former monastic lands as well as some of the property of the attainted marquess of Exeter. Smaller, more varied and with different forms of tenure, these estates collectively were referred to as "annexed lands". Further east in Devon were the manors of Lidford, Bradninch and Southteigne as well as the forest of Dartmoor and the water of Dartmouth. To the north in Somerset the duchy held title to another eleven manors, formerly the possessions of Matthew Gurney, but ceded to the duchy in 1421 by act of Parliament in exchange for the manor of Isleworth, Middlesex. These were the ancillary southwestern manors which extended the duchy's control in that area.

Manors were clearly defined legal entities, not merely parcels of land. The form of a manor could vary; a town could be a manor and a manor a town. In the case of duchy lands, they usually consisted of a mix of demesne lands, several forms of tenures, seignorial rights and obligations owed by tenants. Some consisted of scattered parcels of ground, though tenants were responsible to a single manorial court. Just how zealously guarded or contested manorial customs were depended to a large extent upon its matrix of tenures. On a manor where fines were not fixed for many
tenants, it was in the interest of the lord to ensure that land transactions were carefully recorded. Tenants, too, attempted to ensure that local customs such as the right to take timber for repairs or new buildings were duly noted by the lord's officials.

The soke of Kirton in Lindsey was the largest of the "foreign manors". Located about eight miles north of Lincoln and continuing over twenty miles northward to the Humber, its western boundary followed the course of the Trent and its eastern edge extended ten miles into Lincolnshire. The soke consisted of four wapentakes and encompassed thirty-nine villages including the towns of Scunthorpe and Kirton. Each wapentake had a bailiff who acted as an officer for the local court. Villages elected a tackman to collect the rents. A market was held at Kirton which also possessed a mill. The demesne land was located around it. Land was measured in bovats rather than acres. This unit of measurement varied in acreage in different localities so that it is difficult to determine with accuracy the size of the soke. Communal life in the area centred upon the village. Though often isolated fen land, soil reclaimed was potentially rich and fertile. Cattle and sheep as well as cereal crops were typical farming activities.

Local services and customs reflect the environment. Tenants of the wapentake of Kirton were responsible for the maintenance of the eastern "wall", which may have been a
flood control dike and the local mill was powered by wind rather than water. Only tenants of "bedelland" were obliged to serve as bailiffs, but were compensated for their work. The villagers of Messingham had to provide the great gate of the manor while those in another village were bound to carry the lord's letters into Yorkshire. Rents and fines for commutation of services, which included labour on demesne land and carriage of wood, were collected from villages, though some simply owed payments for land alone.

Tofts, which consisted of a farmhouse and associated land, were the Lincolnshire equivalent of a tenement. The lord received the proceeds of the sale of goods and stock of fugitives and felons and local officials were compensated whenever they deputized for the sheriff within the soke. Rabbit warrens, located on waste, were leased to the villagers of Radbourne and Burnby. Enclosures were rare; only Radbourne had its associated lands enclosed. However, in 1616 the estates of three villages were possessed by a single individual. In 1562 a total of 806 bovats were rented throughout the soke. If a bovat is assumed to equal 15 acres, this would indicate a total farm acreage of 12,090 acres. The largest village was Kirton with 132 bovats and the smallest, Walkerith with only 1. Tenants of the Soke held in common socage tenure and paid fixed rents. An homogenous group, local custom protected them from rent increases of virtually any kind.

Three manors, Shippon in Berkshire, Old Shoreham in Sussex and Kennington, Surrey, were administered as a unit.
and their yearly accounts included in a single roll. Shippon, on the borders of Berkshire and Oxfordshire, part of the former monastery of Abingdon, came to the duchy in 1539 in exchange for the manor of Byfleet, Surrey, which was ceded to the King to form part of the new honour of Hampton Court. Comprising 1,255 acres, it was situated only five miles from Oxford. It possessed four commons of 271 acres and in the early seventeenth century 764 acres were held by nineteen copyhold tenants for three lives. A heriot was paid whenever a new copy was granted. In the same period there were four leaseholders who shared 220 acres and one cottager who held at will. Two mills were leased and these possessed fishing rights and pasture. Demesne land was also leased. In 1602 Robert Cecil purchased the fee-farm of the whole manor, but he surrendered it to the duchy the following year. Rents of copyholders were fixed, but fines could be increased at the will of the lord. Hennington, located south of the Thames across from Westminster, was leased (firma) for the whole of the sixteenth century at an annual rent of £27 and did not pass into duchy control until 1606. Consisting of 462 acres, the demesne extended to 126 acres and the remaining 336 acres were held in free and also customary tenure, though the latter enjoyed fixed rents. A relatively densely populated area provided unusually high receipts from the manorial court. The last manor in the group, Old Shoreham, consisted of 228 acres held by copy of...
court roll. In the early seventeenth century it was divided into 24 tenements occupied by 21 tenants; the largest holding consisted of 47 and the smallest of only 12 1 acre. An additional 320 acres were held in freehold. Customary tenants' fines were fixed, but they were liable to pay a heriot at the rate of one year's rent. They paid small fines for the right to pasture animals on the manorial common.

Another ancient duchy manor near to London was the honour of Berkhamsted. Situated only two miles west of Hemel Hempsted, tenants of the estate also had easy access to the London market for their produce. As an honour this estate still held the knight's fee of three other manors as late as 1607. By then the castle itself was in ruins and many other manors which formerly owed payments for its support had been dismembered. This loss of revenue probably resulted from the continual leasing of the honourial rights which extended to manors in Buckinghamshire and Northamptonshire in 1541. The lord also possessed the the advowson of the parish church. In 1607 there were still just over a hundred free tenements which owed suit to the court baron. They enjoyed a fixed rent, one owed a "gilly flower", but only in the unlikely event of the king being crowned at Berkhamsted Castle. Two courts leet, one at Whitsunday and another after Michaelmas, were held each year within the castle precinct. In the event of sickness in the district it adjourned to the adjacent park and

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conducted business under an oak or willow. Copyholders had the right to renew in the court baron or halmoot. It was the custom also to allow them two tenures and they could take timber in order to maintain buildings. A heriot and entry fine were fixed at the value of one year's rent. It was also the custom of the manor that holdings passed to the eldest son. There were eighty-one tenements, but some of these were held in soccage rather than by customary tenure. The demesne land was continually leased as were the grounds around the castle and the two water mills. The lord collected a small poultry tax equal to the value of one pound of cumin and a knife. By 1600 no serfs existed. An extensive 300 acre woodland was continually leased. Until 1533 the receipts of the manor and honour were assigned to Queen Katherine, but these were then taken by Anne Boleyn. In 1546 it was assigned to Elizabeth for life. After she came to the throne an Exchequer auditor administered the estate and net receipts were turned over to the duchy Receiver.

From time to time the duchy involved itself in building projects which were unconnected with administrative functions. A few of these expenses represented capital costs for demesne land, but this kind of outlay was exceptional and not heavy. Under a warrant signed by the Treasurer and Chancellor of the Exchequer, the "palace" known as "The Owte", Berkhamsted, was repaired in 1569 at a cost of £66 13s 4d. The great park on the same manor received a new fence in 1617.
and Humphrey Roger, who was probably the contractor, was paid L53 5s 6d. David Cunningham, who acquired the lease shortly after, received L341 16s 0½d in 1621 for repairs rendered to the manor house which included payments for several sorts of stone, stone masons, carpenters, bricklayers, carriage of slate and repairs to a mill which "carrieth water to the house..." In the same year Cunningham carried out further repairs to the fence around the park and the duchy paid him L31 17s 6d. Enclosing of parks presented an occasional expense. As early as 1536 the Receiver-General made payments of L38 16s 9½d for repairs to the wall around Kerrybullock Park, a new wall for Liskeard Park, known as New Park, and a stone wall for the former deer park at Restormel. These works were obviously carried out with or by the lessees, and it appears some kind of arrangement was negotiated with them to share tasks. Berkhamsted was exceptional in that it was near enough to London to suggest that a visit from the Prince was not out of the question, especially in the period when David Cunningham, an important servant of Prince Charles, held the lease.

In Wiltshire on the eastern edge of Salisbury plain the duchy possessed the manor and liberty of Mere. The manorial structure was more varied and complicated than other estates. The liberty encompassed the hundred of Mere and the auxillis vicomitus, the sheriff, presided over the court held at the town of Mere. The court dealt with
actions of less than forty shillings value. The rents of
the free tenants had been affirmed by a commission from
Prince Arthur to Roger Willoughby lord de Broke in 1499
and its findings upheld in 1524. This is the only example
of an attempt to reassess rents of assize. The commission
in fact recommended that the fines remain unchanged.

Customary tenants at Here were divided into two groups.
Some held land in and around the town and others held in
the woodlands. In the town itself the lord let the shambles
and two mills on the river Stour were also leased as was the
fishery of the river. Demesne, woodland and rabbit warrens
were also continually let. The woods steadily declined in
value and efforts to restrict and regulate cutting failed.
The area witnessed widespread disruption in 1535-36, per-
haps in connection with the Pilgrimage of Grace. The
shambles, two inns and three tenements were burned down.
Three fairs were allowed each year at Mere. Tenants elected
a reeve who collected rents and drove the common for strays.
The bailiff was appointed by the steward, who was the Lord
Warden of the duchy. Copyhold land consisted of over 1,300
acres and was held for two or three lives. Leasehold land
encompassed 558 acres by 1600 and the 398 acres of park
were inhabited by tenants at will. Excluding common land
and woodland, the manor thus extended to over 2,200 acres.
The duchy Council actually confronted a challenge in 1621
to the title of Crosse House, where

the yearly keeping of Court (as is alleged) hath
of ancient time unto the present been usually kept

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without denial or contradiction for that and other services, was claimed by James Marten as a part of a lease of former "Chauntry land". The Council, despite the fact that it was clear that this was the traditional site for meetings of the manorial court, could not find in favour of its own officials. Marten received the House in his care though courts were to continue there and it had "to be cleansed the day before" the court, and its use was further reserved for the king or prince if required.

In Dorset the duchy possessed the manor and lordship of Fordington. Located on the southern and western perimeter of Dorchester, this estate contained almost 200 acres exclusive of freehold property. Of this over 1,900 acres were held by copyhold tenants whose farms varied in size from 64 to only 1 acre. Agriculture was still carried out in common fields and only 47 acres and the mill were held by lease. Tenants claimed the right to cut timber and Norden reported that in 1577-78 in a successful legal action they had claimed that all demesne land was common ground. Copyholders owed a heriot of the best beast and normally held for three lives. The steward possessed the right to nominate the reeve and there was also an elected hayward to guard against trespass. The manorial court also appointed a clerk of the market. Ten miles to the north at the village of Hermitage nineteen acres and an annual fair were also responsible to Fordington manor court. There existed 300 acres of common pasture and an additional 307

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acres of common meadow. The manor possessed two grist mills in 1607. A court leet was held twice a year and also a single court baron. Manorial discipline remained intact; in 1616 Hammet White was fined twenty marks and twenty shillings for harbouring a fugitive. Four lessors were appointed annually to ensure that the peasants kept no more cattle than was their right and they were "not chosen but do serve by turn as it cometh to their Tenements" without any fee. In 1607 there were 79 copyhold tenements ranging in size from 64 acres to only a garden. The average holding was just over 29 acres. Just as at Here, the tenants paid for the right to cut straw on the demesne land. They also paid small fines to pasture their animals on nearby moorland. By 1615, when Norden produced his Abreviat, the tenements still numbered seventy-eight.

Sir Thomas Trenchard leased Fordington for virtually the whole of Henry VIII's reign, but the land came back to the duchy in 1543. A form of patronage, this kind of leasing arrangement could save the crown potentially heavy administrative expenses. The consequences of a firmum could also be detrimental. The leaseholders of crown manors were in a position to exploit manorial discipline for short-term profit. As a result, the tenure arrangements, from which the crown's revenue derived, could be ignored or extinguished in the course of a long lease. At Here the crown granted leases of the demesne land in
1522 to the duchy auditor, Guthlac Overton, and in 1541 this same right passed to Thomas Chaffyn. Lord Stourton eventually gained it from Mary in 1553. It is probable that they sublet to local farmers. In this way those actually on the land, and the terms by which it was held, could be far removed from the duchy's control for long periods of time.

The duchy possessed two other manors in Dorset, Ryme Intrinsica and Ryme Extrinsica. These were recovered by scire facias from the Arundells of Wordour in 1611 after over a hundred years outside duchy control. Ryme Intrinsica, situated on the border of Somerset, was five miles northwest of Hermitage and four south of Yeovil. Norden found it contained 766 acres of copyhold land held for three lives without any reversionary rights. The manor was not a contiguous unit, but split into random parcels of land among twenty-five tenants. Ryme Extrinsica, composed of two parts, Longbredy, which is seven miles west of Dorchester, and Langton Herring, located on the coast fourteen miles west of Portland Bill, was hardly a manor at all. Norden reported:

I have been at the places found some of the Tenants examined their copies and their Entries, which have been in policy something altered to draw the very name of the Manor of Out Ryme into oblivion, But being discovered fit it were to hasten the recovery And a more exact view. It will yield Matter of good profit to his Highness.

Through the first half of the sixteenth century the duchy possessed valuable and extensive estates in East Anglia.
The most important of these was Castle Rising, Norfolk. This estate fell prey to the Howards in 1543 when it was ceded to Thomas Howard and his heirs by a private act of Parliament. In Essex the duchy possessed the manor of Newport, which was leased continually by the King. In 1515-16, when let to Sir John Cutte, privy councillor, the manor possessed only free tenants paying rents of assize, and a mill as well as toll bridges. In 1545 Sir Richard Riche gained the leasehold interest by letters patent. Five years later the crown sold the estate to Richard Ferrer, a London merchant of the Staple. Between these properties in Suffolk was the small manor of Framedon and Pettaugh. By 1558 it was held in lease by John Wildray and the family continued to control it until 1621 when Sir Richard Smyth became lessee.

The duchy's landed interests in the midlands were also transformed in the sixteenth century. Around the southern, western and northern walls of Coventry was located the manor of Cheilesmore. Consisting of 531 acres, most of the land was located in the great and little parks, but there were also many cottages as well. The demesne comprised only three acres and the court and customs of the manor had long been abandoned by 1659. A fulling mill was continually leased. The neighbouring city of Coventry paid an annual fee-farm rent to the duchy of £50. Eastward into Northampton the duchy also possessed the town of Rockingham and the nearby manor of Farva Weldon. This small estate
consisted of only 247 acres of which 185 were woodlands. In 1650 it maintained thirty-six copyhold tenements.

Rockingham disappeared from the Receiver-General's account at the beginning of Mary's reign. She apparently exchanged it for the manor of Garthorpe, but it did not account to the duchy until 1623, when only a fee-farm rent was collected.

A decline in the duchy fortunes in both the Midlands and East Anglia took place through the first half of the sixteenth century. In some cases the crown ensured adequate compensation by way of exchange of lands. However, it is equally true that powerful court figures such as Thomas Howard willingly preyed upon duchy estates in order to consolidate their own regional hegemony. The focus of the duchy's landed interest more and more concentrated on the western and southwestern regions of England. This was not out of phase with contemporary estate practices. Since the creation of the duchy there had existed a core of manors in Cornwall and it was around these that Henry VIII chose to enhance duchy landed influence.

The land and people of Cornwall were still very different from other English shires in the early-modern period. As an isolated part of the Celtic fringe it had inherited different traditions and customs. As late as the first decade of the seventeenth century the people of the western half of the county remained bilingual. It contrasted markedly with the other counties in the Southwest.
Somerset, generally a prosperous agricultural area, maintained the third largest population in England by 1583 while Devon was about average. Cornwall remained the least densely populated county in sixteenth-century England. A land of steep hills, enclosed pasture alternated with arable farming in the narrow valleys and along the coastal strip. Though both Devon and Cornwall had an established sea-borne trade with Brittany and Bordeaux, Cornwall in particular was isolated from easy access to important English markets. Exposure to sharp winds made the hills the more difficult to farm. Arable land could support rye and some wheat after the stubble was burned and beach sand worked into the soil to provide marl. Norden reported that the severe shortage of meadow produced weak cattle. Even the proud Carew apologised for the decay of many Cornish boroughs, commenting that they were "so privileged, more of favour (as the case now standeth with many of them) than merit. . . ." The modest proportions of Cornish towns were also noted earlier by Leland who like Carew, suggests that they had once enjoyed a more prosperous existence. Norden found the Cornish difficult and sometimes wayward, "often harsh, hard and of no such civil disposition, very litigious, much inclined to law-quarrels for small causes. . . ."

While farming was literally an uphill battle in much of Cornwall, it would be incorrect to assume that the economy of the area was completely lacking in vitality.
Tin mining, of course, provided an important economic alternative. The decline in production in the industry from about 1550 took place in Devon rather than Cornwall and the latter county continued to produce very large quantities of the metal. A long coastline also permitted an active fishing industry which could to some extent provide needed protein which the land itself refused to yield. Lostwithiel, Bodmin, Truro and Helston were active and important market towns, and though there is no evidence to suggest significant growth in the first three, the latter prospered as tin production shifted to the western areas of the county.

The seventeen asessionable manors, which were granted to the duchy by Edward III, formed the historical nucleus of its interests in the Southwest. Located in Cornwall, they shared a common climate, topography and system of tenure. In common with other crown land, rents of assize, that is, those who held in free tenure, remained unchanged and acreages for free tenants continued to be reported in Cornish acres. The most remarkable feature of these manors was the form of tenure known as "conventional". This combined features of both copyhold and leasehold into a single unique form. Tenants assembled in open court once every seven years in order to secure their land. They did this by bidding competitively in order to establish the fine. The individual or group who offered the highest fine for a particular tenement was duly assigned it.
Rents for conventionary land were fixed, but tenants paid their fines in six annual instalments. In the seventh year they owed only the fixed annual rent. This system of tenure appears to be peculiar to the Southwest. The current value of land was thus mirrored by the competition or lack of it when tenants gathered at the assession to renew their holdings. Fines for copyhold land, where they were not fixed for custom, also reflected changing land values, but renewal of copyhold was haphazard and depended upon when individuals happened to die or chose to seek a new copy. In contrast conventionary tenure, where it was not fixed by custom, was renewed at regular seven-year intervals without reference to the exigencies of age or predilections of individual tenants.

The assessionable manors were distributed over the whole county. Three, Trematon, Calstock and Stoke Climsland, bordered the Tamar river. Stoke Climsland was composed of 2,970 acres of conventionary land while Calstock, immediately to the south, extended to 1,620 acres in the same tenure. Trematon, which included the borough of Saltash lower down river, held 1,144 acres in conventionary tenure. Immediately to the east of Stoke Climsland on the edge of Bodmin moor was located the small manor of Rillaton which possessed 490 acres of land in conventionary tenure. Seven miles to the south around the market town of Liskeard, the manor of Liskeard extended to over 2,546 acres of conventionary land.
In the northeastern part of the county were situated three manors. Tintagel and Penmayne rested on the northern coastline. The most northerly of the estates was Tintagel, which had 862 conventionary acres. Inland on the northern perimeter of Feadmin moor lay the manor of Helston-in-Tripc composed of 1,110 acres held by conventionary tenure. On the north side of Radstow Bay, twelve miles west along the coast from Tintagel, lay Penmayne manor. This small estate encompassed only 62 acres of conventionary land.

In south-central Cornwall six of the manors ranged from the Fowey estuary westward to the river Fal. North of Lostwithiel on the western bank of the Fowey lay the manors of Restormal, Penkneth and Penlyne. Together these estates comprised less than 200 acres of conventionary lands. To the south along the western side of St. Austell Bay the manor of Tewington consisted of only 466 acres in conventionary tenure. However, it possessed an additional 120 hides of waste pasture which may have amounted to over 7,000 acres. Three miles to the west the manor of Tybesta was centred on the borough of Grampound and consisted of 1,121 acres. Contiguous with it was the small manor of Talskeddy which comprised just 96 acres of conventionary land.

The three other assessiably manors lay in the western part of the county. Moresk, located east of Truro between the confluence of the Truro and Tresilean rivers, was comprised of 913 acres in conventionary tenure.
Tywarnhaile manor, situated on the northern shore opposite Moresk, held 413 acres and twelve Cornish furlongs. The final manor, Helston-in-Kerrier, was four miles north and a little east of the borough of Helston in the parish of Wendron. An extensive manor, it consisted of 1,880 English acres and 21 vills, which may have meant a total of over 3,140 acres.

Assessable Manors

Table of Number and Size of Tenements (1617)

<table>
<thead>
<tr>
<th>Manor</th>
<th>Total of Messuages (in acres)</th>
<th>Largest (in acres)</th>
<th>Smallest (in acres)</th>
<th>Average (in acres)</th>
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<tbody>
<tr>
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<td>98</td>
<td>60</td>
<td>2</td>
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</tr>
<tr>
<td>Helston-in-Trigge</td>
<td>53</td>
<td>50</td>
<td>1</td>
<td>20.4</td>
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<tr>
<td>Rillaton</td>
<td>15</td>
<td>50</td>
<td>10</td>
<td>26.3</td>
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<td>Talskiddy</td>
<td>6</td>
<td>16</td>
<td>16</td>
<td>16.0</td>
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<td>Tywarnhaile</td>
<td>27</td>
<td>38</td>
<td>3</td>
<td>12.2</td>
</tr>
<tr>
<td>Penmayne</td>
<td>6</td>
<td>20</td>
<td>7</td>
<td>10.3</td>
</tr>
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<td>Tibesta</td>
<td>47</td>
<td>58.5</td>
<td>2</td>
<td>21.3</td>
</tr>
<tr>
<td>Liskeard</td>
<td>66</td>
<td>80</td>
<td>8</td>
<td>29.7</td>
</tr>
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<td>Calstock</td>
<td>69</td>
<td>40</td>
<td>5</td>
<td>17.7</td>
</tr>
<tr>
<td>Trematon</td>
<td>43</td>
<td>52</td>
<td>2</td>
<td>21.1</td>
</tr>
<tr>
<td>Helston-in-Kerr*</td>
<td>10</td>
<td>200</td>
<td>15</td>
<td>50.4</td>
</tr>
<tr>
<td>Moresk</td>
<td>39</td>
<td>47</td>
<td>5</td>
<td>16.6</td>
</tr>
<tr>
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<td>53</td>
<td>26</td>
<td>0</td>
<td>4.5</td>
</tr>
<tr>
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<td>51</td>
<td>80</td>
<td>7</td>
<td>16.1</td>
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<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Penkneth+</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Penlyne+</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

* Data for this manor do not provide a satisfactory return; most holdings were not measured in acres.

+ Insufficient data.

Norden's surveys and the assessment rolls indicate ancillary economic activities. On the manor of Stoke Climsland there existed 156 conventionary tenements and 60 of them paid a fixed fine known as "burbage". The nature of this fine is uncertain, but it may have been associated with the
right to fish for burs in the Tamar river. Thirty-four of
the 144 Calstock conventionary tenements also paid the fine.
At Stoke Climsland there were three fulling mills to pre-
pare woolens, and one of these also processed tin ore. In
addition, three mills were exclusively devoted to the pre-
paration of tin ore for smelting. Only a single grist
mill existed, although one of the knocking mills also
served as a corn mill for part of the year. Mining had
been pursued on the manor for a number of years. In 1600
the manor possessed three mills for reducing tin ore and
two metal smelters. This activity extended to Calstock
where four mills processed tin ore and two water mills
served as grist mills. At Trematon, which had sixty-four
conventionary tenements, only one fulling and one water
mill existed. A fish weir was let as a separate tenement.
By far the most significant activity in tin mining occurred
in the west of the county. Helston-in-Kerrier possessed
fourteen mills to process the metal, two blowing houses
and a single water mill. Within Moresk, which had sixty
conventionary tenements, were three fulling and a single
tin mill, but it also maintained eight water mills, some
probably used in the preparation of ore for smelting.
Tywarnhaile, with only fifty-five conventionary tenements,
possessed four tin stamping mills, two fulling mills and
five water mills. Liskeard had 105 conventionary tenements,
but an unusual number of mills, only six, all described as
grain mills. Another industry was quarrying stone.
Two quarries were located within Tewington, but Tintagel had twenty-one separate quarries operated by fifteen individuals.

Unfree forms of tenure effectively disappeared before the advent of the sixteenth century on the assessiornable manors. Tallage, a fine imposed theoretically at will on those who held in villainage, had become stereotyped and all tenants were either classed as free or conventionary. On the other hand, the lord's ancillary rights, such as hawking, hunting and riding freely over the manor, were carefully preserved and let to individuals. The lord also had the right to take toll-tin, a fine imposed for extracting ore within the bounds of the manor, but this was often leased or simply not collected. Conventionary tenants normally owed a best beast as an heriot; at Tywarnhaile and Helston-in-Trigg they could not alienate land without a license from the lord. The medieval fortresses had all been allowed to go to ruin, but at Liskeard the tenants of the scitus were obliged to serve as custos for the court and provide buttes for archery practice.

As on other ducy manors, demesne land on the assessiornable manors was continually leased for term of years. At Calstock it consisted of 261 acres and by 1650 the lessees, the Connock family, had built a new house which included a hall and brew house. The great parks of Lanteglos and Helsbury, part of Helston-in-Trigg, were disperked by Henry VIII in 1542 and the combined 426 acres

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let as meadow, pasture and arable. Other parks of considerable size, Cary Bullock, Liskeard and Restormel were also converted by Henry to manorial demesne and leased to individuals. Conventionary tenants on associated manors normally had to provide services to keep the fences of these parks in good repair, but this obligation lapsed once the parks ceased to be preserves for royal game.

Abuses of the conventionary system began to appear after 1570 when competition for land in Cornwall increased. The Exchequer auditor, Thomas Neale, writing in 1577, detailed how tenants manipulated the system to their own advantage. Once a conventionary holding had been acquired, a tenant could sublet or assign parcels of the land to others until the "house alone without any land unto it" was left and it became impossible for duchy officers to assess accurate fines. The tenant sometimes continued to pay the whole rent and fine of the land, which allowed him to keep title, but once he had died the sub-tenants claimed their estates as freehold and refused to acknowledge the lord's rights. Other individuals held several tenements, but claimed to owe only a single heriot. The value of the heriot, when the tenant died, was judged by the deceased's executors and they consistently undervalued its worth.

A final complaint, echoed throughout the sixteenth century, made by Neale, referred to the constant spoil of woods which conventionary tenants claimed by custom. These points were amplified in 1580-81 when it was stated that some
individuals held as many as four, eight or even twelve separate tenements, but paid only a single heriot. Neale's complaint concerning surrenders was also reiterated; the sale of land to freeholders was particularly damaging because they then enclosed it as a part of their own estate.

These complaints are revealing of several aspects concerning tenants and tenures. As demand for land in Cornwall increased from 1550 and especially after 1580, it is clear that some tenants chose to capitalise on the situation by subletting their holdings in part or entirely. This in turn implies that the rent roll produced by the assessionary commissioners every seven years did not accurately reflect the number or size of existing holdings or the real number of tenancies. On at least one manor, Calstock, it was common for tenants to form associations in order to secure particular tenements. Of the 144 conventioinary estates, sixty-nine were held by two or more people in partnership. Since farming took place on enclosed land rather than in common fields, this suggests that those tenements held in partnership were in fact effectively dismembered.

On other assessionable manors the picture in 1617 was very different. At Tybesta four individuals possessed 44 per cent of the available conventioinary land and at Liskeard four tenants held approximately 14 per cent. Average size of holdings varied from area to area depending in part upon the quality of the land and in part on the
availability of other economic activities such as tin mining or stone quarrying. The existence of fulling mills on some of these manors suggests an active woolens industry based upon pasture which was often more suited to the wastes and hills of Cornwall than attempts at arable.

The problem of the actual extent and nature of farms and exactly who worked the land, implicit in Neale's statement, cannot be clearly resolved. The active formation of consortia on one manor juxtaposed with the concentration of land holding by a few individuals on others does suggest that medieval patterns of agriculture were dissolving. It is probable that at least in some areas, as the situation at Tybesta indicates, a small group of kulaks emerged who possessed the capital to acquire control of considerable acreage with the intention of subletting on a rack-rent basis. For instance, John Sharrock possessed 252 acres as well as an additional 20 acres of waste at Tybesta in 1617 while John Monbridge held 174 acres on the same manor. Two other members of the Sharrock family also rented a further 41 acres and a relation of John Mondbridge held 21 acres.

The problem of subletting may have existed even before 1559. A memorandum dating perhaps from Mary's reign anticipates many of Neale's complaints. Six conventionary tenements in the hands of six different individuals, were subject to forfeit for

any unlawful Act as a Customary Tenant, as letting a further estate than he hath, decaying the houses,
felling of any tree and such like or not dwelling upon it without license and such like.\textsuperscript{65}

Despite these conditions, two houses had fallen into decay, all tenants freely cut wood, none of the six lived on their holdings and all sublet, one even charged a heriot equal to the value of ten oxen as though he owned the fee-simple interest.

By the end of the sixteenth century population increase began to exert pressure on the land and equalled or perhaps even exceeded that of the early fourteenth century before the advent of the Black Death. Due to encroachments and illicit sales, total acreage had declined slightly since the creation of the duchy, but the number of tenements at Tintagel, Moresk, Stoke Climsland, Tywarnhaile, Tybesta, Liskeard and Calstock actually had increased. In part this was because waste land was partially incorporated into the conventionary system and let on much the same terms, which in itself suggests the effects of population pressure. Numbers of tenures on other assessmentable manors did not vary significantly from the fourteenth century and the change or the lack of it may be indicative of movement to mining areas which held the promise of work for families. Also, on some of the assessmentable manors the forms of tenure had in practice become fixed by the end of the fifteenth century so that the rent roll became stereotyped.

In 1540 Henry VIII radically altered the landed interest of the duchy by severing the honour of Wallingford, located
in Oxfordshire, from the duchy in order to annex it to his newly created honour of Newelme. By way of compensation he entailed to Edward and his heirs twenty-eight manors, all but one of which was located in Cornwall. The total rents derived from these lands actually were slightly greater than the receipts from Wallingford. This move by the king concentrated more than ever before the lands of the duchy in the Southwest and made it a landlord without parallel in Cornwall. Before this there existed a rough balance between the scattered estates, the "foreign manors", and those located in the far west. In strict economic terms, receipts from the "foreign" estates produced a greater net income. The addition of many more Cornish estates reflected existing Henrician estate practices; many who possessed landed wealth, including the crown, attempted to consolidate their holdings into more rational geographic units which could be more easily administered by stewards and other officers.

The new estates were derived from three sources. From the former Priory of Trewardeeth the duchy gained the manors of Porthia Prior, Grediowe, Powey, Trevennen, Pentrigan and Austell Prior. Lands of another dissolved Priory, Launceston, provided nine new estates. These included Boyton, Sonyelva, Bucklawren, Eastway, Stratton Sanctuary, Treworgy, Clymsland Prior, Carnedon Prior and Bradford. The last of these straddled the Cornish and Devonshire border. Many of the estates of the attainted marquis of Exeter also came into
duchy hands. These included West Anthony, Craithole, Portlooe, Northill, Landreyn, Westlooe, Tregamere, Trelowia, Trelugan, Treverbyn Courtenay, Landulph, Leigh Durant and Tinten.

These estates added over 7,549 acres of land in leasehold, copyhold and conventionary tenure as well as waste and common ground to the duchy's existing acreage in Cornwall. Nineteen of the manors lay in the eastern part of the county. West Anthony, which included 681 acres of copyhold land, was located on the southern shore of the Lynher river estuary. Craithole, a village on the southern coast, was located southwest of Anthony. By 1615 only a single acre of ground was associated with the manor, though there were twenty-three free burgesses. A further seven miles west along the coast, East and West Looe formed twin villages on both sides of an estuary. They included over 472 acres of copyhold and an additional 78 acres held by lease. Between Craithole and Looe, slightly inland from Whitesand Bay, the manor of Trelowia possessed 131 acres copyhold and almost an equal number in leasehold. Contiguous with this manor was that of Bonyalva which contained 189 acres held by conventionary tenure. Another manor also adjoining was Bucklawren which possessed 497 acres in copyhold. Its southern boundary lay on the coast. North of Trematon on the tidal reaches of the Tamar the manor of Landulph was located. It included 393 acres in copyhold.
Slightly west and north from Landulph the manor of Leigh Durant extended to 630 acres of conventionary land.

Between Stoke Climsland and Hillaton the new estate of Carnedon Prior held 4 acres in copyhold and 508 acres were let. Between it and Stoke Climsland was the manor of Climsland Prior which extended to 544 acres in conventionary tenure.

In the northeastern corner of the county five manors were spread out in relative isolation from other duchy estates. Boyton, five miles north of Launceston, included 222 acres in lease, but most of the manor, over 460 acres, was held by freeholders. Two miles north lay the manor of Bradford, which was never surveyed by Norden. On Bude Bay along the northern coastline the manor of Eastway included 254 acres held by only five copyhold tenants. In the parish of Warbstow, seven miles from Launceston, Fentrigan extended to 134 acres. This estate had formerly been held by conventionary tenure, but by 1615 it was in the hands of three lessees who held their lands by 54, 65, and 64 year leases. The manor of Treworgy was located north of Fentrigan only two miles from the sea. It held 200 acres of conventionary land and 33 freehold. In the extreme northeast of the county Stratton Sanctuary was adjacent to the town of Stratton. The lands of the manor totalled only 82 acres held by five tenants. The inherent difficulty of effectively administering small, isolated estates of this kind was pointed out by Norden who complained that the affairs of the
manor were largely controlled by Bernard Greynfeilde, an adjacent landlord.

The remaining manors stretched across the central area of Cornwall roughly on a north-south axis. The important port of Fowey, the shipping centre for goods from Lostwithiel, was located on the estuary of the Fowey river on the southern coast. As with Craithole, there was little associated land. Another small manor, situated in the parish of Austell on the eastern edge of the town of St. Austell, was Austell Prior. Containing only sixteen acres of leasehold land, it was mainly valuable as a centre for tin mining and a stamping mill worked within the manorial bounds. More substantial in acreage, the manor of Treverbyn Courtenay a mile to the north possessed 179 acres and 103 acres of leasehold land. Trelungan, which encompassed the western shore of Gerrant Bay eleven miles west of St. Austell, held 214 acres, but all the lands were let. Inland from the northern coast on the western edge of Bodmin Moor five miles north of Bodmin, Titten encompassed 697 acres in copyhold, 182 acres of demesne and 52 acres to a single lessee. Ten miles to the west, five miles from Wadebridge, the small manor of Tregamere held 75 acres of customary and 27 acres in one leasehold. In addition, the manor possessed 80 acres of common. Still further west, three miles north of Truro the manor of Trevennen included 214 acres of leasehold. The final manor was located in the western extreme of the county. Porthia Prior was a scattered
estate which came under the single umbrella of a manorial court. Some of its 62 acres were in St. Ives Bay, but it possibly had associated lands near to Land's End.

The "annexed" manors, as these new estates were known, differed significantly from the ancient, assessiobable lands. Besides being relatively small units, over 1,700 acres were held by leasehold in 1615. This had occurred after many of the estates had been sold by Elizabeth. At Boyton, for example, the leases had been granted for 600 years and there was little the landlord could do to exercise influence. Norden reported that the customary mill was decayed and tenants simply refused to cooperate in his attempts to survey the land. Although it was usual duchy practice to lease woodland and mills, the available records do not indicate that land was converted from conventionary or customary tenure to leasehold while in duchy possession. Even though many manors were recovered, there is little doubt that manorial discipline suffered. Of the annexed manors, Norden listed only six which possessed customary mills and specifically states that on two estates they were decayed. At Sonyalva the local land owner, Mr. Heckwich, controlled 129 of the available 189 acres of conventionary land and leased the manor's two corn and single malt mill. He was converting arable into pasture; Norden complained of the effects:

... a manifest depopulation converting the Tenements from habitations to desolations, and the lands from due manurance for the Common weal to far more unnecessary uses though it may be conceived more convenient
for Mr. Keckwich to dispeople the tenements and
to convert the lands to his own use whose mansion
house and demesnes adjoin to theirs. . . . 71

A similar situation existed at Carnedon Prior where the
leases had been granted by the purchaser of the manor for
99 years.

In Devon the duchy held three manors and the forest of
Dartmoor by gift of Edward III. South and west of
Chagford the manor of Southteigne lay near the river of
the same name on the eastern edge of Dartmoor forest in the
parish of Chagford. All receipts from the manor derived
from rents of assize, the lease of a mill and the profits
of the manorial court. 73 Because rents were fixed the
duchy took little interest in the manor and the property
was not surveyed by lorden. Another duchy estate, the manor
of Lydford, was situated on the eastern edge of Dartmoor
ten miles east of Launceston in Cornwall. As at Southteigne,
only fixed rents of assize were collected, though there was
also a manorial mill and court. The town of Lydford also
paid rents of assize and leased another mill. Profits of
the market and town court were owed to the duchy as well.
Formerly an important duchy administrative centre, the
courthouse was reported in 1618 as "utterly decayed as the
greater part of the town besides is. . . ." 74 John
Rattenburg, the steward, went on to say that the revenues
from the court had been drastically reduced lately because
the town had been afflicted by the plague. There was no
subsequent attempt to restore the court building. Since on
most manors demesne land was more or less constantly leased, it was uneconomical to pay for the repair of administrative centres; in all probability, the costs of courts included rental charges for buildings which were in private hands. In the case of officials coming from London, if their business dealt with tenants of several manors located in the same vicinity, it was possible to nominate a central location in which all who had business to transact might assemble.

Eight miles north of Exeter the duchy possessed the manor and honour of Bradninch. On mixed arable and pasture land which was sometimes steep, this large estate contained 2,377 acres of copyhold divided into 82 tenements. Norden found sixty tenants in possession. Exeter provided a market for agricultural produce and the woolens industry remained an important element of the local economy into the eighteenth century. Devon contained extremes of land and topography; Dartmoor and Exmoor provided only rough open grazing while the southern coastal strip included good fertile soil. This area around Bradninch was amongst the most densely populated in the county in the first half of the sixteenth century and land offered for sale found an eager market. The Lord Warden, who was steward of the manor, was frequently petitioned by copyholders seeking to add lives. Farming was by common field and twenty-five acres of common pasture existed. All copyholders were liable to pay a heriot of the value of their best beast.
and also paid a penny at Michaelmas in lieu of work service. Bradninch borough paid rents of assize and associated with the honour was the fee of Bradninch to which rents of assize and feudal dues were owed.

Largest of all duchy possessions was the forest of Dartmoor. An area encompassing over 60,000 acres, its isolated, sparsely populated moors were valuable mainly for tin and grazing of sheep and cattle. As open mountainous range land, those in and around the forest could pasture their animals on the land by paying a small fine for each. Dartmoor was divided into four geographical areas corresponding to the points of the compass, each administered by a forester appointed by the Lord Warden who was the chief forester and rider. Large herds of cattle grazed the land: in 1502 the four bailiffs collected 1 ½d for 6,031 head. This number remained fairly constant until 1546, but by 1556 the herd had declined to 4,166 head. By 1567 the number of cattle had diminished further to 3,738, recovering by 1574 to 5,778. The herds remained roughly steady then until 1617, the last year figures are available, when the herd had declined to 3,647. Several factors may have influenced fluctuations in the numbers of cattle allowed to graze. The weather affected availability of grass and hay. Disease, too, could well have killed large numbers more or less at random. As open range, infection could easily spread from one animal to another.
Sheep were also pastured on Dartmoor. At the beginning of the period in 1502 only 244 were counted by the bailiffs. The rate charged for pasturage of sheep, 7½d per twenty, was a customary payment which became more attractive as inflation cut real costs to farmers. In 1545 sheep numbered only 182, but by 1550 the numbers increased to 324. At the beginning of Elizabeth's reign the sheep population had nearly doubled to 606. By 1574 it had increased to 1,400. Representative figures are not available after this year, and in 1604 the bailiffs did not return a count. Thirteen years later only three of the four quarters returned figures, but even this partial total ran to 1,203 head of sheep. It is possible that cattle gave way to increasing numbers of sheep, though in 1574 when 1,400 sheep grazed the moor there were also 5,778 cattle pastured on it. Weather probably governed short term trends. Most significant increases in the sheep population occurred in the north and south quarters of the moor and there may have been a deliberate attempt to provide separate range. Another activity associated with Dartmoor was cutting peat turfs. For the whole of the period small numbers of men paid 5d each for the right to take this valuable fuel.

The last group of duchy manors lay in Somerset. These estates with Ryme passed to the duchy in 1421 when Henry V severed the manor of Isleworth, Middlesex, in order to present it to the monastery of Scion. The estates were exchanged by Edward IV in 1483 for lands in Wales owned by the earl
of Huntingdon. Henry VII declared the act void in 1496 and recovered title to them in favour of the Prince of Wales. However, he introduced a saving clause in the act reserving the manors for his own use during pleasure. In fact the duchy did not regain control of ten of the eleven manors until 1611. The accounts for the Henrician period simply indicate that the lands had previously been granted to Huntingdon and the revenues were being audited by two royal servants, Thomas Roberts and John Peryent. By 1539, though Peryent still continued to audit the account, it was also stated that Sir John Russell acted as receiver for the revenues. This explanation disappeared from the duchy's accounts after the accession of Edward, and the estates slipped out of the crown's hands altogether. The single exception, Curry Mallet, which Henry VII had granted to Arthur in 1496, remained in duchy control through the whole of the sixteenth century. This manor was located about seven miles east of Taunton. It comprised 1,392 acres of copyhold, a park and common pasture. The whole estate was leased from 1523 onwards except for the brief period of Anne Boleyn's reign when the profits were conceded to her. From 1541 Sir Hugh Paulet gained the lease and it remained in the hands of his family until 1610. Though they were forced to surrender their interests in the whole manor, they received in recompense a lease to the park. The period of direct management was brief; in 1633 the King granted a new lease of the whole estate to Thomas Cary.
The other ten manors in this group were recovered by means of writs of scire facias between 1610 and 1635. Inglescombe, Stratton-on-the-Fosse, Shepton Mallet, Midsomer Norton and Milton Falconbridge were re-annexed in 1610, Laverton and Widcombe in 1612, West Harptree and Parrington Surney in 1613, and Stoke-under-Hambden in 1635. The lands formed two broad bands stretching eastward from the Mendip Hills to the eastern border of Somerset and west from Yeovil to within five miles of Taunton. Inglescombe, located two miles south-southwest of Bath, consisted of 720 acres of copyhold and 481 acres of leasehold. The manorial custom allowed copyholders only two lives, though they could take a second copy in reversion for two additional lives. They owed a heriot equal in value to their best beast. Horden recorded no common or freehold land. Stratton-on-the-Fosse lay east of the Mendip Hills about five miles north of Shepton Mallet and ten miles south of Bath. The town of Wells was also relatively near. Horden found 485 acres in copyhold and a further 269 acres in leasehold. Coal was mined within the manor continuously through the early seventeenth century. Land held by copy of court roll was divided into twenty-nine tenements held by twenty-four individuals. Only seven people held all the leasehold acreage and one holding alone extended to 171 acres. Shepton Mallet was located directly south of Stratton. Customary land extended to 1,189 acres in 93 tenements, while 14 individuals held 168 acres by lease. The manor of
Widsomer Norton, located two and a half miles north of Stratton, contained 847 acres of copyhold in 37 tenements and 97 acres held by five lessees, though one of these included 93 acres. The manor had formerly been in the possession of the Waldegrave family. Milton Falconbridge was situated in the southwestern portion of the county about five miles west of Yeovil. It extended only to 602 acres of copyhold land. Order reported that the manor had been dismembered in the time of Elizabeth and tenants granted land in fee simple. Once the lands had been recovered, Prince Henry insisted that their status be reduced to copyhold. Common pasture existed and tenants owed a heriot.

The two manors recovered in 1612 were both relatively small. Laverton was located eight miles south of Bath near the border with Wiltshire. Only 199 acres were held by copy, and a single tenement of 58 acres was held at will. Over 549 acres were taken by three lessees, and two of these extended to 293 and 240 acres. Those who held by copy could only take two lives, though they could take the reversionary right to two other lives as well. In the north-central area of Somerset, six miles north of Wells, the manor of Widcombe possessed 603 acres. Of the 200 acres in leasehold, 138 acres comprised a single holding. The 403 acres of copyhold were divided into ten tenements.

In 1617 William Hockmore, duchy auditor, requested those holding leases on the manors of Westharptree and Widcombe

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to meet in Bath, which was only a few miles distant from both, so that he might review their documents and enrol them. Hence the traditional manorial structure was ignored in order to ensure greater convenience for all concerned.

The three other manors eventually recovered by the duchy presented similar problems. Harrington Gurney, located two miles west of Midsomer Norton, comprised over 900 acres. Of this 576 acres were copyhold and 337 acres in leasehold, but Horden found forms of tenure uncertain and difficult to identify because tenants were either ignorant or unwilling to specify how they held their lands. Westhaytree, a further five and a half miles west, included 92 acres divided among six copyholders and 297 acres held at will. A single person held 291 acres at will. The final property recovered, Stoke-under-Hamden, was the most southerly duchy manor in Somerset, lying five miles west of Yeovil. It consisted of 882 acres held entirely by copyhold. The lands were not contiguous. Tenants could live off their estates, take timber at will and even allow their houses to decay without fear of eviction.

The restitution of these estates to the duchy added over 10,000 acres of valuable land, but much of the manorial structure, which included incident duties, services and payments, had disappeared by 1610. Horden identified few freeholders, and the leases were all granted by former occupants. Only on a single manor did he find the traditional
right of the lord to hunt, fish and fowl still in existence. Continually, he complained of the lack of records to substantiate putative liberties claimed by tenants. The fact that much of the land was locked up in leases also removed the duchy from traditional forms of paternalistic control. Though leasing was not new to either the duchy or crown lands generally, they had traditionally been granted as a form of patronage, as when a whole manor was let, or to ensure the exercise of the lord's rights and privileges. Grants of fishing, foxhunting and hunting, manorial mills or mineral rights were not strictly grants of land. Rather, they were an attempt to ensure that the lord's prerogatives incidental to the land were maintained. Richard Carew and his sons, Richard and Hobby, gained a reversionary lease of the scitus of Trenaton Castle, woods at Liskeard, Climslan, Calstock and elsewhere, the fishing of Trenaton and the right to quarry stone at Shippon in 1590. These rights had not produced an income for the duchy and the new lessees pledged to "try her majesty's title therein" at their own cost whenever necessary.

An estate which fit into this special category was the Isles of Scilly. This archipelago, situated west of land's End, was held in knight's fee from the honour of Launceston. The rent of assize for the Islands was only 6s 8d and 300 puffins, the sea bird indigenous to the area. In 1513 the Islands were held by John Croker, but escheated to the
duchy sometime in the 1540's. The hurried attempts to fortify them after 1547 failed, but the Scillies had gained recognition as an effective observation post which could provide early warning of any possible invasion fleet entering the western approaches to the English Channel. In 1570 Francis Godolphin gained a thirty-eight year lease from the Queen at an annual rent of £20. The family turned the Islands into their own bailiwick and continued to occupy them until the eighteenth century.

The distribution of land amongst copy and leasehold tenants outside Cornwall demonstrates the same pattern present upon Cornish manors: land holdings tended to concentrate into a few hands. At Bradninch six copyholders possessed 683 acres between them in 1615. At Here, Christopher Aubrie leased 484 acres of parkland with another individual and also controlled a 32 acre copyhold tenement. At Fordington, John Goulde held a copyhold estate totalling 159 acres and five individuals with the surname of Windsor, including two women, possessed 237 acres amongst them. In Somerset the trend was not so pronounced as elsewhere. At Shepton Mallet a woman held 96 acres and three individuals at Midsomer Norton held title to 275 acres of copyhold. Norden, who usually worked from copies of court rolls, noted that four tenements had been demolished. This further suggests amalgamation of traditional farms into larger units or extensive subletting on a rack-rent basis. This was the case at Old Shoreham where he found the tenants were
non resident thereupon but Inhabit far off and let them out to poor under tenants upon the rack weakening the land and ruining the houses.93

Woodlands represented an appreciating asset through most of the sixteenth and early seventeenth centuries. This was clearly recognised by contemporaries and many surveys of woodlands were carried out to determine the extent and value of trees and forests. Two basic problems continued to impede effective administration and utilisation of duchy woodlands. Tenants pressed their claims to available timber supplies by asserting their right to take it for house repairs, fencing and firewood. On the other hand because the duchy woodward, in common with most officers, was only an occasional official, he could not and would not take personal charge of scattered and often distant woodland. In consequence, large woods, such as the former parks in Cornwall, were continually leased. Naturally, tenants adopted a short-term view and cut the timber for immediate economic advantage. In 1559 Liskeard still contained 235 acres of woodland, but by 1615 only 95 acres remained. At Calstock over 200 acres of trees grew in 1559, though by 1615 this had been reduced to 61 acres. At the beginning of Elizabeth's reign Lucky land in Cornwall possessed 1,121 acres of woodland overall, but by Norden's surveys this had diminished to a mere 443 acres. The disparked parks in Cornwall were continually leased and accounted separately until 1568 when they apparently passed to the control of the woodward for the whole duchy. These

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officers continued to sanction frequent and large sales of timber until 1576 when a policy of conservation seems to have been imposed. Only tenants in need of timber for plowing, housing, carts, fencing or firewood could cut wood. This policy persisted with few exceptions until the end of the century. Nevertheless, a growing population's increasing demands for wood doomed the policy to failure and the woodlands continued to shrink.

No woodward existed during Henry VIII's reign, though wood sales were reported by the Receiver-General from time to time. Only once in the first half of the sixteenth century did a major sale take place besides the dispersing of the Cornish parks. This occurred in 1520 when forest tracts at Stoke Climsland, Rillaton and Calstock were sold to Sir Peter Edgecombe and other local land owners. Careful provision was made to reserve a tenth of the woods at Rillaton so that the rector could properly maintain the enclosure around the forest. Valuations of woods in part were based upon acreage and in part upon the age of the timber offered for sale. Old trees were sold at four years to six years, but less mature woods at only three years' value. Similarly, in 1532 over 244 acres of woods scattered over fourteen manors and twenty-nine individual sites were leased to Charles Haget and John Naynard at a fine of only two years rent. A grant of woodland at Calstock to Sir Francis Walsingham for twenty-one years in 1583 was made without
any fine, but it is probable that this was conceded as a form of patronage.

Unlike modern estate management, there was no attempt to enter into partnership with tenants to provide structures which would improve agricultural production. Forms of tenure largely prevented this. Demesne land, which represents the possible exception, was normally farmed out on lease and the lessee made wholly responsible for the upkeep of buildings, fences, etc. By the end of the sixteenth century, as demonstrated above, pressure upon the land increased and grain prices increased, especially in times of harvest failure. Yet it is striking that at no time did the duchy or the crown generally consider farming its demesne lands. In fact, this would have been quite impossible in practical terms. The network of obligations and privileges which the duchy inherited from the immediate past would have made such a move unpopular in the extreme and would have been resisted by entrenched local interests. It was far more realistic, if less profitable, to continue to lease the demesne as a reward for service or to large numbers of local tenants. The duchy was not an improving landlord even in the few areas where it would have been possible. This was because management was only occasional and the most important administrative functions were borne by officers who would have found it an intolerable and unprofitable burden to supervise an estate with large amounts
of capital tied up in a complex of buildings or directly in the land. This would have placed an unsupportable weight on the administrative machinery; important officers could reasonably expect that their duties would cost them and their own servants some time and effort, but they would hardly have been willing to commit their households to what would have become a full-time occupation. It was not that local duchy servants did not understand estate management, but rather that they reserved the bulk of their time to manage their own estates.
NOTES

1 D.C.O., Exemplification of Letters Patents to the Dukes of Cornwall (MS). This Inspecimus, which includes full texts of Parliamentary acts, is dated 1605. The act severing Isleworth is dated 1421.


7 S.C. 6/1353. Norden's acreage figures are larger, but incomplete. He may have included waste and common land. See D.C.O., Survey of Airton in Lindsey, 1616 (MS). This indicates a total size of approximately 18,000 acres.

8 S.C. 6/5962 and 5963.

9 D.C.O., John Norden, Surveys: Surrey, Dorset, Devon, Berkshire and Sussex (MS).


12 D.C.O., John Norden, Surveys: Surrey, Dorset, Devon, Berkshire and Sussex (MS).

13 Ibid.

14 S.C. 6/1689.

15 S. 315/365/ff. 2 and following.

16 S.C. 6/1541.

17 Ibid.

18 S.C. 6/909.


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Kerrybullock Park had been enclosed with a stone wall in 1526 at a cost of £30 0s 2d. This seems to be the beginning of a decade of wall building in order to enclose parks, which were valued for their hunting and probably timber as well. See S.C. 6/5943.

Herriot Park had been enclosed with a stone wall in 1526 at a cost of £30 0s 2d. This seems to be the beginning of a decade of wall building in order to enclose parks, which were valued for their hunting and probably timber as well. See S.C. 6/5943.


See S.C. 6/84.

27D.C.O., Johnorden, Abreviat or Compendious Abstracte of the Survells of all suche ances, as haue bene surveiud by Johnorden asswll by vertue of a Commission of the late most Worthy P. Henrie D. of Cornwall as of the moste admired Prince Charles now eldest sonn of the moste Pulsent James king of Greate Britaine, France and Irelande and now Duke of Cornwall within the Counties of Somerset, Wilts, Dorset, Devon and Cornwall abstracted by the said Jorden in November, December and Januarye, anno Christi, 1615 (MS), ff.23-23d; hereinafter referred to as Norden, Abreviat.

28D.C.O., Book of Orders, 1619-1621 (MS), 4 May, 1621.

29Ibid., ff. 27-28.

30D.C.O., Court Rolls, Fordington, 14 James I.

31D.C.O., Court Rolls, G5, Box 1A.

32S.C. 6/386.

33S.C. 6/5939 and 5962.

34These were also acquired in 1421.

35D.C.O., Receiver-Generals' Accounts, Roll 278.

36Jorden, Abreviat, ff. 29-30.

37Ibid., p. 30.


39S.C. 6/84.
136

40 S.C. 6/5925.
41 Ibid., and S.C. 6/88.
42 D.C.O., Parliamentary Surveys, Cheylesmore.
42 D.C.O., Parliamentary Surveys, Farva Weldon. The title page of the survey is missing, but probably the survey was taken in 1650.
51 Morden, Speculi Britannia Pars, p. 27.
52 A Cornish acre was equivalent to between forty and sixty English acres. Since rents of assize were fixed, auditors and local officials could hardly care if the acreages were accurate. In fact, these totals appear to be faithfully copied from one account to the next. Naturally, lists of these tenures still mattered for the occasional feudal dues which might accrue.
54 D.C.O., Assession Rolls, 514-516, Boxes 15-16. This extraordinary assession was held in 1617. All the following acreage totals are derived from the same rolls. Duplicates exist in the P.R.O., E. 306-4/4-5. Dr. Hatcher's estimate of conventionary land on the same seventeen manors for the beginning of the 14th century amounts to 17,846 acres. The assession of 1617 suggests a diminution of 953 acres, but considering the vagaries of Cornish acres and the difficulty of keeping accurate records, these figures evoke a remarkable continuity.

56 E. 306/4/4 and 5.
57 Ibid.
59 S. 317/Corn./6.
60 S. 317/Corn./18.
62 D.C.O., Assessionable Manors, Miscellaneous Papers (MS)
63 E. 306/3/4, f. 18d.
64 See p. 108 for a chart of the number and average size of tenements in the assessionable manors.
65 S. 315/472/80.
66 Ibid.
67 John Hatcher, Rural Economy and Society in the Duchy of Cornwall, 1300-1500 (Cambridge: C.U.P., 1970), pp. 17-29. The differences are as follows:

<table>
<thead>
<tr>
<th>Manor</th>
<th>Number of Conventionary Tenements (c. 1337)</th>
<th>(1617)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tintagel</td>
<td>50</td>
<td>80</td>
</tr>
<tr>
<td>Koresk</td>
<td>50</td>
<td>60</td>
</tr>
<tr>
<td>Stoke Climsland</td>
<td>100</td>
<td>159</td>
</tr>
<tr>
<td>Tywarnhaile</td>
<td>25</td>
<td>55</td>
</tr>
<tr>
<td>Tibesta</td>
<td>50</td>
<td>63</td>
</tr>
<tr>
<td>Liskeard</td>
<td>80</td>
<td>104</td>
</tr>
<tr>
<td>Calstock</td>
<td>80</td>
<td>144</td>
</tr>
</tbody>
</table>

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69ordon, Abreviat, ff. 35-55d.

70For example, see S.C. 6/325 (1559-60)

71ordon, Abreviat, f. 56d.

72Dartmoor, Lidford and Bradninch were granted in the original charter of 17 arch, 1337. Southteigne came to the duchy five years later on 9 July, 1342.


74L. 306/12/24.


78ordon, Abreviat, ff. 31-34d. Also, D.C.O., A Survey of the Manor of Bradninch in the Countie of Devon by Virtue of a Commission of the Late Prince Henry, 1612 (75).

79D.C.O., Ministers' Accounts, Roll 84.

80Ibid., Rolls 116 (1531-32), 127 (1545-46) and 129 (1555-56).

81Ibid., Rolls 169 and 181.


83D.C.O., Receiver-Generals' Accounts, Roll 216.

84Ibid., Roll 220.

85ordon, Abreviat, ff. 4d-6d.

86Ibid., ff. 72-73d.

87Ibid., ff. 8d-10.
The Godolphins erected a fortress in 1593 which cost them £95 11s 2d. In 1609 Sir Francis' heir, Sir William Godolphin, received the Islands and in 1613 Francis Godolphin succeeded him. James I reimbursed Sir William for building costs. The Islands were an ideal base from which to conduct privateering. See P.R.O. Index 7640/12/27-30. They were attractive enough to cause Thomas Throckmorton to bring a suit in the Exchequer to recover a supposed interest inherited from his wife. E. 112/6/80.

The letters patent were granted 2 August.
CHAPTER IV
GETTING AND SPENDING

Amongst all the duchy's functions its most central was to provide money for the heir apparent or the sovereign when no duke existed. Money flowed from two basic sources: rents from land and land-related privileges and from receipts of the coinage of tin or exercising the crown's right to a pre-emption of the metal. Duchi finances provide an invaluable insight into the economic resources available to the Stuart princes and, incidentally, into the methods employed to raise money. Equally important, information derived from a study of duchy landed wealth during the periods when it was grafted onto crown lands aids in understanding the attitude of the Tudor monarchy toward those lands.

There are two preliminary facts to keep in mind when studying duchy finances. First, in any given period rent movements were not necessarily the result of conscious policy decisions by the crown. Changes in the terms upon which land was let could be affected by such factors as inflation and an expanding or contracting population.

Regional variations were produced by differences in the quality of land, harvest failure, outbreaks of disease and local legal customs governing tenure. Because of these elements it is often hazardous and sometimes impossible to
draw general conclusions. A clear trend which might emerge on one set of manors may be absent on others located elsewhere in England.

Secondly, it must be recognised that the monarchy did not view its estates simply as a source of cash. It often found it cheaper to reward a servant with a lease as a concession rather than pay with money. This has already been illustrated above in the grants to duchy and household officers of Prince Henry and Prince Charles. In the long periods when the duchy was in the hands of the crown the same pattern prevailed, though in a more dispersed form. This exercise of patronage coupled with a spirit of benevolent paternalism toward those of slender means characterised both Tudor and Stuart rule, and makes the development of financial administration of duchy lands the more difficult to reconstruct.

An analysis of the duchy's rent roll suggests four basic periods of economic activity. The first, extending from the beginning of the sixteenth century until 1570, is characterised by continuity and stability. The next, which spanned the years of Exchequer domination, lasting until 1610, witnessed mounting population pressure and included the first general increase in landed revenue. The third phase, the shortest, fell between 1610 and 1625, the principate, and may be characterised as one of extreme ferment as a result of the duchy Council's policy to increase rents. The final period, extending to 1642, was
again one of stability and represents the consolidation of
the economic order introduced in the Carolingian principate.

In order to understand the first phase, the landed
wealth of the duchy must first be placed in the context
of crown lands generally. By the end of the middle ages
the monarchy could not expect revenue from its estates
to cover even the normal costs of government. Though
profits from land were still a vital source of wealth, the
more important because they were unencumbered by possible
political interference, they did have to be supplemented
with parliamentary grants. The fact that successive
monarchs from Henry VIII onward allowed their ministers to
deplete a unique and appreciating capital asset is a
striking theme of early modern finance. The one great
reversal of this trend, the dissolution of the monasteries,
provided only a temporary increase in revenue which quickly
proved inadequate to the monarchy's needs.

The attractions to sell crown lands were several.
Sale could be accomplished quickly and yield large sums of
money immediately. Since the disposal of land did not
affect any but the sovereign and a purchaser, it was likely
to be a popular expedient for raising funds. Finally,
there is the situation of the lands themselves. In the
early sixteenth century the population of England was still
probably less than that of the early fourteenth century.
The dramatic decline in numbers which resulted from the
Black Death forced landlords, including the crown, to grant
land on more attractive terms. Though population was increasing during the early-modern period, these previous concessions had become institutionalised and seemingly permanent features. Either Tudor nor Stuart monarchs attempted to reassert their right to farm the demesne land despite periods of steadily advancing grain prices. The onerous obligations associated with unfree tenure had for long been commuted into money payments. By the end of the sixteenth century these payments were exclusively associated with particular tenements and not the individuals who held them. For the monarchy, land was perhaps the equivalent of a blue chip, but not a glamour stock.

The assessable manors provide valuable evidence concerning the nature of the land market in the Southwest. Since this form of tenure was not fixed, prices offered for land varied in response to demand. Nevertheless, by the beginning of the sixteenth century the tenure had become stereotyped and moribund on ten of the seventeen assessable manors. The receipts of Restormel, Tybesta, Penlyne, Pewington, Talskedd, Tintagel, Tywarnhaile Kenneth, Hillaton and Penwayne remained static or changed only for administrative or other reasons. The grant of a lease or the collection of arrears, for example, might increase receipts briefly, but not affect the long-term trend. The failure of a local official to submit his accounts to the Receiver-General, as at Tintagel in 1567, produced a drastic, but short-lived reduction in revenue. The income from
these manors produced a steady, relatively unchanging amount. Only Restormel presents sudden changes. Aside from the aberrations between 1621 and 1626, the only major fluctuations were the result of the way in which the extent of the manor was calculated.

The static receipts of these ten Cornish manors are also reflected in a sample of other duchy property in other areas of England. These may be analysed as two fairly distinct groups. On the one hand there were estates which were leased to individuals for relatively long periods at fixed rents. Zerkenhead from 1577 until 1611 and Curry Hall from 1546 until 1610 are examples of properties in this category. As discussed above, Curry Hall was awarded to the Talbot family for their services to the crown.

Lennington, let for virtually the entire sixteenth century, demonstrates the possible contrast between the steady, relatively assured rent gained from a lessee and the wide fluctuations possible when a manor was under direct duchy control. On the other hand there were those manors which remained directly under duchy auspices for most or all of the entire period. Two examples of the latter are the manor of Wradninch and the soke of Arton in Lindsey. This latter is particularly outstanding in that it generated more net revenue than any other manor once the honour of Wallingford had been surrendered. The general pattern is one of stability, though the mid-sixteenth century agricultural slump simply carried forward as a new norm for the
Lincolnshire manor. Bradninch also provided a stable income. If the period of the Carolingian principate is ignored, the short-term fluctuations, usually reflective of harvest conditions, give way to a steady pattern. A similar situation existed at Fodington, Dorset, and Shippon, Berkshire. The single exception is the manor of Mere. There, profits declined considerably and rapidly after 1530, remained low, and did not begin to recover until 1562. However, between that date and 1570 net receipts increased by approximately 22 per cent. Though a sharp decline followed, by 1575 receipts again recovered and remained at the levels produced in the late 1560's for the rest of the century. The large number of tenants at will at Mere may well have provided an easy mechanism for increased rents as population pressure grew.

The second phase encompassed the years from 1570 until 1610, and may best be seen through the assessionable manors which still preserved an active form of that tenure. These seven manors reflect a definite and sustained increase in revenue from the middle years of Elizabeth's reign until the last decade of the sixteenth century. At Moresk, Trematon, Helston in Trigg, Helston in Kerrier, Calstock, Liskeard and Stoke Climsland the pattern is much the same, though within different parameters. This trend was neither the product of deliberate crown policy to generate greater revenue nor of any significant administrative adjustments which affected the estates simultaneously.
Clearly, these rent movements were largely the result of local conditions and strongly suggest that Cornwall, at least, had an active and prosperous land market in this period. Even when all seventeen manors are taken collectively, between 1589 and 1595 they produced a net income 72 per cent greater than for 1547-53. Liskeard, an example of the estates with a still active form of assignable tenure, yielded 99 per cent more revenue between 1596-1602 than in the years 1547-53.

The significance of the increases in receipts in the period after 1570 is not the monies produced, but rather the indication of the changing balance between landlord and tenant. There is no real corpus of evidence indicating that contemporaries grasped the importance of either price inflation or increasing population. Even the thesis that private landlords, as opposed to the crown, immediately seized the opportunity to exploit the changed situation has long been refuted. On crown lands the officials, faced with varying local customs and conditions, seemed content to allow affairs to drift.

Another body of evidence which suggests that Elizabeth's advisers either chose to ignore or were simply ignorant of changing conditions may be derived from Exchequer grants of leases of duchy lands in Cornwall. Some 123 particulars of leases have survived for the period 1560 to 1601. They do not reflect actual leases, but embody the details of conditions upon which the Exchequer was willing to let
individual parcels of property. Each particular, produced by an auditor for the land revenue or his deputy, contained the rent, fine, the names of the prospective lessee, the proposed duration of the lease, names of guarantors and often information concerning the former lease. They extend to all duchy estates in Cornwall, including the manors annexed by Henry VIII. The particulars were normally submitted to the Lord Treasurer and Chancellor of the Exchequer and their signatures appended. They occur fairly evenly through the reign of Elizabeth. For the decade of the 1560's some 30 particulars exist, while for the 1570's 41 were produced, for the 1580's 31 and for the last decade of the sixteenth century, 22.

Leases were granted for land, woods, mills, tithes and advowsons, toll of tin and fishery. In a few cases, especially with regard to mills and woods, land or other rights were granted simultaneously. Thus an analysis of the particulars by type produces a slightly different total than 123 because an individual particular occasionally fits several categories equally well. Grants of land were by far the most common, representing 82 items, while leases of tithes and advowsons were sought in 23 cases. Woods occur 16 times, mills, 10 and fishery, only twice.

The terms under which leases were sought and granted are a direct reflection of crown attitudes concerning its lands. Inferences derived from the material, though primarily relevant to Elizabeth's reign, may be applied to a
period from about 1530 until 1600. This is so because the preceding lessee's arrangements were frequently recited so that a composite history of a property may be surmised for two or sometimes three generations. It is clear, for instance, that in the case of former monastic lands, the length of the leases, which had often been thirty, forty, fifty or even sixty years while in the hands of the Church, was reduced to either twenty-one years or three lives in an overwhelming number of cases. In fact, in seventy particulars the nominal lessee sought a lease of three lives while in forty-six particulars a term of twenty-one years was proposed. A lease for three lives was clearly more favoured and presumably was more attractive in actuarial terms. As with copyhold tenure, which it resembled, the three nominated lives had to be alive at the time of the grant. Three other particulars proposed leases of forty, thirty-one and thirty years duration respectively. Only a single particular was for a lease held during pleasure. The remainder of the particulars did not include a proposed length.

The financial details enumerated in these documents are further suggestive of the crown's attitude toward its lands. Rents remained fixed in virtually all cases. The assessment of fines followed a regular pattern. In forty-seven cases the fine was levied at four years' rent; this was normally the amount charged for the first lease by an individual seeking the usual term of three lives or
twenty-one years. In twenty-five particulars the fine was set at two years' rent and in twenty others, at only one year's rent. Of those fines assessed at two years' rent, ten were renewals by the original party before the term had actually expired or were leases in reversion. Those granted at one year's fine also often involved renewals, adding a name shortly after the grant of the lease, and in one case, taking a lease of premises from which only a decayed rent had formerly been derived. Some fifteen particulars indicated no fine at all. These included four granted by order of the Queen as patronage, one as a reward for discovering concealed lands, three in which the prospective lessee pledged to act as a rent collector while two were lands which had been in assessmentary tenure before the application for a lease. In only two cases did the fine involve five years' rent and in three, six years' fine was proposed. On two occasions a fine of twelve years' rent occurred. The telling factor from these data is that there was little change in the pattern of the imposition of fines throughout the period. The situation on duchy lands conformed closely to that on other crown estates and the Exchequer figures for monies collected from fines remained conspicuously stable after 1574.

In the period before 1610 the crown did not seek to exploit its opportunities to increase rents or fines. The criteria used for assessing leases were not adjusted to account for the changing circumstances wrought by inflation.
or population increase. As suggested, the received tradition of tenure and a reasonably commodious system of Parliamentary grants served to steer the crown into a policy which sought to maintain rather than change the existing economic relationships between lord and tenant. At the same time, the evidence from some of the assessable manors in this period indicates that pressure - at least in Cornwall - was building which favoured the landlord rather than the tenant. The exploitation of the newly emerging circumstances did not occur until the second decade of the seventeenth century.

The background for the radical changes introduced after Charles took seisin of the duchy in 1616 has been explained above. Based upon commissioned surveys, the Council opted for a policy of increased landed revenue. With few exceptions, dramatic gains in net receipts were realised from most duchy manors in 1617 and the years following. The absence of any financial data for the year 1616 creates a serious gap in the record, but the sudden surge of revenue which began to accumulate after 1610 and more especially after 1617 may readily be ascertained from virtually all the graphs. The most striking feature of this change is that it lasted only briefly. In many cases increases lasted for only two or three years and then either fell to previous levels or stabilised well below sums exacted between 1617 and 1625. This is explained when it is realised that most of the enhanced revenues were derived either from fines or
benevolences. When heavy fines were assessed, tenants were allowed to make payment in instalments over two or three years. This temporarily swelled net receipts from a manor, but these declined as the fines were paid off and traditional rents and dues once again became the prime revenue source. For example, lessees on the Somerset estates agreed to pay newly assessed fines in two instalments.

The Council also chose to accept benevolences from tenants. These, too, were special or "casual" receipts which were paid over one or two years. In fact, they were gifts freely offered by tenants. For instance, the total of fines collected from the assessionable manors for 1617 amounted to £2,103 14s 6d. In the same year tenants on these manors after negotiating with John Lackorbe, agreed to offer a benevolence of £2,588 19s 0d which they could pay over a period of two years. There is no direct evidence indicating exactly which tenants contributed. It was hardly likely to have been assessmentary tenants, who had undertaken heavy fines or leaseholders, since they, too, were forced to compound for new leases. It seems probable that it was offered by those who held in knights' fee tenure of one of the several honours controlled by the duchy of Cornwall. Hence the benevolence would have represented payment as recognition of the King's son reaching his majority symbolised by the grant of seisin. Since the duchy possessed regalities in Cornwall, it was perfectly legal to insist upon such a payment once Prince Charles had
been granted livery of his lands. Doubtless, free tenants were relieved that their rents were left unchanged. In fact, it seems probable that the benevolence represented a compromise between the Council on the one hand and those tenants who held in military tenure which satisfied the prince's immediate needs for cash without actually destroying the longer term advantage of a purely nominal rent.

The importance of the Council's policy is not only to be found in its economic success, though this was indeed considerable. The exploitation of medieval prerogatives by Charles and his advisers represented a startling departure. The fact that he possessed such rights was, of course, beyond dispute. That he chose to exercise them literally and vigorously was a signpost to the future financial policies of the next king. The erosion of land revenues as a result of inflation coupled with a mounting fiscal crisis forced the Council to act, but the particular methods they employed ultimately reflect the constitutional attitudes of those close to the prince.

Convincingly, albeit indirect, evidence of a reaction to these financial policies is contained in a statute passed in the parliament of 1623-24. The thrust of this legislation was to ensure that lessees of duchy lands were protected in future for the duration of their leases against their being declared invalid in the event of a change in the succession. This effectively prevented a reoccurrence of the events of 1617 when the Council had simply declared all

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leases void on the grounds that they had not passed under Charles' own seal. The act stipulated that leases could be made of duchy land for three lives or at most, thirty-one years. Where known, ancient rents were to be charged or, if unknown, a minimum rent of a twentieth of the net annual value of the land was to be levied. The memory of the events of 1617 retained so prominent that the statute was virtually re-enacted no less than nineteen times in the ensuing 169 years to ensure that successive dukes and kings abided by the same formula.

The statute of 1624 represents a tenuous compromise between the prince and his tenants. He regularly attended the sittings of the House of Lords for the whole session and it is inconceivable that the legislation could have passed without his consent and cooperation. The crown, wearied by a decade of political hostility, may have hoped that this gesture would create a more harmonious atmosphere. There is, however, no evidence suggesting that the prince was coerced by either the King or the King's advisers into accepting the legislation. Under considerable fire himself for the proposed Spanish match, Charles may have been glad to grant the concessions in the hope of turning criticism away from him. Though there is little in the act which appeared to be economically advantageous to the prince, it did serve to restore confidence amongst tenants so that leases would continue to be sought by individuals who could feel secure in the agreed terms of any future leases granted

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by the duchy. At the same time the legislation remained conspicuously silent regarding all other forms of tenure.

If the act of 1624 is considered regulatory or rectifying legislation, it cannot be seen as an attack on either prince Charles or the duchy. It left the medieval prerogatives exercised in 1617 intact and capable of being employed again. As long as no mechanism for the orderly imposition of rent increases existed which would allow receipts at least to keep pace with inflation, there were few alternatives to the actions taken in 1617 and the years following. The experiment carried out by the Council indicated to the future sovereign how pernicious quarrels with a parliament reluctant to grant money might be avoided. This point was perhaps made all the more clear in 1624 when the king's chief minister, Lionel Cranfield, earl of Middlesex, Lord High Treasurer, was impeached by a still obstreperous parliament. When Charles imposed the forced loan of 1626, those who opposed it most strenuously in Cornwall were in fact duchy tenants. They had more reason for opposition than most; they had suffered once before.

The final period, which covers the years from the accession of Charles in 1625 until his execution in 1649, when it was decided to sell all former crown lands, including the duchy, was characterised by an effort to consolidate the policies of the principate. Land revenues continued in general to remain above the levels produced prior to 1610. Nevertheless, there was no great surge of revenue.
The annual net yield of the duchy once again flowed to the Exchequer rather than an heir to the throne. The extraordinary revenue devices employed by the crown in the 1630's applied to duchy tenants as well as others so that there was perhaps little scope left for additional measures applicable only to those occupying duchy lands.

The advent of civil war quickly brought confusion to duchy affairs. Lands located outside western England were cut off from officials almost from the beginning of hostilities. Even in areas where royalists held control it was difficult to collect monies. For all practical purposes, outlying estates simply could not be administered after 1642. Parliament appointed its own Receiver-General, Richard Nicoll, as early as 1643. It was not until 1645 however, that the royalist grip on Cornwall began to weaken. Until then Robert Napier, the crown appointee, had continued to collect what rents he could. When Parliament's representative finally displaced him, he demanded payments of rents from the date of his appointment. Tenants were thus asked to pay for their lands twice. The confusion of war had meant in fact that many tenants had avoided payments at all to either officer. The sudden imposition by Nicolls was ignored largely and the accounts from 1647 show an arrears of over £49,000 which increased to £51,508 by 1649.

The efforts of the king in 1645 to implement a grand design involving a special council under the personal
The Duchy of Cornwall in the Reign of Charles II

Auspices of Prince Charles came too late and were doomed to failure. Lack of funds, which the duchy could no longer provide, and a command riddled with suspicion and intrigue meant that Cornwall served only as a springboard to exile for the hapless heir; all the duchy could provide was a means of escape. The Prince made his way from Kendennis Castle to the Isles of Scilly and then to safety in France.

After the execution of Charles I in 1649 Parliament moved swiftly to survey duchy lands in order to establish sale values. This was carried out just as on other crown estates. The surveys, accomplished as a result of the act of 1649, were completed for virtually all duchy estates and offers to sell to local tenants followed.

This marked the effective extinction of an institution which had been in continuous existence for over 300 years. There was, of course, no constitutional reason for its existence once the abolition of the monarchy had taken place and it could only be an embarrassment to the regicides. Yet in 1645 it is possible that the King had granted livery of the duchy to his fifteen year-old heir. The exiled Charles could bide his time in the knowledge that the last legitimate sovereign had recognised his right to succeed. In 1660 Charles II restored fully that institution which had served him and former princes through periods of both good and ill fortune.

The duchy derived significant revenues from the mining of tin. By far the most important of these was the income
gained from the coinage of tin; it often equalled that of land rents and occasionally surpassed it. In 1519-20 the seventeen conventionary manors and their towns, the foreign manors, all duchy estates in Devon including Dartmoor and wood sales from these lands yielded a net sum of approximately £1,956. In the same year the coinages for Cornwall and Devon together produced in excess of £2,845. Unlike land rents, however, receipts from the annual coinages were fixed by custom at 4s for each hundredweight. Money could only be collected once tin had been presented by miners and traders at one of the coinage halls. How much tin was produced in a given year was largely determined by economic and social forces over which the duchy had no influence. The demand or lack of it in market places throughout Europe and beyond, problems of capitalisation within the mining industry and technological difficulties associated with actually finding and retrieving the metal had an important impact upon a volatile industry.

Tin production declined noticeably after 1535 until 1573 when it steadied at just over one million pounds a year. This in turn meant an effective loss of almost a third in the coinage receipts collected by duchy officers. Since the duchy's role was passive, there was little it could do to stimulate greater production. The reasons for the decline are not apparent; there is no evidence of foreign competitive sources of tin being exploited.
Available data suggest that the prices of pewter on the domestic market, though not able to fully compensate for inflation, remained stable and actually improved after 1551.

The decline in tin mining was general. At the beginning of Henry VIII's reign Cornwall produced an average in excess of one and a half million pounds annually. By the advent of the seventeenth century this had slipped by a third to just over a million pounds. The most outstanding feature of the Cornish mining scheme was a relatively gradual decline. This contrasts sharply with the situation in Devon. In the second decade of the sixteenth century output there averaged in excess of 430,000 pounds each year. However, between 1538 and 1558 production fell by over half. By 1604 Devon produced a mere 76,450 pounds.

It is clear that the decline in tin production was the result of complex political and economic forces. Easily worked deposits in Devon obviously failed by 1500. This in turn created tension which surfaced as early as 1513. Richard Strode, a Devon M.P., was imprisoned in a stannary gaol after associating himself with a bill hostile to the tin mining industry. An incensed Parliament forced his release and enacted legislation ensuring that its members could not be prosecuted by other courts as a result of their Parliamentary actions. In fact, this incident represented a clash of the various economic interests in Devon. The tin-mining sector was attempting a rear-guard action to
protect a favoured position gained centuries earlier when Devon produced huge quantities of the metal. Economic realities could only be ignored so long as they could count upon the support of the marquess of Exeter as Lord Warden. Once his influence with the King began to falter they found themselves outmaneuvered. Local mercantile interests achieved an initial success in 1532 when an act was passed to ensure that the harbours of the county would in future be protected against the silt deposits created by mining techniques. Though the law applied equally to both Devon and Cornwall, the former was affected drastically because of the position of the tin mining areas there.

The European political situation after the Reformation may also have impeded the industry indirectly as traditional overland trade routes from northern Europe to the Mediterranean were disrupted by religious upheaval.

Both the movement of mining activities and the generally difficult conditions of trade brought considerable pressure upon those in charge of stannery administration and justice. In particular, the situation in Devon in the early sixteenth century was critical. In 1513 a group of eleven tanners was stopped near Exeter by three bailiffs acting under instructions from Thomas Dennys, county to Sir Henry Harney, the acting Lord Warden. The bailiffs met with verbal abuse and took one of the tanners, John Cole, into custody at Lydford prison. The tin carried by the men was confiscated because it had not been properly coined. Five
months later Thomas, brother of John Cole, led a large gang to the gaol and by force of arms breached its defenses and freed the imprisoned tinner. The gang retreated to the isolated wastes of Dartmoor and lived by occasionally raiding Lydford borough and stealing cattle. They also stole horses and committed assault. The gang, composed mainly of tinners, continued to terrorise the area for several years. In 1514 they successfully occupied Lydford castle and "intensely proscribed the person of the King," suggesting that the coinage fines should be abolished. The gang remained at large for over a decade. There was little stannary officers could do to combat the outlaws and they eventually were pardoned for their offenses in the general amnesty of 1523.

Throughout the sixteenth century the tin mining industry, and its regulation through the stannary courts, was largely controlled by local family interests. They used the capital available to them in order to exploit mineral deposits wherever found. However, whenever there was no single heir to the family estate, it meant that the capital concentration, perhaps nurtured over several generations, was dissipated amongst the legitimate claims of more distant heirs. Sir William Godolphin, master of the coinage, died about 1569. Though the office was kept in the family, his estate passed to several heirs. His great tin works located at Godolphin, near Helston, known as the Ball, was inherited by Sir William's young cousin, Francis.
Eventually to become Receiver-General of the duchy and gain a knighthood, he spent several difficult years consolidating his inheritance. He was unable to raise the necessary order to exploit the mine fully. \(^{44}\) It is likely that the sudden decline in tin production experienced in the 1570's was partially the result of the problems caused by the dissipation of the Godolphin inheritance. \(^{45}\)

Any difficulties encountered by the family were all the more serious later in the sixteenth century. As Devon tin production declined, Cornish mining activities moved westward. Since the Godolphin interests were centred around Helston, they controlled mines which were amongst the most productive. In 1595 some 19,230 pounds of tin were coined at Liskeard, 24,030 pounds at Lostwithiel, while the Helston coinage yielded 110,762 pounds and that at Truro, 136,038 pounds. \(^{46}\)

An analysis of the tin coined from 12 June to 9 July, 1595 suggests more definitively that the tin mining industry was controlled by families who had substantial amounts of capital at their disposal. At Liskeard twenty-three individuals presented tin for coinage. Two people controlled 26 per cent of this total. At Liskeard eleven brought tin for stamping, but 75.6 per cent of the metal was owned by only two individuals. At Truro and Helston the situation was similar to that at Liskeard. In Truro some sixty people presented tin, but fourteen of them owned 73.8 per cent of the total. At Helston sixty-one individuals produced tin.
for the coinage, but there a mere eight controlled 50.4 per cent and Sir Francis Godolphin alone owned over 20 per cent of the entire weight presented. Those who paid the coinage duty were not necessarily those who mined the tin, and it may be that small producers sold to larger before the coinage. However, this in itself would suggest that a few important families dominated the industry.

The stannary legislative and judicial machinery which the duchy controlled could do little to aid the tin mining industry. The reoccurring problems were technical and economic. As mines became deeper, the costs of recovering ore rose consistently. By the end of the sixteenth century the Cornish families who had dominated the industry simply did not possess the financial means to maintain previous levels of production. Simultaneously, the lines of conflict which had emerged in Europe after the Reformation forced English merchants to forego their ancient, relatively secure overland trade routes to the Mediterranean. They found it necessary to seek direct ocean-borne trade links with the Levant. This increased both their risks and their chances of great profits. Tin became an important export commodity for London merchants as they established this new trade. It was they who demanded and eventually won a basic change in the nature of the industry and the duchy's regulation of it.
NOTES

1Chapter II, p. 48.


4See graphs XVII-XXII, and XIII (Penmayne). These and subsequent graphs indicate net manorial receipts, i.e., monies actually turned over to the Receiver or his deputy. They derive from the Receiver-Generals' Accounts and Ministers' Accounts listed in the Ministers' and Receiver-Generals' Rolls. These are contained in S.C.6 and in D.C.O., Ministers' Accounts.

5See graph IV.

6See graph I.

7See Chapter II, pp. 77-78.

8See graph III.

9See graph VIII.

10See graph VII.

11See graph V.

12See graph II.

13See graph VI.

14See graphs IX-XVI.


16E. 310/10/15 (41 items), 16 (53 items), 17 (24 items), 18 (75 items), 19 (52 items), and 20 (44 items). These relate to crown lands in Cornwall as a whole and not exclusively to the duchy.

17Ibid.
18 Ibid.


20 See Chapter II, passim.

21 E. 306/12, File 24, items 9 and 3.

22 Ibid., item 2.

23 E. 306/12. These figures were included in a breviat dated 22 November, 1617.


27 The measure had been introduced as early as 1620. There is no explanation for its delay except it seemed an opportune moment to pass the legislation. See Journals of the House of Lords, Vol. III, p. 261. The statute was re-enacted in the first year of Charles' reign. See Ibid., p. 490.


29 The net receipts were paid over by occasional tallies emanating from the Exchequer of Receipt. However, after the birth of Prince Charles in May, 1630, sums were directed to Sir David Cunningham, Receiver-General to the Prince, on a regular basis. The statement that the heir did not receive his own establishment until 1638 is inaccurate. See D.N.B., Vol. X, p. 84. Almost £2,000 was paid to Cunningham in 1630-31 and this gradually increased to £3,498 by 1634; by 1640 some £14,745 was directed to him and only £2,096 reached the Exchequer. However, by 1643, though the whole net sum was turned over to him, it amounted to only £2,725. See D.C.O., Receivers' Accounts, 1634-1649 (MS), and Receiver-Generals' Accounts, Rolls 293, 295, 296 and 297.

30 D.C.O., Receiver-Generals' Accounts, 1634-1649 (MS). Robert Napier, the crown receiver, surrendered to Parliament in 1646, but was stripped of his office for the duration of the interregnum. The argument advanced by Mary Coate that
the duchy served as a viable revenue base for the crown is hardly supported by available evidence. After 1643 revenue collection even in Cornwall was haphazard and fragmentary.


32 Mary Coate, Cornwall in the Great Civil War and Interregnum, 1642-1650 (Oxford: Clarendon Press, 1933), p. 167. The evidence for this contention rests upon a single letter from Thomas Eliot to Prince Rupert. The lack of corroborating evidence is partly compensated by the logic of such a move on the part of the King.

33 S.C. 6/5935.

34 There has been continuing controversy concerning the weights employed in Cornwall. G.R. Lewis assumed the hundredweight to be 120 lbs. (See G.R. Lewis, The Stannaries, a Study of the English Tin Miner (New York: Houghton Mifflin and Co. 1908), Appendix J, p. 252.) However, John Hatcher has asserted that it equalled only 100 lbs. (See John Hatcher, Rural Economy and Society in the Duchy of Cornwall, 1300-1500 (Cambridge: C.U.P., 1970), p. 29. It is clear from calculations that the stannary hundredweight did equal 100 lbs. It may well be that merchants bought tin at other weights thus causing confusion. A report, probably produced in 1603, clearly stated that tin was sold in Cornwall at 120 lbs. to the hundredweight. See B.L., Cotton MSS, Titus B, v. 411.


36 See Appendix E. These figures are derived from the Receiver-Generals' and Ministers' Accounts.


38 See Appendix E. It must be pointed out that these figures do not necessarily reflect all tin produced, but rather only the metal actually presented for coinage. How much tin avoided the weighing beam of the coinage master is impossible to judge. It is a reasonable assumption that the proportion of tin passing under the coinage hammers remained roughly constant so that the figures reflect an accurate relative state of production. There were allegations that ash was added when tin was smelted and that merchants increased the weight of ingots with lead. See B.L. Lansdowne MSS, Vol. LXXXVI, p. 174. More seriously, there were suggestions that duchy officers stamped ingots without taxing them, kept deliberately inaccurate books and allowed
clandestine smelters to operate. See S.P. 14/8/138. These charges were made in 1604, but would have applied equally throughout the period.


40St. of the Realm, Vol. III, 23 Hen VIII, c. 8 (1531-32), pp. 375-376. This act obviously met with resistance and it was necessary to pass supporting legislation in 1535-36, when the fines for violation were increased. See St. of the Realm, Vol. III, 27 Hen VIII, c. 23, pp. 554-555 (1535-36).

41S.c. 6/345.
42S.c. 6/5934.
43S.c. 6/5948.
44B.L., Lansdowne XSS., Vol. XVIII, p. 111-114. The report, probably written in 1575, suggested that this mine and smelter produced a profit of no less than £3,000 annually.


47Ibid.
CHAPTER V

ADVENTURES IN THE TIN TRADE

The last decade of the sixteenth and the first of the seventeenth century produced a sweeping reappraisal in the crown's attitude towards its privileges and obligations in the stannaries which led to a fundamental change in the nature of mining and marketing tin. These developments had a crucial impact upon miners, poor or prosperous, as well as the diverse interests in the City which depended on the commodity for trading or working. A number of major factors simultaneously were at play; by the end of the 1590's the crown, finding itself more and more financially embarrassed, sought new revenue sources. The disruption in trade patterns occasioned by the wars of religion in France also encouraged the government to consider schemes which might ensure stable routes and markets in the future. The increasing importance of the City vis-à-vis the crown prompted London merchants to demand concessions which they hoped would protect them from foreign competition. At the same time the growing complexity of the extractive industry forced mine owners to ask higher wholesale prices so that they could meet increased costs. Hence the crown's need of cash, the City's desire to achieve an unassailable position over its foreign competition, and the needs of mine owners for capital converged at the end of the century to spur the Queen's ministers to adopt new, experimental policies.
The pre-emption, the crown's right through the duchy
to buy all tin, which in effect created a monopoly, was
not an idea novel to the sixteenth century. It was granted
from time to time throughout the later Middle Ages, usually
as a means of securing credit for the crown. Edmond, earl
of Cornwall, himself engaged in the pre-emption. Perhaps
the most well known of all creditors to the English monarchy
in the medieval period, the Florentine banking houses of
Peruzzi and Bardi, also were involved extensively in the tin
trade. It was a characteristic of the medieval trade that
it was dominated by foreign merchants. There existed, natu-
rally, domestic merchants, but their business was largely
confined to the home market or ventured no further than the
Atlantic ports of southern France. The development of a
dynamic, extended mercantile enterprise, largely centred in
London, and its successful bid to gain control of the tin trade,
delineates a crucial difference between the Middle Ages and
the sixteenth century in the conduct of economic activity.

By the end of Elizabeth's reign English merchants were
arguing that the grant of the pre-emption would provide them
with the needed advantage to combat foreign rivals and
secure dependable markets for tin producers. It was pro-
moted as a good piece of mercantilist policy which would
benefit the whole Commonwealth at the expense of foreigners.
The apparent sweetness of the economic advantages argued by
those trying to secure the grant was soured somewhat by the
protracted, occasionally violent quarrels which occurred
between rival interests in the City, and by those who opposed this and other monopolies. At the same time the tanners were variously affected, depending in part upon whether they happened to be mine owner or worker. The terms arranged between the contracting merchants and the crown naturally would determine whether or not producers benefitted; as will be shown, these terms underwent a rapid series of changes between 1601 and 1612, the initially disastrous effects of the monopoly did not persist and by the death of the marquess of Salisbury, Lord High Treasurer, a satisfactory system evolved. Once monopoly rights had been granted the government gradually learned to wield its prerogative in order to achieve a lucrative financial return and ensure the position of the tanners. While not entirely successful, the pre-emption of tin, unlike so many other monopolistic ventures, proved after a dubious beginning to be a largely successful enterprise in cooperation between government, producer and merchant.

Question of the pre-emption first arose as a serious issue in the 1570's. Evidence for this period is only partial and several important points remain unclear. Proposals were originally submitted to Lord Burghley by Sir George Carey, but he may have been in partnership or eventually sold his interests in the scheme to Sir Christopher Hatton, since on later petitions it is the latter's name which appears. The religious strife in France after 1562 brought hardship to tin producers as traditional trade
routes down the Loire valley to Mediterranean outlets were eliminated. Western English ports normally carried on a trade with Rouen, but the disruption caused by the French war had closed these routes. It was probably as a response to this situation that Carey and Hatton offered to purchase all the tin for sale in Devon and Cornwall at a guaranteed minimum price. They pointed out that many tanners earned as little as 10d per week, their wages having fallen so low that the miners were forced to borrow money from unscrupulous merchants at exorbitant rates of interest or even sell their tin illegally before it was coined by the duchy. In fact these were nagging problems only exacerbated by recent events; the crown was bound to consider seriously any proposals which might provide a solution. Carey alluded to many former grants, including that by Henry VII, arguing that the pre-emption was no "monopoly, but a right of the princes let to the injury of none;" Carey also argued that more tin would be wrought in England, thus enriching the realm and the crown. To stop illegal sales which miners negotiated to avoid the coinage taxes, he proposed to buy tin openly at markets and fairs upon designated days.

Carey suggested a guaranteed price between twenty-five and thirty marks for every MWT. The prices actually received by tanners are not easily established, varying considerably in relatively short periods of time. Commodity markets were and are vulnerable to small changes in supply.
and demand, and occasionally by the activity of those speculating in future price fluctuations. In the sixteenth century distance from point of origin was also an important factor; the costs of transportation were especially high for inland towns. The price of tin in the retail market stood at between 50s and 55s per hundredweight in the early 1570's, but declined toward the middle of the decade, recovering slightly by 1580.

Carey further offered to retail tin to English merchants at only ½d profit per pound. To ensure the whole supply would be purchased it was agreed that all the tin not wanted by the pre-emptors could be taken up by other merchants. In a novel and significant proposal, Carey offered to establish a bank in the West Country with a capital of £3,000 or £4,000 upon which the tanners could draw "at their need at small interest." The scheme, he concluded, would bring more money into the realm by obtaining better prices from foreign merchants and would also improve customs revenues by the elimination of smuggling. Carey and Hatton offered the crown 1,000 marks a year for the privilege.

Government reaction was cautious. In what appears to be a brief of the proposal by one of Lord Burghley's aids or perhaps by the Receiver-General of the duchy, a number of critical points were made, suggesting that the grant issued under Edward VI was a "hinderance of the whole country" and had quickly to be recalled. Hatton and Carey

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sought a thirty year grant but it would be dangerous to allow the tinners to become dependent upon a single our-chaser who would control the price for such a long period; a fall in the wholesale price would lead to a slump in production which would in turn reduce crown income derived from customs duties on tin. The report concurred that more tin should be wrought in England, but it pointed out that English pewter was difficult to sell abroad because of variations in fashion and resistance from foreign pewterers. The proposed bank would not solve the economic difficulties of the tinners; wealthy mine owners could usually raise capital at no interest and had no need of the bank, while poor tinners would be forced to provide suretors in order to secure loans from the bank, which they could not do in any case. This proposal by Carey and Tatton was rejected by Burghley; however, the increasing difficulties faced by tin miners had forced him to give the scheme serious consideration. At the time the Queen was not desperate for money, as she was later, and the crown could afford to weigh objectively the merits of the proposal. Elizabeth, Burghley, and later Raleigh all maintained a genuine regard for the interests of the miners, especially the very poor. The reluctance of Burghley to adopt this scheme was probably based on the fear that little of real benefit was extended to the poor, while customs revenues derived from the export of tin could be adversely affected. After its rejection no other proposal was advanced for the next twenty years.
The last decade of the sixteenth century was a period of near economic disaster for the tin mining industry. The wholesale price collapsed in 1568, dropping to 43s per hundredweight from a previous average of something over 50s per hundredweight. It recovered in 1595, but declined to 40s a hundredweight in 1600. The fluctuations, especially in an inflationary period, were as damaging as the low prices because such drastic swings created a climate of uncertainty in which the necessary trust between worker and employer, producer and merchant was poisoned. An industry which more and more was becoming dependent on intensive capital investment could not prosper unless investors were confident of future profits. The hardships faced by poor tin workers were becoming alarming. The government, squeezed by inflation and the heavy burden of defense, found it very difficult to provide any relief. Burghley, inspired by previous experience and conservatism, did nothing. Others around the Queen, however, attempted to seize the initiative and gain the pre-emption which had so far eluded suitors for a century.

On 23 September, 1594, either Edward Vere, earl of Oxford or one of his allies drafted a summary of the offers put forward by Lord Buckhurst and Oxford for the pre-emption of tin. This is the first reference to such schemes since Sir George Carey’s project had been rejected in the 1570’s. How long they had been pressing their suits is unknown, but it seems likely that they originated
sometime in 1594; there were far too many interested and
vocal parties who would have got wind of the schemes before
very long. Buckhurst was first onto the field. He
offered £7,000 per annum, except the first year, when only
the usual customs and coinage would be met. He also sug-
gested that he negotiate with the miners in order to estab-
lish an equitable wholesale price for tin and agreed to lend
money to them at eight per cent interest. Oxford offered
£7,000 a year also, and promised a wholesale floor price of
£24 per HWT, "their [the tinners'] own price." This com-
promise, obviously weighted in favour of Oxford's proposals,
initiated a long, bitter competition for the pre-emption
which did not cease finally until 1601 when it was at last
granted. Until the death of Burghley in 1598, the govern-
ment refused to decide upon the issue. Eventually its
financial needs dictated that it could no longer dismiss
such schemes out of hand. This was not the first time that
Oxford attempted to gain a monopoly. In 1592 he had peti-
tioned for the right to control imports of oils, wool, and
certain fruits. Though unsuccessful, he was well placed
for such efforts. He had inherited the office of Lord
Chamberlain, spent his boyhood as a ward in Burghley's house,
and eventually married Anne, his eldest daughter. But for
all his connections he was wayward, extravagant and lacked
political judgment; only his lucky alliance with the Cecils
and his ancient family name saved him. Thomas Sackville,
lord Buckhurst, had served Elizabeth ably as an ambassador.
on several occasions; his family had long experience in administrative posts and their blood connection with the Queen served them well.

A few months later on 9 March, 1595, Oxford began to press a new attack with great energy. He recommended that the Queen herself exercise her right of pre-emption, paying £25 per MWT wholesale and selling retail at £35. He suggested that if the crown stockpiled tin for only a single year, it could force the retail price as high as £40 per MWT. Burghley was sufficiently impressed to familiarise himself with the nature of the trade, noting that as much as three-quarters of all tin mined was eventually exported.

City men with wide financial experience and a thorough knowledge of the tin trade discerned an advantageous business opportunity. Possessing the wherewithal to promote financial schemes, they enlisted the courtiers who in turn advanced their cause. It is not always easy to discern exactly for whom Oxford and Buckhurst operated or why they themselves chose to do so. Oxford's backers included John Catcher, Thomas Glover, Richard Stapers, Anthony Taylor, and a Smythe of Exeter. The latter may have been connected with Sir Thomas Smyth, who was a member of the Levant Company and was nominated as its governor in the new charter of 1600. Merchants often maintained factors in the West Country. The Glover family was ubiquitous. Sir Thomas Glover, who served the Levant Company as ambassador at Constantinople from 1606 to 1611, was

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typical of the family. Like so many of his relatives he was hot-headed; while in the Levant he could not resist involving himself in Balkan politics, earning the enmity of his hosts. Richard and Roger Glover were both important members of the Fewterers Company. The former served as its master in 1606 and the latter, as one of the two wardens in 1611. John Catcher was also a member of the Fewterers Company, becoming master in 1555, and eventually he rose to be an Alderman of London. Anthony Taylor was another merchant prominent in the tin trade; in 1595 (?) he was reported to have exported over forty thousandweight. It was a part of Oxford's case that he represented all the "usual" merchants for tin. It also seems likely that these merchants in fact indirectly represented the interests of the Levant Company. Tin was among its most important and profitable commodities. It was said that in the Middle East it could be sold for over £50 per hundredweight. This would represent an enormous profit, even though the trade suffered from the risks of piracy and the danger of storms. The merchants who took a proprietary interest in the pre-emption were of course the richest. Only they had the capital to secure the monopoly and the resources to trade on a large scale. Hence while it is correct that the interests of the Levant Company were at work, it is more accurate to see this bid as that of an association of the wealthiest merchants whose interests were not confined to a single company.
Lackhurst's clients remain shadowy. It is likely that they were the more prominent merchants of the Pewterers Company, led by Roger and Richard Glover, but there is no direct evidence in support. Certainly by 1593, but probably earlier, the Pewterers Company sought to buy all tin not purchased by other merchants at a price of £24 per M.T with the condition that they could export it. They came close to achieving their aim because the privy council actually passed their patent, but the Queen refused to sign it until Raleigh, the Lord Ardern, Thomas iddleton and Richard Carmarthen, Burghley's lieutenants, had concluded their reports, and since these were commissioned by the Lord Treasurer in June, 1595, it can be reasonably inferred that the Pewterers Company was then seeking the pre-emption. A document which is not actually directed to anybody by name or signed, but most probably was a letter to Lackhurst from his backers, since the scheme for the pre-emption it describes is in fact the one advanced by him, offers him a £10,000 stock option in the trade if the monopoly could be secured. Though there is no reason to believe that Lackhurst did not honestly feel the project would benefit the crown, it obviously contained financial advantages as well for him. The merchants expected

your Governance to be a Counterwall, means and mediator for us to her Majesty and the L.L. in all our occasions and business touching this cause wherein if we should be hindered or hardly dealt with . . . without just cause it might turn

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to our undoing, having settled and employed our whole stock and stocks for the occupying thereof. 29

In contrast, Oxford, who believed in frontal assaults, frankly admitted to Burghley that those merchants who first enlisted him in their behalf had offered him a fifth of the profits. He promised to surrender this to the Queen, thus increasing the effective offer of his backers from £4,000 a year, the sum to which it had fallen, to £6,000, proffered a personal consideration of £500 to Burghley, and threw in the marriage of his eldest daughter to whoever the Lord Treasurer wished "towards the help thereof." In case these inducements were not enough he also suggested that it might be possible to eventually raise the Queen's share to as much as £10,000 a year.

All through the spring of 1595 Oxford bombarded the Treasurer with letter after letter, each full of suggestions and quasi-statistics, most of which were wildly erroneous. He reported to Michael Hickses that eighteen million pounds of tin were being produced annually. To Burghley he asserted that tinniers were only normally charged five or six per cent interest, and an average of about £3,000 was loaned to them annually as capital, but these figures were clearly designed to undermine Duckhurst's proposals, which had promised to loan money at eight per cent, rather than provide an accurate reflection of the true situation. Between the welter of quasi-statistics he constantly pressed for the pre-emption, offering £7,000, but indicating that £8,000 rent might not be impossible.
The initial offer of Lord Suckhurst was definite and detailed. He sought the pre-emption and transportation of tin for twenty-one years, during which time there was to be no increase in the customs duties, and an annual rent of £8,000, if tin coinage and customs were included, or £7,000 if customs were excluded. The rent would be suspended during war or other periods when trade proved impossible. The merchants agreed to lend capital to the tanners at eight per cent, and pledged to decide a reasonable wholesale price in consultation with the miners. Also, they would service the home market at prices which existed before the grant was secured.

Oxford experienced a reversal at the beginning of April when his backers withdrew, perhaps dissuaded by the impetuous offers the earl continuously submitted. Not deterred, he made a proposal of £3,000 apparently off his own bat, and also requested a temporary respite of the rent in order to build a capital base first. Only four days after the competition retired, Suckhurst's camp submitted new proposals. His supporters revised their offer to only £5,000 for the pre-emption, reserving for the Queen the coinage and customs, but they also continued to suggest their previous scheme as a possible alternative. An agreement was very near, but it seems that Lord Burghley wanted the patent to be granted for only seven years. He consistently opposed proposals for the grant of the pre-emption. Perhaps he feared that as the crown lost

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administrative control of the stannaries so too might it eventually lose revenue. Unscrupulous merchants could manipulate prices all too easily once they possessed the accounting mechanisms. Also, he may have worried that unrest among the miners could lead to violence. John Connock, a prominent Cornishman, barrister, and eventually auditor of the duchy, counselled Cuckhurst to be patient. Nevertheless, he attempted another maneuver and applied to Robert Cecil directly, sending him a book describing the scheme, and urging him to forward the project because if it were not "effected the merchants must lose their barmain and her Majesty 4,600 of yearly revenue forever to be annexed to the crown, which is a royal increase." He also requested that the negotiations be kept strictly secret because the London merchants "will practice a hundred ways to dissuade and terrify the country from agreeing to any Wholesale price" and thus ruin the scheme, and Robert Naughton, nominated by the merchants to negotiate, would "have great dislike among the tin merchants."

In order to evaluate the proposals Burghley busied himself collecting data on the amounts of tin coined, exported and employed for pewter within the realm. It is also likely that Sir Francis Godolphin, Receiver-General of the duchy, and the most important single tin mine owner in Cornwall, came out against the scheme as early as March, 1595. It would have been natural for the Lord Treasurer to solicit his opinion. However, the report to him is unsigned.
but it could hardly have come from Middleton or Carmarthen, both of whom had expressed qualified support for a pre-
emption scheme. The extensive knowledge of both the mining and trading of tin obvious in this document further suggests Bodolphins as the likely source. It points out that the offer made by Sir George Carey had provided a wholesale price of £25 per MWT, which was better than the then prevailing price of £21 or £22 per MWT. However, the offer of Buckhurst guaranteed a price of only £25 per MWT, while tin had actually been selling for as much as £23 and that year, £30 per MWT, which could lead to a total loss of £6,000 per annum for the tinners. Production from German mines was declining, and more importantly, the overland trade routes to the Levant were reopening, as France emerged from civil war. A high wholesale price had become a necessity, the report argued, because of the "great dearth of corn, and all other provision, the dearth of timber to bind the mines from falling" and costs had much increased as "mines grew deeper and water became a problem." The report concluded,

Therefore, all such attempts to beat down the prices of tin, or to increase more charge therein will be such discouragement as will cause the greatest part of them to give causes of gross discontentments and murmurings who with the families do consist of great numbers of poor people. ..

Finally, the author argued that permission of the tinners themselves would have to be granted through their Parliament.

The earl of Oxford re-entered the lists in June; even from his sick bed, where he had just "let blood that I could
not again write so plain as else I would", he once again urged the crown to take up the pre-emption itself, estimating that if the queen bought tin at £25 per MWT, and sold it at £50, she could profit by £30,000.

The Lord Treasurer considered an increase in the customs by 6s 8d upon every hundredweight as an alternative to the pre-emption. A document submitted to him, probably by Carmarthen, argued that the pre-emption would raise more money than an increased impost and also be far less likely to cause unemployment among tinners since it would not discourage exports. Oxford felt the investigations of Carmarthen and iddleton were insufficient and he wrote to burghley on 13 June requesting that John Catcher, one of his former backers, whom he described as "simple, yet honest," be allowed to accompany burghley's aide to the west country. The next day Oxford again wrote, apparently after a rebuff, saying that Catcher would follow iddleton into Cornwall without the queen's letter and at his own expense. He argued that the "deceit lies where the tin is transported" rather than where coined. On 15 June burghley gave way and agreed to provide Catcher with a royal letter. At the same time Oxford pressed for a crown appointment to oversee the tin coinage and trade for a person called Roberts.

The earl had at last worn away the patience of that patient man. On the following day, after interviewing and apparently quarreling with Catcher, burghley wrote to
Oxford expressing sorrow if "my speeches with Catcher have not been agreeable to your mind," but confessed that he had already suspected Catcher to be his informer.

I see now by your lie it is not Catcher but rather one Robarts whom I know not, otherwise than that I hear that one Robarts is Catcher's son in law, but whether he be the party, whom you commend I know not.  

After this none too subtle rebuke he went on to explain that the Queen would no longer entertain the proposals advocated by Oxford and he would "deal no more therein" unless the Queen commanded him. He assured Oxford that he was his ally, but that he could now do no more. The undaunted earl offered to compromise:

And if the L. of L. with his agents will join for the other half he nor they by my offer are excluded so it the whole to her Majesty ought to be made ten thousand pounds by year wherefore his offer is not so profitable for her Majesty as mine.  

Whether this was a genuine attempt to end the savage in-fighting at court or price the opposition out of the market with a too generous offer of compromise is difficult to know. It appears that Buckhurst had quietly continued to exert pressure, trying to win over Oxford's friends at court and offering a bribe to Catcher to foresake the earl for his group. Carmarthen had already been "practised" from Oxford by the same party. The sturm und drang generated over the issue finally subsided, as Burghley refused to be drawn. For the rest of the Lord Treasurer's life the scheme for the pre-emption of tin remained in limbo. Buckhurst, too, ceased to press the matter. The resistance of tinniers,
the spectacular, if only temporary recovery of wholesale tin prices in 1595 and the rivalry among merchant groups dissuaded the crown from acting.

The year 1598, however, was a decisive turning point. Burghley's death and the appointment of Duckhurst as the new Lord Treasurer on 15 May in the following spring, the decline in wholesale tin prices to below £30 per thousandweight, and the crown's pressing needs for cash served to force it again to consider granting the pre-emption in some form. His old rival, Oxford, perhaps scenting the threat of Duckhurst's new position, or maybe responding to rumour at court, wrote to Cecil in June explaining that the Queen through Fortescue and the Lord Chief Justice had employed him in the task of raising capital so that the crown itself could buy a large stock of tin. He reported that he had been able to secure pledges for loans amounting to £10,000 without interest. The plan called for paying only £26 6s 8d wholesale and he hoped that the tin could be retailed at £42 per MWT. Confident that the necessary capital outlay could be amassed, even though Fortescue and the Chief Justice had indicated that the Exchequer could not provide even a portion of the money needed, he urged Cecil to exercise his influence with the Queen against the new scheme for the pre-emption he heard was afoot.

Even before Burghley died a group of London merchants was pressing their case for taking up the pre-emption. On 24 April, 1598, Sir Thomas Egerton, keeper of the Great Seal,
was petitioned by the Pewterers Company to aid them with their suit. 53 By then their scheme had gained the assent of the privy council, but the Queen refused to sign a patent until Middleton, Carmarthen and Raleigh submitted reports. Also, there was the additional worry that after four years of negotiations they might lose the prize to Oxford's new proposal. The Pewterers hoped to secure not only supplies necessary for the domestic market, but also complete control of the export trade. 54

The offer advanced by the Pewterers was further challenged in the autumn of 1599 by yet another scheme put forward by Levis Culmer. An important merchant and financier, he eventually received a grant to transport sea coal to London for his services to the crown. He offered to pay the tinner a 26 13s 4d a MWT and a rent to the crown of £10,000 per annum. He promised to loan miners starved of working capital an additional £10,000 without interest. Also, he wanted to take the coining, and promised to pay the Queen £2 13s 4d in place of the 56s 8d per MWT received. Finally, the confident Culmer suggested the project be made public so that if any other merchants wished to make a better offer they would have the opportunity. 55 This scheme received attention from Cecil as well as other important crown officers. The opinions of tinniers varied according to their wealth and position.

Sir Francis Godolphin sensed early that new attempts to gain the pre-emption were in motion. Learning from his son,
who was in the service of Essex, about the projected
scheme, he implored the earl to oppose it. He frankly
pointed out that the projects would prejudice his own and
the interests of many others and he argued that tin pro-
duction depended upon a free market. This point of view
was that of an owner of many mines rather than reflective
of the opinions of small, independent producers or of
wage earners in the mining industry. The uncertain market
of the 1590's had served to depress conditions and had
effectively bankrupted many producers. In an answer to
a query from Cecil concerning Sulmer's proposal, John
Arundell of Lanherne revealed a different point of view:

continually would be good unto the poor spademen
and tinners, and not hurtfull to any but unto
the monied men. I therefore yield my consent to
her Majesty or my merchant whilst I live al my
tin or so much as I can procure at forty marks a
thousand knowing that I shall make an indifferent
good bargain for myself and country and I hope
beneficial to her highness. I could wish that it
would please her Majesty to proceed in this good
enterprise;[59]

men such as Godolphin were able to raise capital for mining
without much difficulty, but many small operators and workers
had been severely affected by the fluctuations of the 1590's
and the prolonged depression of the market due to closure
of trade routes. Sir John Popham reported to Cecil that
by 31 October, 1599 the matter had been considered by the
Queen; she recommended that Oxford be acquainted with
Sulmer's proposal.

The government rejected Sulmer's scheme. The crown
continued to search for the most equitable solution. Those

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merchants trading with the Levant prevailed upon the Queen to adopt an imposition rather than approve the pre-emption, so that their export trade, twenty-five per cent of which was in tin and pewter, would not be ruined by high prices or the sale of the metal to competitors. When at last the crown could no longer avoid action, it was decided, apparently upon the recommendation of Carmarthen, to allow the Levant Company itself to take up the monopoly. This was a logical step since some of its most important members had sought this privilege previously and because the Company had expressed fears concerning the decline in the trade in tin to the Levant. However, ambitions had contracted since 1595 and the Company refused the government's proposal. It was this incident, not their refusal to pay the impost on currants, which led in June, 1600 to a temporary suspension of their patent on the grounds that they were incorrectly described as merchants of the Levant rather than merchants trading to the Levant. In the end they paid £4,000 to the Queen to make up for the unpaid currants impost and to soothe the tempers over their refusal to accept the scheme proposed by the crown.

Raleigh, at the behest of the new Treasurer and Cecil, was sent into the West Country in early November, 1600 to bargain with the tinners to formulate an acceptable wholesale price at which tin could be purchased by pre-emptors. With him went Richard Connock and Thomas Brigham. It was the latter, a shadowy figure, who was about to gain the much
coveted and long contested patent for the pre-emption of tin. Raleigh reported that he was able to secure a whole-sale price of 20s per MW per MWT below the ceiling prescribed by Buckhurst and Cecil, though his conscience pricked him to recommend that the full price ought to be offered to the miners in any case. He had been able to defend success-fully an offer of less than £29 per MWT which was Sultner's final proposal, only with difficulty. They had restricted their negotiations to the principal gentlemen of the industry rather than a representative group, and probably could not have won the endorsement of many tanners. Raleigh reminded them that the very livelihood of poor tanners rested on the promises he made to them. If the scheme failed there would be increased hardship and misery. On 7 December, 1600 Suckhurst sent to Cecil a schedule for the Council meeting to be held at his house. The issue of the pre-emption was included in the agenda. Important tin merchants, the "Turkey merchants", the proposed farmers, as well as Thomas Middleton and Raleigh were to attend. Clearly, the crown hoped to wring some sort of agreement from the rival factions in the City. Cecil wanted to persuade members of the Levant Company, including William Garway, Richard Stapers and Thomas Cordell, to buy at least 300,000 lbs. from the farmers for the export trade. However, they again refused to commit themselves, only assuring Cecil that the Company would continue to allow any of its individual members to ship as much as they wished without
restriction. The crown's efforts to reconcile the various rival groups in the City had failed.

The hostility of City merchants prompted the crown initially to issue only a limited indenture to the would-be pre-emptors. So high were feelings running that it covered only the farm of imposts on exported tin. None of the groups which had competed for over five years received the indenture. It seems likely that the crown owed Thomas Brigham money and the grant was in part a means by which the Queen could discharge her obligation. Brigham took as a partner, Humphrey Weemes, a member of the Grocers Company. On 23 February, 1601 they received the right to farm the impost of twelve shillings per hundredweight of exported tin and pewter for twenty-one years. For this they were obliged to pay as rent £3,000 per annum. In addition they undertook to distribute yearly among the tinners £3,000 for their use. Loans to the miners had to be repaid within six months, but tin could be taken as payment. It was agreed that Brigham and Weemes would buy the tin at £27 per stannary MWT. Thus the two gained a limited form of the pre-emption in exchange for providing working capital to the miners. This grant did not provide them with the exclusive right to export nor did it extend control over coinage. The right to receive tin as payment for their loans was in fact of dubious value. Tanners might default, and more seriously, the export price could collapse leaving the buyers with metal they could only sell at a loss. An
investment of £3,000 yearly could not secure them even
twenty-five per cent of the wholesale market so they could
hardly dominate it.

This vulnerable position proved unsatisfactory and on
18 June, 1601 a new indenture was issued to Brigham and
Weemes. Their charge to the crown was reduced from
£3,000 to £2,000 annually, but the amount of capital loaned
to miners was increased to £10,000. Again, the loans were
to be for six months, but the lenders were allowed to charge
interest at ten per cent. If the miners chose to repay with
tin, they did so at the more favourable rate of £2½ per
stannary MWT. Any tin which was not taken by Brigham and
Weemes within twenty-one days of offer could then be certi-
fied by the vice-warden or Lord Marian and sold on the
open market to the highest bidder. The pre-emptors agreed
to "furnish and store at the pewterers ... of the realm of
England ... such quantity of tin to be employed and
wrought to and for the necessary use of the said realm" at
whatever prices could be agreed. Some fifty MWT of tin
was forwarded immediately to the pewterers and it was agreed
that they would pay in pewter wrought for the export trade
at the rate of 1½d per pound. These arrangements for
ensuring domestic tin supplies were necessary because Brigham
and Weemes also gained in this second indenture the right of
sole export of tin and pewter. However, it is unlikely that
they themselves intended to engage directly in trade.
Provision was made for them to grant export licenses
to others and they doubtless hoped to sell first the metal and then the right to export it to established traders in the Merchant Adventurers, Levant and Pewterers Companies.

By way of enforcement the pre-emptors had the right to place their agents in customs houses for the purpose of search of cargo to ensure that no tin would be smuggled abroad. They could take oaths from merchants, and sue in the Exchequer if they were unable to secure redress by these other means. Brigham and Weemes had powerful allies. Sir Thomas Middleton, who had acted as an expert witness for Burghley in tin matters and Sir Richard Smyth, eventually receiver-general of the duchy, among others acted as guarantors for the conditions of their indenture. It was rumoured that Dorset also worked on behalf of the two merchants.

The City reacted with open hostility. Members of the Levant Company feared that tin would be sold, perhaps by the Merchant Adventurers, to rival Dutch traders. The Pewterers resented the prices asked by the pre-emptors for what was to them an essential commodity; many of their richest members had long engaged in the export of pewter, and this lucrative trade was now curtailed. This second indenture was also for twenty-one years, but in fact only operated for just over two. In that period Brigham and Weemes spent some £66,000 in the purchase of tin supplies. Their outlay averaged about £30,000 per annum, far more than the £10,000 loaned to miners, and a substantial percentage
of the total amount needed to purchase the whole of the annual tin output. Two of the leading Pewterers, Richard Glover and Andrew Fulham, claimed that the pre-emptors charged £3 12s 0d per hundredweight, which meant a London selling price of £37 per MWT and a gross profit of £9 per MWT though transportation costs cannot be easily calculated. The Pewterers Company complained that they lost £2,000 a year from foreign trade and that the retail price of domestic pewter had to be increased 1½d per pound. Further, the merchants resented the privilege granted to the pre-emptors of the right to inspect the records of the Company and their option to take oaths from all exporters of the metal. Those deputies assigned as overseers of tin and the pewterers were guaranteed freedom from arrest in their duties. The Pewterers also suspected the grantees of bribing freemen of the Company to spy on their fellows.

The combination of higher wholesale prices and restricted trading practices proved unacceptable to London traders. First, merchants led by the Glovers, Abacuk Curtis, Thomas Dunning, John Steward, John Heath, Andrew Fulham and William Heardman, all Pewterers, rushed to buy tin, forcing the price up from £23 10s 0d to £25, £27 and finally, £31 10s 0d the MWT, which brought the "commodity price of tin to such confusion." Next they combined in a successful boycott. Refusing to purchase any tin from Brigham and Weemes, their campaign threw the market into chaos. Lasting
eighteen months, the boycott was virtually complete, "not one of them did buy any tin of the Patentees." The price of tin at Venice and Leghorn actually rose 15s per hundredweight and simultaneously declined to £24 per MWT in England. In order to circumvent the actions taken by these merchants the pre-emptors sold £6,000 of the metal to two Italian merchants. The Levant Company, fearful of losing their trade to rivals, gave way and the boycott collapsed. However, by this time the grantees had amassed a huge store of tin, so large that they could not hope to sell it without driving the price down disastrously. This in turn adversely affected the miners because newly produced tin acted as a drug on the market, forcing prices even lower, making it difficult for the farmers to continue to buy at the supported wholesale price.

The initial efforts of the government to provide a stable price and working capital for the miners, while also increasing revenues for the crown, had failed. The City simply did not accept the pre-emption, and the tin market remained as chaotic as before the monopoly, which again produced serious consequences for tin workers. The triangle represented by the miners, crown and merchants held contradictory, sometimes opposing aims which in the end could not be reconciled. Each element sought privileges which adversely affected the others. Nevertheless, it should be quickly pointed out that there were competing elements even in these three groups. Just as the internecine struggle at
court between Buckhurst and Oxford demonstrates the vacillation and uncertainty of the crown, the actions of the Glover family and their followers illustrate the self-interested, competitive spirit which dominated the merchant community. The Golvers were not entirely loyal to the reverterers Company. They had bought tin from the farmers at 5s and £3 the hundredweight, but had resold it to other members of the Company for £3 12s Od the hundredweight while claiming they were vending at cost. The government, when these activities were exposed, anxious to end the strife which was fast bringing the trade to a standstill, eventually allowed the company to purchase tin at a set price provided each merchant posted a £50 bond with the pre-emptors as guarantee not to export the metal. This did not pacify Company members or any others in the City because there was a general suspicion that the money posted with the farmers might be seized on the slightest pretext.

The reason the efforts of the crown failed to achieve a comprehensive working agreement between the interested parties is clear: too many crown servants were advocating too many different schemes. There was no institution or individual who could act to throttle ambition and discipline contentiousness. Raleigh, as Lord Warden, should have played such a role. His inability to withstand the increasing power of Cecil and Buckhurst explains the future of the government's telling policy. The duchy, almost completely
dominated by the Exchequer, was either manipulated or simply ignored in the rush to gain the prize.

By the death of Elizabeth the crown's policy lay in ruins. The attempt to reconcile the various interest groups and introduce a compromise scheme had failed. The tin mining industry was no better despite the government's professed good intentions. It was clear that a firm policy and decisive leadership were badly needed. The succession of James I presented the opportunity for a break with the past and the development of new ideas. As will be shown, the leadership and ideas were to come from a revitalised duchy.
1 As late as 1506 John Clyff had been granted the right to sell licences to merchants who sought to buy tin. See C.P.R., 1494-1502, p. 496. This was apparently unpopular with merchants and tinners and the scheme was abandoned by Henry VIII. Some time between 1516 and 1534 Sir William Compton attempted to gain the pre-emption, but the tinners raised objections and the King "did give him another thing wherewith he was contented." A Norrys also tried to acquire similar rights between 1534 and 1540, but he "likewise was denied." B.L., Lansdowne MSS., 24/50. It seems likely that Northumberland in the last days of his regime sold the pre-emption to Gilbert Bruckhouse (or Brokehouse), a merchant from Truro, for twenty-one years at 3,000 marks a year, but his patent was not enrolled, and apparently before the scheme could be implemented Mary revoked it because it too proved unpopular. See S.P. 14/23/57.


3 B.L., Lansdowne MSS., 24/47. Carey, eventually raised to the peerage as the second Lord Hunsdon in 1596, was a courtier who served on several diplomatic missions (including one with Bedford to Scotland in 1566). E.N.B., Vol. III, pp. 974-975.

4 B.L., Lansdowne MSS., 24/47. The document is undated. See also B.L., Lansdowne MSS., 86/67.


7 For retail prices of tin see, George Randall Lewis, The Stannaries, a Study of the English Tin Miner (Cambridge, Mass.: H.U.P., 1924), Appendix V, pp. 275-277. It is hazardous in the extreme to attempt to calculate profit margins. Besides the costs of transportation to London and other cities, tin marketed in London was usually sold by the hundredweight, which equalled 112 lbs., but merchants purchased tin in the West Country at 120 lbs. in the hundredweight.

The wholesale prices for the period 1538 to 1595 were as follows:
<table>
<thead>
<tr>
<th>Year</th>
<th>Midsummer</th>
<th>Michaelmas</th>
<th>Year</th>
<th>Midsummer</th>
<th>Michaelmas</th>
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<td>1588</td>
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<td>£23</td>
<td>1592</td>
<td>£22</td>
<td>£22</td>
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<td>£22</td>
<td>£22</td>
<td>1593</td>
<td>£23</td>
<td>10s 0d</td>
</tr>
<tr>
<td>1590</td>
<td>£23</td>
<td>£23</td>
<td>1594</td>
<td>£26</td>
<td>13s 4d</td>
</tr>
<tr>
<td>1591</td>
<td>£22</td>
<td>£21 10s 0d</td>
<td>1595</td>
<td>£31</td>
<td>10s 0d</td>
</tr>
</tbody>
</table>

S.P. 12/253/46.

8 ibid., Lansdowne MSS., 24/47.

9 Ibid., 24/50.


11s.: 12/251/71.


13 Ibid., Vol. XX, pp. 225-229.


16 Ibid., Appendix I.

17 Ibid., pp. 81-83.

18 Charles Welch, History of the Worshipful Company of Pewterers of the City of London (London: Blades, East and Blades, 1902), Vol. II, Appendix II. Roger, emulating his uncle's temperament, was fined 20s by the Company in 1600 for hitting William Webbe and causing "a tooth struck out of his head." Ibid., p. 30.

19 Ibid.

20 Ibid.

21 Ibid.


23 S.P. 14/78/9.

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The Grovers, as well as Abacuk Curtis, Thomas Dunning and other pewterers engaged in attempts to wreck the patent of pre-emption in 1603. See S.P. 14/23/57 and S.P. 14/6/79. Among the richest members of the Pewterers Company, these men certainly possessed the financial resources to bid for the tin monopoly.

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25 i.e., Lansdowne MSS., 86/67.
27 i.e., Lansdowne MSS., 86/69. This information is embodied in a petition to Egerton, 24 April, 1598, imploring him to obtain the Queen's signature for their patent.
28 S.P. 12/251/121.
29 Ibid.
32 Ibid.
33 i.e. 12/251/121.
35 Ibid., pp. 160-169. Oxford to Burghley, 13 April, 1595. In a letter of the 17th of April he also included lead in his proposal. Ibid., pp. 174-175.
36 Ibid., p. 175. Buckhurst to Burghley, 17 April, 1595.
37 Ibid., pp. 175-176. Connock to Buckhurst, 17 April, 1595.
38 S.P. 12/251/120. Buckhurst to Cecil, 29 April, 1595.
39 Ibid.
41 Ibid.
42 S.P. 12/255/55.
A dated but unsigned copy of this may be found in R.M.C. Reports, Salisbury MSS., Vol. IX, Part V, pp. 160-161. For Carmarthen's report see S.P. 12/252/49.

Item 51 is a copy.

Oxford to Burghley, 7 August, 1595.


Oxford to Cecil, June, 1599.

Lansdowne MSS., 86/71.

Tbid.

Lansdowne MSS., 86/68.

C. 54/1658, C. 54/1628 and C. 54/1690.


Sir Francis Godolphin to Essex, 6 December, 1598.


Popham to Cecil, 31 October, 1599.

Cotton MSS., Titus B. v, 404.

C. 54/1690.


Tbid.

Raleigh to Cecil, 4 November, 1600.
66 John Bridgman (?).

67 Raleigh continued to act as the defender of the scheme to the public at large. When monopolies, including the pre-emption of tin, were attacked in Parliament in 1601, it was he who took the responsibility for initiating the grant, and speaking in its defense, argued that poor tinners had benefitted most from its introduction. He did not convince the House; after he finished the Commons sat in "great silence." Sir Simonds D'Ewes, The Journal of All the Parliaments During the Reign of Queen Elizabeth (London: John Starkey, 1682), p. 646.


69 Ibid., pp. 415-516. Levant Company to Council, 12 December, 1600.

70 C. 54/1690. This increased impost was probably introduced by the crown some time after 1595 when Burghley had rejected the pre-emption schemes. It was much less by the early seventeenth century. See M. Epstein, The Early History of the Levant Company (London: George Routledge Sons, 1908), Appendix VII.

71 C. 54/1690. See also S.P. 14/78/9.

72 C. 54/1692.

73 Ibid.

74 L. 178/3702.

75 S.P. 12/284/26. It seems likely they disbursed the whole of their capital. By 1602 the crown was forced to loan them £20,000 in exchange for tin at a lower than market price, the patentees pledging to increase the rent by £1,000 per annum.

76 L. 178/3702. It was reckoned that £1,000 was needed for transport costs to London, £250 for "factorage" in Devon and Cornwall, rent of wharfs in London cost £100 and employees' salaries another £200, thus costing in all £1,550 per annum. See S.L., Cotton, Titus 3, v, 411.

77 S.P. 14/2/4.

78 S.P. 14/9A/1.

79 S.P. 14/6/79

80 Ibid.
81s... 14/23/57.
82 ibid.
CHAPTER VI

THE PRINCE, THE MONARCH, AND THE MONOPOLISTS

The grant of the pre-emption had represented an attempted fundamental shift of emphasis and control of the tin industry from the productive to strictly commercial interests. The accession of James I marked the beginning of a determined policy on the part of the government to bring peace to the tin trade and simultaneously increase the revenues received from the pre-emption. City rivalry, the failure of Brigham and Weemes and general hostility to monopolies prompted James to revoke the pre-emption on 16 June, 1603 by proclamation. In fact the grantees were more than ready to give up their unprofitable privilege of exception from the earlier, general abolition of monopolies, surrendering it "in their own duty and discretion," when approached by the crown. They initiated a long and eventually successful suit against the Glovers and their followers, but it was certainly too late to recoup their heavy financial losses. Faced with ruin, unable even to pay the fee farm rent to the crown after the first year, they quietly gave way to the vocal demands of the Glovers, who promised the privy council that they would advance £3,000 or £4,000 per year as capital to the miners.

Rivalries between differing mercantile interests had defeated the tin monopoly, but the nagging difficulties of
capitalisation and an unstable market remained to confront the King with the dilemma posed by divergent interests between producer and merchants. The problem was exacerbated by the threatened flooding of the market. At the same time wealthy traders, especially Glover, Heath, Collier, and Thomas Smyth, began employing their former tactics of extensive buying followed by boycott, generating circumstances which placed the trade of the metal under their control. The wholesale price dropped to £25 per MWT.

Once again the debate within and without the Court opened. In a letter to Cecil, Buckhurst noted that the revocation of the indenture cost the King £3,000 or £4,000 a year, and suggested that the trade should be suspended, at least until a new duty could be decided. The catastrophic failure of the monopolists served to make formerly interested parties shy to the suggestion of a new grant. The idea originally put forward by Oxford, though poorly supported by inaccurate data, of a royal pre-emption was now broached anew. An anonymous report, possibly the work of Sir Richard Smyth, concluded,

> neither is it fit for any person to have the authority therein but only the King's Majesty, whose Highness which in few years may reap by the commodity of the said pre-emption, yet it so continue in his Majesty's hands as it was in the patentees.

Dorset firmly maintained that the pre-emption was a royal right, but sought ways to reconcile all elements in the City. He considered allowing the Pewterers, represented by the Glovers, to take up a percentage of the output,
thus guaranteeing their supply, and reserving the rest for another group. He worried that merchants might not "raise a very sufficient and ample gain," perhaps because L28 per MWT was too high, but wanted to sanction measures which would "be good for the king and for the tinners and not hurtful for the merchants or pewterers." However, these elements continued to represent diverse interests which still proved impossible to reconcile. Because of the long distances and many risks, those trading to the Levant felt the wholesale price must be kept at a minimum if the trade was to remain viable. Any merchants willing to risk the pre-emption had also to buy not only the yearly output, but the enormous stock accumulated by the former grantees, the capital costs perhaps amounting to L70,000. The miners, too, voiced complaint over the idea of a new pre-emption, though their objections, possibly suggested by hostile City men, seem to be based upon the fear that tin would simply be confiscated.

Action was needed quickly to restore order to the trade. In September, 1604, the King, probably acting upon the advice of Sir Richard Smyth, the new Receiver-General of the duchy, decided to take the pre-emption into his own hands. The prime difficulty faced by the crown was the need to raise quickly large sums of money necessary for the operation. Three sources were tapped: the Exchequer, duchy revenues and loans from merchants. On 20 February, 1605 Smyth received L17,000 from the Exchequer to buy tin
at L28 per MWT. Other demands on the royal income, however, forced it to seek private financial aid. As with other credit operations, an ad hoc group, including Sir Thomas Middleton and Robert Sandys, formed and loaned a total of L16,000 towards the scheme. Much of the rest of the money was supplied directly from the duchy's coffers. In all the crown provided L29,000 of the total outlay of L45,000. In August, 1605, thirty-one horses and sixteen armed guards conveyed L15,500 to the West in order to purchase tin. Again in February, 1606, Smyth and his entourage of twenty-nine horses as well as the guard bearing L14,500 made the same trip. A final summer journey was made in August of that year, carrying L15,500. A total of 1,588,211 pounds of tin was purchased, an amount which effectively represented the entire output for more than a year.

This plan required a great deal of expertise; not only duchy ministers, but members of the Pewterers Company were employed as well as an Exchequer auditor to help with additional bookkeeping and records. Administrative costs alone for the operation were over L5,000, about twelve percent of capital investment, a substantial amount but reasonable considering the transportation and storage facilities required. The tinners were paid L28 per MWT, which maintained the guaranteed wholesale price stipulated in the Brigham and Weemes indenture and hardly could be described as extortionate. The government, after only a
year and a half of operations, realised a profit of £24,561, which was more than 50 per cent of the original investment capital.

Despite the financial success of the venture, the crown was forced to abandon it. The collapse of the scheme was not due to internal factors; the Exchequer simply found it impossible to commit the necessary investment capital, £45,000, which represented over 9 per cent of the total annual crown receipts, on a regular basis. A few years later a report on tin revenues and the pre-emption suggested that the King could not find "how to cause a sum of money which then was to be employed in his majesty's service so easy." The government paid off £5,000 worth of loans in tin, which served to weaken its monopoly. This audacious scheme required imagination as well as experienced management; its success, albeit brief, was largely due to the efforts of Sir Richard Smyth. Fourth son of the famous "customer" Smyth, his whole family was interested in trade. Besides the many connections his brothers would have provided for him, he was an active member of the East India, Virginia, Levant, North-West Passage, Moscovy, and Bermuda Companies, which gave him direct experience in the world of commerce. He certainly would have been acquainted with the leading tin farmers. In addition, his own family had for long been interested in mining and the metal trade.
However promising the scheme for the crown, it was not popular with merchants. The tin monopoly was one of the grievances aired in Parliament. It was claimed that the Pewterers had to pay 13s more per CWT than previously, and also had to accept a fifth in dross metal "to the undoing of many of them." As early as October, 1604, at a meeting of the Company, Glover had packed the hall with 160 workmen; when the master had insisted that he must uphold the King's decision to take up the pre-emption, Glover answered,

'look here, masters, is not this a good master that seeketh to bring us all to be bond men and be not these goodly brethren of the company.'

Apparently not, for the speech was followed by a riot, the yeomen calling the officers "traitors, rascals and that they had betrayed the company . . ." and threatening to throw them down the stairs. The officials were then pre-emptorily removed from office, only to be restored by the privy council. The Gロvers' triumph did not last. Eventually their practice of buying tin from the farmers and reselling it to Pewterers Company members at a profit was discovered, and their influence over the rank and file members waned.

As the summer of 1607 approached, Smyth had only £12,175 18s 5d, hardly enough to cover the costs of the summer coinage, and had in hand a stock of 1,061,390 pounds of tin. A group of merchants, which included John Eldred, Martin, William and Ralph Freeman, and Adrian Moore, agreed to purchase the whole stock for £42,720 10s 0d. Though
they did not receive the right of pre-emption, this huge stockpile of tin provided them with the effective means to manipulate the market in place of a government rendered incapable because of its fiscal weakness. These men were important City merchants or financiers. John Eldred, interested in the exploration of the northwest passage, had extensive trading interests, including membership in the East India and Levant Companies. The Freeman family maintained similar business connections, William being a member of the Levant Company by 1590 while Ralph had joined the East India Company by 1599. All of them had in common the fact that they based their economic activity in London and also they were themselves engaged in overseas trade. These were not men who intended only to act as agents between producer and merchant.

This clear advantage acquired by the consortium was consolidated on 19 June when they, with the addition of Sir Thomas Bludder, were granted the pre-emption for twenty-one years. In fact, the King used this patent to pay off a debt of £2,000, the yearly charge owed by the group, though he still had to find £200 to service the interest. They had to supply the Pewterers Company with 100,000 pounds of tin yearly at £3 10s 0d per CWT, which was reportedly to the Company's "good liking." They paid the tanners £28 per stannary MWT. These terms did not provide the crown with any advantages it had not secured from earlier grants. The government's lack of initiative
is made even more difficult to understand by the fact that other members of the Levant Company, including Thomas Cordell, Robert Sandys and Richard Staper, among the most important tin exporters, led by Sir Thomas Lowe also hoped to secure the patent. It is possible that an accord between the two groups was concluded which allowed Eldred and his associates to secure a grant without undergoing the rigours of competition. The pre-emptors had few responsibilities to the tinners, paying them the wholesale prices accepted by Brigham and Weemes, but they were under no obligation to loan money in advance. Their advantageous position soon came to the attention of a government beleagured by debt. Salisbury, who unlike Dorset, was not so close to the problem or its participants, acted swiftly once appointed Lord Treasurer. In hopes of increasing crown revenues and discouraging exports, which had become so great that domestic prices of pewter had increased excessively because of shortages, he decided to impose a ten shilling a hundredweight duty on tin or pewter transported abroad. However, Richard Staper complained that trade in the commodity with the Levant was actually declining due to competition from the East India Company and because of the pre-emption. It may indicate that the farmers were supplying the Dutch, though this would seem to violate their own business interests; more probably they were attempting to squeeze rival English merchants out of the trade, which naturally generated complaints to the crown from those affected.
In order to ascertain further the true state of the tin market Salisbury enlisted the aid of a merchant, William Anees, who provided him with detailed information. This cost Anees a good deal of abuse from the patentees, who learned that he was an informant from Sir Richard Smyth. However, Anees' report led Salisbury to consider renegotiation of the grant. In December, 1608, the patent was surrendered for a consideration of £4,500, as well as £5,988, plus an additional £520 in interest on debts owed by the crown to the patentees against future rents. The new grant was to run only five years, the grantees paying the same wholesale prices agreed in their earlier patent. However, they also had to guarantee the Pewterers Company 300 MWT a year at a fixed price of £3 10s 0d per CWT, but more could be allowed for domestic consumption at the Lord Treasurer's discretion. This went far to bring to an end the old, bitter rivalry between City merchants interested in the export trade and those primarily concerned with the production of pewter for the domestic market. The yearly rent was increased from the old rate of £2,000 to £8,000 per annum. A clause was shrewdly inserted by Salisbury which voided the grant if the Prince should take livery of the duchy.

The new Lord Treasurer had secured important concessions from the merchants while at least maintaining the position of the tinners. He had improved dramatically the revenues received from the pre-emption as well as drastically
reducing the period for which it was granted. Doubtless the information supplied by Anees had confirmed Salisbury's suspicions that enormous profits could be realised in the export trade. A few years later it was reported that tin sold in the Levant for L80 per MWT, though the wholesale price had only increased to L30, and it was suggested that even at a rent of over L17,000 per annum the farmers could still realise a net profit of L8,800.

In 1611 when Henry did in fact receive livery of the duchy he immediately accepted a rival offer for the patent which promised L9,000 per annum as well as a wholesale price of L30 per MWT. 41 Before an agreement was reached the Prince died, but at the expiration of the patent in 1612, the holding consortium agreed to pay the increased rent in order to gain the pre-emption for seven and a half years. Also, they were granted the right to inspect blowing houses and administer oaths to ensure tin was not smelted surreptitiously. To aid mining the coinages were increased from two to four times each year.

A year previously this same group had received a patent on 21 August which gave them the right to the coinage receipts in return for L2,000 a year. 42 This provided the pre-emptors with the whole of the administrative apparatus which governed the assaying and weighing of tin. The tinners were now open to the same kind of victimisation of which the merchants themselves had long complained. Armed
with the right to appoint the officers conducting the coinage, they soon introduced practices detrimental to the welfare of the miners:

The farmers having the whole do wrong the tinners in their weight by falsehoods in the beam and weights, their own officers being those that weigh it. Also their as/saymaster being their own officer doth find faults in much tin to be hard or faulty tin whereas in truth much of that which they find, and tax to be faulty, is good and perfect tin and yet by the wrong of their own officers they charge the tinners without just cause.45

Once the crown lost control of the administrative machinery which allowed it to arbitrate the conflicting ambitions of producers and merchants, it could no longer act effectively on behalf of either. The pre-emption had provided tinners with a stable, assured market for their product at prices which were reasonable. The sale of the coinage rights, however, was an abnegation of responsibility which placed the tinners at the mercy of men who unlike the mine owners were not local inhabitants. They had no social ties with miners; living in London, the pre-emptors may have found it difficult to feel Cornish poverty was an immediate problem. The crown, by its judicious employment of county men in most duchy offices had developed an easy, trusting relationship over a period of a century. At a time when the industry was becoming increasingly dependent upon outside capital it was only realistic to introduce a measure such as the pre-emption which allowed greater economic control to those who put their money at risk, but it was a serious mistake to arm the investors with the prerogative rights of the Prince.
At the very least the crown, as was suggested at the time, could have leased the farm of the coinage to a group unconnected with those controlling the pre-emption.

From a financial point of view the crown's exploitation of its prerogative rights proved an outstanding success in a relatively brief period of time. The initial chaos caused by the grant had been transformed into economic order as wholesale prices were increased slightly and the most important of the rival factions in the City were given access to guaranteed supplies through patents. Almost a year after the new patent to the Freeman consortium a second grant was extended to a group of Pewterers Company members for 500,000 pounds of tin to be purchased each year at the same wholesale rate extended in the previous patent and retailed domestically at no more than £40 per MWT. This patent, issued 19 January, 1614, provided the Company with a guaranteed supply of tin. Also, they gained the right to export pewter, which had long been sought by their more important and wealthy members. The Company paid £4,000 per annum, which meant that the crown received a total revenue from the pre-emption of £15,000 yearly, over seven times more than the receipts of the first patent.

The patentees who had established a successful monopoly in the tin trade gave up their grant in 1615. It is evident that the Freemans and their partners became discouraged. They were paying far more for much less tin, and the rival consortium of Pewterers had gained the right to export
pewter, which broke the monopoly in trade, and it seems likely also that Eldred and others in his group were by 1615 perhaps ready to give up risky adventures. He had been an active merchant before the 1580's, and Martin Freeman was dead by 1619. There is no evidence to suggest that they were losing money, though obviously their profit margin had been greatly reduced by the increased rents and decreased tin supply, which served to make the pre-emption a far less attractive proposition.

The Glover partnership did not prove a success. As contentious as ever, Roger Glover soon fell to arguing with his partners and other members of the Pewterers Company. It was the usual practice of this group after purchasing tin at the coinage centres to coast it to London and then place it under lock and key, only Glover, Dunning and William Hurdman on behalf of the Company having access. However, because the personal stocks of Glover and others were also kept in the same store, disputes soon erupted concerning the ownership of various bars of tin. Glover charged that the Company owed him £1,200 for tin employed by them, but owned by Glover. At the same time poorer members of the Company complained that they could not secure adequate tin supplies, probably because those with the necessary capital such as Dunning or Glover, appropriated large amounts for the export trade in pewter, eventually forcing the duchy Council to instruct Sir Richard Smyth to ensure that all members of the Company had
access to adequate supplies provided they paid ready money.

A new consortium formed to take up the grant after Eldred and the Freemans surrendered their patent. Three members of a prominent City family, Clement, Thomas and Job Harby, allied with Robert Charleton to secure the grant of the pre-emption on 22 May, 1615. They contracted for the whole of the tin supply not taken by the Pewterers, but had only to pay £4,500 yearly. Their grant was to run five years, the last two of which they agreed to purchase the whole supply of tin, since the Pewterers' patent would have expired, their yearly rent doubling. Thus the Harbys were able to steal a march on the disorganised Pewterers, eventually re-establishing a total monopoly. The wholesale price remained unchanged, though after the first year the Treasurer or Chancellor of the Exchequer could raise or lower it, and they too were obligated to hold four coinage sessions each year. The grantees also took the coinage at £2,000 per annum. However, it was stipulated that a royal "assay master" would determine the quality of tin, though the pre-emptors still controlled the weighing beam. As in previous patents granting the pre-emption, all customs charges still had to be paid. To ensure that the patent would run the full five years, it was agreed that if Prince Charles took livery of the duchy he must issue to them a new patent on the same terms as the old. They had learned from the mistakes of their predecessors. The consortium
was extended the right to maintain their own customs agents who could take sworn statements and search for cargos of illegally exported tin. Any smuggled metal discovered was to be valued and the owner fined double the amount. Also, as before the grantees had the right to send their deputies into the blowing houses to ensure that the blocks of tin were correctly smelted. The strict enforcement clauses and the assistance of duchy officials in discovering coinage evasions and smuggling seems to have made this patent an economic success.

At its expiration a new ad hoc group was able to secure the pre-emption by agreeing to pay the drastically increased rent of £16,000 per annum. The negotiations were concluded by the duchy Council, an indenture being signed by Charles on 9 April, 1621, and a crown patent issued the following month. On 11 May a deposit of £10,000 was paid to Charles. The new group was headed by Sir John Catcher, a merchant whose interest in the scheme dated from 1595, William Willaston, William Cockaine, Abraham Cartwright, a draper, John Duckett, a London mercer, Isaak Jones, a merchant tailor, John Bland, a grocer, Isaak Pennington, a fishmonger and John Jones, a skinner. This would seem to place the pre-emption in parochial hands, but of six members of the group who can be identified with reliability, five belonged to the East India Company, five held membership in the Levant Company, four were active in the Virginia Company, and five participated in other companies. Just as all other
formers of the pre-emption, they were City men engaged in extensive commercial activities.

As in the previous grant, this new patent allowed the right of search in order to detect smuggling, and had recourse to the Exchequer Court if they wished to bring suit against those who infringed their monopoly. The pre-emtors claimed after almost three years of operations that they had expended some £300 in payments to their agents engaged in curtailing smuggling. They sought and received from the Prince through his Council the right to seize tin of this value from those found attempting its illegal transport from the innumerable creeks and "suspected places" in Cornwall so that it would "enable them to pay their rent and not prove prejudicial to his Highness." This gave the consortium the powers possessed by bailiffs of the stannary court and though smuggling was a persistent and serious problem, it placed a remarkable degree of legal authority at the disposal of those who had a vested interest. In addition they were allowed the whole supply of tin, administration of the coinage, and were freed from any obligation to account for the amounts of tin coined. The farmers carried out operations successfully for the first year, occasionally loaning sums of money totaling £5,800 to the Prince, future revenues from the grant acting as collateral.

As with the Company of Pewterers problems soon developed amongst the patentees. By January, 1624 Sir John Catcher
owed £8,536 to the other members of the consortium for his share of the rent. His partners, apparently unable to carry his debts any longer, took their complaint before the Prince's Council which ordered him to find a new partner to take his place and to pay off his obligations by mid-summer, any loss caused by his previous defaults in payments incurred by the group being his liability. Only five days after due date the consortium again applied to the Prince's Council, which declared Catcher's interest of a sixth to be in default as a result of failure to pay his debts. The order further declared that any of the others who might be "slack and negligent in bringing in of their proportion" could expect the same penalty.

Details of the structure of the groups which formed to take up the tin monopoly are rare. The case of Sir John Catcher's inability to meet his financial obligations in 1624 demonstrates that each member was individually responsible for paying the duchy his allotted share. It is clear that the amounts of capital put up by the members differed. Catcher's consortium included nine individuals, but he personally held a sixth share in the enterprise. Presumably the group utilised their Cornish factors in common and shared the costs of transporting and storing the tin in London. Another group of farmers of tin in at least one instance employed a vessel jointly for the purpose of exporting a cargo of the metal to the "strait[s]."

Catcher and his associates had warehouses on Mason's Quay
in the City to receive, store and work the tin from 62 blocks into bars. The pre-emption was a capital intensive project; most merchants gave up their other trading activities once they had embarked upon the monopoly. Isaak Jones' ventures in the cloth trade rapidly declined after 1622 when he entered the tin monopoly; John Bland gave up cloth exports as soon as he joined the tin trade; William Freeman ceased to be active in the same trade after 1614, and Clement Harby also stopped exporting cloth in 1616, but resumed in the 1620's when his group of merchants was temporarily displaced from the tin monopoly. Nevertheless, these groups, ad hoc in nature and purpose, were not companies in the formal or legal sense, but probably acted as service agencies for the Levant and East India or other companies insofar as they protected one of the most important of their exports. Consequently, the trade in a vitally important commodity was controlled not by miners or mine owners, not even by the most important trading companies, but rather by small groups of wealthy and competitive individuals from within these larger units.

The crown had been able to manipulate its prerogative right in order to increase its own revenues eight fold. However, though it secured a reasonable and at least dependable price for tinners, the Prince had been forced to surrender all of his administrative and part of his judicial authority to the very people who controlled the economic destiny of the industry. To a very real extent
the only powers of arbitration which remained to the duchy were those which could be exercised at the intervals when old patents expired and new ones were negotiated.

Bland, Catcher and their associates agreed to supply the Pewterers Company a guaranteed amount of tin. It was decided by the patentees and the Company that the latter would be supplied yearly with one hundred MWT at £5 per hundredweight for their use as export and a further 300 MWT at £4 7s 0d per hundredweight which was employed in the service of the home market. However, the Pewterers, as resourceful as ever, frequently exported more than was stipulated in the agreement. In May, 1624, the duchy Council was asked to arbitrate by the patentees. Previously, in July, 1621 the King in Council had ordered that the whole supply secured by the Pewterers must be purchased at £5 per hundredweight. In order to gain the concomitant assent of the duchy Council, the pre-emptors agreed to pay an additional thousand marks "so long the said fore mentioned order . . . do stand and remain in force." Again, the Prince bargained away important judicial prerogatives in order to secure a relatively small increase in revenue. Though in this case Charles was only guaranteeing support for a privy council order it demonstrates that the duchy council had begun to abandon its role as arbitrator of the affairs of the tanners and the trade.

In exchange for a measure of economic security, the miners and other interests were forced to accept these
London merchants as the prime force governing the marketing of the commodity. When in 1621 the Company of Plummers petitioned the Prince's Council for an increase of their supplies which went entirely to solder, from seven MWT to fourteen MWT, they were refused. Like the Pewterers, the Plummers bought their assigned supply at the preferential rate of £4 7s 0d per hundredweight, and had to pay an additional thirteen shillings per hundredweight for any supplies beyond this. In fact the Council had no choice but to reject their suit because they were constrained to do so by the conditions of the grant of pre-emption. It was difficult to adjust to sudden changes in market conditions when all resources had been fully committed for long periods of time. The economic initiative, which for the whole of the sixteenth century was possessed by the miners and mine owners, had been lost to those active in the marketplace rather than at the pit-head. In large part this was only a reflection of the new realities facing an industry which needed increased working capital. Certainly the government, especially the duchy Council, had learned from initial errors, and for long attempted to aid rival and diverse interests in reconciling their differences to their mutual benefit. Failure to achieve complete success was due to the crown's own pressing need for money, and its subsequent willingness to surrender rights in exchange for enhanced revenues, and also to divisions existing within the Pewterers Company, in which the
aspirations of the wealthy members differed irreconcilably from those of its poorer members. The rivalry which existed periodically among various groups in their attempts to gain the monopoly probably served both the interests of the miners and the government.

Most of those involved in the pre-emption also engaged in other financial dealings with the crown. There was nothing especially unusual or sinister in this. However, it is clear that by the 1630's the pre-emptors had assumed an almost semi-official role. A merchant such as Job Harby slowly entered the King's orbit. In 1636 he acted as a creditor to the crown; by 1640 he was serving as an agent for the monarchy abroad to purchase arms for the Exchequer. Eventually the merchants controlling the pre-emption used their credit facilities to aid the crown in the rapid collection of ship money. The cost of transporting cash, which was heavy and needed an expensive guard, was high in itself, and to avoid this the pre-emptors were asked to pay into the Exchequer an amount equivalent to that due in Cornwall from ship money, and in turn the crown agents engaged in its collection in the county were instructed to turn their receipts over to the patentees' factors there. In this way the money actually collected from the Cornish in 1637 never left the county, but was simply employed by the factors in the purchase of tin. This saved the crown considerable administrative expense, forged an informal link between crown policy and the patentees,
and incidentally forced the patentees to absorb any loss which might occur between expected and realised revenues. This technique was also extended to cover Devon a few months later. As with Cornwall, bills of exchange were used, in this case £6,300 was paid into the Exchequer by farmers, but Peter Taylor, their factor in Devon, complained to the privy council that he was unable to recover the total sum. It does not seem likely that the patentees' agents actually collected the money, but simply presented the bills to local officials.

In 1628 another group led by Clement and Job Harby was able to recapture the patent. The crown received only £12,000 a year, £4,000 less than the previous holders of the grant paid and the pre-emption was ceded for the longer term of ten years. The tanners again received a wholesale price of £30 per MWT. Some 100,000 pounds of tin were consigned to the Pewterers at £4 10s 0d per hundredweight, but if they required additional supplies, these were to be sold to them for £5 per hundredweight. After the first seven years, the patentees secured an increase in the price to £5 12s 0d for all tin reserved for the Pewterers.

Negotiations for the renewal of the grant began three years before it was due to expire. The farmers submitted to the Treasury Commission an offer to pay an additional £1,000 a year for a renewal or a single payment of £2,000 if the patent was extended a further two years. However, the Commission continued to negotiate and their further efforts
were rewarded a month later when in April, 1635 the patentees increased their offer to £16,000 a year for a ten year grant. In addition, the Pewterers requested 25 per cent of the supply at the old rate. The farmers agreed to advance £3,000 and the crown asked that the new patentees "secure the pewterers not all of the worst but of good and merchantable stuff." The patent became effective upon expiration of the former grant in 1638 and was to continue for seven years.

The producers encountered severe problems in the 1630's which threatened a decline in output. In May, 1636, the crown appointed Lord Cottington, the Archbishop of Canterbury, the Lord Treasurer, the Secretaries of State and the Lord Warden to examine the causes of the difficulties. In turn the Lord Warden sought recommendations from the tinners themselves. The miners pointed out that as tin works deepened, if abandoned, it became difficult to reopen them because of accumulation of water. They stated that Devon was even more adversely affected than Cornwall. To sustain the industry they recommended a price increase. On 12 June, 1636 the Commission with the King in attendance met in plenary session to consider the tinners requests. It was suggested that the miners meet the farmers to arrive at a new and acceptable price which could be sustained by an increase in the price of tin "vented in foreign parts" which would "scarce be discernible" to the huge trade, but they were also free to consider any
other means which would not be a loss to the crown or pre-
judicial to the realm. The King favoured a price increase
but nothing could be done until the present patent expired
in two years. The farmers countered that tin mines newly
discovered in Barbary, which were much closer to the Levant
and capable of selling at a lower price, argued against an
increase in the price of tin exported from England. By
1640 the pre-emptors were insisting that the wholesale
price must be lowered and asked that their rent be abated
by £4,000, since tin from the new North African mines was
even reaching France, Italy and Holland. It is likely
that the merchants exaggerated claims of foreign competi-
tion, but it is true that the Dutch were vigorous rivals
who were always ready to exploit any weakness.

The renewal of the patentees' grant agreed in 1635
provided a wholesale price of only £30 for every MWT,
an amount unchanged since 1613. The miners sought a
"penny in the pound" increase, which would have provided
them with a guaranteed £34 3s 4d per MWT, but the farmers
feared that the market simply would not accept this price
and offered to surrender their new seven year patent.
On 19 December, 1638 the King ordered an increase of £2,000
a year in the total wholesale price. This was far less
than the miners had requested, bringing it to an estimated
£31 10s 0d per MWT. The increase was to be paid half by
the crown and half by the patentees. The King expected
"the poor labourer and worker belonging the said Tin-works
shall feel and receive the good benefit." The crown could never be sure that any provision it made for increased prices actually was passed on to the workers in the industry rather than simply absorbed as increased profit by the owners. The warning suggests that the previous increase in the wholesale price may not have led to better wages for the miners, but there is no clear evidence.

At the end of the 1630's the Pewterers Company renewed their complaints that their costs for tin were too great and only a return to the old price of £4 10s 0d per CWT would secure profitability. They rehearsed their old grievances concerning the advantages possessed by the patentees, especially since the same group had held the grant for such a long time. Hence the irreconcilable interests which had plagued the crown in the 1590's once again emerged. At any one time the crown could seek to enhance its revenues derived from tin or increase wholesale prices in order to benefit miners or provide the monopoly at a lower rent to encourage success in foreign trade or ensure domestic supplies, but by employing a monopoly it could not meet all of these objectives simultaneously. Also, the practice of farming out limited the ability of the crown to react promptly and forcefully to changes in market conditions.

The benefits or disadvantages which the pre-emption worked upon the tinners are difficult to measure. Short
term fluctuations in supply and demand cloud the influence of the monopoly. The fact that output remained stable cannot be interpreted to mean that the farm failed to stimulate the economic recovery of tin mining. It may well be that as exporters the farmers were not interested in an expansion of production which might flood lucrative foreign markets, driving the price down. Apparently they sought a stable supply, but not necessarily an increased one. Also, technical difficulties in mining operations meant that greater amounts of capital were absorbed in order to maintain the same level of output. Production statistics in and of themselves do not provide a reliable guide to the success or failure of the monopoly. By the end of the 1630's however, it is clear that tinniers were beginning to resent the scheme. Doubtless, the original prices paid by the pre-emptors, though not a record price, saved the miners from a disastrous situation, but increases did not keep pace with the price index, and as the market regained equilibrium, naturally tinniers opposed restrictions upon their activities, especially upon selling their stocks. A pamphlet, which was produced not later than 1652, but probably after the death of Charles in 1649, argued the tinniers' case against the pre-emption, especially in the 1620's and 1630's, when the revenues received by the crown "grew higher and higher as the times grew worse, with some petty increase of price to the tinner." The position of the miners, who had once enjoyed high favour from the crown
and special privileges through the stannaries, had declined, the pamphlet asserted, so that they were like the "Indians that dig for the Spaniard..." Abolition of the pre-emption and the subsequent increase in wholesale prices a return to a free market could bring may have been arguments pitched to win support among the reluctant Cornish for the Parliamentary cause.

The sale of the monopoly of tin was not simply an act of financial expediency by the crown. Certainly ministers hoped to find more money for the Prince and the monarchy, but the initial patents were for modest rents, and even allowing for the possibility of bribery or favoritism, it demonstrates that the government was genuinely concerned for the welfare of the tanners and the industry. Subsequently, however, a more opportunistic attitude on the part of ministers is apparent, culminating in the surrender of administrative control of the coinage. Even so, the pre-emption was largely the expression, however imperfect, of economic realities; it was the City which possessed the necessary capital to finance mining, and its financiers naturally demanded an important role in the institutions governing the industry. The unseemly rivalries among merchant groups, as well as conflicts between mine owners and workers, frustrated the crown's attempts to provide a wholly successful means for an amicable solution which could benefit all concerned.
After the Civil War commenced the monopoly soon broke down. It rapidly became impossible to ship the metal to London, where the patentees were based, and the crown itself occasionally exported tin to help underwrite its debts whenever it could find the means to do it safely. Year after year the Receiver-Generals' rolls indicate a nihil return for the patent, and the Parliamentary faction, hostile to monopolies of any kind, repudiated it. The pre-emption was not again employed until the Restoration.

Under firm leadership at the beginning of Stuart rule, order had been restored to the industry. The unprecedented decision by James to allow the duchy a far greater role and exercise of the pre-emption was a complete success. Though a financially embarrassed government could not continue to deploy the sums needed, it allowed the duchy to introduce order into the industry and effectively mediate between merchants and producers. The increasing dominance of the farmer, however, led to further concessions by the duchy until the successive groups of pre-emptors actually displaced it almost entirely. Nevertheless, at least initially, the Stuart policies were successful and did reconcile the various elements within the industry. Though their intentions were sometimes distorted by the financial needs of the moment or bitter internal dissent, through the whole of the period from 1601 to 1641 the crown and the duchy sought solutions for the problems of the industry which would benefit those concerned as well as the realm.
NOTES


2Ibid.

3The case was decided in the Star Chamber on 14 November, 1606. The Golvers were fined 1,000 marks each, Staples, Smyth and others had to pay £200 in damages, Dunning and Curtis were penalised £300 each, and the rest, £100 each. Also, they had to acknowledge their guilt before the lord mayor and aldermen. S.P. 14/23/57 and E. 178/3702. Also, see William Paley Baildon (ed.), Les Reportes del Cases in Camera Stellata, 1593 to 1609, From the Original Ms. of John Hawarde (London: privately printed, 1894), pp. 302-308. The Pewterers Company in fact underwrote the costs of defense. Charles Welch, History of the Worshipful Company of Pewterers of the City of London (London: Blades, East and Blades, 1902), Vol. II, pp. 37-38. Buckhurst, Lenox, Nottingham, Suffolk, Northumberland, Worcester, Devonshire, Mar, Howard, Cecil and Home heard the case.

4D.C.O., Receiver-Generals' Accounts, Rolls 274-278. A suit was eventually decided against them in the Exchequer on 2 July, 1609 which assigned a debt of £6,060, but by that date Weemes was dead. Ibid., Roll 278. They also had the misfortune of losing £4,000 worth of tin to pirates. E. 178/3702.


6S.P. 14/6/79.

7B.L., Cotton MSS., Titus B., v, 414.


9S.P. 14/6/79.

10Ibid.

11S.P. 14/23/56. This is undated, but must have been composed before 1606 when Glover in fact became a patentee for the pre-emption.

12S.P. 12/253/46.
The crown had purchased tin from the beginning of James' reign, but probably only with the intention of an interim measure until a final settlement could be resolved. Sir Francis Godolphin, of course, opposed the pre-emption, but there is no evidence that he resigned his office in protest against the scheme. However, the succession of Sir Richard Smythe, who was not Cornish, suggests that he had a prior interest in the project.

The group comprised at least seven individuals. The money was loaned for six months at 10 per cent interest. It is likely that more than one ad hoc group existed. A warrant to the Exchequer allowed payment of £11,000 to a group which had financed earlier buying by Sir Francis Godolphin. A warrant to the Exchequer allowed payment of £11,000 to a group which had financed earlier buying by Sir Francis Godolphin. S.P. 38/7, 20 August, 1604.


26 S.P. 14/23/57.

27 Ibid.

28 C. 66/1730.


30 Ibid. William was also a Merchant Adventurer as well as belonging to the Irish Company (1613), Newfoundland Company (1610) and the Spanish Company (1604). Other family business interests were maintained in the French Company and Northwest Passage Company. Also, the family were members of the Fishmongers, Clothworkers and Haberdashers Companies in the City. See C. 54/1679 and S.P. 40/2/81. Martin had an interest in an alum manufacturing concern. S.P. 39/11, 4 November, 1619. This was not the only occasion when the Freemans allied with John Eldred; in 1609 he and Martin Freeman contracted to buy crown lands. S.P. 40/2/112. They again bought crown property in 1611, this time in partnership with Lionel Cranfield and Arthur Ingram, the important crown financier. E. 306/7/1. On the career of Ingram see Robert Ashton, "Government Borrowing Under the First Two Stuarts," Univ. of London unpublished Ph.D. thesis, 1953, p. 494, and Gordon Batho, "Landlords in England," in Joan Thirsk (ed.), *The Agrarian History of England and Wales* (Cambridge: C.U.P., 1967), Vol. IV, p. 289. Ralph Freeman, eventually knighted, became one of the two auditors of First Fruits and Tents Office in 1621. C. 66/2257.


32 S.P. 40/2, 15 September, 1603, and C. 66/1760.

33 S.P. 105/109/6 (Levant Company Papers).
34S.P. 14/78/9.
35H.M.C. Reports, Salisbury MSS., Vol. IX, Part XX, p. 188.
36Ibid., Part XIX, p. 266.
37Ibid., Part XX, p. 271.
39S.P. 40/2, 21 December, 1608.
40Ibid.
41S.P. 14/118/83. This report by Thomas Austyn is undated, but was certainly written between 1615 and 1625.
42S.P. 14/78/1.
43C. 66/1996. Bludder was not included in this consortium.
45S.P. 14/118/83.
46Ibid.
47D.C.O., Receiver-Generals' Accounts, Roll 280, C. 66/2032 and S.P. 14/141/135 (Grant Book). The group included the most important members of the Pewterers Company: Thomas Dunning, Master in 1605 and again in 1610, Roger Glover, Master in 1615, Peter Brokelesby, one of the two wardens in 1616, Thomas Wickerley, warden in 1622, Thomas Smyth, warden in 1629, Master in 1631 and 1632 and eventually Receiver-General of the duchy, as well as seven others. See Charles Welch, History of the Worshipful Company of Pewterers of the City of London (London: Blades, East and Blades, 1902), Vol. II, Appendix II.
48This crippling dispute was not finally resolved until the Prince's Council passed judgment on 11 January, 1622. D.C.O., Book of Orders, 1621-1625 (MS).
49Ibid., 21 January, 1621.
50Both Clement and Job Harby entered the Levant Company about this date and the East India Company a year or two later. Clement was also a Merchant Adventurer, and both belonged to the French Company and Moscovy Company. The patent roll lists a Thomas Harvey as a partner, but the recitation in the Receiver-Generals' Accounts in the duchy has it as Thomas Harty. It may be that he used the

51 Robert Charleton was a City merchant who entered the East India Company in 1618. Ibid.

52 C. 66/2060 and S.P. 14/141/174 (Grant Book), and D.C.O., Receiver-Generals' Accounts, Roll 283.


54 Sir John Catcher was knighted in 1619, serving in the Parliament of 1621. William Cockaine was not the same person as the famous merchant involved in the cloth trade, who was knighted in 1616; this Cockaine, probably his son, was not so styled in the patent. See C. 66/2257 and Astrid Friis, Alderman Cockayne's Project and the Cloth Trade (London: O.U.P., 1927), pp. 82-83.

55 C. 66/2257. All are described as citizens of London.

56 Ibid. See also S.P. 14/141/338.

57 D.C.O., Book of Orders, 1621-1625 (KS), 17 March, 1624. Earlier the Lord Warden had been requested by the Prince's Council to help the pre-emptors. D.C.O., Letters and Warrants, 1623-1626 (KS), 28 May, 1623. Later the privy council was also solicited for its aid. D.C.O., Ibid., 1 July, 1624.

58 D.C.O., Book of Orders, 1621-1625 (KS), 17 Apr. 1623, 18 September, 1623 and 7 November, 1623.

59 Ibid., 1 December, 1621 and 30 January, 1624.

60 Ibid., 26 December, 1624.

61 S.P. 16/344/52 (II).


63 Astrid Friis, Alderman Cockayne's Project and the Cloth Trade (London: O.U.P., 1927), pp. 43-44.

64 D.C.O., Prince Charles in Spain, Bond Debts and Burgesses in Parliament, 1623-1624 (KS), pp. 43-44.

65 D.C.O., Book of Orders, 1619-1621 (KS), 1 June, 1621.

66 S.P. 38/16, 31 December, 1636. The King had pawned "certain jewels and precious stones" to an unstipulated value.
67 S.P. 16-451-80.

68 S.P. 16/303/19, S.P. 16/314/65 and for Devon, S.P. 16/351/2.

Besides Clement and Job Harby, Robert Charleton, an associate in their previous grant, again joined them as well as Thomas Marsham, William Langhorne, a member of the Levant Company by 1629, Caleb Cockcroft, Thomas Bonist and John Smyth, also a likely member of the Levant Company. C. 66/2461. It may be that the wholesale price was eventually increased in the early 1630's because the Receiver-Generals' Accounts list a price of £30 per stannary KWT, though perhaps this was simply an error. D.C.O., Receiver-Generals' Accounts, Roll 297. See also Theodore K. Rabb, Enterprise and Empire, Merchant and Gentry Investment in the Expansion of England, 1575-1630 (Cambridge, Mass.: H.U.P., 1967), Appendix, pp. 224-410.

70 S.P. 16-392-41.

71 S.P. 16/285/7.

72 S.P. 16/286/33.

73 S.P. 38/16, 31 December, 1636.

74 S.P. 16/322/1 and 2.

75 Ibid., Item 8.

76 Ibid., Items 60 and 61.

77 S.P. 16/446/44.

78 S.P. 16/451/80.

79 S.P. 16/404/83.

80 Ibid., Item 102.

81 S.P. 16/392/41.

82 The Case of the Stannaries Stated: With the Ground and Reasons of their Petition to the Honorable House of Parliament, Together with the Answers to Severall Objections that may be made them in Law or Policy humbly Proposed (Goldsmith's Library copy, Univ. of London, n.d.), p. 5.

83 Ibid., pp. 6-8.

84 Calendar S.P., Domestic, Charles I, 1644-1645, p. 387.
CHAPTER VII

THE DUCHY AND PARLIAMENTARY REPRESENTATION

IN CORNWALL, 1547-1640

The Parliamentary history of Cornwall in the Tudor and early Stuart periods is unusual, perhaps even a little mysterious. Between 1529 and 1603 fourteen new Cornish boroughs began to send members to the House of Commons. By the end of the Tudor period Cornwall had no less than forty-four seats in Parliament. It is remarkable, even in a period when proportional representation was virtually an alien concept, that among the least densely populated counties in England, it should provide the largest number of members. The story is a complex one, involving many elements, few really constant, in a delicate matrix of local, personal and crown interests. Evidence is scarce: the dense fogs of the sixteenth century are only relieved by the ground mists in the early seventeenth century. It is clear, however, that the duchy of Cornwall played an important part in the Parliamentary history of these boroughs. A discussion of its interests, even though there are large gaps in the record, will go a little way toward providing an explanation of the existence of those twenty-one constituencies.

A well known historian once remarked that unreformed Parliamentary boroughs fell neatly into one of three
categories; there were faithful wives, mistresses and those which sold their favours promiscuously. To a nineteenth century reformer such as T.H.B. Oldfield, the sheer numbers of Cornish boroughs represented an iniquity. He pointed out that four tiny Cornish hamlets returned as many members as "London and Westminster and the County of Middlesex, which contain near a million inhabitants, and pay a sixth part of the revenue of the country. . ." More recently, of course, historians have largely discarded moral strictures, attempting instead to understand the nature of patronage without imposing modern political opinion on a past innocent of it. Sir John Neale has compared the duchy of Cornwall's situation with that of the Cinque Ports or the junior royal duchy, Lancaster. Each of these institutions had franchisal rights and each also had a special relationship with the crown. Though he recognised the possible importance of the duchy, Dr. Rowse has suggested on the other hand that the creation of so many new boroughs was largely a reflection of the growing prosperity and new-found independence of the burgesses. He rejects the notion of much extraterritorial influence, pointing out that Cornwall returned more than one notorious and vocal Parliamentary critic of the crown and its policies. Yet in her investigation of the duchy from 1640 to 1660 Mary Coate argued that the institution did indeed play a role in the political affairs.
of the county, but she, too, concluded that the Cornish gentry were able to resist royal encroachments.

Contemporaries were not quite so confident. At the end of the period under discussion, John Lilburne in London's Liberty in Chains Discovered made the point that Yorkshire, "twice as big and three times as populous and rich," as Cornwall, had far fewer members. It was part of the programme set forth in the Agreement of the People to reduce Cornwall to only six seats. This Puritan campaign was undoubtedly motivated in part by a desire to weaken the authority and prestige of the crown in an area known for its staunch royalist support, but the rationale of the attack was based upon the disproportionate number of seats in respect to population. The exercise of influence in electoral matters was not confined to only the crown or the court; great families often dominated county politics. However, after the death of the Marquess of Exeter in 1538 Cornwall had no single magnate to act as political agent and arbiter. The crown found itself in a position to fill this vacuum. The duchy's franchisal rights provided a special link with the county. These coincided with a long period without a prince, which meant that duchy machinery remained at the disposal of the monarch.

The political situation in Cornwall in the early-modern period has remained cryptic and has stubbornly defied explanation. Neither the moralising of nineteenth-
century historians nor any recent investigations of political patronage have satisfactorily accounted for the creation of fourteen new constituencies between 1529 and 1584. The largest and most active towns, Helston, Lostwithiel, Liskeard, Truro, Bodmin and Launceston, in the county already returned members by the Reformation Parliament. There was no discernible quickening of business activity favouring other towns. The mining industry did expand somewhat, but this was confined primarily to the western portion of the county around Helston. The erection of new constituencies can hardly be seen as a reflection of new economic activity or the result of pressure brought to bear by politically ambitious towns which felt themselves entitled to the electoral franchise. The record simply does not provide evidence for such an explanation. The political aspirations of the Cornish gentry were not unique and did not bring about the changed situation. On the other hand the record does not suggest they were created in order to be manipulated by crown officers. In the sixteenth century there is no indication of a "policy" or a practice of conscious manipulation by the crown. In periods when there was no duke, the Lord Warden and a few other officials would have been able to exercise latitude for much of the time and impose their personal ambitions and those of their followers. No officer in the duchy, of course, had the right to create Parliamentary constituencies.
The creation of new constituencies in Cornwall must in part be measured against earlier changes in the Tudor polity. Under the leadership of Thomas Cromwell, Secretary to Henry VIII, the decision was taken in the 1530's to enfranchise both the earldom of Chester and Wales. Like the duchy of Cornwall, these two areas had a distinct historical association with the heir apparent. He had franchising and property rights in both regions and each had a measure of independence from crown control. These areas were thus brought within the aegis of the Tudor constitution and amalgamated with the traditional body-politic. Though there is no direct evidence that this policy was extended to Cornwall, the rebellion of 1549 may have persuaded the government that the Cornish people needed a direct link to their sovereign. Unlike Wales or Chester, no Parliamentary act was necessary because a few Cornish towns had always possessed the franchise. All that was needed was permission from the sovereign for particular boroughs to return members.

The changes wrought in the duchy's landed estate in the last seven years of Henry VIII's reign may also have influenced the decisions to expand Cornish representation. The act of 1540, which severed the honour of Wallingford in exchange for fifteen manors from the former priories of Trewardreth and Launcestone as well as thirteen manors 11 from the Courtenay estate, deprived it of a connection with a seat. Guthlac Overton, who became a duchy auditor

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in 1507, represented Wallingford in the Reformation Parliament. The many additional small estates in Cornwall provided no Parliamentary boroughs. It was only after the creation of new seats by the Edwardian government that they began to make available an extensive political patronage reservoir. How that patronage was wielded, and by whom, is indeed a complex and vexed question. Much of the explanation may be found in the nature of duchy control of its lands and the influence it exacted over neighbouring towns and hamlets. Not every new Cornish borough, however, can be shown to have connection with the duchy, and many had only a tenuous, indirect link. Certainly, not every new constituency was created simply to place yet another seat at its disposal. The gentry of Cornwall were no less, perhaps rather more, ambitious than their compereers in other counties. Without a nobility present to throttle them and act as honest, or dishonest broker, the social pecking order was not so well defined as elsewhere.

Whatever the particular motives for allowing new members, it was largely an expedient of weak governments; between 1547 and 1563, a period of political instability, eleven of the fourteen new constituencies emerged. It appears that seven new boroughs began returning members between 1547 and 1553 under Edward VI, one gained representation under Mary and Elizabeth added six more. The seven Edwardian boroughs were Penryn, Grampound, Camelford,
West Looe, Kitchell, Bossiney, and Saltash. Many returns are missing for the Parliaments prior to the last of Edward, but there is evidence to suggest that the seven began to seat members about 1552. Corroborative proof indicating two new boroughs for that year appears in the duchy Receiver-Generals' accounts for 1552-1553. Grampound and Saltash began to report a mayor rather than only a propotitus, a reeve. This implies that the towns had incorporated, though for what reasons and if it included the return of members is not stated. Bossiney and Camelford reported a mayor two years earlier, but the office recorded in the next annual account is the usual one of propotitus only, reporting a mayor again in 1552-1553 and subsequently. Whether the impetus for erecting new boroughs in order to gain possible additional seats for friendly voices originated with Lord Russell, High Steward and Lord Warden, the duke of Northumberland or another cannot be ascertained, though it is perhaps significant that Lord Russell would have been most familiar with the advantages to be gained from such a scheme. Five of the seven newly created constituencies were directly connected with the duchy.

Some of the manors annexed to the duchy were towns, while others contained boroughs within their boundaries. These are two very distinct categories. To take the latter first: in the legal sense a chartered borough was not a part of a manor. It had a life of its own, that is, it

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possessed legal, political and administrative apparatus. It may be one thing, however, to say that London was largely independent of its environs, but it would be quite another to argue the same of a borough such as Bossiney. Small, isolated and quite dependent upon the custom and country around them, Cornish borough folk could hardly afford to ignore completely the magnates who controlled the surrounding land. There were eight towns, Launceston, Liskeard, Lostwithiel, Helston, Grampound, Saltash, Camelford and Bossiney, anciently connected with the duchy. All of these, save for Lostwithiel, in which the duchy maintained its status as landlord, owed a fee-farm rent. As the most important coinage town, however, Helston had a special economic tie to the duchy. The three days allotted to the borough for assaying, taxing and wholesaling were very important in the economic life of this small, but active market town. Liskeard, too, was an ancient coinage centre, but in the sixteenth century officials gradually ceased to visit the area as tin production moved westward in the county. Though the town successfully petitioned the crown in 1569 to restore the event, it could not have attracted many tinners.

All eight towns had been annexed to the duchy by its founding charter. Their status was entrenched in the prestige of long years; the fact that four of them, Launceston, Liskeard, Lostwithiel and Helston, already returned members, and all eight enjoyed the crown as patron,
may have been justification enough for extending the
franchise. While it is true the High Steward could
exercise some economic leverage over these boroughs, it
was only an indirect power, one which the towns themselves
could escape if an issue of sufficient urgency arose.
Duchy patronage was not prerogative. Yet the probability
that five of these boroughs, each of them having less than
22
1,000 inhabitants, came into existence in or about the
same year suggests that it was not just village aspira-
tions which suddenly found favour. Certainly, there was
no drastic change in their economic life. Further,
Cornwall had not proved itself the most faithful to the
emerging protestant order. To an area thinly populated
and of doubtful allegiance, it seems improbable that the
government would have granted privileges unless for or
with concessions.

The duchy held direct proprietary rights in five
boroughs, Fowey, St. Ives, Portpigham, which is now known
as West Looe, Tregony, and finally, East Looe or Portlooe.
Unlike the ancient duchy boroughs, these five towns were
a part of the exchanged lands gained in 1540, Fowey and
St. Ives being parcel of the former priory of Trewardreth,
while East and West Looe and Tregony had belonged to the
attainted Marquess of Exeter. These towns were manors in
23
their own right; the duchy controlled the court, tene-
ments, fair and market days through the deputy steward and
his bailiff. Like other manors they had free and unfree
tenures. Except for St. Ives, which had parcels of land scattered in several areas, they produced little revenue. East Looe never returned more than £18 in any single year under Elizabeth, while Fowey always yielded under £3 in the same period. Stable rents suggest a static economic condition in these boroughs, also.

Most Cornish towns granted the franchise in the sixteenth century were small and not especially prosperous. Carew pointed out that Cornwall sent "an equal, if not larger number of burgesses to any other shire" only because of the "grace" of its dukes. Camelford "steppeth little before the meanest sort of boroughs," and Grampound was only "half replenished with inhabitants," though East Looe he described as "somewhat relieved of its former poverty." In their successful attempt to gain a corporate structure twenty-three years after first returning members, the petitioners from West Looe complained that the borough had fallen into ruin on account of the poverty of its inhabitants. Over half a century earlier Leland had been largely silent upon the condition of Cornish towns, describing Fowey as once prosperous. While the many hamlets on the creeks and inlets of the Cornish coast carried on fishing and participated in the coasting trade, their days as commercial centres had passed by the advent of the sixteenth century. London merchants replaced Italian as it became the nexus for the export of tin to the world by the beginning of the seventeenth century.
It is possible that towns annexed to the duchy in 1540 may have felt justified in pressing for the same privilege enjoyed by some older duchy boroughs. Yet that would not explain why the towns ancienly connected with the duchy also decided to seek representation in this same period. In fact, the freeholders of small villages such as this were often synonymous with the local gentry. They were the medium through which the duchy exercised its electoral patronage. Prominent local men usually became steward or bailiff. At Fowey John Rashleigh served in the latter office from the end of Henry's reign until well into that of Elizabeth, and was succeeded by another local potentate, William Treffrey. Porthia Prior, of which St. Ives was a part, was served by John Kempthorne and at the end of the century by another important local figure, John Leonard. These men were from established families, held extensive estates and could be expected to be as much interested in local affairs as those of the duchy or the court.

The role of the gentry was fundamental. The great families of the county dominated duchy offices for the whole of the last half of the sixteenth century. Whatever the crown gained immediately from the creation of a new borough, the important county families, the Killigrews, Arundells, Godolphins, Edgecombes and Trelawns, generally came to enjoy in the long run. While their active consent was not needed for every return, the duchy could not
withstand their united opposition. In years of strong, secure government the crown could afford to allow locals to indulge their tastes for office and honours; Elizabeth was parsimonious, and she would doubtless have been relieved to know that election costs were borne privately. An extension of this attitude was the tendency to let these manors on long leases or as fee-farms. John Treffrey leased Fowey by 1595, East Looe was taken by George Blythe in 1575 or 1576. Tregony was sold, probably to Robert Cecil, as a fee-farm in 1601. It is possible, of course, that local men were acting for others, perhaps outside the county, but it does indicate that Elizabethan government did not consider the advantage of Parliamentary seats to be of much moment. The duchy neither exploited nor was exploited ruthlessly to manipulate elections in the Tudor period. The relationship of the duchy to these manors was one of patron to client. If the government, driven by crises, occasionally took advantage of its role as patron, so too the burgesses and gentry anticipated the crown's motives to some extent.

Inextricably bound up with political power were the privileges and prerogatives enjoyed by the Lord Warden and High Steward. He was at the apex of the administrative pyramid of the duchy of Cornwall in the sixteenth century. The peculiar nature of stannary law and the special legal position of the tinners has made this a fairly well known office. However, for the whole of the sixteenth and early
seventeenth centuries, the Lord Warden was also the High Steward of the duchy. This latter office has been sometimes misunderstood, and more often overlooked. For as long as the High Steward was the most prestigious figure in the duchy, and that was through the first decade of the seventeenth century, most of the patronage and much, though not all, of whatever influence might be had in borough elections emanated from this office, if not always from the officer.

The powers of High Steward rested firmly on the bedrock of patent. For the whole of the sixteenth and early seventeenth centuries the extent of the office was unchanged. Nevertheless, change there was in the nature of the office; as the duchy added more manors in Cornwall the position of High Steward also gained increased authority. In Cornwall the rights of the Steward were very extensive indeed. All the diverse and manifold powers of manorial officials, none very significant in itself, combined to create a powerful electoral influence which was difficult to ignore. Naturally, the High Steward and Lord Warden did not perform the functions of office himself; he deputised. Deputy stewards were directly responsible to him and in turn he accounted to the auditor upon a separate roll; after approval it was passed on to the Receiver-General who then incorporated it in his account for the whole duchy. This routine remained unchanged for the whole of the sixteenth century. Normally local men of
substance, these deputies could be expected to represent local interests and ensure they received a fair hearing.

Before leaving the subject of the kinds of influence the High Steward possessed in borough elections it is of use to note briefly the role of the other office, that of Lord Warden. As with the office of Steward, he deputised. Vice-wardens were responsible for the day to day administration of stannary affairs. In fact, most business connected with tinnerers came their way. Usually, they were important men of the county, and, as with the Godolphin family, had extensive interests in tin mining themselves. William Carnsew, vice-warden in 1580, eventually produced a learned treatise upon the mining and smelting of tin. These men were no mere cyphers for the Lord Warden; they possessed authority of their own based upon broad knowledge and status in their community. In addition, vice-wardens kept the duchy seal, which gave them effective day to day control of affairs.

Of the four Lord Wardens appointed in the sixteenth century after the execution of the marquess of Exeter, only one was from the Southwest and none were Cornish. The crown, cautious of the enormous political and economic resources which the office made available, carefully avoided nominating an individual from the region until Raleigh received the seals of office in 1585. Sir John Russell was awarded the patent in 1539. Though he had strong connections with the West, he did not hesitate to
lead royal troops against Cornwall in 1549 to crush the rebellion, paying his army with the receipts of the duchy. He was succeeded in 1555 by Edward Hastings, Lord Loughborough. A devout Roman Catholic, he was confined in 1561 for hearing mass, and when released he retired permanently to his country seat to live in the political wilderness. Though he remained in office until his death, his exile from court created a vacuum in the duchy's affairs which was not filled until the earl of Bedford succeeded him in 1572. Though he controlled extensive estates outside the Southwest, his possession of the manor of Callington in Cornwall probably accounts for Elizabeth's gift of the electoral franchise to the hamlet in 1584. Bedford's successor, Raleigh, did not wield power with even the qualified independence of a great peer. Wholly dependent upon the Queen for his fortune, subordinate to the Cecils, he had no basis for social, economic or political action unless he could be sure of the Queen's support. Even when enjoying royal favour, certainly in the period of his disgrace in the early 1590's, he was incapable of maintaining a large patronage network.

Another factor continually exercising an influence upon the nature of duchy political patronage under the Tudors, especially Elizabeth, was the fact that the crown chose not to exercise its advantages in a systematic or consistent way. Not only officials of the duchy, but also
those of the Exchequer, Chamber, perhaps even individual courtiers, were allowed to take up patronage as they were able because of personal power and prestige. Obviously, this was more so during periods of weakness, as under Loughborough or Raleigh. The crown only took a direct interest in the affairs of the duchy during the brief periods of crisis. A barren Queen could not be expected to be much concerned with an institution created to provide for a lawfully begotten heir. Its day to day business was left in the hands of its own officers, with occasional direction from the Exchequer.

Office holders, unlike offices, suffer at the hand of fortune. Patents cannot always be relied upon to reflect accurately hierarchy and influence. The Marian period, for example, provides an instance of a probable loss of patronage without a change of office. On 4 November, 1553, Mary made Sir Edward Waldegrave, her old friend and ally, Receiver-General of the duchy. He did not perform the duties of the office; however, duchy receipts were paid into the Wardrobe, of which he was the head. This gave him an important lever of control. Ultimately, his department audited duchy accounts, and thus the High Steward's records also. It seems likely that he rivalled or even eclipsed Lord Russell, the Lord Warden, and took up the available patronage for himself. After the accession of Elizabeth, the duchy again paid its receipts into the Chamber. At least one Elizabethan Treasurer of the Chamber,
Sir Francis Knollys, exercised electoral influence. In 1572, William Knollys, his son and heir, was seated for Tregony. Though he had been superceded by Thomas Heneage, Knollys would have possessed knowledge of duchy patronage and known many of its officials. The power of the High Steward over patronage, or at least his ability to dispense it independently, continued to decline. Because the High Steward was directly accountable to the auditor and Receiver-General for debts of any deputy stewards, also for the considerable amounts of money received from the coinage of tin, he was probably forced to share the many rewards at his disposal. Further, in 1574 the audit of accounts was taken by the Exchequer, which gave the Cecils a significant entry. Men were more important than office, if they were eclipsed, so, too, were their powers. Thomas Mildmay, an auditor of the duchy until 1566, performed his tasks personally, and this gave him a possibly important road to the fount of patronage.

Control of the return of election writs was crucial. As the High Stewards of the duchy were usually lords lieutenant for the county as well, conflict did not arise over franchisal jurisdictions in the sixteenth century. Of course, it was not out of the ordinary for Tudor officials to hold several administrative offices simultaneously. Also, since there was no duke for long periods, need for differentiation simply did not exist. At the local level election writs were carried to duchy

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towns by the three relevant officers, the duchy feodary, havenor and vice-warden. In Fowey the returning officer was the port reeve, who was directly responsible to the havenor. The feodary, who among other things maintained the responsibilities of lands owing fealty and service to duchy honours, would have exercised much influence in Launceston where the ruins of Dunheved castle marked the seat of one such honour. The vice-warden issued writs to the particular stewards of manors which were also electoral boroughs. John Norden, writing between 1607 and 1612, indicated the nature of duchy control,

And withal his Highness hath power to give liberty and (as some say) to inhibit the Borough towns within the Dukedom, to send Burgesses unto the Parliament of estate: Having within his govern-ment for the private of Stannary causes.

The attorney, John Dodderidge, a West Countryman himself and often in duchy employ, writing only a few years after Norden, asserted,

Also he hath the liberty and returning of all Writs and Summons directed to the Sheriff of the said County, which shall not be returned, but by the Officers of the said Duke, for the time being.

But Dodderidge claimed that this, and other prerogatives such as customs, the shrievalty and right of wrecks only belonged to the duchy when conveyed by letters patent. In fact, it can be seen from the Receivers' accounts that for the whole of the sixteenth century, duchy officials administered the customs, enjoyed right of wrecks and the profits of the sheriff's office. In county elections during the reign of Elizabeth one duchy official was
elected in all but the Parliament of 1584. However, with
the exception of Raleigh, who sat in 1601, all were among
the leading gentlemen of the county. It was natural
enough they should represent Cornwall, and it would be
going too far to assume duchy influence extended to county
elections.

Further indication of duchy influence in borough
elections becomes apparent in an analysis of the origins
of members who sat in the Parliaments between 1529 and
1601. It was not unusual for boroughs to accept candi
dates from outside in order to save the expenses of sus-
taining members while the House of Commons was in session.
Obviously, small boroughs were more vulnerable than large.
Most Cornish Parliamentary towns belong in this category,
their modest size was notably as important as duchy
influence. However, Table A demonstrates that a high
percentage of those who sat for Cornish seats had no family
tie with the West Country. This in itself suggests that a
patron probably played a significant role in bringing
together an impecunious borough and a Parliamentary
aspirant willing to bear the costs of actually going to
Westminster. Between 1529 and 1558 an average of 52.97
per cent of members who represented Cornish Parliamentary
towns were West Countrymen. The lowest figure, 36.36 per
cent, is that for the first Parliament of Mary, which sat
in October, 1553. There was a decline in membership of
local representatives from 1529 to 1558, but lack of
returns for the Parliaments of the 1530's and that of 1542 does not allow any kind of certain conclusion. However, the nature of Edwardian government, the internal strain it barely endured, is clear. The reversal of this trend under Mary reflects her insistence that representation be genuinely local wherever possible. The average of local men returned for Elizabethan Parliaments actually declined slightly to only 49.56 per cent, but with the exception of 1571, local representation remained remarkably consistent for the whole reign.

54

TABLE A

Local Representation by Parliament

<table>
<thead>
<tr>
<th>Year</th>
<th>West Country</th>
<th>&quot;Foreign&quot;</th>
<th>Total Sample</th>
<th>Per Cent of West Countrymen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Early Tudor:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1529</td>
<td>9</td>
<td>5</td>
<td>14</td>
<td>64.28</td>
</tr>
<tr>
<td>1545</td>
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<td>1547</td>
<td>13</td>
<td>15</td>
<td>28</td>
<td>46.43</td>
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<td>1553</td>
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<td>8</td>
<td>14</td>
<td>22</td>
<td>36.36</td>
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<td>1554</td>
<td>11</td>
<td>13</td>
<td>24</td>
<td>45.83</td>
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<tr>
<td>1554</td>
<td>17</td>
<td>9</td>
<td>26</td>
<td>65.38</td>
</tr>
<tr>
<td>1555</td>
<td>19</td>
<td>7</td>
<td>26</td>
<td>73.07</td>
</tr>
<tr>
<td>1558</td>
<td>12</td>
<td>10</td>
<td>22</td>
<td>54.54</td>
</tr>
<tr>
<td>Elizabethan:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1559</td>
<td>19</td>
<td>13</td>
<td>32</td>
<td>59.37</td>
</tr>
<tr>
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<td>56.66</td>
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<tr>
<td>1571</td>
<td>11</td>
<td>21</td>
<td>32</td>
<td>34.37</td>
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<td>1572</td>
<td>14</td>
<td>18</td>
<td>32</td>
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<td>1584</td>
<td>18</td>
<td>20</td>
<td>38</td>
<td>47.36</td>
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<td>1586</td>
<td>21</td>
<td>13</td>
<td>34</td>
<td>61.76</td>
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<td>1601</td>
<td>19</td>
<td>15</td>
<td>34</td>
<td>55.87</td>
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An explanation of this may be found in Tables B and C where representation is analysed for each borough. Between 1529 and 1558 Mitchell, Bossiney and Grampound - St. Ives only began sending representatives to Westminster in 1558 - returned fewest West Countrymen. For the whole period those towns which had a connection with the duchy had an average of 53.28 per cent of local members. Boroughs independent of the duchy averaged 59.61 per cent of members with western ties. Under Elizabeth the gap widened significantly: duchy boroughs only returned an average of 45.08 per cent of West Countrymen while other Cornish boroughs elected an average of 61.22 per cent. The creation of new Parliamentary constituencies, two-thirds of which were duchy connected, in the years immediately preceding and during Elizabeth's reign accounts for the increased differential.

It should be noted that occasionally officers sat for Cornish boroughs in which the duchy possessed no influence. Thomas Mildmay represented Lostwithiel in 1563 and Helston in 1553, 1555, and 1558, both connected to the duchy, but he also sat for Bodmin in 1553. Twice in the 1550's John Cosoworth served for Lostwithiel. In 1563, however, he was returned for Penryn. Usually, as in the case of Cosoworth, the man elected in a borough in which the duchy had no influence was a prominent West Country gentleman. Hannibal Vivian, controller of the coinage and attorney-general for the duchy at the end of Elizabeth's reign, sat
Table B

Early Tudor (1529-1558) Cornish Borough Representation

<table>
<thead>
<tr>
<th>Borough</th>
<th>West Country</th>
<th>&quot;Foreign&quot;</th>
<th>Total Sample</th>
<th>Per Cent of West Countrymen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodmin</td>
<td>13</td>
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<td>18</td>
<td>72.22</td>
</tr>
<tr>
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<td>4</td>
<td>8</td>
<td>12</td>
<td>33.33</td>
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<tr>
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<td>7</td>
<td>7</td>
<td>14</td>
<td>50.00</td>
</tr>
<tr>
<td>Dunheved*</td>
<td>9</td>
<td>7</td>
<td>16</td>
<td>56.25</td>
</tr>
<tr>
<td>Grampound* (1552-53)+</td>
<td>5</td>
<td>9</td>
<td>14</td>
<td>35.71</td>
</tr>
<tr>
<td>Helston*</td>
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<td>9</td>
<td>18</td>
<td>50.00</td>
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<tr>
<td>Liskeard*</td>
<td>15</td>
<td>3</td>
<td>18</td>
<td>83.33</td>
</tr>
<tr>
<td>Lostwithiel*</td>
<td>7</td>
<td>7</td>
<td>14</td>
<td>50.00</td>
</tr>
<tr>
<td>Mitchell (1547)+</td>
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<td>9</td>
<td>12</td>
<td>25.00</td>
</tr>
<tr>
<td>Newport*</td>
<td>10</td>
<td>6</td>
<td>16</td>
<td>62.50</td>
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<tr>
<td>Penryn (1547)+</td>
<td>4</td>
<td>4</td>
<td>8</td>
<td>50.00</td>
</tr>
<tr>
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<tr>
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<td>8</td>
<td>6</td>
<td>14</td>
<td>57.14</td>
</tr>
<tr>
<td>Truro</td>
<td>11</td>
<td>3</td>
<td>14</td>
<td>78.57</td>
</tr>
<tr>
<td>West Looe* (1547)</td>
<td>8</td>
<td>6</td>
<td>14</td>
<td>57.14</td>
</tr>
</tbody>
</table>

* Boroughs connected with the duchy.

+ Date of enfranchisement. Based upon the indirect evidence of the Receivers' accounts it seems that several boroughs entered the Parliament of 1547 only in the latter sessions.
### TABLE C

**Elizabethan (1559-1601) Cornish Boroughs Representation**

<table>
<thead>
<tr>
<th>Borough</th>
<th>West Country</th>
<th>&quot;Foreign&quot;</th>
<th>Total Sample</th>
<th>Per Cent of West Countrymen</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Ives*</td>
<td>2</td>
<td>14</td>
<td>16</td>
<td>12.50</td>
</tr>
<tr>
<td>Mitchell</td>
<td>10</td>
<td>8</td>
<td>18</td>
<td>55.55</td>
</tr>
<tr>
<td>Newport*</td>
<td>7</td>
<td>11</td>
<td>18</td>
<td>38.88</td>
</tr>
<tr>
<td>Penryn</td>
<td>13</td>
<td>7</td>
<td>20</td>
<td>65.00</td>
</tr>
<tr>
<td>Lostwithiel*</td>
<td>5</td>
<td>11</td>
<td>16</td>
<td>31.25</td>
</tr>
<tr>
<td>Liskeard*</td>
<td>14</td>
<td>6</td>
<td>20</td>
<td>70.00</td>
</tr>
<tr>
<td>Helston*</td>
<td>10</td>
<td>6</td>
<td>16</td>
<td>62.50</td>
</tr>
<tr>
<td>Dunheved*</td>
<td>6</td>
<td>8</td>
<td>14</td>
<td>42.85</td>
</tr>
<tr>
<td>East Loe* (1571)+</td>
<td>4</td>
<td>8</td>
<td>14</td>
<td>33.33</td>
</tr>
<tr>
<td>Fowey* (1571)+</td>
<td>9</td>
<td>5</td>
<td>14</td>
<td>64.28</td>
</tr>
<tr>
<td>Grampound*</td>
<td>7</td>
<td>10</td>
<td>17</td>
<td>41.17</td>
</tr>
<tr>
<td>Bodmin</td>
<td>14</td>
<td>4</td>
<td>18</td>
<td>77.77</td>
</tr>
<tr>
<td>Bossiney*</td>
<td>7</td>
<td>9</td>
<td>16</td>
<td>43.75</td>
</tr>
<tr>
<td>Callington (1584)+</td>
<td>5</td>
<td>5</td>
<td>10</td>
<td>50.00</td>
</tr>
<tr>
<td>Camelford*</td>
<td>12</td>
<td>6</td>
<td>18</td>
<td>66.66</td>
</tr>
<tr>
<td>Tregony* (1559)+</td>
<td>8</td>
<td>8</td>
<td>16</td>
<td>50.00</td>
</tr>
<tr>
<td>Truro</td>
<td>8</td>
<td>6</td>
<td>14</td>
<td>57.14</td>
</tr>
<tr>
<td>West Looe*</td>
<td>3</td>
<td>11</td>
<td>14</td>
<td>21.42</td>
</tr>
<tr>
<td>St. Mawes* (1563)+</td>
<td>5</td>
<td>11</td>
<td>16</td>
<td>31.25</td>
</tr>
<tr>
<td>Saltash*</td>
<td>9</td>
<td>7</td>
<td>16</td>
<td>56.25</td>
</tr>
<tr>
<td>St. Germans (1563)+</td>
<td>10</td>
<td>6</td>
<td>16</td>
<td>62.50</td>
</tr>
</tbody>
</table>

* Boroughs connected with the duchy. St. Mawes, dominated by the Henrician castle, which was built with duchy money, was garrisoned throughout the Elizabethan period by troops paid directly by the duchy.

+ Date of enfranchisement.
twice for Helston, but also represented Truro and Plympton, in Devon. Many officials who were not Cornish found seats outside the duchy. John Conyers, auditor in 1566, sat for East Redford, Nottinghamshire, in 1586, and Richard Smyth, Jacobean Receiver-General, sat for Hythe in Kent where his family had influence. His father, Thomas Smyth, the famous "customer", owned property in the area. Sir Oliver Cromwell, master of the Prince's game, represented Huntingdon in three Parliaments between 1604 and 1625. Hence officials frequently relied upon their own influence for a seat in the House. Most duchy officeholders who did take up a borough connected with the duchy were themselves Cornish. The great county families, those which could expect to represent Cornish towns, found places, in part because there were so many seats to fill, in part because the sixteenth-century duchy was dominated by West Countrymen.

Though it was increasingly common to invite an outsider to represent a town, there existed in many boroughs an informal cursus honorum. After serving their communities, local worthies could often reasonably expect to be returned as an M.P. The Receivers' accounts from 1552 until the end of the sixteenth century report mayors for eight boroughs connected with the duchy. Only five of the mayors listed eventually represented their towns in Parliament. John Hendre, mayor of Bossiney from 1576 until 1579, sat for his borough in 1589 and again in 1593. The Mayor of Helston in 1550, Peter Marten, was returned for that borough in 1558. It is
evident that these towns, which ranged from the relatively prosperous, Helston and Lostwithiel, to the hamlets of Grampound and Bossiney, demonstrate that the country gentry, the duchy or both represented the important political elements. Doubtless, the position of both was related to the political and economic considerations of the moment. But it seems to have been the usual practice of towns only to nominate an outsider for one seat. Of seventy-five instances between 1529 and 1558 where the origins of both candidates for boroughs connected with the duchy are known, 47.50 per cent elected one local and one "foreigner", 29.33 per cent returned two West Country-men and only 20.00 per cent of the elections show both to be outsiders. An analysis of Cornish boroughs unconnected with the duchy for the same period, based upon a sample of twenty-five returns, demonstrates that in 40.00 per cent of the elections both men were local, in 36.00 per cent of them one local and one "foreigner" were returned, while only in 24.00 per cent of the elections were both men "foreigners". For the Parliaments of Elizabeth the trend toward mixed elections, one local and one "foreigner", or to the election of "foreigners" exclusively, became more pronounced. Based upon a sample of 120 elections in duchy connected towns, 47.50 per cent of them were mixed, 31.66 per cent returned two "foreigners" and only 20.83 per cent of the elections actually returned two local men. In non-duchy boroughs for the same period, using a sample of
twenty-five, 51.11 per cent of the elections returned one local and one "foreigner", in 37.77 per cent of the cases, both representatives were local and in only 11.11 per cent were both alien to the west.

The return of a man who was not linked to the West Country by family or birth does not automatically imply that he was placed by influence of the duchy or another patron. Personal representation, business interests or even friendships could lead to nomination. However, the significant percentage of elected members alien to the west suggests the continued activity of patrons whose interests extended beyond the bounds of county politics. The picture that emerges of the electoral history of Cornish boroughs in the sixteenth century is complex. Patronage was not concentrated in one office or one individual, but was distributed among several political elements, the court, and its administrative extensions, such as the Exchequer, the duchy and local gentry, in a flexible matrix which readily adapted to the political exigencies of the moment. The recipient of the offices of High Steward and Lord Warden did not fall into a patron's paradise. As in other spheres of duchy authority, there was balance between the central administration based upon London, and local interests. The head of the duchy was in a strong position; he was the most influential and powerful representative of the court in the duchy's administration, but he was not always in a commanding position.
The swift changes which occurred in duchy administration after 1603 had a decisive effect upon the nature of political patronage and the ways it was employed. At last there was an heir. Phoenix-like, the duchy quickly grew from an important regional institution to one that had national significance. As lost lands were recovered, and new estates added, its revenues increased. Raleigh was expeditiously replaced by William Herbert, earl of Pembroke. The Herbersts were tenacious in office: Phillip, William's brother, succeeded him in 1630. Both were Parliament men. They inherited the extensive patronage network available to the duchy and doubtless felt they had secured a lucrative prize which would extend their already ambitious political activities. In fact, by 1610 virtually the whole of the political influence available to Herbert as Lord Warden and High Steward passed into other hands as the office became subsidiary in an expanded and changed duchy hierarchy.

Under the Stuart Princes authority for administering political affairs passed from the hands of the Lord Warden to a Council. First constituted in 1611, it automatically ceased to function on the death of Prince Henry in the following year. When Henry's younger brother, Charles took seisin of the duchy in 1616, it was revived, and remained until the abolition of the duchy in 1650. A chancellor, the first was Sir Francis Bacon, presided, and the Council possessed a secretariat and legal staff. Officials of the
Prince's household, as well as the solicitor, attorney and Receiver-General of the duchy gained membership, but in a signal omission the Lord Warden was excluded. The puritan sympathies of the Herberths may have alienated Charles, or perhaps their increasing opposition to Buckingham. The powers of the Lord Warden and High Steward did not disappear; with consent of the Council a few offices were at his disposal.

The Council took complete control of the duchy's interests in Cornish boroughs. The evidence is more detailed in contrast with the material available for the sixteenth century. On 1 December, 1620 the Council sent instructions to William Roscarrock, Havenor, and Richard Billing, duchy Feodary:

After our very hearty Commendations. These are to will you to make known with all speed to the Mayors, Bailiffs or other Chief Officers of the Boroughs here under named that the Prince his highness knowing it to belong unto their election one person for every of the said Boroughs being some of them of Eminent place and all of approved sufficiency and integrity as befits the Judgement and sincerity of him that commends them. See you perform this service with all care for his highness expects not to be disappointed. . . .

It was signed by six of the Council, including Hobart. One member was recommended for each of the fourteen boroughs. In addition to those discussed above, there was also a nominee for Plymouth in which the duchy had recently revived certain rent claims, but had then surrendered them formally to the town. In fact, the Council's candidate was rejected in favour of two townsmen. Most
of the nominees were household officials of the Prince, duchy officers or the King's servants. Robert Nauton, Fulke Greville, Edward Coke, Heneage Finch and Lionel Cranfield were the crown ministers nominated. The duchy was represented by Thomas Trevor, John Walter and Oliver Cromwell. Henry Fane and William Noye, who served the Prince's household, were also included. Four others held no important crown offices, but gained recommendations because of their support for King and Prince. John Walter and Thomas Trevor helped prepare the list. Five of the nominees were either Cornish or from the West Country. Only three, Thomas Bond of Launceston, John Walter for East Looe, and Sir Robert Carewe for Grampound actually were elected by the boroughs solicited. Another four, Coke, Noye, Finch, and Fane were returned for different constituencies on the list. There are five towns for which no returns are extant. At least one nominee was disappointed because Bossiney elected Thomas Gewen, a local and duchy auditor, but he was not included on the original schedule.

It is obvious that a good deal of negotiation took place after the original order went out; the Feodary and Havenor, as local agents, were well placed to carry out discussions. Whoever made the final arrangements, it is clear they were rewarded with remarkable success. Of the nine boroughs for which we have a result, all elected either the person nominated, someone on the list or in the case of

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Gewen, somebody connected with the duchy. For the first time decisions concerning political patronage were concentrated in the hands of a single body. The local gentry still had every opportunity; inspite of fourteen nominations by the Council there remained another twenty-eight borough as well as the two county seats to be filled. The significant difference between Tudor and Stuart practice is probably not one of numbers. Rather, it is the concentration of authority over the duchy's established patronage rights in a single body in London. It meant that the Prince possessed an instrument capable of manipulating these elections in order to serve his own policies. Under the Tudors the right to duchy political patronage was simply too diversified to allow it to be employed in this way.

By 1620 the crown had been buffeted badly by Parliament. The Council, after all, was not only providing for the servants of the Prince. On the defensive, the court rightly feared the intentions of a new Parliament. The Council thus was moved to exploit all the political patronage at its disposal. In the Addled Parliament of 1614, the crown counted on the support of some twenty members of the forty returns found, but many of these were not connected with the Prince, duchy or crown. They were simply local men whose inclinations were to support the King. In a period of mounting crisis, the court could not afford such haphazard methods.
For the Parliament of 1624 the duchy Council again prepared a schedule of candidates. On 1 January of that year letters again went out to Billing and Roscarrock. They were much like the one of 1 December, 1620, except they contained an additional, and deliciously telling, sentence ordering them "to serve these our letters to the several Mayors and Burgesses of the said towns, but to detain them in your own keeping," a hint that indeed this was not an entirely conventional business. The schedule was directed to the same thirteen towns and to Plymouth. As before candidates were either servants of the Prince's household, connected with the crown or duchy officers. John Walter and Thomas Trevor again represented the duchy, while Sir Richard Smyth, the duchy Receiver-General, was recommended for Plymouth. Once again the borough asserted its independence by spurning the request; the corporation returned a townsman and a Tavistock man. From the Prince's household came Sir Francis Crane, Thomas Cary and Sir William Croftes. The King's servants included Sir Julius Caesar, Sir John Sucklyn and Richard Weston. Two purely personal nominees, Sir John and Myles Hobart, suggest the influence of Sir Henry, who signed the letter with James Ley and other councillors. Five boroughs; West Looe, St. Ives, Camelford, Newport and Grampound did not elect anybody on the schedule. Camelford, however, did return Sir Francis Cottington, Secretary to the Prince, and duchy Council member. This was almost certainly a late
nomination. Only three candidates were recommended. Of the four nominees who did not find a Cornish seat, three managed elsewhere.

On the same day the duchy Council, which also administered many manors given by James to augment the Prince's revenue, sent recommendations to eleven other seats. Only one of these, Coventry, had a direct connection with the ancient duchy. It owed £50 a year as a fee farm rent for itself and held the manor of Cholesmore from the duchy. The earl of Leicester had secured this favour in 1568. The Council recommended Sir Thomas Edmonds, but in fact Coke was returned. The former was of a West Country family, his father being customer for Plymouth and Fowey. As Treasurer of the King's household, Sir Thomas was an important figure who might fully expect a seat. By 1623 Coke had earned the lasting displeasure of the King, only gaining his freedom from the Tower in 1621 by the intercession of Prince Charles. As Recorder of Coventry his influence was great, and he was returned. The other representative was a local mercer. Sir Thomas finally found a seat at Chichester. Other requests were sent to the city of Chester and to the honour of Pontefract and four manors, Beverley, Knaresborough, Boroughbrigg, and Oldborough, attached to it. The Council gained these victories, though again there was a shuffling of names and the substitution of Sir Henry Cary for Henry Fane, who opted to sit for Carlisle. Other letters were directed to the city of Warwick, Bury St.
Edmunds and to Hertford. Placing a nominee was far from automatic. Sir Francis Cottington was recommended to Chester, Warwick and Bury St. Edmunds. Warwick seems to have ignored the Council's request, while at Bury St. Edmunds the steward, John Mallowes, ran into opposition from a rival candidate. When Mallowes reported that the borough had already chosen Sir Thomas Germyn, the Council replied,

his Highness is pleased to have the Town to understand that he is far from intending prejudice to Sir Thomas Germyn in that case, for he esteems him much; therefore it will please his Highness well that they proceed to choose Sir Thomas Germyn for the other Burgess with Sir Francis Cottington, and so both may be well satisfied.

Nevertheless, Cottington finally had to be placed in Cornwall.

Hertford was deliberately encouraged to accept the electoral franchise by the Council in part so that a nominee could be placed. On 17 February, a letter was directed to the burgesses urging them, with the support of the Prince, to return members as they had ancienly. A separate letter suggested that Sir William Harrington, steward of the manor, be elected as one of the town's representatives. The burgesses, for all their political inexperience, demonstrated adroit sense, accepted the franchise, but failed to return Sir William. However, Thomas Fanshawe was elected. This may have been a compromise candidate for Fanshawe could claim connection with the county, owning property there, as well as being a
faithful ally of the Prince, and holding the family office of remembrancer of the Exchequer. The earl of Northampton, President of the Council of the marches of Wales, was successfully petitioned to secure one seat at Bewdley in Worcestershire. On the other hand, viscount St. Albans was either unwilling or unable to aid in the election of the Council's nominee for St. Albans. These seats outside Cornwall had no historical connection with the duchy. An exception is Coventry, but nobody associated with the duchy was returned for that borough in the sixteenth century. Most of the boroughs were connected with manors which the King had made over to Charles in 1617 in order to augment his revenue. Once Charles became King they were merged once again into the Land Revenue Office in the Exchequer.

The efforts of the Council in these two elections to gain seats for its clients met with remarkable success. Unfortunately, the record is silent for the remaining three Parliaments of the 1620's. Certainly, the duchy continued to exercise an interest in candidates and elections, but it is difficult to know if in fact a particular individual was a specific Council nominee. Since it continued in existence even after Charles became King, there is nothing to suggest, on the other hand, that anything occurred to curb the Council's political activities. Many of the members for Cornish boroughs also were duchy and crown officers. The diverse strands of power and political patronage which
were united in the Council after 1616 did not affect the fundamental nature of the political process in Cornwall or any of the boroughs under its control in quantitative terms. What is unique is that decisions were concentrated in a few hands, and that those choices were made in order to aid in the return of a Parliament with which the crown could hope to deal successfully. Burgesses or local gentry were not afraid sometimes to reject a suit from the Council. While in a unique position to exploit its advantages, the duchy could not expect an automatically favourable response. Certain conventions, at least broadly, had to be obeyed. Passive consent of the gentry was always needed. When possible candidates who had connections with the west were nominated. However, the suggestion that local representation actually increased from 1603 to 1660 over that for the period 1547 to 1603 must be rejected. There is little difference in the pattern of representation until 1640. That year was the annus mirabilis in Cornish politics. The lists of nominees urged by the Council for both the Short and Long Parliaments, with a single exception, were rejected completely. In the tumultuous decades of the 1640's and 1650's the percentage of local men sitting for Cornish seats increased markedly, as duchy political influence disappeared.
NOTES


6Ibid., pp. 91-100.


8John Lilburn, London's Liberty in Chains Discovered (London: Abel Roper, 1646), p. 53. He further complained that the prerogative of the crown to grant charters to "paltry Towns" allowed a man to buy a seat for £40 or £50 in places inhabited by "Ale-housekeepers, and ignorant sots. . . ."


Ibid.

S.C. 6/93.

S.C. 6/91.


Each of them was situated upon a duchy manor. Small towns, Bossiney or Saltash for instance, were an integral part of the agrarian economy surrounding them.


Ibid., pp. 122-123.

Ibid., p. 140.

Ibid., p. 216.

Cal. Pat. Rolls, Elizabeth, 6, 268.


Local historians have noticed no change in the economic fortunes of these towns. See for example, Thomas Bond, Topographical and Historical Sketches of the Boroughs of East and West Looe in the County of Cornwall (London: J. Nichols, 1823), pp. 3 and 59. A useful electoral history of Saltash can be found in Samuel Carpenter,

Helston, Liskeard, Lostwithiel and Launceston all returned members at the beginning of the sixteenth century. The latter was split into two boroughs, Dunheved, a decayed duchy castle, and Newport. Bodmin and Truro, both unconnected with the duchy, also returned members at the beginning of the sixteenth century.


D.C.O., Receiver-Generals' Accounts, Roll 263.

The manor was actually granted to Thomas Evance. See Cal. Pat. Rolls, Elizabeth, 6, 265. He probably sold the patent to George Blythe, who was consistently listed as the farmer. See D.C.O., Receiver-Generals' Accounts, Roll 243.

D.C.O., Receiver-Generals' Accounts, Roll 269.


Cornwall County Record Office, D.D. MK. Acc. 821.

Cornwall County Record Office, Coryton Papers (uncatalogued), appointment of William Coryton as vice-warden, 12 December, 1629.

D.N.B., Vol IX, pp. 113-114.

The earl of Bedford gained the office of Lord Lieutenant for Cornwall in 1559. Certainly, he would have played an important role in the politics of the county. At once it is an indication that the Russells again enjoyed a promising future; Hastings' star was obviously falling. Raleigh gained the office in 1587, a year after he became High Steward. For the office of lord lieutenant see Gladys Scott Thomson, Lords Lieutenants in the Sixteenth Century, A Study in Tudor Local Administration (London: Longmans, Green and Co., 1923), pp. 31, 48 and 50.

It was Dodderidge who acted for the crown in the Star Chamber case concerning the pre-emption of tin in 1606. William Paley Baildon (ed.), Les Reportes del Cases in Camera Stellata, 1593 to 1609 (Privately Printed, 1894), p. 304.

Parliamentary Representation of Cornwall to 1832 (London: J. Pettitt and Co., 1889); and Parliaments of England, 1213-1702 (London: House of Commons, 1878), Part I; but the biographies of the Parliamentary Trust have been consulted in the first instance in an overwhelming number of cases, and appeal to them has been made in all cases of conflicting data from other sources. Their chronology has been adopted.

54 Ibid.


56 Ibid., pp. 396, 389 and 403.

57 Biographical data derived from The History of Parliament Trust.

58 Ibid.


62 Occasionally, only a deputy is listed or the entry is simply blank. However, the lists are virtually complete. The eight were Bosinney, Helston, Lostwithiel, Camelford, Saltash, Launceston, Liskeard and Grampound.

63 Lostwithiel, Newport and Saltash also elected mayors.

64 Based upon a survey of biographies of members returned for Cornish boroughs between 1529 and 1558 in History of Parliament Trust.


Membership of the Council constantly changed, but initially it was composed almost entirely of duchy and Charles' household officers.


D.C.O., Letters and Warrants, 1620-21 (MS), 1 Dec., 1620.

Tbid.

E. 306/12, f. 1.


Cal. Pat. Rolls, Elizabeth, 4, 253. E. 306/6/8. It was sold as a fee-farm at 59 a year.

T.W. Whitley, The Parliamentary Representation of the City of Coventry from the Earliest Times to the Present (Coventry: Curtis and Beamish, 1894), pp. 71-72.

Tbid.


D.C.O., Letters and Warrants, 1623-1626 (MS), 28 Apr., 1626.


D.N.B., Vol. VI, 1054.


Tbid., p. 37.

87 D.C.O., Letters and Warrants, 1639-1643 (MS), 21 Feb., 1640, and Ibid., 5 October, 1640.
CONCLUSION

This study has explored the political, administrative and economic role of the duchy of Cornwall in the early-modern period. Its constituent elements, the extent of its lands, the nature of its prerogatives and regalities and its function in the tin mining industry and trade have been explored in depth. The nature of the duchy's administration, the number and kinds of offices, and the people who held them have been surveyed. The institution has been placed in the context of early-modern government; the varying influence upon it of successive crown agencies and individual ministers has been discussed. The economic potential of the duchy has been measured against the particular aspirations of those who controlled its actual performance. Comparisons and contrasts have been drawn with the governance of crown lands generally and the duchy's policies toward its estates during the reign of James I have been examined very closely. Finally, its role in the tin trade and the subsequent grants from 1601 of a monopoly in that commodity have been analysed.

The political role of the duchy sustained major changes in the sixteenth century. Even at the beginning of the Tudor age it was the most important crown institution in the Southwest. This position was enhanced in 1540 when an additional twenty-seven estates, virtually all of them
in Cornwall, were added to it by Parliamentary act. This move decisively shifted the balance of the duchy's landed income to property located in the Southwest. Since many of the new estates were formerly held by the marquess of Exeter, the last great magnate from Devon and Cornwall in the period, the duchy emerged after 1540 as the single most important landlord in the area. The Lord Warden of the stannaries and High Steward, the most important officer in the duchy, was naturally a crown appointee, and successive Tudor monarchs refrained from choosing anyone with exclusively western ties until Elizabeth eventually appointed Sir Walter Raleigh to the post in 1585. The lands and prerogatives concerning the administration of the tin industry possessed by the duchy provided the crown with an abiding reservoir of patronage with which it could reward individuals. The manorial courts, Cornish hundreds and the stannary districts in Devon and Cornwall as well as numerous other posts all required the services of deputy stewards and bailiffs. These positions provided local inhabitants with a cursus honorum, prestige and occasionally, lucrative rights.

In addition to patronage, the duchy also exercised a substantial measure of political influence over those who occupied the thousands of acres in its possession. From the soke of Kirton in Lindsey in Lincolnshire to Sussex and west to the Isles of Scilly, the duchy controlled what was probably the largest private estate in England. The many
tenants who held by copyhold, lease or at the will of the lord were subject to control so long as they wished to maintain their various tenancies. The duchy was consistently anxious to enforce and maintain manorial discipline. The bounds of the manor, the lord's right to heriots, the exclusive privileges of manorial mills were carefully recorded and protected. At the same time the crown adopted a paternalistic attitude toward the poor and attempted to protect all its tenants from incursions of private landlords or other royal servants.

The duchy also exercised important political patronage by nominating parliamentary candidates to boroughs which were connected to it. There is no clear, decisive evidence for the manipulation of this patronage prior to the second decade of the Jacobean monarchy. Exactly why the Edwardian and Marian regimes chose to augment Cornish representation remains unanswered. It is clear that there did not exist any dynamic economic or social reasons for the extension of the Parliamentary franchise to so many modest, unremarkable Cornish hamlets and towns. Whether it was an attempt to appease an area which was politically volatile or simply to provide safe seats for relatively weak mid-Tudor monarchies in need of Parliamentary support cannot be determined. However, it is clear that the result of making Cornwall the most represented county in England was to place the duchy in a position of a political patron. Many of the Cornish Parliamentary boroughs were small, poor towns which may
well have welcomed candidates who were capable of paying their own election expenses. In fourteen boroughs the duchy offered the name of one of the two representatives for most of the Parliaments after 1614. Though there were obvious last-minute changes proposed in both the Parliaments of 1620 and 1624, the duchy's clients were virtually all returned. It was not until the Short Parliament of 1640, after the era of personal rule, that the Cornish boroughs completely rejected duchy nominees in favour of their own choices. Nevertheless, the period between the Addled Parliament of 1614 and the Short Parliament of 1640 witnessed a remarkably successful, concerted campaign to ensure that duchy influence was systematically exercised on behalf of the Prince to return men friendly to the Stuart cause.

The administration of the duchy yields an insight into the nature of Tudor-Stuart government. With the exception of the office of Lord Warden, its other appointments were typical of great landed estates or that section of the Exchequer which dealt with crown lands, the Land Revenue Office. Just as with other royal servants, none of the major officers of the duchy were either wholly in its employ or professional. As on crown estates, most of the financial and legal functions were performed on an occasional basis by individuals who carried the burden of crown administration in addition to their own affairs. Duchy estates conformed to the general pattern in England; they were scattered and

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presented similar problems concerning diverse forms of tenure as well as a variety of local topographic and economic conditions which affected the relationship between lord and tenant.

Though the duchy was always unique in terms of its purpose and the peculiar entail of its founding charter, its administration was not unlike that of crown lands generally. Between the death of Prince Arthur in 1502 and the grant of livery to Prince Henry in 1611, it was an adjunct of Tudor and Stuart monarchies. It was severally attached to the Office of General Surveyors, the Court of Augmentations and finally, the Exchequer. It is significant that an examination of the costs of administration, though constrained by the inherent difficulties of early-modern accounting procedures, suggests that it was in fact an expensive exercise. The layers of administration, the custom of paying for individual tasks rather than a priori skills, and the generally token salaries induced crown servants to charge as much as possible for the tasks they performed. The amounts actually paid to them may have declined slightly by the last decade of the sixteenth century when the government was forced to raise money for the Irish war and began to be troubled by the effects of inflation. Because of the latter the seemingly small decrease in the rewards paid to royal officers was in real terms greater and undoubtedly added to the problems faced by the new Stuart dynasty.
Duchy administration was naturally divided between London and the outlying estates. While it is important to remember that this distinction was not always clearly defined or static, it is apparent that this division existed and amplified under Stuart rule. On the one hand were those officers who were directly responsible to the sovereign or prince, those whose powers were extra-manorial and extended to the whole of the duchy. These included the Lord Warden, Receiver-General, attorney-general and auditor. They formed a nucleus around which a small, but prominent London establishment existed. Collectively, these officers were directly responsible to the monarch or prince for the affairs of the duchy.

Local duchy administration was centred upon its many manors, honours and liberties. Though manorial courts had virtually lost all influence in matters of criminal law, in theory they were still vitally important as guardians of traditional forms of tenure such as copyhold and tenants at will. However, the inrolments, which were supposed to be copies of the manor court roll taken by the auditors and incorporated into the ministers' accounts may have actually displaced the manor court insofar as they became the most reliable source for recording information about tenures, tenants and their rights and obligations. The work of the Receiver-General and the auditors thus had a significance beyond the merely financial. It conferred upon them quasi-legal powers and provided a powerful hold
over all tenants who could not escape either by taking a
leasehold or possessing a form of free tenure. Other
local officers, the havenor, feodary and coinage master
all possessed powers which allowed them to administer the
franchises and regalities which had been delegated to the
duchy in Cornwall. These powers and the imposing array
of coinage halls in Helston, Truro, Liskeard and Lost-
withiel made the duchy the primary local expression of
royal authority in the West Country.

The rehabilitation of a Council by Prince Henry and
then by Prince Charles in 1616 further emphasised the
distinction between a London and a purely local adminis-
tration. Not only did the Council pre-empt the executive
powers of the Lord Warden, but it became the focal point
for the planning of general financial strategy. Though
there had been occasional Councils from the period of the
first duke of Cornwall through the principate of Prince
Arthur, eldest son of Henry VII, these were little-known
institutions which served the specific purposes of their
creators and left few precedents. The Carolingian Council
could thus assume whatever powers and prerogatives the
Prince wished, and he bestowed upon it full executive
authority over the financial and administrative affairs of
the duchy. The personnel of the Council was drawn from
the household of the Prince, those with special legal
expertise, and, with the exception of the Lord Warden, the
chief officers of the duchy.
The Council created by Prince Charles proved a high road to favour and preferment when he succeeded to the throne. Thomas Trevor, John Walter, and Francis Cottington all achieved importance under Charles as King. In a period when individuals collected royal appointments, no one office on the administrative ladder may be considered crucial. Yet it is true that those who served the Prince had both the opportunity of knowing him and sharing the distinction of implementing successful financial policies which quickly enhanced his income. Against a background of political disorder and financial strain, this success must have seemed all the more apparent to the young heir. The unprecedented decision by Charles I to continue the duchy Council after he succeeded to the throne demonstrates his earnest regard for the independence of the duchy and his esteem for the accomplishments of the Council.

The duchy represented a continually important source of cash for both the monarchy and an heir apparent to the throne. Henry VIII could deploy its wealth to provide part of the sea-borne defenses of the 1520's and later base the costs of building the castle of St. Mawes and keep a garrison in the Isles of Scilly. However, the decline in duchy receipts after 1536, which resulted from diminished tin production, was left unchecked throughout the Tudor period. Because they produced no heir to the throne who actually took livery of the duchy after the death of Arthur, the Tudors chose to employ its resources for political purposes.
and as a means of distributing royal patronage to the locally influential. By the end of Elizabeth's reign the duchy had been reduced to an appendage of the Exchequer with little control over its own financial affairs. Some of its estates had been sold and the initial grant of the tin monopoly in 1601 brought two years of chaos, faction and violent swings in the metal markets as various groups worked to destroy the hasty actions of the crown.

Evidence provided by six of the seventeen conventionary manors suggests that the traditional relationship between the crown and duchy tenants upon the manors changed significantly after 1570 in favour of the lord. An increasing population produced pressure at Helston in Trigg, Helston in Kerrier, Stoke Climsland, Koresk, Trematon, Calstock and Liskeard which doubled rents between 1570 and 1600. The seeming stability upon other duchy manors may well only reflect forms of tenure which had become stereotyped and did not allow changing circumstances immediately to influence rent levels. It would hardly be plausible to extend the conditions upon these few Cornish manors to the whole of the duchy or crown lands generally. Local conditions still varied enormously. However, these estates do suggest a trend which signalled the passing of the economic initiative to the lord of the manor. If indeed the change was widespread, it is clear that Tudor crown servants did not recognise it. While assessmentary rents increased, other duchy manorial receipts remained stable. In the hands
of the Elizabethan Exchequer, especially under Burghley, there was simply no attempt to take advantage of these changes and matters were allowed to drift until the end of the century.

Changes in crown attitude toward rents were the result of three factors. The government after 1600 found itself financially embarrased. The late Elizabethan regime and that of James I were savaged by inflation. James I, unlike his Tudor predecessor, had sons. This gave him an important initial political advantage; the succession question had been one of the most troublesome of Elizabeth's reign. However, James of necessity had to ensure that his heirs enjoyed the full dignity and honour of their place. This, too, meant increased expenditure. In an attempt to consolidate the revenues of the duchy, the crown from 1605 commenced a programme of surveying its lands. Under the direction of John Norden, the well known cartographer, a series of exact reports were assembled which provided duchy ministers with precise information concerning the size and number of tenants, their situation, and the value of their property. When Prince Henry took livery of his lands in 1611, and Charles succeeded to the duchy in 1616, these reports provided the basis upon which economic policies could be formulated.

The duchy Council was in a unique position to increase landed revenues. Once Charles had been granted livery in 1616, the Council insisted that all former tenancy agreements,
including leaseholds were no longer valid instruments
because they had not passed under the Prince's seal.
Tenants were forced to compound again for their title and
the Council used the information gathered by Norden and
other surveyors in order to extract greater fines.
Freeholders did not escape; a benevolence was levied upon
them when the Prince received livery in 1616. The results
produced were little short of spectacular as duchy landed
revenue between 1610 and 1620 actually trebled. The
ability of this body must have made an impression on the
young heir to the throne as it solved financial problems
within the duchy which on a national scale had continuously
defied James from virtually the beginning of his reign.

The Council also jealously guarded the prerogatives
of the duchy in the face of challenges both from other
landlords and the crown. It ensured its rights to wardship
and escheat in Cornwall and profited by exploiting the
right to wreck there. Most importantly, it vigorously
pursued the policy initiated by the Exchequer under Dorset
of recovering lands which had been illegally sold by
Elizabeth. Between 1605 and 1625 over thirty-five separate
legal actions were either threatened or initiated. At the
same time the Council enforced manorial discipline upon
the estates under its control. Tenants were reminded that
they must use the manorial mills for grinding their corn
and disputes between the manorial steward and tenants were
referred to the body for resolution. In this way, the
Council assumed the role of a quasi-court of law and opposing counsel actually argued before it. Also, it acted on behalf of poor tenants in a spirit of benevolent paternalism and continually protected all from any incursions by other crown agencies.

The pre-emption of tin, first awarded in 1601, was reorganised on a much more profitable basis by the Council. The delicate economic balance between traders, mine owners and mine workers was never easy to resolve. The grant of the tin monopoly was partially a recognition of the new economic order emerging as the increasing amounts of capital required for tin mining could only be provided by London merchants. Though Cornish families such as the Godolphins had grown rich in the industry, they had diminished throughout the sixteenth century. They could no longer exclusively sustain its capital requirements by 1603 as mines became deeper and more complicated. It was natural that merchants should demand an increased role in the affairs of the industry.

The Council was forced to measure its own financial requirements against the demands of the merchants and the needs of the industry. Insofar as it was possible, the Carolingian Council did attempt to safeguard the small producer and worker. However, the surrender of the coinage apparatus to the syndicate running the monopoly in 1621 left the miners almost completely at the mercy of the London merchants. However, as in other spheres, the
Council's attitude was one of benevolent paternalism and after 1637 the Council began annually to distribute sums to poor tanners. Though it was unable to resolve wholly the conflicts between the various economic factions, the policy of the pre-emption was a financial success which demonstrated how well this prerogative could be exploited.

Whether or not Charles was willing to attempt to come to terms with Parliament, despite the repeated, abject failures of his father, it is clear that as Prince of Wales his duchy experience had previously exposed him to economic and political policies which to a considerable extent had successfully dealt with his own financial problems during the years of the principate. Whatever his intentions toward Parliament, he carried the knowledge of those successes with him when he became King and the policies of the 1630's bear a striking resemblance to those initiated by the duchy Council.

Throughout the early-modern period the duchy repeatedly demonstrated two characteristics, an ability to survive and a vitality which allowed it a greater constitutional and economic role when a monarch or an heir apparent demanded. In the sixteenth century it was exclusively the creature of the crown. Deployed as a bulwark of royal authority in the Southwest by Henry VII and Henry VIII, it was allowed to slip into the orbit of the Exchequer by Elizabeth. Seemingly moribund in 1600, by 1625 it had become an integral part of the Jacobean political scene with an
ability to innovate financial measures almost alone successful amongst the wreckage of James' policies.
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Charles now eldest soenn of the moste pulsant
James king of Greate Britaine, France and Ire-
lande and now Duke of Cornwall within the coun-
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S.C. 6/58-60, 79-93, 112-114, 172-173, 181, 200, 234-
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APPENDIX A

A list of Lord Wardens with the date each entered office.

Robert Willoughby, Lord de Broke 1502
Sir Henry Harney 1515
Henry Courtenay, marquess of Exeter 1523
Sir John Russell 1539
Sir Edward Hastings, baron Loughborough 1556
Francis, earl of Bedford 1572
Sir Walter Raleigh 1585
William, earl of Pembroke 1604
Philip, earl of Pembroke 1630

APPENDIX B

A list of Receiver-Generals with the date each entered office.

Sir Richard Nanfan 1503?
Sir John Arundell 1515
Sir Thomas Arundell 1533
Sir Henry Gate 1553
Sir Edward Waldegrave 1553
Sir John Cosoworth 1553
Thomas Cosoworth 1574
Sir Francis Godolphin 1586
Sir Richard Smyth (or Smythe) 1604
Thomas Smyth (or Smythe) 1618
Sir David Cunningham 1637
Robert Naper 1638
Richard Nicoll (appointed by Parliament) 1643
Arthur Upton (appointed by Parliament) 1646
George Crompton 1650
Gabriel Tailor 1650
APPENDIX C

A list of Auditors with the date each entered office.

Guthlac Overton 1508
John Turnor 1508
Robert Hennage 1543?
Thomas Mildmay 1543
Walter Mildmay 1547
John Conyers 1567
William Neale 1574?
Robert Paddon 1590?
Nathaniel Fulwer 1602
Richard Connock 1603
Thomas Geven 1622
Henry Ashworth 1633
John Downes 1633
William Loving (replaced Ashworth) 1645

APPENDIX D

A list of Attorney-Generals of the duchy with the date each entered office.

John Mordaunt 1490
William Esynston 1511?
William Huddall 1515
Sir Robert Southwell 1515
John Baldwyn 1529
Sir Richard Riche 1532
John Cocke 1532
John Penne 1551
Stephen Brenta 1567?
Thomas Harrison 1599?
Hannibal Vivian 1601
Gilbert Mitchell 1603
Thomas Fleetwood 1604
Thomas Stephens 1605
John Walter 1615
William Noye 1632?
Sir John Bankes 1634
Richard Lane 1635

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APPENDIX E

A list of Havenors with the date each entered office.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date Entering Office</th>
<th>Date Leaving Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Wallshe</td>
<td>1485</td>
<td>John Cliff</td>
</tr>
<tr>
<td>John Monkeley</td>
<td>c. 1493</td>
<td>Peter Killigrew</td>
</tr>
<tr>
<td>John Thomas</td>
<td>1515</td>
<td>Joseph Killigrew</td>
</tr>
<tr>
<td>Henry Pennage</td>
<td>c. 1516</td>
<td>Sir John Killigrew</td>
</tr>
<tr>
<td>John Amodas</td>
<td>1517</td>
<td>Robert Langdon</td>
</tr>
<tr>
<td>William Reskymer</td>
<td>c. 1549</td>
<td>William Roscarrock</td>
</tr>
<tr>
<td>Henry Killigrew</td>
<td>1552</td>
<td></td>
</tr>
</tbody>
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APPENDIX F

A list of Feodarys with the date each entered office.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date Entering Office</th>
<th>Date Leaving Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sir Richard Edgecombe</td>
<td>1485</td>
<td>William Killigrew</td>
</tr>
<tr>
<td>Peter Edgecombe</td>
<td>1502</td>
<td>Richard Billing</td>
</tr>
<tr>
<td>Roger Holand</td>
<td>1502</td>
<td>John Sorrell</td>
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<tr>
<td>Sir Hugh Trevanion</td>
<td>1539</td>
<td>Robert Langdon</td>
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<tr>
<td>Hugh Trevanion</td>
<td>1551</td>
<td>Stephen Smyth</td>
</tr>
<tr>
<td>Edward Trevanion</td>
<td>1574</td>
<td>Henry Carew</td>
</tr>
<tr>
<td>Henry Carye</td>
<td>1576</td>
<td></td>
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APPENDIX G

A list of Assay Masters and/or controllers of the coinage.

<table>
<thead>
<tr>
<th>Name</th>
<th>Date Entering Office</th>
<th>Date Leaving Office</th>
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</thead>
<tbody>
<tr>
<td>Thomas Hourde</td>
<td>1485</td>
<td>William Isham</td>
</tr>
<tr>
<td>William Treffry</td>
<td>1485</td>
<td>James Godolphin</td>
</tr>
<tr>
<td>Michael Vivian</td>
<td>1504</td>
<td>John Bonython</td>
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<tr>
<td>Thomas Arundell</td>
<td>1508</td>
<td>Hannibal Vivian</td>
</tr>
<tr>
<td>John Glyn</td>
<td>1509</td>
<td>John Verdon</td>
</tr>
<tr>
<td>Sir Hugh Trevanion</td>
<td>1509</td>
<td>Edward Leech</td>
</tr>
<tr>
<td>Sir William Godolphin</td>
<td>1520</td>
<td>Richard Bonython</td>
</tr>
<tr>
<td>John Godolphin</td>
<td>1520</td>
<td>Sir Simon Harvey</td>
</tr>
</tbody>
</table>

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## APPENDIX H

**Tin Production (in pounds)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Cornwall</th>
<th>Devon</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1510/11</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>1512/13</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>1513/14</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>1514/15</td>
<td>1,175,632</td>
<td>357,903</td>
<td>1,533,540</td>
</tr>
<tr>
<td>1515/16</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>1516/17</td>
<td>1,232,876</td>
<td>470,570</td>
<td>1,703,446</td>
</tr>
<tr>
<td>1517/18</td>
<td>1,190,437</td>
<td>462,009</td>
<td>1,652,446</td>
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<tr>
<td>1518/19</td>
<td>1,240,334</td>
<td>432,503</td>
<td>1,672,837</td>
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<tr>
<td>1519/20</td>
<td>1,191,058</td>
<td>457,102</td>
<td>1,648,160</td>
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<tr>
<td>1520/21</td>
<td>1,242,118</td>
<td>459,203</td>
<td>1,701,321</td>
</tr>
<tr>
<td>1521/22</td>
<td>1,222,076</td>
<td>476,104</td>
<td>1,698,180</td>
</tr>
<tr>
<td>1522/23</td>
<td>1,390,035</td>
<td>522,250</td>
<td>1,912,285</td>
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<tr>
<td>1523/24</td>
<td>991,349</td>
<td>461,023</td>
<td>1,452,372</td>
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<tr>
<td>1524/25</td>
<td>1,200,314</td>
<td>470,918</td>
<td>1,671,232</td>
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<tr>
<td>1525/26</td>
<td>1,327,464</td>
<td>491,220</td>
<td>1,818,684</td>
</tr>
<tr>
<td>1526/27</td>
<td>1,319,838</td>
<td>491,061</td>
<td>1,810,899</td>
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<tr>
<td>1527/28</td>
<td>1,321,674</td>
<td>478,128</td>
<td>1,799,802</td>
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<tr>
<td>1528/29</td>
<td>1,378,219</td>
<td>486,370</td>
<td>1,864,589</td>
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<td>1529/30</td>
<td>1,393,264</td>
<td>440,013</td>
<td>1,833,277</td>
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<tr>
<td>1530/31</td>
<td>1,340,546</td>
<td>427,650</td>
<td>1,768,196</td>
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<tr>
<td>1531/32</td>
<td>1,254,044</td>
<td>434,130</td>
<td>1,688,174</td>
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<tr>
<td>1532/33</td>
<td>1,224,196</td>
<td>462,500</td>
<td>1,686,696</td>
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<tr>
<td>1533/34</td>
<td>1,262,980</td>
<td>427,495</td>
<td>1,690,475</td>
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<td>1534/35</td>
<td>1,273,050</td>
<td>405,210</td>
<td>1,678,260</td>
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</tbody>
</table>

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<table>
<thead>
<tr>
<th>Year</th>
<th>Cornwall</th>
<th>Devon</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1535/36</td>
<td>1,330,540</td>
<td>409,902</td>
<td>1,740,442</td>
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<tr>
<td>1536/37</td>
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*These totals are derived from the Ministers' Accounts and Receiver-Generals' Accounts in the P.R.O. and D.C.O.*
Manor of Berkhamsted

Note: Until 31 Henry VIII the manor was outside duchy control.
Seventeen Assessionable Manors

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Manors of Trematon and Penmayne

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Manor of Liskeard

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Manors of Tybesta and Penlyne

Reproduced with permission of the copyright owner. Further reproduction prohibited without permission.
Manor of Tintagel
Graham Haslam was born in Little Hulton, Lancashire, England in 1943. He graduated from Abraham Lincoln High School, Seattle, Washington, in 1961. He matriculated to
the University of Washington, but his education was
interrupted by military service from 1966 to 1968. He
received his B.A. in history in 1969 and then attended
Western Washington University where he took an M.A. in
English history in 1972. He attended Louisiana State
University from 1970 until 1973. Since 1976 he has
served His Royal Highness Prince Charles, Duke of Cornwall
as librarian and archivist at the Duchy of Cornwall.
EXAMINATION AND THESIS REPORT

Candidate: Graham Haslam

Major Field: History

Title of Thesis: AN ADMINISTRATIVE STUDY OF THE DUCHY OF CORNWALL, 1500-1650

Approved:

[Signatures of Major Professor and Chairman, Dean of the Graduate School]

EXAMINING COMMITTEE:

[Signatures of Examining Committee members]

Date of Examination:

December 12, 1979

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