The Justices of the Peace of Surrey in National and County Politics, 1483-1570. (Volumes I and II).

William Baxter Robison III
Louisiana State University and Agricultural & Mechanical College

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THE JUSTICES OF THE PEACE OF SURREY IN NATIONAL AND COUNTY POLITICS, 1483-1570. (VOLUMES I AND II)

The Louisiana State University and Agricultural and Mechanical Col. Ph.D. 1983

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THE JUSTICES OF THE PEACE OF SURREY
IN NATIONAL AND COUNTY POLITICS, 1483-1570
VOLUME I

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
William Baxter Robinson III
B.A., Louisiana State University, 1976
M.A., Louisiana State University, 1977
December 1983

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ACKNOWLEDGEMENTS

I am especially fortunate to have worked for so long under the patient supervision of Professor Frederic A. Youngs, Jr., a fine scholar and a good friend. I have benefited greatly from his extensive knowledge of the Tudor period, especially with regard to local history, and from his always good-natured advice. It was he who first suggested that I conduct a detailed examination of Surrey politics in the sixteenth century, and he has skillfully guided the completion of the present stage of research and writing.

I am very grateful to Professor Robert A. Becker, a member of both my M.A. and Ph.D. committees, whose pointed but friendly comments on my work have always been very helpful, particularly with matters of argumentation and my prose style, which he and Professor Youngs have done a great deal to improve. Professor Karl Roide has been a good friend, has given me considerable good advice about teaching history, and was very helpful with the final stages of completing my dissertation. Dean Henry Snyder and Professor Benjamin Martin also made very useful comments on my work. In addition I would like to thank for their help Professors James Hardy, Patrick Lipscomb, and Sidney Cohen, who were all at various times members of my M.A. and/or Ph.D. committees.

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Beck and Mrs. Cork at the Guildford Muniment Room put up with me and an oversized microfilm camera for several days, allowing me to film a substantial portion of the Loseley MSS. there. Major James More-Molyneux was good enough to allow me to film the volumes of the Loseley MSS at Loseley House. The Folger Shakespeare Library also made available to me a microfilm of its Loseley MSS holdings. The staff of the Troy H. Middleton Library at L.S.U. was always helpful, especially Mr. Paul Wank, who obtained many items for me from the Center for Research Libraries and elsewhere.

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Finally I could not have completed the task of researching and
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All sources, where not otherwise cited, are from the Public Record Office. Standard P.R.O. abbreviations for document classifications have been used. A list of these is found in the Bibliography.
ABSTRACT

Surrey provides an excellent case study of the role of justices of the peace in national and county politics in England during the years 1473-1570. Ample documentation exists in the central government records and a rich local collection, the Loseley MSS., and the availability of similar studies for the bordering counties of Hampshire, Kent, and Sussex allows fruitful comparisons. Moreover, though the shire was pulled in many directions by overlapping political and ecclesiastical jurisdictions (e.g., shrievalty, lieutenancy, diocese) and by various regional affinities, there was in Surrey a distinct political county community, the integrity of which all of the Tudors found it necessary to respect through the political and religious upheavals of 1485-1570.

Richard III's wholesale purge of commissions of the peace in Surrey and other southern counties contributed to the discontent which erupted in the rebellion of October 1483 and eventually led to his overthrow. Wisely Henry VII restored to the bench the traditional leaders of the Surrey county community and only gradually added his own men. This moderate policy was followed in varying degrees by Wolsey, Cromwell, the Howards, and Henry VIII himself, by Somerset and Northumberland, and by Elizabeth. Even when the Catholic Mary at her accession removed several Protestant JPs, she left on the bench those Protestants with the closest ties to the county community, found it necessary to reappoint some of those removed, and even appointed some new JPs who were Protestants but also among the natural rulers of the shire.
Surrey's leaders in general proved loyal to the Tudors, notably Cromwell's conservative courtier-JP allies in the 1530s, and both Protestants and Catholics in Mary's troubled reign. There was, however, often a lack of amity among long-lived local factions, and various combinations centered on the Browne and Howard families respectively feuded, sometimes violently, for most of the period. Religion was less divisive than the struggle for political power, and loyalist Catholics frequently cooperated with Protestants. The first decade of Elizabeth's reign brought greater local harmony with the reconciliation of the dominant local factions headed by the Brownes, Howards, and Mores.
Until the middle of the twentieth century, English local history was generally the pursuit of the antiquarian and the vicar and only rarely that of the scholar. The compilers of the *Victoria History of the Counties of England* (V.C.H.), begun at the turn of the century, made the first serious inroads into this amateurism, but even the early volumes of the V.C.H. were not of the quality of more recent additions to the series. Though a number of constitutional studies drew upon local sources, as for example, J. E. Neale's *The Elizabethan House of Commons*, no one prior to the 1950s undertook a serious, detailed, chronologically limited study of a county, city, town, or village. To a large extent this was because of the primitive state of local archives -- the first modern, printed guide to a county archive appeared only in 1847–8 with the publication of F. G. Emmison's guide for Essex.¹

Within a decade of Emmison's pioneering work, there began a veritable boom in English local historical scholarship, which has continued for the last quarter of a century. The professionalization of English local archives has been almost universal -- most now have

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¹This and the following two paragraphs draw on information in Frederic A. Youngs, Jr.'s review of W. B. Stephens, *Sources for English Local History* (Totowa, N. J.: Rowman and Littlefield, 1973) and John Richardson, *The Local Historian's Encyclopedia*, rpt. (New Barnet, Herts.: Historical Publication, 1975) in *American Historical Review*, vol. 82, no. 4, pp. 956–7 (the publication of these two works is itself an indication of the new prominence given to local history); J. E. Neale, *The Elizabethan House of Commons* (London: Jonathan Cape, 1949).
printed guides to their holdings and are staffed by professional archivists, many of whom are also trained historians, including some (as in Surrey) with doctorates. There are a number of university programs in local history, notably that at Leicester University, and a number of general guides to the subject are now available to aspiring local historians. All this has made possible a vast amount of new research, which not only has made enormous contributions to knowledge of counties, towns, and so on, but has given a much fuller context to national history.

Local historians have made a number of important additions to the professional literature of the Tudor-Stuart era. In the 1950s W. G. Hoskins began the work in Devonshire and elsewhere which has won him a place as one of the grand old men of English local historical studies. At the same time an American, W. K. Jordan, began his studies of local government, which were carried further by his fellow countryman, Wallace T. MacCaffrey, Exeter 1540-1640 (1958) and Thomas G. Barnes, Somerset 1625-1640 (1961), the last of which is still one of the finest examples of political history at the county level.2

Since the early 1960s a wide variety of local studies have appeared as monographs, articles, dissertations, and theses. Local historians have taken a number of different approaches to their work. Among those working at the county level in the Tudor period, for

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example, A. Hassell Smith, County and Court: Government and Politics in Norfolk 1558-1603 (1974), emphasizes the political activities of JPs and the political relationship of the county community and the Court; Roger B. Manning, Religion and Society in Elizabethan Sussex (1969), stresses the religious conflict between Catholic and Protestant officials; and R. B. Smith, Land and Politics in the England of Henry VIII (1970), examines the role of landholding in the politics of the West Riding of Yorkshire. There have been several excellent studies of urban areas, including, for instance, Jordan's study of charities in London, and the edition of studies by Peter Clark and Paul Slack, Crisis and Order in English Towns, 1500-1700 (1972). Local historians have also tackled the difficult problem of examining the history of small villages, as for example, in Margaret Spufford, Contrasting Communities (1974), a study of three villages in Cambridgeshire, and K. Wrightson and D. Levine, Poverty and Piety in an English Village: Terling, 1525-1700 (1980).³

Local studies in the Tudor-Stuart era have concentrated especially on the period between 1503 and 1660, where an abundance of local hist-

tories have contributed greatly to the currently raging debates about the role and nature of early Stuart Parliaments, the origins of the Civil War, and indeed the significance of county communities themselves. The number of works is far too large to be mentioned individually, but among the outstanding ones are Alan Everitt, *The Community of Kent and the Great Rebellion, 1640-1660* (1973), already a "classic" in the field, and Anthony Fletcher, *A County Community in Peace and War, Sussex 1600-1660* (1975), both of which stress the importance of the county community as a distinct, recognizable entity. Work in that period continues to proliferate — Fletcher's most recent work, *The Outbreak of the English Civil War* (1981), cites over a dozen as yet unpublished theses which are local studies, most of them of counties.  

In the Tudor century the bulk of local historians' work has been done in the Elizabethan era, notably the works cited above by Hassell Smith and Manning. Peter Clark's *English Provincial Society from the Reformation to the Revolution* (1977) deals with Kent from 1500 to 1660, but gives only a rather cursory treatment to the pre-Elizabethan period. Some work has been done on northern England for the early Tudor period, for example, R. B. Smith's book on the West Riding of Yorkshire and J. T. Cliffe's *The Yorkshire Gentry from the Reformation to the Revolution* (1969), but northern England is really a different kettle of fish — the huge shires there were not so much county

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communities as the fiefdoms of great northern magnates like the earls of Cumberland, Northumberland, and Derby. The same may have been true for portions of the western Midlands, for the work being done on Tudor Warwickshire by Stan Tenter suggests that magnate influence there tended to overlap and obscure county boundaries. In the eastern and southern portions of England, however, where it is becoming increasingly clear that there were identifiable county communities, a great deal of work needs to be done for the early Tudor period like that recently completed by Ronald Fritze in "Faith and Faction: Religious Change, National Politics, and the Development of Local Factionalism in Hampshire, 1485-1570," an unpublished Cambridge University Ph.D. dissertation (1981).

The county of Surrey is a particularly good subject for such a study. It is of considerable interest because it is immediately to the south of London, which actually extended its jurisdiction across the river Thames into the borough of Southwark in Edward VI's reign. It also borders on three counties for which studies in the Tudor period already exist -- Hampshire, Kent, and Sussex, and thus there is an unusual opportunity for fruitful comparisons. It was the home county, especially in the Henrician era, for a number of men who were

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important on the national level, including Sir William Fitzwilliam, earl of Southampton, Sir Nicholas Carew, Sir Anthony Browne, and others. The two chief ministers of Henry VIII, Thomas Cardinal Wolsey and Thomas Cromwell, had a great interest in Surrey; Wolsey's Hampton Court palace was in Surrey and Cromwell was a native of that county. William Cecil owned property at Wimbledon. Though the national sources can hardly be described as full, they are unusually good for Surrey in the early Tudor period, and the shire boasts an excellent collection of documents of local provenance in the Loseley MSS., the papers of the More family of Guildford.6

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6 Portions of the Loseley MSS. are presently housed in three locations— a great deal of correspondence and other papers are in the Guildford Muniment Room in Surrey; a number of bound volumes of correspondence and accounts are at Loseley House, the private residence of Major James More-Molyneux near Guildford; and a large number of papers, particularly concerning William More and Sir Thomas Cawarden, are in the Folger Shakespeare Library in Washington, D.C. The collection is calendared in the Seventh Report of the Royal Commission on Historical Manuscripts (1879). There are several problems with this calendar, however. First, it is incomplete. Also, because it was compiled before the manuscripts were catalogued, it gives no citation to the actual documents. Fortunately this problem has been remedied in large part by the tireless work of Miss G. M. A. Beck, who has produced an "annotated" copy of the calendar at the Guildford Muniment Room. Regrettably, though, there are still items in the H. M. C. calendar which are impossible to identify or which have been "lost" in the transfer of documents through sale to the Folger Shakespeare Library. Occasionally, the entries are so brief as to be misleading, for example, see below, p.310. Besides the H.M.C. calendar, there is a more cursory but more complete listing of the documents housed in the Guildford Muniment Room which can be consulted either there or at the Institute of Historical Research. Miss Beck is now well along the way in producing very helpful typescript lists of documents both at the Guildford Muniment Room and at Loseley House. Because of the constraints of time, a considerable portion of the correspondence at Guildford, mostly undated, remain as yet uncatalogued. The Folger has a description list (photocopies of index cards) of the Loseley holdings. A microfilm of those holdings is available at the Troy H. Middleton Library at Louisiana State University. Selections from the Loseley MSS. are printed in Rev. St. George Kiernan Hyland, ed., A Century of...
Surrey is an especially good test case for the existence of distinct county communities in southern England, for it was subject to many influences which might have eroded such an identity. Because of its location there was the ever-present possibility of intrusion by London. The shire's nearness to that city and the presence in Surrey of many royal residences (the palaces of Nonsuch, Richmond, and traditional royal residences like Guildford) created the potential for the county to become a mere extension of the royal Court. Overlapping jurisdictions tugged Surrey in a variety of directions -- it was part of the diocese of Winchester along with Hampshire to the southwest; shared its sheriff and sometimes its military noble leader, the Lord Lieutenant, with Sussex to the southeast; was included for some commissions with Kent to its east, and was part of the Home Circuit for assizes with Sussex, Kent, Essex, and Hertfordshire.

Surrey itself is not a unit topographically, being divided from north to south into five bands of differing types of land with the descriptive names of the Thames Valley, the London Clay, the Chalk, the Green Sand, and the Wealden Clay. Agriculturally the shire was most productive in the first and last, getting progressively less so toward the middle. Very little is known of Surrey's agricultural

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Persecution Under Tudor and Stuart Sovereigns from Contemporary Records (London: Kegan Paul, Trench Trubner & Co., Ltd., 1920) and Alfred John Kempe, ed., The Loseley Manuscripts: Manuscripts and Other Rare Documents, Illustrative of Some of the More Minute Particulars of English History, Biography, and Manners, From the Reign of Henry VIII to that of James I (London: John Murray, 1836), both of which must be used with some caution, though they are generally accurate.

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history prior to the eighteenth century — incredibly it does not even rate a notice in the lengthy and geographically comprehensive The Agrarian History of England and Wales (1967) — but most of the shire must have combined the raising of various grains with some grazing of animals. Certainly the wool industry flourished around Guildford and Godalming in the western portion of the shire. What little industry there was consisted in iron and glass-making, the latter being especially common in the Weald. In fact the Wealden area had more in common with similar parts of Sussex and Kent, in an economic and geographic sense, than with the rest of Surrey. Furthermore, communication from north to south was rendered difficult by poor roads and the lack of navigable rivers — travel tended to run east/west along a limited number of avenues.7

Yet in spite of all this topographical and economic diversity there was an identifiable political county community in Surrey, as this study will show. County officials were drawn mostly from those local gentry regarded as natural rulers in the shire, and the removal of local magnates from office and intrusion of outsiders was restricted by the central government's need to respect the integrity of the county community. Those monarchs who ignored this necessity encountered trouble, but most were careful to observe it. Moreover, much of the factional conflict within Surrey during this era had to do with the question of who belonged among the county's natural rulers. As for geography, plotting of the shire's JPs on a map of the county reveals

that it had no impact on local politics like that which local agrarian variation seems to have had in Suffolk. Thus geography has little place in this study, while the economic history of the shire is necessarily a subject that must be dealt with elsewhere.

Not only will this study demonstrate the existence of a distinct county community in Surrey, it will examine the interaction of local officials with the central government and with one another. This is of particular interest for the years 1485-1570, for that was a time when England underwent a succession of important national upheavals. Just prior to the beginning of the Tudor era, the Surrey community was thrown into turmoil by the policies of Richard III. Henry VII restored order to the county community, but pre-Tudor animosities lingered on in the shire, combining with new rivalries to spark factionalism which reached the point of violence early in Henry VIII's reign and called for determined intervention by Wolsey. Just as this was dying down, the country was again thrown into confusion by the beginning of the English Reformation, though Thomas Cromwell's strong leadership and pragmatic policy prevented disorder in Surrey, where he allied himself with conservative local rulers, some of them also courtiers. After the fall of Cromwell England was subjected to a religious reaction in the last years of Henry VIII; a new Protestant surge under Edward VI's ministers, Somerset and especially Northumberland; a more determined Catholic reaction under Mary; and a return to moderate Protestantism under Elizabeth.

Despite the frequent changes in monarchs and royal policy, Surrey remained loyal to the Crown. There was trouble in the shire only when

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the central government was weak or when the integrity of the county community was threatened. There was only very limited participation by Surrey in the numerous uprisings of this period. By the end of the first decade of Elizabeth's reign, even the factional conflict within the shire had died down.

This study concentrates on those men who served Surrey as justices of the peace. The JPs were clearly the leading members -- the natural rulers -- of county society. By the sixteenth century the office of sheriff had declined to a secondary position, while that of Lord Lieutenant was created only midway through the period and was in any case an occasional position. In fact men who normally served as JPs often filled these offices as well as holding all other important official positions in the shire. It is regrettable, of course, that it is not possible to examine in detail the lower ranks of Surrey society, but there are serious limitations to sixteenth century sources as far as any countywide analysis is concerned. Studying JPs cannot tell us all that we would like to know about Surrey and about Tudor England in general, but because the justices were the county's leaders it can tell us a great deal about county communities and their role in national affairs.

This work is cast in the narrative format. The nature of the sources and the purposes of this kind of political history preclude the sort of detailed examination of restricted chronological periods favored by some members of the Annales school of historical scholarship. In fact it is preferable to relegate masses of detail to footnotes and appendices, or to leave them out altogether, to avoid im-
peding the narrative of political developments in Surrey. In addition
the main purpose of this study is to look for change and continuity
in Tudor Surrey, not to revive the concern for miniscule detail aban-
donned as scholars took over local history from the antiquarians.
CHAPTER ONE
INTRODUCTION

Henry Tudor's victory over Richard III at Bosworth Field on 22 August 1485 was a major turning point in English history, inaugurating over a century of Tudor rule and ending, as it turned out, the sporadic disruptions brought about by the Wars of the Roses. Just as it had a tremendous impact on the nation as a whole, it profoundly affected local affairs in the English shires. It was a particularly welcome event in the southern counties, where there had been a great resentment toward Richard III. As Duke of Gloucester, Richard had built his power base in the north, and as king he continued a marked preference for that region. It was there that he had his greatest supporters, who backed him in his bid for power at the expense of the young Edward V, in his suppression of the rebellion of October 1483, and in his futile attempt to turn back Henry Tudor's quest for the crown in 1485. Not only did he prefer to reside in the north, he flooded the southern shires with northerners, rewarding their loyalty with lands and offices that southern countrymen regarded as rightfully their own. Henry VII's reign brought an end to this northern dominance. Many of Richard III's followers were either killed in battle or attainted, and in the southern counties men of local origin reclaimed their influence. Not the least affected by the troubles of Richard's reign and by Henry's revolution was the county of Surrey.

Under Henry VII Surrey became a county of royal residence again.
The king spent considerable time there, and when fire destroyed the old palace of Sheen at Christmas 1497, he immediately set about rebuilding a much finer dwelling, which took four years to complete. He renamed it Richmond after his earldom and rebuilt it again in 1506 after a second fire. The later Tudors also spent time in Surrey. Henry VIII was at Richmond less often than his father, but he obtained Hampton Court from Wolsey in 1525, began building Nonsuch Palace in 1539, and obtained a number of manors in the county. Elizabeth was often at Richmond, where she died.¹

Yet despite the Tudors' frequent residence in or near Surrey, it was not their rule which local men felt most directly. As in other shires the king exercised control in Surrey through the small group of local gentry who were members of the commission of the peace. Already the preeminent local officials in the fifteenth century, the justices of the peace were given more and more authority by Henry VIII and his descendants. In addition to performing their burgeoning administrative and judicial tasks, the JPs exercised considerable political power at the county level. In fact their role in local politics was quite as important as the integral role which they played in national affairs and the implementation of royal policy.²


²Kenneth Pickthorn, Early Tudor Government: Henry VII (New York: Octagon Press, 1967, rprt.), p. 66, notes that "in every activity of government as it was actually exercised in the localities and as it was made physically manifest to ordinary people, the justices of the peace were by far the most important organ, indeed on nineteen days out of twenty the only organ, other local officials being but instruments."
The JPs were especially important in Surrey politics, for during the Tudor period there was no magnate there powerful enough to dominate local affairs. No major nobleman had his primary residence in the county. The Howard interest was strong in Surrey and neighboring Sussex, but their main power base and the area of their principal concern lay in East Anglia. It was the sons of dukes of Norfolk, not the dukes themselves, who actually wielded power from residences within Surrey, and these cadets were not without peers among the greater gentry and lesser nobility who ruled on the Surrey commission of the peace. Many nobles, like the second duke of Buckingham and the earl of Arundel, held lands in Surrey, but their principal seats and interests were elsewhere also. On occasion Surrey men like Sir William Fitzwilliam, earl of Southampton, rose into the nobility, but even Southampton did not have the sort of monolithic power which other magnates, especially northern ones, held in their shires.3

The predominant position which the bishop of Winchester held in Hampshire did not extend to his archdeaconry of Surrey, except at opposite ends of the county in Farnham and Southwark. Bishops William Waynflete, Peter Courtenay, Thomas Langton, and Richard Fox were all ex officio members of Surrey's commission of the peace during their

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3 Charles Ross, Richard III (Berkeley: University of California Press, 1981), p. 107, points out that the gentry "were the natural leaders of society in the south-east, an area where magnate or baronial influences were significantly less strong than in most parts of England." On the landholding of Buckingham and Arundel see Helen Miller, "The Early Tudor Peerage, 1485-1547" (unpub. M.A. thesis, University of London, 1950), appendix; V.C.H., vols. II-IV; Rev. Owen Manning and William Bray, The History and Antiquities of the County of Surrey (East Ardsley: E. P. Publishing Company, 1974, repub. from original by John Nichols and Sons, 1804-14), 3 vols.
respective terms in the see, but from Fox's death on 5 October 1528 until Robert Horne's appointment by Elizabeth in 1561, no bishop of Winchester was even granted this honor. This is very telling evidence of the bishops' lack of influence, which contrasts sharply with Bishop Stephen Gardiner's very active role in Hampshire politics during the period when bishops of Winchester were absent from the Surrey commission. Regrettably most of the records of the Surrey archdeaconry have been destroyed by fire, so it is impossible to say what role the archdeacon had in county politics. An archdeacon like John Stokesley, later bishop of London, might be expected to have had an active role, but secular records have left no trace if he did. Probably the archdeacon had no significant role. Also lacking in political influence were the heads of the Benedictine abbey of Chertsey, the Cluniac abbey of Bermondsey, the Cistercian abbey of Waverley, the Carthusian priory of Sheen, and the Austin priors of Merton, Newark (Guildford), Reigate, Southwark, and Tandridge. Only Richard Wharton, abbot of Bermondsey, was made an ex officio JP from 1520 to 1531.4

Despite its proximity London also failed to intrude its influence on Surrey to any great extent. Of course it is true that by the end of the fifteenth century the borough of Southwark was as much a part of London as of Surrey, and it was officially annexed to the city in Edward VI's reign. It continued, however, to be treated as part of Surrey for certain functions, like the collection of subsidies.

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4 On the role of the Bishops of Winchester in Hampshire politics see Fritze, "Faith and Faction," Chapter Two. For the abbot's career as an ex officio JP, see C66/635/2d, C66/640/2d, C66/644/2d, C66/646/3-7d, C66/652/4d, C66/656/16d. He was omitted from the commission of 8 February 1524, C66/642/1ld.
The portion of Surrey north of the Weald may have had a higher crime rate, as it did in the late seventeenth and eighteenth centuries, with London criminals, vagabonds, and jobless soldiers returning from foreign wars spilling over into the surrounding countryside. Certainly, Londoners affected Surrey by obtaining parliamentary legislation in their own interests to regulate various aspects of industry and commerce in the city's neighboring counties. Finally, several prominent Londoners served as JPs in Surrey under the Tudors. But if London frequently affected Surrey, local men ruled the shire. Outsiders among the "active" JPs played a lesser role than the powerful gentry who lived within the county.5

In fact the county remained the fundamental unit in a tangle of overlapping jurisdictions. Surrey was part of the bishopric of Winchester along with its western neighbor, Hampshire. It shared its shrievalty (and later the lord lieutenantcy) with Sussex. Often commissions of sewers linked Surrey to Kent. For the assizes it was associated with the other "Home Circuit" counties -- Sussex, Kent, Essex, and Hertfordshire. For other commissions it was occasionally associated with a varying list of other shires. Certainly the regional affinities implied by these overlaps, by family ties, and by shared agrarian and economic interests, were important and bear further examination. Still, in the south at least, it was the county which was of primary significance as an administrative unit, a political forum, and as that much-
discussed local entity, the "county community." 

Thus in the absence of a dominant local magnate and with only limited outside influence, real power in the Surrey county community lay primarily in the hands of the most important members of the commission of the peace. The lack of anyone who could keep a tight rein on the shire allowed the emergence of and gave great play to factional interests. Before turning to politics, however, it is necessary to deal briefly with the office of justice of the peace itself.

II

The origin of the justice of the peace can be traced to Edward I's keeper of the peace, a local assistant to the sheriff who helped keep the peace and catch criminals. The transformation of this official into the justice of the peace came in Edward III's reign, during which these officers were given the power to arrest, imprison, indict, and hear and determine felonies and trespasses. In this period quarter sessions began, virtually replacing the county court, and by the end of the fourteenth century the JPs had superseded all other local officials in both judicial and administrative capacities. Hitherto JPs had often been selected from officials at the royal court, but in the fifteenth century the office was increasingly entrusted to local knights and esquires. It was limited to the substantial gentry, since

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7 Pickthorn, Early Tudor Government: Henry VII, p. 67, notes the frequent difficulties which the central government had in controlling JPs.
a statute of 1439 required that all JPs have an annual income of £20 (the old knight's fee), though this was sometimes waived for persons learned in the law. In the century which preceded the Tudors, the JPs had three main functions: keeping the peace by quelling riots and arresting criminals, receiving indictments and trying them by jury at quarter sessions, and administering and supervising local government and officials.®

Under Henry VII and the later Tudors, JPs' authority grew more rapidly than ever and their responsibilities were vastly enlarged. Each of Henry's Parliaments "did more or less to increase the importance of the justices of the peace," particularly those of 1495 and 1504. With the statute against unlawful hunting JPs began to acquire the function of issuing warrants for arrest. The famous Pro Camera Stellata statute allowed them to hold inquests to investigate concealment by other inquests. The Parliament of 1495, the most important where the commission of the peace was concerned, empowered JPs to regulate beggars, vagabonds, and alehouse keepers, to hear and judge all non-felonious statutory offences, to regulate weights and measures, to punish local officials for extortion, to audit the collection of fines and estreats, to punish those refusing to work at wages fixed by the commission, and to alter the composition of juries empanelled by the sheriff if necessary. Their power to punish rioters was also increased. In 1497 they were given an enlarged role in supervising collection of the fifteenth and tenth and the subsidy. The Parliament


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of 1504 gave JPs power to compel acceptance of legal coin at face value, to have the sheriff empanel presentment juries, and to regulate the production of pewter and brass. In addition they were given greater authority in dealing with poachers and with riots, especially where maintenance and embracery was involved.  

The monarch officially appointed justices of the peace, but in fact the Lord Chancellor usually chose them, sometimes under the influence of a powerful minister. During the Tudor period the commissions of the peace grew spectacularly -- the number of JPs quadrupled in Surrey between 1485 and 1603 -- (see Table One) so it was increasingly necessary for the Chancellor to seek advice about appointments to the bench from knowledgeable local worthies. Often he sought the counsel of the area bishop, but this was of no avail in Surrey, given the Bishops of Winchester's lack of familiarity with the county. Assize judges occasionally might offer some insight into local talent, but they were seldom familiar with the personnel in all the counties of their circuits. Thus the Chancellor had to rely on advice from local nobles, though these were relatively scarce in Surrey, and even from those members of the gentry who themselves served on the commission of the peace. For of course it was not as though the Chancellor reached down from Westminster with a godlike hand and transmuted unwitting lumps of human clay into justices of the peace -- local men sought the office very actively. After all a place on the bench was the ultimate symbol of local status in the Tudor period. In addition

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<th>% Members Active</th>
<th>Active of Quorum</th>
<th>% Quorum of Active</th>
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<td>-</td>
<td>-</td>
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1. Quorum figures in parenthesis are estimates based on comparisons of nomina ministrorum, which do not give the quorum, with preceding and succeeding commissions which do. After 1564, rapid growth in quorum size and an infrequency of sources for quorum membership make such estimates untenable.

2. Though William Muschamp's name appears on this liber pacis, he was dead by this time and thus is not counted.

3. Though Robert Wintershull's name appears on this commission, he was dead by this time and thus is not counted.

4. Though Henry Draper's name appears on these nomina ministrorum, he was dead by this time and thus is not counted.

5. These liber pacis have been used twice, once in their original form and once in their final altered form. Dating of original and final forms is possible by comparison to other commissions.

6. These commissions of the peace and liber pacis have been dated by internal evidence and by comparison to other commissions.

7. The end date of March 1593 was determined by comparison of portions of this liber pacis with surviving portions of the mutilated ASSI 35/35/9/33, a nomina ministrorum too badly damaged to be included in this table.
Surrey was often riven by factionalism, and politically ambitious individuals attempted to have their allies placed on the bench to augment their own political strength. Consequently a great deal of politicking accompanied the selection of JPs, whether would-be justices sought to influence the Chancellor on their own, through friends and relatives, or with the aid of a powerful courtier patron. 

The complex process of securing a place on the commission afforded ample opportunity for interested individuals to influence appointments. Even after a prospective JP had obtained a warrant from the Lord Chancellor for appointment to the commission, he still had to conduct some tricky business in the Crown Office in Chancery. Before he could take his place on the bench, he needed a writ of *dedimus potestatem* authorizing three trusted gentry to give him the oath of supremacy, and a new commission of the peace, which would make his appointment official when proclaimed at quarter sessions. If a JP failed to pay the engrossment fee for the commission either in person or by an agent, it might remain in the Crown Office for months. Another problem was that a commission could be invalidated by clerical error, which was frequent. A JP could find himself unable to take his seat on the bench if the commission gave his name or title incorrectly, for example, if a knight were mistakenly described as "esquire." 

Of course mere appointment to the bench was not all that local men sought after or attempted to influence. The place which a member

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10 Smith, *County and Court*, pp. 61-73, describes the process as it occurred in Norfolk.

11 Ibid., pp. 70-1.
of the commission held relative to his fellow JPs was extremely impor-
tant in this status-conscious age. The upper positions on the commis-
sion were occupied by great officers of state, peers, and assize judges, among whom precedence was established outside the sphere of county politics. Below these came successively knights, esquires, and gentlemen. Local status did determine rank on the commission within each of these groups, though the procedure for placement was much less cut and dried than with the ex officio JPs. A prospective JP naturally wished to be placed as highly as possible; on the other hand, no sitting JP wanted a rival or new member to be given a position higher than his own. Therefore a great deal of behind-the-scenes effort went into influencing the ranking of active JPs. Sometimes this reflected more than just status-consciousness, when members of opposing factions sought the removal or demotion of their enemies on the bench. At times fluctuations in the ranking of JPs reveal the changing fortunes of Surrey factions, as first one and then the other side secured pro-
motion for its members at the expense of its adversaries.  

There are three major sources for the names of Surrey JPs in the period 1485-1570. First are the actual commissions of the peace, which were enrolled on the dorse of the patent roll for the year in which they were issued. Though numerous commissions were issued each year, only a handful have survived in this form. Second are the liber pacis, preliminary lists drawn up by government officials like Thomas Cromwell and William Cecil in preparation for the actual commission.  

\[12\]ibid., pp. 71-3.
There is of course no guarantee that a commission matched exactly the 
liber pacis on which it was based, but where surviving commissions 
allow comparison, accuracy is great. The libri pacis have an addi­
tional advantage in that they were often used over a period of several 
years, which allows the researcher to chart changes in the makeup of 
the commission and to gain some idea of the government's attitude to 
various individual JPs.\textsuperscript{13}

The third source is a series of documents known as nomina 
ministrorum. These are copies of the names on the commission of the 
peace which were drawn up prior to each semi-annual assize session. 
Assize judges used the nomina as checklists to note the presence or 
absence of JPs, who were required to be present at the assizes and 
could be fined for failure to appear without a good excuse. Nomina 
either do not survive or are ruinous for most counties, but those for 
the Home Circuit are in excellent condition. Beginning in 1559, prior 
to which there are no assize records for the Tudor period, there are 
one or two of these lists for Surrey for nearly every year. (By 
chance one of these survives for 1530 in the Loseley MSS.) Even taken 
together these sources still leave many gaps. But the recurrence of 
the same names over fairly long periods of time indicates that they

\textsuperscript{13}Bertha Putnam, "Justices of the Peace from 1558 to 1688," Bulletin of 
of the Institute of Historical Research, vol. IV, pp. 144-56; Thomas G. 
Barnes and A. Hassell Smith, "Justices of the Peace from 1558 to 1688 
--- a Revised List of Sources," Bulletin of the Institute of Historical 
Research, vol. XXXII, pp. 221-42; see also Appendix One for a complete 
list of sources for the Surrey commissions of the peace. The pipe 
rolls (E372) record payment to all JPs below the rank of baron for at-
tendance at quarter sessions and occasionally supply the name of a JP 
who does not appear on any extant commission, Liber pacis or nomina 
ministrorum.
provide a nearly complete list. With additional information from the pipe rolls and other sources, it is possible to identify all but the most short-term (and probably insignificant) appointees.\textsuperscript{14}

The membership of the commission can be divided into three groups. At the head of the commission came a number of \textit{ex officio} members, men who held important national offices, such as the Archbishop of Canterbury, the Lord Chancellor, the Lord Treasurer, and so on. Occasionally this group included local men who had risen to national prominence, for example, Sir Anthony Browne, Viscount Montague and William, Lord Howard of Effingham, important men in Surrey under the later Tudors. Generally though, \textit{ex officio} membership on the commission was essentially honorary, and the \textit{ex officio} members played little direct role in county government and politics.\textsuperscript{15}

Next on the commission came the assize judges and serjeants-at-law who served the assize circuit in which the county lay. The necessity for cooperation between assize officials and other JPs was both frequent and great, so the inclusion of the judges and serjeants was

\textsuperscript{14}Ibid.

\textsuperscript{15}On the divisions of the commission of the peace see Smith, County and Court, pp. 71-2; J. H. Gleason, The Justices of the Peace in England 1558-1640 (Oxford: Clarendon Press, 1969), p. 15; Joel Hurstfield, "County Government: Wiltshire c.1530-c.1660," in Freedom, Corruption, and Government in Elizabethan England (Cambridge: Harvard University Press, 1973), pp. 252-4. Hurstfield actually divides the commission into four categories of JPs, distinguishing "men of rank and distinction in the shire," i.e., local nobles, from the \textit{ex officio} JPs or "eminent men of state" as he calls them. This is in some ways a valid distinction, yet local nobles were often "eminent men of state," especially in Surrey, so I have used Smith's division into three categories, which considers all nobles ranked above the judges as \textit{ex officio}. 

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natural.

Listed below the assize judges and ranked in the order of their
individual status in the shire came the "active" or "simple" JPs.
Calling this group "active JPs" can be slightly misleading since some
members of the group never really participated in the commission's
activities.

Some were highly enough placed to be preoccupied with

national affairs, others were JPs in more than one county and concen­
trated their attentions elsewhere than Surrey, a few simply were un­
interested or lazy, and some failed to act for reasons unknown.

But

it was this group which was expected to do the actual work of the
commission and from which the men with real local influence in Surrey
came.
On each commission of the peace a number of men were designated
as "of the quorum."

Prior to its degradation to a mere status symbol

in Elizabeth's reign, membership in the quorum required special legal
ability, and it was expected that at least some members of the quorum
would be present whenever any important business was undertaken by
JPs.

In a well-run, tightly-controlled county, it could be expected

that attendance at quarter sessions would be dominated by members of
the quorum. I t

is a reflection of the absence of such control in

Surrey that this theory was not translated into practice there.
Between 1485 and 1528 quorum members accounted for only 47% of the

^ O n the role of the assize judges in local government see J. S. Cockburn, A History of English Assizes 1558-1714 (Cambridge University
Press, 1972), especially Chapter 8.
^Pickthorn, Early Tudor Government:

Henry VII, p. 67.

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JPs attending quarter sessions and 54% of the "man/days" spent there. Quorum members had a somewhat better attendance record than other active JPs, but by no means were they sufficiently superior in attendance to dominate quarter sessions. Neighboring Hampshire provides an interesting contrast -- there quorum members held a virtual monopoly on attendance at quarter sessions during Henry VII's reign and the early part of Henry VIII's. Hampshire sessions were always firmly in the hands of legally trained individuals, who were usually the bishop of Winchester's servants, hand-picked by him as JPs and closely controlled. Given this, it is significant that the number of JPs attending sessions in Surrey was greater than in Hampshire. Even prior to the Reformation's divisive impact on local society, Surrey quarter sessions were frequently a forum for personal or factional clashes (especially in the early years of Henry VIII), so it was assured that a larger number of JPs would appear to look after their own interests, whether they were of the quorum or not. The lack of a dominant magnate in Surrey encouraged factionalism as various local men attempted to achieve primacy, and allowed quarter sessions to be conducted out of the control of legally trained JPs. Each of these aspects of Surrey quarter sessions fed on the other, so that in the long run things got worse. The emphasis on political gain in Surrey reduced justice to a virtually secondary consideration and meant that there was much less impetus for having JPs with legal ability predominate at sessions. 18

18 See Table Two; for Hampshire, see Fritze, "Faith and Faction," pp. 42-52.
### TABLE TWO

**ATTENDANCE AT SURREY QUARTER SESSIONS 1584-1603**

<table>
<thead>
<tr>
<th>Accounting Period</th>
<th>Number QS Days</th>
<th>No. Active JPs</th>
<th>Total Att. Days</th>
<th>Average Attendance</th>
<th>No. Quorum Man/ Days</th>
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<th>% JPs Quor M/D</th>
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² This period is considered as a separate session.
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<th>Total Days</th>
<th>Average Attend. Days</th>
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1 Quorum figures in parentheses are estimates based on comparisons of nomina ministrorum, which do not give the quorum, with preceding and succeeding commissions which do. After 1564, rapid growth in quorum size and an infrequency of sources for quorum membership make such estimates untenable. I have borrowed the "man/day" concept from Ronald Fritze.

2 For dating of this return, see Appendix One.

3 The assize judges, John Fyneux and Thomas Bryan, were paid for one day's attendance each according to this return, but are not counted here as they were not active JPs.

4 The assize judges, Fyneux and John Wood, were paid for one day each, but are not counted.

5 For dating, see Appendix One, note 4.

6 For dating, see Appendix One, note 9.

7 The assize judge, John More, was paid for one day, but is not included.

8 For dating, see Appendix One, note 12.
TABLE TWO (Con't)

9. The concluding date given on this pipe roll is the Tuesday after the close of Easter, 34 Henry VIII (9 May 1542). But given that there is no return between May 1542 and January 1544, and that the number of quarter sessions days is twice the normal number, the actual date probably should be from 35 Henry VIII (24 April 1543).

10. James Skinner appears twice on this return, but is counted only once.

11. Quorum figures are an estimate based on the quorum for Edward VI's reign.

12. Henry Vine appears twice, counted once.


14. It is impossible to give the number of quarter sessions days for most of the years from 1588 on. Apparently, because of a closer union between Surrey and Sussex during the war with Spain, sessions in both counties were reported together, combining figures.

15. The pipe roll is actually dated as commencing 4 October 35 Elizabeth (1593), obviously an error—it should read 36 Elizabeth (1594) as the previous roll covers 1593.

16. The man/days total is low here because no number of days attended is given for Francis Aunger on the pipe roll.

17. The regnal years given on the pipe rolls for these entries are confused. The years assigned are the only ones which make sense.

18. This includes the first few months of James I's reign (24 March-19 July, 1603).
There are other institutional suggestions of disorder where Surrey quarter sessions are concerned. Ideally quarter sessions should have met four times a year for one to three days. But the pipe rolls suggest that the number of session days per year varied wildly in Surrey, whereas in Hampshire sessions met very regularly in the period prior to the Reformation, almost always eight days a year. The sloppy reporting of Surrey attendance on the pipe rolls also indicates local administrative confusion. Neither was there a fixed county town in Surrey as there was in many counties. Quarter sessions assizes travelled all over Surrey, meeting at various times in Southwark, Guildford, Kingston, Croydon, Reigate, and Dorking in the early Tudor period. Thus while institutional order in a county like Hampshire reflected political stability, in Surrey institutional irregularities and the relative unimportance of the quorum indicated an extremely unstable political situation.

III

Surrey politics certainly had been anything but stable in the years which just preceded Henry Tudor's revolution. Between Edward IV's death on 9 April 1483 and the end of the first month of Henry VII's reign the political hierarchy in Surrey was dramatically shaken up on three major occasions: at Richard III's accession in June 1483,

19 Ibid. For some examples of Surrey sessions meeting in a variety of places early in Henry VIII's reign, see KB9/454/15-16, 964/41, 456/56-8, 962/9, 458/107, 458/38, 460/30, 964/38, 964/4, 461/15, 462/16, 467/13, 471/50, 472/82, 477/37, 472/82, 1002/63. J. S. Cockburn, ed., Calendar of Assize Records: Surrey Indictments, Elizabeth I (London: Her Majesty's Stationery Office, 1981) shows that Surrey assizes were similarly peripatetic.
following the rebellion of October 1483, and following Henry Tudor's victory at Bosworth Field in August 1485. These perturbations were part of larger national upheavals in which local politics and the idea of the county community had an important role. Because they had a major impact on Surrey politics for years to come, it is necessary to discuss them in some detail. The remainder of this chapter will examine the two occasions upon which Richard III made drastic alterations in Surrey's political structure, emphasizing individuals, events, and circumstances essential to understanding Surrey politics under the Tudors. The changes made by Henry VII after Bosworth Field will be described in Chapter Two.

It is a commonplace of Tudor-Stuart history that monarchs must respect the integrity of the county community. This was true in the Yorkist period as well, but it was a necessity which Richard III failed to appreciate. His disruption of the county communities in Surrey and other shires created a considerable amount of the resentment which led to the rebellion of October 1483 and to his ultimate downfall in 1485. In Surrey he incurred the wrath of the county community immediately after his accession by his intrusion of the East Anglian Howard family into the shire and his massive purge of the commission of the peace.

One of Richard's four principal magnate supporters was John Howard, Lord Howard, whom he made duke of Norfolk on 25 June 1483. Richard further rewarded Howard's loyalty by allowing him to enter on his portion of the Mowbray inheritance of which Edward IV had deprived him. This included lands in Surrey, creating a power base for the Howards there that allowed them a role in Surrey politics lasting beyond the Tudor century. On 16 July Richard granted Howard "the power of super-
vision and array of the king's subjects" in thirteen southern and eastern counties, including Surrey. The king also ennobled Howard's son, Thomas, as Earl of Surrey on 28 June. Richard meant for the intruders to play a dominant role. In Surrey he made the Howards ex officio JPs along with Henry Stafford, Duke of Buckingham, and appointed them to a number of other commissions which dealt with the shire. Traditional county leaders deeply resented this intrusion of powerful outsiders into Surrey affairs. The bitterness felt by Sir George Browne of Betchworth was particularly significant, for it began a rivalry in Surrey between members of the Browne and Howard families which lasted through Mary's reign.20

Even worse was that Richard thoroughly purged the Surrey commission of the peace, removing ex officio members Sir Thomas Stanley and Sir George Neville and half of the fourteen active JPs on the bench at Edward IV's death. This group of purged JPs was important, for nearly all had long careers of service in Surrey. Their strong identification with the county community and the tremendous changes which the new king wrought in that community were crucial in the development of anti-Ricardian sentiment in Surrey during the months between the purge and the October rising. Among those ejected from the bench were Sir Thomas St. Leger of Guildford and Sir George Browne, who would be executed as prominent ringleaders of the October rebellion. The other five purgees escaped such a violent fate, but were still obviously

important as leaders of the county community and as enemies of Richard III — all but Thomas Wintershull would be returned to the bench by Henry VII, and Wintershull's family continued to be represented on the bench under Henry. The importance to the county community of all the men removed from office can be illustrated by a brief examination of their individual careers. This is particularly worthwhile since four became Tudor JPs, as did Browne's son, Sir Matthew, and Wintershull's son, Robert.21

At the head of those purged was Sir Thomas St. Leger, a native of neighboring Kent, brother-in-law of Edward IV, soldier, and longtime member of the royal household. Though he had considerable interests in the southwest, St. Leger was primarily a Surrey man. He began accumulating offices there by 1463, served as knight of the shire on several occasions, was a JP from 1468 on, and resided at Guildford. It is hardly surprising that Richard III removed St. Leger from the bench, for the latter had ample reason to be at odds with the new king. St. Leger had allied himself with Edward IV's in-laws and Richard's enemies, the Woodville family, and "had everything to lose if Richard remained on the throne." With his strong ties to Edward IV and the Woodvilles, St. Leger could not condone Richard's usurpation of the throne from the young Edward V. Finally, as a man with considerable local authority in Surrey and other shires, he surely took offense at Richard's interference with the local hierarchy. Richard removed St. Leger from the Hampshire bench during Edward V's brief reign and as a

21 Appendix One; C.P.R. 1476-85, p. 574, for commissions of the peace under Edward IV and Richard III.
JP in Surrey at his own accession. It was the combination of these grievances which led St. Leger to revolt against his new sovereign in October 1483.  

22 Wedgewood, pp. 735-7; Ross, Richard III, pp. 109-11; C.P.R. 1476-85, pp. 91, 107, 109-11, 114, 132, 134, 244, 574. St. Leger was son of John St. Leger of Kent and squire (later knight) of the body to Edward IV from 1462. The king made him controller of the Mint on 22 July 1461 and in the next two years for "his services in battle" granted him various lands and keeperships, including that of Guildford Park on 24 January 1463. He added to this a lease of Kennington Park in April 1465. St. Leger may have been a knight of the shire in 1463-5, certainly was in 1467-8 and 1472-5, and was possibly MP for Hampshire in the first parliament of 1483. He began service as a Surrey JP in February 1468, probably accompanied Edward IV into exile at the redemption of Henry VI, was sheriff in 1471 following Edward's restoration, and returned to the commission of the peace in May 1472. After retaking Kent in 1471 Edward left St. Leger in charge of Rochester and granted him the castle there. Not long afterward St. Leger married the king's sister Anne, who divorced the Duke of Exeter in November 1472, but clearly his own merits kept him in Edward's favor during that marriage and after Anne's death in 1476. St. Leger was a valuable servant to the king, leading twenty men-at-arms and 200 archers to France in 1475 and negotiating at Amiens and Senlis with Louis XI, who liked him well enough to promise him a pension after the treaty of Pecquiny was signed. Edward IV knighted St. Leger on 17 January 1478, in which year he was an elector in Surrey. At the Duke of Clarence's death Edward made St. Leger keeper of Henley Park in Ash, appointed him to commissions to investigate Clarendon's holdings in Surrey, Cornwall, and Devon, and gave him the late duke's lands in the southwest. The king made him joint master of his hart hounds with the Earl of Essex on 8 July 1478. A further indication of royal favor is that in 1482 Archbishop Bourchier gave St. Leger and Sir George Browne "two capons at the Swan Inn for their good will with the king." Meanwhile St. Leger was a JP of the quorum in Devon from 1474, served on the Hampshire in 1483, and was on the Kentish commission of oyer and terminer in 1478. He also appeared on numerous commissions in the southwest and it was in Devon that he rose in the rebellion of 1483. Still he was primarily a Surrey man and was attainted as "of Guildford." Of the Woodville group, he was particularly close to the marquis of Dorset, whose son was promised in marriage to St. Leger's daughter by Duchess Anne "so that together they might inherit the Exeter estates, which lay chiefly in the west country." Oddly he was still a JP in Devon in August 1483 and probably until the rebellion, though he was removed in Surrey and Hampshire. The reasons for this mixed treatment are unknown, but remaining a JP in Devon did little to compensate St. Leger for his other grievances.
Richard III also removed St. Leger's friend, Sir George Browne, another of Edward IV's favorites and also a member of the royal household. Sir George was the son of Sir Thomas Browne, who had been a JP in Kent and Surrey, so his ties to the county were longstanding. Sir George himself was an officeholder in both Kent and Surrey, but his interests swung more to the latter in the last years of Edward's reign. He was an MP for both Guildford and the county, as well as a JP. Loyalty to Edward V and Richard's execution of his stepfather, Sir Thomas Vaughan, both gave him cause to hate the new king. Added to this was his ejection from the bench in Surrey and the intrusion of the Howards there. As with St. Leger, Richard's interference in local affairs must have strengthened Browne's perception of him as an unjust king.

23 Wedgewood, pp. 121-4; Ross, Richard III, pp. 109-11, 187; C.P.R. 1476-85, pp. 92, 109, 111, 244, 574. Sir George's father, Sir Thomas, of Tonford, Kent and Betchworth, Surrey, was under treasurer of England under Henry VI. Though Sir Thomas was beheaded by the earl of Warwick on 30 September 1460 for helping defend the Tower of London, George became one of Edward IV's household servants, probably following the lead of his new stepfather, Sir Thomas Vaughan, Edward's treasurer of the chamber. How soon this occurred is uncertain, since George was "one of those to be arrested with Clarence and Warwick" in April 1470 and remained in England during the reademption of Henry VI, becoming a freeman of Canterbury at the time. Most likely he was one of Warwick's adherents at this time, but he fought on Edward IV's side under the duke of Clarence at Tewkesbury in 1471, for which he received a knighthood. Edward pardoned him on 5 February 1472, and it was around this time that he married Elizabeth, daughter of Sir William Paston the judge. Browne was an elector in Surrey in 1472 and was MP for Guildford in 1472-5, Surrey in 1478, and Canterbury in January 1483. In July 1474 he became a JP in Kent, where he served as sheriff in 1480-1. Edward IV appointed him steward of Witley when Clarence forfeited it in 1478, and thereafter he appeared on Surrey commissions also. Besides acting as a JP, he was on the commissions which investigated Clarence's holdings in Surrey and Kent in spring 1478 and on the Surrey commission of array in October 1480. Thus while he had always had holdings in both Kent and Surrey, his interests swung more to the latter in the last years of Edward's reign. Meanwhile he very likely became Clerk of the Hanaper in 1479. As the close friend of the king, he carried the banner of St. George at Edward's funeral.
Four of the five remaining victims of Richard's initial purge also had strong ties to Surrey. Thomas Basset, esquire, of Burgham and Ewhurst had served the shire as escheator, sheriff, and MP, with his official activity there dating at least to the 1440s. William Merston, a lawyer, was the son of a Hampshire man, but inherited his seat at Horton from his kinsman, Sir John Merston, so he could claim a lengthy family connection with Surrey. He began his career in the shire shortly after Edward IV's accession, serving as escheator and later as a JP of the quorum and commissioner of array. Thomas Wintershull was a member of a family with a long history of official service in Surrey and held several positions in the county under Edward IV. Sir Thomas Thwaites was a citizen and mercer of London and a

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24 Appendix Two; Basset held a number of county offices under both Henry VI and Edward IV. Though he was a squire in Henry VI's household, Edward IV pardoned him with other ex-Lancastrians in February 1462. He was sheriff of Hampshire in 1470-2.

25 Appendix Two; William Merston was the son and heir of Richard Merston of Sherfield, Hampshire, who was probably Henry VI's treasurer of the chamber in 1455-6. Edward IV pardoned William on 12 May 1462, and he soon began holding offices in Surrey. His loyalty to the Yorkists may have wavered at the readeption of Henry VI, for he was pardoned again in 1472. Edward trusted him, however, and made him a JP of the quorum in 1473.

26 V.C.H., vol. I, p. 436; List of Sheriffs, p. 136, C.P.R. 1476-85, pp. 87, 244, 381, 574. Wintershull was probably descended from John Wintershull, who was sheriff of Surrey and Sussex and MP for Surrey several times in the early fifteenth century, and a relative of the Robert Wintershull who was a Surrey JP under Henry VII and Henry VIII. The Thomas Wintershull who was a Surrey MP in 1435 was probably an ancestor. Edward IV made the younger Thomas keeper of the royal park in Witley and Ashurst in 1478 and placed him on the Surrey commission of array in October 1480. Though Richard III removed him from the commission of the peace, Wintershull received confirmation on 20 February 1484 of a grant by which Edward IV had made him serjeant of the king's hart hounds. Perhaps this means he remained loyal to Richard during the rebellion, but surely it is significant that he never returned to the bench in Surrey. Since there is no trace of him under the Tudors,
burgess of Calais, but also had a residence in Barnes, Surrey. His ties to Surrey were weaker than those of his fellows, for he only became a JP in the last year of Edward IV's reign, but though he was busy elsewhere, he found time to attend quarter sessions, so his removal from the commission was not inconsequential. He also had additional reason for displeasure with Richard III, who had deprived him of the office of Chancellor of the Exchequer, which he gave to his favorite, William Catesby, in June 1483.27 William Donington's role in Surrey is obscure. He was an active bencher in Lincoln's Inn, so Edward IV probably placed him on the Surrey commission of the peace for his legal expertise. Still he was important enough that Henry VII returned him to the bench also.28

A second category of JPs includes those Edwardian appointees whom Richard III retained at his accession but later deprived of their offices.29 Sir Thomas Bourchier and Nicholas Gaynesford are outstanding examples of former servants and friends of Edward IV who were ultimately unable to stomach Richard III's method of obtaining the throne, though the new king tried to win their loyalty by continuing them in royal service. Surely Richard knew they would object to his

It is likely that he died prior to Bosworth.

27 Appendix Two; Wedgewood, p. 855; E372/335/Surr-Suss. Thwaites does not appear on any extant commission of the peace for Edward IV's reign, but he was attending quarter sessions during the king's last year.

28 Appendix Two.

29 C.P.R. 1476-85, p. 574.
alleged murder of Edward V and his brother, and kept a watchful eye on them. They in turn must have known that this made their positions in Surrey quite insecure. Though not yet dismissed as JPs themselves, Bourchier and Gaynesford still undoubtedly were troubled also by Richard's attack on the status quo in the shire, just as Ralph Tekell must have been despite his own continued tenure.

Sir Thomas Bourchier of Horsley and Barnes was a younger son of John Bourchier, Lord Berners and the nephew of Thomas Bourchier, Cardinal Archbishop of Canterbury. He too combined household service with a career as a local official. A kinsman and close adherent of Edward IV, he also served Surrey as knight of the shire, as a JP from 1474, and on a number of other commissions. Richard III kept him on the Surrey commission of the peace and fruitlessly sought to win his loyalty by making him a JP in Kent in June 1483. Nicholas Gaynesford came from a family greatly distinguished by public service in Surrey -- a whole host of Gaynesfords served the shire as JPs, MPs, and sheriffs in the fifteenth and sixteenth centuries. Nicholas held all these offices and others, in addition to serving Edward IV in his chamber and enjoying the close personal friendship of the king and queen. His constant activity in Surrey marks him as a man to whom the county community meant a great deal. Ralph Tekell became a JP near the end of

30 Appendix Two; Bourchier is sometimes referred to as "the younger" to distinguish him from Sir Thomas Bourchier of Leeds, a Kentish JP.

31 Appendix Two; Wedgewood, pp. 367-9; Vis. Surr., pp. 91-5; List of Sheriffs, pp. 136-7; V.C.H., vol. I, p. 436; Ross, Richard III, pp. 106-7. Nicholas's grandfather, Sir John Gaynesford, already resided at the family seat of Crowhurst in Henry V's time, and Nicholas's father, John (d. 1450), was an MP for Surrey in 1430-1. His older
Edward IV's reign, though he apparently held no other office before Henry VII's accession. All three of these men participated in the October rebellion, and Richard III removed them from the bench, though he spared their lives. Like the victims of Richard's earlier purge, they would return to the commission of the peace under Henry VII.

Four of Edward IV's appointees to the Surrey bench were among the group who transferred their loyalty to Richard III and kept their places in royal service, usually receiving substantial promotions. These men overcame any scruples about Richard's usurpation of the throne and his interference in the county community. Perhaps they were even glad to have less competition and more free rein on the commission of the peace, for Richard had removed the most powerful men on bench. That these men were opportunistic "trimmers" is clear, for the

brothers, William (1422-83) and John (1419-60) were MPs for the shire and served the county extensively under Henry VI, but it is a measure of Edward IV's trust for him that he was the first Yorkist sheriff in Surrey in 1460-1. Edward IV and Queen Elizabeth "stayed at his house on hunting trips soon after their marriage, and he kept a special stock of wine there for their refreshment on such occasions." At the readeption he lost his place on the bench in Surrey and Hampshire (where he became a JP in 1468), and he evidently followed Edward into exile, returning to the Surrey commission of the peace when Edward returned to the throne.

C.P.R. 1476-85, p. 574; E372/335/Surr-Suss. Tekell does not appear on any extant commission of the peace for Edward IV's reign, but he was attending quarter sessions during the king's last year. For Tekell's participation in the rebellion of October 1483, see Agnes Ethel Conway, "The Maidstone Sector of Buckingham's Rebellion," Archaeologia Cantiana, vol. 37, pp. 105, 113.

Appendix One.
three who survived into the next reign became JPs under Henry VII. Sir John Wood of Molesey had combined service in the Exchequer and in local government in Surrey and Sussex under Henry VI and Edward IV. Richard III rewarded his allegiance by promoting him to the office of Treasurer of the Exchequer. Wood also enjoyed much greater prestige at the local level under the new king, who placed him at the head of the active JPs on the commissions of peace and other commissions in Surrey and Sussex. He and the king were reputedly great friends — at the very least Wood received highly favorable treatment for his loyalty. Wood died on 25 October 1484. Sir John Norbury of

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34 Appendix One; C.P.R. 1476-85, p. 574.

35 Wedgewood, pp. 964-7; D.N.B., "Sir John Wood;" List of Sheriffs, p. 137; C.P.R. 1476-85, pp. 23-4, 109, 111, 144, 244, 392(?), 400, 466, 574. It is extremely difficult to separate Sir John Wood of Molesey in the sources from John Wood of Bedstone, Salop., esquire (c. 1420-85), John Wood of Midhurst, gentleman (c. 1415-85), and John Wood of Ifield, Sussex. Wedgewood's efforts probably come as close as will ever be possible. Wood was the son and heir of John Wood, farmer of Walton-on-Thames. He was working at the Exchequer by 1444 and was under treasurer from 1452 to 1455, when he got into trouble for converting money to his own use from wool exported in the king's name. He was a JP of the quorum in Surrey 1452-9, 1460-1, and from 1464 on, and in Sussex 1453-60, 1461-70, and 1480 on. He appeared on other commissions beginning in 1456, including the Lancastrian commission of array in 1459. Edward IV appointed him keeper of the swans on the Thames on 12 April 1462, sheriff of Surrey and Sussex in 1475-6 and 1478-9, and commissioner to survey the Thames in 1476 and 1478, and to inquire into the capture of swans in 1477. He was on the 1478 commissions which inquired into Clarence's holdings in Surrey and the 1480 commission of array. Meanwhile he was MP for Sussex in 1449-50 and 1472-5 and Surrey in 1460-1, 1478, and January 1483, when he was Speaker of the House of Commons. Edward IV knighted him at the end of that Parliament. He may also have represented Surrey in Richard III's Parliament of 1484. In 1482 he was serving again as Under treasurer of the Exchequer, presumably having remained at the treasury all this time. As well as becoming Treasurer under Richard III, he appeared above the judges with peers on the London and Surrey commissions of oyer and terminer of August 1483 (much higher than Sir Thomas Bourchier). Richard also appointed Wood as one of the commissioners-general in the Admir-
Stoke d'Abernon came from another family which had long held lands and offices in Surrey, though Edward IV appointed him to office only in the last years of his reign. But Richard III made Norbury his vice-marshall in April 1484, sheriff of Surrey and Sussex, and commissioner of array, and he may have sat as knight of the shire in Richard's Parliament of 1484.36

John Holgrave of Bermondsey and Walton-on-the-Hill was a JP of the quorum, a member of other Surrey commissions, and MP for Southwark under Edward IV. But he transferred his loyalty to Richard III, who rewarded him by continuing to appoint him to local office and naming him fourth Baron of the Exchequer on 24 September 1484.37 Finally, like his uncle Nicholas, John Gaynesford, esquire, of Crowherst, had a long career of local service in Surrey as MP, JP, and sheriff. He survived the purges at Richard's accession and after the October rebellion, despite his uncle's involvement in the latter. His failure to be reappointed to the commission of array in December 1484 and his absence from quarter sessions in the second half of Richard's reign may mean that he eventually fell into disfavor, possibly in relation to the attainder in 1484 of his cousin, John Gaynesford of Alington, Kent, son of Nicholas. Surely it is noteworthy that he was alty office on 8 April 1484. Wood left no will.

36 Appendix Two; Wedgewood, pp. 635-6; E372/335/Surr-Suss. Norbury does not appear on any extant commission of the peace for Edward IV's reign, but he was attending quarter sessions during the king's last year.

37 Appendix Two.
the only Edwardian JP kept on by Richard III who did not receive a promotion of some sort, but this may be just a sign of Richard's caution, given his inability to trust John's relatives.\textsuperscript{38}

Because of his unfamiliarity with southern England, Richard was probably less sure whom he could trust than whom he could not. He initially appointed only one new active member to the Surrey commission of the peace. This was John Iwarby, who would survive Richard's fall to serve the first two Tudors as a JP.\textsuperscript{39} Richard III obviously failed to inspire any deep-seated or die-hard loyalty even among those few Surrey officials who were willing to serve him, maintaining their allegiance only by offering them rewards and enhanced prestige. Thus it is hardly surprising that those Surrey worthies who had real grievances against Richard III soon translated their ill-will into action.

IV

The resentment which Richard III created in Surrey by tampering with the leadership of the county community was an important cause of that shire's involvement in the rebellion of October 1483. A preliminary investigation suggests that the same may be true for several southern counties where Richard purged commissions of the peace at his accession, but more work needs to be done to determine just how important this was. At any rate the significance of anger at Richard's

\textsuperscript{38} Appendix Two; Wedgewood, pp. 367-8, Wedgewood is wrong in saying that this John Gaynesford was the John Gaynesford of Allington attainted in 1484. That was Nicholas' son, John.

\textsuperscript{39} Appendix Two.
interference in county communities, whether in Surrey or elsewhere, has been ignored up until now for the period prior to the October rebellion, though it is recognized as a cause of the 1485 revolt in favor of Henry Tudor.

The rebel leaders in 1483 were primarily "loyal former servants of Edward IV," among whom some of the most important had been closely connected to the king's household. This led Charles Ross, in his excellent biography of Richard III, to argue that the rebellion was "a direct result of the outrage and resentment felt by Edward's loyal servants of Richard's treatment of his heirs." Ross points out that there were plans in several shires for risings to free Edward V and his brother from the Tower, and that the desire for vengeance only grew with the mysterious disappearance of the two boys and the rumor of their violent deaths. He denies that the rebels acted for fear of losing their own positions at court under Richard, whose personal following differed largely from Edward's. His argument is based on three grounds: first, that little is known of "the chronology of the changeover in household positions," so that it is impossible to tell if many of the rebels had lost their positions between Richard's accession and the early stages of the rebellion; second, that those of Edward's household servants who remained loyal to Richard easily kept their places in royal service; and third, that Richard made a special effort to obtain the support and friendship of some who eventually rebelled against him. 40

It would be foolish to challenge Ross' view that most of the rebel

leaders were linked together into a coherent group by their loyalty and former service to Edward IV and their anger at Richard's treatment of the old king's heirs. Clearly this is fundamentally important to understanding the rebellion, but resentment in the shires cannot be ignored. While there is no reason to impute strictly selfish motives to the rebels or to deny their intention to right what they regarded as the grievous wrong of Edward V's deposition, it is essential to consider also the threat which Richard's policies posed to the county community.

Ross notes that when Richard flooded southern counties with his northern friends after the rebellion, he "was offending against deeply-held beliefs about what constituted 'the community of the shire.'" The reaction to this policy in the southern counties ultimately helped lead to Richard's defeat and the enthronement of Henry VII. Yet resentment against Richard's attack on the political status quo in the southern shires must have preceded and helped to cause the 1483 rebellion as well.

In several of the counties which rose in October 1483, Richard purged more JPs at his accession than after the rebellion. Here the "chronology of the changeover" does exist, and it is possible to tell that some of the rebels lost their local positions prior to the revolt. This is contrary to Ross' view that "Richard would naturally have been unwilling to lose the services of such influential and experienced men in the running of the shires, and it is therefore even more unlikely that he would have risked alienating them by depriving them of their

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41Ibid., pp. 118-24.
local offices." Though most of the rebel JPs Ross discusses remained on the commissions of the peace in their respective counties until after the rebellion, Richard's first purge eliminated some very prominent men who later became rebels.\(^42\) The removal of these men and many other JPs made those who remained in office well aware of the insecurity of their own tenure on the commissions. The purge which followed the rebellion reveals that many had good cause for uncertainty about their own futures as JPs and shows that Richard did not mind removing "influential and experienced men" when they posed a threat to him. Unsureness about the future encouraged rebellious tendencies among men who already felt aggrieved by the manner in which Richard took the throne. Even if those not purged at Richard's accession failed to share their fellows' distress at the new king's intrusion into the county community, they must have feared becoming objects of their neighbors' resentment themselves.

It was not just the well-known leaders who had reason to be angry at Richard. Ross notes that none of those attainted for their part in

\(^42\) Ibid., pp. 105-13; C.P.R. 1476-85, Appendix. Of the twenty-five rebels discussed by Ross, five were removed from the commission of the peace in their respective counties before the rebellion: Sir George Browne in Surrey; Sir William Haute in Kent; Sir Richard Woodville in Beds., Berks., Northants., Oxon., and the town of Oxford; Sir John Cheyne in Cambs., Dors., and Wilts.; Thomas Grey marquis of Dorset in Northants., Salop., Sans., Worc., Corn., Devon, Glouc., and Hereford. Two, who held positions on more than one county bench, were removed from some of the commissions on which they were members: Lionel Woodville, bishop of Salisbury in Berks.; Sir Thomas St. Leger in Sussex and Hants. More striking is the number of JPs removed from commissions of the peace in the rebellious southern counties before October 1483 as compared with the number removed afterward. Table Three clearly indicates that Richard III made serious depredations against the leadership of several county communities in the south before the rebellion, giving the ousted leaders cause for anger and those who remained the bench ample reason for anxiety about their own futures.
# TABLE THREE

**JPs PURGED AND RESTORED IN SOUTHERN COUNTIES, 1483-1495**

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1 Figures are based on the commissions of the peace printed in the Appendices to C.P.R. 1476-85 and C.P.R. Henry VII, volume I. The figures in this table are "raw" in that I have not yet been able to consult the original patent rolls for the commissions from all counties. Therefore it was impossible at this stage to accurately distinguish between "active" and "ex officio" JPs. There is some overlap of JPs who served in more than one shire. Also, more biographical information is needed for some men (including some death dates), and pipe roll accounts for shires other than Surrey need to be consulted. Still, the figures make quite clear that there were major changes in the membership of the bench in many southern shires before the October 1483 rebellion. I plan in the future to investigate further the changes in personnel on the commissions of the peace in the southern counties during the 1480s.

2 JPs removed from the bench in more than one county include Thomas Brugge (Devon, Dorset, Somerset), John Cheyne (Dorset, Wiltshire), Sir Edward Gray, Lord Lisle (Devon, Somerset), Richard Gray (Berkshire, Buckinghamshire, Essex), Thomas Gray, marquis of Dorset (Cornwall, Devon, Dorset, Somerset, Wiltshire), Sir William Nottingham (Essex, Hertfordshire, Sussex), Richard Pigot (Bedfordshire, Buckinghamshire), Sir Thomas St. Leger (Hampshire, Surrey), Sir John Stourton (Dorset, Somerset, Wiltshire), Sir Thomas Vaughan (Berkshire, Buckinghamshire, Hertfordshire, Middlesex), Anthony Woodville, earl Rivers (Essex, Hampshire, Hertfordshire, Kent), Sir Richard Woodville (Bedfordshire, Berkshire).

3 JPs removed from the bench in more than one county include Sir John Audeley (Dorset, Hampshire, Somerset,
TABLE THREE (Con't)

Surrey, Wiltshire), William Berkeley (Hampshire, Somerset), Peter Courtenay, bishop of Exeter (Cornwall, Devon, Surrey), Sir Richard Penys (Kent, Surrey, Sussex), John Morton, bishop of Ely (Essex, Hertfordshire, Middlesex).

4 Figures for Richard III include JPs first appointed in Edward V's brief reign, when Richard, as duke of Gloucester, dominated the government.

5 Removed from the bench in more than one county was John Collowe (Dorset, Hampshire, Wiltshire).

6 Restored in more than one county was Sir John Stourton (Dorset, Somerset, Wiltshire).

7 JPs restored in more than one county include John Cheyne (Dorset, Wiltshire) and Peter Courtenay, bishop of Exeter (Cornwall, Devon).

8 Includes ex officio JPs.

9 Includes Sir Thomas Thwaites, whose names does not appear on any Edwardian commission of the peace but was on the pipe roll for the final year of Edward IV's reign (E372/335/Surr-Suss).
the rebellion ever again were JPs in their native counties under Richard. It is also true that Richard reappointed only very few of the JPs removed at his accession, whether they were attainted for rebellion or not.\textsuperscript{43} It must have been obvious early on to all those purged that their prospects were not good as long as Richard was king. Resentment against Richard's attack on the integrity of the county community and his ouster of many of the rightful leaders in the shires must have greatly augmented the animosity felt toward the king who had usurped the throne from the legal heir. Certainly it would be difficult to separate the two causes of antipathy to Richard; anti-Ricardian contemporaries must have regarded them as two aspects of one great injustice.

V

The plan of loyal Yorkists, at first to free Edward V and later to avenge his death, became a plot to place Henry Tudor on the throne when the Duke of Buckingham became involved in the autumn of 1483. The duke's own motives are difficult to discern — ambition, revenge, and fear all may have had a role in his decision to turn against Richard III.\textsuperscript{44} For men like Sir Thomas St. Leger, Sir George Browne, Sir Thomas Bourchier, Nicholas Gaynesford, and others, the motives were the same as before — to remove the unjust king who had usurped the throne from their master's heir and to return the shires to the

\textsuperscript{43} Ross, Richard III, p. 119; C.P.R. 1476-85, Appendix; see Table Three.

\textsuperscript{44} On Buckingham's motives, see Ross, Richard III, pp. 113-15.
status quo ante-Richard. They must have anticipated that accomplishing the first, by making Henry Tudor king, would bring about the second goal. In fact that is exactly what happened in 1485; however, in 1483 it was not to be.

The rising was planned for 18 October. The rebels in the southeast were to take London, those in the southwest to join Henry Tudor when he landed there, and Buckingham to raise the Welsh and cross the Severn River into England. Unfortunately the rebels in Kent rose ten days early, giving the scheme away. John Howard, duke of Norfolk happened to be touring his new estates in Surrey and Sussex when he heard that "the Kentishmen be up in the Weald." Howard quickly secured London and warned Richard at Lincoln, allowing the king to march against Buckingham in the west.45

Despite this the Surrey rebels mustered at Guildford on 18 October as planned. St. Leger and Browne undoubtedly directed the movement in the county, though they were elsewhere at the time of the actual rising. Since Nicholas Gaynesford was involved in Kent, Bourchier must have had a major role in Surrey. Browne, Sir John Fogge, and Sir John Guildford led the revolt in Kent. Along with Thomas Grey, marquis of Dorset, Sir William Norris, and Sir William Knyvet, Browne and Bourchier were denounced as rebels on 23 October.46

Elsewhere the rebellion quickly fell apart. Richard III apprehended the betrayed Buckingham on 1 November and executed him at


Salisbury the following day. The king then drove south into Dorset and on westward to Exeter. The rebels in the southwest fled to France, but Richard captured Sir Thomas St. Leger at Torrington and executed him at Exeter on 13 November. Ironically this Surrey man was the only rebel leader to suffer thus in the southwest. 47

Meanwhile Henry Tudor’s small fleet was dispersed by foul weather, and armed resistance persisted only in the southeast. The rebels held on for a time in Bodiam Castle in Sussex, but eventually surrendered to Thomas Howard, first earl of Surrey and others. By 25 November Richard was back in London and the rebellion was over. Sir George Browne, William Clifford, and four yeomen of the crown were executed on Tower Hill on 4 December, while most of the other rebels escaped to France to join Henry Tudor or were eventually pardoned. 48

Thus Richard III put down the rebellion of 1483 easily and with a minimum of bloodshed. The effect on Surrey was profound, however. St. Leger and Browne were dead. The king pardoned Nicholas Gaynesford and Sir Thomas Bourchier, but prohibited Gaynesford and his son, John Gaynesford of Allington, from entering notoriously rebellious Kent. Bourchier accepted clemency only reluctantly, continuing to nurse the hatred and mistrust which led him to turn against Richard once more in 1485. Richard removed Gaynesford, Bourchier, and Ralph Tekell from the commission of the peace, as well as ex officio members, Bishop Peter Courtenay of Exeter, Sir John Audeley, and Sir Richard Fenys of


48 Ross, Richard III, p. 117; Wedgewood, p. 122.
Dacre, whose son Thomas was a former esquire of the body to Edward IV, sheriff of Surrey and Sussex in 1480-1, and a rebel in 1483.49

It must have been especially galling to the Surrey rebels that the defeat of the rebellion in the southeast was largely the work of the Howards, whose newly acquired prominence in Surrey was one of the very objects of their displeasure. But if local countrymen had cause to resent the intrusion of outsiders before the rebellion, matters were even worse afterward. This was true in Surrey as elsewhere in the south.

In the wave of northerners who now flooded the south, Richard III gave his follower, Sir Richard Ratcliff, lands in Surrey and made him an ex officio JP. Another prominent intruder was Robert Brackenbury, who obtained forfeited estates of a number of men in Kent, Surrey, and Sussex, though he was never made a JP in Surrey. Richard also appointed as active JPs Sir Christopher Ward and John Legh of Stockwell, a future kinsmen and ally of the Howard family.50 Ward was an outsider, who had served Edward IV as a commissioner in York in 1483. Under Richard III he served as a JP in Surrey and Hampshire, and was a local official in Sussex, where he had or obtained a residence at Tratton.51 John Legh of Stockwell was at least a local man, and would

49 Ross, Richard III, pp. 106-7, 113; Wedgewood, pp. 368-9; List of Sheriffs, p. 137; C.P.R. 1476-85, pp. 375, 478, 574.


51 C.P.R. 1476-85, pp. 345, 397, 399, 489, 491, 531, 572, 574.
in fact continue to serve as a JP under Henry VII and Henry VIII.

He was the son of Ralph Legh, who was a household servant to Henry VI, under whom he had held numerous Surrey offices. John was twenty-two years old when his father died in 1471, but he held no county offices under Edward IV, who perhaps had doubts about his trustworthiness. The first recognition accorded John, the son of a Lancastrian, came when Richard III made him a JP, after which he began to appear on other commissions. With his Inner Temple legal training he was at least well qualified as a lawyer for a place on the Surrey bench, but it was his loyalty to Richard which got him the office.  

By April 1484 Richard added two more of his followers, John Bell and Richard Drax, to the Surrey commission of the peace. John Bell was escheator of Surrey and Sussex at the end of Edward IV's reign, as well as a clerk of the household countinghouse, "cofferer of the king's house," and governor of the "winedrawers" in London and elsewhere. Following the rebellion he served in Kent and Surrey on commissions which inquired into treasons, insurrections, and so on, and he was on the Surrey commission of array in 1484. Richard Drax of St. Bartholomew the Little, London and Hertfordshire appears in Surrey only as a JP under Richard III and on the commission of array of 8

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December 1484. Apparently Richard II was having trouble finding very many men in Surrey upon whom he could depend. The Surrey commission of the peace contained only nine active JPs after the rebellion, as opposed to fourteen in Edward IV's last year.

Not only did the Surrey commission of the peace become markedly more pro-Richard, attendance at quarter sessions also changed after the rebellion. In Richard's first year his own appointees to the bench accounted for less than half the man/days at Surrey sessions, though admittedly some of the Edwardian JPs who remained were loyal to Richard. The anti-Richardian presence was maintained at sessions by Sir Thomas Bourchier, Nicholas Gaynesford, and Ralph Tekell. But in Richard's second year his appointees almost completely dominated attendance. Even among the Edwardian JPs who chose loyalty to Richard and kept their places on the bench, only Holgrave and Norbury chose to attend. Obviously Richard put the greatest trust in men he had selected personally and who owed their positions to him alone. Meanwhile his supporters were prominent on other commissions in Surrey as well. Power had changed hands rather remarkably between Edward IV's death and the end of 1484.

Yet the very policy by which Richard III sought to strengthen his hold on the southern counties ultimately helped to undermine his position. As noted above, Charles Ross makes clear that the king had


54 See Table Four; E 372/331, 33/Surr-Suss.; C.P.R. 1476–85, p. 574.
### TABLE FOUR

**ATTENDANCE AT QUARTER SESSIONS IN RICHARD III's REIGN**

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<tr>
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<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holgrave, John</td>
<td>4</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Norbury, John</td>
<td>0</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Tekell, Ralph</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wode, John</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Man/Days</strong></td>
<td><strong>11 (61.1%)</strong></td>
<td><strong>5 (35.7%)</strong></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>JPs Appointed</th>
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<tbody>
<tr>
<td>Drax, Richard</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Iwarby, John</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Legh, John</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total Man/Days</strong></td>
<td><strong>7 (39.9%)</strong></td>
<td><strong>9 (64.3%)</strong></td>
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</table>

**SOURCE:** E372/331, 337/Surr-Suss
offended the men of the southern shires so deeply by disrupting the local communities there, that they were very reluctant to support him when Henry Tudor threatened in 1485. In Surrey Richard had executed the county's two most prominent leaders and removed from the bench eight other active JPs, most of them longtime local rulers. Finding supporters in only four of Edward IV's JPs, he filled the commission with outsiders and men with little or no previous role in local government. Finally he allowed the imposition of Howard influence in a county unused to magnate rule. The importance of this cannot be overstated, for Richard said explicitly that the intruders in Surrey and elsewhere in the south were not meant to be assimilated into local society, but to play a dominant role in local government. It is hardly surprising that southerners like those ousted from positions of leadership in Surrey were willing in 1485 to throw in their lot with Henry Tudor.55

55 Ross, Richard III, p. 123, notes that "Richard's 'strangers' were not to be quietly assimilated into the landed society of these shires. They were intended from the first to play a dominant role, as his own words explicitly state." "For example in a letter of 22 January 1484 addressed to all the inhabitants of the honour and town of Tonbridge, and of Penshurst and other former Buckingham lordships in Kent, the king informed them that 'for the speciall trust and confidence that we have in our trusty and welbeloved knight of our body Marmaduc Constable (of Flamborough in Yorkshire) and for other causes us moving' we 'have deputed and ordeyned him to make his abode among you and to have the rule within the honour and town and the lordshipps aforesaid.' The people were to be attendant upon him at all times, and to take no livery from, or be retained with, anyone else. Such action struck directly at the roots of the local patronage and influence of the native gentry of the shire as well as at the control of local offices which they regarded as theirs by right and custom. It is highly likely that the 'colonization' of northerners and other outsiders on these terms finally cost King Richard the allegiance of the southern and western gentry and was equally unpopular with the inhabitants at large." Ross goes on to quote the Croyland Chronicler, who tells how Richard III provoked "the disgrace and loudly expressed sorrow of all
the people in the south, who daily longed more and more for the hoped-for return of their ancient rulers, rather than the present tyranny of these people." Thus Richard's "successful suppression of the rebellion by no means put an end to disaffection in the south and southeast of England." There were rebellious stirrings in the southwest in the summer of 1484 and later that year in Hertford and Essex. Royal apprehension about Surrey may explain the absence of John Gaynesford from the December commission of array. Royal apprehension shortly would be justified.
CHAPTER TWO
THE REIGN OF HENRY VII

Historians of the early Tudor period have now given us a clear picture of Henry VII's policies and impact upon England at the national level.¹ Almost no attention has been given, however, to the way in which the first of the Tudors affected the county communities of the realm. This chapter will examine the relationship between the victor of Bosworth and the county community of Surrey. Not surprisingly the king's national policies frequently influenced his actions at the local level. But particular circumstances and developments within Surrey often affected his decisions with regard to that shire as well.

The political history of Surrey under Henry VII falls into three periods. Between 1485 and 1490 there was an Edwardian revival in Surrey, in which Henry VII reappointed to the bench those JPs purged by Richard III at his accession and after the rebellion of 1483. Henry also retained on the commission of the peace those Edwardian JPs who had continued to serve under Richard III, for all had strong ties to the Surrey community, and he kept those Ricardian appointees whom his predecessor had chosen from within the county community. Henry VII appointed only five new JPs in this period, two of whom were former servants of Edward IV and all of whom were linked to the county community. Thus Henry restored the integrity of the county community by returning leadership to the traditional leaders of the shire.

The second period is 1490-7. Though old Edwardians continued to

¹The best general treatment is S. B. Chrimes, Henry VII.
dominate membership of the Surrey commission of the peace until 1494, from 1490 on the JPs Henry VII appointed were almost exclusively of his own making. Of the eight new justices named between 1490 and 1497 only one had served Edward IV. But membership in the county community continued to be crucial in Henry's selection of JPs. The king named only one outsider to the bench, and this Gloucestershire native, Thomas Morton, had established numerous connections in Surrey and elsewhere in the southeast.

In the third period, between 1498 and 1509, Henry continued to appoint JPs from among the traditional ruling families in Surrey, but he now began to name to the commission of the peace a number of outsiders, including some of his most trusted friends and advisors. This was partly because of the king's increasingly suspicious nature in his last years, partly because of poor law enforcement in Surrey, and partly because escalating factional strife between Sir Matthew Browne and John Scott of Camberwell on one hand and the Howard and Legh families on the other threatened the county community with disorder. Seven of the fourteen new JPs in this period were men whose principal interests lay outside Surrey, and five of that number were high-ranking councillors. Thus the inability of Surrey's traditional leaders to maintain order within the county community led to a new intrusion of outsiders, a policy that would be repeated by Thomas Wolsey for similar reasons.2

2See below, Chapter Three.
It is impossible to determine how all the Surrey men disgraced by Richard reacted at the time of Henry's invasion in August 1485. A leading Surrey figure whose actions are known is Sir Thomas Bourchier. Though Richard pardoned Bourchier on 7 December 1483 (three days after Sir George Browne's execution) and again in 1484, he continued to doubt his loyalty. When Henry invaded in 1485 the king ordered Robert Brackenbury, the lieutenant of the Tower of London, to bring Bourchier and Sir Walter Hungerford to him. But the two men slipped away from Brackenbury at Stoney Stratford during the night and joined Henry in time for the battle of Bosworth Field. Bourchier's fellows in Surrey cannot have been eager to aid Richard, and most must have supported Henry, judging by the rewards they later received.\(^3\)

Henry VII's victory at Bosworth brought a third major change in Surrey's leadership. Along with other steps Henry took to consolidate his hold on the throne, he sought to win the sentiment of Yorkists. For example, he married Edward IV's daughter Elizabeth, whom many regarded as her father's rightful heir, in order to gain greater legitimacy for his kingship. Lacking experience as a ruler, he relied heavily on Yorkist councillors in the early years of his reign. At the county level also, he linked his rule to that of Edward IV. To insure his own success Henry had to avoid offering the sort of affront to the shires by which Richard III had helped bring on the rebellion of October 1483 and the coup d'etat of August 1485. In addition he as yet had few powerful supporters in the nation. Therefore he returned

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Wedgewood, pp. 95-6.
Surrey to those who had been its natural rulers under Edward IV, men who would not regret Richard's fall and who undoubtedly deserved such a reward for helping Henry obtain the throne. 4

An interesting reflection of the change can be found in the ex officio membership of Surrey's commission of the peace following Henry VII's accession. John Howard, Duke of Norfolk, and Sir Richard Ratcliff had both been killed at Bosworth, thus two powerful outsiders were removed. Norfolk was posthumously attainted in the 1485 Parliament along with his heir, Thomas, earl of Surrey. Though it was rumored for a time that Henry VII would execute the earl of Surrey, he imprisoned him instead in the Tower of London, where he remained until January 1489. The earl's attainder meant of course that he forfeited his title and all his lands, including those in Surrey. These he regained only bit by bit as he slowly won Henry's confidence and gratitude for services rendered. He did not reacquire the Mowbray estates until 1491, and he never got back all the massive grants Richard III had given his father. In Surrey he did not reappear as an ex officio member of the commission of the peace until December 1501. Another magnate, Henry Percy, earl of Northumberland was also removed at the ex officio level, which had symbolic importance to Surrey residents, since Northumberland was a prominent northerner. 5

Of the ten active JPs Henry appointed in Surrey in September 1485,

4 Chrimes, Henry VII, pp.

six had been JPs there under Edward IV. Thomas Basset, William Merston, and William Donington had been purged at Richard III's accession, while Sir Thomas Bourchier had been removed after the rebellion of 1483. John Holgrave and (probably) John Gaynesford enjoyed uninterrupted tenure on the Surrey bench under Edward IV, Richard III, and Henry VII. Basset continued to serve as a JP until 1500, at which time he presumably died. Henry VII gave Merston a reward of £40, placed him on a commission to inquire into concealed lands in Surrey on 7 August 1486, appointed him sheriff of Surrey and Sussex on 4 November 1487, and made him one of the quorum on the Surrey bench from October 1487 until his death on 26 October 1495. Donington died shortly after being appointed to the bench. Henry VII rewarded Sir Thomas Bourchier very well for his aid, both with lands and offices. In Surrey Bourchier enjoyed great prestige, sitting at the head of the active JPs on the commission of the peace until 1498, when he was surpassed by Sir Reginald Bray. He also served on numerous other commissions. Holgrave served as a JP and on other commissions until his death in 1487. Gaynesford received a pardon on 6 February 1486 and continued to serve as a JP until his death in 1491, attending quarter sessions regularly.6 Robert Skerne, esquire, of Kingston-upon-Thames, had served on numerous commissions under Edward IV, though not on the commission of the peace. He took part in the rebellion of 1483, was pardoned on 6 December 1483 but was unrepentant and gave valuable service to Henry Tudor in 1485. He was called "king's servant" in September 1486 when Henry awarded him the keepership of the manor of Shene "for the king's affection for him and

6 Appendix One and Two; Wedgewood, pp. 368, 463-5, 587.
services to the king when beyond seas and in the realm, not only in favouring his royal title . . . but in repressing his enemy, Richard, late duke of Gloucester."

Henry VII initially reappointed only two of Richard III's appointees to the bench, John Iwarby and John Legh. Their retention was a shrewd move, for both became trusted local officials under Henry and were rewarded by being made Knights of the Bath on 14 November 1501, on the occasion of the marriage of Prince Arthur. Iwarby also served his new king on several Surrey commissions. Legh was even more active as a commissioner and was sheriff of Surrey and Sussex in November 1492.8

The only completely new appointment to the Surrey bench was Sir Reginald Bray, the king's friend and advisor, whose service Henry rewarded in part by a grant of lands in Shire. Bray was deeply involved in the rebellion of 1483 and the coup d'état of August 1485, and was among the twelve Knights of the Bath Henry created at his coronation. His career as one of Henry's leading administrators is too well known to require discussion here. Certainly it kept him too busy to have much time for Surrey affairs, particularly since he had interests in ten other counties as well. Yet Bray attended quarter sessions in the county occasionally and was a member of the quorum. He served on

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8 Appendix One and Two.
numerous commissions before his death in 1503.\(^9\)

Bray's career as a Surrey JP is interesting for what it shows about Henry VII's realization of the need to respect the county community. Though he was Henry VII's boon companion and one of his most important advisors, his high position at Court did not automatically give him first place among the active JPs on the Surrey bench. Bray was ranked second to Sir Thomas Bourchier, the only other knight among the active JPs on Henry VII's first commission of the peace and a local man. Bray did not surpass Bourchier until 1497, following a dozen years of local service. Bray's promotion came after he fought alongside Henry VII at the battle of Blackheath in June 1487, following which he obtained part of the estates forfeited by Lord Audeley, who was executed for treason. Bray now became owner in his own right of the manors of Shire, Vachery, and Cranley, an estate near Guildford which became his family's ancestral home. Thus it was only after years of holding office in Surrey and obtaining his own estate that he was given the pre-eminent position on the bench. Not only was Henry VII's involvement of Bray in Surrey affairs much more gradual than Richard III's intrusion of the Howards, it was never intended that Bray should exercise the sort of dominant influence that Richard meant for the Howards to have. In addition his initial appointment to the bench came at a time when Henry was restoring local government to Surrey's traditional leaders, rather than coinciding with a major

Henry VII's first appointment to the shrievalty in Surrey and Sussex was Nicholas Gaynesford, another Edwardian JP, who returned to the bench himself following his year in the shrievalty. Henry had Gaynesford's attainder reversed in 1485, made him keeper of Banstead and Walton, gave him a £40 reward for his services as sheriff, and appointed him usher of the chamber to his new queen with £20 annually. A JP until his death in 1498, Gaynesford also appeared on a number of other commissions and was knight of the shire and a burgess for Southwark. Thus Surrey government returned almost entirely to the hands of the local gentry who had ruled the county under Edward IV.

In the early years of his reign Henry VII continued to rely heavily on former servants of Edward IV to govern Surrey. Because these individuals were reliable, Henry found it unnecessary to quickly pack the bench with men of his own making. Indeed he must have regarded the use of former JPs as the only prudent course, given his awareness of local sensitivity about the integrity of the county community. During the remainder of the 1480s Henry appointed seven JPs besides those on his first commission. Three of these were men originally appointed to the bench by Edward IV — Nicholas Gaynesford and Ralph Tekell were reappointed by Henry VII on 11 October 1487 and Sir Thomas Thwaites on 21 October 1488. Gaynesford's further career in Surrey is detailed above. Tekell served continuously as a JP — and as a member of the quorum from 1494 on — until his death in 1500,

10 Ibid.

11 Appendix One and Two; Wedgewood, pp. 368-9.
regularly attended quarter sessions, and appeared on several other local commissions. Thwaites remained on the Surrey bench until his death on 20 June 1497.\textsuperscript{12}

Sir Anthony Browne I had not held office in Surrey under Edward IV, but he did have links to the Edwardian past, for he was the brother of Sir George Browne and had taken part in the 1483 rebellion in Kent. Henry VII rewarded Browne's loyalty well, but perhaps because he was busy in Kent or in Calais, where he was constable, Browne appeared on the Surrey commission of the peace only on 28 November 1487. It was left to other members of his family to carry on the Browne influence in Surrey. John Lye of Addington had not been a JP in Surrey under Edward IV, but he had been a yeoman of the crown from 1475 to 1483, and he was a rebel in 1483. Henry VII named him to numerous commissions in Surrey.\textsuperscript{13}

Henry VII also made Surrey JPs of John Westbroke (22 February 1486) and Gregory Skipwith (11 October 1487), neither of whom had served Edward IV in the county. Westbroke was a JP into Henry VIII's reign, but was on and off the commission at least twice in the 1480s, perhaps because of some indiscernable local problem. It is certainly interesting that his other appointments under Henry VII came in 1490 and after. It is likely that some of the older JPs resisted this "new" man, particularly if he was already a servant of the Earl of Surrey, as he was in Henry VIII's reign. Skipwith was a relatively obscure

\textsuperscript{12}Appendix One and Two.

\textsuperscript{13}Ibid.; D.N.B., "Browne, Sir Anthony" (his son); Vis. Surr., p. 91; Conway, "The Maidstone Sector of Buckingham's Rebellion," p. 113.
individual who did little aside from acting as a JP through 1493.\textsuperscript{14}

Clearly the more important of Henry VII's appointees to the bench in the 1480s were former servants of Edward IV, and among active JPs as a whole they continued to outnumber exclusively Henrician JPs until 1491. A further indication of Henry VII's reliance on the old guard is that both of the Surrey men he appointed sheriff of Surrey in the 1480s came from that group. Nicholas Gaynesford was Henry's first sheriff, while William Merston was placed in the office in November 1487.\textsuperscript{15}

II

Beginning in the 1490s Henry VII's dependence on ex-servants of Edward IV gradually diminished. Sir John Norbury was the only one of Edward's JPs to be reappointed to the bench in the new decade. Because of his loyalty to Richard III, he was not rehabilitated as a JP until late 1496, though he served on other commissions beginning in 1488. In fact he had only a limited claim to being one of the county's traditional leaders, since he only became a JP in Edward IV's last year as king.\textsuperscript{16}

The Surrey commission of the peace grew steadily in size from 1490, so that by 1509 there were twice as many active members as in 1485. This was partly the result of a need for more JPs to handle the

\textsuperscript{14}Appendix One and Two; Wedgewood, p. 530; C.P.R. 1476-85, p. 94; for Westbroke as Howard's servant, see below, pp. 113-5.

\textsuperscript{15}Appendix Two.

\textsuperscript{16}Appendix One and Two.
increasing burden of responsibility placed on the commission of the peace under Henry VII. But it was also in response to a growing demand from local gentry for a place on the bench in an age when the prestige attached to the office of justice of the peace was increasing. No knight, esquire, or gentleman could account himself a leader in the county community unless he was a JP. By appointing more JPs, Henry VII sought to improve local administration and was able to win support in the county community. Indeed Henry VII continued to show great respect for the integrity of the Surrey county community in his choice of JPs. Until 1498, as he increased the size of the Surrey commission and appointed more and more first-time JPs, he relied heavily on local men with strong ties to the county.  

Thomas Elyngbrigge of Nutfield, named to the bench in February 1493, came from a family with a long history of local service in Surrey and with lengthy ties to two prominent Surrey families, the Gaynesfords and the St. Legers. Sir Richard Carew, a JP from May 1494 and knighted in June 1497, came from a family which had been  

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17See Table One.  
18Appendix One and Two; Wedgewood, p. 195; List of Sheriffs, p. 136; Cal. I.P.M. Henry VII, vol. 3, nos. 467, 745, 1136-7; Vis. Surr., p. 94. Elyngbrigge was the grandson of John Elinbridge of Merstham (c. 1415-74), a lawyer who was MP for Bletchingley in 1442 and Surrey in 1450-1, and an elector, JP, and member of other commissions in Surrey under Henry VI and Edward IV. The Roger Elmarygg who was sheriff of Surrey and Sussex in 1437-8 was probably Thomas' ancestor also. John Elinbridge had been a feoffee to uses for John Gaynesford in 1460, and John Gaynesford, Nicholas Gaynesford, Thomas St. Leger and other members of the St. Leger family were feoffees for John and Thomas Elyngbrigge successively. Thomas married Nicholas Gaynesford's daughter, Elizabeth.
established in Surrey since the days of William the Conqueror. Though he enjoyed close contact with the king as a knight of the body, he was unquestionably a county man. He was quite active as an officeholder in Surrey, though after 1507 appointments in Calais caused him to be in the shire somewhat less frequently.\textsuperscript{19}

Thomas Morton, named to the commission at the same time as Carew, was not originally a Surrey man, though he established his family there. Hailing from Lechlade, Gloucestershire, he was the son of William Morton and nephew of John Morton, Cardinal Archbishop of Canterbury. That connection itself would have been enough to obtain Henry VII's favor, but Thomas himself aided Henry in 1485, and on 8 October 1486 the king granted him forty marks a year for life "in recompense of goods of him and his friends, lost in the king's just cause." For a time his main interests and officeholding activity were in Gloucestershire, but in 1493 he obtained the manor of Bencham in Croydon, and the following year he became a Surrey JP (of the quorum by 1497). Further evidence that his principal interests had shifted southward to Surrey is found in the marriages of his children to residents of Surrey, Sussex, and Kent. Thomas Morton ceased to be a JP in Gloucestershire in 1403 or 1504, but continued to serve in Surrey until his death in 1518. Under Henry VII he also appeared on

\textsuperscript{19} Appendix One and Two; Wedgewood, pp. 155-6; List of Sheriffs, pp. 136-7; Herald's Visitation, pp. 17, 214; Bindoff, p. 575. Sir Richard Carew's great-great-grandfather, Nicholas Carew Lord of Beddington (d. 1414-15) served both Richard II and Henry IV as sheriff of Surrey and Sussex (1391-2, 1400-1); great-grandfather Nicholas was a prominent Surrey elector, MP for the shire in 1439-40, a JP for many years, and sheriff in 1440-1, 1444-5, and 1448-9.
several Surrey commissions and was sheriff of Surrey and Sussex in 1507.20

If Morton's entry into Surrey political life produced any local resentment, evidence of it has not survived. His many links with the southeastern establishment probably account for his easy assimilation into Surrey society. Neither did it hurt that he was the nephew of the Archbishop, for the holders of the see of Canterbury almost always held first place among the ex officio members on the Surrey commission of the peace and were linked to the county via the archiepiscopal residence at Lambeth. And of course by 1494 it was clear to Surrey locals that Henry VII intended to leave power in their hands, so they would not have perceived Morton as a threat. Even though he sat at the head of the esquires throughout his tenure on the Surrey bench, he was never promoted to knighthood, as were many of Surrey's most prominent JPs.

Roger Fitz, who joined the commission sometime in 1496, had at least some connection to Surrey — he held lands in Southwark, but outside the commission of the peace, he saw only limited service.

20 Appendix One and Two; Wedgewood, p. 615 and n. 6 is wrong in treating the Gloucestershire and Surrey Morton as two men, assuming the death of "Gloucestershire Morton" because of his disappearance from that county's bench, when in fact he had shifted his interests and officeholding to Surrey. Morton was probably MP for Gloucestershire in 1485 and definitely in 1491-2, JP from July 1486 to 1503-4, a member of numerous other commissions, and sheriff in 1488-9. His daughters Elizabeth and Margaret married George West of Sussex (father of William Lord Delaware) and Robert Johnson of London and Tichhurst, Kent, respectively. John Morton of Croydon married Helen, daughter of John Roper of Eltham, Kent, Attorney General to Henry VIII, and William Morton of Dickling, Kent married Margaret, daughter of John Kirton, the Surrey JP, Vis. Surr., pp. 73, 116-17.
in Surrey. Henry VII probably appointed him as much for his legal expertise as for his links with Surrey, for Fitz was a distinguished member of Lincoln's Inn, attorney for the Guildhall in London from 1493, and a member of the quorum throughout his career as a Surrey JP. His relative lack of social distinction within the county explains why he always sat last or next to last on the bench.21

In fact under Henry VII and Henry VIII, especially the former, there was always a cluster of men at the bottom of the Surrey commission whose social status was relatively less than that of their fellow JPs, but who were nonetheless members of the quorum. At this time membership in the quorum had not yet been perverted into a mere status symbol. Henry VII, like Wolsey and Cromwell later, was deeply concerned about local administration of justice, though he was all too aware of how often JPs failed to live up to his expectations. In Surrey there were always men whose main claim to a place on the bench was their legal knowledge. Henry VII appointed them to the bench, along with those prominent gentry figures who had an almost prescriptive right to membership, in an effort to make justice at quarter sessions a reality. Unfortunately competition among leading Surrey gentry prevented quorum members from exercising their intended sway at sessions and sometimes led to downright disorder. But the presence of men like Fitz was at least intended to give some semblance of legality to the proceedings.22

21 Appendix One and Two.

22 On disorder at quarter sessions, see Chapter Three.
Indeed if Henry VII's victory returned Surrey to a state of comparative peace and contentment for a time, the stormy years which preceded it created long-lived animosities in the shire, which eventually led to more trouble. Following the earl of Surrey's temporary fall from grace, the Howard presence returned. This influence in Surrey affairs aroused the particular resentment of Sir George Browne's son, Matthew, who became politically active in the late 1490s. In a career which lasted into Mary's reign, Browne became one of the most powerful men in Surrey, and always he was an inveterate enemy of the Howards. Clearly he never forgave their intrusion into Surrey, their role in his father's fall and death, and the challenge they posed to his own authority. He likewise hated the Howards' kinsman and ally, John Legh. The antagonism between the Browne and Howard-Legh factions in Surrey exploded so powerfully in the first decade of Henry VIII's reign that it must have had an impact on county politics in Henry VII's time.\[^{23}\]

By no means of course were there two constantly warring parties in Surrey under Henry VII. Surrey's JPs were interconnected in a complex web of friendship and kinship which defies simple arrangement of all JPs into factional groups. But certainly there was friction between the Browne and Howard-Legh groups on occasion, and it is possible to link other county leaders to one or the other factions even for the years before their enmity broke violently out into the open.

Though it was the presence on the Surrey bench of men like Sir Matthew Browne and John Scott and their enemies, the Howards and the Leghs, that eventually led to so much trouble at quarter sessions, men

\[^{23}\]See below, Chapter Three.
of such local power and influence realistically could not be left off the commission of the peace. Omitting them would have ignored their "natural right" for a role in governing the county community and also would have caused them grave social embarrassment. Besides, if the natural rulers of the county did not rule, who would? Richard III's experiment with outsiders certainly had not worked very well, and Henry VII knew this. And of course, though Henry may have been aware of the mutual animosity between Browne and the Howards and Leghs, he could not have anticipated just how far this antagonism would lead.

After all Sir Matthew Browne of Betchworth was a very young man when he joined the commission of the peace in late 1495 or early 1496. If family enmity guaranteed his opposition to the Howards and Leghs, the Brownes' prestige as county rulers and servants to kings insured Matthew a place on the bench. Already Henry VII had made him a Knight of the Bath and in 1496-7 he had the honor of serving Surrey and Sussex as sheriff. Following his appointment to the commission of the peace, he regularly appeared on other Surrey commissions. Around this time he married Frideswide, daughter of Sir Richard Guildford, Henry VII's trusted friend and councillor and a future Surrey JP himself. He sat near the top of the active JPs and was overall a very well-placed man in the county. 24

On 4 January 1497, Browne's ally, John Scott of Camberwell, also became a Surrey JP. Scott was legally educated at the Inner Temple, where he was beginning a long and distinguished career. He immediately

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24 Appendix One and Two; Wedgewood, pp. 122-3. Browne must have come of age only recently, for Sir George, his father, had married Elizabeth Paston c.1471-2, and Matthew lived until 1557.
became a member of the quorum in Surrey, joining that cluster of legally trained men at the bottom of the commission of the peace. Like Browne, he served regularly on other Surrey commissions. He was not to be long in involving himself in controversy with the Leghs. One other Surrey man who joined the commission about this time was Richard Merland of Bansted who was one of the quorum JPs near the bottom of the commission.  

III

Surrey was for the most part unaffected by the Cornish rebellion of June 1497, though the rebels marched through Surrey and were defeated in battle there. Indeed the problem in Surrey in the coming years was not to be disloyalty to the king, but the inability of Surrey's rulers to get along with one another. The increasingly open enmity between Browne and Scott on one hand and the Howards and Leghs on the other, is one of the two most important features of Surrey's political history in the remainder of Henry VII's reign. The other related development is that Henry VII modified his policy of selecting new Surrey JPs almost exclusively from within the traditional county community. Instead he began to employ high-ranking officials in the central government without connections in Surrey. It is likely that this happened because Henry VII's dissatisfaction with local administration of justice in England found particular focus in the situation

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25 Appendix One and Two.

produced by factional strife in Surrey. Ultimately one can only speculate as to just how much this was the case. Not until Henry VIII's reign does it become absolutely clear that local squabbles were leading to gross maladministration of justice. But local feuding did occur in Surrey in the latter part of Henry VII's reign, and the concurrence of the change in the policy of appointing JPs strongly suggests a connection between the two.

Henry VII had always been aware that the performance of JPs was a good bit less than ideal. A proclamation attached to the act 4 Henry VII C. 12 made the point, as Pickthorn states it, "how there were laws enough to secure peace and good government if only they were enforced and how the justices of the peace had authority enough to enforce them if only they would." The implication is that JPs were not performing satisfactorily, and the stiff penalties for failure to enforce laws enacted later show that the problem persisted throughout the reign.27

As Henry VII got older and more feeble, he became more suspicious and harsher in his means of governing. The Cornish revolt of 1497 was particularly unsettling to him, since it came in the midst of the Lambert Simnel business and because it brought a hostile army of peasants so easily within a short distance of London. Though Surrey and the other Home Counties remained loyal, the revolt must have made Henry more alert to local problems that might make efficient government more difficult and perhaps affect his security. And it was just at this

time that local problems in Surrey came to the king's attention. 28

The recent appointment of Sir Matthew Browne and John Scott to the commission of the peace set the stage for future conflict. Their rival, John Legh, had already demonstrated a capacity for feuding with his fellow JPs, having previously been the object of a Chancery suit by Sir Thomas Thwaites in a land dispute. In fact the Surrey JPs taken together were a rather contentious, litigious lot. 29 The return of Thomas Howard, Earl of Surrey as an ex officio JP in December 1501 added another element of tension. Though Henry VII had restored most of Howard's Surrey lands to him by 1491, his reappearance on the commission marked a return to official recognition and political activity in the county. Thereafter he appeared on Surrey commissions whenever anyone above the rank of knight was appointed at all. Certainly this irritated Sir Matthew Browne considerably, especially since it came at a time when Browne's ally, John Scott, was engaged in a bitter land...

28 Lander, Government and Community, p. 347.

dispute with Sir John Legh's cousin, Roger.  

The feud between Scott and Roger Legh has a long and tortuous history, centering on the estate of Richard Skinner, who died c. 1492. The death of Skinner's sons, Michael and William, left the entire estate to be divided in 1498 between Richard Skinner's daughters, Agnes, wife of Bartholomew Chaloner, and Elizabeth, wife of John Scott. There was soon trouble — in Michaelmas term 1500 Chaloner complained before Star Chamber that Scott and Elizabeth had taken and occupied Chipsted manor by force for a year-and-a-half, but Cardinal Morton, the Lord Chancellor, died on 15 September before the proceedings could be completed. The Leghs may have had a role in this episode, for John and Ralph Legh were feoffees to first Richard and then William Skinner for another manor, Woodmanstern. At any rate the Legh family soon had much greater cause for involvement with Scott, for Bartholomew Chaloner died and Roger Legh married his widow Agnes.  

Coming from Cheshire Roger Legh was not originally a Surrey man, though Sir John would procure him a place on the commission of the peace early in Henry VIII's reign. But Roger the newcomer and Scott now became competitors for the disputed Skinner estate. John and Ralph

31 PROB 11/9/20; Cal. I.P.M. Henry VII, vol. II, p. 171; STAC 2/19/86, bill of complaint of Bartholomew Chaloner; STAC 2/20/22, answer of John Scott; Cl/1521/80 answer of John Scott; Vis. Surr., p. 59. The V.C.H., vol. III, p. 192, correctly notes that this case is properly datable to Henry VII's reign, based on internal evidence, e.g., Chaloner died during Henry VII's reign. Further precision is now possible — an endorsement on the bill of complaint places it in Michaelmas term. The bill contends that Scott has occupied the manor for a year-and-a-half since William Skinner's death (11 August 1498), which makes 1500 the obvious year.
Legh and other of Roger's kinsmen and friends made "great instance and
motion" to Scott for a settlement of the issue, but the two parties
were soon at each other in the courts. On 3 November 1502 Roger and
Agnes Legh complained in Chancery that Scott and John Skinner, Agnes's
uncle, as feoffees of Michael Skinner, refused to make estate to Agnes
of her portion of Michael's manor of Coldabbey and had taken various
actions of trespass against Agnes and her agents. Whatever the jus­
tice of their plea, ill will clearly had been at work for some time
already.

The dispute between Scott and Legh over the Skinner estate con­
tinued for the remainder of Henry VII's reign and on into that of
Henry VIII. It would be extremely tedious to recount all the details
here, and, besides that, the pertinent records contain such a litany
of charges, denials, and countercharges that it is impossible to gain
much idea of which party, if either, was in the right. But a summary
of further litigation on the matter will demonstrate the lengths to
which the animosity between the two men went, even before the blatant
hostilities of the early years of Henry VIII's reign. About 1502
Scott sued an action of trespass against Legh in Common pleas over
profits of the moiety of Chipsted, and the two were still haggling over
them in Chancery as late as November 1508. Sometime between 1504 and

32 Cl/1521/80; Vis. Surr., p. 59; for Legh's career as a JP, see Chap­
ter Three.

33 Cl/249/59. Dating of this case is possible because the bill of com­
plaint is addressed to Henry (Deane), Archbishop of Canterbury and
Keeper of the Great Seal. Deane was Keeper from 13 October 1500 to 27
July 1502, Handbook of Chronology, p. 86. A note on the dorse of the
bill dates the hearing of the bill to Wednesday, 3 November, which
could only fall in 1502.
1509 Roger and Agnes complained in Chancery that Scott had expelled them from certain lands and was withholding certain of their goods. About 1509, following Agnes's death, Legh complained in Chancery that Scott, as steward of the Duke of Buckingham's lordship of Camberwell, had wrongfully amerced him "great and unlawful sums of money," and distrained and hidden four of his oxen. Legh also raised the matter of the moiety of Coldabbey yet again. Scott replied with a list of counter-charges and around the same time sued Legh in Chancery for withholding evidence concerning various manors.  

The growing antagonism between John Scott and Roger Legh can only have had an unsettling effect on the peace of the county community. Scott was a JP and Legh important enough in Surrey that he soon would be also. One of Surrey's leading JPs, Sir John Legh, was also involved on the side of his cousin Roger, probably to an even greater extent than the sources indicate, given his activities on Roger's behalf early in Henry VIII's reign. In fact Sir John had been at odds with Scott more directly in a Chancery suit over lands in Devon. It is uncertain whether Sir Matthew Browne had already taken the part of Scott against the Leghs. But it was about this time that Sir John sued

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34 Cl/1521/80; Cl/334/30, bill of complaint of Roger and Agnes Legh against John Scott. This bill is addressed to William Warham, Archbishop of Canterbury who became Lord Chancellor on 21 January 1504, Handbook of Chronology, p. 86. It was filed between then and 1509, which is about the time that Agnes died. Agnes was dead by the time Roger Legh filed the bill of complaint, Cl/334/31 against Scott. That bill states that Scott had occupied Coldabbey for about eight years, beginning presumably at the time of Legh's marriage to Agnes. Since Agnes's former husband, Bartholomew Chaloner, died about 1501, and since Agnes was still alive in November 1508 (Cl/1521/80), she must have died early in 1509. Cl/334/32, answer of Scott; Cl/363/59, bill of complaint of Scott against Roger Legh; Cl/363/60, answer of Legh; Cl/363/61, replication of Scott.

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Browne in Chancery over detention of deeds relating to tenements in Oxted and Tandridge, so clearly there was no love lost between these two county leaders at this stage.\footnote{35}{C1/334/33, bill of complaint of John Legh against John Scott; C1/331/65, bill of complaint of Sir John Legh against Sir Matthew Browne.}

What made matters even worse from the standpoint of justice is that, where Scott and Roger Legh are concerned, at least one and probably both men were perfectly willing to lie before the king's council in Chancery and to cheat each other with respect to lands, profits, and manorial obligations. Neither was Sir John Legh burdened by an excessive concern for justice, if the accusation made in Chancery by John Mills in 1513 can be believed. Apparently Legh had occupied Mills' lands at Leigham Park without rent, then offered to buy it for £200, cheated Mills out of half the price by fraudulent indentures in Ralph Legh's name, threatened Mills with violence, and sued him in Ralph's name at Common Pleas. Mills complained to Henry VII, and the king and council ordered Legh to desist on pain of imprisonment and pay Mills £200, but Mills was so foolish as to take no bond of Legh on the matter. After Ralph Legh's death in early 1509, his widow Joyce married Sir Edmund Howard, who, at Sir John Legh's urging, revived the suit against Mills in Michaelmas term 1511. Even allowing for the usual exaggeration in Chancery bills of complaint, it is clear that Legh was involved to some considerable extent in unscrupulous behavior. Given his later perversions of justice, this is not surprising.\footnote{36}{C1/336/31; on Legh's later illegal and unethical machinations, see Chapter Three.}

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Obviously the administration of justice in Surrey during the last years of Henry VII was not in a pristine state from which it suddenly plummeted when Henry VIII became king. Undoubtedly a number of JPs performed conscientiously, but it took only a few officials motivated by self-interest and careless of judicial correctness to corrupt the whole system of county justice, as Chapter Three will show. Moreover, the factional strife which exploded in the next decade was already approaching a critical point. Henry VII, always attentive to every detail of running his kingdom, can hardly have failed to notice.

IV

Concurrent with the upsurge in local problems in Surrey was a change in Henry VII’s policy on appointing JPs in the county. From 1498 on the king showed a much greater tendency to give places on the bench to men from outside Surrey without particularly strong connections to the county. Especially noteworthy is that a number of these new JPs were among the highest-ranking members of Henry VII’s government. The first few outside appointees were Londoners. Thomas Canceller, esquire, of London and Sutton-at-Hone, Kent became a Surrey JP in October 1498. His only discernible connection with Surrey is that Henry Saunders, one of Henry VIII’s early appointments to the bench, was an executor of his will — hardly enough to give him much of a link to the county community. He always appeared last or next-to-last on the Surrey commission of the peace, with the cluster of quorum members at the bottom of the list, though he was of the quorum only once in December 1501. Apparently he did not attend quarter sessions, and he lost his position on the bench several years before
he died, a rarity in Surrey under Henry VII. Canceller's appointment would seem almost completely insignificant had it not coincided with that of another, more prominent Londoner, Bartholomew Reed, a gold-smith and at various times alderman, sheriff, and mayor of the city. Reed did have Surrey connections, though they were not of long standing. He obtained quite a bit of land there, and his feoffees to use included several Surrey JPs -- Richard Merland, Gilbert Stoughton, John Westbroke, and Henry Wyatt, who was also an executor of his will. He also attended quarter sessions occasionally. Yet he was still primarily a Londoner. 37

It is more than a little likely that Henry VII chose to appoint two Londoners as Surrey JPs in 1498 because they were less apt to be caught up in the county's local squabbles. Admittedly Reed's position in the shire probably entitled him to consideration for a place on the bench, but it is revealing that he was appointed only in 1498, though he had held lands in the county at least since late 1493 or early 1494. Canceller had no claim to office by virtue either of landholding or legal ability. If Henry VII was already worried at this stage about the administration of justice in Surrey, he would have found it difficult to remove men like Sir Matthew Browne and Sir John Legh from the commission. By appointing JPs like Reed and Canceller he could introduce a neutral element into the commission of the peace. Being less concerned with local factionalism, they would be more prone to exercise the office properly.

A more effective means of controlling the local situation was the

37Appendix One and Two.
insertion of the king's own men into the commission of the peace. In December 1501 Henry VII named two of his most trusted advisors, Sir Richard Guldeford of Cranbrook and Rolvendon, Kent, and William Cope, esquire, of Banbury, Oxfordshire. Guldeford was not a Surrey man, though he was a neighbor — his family had been settled in Kent and Sussex for eight generations. But he was a longtime friend and loyal servant of Henry VII. He rose in Kent in 1483, fled to Henry in Brittany afterward, became a knight of the body at Henry's landing in 1485, and fought at Bosworth. Henry rewarded him with a host of preferments, including the keepership of the royal manor of Kennington, Surrey, but this did not lead to a position on the county bench. 38

At the shire level Guldeford's political career focused on Kent. At the same time Guldeford was part of that trusted group of councilors which included Bray, Morton, Empson, and Dudley. From 1493 on he occasionally served on commissions in Surrey, but it was not until 1501 that he became a JP. Since he also became a Sussex JP a few months earlier, it is likely that this appointment was partly a function of his every-increasing national prestige. But it is important to remember that he was a major landholder in Sussex. Henry VII's decision to place him also on the bench in Surrey must have been influenced by the local situation. In one way, Guldeford's appointment must have benefited Sir Matthew Browne, his son-in-law. But at the same time Henry VII may well have placed his eminently trustworthy friend on the Surrey commission of the peace at least partly to keep an eye on the

38 Appendix One and Two; Wedgewood, pp. 403-4; D.N.B., "Guildford, Sir Richard."
headstrong and quarrelsome Browne.\textsuperscript{39}

William Cope was already in Henry's favor when he overthrew Richard III, and he received numerous rewards for his loyalty, including a succession of positions in the royal household and the keepership of Worplesdon and Claygate, Surrey. But Cope's main interests lay in other shires. He further developed his connections in Surrey only after his appointment to the bench, accumulating new preferments and appearing on other commissions. Cope was friendly with Sir Reginald Bray, but this was likely the result of their relationship in the royal household, rather than in Surrey. But Cope did make Gilbert Stoughton, a Surrey JP, executor of his will and a feoffee to uses. Yet he certainly did not concentrate all his attention on Surrey, for he accumulated a number of offices and responsibilities elsewhere after becoming a Surrey JP. He was, furthermore, a "created" Surrey man, not one with long ties to the county community. Again it is likely that Henry VII put him on the commission of the peace because he was trustworthy and neutral.\textsuperscript{40}

In August 1503 Henry VII appointed to the Surrey bench another of his closest friends and most trusted advisors, Edmund Dudley of Atherington, Sussex. Dudley's career is too well-known to require any account here, but it is worth noting that when he found time for

\textsuperscript{39}Ibid.

\textsuperscript{40}Appendix One and Two; Wedgewood, pp. 219-20; C.P.R. Henry VII, Appendix. Though it is clear that Cope was not a Surrey man, it is worth noting that he became a JP in his home county of Oxfordshire only in 1502, the year after he won a place on the bench in Surrey.
political activity at the shire level, his attention was devoted almost entirely to Sussex. There can be no other reason for his appointment to the active membership of the Surrey commission of the peace than that the king wanted another of his own men, trustworthy and neutral, on the bench there.

In September the king named to the Surrey commission yet another of his longtime friends and councillors, Sir Henry Wyatt of Alington, Kent. Wyatt's resistance to Richard III and aid to Henry had cost him two years in the Tower of London, but won him many offices and honors in the new reign. He established at least a link with Surrey sometime before 1503 by marrying Anna, daughter of John Skinner I of Reigate, clerk of the peace and later a JP. But evidently he was too busy serving the king to devote much attention to county politics even in his home county of Kent, and his landed interests were widely scattered. Like other royal councillors he obtained a place on the Surrey bench because he could act as a royal watchdog there. Wyatt was a wise choice, for he would attempt to moderate the strife at quarter sessions during the early years of Henry VIII.

Appendix One and Two; Wedgewood, pp. 185-6; D.N.B., "Dudley, Edmund."

Appendix One and Two; D.N.B., "Wyatt, Sir Thomas;" Richardson, Tudor Chamber Administration, pp. 93-7; Peter Clark, English Provincial Society From the Reformation to the Revolution: Religion, Politics and Society in Kent, 1500-1640 (Hassocks: The Harvester Press, 1977), p. 19. Wyatt, the father of the poet and diplomat, Sir Thomas Wyatt, was a friend of Henry Tudor before the accession and acted as a liaison for him on the Scottish border, as well as serving him beyond the sea. Wyatt's resistance to Richard III and his involvement with Henry led Richard to arrest him and imprison him for two years, where he was racked, had vinegar and mustard forced down his throat, and, according to legend, was saved from starvation by a cat that daily brought him a pigeon from a nearby dovecote. Upon his liberation after Henry's
Sir Thomas Lovell, who became a Surrey JP in June 1505, was another royal servant who, like Dudley, is too well-known to require much description here. He rose with the rebels in Devon in 1483, fought with Henry at Bosworth, and received a host of honors, including office in the royal household. His local political orientation was decidedly East Anglian, with particular concentration in Norfolk. He had already served as a JP in a number of counties by 1495, so it is clear that his appointment in Surrey a decade later was not part of some general acknowledgement of his prestige — that had come earlier. Henry VII made Lovell a Surrey JP in 1505 and gave him the farm of Kingston manor because he wanted another of his trusted advisors to have jurisdiction to intervene in Surrey affairs if necessary. Lovell had served on various Surrey commissions since 1491, but so sporadically that it seems he acted in Surrey only on special occasions. The troubles in Surrey during Henry VII's last years provided such an occasion for his appointment to the Surrey commission of the peace.  

victory at Bosworth, Wyatt immediately became part of a small circle of the new king's most trusted advisors. Throughout Henry's reign Wyatt rose steadily in the royal service. As clerk of the jewels — the real power in the jewels office — Wyatt "rapidly advanced to the position of a principal banker for the king." By the time Henry VII died Wyatt had complete control of the jewel house, and he also "was closely associated with Bray, Lovell, Dudley, and Empson in the fines and recognizances that figured prominently in the last years of the reign." (Richardson). His rise would continue under Henry VIII. For Wyatt's moderating role at Surrey quarter sessions during the first decade of Henry VIII's reign, see below, p. 134.

43 Appendix One and Two; Wedgewood, pp. 555-6; Bindoff, vol. II, pp. 548-9; D.N.B., "Lovell, Sir Thomas"; C.P.R. Henry VII, vol. I, Appendix; vol. II, Appendix. Lovell was temporarily made a JP on 20 May in Bucks., Camb., Derby, Hunts., Leic., Linc., (Holland, Kesteven, and Lindsey), Northants., Rutland (C.P.R. dates this 20 May 1492, an error), Staffordshire (reappointed temporarily there on 12 July 1508), War., Worc., and Yorks (East, North, and West Ridings). He was

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Of course Henry VII continued to appoint some new JPs from within the Surrey county community. It would have been most unwise not to have done so. It is a further indication of Henry VII's continuing awareness of the need to respect the county community that in no case (with the exception of Thomas Canceller, who may have been aged and ill) did the king permanently remove anyone from the commission of the peace in Surrey. Neither was there much royal meddling with the ranking of the JPs. This was not a reign of purges as Richard III's had been. Though in his last years Henry VII sought to control the local situation more closely by the insertion of his own men into the commission of the peace, he chose to keep the loyalty of local notables by maintaining them in office.44

In May 1500 the king made a JP of John Gaynesford of Crowhurst, yet another member of the old Surrey family. This began a long and distinguished career of service to the shire for Gaynesford, who quickly became sheriff of Surrey and Sussex in November. Gaynesford was the sort of man whom the king could not afford to ignore. His family's standing in the county guaranteed him respect, just as a failure to appoint him to the bench would have insured resentment, and he was strongly dedicated to the preservation of law, order, and justice in Surrey.45

John Kirton of Edmondton, Middlesex, named to the commission of appointed temporarily in Sussex on 15 August 1588.

44 Appendix One.

45 Appendix One and Two; for Gaynesford's concern for justice, see SP1/72/76-87, 80/88; 82/168.
the peace in 1502, was essentially a Surrey man. This Lincoln's Inn-trained lawyer lived in Middlesex, but only became a JP there in 1515. His father, William, had been a Surrey official under the Lancastrians and MP for Southwark, where John himself was MP in 1491-2. John was one of that lowly-ranked group of quorum JPs and attended quarter sessions frequently under Henry VII. Kirton was also one of the executors of Nicholas Gaynesford's will, and his daughter Margaret married Thomas Morton's son, John.46

In June 1504 Henry VII once again drew upon the Surrey county community, selecting Gilbert Stoughton of Stoughton as a JP. Gilbert, whose family had lived in Surrey since the fourteenth century, served as escheator, MP for Guildford in 1491-2, and on several commissions. He was another of those legally-educated, low-level quorum members, and was a fairly conscientious attender of quarter sessions.47

In June 1505 Henry VII appointed another Surrey man, John Skinner (I) of Reigate, member of another old Surrey family. It was Skinner's brother, Richard of Peckham, whose estate became such a bone of contention between John Scott and Roger Legh. John Skinner served Surrey as clerk of the peace from 1488 until his appointment as JP, at which time his son John (II) took the office of clerk. John Skinner I also

46Appendix One and Two; Wedgewood, pp. 517-18.

47Appendix One and Two; Wedgewood, p. 816; V.C.H., vol. III, pp. 109, 371; Vis. Surr., p. 85; Stoughton's genealogy is imprecise, but it is certain that his ancestor, Henry de Stoughton, occupied Stoughton manor in Stoke-by-Guildford by 1345. During the fifteenth century several of Gilbert's forebears lived and held office in Surrey, serving both the shire and the borough of Guildford.
served Reigate as MP, and was undersheriff of Surrey and Sussex about 1483. Yet he also had court connections. His brother Richard had been associated with Empson, and John, educated in law at Lincoln's Inn, was Henry VII's Clerk of the Green Cloth. Skinner's ancient ties to the county, long experience in dealing with the commission of the peace, legal ability, and ties to Henry VII made him an ideal choice as JP. He immediately became a member of that low-ranked quorum group, attended quarter sessions faithfully, and served on several other commissions. 48

Henry VII's next local appointment to the Surrey bench was surely the result of some political string-pulling by Sir John Legh, perhaps with the aid of the Earl of Surrey, for in May 1506 Sir John's brother, Ralph, joined him on the Surrey bench. Ralph Legh previously had served Surrey only on the February 1503 commission de walliis et fossatis, but his legal education now won him membership of the quorum, and until his death in 1509 he attended quarter sessions fairly often, where he must have been a valuable ally to his brother. Perhaps this appointment signalled the rise in Howard influence and the temporary decline in Sir Matthew Browne's fortunes which became more obvious after the accession of Henry VIII. 49

48 Appendix One and Two; Wedgewood, pp. 772-3; V.C.H., vol. III, p. 192; Vis. Surr., p. 59; Skinner's father and grandfather both had been established at Reigate (regrettably both were also named John, as were the eldest sons of several generations of the Skinner family). Skinner's father had been a JP, and elector on a number of occasions, commissioner of sewers, and MP and constable in Reigate. On his mother's side, Skinner could trace Surrey connections at least back to Henry IV's reign.

49 Appendix One and Two; on Browne's declining fortunes, see below, pp. 105-7.
The last two local men Henry VII named to the Surrey commission of the peace sometime in late 1507 or early 1508 were Robert Wintershull and John Bigge. Wintershull was the son of Henry Wintershull of Wintershull or, more likely, of that Thomas Wintershull who served Edward IV as a JP and whose ancestors had held office in Surrey throughout the fifteenth century. The king had made John Bigge bailiff of Surrey in Windsor Forest about 1504 and appointed him to other offices in Surrey.50

One commission upon which Bigge served reveals something of the problems in Surrey in the last years of Henry VII's reign. On 27 June 1506 Bigge, Sir George Manners, William Cope, Richard Merland, John Skinner, and Thomas Purhuch were commissioned to "enquire of all destructions in woods and waters of the king, escapes of prisoners and extortions in Surrey." This was a harbinger of things to come, for the note of corruption it strikes rings much more resoundingly during the early years of Henry VIII, when destruction of property, escapes, and extortion were only part of the problem which Surrey faced. With the careful and alert Henry VII gone and Thomas Wolsey only gradually emerging as the new king's leading advisor, Surrey was neglected by the central government, the local factionalism which Henry had tried to control was given free play, and local politics and the administration of county justice plunged into chaos.51

50 Appendix One and Two; on Thomas Wintershull, see above, p. 45.

51 Appendix One and Two; C.P.R. Henry VII, vol. II, p. 489. see Chapter III.
CHAPTER THREE

FACTIONAL STRIFE IN SURREY DURING WOLSEY'S ASCENDANCY, 1509-1529

The problem of order constantly confronted the Tudors and their ministers. This was particularly true of Thomas Wolsey, who devoted much of his time and energy to maintaining order and improving the administration of justice in the realm. His enhancement of equity jurisdiction in the conciliar courts, his attempts to regulate enclosure and alleviate other grievances, and his attacks on overmighty subjects are familiar to all students of early Tudor government. Less well-known but equally interesting is his response to disorder engendered by county politics.

Wolsey faced considerable difficulty in Surrey, where the first decade of Henry VIII's reign witnessed rapidly intensifying factional strife and gross maladministration of justice, which was followed by the gradual return of order to the county community in the 1520s. The years 1509-29 can be divided into four periods. Between 1509 and 1512 Henry VII's former councillors continued to have great influence on royal policy and selected justices of the peace in the same manner as in the last years of the old king's reign. But the new king's inattention to government and the absence of a single strong minister prior to the rise of Wolsey created disunity and weakened central control of local affairs. This encouraged factionalism in Surrey, where the Howards and the Leghs now became the dominant force.

In the second period, 1513 to 1515, Wolsey, now clearly the king's leading minister, began to exert his own influence in the shire. At the same time Sir Matthew Browne and John Scott, perhaps with
Wolsey's help, began to compete more successfully with their rivals for local power. This competition produced some rather pronounced fluctuations in the membership of the Surrey commission of the peace, as well as some disregard for the law among JPs themselves.

From late 1515 to 1519 Surrey was in political and legal chaos. As Wolsey came to terms with Thomas Howard, the second duke of Norfolk, it appeared that the Howards would become dominant in the shire. This exacerbated the rivalry of Browne and Scott with the Howards and Leghs. Even more than before the personal interests of these and other JPs superseded their concern for law and order, violence and illegal activity were commonplace, and quarter sessions often became a battleground for feuding JPs. Wolsey placed some of his own men on the Surrey bench, and indeed by 1518 a majority of the Surrey commission of the peace were royal councillors, but to no avail. By 1519 county affairs had deteriorated to such a state that the Chancellor ordered a full-scale investigation of improprieties there, which turned up massive evidence of corruption and eventually resulted in three major suits in Star Chamber against offending JPs.

Order came to the shire only in the 1520s. Wolsey's exemplary justice drove factional conflict underground. The Howard-Legh faction declined, and the Legh component split off and then died out. Finally Wolsey appointed a number of new JPs unconnected with the earlier squabbles. For a time the county community was relatively quiet.

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1519 was the central fact of Surrey political life from 1509 to 1519, years which provide a fascinating study of local governors in conflict. This episode is particularly important because it allows a much fuller examination of county politics in Surrey than has been possible so far for any other county during this period. The Cardinal's imposition of order in Surrey exemplifies both his successes and the qualifications which must be placed upon them.

I

Preoccupied with youthful pleasures and visions of European conquest, Henry VIII was unable to bear the tedium of day-to-day government even at the national level and certainly paid little attention to the composition of Surrey's commission of the peace. As with national affairs, policy remained in the hands of Henry VII's former councillors until Wolsey consolidated power in his own hands. Richard Foxe, Bishop of Winchester, continued to be the principal royal minister, but he had to share power with a number of other councillors, including his rival, Thomas Howard, first earl of Surrey and soon to be second duke of Norfolk.²

This situation affected the county of Surrey in two important ways. First of all, between 1509 and 1512 the old king's councillors continued to make new appointments to the county bench in the same manner as in the last few years of Henry VII's reign, mingling numerous highly placed royal servants with essentially local men.

At the beginning of Henry VIII's reign there were fourteen active JPs on the Surrey bench. Eight more men became JPs for the first time between then and 1513, when Wolsey's influence in the shire first became apparent, and half that number were royal officials from outside the county.³

The only two "active" JPs appointed in the first two years of the reign were Sir John Carew, soon to be named marshall of the royal household, and Charles Brandon, who shared Carew's office, was Henry VIII's boon companion, and was consequently about to obtain a plethora of honors, including an astonishing elevation to the dukedom of Suffolk.⁴ Both were named to the Surrey bench because of their national position, not because of any connection to the shire. The same was probably true of two men who became JPs in 1512. Sir Thomas Neville was a Kentishman, and at the county level he and his family were primarily occupied in Kent. Sir Thomas began royal service under Henry VII and was a highly favored household servant and privy councillor to Henry VIII. Richard Hastings was cupbearer in the households of both Henry VII and Henry VIII.⁵

On the other hand, Edmund Bray of Shire (Sir Reginald's nephew)

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³ Appendix One.
and Henry Saunders of Ewell were clearly local men. Edmund Howard, a younger son of the first earl of Surrey, also had local holdings. Sir George Manners was a Yorkshireman, but his landed holdings and other connections in Surrey justified his appointment to the bench there. He had been nominated for the shrievalty in 1509, he attended quarter sessions during this period, and he eventually named another Surrey JP, Gilbert Stoughton, as one of the executors of his will. Sir Matthew Browne and Sir Richard Carew, who returned to the commission of the peace after brief absences, were also local men.6

A second characteristic of the period 1509-12 is that supervision of county affairs by a less-than-unified council encouraged the factional tendencies already present in Surrey. The long-standing animosities in the shire also may have reflected the rivalry of the councillors, Foxe and Howard, in the last years of Henry VII and the early years of Henry VIII. The problem of factionalism was more severe now, however, without the controlling hand of the old king, and the commission of the peace became much less stable than it had been in the previous reign. For example, frequent removal and reappointment of JPs and alteration of their status on the commission had not been characteristic of Henry VII's reign. The opposite was true now because of jockeying for position by Surrey's antagonistic factions, each of which had a sympathetic ear on the council. The Howard-Legh faction obviously had as its conciliar advocate its leading member, the earl of Surrey. Though it is impossible to be certain, Foxe may have

sought to get at his rival by supporting Browne and Scott, though conceivably they could have benefited from their connection with the duke of Buckingham. At any rate the lack of strong, unified leadership from above allowed fluctuations in the county hierarchy which continued in the early years of Wolsey's ascendancy and which contributed to the outbreak of open factional violence in the second half of the decade.\(^7\)

In the early years of the new reign the advantage in Surrey clearly lay with the Howard-Legh faction. The grim reaper had removed Sir Matthew Browne's father-in-law, Sir Richard Guldeford, and Sir John Legh's brother, Ralph, as well as Richard Merland, probably a Legh ally since he held joint seisin of various lands with the Leghs. But these losses were less significant than the changed relationship between the living members of the two factions. The most important indication of this is that Sir Matthew Browne was removed from the Surrey bench, perhaps at Henry VIII's accession and certain by January 1511.\(^8\)

For the time being Browne had fallen into relative disfavor, no doubt because of the rapidly rising fortunes of the Howards under the new king. There is no apparent reason why Browne should have incurred the displeasure of the king on his own, and in fact he was to achieve considerable honor under Henry VIII. In 1512 he participated in the military expedition to Guelderland, by 1516 was a Knight of the Body,

\(^7\)Appendix One; Scott was Buckingham's steward for Camberwell, above, p. 88.

\(^8\)Appendix One.
was a sewer to the king by 1517, and attended on the queen at the Field of the Cloth of Gold in 1520. The temporary decline in his fortunes in Surrey early in the new reign was undoubtedly the work of the Howards and Leghs.  

Browne's rival, Sir John Legh, was Henry VIII's first appointee as sheriff of Surrey and Sussex. This was an important accomplishment for Legh, since the office of sheriff was still sought after, not yet having become the burden it was in the seventeenth century. It is all the more significant since Henry VII had chosen Surrey JPs for the office rarely -- only seven out of a possible twenty-four times, the rest going to Sussex men. Indeed no other Surrey JP was to hold the office until Legh obtained it again in 1515. Since Browne and Legh had each held the office once under Henry VII, Legh's appointment gave him a symbolic edge over his rival, as well as enhancing his power locally.  

That Sir John Legh had gained an advantage over Browne was further borne out when Browne reappeared on the bench in February 1511. Since Browne had first appeared on the commission during Henry VII's reign, he had always ranked two or three places higher than Legh, even though the latter was a member of the quorum. This did not change when Legh

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9 Wedgewood, pp. 122-3.

10 Appendix Two; List of Sheriffs, p. 137; on the unpopularity of the shrievalty in the seventeenth century, see Thomas G. Barnes, Somerset 1625-1640: A County's Government During the Personal Rule (Cambridge: Harvard University Press), pp. 124-42; on the continued desirability of the office among local magnates in Elizabethan Norfolk, see Smith, County and Court, Chapter VII, especially pp. 139, 146-8, 153-4.
received a knighthood in 1501 (Browne had been a knight since 1489). But when Browne rejoined the commission, he found himself four places below Legh. This was highly significant at a time when the office of justice of the peace was increasingly important as a symbol of local status and power. While a place on the bench elevated its holder above other county gentry, a JP's rank on the commission indicated his social and political status relative to his fellow JPs. It was particularly important to a politically ambitious man like Browne to be ranked as high as possible and especially to enjoy superior status to Sir John Legh. Legh's advancement was a tremendous setback and a great embarrassment for Browne. 11

The struggle for precedence in Surrey soon led to other changes in the commission of the peace. Joining the commission in July 1511 was Edmund Howard, a younger son of the first earl of Surrey, future father of Queen Catherine Howard, husband of Ralph Legh's widow, ally of Sir John Legh in the struggles of the next few years, and enemy of Sir Matthew Browne and John Scott. Edmund Howard's rank on the commission of the peace shows just how much weight his family had in Surrey. Though he did not receive a knighthood until 9 September 1513 at Flodden Field, Howard was second among the active JPs, above all the knights except Sir Thomas Lovell. This unusual procedure was yet another blow to Browne's position in the county, and it must have galled him considerably to suddenly find himself regarded as inferior

11 Appendix One and Two; on the status attached to the office of justice of the peace, cf. Smith, County and Court.
to two rivals. Both factions could count some allies on the Surrey bench. John Gaynesford was Sir John Legh's cousin and an overseer of his will. John Westbroke was servant to Thomas Howard, first earl of Surrey. On the other side of the factional disputes was John Skinner I of Reigate. Skinner's descendants held land of the Howards and benefited from their patronage, but Skinner himself had entered official life in Surrey as clerk of the peace in 1488, at a time when Howard influence in the shire was temporarily in abeyance. His appointment as a JP in 1505 was the result of his family's long standing in the county, not of Howard influence. In fact this Skinner probably resented the Howard intrusion into Reigate, where his family had been important enough to serve as MPs since 1350. Whatever his feelings toward the Howards, Skinner sided with John Scott in the land dispute with Roger Legh, so he can be placed with some assurance in the Browne-Scott camp.

Doubtless other JPs took sides as well, but it will not do to push the search for alliances too far. The ambiguities created by the complex web of interrelationships among Surrey's JPs simply will not allow it. What is most important is that the central antagonists


13 STAC 2/26/355 (item 8); C1/249/59 and above, Chapter Two; Vis. Surr., pp. 9, 177.
were the Howards and Leghs on one hand and Browne and Scott on the other. Indeed theirs was the fundamental conflict in Surrey — it had a life of its own and was not created, but only enhanced, by national problems.

The power which the Howards and Leghs enjoyed early on tempted them to corruption. On 12 July 1511 Thomas Stidolph, a future JP himself, and several other men entered with force and arms into separate parcels of land at Leatherhead belonging to John Scott and one Richard Goodman respectively. An inquest occurred at Kingston in September before Scott, Sir John Iwarby, Sir John Legh, Edmund Howard, and John Westbroke, hardly a group where Scott's interests were likely to prevail. These JPs failed to resolve the case satisfactorily, for it was called up to King's Bench on 10 October. More information is lacking, but it is likely, in light of the manifold perversions of justice which occurred later, that the case wound up in King's Bench because Howard, Legh, and Westbroke had worked to acquit Stidolph of his transgression against their enemy, Scott, without any regard to the actual merits of the case. The ability of exercise this kind of control is further proof of the Howard-Legh dominance in the pre-Wolseyan period.14

II

Wolsey was already playing an important role in formulating Henry VIII's foreign policy in 1511, and by 1513 he was emerging as the king's leading minister. In the latter year he began to exert his

14KB 9/459/74-5.
influence in Surrey, where he secured the appointment as a JP of his servant, Ralph Pexsall of Beaurepaire, Hampshire.¹⁵

Conciliar meddling with the membership of Surrey's commission of the peace became quite common in 1514 and 1515, as the struggle for power escalated at both the national and local levels. Again it must be stressed that the factional conflict in Surrey was essentially a local one, dating to Richard III's reign and destined to continue for many years. But if its involvement with conciliar politics was a more recent and secondary development, that national connection was still quite important. After all, the commission of the peace was the key to power at the county level, and local magnates could affect its membership only with the help of someone in the central government.¹⁶

The hand of Thomas Howard is evident in the changes which benefited the Howard-Legh faction, and it is some measure of his continuing influence that he was able to interfere so frequently with the composition of the Surrey bench. The power of the Howards was now even more obvious, given Edmund Howard's knighthood at Flodden, the creation of Thomas Howard as duke of Norfolk on 1 February 1514, and the corresponding elevation of his son, Thomas, to the earldom of Surrey. By 1514 Edmund was ranked with the ex officio JPs, an even greater mark of prestige.¹⁷

¹⁵Appendix One; Pollard, Wolsey, Chapter One.

¹⁶For an excellent discussion of the influence of local magnates on the selection of JPs, see Smith, County and Court, Chapter IV.

¹⁷Appendix One; D.N.B., "Howard, Thomas I. . ." and "Howard, Thomas II. . ."
As the Howards asserted themselves in Surrey, Sir Matthew Browne and John Scott must have obtained help from Wolsey, though it is uncertain whether he aided them explicitly and intentionally or if they merely benefited from his desire to thwart Norfolk. Richard Foxe had initially brought Wolsey into the council to help counteract the elder Thomas Howard's influence, and Wolsey took to the task enthusiastically, attempting as early as 1511 to have the then earl of Surrey excluded from the council. By 1514 Wolsey was the most important man in the realm next to the king, and Foxe was headed toward retirement to his diocese of Winchester. If the Howards' enemies had turned to Foxe in the past, they must now have turned to Wolsey. It is not unlikely that Browne and Scott did so. Browne also may already have been enjoying the benefits of his connection to Sir William Fitzwilliam junior, half-brother of his cousin, Sir Anthony Browne II. Fitzwilliam was one of the courtiers who replaced Sir Edward among the king's favorites after the death in battle of the latter in 1513. His advance coincided with a diminution of the earl of Surrey's influence with Henry VIII.\(^\text{18}\)

But if Browne and Scott did have Wolsey's aid, direct or indirect, and Fitzwilliam's help it was not enough to make them supreme in the shire. Of course Wolsey had not yet reached the peak of his power,\(^\text{18}\)

\(^\text{18}\) On Wolsey's rise to power, see Pollard, Wolsey, Chapter One, especially p. 14 for Foxe's use of Wolsey as a counter to the first earl of Surrey; Pollard's division of the council into a war party and peace party is criticized by Elton Reform and Reformation, p. 35; cf. J. J. Scarisbrick, Henry VIII (Berkeley: University of California Press, 1968), pp. 41-3; on Pexsall, see Fritze, "Faith and Faction," p. 404; David R. Starkey, "The King's Privy Chamber, 1485-1547" (unpublished Cambridge University Ph.D. Dissertation, 1973).
and in particular he had not yet obtained the office of Lord Chancellor, which eventually allowed him to act directly to make major changes on the Surrey bench. For the time being, the fluctuations in membership and members' status on the commission of the peace suggest that the influence of the Howards and Leghs within the county was in 1514 and 1515 more or less balanced by that of Browne and Scott.

At first, in January 1514, the Howard Legh faction made further advances on the Surrey bench. Of the two new members who appeared on the commission, Henry Tingilden had at least a loose connection with the Howard-Legh group, while Roger Legh was Sir John's cousin and the longtime enemy of John Scott in the dispute over their wives' inheritance. If these appointments were not enough for Browne and Scott to have to swallow, Sir Edmund Howard rose from the fourteenth position on the commission to the ninth, which placed him among the ex officio JPs and further enhanced his prestige.19

Yet something was now at work to check the advance of the Howards and Leghs. A new commission issued on 7 February dropped Sir Edmund back to fourteenth and removed Roger Legh altogether. Browne and Scott had now begun to fight back with some success, though the battle was by no means over. By 8 July Howard was back up to the ninth position and Roger Legh was a JP again. Strengthening the Howard-Legh faction even further was the appointment of Sir Edmund Walsingham, Thomas Stidolph, and William Lusher.20

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19 Appendix One and Two; C66/620/2d.

20 Appendix One.
Walsingham's main interests lay in Kent, though he had connections in Surrey. He obtained a knighthood after the battle of Flodden Field and was later much in favor with Henry VIII, who made him lieutenant of the Tower of London about 1525. But most importantly in the present context, he was the duke of Norfolk's servant. Stidolph had links with Walsingham, whom he made one of his feoffees. He had been called up before King's Bench recently for participating in an illegal entry against John Scott and had very likely received the aid of members of the Howard-Legh faction, so it is fairly obvious where his sympathies lay. Lusher's appointment at the same time as Walsingham and Stidolph, in addition to further circumstantial evidence detailed below, suggests that he was also a Howard man. At any rate the tally of Browne and Scott's enemies on the commission of the peace rose again.21

Walsingham and two other Norfolk servants, John Westbroke the JP and John Shirley, had recently been involved in a nasty incident with factional overtones. In the summer of 1513 they and a number of servants lay in wait at Guildford town's end and "mayhemed" one Nicholas Eliot of Shalford, cut off one of his ears, and so abused his wife that "what with fear and with the hurt she had then she was sick many a day after." That Norfolk's servants should behave in this way is in itself a sign that these were troubled times in Surrey, particularly given that Westbroke and Walsingham were or seem to have been local officials. But the affair may have further significance, though

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21 Appendix Two; STAC 2/26/355 (item 8); D.N.B., "Walsingham, Sir Edmund."
the reasons for the attack are uncertain. About this time Eliot was high collector for the subsidy in Blackheath and Wotton, two hundreds for which the assessors included Walsingham, so the trouble could be linked to difficulties there. But it is worth noting that Eliot had at least a tenuous link to the Browne-Scott faction by the marriage of his cousin, Richard Eliot, to the daughter of John Skinner II.22

At any rate Sir William Fitzwilliam junior (the future earl of Southampton) brought the matter to Norfolk's attention, and his offending servants agreed with Eliot to pay him twenty nobles for his damages. In 1519, however, Fitzwilliam still was not sure if the sum had been paid. Furthermore, the Surrey JPs never made inquiry into the matter as statute required, and consequently the JPs "next adjoining" to Guildford forfeited certain sums of money to the king. Who these JPs were is unknown, but the most likely candidates because of their proximity to Guildford are Gilbert Stoughton, John Westbroke, Robert Wintershull, and William Lusher. Dereliction of duty among Surrey JPs was not uncommon at this time, but there is a fair chance that the Howard influence may have kept the JPs in the Guildford area idle with respect to the Eliot case. Westbroke was of course Norfolk's servant and a participant in the attack on Eliot, so he certainly had no interest in pressing an inquiry, but there is a chance that Lusher

22 STAC 2/26/355 (item 8); E179/184/131; Vis. Surr., p. 25; Enid M. Dance, ed. Surrey Record Society, volume XXIV: Guildford Borough Records, 1514-1546 (London: Butler & Tanner, Ltd.), p. 8. Eliot was later master of Guildford Grammar School. Perhaps too much should not be made of Eliot's links to the Browne-Scott faction, since John Skinner I. had connections with the Howards also.
and Wintershull also were affiliated with the Howard-Legh faction. Stoughton's descendants were certainly linked to the Howard family. Such a display of Howard influence undoubtedly irritated Browne and Scott. Perhaps news of it even reached Fitzwilliam's friend, Wolsey. 23

To return to the commission of the peace, by 18 October 1514 the balance had shifted against the Howard-Legh faction again, and Wolsey's influence became even clearer. Howard dropped back to the fourteenth position. Walshingham disappeared from the Surrey commission for good, though he was to serve as knight of the shire for the county in 1544. Wolsey also secured the removal of Thomas Stidolph, who did not return to the bench until 11 December 1528. Since he served continuously thereafter until his death in 1545, his lengthy absence between 1514 and 1528 must be attributed to Wolsey's displeasure. William Lusher, who first appeared on the Surrey bench along with Walshingham and Stidolph in July, lost his place for good in October, which is a further suggestion that he had ties to the Howard-Legh faction. The same may have been true of John Bigge and Robert Wintershull, for whose removal there is no other apparent explanation. Wolsey also managed to add to the Surrey commission Sir William Fitzwilliam senior of London, who was his treasurer and high chamberlain and for whom Wolsey obtained a place on the royal council. Wolsey had earlier helped Fitzwilliam when he was fined in Star Chamber and disfranchised in London for refusing to serve as sheriff

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23 STAC 2/26/355 (Item 8).
there in 1510. This Fitzwilliam remained loyal to Wolsey even during his disgrace. Finally, it is worth noting that Sir John Legh was among the nominees for sheriff of Surrey and Sussex in November 1514, but was passed over.24

In 1515 the situation at the royal court changed significantly. Archbishop Warham and Bishop Foxe were excluded from power by their former protege, and by the end of December Wolsey was to be Lord Chancellor. Norfolk realized that his opposition to Wolsey was fruitless and began to cooperate with him, though his son, the second earl of Surrey, continued to be an active opponent.25 Wolsey could now afford to be magnanimous to the Howards, which seems to best explain the changes in Surrey at the end of the year. Once more Sir Edmund Howard ascended to the ninth position on the commission of the peace. John Bigge returned to the bench, as did Robert Wintershull soon afterward. Sir John Legh was absent from the commission issued on 29 November only because he had become sheriff on 5 November. Not only did he succeed where he had failed the year before, he beat out Sir Matthew Browne, who was also nominated for the office. Although it was not a statutory requirement that a sheriff not serve simultaneously as a JP

24Appendix One; L.P., vol. I, pt. 2, no. 3499 (12); D.N.B., "Walsingham, Sir Edmund" and "Fitzwilliam, Sir William." Fitzwilliam is described as a knight on the commission of the peace, though Shaw, Knights of England, vol. II, p. 43, tentatively dates his knighthood in 1515. His position on the commission, however, indicates that the Fitzwilliam on the October 1514 list is the Fitzwilliam "senior" of later commissions and not Sir William Fitzwilliam of Guildford, the future earl of Southampton, who appeared on the bench by 1518. Presumably Shaw's dating is in error.

25Pollard, Wolsey, p. 70.
until Edward VI's reign, sheriffs already were frequently removed from the commission of the peace during their year in the shrievalty. Thus Legh's absence is by no means a sign of weakness. In fact he was to use the office to his own advantage in a way which further exacerbated the factional strife in Surrey.26

If Wolsey was willing to let bygones be bygones vis-a-vis Norfolk, Sir Matthew Browne and John Scott most assuredly were not where the Howard-Legh faction in Surrey was concerned. Indeed the frequent fluctuations in the membership of the commission of the peace undoubtedly had raised the level of tension in the shire as the two factions vied for power. Now the situation got even worse. Up to this point attempts to gain political control in the county via the commission of the peace had not brought success to either side for very long. But with Norfolk and Wolsey reconciled, the Howard-Legh faction now gained the advantage. Browne and Scott could no longer count on Wolsey to limit the Howards' role in Surrey politics. Their connection with the duke of Buckingham must have been relatively useless as well, for the duke was constantly suspect because of his royal blood, was a less influential courtier than Norfolk, and was in fact quite friendly with his fellow duke, whose heir, the second earl of Surrey, was his son-in-law.27 The Howards and Leghs found themselves in a position of strength, which they were quick to abuse at the expense of their

26 Appendix One and Two; C66/624/5d; L.P., vol. II, pt. 1, no. 1120; the statute which prohibited simultaneous service as sheriff and JP was passed much later.

27 D.N.B., "Howard, Thomas I. . . ."
rivals. But Browne and Scott were far from helpless, and their des­perate situation drove them also to misconduct. The problem was par­ticularly acute because the members of the two factions were among Surrey's most active JPs and frequently came into official contact where the opportunity for dispute was seldom missed. Thus the local conflict continued at a heightened level of antagonism, the enmity of the two factions led them to more direct -- and nastier -- action against each other in the next few years, and the peace of the county community was shattered.

III

As contention between the Howard-Legh and Browne-Scott factions increased in 1516 and thereafter, the two groups found themselves at variance in several instances. The ensuing episodes of conflict shed considerable light on factionalism and corruption among Surrey's local governors. The troubles in Surrey also demonstrate that, however powerful Wolsey might be, he still had considerable difficulty in maintaining order even in a county so near the seat of the central government in London. Indeed the disorder and corruption extended even beyond the disturbances caused by the two warring factions, and only by the most dramatic and determined effort was Wolsey able to do anything about it. The county community retained much of its indepen­dence, even while at war with itself.

Still the escalating strife in Surrey came at a time when Wolsey was manifesting a new, if largely unfulfilled, intent to do something about the "'enormities in the realm' which, he said, arose from failure to administer the law justly," and "to see the law enforced against
the powerful." Perhaps the troubles in Surrey were among those on his mind when on 5 May 1516 he held forth before king and council on the need for conciliar oversight of law and order. If they were not already they were soon to be, for the state of affairs in the shire was to be among the rare examples of "enormities" with which Wolsey's Star Chamber actually dealt.

To appreciate how seriously Wolsey took the troubles in Surrey between late 1515 and 1519, it is important to note that while private litigation proliferated in Star Chamber under the Cardinal, there were only nine known official prosecutions there during his ascendancy, a mere handful of exemplary proceedings either related to the royal council's "periodic demonstration of law enforcement" or promoted by Wolsey for personal reasons. A third of these, a rather high proportion, were concerned with the troubles in Surrey, for the cases against Browne, Howard, and Legh in 1519 were actually three separate suits. Of the other six cases, two involved praemunire and were personal vendettas on Wolsey's part, two dealt with "offences against public justice and public order" (a "heinous riot" and a perjury), and there were Sir William Bulmer's prosecution for wearing a retainer's livery, and a case arising from a murder investigation. Leaving aside Wolsey's personal attacks for praemunire, the Surrey cases comprehended all the evils of the other exemplary proceedings and more.

The following material will show that there was certainly ample

28 Elton, Reform and Reformation, pp. 58-61.

reason for Wolsey to make an example of the Surrey offenders in Star Chamber. It was a poor show for the rest of the nation that Surrey, right in the royal backyard as it were, should be so given up to lawlessness. Indeed Wolsey may have recalled that in 1483 Surrey helped spawn a rebellion against Richard III, and in these days of dynastic anxiety the central government was particularly sensitive to any sort of disorder which might give rise to rebellion. But even given this reason and the additional pleasure that Wolsey always took from humbling the mighty, surely most important of all was the Cardinal's enthusiasm for justice, the one area where real principle sometimes overcame his venality and politically self-serving nature. He must have found the violence, disorder, abuse of the offices of justice of the peace and sheriff, and disruption of quarter sessions in Surrey intolerable. By intervening in what was fundamentally a local conflict, he let it be known that he would not tolerate such misbehavior on the county level.

One focus of the heightened animosity between the two Surrey factions was the alleged murder by Henry Henley of Richard Rigsby alias Shepherd, servant to Henry Knight of Knight's Hill. Henley's friend, Michael Cassinghurst, planned to marry Knight's maidservant, against her master's will, on Sunday, 14 September 1516. On the Friday night before the wedding was scheduled to occur, Cassinghurst, Henley, and several friends went to catch a couple of coneys for the celebration and were attacked by Knight and his servants. In the ensuing affray, Shepherd, one of Knight's company, received wounds from
which he eventually died.  

The next day Knight went to Sir John Legh, then sheriff, claimed he had mistaken his foes for thieves, and accused Henley and Cassinghurst of perpetrating the whole affair. Legh had Cassinghurst arrested when he came to church on Sunday to be married, and continued to hold him until Thursday, despite efforts by local worthies to bail him and carry on the wedding. Once free Cassinghurst decided to marry the following Sunday, but on Saturday Knight and one of Legh's servants came and took the bride away to be kept at Legh's for Shepard had now died.

"Diverse sessions" were appointed for inquiring into the "murder and riot" committed by Henley, Cassinghurst, and their fellows against Knight, Shepard, and their company. These sessions became a forum

30 SP 1/232/230, Nicholas Carew to an anonymous recipient, a letter which eventually must have come to the hand of Wolsey. (L.P. Addenda, pt. 1, no. 296 misdates the letter to 1520); STAC 2/2/195. According to STAC 3/9/60, confession of Michael Cassinghurst before Sir John Legh and others (misplaced among Star Chamber material from Edward VI's reign), Legh examined Cassinghurst on "Sunday the xiiijth day of September which fell on Sunday. Since Legh had Cassinghurst arrested on his intended wedding day, it must have been that day that he took the disappointed groom's confession, see below. Thus the wedding must have been scheduled for 14 September.

31 SP 1/232/230.

32 STAC 2/2/195 (item 2); STAC 2/24/29, deposition of Roger Legh, STAC 10/4/p. 5/15, interrogatories administered to Sir Matthew Browne, Sir John Legh, and one Newdigate. There were at least two sessions. One was a delivery of Guildford gaol held at Southwark. There was another session of unspecified nature at Kingston later. STAC 2/22/50, interrogatories administered to Sir Matthew Browne (item 1), refers to a sessions at Guildford, but in STAC 2/18/246, his answer to this interrogatory, Browne says the same sessions was in Kingston. G. R. Elton, Policy and Police, The Enforcement of the Reformation in the Age of Thomas Cromwell (Cambridge University Press, 1972), p. 311 mentions Sir Matthew Browne's maintenance of Henley "at Guildford assizes"
for factional dispute, with Sir John Legh and Lord Edmund Howard taking Knight's part, and Sir Matthew Browne and John Scott taking that of Henley, who was accused of murdering Shepard.

Henley was arrested and incarcerated, but was let to bail by John Scott -- illegally, according to Roger Legh. At a gaol delivery in Southwark, Henley appeared before Sir Thomas Neville, Sir John Legh, and John Scott, and was "attainted." This sessions was adjourned to Kingston, where at the next sessions Scott withheld the records of the Southwark proceedings "till the justices were up and then put them in," ignoring proper procedure for Henley's benefit. Browne attempted to prevent Henley's indictment for felony and murder, first by trying to get the new sheriff, William Ashburnham, to impanel a favorable jury and then by seeking to influence the jury's decision with both words and bribes. He also spoke in Henley's favor at the sessions itself, challenged the testimony of one Newdigate, a Howard servant, and quarrelled openly in quarter sessions with Sir John Legh. 33

Ultimately Henley was convicted of murder, a victory for the

(Kingston) in his discussion of the problems of the trial jury in the 1530s. Elton says that STAC 2/22/50, from which he takes his information, cannot be dated. It has now been dated to 1519 by Guy, The Cardinal's Court, pp. 72-4.

33 STAC 2/2/163, Attorney General Fitzjames' bill of complaint against Sir Matthew Browne (item 1); STAC 2/2/195 (item 2); STAC 2/18/246 (items 1-4); STAC 2/22/50 (items 1-4); STAC 2/24/29, depositions of Roger Legh, Henry Tingilden, and Lord Edmund Howard; STAC 2/26/252, Fitzjames' replication to Browne's answer. William Ashburnham, sheriff of Surrey and Sussex from 10 November 1516 to 9 November 1517, must have been the object of Browne's illegal labors, for he was preceded in office by Sir John Legh and succeeded by Sir John Gaynesford, two men with whom Browne would have had little chance of success, List of Sheriffs, p. 137.
Howard-Legh faction, if not for justice. But clearly the Howards and Leghs on one hand and Browne and Scott on the other were less interested in seeing justice done and proper procedure followed than in getting at each other. This case reveals serious corruption in Surrey government, which was the by-product of the feuding among the county’s leaders. Lord Edmund Howard, Legh, and Knight saw to it that all responsibility for the affray was placed on Henley’s company, though it was clearly Knight’s fault. Legh further abused his office by holding Cassinghurst without bail for several days and broke the law outright by kidnapping his bride-to-be. On the other hand Browne and Scott had no scruples whatsoever about subverting the law once Henley had been apprehended and brought to trial. Perhaps both factions were working in the interests of men who were their respective adherents or servants. But whether they were protecting their own men or not, the two groups exploited the situation to get at each other, and in so doing threw concern for ethics, justice, and legality to the winds.

This ran contrary to Wolsey’s deep concern for justice, and it involved a number of Surrey residents in the factional squabbles of their rulers, disrupting the peace of the county community.

The long-standing feud between Roger Legh and John Scott over their wives’ inheritance erupted again about this time, adding to the factional tension in Surrey. This land dispute had been in litigation in various courts since Henry VII’s reign and had most recently been

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34SP 1/232/230; STAC 2/2/163 (item 1); STAC 2/2/195 (item 2).
Conflicting claims to a large amount of felled timber now further complicated the matter. For some time Lord Edmund Howard had borne and maintained Legh against Scott, for which Legh had given him "a great quantity of wood that was growing upon the ground in variance." But Browne and Scott claimed that Scott had either felled the wood himself or sold it to others who had done so. In any case Howard assembled eighty carts and 200 men armed with staves on the disputed ground and carried away the wood. Whether he took the wood simply as what he considered just recompense from Legh or "for displeasure that he bore to . . . Scott," as Browne claimed, his action set the stage for more trouble at quarter sessions.

Predictably Scott sought Browne's support and Roger Legh that of Howard and Sir John Legh. Browne advised Scott to report the matter to the Council, but Scott demurred, saying, "I dare not do so for fear of displeasure of my lord of Norfolk," further evidence that the

35 STAC 2/2/194, Attorney General Fitzjames' bill of complaint against Sir John Legh (Item 3); see above, Chapter Two. The tenure claims for the various lands in question were such a tangled mess that they continued to be a serious problem for the county into Elizabeth's reign, involving the Scott family in further factional acrimony, STAC 5/H32/33; STAC 5/H41/20; STAC 5/H50/31; STAC 5/H70/39.

36 STAC 2/2/178, Attorney General Fitzjames' bill of complaint against Lord Edmund Howard (Item 3), misdated by L. B. Smith, A Tudor Tragedy, p. 40 and n. 5; STAC 2/6/183-4, certificate of Sir Matthew Browne to Wolsey (Item 2), which document is erroneously listed in Lists and Indexes as STAC 2/2/183-4, a mistake which is followed by Guy, The Cardinal's Court; STAC 2/18/246 (Item 5). The frequently fictitious allegation of riotous assembly must be taken seriously on this occasion, for the charge was made by Fitzjames as well as Browne. Interestingly it was the Attorney General who supplied the numbers of 200 men and eighty carts, while Browne reported only sixty carts "with every cart with two men with staves laid in their carts" (thus 160).
Howards now had the upper hand in Surrey. At this point Browne's self-proclaimed "zeal and intent of justice and equity" went out the window, for he labored the sheriff and jury in Scott's behalf, interfered with the serving of a process in the case, and appeared at a sessions at Scott's special request to speak on his behalf.\textsuperscript{37} Howard eventually admitted to bearing and maintaining Roger Legh, but denied that there had been any riot, while Sir John Legh insisted that he and Howard "have owed our lawful favor to ... Roger because [he] is near kinsman."\textsuperscript{38}

But protestations of good intent by Browne, Legh, and Howard did not impress Attorney General Fitzjames, who later complained that because of the bearing and maintenance in this case "much vexation and trouble hath grown amongst the king's subjects in ... Surrey" and that the "matter hath caused much variance and debate in the said shire." Perhaps it was for this that Howard found himself in the Fleet about this time "as convict of unlawful bearing by his own confession." The Howards were not entirely immune from punishment -- in May 1516 Edmund's brother, the second earl of Surrey, was "put out of the council chamber ... indicted before the king's bench and also called before the star chamber for keeping retainers." But Lord Edmund cannot have remained in prison for long, for he found too much time to stir up trouble. His father's influence doubtless secured a

\textsuperscript{37}STAC 2/6/183-4 (item 1); STAC 2/18/246 (items 5-10); STAC 2/22/50 (items 6-10).

\textsuperscript{38}STAC 2/2/179-82, answer and submission of Lord Edmund Howard (item 3); STAC 2/2/195 (item 1); STAC 2/2/196, answer of Sir John Legh (item 3).
quick release. At any rate this case was just one of many in which the impartial administration of justice in Surrey took a back seat to factionalism. Attorney General Fitzjames' accusations make it clear that the struggle between the Howard-Legh and Browne-Scott factions disrupted the body politic of the entire county.  

Another focus of factional strife was the dispute over a debt which arose sometime in late 1516 between John Russell (backed by Browne) and Thomas Powell (backed by Howard and Legh). Russell obtained a writ for an action of debt against Powell to levy the debt on the latter's goods. The officers and servants of sheriff William Ashburnham attempted to execute the writ at Ewell, but met forcible resistance from a riotous assembly of thirty or forty persons in harness gathered by Powell and possibly including six of Lord Edmund Howard's servants. Apparently finding themselves outnumbered Ashburnham's men left without executing the writ.

Russell thereafter procured an indictment against Powell and the other rioters at a sessions held in Southwark. Lord Edmund Howard was sitting on the bench and, as an excuse for Powell, claimed that the goods in question were not Powell's, but Ellis'. Henry Saunders

39STAC 2/2/163 (item 2); STAC 2/2/194 (item 3); STAC 2/2/197, Fitzjames' replication to Legh's answer; STAC 2/24/29, deposition of Henry Tingilden; STAC 2/26/252 (item 2). For Edmund Howard's imprisonment, see B. L. Cotton MS. Vespasian C. XIV (pt. 2), f. 266v. On Guy's curious use of this reference, see below, footnote 73. For the second earl of Surrey's summons before Star Chamber for retaining, see Pollard, Wolsey, p. 76.

40STAC 2/6/183-4 (item 3); STAC 2/26/355 (item 9); STAC 2/2/179-82 (item 2). Sir William Fitzwilliam estimated the number of rioters at thirty. Browne put the number at forty and alleged that Howard's servants were among them, which the latter denied.
disagreed, apparently convincing Sir William Fitzwilliam, but provoking the disagreement of Sir John Legh. Saunders and another JP later dis- gustedly told Fitzwilliam "they knew well enough it would not be found as long as some were on the inquest that were, for they would say none otherwise than the said Sir John Legh would have them." Apparently Legh and Howard did have such a hold over enough of their fellows at the inquest to control its outcome — Powell went free, though clearly guilty. 41

Undaunted by this miscarriage of justice, Russell managed to get the jury at the next sessions at Guildford to bring a similar indictment. Ellis in turn procured an indictment of trespass against Russell. Sir John Legh threatened Russell with a fine for "unfitting words," while Sir Matthew spoke in Russell's favor. Browne further claimed that some of Lord Edmund's servants had assisted Powell at the riot, provoking Howard to threaten Browne and Henry Saunders "that if any of them would so say he would make it good upon their flesh that they both lied." Howard later admitted that it was his words which persuaded the jury to find Powell not guilty, but denied any wrongdoing. In fact Howard, Legh, and Browne were all eventually charged with maintenance, bearing, and/or embracery "in let of justice and in derogation of the king's laws" with regard to this dispute. Given the overall picture of faction and corruption in Surrey in the first decade of Henry VIII's reign, protestations of innocence from

41 STAC 2/6/183-4 (item 3); STAC 2/26/355 (item 9). On Powell's guilt, see STAC 2/2/178 (items 1-2); STAC 2/2/194 (items 1-2); STAC 2/2/197.
the principal ringleaders ring rather hollow. 42

This is not all of the matter. At some time in the proceedings, perhaps following the Guildford sessions, "a commission from the king" directed Lord Howard, Sir John Legh, and James Betts to examine the matter in variance between Russell and Powell. Thus the case was assigned, perhaps deliberately, to JPs who were sure to favor Powell. The case provides yet one other example of improper official behavior. The case was called up to Westminster, probably to King's Bench since a riot was involved, and a jury was summoned, but Browne "did labor the jury that they should not appear." Obviously in the case of Russell versus Powell, it was Browne versus Howard and Legh that mattered most to three of Surrey's most prominent JPs. Though each side may have had the best interests of the litigant it supported at heart, justice was again a secondary consideration. 43

IV

Besides demeaning the office of justice of the peace by failing to administer justice properly, the two factions in Surrey often involved other county residents in their struggle, disrupting rather than preserving the peace of the county community. Some examples have been given already, but there were other instances. 44 Such behavior

42 STAC 2/2/163 (item 4); STAC 2/2/178 (items 1-2); STAC 2/2/179-82 (items 1-2); STAC 2/2/294 (items 1-2); STAC 2/2/196 (item 2); STAC 2/6/183-4 (item 4).

43 STAC 2/2/196 (item 1); STAC 2/24/29, deposition of Lord Edmund Howard; STAC 2/18/246; STAC 2/22/50.

44 STAC 2/2/179-82 (item 5); STAC 2/2/196 (item 6); STAC 2/17/44/1-8; STAC 2/24/29, deposition of Lord Edmund Howard.
by Surrey's JPs could only undermine respect for government and the law in the shire. This Wolsey could not tolerate, and he sought to correct the problem by making further changes on the Surrey bench. Norfolk must have influenced the character of these changes, for they worked to the advantage of the Howard-Legh faction. It is even possible that Wolsey hoped to increase order in Surrey by making that group dominant in the shire, though if he did so it was a serious miscalculation. More likely is that he was simply willing to grant some favors to Norfolk, for while some of the changes were advantageous to the Howard-Legh faction, others were more calculated to increase Wolsey's influence in the county directly.

One indication that the fortunes of the Howard-Legh faction continued to improve is that Sir John Gaynesford became sheriff on 9 November 1517. Even more significant are the changes on the Surrey bench which followed the troubles detailed above. By September 1518 James Betts was a member of the commission of the peace and of the quorum, though he may already have been a JP when he served with Lord Howard and Sir John Legh as an arbitrator in the debt dispute between Russell and Powell. His appointment was a gain for the Howard-Legh faction, though his career as a Surrey JP was a short one— he became a Hampshire man, serving as a JP there from 1524 until his death in 1540.45

Besides the accretions to the Howard-Legh interest, the Browne-Scott faction suffered some losses. Death took John Skinner I and

45 Appendix One and Two; Fritze, "Faith and Faction," p. 357 and his Appendix Two.
Henry Saunders. Skinner had some connection to Browne and Scott, and it is interesting that his son, John Skinner II, despite links which he developed with the Howards, did not obtain a place on the Surrey bench until February 1524, by which time the Howard-Legh faction was in disarray. Saunders was the duke of Norfolk's steward in Dorking and his descendants were closely allied with the Howards. But Henry himself had spoken against Sir John Legh at quarter sessions during the hearing of the matter between Russell and Powell and had been threatened by Lord Edmund Howard. Though he had no apparent links to Browne and Scott, this disinterested action undoubtedly won him the dis­pleasure of the Howards and Leghs. Therefore his departure may actually have hurt the Browne-Scott faction.

Temporarily off the commission were John Scott himself and Sir Edmund Bray. Scott returned to the bench shortly, but at the same time Wolsey appointed another JP with links to the Howard-Legh faction, Richard Broke, serjeant-at-law. The fourth son of Thomas Broke of Leighton, Cheshire, Richard Broke was already a distinguished barrister at Middle Temple and had served as undersheriff and MP for London, where he was presently recorder. In 1520 he would be knighted and made a judge in Common Pleas and in 1526 he was to become chief baron of the Exchequer. Already as serjeant he sat on numerous commissions in the Home and Norfolk circuits. Broke had considerable holdings in Surrey as well as several other counties, so he was not without local influence. Sir John Legh regarded him highly, for he made Broke an

46 Appendix One and Two; C 1/326/44.
executor of his will. All in all Broke was a valuable ally for the Howards and Leghs. 47

Wolsey also made several appointments to the Surrey bench in 1518 which were intended to increase royal — and his own — influence. It is probably for this reason that Sir Thomas Exmewe, a London official, became a JP at this time. Certainly it is the case with Sir Richard Rokeby, who was comptroller of Wolsey's household. More important in the long run were the appointments of Sir William Fitzwilliam junior and Sir Nicholas Carew of Beddington, two close friends of Henry VIII. 48

Fitzwilliam was a younger son of Sir Thomas Fitzwilliam of Aldwarke, West Riding of Yorkshire. His mother, Lucy Neville, later married Sir Anthony Browne I, by virtue of which Fitzwilliam was half-brother to Sir Anthony Browne II, Sir Matthew's first cousin. His appearance on the bench helped Sir Matthew, whom he seems to have shielded during Wolsey's inquiry in 1519. But his appointment was partly an extension of Wolsey's influence. Fitzwilliam had been Henry VIII's companion since about the age of ten and already had begun the collection of offices, honors, and lands which would culminate with his being made Lord High Admiral and earl of Southampton. Wolsey trusted this royal councillor highly, and it was to him that he turned in 1519 for information on the troubles in Surrey, which was in fact

47Appendix One and Two; PROB 11/23/3, will of Sir Richard Broke; D.N.B., "Broke, Sir Richard."

48Appendix One; C 66/631/1d; Pollard, Wolsey, p. 56n.
now Fitzwilliam's home county.\footnote{Vis. Surr., pp. 6, 19; D.N.B., "Fitzwilliam, William, Earl of Southampton."}

Sir Nicholas Carew was the son of Sir Richard Carew and the heir to a long family tradition of officeholding in Surrey. But he was also one of Henry VIII's favorites and a member of his household. In fact he was so familiar with the king that Wolsey had the council order him away from court on two occasions and his appointment as JP and sheriff may have been a way of keeping him in the country. But Wolsey could count on Carew to represent the royal interest in Surrey, and it was he who reported the events surrounding Henry Henley's alleged murder of Shepard. Though he had connections to the Howards, his objective discussion of Sir John Legh's mishandling of the case shows that he was by no means a tool of the Howard-Legh faction.\footnote{D.N.B., "Carew, Sir Nicholas"; above, pp. 121-3.}

In November 1518 Wolsey took the unusual step of passing over the three men nominated by the normal process to be sheriff of Surrey and Sussex and chose Carew instead. Again, this was partly a way to keep Carew away from Court some of the time, but that is not all. The three rejected nominees were all Sussex men. Wolsey obviously felt it particularly necessary to have a Surrey man as sheriff at this difficult point in time, for he took the almost unprecedented step (in the Tudor era) of naming Surrey men to the shrievalty two years in a row. Though the previous sheriff, Sir John Gaynesford, had links to the Howard-Legh faction, he showed a concern for justice not characteristic of many of his fellow JPs. Carew offered greater advantages, for...
he was essentially neutral with regard to the factional struggles in the shire at this time. But if Wolsey appointed him especially to help keep the peace in the county, the move was a failure. Before Carew's term of office expired, matters in Surrey got even worse.\footnote{L.P., vol. 2, pts. 2, no. 4562; on Gaynesford's concern for justice, see above, p. 96.}

For Wolsey the last straw with regard to Surrey came in 1519. The Chancellor had been plagued by disorder since his rise to power. For example, he had found it necessary to intervene in Kent in 1516 to stop the violent feuding between the Gudefords and Nevilles. In 1517 there had been a major riot in Southampton and the notorious Evil May Day riot in London. In Surrey there had been numerous instances of disorder, including those recounted above. In 1517 there was even a rather lunatic threat on the lives of Henry VIII and Wolsey by a group of prisoners in the Marshalsea, several of whom were Southwark yeomen. Though it did not involve any of Surrey's factious rulers in any way, this incident helped to focus Wolsey's anxiety about disorder in a southerly direction.\footnote{Clark, English Provincial Society, pp. 14-6; Pickthorn, Early Tudor Government: Henry VIII, pp. 38-44; KB 9/475/2/1-16; Keilway, English Reports, p. 186. Cf. Bellamy, Tudor Law of Treason, pp. 92-3, 140, 171 for the importance of the Southwark case in the development of the idea of treason by words. Wolsey took the threat seriously enough to appoint a special commission of oyer and terminer, and most of the prisoners involved were executed for treason.}

Much more serious was the judicial corruption and continuing factional strife among Surrey's leaders, which flared up again in 1519.
The justices of the peace, the "natural rulers" of the shire, were supposed to be keepers of order, yet the members of the Howard-Legh and Browne-Scott factions were doing more to occasion disruption than any of their "lesser" brethren in the county. The situation in Surrey was already tense. Now Sir Matthew Browne's frustration at the successes of the Howard-Legh faction led to further violence and disorder, provoking Wolsey to intervene.

On 11 April Browne and about ten others, "for despite and displeasure that he bore to Thomas duke of Norfolk," destroyed the latter's coney warrens at Reigate. Then "for the bearing and maintaining of his said misdemeanor," Browne appeared at the next quarter sessions at Reigate on 3 May with an unlawful assembly of his servants, tenants, and friends, having already intimidated unfavorable witnesses into staying away. At the sessions Sir Matthew "did multiply and spake many hasty words insomuch that Sir Henry Wyatt . . . desired him to keep silence and hold his peace or else he would rise from the bench and go his way." But the irascible Browne "would not order him according thereafter," boasting "that if such things that he had done concerning the said warren were to do he would do the same again and . . . he was sorry that he had done no more than he did."54

53 On the JPs as the "natural party of law and order," see, for example, Pickthorn, Early Tudor Government: Henry VIII, p. 69.

54 STAC 2/2/163 (item 5); STAC 2/2/195 (items 4–7); STAC 2/26/252 (item 5), STAC 2/26/355 (item 10). Sir William Fitzwilliam estimated the size of Browne's following at twenty-five, Sir John Legh at eighty or more, and Attorney General Fitzjames at 100 or more. The higher figures are most likely nearer the truth. In his report on the disorders in Surrey, Fitzwilliam tended to minimize the wrongdoings of his kinsman, Browne — with reference to this incident he claimed that Browne's followers "had not saws, bills, nor none other unlawful weap-
No doubt Norfolk saw to it that Wolsey soon heard of this latest disruption of Surrey quarter sessions. But this time Wolsey had had enough, and he determined to take action against both factions. Some-time between the Reigate quarter sessions and early July 1519 Wolsey began inquiries in Surrey concerning disruptive factionalism, obstruction of justice, failure to enforce various statutes, and illegal retaining. The council examined a number of Surrey JPs, including Sir Henry Wyatt, Sir John Gaynesford, Robert Wintershull, John Scott, Sir John Legh, Roger Legh, Henry Tingilden, and Lord Edmund Howard. About the same time Wolsey obtained from Sir William Fitzwilliam a lengthy list of "misdemeanors contrary to the king's laws and statutes" which had occurred since Henry VIII's coronation. The Cardinal also ordered Sir Matthew Browne and Sir John Legh to produce certificates of the misdoings in Surrey. Neither went overboard to incriminate himself, but Legh's certificate was apparently satisfactory, while

55 Unfortunately the results of this initial examination have not survived, but STAC 2/24/29 consists of depositions taken 10-11 July, which were clearly the follow-up to this earlier examination.
Browne perjured himself. Wolsey also required Browne to make a certificate "of the names of all such persons as were warned by him or by his commandment to come to the said sessions at Reigate" which followed his destruction of Norfolk's coney warren. But Browne failed to give the council a complete list. The council caught on and examined others, who confessed that Browne had commanded them to attend the sessions. Thus Sir Matthew added a second perjury to the charges against him.

On the basis of the evidence obtained Attorney General Fitzjames early in July filed three written informations in Star Chamber against Sir Matthew Browne, Sir John Legh, and Lord Edmund Howard. According to Hall's Chronicle, the court also proceeded against John Scott, which would seem reasonable, but there is no other evidence of such action. On behalf of the king Fitzjames showed

\[56\] STAC 2/6/183-4 is Browne's certificate. STAC 2/2/195, Legh's certificate, is dated 10 July by Guy, The Cardinal's Court, p. 73 (n. 153) along with Legh's answer, STAC 2/2/196. But Legh's certificate must have been made at the same time as Browne's and as STAC 2/26/355, Fitzwilliam's report on Surrey problems. All are similar in character and must have been the result of the initial conciliar inquiry which preceded Attorney General Fitzjames' filing of bills of complaint against Browne, Legh, and Howard. Guy certainly places Browne's certificate earlier than 10 July, and it must have preceded the bill of complaint against him, which describes his perjury in the certificate. As is shown below, Legh was indeed examined again on 10 July, but the results are found in his deposition in STAC 2/24/29, where he refers to his earlier "confession." Presumably Browne was examined on a different set of interrogatories, STAC 2/22/50, to which he deposed in STAC 2/18/246, because his certificate was deemed unsatisfactory. Finally it is impossible that Browne's and Legh's certificates were given in lieu of answers to the bills of complaint against them, for Legh's answer survives, STAC 2/2/196.

\[57\] STAC 2/2/163 (item 6).
The three bills of complaint then went on to specific offenses. The Attorney General charged Browne with maintaining Henry Henley and laboring to obtain his acquittal for murder; maintaining John Scott against Roger Legh; maintaining one Dandy, indicted of forcible entry, and preventing the restoration of his victim's property; maintaining John Russell against Thomas Powell; destroying Norfolk's coney warren in Reigate; perjury in giving the council an incomplete list of those he had required to come with him to the Reigate sessions; and perjury in failing to confess the maintenance of Scott and others. Fitzjames charged Legh and Howard with maintaining Roger Legh against Scott, Powell against Russell, William White against Sir Matthew Browne, a Surrey priest against Lady Rede, and one Codington against the queen. He also charged Howard with riotous assembly in taking the wood claimed by both Scott and Roger Legh. The bill of complaint against Howard further noted that he had confessed retaining twenty persons since 1515 or 1516 "for the execution of his office of provost marshall."  

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58 STAC 2/2/163; STAC 2/2/178; STAC 2/2/194.  
59 STAC 2/2/163.  
60 STAC 2/2/178; STAC 2/2/194; STAC 62/6/183-4 (item 7). Regarding the charge of maintaining Codington against the queen, the latter had built a house on a piece of her property near a house which Howard had build on Codington's property. One night ten men procured by Howard and Legh
Besides the offenses with which Browne, Legh, and Howard were specifically charged, the investigation in Surrey turned up a great deal more evidence of official misconduct. Browne made numerous other allegations against Howard and Legh, but it is impossible to say whether these were real or contrived since the court did not proceed on them.61 There was also official concern that Surrey JPs were

tore the queen's house down. Sir Thomas Lovell and Sir Henry Wyatt heard an inquiry into the matter at a sessions in Southwark, but the outcome is unknown.

61STAC 2/6/183-4; STAC 2/26/355 (item 11). According to Browne, Howard's servant, Ralph Helse, had on one occasion procured "three other sanctuary men of Westminster" to accompany him to one John Atwey's house, which they despoiled, robbing Atwey of certain goods and 26s. 8d., one Richard Burnell of 6s. 8d., and other persons of a similar amount, putting them all "in danger of their lives." But the robbery was a set-up, an example of what today would be called entrapment. Howard had arranged for Helse to involve the sanctuary men in the robbery so that they might be captured by other of his servants, who arrived at the scene of the robbery and took the thieves, goods, and money. Once this was done, however, only one of the thieves was convicted, and Howard allegedly continued to withhold Atwey's goods and money "against all right and conscience" at the time Browne made his certificate to Wolsey. Browne also accused Howard of maintaining one Booker, indicted at Southwark for stealing two oxen. The commission of gaol delivery was to have tried Booker, but by "favor and help" of Howard he was conveyed away "to the intent that he should not then abide the danger of trial." He later was acquitted before Howard at Reigate, an area of strong Howard influence. Browne also reported hearing from John Scott that Sir John Legh had allowed various felons to escape from his house. When Scott would have found the escape for the king, so Browne's story goes, Legh claimed "that they were ... Lord Edmund's prisoners and not his wherefore the indictment of the same escape could not be found." Of course one could suspect Browne of distortion or exaggeration, if not downright prevarication, regarding these charges, particularly since Attorney General Fitzjames did not make charges on the grounds of these allegations. But at least Sir William Fitzwilliam accepted another accusation that Howard had allowed a felon to escape. This involved one John Jackson, whom Howard as provost marshall arrested for thievery. Howard took Jackson to William Morgan of Leatherhead, a low constable, to be held in war, but with Howard's assent Jackson was allowed to escape. To hide his offense Howard had Morgan indicted of negligent escape and allowed Morgan's fine to be paid out of Jackson's goods.
failing to enforce the various statutes concerning laborers, vagabonds, apparel, and games. In this as in other things proper administration of the law troubled many of Surrey's governors very little. Wolsey was worried also about retaining in Surrey. Sir William Fitzwilliam's report to the council revealed numerous instances of retaining in the shire, though only Lord Edmund Howard was officially charged with the offense. Of course the Tudors tolerated retaining as a necessary

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62 STAC 2/2/195 (item 3); STAC 2/6/183-4 (item 11).

63 Fitzwilliam's report to Star Chamber revealed that several Surrey JPs retained men. Fitzwilliam himself confessed to retaining Harry Snelling, Thomas Cowles, and William Mason of Guildford in the recent war with France, keeping the first two in his service for half a year afterward and Mason for two years by wages and livery. Sir Edmund Walshingham had retained one Clob, a saddler of Guildford, a least half a year after Flodden, though how long before and after Fitzwilliam did not know. In the same way John Westbrook had retained one Creswell of Guildford. As the ambush of Nicholas Eliot shows (above p. 113), both of these JPs were willing to use their servants in an illegal assault. Fitzwilliam also reported that one Starr of Stoke parish, whom Fitzwilliam had arrested for hunting coneys, had claimed to be a retainer of Sir Richard Carew. None of the retainers mentioned so far wore the livery or badges of their masters, except Fitzwilliam's. But Fitzwilliam reported being informed that Lord Edmund Howard retained a number of persons in Kingston, though Fitzwilliam lacked information on their identity. Still he mentioned that while riding through Kingston two years previously he had seen two men in their shops wearing a white lion (the Howard emblem) on their caps, though he would not say for certain that these were Howard's men. Whether these were among those whom Howard retained as provost marshall it is impossible to say, STAC 2/26/355. Sir Matthew Browne, accused of retaining various persons in Surrey, claimed that he had at no time since the war retained anyone "by giving livery, fee, badge, sign, token, or otherwise unlawfully." He insisted that he had "incontinently after the war ended . . . discharged all such persons as served the king in his leading of all service without promise made unto them of any mastership, bearing, or other unlawful favor," except that he "required them generally to continue their good wills and good neighborhood unto him and to be contented to serve the king in his company at any other time when the king's grace would command him to do like service." Browne had promised in return "for the pain that they had taken in the king's service at his desire they should in like wise have his good will and that he would from thenceforth accept them as his loving neighbors and friends." Other than this he denied retaining or enter-
evil, essential for military readiness, so it was not always treated as illegal. But the events recounted above show that several Surrey magnates had no qualms about using armed bands of followers to pursue personal aims. It simply turned out that most of these incidents were comprehended under charges of riot rather than retaining. Since Browne, Howard, and Legh all served the king in a military capacity, the government for the most part left the issue of retaining alone. As the actual charges show, Wolsey's main concern was with faction and maladministration of justice.

Once the bills of complaint were before the court, Browne and Legh filed answers in which they denied or tried to explain away the charges against them, but Fitzjames reasserted their guilt in his replications (though, interestingly, he failed to mention Browne's perjury concerning maintenance). Howard on the other hand had had enough and admitted his guilt, with some qualification, to all of the retaining any man other than "his household servants, learned counsel­lors, or other necessary officers," STAC 2/6/183-4. But if this was not retaining in legal terms, it certainly was so in effect — Browne's friendly words can hardly have failed to keep the lines of patronage open. Certainly he had no trouble in amassing a large following when he needed it.


Maintenance is in a way the opposite side of the coin from retaining.

STAC 2/2/196 is Legh's answer; Browne's has not survived. Fitzjames' replication to Legh is STAC 2/2/197; to Browne, STAC 2/26/252.
charges against him except the maintenance of White against Browne and the retaining of men in his capacity as provost marshall, which he was able to explain away. For the rest he submitted himself to the king "as he hath done before" and "in most humble wise" besought Wolsey and the council "to be mediators to the king's highness for pardon."

Thereafter Howard's case apparently proceeded ore tenus, and he probably received a pardon.  

On 10 July the king's attorney re-examined Browne before the council on eleven interrogatories, but again Browne denied the charges against him. The same day Wyatt, Gaynesford, Wintershull, Scott, and the Leghs were also re-examined, as were Tingilden and Howard on the day following. These deponents added little to what was already known, though Howard did manage another charge of maintenance and bearing against Browne. About the same time the council administered further interrogatories to Browne, Sir John Legh, and Howard's servant, Newdigate, concerning Henry Henley's murder of Shepard. The considerable amount of time the council spent investigating affairs in Surrey shows just how important Wolsey considered the troubles there to be.

STAC 2/2/179-82; Guy, The Cardinal's Court, p. 73. Guy makes the curious error of citing B. L. Cotton MS. Vespasian C. XIX (pts. 2), f. 266v. as the authority for Howard's case proceeding ore tenus and for his probable pardon. The procedure and pardon seem reasonable enough, but the source actually records only that in 7 Henry VIII (22 April 1515-21April 1516) Howard was "convict of unlawful bearing by his own confession" and committed to the Fleet.

STAC 2/18/246; STAC 2/22/50; Guy, The Cardinal's Court, p. 73 says that "since rivalry had ensured the willingness of Browne to accuse A Legh and Howard and vice versa, and Howard had confessed, witnesses seem not to have been examined." Yet STAC 2/24/29 demonstrates that on 10-11 July several JPs, in addition to the defendants, were examined. STAC 2/2/163 (item 6) shows that witnesses also had been called in prior to the filing of the bills of complaint. Also STAC 20/4/pt.5/15 shows that Howard's servant, Newdigate, was examined along with Browne and
With the final hearing on 28 October the case reached a climax which, in terms of Star Chamber procedure, was quite spectacular. Just the day before Wolsey had delivered his second "notable Oration" to the council on the administration of justice in which he had desired "the indifferent ministration of justice to all persons as well high as low." This oration embodied Wolsey's twin aims of making justice more equitable and humbling the mighty in the realm, as did the proceedings of the following day. On 28 October "Henry VIII was sitting in person with forty of the council, and the timetable was arranged by Wolsey as a dramatic show of law enforcement." To begin with Sir William Bulmer submitted himself for having worn the duke of Buckingham's livery in the royal presence after being sworn to the king. After he had received a scathing denunciation from the angry king and been pardoned "at the intercession of the council on their knees," the king and council turned to Surrey matters. Sir Matthew Browne and Sir John Legh were brought in to what still must have been a rather heated atmosphere. The king and council dealt with them quickly, fining each £100 and ordering them to the Fleet. Wolsey had now accomplished his purpose, however, and Browne and Legh also received a pardon after their "submission and intercession." This was the logical course for Wolsey to follow, for Browne and Legh (like Howard) were high among the "natural rulers" of Surrey and could be invaluable servants to the crown if only they could be intimidated into performing their duties in an upright manner. Having humbled them, Wolsey assumed that they would

Legh on another occasion.
Yet as in all his efforts to improve the administration of justice, Wolsey was only partly successful. There were no more outbreaks of disorder in Surrey like those of 1515-19, but factional hostility continued to have a role in county politics and the administration of justice in the shire. Though driven underground, the hostility of the Howard-Legh and Browne-Scott factions continued to smolder until the breakup of the former in the mid-1520s. Even after that, however, Sir Matthew Browne's hatred of the Howards continued to influence local politics down through Mary's reign.

VI

Between the dramatic events of 1519 and Wolsey's fall in 1528 the Surrey county community enjoyed a quieter existence than it had in the early years of the Cardinal's ascendancy. Wolsey failed to eliminate disorder entirely, and the Surrey leaders remained a contentious, litigious lot, but there was no more open violence between the Browne-Scott and Howard-Legh factions. That conflict continued to smolder, but it was driven underground in the early 1520s by the emphatic example which Wolsey set in Star Chamber in 1519. A second reason for the relative peacefulness of the Surrey community in this period is that the Howard-Legh faction gradually fell apart and by 1524 ceased

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69 Guy, The Cardinal's Court, pp. 32, 74; Henry E. Huntington Library, Ellesmere MS. 2653; 2654, f. 24v. I am grateful to Dr. Guy for giving me photocopies of his transcripts of these documents. Though it is not explicitly stated that Legh was fined and ordered to the Fleet, Guy is undoubtedly correct in saying that he received the same punishment as Browne.
to have much influence at all, while Browne's influence increased with the growing eminence of his cousin, Sir William Fitzwilliam. Finally, Wolsey appointed a number of new JPs, many of whom were outsiders and the servants of Henry VIII or the Cardinal himself. Among these new JPs were several who would continue to play an important role in the county community in the years when the English Reformation, the rule of Cromwell, the revival of Howard influence locally, the growth of national factionalism, and the political and religious fluctuations under Henry VIII's progeny would create new divisions and disturbances in Surrey. If the 1520s provide the denouement to the high drama of the 1510s, they also are the prelude to the equally exciting times to come.

Wolsey's action in Star Chamber in 1519 made it clear that he would not tolerate the sort of open, violent factional strife prevalent in Surrey in recent years. But of course the public humiliation of Howard, Legh, and Browne did nothing to ease their antagonism — indeed it may have done just the opposite, since each side could look to the other as the cause of its embarrassment. But Wolsey's demonstration of his authority did drive the combatants in Surrey to more subtle means of getting at each other. The following case is a good example.

In late 1519 Sir John Legh got into a dispute with Thomas Hegger of East Betchworth over two tenements with lands in West Cheam. The previous owners had made Sir Matthew Browne and his son Henry their feoffees to use. Besides making a good deal of trouble for Hegger, Legh also encouraged several other parties involved in the dispute to file a law suit against Browne. On the other hand Sir Matthew Browne and John
Scott persuaded Hegger in 1521 to enter a bill of complaint in Star Chamber against Legh. The latter replied that the bill was "feigned of malice by the means and excitation of John Scott of Camberwell . . . and other enemies." On 14 November the council examined and then dismissed the plaintiffs against Browne who deposed that they had, without any instance from Legh, sought his "good help and furtherance." Hegger and Legh was dismissed after the former "openly desired to have his case determined at the common law." Most interesting of all is that Hegger "openly denied" a section of his bill of complaint which alleged he had been put to great cost through imprisonment by Richard Hill, undersheriff of Surrey and Sussex and Legh's former servant. Hegger stated that "he was not privy that it was so expressed in his said complaint." Obviously what had happened is that Scott and Browne had doctored the charges in Hegger's bill in order to create difficulties for their rival, Legh. This was not as blatant as burning a coney warren, but it was done to the same end. And while Legh was not guilty of such a subterfuge, he was probably not entirely innocent in the affair with Hegger, and he certainly was not hesitant about encouraging a law suit against his enemy, Browne. Faction lived on.

But if Legh won a minor victory here, it was of little importance, for the power of the Howard-Legh faction in Surrey politics was already beginning what would be a rapid decline. Browne and Scott benefited enormously from the growing influence in Surrey of the powerful courtier and trusted royal servant, Sir William Fitzwilliam, future earl of Southampton and Browne's cousin. Scott became sheriff in

70 STAC 2/33/48.
Surrey in November 1520. An even stronger indication of the increasing control in Surrey of Fitzwilliam, Browne, and Scott can be found in the commission of the peace. In November 1520 Sir John Legh still ranked higher on the commission than his fellow knights, Fitzwilliam and Browne. By July 1522 six knights who were already members of the commission rose to positions higher than Legh, and two new appointees also appeared above him. One of the veteran JPs was Fitzwilliam. Another was Browne, who for the first time since Henry VII’s reign appeared higher on the commission than Legh, moving five places ahead of his enemy. One of the new members was Sir Richard Jerningan, a career diplomat who probably had little time for Surrey politics, and was a JP only briefly, but who was nonetheless friendly enough with John Scott to be an executor of his will. Two other new JPs had links to Fitzwilliam and Browne. Richard Page of London and Hertfordshire named Fitzwilliam as one of his feoffees. William Shelley married his daughter to Browne’s son, Henry. Page and Shelley were ranked at the head of the JPs who were not knights. In addition Roger Legh disappeared from the commission, though he did not die until 1531. Another Howard-Legh ally, James Betts, had already dropped off in 1520. Thus by 1522 there was a very considerable shift in the balance of power in Surrey.71

Making matters worse for the Howard-Legh faction, sometime in the early 1520s there was a falling out between Lord Edmund Howard and Sir John Legh. By the time he died in 1524, Legh distrusted Howard enough to provide in his will that Lord Edmund and his wife Joyce (former wife

71 Appendix One and Two.

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of Legh’s brother Ralph) should have no inheritance from him if they meddled with the execution of his will. Neither did Legh’s wife Isabel trust her brother-in-law. The most likely cause of this newly developed ill-will was Howard’s decline into abject poverty, which probably led him to make requests for money from his relatives. Certainly Lord Edmund’s impoverishment effectively removed him from participation in Surrey politics, for by 1527 he was so deeply indebted to his creditors that he had to hide from them. Howard narrowly escaped arrest himself and was compelled to send his wife to plead for help from Wolsey because it was unsafe for him to show his face in public. Wolsey gave Howard some protection from his creditors, but apparently could do nothing to save this younger son of a nobleman from penury. Even when Lord Edmund managed to obtain the office of controller of Calais, he was unable to extricate himself from his financial difficulties. On top of this Henry VIII for some reason disliked Howard, so he could expect no saving grace from the crown.

Forced into hiding by poverty and occupied in the 1530s in Calais, Howard ceased to have any important role in Surrey politics, though he continued to be appointed to the commission of the peace until he was removed by Cromwell.

The days of the Howard-Legh faction came to an end in 1524 with the deaths of Sir John Legh and Thomas Howard, second duke of Norfolk. Legh’s death ended his family’s participation in county politics. His

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72 PROB 11/21/15; SP 1/46/13-14; Smith, A Tudor Tragedy, pp. 37-44; Tucker, The Life of Thomas Howard, p. 102. Smith mistakenly refers to Sir John Legh’s wife, Isabel, as Lord Edmund Howard’s mother-in-law.
heir, John, son of Sir John's brother Ralph, never obtained a place on the Surrey bench. (The Leghs who served as JPs later in the century were from a different family.) The second duke of Norfolk was succeeded in his dukedom by his son, then second earl of Surrey. The new (third) duke of Norfolk was the implacable enemy of Wolsey, from whom he could expect no consideration in Surrey like that which the Cardinal had given his father at times. Thus Howard influence in Surrey was weakened until the fall of Wolsey. 73

Of course the Howard influence did not just vanish. Henry Timgilden, one other JP who had some association with the Howard-Legh faction, had died by 1524. 74 But John Skinner II, who became a JP that year, had Howard connections. It was probably Norfolk who was responsible for Skinner becoming MP for the Howard borough of Reigate in 1529, and Skinner was very likely already Lord Edmund Howard's steward there. Skinner came from an old Surrey family, and had taken over the office of clerk of the peace in 1507, when his father, John Skinner I, abandoned it to become a JP. 75 Another new JP, Sir Richard Weston of Sutton, came from a family with some Howard connections, but this favorite of Henry VIII was an important man in Surrey, where his family had lived at least since King John's reign. Weston acted in his own interests and in his own right, not in the Howards', but his pres-

73Appendix Two; D.N.B., "Howard, Thomas II. . . ."
74Appendix Two.
75Appendix One and Two; Bindoff, vol. III, pp. 321-3.
ence on the bench cannot have hurt them. Moreover, Weston was one of Wolsey's opponents in Henry VIII's Privy Chamber. Thomas Polsted of Guildford, who became a JP shortly after Skinner and Weston, also had had connections with the Howard-Legh faction, but his appointment is really the result of his being Wolsey's servant.

In fact in the 1520s Wolsey appointed several JPs in Surrey, some of them outsiders, who were either his servants or the king's. At least twenty-one JPs appeared on the Surrey bench for the first time between 1520 and Wolsey's fall. Of these ten were outsiders, nine were county men, and two were outsiders who became established in the shire. Eight of the outsiders served either Henry VIII or Wolsey, two of the county men were Wolsey's servants, and one of the "converted" outsiders was the king's. Wolsey also returned two men to the bench after long absences. Ralph Pexsall was his own man, while Thomas Stidolph, earlier removed by Wolsey, was now linked to the Cardinal's servant, Thomas Cromwell.

The first of the outsiders was Robert Johns, a Welshman and esquire of the body to Henry VIII, who became a JP in 1520. Wolsey appointed four more JPs from outside Surrey in 1522. Sir William Dennis was a resident and official of Gloucestershire, esquire of the

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76 Appendix One and Two; on the relationship between the Westons and the Howards, see Smith, A Tudor Tragedy; Starkey, "The King's Privy Chamber, 1485-1547," pp. 148-9, 151.

77 Appendix One and Two; Bindoff, vol. III, pp. 126-8.

78 On Stidolph, below, p. 162.

79 Appendix One and Two.
body to Henry VII, and knight of the body to Henry VIII. Sir Richard Jerningham was another knight of the body, who spent much of his official career in Tournai. Richard Page of London and Hertfordshire and William Shelley of London and Sussex were technically outsiders, but were close neighbors to Surrey and had important connections there. Page was a gentleman of the Privy Chamber, in addition to performing service for Wolsey. Shelley was a London official who had won the king's pleasure by settling disputes between the king and the city in the early 1520s. He would become a judge of common pleas in 1527. Sir William Gascoigne of Cardington, Bedfordshire, had become treasurer of Wolsey's household about 1523. Thomas Hennege of Lincolnshire and Copt Hall, Essex, was one of Wolsey's gentleman ushers. By 1528 Wolsey had appointed three more outsiders. One was John Gage, a kinsman of the Brownes and an eminent figure in neighboring Sussex. The second, Sir John Aleyn, was a prominent Londoner who

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80 Appendix One and Two.

81 Appendix One and Two; on his career at Tournai, see C. G. Cruickshank, The English Occupation of Tournai, 1513-1519 (Oxford: Clarendon Press, 1971).

82 Appendix One and Two.

83 Appendix One and Two; Bindoff, vol. III, p. 310-12.

84 Appendix One and Two; Bindoff, vol. II, pp. 194-5; Pollard, Wolsey, p. 265.

85 Pollard, Wolsey, p. 49
had links to Cromwell. Brian Tuke was another of Wolsey's servants. 86

One of the two outsiders who became established in Surrey was Ralph Vine of Oxfordshire and Ash, Surrey, who married successively two women from Surrey. Ralph Vine began his officeholding career in Oxfordshire at the turn of the century, but shifted his main interests to Surrey and he became a JP there in 1520. Thereafter his family remained at Ash, and his son Henry would later serve on the county bench. 87 The other transitional outsider was Christopher More, son of John More, a London fishmonger. More had been an Exchequer official since 1505, owner of Loseley manor in Surrey since 1509, and held a number of Surrey offices before becoming a JP about 1521. 88

Little is known of Robert Castleton, who became a JP in 1522, but he can be relegated to the group of country men by that trusty expedient, the educated guess. 89 John Skinner II, Sir Richard Weston, and Thomas Polsted were all local men, the latter a servant to the Cardinal. Wolsey appointed three more locals in 1525. John Danaster of Cobham was probably already established in the county when he became a JP. John Morys was a local man through whom Wolsey exercised his patronage in Farnham. William Westbroke was the son of John Westbroke,

86Appendix One and Two; Bindoff, vol. II, p. 335; Pollard, Wolsey, p. 280.

87Appendix One and Two; Wedgewood, pp. 910-11.

88Appendix One and Two; Bindoff, vol. II, pp. 616-17.

89Appendix One and Two. Castleton was involved in a Chancery case involving Surrey residents in 1514, which shows that he had links with the Surrey JP, Sir Thomas Bourchier, C 1/304/42-5.
who had been a JP under Henry VII and in the early years of Henry
VIII. 90 Two more locals, Thomas Lisle and William Muschamp, won
places on the bench by 1528.91

Wolsey's employment of outsiders in Surrey was a rather half­hearted affair, like so many of his projects. Sir William Dennis
lasted less than two years, disappearing from the bench in 1524 along
with earlier outside appointees, Sir William Fitzwilliam senior, Thomas
Exmewe, and Richard Rokeby. Sir Richard Jerningan was gone by 1526.
The simultaneous appointment in 1525 of three Wolsey servants, Gas­
coigne, Hennege, and Morys, may mark a revival of interest by the
Cardinal, particularly if it was followed up shortly by the naming of
Pexsall and Tuke to the bench. At any rate Gascoigne was also a short­lived Surrey JP, dropping off the commission by 1530, and Wolsey was
soon to be gone himself. 92

Indeed it is unlikely that Wolsey's intrusion of outsiders and of
his own servants made much difference in county affairs. Real power
was in the hands of local men already on the bench, most notably Fitz­
william and Browne, but also those with some connection to the Howards.
It is true that there were no violent factional outbreaks in the 1520s,
though there were occasional disputes among Surrey JPs like the ex­
tended land dispute carried on between Sir John Iwarby and the

90 Appendix One and Two; Bindoff, vol. III, pp. 126-8, for Polsted.
91 Appendix One and Two.
92 Appendix One.
Carews. But this was for the most part the result not of Wolsey's activity but of the demise of the Howard-Legh faction and the dormance of Howard influence. Many of the new men Wolsey appointed, both from outside and inside the county, who remained on the commission had yet to achieve the stature in the shire which they would obtain after his fall. But men like Vine, More, Page, Shelley, Skinner, Weston, Danaster, and Westbroke would play a vital role in Surrey in the Cromwellian years and afterward, and it is there that they will receive fuller treatment.

93 C 1/326/56-7; C 1/529/13.
CHAPTER FOUR
CROMWELL AND THE CONSERVATIVES, 1529-1540

The years 1529-40 were dominated in Surrey, as in the nation at large, by the beginnings of the English Reformation and the ascen­dancy of Thomas Cromwell. In religious matters Surrey's JPs for the most part remained conservative; however, their overriding loyalty to the king meant that they accepted the break with Rome and the dis­solution of the monasteries without resistance (except for Sir Nicho­las Carew) and in fact were staunch opponents of sedition. Cromwell built a strong alliance with the loyalist Fitzwilliam-Browne faction, several other powerful courtier JPs, and a number of "lesser" JPs, with some of whom he had connections even before Wolsey's fall. This made his influence in the shire virtually unchallengeable until 1540, when he and Henry VIII began to differ over the future of the Refor­mation in England. Then religious conservatism and political ex­pediency led his former allies to abandon him both at Court and in the country.

This chapter is divided into six sections. The first deals with the years 1529-31. In that period the Howards engineered a purge of Wolsey's servants on the Surrey commission of the peace, but failed to make further gains because of the presence of the powerful Fitz­william-Browne interest in the shire and the growing influence of Thomas Cromwell, himself a Surrey man. Section II deals with Crom­well's rise to power in 1531-2, his restoration of the Wolseyan JPs in Surrey, and his alliance with the Fitzwilliam-Browne faction in the shire. The third section describes how Cromwell consolidated his
alliance with Surrey's conservative JPs and the manner in which he employed it between the summers of 1532 and 1535.

Section IV notes the changes which Cromwell made in the Surrey commission of the peace between the fall of 1535 and the summer of 1538 and describes his continued exclusive reliance on Surrey's conservative JPs in that period. The fifth section describes the challenge posed to Cromwell's ascendency in late 1538 and early 1539 by the Exeter/ Carew conspiracy and the reviving Norfolk-Gardiner coalition at Court, and his gradual infusion of Protestants into the Surrey commission of the peace. The final section shows how Cromwell and the Fitzwilliam-Browne group, victorious over Exeter and Carew, managed the parliamentary elections of 1539 in a last display of solidarity and then gradually drifted apart in late 1539 and 1540, as the conservative reaction won over both Henry VIII and Cromwell's erstwhile allies.

I

At Wolsey's fall there were twenty-nine active JPs on the Surrey bench, including Lord Edmund Howard and Sir William Fitzwilliam, who by now had risen to places among the ex officio JPs as far as status on the commission of the peace was concerned. Though each of these men was important in his own right within the shire, all were partly dependent for their influence on links with one or another of the various interests at Court. Indeed a number of the Surrey JPs were

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1 This figure is obtained from the commission of the peace issued on 11 December 1528, C 66/652/4d. Thirty members of that commission can be classified as active, but by October 1529 one of that number, Sir Richard Broke, was dead; Appendix One.
themselves courtiers. Among the active JPs it is impossible to identify several factions or interests which were to play an important part in the dramatic political upheavals between 1529 and 1540.

With Wolsey's decline and fall in the autumn of 1529, power fell into the hands of a small group of royal councillors, among whom the third duke of Norfolk was preeminent. Naturally this elevation of the leader of the Howards increased the prestige of that family in Surrey. Norfolk himself continued to be a JP and was an important borough patron in parliamentary elections even after being toppled from his position as leading minister by Thomas Cromwell. Still Norfolk was a busy courtier (at least until 1534) and his local interests were above all East Anglian, so that his influence on the most important organ of Surrey government, the commission of the peace, had to be exercised through others. Herein lay a problem. Surely for Norfolk the most dependable adherents would come from within his own family, but prior to 1539 the Howards were represented among the active JPs in Surrey only by Norfolk's brother, Lord Edmund, who was crippled by debt and who from April 1531 on was busy in Calais as an official there. Norfolk's half-brother, Sir William Howard of

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2 A recent and very thorough account of Court politics in the period between Wolsey's fall and Cromwell's rise can be found in J. A. Guy, The Public Career of Sir Thomas More (New Haven: Yale University Press, 1980), especially parts I and III.

3 Norfolk was an ex officio JP in Surrey until his death. For a complete list of citations of commissions of the peace on which he appears, see the list at the head of Appendix One. On his borough patronage, see below, pp. 164–5, 219–20, 240–2, 247–8, 259–61, 275–6, 281–2, 295–8.

4 Appendix One; Smith, A Tudor Tragedy, pp. 40–3; on his poverty, above, pp. 146–7 and below, pp. 173–4.
Effingham, was active in Surrey affairs in the 1530s, but was not able to obtain a place on the bench until 1539.\textsuperscript{5} Thus the influence which Norfolk could hope to wield in Surrey through members of his own family was limited.

Norfolk also had links to two powerful courtier JPs and boon companions of Henry VIII. Sir Nicholas Carew was married to Norfolk's niece, Elizabeth, the daughter of Sir Thomas Bryan, and in early 1530 Norfolk told Chapuys that Carew was his adherent. But Carew had acted against the interests of the old Howard-Legh faction in the 1510s and would side against Norfolk in the crisis over Anne Boleyn in 1536, so he was a less than dependable ally. In fact he was more closely linked to another member of the "inner circle" of royal councillors which developed around December 1529. This was Henry Courtenay, marquis of Exeter, with whom Carew headed an uncharacteristically long-lived Court faction, the leadership of which they had taken over after the death in 1521 of the Duke of Buckingham. The opposition of this faction to the Reformation ultimately brought its destruction by Cromwell in 1538-9. Furthermore, Carew was a most important courtier himself, as Henry VIII's longtime friend and as a member of the highly influential Privy Chamber. In Surrey his family's position was far more ancient than that of the Howards, and in county affairs he usually acted in his own interests, not that of the Howards. Finally it should be noted that while Carew played an active role in Surrey whenever he could, his busy career as courtier and diplomat often kept him

\textsuperscript{5}Appendix One.
elsewhere, so that, for example, in 1528-9 he had to delegate his
duties as sheriff of Surrey and Sussex to a deputy, Richard Belling-
ham. 6

Sir Richard Weston was another powerful courtier and member of
the Privy Chamber who was friendly to the Howards. His brother,
William Weston, prior of St. John's was an ex officio JP in Surrey.
But friendship with the Howards notwithstanding, there is nothing to
suggest that the Westons acted on Norfolk's behalf in the shire. Cer-
tainly Sir Richard benefited from Norfolk's brief ministerial ascen-
dancy, rising in status on the Surrey commission of the peace above
two other courtier JPs, Sir Thomas Neville and Sir Henry Wyatt. But
as with Carew, it is most likely that the Westons acted for the most
part in their own interests and in fact Sir Richard enjoyed Cromwell's
favor throughout the 1530s. 7

Among the non-courtier JPs in the active group in Surrey, Howard
influence was on the wane. Edmund Bray may have been allied with the
Howards, for his brother, Sir Edward, acted on Norfolk's behalf in
Sussex in the 1530s. Certainly that would explain Edmund's creation
as Lord Bray, his summons to the House of Lords in 1529, and his cor-

6 Appendix Two; C.S.P. Span., IV, i, p. 428; E. W. Ives, "Faction at
the Court of Henry VIII: The Fall of Anne Boleyn," History LVII
(1972), pp. 1801; on Carew as king's companion and member of the
Privy Chamber, D. R. Starkey, "The King's Privy Chamber, 1485-1547,"
especially pp. 84-98; his career in general, D.N.B., "Carew, Sir
Nicholas," and Bindoff, I, pp. 575-8; List of Sheriffs, p. 137.

7 Appendix One; citations of commissions of the peace on which William
Weston appears as an ex officio JP at the head of Appendix One.
responding elevation in status on the Surrey bench in 1530. But the old Howard-Legh faction had disintegrated. Sir Richard Broke and Thomas Polsted were dead. Thomas Stidolph had already attached himself to Thomas Cromwell by 1529. Sir John Gaynesford may have already abandoned the Howards as well, for his connection to the old faction was through Sir John Legh, and Gaynesford was soon to be an ardent Cromwellian. John Skinner II probably adhered to the Howards to a greater extent than his father, who had sided with Sir Matthew Browne and John Scott in the 1510s, but his family's own ancient status in the shire was enough to render him at least semi-independent. William Westbroke may have followed his father into Howard service, but that is by no means certain. The allegiance to the Howards of Robert Wintershull is only conjectural. Howard influence in Surrey was far from being overwhelming.

The single most powerful interest in Surrey was in fact that headed by Sir William Fitzwilliam and Sir Matthew Browne. Fitzwilliam was also a member of the "inner circle" of royal councillors, and unlike the duke of Norfolk, he was a resident of Surrey. Browne was a knight of the body and a very important man locally. Fitzwilliam and Browne had a number of allies on the Surrey commission of the peace.

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9 On Broke and Polsted; Appendix Two; on Stidolph, above, p. 162; on Gaynesford, below, pp. 176, 209; on Skinner, above, p. 142.

10 Appendix Two; Guy, The Public Career of Sir Thomas More, p. 128.
Sir Thomas Neville and Sir John Gage were very close friends of Fitzwilliam's half-brother and Sir Matthew's cousin, Sir Anthony Browne, who was to join the commission himself in 1532. William Shelley was Sir Matthew's kinsman. Fitzwilliam had longstanding connections with Christopher More, who was to enjoy a significant rise in favor during Cromwell's ascendency and after. He also had links with at least four of Wolsey's servants on the commission of the peace, Sir William Gascoign, Thomas Hennege, Richard Page and Ralph Pexsall. Finally of course there was John Scott, Sir Matthew's longtime ally. Already a man of great influence within Surrey, he had attained even greater prestige through his appointment as a baron of the Exchequer on 15 May 1528. He too was especially trusted by Cromwell, and when he died in 1532, he was replaced on the Surrey commission of the peace by his son, John, rather quickly. Thus the influence of the Fitzwilliam-Browne faction was already quite extensive even before it formed an alliance with Cromwell which would last throughout the 1530s.  

The role in Surrey affairs of yet one other courtier, Sir Henry Wyatt, is less certain. Wyatt had earlier played an active part in the shire, but it is likely that, like Sir Thomas Neville, his main interest in local politics was now directed to his home county of Kent, where he had been building up his influence since the mid-

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11 Appendix Two. on Shelley, above p. 146; on Fitzwilliam's relationship with More, Gascoign, Hennege, Page, and Pexsall, above, p. 46 and Appendix Two.
Then there was Thomas Cromwell, not yet a JP in the shire, but a Surrey man by origin and already well-connected among the members of the commission of the peace there. Born about 1485, Cromwell grew up in Putney, where his father was a petty officeholder. Cromwell left home at an early age and spent a number of years on the continent, but he retained some links with the county of his birth. Though his father was evicted from Wimbledon manor in 1514 for falsifying manorial documents, Cromwell continued to have family connections in the shire. It may have been his cousin, Robert Cromwell, vicar of Battersea and Wolsey's overseer of works there, who first introduced him to the Cardinal. Cromwell's service under Wolsey allowed him to make lasting friendships with a number of the latter's servants who were JPs in Surrey, including Gascoign, Hennege, Page, and John Morys, and probably Brian Tuke and Ralph Pexsall. Among his London Merchant Adventurer friends was another Surrey JP, Sir John Aleyn, at various times mayor, sheriff, and alderman of London, and a royal councillor.

Just how active in Surrey Cromwell was himself is uncertain. He must have had professional dealings there during his master's brief tenure as Bishop of Winchester. Certainly he handled Wolsey’s affairs...
in Battersea after the latter's fall. At any rate Cromwell had had enough to do with Surrey by 1529 to win the adherence of at least two local worthies besides those JPs who were Wolsey's men. One was Thomas Heron. The other was Thomas Stidolph, who on 26 January 1535 would write to Cromwell that "I have not hanged upon no man's sleeve these vi years but upon yours nor never intend to do during my life and yours." Thus even before Wolsey's fall and long before his own rise to power, Cromwell had a number of friends among Surrey's rulers. He would soon have many, many more.  

For the rest of Surrey's JPs at this stage, there is little indication of factional allegiance. A number of the newer JPs were linked by friendship, including Christopher More, William Westbroke, Thomas Lisle, and John Danaster. But there is no evidence that this group acted as a faction. In fact the connections of this group of JPs demonstrate the risks inherent in too sharp a division of JPs into factional groupings. More was linked to Fitzwilliam, but he was also friendly with Sir Richard Weston and Robert Wintershull. Danaster was connected with both Thomas Stidolph and Westbroke. Weston, More, Page, Danaster, Stidolph, and future Surrey JPs Robert Acton, Richard Long and Jasper Horsey, all occasionally acted on behalf of Sir Arthur

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14 LP IV, pt. 3, no. 6484; SP 1/51/17; 57/294-7; 89/73-6. Perhaps it was even Cromwell who arranged Stidolph's return to the Surrey bench by December 1528 after a long absence, though it could be that Stidolph met Cromwell by entering the Cardinal's service after the dissolution of the old Howard-Legh faction in 1524.

15 Appendix Two.
Plantagenet, Viscount Lisle, but Lisle had no influence on Surrey politics, so that connection is not relevant to local factionalism. What it does suggest, however, is that if more collections of personal papers like the Lisle papers survived, historians would very likely be confronted with an even more confusing and complex tangle of inter-relationships among local rulers. And after all, the practical considerations of day-to-day administration required that members of opposing factions cooperate at the local level, just as they did at Court, so that factional rivalry was not always carried on at a fever pitch.

Completing the list of JPs in 1529 are Sir Robert Johns and William Muschamp. Johns was a Welshman appointed by Wolsey, who would soon be dead. The only clue to Muschamp's loyalties is that he was linked to John Skinner II's brother, James. This could place him in either the Howard or the Carew camp, for James Skinner was friendly to both.

Aside from the commission of the peace, the parliamentary elections in Surrey in 1529 also provide some insight into the power structure in the shire at Wolsey's fall. The knights of the shire were two of the most influential courtier JPs, Sir William Fitzwilliam and Sir Nicholas Carew. Both men exercised further sway as borough patrons. Sir Thomas Palmer and John Dale, burgesses for Guildford,

\[16\] All figure frequently in Muriel St. Clare Byrne, ed., The Lisle Letters (Chicago: Chicago University Press, 1980).

\[17\] Appendix Two.
were Fitzwilliam's men, while Nicholas Legh, a future JP, and John St. John, were Carew's nominees for his borough of Blechingley.\footnote{Bindoff, I, pp. 193-5; II, pp. 4-5, 517-8; III, pp. 54-6, 254-5.}

The Howard influence in the 1529 elections is also evident, though problematical. It appears that Norfolk influenced borough elections in both Reigate and Gatton, though the issue is clouded by a memorandum which Norfolk prepared for Cromwell prior to the election of 1536 or 1539.\footnote{Norfolk listed "the names of such towns as in the past I could have made burgesses of Parliament of in the shire of Sussex," including Gatton, "where Sir Roger Copley dwelleth," and saying "as for Reigate, I doubt whether any burgesses be there or not." Norfolk's geography is erroneous, though this is understandable, given that Surrey and Sussex shared a common sheriff and thus, in all likelihood, common election returns. But his claim about Reigate is specious. Elsewhere Norfolk's statement has been treated as a sign of indecision or ignorance, but that is hardly likely, for Reigate was owned for the most part by the Howards, who certainly knew that it returned burgesses. In making his later claim of ignorance about Reigate burgesses, Norfolk was probably attempting to mislead Cromwell, in hopes of keeping the nomination of Reigate's MPs for himself. BL Cotton MSS., Caligula, B, VI, fo. 373. On the controversial dating of this document see Stanford E. Lehmburg, The Later Parliaments of Henry VIII, 1536-1547 (Cambridge University Press, 1977), p. 4 and n. 19. Here and in The Reformation Parliament, 1529-1536 (Cambridge University Press, 1970), p. 30, Lehmburg treats Norfolk's statement about Reigate and Gatton as a sign of indecision. Bindoff, I, p. 194, and Swales, "The Howard Interest in Sussex Elections, 1529-1558," p. 53, treat it as ignorance.}

At any rate one of the burgesses returned for Reigate in 1529 was Thomas Mitchell, a local landowner who was also a Howard servant. The second burgess, John Skinner II, also had Howard connections, but probably owed his election as much or more to his family's longstanding claim to one of the borough seats as to Howard patronage.\footnote{Eindoff, I, p. 196; II, pp. 599-600; III, pp. 321-3.}

Gatton was the property of Sir Roger Copley, who was its sole


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elector. Interestingly Copley was the son-in-law of Sir William Shelley, a member of the Fitzwilliam-Browne faction, and John Guildford, Copley's own nominee as burgess in 1529, was the grandson of Sir Richard Guildford, Sir Matthew Browne's father-in-law. Too much should not be made of that, however, for it is almost certain that in 1529 Copley gave the nomination of Gatton's other burgess to Norfolk. Perhaps Copley was playing both ends against the middle, seeking to placate both the Fitzwilliam-Browne and Howard factions. It is even possible that for the moment the interests of the two groups were not entirely contradictory, for the opportunistic Fitzwilliam was soon to cooperate with Norfolk in drawing up charges against the fallen Wolsey. But more likely is that Copley correctly identified Norfolk as the rising star at Court as Wolsey fell into royal disfavor and sought to gain the duke's favor. In any case the second burgess for Gatton was William Saunders of Ewell, who probably already had the close association with the Howards that he later had. Part of Copley's reward was that he became sheriff of Surrey and Sussex in November, shortly after Wolsey's disgrace had made Norfolk the leading man in the king's council.21

If Norfolk was able to influence the return of two or three burgesses in 1529, his power in Surrey was soon to be greater, increasing as did his influence at Court following Wolsey's fall. Now Norfolk was able to turn his attention to the membership of the Surrey commission of the peace. With respect to the county community this

was more important than the nomination of burgesses, for it was the office of JP, not MP, which conferred the greatest prestige and the opportunity for permanent, consistent influence within the shire.

Shortly after the Cardinal's fall Norfolk secured the removal of four of Wolsey's servants or associates from the Surrey bench -- Sir William Gascoign, Thomas Hennege, Brian Tuke, and Richard Page. It must have sweetened the victory considerably for the Howards that Gascoign, Hennege, and Page also had links with the Fitzwilliam-Browne faction. Still that group remained strong enough to prevent the Howards from filling the commission of the peace with their own allies. Indeed there were only two new members of the commission in 1530. One was Sir John Dudley, who probably owed his appointment to royal favor and who was no great friend of the Howards. The other was a completely obscure figure, John Scrimshire, who joined the commission briefly sometime after Dudley's appearance and then disappeared forever. The only other changes attributable to Howard influence are the rise in stature on the commission of the peace of Lord Edmund Howard and possibly that of Sir Richard Weston, Wolsey's old enemy.22

In any case the Howards were unable to capitalize on this beginning. Because of the weakness of the Howard family's own representation in Surrey and the independence of Norfolk's nominal adherents there, the Howards lacked the ability to sustain continuous influence on Surrey politics against the formidable opposition of the Fitz-

22Appendix One.
william-Browne group. Even more important is that by late 1530, before the Howards had a chance to make further gains, they were confronted at Court and in Surrey by a new rival, Thomas Cromwell.

II

Of course there was no open enmity between Cromwell and Norfolk at first, and the two were to maintain a studied amity even when Cromwell at the height of his ascendancy sent Norfolk into virtual exile. Cromwell's cooperation with Norfolk between 1529 and 1531 was inevitable, since the latter was the king's leading minister in that period. But he also remained loyal to Wolsey, Norfolk's enemy, long after others abandoned him, and in fact he had good reason to dislike the duke. For one thing, Cromwell already had radical ideas -- if not a radical plan -- to which a man like Norfolk would be inherently inimical. But there was more -- not only had Cromwell's affection for Wolsey been genuine, it was surely Norfolk who was responsible for the purge from the Surrey bench of several men who had served Wolsey along with Cromwell and who were his friends. It has recently

\(^{23}\) Indeed it was through Norfolk that Cromwell had to approach Henry VIII in October 1529 when seeking royal approval to stand for a seat in Parliament. But it is noteworthy that Cromwell did not obtain the seat through Norfolk's own patronage. After a failed attempt to gain a seat at Orford through his friend, Sir Thomas Rush, he obtained one at Taunton "through royal favour and the residual influence of Wolsey." The man who actually obtained the office for Cromwell was Sir William Paulet, steward to Wolsey in his diocese of Winchester, and Wolsey himself was the erstwhile patron of Taunton. The point is that Cromwell by no means "sold himself" to Norfolk in 1529 in order to obtain royal favor. Beckingsale, Thomas Cromwell: Tudor Minister, p. 20; Lehmburg, The Reformation Parliament, 1529-1536, p. 27; Bindoff, I, pp. 729-30.
been shown that even while Cromwell was acting on Norfolk's behalf in government business, he was building a faction of reformers behind the scenes at Court. Therefore it is not surprising that at the same time he was building support for himself in the shires, including his home county, though in Surrey his support came mostly from conservatives.24

It has already been shown that Cromwell had taken an interest in Surrey well before he established himself as the king's leading minister and therefore as someone who had to be concerned with the affairs of all shires. Already he had friends among both purged and still-sitting members of the commission of the peace. Now his rising stature at Court would dramatically increase both his influence and the number of his allies in the county. He would become the leading source of patronage and advice for the local governors and the ultimate maintainer of local law and order.

Cromwell was a member of Henry VIII's council by October 1530 at least. His presence in that body and his rapid rise in royal favor help to explain changes in the composition of the Surrey commission of the peace beginning in 1531. By 16 February the recently knighted Brian Tuke, Wolsey's former servant and thus Cromwell's colleague, returned to the bench in Surrey. This was at least partly Cromwell's work, though he may have had support from Fitzwilliam, who had friends in the circle of Wolsey's former servants and who was to work closely

24 Beckingsale, Thomas Cromwell: Tudor Minister, p. 21; Merriman's skepticism about Cromwell's loyalty to Wolsey is now discounted, for example, Elton Reform and Reformation, pp. 112-3; Guy, The Public Career of Sir Thomas More, Ch. 8-9, especially pp. 145, 148, 159, 176-7, 185.
with Cromwell in Surrey in the coming years. Yet another change in the Surrey bench shows, however, that Cromwell's influence in Surrey was still balanced by the Howards. This was the removal (along with the obscure Scrimshire) of another old Wolseyan, John Morys, who later acted in the shire on behalf of both Cromwell and Fitzwilliam.²⁵

Still there were other signs that Cromwell's influence in Surrey was growing. Local men were aware of his interest in the shire. On 16 February 1531 Richard Bedon wrote from Godalming to Cromwell about an arrangement between Cromwell and the prior of Shulbred, Sussex. Bedon was at the time connected to Thomas Hennege, who had served under Wolsey with Cromwell and was an ardent Cromwellian in the 1530s. In return for his favor to the prior, Bedon promised Cromwell, "I doubt not but that I shall get you a patent of ij more in these parts and then I trust that you and I shall be better acquainted." In the long run that would be the case — Cromwell made Bedon a JP in Surrey in 1539 or early 1540.²⁶

It is also revealing of Cromwell's particular interest in Surrey that it was among the four counties where he first became a JP after rising to prominence in the king's council. He was on the bench in Surrey (as well as Kent, Essex, and Middlesex) by the spring of 1532, but his appointment in Surrey may have come earlier. Though his name did not appear on the commission of the peace issued 16 February 1531, he was most likely a member by 23 September when Sir Nicholas Carew

²⁵ Ibid., p. 136; Appendix One.

²⁶ SP 1/65/145; below p. 227.
wrote to him about a writ addressed to the two men empowering them to
swear commissioners of sewers for Surrey at a general sessions at
Kingston. Carew implicitly acknowledged that Cromwell might be too
busy with his already very demanding conciliar duties to attend, but
his letter also shows that an appearance by Cromwell would not have
been extraordinary. What this incident certainly does is to establish
a practice of active, though necessarily occasional, participation in
Surrey local government by Cromwell, which he was to continue even
while at the height of his power at the national level. Carew's
letter also contains further evidence that Cromwell had now estab­
lished himself as a patron even for the leading worthies of the
shire. 27

In the spring of 1532 Cromwell was able to take more positive
steps to increase his influence in the power in Surrey. At the be­
inning of the year there were three factions at Court -- the Norfolk
group, the Aragonese group (which opposed the royal divorce) headed
by Sir Thomas More, and a group of radical reformers headed by Crom­
well. By February 1532 Norfolk's faction was breaking up and the duke
was soon to be outmaneuvered by Cromwell. By mid-May Cromwell suc­
cceeded in destroying the influence of the Aragonese faction, and Sir
Thomas More resigned his office as chancellor. This left Cromwell in
charge of royal policy and gave him the edge in local politics as
well. 28

27 SP 2/M/28; SP 1/67/102.
28 Guy, The Public Career of Sir Thomas More, Ch. 9.
It must have been just after Cromwell's victory at Court that he made several significant additions to the Surrey bench. There is a book of names of JPs made sometime between late April 1532 and January 1533, and the nature of the changes made in it for Surrey shows that Cromwell was in charge when they were made. Cromwell's own name appears among the JPs for the first time in the list as it was originally written. It is a significant commentary on the respect accorded to the county community and to proper precedence on the bench that Cromwell was ranked among the esquires, second behind John Scott. Most interesting, though, is that at the end of the list of JPs Cromwell added three names in his own hand. One of these was Thomas Hennege, formerly Wolsey's servant and now closely linked to Cromwell, and who returned to the bench after being purged by Norfolk. Another purged Wolseyan whom Cromwell reinstated was Sir Richard Page. An even more significant addition was Sir Anthony Browne, half-brother to Sir William Fitzwilliam and cousin to Sir Matthew Browne.29

Cromwell's appointment of Hennege and Page was obviously meant to build support in Surrey. And though the appointment of Sir Anthony Browne was advantageous to the Fitzwilliam-Browne group and certainly received their encouragement, the timing and circumstances surrounding this addition to the Surrey bench suggest that it too was part of Cromwell's effort to gain further control in Surrey. Sir Anthony was the son of an earlier Sir Anthony, who had been the brother of Sir George Browne, and thus represented a cadet branch of the Surrey

29SP 2/M/28.
Brownes, though he would ultimately rise much higher in royal favor and local prestige than his older cousin, Sir Matthew. He had grown up with Henry VIII, been an officer in the royal household since about 1520, had already distinguished himself as a soldier and a diplomat, and had become a gentleman of the Privy Chamber in 1519. He also already owned part of what would later become a staggeringly large estate in Surrey and Sussex. Sir Anthony thus would seem to have been a prime candidate for the magistracy in Surrey for some time. Yet his powerful kinsmen in Surrey either had not chosen or had not been able to have him added to the commission of the peace there.  

That Cromwell appointed Sir Anthony Browne to the Surrey bench simultaneously with Hennege and Page shows that he was attempting at this juncture to forge an alliance in the shire with Sir William Fitzwilliam and Sir Matthew Browne. Certainly it was the demands of the local situation which explain Sir Anthony's appointment. Though one of Henry VIII's closest friends, he was not a JP elsewhere and did not even become a member of the commission in Sussex, where his principal residence lay, until 1544. Of course Sir Anthony led a busy life as courtier, diplomat, and soldier, but such a lifestyle did not prevent numerous other courtiers from serving as JPs. Apparently Sir Anthony lacked an interest in local government; therefore, his appointment in Surrey in 1532 was something special, something obviously related to

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30 Appendix Two; Bindoff, I, pp. 518–21; Starkey, "The King's Privy Chamber, 1485–1547," p. 127, dates Browne's membership in the Privy Chamber to 1519.
the particular situation in that shire.  

That something was Cromwell's desire to increase his own support and diminish that of the Howards in Surrey by an alliance with the rivals of the latter. Certainly it must have bothered Cromwell that the Howards had so much influence in his own home county, and what better way to reduce it than by allying himself with a strengthened Fitzwilliam-Browne group? Besides acting as his agent in Surrey, Fitzwilliam allied himself with Cromwell at the conciliar level until finally betraying him in favor of the conservative reaction led by Norfolk and Gardiner in 1540. So did Sir Anthony, who with Sir Matthew certainly benefited from Cromwell's patronage later in the 1530s. And Page and Hennenge were friendly with Fitzwilliam. Thus such an alliance was quite tenable.

It is noteworthy that Cromwell did not carry out any purge of the Surrey bench at this time. For the time being such a move was not necessary. For one thing, the Howards could be contained by other means. Cromwell had already surpassed Norfolk at Court. Meanwhile in April 1532 Lord Edmund Howard had been given the post of Controller of Calais. This could be regarded as a piece of Norfolk's patronage, but what is more likely is that Cromwell was using Wolsey's old method of getting rid of opponents by giving them seemingly attractive appointments in out-of-the-way places. At any rate this kept Lord Edmund out of Surrey, and poverty continued to vex him so sorely that he was com-

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32 Bindoff, III, pp. 231-3, below, pp. 222-6.
pelled to plead for succor from his brother's new rival, Cromwell, just as he had had to do with Norfolk's old enemy, Wolsey.\(^{33}\)

Otherwise Cromwell seems to have had the cooperation or at least the acquiescence of the other courtier JPs in Surrey and he was to make adherents of many of those in the lower echelons of the commission of the peace. And indeed he must have realized, like Henry VII and Wolsey before him, that good government at the shire level was only possible to the man who respected the integrity of the county community and remained in the good graces of its natural rulers.

Finally there was as yet no real ideological basis for a purge. As will be shown below, there was some open opposition to the royal divorce in Surrey, but not among the JPs. Though quite a few Surrey JPs remained personally loyal to Queen Catherine and Princess Mary,\(^{34}\) there was to be no balking at the royal supremacy or the redistribution of monastic lands which Cromwell was soon to engineer. It was only later in the decade, when Cromwell was attempting a Protestant reform of religion, that he found it necessary to remove a few conservative JPs and replace them with Protestants. Though religious conservatism would ultimately combine with Court factionalism to bring Cromwell down, the future ideological split was by no means apparent

\(^{33}\)LP V, no. 220 (14); SP 1/70/55, 56-7; cf. Smith, A Tudor Tragedy, pp. 40-3.

\(^{34}\)Sir William Fitzwilliam, Sir Anthony Browne, and Sir Nicholas Carew were all later in trouble, in June 1536, for their loyalty to Mary. Ives, "Faction at the Court of Henry VIII: The Fall of Anne Boleyn," p. 176; Sir Thomas Neville and John Scott II were retained of Queen Catherine's council, LP IV, pt. 3, no. 6121.
at this stage. Cromwell and the future conservatives worked together in the service of their king, who wanted a divorce and would eventually be willing to accept the royal supremacy in order to get it. For the most part those religious conservatives who would later oppose attacks on Catholic doctrine and practice were undisturbed by the means taken to ease Henry VIII's marital difficulties. Even Sir Nicholas Carew, whose scruples about the divorce and the break with Rome ultimately brought him to the block in 1538, remained quiet at this time. In fact his attitude was ambivalent — while deeply devoted to Catherine and Mary, he at the same time enthusiastically endorsed a pro-French (and thus anti-Spanish) foreign policy. Many Surrey leaders probably took the sort of practical approach adopted by Sir William Fitzwilliam, who, in his willingness to support above all whatever made Henry VIII happy, even went so far at one stage as to accept the rather outlandish notion of a bigamous royal marriage. The eclipse of the Howards, the closeness of the courtier JPs to Henry VIII, Cromwell's need for support in the county community, and the absence as yet of any open, pronounced ideological split among the local rulers meant that in Surrey, where the JPs appointed from within the county in the 1530s were conservative almost to a man, tenure on the commission of the peace remained relatively secure until after the middle of the decade.

35 Bindoff, I, pp. 575-7; below, pp. 213-4.

III

By the beginning of the summer of 1532 Cromwell had established himself as Henry VIII's leading minister and had gained a firm foothold in Surrey. During the next two-and-a-half years, while he engineered the break with Rome and the creation of the royal supremacy, he consolidated his hold in the shire. Partly he increased his political support by making himself the central source of patronage and by dealing effectively with such opposition as arose to his policies. But he also ingratiated himself with the county community and kept in close touch with the processes of government thereby actually taking an active role in some aspects of local administration and by establishing himself as the ultimate maintainer of law and order.

Although the main thrust of this work is political, it is worthwhile to mention Cromwell's administrative and law-enforcement activities in Surrey, for he was after all a Surrey man. It is possible to document his acquisition of land in Surrey, to suggest that frequent royal progresses through Surrey allowed him to be particularly aware of local affairs, to show an active role on local commissions, and to note his participation in repressing crime, especially in cases of murder. Furthermore, the reliance of Surrey dignitaries on Cromwell's patronage is striking. This was true not only for high-ranking Surrey courtiers like Sir William Fitzwilliam, Sir Anthony Browne, and Sir Richard Page, and important local men like Sir Christopher More, Sir John Gaynesford, and Thomas Stidolph, but also for heads of Surrey monastic houses, including the abbots of Waverley, Bermondsey, and
Chertsey and the priors of Merton and Newark. Leaders of religious houses in Surrey involved in controversial matters, however, felt the heavy hand of Cromwell and others at the Court.  

Among the most determined opponents of the divorce and the break with Rome were the Observant friars associated with sister houses at Greenwich near Surrey and at Richmond within the county and in close contact with a recalcitrant faction at the Carthusian monastery at Sheen. Beginning in the spring of 1532 Cromwell was kept apprised of the pro-Aragonese activities in the houses by two discontented brethren, Father John Lawrence and later Richard List, who were apparently self-appointed informers but nevertheless received the minister's encouragement. He was, however, unable to bring the Observants to heel until the friars' refusal to take the oath of supremacy led him in the summer of 1534 to dissolve not just the houses at Greenwich and Richmond, but the entire order in England.  

On Surrey as Cromwell's home county, SP 1/141/210-1, 143/145; on his landholding there, V.C.H., vol. III, pp. 178-9, 482; vol. IV, pp. 69-70, 74, 98, 109, 113, 122, 152; instances in which the royal Court and/or Cromwell were in Surrey, much too frequent to cite here, are scattered throughout L.P.; on his occasional participation in local government and his activity in repressing crime, SP 1/72/76-87, 73/107-8, 80/88, 82/168, 84/120, 89/66, 89/74, 103/220; on his patronage among secular officials, see Page, SP 1/71/8, 73/130, 76/2, 85/207; for Browne, SP 1/76/228, 77/221-2; for Fitzwilliam, SP 1/84/120, 85/126, 95/6-7, 95/52-3, 105/95, 107/62-3, 125/193-5, 129/178-9, 129/204-5, 129/216-8, 130/4-8, 130/40, 144/zi7-8; BL Cotton MSS., Titus B.I., fo. 72, Cleopatra E. IV, fo. 209-10 Otho E. IX., fo. 77-8; for Gaynesford, SP 1/80/88, 82/168; for More, SP 1/86/133; for Stidolph, SP 1/73/147, 107-8; on Cromwell's patronage among and correspondence with ecclesiastics, SP 1/70/246, 73/147; E 36/143/29, 36; BL Cotton MSS., Titus B.I. fo. 455-6, V.C.H., vol. II, pp. 62, 74.  

Elizabeth Barton, the notorious Nun of Kent, attracted both observers and others in Surrey during her controversial career as a pro-papal visionary, including (as it later came to light) the Marquis of Exeter, his wife, and Sir Nicholas Carew. More important for the time being was the open and enthusiastic support she received from several Carthusian monks at Sheen. But this group of rather unthinking supporters shamelessly abandoned the Nun at her fall and went over to Cromwell and the king. The entire house at Sheen took the oath of supremacy on 7 May 1534, but the prior apparently recanted, and the house remained divided into two groups of supporters and opponents of the king. For the most part the clergy in Surrey offered little overt opposition, though Rowland Phillips, the famous vicar of Croydon, was an occasionally troublesome exception. A recent investigation suggests that right down through the early years of Elizabeth's reign the clergy in Surrey "tended to follow rather than anticipate or oppose official policy." Though predominantly conservative in the 1530s (Catholic sentiment did not decline markedly until the 1560s), the clergy were largely compliant.

Up through the end of 1534 there were no known changes in the


41 Ibid., especially pp. 308-10.
Surrey commission of the peace. Nor was there any open opposition to official policy among the JPs, though the break with Rome did take its toll on the consciences of Sir Nicholas Carew and Sir John Gage. At any rate the early stages of the English Reformation were accomplished with only a minimum of disturbance in Surrey.

What is particularly striking about Surrey in the early years of the Reformation, given the earlier (and later) history of the shire, is the absence of open factional conflict among the JPs. Of course the use of negative evidence as proof has its risks, but the 1530s are the best documented period in English history prior to Elizabeth's reign, and it seems impossible that overt conflict like that during Wolsey's ascendancy would have failed to leave some trace of its existence. To be sure a number of JPs were involved in the usual types of suits in the conciliar courts, both as plaintiffs and defendants, but not with one another. In spite of the tensions prevalent in England at this time, Surrey's rulers seem to have gotten along in the first half of the decade.

One reason is that most of the JPs were conservative, so there was no conflict over religious matters. There was also no breakdown

42 SP 1/78/117-8. Sir Nicholas Carew's interest in the Nun of Kent's attack on Henry VIII has already been mentioned. In August 1533 Sir John Gage also suffered a personal religious crisis. Fitzwilliam wrote to Cromwell that he found Gage "more disposed to serve God than the world," though "next God, he loves the king above all things." For a time Gage forsook the Court, though he eventually returned, but there is nothing to suggest that he lost position on the commission of the peace. He remained especially close to Fitzwilliam, who wrote to Cromwell on his behalf on 10 August.

43 Because these are of no relevance here, they are not cited individually.
of the county into Cromwellian and anti-Cromwellian factions at this stage, as there was in some other shires.\textsuperscript{44} Cromwell's own large following and the presence in Surrey of so many courtiers close to the king mitigated against such a split. What is especially intriguing is the absence for once of conflict between Sir Matthew Browne and the Howards, and the reason for this was that the latter simply no longer posed any threat, thanks to Cromwell and the predominance of the Fitzwilliam-Browne group. As long as the Howards were ineffectual, Sir Matthew was willing to leave them alone. He even appears to have cooperated with Lord William Howard.\textsuperscript{45} Yet as soon as the Howard interest in Surrey began to revive near the end of the decade, Browne was back into the fray as his old troublemaking self. (His anti-Howard activities in the 1540s may owe something to the disappearance of the restraining hand of Fitzwilliam, who betrayed Cromwell for Norfolk in 1540, but died in 1542.

As for the Howards, their position in the shire grew even weaker in 1534. Late in that year a factional split in the Council led Cromwell to a more determined effort to oust Norfolk, and by February 1535 he had in effect banished his rival from the Court, sending him

\textsuperscript{44}E.g., in Hampshire, Fritze, "Faith and Faction, Ch. IV, and in Kent, Clark, English Provincial Society from the Reformation to the Revolution, Ch. 2. The change began earlier in these counties than in Surrey due to local circumstances. In Hampshire the political presence of Stephen Gardiner, Bishop of Winchester, provided a focus for conservative opposition to Cromwell. In Kent radicalism and the presence of Cranmer allowed the creation of radical "party," according to Clark, though in spite of his argument to the contrary, "faction" is still most likely the better word for it.

\textsuperscript{45}SP 1/89/66.
into a sort of exile in East Anglia, from which his only real escape was military service in the North during the Pilgrimage of Grace. Gone from the Court until the spring of 1539, Norfolk had even less influence than before. It may well have been at the time of his ouster that Cromwell removed Lord Edmund from the commission of the peace in Surrey, though it is possible that that did not come until the Howards suffered a further setback with the fall of Anne Boleyn in May 1536 or even later. At any rate Lord Edmund remained dependent on Cromwell for favor, and up until 1539 even Norfolk had to pretend a friendship for the minister which he surely did not feel.46

In 1535 the effects of the legislation establishing the royal supremacy, already manifest the previous year, continued to be felt in Surrey. At the same time Cromwell, who was already attacking conservatives elsewhere, maintained his alliance with conservative JPs in his home county. Conservatives continued to benefit from the principal secretary's patronage and to be his principal agents in the shire, and even the new JPs whom he began to add to the commission at the end of the year were almost all conservatives. It is worth stressing again that the attacks on Rome and the clergy and the developing assault on the monasteries failed to provoke among most of these men the ire occasioned by the later introduction into official policy of Lutheran ideas. For now the only signs of disagreement

between Cromwell and his conservative allies in Surrey were fairly subtle ones.\textsuperscript{47}

Although headed by Cromwell himself, the commission for inquiring into the tenths of spiritualties appointed on 30 January 1535 was dominated by conservative JPs. But religious conservatism did nothing to dissuade them from squeezing the clergy for every possible penny. In fact Fitzwilliam delighted in having done a much more efficient job in Surrey than another conservative, Bishop Gardiner (an overt opponent of Cromwell), had done in neighboring Hampshire. Carew was determined to get the job done "with all speed and diligence." Cromwell had every reason to be pleased with the revenue-raising activities of the Surrey JPs.\textsuperscript{48}

The JPs' participation in the visitation of monasteries in Surrey produced somewhat less salutary results, but this was due more to self-interest in monastic patronage than to religious conviction. Originally Cromwell entrusted the task of monastic visitation to the same group of JPs who assessed the clerical subsidy, but after\textsuperscript{47}

\textsuperscript{47}Neville continued to obtain favors from Cromwell, though his proposal to marry his daughter to Gregory Cromwell came to nought, SP 1/91/76-9, 92/7-8. In April Cromwell wrote to help Carew obtain the appointment as abbot of Bisham of a friend, probably William Barlow, who actually became abbot, according to LP VIII, no. 596. This incident is very interesting because it shows Cromwell and Carew to be friendly at this point and actually working against Lady Salisbury, with whom Carew was later associated when he became involved in the Exeter conspiracy, SP 1/92/74. For Fitzwilliam and Browne, see below, pp. 222-6. On Cromwell's Lutheran ideas and the defection from him of Fitzwilliam and Sir Anthony Browne in 1540 see Elton, "Thomas Cromwell's Decline and Fall," pp. 190-2.

\textsuperscript{48}LP VIII, no. 149 (74); SP 1/95/6-7, 98/58.
changing plans several times, he told Fitzwilliam and the other JPs to assess the smaller houses (Waverley, Reigate, and Tandridge), while leaving Merton, Bermondsey, St. Mary Overy, St. Thomas' Hospital, Chertsey, and Sheen to him. Though the reason for this vacillation is uncertain, Cromwell perhaps felt Fitzwilliam and the other conservative Surrey JPs to be less than entirely reliable agents for monastic visitation and was trying to decide just how many houses could be entrusted to them. This might seem unfair, given the fine performance which the commissioners turned in on assessing the secular clergy. But as it turned out several JPs had a vested interest in concealing what Cromwell's personal agents, Richard Layton and Thomas Legh, regarded as corruption in the Surrey monasteries. It could be this which determined Cromwell to use members of his own "inner group" of reform-minded individuals. At any rate it was his ubiquitous agents, Layton and Legh, who visited the larger houses in Surrey. Those entrusted to the JPs were those which were soon to be dissolved anyway.49

The JPs made their visitation sometime in August or September. For some reason Fitzwilliam and Bishop Gardiner also visited the abbey at Chertsey, earlier reserved for Cromwell, which suggests yet another change in plans. Perhaps Cromwell was reluctant to deprive his friends in Surrey of too much responsibility. At any rate Fitzwilliam and Gardiner reported that all was well at Chertsey.50 Yet the subse-

49SP 1/95/6-7, 52/3. Layton and Legh are described as members of an "inner group" by Knowles, The Religious Orders in England, vol. III, p. 301.

50SP 1/97/59-61.
quent visitation by Layton and Legh produced a much less favorable view. Layton was compelled to stay at Waverley from Saturday night, 25 September, to Monday morning, the 27th, and found things there in rather bad order. He reported to Cromwell that he found "corruption of the worst sort" among the monks. Many servants had been placed there by Fitzwilliam and other gentlemen, and the abbot, a rather simple man, feared to discipline them.Obviously Layton was surprised by what he found at Waverley, which means that the Surrey JPs who visited the house did not report the problems there. That is hardly astonishing, however. Fitzwilliam and the others could hardly be expected to report that men for whom they had found places at the abbey were corrupt and insubordinate.

Chertsey, which Fitzwilliam and Gardiner had given a positive report, Thomas Legh found to be a very hive of corruption. He wrote to Cromwell on 29 September that the abbot had alienated some of the abbey's property and that the house was rife with sexual misconduct and superstition. Now Professor Knowles with some justice has warned

51 SP 1/ 97/29.

52 F. A. Gasquet, "Overlooked Testimonies to the Character of the English Monasteries on the Eve of their Suppression," Dublin Review, vol. cxiv (April 1884), pp. 254-5. This incident also suggests that the JPs were less than diligent in their examination of the Augustinian houses at Reigate and Tandridge. There is a brief certificate for Surrey which, according to F. A. Gasquet, reports on Waverley and the two Augustinian houses. It describes the brethren at Waverley as "very obstinate and wilfull" and states that six are "incontinent." This sounds like the language of one of Cromwell's visitors and most unlike anything Fitzwilliam might have said. That the certificate also contains information on Reigate and Tandridge must mean that Cromwell's men paid a visit there also in case the JPs had been remiss in their duty there likewise.
against taking the reports of Cromwell's visitors too literally. It is quite possible that Legh exaggerated the bad at Chertsey in the same measure that Fitzwilliam and Gardiner exaggerated the good. After all, the Chertsey brethren were moved en masse to the refounded abbey at Bisham in 1537 after the dissolution of Chertsey. But it is unlikely that Legh made the story up out of whole cloth. Indeed six Chertsey monks wrote to Cromwell on 1 November to complain that the abbot was still alienating abbey property. There must have been at least some problems which Fitzwilliam and Gardiner failed to report. 53

But if there was a marked difference in view between Cromwell's visitors on one hand and Fitzwilliam and other conservative locals on the other, each group of course was to a certain extent seeing what it wanted to see. A permanent, open split between Cromwell and the conservatives was years away, and if they held divergent views on the state of Surrey monasteries, the conservative position was largely born of self-interest at this stage. In 1535 the only pronounced opposition to Cromwell in Surrey came from the Carthusian priory at Sheen. But apparently Cromwell felt confident enough in the dependability of Henry Man's pro-royal faction, the Surrey JPs (despite the differences over monastic visitation), and the shire in general to leave the dissidents alone, for none suffered the martyrdom meted out

to three other Carthusians earlier that year in April.  

IV

Having Anglicized the Church, Cromwell in the latter half of the 1530s made a determined effort to Protestantize it as well, but he continued to rely heavily on the conservative JPs in Surrey right down to his fall in 1540. This was an inescapable necessity because the bench included a substantial number of conservative courtiers, who were, however, so loyal to the king that they followed whatever policy Henry VIII approved. Thus they posed no threat to the Henrician Reformation, nor to Cromwell so long as his policy and the king's remained identical. And of course many of these courtier JPs, as well as conservatives in the lower echelons of the commission of the peace, were personally loyal to Cromwell also.

That Cromwell was still confident in the reliability of Surrey conservatives is borne out by the pattern of new appointments which he made to the county bench between late 1535 and mid-1538. While exact...
dates cannot be assigned because commissions are lacking, there are
enough clues to demonstrate that the Surrey commission of the peace,
despite the religious turmoil of 1536-7, remained almost exclusively
conservative until at least 1538. Besides reappointing his old Wol-
seyan ally, John Morys, Cromwell from autumn 1535 up to and including
the commission of 9 July 1538 named twelve new men to the Surrey
bench. Of these eight can be reckoned conservative, while only two
of the remaining four were definitely Protestant.

The factional alliances of the new JPs are also noteworthy. Two
were connected to Sir Nicholas Carew. Nicholas Legh of Adington was
his brother-in-law, his burgess for Blechingley in 1529, and the former
ward of his father, Sir Richard Carew. As for Legh's religious con­
victions, Bishop Horne would describe him in 1564 as "indifferent,"
which generally meant conservative, but trustworthy. Another of
Carew's associates who joined the commission was James Skinner, under­
sheriff under Carew in 1518-9 and his understeward for Southwick
priory. Skinner had Howard connections which were later of great im­
portance, but those were not worth much in Surrey in the mid 1530s.

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56 Appendix One. The problem of dating the appointment of JPs between
1535 and 1538 is compounded by the fact that the records of attendance
at quarter sessions for the entire period between October 1535 and
November 1538 are combined on one pipe roll, E 372/384/Surr-Suss.

57 Appendix One.

58 Appendix One and Two; Bindoff, II, pp. 517-8; E 372/384/Surr-Suss,
where Legh is shown to have attended quarter sessions on eight of a
possible nineteen days, the third best record among sixteen JPs, of
whom the most assiduous attender was present twelve days; Hatfield
House MS 235/54-5.
He was also the brother of John Skinner II and the member of an ancient and powerful local family, but there had not been two Skinners on the commission of the peace at once in the past. It was the Carew connection which made the difference now, and like his patron, Skinner was conservative. 59

Another JP with powerful connections in Surrey was John Scott II, son of John I and thus connected to Fitzwilliam and the Brownes, like whom he was a conservative. 60 A curious addition to the commission of the peace was Richard Mabot, Bishop Richard Foxe's appointee as master of St. Thomas' Hospital in Southwark in 1528. Mabot must have been a Gardiner man now — his office was in the patronage of the bishop of Winchester, and he apparently became a JP in the fall of 1535, during Gardiner's temporary return to royal favor. 61

Seven of the new JPs probably owed their places on the bench directly to Cromwell. The conservative Thomas Heron of Croydon had been acquainted with the minister since 1528, though he may also have benefited from being the servant of the abbot of Bermondsey, with whom


60 Appendix Two.

61 Appendix One and Two; V.C.H., vol. II, pp. 123–4, which contains some errors concerning the investigation of Mabot in 1538 (see below, pp. 207–9). In 1538 citizens of Southwark deposed that Mabot "is one of the justices of the king's peace and thereby ought to punish the offenders of the same, yet he little or nothing regarding the same his duty, the second day of October was iiij years, he willed and maintained one of his own servants to have foughten with one of his tenants," SP 17/105/23. This means that Mabot was a JP in the fall of 1535. His attendance record at quarter sessions suggests that he was not a JP earlier, as does the logic of his being appointed at a time when Gardiner was in favor.
Cromwell was friendly. Another Cromwellian was William Whorwood, whose appointment must have followed his being named Solicitor-General on 13 April 1536. He has been identified as one of a group who opposed the Act of Appeals in 1533, which brands him as a conservative.

Sir Richard Long and Robert Acton were both linked to Surrey through their association with the borough of Southwark, as well as having ties to Cromwell. Long's religious preference is uncertain, while Acton was definitely a Protestant. Robert Curson may have been a Protestant also, for he was favored in Edward VI's reign. Ambrose Wolley of Lambeth, another Protestant, was one of only two JPs to lose his place on the Surrey bench at Cromwell's fall. Jasper Horsey was the marquis of Exeter's servant and thus linked to Carew, but his appointment may have been Cromwell's work for reasons given below. Considering his background, though, he was probably a conservative.

George Taylor is too obscure a figure to allow any assessment.

Having dealt with the changes in the commission of the peace between 1535 and 1538, it is now possible to examine the political events

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62 Appendix Two; Heron wrote a very friendly letter to Cromwell on 14 November 1528, promising to convene a jury as Wolsey desired, SP 1/51/17. For his association with the abbot of Bermondsey see STAC 2/17/160 and SP 1/55/102.

63 Appendix Two; Bindoff, vol. III, pp. 608-11.


65 Appendix Two. Note that Curson was made a Baron of the Exchequer at the beginning of Edward VI's reign.

66 Appendix One and Two; below, pp. 210-11.
of that period in a more strictly chronological format. To begin with
it is worth noting that there was a hint of rivalry between Sir
Matthew Browne and Sir Nicholas Carew in the fall of 1535. On 14
September 1535 Browne wrote to Cromwell to thank him for writing to
the prior of St. Mary Overy to urge the renewal of Browne's long-held
farm of the parsonage of East Betchworth. Browne told Cromwell, how­
ever, that his further aid was essential, for the prior, obviously not
an admirer of Cromwell, had sent Browne "plain word that I should not
have it and said more plainly that if I had not written to your mas­
tership therefor I should have had my said term still." Cromwell
wrote to the prior again, but on 12 November Browne reported to him
that "Master Carew maketh such labor for the said parsonage that if he
may possible he will put me from it for his servant."\(^6^7\) Perhaps this
is an early sign of the break between the Fitzwilliam-Browne group and
Carew which culminated in Fitzwilliam's helping lead the attack on
Carew in 1539, when Carew's place as Master of the Horse was taken by
Sir Matthew's cousin, Sir Anthony Browne. For the present, though, it
was not serious enough to prevent Sir Anthony or Fitzwilliam from co­
operating with Carew at Court to bring about the downfall of Anne
Boleyn.

The campaign at Court against Anne Boleyn in April and May 1536
provides another striking example of a Cromwellian alliance of con-

\(^6^7\)SP 1/96/163; 99/39.
venience with conservatives. The story has been told elsewhere and need not be repeated in detail here. In its general outline, however, it is quite relevant to the present narrative, for several high-ranking Surrey JPs were intimately involved in the affair and in its sequel in the summer of 1536, when Henry VIII turned on the conservative supporters of Princess Mary who thought to see her regain her place as heir to the throne after Anne's fall.

Sir Nicholas Carew has been described by Professor Ives as the "general" of the conspiracy against Queen Anne. He shared with the marquis of Exeter the leadership of a prominent conservative Court faction which was unusual in that over a period of several years it actually acted on what amounted to a conscious policy. This consisted of favoring the old religion, supporting Catherine and Mary, maintaining links through Chapuys with Charles V, opposing the Boleyns, and by now opposing the Reformation being carried out by Cromwell. More opportunistic and lacking any long-term policy, Fitzwilliam and Sir Anthony Browne were drawn into the matter by their innate religious conservatism, their fondness for Princess Mary, perhaps by the chance to deal a blow to the Howards, and most of all by their loyalty to Henry VIII and their ever-present desire to be on the winning side in all political battles. What insured that the anti-Boleyn plotters would be on the winning side was that Cromwell aban-
doned Anne in order to destroy the power of her adherents in the Privy Chamber. Besides removing several Boleyn supporters, Cromwell attacked Henry Norris, one of Anne's alleged lovers and chief gentleman of the Privy Chamber, and replaced him in that highly influential post with Thomas Hennege, a loyal Cromwellian and yet another Surrey JP, with links to Fitzwilliam. 69

The victory of the anti-Boleyn group at Court further enhanced the already immense prestige of Carew, Fitzwilliam, and Sir Anthony Browne both at Court and in Surrey. In Surrey it could only help those affiliated with the victors. Sir Matthew Browne may well have been in the thick of the plot himself, for he was a knight of the body and he was with Cromwell at Westminster on 16 April, by which time the attack was underway. 70 Perhaps it was this victory which accounts for the appointment of new JPs in Surrey from among the adherents of both Carew and the Fitzwilliam-Browne faction. Certainly it increased the local stature of Thomas Hennege even more.

There were others in Surrey, however, for whom the fall of Anne Boleyn had a negative impact. First of all, it was yet another blow to the Howards. If Lord Edmund was not already off the commission of the peace, this may have done the trick. At this time or soon after William Westbrooke, a Howard man, also lost his place on the bench. In Surrey the Howard mantle now passed to Lord William, who enjoyed a

69 Ives, "Faction at the Court of Henry VIII: The Fall of Anne Boleyn," especially pp. 180-3; Starkey, "The King's Privy Chamber, 1485-1547," pp. 240-2; 323-4; Elton, Reform and Reformation, pp. 250-6.

70 SP 1/103/204-5.
better relationship with Cromwell than his half-brother, Norfolk, though the newly-created Lord Privy Seal was careful to keep him off the county bench.

One of Surrey's courtier JPs, Sir Richard Page, was arrested along with the alleged adulterers, though he and Sir Thomas Wyatt (son of another Surrey JP, Sir Henry) escaped indictment. Banished from Court, Page also may have lost his place on the Surrey bench briefly, and certainly he was out of touch with official business in the shire for a short time. Yet the very fact that in June the commissioners for suppressing Waverley Abbey felt his presence to be essential shows that they still counted Page as one of the rulers of the shire (as did Cromwell, without whose approval Page would not have been appointed to the commission in the first place). Indeed the county now became Page's main venue. On 27 November Cromwell made him sheriff of Surrey and Sussex, which was a convenient way of keeping a gentleman away from Court (though not a foolproof one, especially in a county so near London and so full of royal residences and the homes of Henry VIII's

Still Page may have had cause to fear for his life, for there was considerable uncertainty about his ultimate fate, and on 19 May he was still in the Tower. Already by 12 May he had been banished from the Court "forever." In the long run, though, he survived. There are several possible explanations for Page's misfortune. He and Wyatt may have been arrested in an attempt to provide more evidence than that obtained from the alleged adulterers. Possibly they were implicated by too ardent a pursuit of the pastime of courtly love with Anne. Perhaps it was Henry VIII's own displeasure, but most likely Cromwell wanted these highly influential gentlemen of the Privy Chamber out of the way while he reordered that body to his better liking. But whatever the reason, if Page's role as a courtier was finished, his standing in Surrey was affected less dramatically. SP I/103/278, 281; 104/35; Ives, "Faction at the Court of Henry VIII: The Fall of Anne Boleyn," pp. 169-72; Muriel St. Clare Byrne, ed., The Lisle Letters, vol. 3, p. 383.
close friends). But it also shows that Cromwell regarded Page as trustworthy, for the fall of 1536 was a dangerous time in England.

Thus even when Court politics demanded the ouster of Page and despite his being conservative, Cromwell continued to rely on him in Surrey. 72

Another conservative, Sir Richard Weston, was remarkably unaffected by the fate of his son, Francis, executed for his alleged adultery with the queen. 73 This is further proof that the purge at Court did not become a vendetta in the country. One other Surrey JP connected to the crisis was Sir Henry Wyatt, father of Thomas, who was arrested with Page. Wyatt was now old and feeble, spent most of his time at his home in Alington, Kent, and played little role in Surrey politics, but it is worth noting that Cromwell was kind to this conservative also. 74

Of course Cromwell and his conservative allies did not agree about everything, even though they shared loyalty to the king, a certain amount of anticlerical feeling, and a desire to prevent threats to order, whether from those who opposed even the limited Henrician Reformation or from those who wanted to go too far, too fast in the Protestant direction. After all Cromwell advocated a program of religious reform, while his Surrey allies were religious conservatives. Cromwell

72 Appendix Two; SP 1/104/177; SP 3/13/40.

73 There was no interruption of Weston's service in the county. Perhaps this was because he did not pose the threat to Cromwell that his son Frances did, for the latter had surpassed his father in the king's favor by 1533, Bindoff, vol. III, p. 591.

74 SP 1/103/269, 104/176, 113/228.
also had no intention of becoming a supporter of Princess Mary after the fall of Anne Boleyn, while some of his conservative friends in Surrey were just that.

Immediately after Anne's demise Cromwell found himself in a contest with Sir Nicholas Carew and the marquis of Exeter for control of the Privy Chamber. Despite his cooperation with Cromwell, his public allegiance to Henry VIII, and his later eagerness to help despoil Surrey's monasteries, Carew harbored deep misgivings about the religious implications of the break with Rome. His secret involvement with the Nun of Kent and the Romish "policy" of the Exeter-Carew faction at Court have already been noted. Carew and Cromwell had worked against Anne Boleyn for different reasons, and now each was seeking to turn Henry's post-Boleyn policy in the direction of his own convictions. Cromwell of course won out, but despite the stakes involved, this patronage duel was apparently unaccompanied by open acrimony, and Carew was soon cooperating with Cromwell in seeking Princess Mary's submission to the king, though predictably with a somewhat different goal than the minister had.75

In June 1436 Fitzwilliam and Sir Anthony Browne were caught up along with Carew and others in the recurrent problem of the royal succession. A number of conservative courtiers, including Carew, Fitzwilliam, and Browne, wished to see Princess Mary restored to legitimacy and a place in the line of succession. Because of this they encouraged her to follow Cromwell's advice to submit to her father, whereby they

said she might regain his favor and become heir-apparent. Their enthusiasm for Mary and plans for her place in the succession rubbed Henry the wrong way, however. In his anger he banished Fitzwilliam (and Exeter) from the Council and the Court, and Carew and Browne had reason to fear for their heads. Even Cromwell was unsure of his own security, but he took advantage of the conservatives' difficulties to free himself from dependence upon them. By early July the new Act of Succession thwarted the aims of the Marian group, and Cromwell reigned supreme at Court, his policy unthreatened either by them or the old Boleyn interest.

Yet if Cromwell had obtained an almost completely free hand at Court, he remained close to Fitzwilliam and he was still very much dependent upon the good will of the conservatives in Surrey, with whom he remained on friendly terms. Sir Richard Page's rapid recovery from disgrace has already been noted. In July Fitzwilliam was busy on Cromwell's behalf with preparations for the suppression of Waverley Abbey, and on the 20th he wrote to the minister to apologize for not meeting with him during Cromwell's most recent visit to Mortlake. In early September Sir Anthony Browne was busy in the shire with a commission of sewers. Earlier in July Cranmer's visitation uncovered serious abuses at St. Thomas' Hospital, but Cromwell did not take action against the conservative master and JP, Richard Mabot, until the summer...

76 Ives, "Faction at the Court of Henry VIII: The Fall of Anne Boleyn," especially pp. 176, 182; Elton, Reform and Reformation, pp. 250-6. It is important to note that there was no permanent alliance between Carew on one hand and Fitzwilliam and Browne on the other.
Cromwell also managed to remain on good terms with a number of the shire's ecclesiastics, notably the abbots of Bermondsey, Chertsey, and Waverley, the prior of Sheen, and the friars at Guildford, though in the cases of Bermondsey and Sheen this was probably because of their willingness to go along with reform.

The outbreak in October of the Pilgrimage of Grace brought further proof of the loyalty of the shire's JPs and justification for Cromwell's reliance on them. Eighteen of Surrey's active JPs, one former JP, one future JP, and the abbots of Bermondsey and Chertsey supplied men for the shire's retinue against the rebels. The largest number of soldiers was provided by those very courtier JPs who had been involved in the recent crises over Anne Boleyn and Princess Mary. Sir William Fitzwilliam provided 200 men, Sir Nicholas Carew 100, Sir Anthony Browne forty, Sir Richard Weston forty, and Sir Richard Page twenty. It is known that Carew was already involved in the activities which brought him to the block in 1539, but there is no reason to doubt the loyalty of the others.

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77 SP 1/105/95; admittedly Browne does not seem to have been overjoyed about being away from Court to work on the commission of sewers, on which he described himself as being "enburied," SP 3/14/17; for Mabot, below, pp. 207-9.

78 Cromwell's favor to Chertsey and Bermondsey have been noted; cf. V.C. H., vol. II, pp. 62-3, 74. In June 1536 the brethren at Waverley still cherished the vain hope that Cromwell would save them from the dissolution, SP 1/104/155. In August Henry Man was helping Cromwell to promote preaching at Sheen, SP 1/105/256-7. The same month John Hilsey, Bishop of Rochester (and a reformer!) wrote to Cromwell on behalf of the friars at Guildford, which he certainly would not have done had he not thought the minister amenable, SP 1/105/271. In October the prior of Merton showed himself very willing to cooperate with Cromwell in answering allegations against the priory by one Ellen Bowes, SP 1/106/259.

79 LP XI, Appendix 8; for Carew, below, pp. 213-4.
Local conservatives exhibited loyalty to the king, continued friendship to Cromwell, and determined opposition to sedition in the fall of 1536. On 7 October Fitzwilliam wrote to Cromwell, in a letter that betrays no hint of unfriendliness, that there had been a report of sedition in the shire. Lord Hugh Ascue advised Fitzwilliam that he had heard from a servant of Sir William Husey that "as well old people as young pray god to speed the rebellious persons in Lincolnshire." Fitzwilliam urged Cromwell to examine Husey and find out why this had not been reported earlier. This shows that Fitzwilliam was active in conciliar monitoring of sedition and was determined to prevent any trouble in Surrey. The bulk of Fitzwilliam's news about Surrey's reaction to the Pilgrimage of Grace was more positive and suggests that Husey's servant exaggerated the extent of disaffection in the shire. "The mayor and his brethren of the town of Guildford" met Fitzwilliam at Guildford manor and showed themselves "as well willing and glad to do unto the king's highness service like true and faithful subjects as any I have seen." There were other parts of the county which proved equally willing to serve the king. Indeed there were far more volunteers than Fitzwilliam could use.\textsuperscript{80}

The final verdict on Surrey during the Pilgrimage of Grace is that it remained predominantly loyal, despite the report of sedition. It is of course impossible that there should not have been some disaffection, and there were reports of sympathy in neighboring and likewise conser-

\textsuperscript{80}SP 1/107/62-3.
But there were no known outbreaks like those which occurred later during the peasants' rising of 1549 or Wyatt's rebellion in 1554. Cromwell's conservative allies on the commission of the peace managed to keep a lid on whatever opposition there was. In fact it was those courtier JPs recently opposed to Cromwell over policy at Court, along with their adherents in the shire, to whom the greatest responsibility was entrusted. Fitzwilliam, Browne, and Carew all fought with distinction against the rebels. Fitzwilliam continued to be Cromwell's principal agent in the shire. Certainly if Cromwell had had reason to doubt the loyalty of the Fitzwilliam-Browne group or even of Sir Nicholas Carew, he would not have selected Sir Matthew Browne and Carew's protege, Nicholas Legh, to remain in the shire to keep order. And of course he made Sir Richard Page sheriff of Surrey and Sussex in November. Even that future Surrey justice, Lord William Howard, showed himself very friendly to Cromwell and zealous in his desire to serve the king. By continuing to act through the natural rulers of the county community, Cromwell insured its faithfulness to him and to Henry VIII in this crisis.

81 LP XI, no. 920.

82 Numerous references in LP XI, pp. 232-597, passim.

83 Appendix Two; LP XI, no. 580.

84 SP 1/107/29, 127-8.
Meanwhile the dissolution of the monasteries had begun in Surrey.\textsuperscript{85}

Far from opposing the dissolution of the monastic houses, Surrey's magistrates enthusiastically welcomed the freeing of so much ecclesiastical wealth and hastened to share in the spoils. Catholic property definitely lacked the sanctity which some recognized in Catholic doctrine. Not surprisingly the main beneficiaries of the dissolution were Surrey's courtier JPs, who were better placed than their "lesser" fellows for procuring royal patronage. Fitzwilliam led the list, acquiring a vast amount of property in the shire (and elsewhere), including Waverley Abbey, an earlier object of his own patronage.\textsuperscript{86}

Despite his Romish conservatism, Carew had little trouble mastering his own conscience sufficiently to allow him to take a large share. In 1538 he even approached Cromwell's notorious monastic visitor, Richard Layton, about a portion of the spoils of the priory of Merton.\textsuperscript{87} Other courtier JPs, including Sir Anthony Browne, Sir Richard

\textsuperscript{85} Waverley Abbey and the tiny priories of Reigate and Tandridge were dissolved in 1536 as part of the nationwide surrender of smaller houses. Chertsey Abbey followed on 6 July 1537, the day after provision was made for the transfer of the brethren to the newly refounded Bisham Abbey in Berkshire. Thus Henry VIII and Cromwell rewarded John Cordrey, the abbot, for his cooperation and his recent assistance against the northern rebels. Bermondsey Abbey fell on 1 January 1538, and a month or so later an ancient crucifix, the object of centuries of veneration, was removed. Robert Wharton, the abbot, had already been made Bishop of St. Asaph in 1536 as a reward for his cooperation with Cromwell, and he now received as further recompense an enormous pension. The priories of Merton and Newark and the friary at Guildford also fell later in the year, while the priories of Sheen and Southwark held out until 1539 and St. Thomas' Hospital until 1540. \textit{V.C.H.}, vol. II, pp. 62-3, 74, 87-8, 93, 101, 104, 107, III, 113, 115-6, 124.


\textsuperscript{87} SP 1/131/146-7. For Carew's share of the spoils in Surrey, \textit{V.C.H.}, vol. III, pp. 201-208, 273-4, 277; IV, pp. 200, 205, 244.
Page, Sir Richard Weston, and Thomas Hennege also benefited. But the wealth was not restricted to courtiers alone -- several of the JPs who occupied humbler positions on the commission of the peace also benefited from the suppression of the monasteries. Thus the dissolution did nothing to shake the loyalty of Surrey's leaders; rather, it confirmed them as the most eminent men in the shire. 88

Of course there was some opposition to official policy in the shire. For one thing, there had been enough upheavals since the beginning of the decade to allow even the wildest rumors to gain credence among some people. 89 Such rumors were a matter of general concern, and on 3 April the Council made plans to have the nation's JPs reside in their shires and keep a watchful eye for sedition. It was also resolved that none but "men of worship and of wisdom" should remain on the commission of the peace. 90 In early 1538 the rumor spread into Surrey from neighboring Kent and Sussex that Henry VIII planned to charge his subjects "horn money," that is, a tax on all horned animals.


89 Richard Birche, a glover of Southwark, found himself in trouble early in 1537 for falsely reporting on 11 January that Henry VIII and his Council had sent a proclamation to the North which required that parents pay tribute to the king in order to have their children baptized, SP 1/114/73.

90 LP XII, pt. I, no. 815.
When Thomas Stidolph learned of the rumor he angrily observed that "he who saith such words is a traitor," and reported the matter to Fitzwilliam, by now earl of Southampton. Concerned by what he learned, Southampton investigated and on 1 March wrote to Cromwell about the rumor, commenting that "the sowing of such seditious words and bearing tales was the cause of the last insurrection," and that "we both specially be bound to be earnest to try out all matters that may sound to the danger of our master." Continuing to trust in Southampton, Cromwell sent him word to handle the matter himself. Examination of Ralph Adyshede, Nicholas Umfray, Richard Jackson and Robert Browker the next day led Southampton to the conclusion that Adyshede was "the very beginner" of the tale and that the others were completely innocent of malicious intent in their repetition of it. Cromwell then ordered all set free save Adyshede, whom Southampton sent up for further examination.

This incident is quite revealing in several ways. It proves that Southampton was still a diligent enforcer of Cromwellian policy, for as he told Cromwell, "I have taken as much pains daily since I first heard of this matter to know the beginner thereof as ever I did in any matter." The tone of Southampton's letters also suggests that such incidents were comparatively rare in Surrey, as do the abject apologies

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91 SP 1/129/178-9, 219; BL Cotton MSS., Titus B. I., f. 71; cf. Elton Policy and Police, pp. 69-70 for the national context of such rumors.

92 SP 1/129/216-8; 130/4-8, 40.

93 SP 1/130/4.
of the unwitting rumormongers. Indeed it is possible to speculate that the residents of Surrey generally followed the lead of the local JPs in remaining rather conservative in terms of religion, but above all loyal to the king. Certainly the one group besides the JPs which has been studied in any detail, the clergy, was decidedly conformist in this period. Finally the incident points up once again Cromwell's unwillingness to overreact and his propensity for showing mercy, a quality which certainly endeared him to his home county.

VI

If the situation in Surrey was fairly well in hand and the majority of the JPs loyal to Cromwell, the year 1538 nevertheless may be seen as a turning point. In the nation at large it was a year which saw heightened tension over religious matters. At the same time that Cromwell was pushing for further church reform, he was handicapped by the appearance in England of sectaries whose radicalism compromised Protestantism in general and by the continued stirrings of conservative reaction which gained momentum thereby. Though "the progress of reform throughout 1538 effectively put an end to the hopes at Rome that it might still be possible to bring England back into the fold," there were still serious threats to Cromwell's program. The failure of the Pilgrimage of Grace had not destroyed all of Cromwell's enemies, and those who survived remained determined to bring him down and with

94R. A. Christophers, "The Social and Educational Background of the Surrey Clergy, 1520–1620."
him the hated Protestant reforms that he advocated. 95

Indeed the lack of coordination among the leaders of the reactionaries which prevented a southern rising in 1536 meant that the leaders of the opposition to Cromwell in the south survived to fight another day — men like Exeter, Carew, and the Poles. The papal legateship obtained by the exiled Reginald Pole in February 1538, his intention to use it to win England back to Rome, and his support for the Pilgrimage of Grace turned Henry VIII's former friendship for him into raging anger. Unable to get at Reginald, the king and Cromwell went after his family in England. By the summer of 1538 rumors were circulating in western Sussex and Hampshire that Sir Geoffrey Pole was making plans to join his brother in an insurrection the following spring. His arrest in August 1538 would lead to a confession which implicated Exeter in the plot, and the latter's trial ultimately lead to charges against Sir Nicholas Carew. But for the moment suffice it to say that by the summer of 1538 Cromwell was worried about the Poles and looking for a way to remove the threat which they posed. He probably also had some inkling already of Exeter's involvement in the conspiracy for a southern rising, for he appears to have had an informer in the marquis' household by that time. 96

By the beginning of the summer Cromwell certainly knew that he would soon have to face again a far more formidable enemy than the inept conspirators mentioned above. For by that time Bishop Stephen

95 Elton, Reform and Reformation, pp. 278-9.

96 Ibid., 179-81; Fritze, "Faith and Faction," pp. 162-4; below, pp. 210-1.
Gardiner had so badly mishandled diplomacy in France that his recall was imminent. Cromwell had already had to deal with Gardiner as an adversary both in the Council and in Hampshire, the shire which was the center of his episcopal power. Cromwell had recently given Gardiner further reason to dislike him, utilizing the bishop's patronage for his own ends and arranging a land exchange in Surrey which netted the king Gardiner's manor of Esher. Furthermore, while Gardiner's former and future ally, Norfolk, was now conveniently out of the way, he had enjoyed a temporary return to glory during his service against the northern rebels and he was eager to return to Court. A man as bright as Cromwell could hardly miss the potential danger here.  

It is against this threatening background that the changes made in the Surrey commission of the peace in 1538 make the best sense. Perceiving (quite accurately) that troubles might be in store, Cromwell set out ahead of time to weaken his enemies in Surrey -- the Howards, Gardiner, and the irreconcilable Catholics. This intention may well have received additional impetus from the fact that Cromwell was already beginning to lose his hold in Hampshire to the conservatives and that there were frequent rumblings of sedition in Surrey's other neighbor, Sussex. It would be well to make Surrey as secure as

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98 Among other problems in Hampshire, Cromwell saw his alliance with the powerful Sir William Paulet crumbling in 1538, Fritze, "Faith and Faction," Ch. 5. For examples of sedition in Sussex, LP XIII, pt. 1, nos. 759, 786; pt. 2, no. 307.
possible. Given this the changes which Cromwell had made in the Surrey bench by 9 July 1538, which have already been given brief mention, can now be appreciated in their proper context.

If Lord Edmund Howard and his ally, William Westbroke, had not fallen victim to earlier attacks on the Howards, they most assuredly were off the Surrey commission of the peace by July 1538. Cromwell also got rid of some Catholic opponents. He may simply have chosen not to return Sir Richard Page to the bench when the latter's term as sheriff was up in November 1537 (if, as is likely, Page had been removed from the commission during his shrievalty). But there is a hint that his removal did not come until the summer. Using the trick earlier employed against Gardiner, Cromwell in August arranged an exchange of lands in which Page gave the king his manor of Molsey, Surrey and received compensation in Hertfordshire.99 Certainly this would have been a convenient means of getting Page out of the way in Surrey after removing him from the commission. Sir William Shelley was an avowed Catholic and never in favor with Cromwell, but his association with the Fitzwilliam-Browne group in Surrey meant that the minister would have to have a very good reason to remove him from the bench. It was also something peculiar to Surrey that led to his removal, for he remained on commissions of the peace in his home county of Sussex and elsewhere, where he sat by virtue of his office as Justice of the Common Pleas.100

99 SP 1/135/60-1.

By far the most interesting removal from the Surrey bench was that of Richard Mabot, the master of St. Thomas' Hospital in Southwark. Mabot was Gardiner's one servant on the Surrey commission of the peace, and Southwark the only area in the shire besides Farnham where the bishop of Winchester exercised any influence. Under Mabot, St. Thomas' Hospital had gained a well-justified reputation for bawdiness. On 27 July 1536 during Cranmer's visitation, a number of witnesses had appeared before Chancellor Audley to testify to numerous abuses which Mabot either perpetrated himself or allowed to go on there. The list of charges against Mabot is much too lengthy to recite in detail (though it certainly makes entertaining reading), but it can be briefly summarized as follows: failure to carry out ecclesiastical functions, to care for the poor, to keep open the hospital's free school, or to keep the premises in good repair; maintenance of "evil disposed" persons and all sorts of illegal activity; abuse of his office as JP and of legal procedure; brawling, sexual misconduct that would make a harlot blush; and boasting that he was "lord, king, and bishop within his said precincts."

101 Richard Layton described it as the "bawdy hospital of St. Thomas" during his visitation in September 1535, SP 1/97/19-20.

102 SP 1/105/19-25. This document is incorrectly dated to 27 July 1536 in LP XI, no. 168, an error followed in V.C.H., vol. II, p. 123 and in Bindoff, vol. II, p. 545. The date is taken from a reference made to witnesses who appeared at Cranmer's visitation. But the second part of the document, which contains "acts of the said master of the hospital done now of late," makes clear reference to the Pilgrimage of Grace, so obviously it must date to some time later than the summer of 1536. More precise dating is possible because of the existence of a confession taken by Acton from Mabor's confederate, Robert More, on 4 July 1538, SP 1/134/98-9. What is actually done in the first of the two documents, which is written all in one hand, is that the earlier charges made on 27 July 1536 are recited, a list of witnesses present that

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Despite Mabot's impressive contribution to the catalog of English clerical corruption, nothing was done about the situation for two years, in fact not until July 1538, the very month of Gardiner's recall from France. Early in that month the matter was revived by two recent Cromwellian appointees to the Surrey bench, Sir Richard Long and Robert Acton, esquire, the latter a Protestant and the former possibly one also. Cromwell had named these two, both property owners and officeholders in Southwark, to counteract Gardiner's influence in the borough, and now they were going after the bishop's man there. Mabot was an easy and deserving target, having added substantially to the list of his offenses since Cranmer's visitation. But the timing of the new investigation makes clear that it was motivated not by the desire to reform abuses, but by the intention to thwart Gardiner.

Long and Acton examined several witnesses who revealed that Mabot had been expropriating hospital property, and on 4 July Acton interrogated Robert Mores, a priest and Mabot's confederate, who confirmed the charges. Mabot, who is described in the proceedings as a JP, lost his place on the bench by 9 July. On the 10th Cromwell executed yet another land exchange which brought to Henry VIII St. Thomas' manor of Sandon beside Esher (near Gardiner's recently appropriated property) and compensated the hospital with lands in Essex. Long was named keeper of St. Thomas' Hospital, though Mabot appears to have remained master at least in name until his death the following year. On 23 day is given, and new charges are added, which are confirmed in the second document by More's confession.

December 1539 Thomas Thirlby was appointed master to facilitate the surrender of the hospital, which came on 14 January 1540. At least in this instance Cromwell won a lasting victory over Gardiner.

The addition of Long and Acton to the Surrey commission of the peace greatly strengthened Cromwell's position in the shire. Long was yet another courtier JP, who was enjoying a rapid rise in royal favor, and was a Cromwellian ally in the Privy Chamber as well as in the country. Acton had recently been described by Lord Lisle's factor, John Husee, as a formidable character, an assessment with which Richard Mabot no doubt would have agreed. Cromwell still further improved his hold by the appointment of Ambrose Wolley, a local Protestant, and Robert Curson. Yet while he was appointing Protestants to the bench, he continued his good lordship to important local conservatives like Sir Christopher More, Sir John Gaynesford, and Thomas Stidolph in the last years of his ascendancy. Perhaps most important of all was his continued good relationship with the Fitzwilliam-Browne faction, now more powerful than ever thanks to Fitzwilliam's elevation to the earldom of Southampton on 18 October 1537 (at which time, incidentally, Thomas Hennege and Richard Long were knighted).

106 Appendix Two. Late in December 1537 Cromwell was pursuing a favor for Stidolph with John Cordrey, abbot of Bisham, SP 1/127/145-6. Stidolph was Cromwell's choice in December 1538 to deliver the verdict in the Exeter trial to Henry VIII, SP 3/7/46. Stidolph wrote Cromwell a very friendly letter seeking help on 12 April 1540, SP 1/159/64-5. Gaynesford entertained hopes of having his somewhat wayward son placed in Cromwell's service in February 1539, SP 1/143/145. For More, see SP 1/141/165-6, 162/158-9, and for his help to Cromwell in the elections of 1549, see below, pp. 216-9.
With the one major exception of the Exeter conspiracy, opposition to Cromwell remained limited.\textsuperscript{107} Thus Cromwell, with his new JPs and his old loyalist conservative allies, was in a strong position from which to deal with the challenge posed by the conspiracies of 1538. The Exeter conspiracy is another well-worn tale,\textsuperscript{108} so the present narrative will confine itself for the most part to its impact in Surrey. There is good reason to believe that Cromwell was already on to the conspirators before Sir Geoffrey Pole made his confession in August 1538. As mentioned above one of the new JPs named in Surrey by July was a servant of the marquis, Jasper Horsey, who was of the quorum and ranked very high on the commission for a mere gentleman. It does not make sense, however, that Cromwell should have allowed the appointment of an Exeter man at the very time that he was making sweeping changes in the Surrey bench to counter the conservative

\textsuperscript{107}The suppression of Bermondsey Abbey, the priories of Merton and Newark, and the friars at Guildford went smoothly in 1538, \textit{V.C.H.}, vol. II, pp. 74, 101, 104-5, 115-6. There continued to be mutterings against reform at the priory of Sheen, but Cromwell was kept well-apprised of the situation by the loyal faction there. Henry Man, the prior of Sheen, made a special effort between January and March 1538 to obtain the advowson of Godshill for Cromwell, SP 1/128/44-5; 129/204-5; SP 7/1/45. On 21 April one Robert Singleton reported to Cromwell that one Doctor Cottys, a secular priest, had preached a seditious sermon at the Charterhouse on Easter Sunday, BL Cotton MSS., Cleopatra E. V., f. 407-8. Cf. \textit{V.C.H.}, vol. II, p. 93. Otherwise there were only isolated incidents like the failure to remove the pope's name from books in the church at Croydon, SP 1/133/23, the continuing problem of Rowland Phillips, the vicar there, and the opposition of John Griffiths, vicar of Wandsworth, \textit{LP}, vol. XIV, pl. 1, no. 867; Christophers, "The Social and Educational Background of the Surrey Clergy," pp. 79-80, 142-3.

\textsuperscript{108}The standard work is M. E. and R. Dodds, \textit{The Pilgrimage of Grace}, 1536-7, and the Exeter Conspiracy, 2 vols. (Cambridge University Press, 1915). For some more recent works, see the bibliography in Elton, \textit{Reform and Reformation}, p. 408.
threat to his position, unless he had some ulterior motive. That motive must have been that Horsey was an informer. He was a key witness against Exeter and helped to implicate Sir Nicholas Carew as well. Horsey certainly received a reward for his performance at the trial, for he was a gentleman usher of the Chamber by 22 February 1539, and it is now well-known that Cromwell was most unwilling to let anyone but his allies into such positions. On the 22nd Horsey received a share of the spoils of Carew's attainder, being granted a lease of the demesne of Blechingley manor and the farm of Hexstalles, both lately parcel of Carew's lands in Surrey. In 1540 he obtained offices and lands formerly belonging to Exeter in Devon. By July 1540 at the very latest he was steward to Anne of Cleves, but almost certainly he had been placed in that position by Cromwell earlier. Horsey also remained on the Surrey commission of the peace until his death in 1546.  

The attack on the conspirators began on 4 November 1538 when the marquis of Exeter and Henry Pole, Lord Montague were arrested and taken to the Tower, where they joined Sir Geoffrey Pole. (Sir Edward Neville arrived the next day.) During the next month Cromwell conducted an extensive investigation, in which Southampton played a leading role. Horsey was examined on the 14th. Because a number of the instances of contact with the Nun of Kent and speaking of seditious words alleged against the conspirators had taken place in Surrey, particularly at Exeter's house at Horsley, a special commission for receiving indictments against them in the shire was appointed on 23 November. It

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109 Appendix One; SP 1/139/11, 57, 77; LP XIII, pt. 2, pp. 293, 429-30; XIV, pt. 1, no. 403 (60); XV, nos. 733 (11), 937, 942 (58).

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consisted of Sir Christopher Hales, Sir Richard Weston, Sir Thomas Neville, Sir Nicholas Carew, Sir Anthony Browne, Sir Matthew Browne, John Danaster, Christopher More, Robert Acton, Thomas Stidolph, and John Morys, a group heavily weighted with Cromwell's allies. The presence of Carew must mean that Cromwell had not yet decided whether to proceed against him, but the fact that Carew was nominated but passed over for the office of sheriff earlier on the 15th confirms that he was already suspect the day after Horsey's confession. Certainly he could not be depended upon, if sheriff, to return impartial juries for the trials.  

The jury which found the indictment against Exeter and Montague included several Surrey JPs — Robert Wintershull, John Skinner, William Muschampe, Thomas Heron, John Scott, and James Skinner. Montague was convicted on 2 December and Exeter on the 3rd. The trial of Sir Geoffrey Pole, Sir Edward Neville, and several lesser figures followed on the next day. Though no commission was appointed to investigate them in Surrey, several of the county's JPs took part in the proceedings in other shires, including Sir John Gage and Christopher More in Sussex, and in Middlesex Sir John Aleyn, Robert Curson, and Thomas Edgar, a man named to the Surrey bench the following year.

110 The relevant documents are summarized at length in LP XIII, pt. 2, pp. 291-425. Horsey's depositions are SP 1/139/11, 57, 77. The Surrey commission for the trial of Montague and Exeter is found in LP XIII, pt. 2, no. 979 (16). On Carew and the shrievalty, LP XIII, pt. 2, no. 967 (26) and Bindoff, vol. I, p. 577, which offers the same interpretation.

111 LP XIII, pt. 2, no. 979 (18), 986 (7, 26, 28).
Testimony obtained in the above investigations and incriminating letters written by Sir Nicholas Carew led to his arrest and imprisonment on 31 December. Carew immediately forfeited his office as Master of the Horse and was quickly succeeded therein by Sir Anthony Browne. Another special commission was appointed for Surrey which was headed by Cromwell and Southampton and included Sir Christopher Hales, Sir Thomas Willoughby, Sir Richard Riche, Sir Matthew Browne, Sir Richard Weston, Sir John Gage, Sir Edmund Walsingham, John Danaster, and Christopher More. The jury which returned the indictment against Carew on that day included William Muschamp, Thomas Heron, John Scott, Thomas Stidolph's son, John, and a future Cromwellian appointee to the bench, Richard Bedon. The jury panel in Middlesex included yet another future appointee, Sir John Gresham, the eminent Londoner. The petty jury assembled for the trial on 14 February contained a more eminent group of Surrey JPs than those for the previous trials, including Sir John Dudley, Sir Matthew Browne, Sir John Gage, Sir John Gresham (most likely a JP by this time), John Morys, and Thomas Lisle. The jury was dominated by Cromwell's adherents and men with connections to the Fitzwilliam-Browne faction -- adding to the latter group were Sir Roger Copley and the ex-JP, Sir Richard Page. Carew's enemies were obviously taking no chances. The sheriff of Surrey and Sussex who returned the jury was Sir Edward Bray, recently selected for the post over Carew. Though the brother of Lord Edmund and a servant of the duke of Norfolk, Bray had recently become Sir Matthew Browne's son-in-law and was a Protestant! It is also significant that one of the very

\[112\] LP XIV, pt. 1, nos. 37 (p. 18), 290.

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few active Surrey JPs who played no part in either the earlier trials or Carew's was Nicholas Legh, who was Carew's adherent and whose son, John, had been one of Exeter's servants.  

Carew was convicted of various treasons committed since the tempestuous summer of 1536 and was executed on 3 March. Cromwell had now disposed of the last of his opponents in the Privy Chamber, and he and the Fitzwilliam-Browne faction were rid of a major rival in Surrey. The alliance of Cromwell and the Fitzwilliam-Browne faction seemed unchallengeable. Lord Edmund Bray had been very sympathetic to the unfortunate conspirators, but he had been discreet enough to reveal such sentiments only to the likes of Eusatce Chapuys, had remained outwardly friendly to Cromwell, and was not the man to cause trouble now.  

Cromwell felt secure enough to show considerable leniency to Carew's family and adherents. He was quite kind to Carew's widow and mother. He also allowed Carew's followers, Nicholas Legh and James Skinner, to remain on the commission of the peace, a conciliatory move which demonstrated his continued respect for the county community, where the families of both men had long been leaders. Adding further to Cromwell's strength in the shire was 

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114 LP XIV, pt. 1, no. 290; Elton, Reform and Reformation, p. 280.  
115 Dickens, Thomas Cromwell and the English Reformation, p. 107.  
116 SP 1/144/87-8; LP XIV, pt. 2, nos. 113 (5), 494, 556.
the appointment to the bench of his friend, Sir John Gresham, a wealthy London merchant and official, and a Protestant, who became a major landowner in Surrey thanks to the dissolution of the monasteries. Another Cromwellian who joined the commission of the peace during or soon after the Exeter/Carew crisis was Ralph Johnson, a Protestant originally from Kent.117

The strength of the Cromwell/Fitzwilliam-Browne alliance in Surrey was demonstrated on an impressive scale during the elections for the Parliament called to meet in April 1539. Professor Elton has noted that 1539 provides the first known example of an election in which there was extensive management of councillors' influence to insure the return of MPs loyal to the king. He and other have also argued effectively against the notion that Cromwell tried to "pack" this Parliament with men of his own ideological stamp.118 The situation in Surrey supplies proof for both conclusions. Cromwell and Southampton played a very active role in securing the election of suitable MPs in Surrey, as well as in Sussex and Hampshire. And the men returned in Surrey were of varying shades of religious opinion — their main qualification was that they were both loyal to the king and friendly to Cromwell.

Cromwell and Southampton's first choices in their search for "tractable" knights of the shire in Surrey were Sir Anthony Browne and

117 Appendix One and Two.

118 Elton, Reform and Reformation, p. 283; "Thomas Cromwell's Decline and Fall," pp. 201-5; Lehmberg, The Later Parliaments of Henry VIII 1536-1547, p. 41. Merriman's idea about packing this parliament is now thoroughly discredited.
Sir Richard Weston. On or a little before 14 March 1539 Southampton visited Weston, whom he found "in his bed very sick," in order "to feel his mind whether he would stand to be knight of the shire." Weston replied that "in no case he would so do, saying that he rather looked to die than for any other thing." Thereupon, to Southampton's obvious pleasure, Weston told him that "he would be glad and do the best he could to further my brother [Sir Anthony Bronwe] and Sir Matthew Browne." Southampton then notified Cromwell of the decision which he and Weston had reached, telling him that he had given "order as well to my sister Browne as other of my friends thereabouts to make provision for the same, trusting that according to the king's pleasure they shall be chosen for Surrey without difficulty." 119

For some reason, though it was not Sir Matthew but Sir Christopher More who joined Sir Anthony as knight of the shire. Perhaps Sir Matthew like Weston was ill — he was already an old man by Tudor standards and had been prevented by sickness from carrying out his duties as a JP earlier in 1535. On the other hand it could be, as Lemberg suggests, that Cromwell preferred the return of More. Perhaps this was because More was more capable, perhaps because Sir Matthew had a reputation as a troublemaker, perhaps even because Cromwell felt it best to avoid too direct an affront to Sir Matthew's enemy, Norfolk, who along with Gardiner headed the reviving conservative coalition that would return to Court for the parliamentary session. Still another possibility — compatible with any of the above —

119 BL Cotton MSS., Cleopatra E. IV., fos. 209-10.
is that Cromwell gave More the opportunity to stand as a reward for his assistance in obtaining the return of suitable candidates at Gatton and in other boroughs. Certainly the election for knights of the shire was held fairly late, being postponed until a later county day than that for which it was originally intended. 120

It is tempting to look for the beginnings of a split between Cromwell and Southampton here, given the latter's ultimate abandonment of his longtime friend in 1540, but the evidence points in the other direction. If Cromwell were trying to limit Southampton's enormous influence in the shire during the elections -- an influence heretofore used almost entirely in accordance with Cromwell's desires -- then More was the wrong choice. Though obviously one of Cromwell's followers, Sir Christopher had long been affiliated with Southampton and cooperated with him, as with Cromwell, in the electoral business of 1539. Nor did Southampton voice any objection when he wrote to Cromwell, "for Surrey I shall accomplish y [our pleasure] in Mr. More unless your lordship [fix] upon some other between now and the [election]."

Southampton also enthusiastically endorsed More's kinsman, Daniel Mugge, as burgess for Guildford. Neither could it be that Cromwell objected to Sir Matthew Browne on ideological grounds, for More was also a religious conservative. The overall impression is that what-

120 Bindoff, vol. I, p. 193; Lehmborg, The Later Parliaments of Henry VIII 1536-1547, p. 42; BL Cotton MSS., Otho E. IX., fos. 77-8. Sir Matthew Browne's quarter session attendance was lower than usual between 1535 and 1538, E 372/384/Surr-Suss and Appendix One. It is also significant that his place was taken in the Surrey delegation which greeted Anne of Cleves in January 1540 by his son, Henry, LP XIV, pt. 2, no. 572.
ever the reason for More's replacing Browne as a candidate, the arrangement by which it was achieved was an affable one. 121

The Cromwell/Fitzwilliam-Browne alliance also did well in the boroughs for which evidence survives. In Guildford Southampton offered to assume all charges for the town's burgesses, telling the mayor and townsmen "that if they would follow mine advice their said charge should be small or none" and promising to "provide them able men to supply the room." The townsmen, "heartily thanking" Southampton for his "advice," told him that they had already determined to elect Daniel Mugge for one of the seats, but that he might have the nomination of the other burgesses. This worked out perfectly, for Mugge was a kinsman of Sir Christopher More and of Cromwell's servant, Henry Polsted. As for the other seat, Southampton wrote to Cromwell, "it may like you to know the king's pleasure whether his grace will name any of his chamber or some other." Southampton was thus in reality referring the selection to Cromwell, for whom the Chamber — or even more so the Privy Chamber, which Southampton may have meant — was a stronghold. But Southampton was willing to take the responsibility himself "in case it please his grace to refer the thing to my discretion," intending in that eventuality to name one of his own servants, either William Fitzwilliam or John Bourne. Most likely the seat went to Fitzwilliam, who sat there in 1542. 122

121BL Cotton MSS., Otho E. IX., fos. 77-8, Cleopatra E. IV., fos. 209-10.

The sole owner of Gatton, Sir Roger Copley, had given the nomination for one of the burgesses there to Sir Christopher More. He in turn offered it to Southampton, who refused and "instantly desired" More "to have the same," which the latter then promised to a "very friend." At this point Cromwell sent word to More through Southampton that he wished to have the seat for a friend of his own, to which More agreed provided that the burgess take no wages of Copley. (Being the sole owner of an already very rotten borough gave Copley very distinct advantages as a patron, but it could be a real drawback if the burgesses expected to get paid!) Eager to please, More told Cromwell "further if it be your lordship's pleasure to have any more of your friends to be appointed in any other like place, I suppose your lordship may speed therein." Thanks to the grip which Cromwell and his allies had on the shire, Surrey was indeed quite "tractable."\(^\text{123}\)

In Southwark Cromwell scored another victory with the election of Sir Richard Long and (again) Robert Acton. Returns do not survive for Blechingley or Reigate, but in the case of the former the alliance must have had an easy time in securing the election of favorable members, given the recent fall of Sir Nicholas Carew, the erstwhile patron. If the duke of Norfolk's list of towns where "in times past" he had made burgesses dates from 1539, it is likely that he tried to prevent Cromwell from influencing the election there by pleading ignorance of the borough's ability to return MPs. Very likely he was at least partially successful -- it would be well nigh a miracle if at

\(^{123}\)SP 1/144/217-8.
least one of the Skinners was not returned for Reigate. But if so, it was small compensation for the "sweep" which Cromwell and his allies accomplished in the rest of the shire.  

The only other evidence of a setback for Cromwell and Southampton comes from Farnham, where before Southampton arrived Gardiner had "already done something therein and moved men after his own desires." Still Southampton wrote to Cromwell that he would "adventure to do somewhat so that if I may do anything at all I intend to advance one Mores of Farnham and some other honest man for that town who I put no doubts will serve the king's intent in all points." John Morys was that former servant of Wolsey whom Norfolk had removed from the Surrey bench in 1531 and who had won back his place by July 1538 through Cromwell's favor. Again Southampton's choice was one which Cromwell could only approve. There is of course considerable doubt whether Farnham returned any burgesses at all, for ordinarily under the Tudors it did not. But if it did and if Gardiner succeeded in outmaneuvering Cromwell and Southampton, his victory was symptomatic of the situation in Hampshire, where the bishop of Winchester made a determined, though not entirely successful, effort to thwart his two adversaries. It does not really detract from the alliance's success in Surrey.


Despite such successes in Surrey and in other shires, the Parliament which assembled on 28 April was far from being a pliable Cromwellian instrument of reform. In fact it occasioned the return to Court of Norfolk and Gardiner, and its early weeks witnessed the first victory of the conservative reaction against the Reformation with the enactment of the Six Articles. After a bout of illness at the beginning of the session, Cromwell eventually recovered his position and pushed through a good deal of his own legislation, including the attainder of Surrey's vicar of Wandsworth, but it was rapidly becoming clear that for Henry VIII the Reformation had gone far enough. Though Cromwell remained high in royal favor right down to his arrest on 10 June 1540 and continued to push for reform, this was a crucial turning point. For it meant that loyalist conservatives no longer had to subordinate their religious inclinations to contradictory demands of the royal will. For the first time since the beginning of the English Reformation, Cromwell was opposed on doctrinal grounds by a faction which did not have treasonable goals and which at the same time enjoyed royal favor. As long as Henry VIII and Cromwell had identical objectives, loyalty to the former insured loyalty to the latter. But now it was possible to serve God and the king without necessarily being a follower of Henry's first minister. Those perhaps discomfited by Cromwell's Lutheran leanings and certainly alarmed by the appearance of much more radical Protestants in England and Calais gradually began to drift away from the Lord Privy Seal. By the end of the year Cromwell was facing serious opposition in the Council and Privy Chamber, and in early 1540 the situation became even worse as Henry VIII's infatuation with Catherine Howard raised the stock of her
Naturally the struggle for power was reflected in Surrey. This is well exemplified by the commission of the peace which survives for 21 May 1539, a time when Norfolk and Gardiner were riding high in Parliament. The commission is the first to give notice of the appointment of two Cromwellian Protestants, Sir John Gresham and Ralph Johnson, who had almost surely been named to the bench several months earlier. But it also marked the first appearance on the county bench of Lord William Howard, an ominous sign of the Howard family’s revived interest in the shire. This was not at first welcomed by the Fitzwilliam-Browne faction, which must have been enjoying its unprecedented dominance in Surrey, and it was especially galling to Sir Matthew Browne. The irascible old justice remained an enemy of the Howards even when Southampton and Sir Anthony Browne went over to Norfolk during the early 1540s, and he was not about to be friendly with them now. He responded to the awakening Howard presence by writing to Cromwell to complain about James Skinner, who had gone over to the Howards completely upon the death of his former patron, Sir Nicholas Carew. He declared "certain things ill handled" by Skinner and asked "that he may be put out of the commission" or that some other measure might be taken "for his quietness."

Exactly when the earl of Southampton and Sir Anthony Browne broke with Cromwell is uncertain. That is a matter which can only be illumined—

126 Elton, Reform and Reformation, pp. 283-9; "Thomas Cromwell’s Decline and Fall;" LP XIV, pt. 1, no. 867.

127 Appendix One and Two; SP 1/162/111.
nated — if at all — by a more intensive examination of Court politics in 1539 and 1540, an undertaking which is beyond the scope of the present study. Most likely it was a gradual process in which a rift slowly opened between the two sides over doctrinal issues, though religion was not the only thing involved. Such hints as are presently available are only partly helpful. It may well be significant that when Cromwell selected Sir Christopher More as sheriff in November 1539, one of the nominees passed over was Sir Anthony Browne. It was rumored in December that Southampton, Sir Anthony, and Sir William Kingston, constable of the Tower, wished to advance the Bishop of Durham in the place of Cromwell. The spreaders of this tale were hauled in and reported upon examination that they had heard of the scheme from Southampton and Browne's own servants. This is all that is known of the matter, but chances are good that the rumor reflected reality in some measure. Still Southampton and Browne remained at least outwardly amiable with Cromwell.

If there was already a developing split between these longtime allies, it was certainly helped along by the embarrassment caused all around by Henry VIII's obvious disappointment with the unattractive Anne of Cleves. Southampton had praised her beauty highly for fear of offending the king by doing otherwise and now found himself in trouble with his royal master — Sir Anthony Browne feared for his brother's safety. Southampton later claimed that at this point Cromwell gave him a severe reproof and "declared his intention to turn the

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128 LP XIV, pt. 2, nos. 619 (38) and 750.
King's miscontentment upon him."¹²⁹ (Undoubtedly Cromwell wanted to divert the king's displeasure toward someone other than himself at this point!) Another incident which probably helped to further alienate Southampton and Browne was Cromwell's attack on their good friend, Lord Lisle in May 1540. Since Lisle had hitherto been regarded as Cromwell's own friend also, this may even have led them to fear for themselves, particularly since Browne had concealed certain of Lisle's sentiments from the Lord Privy Seal.¹³⁰

Yet the final, irreparable split surely did not come until Southampton was convinced that Cromwell would be finally and irreparably disgraced and that victory in the political battles at Court would go to Norfolk and Gardiner. Then, just as he had done with Wolsey in 1528, the earl abandoned his longtime friend and ally and went over to the other side. Where he went his brother was of course sure to follow. (Perhaps, if such a thing is possible, we may pause here to express a certain admiration for Sir Matthew Browne's steadfastness in his enmities.) The notion that Southampton's betrayal came only at the eleventh hour is supported by the correspondence of the French ambassador, Marillac. On 10 June he wrote to Montmorency to report Cromwell's arrest that day and noted that "there remain only on his side the archbishop of Canterbury, who dare not open his mouth, and the lord Admiral, who has long learnt to bend to all winds, and they

¹²⁹LP XV, no. 850 (5, 7).

¹³⁰Lisle wrote to Browne on 30 May 1539 concerning his efforts to support the Mass in Calais and asked him, "I beseech you, keep this my letter close, for if it should come to my Lord Privy Seals' knowledge or ear I were half undone," Byrne, The Lisle Letters, vol. 5, no. 1435.
have for open enemies the duke of Norfolk and the others." Later on the 23rd Marillac amended his story to include Southampton's participation in the humiliation of Cromwell -- the earl untied the Garter after Norfolk had snatched the order of St. George from the Lord Privy Seal's neck. Thus, said Marillac, Southampton showed himself "as great an enemy in adversity as he had been thought a friend in prosperity." 131

What this shows, however, is that Southampton waited to make his decision until the last minute, until Cromwell was beyond hope. Certainly he had little enough love for Norfolk or Gardiner in the past. It is also important to remember that Norfolk was the fast friend of France and of Francis I, with whom he shared his hatred of Cromwell. 132 Surely he would have reported such a major coup as the winning over of Southampton to Francis' ambassador. Yet it was still possible for Marillac to say on the very day of Cromwell's arrest that Southampton remained his ally -- though acknowledging that he was sure to jump ship -- and that Norfolk was the latter's enemy. The only logical explanation to all this is that Southampton, despite whatever differences he might have with Cromwell, stayed on his side until it was clear that Henry VIII would abandon him. Then he took the obvious step of insuring his own safety, demonstrating his own prominence and distancing himself from his fallen friend by participating in his humiliation and acting as his enemy. After all if Cromwell was now

131 LP XV, no. 767, 804.
Henry VIII's foe, he was by definition Southampton's also.

The effect of this power struggle at Court on Surrey politics is not easy to discern. Certainly Cromwell retained his trust in some conservatives, as is exemplified by his appointment of More as sheriff. Acton, Long, and Stidolph likewise remained close to Cromwell, though the sickness of Gaynesford and the death of Danaster robbed him of two other allies. But Cromwell must have felt his hold in Surrey weakening, for there is a very strong likelihood that he appointed as many as five new JPs there in the last months of his ascendancy in an attempt to maintain his position in the shire. There were eight new members of the commission of the peace by February 1541, and while some were obviously clients of the resurgent Howards appointed after Cromwell's fall (and will be discussed accordingly in the next chapter) some appear much more plausibly as Cromwellian appointees.

Though a conservative, Thomas Pope of London was a longtime beneficiary of Cromwell's patronage. He was also an enemy of the duke of Norfolk, and during the Pilgrimage of Grace he reported allegations of Norfolk's sympathies for the rebels to the king. He had supplied men against the rebels in the Surrey retinue at that time and later acquired lands at Bermondsey following the dissolution. He was most likely a JP in January 1540 when he was part of the Surrey contingent sent to meet Anne of Cleves — the entire Surrey delegation were JPs, with the single exception of Henry Browne, who represented his father, Sir Matthew (unhealthy in that instance as perhaps in the spring of 1539?). Another Cromwellian and a colleague of Pope's

133 Appendix One and Two; Bindoff, vol. III, pp. 131-4; LP XIV, pt. 2, no. 572.
was Robert Southwell of London and Mereworth, Kent, though he was also
the friend of Sir Anthony Browne and the son-in-law of Sir Thomas
Neville, and thus could have won appointment after Cromwell's death.
But there is some indication that Southwell was at least rather
flexible on religious matters, and he had acquired lands in Surrey
before 1540, so he would have fit in as a member of the county commu-
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nity. Still another Cromwellian associated with both Pope and South-
well was Thomas Edgar. It is most significant that when Robert Barnes
was burned at the stake two days after Cromwell's execution, he asked
Pope to commend him to Edgar. Surely this was not the kind of man
that religious reactionaries would appoint to the Surrey bench!135
A fourth possibility is Richard Bedon, whose connection to Cromwell
has already been noted. Finally there is John Carleton, a friend
of Cromwell's ally, Stidolph. Carleton was probably a JP by the end
of 1539 when he ceased to serve as clerk of the peace.137

At any rate, even if Cromwell did try to appoint sympathetic JPs
in 1540, he did not then -- as he had not earlier -- try to "pack"
the bench with a party of his own. In Surrey throughout the 1530s he
had relied above all upon the support of loyalist conservatives and
personal friends whose religious convictions usually differed somewhat


135 Appendix One and Two; Bindoff, vol. II, pp. 80-1.

136 Appendix One and Two; above, p. 169.

137 Appendix Two; E 372/385/Surr-Suss.
from his own. Even among the four men whom he may have named to the commission of the peace in 1540, two were religious conservatives. In a county where so many of the "natural rulers" were also conservatives and leading lights at Court, he could not do otherwise. Despite the many upheavals of the decade, Cromwell upon his fall left the shire in the hands of the same two dominant interests that had controlled it before his rise — the Fitzwilliam-Browne faction and the newly revived Howards. Yet Southampton would soon be dead and Norfolk would suffer new disgraces. And there was no purge at Cromwell's fall.

Many of the lesser men who had served him in the shire would continue to carry on the local government of Surrey for years to come.
THE JUSTICES OF THE PEACE OF SURREY
IN NATIONAL AND COUNTY POLITICS, 1483-1570
VOLUME II

A Dissertation
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CHAPTER FIVE
THE MID-TUDOR PERIOD, 1547-1558

The conservatives' defeat of Cromwell in the summer of 1540 failed to inaugurate a new ministerial ascendancy in place of the old one. In fact Norfolk and Gardiner, the most likely aspirants to such a position, were in for an unexpectedly rocky time during the remainder of Henry VIII's reign and an even worse one under Edward VI. King Henry determined that he would have no more ministers like Wolsey and Cromwell and ruled himself until 1546, when his failing health corresponded with the rise of a new dominant Court faction headed by the Seymour family. The succession to the throne in 1547 of the boy king, Edward VI, allowed the Seymours, his mother's family, to consolidate their hold on royal power and to begin a new wave of Protestant reform under the leadership of Protector Somerset. Power at Court changed hands again with the duke of Norfolk's overthrow of Somerset in 1549, and Protestantism made further gains with the encouragement of the king, the Privy Council, and a reform-minded body of ecclesiastics headed by Archbishop Thomas Cranmer. The premature death of Edward VI in 1553 led to the accession of Mary Tudor, following Norfolk's abortive attempt to place the Protestant Lady Jane Grey on the throne. A Catholic reaction ensued which returned Gardiner and the now ancient Norfolk to favor and lasted until Mary's own death in 1558 brought her sister, Elizabeth, to power and allowed England to begin the search for the via media.

For a time historians regarded these years as the era of the "mid-

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Tudor crisis" because of the problems inherent in frequent changes in occupancy of the throne, the dramatic vacillations in religious policy, a host of social and economic difficulties, a series of dilemmas in foreign affairs, and the problem of government under successively an increasingly feeble old man, a minor, and a woman. This view has been altered somewhat in recent years as new studies have provided a clearer and more favorable picture of the period. But if the rulers of the mid-Tudor period now enjoy better reputations -- being recognized as at least moderately competent -- it remains true that this was a time of upheavals of a frequency and intensity unusual even in the Tudor century. Besides the political strife at Court and the various difficulties already mentioned, there were rebellions against the Crown in 1549 and 1554 and a further conspiracy in 1556. England also returned to war in this period, with France abroad and with Scotland to the north. It was not a settled time.

Naturally the upheavals of these years were reflected in the county community of Surrey. The ever-changing fortunes of the Howards continued to have an important bearing on local politics, as did the

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the presence of the powerful Brownes and other ancient, indigenous families in the shire. A number of men raised to prominence in the county by Wolsey and Cromwell survived to play an increasing role in local government — men like Sir Christopher More, Richard Bedon, and others. Still other men — such as Sir Thomas and William Saunders and Sir Thomas Cawarden — were raised to local eminence as the successive national regimes altered the Surrey commission of the peace to their own liking. The conservative consensus which paradoxically had characterized the rule of the shire during Cromwell's ascendancy gradually disappeared as differences over political and religious issue sharpened. The revolt of 1549, Wyatt's rebellion, and the Dudley conspiracy each had an impact in the shire. Surrey's JPs were required to be vigilant in rooting out sedition and whatever was the prevailing brand of heresy. The tensions of the period produced increased factional conflict among a number of Surrey's leading JPs, a problem which the various national regimes found it extremely difficult to ameliorate since they could not do without these natural rulers of the county community.

The years 1540 to 1558 can readily be divided into three periods corresponding to the reigns of Henry VIII, Edward VI, and Mary. In the first period, 1540-7, the Fitzwilliam-Browne faction continued its newfound alliance with the Howards, though this was strictly for convenience's sake, and in fact Sir Matthew Browne's revived antagonism toward his old enemies remained unabated. There was no wholesale purge of Cromwell's commission of the peace, partly because the Fitzwilliam-Browne faction had many friends on the bench and partly
because there were no suitable substitutes for the sitting JPs. As in 1529 the interests of the Fitzwilliam-Browne group kept the infusion of Howard men relatively small. Though there were some Catholic appointments to the bench, Protestant JPs were removed only gradually. The changes in the membership of the Surrey commission of the peace between 1540 and 1547 were the least dramatic of the mid-Tudor period.

The accession of the reformist Edward VI and rule by his two successive Protestant ministers led to a substantial influx of Protestants into the Surrey commission of the peace. Yet surprisingly there was no concomitant purge of religious conservatives. The new regime enjoyed the loyalty of conservatives like the Brownes, and Somerset and Northumberland perhaps felt it wise not to give occasion for opposition to men of great importance in the shire. If so, this policy paid off, for while there were disturbances in Surrey during the revolt of 1549, the county's rulers remained loyal. Once again respect for the county community proved to be a crucial element in national governance.

When the more doctrinaire Mary Tudor took the throne, she predictably did undertake a major purge of the commission of the peace, removing a number of Protestant and/or Edwardian appointees. Yet even she removed only those with the weakest ties to the county community. Still this no doubt accounts in part for the open opposition she encountered among some of Surrey's leaders, notably on the occasions of Wyatt's rebellion and the Dudley conspiracy, but in other instances as well. Of course fear of Catholic reaction and, even more, of the Spanish marriage played a major role here also, and in fact some of
Surrey's JPs earlier had supported the candidacy for the Crown of Lady Jane. But a blatant attack on duly appointed leaders of the county community remained a risky business for any monarch in sixteenth century England, a fact even Mary was compelled to accept when necessity forced her to reappoint Protestant JPs. Of course even under Mary political and religious differences in Surrey were not cut and dried. For example, Lord William Howard, who was Norfolk's brother, honored by Mary, and presumably ought to have been loyal to the Catholic queen, developed disturbingly Protestant and pro-Elizabethan sympathies, yet was steadfast in his opposition to rebellion. There were others, however, who found rebellion quite palatable. It is important to remember that even in the highly charged atmosphere of the mid-Tudor period loyalty or opposition to the Crown could supersede an individual's religious predilections or vice versa, just as earlier under Cromwell and later under Elizabeth.

In Surrey the immediate effect of Cromwell's fall was to strengthen the hands of the Howards and their new allies and the ex-minister's betrayers, Southampton and Sir Anthony Browne. Norfolk was now safely ensconced at Court, where he could resume direct influence over Surrey affairs and begin to build a Catholic Howard faction in the shire. Southampton culminated his impressive rise from the status of mere gentleman by taking over Cromwell's old office as Lord Privy Seal, which vaulted him into a still higher position among the courtier JPs in Surrey. As a reflection of his half-brother's enhanced status and his own, Sir Anthony Browne rose to be the highest ranked knight among
the active JPs in the shire, surpassing four other eminent courtier JPs — Sir Richard Weston, Sir Thomas Neville, Sir John Gage, and Sir Thomas Hennege.  

Other changes in the membership of the Surrey bench are first evident in a commission of the peace which survives from 7 February 1541, by which date the Howards and the Fitzwilliam-Browne faction had had ample time to make whatever changes they desired from the old Cromwellian commission. These were relatively few, however. Only two JPs were removed from the bench initially, the government preferring to proceed cautiously in Surrey as in neighboring Hampshire. The identity of those who lost their places is not surprising. One was John Morys, who had in turn served Wolsey and Cromwell and whom the Howards had removed from the bench once before on the fall of the Cardinal. The other was Ambrose Wolley, one of the rare native Surrey JPs appointed by Cromwell who was also an avowed Protestant.

Of the eight JPs whose names appear on the 1541 commission for the first time, at least five had most likely been appointed by Cromwell during the last year he was in power. These were Sir Thomas Pope, Robert Southwell, John Carleton, Thomas Edgar, and Richard Bedon, all of whom remained on the bench for years to come, like such other fairly recent Cromwellian appointees as Sir John Gresham, Sir Richard Long, Robert Acton, Robert Curson, and William Whorwood. Like those more prominent ex-Cromwellians at Court, Wriothesley and Audley,  

2 Appendix One and Two.

3 Ibid.; see above, pp. 151, 169, 187, 189, 220.
these men trimmed their sails to accommodate the new winds of the 1540s and survived quite nicely. So also did Sir John Aleyn, Thomas Stidolph, and Thomas Heron, JPs with longer-term association with the fallen minister. The government allowed these men to remain in office because they were experienced and for the most part effective governors, some of whom also held important posts in the national government, and because, as future events were to show, there was not an overabundance of talent waiting in the wings.  

The three new JPs on the 1541 commission included two who clearly owed their positions to Howard influence. These were Thomas Saunders of Charlwood and his uncle, William Saunders of Ewell. Thomas was the great-nephew of an earlier Surrey JP, Henry Saunders, while William was the latter's son. Henry Saunders had been a Howard servant, though he had not always gotten along with Lord Edmund. Thomas was married to Alice, the daughter of Sir Edmund Walsingham, another Howard servant, and he probably owed his return to Parliament as a burgess for Gatton in 1542 to Norfolk and for Reigate in October 1553 to Lord William Howard. William had almost surely owed his return for Batton in 1529 to Norfolk, and he was to be closely associated with the Howards for the rest of his life. Each was a religious conservative, and William in particular was an "ultra-Catholic" and the scion of a notorious family of Elizabethan recusants at Ewell. Richard Creswell was too obscure an individual to allow any real assessment of his importance, but the timing of his appointment may mean he was

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4 Ibid.
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a Howard man. 5

By 1541 death had taken three JPs who had serv’d on the last Cromwellian commission of the peace. These included two of Cromwell’s former adherents, Sir John Gaynesford and John Danaster, and one at least clandestine enemy, Lord Edmund Bray. 6 Thus the commission of the peace remained the same size as just prior to Cromwell’s fall. During the final years of Henry VIII’s reign the number of JPs in Surrey would drop sharply, however, as eight more justices died, two were permanently removed from the bench, and only between three and five new JPs were appointed. Two deaths occurred in 1541, Sir Richard Weston’s in August and William Muschamp’s in October. 7 This diminished the number of Howard affiliates in the shire, which Norfolk most likely sought to redress in part by securing a place for Lawrence Stoughton of Stoughton, son of Gilbert Stoughton, a JP from 1504 to 1515. Lawrence’s son, Thomas, was certainly associated with the Howards, though more notably with the earl of Arundel by Elizabeth’s reign. Unlike his Catholic son, however, Lawrence appears to have leaned toward reform, for he left a distinctly Protestant will. But this would not necessarily have mitigated against service to the Howards, for Lord William did also. 8

6 Appendix One and Two.
7 Ibid.; see Table One.
8 Appendix One and Two; PROB 11/54/12, will of Lawrence Stoughton; PROB 11/55/22, will of Lord William Howard; on Thomas Stoughton, see Bindoff, vol. III, pp 388-9 and below, pp. 262, 275, 307, 311, 320-4.

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Though the limited changes in the commission of the peace in Surrey were accomplished without any obvious difficulty, there were threats to order in the county community within a few months of Cromwell's fall. For example, on 20 September 1540 Southampton reported to the Privy Council that he had committed an unnamed laborer of Kingston-upon-Thames for seditious words. More important, and perhaps embarrassing to Southampton as well, was that Sir Matthew Browne and his family began again to cause serious trouble in Surrey. Of course the quarrelsome justice's behavior had been the cause of frequent complaint in the 1530s, but he had done nothing bad enough to call down the wrath of the government. Now Sir Matthew's son, Henry, found himself thrown in the Fleet for rick-burning, a serious offense in Tudor England.

Meanwhile, between July 1540 and November 1541 the Howards were riding high on the strength not only of Cromwell's defeat, but Henry VIII's marriage to Norfolk's niece, Catherine, daughter of the late Lord Edmund Howard. In 1541 their position seemed secure in Surrey, thanks to their alliance with Southampton and Sir Anthony Browne and the beginnings of a new Howard faction among Surrey's JPs. Their strength allowed them sometime later in the year to remove two more enemies from the Surrey bench. One of these was an important courtier JP, Sir John Dudley, the future duke of Northumberland, who was also a Protestant. Dudley did not return to the commission of the peace in the shire until 1549, when doubtless he became an ex officio JP in all counties. The other victim was Ralph Johnson, a Kentish Protestant

\[^9\text{L.P. XVI, nos. 63, 212, 241, 243, 724.}\]

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whom Cromwell had named to the bench in 1539. Though he later served the shire as a subsidy commissioner, he never again was a JP.\textsuperscript{10}

The Howards' good fortune lasted most of the year. Sometime before June 1541 the Privy Council imprisoned Lord William Howard's chaplain for "light and foolish words," but he was released on the first of that month and the affair in no way redounded to the discredit of Lord William, who served the king as ambassador to France and remained high in royal favor. But beginning early in November the Howards watched with horror as the silk purse presented them by Henry VIII's marriage to Catherine metamorphosed into a highly unsavory sow's ear. Revelations of the queen's lively premarital sex life stunned the Court, shattered Henry, and threatened to bring the entire Howard family into disgrace. Norfolk and the other family members hastened to put as much distance as possible between themselves and their errant kinswoman. Norfolk succeeded but others of his kin were not so fortunate. Of particular importance in Surrey was that Lord William was imprisoned in December for having concealed his knowledge of Catherine's doings. His wife, Lady Margaret, suffered the same fate.\textsuperscript{11}

Southampton, ever the man to be on the right side of a thing, was enthusiastically involved in examining witnesses about various aspects

\textsuperscript{10}The two men were absent from the commission of the peace issued 21 October 1541, C 66/720/5d; Appendix One and Two.

\textsuperscript{11}L.P. XVI, no. 879, 1150, 1195-7, 1430; D.N.B., "Howard, William first Baron Howard of Effingham." For an account of the whole business, which need not be repeated here, see L. B. Smith, A Tudor Tragedy, Ch. VIII; Elton, Reform and Reformation, pp. 196-200.
of the affair, as was Sir Anthony Browne, which says something about the true nature of their relationship with the Howards. Their ally, Sir John Gage, was also involved in the process. Several other Surrey JPs were also given official duties by the Privy Council. John Skinner III was charged with inventorying Lord William's goods and keeping his house at Reigate. Sir Thomas Pope and Sir Richard Long were given similar duties with regard to the Lady Bridgewater and also participated in the examination of witnesses. This does not necessarily mean that they bore any malice to the Howards, however, for Norfolk's trusted servant and future Surrey JP, John Caryll, was put in charge of the dowager duchess of Norfolk. 12

Still the Howards were at a definite disadvantage in Surrey for a time. It was rumored in January 1542 that Lord William would be subject to perpetual imprisonment, and although this was followed almost immediately by contradictory rumors of his imminent release, the former tale could still claim credence as late as May. Although Lady Margaret Howard was released in March, Lord William remained a prisoner until early September, when he was allowed to accompany the duke of Norfolk and Henry Howard, the third earl of Surrey, to war. Because of his disgrace Lord William lost his place on the Surrey commission of the peace and even upon his release from prison did not regain it until sometime between December 1542 and May 1543. 13

12 L.P. XVI for the months of November and December, passim.

13 Appendix One; L.P. XVII, nos. 2, 19, 145, 746, and Appendix, no. 10. Howard first reappeared on a liber pacis, C 193/12/1, first used about December 1542. Because his name is added to the original list of JPs, he probably did not resume his place on the bench until early 1543. For the dating of his document, see the list at the front of Appendix One.
Association with the Howards, in addition perhaps to the enmity of the Brownes, also cost James Skinner his place on the bench during Lord William's absence, and he was in some kind of trouble with the Privy Council in April 1542. Though he and his brother, John Skinner II, were returned to Parliament as burgesses for Reigate earlier in the year, it was their own local standing and not Howard influence which was responsible. Nor did that honor have any effect in winning James Skinner reappointment to the Surrey bench, for he rejoined the commission of the peace no sooner than Lord William Howard. It may even be significant that while John Skinner II died early in 1543, his son, John III, did not join the commission until late in Edward VI's reign.¹⁴

The weakness of the Howards in Surrey is borne out by their poor showing in the Parliamentary election called on 23 November 1541, which after all was intended to pass the attainder against Queen Catherine. In 1542 Sir Anthony Browne again won the seat as first knight of the shire. For the other seat Sir Christopher More was replaced by Sir Robert Southwell, who no doubt owed his election to his friendship with the Brownes. More's failure to win a seat cannot have had anything to do with his friendship to Cromwell, for Southwell had also been friendly with the former minister, and More had close ties to Southampton as well. In fact More had obtained his knighthood shortly after Cromwell's fall, doubtless with Southampton's approval and perhaps even his help, and he was one of the Privy Council's most trusted

agents in the shire. At any rate the Fitzwilliam-Browne faction made a clean sweep in the elections for knights of the shire.  

Southampton also procured one of the seats at Guildford for his servant, William Fitzwilliams, who represented the borough along with Sir John Baker, Chancellor of the Exchequer and apparently what Lehmberg calls a "bureaucratic intruder." At Blechingley one seat was taken by Sir Thomas Cawarden, a gentleman of the Privy Chamber, a future Surrey JP, an enemy of the Howards, and Sir Nicholas Carew's successor as the premier magnate in the area. He was joined by William Sackville, who was perhaps already his bitter enemy and probably owed his election to Howard influence. The Howards also continued to enjoy the nomination of one of the burgesses for Sir Roger Copley's private borough of Gatton, naming Thomas Saunders. It is hard to know what to make of the situation in Reigate, where for the only time under the Tudors two Skinners were returned instead of the usual combination of one Skinner and a more obvious Howard appointee. Perhaps this means the Howards merely chose to rely on both James Skinner and John III on this occasion, but more likely they were too preoccupied with other borough elections and the dangers of the present political situation to bother much with a borough which after all returned candidates whom they regarded as reasonably safe. In Southwark the perennial Robert Acton again gained a seat, perhaps as the protege of the duke of Suffolk as he possibly had been in 1529, but most likely on his own merits. Sir Richard Long was replaced by Thomas Bulla, who had held the seat

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Lehmberg, The Later Parliaments of Henry VIII, p. 129; Appendix Two.
earlier in 1536, which may well reflect Suffolk's influence and the
absence of Cromwell's. Overall the Howards seem to have done only
about as well as they had in the 1530s, when their influence was
limited by competition from the Fitzwilliam-Browne faction and opposi-
tion from Cromwell. 16

While the Howard interest in Surrey was suffering the after-
effects of Catherine's treasonable licentiousness, Sir Matthew Browne
was again up to his old tricks in 1542, demonstrating once more how
the absence of unified control in the central government could give
rise to disorder in the county community. Early on the morning of 14
April his servants, including one Edward Holles, attacked one Richard
Dalton and beat him. Dalton filed a bill of complaint in Star Chamber
because he could obtain no remedy at common law against Holies and
Browne, the latter of whom he described as "a man . . . so greatly
friended and dreaded that no man dare pass against him nor any of his
servants in any trial by bill or indictment or otherwise." The Privy
Council took the charges seriously. It would not do to have this
powerful JP take up lawless violence again. Meeting at Guildford on
20 July, with the presumably red-faced Southampton and Sir Anthony
Browne present, the Council ordered Sir Matthew to send up Holles

II, p. 141; vol. III, pp. 148-9, 174-6, 321-3. Given what has been
said in the present work already about Howard influence at Gatton and
Saunders' undeniable connection to that family, it is safe to discount
the idea expressed in Bindoff, Hist. Parl., that Saunders was entirely
Copley's nominee. The assessment that Norfolk was unable to influence
the election at Reigate is supported by Hist. Parl. The view in Hist.
Parl. and Lehmberg, The Later Parliaments of Henry VIII, p. 133, that
Acton owed his election to Suffolk probably gives too little credit to
the former's own standing in the shire and in the borough.
for examination. What further transpired is unknown, but if Holles' fate remains a mystery, it is fairly certain that Southampton and Sir Anthony Browne protected their troublesome cousin from any serious censure, and in fact he was soon acting on the Council's behalf in Surrey. Sir Matthew possessed a real knack for avoiding punishment.17

In October the Fitzwilliam-Browne faction suffered a serious blow with the death of the earl of Southampton. About the same time the Brownes lost another ally with the demise of another important and longtime courtier JP, Sir Thomas Neville. Thus just as the Fitzwilliam-Browne faction seemed destined to win overwhelming predominance in Surrey with the Howard interest on the wane, their own influence was cut back. Of course the relationship between the conciliar leaders of the two factions, Norfolk and Sir Anthony Browne, remained amicable. Norfolk heartily lamented the loss of Southampton, complaining that it left him only Sir Anthony as a soldier of any worth in the northern campaign. Norfolk and Sir Anthony remained friendly and cooperated in 1543 as members of the conservative faction at Court which sought to oust Henry VIII's final queen, the reformist Catherine Parr.18

It is in part the continued good relations between Norfolk and Sir Anthony Browne that explains the virtual moratorium on appointments of new JPs from late 1541 at least until mid-1544. Despite the deaths of Southampton and, less importantly, of Neville, the Brownes saw their


18 Appendix Two; Bindoff, vol. I, p. 519; Elton, Reform and Reformation, p. 301, offers a less attractive assessment of Browne.
allies, Sir Robert Southwell and Sir John Gage, rise into the prestigious ranks of the ex officio JPs, thanks to their respective appointments as Master of the Rolls and Chancellor of the Duchy of Lancaster (Gage succeeded Southampton in the latter). A similar promotion on the commission for Sir Anthony Browne followed in late 1542 or 1543. The return of Lord William Howard and James Skinner to the commission of the peace in 1543 left the two Surrey factions more or less in balance, and Norfolk and Sir Anthony were content to leave it thus. Both were for the time being unified in their opposition to Catherine Parr and, more importantly, to the rising Seymour faction at Court which supported her. A further reason for avoiding the appointment of numerous new JPs was that it allowed these two conservatives to keep Protestants and Seymour adherents off the Surrey bench. Many of the more obvious candidates for membership were not the kind of men Norfolk and Browne would approve.  

Only one new JP was definitely added to the Surrey bench prior to mid-1546, when the Seymour influence at Court became irresistible. Henry Mannox of London, whose relationship to the factions in Surrey is obscure, was a member of the commission of the peace by 18 May 1543. But it is almost certain that the Howards arranged the appointment of two or more of their adherents sometime between mid-1544 and the Seymours' virtual takeover of Henry VIII's government in mid-1546. Both John Caryll and William Sackville were JPs by the first year of Edward VI's reign, but neither of these Catholic Howard followers was a

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19Appendix One and Two.
likely appointee for the regime of Protector Somerset, so they must have been named to the bench earlier. Counting Mannox, this would have kept the commission of the peace at about the same size from 1543 to Henry VIII's death, for John Skinner II died in 1543, Thomas Heron in 1544, and Thomas Stidolph in 1545. The deaths of Richard Long and Robert Wintershull in 1546 allowed the pretext in that year for the first Seymour appointment, the Protestant Londoner, John Eston. For some reason, not a single sheriff of Surrey and Sussex between the fall of Cromwell and the death of Henry VIII was from the former county, though predictably most of the Sussex men who held the office had connections with either the Howards or the Brownes.

Meanwhile the Howards were not completely secure in Surrey even after the return to the bench of Lord William Howard and James Skinner. In 1543 the Privy Council imprisoned Lord William Howard's servant, John Butler, for the suspicious sale of gold, first in the Fleet on 30 March and then in the Porter's Ward on 3 April. John Skinner II was dead and not yet replaced by another member of his family. John Scott II was promoted to a position above the recent Howard appointee,

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21 List of Sheriffs, p. 137. John Sackville (1540-1, 1546-7) had connections to the Howards through his cousin, William Sackville, and his wife, Margaret Boleyn; Thomas Darell (1541-2) was linked to the Fitzwilliam-Browne faction through Sir John Gage; Richard Bellingham's (1542-3) family had links to the Fitzwilliam-Browne faction through Sir William Shelley and to the Howards; John Palmer (1543-4) had connections to the Howards, though later also with the Seymours; the connections of John Thatcher (1544-5) and John Dawtry (1545-6) are not presently known, Bindoff, vol. I, p. 414; vol. II, p. 19; vol. III, pp. 52-3, 244-5.
Lawrence Stoughton, and Richard Creswell, who may also have been a Howard man since he obtained his place on the bench just after Norfolk's victory over Cromwell. There were also signs of an incipient Seymour influence. Robert Curson, named a baron of the Exchequer immediately after Edward VI's accession, was promoted twice between late 1542 and early 1544. On the first occasion he surpassed John Carleton, William Saunders, Scott, and Creswell; on the second, Robert Wintershull, Thomas Lisle, Stidolph, Heron, James Skinner, and Richard Bedon. The knighthood and promotion of the Protestant Robert Acton may also have owed something to Seymour influence.\(^{22}\)

Unfortunately for the peace of the county community, the amity between Norfolk and Sir Anthony did not extend to Lord William Howard and Sir Matthew Browne. In December of 1544 or 1545 the animosity between the two came out into the open when Howard's servants were involved in a violent quarrel with Sir Matthew's sons and certain servants of the Brownes' ally, Sir Robert Southwell. This was obviously a case of territorial jealousy, with Browne encroaching too closely in an area of Surrey traditionally dominated by the Howards and their allies. It shows that the animus between Sir Matthew and the Howards was by no means abated and even suggests a certain fragility in the overall Howard-Browne connection in the last two or three years of Henry VIII's reign. It is worth bearing in mind that Sir Anthony Browne cheerfully abandoned Norfolk for the Seymours when they landed

\(^{22}\)A.P.C., vol. I, pp. 103-105, or L.P. XVIII, nos. 333, 360; Appendix One and Two. Saunders, Skinner, and possibly Wintershull and Creswell were connected to the Howards.
the old duke in prison, and was the first of the Privy Council to accept Somerset as protector. Like Southampton, Sir Anthony never allowed personal loyalty or religious principle to go so far as to endanger his own political security.  

Lord William Howard may have been especially edgy about the Brownes' power in Surrey because of the Howards' own declining influence in the shire in the last two years of Henry VIII's reign. The Howards' growing weakness relative to the Brownes was borne out by the elections held in December 1544 for the Parliament which finally met in November 1545. The Howard influence in parliamentary elections dwindled to almost nothing in neighboring Sussex, where the Seymour faction now made significant inroads. In Surrey Sir Anthony Browne was again knight of the shire, though the other county MP was Sir Edmund Walsingham, a longtime Howard associate. The Howards did less well in the boroughs, as far as the evidence indicates. The election of Edward Bellingham for Gatton most likely owed something to the Howards, but Bellingham also had connections to the borough proprietor,

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23 STAC 2/6/199. The incident occurred after 23 January 1544, when Henry Fitzalan succeeded his father as earl of Arundel, Handbook of British Chronology, p. 416. If the case is correctly identified as belonging to Henry VIII's reign, then it must have happened on 5 December 1544 or 1545, since if it had happened in 1546, the case most likely would not have come up until Edward VI was king. On Sir Anthony Browne's abandonment of Howard, see below, p. 254.


Sir Roger Copley. At Guildford the burgesses were Sir Anthony Browne's son, Anthony, the future Viscount Montague, and Thomas Eliot, servant successively to Southampton and Sir Anthony, a friend of Sir Christopher More and his kinsman, Henry Polsted, and clerk of the peace in Surrey. No returns survive for Blechingley, but it is well nigh impossible that one of the burgesses there was not Sir Thomas Cawarden, no friend of the Howard family. Neither is there any evidence of who was elected at Reigate, though James Skinner is a likely choice for one seat. If the Howards failed to exercise their usual sway there, they really were in trouble.

Of course the relationship between the Howard and Browne factions was not the only matter of importance in Surrey during the final years of Henry VIII's reign. Three of the principal concerns of Surrey's JPs in these years were the maintenance of law and order and the rooting out of sedition, the effective mustering of troops for the king's wars, and the efficient collection of revenue. Naturally the Privy Council gave much of the responsibility for these matters

26 Ibid., pp. 194-5, 414 ascribes Bellingham's election to Copley, whose wife, Elizabeth, was his cousin. Lehmberg, The Later Parliaments of Henry VIII, p. 209 implies that it was due to his connection with Henry VIII as a military leader. But as noted above the Howard influence was ever-present in Gatton. The other Gatton burgess, Roger Heigham, clearly was Copley's nominee, Bindoff, vol. II, p. 331.

27 Bindoff, vol. II, pp. 95-6, which clears up the confusion in identifying Eliot in Lehmberg, The Later Parliaments of Henry VIII, p. 209; E 372/385, 387, 388, 390, 391, 392 show Eliot was clerk until the end of Henry VIII's reign.

to members of the Browne and Howard factions, though others like Sir Christopher More and Nicholas Legh played important roles. For example, between July and September 1544 the Privy Council was particularly exercised over the regrettable unspecified offenses of the "naughty curate" of Witley, which provoked its members to send the extraordinary number of eight letters to More instructing him how to proceed. The JPs were especially sensitive to sedition and disorder in the last few years of Henry VIII's reign because of the current state of war and the old king's failing health. There were frequent exhortations from the Council to the JPs to apprehend and punish vagabonds and other "seditious" persons, especially the sort of ne'er-do-wells likely to wander off from military camps.\(^{29}\) In this time of religious uncertainty, political tension, and potential military threats from Scotland and France, the Privy Council simply could not afford to let disorder go unchecked. In this they carried on the legacy of Cromwell, though somewhat less effectively.

Henry VIII's return to war in this period involved Surrey's JPs in providing retinues from among their own adherents; mustering, training, and transporting troops; providing arms and victuals; and maintaining the beacons that would be used to warn the country in the event of a foreign invasion. Most of Surrey's JPs, being the substantial men of the shire, provided soldiers for the country's

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retinue, the largest numbers being supplied by wealthier magnates like Sir Matthew Browne, Sir Thomas Pope, Sir Robert Southwell, Sir John Gresham, and so on. Still more eminent JPs, Sir Anthony Browne and Lord William Howard, played a more exalted role as commissioners of array for a whole cluster of southern shires. Given all this activity and the manifold other duties which JPs carried out, those who have argued that magistrates' complaints about the weight of their duties were unjustified seem to be missing the point. 30

The king's wars were expensive, a problem exacerbated by the inflation of the Tudor century, and this necessitated efficient assessment and collection of the subsidy and other forms of revenue. In this period the subsidy commissioners in Surrey and other shires began dividing themselves into divisions similar to those used later for musters and ultimately for petty sessions. Previously the process had been carried on on a hundred by hundred basis or, more often in Surrey, by pairs of hundreds, with a considerable overlapping of commissioners from one hundred or pair to the next. Now the divisions sometimes became larger, including as many as six hundreds, and the bodies of commissioners for each division became more distinct, though there was still some overlap and the county sometimes slipped back into using

pairs of hundreds. Thus in 1541 Surrey was divided into the following groups of hundreds: Tandridge, Reigate, Blackheath, and Wotton; Godalming, Godley, Woking, Farnham, the town of Guildford; Copthorn, Effingham, Kingston, and Elmbridge; and Brixton, Wallington, and the town of Croydon; the borough of Southwark being assessed separately. These divisions were not constant — later on Blackheath and Wotton were often combined with Godalming, Godley, Woking, and Farnham, with the other eight hundreds being combined. Later the county sometimes used pairs of hundreds, particularly among the latter eight. But the experiment with divisions had begun. 31

The subsidy commissions of the 1540s appear to have anticipated another Elizabethan practice, that of placing certain eminent JPs in supervisory positions over their fellow commissioners, a system later used to prevent dishonest assessment. In 1543, when Surrey was again divided into pairs of hundreds, each group of commissioners was headed by the name in bold letters of a JP who was obviously the most prominent of the group. Those so designated in that year were Sir Matthew Browne (two pairs), Sir Thomas Pope, Sir Christopher More (two pairs), William Whorwood, and Thomas Stidolph. An interesting sidelight of this development is that it put Sir Matthew Browne in a supervisory capacity over Thomas Saunders and the Skinners, which is bound to have produced a certain amount of tension, though it does show that


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these less than cordial JPs could work together.\textsuperscript{32}

Because subsidy business was a big job, there was sometimes insufficient manpower among the JPs to get it all done. Therefore some gentlemen who were not or not yet JPs frequently became subsidy commissioners. In fact a number of Surrey gentry appear to have served a sort of apprenticeship as subsidy commissioners for later membership on the commission of the peace. The extent of this still needs to be worked out, but it has interesting ramifications for the existence of identifiable county communities in Tudor England. It suggests that in many cases a certain amount of service to the county community was required for all but the most eminent local gentry to obtain a place on the bench.\textsuperscript{33}

Having looked at various aspects of the Surrey JPs' law enforcement and administrative duties, it is necessary to turn to politics in Edward VI's reign. From mid-1546 Henry VIII began more and more to lose his grip on the government of England and the Seymour faction at Court increasingly assumed control. In the last month of the old king's reign the Seymours and their allies succeeded in imprisoning Norfolk and the earl of Surrey, the latter of whom was executed, Norfolk being saved only by the death of Henry VIII. Gardiner was also excluded from power, and as Henry lay dying, the Protestant Seymour faction prepared to take over completely.\textsuperscript{34}

\textsuperscript{32} E 179/184/182.

\textsuperscript{33} See individual careers in Appendix Two.

\textsuperscript{34} For a recent account, see Elton, Reform and Reformation, pp. 328-32.
II

Henry VIII died on 28 January 1547, and therewith lapsed the authority of all commissions of the peace in England. For a fortnight thereafter Surrey was without any officially constituted government, but the old king's executors made impressively short work of the transition from Henrician rule to government by a Seymour Protectorate, and by 12 February the Privy Council was ready to give attention to the needs of local rule. On that day the Council resolved that new commissions of the peace be established. The Privy Council ordered the justices to divide themselves by hundred, keep order, punish vagabonds, and report the state of the shire every six weeks. (Hope springs eternal.) Having made their pitch for good order in the county community, the Privy Council quickly got down to business. It appointed a new muster commission in Surrey by 16 February, wrote on 21 February to Sir Thomas Pope, Sir Thomas Cawarden, Sir Christopher More, and the rest of Surrey's subsidy commissioners urging them to collect the second payment of the last Henrician subsidy quickly and efficiently, and remained on the lookout for potential troublemakers. All indications are that the business of local government in Surrey went on smoothly and with only minimal interruption.

35 Perhaps that is why Bishop Gardiner was unable to find a JP in Southwark to stop certain players from putting on a performance that would compete for attendance with his own solemn mass for the dead sovereign. SP 10/1/5.

36 A.P.C., vol. II, pp. 28-9, 452; a copy of the conciliar letter which accompanied the Surrey commission survives as G.M.R. Loseley MS 1010; SP 10/1/19; Loseley MS., vol. XII, no. 9; E 179/185/224-9.
One reason that things went so well is that Surrey's conservatives, loyal above all to the Tudor monarchy and by now used to adjusting to changes in the political/religious climate, accepted the Seymour ascendancy without opposition. Sir Anthony Browne was the first of the Privy Council to acknowledge the king's uncle, Edward Seymour, earl of Hertford and soon to be duke of Somerset, as Lord Protector. Presumably the JPs associated with the Browne interest in Surrey did likewise. An indication that the new government found the Surrey conservatives trustworthy comes from the very first communication between the Privy Council and the shire in the new reign. The three "chief personages" in Surrey selected to receive the letter of instruction of 12 February were all men with conservative views in religion -- Sir Thomas Pope, Sir Christopher More, and Nicholas Legh. But it was not only that the new regime won the loyalty of Surrey conservatives. In spite of Norfolk's continued imprisonment, the government also won over Lord William Howard, a victory assisted perhaps by Lord William's incipient reformist sympathies (as well as his instinct for self-preservation).^37

The most compelling evidence of the cooperation between national and local rulers in Surrey during the transition from the Henrician to the Edwardian period comes from the actual membership of the commission of the peace. Unfortunately the initial commission issued on 12 February 1547 does not survive, but it cannot have been much different from the only extant commission from Edward VI's reign, that of the

following 26 May. Perhaps more new members had been added by the later date, but the most striking feature of the commission is that the new regime did not remove a single JP. Naturally most of the newly appointed JPs were Protestants and pro-Seymour, which certainly changed the overall make-up of the Surrey bench. But the new government obviously knew that it was unwise to antagonize the county community by a purge of its established rulers.\(^{38}\)

Of course the presence of Sir Anthony Browne among the old king's executors and the new king's councillors made a major attack on his own faction in the shire highly unlikely. But the leniency shown members of the largely conservative Howard faction is remarkable and can have no other explanation than that the Privy Council recognized the need to respect the integrity of the county community -- to which many Howard followers had a longtime attachment -- and that it best served the needs of effective local government.\(^{39}\) At any rate the Privy Council's reluctance to remove established members of the commission of the peace apparently persisted throughout the reign, despite the

\(^{38}\)Appendix One.

\(^{39}\)The decision against a purge undoubtedly owed much to the influence in the Privy Council of Sir William Paget, who brought a measure of Cromwellian practicality to the policies of the frequently unwise Somerset. Paget's mentor, Cromwell, had also realized the necessity of relying on a county's natural rulers. Interestingly, a number of the new JPs named under Edward VI had Cromwellian connections. On Paget's preservation of Cromwellian reforms in the reign of Edward VI, see Elton, Reform and Reformation, Ch. 15 and D. E. Hoak, The King's Council in the Reign of Edward VI (Cambridge University Press, 1976).
upheavals in the national government — a contention suggested by remarkable stability in other office-holding in the county.40

Perhaps the most important of the new JPs in 1547 was Sir Thomas Cawarden, a Protestant Londoner with numerous holdings in Surrey. Cawarden was one of those remarkable Henrician examples of social mobility, rising from a position as the son of a shearman and a London mercer's apprentice in 1528 to being a gentleman of Henry VIII's Privy Chamber by 1540. Following Sir Nicholas Carew's execution in 1539, Cawarden's position as keeper of the royal manor of Blechingley (granted to Anne of Cleves) allowed him to become the leading borough patron there, and he was a burgess there for the Parliaments of 1542, probably 1545, and 1547. In the 1540s he continued to rise in royal favor, developed links with the Seymours, and began his career of local service on Surrey commissions. Of equal importance to the county, he was very friendly with the Mores — perhaps it was Cawarden's influence which led Sir Christopher More to adopt a somewhat less conservative religious stance by the time of his death.

All in all he was an excellent, almost inevitable choice as a JP, and

40 There are serious problems inherent in this analysis since there are no extant Edwardian commissions of the peace after that of 26 May 1547. But this difficulty is mitigated considerably by the fortunate survival of other types of evidence. A complete run of pipe roll accounts for the last five years of Edward's reign gives at least an approximate idea of when new JPs joined the commission, E 372/395-9/Surr-Suss and Appendix One. The subsidy records show that no established Surrey JP in this period fell far enough from favor to lose his place on the very important subsidy commission, E 179/18S/224-68, 281/JPR6224; C.P.R. Edward VI, vol. 5, pp. 357, 362; G.M.R. Loseley MS. 1487. This and other evidence strongly suggests that the Edwardian Privy Council continued its initial policy of retaining sitting JPs and altering the character of the commission of the peace only by new appointments.
he would dutifully serve both Somerset and Northumberland. Clearly
the Privy Council regarded him highly. It was he, along with Sir
Thomas Pope and Sir Christopher More, to whom they wrote about the sub-
sidy on 21 February, and in November he was chosen as the first Ed-
wardian sheriff of Surrey and Sussex. Cawarden's one drawback, if it
can be called that, was his inability to get along with certain of his
fellow JPs — he was already involved in a dispute with William Sack-
ville, a member of the Howard faction. As will be shown below,
Cawarden got along no better with the Howards themselves or their
other allies, the Saunders. 41

Cawarden most likely had owed his success in the 1530s to Crom-
well. Another new Surrey JP, Henry Polsted of Guildford, had been one
of Cromwell's most trusted servants and was, like Cawarden, closely
linked to the Mores. His father, Thomas Polsted, had been Wolsey's
servant and a Surrey JP. Henry Polsted had already done some service
in the county as a commissioner for subsidies in the earlier 1540s
and for the benevolence in 1544-5. His religious tendencies are un-
clear. The Calvinist Bishop Parkhurst, a Guildford native himself,
praised Polsted highly, yet he seems to have conformed under Mary,
and his will is too vague to be of much help. It is hard to say
whether he was genuinely indifferent or just being careful. 42

A third JP with earlier ties to Cromwell was Sir Roger Cholmley

41 Appendix One and Two; Bindoff, vol. I, pp. 599-602; Loseley MS.,
vol. XII, no. 9; STAC 3/3/49.

42 Appendix One and Two; Bindoff, vol. III, pp. 124-6.
of London, whom the former minister had helped to overcome legal obstacles to his being the city's recorder in 1535. Cholmley already had a distinguished legal career, a long history of service as a London MP, and membership on the commissions of the peace in Middlesex, Essex, and the liberty of St. Albans when in 1547 he was added to the bench in Surrey, Sussex, Kent, and Hertfordshire. In 1564 Bishop Horne would describe him as "indifferent" in religious matters. The overtly Protestant Richard Taverner of London, Norbiton (Surrey), and Wood Eaton, Oxfordshire had been the author of numerous reformist works under Cromwell's patronage in the 1530s and was to preach before Edward VI on several occasions. His marriage in 1537 to Margaret, daughter of Walter Lambert of Chertsey, gave him connections in Surrey, where he now must have added significantly to the Protestant coloration of the county bench. Richard Goodrich of Bolingbroke, Lincolnshire and London was a Seymour adherent and a Protestant, who owed his appointment not to earlier connections but to his link with Somerset's secretary, William Cecil. The final appointee in 1547 was Griffith Leyson, a Welshman whose presence on the bench has no readily apparent explanation, unless he, like many of the other new appointees from outside the shire, was a Protestant.

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43 Appendix One and Two; Bindoff, vol. I, pp. 644-6; Hatfield House MSS. 235/54-5.

44 Appendix One and Two; Bindoff, vol. III, pp. 424-5; D.N.B., "Taverner, Richard"; see Elton, Reform and Reformation: Thomas Cromwell and the Common Weal (Cambridge University Press, 1973) for the context of Taverner's writings in the 1530s.

45 Appendix One and Two; Bindoff, vol. II, pp. 231-3; D.N.B., "Goodrich, Richard."
The Parliamentary elections of Edward VI's reign demonstrate several features of political life in the shire during this period, which parallel development on the commission of the peace. The Brownes continued to be a highly potent force in elections, especially during Somerset's ascendency and prior to the death of Sir Anthony Browne. Sir Christopher More returned to Parliament for the first time since Cromwell's fall, and what amounted to a More-Cawarden faction gained a growing number of members of Surrey's Parliamentary delegation. Howard influence naturally dwindled, though Lord William's patronage still produced some results, particularly under Northumberland. Surprisingly the Skinners failed to win a single seat from Reigate. Finally, the central government (especially later during Northumberland's ascendency) was able to place more outsiders in borough seats than there had been in Henry VIII's reign.

In 1547 the senior knight of the shire was Sir Anthony Browne, which could only be expected. The other was Sir Christopher More, whose election signifies his family's enhanced status under the new regime. The Browne and More interests also did well elsewhere in the shire. The continued preeminence of the Brownes was demonstrated at Guildford, the heart of the Mores' territory, where Sir Anthony Browne III and the Browne servant, Thomas Eliot, were again returned, though this well may have been done with the Mores' acquiescence, given Sir Christopher's earlier cooperation with the Fitzwilliam-Browne faction. But if this required that the More-Cawarden group look farther afield for seats, it did not much hinder their ability
to win them. 46

Cawarden of course was returned for Blechingley, where he was the leading patron, and it certainly was with his approval that Somerset was able to inject the Protestant John Cheke of Cambridge and London into the second seat there. The More-Cawarden interest also intruded into Skinner territory at Reigate, where Sir Christopher's son, William, obtained the junior seat. There the other seat went to Robert Richers, who most likely owed the position to Lord William Howard. The only other possible Howard candidate was John Tingilden at Gatton, though he also was related to Sir Roger Copley, the patron, through his great-grandmother. The other Gatton burgess, Richard Shelley, was Copley's brother-in-law and clearly his own nominee, but it must have pleased the Brownes to see the election of this son of their old ally, Sir William Shelley. Richard Shelley's election may also have owed something to his apparent flirtation with Protestantism at this time, though he later became an ardent Catholic and was an exile under Elizabeth. Certainly Copley had in the past shown a marked tendency to follow whatever happened to be the prevailing political current when selecting his burgesses. 47

At Southwark the senior member was Sir John Gates, who held numerous offices there, including that of king's bailiff. His elec-

46 Bindoff, vol. I, p. 193, 195; vol. II, p. 616. More made two wills, which offer a clue to his religious beliefs. The first, made on 27 April 1547, provided for a trental of masses, which was omitted from the second of 28 June 1549. But the second will retained the traditional preamble, so perhaps More remained conservative and merely dropped the request for masses in deference to the present regime.

tion probably reflects the wishes of Somerset to an extent, but he was also an ideal choice for the borough, for he was a leading opponent of London's assertion of privileges in Southwark, an issue which was to be dealt with in Edward's Parliaments (ultimately to Southwark's loss). The other Southwark MP was Richard Fulmerston, an East Anglian and a political opportunist, who abandoned the duke of Norfolk and the earl of Surrey for service to Somerset, then later returned to the Howards as a servant to the fourth duke of Norfolk. He owed his election at this time of course to Somerset.48

By-elections held in 1548-9 allowed the More-Cawarden group to increase its hold on Parliamentary seats, while the Brownes' influence suffered a diminution. Sir Anthony Browne died in April 1548 and the shire returned Cawarden in his place. Thereupon Cawarden arranged the election of Henry Polsted, a More-Cawarden ally, for the seat which he had vacated at Blechingley. This left Sir Christopher More and Cawarden in possession of both seats as knights of the shire and in control of three borough seats until just before Somerset's fall -- More died in August 1549. Almost certainly he was replaced by a member whose identity is unknown, for the eventual heir to the seat, John Vaughan, did not take it until sometime after 1 February 1552, and it is inconceivable that the position should have remained vacant for so long.49


49Ibid., vol. I, 193-4; vol. III, 514-5; Appendix Two.
The membership of the Surrey bench appears to have remained pretty much the same during the remainder of Somerset's ascendancy. The death of Sir Anthony Browne in 1548 had no evident impact, and certainly his cousin, Sir Matthew, was powerful enough to stand on his own. In fact, his ally, John Scott II, became sheriff in December 1548. But in a by-election in Guildford in 1549, the Brownes lost control of the junior seat. Thomas Eliot was dead by the end of January 1549, and his place was taken by the earl of Arundel's servant, Thomas Stoughton. Arundel began to figure more prominently in Surrey affairs during Edward VI's reign, and he must have arranged Stoughton's election in 1549, perhaps while in the shire during the insurrection of that year, since by early 1550 he was in temporary disgrace. Stoughton's election may have been doubly a defeat for the Brownes if he already bore the animosity toward Sir Anthony III which he manifested in Elizabeth's reign. 50

It has been noted that Somerset eschewed a purge of the Surrey bench in an effort to co-opt the shire's traditional leaders, many of whom were religious conservatives, and avoid a breach with the county community's natural rulers, at the same time that he was introducing his own Protestant supporters into the commission of the peace. One very good reason that Somerset sought to obtain the loyalty of the widest possible range of local governors is that he needed broad support for his rather risky foreign policy. His principal aim was the subjection of Scotland and the personal union of the English and

50 Appendix One and Two; Bindoff, I, 195-6; III, 388-9; on Stoughton, see below, pp.
Scottish royal houses (provided for by treaty in 1543). This in turn exposed England to the hostility of France, Scotland's ally, and created a persistent fear of French invasion.  

This situation presented the JPs in Surrey with a twofold responsibility. On the one hand they were required as muster commissioners to levy men and requisition materielle for the war against Scotland, and concomitantly as subsidy commissioners to see to the efficient collection of revenue to help pay the staggering cost of that undertaking. On the other hand they had to make provision for the defense of the shire in case of invasion and to prevent any sort of disorder within the county community which might weaken either the central or local government and make them more vulnerable to attack. Throughout Somerset's ascendancy these duties dominated the activity of Surrey JPs. This does much to explain the Protector's willingness to retain on the commission of the peace men who had experience and were loyal to the Crown, regardless of their religious preference or their previous political affiliation. The amount of work to be done probably also helped to justify in the minds of veteran JPs the increase in the size of the commission of the peace which brought in more Protestants and Seymour followers. 

A very serious domestic matter confronted Surrey's JPs in the

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52 SP 10/1/19, 36, 2/1; SP 12/90/9, 93/18; F.S.L. Loseley MS. L.B. 482; Losely MS., vol. XII, nos. 1-4; vol. VI, no. 4; G.M.R. Loseley MSS. 1330/7-11, 2014/5; SP 12/93/18; SP 10/4/10, 12; A.P.C., vol. II, p. 119.
summer of 1549, when the unrest provoked by Somerset's unpopular policies gave rise to rebellions in eastern and southern England. Though the principal risings were in East Anglia and the Southwest, there was also trouble in Surrey. The causes of the revolts of 1549 are still being enthusiastically debated, but it now appears that they varied widely from place to place, as with most Tudor rebellions. Regrettably too little is known of the events in Surrey to add as much to the discussion as other have for other counties, but some clues do exist. Enclosure was part of the problem -- it was a sore point at this time between two local JPs, Sir Thomas Cawarden and William Sackville; an Elizabethan source says that rebels pulled down a fence around Witley Park, south of Godalming; and it engendered animosity toward the earl of Warwick. Religion very likely played some part also among the common people, who did not share their rulers' need to temper their religious opinions in accordance with changes in the political climate. The earl of Arundel reported that the people of Surrey disliked the sheriff, Sir William Goring, an ardent Protestant and dedicated adherent of the Seymours. Of course the reasons for this could be entirely personal, but it is worthwhile to consider that most of Surrey's citizens very likely remained conservative in religious

matters, given that many of the county community's magistrates and much of the clergy did so. The issuance of the Book of Common Prayer played a large part in the revolt in the Southwest, and along with the inventory now being taken of church goods in Surrey, it may have done likewise there. Opposition to the cataloging of church goods might explain why it took so long in some parts of the shire.  

Unrest had been rife in southern England since April, and the introduction of the new prayer book in Cornwall on 9 June provoked the first open revolt. Just how quickly rebellious activity spread eastward is unknown. The first indication of trouble in Surrey came on 28 June, when the earl of Warwick (later duke of Northumberland) wrote to William Cecil, sending him a bill which complained about Warwick's enclosing activities in the shire. Prominent residents of the shire were also involved in the opposition. Warwick complained that John Skinner III "and others of the stable that were of the late master of the horse's [Sir Anthony Browne] preferment doth not let to make their boast in every place that they will find the means to keep these parks from me and that I shall have other recompense." Skinner's animosity to Warwick may have owed something to religious differences also. Skinner was a conservative, while Warwick was a Protestant. Religion did not divide Surrey into factions during Edward VI's reign, but it could enhance divisions which existed for other reasons.

54STAC 3/3/49; Beer, Rebellion and Riot, p. 155; SP 10/7/35, 44; Elton, Reform and Reformation, pp. 347-8; on church goods see, for example, SP 10/6/3, 25; Loseley MS. 1085/18; A.P.C., vol. 4, p. 219.

55Elton, Reform and Reformation, pp. 347-8; SP 10/7/35.
On the day after Warwick made his complaint, 29 June, the earl of Arundel wrote to Sir William Petre, one of Edward VI's two principal secretaries, that Surrey remained "in a quavering quiet" and that "the honest promise faithfully to serve the king; the rest I trust will follow, if the devices shall soon [come] forth." Though Arundel did not say so specifically, there had apparently been trouble in the shire already. Certainly the government took no chances, and the "devices" to which Arundel referred probably were the hasty preparations undertaken by the Privy Council to deal with rebellion in Surrey and neighboring shires. On 30 June Somerset ordered Sir Christopher More to assemble and equip as many as possible of his friends, adherents, servants, tenants, and so on, both on horse and on foot, and have them ready to serve at a moment's notice. Other JPs received similar notices, and a circular letter was sent around the next day ordering magistrates in Surrey, Sussex, Kent, Essex, Hertfordshire, Middlesex, Berkshire, Buckinghamshire, and Oxfordshire to bring or send the men raised to attend upon the king at Windsor. Those so ordered in Surrey were Lord William Howard, Sir Thomas Cawarden, Sir Thomas Pope, Sir Matthew Browne, Sir Christopher More, Sir Robert Curson, John Caryll, Nicholas Legh, Henry Polsted, Thomas Saunders, William Sackville, Richard Taverner, John Eston, Lawrence Stoughton, John Tingilden, and James Skinner. If there were differences among these JPs over religion, politics, enclosure, or other matters, they were obviously unified in their loyalty to the king as far as Somerset was concerned.  

56 SP 10/7/44, 8/1; G.M.R. Loseley MS. 2014/6.

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There is no indication, however, that any of Surrey's magistrates was involved in fomenting rebellion in 1549, though some undoubtedly shared the grievances which helped to provoke it. (Though John Skinner's harassment of Warwick had rebellious overtones, Skinner was not yet a Surrey JP.) Just how extensive the troubles in Surrey were is uncertain beyond the "stirs" around Guildford which Henry Polsted spoke of and the riotous behavior at Witley. Perhaps that was the extent of it since there is no record of further disturbances, but it is at least worth bearing in mind that in another county, Suffolk, the appearance of amity and unity in the county community following the rebellion was contrived to obscure serious problems therein. Certainly the disturbances in Surrey left a legacy of uneasiness among the JPs. The death of Sir Christopher More in August worried Henry Polsted sufficiently for him to write to Cecil on the 29th that now "the parts of Guildford, Farnham, Godalming, Chertsey, and the other parishes thereabouts are very weak of men of worship." He also raised the perennial issue of money for a gaol in Surrey, without which "a great number of thieves and others do escape unpunished to the great encourage of malefactors."57

At the national level the revolts of the summer of 1549 hastened the downfall of Somerset, who was overthrown in the coup d'etat of October, which brought Warwick to the head of the government and inaugurated (somewhat unexpectedly for the conservative Privy Councilors) a more radical stage of the Protestant Reformation in England.

The victory of Warwick, who became duke of Northumberland in October 1551, was followed by a major purge of the Privy Council which removed a number of conservatives, but this was not paralleled on the Surrey commission of the peace. From all indications Warwick continued the policy of his predecessor, attempting to win the loyalty of veteran JPs while insuring himself a personal following by appointing new members upon whose loyalty he could depend. As past changes in government had shown, this was the best policy where the Surrey county community was concerned.58

At least six and probably nine JPs joined the Surrey bench under Northumberland. The death of Sir Christopher More in 1549 led Henry Polsted to write to Cecil on 29 August that he "thought good to pray you ... to move my Lords grace Somerset for the renewing of the commission for more justices of peace in these quarters of Surrey." Polsted recommended the appointment of Sir Christopher's son, William, John Birch, John Agmondesham, and John Vaughan. It is questionable, however, whether anything was done before Somerset's disgrace in October. More was almost certainly a JP under Northumberland, given his service on commissions for the subsidy and church goods, his role with Lawrence Stoughton and Richard Bedon as an arbitrator in a Star Chamber case in 1552, and his appointment as provost marshall. Birch may also have been a JP under Northumberland. He appeared on the first extant Marian commission of the peace, but his Protestantism makes it unlikely that the Catholic queen first appointed him. Vaughan may have

been an Edwardian JP for the same reasons, and his service as knight of the shire marks him as an important man in the shire. It is uncertain how Agmondesham's connections to the earl of Arundel affected him -- he ultimately showed up on the first Elizabethan commission.\footnote{Ibid.; Appendix One and Two; STAC 3/2/67.}

By sometime between April 1550 and January 1551 William Baseley of Southwark, John Tingilden of Reigate, and Richard Wheteley of Bermondsey had jointed the commission. Baseley was most likely a Wiltshire native and owed his standing in Southwark to Sir Richard Long, an earlier patron. He was a frequent subsidy commissioner in that borough, though why he became a Surrey JP is a mystery. Perhaps that honor was conferred upon him to enhance his authority as a subsidy commissioner, or it could be that he had some link with Northumberland. Tingilden's father, Henry, had been a Henrician JP in Surrey with at least tenuous connections to the old Howard-Legh faction. John Tingilden's links to the present Howard faction, along perhaps with his father's earlier career, explain his appointment. Two JPs to whom he was close enough to designate them as overseers of his will were Sir Thomas Saunders and James Skinner, who remained in favor or at least continued to be necessary to the central government during Edward VI's reign, along with their close associate, Lord William Howard. Wheteley was a local landowner, but there is nothing to distinguish him as a likely candidate for the county magistracy, unless it were his religion. His will contains a mixture of Protestant and more traditional formulae, which suggests that he had reformist tendencies. If so, this
would have allowed the government for once to appoint a Protestant who was not an outsider to the Surrey bench. On the other hand Wheteley remained on the commission of the peace under Mary until his death in 1558.60

One completely obscure individual, George Powle, served sometime between April 1552 and January 1553, attending quarter sessions only once. The remaining three JPs who won a place on the bench during the last two years of Edward VI's reign are fortunately well-known. John Skinner III of Reigate was the son of John II, the nephew of James, affiliated with both the Howards and the Brownes, and "indifferent" in religion. The only surprising thing about his career as a JP is that it began no sooner. His family name virtually guaranteed him a place on the bench, just as it had already gained him election as a burgess for Reigate in 1542. John Stidolph of Mickleham was the son of Cromwell's old adherent, Thomas Stidolph. Sir Edward Bray I was the brother of Lord Edmund Bray and another JP with connections to both the Howards and the Brownes. Unlike his brother and his disreputable son, Sir Edward II, he was a Protestant. Bray held lands in Sussex and had been a JP there from 1528 to 1540, but after holding the office of lieutenant of Calais from 1541 to 1552, he joined the Surrey bench in the last year of Edward VI's reign and thereafter held local office only in that county.61

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It can be seen, then, that respect for the county community required Northumberland to appoint JPs with a variety of religious backgrounds and factional links. It is also true that the county community retained a considerable amount of independence, as is shown by a by-election held sometime after February 1552 to fill the seat earlier held by Sir Christopher More. The knight of the shire chosen was John Vaughan. While Vaughan had connections with William Cecil, it is impossible that the central government had anything to do with his election. In fact early in 1552 the Privy Council ordered Sir Robert Oxenbridge, the sheriff, to "prefer" Sir Thomas Saunders in the election but the shire instead elected Vaughan, who was already a member for the borough of Horsham, Sussex. It could be that this outcome was influenced by Sir Anthony Browne III, but it is unlikely that he acted directly to thwart the conciliar will. The best explanation is that the county community simply refused to allow the Privy Council to interfere. This is supported by what happened in the following election of 1553, when the Council recommended Vaughan and the county instead returned Saunders. The people of Surrey valued their independence — certainly it was to be a long time before they elected a knight of the shire who could not claim to be a longstanding member of the county community. 62

Of course Vaughan's election held some compensation for the government. He was at least a Protestant, as was the new burgess for

62 Ibid., vol. I, pp. 193-4; vol. III, pp. 275, 514-5. My view of Surrey's independence is contrary to that in Bindoff, Hist. Parl. It is unlikely that Browne would have caused trouble for the Privy Council, having recently suffered a spell in prison for hearing mass, below, p. 272.
Southwark, where Sir John Gates vacated his seat in 1551, when he became knight of the shire for Essex. His place was taken by John Sayer of Southwark, a local merchant, clothier, and innkeeper, whose family appears to have been in Southwark for some time. He was most likely a Protestant, for he became governor of St. Thomas' Hospital in 1552, lost the post under Mary, and regained it under Elizabeth. It is a reflection of Southwark's continuing independence that Sayer sat in the first three of Mary's Parliaments.63

If there was no dramatic upheaval among officeholders in Surrey after the fall of Somerset, the Privy Council under Warwick certainly placed more emphasis on Protestant reform and tended to show more favor to those Surrey JPs who followed the reformed religion. It has already been shown that the commission of the peace and the shire's MPs became more Protestant overall and that power shifted toward the Protestant More-Cawarden interest. Though there was no concerted attack on Catholics, the Council was not prepared to tolerate open opposition from religious conservatives. In August 1550 the Council cracked down on the parson of Milton, long an absentee, ordering him to appear before them for expelling one Robert Gibson, appointed by the king and thus undoubtedly a Protestant. More importantly, on 22 March 1551 the Council committed Sir Anthony Browne III to the Fleet for hearing mass, and he remained there until 4 May. Though this was part of Northumberland's campaign against Mary Tudor, it was also a warning to religious conservatives to avoid too direct an affront to Northumberland's

Protestant sensibilities. Of course Northumberland encountered considerable opposition at the conciliar level, both from religious conservatives like Arundel and from Somerset. But the vagaries of conciliar politics had little apparent effect in Surrey, save that John Eston, one of Somerset's adherents, was for a time imprisoned in the Tower after his master's execution. This demonstrates yet again that political differences were as much or more important than religious ones in Edward VI's reign.

Under Northumberland the hitherto ad hoc office of Lord Lieutenant became a permanent one. More important than his military duties, however, was that this official became a conciliar political watchdog in the county, supervising the work of the local magistrates and acting as a link between the Privy Council and the commission of the peace. In Surrey this worked to the advantage of the Protestants and particularly of the More-Cawarden interest. Early in 1550 the earl of Arundel, the most recent holder of the lieutenancy in Surrey, was excluded from the Privy Council and his official activity decreased. For a time Surrey and Sussex ceased to share a common Lord Lieutenant, Arundel being confined to the latter shire and eventually replaced there by Lord Delaware. By 1551 Surrey had a new Lord Lieutenant (whom it shared with several counties), William Parr, marquis of Northampton, a Protestant ally of Northumberland. The appointment of Northampton


improved the position of the More-Cawarden interest in Surrey, where
the marquis soon became William More's patron and the friend of Sir
Thomas Cawarden. 66

Following the execution of Somerset in January 1552, Northumber­
land apparently felt secure enough to seek closer ties with Surrey's
conservatives. In November 1552 Sir Anthony Browne III, a notorious
Catholic, became sheriff of Surrey and Sussex. It has already been
noted that sometime between April and January 1553 Northumberland
allowed the appointment to the Surrey commission of the peace of John
Skinner III, his old adversary, and that the Council urged the elec­
tion as knight of the shire of the Catholic, Sir Thomas Saunders, for
the Parliament of March 1553. Later on 8 July, when Mary's flight to
Norfolk aroused Northumberland's fears that she might seek to over­
throw the changes made in the succession to the royal throne, he desig­
nated that Saunders and Cawarden should be the recipients of a letter
addressed to the deputy lieutenant, the sheriff, and the JPs regarding
precautions to be taken. Obviously Northumberland found Saunders
trustworthy. It is true that Saunders later went over to Mary quite
enthusiastically, but so did many Protestants, including most of North­
umberland's allies on the Privy Council. 67

In the election of 1553 Surrey returned Sir Thomas Cawarden and

66 Elton, Reform and Reformation, p. 355; Hoak, The King's Council in
the Reign of Edward VI, pp. 59, 202; A.P.C., vol. 3, pp. 258; vol. 4,
p. 49, 277; vol. 4, p. 146; G.M.R. Loseley MS. 991/2, a commission of
lieutenancy and of oyer and terminer issued to Northampton on 6 May
1553, which wound up in William More's papers; Loseley MS., vol. XII,
nos. 10, 12.

67 Appendix Two; G.M.R. Loseley MS. Correspondence 3/2.

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Sir Thomas Saunders as knights of the shire. The selection of Cawarden was in accordance with the Privy Council's wishes, for they had recommended him and he was certainly a faithful adherent to the duke of Northumberland. But he had earlier been acceptable to the shire anyway, and it is hard to imagine who could have rivalled him for the senior seat at this point. Saunders' election was clearly an expression of the county will, for the Privy Council had specifically requested the return of John Vaughan. Furthermore, Lord William Howard was away in Calais, performing his duties as deputy there and had no influence over the 1553 election, and Cawarden certainly would not have done anything to assist in the election of his enemy. Saunders was elected on his own merits and thanks to his family's long association with the Surrey county community.

The government headed by Northumberland had better luck in placing its nominees in seats for Surrey boroughs, though the More-Cawarden group — which was sympathetic anyway — presumably remained influential. Returns for Guildford do not survive, but one of the burgesses must have been William More, who is not known to have sat elsewhere and who was the member for that borough in the next Parliament and a number of times thereafter. Sir Anthony Browne III had moved on to a seat from Petersfield in Hampshire since he was currently sheriff of Surrey and Sussex, and Thomas Stoughton's patron, the earl of Arundel, arranged his return for Chichester, Sussex. A likely conjecture for the holder of the other seat at Guildford is

Henry Polsted, who, after sitting again for Blechingley in the first Marian Parliament and failing to be elected for the second, sat for Guildford in November 1554 and 1555, before dying in the latter year. It is difficult to see how the combined influence of Northumberland and Cawarden, plus More and Polsted's considerable local standing in Guildford, could have failed to produce a victory.\textsuperscript{69}

At Blechingley Northumberland cooperated with Sir Thomas Cawarden to return Protestants. At Reigate the Skinners continued their losing streak and Howard influence was in abeyance due to Lord William's absence in Calais. The Skinners' continued failure to be returned was either the cause of or occasioned by Northumberland's intrusion into their home borough of two more outsiders.\textsuperscript{70}

At least some vestige of Browne influence survived in Surrey at Gatton, where Lady Copley returned Richard Southwell alias Darcy, who was either married or betrothed to her daughter, Bridget, but was also the illegitimate son of the Brownes' ally, Sir Robert Southwell, and thus the kinsman of Sir Anthony Browne III, the sheriff who returned him. Richard Southwell was possibly a Protestant at this time, though in Elizabeth's reign he was suspected of sharing his son's notorious recusancy and allegedly died a Catholic. Southwark continued to show independence in the election of its burgesses, returning John Sayer again, along with John Eston of Southwark, already a Surrey JP. A Protestant first elevated to the county bench by Seymour influence,


Eston suffered a lengthy imprisonment in the Tower in 1552 because of his association with Somerset. Unless he later made amends with Northumberland, his election in March 1553 is further proof of Southwark's determination to go its own way. Certainly the persistent return from Southwark of this Protestant for all but the first of Mary's Parliaments suggests the same thing. 71

There is little to indicate how magistrates in Surrey regarded Northumberland's attempt to place Lady Jane Grey on the throne. Given the loyalty usually shown to the Tudors by that shire, many must have viewed it with grave misgivings, but most probably chose to sit back and see what happened before committing themselves one way or the other. Jane did have at least one dedicated adherent in Sir Thomas Cawarden, who was later to be a thorn in the side of Mary. Beginning on 9 July, he received orders from the Privy Council, the duke of Suffolk, and from Jane herself regarding the delivery of tents for the use of Jane's defenders, the final warrant being sent as late as 19 July, when all was clearly lost. On 16 July both the Privy Council and Lady Jane had written to the sheriff and JPs in Surrey, urging them to put down pro-Marian "sedition" and to remain loyal. But on the 19th a number of Kentish gentlemen, including -- very significantly -- the future rebel, Sir Thomas Wyatt, wrote to Cawarden declaring that they had proclaimed Mary to be queen and denounced Lady Jane as a traitor and urging him to do likewise. By the 20th Northumberland himself had given up, and on 3 August Mary entered the city of London.

III

With the accession of Mary the fortunes of Catholics in Surrey quite naturally rose, while those of Protestants often declined, though to a lesser extent than might be expected. There was some indication of a conservative resurgence almost immediately. For example, Mary quickly appointed Sir John Gage and Sir Thomas Pope, both Surrey JPs and conservatives, to her Privy Council. In Surrey the stock of the Howards and the Brownes soared, and along with it that of their respective adherents. Mary released the ancient third duke of Norfolk from the Tower, and recalled Lord William Howard from Calais, appointed him Lord Admiral on 26 October, and on 3 January 1554 named him of the Privy Council. As for the Brownes, Sir Matthew rose to new heights on the commission of the peace, and on 2 September 1554 Mary created Sir Anthony Browne III as Viscount Montague. The Howards and the Brownes were to play a very prominent role in Surrey politics under Mary. And while Lord William Howard did have reformist leanings and was in trouble later in the reign because of his fondness for the queen's sister, Elizabeth, the revival of Howard power and the further exaltation of the Brownes were clearly victories for Marian conservatism.73

Yet the victory of reaction was far from complete. Though Mary

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73Appendix One and Two; D.N.B., "Howard, William."
carried out a major purge of the Surrey commission of the peace to remove Protestants and supporters of Lady Jane Grey from office, the needs of local rule and the demand of the county community to be governed by its natural rulers compelled Mary to retain some Protestants on the bench and even to appoint new JPs who were of the reformed faith. What is truly astonishing is the way in which the shire's leading Protestant interest, the More-Cawarden faction, continued to play a vital role in county politics, in spite of frequent fluctuations in its influence resulting from Sir Thomas Cawarden's flirtation with treason and William More's ill-concealed detestation of Queen Mary. The monarch apparently could not do without such capable and influential men.

Very quickly, on 11 August 1553, Mary had new commissions of the peace (which do not survive) sent out, along with instructions to the JPs for "order and direction of the shire." Presumably at this stage Mary made many of the changes in the membership of the Surrey bench evident in the first extant list of JPs for the shire in her reign, the commission of the peace of 18 February 1554. Among the JPs almost assuredly removed at her accession was Sir Roger Cholmley, who was numbered among the judges who signed the letters patent for Lady Jane Grey's succession to the throne and who suffered imprisonment in the Tower from 26 July to 6 September 1553, was heavily fined, and lost his position as chief justice of King's Bench. Though rehabilitated somewhat thereafter, he did not return to the Surrey bench until Elizabeth's reign. Richard Taverner's notorious Protestantism undoubtedly caused him to be deprived immediately. The enmity of

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William Saunders, highly favored by the new regime, contributed to the disappearance of Henry Mannoke. Most likely departing with these three men were William Baseley, Richard Goodrich, Griffin Leyson, and George Powle. It is very important to note that none of these seven men had any real claim to be among the natural rulers of Surrey, so their removal was a limited risk for Mary.  

Two JPs who were gone from the bench at least by February 1554 and who did have traditional family claims to magistracy were Lawrence Stoughton, a Protestant, and John Stidolph, whose father had been close to Mary's old nemesis, Cromwell. In a similar position vis-a-vis the county community were William More and John Vaughan, who, if they had indeed obtained places on the bench under Edward VI, lost them between August and February. Though Sir Thomas Cawarden lacked a Surrey background, he had certainly established himself as a firm fixture in county government in the previous reign. It is truly compelling evidence of Mary's need to respect the Surrey county community that she reappointed all of these five JPs except perhaps for Stidolph before the end of her reign.  

Whether or not Cawarden and More remained on the commission of the peace in the months before Cawarden became involved in Wyatt's Rebellion, the More-Cawarden interest remained powerful enough in the shire to compete for influence with the more favored Howard and Browne

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74 Appendix One and Two; A.P.C., vol. 4, p. 316; Bindoff, vol. I, p. 645; Mannoke and Saunders were at odds in a Chancery suit, C 78/9/95.

75 Appendix One.
factions. An indication of how things stood politically just after Mary took the throne comes from the elections for her first Parliament. The writs went out on 14 August, and with the exception of Southwark, the return of members in Surrey was dominated entirely by the Howard, Browne, and More-Cawarden factions.

The conservatives were suitably fixed to do well in this election, since the sheriff in charge of the proceedings was the arch-Catholic, Sir Anthony Browne III. Also the Brownes and Howards apparently cooperated on this occasion, yet the election took an ironic twist. The senior knight of the shire for the Parliament of October 1553 was Sir Edward Bray I, long the servant of the duke of Norfolk and the kinsman of the Brownes, but also a Protestant. Here factional alliance and, very importantly, loyalty to the Crown played a larger role than religious preference. The other choice as knight of the shire was, however, a clear victory for the Howards and for reaction, for the junior seat went to William Saunders. Sir Thomas Cawarden, knight of the shire for Surrey since the death of Sir Anthony Browne II in 1548, did not obtain a seat anywhere for this Parliament. This suggests that he stood for the county against Saunders (surely even he did not have the temerity to oppose the doubly well-backed Bray), lost to his bitter rival, and decided to stay out of the Parliament altogether. He was still active as an official in Surrey and was not yet in the trouble which kept him out of the Parliament of April 1554. Nor is there any apparent reason why he could not have had one of the seats

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76 Elton, Reform and Reformation, p. 376.
at Blechingley, where he arranged the return of two of his adherents.  

Elsewhere in the shire the More-Cawarden faction did almost as well as the Howards, while the Brownes made a surprisingly weak showing. With Norfolk out of prison and Lord William Howard in high favor, it was easy for the Howards to control the election at Reigate. There the senior seat went to Sir Thomas Saunders, Cawarden's rival. But Cawarden and More probably had no objection to the return for the other seat of Thomas Ingler, a local man connected both to the More-Cawarden faction and, through the Skinners, to the Howards. It was, however, the Howard connection which won the seat for Ingler, who also was apparently a religious conservative. At Gatton the Howards enjoyed one last burst of influence before young Thomas Copley began to make his presence felt in his family's private borough. In the fall of 1553 Lady Copley even acquiesced in the return of two Howard nominees, Sir Thomas Cornwallis and Chidiock Paulet. Though Cawarden did not sit in this Parliament, he made his influence felt at Blechingley, where he helped to return his friend, Henry Polsted, and the Protestant Matthew Colthurst. William More took the senior seat at Guildford, but the other position returned to the Brownes. Sir Anthony III, who earlier sat for the borough and was now keeper of Guildford Park, was responsible for the election of William Hammond, a conservative and a local man. As it was to do throughout Mary's reign, Southwark elected local citizens.  

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It can be seen, then, that Sir Thomas Cawarden's influence in Surrey was by no means inconsequential in the latter half of 1553. Still he had suffered a personal setback by his failure to regain his by now accustomed seat as knight of the shire and he may have lost his place on the bench. This owed something perhaps to his ardent commitment to Protestantism but more to his recent complicity in the attempt to place Lady Jane Grey on the throne and to the enmity of the Howards and their allies, the Saunders and the Skinners. At any rate he had ample cause to be dissatisfied with the new regime, which in turn could only regard him with suspicion. Cawarden's resentment combined with his connection to Sir Thomas Wyatt and Henry Grey, duke of Suffolk (father of Lady Jane), plus his friendship for Elizabeth Tudor, to bring him into the conspiracy to thwart the queen's proposed marriage to Philip II of Spain, which began in November 1553 and eventually resulted in Wyatt's Rebellion.

The extent of Cawarden's involvement in the first of Professor Loades' "two Tudor conspiracies" has not been fully appreciated previously, nor has its importance in the factional politics in Surrey been completely realized. It is now possible, however, to piece together, with some rather surprising results, a better picture of Cawarden's role in the plot to oppose the Spanish match. It will also be shown that the action which Lord William Howard, the Saunders, and the Skinners took against Cawarden in late January 1554 went beyond the call of duty and owed a good deal to pure and simple animosity. Because of the importance of this episode in both national and local politics, it will be discussed at length here. The effect of the
interpretation offered here will be to support Loades' argument that religion was not the main issue in the conspiracy which produced Wyatt's Rebellion, a contention recently challenged by Dr. Peter Clark. Loades' view remains by far the most compelling in any case, but it now can be seen that it was not merely Cawarden's antipathy to Catholicism which brought him into the circle of conspirators, nor was it only dedication to the old religion which motivated his adversaries.

When Mary's intention to marry Philip II became unavoidably clear in November 1553, it provoked widespread dismay among a broad array of both Catholics and Protestants at Court and in the country at large. The most determined conciliar opponent of the match was no less than the reactionary Catholic, Bishop Stephen Gardiner, who favored the candidacy for royal husband of an Englishman, Edward Courtenay, the earl of Devon. But Courtenay had at least tenuous links with the conspirators who opposed the marriage, which placed Gardiner in an increasingly compromising position and forced him to take secretive steps to avoid any hazard to himself. Meanwhile the duke of Suffolk, who was willing if necessary to overthrow Mary and replace her on the throne with Courtenay and/or Elizabeth, provided the link between the rebels and Cawarden, who had cooperated with him in the earlier attempt to place Lady Jane on the throne and whose dislike for Mary and fondness for Elizabeth made the latter's candidacy for the Crown extremely attractive. A new look at the events of late January and early February 1554, when the plot reached its climax, strongly suggests that it was this devotion to Elizabeth and not religion which led to
Cawarden's involvement with the rebels.  

The crisis broke in mid-January, and Gardiner, who had already lost much of his influence on the Council because of his opposition to the marriage, sent for Courtenay on the 21st and forced him to confess all that he knew. Gardiner feared that if what he learned thereby became public, he might lose more than influence, so he suppressed the information and urged negotiations with the rebels. It appears that he shortly did the same thing with what he learned from Cawarden. On 22 January Mary sent letters to the JPs of the various counties ordering them to declare the terms of the proposed marriage and to suppress sedition and hindrance of the restoration of the Catholic religion. Meanwhile Suffolk was staying at Sheen, which undoubtedly gave him the opportunity to communicate the plans for a rising to Cawarden. The Privy Council determined to test Suffolk's dubious loyalty to the regime by offering him a command against his fellow rebels on 25 January, but the duke misinterpreted the call as a summons to the block and fled to Leicestershire, where he was to lead a pathetically abortive rising.  

On the same morning, sometime between eight and ten o'clock, Lord William Howard, James Skinner, and John Skinner III appeared at Cawarden's house at Blechingley, arrested him, and brought him before the Privy Council in Star Chamber. Gardiner questioned Cawarden on the 26th, then let him go, with letters from the Council ordering him to prepare his men to fight against the rebels and to discharge the

79 D. M. Loades, Two Tudor Conspiracies (Cambridge University Press, 1962), Ch. 1.

80 Ibid., pp. 23-4; SP 11/2/7-8.
The release of Cawarden on the same day that Mary ordered the Lords Lieutenant to proclaim Suffolk, Wyatt, and other to be traitors is most curious. His arrest on the same day that the Council tested Suffolk's loyalty by offering him a command makes it clear that he was under strong suspicion of involvement with the conspiracy through his link with the duke. Cawarden's past activity with Suffolk and Lady Jane, his earlier relationship with Wyatt, the further actions taken against him by the Council in the next few days, and his later complicity in the Dudley conspiracy of 1556 (which involved some of the surviving rebels of 1554) makes it highly unlikely that he was innocent. Yet something -- apparently Gardiner -- persuaded the Privy Council not only to turn him loose, but to entrust him with raising a large and potentially very dangerous body of armed men at Blechingley where he had a formidable arsenal, including several pieces of ordnance.  

The Lord Chancellor still clung to his fruitless hope for a negotiated settlement with the rebels, by which he hoped to avoid embarrassment to himself. He probably also feared that if Cawarden were pressed too hard, he might reveal information which Gardiner preferred

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82 SP 11/2/19. There are numerous inventories of Cawarden's arsenal in the F.S.L. Loseley MS. On Cawarden's relationship with Lady Jane and Wyatt, above, p. 277.
kept secret. Certainly no one else in the Council had any reason to 
send the highly suspect Cawarden back to a house bristling with arms, 
and other councillors than Gardiner were to reveal their distrust of 
Sir Thomas within a day or two. Thus it would appear, in a fine bit 
of irony, that the reactionary Gardiner was attempting to protect the 
Protestant Cawarden. 83

One Privy Councillor, Lord William Howard, the Lord Lieutenant for 
Surrey, certainly continued to harbor grave doubts about Cawarden's 
loyalty to Mary. He sent word to Cawarden on 27 January "to meet him 
a mile distance from his house," obviously unwilling to encounter Sir 
Thomas in the presence of his well-equipped retinue. Howard, who was 
accompanied by Sir Thomas Saunders and James and John Skinner, arrested 
Cawarden, and the Lord Lieutenant declared his authority to seize the 
arsenal at Blechingley for the queen's use. Howard at first placed 
Cawarden in the custody of the two Skinners at Reigate, but then "upon 
better advice, for the better quiet and discharge" of Sir Thomas' 
retinue at Blechingley, decided it would be wise to take Cawarden there 
with him when turning the house over to Sir Thomas Saunders. Clearly 
Howard regarded Cawarden's following as too dangerous to deal with 
without the presence of their master and was none too anxious to ride 
into a hostile situation at Blechingley. Only after placing Cawarden's 
house and armaments in Sir Thomas Saunders' custody did Howard take his 
prisoner back to Reigate, where he was held at James Skinner's house 
until the 30th. In the meantime Sir Thomas Saunders occupied Cawarden's

83 Loades, Two Tudor Conspiracies, pp. 52-4.
house, calling his cousin, William Saunders, there to help him in confiscating the large store of equipment. Howard was taking no chances on dangerous weapons falling into rebel hands. On the 29th the Saunders and their men carried away eighteen wagonloads of stuff (small wonder that there was concern about Cawarden's arsenal!) and, so Cawarden complained, "spoiled much of his hay, corn, and straw" during their stay. Cawarden also asserted that the Saunders failed to give his wife, Lady Elizabeth, indentures for all they had taken, and in any case Cawarden was to have a hard time getting a substantial portion of his goods back later.

By this time some members of the Privy Council other than Howard definitely knew what was going on. Howard told the Saunders on the 28th that he had "writ to my lords of the council of all our doings" and that they should expect instructions from the Council that evening about where to take the confiscated armaments. But Gardiner, not in very high favor with his fellow councillors, apparently was not told. On the 30th Howard and a guard of men furnished with Cawarden's own equipment escorted him to Lambeth and from there to Gardiner's house at the Clink. According to Cawarden, the Lord Chancellor admiring to see him there, demanded what was the matter, saying he knew nothing thereof, and from thence brought him before certain of the council, sitting at St. James, who did not there charge him with any matter special or general, but with gentle words willed him to repair to his own house at the late Black friars without bond, with liberty for all his friends to have access to him, and there to remain until he heard further from the said Lords.

84 F.S.L. Loseley MS. L.B. 32, 70. Loades, Two Tudor Conspiracies, p. 57, erroneously places Cawarden in the Tower on the 27th.
There Cawarden remained under house arrest throughout the remainder of the insurrection, as Wyatt marched through Surrey to London and eventual defeat. About a month after his "imprisonment" Gardiner summoned him, and "he, Mr. Rochester, Mr. Inglefield, Mr. Wales, and others did discharge and set him at liberty." (Gardiner's three companions were all members of his faction at Court.)

Gardiner thus appears to have shepherded the presumably unsavory Protestant, Cawarden, through the whole crisis, a very peculiar thing to do if religion was at the root of it. Indeed Cawarden got off very lightly. On 24 February, with the dust of the insurrection scarcely settled, the Privy Council even ordered Sir Thomas Saunders to return his goods, presumably at Gardiner's instigation. Saunders was apparently a little embarrassed about the whole affair, for he had apologized to Elizabeth Cawarden on 11 February for "the rudeness of me and my fellows." But he was not sorry enough to return the majority of Cawarden's stuff, and he and the other members of the Howard faction must have been glad of the opportunity to weaken their rival's powerful military presence in Surrey. Cawarden and later his executors were still trying to get the rest early in Elizabeth's reign. Certainly this did nothing to bring amity to the relationship between Cawarden and the Howard faction in Surrey.

The Cawarden incident aside, the reaction to Wyatt's Rebellion in Surrey was restrained. Presumably most of the denizens of the shire

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85 F.S.L. Loseley MS. L.b. 32, 44, 70.

responded in the same way as their brethren in Wyatt's home county of Kent, lying low until they saw who was going to come out ahead. The example made of Cawarden probably deterred likeminded individuals from action in most of the shire. The rebels met little enough resistance in their march into the shire, but they received active assistance only in areas close to London, where there was a great deal of sympathy for Wyatt's cause. Reaching the south bank of the Thames on 3 February, the rebels found London Bridge blocked against them, but "they were suffered peaceably to enter into Southwark without repulse or any stroke stricken either by the inhabitors or by any other." In fact a number of Surrey men brought there by Lord William Howard defected to Wyatt and the "inhabitants most willingly with their best entertained them," though Loades argues that "this reception was probably caused by fear of plunder and lack of resolute leadership rather than by active disloyalty."

The rebels behaved themselves admirably in Southwark, except for plundering Gardiner's palace and destroying his library there. Lord William Howard, who was just across the barrier in London, attempted to treat with Wyatt but got nowhere, and on the 4th the Tower garrison began periodically to fire their ordnance into Southwark. On the 6th Wyatt gave up on crossing the bridge, fired some parting shots, and marched to Kingston. He may have received a favorable reception there, since the townsmen had recently been at odds with the Privy Council.

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87 Loades, Two Tudor Conspiracies, pp. 66-9; John Gough Nicholas, The Chronicle of Queen Jane and of Two Years of Queen Mary and Especially of the Rebellion of Sir Thomas Wyatt Written by a Resident in the Tower (Camden Society, old series, no. 48, 1850), p. 43.

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over the possession of a quantity of church plate. The vicar, William Allbright, "preached a last-minute sermon to the rebels at Charing Cross." At any rate Wyatt met no resistance and was able to repair the broken down bridge there and to cross over the Thames on the 7th. At Ludgate the rebels were repulsed by Lord William Howard, and, heartened by the rebels' retreat, the royal troops soon routed the fleeing force. On the 13th a commission of oyer and terminer began sitting at Southwark, which convicted, among others, thirty-seven men from Southwark, of whom a few were hanged. Thus the rebellion ended. 88

The next move in Surrey was to restore local government to order. On 17 February Mary wrote to Lord William Howard, Lord Clinton, and Sir Edward Bray -- all loyalist Protestants! -- ordering them to make a "full certificate" of the number of men mustered in Surrey, the names of their captains, and the quantity of weapons in their hands. On the following day the government issued a new commission of the peace for the shire. Since this is the first extant Marian list of JPs, its composition in part reflects changes made by Mary at her accession; however, it is clear that some of the alterations were the result of the recent insurrection which occasioned its issue. It is impossible to say exactly when various JPs were added or removed, but it is certain that the membership of the commission of the peace of 18 February 1554 was substantially different from that which had been in effect just before Edward VI's death. Yet it is clear that Mary's government

did its best to avoid any unnecessary affront to the county community by continuing to rely as much as possible on the shire's own natural rulers.89

The commission was unusual in that part of the usual contingent of ex officio JPs was missing. The absence of the Protestant Archbishop Cranmer requires no explanation, but that of the Lord Chancellor, normally an obligatory member, must have been owing to the disfavor which Gardiner's failed policy for dealing with the insurrection had brought upon him. Two of the nominally ex officio justices were actually local men, Lord William Howard, the Lord Admiral who was created Baron Howard of Effingham on 11 March, and Sir John Gage, the Lord Chamberlain. Aside from the judicial representatives on the commission, Sir David and Robert Broke, the only other ex officio JP was Edward, Lord Clinton, who had played a prominent part in putting down the rebellion. Thus the commission was headed by Howard, followed by Clinton, Gage, and the Brokes. It is barely necessary to point out what this did for the Howard faction's prestige in Surrey, which was already burgeoning thanks to its role in quelling the insurrection.90

The Brownes and their friends did not do badly either. Gage of course was third on the list, while the Brownes' kinsman and ally, Sir Robert Southwell sat at the head of the "active" members. Southwell had been one of the few truly stalwart opponents of Wyatt's Rebellion in Kent. He was followed by Sir Anthony Browne III and then by Sir

89 G.M.R. Loseley MS., 1330/13; C 66/864/6d.
90 Appendix One; Loades, Two Tudor Conspiracies, pp. 65-6.
Thomas Pope, who had helped to defend London. Next on the list was old Sir Matthew Browne, who benefitted from Cawarden's disappearance but also surpassed Sir John Cresham. In the tenth position was Sir Matthew's son-in-law, Sir Edward Bray I, who was also the duke of Norfolk's servant. Clearly the upper echelons of the Surrey bench were dominated by the Howard and Browne factions, both of which were loyal to Mary. 91

This commission of the peace was quite a bit smaller than its Edwardian counterpart. Mary added only four new JPs between her accession and 18 February, while removing eleven or twelve. A thirteenth JP was also off the bench as Sir Thomas Saunders was currently serving as sheriff. The highest ranking new member was Sir John Fogge of Kent, who had been Sir Robert Southwell's fellow in resolute opposition to Wyatt and whose appointment is explained thereby. Mary wanted JPs in Surrey upon whose loyalty she could count in the tense days following the insurrection. Another new JP was Henry Vine of Ash, son of Ralph Vine, an earlier JP, who thus had a claim to being one of the shire's natural rulers. He most likely benefitted also from the Howard connection, for he was married to Jane, daughter of Richard Covert of Slougham, Sussex, whose family had links with Norfolk in that shire. (John Covert became sheriff of Surrey and Sussex in November.) Vine was probably a Catholic. Another addition to the Howard faction on the Surrey commission was Richard Morgan of Chelworth, whose widowed mother had married the Howards' ally, Sir Edmund Walsingham, and who

91 Appendix One.
himself married Joan, the daughter of Robert Wintershull, a probable Howard adherent. The final addition to the Surrey bench was Ralph Cholmley of London, who was unaffected by the temporary disgrace of his half-brother, Sir Roger, and who was in fact Mary's personal choice for the recordership of London. John Birch, whose name first appears on this commission, was most likely a JP under Northumberland.92

Gone were Sir Roger Cholmley, Richard Taverner, Henry Mannox, William Baseley, Griffin Leyson, George Powle, Lawrence Stoughton, John Stidolph, William More, John Vaughan, and Sir Thomas Cawarden. There is a chance that More lost his place at the time of Wyatt's Rebellion because of his relationship with Cawarden, though the presence in his papers of Mary's letter of 17 February concerning musters suggests that he was active in the shire in that regard. It is conceivable that Vaughan also had some connection with Cawarden which cost him his office, for he was later interrogated about involvement in the Dudley conspiracy. Cawarden himself was under house arrest at the time the new commission of the peace was issued. Of those twelve JPs definitely first appointed to the Surrey bench by Edward VI, Mary initially retained only four, at least three of whom also had strong ties to the county community. One was Henry Polsted, a man of uncertain religious views, who provided some residual influence for the More-Cawarden faction on the commission in early 1554. The other two were the "indifferent" John Skinner III (Howard faction) and the

Protestant Sir Edward Bray I (Howard and Browne). The fourth Edwardian JP whom Mary kept on was Richard Wheteley. 93

The dominance of the Howard and Browne factions in the upper levels of the commission of the peace has been noted. This was also reflected lower down the list of JPs among the esquires and gentlemen. Norfolk's servant, John Caryll, remained at the head of the esquires. The Brownes' ally, John Scott II, rose from the thirtieth position to fourteenth. William Saunders and William Sackville (and perhaps John Skinner III) received somewhat less spectacular promotions, while the new additions to the Howard faction, Henry Vine and Richard Morgan, were placed above several already sitting JPs. If Mary had to avoid removing too many of the shire's natural rulers, there were still subtle ways of making it known who was boss. 94

The power of the Howard and Browne factions and the temporary impotence of the More-Cawarden interest were strongly reflected in the elections held for the Parliament which met on 2 April 1554. The knights of the shire were Sir Anthony Browne and Sir Edward Bray. At Reigate the burgesses were Howard nominees. The Howard faction also moved in on Cawarden's territory at Blechingley, where they were most likely responsible for the return of John Harman. Though Sir Thomas Saunders, who was sheriff, and his cousin, William, did not sit in this Parliament, William's arch-Catholic son, Nicholas, took the second seat at Blechingley. The Brownes again arranged the return of William

93 Appendix One and Two; SP 11/8/56.

94 Appendix One.
Hammond at Guildford, while the earl of Arundel was probably responsible for the election there of George Tadlow, which the Brownes probably approved. Only at Gatton did the Howards suffer an unaccustomed setback. There one seat went to Thomas Copley, later a famous Elizabethan recusant but now an ardent Protestant and the close friend of Cawarden. Copley's mother, Lady Elizabeth, also returned another Protestant, Thomas Gatacre. This was perhaps easier because the duke of Norfolk, who would die in August, was worn out from his soldiering against Wyatt's rebels and unable to exercise his usual influence in that borough. Unable to find a seat were Cawarden, Polsted, and More, the last of whom had made a nuisance of himself in the last Parliament by standing against Mary for the "true religion."

Southwark, even more part of London and less of Surrey, returned John Eston and John Sayer, as they were to do again in November.95

Down on their luck in the spring of 1554, the More-Cawarden interest effected a stunning turnaround by the end of the year, assisted no doubt by Norfolk's demise. Perhaps Lord William Howard's influence also slipped because of his emerging opposition to mistreatment of Princess Elizabeth. Sir Anthony Browne became Viscount Montague on 2 September, but it availed him no influence whatsoever in the election for the Parliament of November 1554, only removing him from the possible list of candidates for knight of the shire. Further aided by Sir Thomas Saunders' continued ineligibility as sheriff, Cawarden took the senior seat for Surrey, the other going to William Saunders.

At Guildford the first place went to Polsted, while the junior seat was claimed by More. The burgesses at Blechingley were relative non-entities, but surely they were returned with Cawarden's approval, given the revival of his fortunes. Aside from William Saunders, the Howard faction had success only at Reigate. James Skinner was of course a Howard adherent, but this was partly because of revival of local borough influence occasioned by Mary's call for the return of residents from the boroughs. Cawarden's friend, Thomas Copley and William Wotton, a Copley candidate, took the seats for Gatton.96

The Protestants earlier purged from the commission of the peace also began to return to office. John Vaughan was on the bench by the end of the year. Early in 1555 Cawarden returned, though he was ranked several places lower than previously. He was followed later in the year by William More and Lawrence Stoughton. Given the frequency with which the government employed More and Stoughton on business in the shire, they were obviously indispensable. A new JP who joined the commission at this time was John Bowyer of Camberwell, also a Protestant. His appointment may have been another blow to the Howard faction if he was related to the Bowyers who were the bitter enemies of William Saunders. Dropped from the bench was Richard Morgan, a recent addition to the Howard contingent there.97


97 E 372/400-1/Surr-Suss; SP 11/5, no. 6; Appendix One; on William Saunders' problems with the Bowyer family, STAC 2/24/236, from Edward VI's reign, misdated to Henry VIII's.
The pendulum swung back toward the middle as the year wore on, partly because Cawarden continued to have his troubles with the government. In Easter term he was informed against in King's Bench for leaving the recent Parliament early without permission. He failed to show up and was distrained in Michaelmas term, but turned up this time and apparently talked his way out of trouble. He had already in July been forced to pay an enormous fine which was apparently unrelated to the prosecution in King's Bench and may have been related to the earlier rebellion. Still he continued to perform his office as master of the tents and revels, as indeed he was to do even when he got into further trouble. His ability to survive was quite remarkable.\(^\text{98}\)

In the elections for the Parliament which met in October 1555, the Howard faction reasserted itself somewhat at the county level, where William Saunders and John Skinner III were returned as knights of the shire. Saunders also became sheriff in November. The Howards were also behind the election of Thomas Windsor and Walter Haddon at Reigate. Though Cawarden did not sit in this Parliament, presumably because of the trouble he had gotten into over the previous one, he was behind the return for Blechingley of John Vaughan and William Smethwick, the latter a Protestant who had been imprisoned for involvement in Wyatt's Rebellion and who had links with Princess Elizabeth. Polsted and More again sat for Guildford, with More once more joining the opposition to Marian policy. Though Copley did not sit at Gatton,\(^\text{98}\).unbindoff, vol. I, pp. 599-602; Loseley MS. vol. 3, no. 6.
the burgesses were men with family connections.  

Cawarden was in serious trouble again in March 1556, when he was imprisoned for his part in the Dudley conspiracy. His servant, John Dethicke, who was more deeply implicated, was eventually executed on 9 June. The evidence against Cawarden himself was clear, yet he escaped indictment. Most likely because of his connection to Cawarden, John Vaughan was examined as to his own possible involvement in the affair, but denied any connection with the conspirators and was troubled no further. The Privy Council allowed Cawarden to return home on 7 July, but ordered him to appear before them in ten days, obviously intent upon watching him closely. The leniency with which Cawarden was treated must have encouraged William More in his own opposition to the Marian regime, for he was hauled before the Council at Croydon at the end of August for speaking "lewd words." Yet there is no indication that he suffered for his indiscretion, and he was soon busy with local business in the shire.

Perhaps More was already in 1556 developing a friendship with the Viscount Montague. That would certainly have afforded him some protection and might help to account for his continuance on the Surrey commission of the peace and in other local offices, despite his continued opposition to Mary. Certainly by May 1557 More and Montague

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100 Loades, Two Tudor Conspiracies, pp. 190, 210, 227-8, 231; SP 11/7/48, 60; 8/13, 56; SP 15/7/45; A.P.C., vol. 4, p. 346; vol. 5, p. 372; Appendix Two; Loseley MS., vol. X, nos. 1-2; vol. XII, no. 15; F.S.L. Loseley MS. L.b. 47.
began that long period of cooperation and correspondence which was to carry on into Elizabeth's reign, despite their religious differences. In any case More remained active in Surrey. He and several other Protestant JPs served along with their Catholic brethren on a commission to inquire into unlawful conventicles in Surrey in March 1557, though it is worth noting that the shire's JPs were reprimanded by the Council on 4 March for their "remissness" in carrying out their duties with respect to this commission and other matters.\textsuperscript{101}

Whatever it was that protected William More did not do the same for his friend, Sir Thomas Cawarden. The latter was still again in trouble in 1557. On 15 May the Council committed him to the Fleet, and because he "made no manner of submission nor knowledged his offence, which sort of obstinacy is not to be passed over without reformation," they further confined him to the close prison with only a single servant. That must have done the trick, for on the 16th Cawarden was given liberty of the Fleet. Incredibly he was soon out of prison and back at work in Surrey, serving in September as a commissioner for the loan along with Lord William Howard, the Saunders, and the Skinners. This must have occasioned some tense moments, for it was about this time that William Saunders helped the earl of Arundel to evict Cawarden from his post at Nonsuch Palace.\textsuperscript{102}

There had been some important changes in Surrey by the end of 1557, when elections again give some indication of the balance of power

\textsuperscript{101} Loseley MS., vol. X, nos. 1-2; vol. XII, no. 17; C.M.R. Loseley MS. 1074.

\textsuperscript{102} A.P.C., vol. 6, nos. 86, 103, 123; SP 11/11/51; Bindoff, vol. I, p. 601.
in the shire. Though Montague was now a Privy Councillor, the Browne faction in Surrey had suffered twin blows by the deaths of Sir Matthew Browne and Sir John Gage. Sir Matthew's grandson and heir, Thomas, was a Protestant of all things and did not succeed his grandfather on the bench until Elizabeth's reign. The Howard and More-Cawarden factions each suffered a diminution in their ranks through the deaths, respectively, of William Sackville and Henry Polsted. Sir John Gresham, the eminent Londoner who had often played a part in local administration, was also gone to his maker. 103

Mary's request for the return of good Catholics as members of Parliament for 1558 received a mixed reception in Surrey. The two knights of the shire, Sir Thomas Saunders and John Skinner III, certainly filled the bill, besides making manifest the influence of the Howard faction in Mary's final year. The Howards also returned the two burgesses at Reigate, George Elsden and Thomas Banester, but the latter was a Protestant. Lord William Howard was not, however, fanatically devoted to Mary's religious program, was currently regarded with suspicion because of his fondness for Elizabeth, and may well have been unhappy with the queen for depriving him of his post as Lord Admiral. Nor was he chosen as Lord Lieutenant for Surrey, that honor going to the earl of Arundel. Cawarden and More went without seats for this Parliament, though Cawarden did apparently arrange the election of Protestants, Bertram Calthorpe and Roger Alford, for Blechingley. At Guildford, however, it was Montague and Arundel who

103 Appendix One and Two.
were responsible for the election of William Hammond and Edward Pop-
ham. There was one other hopeful sign for Cawarden and the Protes-
tants, though, for Thomas Copley returned to his seat for Gatton,
accompanied by another Protestant, Thomas Norton. On 16 January Cop-
ley was further entrusted with the command of troops for his "end" of
the shire. 104

Still in the final months of Mary's reign predominance in the
county belonged to the Howard and Browne interests. It was to Lord
William Howard, Montague, his servant Bedon, Sir Edward Bray, the
Saunders, and the Skinners that the government entrusted its most
important business. The one exception was William More, who was given
numerous responsibilities by the Privy Council and the Lord Lieuten-
ant, Arundel. Apparently More had chosen to cooperate with the Marian
regime until it might pass away, though when it did so he rejoiced.
As the reign neared its end, the Surrey commission of the peace under-
went considerable attrition. Sir Edward Bray I, James Skinner, John
Scott II, and Richard Wheteley all died in the same year as Mary, to
be followed shortly in January 1559 by Sir Thomas Pope. Thus as Mary's
death vacated the throne for Elizabeth, a number of new places opened
up on the Surrey bench for the new sovereign to fill. She would not
be long in doing so. 105

vol. III, pp. 27, 134-5; F.S.L. Loseley MS. L.b. 557; D.N.B., "Howard,
William."

105 Appendix One and Two; on the responsibilities entrusted to members
of the Howard and Browne factions and to More, see also, for example,
Loseley MS., vol. XII, nos. 16, 18-20; G.M.R. Loseley MS. 1488/1-2;
The accession of Elizabeth on 17 November 1558 began a decade in which there was a gradual lessening of tension in Surrey and a growing spirit of cooperation among the shire's rulers. There continued to be the usual administrative problems and occasional instances of disorder, official corruption, and quarrelling among rival JPs, but the factional strife common in earlier years subsided in the 1560s. The most important feature of this was the growing amity between the Howard, Browne, and More groups, which in combination were a virtually irresistible force in local government. In addition, while Protestants naturally enjoyed much greater favor than in the previous reign, religion was not the divisive problem which it became in the 1570s and 1580s. Catholics and Protestants worked side by side, and until the end of the decade official efforts to repress dissent in Surrey focused almost entirely on radical sectaries.

For the sake of convenience this chapter is divided into three sections. Section I deals with the first year of Elizabeth's reign, wherein she made substantial changes in the composition of the commission of the peace by adding several trustworthy members of the county community, but avoided a purge of incumbent JPs. In the same year the More-Cawarden faction, already allied with the Brownes, played out the final episode of its rivalry with the Howard faction, gaining influ-

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ence on the bench and winning a resounding victory in the elections for Parliament. Section II covers the years 1560-5, in which, following the death of Cawarden, there was a rapprochement between the More and Howard factions. The Howards, Brownes, More and their various adherents, now friends all round, dominated affairs in Surrey and resisted all threats to their preeminence. Section III discusses the second half of the decade, in which Surrey's JPs faced several new administrative tasks and had to deal with problems caused by religious radicals, local quarrels, and repercussions from the Northern Rebellion of 1569.

I

When Elizabeth took the throne, there was an immediate upturn in the fortunes of those who had opposed her predecessors. The new queen rewarded the longtime friendship of Sir Thomas Cawarden by placing him in charge of the Tower of London, and promoting him on the county bench, while she named William More sheriff of Surrey and Sussex. Lord William Howard's friendliness to Elizabeth in Mary's reign now won him reappointment as Lord Chamberlain. At the same time, however, Elizabeth took no overt action against those Catholic JPs who had been staunch supporters of her sister. The conservative members of the Howard faction remained on the bench, the Brownes maintained their influence in the shire despite the ardent Catholic Montague's open opposition to the Elizabethan settlement, and the Catholic earl of
Arundel continued his occasional activity in Surrey.²

In fact there was nothing like a purge of the Surrey bench when Elizabeth became queen, though the membership of her first commission of the peace was very substantially different from that of a few months earlier. Sir Edward Bray I, John Scott II, and James Skinner all had died recently. It was most likely ill health and not royal antipathy that kept Sir Thomas Pope and Sir Robert Southwell off the bench, for Pope died in January and Southwell by October. Aside from the dead and those nearly so, only Henry Vine and Sir John Fogg disappeared from the commission of the peace. It is even conceivable that it was poor health and not politics that cost Vine his place on the bench, for he died in April 1561. Fogg was not a Surrey man anyway, having become a JP there only because of his role in suppressing Wyatt's Rebellion, so he had no claim to continue as JP. Of course it may be significant that both Vine and Fogg were first appointed to the bench by Mary, but Elizabeth retained Ralph Cholmley and Nicholas Burton, the only other two living JPs initially named to the commission by her predecessor. In any case there was no Elizabethan vendetta.³

Elizabeth followed what was fairly standard practice in Surrey by keeping on most of the sitting JPs and appointing a large number of new ones. This allowed her both to demonstrate her respect for the

²B. L. Lansdowne MS. 1218; Appendix One and Two; Loseley MS. 2014, no. 11; D.N.B., "Howard, William, first Baron Howard of Effingham"; on Montague's opposition to the Elizabethan settlement, see J. E. Neale, Elizabeth I and Her Parliaments 1559-1581 (New York: St. Martin's Press, 1958).

³Appendix One and Two.
county community's natural rulers and to obtain a commission of the peace upon which a number of members fairly well represented her interests. From the county viewpoint, it is safe to say that the vast majority of the local magistrates transferred their loyalty to the reigning Tudor, just as they had with her predecessors, regardless of religion or politics.

Eight new men appear on the first extant Elizabethan list of JPs, along with one or two reappointments. It is possible that some of the new justices were late Marian appointments, though that would only further underscore the argument for Elizabeth's reluctance to remove incumbents. Protestants predominated, but the new JPs were a rather mixed group in terms of factional alliance. Four new JPs can definitely be identified as Protestants, and one or two others may have been followers of the reformed religion, though Catholicism was not necessarily a bar to winning a place on the bench. The More-Cawarden group made the greatest gains, for while Elizabeth had no reason to pack the commission of the peace in favor of any one local faction, given that she enjoyed the support of Lord William Howard, the Brownes, More and Cawarden, it was easiest to find Protestants among the associates of the latter two. What unified the new members overall was their identification with the county community.4

Thomas Browne of Betchworth was the grandson of Sir Matthew Browne, and he essentially inherited his place in local magistracy. He shared his grandfather's longevity, serving the county until his death

4Ibid.
in 1597, but not apparently his disposition to factional strife. Unlike Sir Matthew and his cousin, Montague, Thomas was a "favorer" of the Protestant religion. Another member of a distinguished local family was Henry Weston of Sutton Place, son of the unfortunate Francis Weston and grandson of Sir Richard. Elsewhere Weston has been reckoned a Catholic, but the preamble to his will has a decidedly Protestant tone, so his religious preference remains questionable. The decidedly Catholic Thomas Stoughton of Stoughton, Surrey and West Stoke, Sussex was the son of Lawrence Stoughton and thus a member of a family with a long tradition of service in Surrey. Though he had links with the Howards, he was the servant of the earl of Arundel.  

Another Arundel servant was John Admondsesham of Rowbarnes, a Protestant, whose family had long been resident in Surrey, who was friendly with More and Cawarden, and whom Henry Polsted had recommended for a place on the bench a decade earlier. The More-Cawarden interest in Surrey also benefitted from the appointment of Thomas Copley, still a Protestant at this time, and Edmund Slyfeld of Great Bookham, another adherent of the reformed religion, who besides being friendly to Cawarden was also kin to Weston. Two JPs whose religious and factional affiliation are unclear were Henry Draper of Camberwell, whose family was later at odds there with a troublesome new generation of Scotts, some of them Cawarden's servants, and Anthony Waite of Clapham, who was dead within a few months anyway. Elizabeth reappointed John Stidolph and may have had to do the same with Sir Thomas Cawarden,

depending upon whether he was in or out of trouble at Mary's death.⁶

Almost immediately after becoming queen, Elizabeth called for a
c new Parliament. The election of knights of the shire from Surrey is
worth discussing in some detail because it illustrates three important
points. One is that here, even more than on the county bench, influ­
ence shifted to the More-Cawarden faction and away from the Howards.
Secondly, it provides further evidence of cooperation between the
former group and the Brownes. Finally, this was a real county elec­
tion, not one managed from the Court. There was serious competition
for the two seats, a genuine need on the part of candidates to appeal
to the county community, and a realization that the knights of the
shire must be recognized as being among the natural rulers of Surrey.

As sheriff, William More was unable to stand to be knight of the
shire, as he would do with successs for many subsequent Elizabethan
Parliaments. But his office placed him at the center of a great deal
of pre-election negotiation, for the two seats were sought by five
prominent local men -- Sir Thomas Cawarden, Thomas Browne, Thomas
Copley, Henry Weston, and Charles Howard, eldest son of Lord William.
Naturally More supported Cawarden for the senior seat, while each of
the other four candidates sought his backing for the second position,
approached other influential gentlemen of the shire (including each
other in some cases), and engaged in some intense electioneering

⁶Appendix Two; SP 10/8/48; Richard Copley Christie, ed., Letters of
Sir Thomas Copley of Gatton, Surrey, and Roughey, Sussex, Knight and
Baron in France to Queen Elizabeth and Her Ministers, rpt. (New York:
D5/14, D36/29.
around the county.  

On 7 December, even before the writs went out, Copley wrote to ask for More's support and that of Edmund Slyfeld, asserting his desire to "do my country . . . good service" and predicting that he could also have the voice of Weston and his friends if the latter chose not to stand himself. (Having won a place on the bench, which his father, Sir Roger, for some reason never managed, Copley apparently craved the additional prestige of sitting for the county rather than in his secure seat at Gatton. But by the 13th More and Cawarden had agreed to Sir William Fitzwilliams' request to support his son-in-law, Thomas Browne. On the next day, however, Browne tried to back out, offering the very telling excuse that he was unfit for the office "because I have not had any rule in the shire whereby I should with the more difficulty get the voices of the commons." Browne as it turned out was too modest, but his statement makes clear that even the support of the sheriff and one of the shire's leading magistrates was insufficient if the county at large felt a candidate unsuitable. Still, eager to cooperate, Browne offered to back Copley, who had approached him about doing so and whom he knew to be Cawarden's "very friend." Fitzwilliams persuaded More to defer his answer, however, and by the 18th had convinced the reluctant Browne to stand. At this

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7 The account of this election in J. E. Neale, The Elizabethan House of Commons (London: Jonathan Cape, 1949), pp. 42-5, is generally accurate, though some corrections are offered in the notes below. These are necessary because Neale relied on the Historical Manuscripts Commission's abstracts in its seventh report, rather than looking at the original letters pertinent to the election found in Loseley MS. vol. II, nos. 12, 16, 17, 25, 35, 45, 102, 103; vol. III, no. 33; vol. IX, no. 12.
point Copley probably dropped out, for he was eventually returned for Gatton, and he was after all on good terms with More, Cawarden, and Browne.\(^8\)

A new complication arose on the 20th, when Lord William Howard sent More a peremptory letter requiring him to support the Lord Chamberlain's son, Charles Howard. But More ignored this request, and Cawarden told Fitzwilliams on Christmas eve that "he would take no knowledge of any such matters" and declared that if the again wavering Browne did not stand, he would not either. By this time administrative difficulties had led to the postponement of the election, originally scheduled for the 28th. This and the confusion over who was and was not standing for election led Henry Weston at this point to declare his candidacy to More and Richard Bedon. But by this time More and Cawarden had the situation well in hand. A Mr. Saunders (presumably William) was unable to gain the voices of the freeholders at Kingston for Charles Howard, those in Blackheath and Woking hundreds were "hotly" for Cawarden and Browne, and Bedon promised the same in Godalming hundred. Charles Howard apparently contested the election, for his brother, William, took the guaranteed family seat at Reigate.

\(^8\) Loseley MS. vol. II, nos. 16, 17, 35, 45; Hasler, vol. I, p. 252. Neale is wrong in his assertion that Thomas Browne's only attribute was the influence of his father-in-law. Of course much more important than that in the Surrey county community was Browne's ancestry and his kinship to Montague. Neale's assumption that Copley contested the election is based on the faulty H. M. C. abstract of Loseley MS. vol. II, no. 25, a letter in which Richard Bedon told William More that he would support Thomas Browne and Sir Thomas C . . . (the document is damaged at this critical point). While the abstract identifies Copley as the second candidate, he was in fact not a knight at this time. Thus the second man was clearly Cawarden.
Weston probably did not, for he was returned for Petersfield, Hampshire, virtually a personal borough. The Surrey county community elected Cawarden and Browne.\(^9\)

Given the powerful influence in Surrey of the More-Cawarden faction and the past history of the county community, what Professor Neale called "a remarkable victory for William More" is not really surprising at all. But Neale was correct to label this "an unpleasant check for the Howards," who must have taken little consolation from the return of William Howard and John Skinner IV at Reigate. That was the extent of Howard success -- Cawarden was responsible for the return of at least one and probably both burgesses at Blechingley, Copley for himself and a second Protestant burgess at Gatton, and the earl of Arundel for the election at Guildford of Thomas Stoughton and Sir Thomas Palmer, a Sussex magistrate who was a friend of the Stoughton family. In Elizabeth's reign Southwark continued to go its own way, though one of the burgesses elected (again) in 1559 was John Eston, a JP.\(^{10}\)

The elections, then, show that the county community, free of the

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\(^9\) Loseley MS. vol. II, nos. 12, 25, 102, 103; vol. III, no. 33; vol. IX, no. 12; Hasler, vol. I, p. 254; vol. III, pp. 604-5. Neale's claim that the borough seat at Reigate would have been beneath Charles Howard does not hold much water, given that it was perfectly good enough for his brother, William, and along with him in 1563 his cousin, Sir George Howard. The more likely explanation is that Charles Howard stood for the county and lost.

\(^{10}\) Neale, The Elizabethan House of Commons, p. 45; Hasler, vol. I, pp. 251-4, 478; vol. II, pp. 108-9; vol. III, pp. 169, 238, 453-4. The election of John Brace at Blechingley must have been the result of his link to Cawarden through Henry Polsted, not to any connection to Sir Thomas Saunders -- both possibilities are raised in Hasler, Hist. Parl.
Marian reaction, now favored Protestants and former opponents of Mary's regime. Certainly the good will which Elizabeth showed to many Catholics and others who had served Mary loyally should not be allowed to obscure the fact that there was a real change with the new queen's accession. One reason that the Howards did so poorly in the 1559 elections may have been that there was a reaction in the county community against those conservative members of the Howard faction who had acquiesced in the Marian persecution, notably William Saunders, who as sheriff had burned a number of heretics. At any rate in February Elizabeth appointed Cawarden, More, Browne, Slyfeld, and several Sussex JPs to inquire into wrongs done during the previous reign in Surrey and Sussex.\textsuperscript{11}

The influence of the More-Cawarden faction and the Brownes was further demonstrated by the appointment of more new JPs later in the year. By July Elizabeth added to the bench William Heron of Croydon, son of Thomas Heron and close enough to Cawarden to witness his will. Joining him at that time was Richard Scott of Camberwell, the oldest and best-behaved son of John Scott II. While his family had been linked to the Brownes for years, two of his brothers were also Cawarden's servants. Robert Warner of Cranleigh and London, probably a JP by the end of the year, had family connections to Thomas Browne and to More and his kinsmen. While the religion of the first two is unknown, Warner was a Protestant. Cawarden also took advantage of the more favorable Elizabethan atmosphere to get permission from the Privy

\textsuperscript{11}F.S.L. Loseley MS. Lb. 246; G.M.R. Loseley MS. 1075.

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Council to sue Sir Thomas and William Saunders in the Exchequer for the return of his armaments confiscated during Wyatt's Rebellion. He died, however, before any action was taken, and the Council soon thereafter ordered his executors, including More, to drop the suit.\(^\text{12}\)

Meanwhile in 1558–9 the usual business of taking musters and collecting the subsidy went on irrespective of politics. The Lord Lieutenancy again went to the earl of Arundel, who appears to have cooperated and been on good terms with William More and his friend, Richard Bedon. Arundel also participated in assessing the subsidy, though it was Montague to whom the queen sent a letter ordering him and the rest of the commissioners to carry out their charge with diligence. Those known to have been subsidy commissioners fairly well represented the same factional interests as the commission of the peace.\(^\text{13}\)

II

The death of Sir Thomas Cawarden in August 1559 deprived William More of a powerful ally, but it also removed the major obstacle to his cooperation with the Howard group in Surrey. Of course it could be argued that More now cultivated Howard from a position of weakness, but in fact More seems to have preferred getting along with everyone when possible, and in any case he was to have a wide variety of power-

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\(^{13}\) SP 12/4/23-5, 5/27, 6/65, 7/9, 93/18; Loseley MS. vol. XII, no. 21; E 179/185/282-6.
ful friends in the 1560s, including Howard, Arundel, Montague, Sir Robert Dudley (earl of Leicester from 1564), Edward Lord Clinton (later earl of Lincoln), Archbishop Matthew Parker, Bishop Robert Horne of Winchester, and others. Indeed More's connections and his own abilities gave him influence and authority in Surrey out of proportion to the moderate rank he held on the commission of the peace for most of the 1560s. The evaluation of More's role in the shire requires caution — the richness of the Loseley MSS. for these years had caused others to exaggerate his place there, making him Elizabeth's principal agent or suggesting that his was the only family in Surrey which really took magistracy in the county community very seriously. Clearly these are distortions, but even compensating for the high visibility given More by the sources, his career makes clear that he was an unusually active and important official. This would receive increasing formal recognition in the 1570s and later, when he, Weston, Browne, Sir Francis Carew, and an assortment of Howards rose to the uppermost ranks of the active JPs in Surrey. Thus it was particularly important that from 1560 this important figure, already allied with the Brownes, made his peace with the other principal power in the shire, the Howard faction. 14

The general amity in the shire and the occasional exceptions

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14 V.C.H., vol. I, p. 370, exaggerates the influence of both Sir Christopher and William More; Christophers, "The Social and Educational Background of the Surrey Clergy," pp. 17-18 underestimates the importance of other families. The extensive correspondence between More and his powerful friends is found in Loseley MSS. and calendared (though incompletely) in H.M.C. 7th Rept. The lists of JPs for the 1570s on came from nomina ministrorum and are printed by Cockburn, Calendar of Assize Records, Surrey Indictments, Elizabeth.
thereto were reflected in the changes made in the commission of the peace. The new members appointed between 1560 and 1565 represented all the major interests in the county, and the only JPs dropped from the bench for reasons other than death or departure from Surrey were men who in this period were at odds with the Howards, Brownes, and/or More. At the same time the demands of local administration and the need to give the natural rulers of the county community formal recognition through a place on the bench frustrated the central government's oft-stated aim to cut down the size of the commission of the peace, which actually grew slightly. Between 1560 and 1565 Elizabeth appointed twelve or thirteen new JPs and reappointed one old Edwardian justice, while five died, one moved away, three lost their places for apparently political reasons, and one for reasons unknown.

The absence of factional strife and the present strength on the commission of the peace of the major interests in Surrey explains why none of those groups made any great push to place new members on the bench in this period. At the beginning of 1560 the Howard faction included Lord William, Sir Thomas and William Saunders, John Caryll, John Skinner, and possibly Nicholas Legh; the Browne faction consisted of Montague, Thomas Browne, Richard Bedon, and Richard Scott; and More's affiliates included John Agmondsesham, Thomas Copley, William Heron, and possibly John Birch and John Stidolph. John Vaughan also had links with More, though he was better connected with Henry Weston. Of course

15 E.g., SP 12/17/47.

16 Appendix One; see Table One.
these were not mutually exclusive groups -- there were numerous inter-
connections. John Caryll, for example, had good friends in all three
groups. 17

Robert Warner, kin to both the Brownes and More, first appeared
on a nomina ministrorum for March 1560, but may have been appointed
in 1559. Thereafter the next few appointments were men without any
obvious connection to any of the major Surrey interests, some of whom
were named JPs because of their closeness to Elizabeth. Joining the
commission between March and the summer of 1560 was Thomas D'Oyly or
Doyle of Daleigh, Suffolk, a Protestant who as servant to Archbishop
Parker sometimes resided in Croydon and London. Sir Roger Cholmley,
a JP under Edward VI, was most likely reappointed that summer to rep­
resent Southwark on the bench, replacing John Eston, whose departure
is unexplained, and his half-brother, Ralph Cholmley, who was briefly
off the commission also. Both brothers were dead by 1565. Interest­
ingly the death of Richard Scott in 1561 was not quickly followed by
the appointment of one of his many brothers despite their connections
with the Brownes and More (Edward Scott finally got a place on the
bench in 1568). This may have been the result of a deliberate effort
by the major interests in Surrey to avoid conflict on the commission
of the peace, for the younger Scotts were troublemakers who quarrelled
with John Bowyer, Henry Draper's brother, Matthew, and frequently with
each other. John Vaughan moved to Yorkshire in 1561, and the only new
JP named the following year was William Gresham of Titsey, the son of

17 Appendix Two.
Five new JPs joined the Surrey commission in 1564. Sir Edward Bray II, a Catholic, "inherited" his place from his father, Sir Edward I, whose estate he squandered, ultimately winding up in prison for his debts. Though Sir Edward I had links to both the Howards and Brownes, the younger Bray did not get along with his father's last wife, the daughter of Sir Matthew Browne, and he had recently antagonized the Howards and William More by supporting Henry Weston for knight of the shire for the Parliament of 1563. In fact he probably owed his place on the bench to Weston. Both men lost their positions as JPs in late 1564 or early 1565 for reasons discussed below. Anthony Crane, apparently a Londoner, acquired land in Surrey shortly after Elizabeth's accession and may already have been an officer of her household. There is a small possibility that he, too, owed his appointment to Weston, to whom he may have been linked through John Vaughan. Robert Harris of Middlesex was a lawyer, "indifferent" in religion, and a servant of the fourth duke of Norfolk, Lord William Howard's nephew. Gregory Lovell was the son of a Norfolk knight, but had owned land in Surrey at least since Edward VI's reign and was friendly to the Carew family, soon to be powerfully resurgent there. Richard Onslow of Cranleigh and London was a Protestant and a distinguished lawyer, soon to be solicitor-general and speaker of the House of Commons, who just before Mary's death married into a landed Surrey

The year 1565 brought yet another five new members to the Surrey bench, three by March. Nicholas Heron of Croydon, friendly with his neighbor, Doyle, and apparently kin to the Brownes, merely replaced his brother, William Heron, who had died the year before. Joining him were two men recommended for the office by Bishop Horne the previous November, Thomas Little of Bagshot and John Skinner IV of Reigate, who was well-friended all around. The central government ignored Horne's suggestion that Thomas Dodmer and John Hurleston be made JPs, perhaps because of the bishop's self-confessed ignorance of Surrey. Removed at this time were Bray, Weston, and Lawrence Stoughton. Shortly afterward they were replaced by Oliver St. John of Lambeth, a Protestant, and Charles Howard, who shared the moderate religious views of his father, Lord William.

Two Surrey men served as sheriff of Surrey and Sussex between 1560 and 1565, John Stidolph in 1561-2 and William Gresham in 1563-4. The earl of Arundel, who had continued to serve as Lord Lieutenant in the shire at the beginning of the reign, was replaced in that office in 1560 by the more trustworthy Lord William Howard, though Arundel con-
continued to be involved with local government and governors. 21

Conciliation between Lord William Howard and William More must have begun almost immediately after Sir Thomas Cawarden's death, for sometime before June 1560 More loaned money to Howard's wife, and on the 24th of that month she wrote to ask him for some linen which had belonged to Cawarden's wife. In the fall of 1562 Howard turned over to More and Nicholas Legh the responsibility committed to him to inquire in Surrey whether men's wives were wearing apparel appropriate only for persons of higher station (incidentally no offenders were found). A particularly striking instance of cooperation was the "pairing" of More and Charles Howard in the election for knights of the shire for 1563. More also now found himself on good terms with Howard's allies, the Skinners and even the Saunders. 22

More's relationship with Montague became even closer in this period. More's service was especially valuable to Montague since the latter spent more time and was more actively involved personally in Sussex than in Surrey. More's Protestantism was no obstacle to the Catholic Montague, who held the interesting notion that Protestants could be as zealous for the true religion as Catholics and that the two were merely separated by differences of opinion about how to achieve the same goal, not by an impassable moral gulf that prevented cooperation in secular matters. (More's friend, Copley, adopted a

21Appendix Two; SP 12/12/7-9.

22Loseley MS. vol. II, no. 85; vol. IX, no. 150; vol. XII, no. 26; G.M.R. Loseley MS. 1076/1-3; H.M.C. 7th Rept., p. 616b.
similar view on his conversion to Catholicism.) More carried on a
variety of official business for Montague in Surrey, aided him in his
quarrels with other gentlemen, and did personal favors for him. More
also worked closely with Montague's servant, Richard Bedon, also a JP
in the shire. Bedon had difficulty getting along with his neighbors
in Surrey and showed a marked tendency to corrupt practices, but More
apparently protected him, for he remained on the bench until 1565,
when presumably he died, given his great age.23

What now might be called a Browne-Howard-More alliance encountered
opposition in several instances during this period from the Stoughtons,
Sir Henry Weston, Sir Edward Bray II, and even the earl of Arundel, but
emerged victorious on each occasion. The first incident occurred in
the spring of 1562. In March Montague and Thomas Radcliffe, earl of
Sussex began inquiries into damages done in the queen's forests and
discovered that Lawrence Stoughton's son, Anthony, had been poaching
the queen's deer. With the encouragement of Sir Robert Dudley, Monta­
gue ordered More to deal with Anthony Stoughton rigorously and to ap­
prehend his brother, George Stoughton, as well. At this point Sir
William Paulet, marquis of Winchester took the part of the Stoughtons,

23 Loseley MS. vol. II, nos. 26, 83; vol. IX, nos. 15, 150; vol. X,
no\n3-19, 26-7; vol. XII, nos. 24, 27; vol. XIII, no. 7/1. Loseley
MS. vol. X is composed almost entirely of letters from Montague to
More, with some from Bedon. On Montague's career in Sussex, see R. B.
Manning, Religion and Society in Elizabethan Sussex, A Study of the
Enforcement of the Religious Settlement 1558-1603 (Leicester University
Press, 1969) and "Anthony Browne, 1st Viscount Montague: The Influence
in County Politics of an Elizabethan Catholic Nobleman," Sussex Ar­
chaecological Collections, no. 106 (1968), pp. 103-12. On Montague and
Copley's tolerant approach to religion, see Arnold Pritchard, Catholic
Loyalism in Elizabethan England (Chapel Hill: The University of North
outraging Montague and provoking him to denounce the Stoughton family as a "currish race which from the father to all the sons have one after another so sought to condemn and deface me." Richard Bedon, already at odds with the ex-Marian bishop of Winchester, John White, got into the act also by harassing the tenants in Hampshire of Paulet's son-in-law, Richard Pexsall. The ultimate outcome of this quarrel cannot be certainly known, but it was almost surely some of the Stoughtons whom the Privy Council ordered More, Thomas Browne, John Agmondesham, and Robert Warner to secretly arrest and send up on 8 July.24

Although the earl of Arundel does not appear to have been directly involved in this particular dispute, the Stoughtons were his clients, and More at least at this time bore some ill will toward the earl. In November one John Morrice reported to More that a con man named John Vaughan (not apparently the ex-JP) had bilked the residents of several Surrey parishes out of large sums of money for the alleged provision of pikes and corslets for the county retinue. News of the fraud reached Arundel, who on the 19th wrote to More, asking to see the letter. On the following day Thomas Stoughton also urged More to send the letter to Arundel. More ignored both requests, perhaps because he was covetous of his own authority, perhaps because Arundel was no longer Lord Lieutenant, but surely at least in part because of resentment stemming from an already existing rift. More's behavior on this occasion was certainly uncharacteristic enough to provoke a lengthy

24Loseley MS. vol. II, no. 83; vol. X, nos. 4-10; vol. XII, no. 25; H.M.C. 7th Rept., p. 616b; Lansdowne MS. 5/62.
remonstrance from his friend, Thomas Copley.25

Opposition to the prevailing alliance in Surrey became clearer the following month, when elections for the upcoming Parliament were held. William More and Charles Howard teamed up as candidates for knight of the shire, supported by Thomas Browne, Montague's servant Bedon, and John Agmondesham, Arundel's (former?) servant. Their candidacy was opposed by Arundel, John Lord Lumley (his son-in-law and co-conspirator in 1569), Thomas Stoughton, and Sir Edward Bray II, who at first tried to get Thomas Copley to stand against More, and then upon his refusal gave their support to Henry Weston. Arundel's jealousy at his replacement in the lieutenancy by Lord William Howard probably played some part here. So also did the recent dispute between Montague and the Stoughtons, for prior to that Thomas Stoughton had been accounted More's "assured friend." Religion almost surely had a role here also, for Arundel was not the tolerant, loyalist sort of Catholic that Montague was, while Charles Howard was a religious moderate and More an outright Protestant. Lumley, Bray, and Stoughton were all Catholics, the last being described in 1564 by the Protestant bishop of Chichester as "a stout scorner of godliness." Copley, their first choice as More's opponent, had recently converted to Catholicism, and Weston had Catholic sympathies at least into the 1570s, though he most likely became a Protestant later in life, just as he became close friends with his former rivals, the Mores.26


At any rate Howard and More won the election, and Weston retreated to his borough of Petersfield. Arundel's only success came at Guildford, where he secured the senior seat for Thomas Bromley, but the junior position went to John Austen, a local citizen of some eminence, a Protestant, and the friend of William More. The Howards were probably responsible for the return of both burgesses at Blechingley, where they succeeded Sir Thomas Cawarden as patrons. Elected at Reigate were Sir George Howard, the Protestant son of Lord Edmund, and William Howard of Lingfield, son of Lord William. As usual Copley sat for Gatton, joined this time by his brother-in-law, Sir Robert Lane, a Protestant. 27

The events just recounted make politics the most likely explanation for the trouble in which Sir Henry Weston and Sir Edward Bray found themselves in 1564. Early that year Weston apparently made an official complaint about More's performance as a JP, but it was Weston, along with Bray, who was soon to lose his place on the bench. Sometime later in the year both Weston and Bray spent some time in the Fleet. They were released on 21 November, but the Privy Council restricted their movements, and on 27 January 1565 both were bound to appear before the Council daily. By March both men had lost their places on the bench. It is tempting to attribute their misfortunes to the work of their rivals in the shire. 28


Perhaps this matter was related to a new episode of conflict which occurred in January and February 1565 between the Brownes on one hand and Thomas Stoughton and some of his fellow servants under the earl of Arundel on the other. Both Montague and the bishop of Chichester complained to the Privy Council against Stoughton. The Council considered the matter on several days in February, and on the 25th ordered Montague and his "brethren" and servants to keep the peace toward Stoughton and other Arundel servants, while giving a similar charge to Stoughton. The Council committed to King's Bench Hugh ap Edward, a servant of Stoughton who had injured Henry Browne and who was brought before Surrey assizes in March. Interestingly it was not Thomas Stoughton, but his father, Lawrence, who lost his place on the bench just after this incident, but presumably having the father of the "currish race" off the commission was better than nothing from Montague's point of view. Incidentally Montague's servant, Richard Bedon, recently accused of more corrupt activity, also disappeared from the bench, but most likely he had died, for he had been ill for several months.

Aside from the religious overtones of the election for 1563, problems related to religion in this period came not from rivalry between Catholics and Protestants, but from the activity of radical sectaries, who were condemned by Catholic and Protestant alike. In 1560-1 the Privy Council was particularly concerned about numerous adherents of the notorious Family of Love, who had been in Surrey at least since

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Mary's reign. Followers of the Dutchman, Hendrik Niclas, this sect held a variety of heretical views. They denied the co-equality of God and Christ; believed themselves to be without sin, capable of performing miracles, and as perfect as Christ himself; said heaven and hell were in this world; asserted that things were ruled by nature and not directed by God; and opposed infant baptism, observance of the Sabbath, burial of the dead, and Catholic and Anglican worship services in general. The Familist polity was also highly suspect, for they held goods in common, elected their own bishops, deacons, and elders, met in secret, were pacifists, married and dispensed charity only within the congregation, and believed it acceptable to lie to non-members, although by 1560-1 they had modified their earlier opposition to the state by saying that it was all right to do what the government said, even if contrary to God's laws. They had, however, in Mary's reign pronounced curses on those who participated in the established church and may have done likewise under Elizabeth. Not only were they inimical to the English church and state as they stood following the new queen's accession, they also offered a moral affront to their neighbors by their unconventional sexual practices, which tended toward free love. In short they were just the sort of radical religionists whom other Christians regarded at this time as dangerous and desppicable.  

30 F.S.L. Loseley MS. L.b. 98, printed with some significant omissions in The Displaying of an horrible secte of grosse and wicked Heretiques, naming themselves the Familie of Love, with the lives of their Authours . . . Newely set forth by:J. R[ogers] . . . Whereunto is annexed a confession of certain Articles, which was made by two of the Familie of Love . . . touching their erroours (1578); J. W. Martin, "Elizabethan Familists and other Separatists in the Guildford Areas," Bulletin of the Institute of Historical Research, vol. LI, no. 123, pp. 90-3.
It may have been these heretics against whom John Parkhurst preached in Guildford before his elevation as Bishop of Norwich in 1560. At any rate on 19 September 1560 the Privy Council ordered William More to arrest David "Orch" and other ringleaders of a group of sectaries planning to hold a conventicle at the upcoming St. Catherine's Hill fair near Guildford. These included two men whom Bishop Edmund Grindal of London had earlier forced to recant (without much long-term effect) — David "Oram" (presumably "Orch") of Basingstoke, Hampshire, a "bishop," and Thomas Allen of Wonersh, an elder, later active as a Familist in East Anglia. Whether More succeeded in apprehending these men is unknown, but two disillusioned members of the sect, Thomas Chaundeler and Robert Stert, appeared before William More on 23 May 1561 and gave him a great deal of information about the local Familists. In any case the group survived to cause further trouble for Surrey officials in the latter half of the 1560s.31

Despite their political activities and their role in suppressing radical religious dissent, Surrey's JPs still spent much of their time with routine administrative duties and keeping the peace. The conclusion of peace with France relieved the justices of the demanding muster business of recent years, though some musters continued, but there remained the assessment and collections of subsidies, commissions of sewers, handling of royal purveyance, and a variety of other chores to keep them busy. Even before the passage of the statute of artificers

in 1563, the JPs were being asked to hold down excessive wages. As usual they were required to deal with food shortages, poor relief, vagabonds and "egyptians," and with occasional riots and murders. As Protestantism reasserted itself, so too did the business of licensing alehouses, of which the reformers generally considered there were too many. Surrey's JPs even played a role in preventing the spread of bubonic plague by cancelling or postponing fairs where infection might take place more easily. Finally of course there was the JPs' judicial business, conducted at assizes, quarter sessions, and increasingly in smaller assemblages of justices which eventually became petty sessions.  

III

From 1566 to 1570 the size of the "active" membership of the Surrey commission of the peace remained about the same, though there were minor fluctuations from year to year. The incidence of new appointments was also much less in this period than in the first half of the decade. Thus Elizabeth named eight new members to the Surrey bench, while four sitting JPs died, one went into exile, and only two were permanently removed. As between 1560 and 1565, no particular interest in the shire dominated the new appointments. In addition a prospective justice's position vis-a-vis the county community continued to be a major determinant in his being named to the bench. Of the
eight new members, five were local men, while two of the other three had served the shire in the past in other offices, and the third was from neighboring Middlesex. Furthermore, neither of the two men removed had a particularly strong claim to being one of the natural rulers of Surrey. 33

There are several reasons for the pattern of appointments to the Surrey commission in the years 1566-70. There was no need for Elizabeth to make any major changes in the membership of the bench, for it was already loyal and dependable. Nor was there any religious basis for alterations. Of course with the Church of England attempting to enforce uniformity, it was only natural that nearly all the new JPs should be Protestants. But a major infusion of reform-minded justices was unnecessary, because the commission was already an increasingly Protestant body and those Catholics who remained were loyal to the Crown. The government simply allowed natural attrition to diminish the Catholic element. In fact the two JPs removed in this period were both Protestants, and the only Catholic to drop off the commission for reasons other than death was Thomas Copley, who went into self-imposed exile on the continent, unable to reconcile his conflicting loyalties to Elizabeth and Rome. 34

In Surrey itself the continued cooperation of the Howard, Browne, and More interests and the satisfactory representation on the county bench of all three prevented their making demands for more new members.

33 Appendix One and Two.
34 Ibid.; below, pp. 337-8.
In fact even the opposition which the Browne-Howard-More "alliance" had encountered earlier now was replaced by accommodation. There was no factional split among Surrey's JPs along religious lines, and in 1569 sympathy for the northern rebels among the group was rare indeed. The days of recusant hunting by Surrey's magistrates as yet lay in the future, as did the pronounced political split between Catholics and Protestants brought about by the excommunication of Elizabeth and the beginnings of the Jesuit mission to England. 35

Furthermore, it appears that most of those Surrey gentlemen who had a claim to be counted among the natural rulers of the shire were already on the bench. Of the eight new JPs only Francis Carew and Edward Scott came from families with a history of service to the county, and only the former attained any sort of eminence in the shire. Most of the rest had clear ties to the county community, but in fact all the appointments came gradually, the central government naming new JPs to the bench only as old ones dropped off. To be sure, these men were of the sort to be acceptable as leaders to the county community, but they did not gain their places because of any irresistible pressure on the central government. They were appointed as they were needed to carry on the pressing business of the commission of the peace. Rapid growth of the commission was a phenomenon of the later years of Elizabeth's reign. 36

Another indication that status-seeking was not the principal

35 On later recusant hunting, H.M.C. 7th Rept., pp. 624-67, passim.

36 Appendix One and Two; Table One.
reason for new appointments comes from looking at the number of JPs named of the quorum. As Elizabeth's reign progressed, this became an increasingly honorary status, having little to do with legal ability, and in some counties virtually every member of the commission of the peace was also of the quorum. Yet if the quorum ceased to have much meaning from a legal standpoint, in Surrey at least it did not become a guaranteed honor. A much larger proportion of the JPs there failed to be named of the quorum than, for example, in neighboring Hampshire. The implications of this have yet to be worked out, and indeed it is most striking for years beyond the scope of the present study. But the inability of many Surrey JPs to obtain this honor, now devoid of functional significance and merely conferred as a symbol of one's importance, does suggest that status was not the only motivating factor behind the naming of new JPs. These JPs were expected to work.37

There were no known new appointments to the Surrey bench in 1566, but that year witnessed the deaths of two longtime members of the Howard faction in the shire, Sir Thomas Saunders and John Caryll. Joining the commission by February 1567 was Thomas Smith of Mitcham, a man of indeterminate religious views whose name is so common that it is virtually impossible to identify him in the sources. Following him into office by July was the Protestant Bernard Randolph of Middlesex, who was very active as a JP there and may have been added to the Surrey commission to represent Southwark in place of the recently de-

37 Compare Table One with Fritze, "Faith and Faction," pp. 15-19.
ceased Cholmeleys. 38

Two more new JPs joined the commission in 1568. Thomas Colby was a servant of Archbishop Parker like his fellow native of Suffolk, Thomas Doyle. Apparently the shire was willing to allow Parker to place one, but only one, of his servants on the bench, for Doyle lost his place by the following year. Edward Scott of Camberwell was the son of John Scott II and the younger brother of Richard Scott. Since the first appointment of his grandfather, John I, the Surrey bench had never been without a Scott for very long. The reason for the delay in naming Edward to the bench following Richard's demise may be found in his cantankerous and contentious nature, though it could also be that he was, like his grandfather and father, a religious conservative. 39

By February 1569 Elizabeth had named to the Surrey commission Francis Carew of Beddington, son of Sir Nicholas Carew and the inherit- tor of a long family heritage of magistracy in the shire. Carew's life immediately following his father's attainder is obscure, but he entered royal service under Mary and by the end of her reign had recovered most of Sir Nicholas' estate in Surrey and Sussex. He continued to be a favored courtier under Elizabeth and was also friendly to Cecil. He had recently served Surrey as sheriff in 1567-8. His failure to be appointed to the commission of the peace any sooner than 1569 was probably due to his own preference for life at Court, a characteristic manifested earlier by his father. At any rate he was to

38 Appendix One and Two; on Randolph's career in Middlesex, C.P.R. Elizabeth, passim.

enjoy a rapid rise in prestige on the commission once he became a member. This was made easier no doubt by his friendship with the Howards and the Mores.  

Later in 1569 Elizabeth appointed Thomas Lyfeld of Stoke D'Aberton to the Surrey bench, inaugurating a long and distinguished career of local service for him. A Protestant, Lyfeld was also connected to the Howards and Mores and was highly enough regarded in Surrey to be returned as knight of the shire in 1572. In 1570 Thomas Copley, having departed England, dropped off the commission. The same year Elizabeth appointed two more new JPs and returned one or two to the bench. John Dodmer of Putney was an ardent Protestant, the son of an eminent Londoner, and the step-son of Sir Thomas Pope. His tenure as a JP was to be very brief, for he died in 1571. Also named to the bench was William Porter of Lincolnshire, who had ties to the Dudleys and was presumably the client of the earl of Leicester, but who also had earlier been returned as a burgess for Blechingley by Sir Thomas Cawarden and thus had some connection to the county community of Surrey. His links with Cawarden and Leicester make him a certain Protestant. The queen also reappointed Edmund Slyfeld, absent from the bench since 1559, and she may have done the same with Sir Henry Weston, whose name appears on the nomina ministrorum for 27 February 1569, but is crossed out. In any case Weston was making a comeback in Surrey — he had continued to serve as a subsidy commissioner after being removed from the bench, was sheriff in 1568-9, and

would be a knight of the shire in 1571 and a JP from that year on.\textsuperscript{41}

The four years between November 1567 and November 1571 witnessed a temporary institutional innovation in Surrey. During that time Surrey had its own sheriff, rather than sharing one with Sussex. The reasons for this change are unknown, but they were not compelling enough to make it permanent, for the government reverted to the old system in 1571. Meanwhile four prominent Surrey men served as sheriff — Carew in 1567-8, Weston in 1568-9, Thomas Lyfeld in 1569-70, and Thomas Browne in 1570-1.\textsuperscript{42}

The years 1566-70 were not marked by any major outbreaks of factional strife in Surrey, though there were some minor incidents. Sir Henry Weston, an earlier opponent of William More in particular, now apparently reconciled himself to his fellow JPs. He would later name both William More and his son, George More, as overseers of his will, and in 1571, in the absence of Charles Howard, Weston and William More represented Surrey as knights of the shire. Moreover, it is difficult to believe that he could have returned to so prominent a place in local magistracy without the approval of the Howards and the Brownes also. As for the earl of Arundel, he was back on friendly terms with More by 1566, and in 1569 More acted as an intermediary between Arundel and Bishop Horne with regard to the earl's business in Hampshire. More also appears to have been friendly with Thomas Stoughton again, and he later named Thomas' son, Lawrence, to be an


\textsuperscript{42} List of Sheriffs, p. 137; Appendix Two.
overseer of his will. The earl of Arundel was again on good terms with the Brownes, his distant kinsmen, and in 1571 he returned Thomas Browne as MP for the borough of Arundel.  

Meanwhile the cooperation of the Browne, Howard, and More interests continued. More continued to work closely with Viscount Montague, and he was often found working in the company of Thomas Browne. A particularly good indication of the relationship between the Browne, Howard, and More groups came in 1569, when Elizabeth was threatened by the rebellion in the North. This of course necessitated new musters, and the queen made Lord William Howard Lord Lieutenant in Surrey, whereupon he chose as his deputies, William More and Thomas Browne. More incidentally continued to enjoy the good will of a wide variety of influential individuals, including Bishop Horne, Archbishop Parker, Arundel, Lord Lumley, Lord Clinton, Lord Keeper Bacon, the marquis of Winchester, and the earl of Leicester.

An interesting reflection of the general amity in Surrey in the 1560s comes from two incidents which occurred in 1567, involving the servants respectively of Lord William Howard and Viscount Montague.

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45 H.M.C. 7th Rept., pp. 619-23; some specific examples are Loseley MS. vol. V, nos. 78-9; vol. VIII, nos. 2-4, 14, 16, 32-3, 47, 73-4, 107; G.M.R. Loseley MS. 7975.
On 6 May 1567 Howard wrote to William More, John Agmondesham, and Edmund Slyfeld, whom Archbishop Parker had made arbitrators of a suit between Howard's tenant, Thomas Purdam, and John Grove, who had married Purdam's mother. Howard urged the three men not to show any special favor to Purdam, whom Howard described as a "lewd liver" who had beaten and imprisoned his mother. In the following month Montague took a similar attitude when writing to More about the misbehavior of one of his bailiffs. This willingness of powerful men to condemn their own servants when they so deserved is in striking contrast to JPs' maintenance of troublesome adherents in earlier years.46

Such disputes as there were between JPs during the years 1566-70 did not pose the same threat to the peace and order of the county community as, say, those of Wolsey's ascendancy or Mary's reign. Edmund Slyfeld and Thomas Lyfeld were involved in a Chancery case over disputed lands, but at a time when neither man was a JP. John Bowyer brought suit against the Scotts in Star Chamber in 1568, but this had no apparent significance beyond the enmity of the two families. It did not pit opposing factions against each other as such suits had done in previous reigns. The same is true even of a very troublesome dispute over land at Woodmanstern between Robert Harris on one hand and John Skinner IV and a number of his adherents on the other, which wound up in Star Chamber in 1570. Though the conflict involved some violence and considerable unscrupulous dealing, it remained a private affair, not one which pitted groups of JPs against each other. The

46 Loseley MS. vol. V, no. 18; vol. X, no. 25.
only known involvement of any local officials besides Harris and Skinner came in April 1569, when Skinner appealed to William More, John Agmondesham, Thomas Copley, and Thomas Stoughton to end the controversy.\textsuperscript{47} One other incident of enmity between JPs, in this case Lord William Howard and Thomas Copley, will be further elaborated below.

The main problems for Surrey's JPs in this period came not from local factionalism, but from routine business. As usual there was the subsidy to collect, and attendant upon that were the usual problems. A new and vexing task came in 1567 with the introduction of a new revenue raising scheme, the lottery. Naturally the JPs were given the job of supervising the sale of lots and the collection of the money raised thereby. Unfortunately the county community of Surrey showed little enthusiasm for the opportunity to win gold plate or assorted other prizes. This made the central government rather unhappy and placed the poor JPs uncomfortably in the middle of a bad situation. In 1568-9 the government found more work for the justices to do, again manifesting its periodic interest in the suppression of rogues and vagabonds. Then of course there was muster business in 1569.\textsuperscript{48}

Religious dissent continued to be a problem for the shire's officers, though not really a major one. William More was again


\textsuperscript{48}Loseley MS. vol. IX, no. 144 contains a number of papers dealing with lottery business, some of which are printed by Kempe. Loseley MS. vol. XIII, nos. 52-3; H.M.C. 7th Rept., p. 621.
exercised in this period over the presence in and around Guildford of certain "Anabaptists," actually what remained of the Familists discussed above. That they remained well-entrenched for so long is probably owing to their having had influential protectors, for George Baker, a former mayor of Guildford, was strongly suspected of being a member of the Family of Love. In fact Familists in Surrey and Hampshire continued to trouble local officials down to the early 1580s, when they either died out or the central government lost interest in them. 49

Catholics in Surrey apparently suffered little in Surrey prior to 1570. Dr. Christophers has argued that it was only after that date that the county's clergy became polarized into hostile Catholic and Protestant camps. As far as county officials go, only Thomas Copley seems to have been in trouble for his recusancy. Montague and most likely others got by through occasional conformity. Copley suffered a brief imprisonment for his recusancy in the summer of 1568 and may have been in prison for a longer period sometime before leaving the country for good. After arguing in favor of liberty of conscience for both Catholics and Protestants (among whom he had many friends) and going through a great deal of soul searching, Copley refused to subscribe to the Act of Uniformity. 50

49 Martin, "Elizabethan Familists and Other Separatists in the Guildford Areas."

But it is very important to note that it was not just religion that was at the root of Copley's troubles. What caused him to be singled out was the enmity of Lord William Howard, who had disliked him ever since Copley refused a marriage alliance with his daughter late in Mary's reign. Coupled with this was the animosity of Archbishop Parker's wife, who was offended by the presence of open recusancy at Gatton, so near to the archiepiscopal residence at Croydon. This made Copley a virtually inevitable target of persecution, even though he appealed for aid to Weston, More, and other JPs. There was only so much that his friends could do, given that the law was on Howard's side, and Copley himself refused to stay at More's house in the summer of 1569, for fear of bringing Howard's disfavor upon his friend. That it was Howard's personal animus and not religion that led to Copley's difficulties is further confirmed by the fate of William Saunders, an arch-Catholic and an adherent of Howard, who suffered not at all. It is also significant that Elizabeth left Copley on the Surrey bench at least through July 1569 and probably until November, when he finally refused to subscribe.

Surrey remained loyal to Elizabeth during the troubles of 1569. The earl of Arundel was imprisoned for his complicity in the plot to marry the fourth duke of Norfolk to Mary, Queen of Scots, and place her on the throne of England. Though Thomas Stoughton was involved in his master's treachery to the extent of knowing what was going on, he did not suffer any punishment and remained on the Surrey bench.

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Various rumors circulated about Montague's possible involvement and his son-in-law, Henry Wriothesley, earl of Southampton, was imprisoned for his role, but nothing was proved against Montague, who apparently remained loyal. Indeed the keeping of Southampton was entrusted to Montague's good friend, William More, who kept Montague informed about him and worked to have him freed (though partly from a desire to be rid of the onerous responsibility). Not only was Norfolk's uncle, Lord William Howard, not involved, he led the shire's retinue as Lord Lieutenant.  

Still the years 1569-70 mark the beginning of a new era in Elizabethan history. Following the Norfolk plot and the northern rebellion of 1569 came the excommunication of Elizabeth in 1570 and within the next few years more plots against her and the introduction into England of Jesuit missionaries bent upon reconverting England to Rome. It was also a time when the Puritan element of the Anglican Church sought to take reform in a presbyterian direction, creating a second group of religious dissidents with which the queen must deal. Politics in Surrey, upon which religion had had only a limited effect in the years since the break with Rome, now took on more pronounced religious overtones. Fortunately Elizabeth had in Surrey a group of capable and longlived justices of the peace to rule the shire in the tumultuous years ahead. Though these years are beyond the scope of the present study, it is toward more detailed research in that era.

that I hope to extend my attention in the near future.
CONCLUSION

Clearly Surrey between 1485 and 1570 provides an excellent example of a distinct, identifiable county community in southern England. There the more eminent local gentry were recognized as the natural rulers of the shire, and they shared leadership in the county with only a very limited number of outsiders. These were the men who filled the ranks of the commission of the peace, the most important political body in the county, but it was they also who dominated other county commissions (subsidy, sewers, musters, and so on), served as sheriff and sometimes even as Lord Lieutenant, and represented Surrey as knights of the shire. Furthermore, most Surrey JPs confined their official activity for the most part to that shire, a further indication of local autonomy. For most of the exceptions to this rule, there were mitigating circumstances.

Among those who acted in an official capacity in more than one shire or who had at least ex officio status on two or more commissions of the peace, there were several types of individuals. First of all there were active JPs who were also prominent courtiers and whose national importance entitled them to a position on commissions of the peace in several counties — an outstanding example is Sir William Fitzwilliam, earl of Southampton, who was nevertheless most active as a local governor in his home county of Surrey. There were men like Sir William Shelley who, besides being JPs, were also judges in one of the central courts and consequently served one of the assize circuits

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1 See Appendix Two for evidence of individual JP's activity on other commissions.

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by virtue of which they were JPs in all counties within their jurisdiction. For Surrey in particular there were the occasional Londoners, such as the Cholmleys and John Eston, who also had places on the Surrey bench in order to represent the borough of Southwark. Occasionally there were men of sufficient eminence possessing the requisite landholdings to be regarded as natural rulers in more than one shire, for example, Sir Henry Wyatt and Sir Thomas Neville, who served as JPs both in Surrey and in Kent. Sometimes a Surrey justice of unusual ability might be called upon to perform some special task in a neighboring shire, as when William More served under Lord Clinton as vice-Admiral for Sussex. Finally there were a few men who were the servants of great magnates with some influence both in Surrey and elsewhere and who benefited from their lord's patronage by winning places on more than one county bench — the earl of Arundel's man, Thomas Stoughton (Surrey and Sussex) and Wolsey's servant, Ralph Pexsall (Surrey and Hampshire) are cases in point.

Still the hard core of the most active and influential justices of the peace concentrated their local government activity in Surrey. This included men like Sir Matthew Browne, the Mores, the Skinners, the Saunders, and so on. These individuals and the most part of their fellow JPs were of sufficient status to be counted among the natural rulers of the shire because they belonged to families with a long tradition of local magistracy or because they had acquired substantial landed holdings which placed them among the eminent worthies of the county. They had perhaps served a kind of official apprenticeship as members of lesser commissions, escheators, undersheriffs, or what-have-you. Thomas Browne made it clear in 1559 that the shire was most re-
luctant to give respect to men who had not had some rule in the shire before taking an important position like that of knight of the shire. ²

The idea of the county community was something which all of the Tudors found it necessary to respect in Surrey. Perhaps they benefited from the example given by Richard III, who did not respect the integrity of the community of the shire and encountered rebellions there unmatched in severity in the Tudor era. In fact Richard III's policy toward the membership of the commission of the peace was the antithesis of that to which the Tudors adhered. At his accession to the throne he carried out a major purge of the Surrey bench, removing many of the shire's most prominent leaders. It was a measure of his disregard for the county that he found almost no one there to replace the ousted leaders and thus left the commission greatly reduced in manpower. At the same time he introduced the powerful Howard family into a shire unused to aristocratic domination. The discontent thus engendered contributed to the general dissatisfaction which led to Surrey's participation in the rebellion of October 1483. Following the suppression of that rising, Richard III further purged the Surrey bench, and those few additions which he now made to the commission of the peace included a substantial proportion of outsiders. The efforts which he made to placate the dispossessed leaders in Surrey were fruitless, and he found no help there when Henry Tudor successfully challenged his hold on the throne in August 1485 -- pardoned rebels and ex-Edwardian JPs rose again on behalf of Richard's enemy.³

² Above, p. 309.

³ Chapter One, pp. 39-69.
Henry VII demonstrated his appreciation of his predecessor's error by restoring those purged JPs who were still alive en masse and retaining only those Ricardian appointees who had clear ties to the county community. Until the turn of the century he appointed new JPs almost exclusively from within the shire and only began to introduce outsiders in any numbers when his own intention to respect the integrity of the Surrey community was beyond question. It is noteworthy that Surrey's leaders took no interest in the Cornish revolt of 1497 and refused to get involved in the shenanigans of Lambert Simnel and Perkin Warbeck, two impostors put up as Yorkist claimants to the Crown by Henry's enemies. Such problems as Surrey posed in Henry VII's reign were the result of local factionalism, not of opposition to royal policy. When local problems led Henry VII to appoint to the bench powerful courtiers, some of whom were outsiders to Surrey, in order to increase his own control of the situation, he avoided any temptation to remove even the troublemakers in the shire. The lesson here was not lost on the first Tudor's successors — the policy of leaving Surrey's natural rulers in office while appointing a few hand-picked outsiders when necessary to increase royal control was to be followed by all of Henry VII's descendants and their ministers, with only minor exceptions.  

One of those exceptions came when Henry VIII succeeded to the throne, taking actions which in the long run were so negative as to prove the lesson given earlier by Richard III's difficulties in the shire and Henry VII's lack thereof. Though there was no purge of the

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4Chapter Two.
bench, Henry VIII's disinterest in government and the absence of any strong minister in full control of the central administration allowed local factionalism in Surrey to get out of hand and led to frequent changes in the membership and rank of JPs there. Even after Wolsey became the king's leading minister, the local problems continued until the Cardinal was forced to take drastic action in Star Chamber in 1519. Afterward, however, Wolsey followed the pattern established by Henry VII -- he undertook no purge, even allowing the recent defendants in Star Chamber to retain their prominent places on the bench, but introduced into the commission a few outsiders and trusted local men upon whose loyalty and presumably good behavior he could depend.

The fall of Wolsey produced remarkably little upheaval in Surrey. During the third duke of Norfolk's brief ministerial ascendancy, the Howards took the opportunity to remove several of Wolsey's servants, but made no further threat to the county community. Of course they were unable to take any action against their recent enemies, the Fitzwilliam-Browne faction, who were too powerful in their own right within the shire. But this was not merely a reflection of Fitzwilliam's powerful position at Court, for some of those adherents of Wolsey who lost their places on the bench were also close enough to Fitzwilliam perhaps to have warranted his support. Of course Fitzwilliam's influence was important, but so also was the claim to magistracy in Surrey exercised by Sir Matthew Browne and a variety of Fitzwilliam-Browne associates.

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5Chapter Three.

6Chapter Four, pp. 155-67.
The rise of Thomas Cromwell, a Surrey native himself, brought the restoration to the bench of several Wolseyans, but otherwise Henry VIII's new minister relied on the natural rulers of the shire. Despite his obvious differences over religious policy with Surrey's predominantly conservative JPs, he continued to rely on them down to his fall. Even at the height of his power, he removed his few adversaries from the bench only gradually, and not until he was threatened at Court in 1538-40 by a resurgent Norfolk-Gardiner alliance did he appoint many Protestants or outsiders to the commission of the peace. Even then he counted most heavily upon conservatives like Sir Christopher More, Sir John Gaynesford, Sir Richard Weston, Sir Anthony and Sir Matthew Browne, and especially the earl of Southampton up to the very moment that that noble betrayed him when his downfall became inevitable.  

As earlier with Wolsey, the fall of Cromwell produced no holocaust in Surrey. The Howards, their influence at Court once again temporarily restored, built up a new faction on the commission of the peace, but significantly the members of this group came from families well-established and with a history of rule within the shire. The other accessions to membership of the commission of the peace owed something to the influence of the Brownes, of whom at least Sir Anthony was now at peace with the Howards. Of course the conservative character of Surrey's natural rulers made it necessary for the conservative reaction of the early 1540s to introduce outsiders.  

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7 Chapter Four, pp. 167-288.

8 Chapter Five, pp. 229-52.
If the reign of Henry VIII had witnessed major changes in royal religious policy, the years which followed his death produced even more dramatic ones, as the Protestant Edward VI, the Catholic Mary, and the moderately Protestant Elizabeth successively took the throne. Yet the rapid upheavals between 1547 and 1558 failed to produce any major purge of the Surrey bench. With one exception at the beginning of Mary's reign, these monarchs and their ministers eschewed removal of local worthies who were JPs in Surrey even when they held religious views at variance with official policy. They removed only those men with weaker links to the county community and relied on appointing new justices to alter the overall composition of the commission to be more to their liking. Of course these new justices usually came from within the shire or had at least some tie to the community there. Even in the topsy-turvy mid-Tudor era the county community demanded respect.

The accession of the reformist Edward VI and the ascendancy of the Protestant Protector Somerset produced no removals from the commission of the peace. Conservative JPs remained in office, though of course the new regime appointed a number of Protestants to the bench. Certainly it is worth noting in connection with this that no one who was at the time on the Surrey bench participated in the uprising of 1549, which indeed was fairly limited in Surrey anyway. As far as it can be discerned, Northumberland's overthrow of Somerset produced the same pattern as earlier changes at the head of the central government -- no purge, followed by an infusion of additional JPs to bolster the new man's position. What happened during the brief and pathetic reign of Lady Jane Grey is a mystery, but it is most likely that there was not enough time to do anything with regard to the commission of the peace.
before the whole conspiracy engineered by Northumberland to bar Mary from the throne fell to pieces.\(^9\)

Mary did make major changes in the commission of the peace, but it must be stressed that most of the JPs she removed were Protestant appointees of the previous reign who had less claim to magistracy in Surrey than the hard core of the shire's natural rulers. In fact she found it necessary to leave some indigenous Protestants on the bench. Still, fairly soon after her succession, she probably did remove Sir Thomas Cawarden, along with his friend, William More. Cawarden was, interestingly enough, the only Surrey JP who had any known role in Wyatt's Rebellion. Yet Mary soon found it necessary to reappoint those JPs with close ties to the county community regardless of their religion, even including Cawarden, whom she continued to employ in Surrey government despite his further offenses against the Crown. In fact the dogmatically Catholic queen even named Protestants as new members of the commission of the peace because their standing in the shire made them the best choices for the places left by her reduction in the size of the commission, which had to be filled because of the demands of local government.\(^10\)

The death of several JPs just prior to that of Mary saved Elizabeth from having to decide whether to remove them, but it is doubtful that she would have done so, for there was no purge of the remaining members. She, too, followed the familiar pattern, refusing to remove

\(^9\)Chapter Five, pp. 253-78.

\(^10\)Chapter Five, pp. 178, 302.
even those determined Catholics whose position in Surrey more or less entitled them to a place on the bench. The Protestantization of the Surrey commission of the peace was accomplished gradually by the appointment of new members, again usually men with local connections. The Catholic contingent was simply allowed to slowly die out, though in fact Elizabeth named a few new JPs who were religious conservatives prior to the middle of the 1560s. Even as her hold on the nation became increasingly secure, the queen found no reason to remove for religious reasons any significant element of the JPs, the majority of whom were now getting along well together.¹¹

It required some special circumstances to move the central government to interfere with the normal order of things in Surrey. Sometimes the government tampered with the commission of the peace in an effort to gain more control in the shire — Richard III handled this rather clumsily and suffered the consequences, while Thomas Cromwell was able to do it with more finesse and with less trouble.¹² On occasion it was concern for local administration of justice and the peace of the county community which led to central interference, as was the case with Wolsey. But even when serious local strife aroused the central government, there was a profound reluctance to remove from the bench those with a strong claim to local magistracy, as Wolsey showed by retaining Lord Edmund Howard, Sir Matthew Browne, and Sir John Legh.¹³ Later on it was religious policy which moved the last three

¹¹Chapter Six.

¹²Chapters One, pp. 39-69, and Four, pp. 167-228.

¹³Chapter Three, especially pp. 133-43.

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Tudors to make substantial additions to the Surrey bench, though this was tempered by a great deal of pragmatism. 14

Most instances of central government interference in the county community came when it posed little threat to the security of local rulers, though Richard III's actions are an obvious exception. Henry VII's intrusion of his own courtiers in Surrey came late in his reign when his respect for the community of the shire had been made clear, though it is not completely out of bounds to wonder if this policy, if applied in other shires, might have contributed in some small way to Henry's unpopularity near the end of his life, when his uncustomary financial policy aroused considerable indignation. 15 Wolsey's changes in the 1520s were no real challenge to the established JPs, though again this conceivably could have added to the resentment against a man whom many members of the older aristocracy and gentry regarded as an upstart. 16 Cromwell's innovations came at a time when he still had close ties to the most eminent local JPs. 17 Of the later three Tudors, only Mary made changes which could be perceived as a serious threat to the place of certain of the shire's natural rulers, and even she soon repented (or, perhaps it should be said, had to "recant") her decision. In any case the influence exercised by the county community on royal

14 Chapters Five and Six.
15 Chapter Two, pp. 90-9.
16 Chapter Three, pp. 143-53.
17 Chapter Four, pp. 167-228.
policy was powerful. 18

Thus royal policy toward the commission of the peace clearly indicates the presence of a distinct political county community in Surrey. Further confirmation of this comes from examining the Parliamentary elections in the county during this period, though evidence unfortunately is lacking for the years prior to 1529. From the beginning of the Reformation Parliament into the early 1570s those men who served Surrey as knights of the shire were all among that group recognized as the county's natural rulers, and with the single exception of Sir Edmund Walsingham in 1545 all were sitting JPs at the time of their election.19 Though a number of these representatives were obviously elected with the approval of the central government, they were by no means the instruments of monarch or minister, intruded into parliamentary seats without consideration for the will of the shire. Indeed twice in Edward VI's reign Surrey elected knights of the shire contrary to the recommendation of Northumberland's government, perhaps the result of some unknown local arrangement, but much more likely a show of county independence in such matters.20

As for the Surrey boroughs, they were, like similar towns in other counties, more subject to outside influence and were sometimes represented by outsiders. At least in Surrey, however, these outside individuals were most often returned asburgesses at the behest or at

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18 Chapter Four, especially pp. 178-302.

19 Chapters Four, pp. 163-4, 215-18; Five, pp. 259-61, 274-5, 281-2, 295-9; Six, pp. 308-12, 322-3.

20 Chapter Five, pp. 261, 275.
least with the consent of the local patrons. Seldom were MPs elected for Reigate against the will of the Howards; at Blechingley without the blessing of first Sir Nicholas Carew, then Sir Thomas Cawarden, and finally the Howards; at Gatton without the assent of a Copley or, on occasion, a Howard; at Guildford without the support of the Brownes, the Mores, or the earl of Arundel. Southwark generally insisted on returning its own citizens as burgesses, particularly from Edward VI's reign onward, when its interests were threatened by London. And when the influence of a local patron lapsed in Reigate or Guildford, the burgesses elected were often local citizens — the Skinners' frequent return for Reigate owed as much to their ancient standing in the borough as to their friendship with the Howards, while William Hammond, John Austen, and even Henry Polsted were all good citizens of Guildford. The boroughs also had some sense of community.

Aside from the influence of the county community, another important feature of Surrey political history between 1485 and 1570 was the formation of alliances, both between the Surrey community and the Tudors and within the county itself. With respect to the first, Surrey's rulers manifested a rather remarkable loyalty to the successive Tudor regimes, a circumstance no doubt interdependent with the Crown's respect for the county community (which was the cause of the other, if such can be attributed, is at this stage impossible to say). Of course the tendency of Surrey's JPs to trim their sails accordingly as power changed hands in the central government was partly a function

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21 Chapter Four, pp. 163-6; 218-20; Five, pp. 241-2, 247-8, 260-1, 275-7, 281-2, 295-9; Six, pp. 311, 323.
of self-interest. It was after all best to remain in favor with the prevailing regime, and most of the Surrey justices apparently had a knack for doing so. Yet self-interest could conceivably lead one to rebellion, as it did with numerous Surrey officials in Richard III's reign. But there was little interest in rebellion among the Surrey men who served the Tudors as JPs, with the exception of Sir Nicholas Carew's involvement in the Exeter conspiracy and Sir Thomas Cawarden's role in Wyatt's Rebellion. The relationship between Crown and county was generally one of mutual respect.

There were also attempts to form alliances within the shire, whether because of family ties, friendship, mutual interest, or common beliefs. Prior to Elizabeth's reign these alliances were far from being all-embracing, and competition among rival groups led to factional strife, often with regrettable results. When the central government was strong, it was possible to keep this under control, but when it was weak or inattentive factionalism came -- sometimes violently -- out into the open, as in Henry VIII's reign before Wolsey consolidated his hold and after Cromwell's fall, and under Mary. Unlike the factional alliances at Court, which were usually short-lived, those in Surrey could last for years, as did the rivalry between the Howard-Legh and Fitzwilliam-Browne-Scott groups or that between the More-Cawarden faction and its Howard-led adversary later on. This was because local rivalries were less concerned with the constantly changing

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Chapter Four, pp. 210-5, and Five, pp. 283-92.


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balance of power at Court than with longer-lasting problems within the county. The one exception to this was the split between Southampton and the Brownes on one hand and Sir Nicholas Carew on the other in 1538-9, though even that had its roots in part in local conflict.²⁴

A prominent cause of local strife in Surrey was the introduction into the body of the shire's rulers of a powerful outsider. Weak intruders posed little threat, but the appearance of a strong family like the Howards or an individual like Sir Thomas Cawarden was. It was Richard III's intrusion of John Howard, first duke of Norfolk, and his son, Thomas, first earl of Surrey and later second duke of Norfolk, that helped provoke resistance to his regime in the county and left a legacy of hatred between Sir Matthew Browne and the Howard family that lasted a lifetime. Of course over the years the Howard presence in Surrey was gradually accepted, and by Edward VI's reign, they could share the resentment of a man like William Sackville at the sudden appearance high on the commission of the peace of Sir Thomas Cawarden — even though he had been associated with the county for a number of years, this son of a shearmann was regarded by some older denizens of the county community as a rank upstart. While strong intervention from the central government might impede factional strife, the strife sometimes ended only when factional leaders died. Thus factional conflict dropped off in the 1520s following the deaths of the second duke of Norfolk and Sir John Legh and early in the 1560s when Cawarden's death removed the obstacle to a rapprochement between the Mores and

²⁴Chapter Four, pp. 210-5.
the Howard faction.  

It is interesting that in Surrey, unlike some shires, religion had only a very limited effect on faction. There were no instances of religious strife in the county prior to Mary's reign. Even then religious considerations were only a small part of the antagonistic relationship between the More-Cawarden and Howard factions, for Lord William Howard was after all a religious moderate. While religion may have figured in the opposition of the earl of Arundel, Thomas Stoughton, Henry Weston, and others to the election of William More in 1563, relations between Catholics and Protestants were generally amicable in the 1560s, as the careers of the Viscount Montague and, prior to 1569, of Thomas Copley so amply demonstrate.

The way in which factionalism in Surrey ties in with the importance of the county community as an idea is quite significant. Instances in which contests for precedence in the shire led to strife have already been mentioned. What apparently ended factional tension in Surrey in the 1560s was that such competition was no longer regarded as necessary. By that time power in the shire lay primarily in the hands of the Howard, Browne, and More groups, though Arundel and Weston were not without influence. By 1560 the members of these three groups had been associated with county government for years. None was an intruder, none was a threat to the integrity of the county community nor to any of the other groups. The Howards had been introduced by

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Richard III, cast down and only slowly rehabilitated by Henry VII, re­vived by Henry VIII, thwarted by Wolsey, Cromwell, and the Seymours, and then resurrected again by Mary and Elizabeth. Though many of the Howards lacked genuinely admirable qualities, the present embodiment of the Howard interest in Surrey in 1560, Lord William, had served the county well. The Brownes' presence in the shire predated the Tudors. Sir Matthew, a capable governor but ever a contentious neighbor, was now gone, and the family mantle worn by Montague, Catholic yet tolerant of Protestants and loyal to the Crown, and the self-effacing Thomas Browne. The Mores had been raised to importance in the shire by Wolsey and further exalted by Cromwell, Somerset, and Northumberland. They had had at least some link to the Brownes for years through Sir Christopher's friendship with Southampton; now Cawarden's death made possible good relations with the Howards also. Thus factional conflict ended, at least for a time.  

Before leaving the subject of factionalism, it is necessary to mention briefly a few of its side-effects. One of these was institutional -- during the 1510s at least, local competition seems to have boosted the attendance at quarter sessions of JPs who were not of the quorum but who had interests to protect at these meetings of the county's rulers. At its worst factional conflict tended to subvert the proper administration of justice. In the 1510s concern for justice was negligible among rival JPs, while in Mary's reign members of the Howard faction refused to return property to Cawarden even when

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27Chapter Six.
ordered to do so by the central government. Friendship also sometimes led powerful JPs to protect corrupt fellow-members of the commission of the peace. This was apparently true of Southampton with regard to Sir Matthew Browne, and even of William More with respect to Richard Bedon.28

In addition to those positive conclusions, it is possible to offer some tentative suggestions about other matters based on the preceding study, but still requiring more research for full confirmation. Regarding the old "rise of the gentry" idea, already grievously smitten by J. H. Hexter and others, it can be said, at least where Surrey officeholding was concerned, that some families maintained their position (e.g., the Skinners and the Carews), some declined (the Leghs of Stockwell, for instance), and some rose (notably the Mores). In other words, as Hexter has suggested, there was no novel pattern in this period.29 Whether this will be borne out in Surrey with regard to landholding remains to be seen, though it seems likely.

The pronounced role of courtiers in Surrey local government in the Henrician era has been noted above. This began about 1500, increased during Wolsey's ascendancy, and reached a peak under Cromwell, persisting after his fall for the remainder of Henry VIII's lifetime. It may be possible to link this to Dr. David Starkey's discovery of the increasing importance of the Privy Chamber in national politics during the same period. A number of Surrey's courtier JPs were at

28Chapters One, pp. 14-5; Three; Five, pp. 283-302; Six, p. 320.

various times members of the Privy Chamber, for example, Sir Nicholas Carew, Sir Anthony Browne, Sir Richard Page, and others. The declining role of courtiers in Surrey politics does parallel the decline of the Privy Chamber under Edward VI, when it was the men close to first Somerset and then Northumberland who had the most influence, and in the reigns of Mary and Elizabeth, when a male Privy Chamber became an impossibility. 30

Professor Christopher Haigh, a noted local historian specializing in religious matters, recently has defined four interpretations of the English Reformation. The first suggests that the Protestantization of England occurred rapidly and was instituted by the central government, the second that it was indeed fast but arose first from below, the third that it was brought about by the central authority but only slowly, and the fourth that it developed gradually among the people irrespective of government policy. The present study of Surrey officialdom can offer at least a minor contribution to this discussion. Here it has been shown that with regard to the commission of the peace in that shire, Protestantization occurred only gradually, and that Protestant regimes adopted an essentially pragmatic approach, appointing Protestant JPs when they could, but avoiding any dogmatic opposition to Catholics. 31

A final suggestion is that Professor Penry Williams' doubts about the heavy weight of JPs' duties, expressed recently in The Tudor Regime

30 Starkey, "The King's Privy Chamber, 1485-1547."

Certainly the evidence supplied in the present study suggests that William Lambarde's comments in Eirenarcha (1581-2) about the wearisome burden of official duties which he and other JPs bore in the sixteenth century are on the mark. William More offered a similar observation himself. Certainly the JPs were given a great deal of work to do, what with quarter sessions, assizes, gaol deliveries, the developing petty sessions, licensing of alehouses, enforcement of the Statute of Artificers (from 1563), dealing with the poor, rogues, and vagabonds, and so on. Of course one of their main tasks was still keeping the peace, and that could be a very time-consuming task, as the days of dedicated detective work carried on by Sir John Gaynesford when investigating the murder of a local resident in the early 1530s shows. Furthermore, it was the JPs who were commissioners for musters, the subsidy, sewers, and other matters. Of course a JP might be lazy or irresponsible, but a conscientious justice was a very busy man, hardly the leisured squire who merely roused himself from the leisurely oversight of his country estate four times a year to attend quarter sessions and flaunt his social position. These were the men who governed the county community and who provided the link between it and the Court — a very important task indeed.

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32 Williams, The Tudor Regime, pp. 151-2.


34 SP 1/72/76-87, 80/88, 82/168.
The role of the Surrey county community in the years after 1570 remains to be investigated. Certainly county communities played an important part in the history of the later Elizabethan period, as Neale has shown in *The Elizabethan House of Commons*, and Smith, Manning, and others for various shires. A whole host of studies have demonstrated the crucial role of county communities under the early Stuarts and during the Interregnum. The function of these communities is still being defined and clarified, however, and more work in more counties can add to the accuracy of the overall picture. With an understanding of the Surrey community between 1485 and 1570, it will be possible to make a much more informed analysis of subsequent years in that county. Much exciting and presumably very rewarding research remains to be done.
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Theses


APPENDIX ONE

MEMBERSHIP OF COMMISSIONS OF THE PEACE AND
ATTENDANCE AT QUARTER SESSIONS

This appendix is based on the systems used by A. Hassell Smith, County and Court and Ronald Fritze, "Faith and Faction," with minor variations.

Key

The number in the upper left of each block indicates a JP's rank on a given commission of the peace, liber pacis, or nomina ministrorum.

The number in the lower right of each block indicates the number of days on which a JP attended quarter sessions as shown by pipe roll accounts for the period most nearly corresponding to the date of a particular commission of the peace, liber pacis, or nomina ministrorum.

q - indicates a JP was of the quorum.

s - indicates years in which a JP was sheriff of Surrey and Sussex.

* - indicates a JP was on the commission of the peace during a given regnal year, even though he is not named on the commission of the peace, liber pacis, or nomina ministrorum for that year.

+ - indicates that a JP's career continues from a preceding section of the table or continues on to a succeeding section of the table.

// - indicates the regnal year in which a JP died.

x - indicates that a JP was dead but continued to appear in the sources.

Who Is Included

The table charts the careers of all "active" JPs, that is those ranked below the ex officio and judicial members of the commission of the peace. JPs who later rose into the ex officio ranks (e.g., Charles Brandon, duke of Suffolk, William Fitzwilliam, earl of Southampton, Thomas Cromwell, earl of Essex, and Anthony Browne, Viscount Montague) continue to be included throughout their careers. Because of his local residence and activity, William Howard, Baron Howard of Effingham, is also included, though his first notice in the sources places him among the ex officio JPs.

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Sources for Attendance

Sources for Surrey Commissions of the Peace
2. (22 February 1486) C 66/561/5d. Enrolled commission.
3. (2 Henry VII) No extant commission.
7-9. (5-7 Henry VII) No commission extant.
17. (13 Henry VII) No commission extant.

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33. (1 Henry VIII) No commission extant.
34. (7 January 1511) C 66/612/3d. Enrolled commission.
38. (22 March 1512) C 66/615/2d. Enrolled commission.
41. (January 1514) C 66/620/12d. Enrolled commission.
42. (7 February 1514) C 66/620/4d. Enrolled commission.
43. (8 July 1514) C 66/622/9d. Enrolled commission.
44. (18 October 1514) C 66/622/5d. Enrolled commission.
45. (29 November 1515) C 66/624/5d. Enrolled commission.
46-47. (8-9 Henry VIII) No commission extant.
49. (11 Henry VIII) No commission extant.
51. (13 Henry VIII) No commission extant.
55. (11 February 1526) C 66/646/7d. Enrolled commission.


59. (14 February 1530) Loseley MS. 961/15. Nomina ministrorum found with gaol delivery records for this date. This nomina must have been prepared for the assizes which would have been held about the same time as this gaol delivery, so the list of JPs must be current.

60. (16 February 1531) C 66/656/16d. Enrolled commission.

61. (23 Henry VIII) No commission extant.

62. (Post-22 April 1532-January 1533) SP 2/M/28. This list is from a book containing the names of justices of assize and JPs for various counties. Though a modern endorsement says "25 Henry VIII," LP, vol. V, no. 1694 (p. 705) points out that since Sir Thomas Audeley is mentioned as keeper of the Great Seal and not as chancellor, it cannot be later than January 1533. Since 25 Henry VIII began in April 1533, the book must have been made in 24 Henry VIII, which would place it sometime between 22 April 1532 and January 1533.


68. (9 July 1538) C 66/678/8d. Enrolled commission.

69. (21 May 1539) C 66/687/1d. Enrolled commission.

70. (7 February 1541) C 66/697/12d. Enrolled commission.

71. (33 Henry VIII) No commission extant.


73. (December 1542-early 1543) C 193/12/1. This frequently altered liber pacis is used twice in the table, in its original form (list 73) and in its final altered state (list 75). It is endorsed "1542" on the cover, but cannot have been drawn up before 3 December 1542, when Lord John Russell was appointed Lord Keeper of the Privy Seal, an office the liber pacis describes him as holding. In the original form several JPs' positions differ from those of the 18 May 1543 commission (list 74), so this liber pacis was obviously not drawn up in preparation for that commission. It must date originally from December 1542 or early 1543, since several JPs show a steady rise in status from the 21 October 1542 commission (list 72) through the original liber pacis here to the 18 May 1543 commission. Therefore the status of JPs in the original format is recorded under 34 Henry VIII. As for
the liber pacis' latest date of use, we know that the list for Hampshire in this liber was used at least through 22 April 1544, when Lord Chancellor Audeley's death is recorded (Fritze, "Faith and Faction," p. 197). In Surrey it was used at least until 20 September 1543, when Thomas earl of Rutland died (his name is marked "mort" in the list). It probably continued to be used well into 1544, though not quite as long as Hampshire's list since Audeley's name is not crossed off the Surrey list. I have used the final altered format for 35 Henry VIII, after the 28 May 1543 commission.

74. (18 May 1543) C 67/74/11. Enrolled commission on patent roll supplementary

75. (early 1544) C 193/12/1. See 73 above for explanation of the use of this liber pacis.

76-78. (36-38 Henry VIII) No commission extant.


80-85. (2-7 Edward VI) No commission extant.

86. (18 February 1554) C 66/864/6d. Enrolled commission.

87. (1&2 Philip and Mary) No commission extant.

88. (c. 1555) SP 11/5/6. This liber pacis is used in its original form except for the inclusion of Sir Thomas Cawarden, the only name added later. Several names were later crossed out. For a fuller discussion of the changes, see Chapter Five.

89-91. (3&4-5&6 Philip and Mary) No commission extant.

92. (December 1558-January 1559) BL Lansdowne MS. 1218.

93. (17 February 1559) ASSI 35/1/1/7. Nomina ministrorum. Although I have used the original ASSI 35 for each nomina, I include here also the citations to J. S. Cockburn, ed., Calendar of Assize Records, Surrey Indictments, Elizabeth I (London: Her Majesty's Stationery Office, 1980), where they are printed. For this entry see Cockburn, no. 3.

Note: SP 12/2/17 contains lists of JPs, minus the ex officio members, for mid-1559. Unfortunately the folio for Surrey is missing.


95. (8 March 1560) ASSI 35/2/1/16. Nomina ministrorum. Cockburn, no. 34.
96. (Summer 1560) ASSI 35/2/7/11. Nomina ministrorum. Cockburn, no. 56.


100. (11 February 1562) C 66/985/39d. Enrolled commission.


103. (1 June 1564) C 66/998/7d. Enrolled commission.


105. (20 March 1565) ASSI 35/7/1/22. Nomina ministrorum. Cockburn, no. 205.

106. (7 August 1565) ASSI 35/7/6/44. Nomina ministrorum. Cockburn, no. 2228.

107. (8 Elizabeth) No commission extant.


113. (27 February 1570) ASSI 35/12/3/5. Nomina ministrorum. Cockburn, no. 443. The list of JPs for October 1569 is incomplete and thus not included.

114. The list of JPs for October 1569 is incomplete and thus not included.
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**Legh, Sir John**
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- Regnal Year: 5
- Year Died: 1495

**Lye (Legh), John**
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- Regnal Year: 6
- Year Died: 1495

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- Regnal Year: 7
- Year Died: 1495

**Merston, William**
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- Regnal Year: 2
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**Morton, Thomas**
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- * indicates a special note

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- Bray, Sir Reginald
- Browne, Sir Matthew
- Canceller, Thomas
- Carew, Sir John
- Carew, Sir Richard
- Cope, William
- Dudley, Edmund
- Fitz, Roger

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- 62: Long, Sir Richard
- 63: Mabot, Richard
- 64: Mannoke, Henry
- 65: More, Sir Christopher
- 66: Morys, John
- 67: Muschamp, William
- 68: Neville, Sir Thomas
- 69: Page, Sir Richard
- 70: Pelsall, Ralph

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- 1546: Lisle, Thomas
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- * indicates the year of death.
- // indicates the death date.
- (£3) indicates the death date.
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**Notes:**
1. See note for specific details.
2. Died in office.
3. Died in service.

**Table Row Elements:**
- **Date of Commission:** Date when the person was commissioned.
- **List Number:** Identification number for the list.
- **Regnal Year:** Year of the reign of the monarch.
- **Died:** Indicates whether the person died in service or in office.
- **Regnal Year:** Year of the reign of the monarch relevant to the date of death.
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FOOTNOTES TO APPENDIX ONE (TABLE)

1. William Merston (or Merton) is erroneously called Richard Marston in the 20 September 1485 commission of the peace (C 66/501/3d). It clearly should be William as "Richard" appears in the position otherwise occupied by William. John Holgrave is listed on the commissions of the peace (C 66/561/3d and 5d) as "Thomas" and on the pipe rolls (E 372/333 and 335/Surr-Suss) as "John." Since the commissions and pipe rolls overlap chronologically this is surely the same person. Pipe rolls from Edward IV and Richard III's reigns also use the name "John" and there is a will for a John Holgrave of Surrey c. 1487, the year Holgrave ceased to appear as a JP.

2. The entry for attendance by Surrey JPs on E 372/335/Surr-Suss, the pipe roll used for this list, is dated from the Thursday after Michaelmas 4 Henry VII (1488) through 27 September 1490. Since E 372/334/Surr-Suss (used for list number 6) covers the period 30 September 1488 to 7 July 1489, the starting date for E 372/335/Surr-Suss probably should be the Thursday after Michaelmas 5 Henry VII (1 October 1489).


4. The entry for attendance by Surrey JPs on E 372/349/Surr-Suss, the pipe roll used for this list, is dated from the Wednesday after Michaelmas 13 Henry VII (1497) through 6 July 1503. Since E 372/344/Surr-Suss (used for list number 17) covers the period 3 October 1497-16 July 1498, the starting date for E 372/349/Surr-Suss probably should be the Wednesday after Michaelmas 18 Henry VII (4 October 1502). It is possible, however, that this entry may record some attendances for 15 Henry VII, for which there is no entry in the pipe rolls. C.P.R. Henry VII, vol. II, p. 660, erroneously includes Sir Richard Carew in this commission. Matthew Browne is erroneously called "Bartholomew" on the commission of the peace for 11 October 1502 (C 66/591/4d).

5. John Gaynesford II is erroneously called "Nicholas" on the commissions of the peace for 6 December 1502 and 13 August 1503 (C 66/591/4d and 9d).


7. C.P.R. Henry VII, vol. II, p. 660, erroneously includes Sir William Danvers, Sir John Norbury, Sir John Iwarby, Roger Fitz, Thomas Canceller, and John Kingsmill in this commission. John Skinner I was clerk of the peace in Surrey from September 1588 until at least July
1503 (E 372/334-49/Surr-Suss.). He became a JP in 1505 and served until 1515 (see table). John Skinner II, sometimes called "junior," took over as clerk in 1505 and served until sometime between January 1522 and October 1523, after which he was replaced by Richard Hill (E 372/351-70/Surr-Suss.). In 1524 John II became a JP, nine years after John I's last appearance on the commission (see table).


The entry for attendance by Surrey JPs on E 372/355/Surr-Suss., the pipe roll used for this list, is dated 4 October 1503-10 April 1510. There is no pipe roll entry for the administrative period beginning at Michaelmas 1503 (19 Henry VII), though E 372/351-4/Surr-Suss. cover 1 October 1504-4 July 1508 (20-23 Henry VII). The number of days attended by the clerk of the peace (13) clearly indicates that E 372/355/Surr-Suss. applies to more than one year. Apparently E 372/355/Surr-Suss. belatedly records attendance for 19 Henry VII, when there may have been fewer than the ordinary number of quarter sessional meetings, plus attendance for 24 Henry VII and 1 Henry VIII, a transitional period which probably resulted in fewer than the usual number of meetings and the administrative confusion which produced this unusual entry. Rather than discard the attendance numbers entirely, I have arbitrarily placed them under 24 Henry VII. Unfortunately this produces anomalies, as two JPs whose attendance is recorded died before 24 Henry VII (Roger Fitz and Richard Merland — note the "x" by their names under 24 Henry VII). But given the lack of a separate entry for 19 Henry VII, it is likely that the majority of the attendances recorded date from 24 Henry VII and 1 Henry VIII. One indication is that Richard Merland, one of the dead JPs, is shown attending four times. As Merland missed only three of twenty-eight possible days' attendance for 17, 18, 20, and 21 Henry VII, it is unlikely that quarter sessions met on more than four or five days in 19 Henry VII.

Robert Wintershull is erroneously called "John" in the commissions of the peace for 7 January 1511 and 14 February 1511 (C 66/612/3d and 614/5d).

It is impossible to be certain whether the Sir William Fitzwilliam in the commissions of the peace for 8 July 1514 and 18 October 1514 (C 66/622/9d and 5d) is the elder or younger. Based on his position in the commissions, it seems most likely that it is Sir William senior (not the future earl of Southampton).

Sir Robert Johns is erroneously called "Johnson" on the commission of the peace for 8 February 1524 (C 66/642/11d). The entry for attendance by Surrey JPs on E 372/370/Surr-Suss., the pipe roll used for this list, is dated from 30 September 1523 through the Tuesday after Epiphany, 16 Henry VII (10 January 1525). Since E 372/371/Surr-Suss. used for list number 54, covers the period 4 October 1524-17 July 1525, the concluding date for E 372/370/Surr-Suss. probably should be
the Tuesday after Epiphany, 15 Henry VIII (12 January 1524).

13. On the commission of the peace for 16 February 1531 (C 66/656/16d), there is an entry just above the name of Sir John Dudley of which all but the first letter of the first name is missing. The second name is "Dudley," obviously a mistake. The first letter of the first name is "B." which, along with the placement of the name, indicates that it is Sir Brian Tuke. Just above John Skinner's name is another illegible one, which is certainly William Westbrooke, given the placement and the visibility of the first letter "W."

14. The names of Thomas Hennenge, Sir Anthony Browne, and Sir Richard Page are added in Cromwell's hand at the bottom of the Surrey list in this book of JPs. Given their status in other commissions of the peace, it is impossible that they could have appeared in this position in the actual commission of the peace based on this list. But since no other position can be assigned to them with any confidence, they are numbered according to their actual position on the list.

15. The entry for attendance by Surrey JPs on E 372/384/Surr-Suss, the pipe roll used for this list, covers the period 5 October 1535-5 November 1538. Attendances recorded on this pipe roll are listed under 27 Henry VIII, the first regnal year in the period. The "-" in the bottom righthand corner of entries in the next two lists indicates that the numbers under 27 Henry VIII apply to these lists also. Mabot is referred to as a JP in 1538, during an investigation of his corruption as master of St. Thomas' Hospital in Southwark. See pp. 207-9.

16. The name of William Muschamp appears on the commission of the peace 21 October 1542 (C 66/720/5d) despite his death. This need not be ascribed to any miraculous affinity with Lazarus -- undoubtedly it is attributable either to slow or bad communication between county and Chancery or to simple clerical oversight.

17. The name of Robert Wintershull appears on the commission of the peace for 26 May 1547 (C 66/801/18d) despite his death. See above, note 16.

18. Sir Thomas Cawarden's name was added sometime after the original list was made, undoubtedly due to his rehabilitation following his incarceration during Wyatt's rebellion. He must have been removed again in 1556 (at least for a while) as a result of his role in the Dudley conspiracy.

19. E 372/404/Surr-Suss (list number 90) lists a Lawrence Weston, undoubtedly Lawrence Stoughton, as Henry Weston is also listed.
The name of Henry Draper appears on the nomina ministrorum for 4 July 1559, 3 March 1561, and 18 July 1561 (ASSI 35/1/4/23, 3/1/8, 3/5/24), though not on those for 8 March and the summer of 1560 (ASSI 35/2/1/16, 2/7/11).

Nicholas Legh is erroneously called "William" in E 372/406/Surr-Suss. William Legh was not a JP in Surrey until after the period dealt with in this study.

The "George" (E 372/411, 412, and 416/Surr-Suss) and "John" Lovell (E 372/415/Surr-Suss) listed in the pipe rolls are certainly supposed to be Gregory Lovell. These are clerical errors.

On ASSI 35/11/2/3 (list number 111) Anthony Crane's name has been crossed off, but he is marked as attending the assizes for which this nomina ministrorum was prepared, so he is included here.

On ASSI 35/12/3/5 (list number 114) Thomas Browne's name has been erased. Browne was sheriff in 1570. He was returned to the commission of the peace sometime between 23 July 1571 (ASSI 35/13/7/29) and 21 February 1572 (ASSI 35/14/1/3). Henry Weston's name appears on ASSI 35/12/3/5 (list number 114) for the first time since 1564 (see table), but is crossed off. He reappears on the next extant list of JPs, the nomina ministrorum for 19 March 1571 (ASSI 35/13/4/47), second only to Charles Howard among the active members of the commission of the peace. For this year see also above, note 22. Despite his death c.1568, Thomas Little continues to appear on the nomina ministrorum for 28 February 1569, 8 July 1569, and 27 February 1570 (ASSI 35/11/2/3, 11/5/24, 12/3/5). See above, note 16.
APPENDIX TWO

BIOGRAPHICAL INFORMATION FOR SURREY JPS, 1475-1570

The appendix follows this format:

Name (birthdate-deathdate), residence(s). Parentage. Marriage(s) and issue. Education. Knighthood and/or peerages. Executors and overseers of will. Feoffees to uses. Bequests in will. Will preamble (often indicates religious preference).

Offices:
Royal Court, Chamber.
Royal Court, Household.
Royal Government, Privy Council.
Royal Government, Administration.
Royal Government, Law.
Royal Government, Military.
Royal Government, Diplomatic.
Parliament: burgess or knight of the shire.
County; justice of the peace.
County; sheriff.
County; Lord Lieutenant or deputy.
County; other (e.g., steward).
County; other commissions (e.g. subsidy, sewers, musters, gaol delivery, oyer and terminer, etc.).

ACTON, SIR ROBERT (by 1497-1558) of Elmley Lovett and Ribbesford, Worcs. and Southwark, Surr. 2nd s. Richard Acton of Sutton, Worcs. and Margery, da. and coh. of Humphrey Dore of Herefs. Marr. by May 1528 Margery, da. and h. of Nicholas Mayor of Southwark.1
Kt. 1542.2
R. Ct., Ch.: groom 1518, page 1526, gent. usher 1528.
Hh.: King's saddler Sept. 1528-d.
R. Govt., Admn.: ccl. marches Wales 1551.
Mil.: northern rebellion 1536, France 1544.
Parl., Bg.: Southwark 1529, 1539, 1542.3
Cty.: JP 1536-d.4
Comm. sub. 1541-7;5 assizes 24 Jan. 1543; oyer and terminer 14 June, 2 July 1544, 11 Feb. 1545.6

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Appendix One.


LP, vol. XVIII, pt. 1, no. 100 (23); vol. XX, pt. 1, nos. 622 (II), 623 (II, IV).


Executor: John Agmondeesham. Overseers: John Birch (q.v.), William Hamond. Bequest to John Stidolph (q.v.).

Will preamble: "I bequeath my soul unto the hands of almighty God, my savior and only redeemer, trusting in no other works than only by the death and passion of Jesus Christ to be saved, unto whom all honor and glory forever and ever, Amen."2

Pari., Bg.: Reigate 1571.3

Cty.: JP c.1558-d.4 Comm sub. c.1561-7;5 musters 1569.6


2PRoB ii/55/7.


4Appendix One.

E 179/185/280; 282/pt. 1/TG6163.


Will preamble: "I commend my soul unto almighty God and to his mercy and to the prayers of all the company of heaven and all Christian people, and after this transitory life. . . ."4

R. Govt.: referred to (along with Cromwell) as councillor to the king 1 Aug. 1532.5
BASELEY, WILLIAM (by 1521-73/74) of Lambeth and Southwark, Surr. and Garsdon, Wilts. Marr. (1) by 1554, Catherine (d. 30 Nov. 1556), widow. (2) Anne ?Johnson.
Parl., Bg.: Calne Apr. 1554. Kt.: Wilts. 1555.
King's bailiff Southwark by 1544-6.

Executors: Sibill, Nicholas Bassett.
R. Ct., Hh.: esq. King's household by 13 Nov. 1454.

1PROB 11/10/8; Wedgewood, p. 49, which questionably estimates Bassett's birthdate as 1415 and erroneously dates his death to 1475.

2Wedgewood, p. 49.

3Appendix One.

4List of Sheriffs, p. 136.

5Wedgewood, p. 49.

6C.P.R. 1466-77, pp. 246, 248; C.P.R. 1476-85, p. 244.


1Death date based on the assumption that Bedon must have died at the time he disappeared from the commission of the peace, given his great age - he had been friendly with Cromwell (see Chapter Four).

2Vis. Surr., p. 49.

3See Chapters Five and Six.

4Appendix One.

5C 142/82/143.

6E 179/182; 183/2, 3, 5; 185/229, 233-4, 238, 251-4, 259, 262, 265, 268, 275, 285; 199/1-3; 281/TG 12486; 281/JPR 6224; C.P.R. Edward VI, vol. 5, p. 357.

7L.P., vol. XXI, pt. 1, no. 91(1); SP 10/3/16; C.P.R. Eliz., vol. III, nos. 423, 434.
BETTS, JAMES of Southampton (?-c. 1540?). Issue: Thomas marr. Radi-gund, da. of Sir Thomas Lucy.\(^1\)
Cty.: JP c.1518.\(^2\)

\(^1\)Fritze, "Faith and Faction," Appendix One.

\(^2\)Appendix One.

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BIGGE, JOHN
R. Ct.: "King's servant" Edw. IV, groom of Chamber by 1509.\(^1\)
Cty.: JP c.1507-c.1516.\(^2\)
Bailiff Surr. in Windsor Forest ?1504, keeper of game 1508.\(^3\)
Comm. de walliis et fossatis 27 Dec. 1505, inquire destructions and escapes 27 June 1506; seize property of Scots.\(^4\)

\(^1\)C.P.R. 1466-77, pp. 305, 485; Starkey, p. 65.

\(^2\)Appendix One.


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BIRCH, JOHN (?-btw. 15 May/16 June 1581). Marr. Elizabeth. Issue: John, Eleanor.\(^1\) Adm. Gray's Inn 1537.\(^2\)
Will preamble: "I commend my soul unto almighty God my maker and creator, and to his only son our Lord and savior Jesus Christ, my only savior and redeemer, by whose death, merits, and passion I surely trust and hope to have the forgiveness of all my sins and to be an inheritor of the kingdom of heaven."\(^3\)
R. Govt., Law: sjt.-at-law 27 Oct. 1558; Baron of the Exchequer 1564.\(^4\)
Cty.: JP 1554-d.\(^5\)
Comm. sub. 1549-at least 1561,\(^6\) oyer and terminer 1 Feb., 1 June 1564.\(^7\)

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BOURCHIER, SIR THOMAS (1442-btw. 3 Sept. 1512/5 Feb. 1513) of Barnes and Horsley, Surr. and Halsted and Ashford, Kent. Marr. (1) Agnes, (2) Anne. Issue: Edward.1 Kt. Bath 17 Jan. 1478.2
R. Ct., Hh.: sewer to king 1461 (Edw. IV), Kt. of the Body 1478.4 R. Govt., Admn.: constable Windsor Castle 28 Mar. 1493.5 Law: justice eyre Queen's forests 24 July 1477.
Parl., Kt.: Surr. 1472-5, ?Jan. 1483.7
Cty.: JP 1474-d.8 Keeper royal mines Pirbright, etc. 18 Dec. 1482 (life 28 Mar. 1493).9
Comm. de walliis et fossatis 3 July 1474; inquire holdings duke of Clarence 16 Mar. 1478, 20 Apr. 1478; array 10 Oct. 1480, 23 Dec. 1488; oyer and terminer 28 Aug. 1493, 20 June 1493, 15 Feb. 1495 (Home Circuit); inquire concealed lands 7 Aug. 1486; gaol delivery 11 Dec. 1486, 14 June 1493.10

1PROB 11/63/24.
2Gray's Inn Adm., p. 13.
3PROB 11/63/24.
5Appendix One.
6E 179/185/238, 243, 247, 264-5, 275, 280; 281/JPR 6224.
7C.P.R. Eliz., vol. III, nos. 423, 434.

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BOWYER, JOHN (?-1570) of Camberwell, Surr. Son of John Bowyer of Ship­
ton Beauchamp, Soms. and Joan, da. of William Brabent. Marr. Eliz­
William Bynd (widow); George of Worth, Surr.; Benjamin of Camber­
well, marr. Joyce, da. of Edney of London (widow); Matthew; Eliz­
abeth marr. (1) John Bynd of Washington, (2) Thomas Sauley of 
Fittleworth, Suss.  
1 Adm. Lincoln's Inn 15 Mar. 1540.2  
Executor: Elizabeth (wife). Overseers: Matthew Draper ("brother"), 
Richard Priest (cn.), Richard Forte (cn.), John Rawlins.  
Will preamble: "I do wholly and heartily give and bequeath my soul to 
almighty God, believing undoubtedly that I shall be saved and 
shall be partaker of the joys in heaven perpetually by the death 
and passion of Jesus Christ the son of God, savior and redeemer 
of all mankind, and I do ask God mercy and forgiveness of all my 
sins and offenses and wickedness, and do heartily beseech almighty 
God of his infinite mercy to spare my punishment deserved and not 
to punish my wife and children for mine offenses . . . ."4  
R. Ct., Ch.: yeoman by 3 July 1570.5  
Cty.: JP c1554-d.6  
Comm. sub. 1559-68,7  sewers 19 May 1564; oyer and terminer 1 Feb., 
1 June 1564.8

1Vis. Surr., pp. 31-2; PROB 11/52/34.  
2Line. Inn Adm., p. 52.  
3Emden, pp. 65-6.  
4PROB 11/52/34.  
BRANDON, CHARLES, DUKE OF SUFFOLK (c. 1484-22 Aug. 1545). Son of William Brandon and Elizabeth Bruyn. Marr. (1) Anne Browne. Issue: Anne, marr. (a) Edward Brey, Baron Powis, (b) Randolph Hanworth; Mary, marr. Thomas Stanley, Baron Montague; (2) Margaret Mortimer; (3) Mary Tudor. Issue: Henry earl of Lincoln; Frances, marr. (a) Henry Grey, 2nd marquis of Dorset and duke of Suffolk; (b) Adrian Stokes; (4) Catherine Willoughby. Kt. by May 1512, cr. viscount Lisle 15 May 1513, duke of Suffolk 1 Feb. 1514. Suffolk's office and accomplishments are too numerous to list in full, but some of the most relevant follow -

R. Ct., Ch.: esq. (later kt.) of the body 1509
Mh.: marshall of the household 1511, master (year?).

R. Govt., PC:
Admn.: Keeper Wansted Park 1512, ranger New Forest 1512, warden of the marches against Scotland 1542.
Law: marshall of King's Bench 1510; one of judges at trials of duke of Buckingham 1521, Katherine Howard 1541; Chief Justice of Royal Forests 1534.
Mil.: marshall of army for France 1513, commander army for France 1523, 1544.

Cty.: JP 1511-d.


2 Ibid.

3 Appendix One.

BRAY, SIR EDWARD I (by 1492-1558) of Henfield and Selmeston, Suss. and Vachery, Shire, Surr. Son of John Bray the younger (brother of Sir Reginald Bray, q.v.) and brother of Lord Edmund Bray (q.v.). Marr. (1) Elizabeth, da. and coh. of Henry Lovell of Harting, Suss. (divorce); (2) Beatrix, da. of Ralph Shirley of Winston, Suss. (widow). Issue: Edward (heir) (q.v.); Owen, marr. Anne, da. and heir of John Danaster (q.v.) of Cobham; Bridget or Beatrice, marr. Thomas Elrington of Mddx; (3) Jane, da. of Sir Matthew Browne (q.v.) (widow).1 Adm. Middle Temple 5 Feb. 1509.2 Kt. 13 or 14 Oct. 1513.3

Executors: Lady Jane (wife), George Browne (br.-in-law). Overseer: John Caryll (q.v.). Witnesses include John and Richard Browne.

Will preamble: "I bequeath my soul to almighty God the father of heaven and to his only son Jesus Christ my redeemer, trusting surely by the merits of his passion to be partaker of the joys everlasting."4


3PROB 11/63/22.
BROKE, SIR RICHARD (by 1474-1529) of London. Son of Thomas Broke of Leighton, Cheshire and da. of Venables or of John Parker. Marr. Anne, da. of William Ledes of Suss. Issue (incomplete): Robert, William, John, Margaret, Elizabeth Foulshurst; Bridget, marr. George Fastolf, Cecile.1 Adm. Middle Temple before 7 July 1501; reader Lent before 1502, Autumn 1510; bencher 1510.2 Kt. ?29 Apr. 1520.3 Executor: Anne or "Joan" (wife). Witnesses include William Shelley (q.v.) and John Baker, who are also to rule on any ambiguities in the will. Asks for prayers of many ecclesiastics, including John Griffith, vicar of Wandsworth.4 R. Govt., Law: justice Norfolk assize by 1519-?d; justice of Common Pleas 1520-?d.; trier of petitions in House of Lords 1523; chief baron of Exchequer 1526-?d. Parl.: Bg. London 1512, 1515.5 Cty.: JP c.1518-?d.6 Comm. sub. 1523-7;7 gaol delivery 21 Mar. 1511, sewers 1 Feb. 1514.8


4PROB 11/23/3.


6Appendix One.


BROWNE, SIR ANTHONY I (?-1506).1 Son of Sir Thomas Browne of Betchworth, Surr. and Ellen, da. and coh. of Thomas Fitzalan. Marr. Lucy, da. and coh. of John Neville, marquis of Montague. Issue: Sir Anthony (q.v.), marr. Alice, da. of Sir John Gage (q.v.); Henry, marr. Anne, da. of George Haslehurst (widow); Elizabeth,
marr. Henry Somerset, earl of Worcester; Lucy, marr. (1) John Cutts, (2) Thomas Clifford. Kt. 16 June 1487 at Stoke-on-Trent.

R. Ct., Hh.: esquire (later kt.) of the body by 1487.

R. Govt., Mil.: King's banner-bearer 1486-d.; constable of Quynborough Castle, Kent 1487-d.; constable of Calais.

Cty.: JP 1487.


^Vis. Surr., pp. 9, 19; Vis. Suss., p. 83.


^D.N.B., "Browne, Sir Anthony" (his son).

^Appendix One.


Will preamble: "I bequeath my soul to almighty God the father, the son, and the Holy Ghost, who hath redeemed the same by the merits of his passion and . . . that certain masses and dirges be done for me by the priests . . . my chaplains and others according to the ancient and laudable custom of the Church of England. . . ."

R. Ct., Ch.: gent. Privy Chamber by Oct. 1519, kt. of the body 1522. Hh.: master of the horse 1539-d., captain of gent. pensioners.
1540-d., master of the king's harriers 1543-d.
R. Govt., PC.: by 1539-d.
Admn.: surveyor and master of hunting, castles and lordship of
Hatfield, Thorne, and Conisbrough, Yks. 1518.
Mil.: lieutenant Isle of Man 1525, Standard bearer 1528-d.
Dip.: amb. to France 1527.
Parl.: Kt. Surr. 1539, 1542, 1545, 1547. 7
Cty.: JP c1532-d. 8
Comm. loan 1542, benevolence 1544-5; 10 musters 1545; 10 tenths of
spiritualities 30 Jan. 1535; oyer andterminer 12 Feb. 1545. 11

3 PROB 11/33/10.
4 WARD 7/5/54-5.
5 PROB 11/33/10.
8 Appendix One.

BROWNE, SIR ANTHONY, VISCOUNT MONTAGUE (1528-92) of Battle Abbey
and Cowdray Park, Suss. Son of Sir Anthony Browne II (q.v.) and
Alice, da. of Sir John Gage (q.v.). Marr. (1) Jane (d. 1552), da. of
William, 3rd Lord Bacre of Gilsland. Issue: Sir George, marr. da. of Tirwhit; Thomas; Henry; Elizabeth, marr. Sir Robert Dormer; Mabell; Jane, marr. Francis Lacon. 1 Kt. of the Bath 20 Feb. 1547;
Kt. of the Garter 23 Apr. 1555.\(^2\) Viscount Montague 2 Sept. 1554.\(^3\)

Executors: Lady Magdalen (wife), Sir Robert Dormer, Edward Gage, esq., Richard Lewkenor, esq., Edmond Pelham, esq. Overseers: Sir Thomas Hennege.\(^4\)

R. Ct., Hh.: master of horse to Philip Apr.—Sept. 1554.

R. Govt., PC: 28 Apr. 1557.

Law: trier of petitions in House of Lords 1555, 1558.

Mil.: Standard bearer Jan. 1546-d.

Dip.: envoy Rome 1555, Spain 1560, Flanders 1565-6.

Parl.: Bg.: Guildford 1545, 1547, Petersfield (Hants.) Mar. and Oct. 1553; Kt. Surr. Apr. 1554.\(^3\)

Cty.: JP 1554-d.\(^6\)

Sheriff 1552-3.

Keeper Guildford Park Oct. 1553-d., Hampton Court Chase June 1554-d.\(^8\)

Comm. sub. 1550,\(^9\) 1559; musters 1557, 1572-3, 1583;\(^10\) sewers 21 Nov. 1553, 28 Nov. 1556, 19 May 1564; oyer and terminer 1 Feb., 1 June 1564.\(^11\)

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\(^1\) PROB 11/81/22; Vis. Suss., pp. 83-4; Vis. Surr., p. 19.


\(^3\) Bindoff, vol. I, p. 514.

\(^4\) PROB 11/81/22.


\(^6\) Appendix One.

\(^7\) List of Sheriffs, p. 137.


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1PROB 11/39/32; C 142/112/85; Vis. Surr., p. 9.


3PROB 11/39/32.

4Wedgewood, p. 122.

5Appendix One.

6List of Sheriffs, p. 137.

7E 179/184/WN 16662, 135, 137-8, 163, 167-8, 1/3, 182-3, 185, 192, 194, 199; 185/205, 209-11, 220, 222, 225-6, 228-9, 233-4, 238, 243, 247, 251-3, 259, 262, 265; 281/TG12264, TG12486, JPR 6224.

Parl.: Kt. Surr. 1559; Bg. Wallingford, Berks. 1563, Arundel, Suss. 1571, Biechingley, Surr. 1572, 1586.4
Cty.: JP c.1558-d.9 Sheriff 1570-1 (Surr. only), 1582-3.6 Dep. Lt. by 1569.7 Comm. sub. 1559, 1567;8 recusants 1577.9

Cty.: JP c.1556-d.2 Comm. sub. 1557.3

1Vis. Surr., pp. 9-10.
2Linc. Inn Adm., pp. 50, 69.
5Appendix One.
6List of Sheriffs, p. 137.
8E 179/185/285; 282/pt. 2/TG6163.
Executors: Henry Saunders (q.v.). Request prayers for soul of Richard Beauchamp, late bp. Salisbury.1
R. Govt., Admn.: controller king's works Windsor Castle.2
Cty.: JP 1498-1504.3

CAREW, SIR FRANCIS (?1530-16 May 1611) of Beddington, Surr. Son of Sir Nicholas Carew of Beddington (q.v.) and Elizabeth, da. of Sir Thomas Bryan. Unmarried.1 Kt. 1576.2
Executor: Sir Nicholas Throckmorton (neph. to heir). Overseers: Sir George More (son of William More, q.v.), Sir Oliphe Legh (grandson of Nicholas Legh, q.v.), John Haywarde.3
Will preamble: "Just and Christly live all I recommend and bequeath my soul unto almighty God my creator and to his son Jesus Christ my redeemer, most humbly beseeching him to take mercy of that which he with his most precious blood hath so dearly bought and paid for, and to the Holy Ghost and also my comforter assuredly comforting myself that upon my earnest and hearty repentance and only trusting to be saved by the great merits, mercies, and sweet promises of his dear son Christ towards all those that do truly and unfeignedly repent, I shall be one of that happy number in the later day to whom that blessed and sweet salutation of entrance into the kingdom of heaven shall be so joyfully pronounced, which almighty God of his infinite and abundant great mercy grant unto me."
Parl.: Bg. Castle Rising 1564.4
Cty.: JP 1569-d.5
Sheriff 1567-8 (Surr. only).6
Dep. Lt. from 1587.
Comm. inquire seminarists and Jesuits.7
CAREW, SIR JOHN (?-by 1513).  
R. Ct., Hh.:  Kt. of the body by 1507; marshall Henry VII 1507, Henry VIII 1509.  
R. Govt., Admn.: steward various royal lands, Corn., Devon, Dorset, Soms.  
Cty.: JP 1511-12.

CAREW, SIR NICHOLAS (c.1496-exec. 1539) of Beddington, Surr.  
Son of Sir Richard Carew of Beddington (q.v.) and Maud, da. of Sir Robert Oxenbridge of Ford, Suss.  
Issue: Sir Francis (q.v.); Elizabeth, marr. Hall; Mary, marr. Sir Arthur Darcy of Huntington; Isabel, marr. William Saunders of Ewell (q.v.); Anne, marr. Sir Nicholas Throckmorton of Pauls Perry, Northampton.  
Kt. by July 1520; Kt. of the Garter 23 Apr. 1536.

R. Ct., Ch.: groom Privy Chamber 1511, gent. Pr. C. 1518.  
Hh.: esq. of the body 1515, cipherer 1515-20, master of horse 1522-d.  
CAREW, SIR RICHARD (?—18 May 1520) of Beddington, Surr. Son of James Carew of Beddington and Margaret (or Eleanor), da. and h. of Sir Thomas Hoo. Marr. Maud (or Malin), da. of Sir Robert Twinho Oxenbridge. Issue: Sir Nicholas (q.v.), marr. Elizabeth, da. and h. of Sir Thomas Bryan; Francis; Anne; 4 other da.* Kt. c. 17 June 1497.2


R. Ct., Hh.: Kt. of the body by 1503.4
R. Govt., Admn.: chief porter Calais 26 Jan. 1507-Apr. 1510; steward of lands Surr., Suss., Kent.5
Mil.: Lt. Calais Castle 23 Mar. 1510; master of ordnance by 25
June 1513.  
Cty.: JP 1494-d.  
Sheriff 1501-2.  
Steward of Walton-on-the-Hill, Surr.  

1PROB 11/21/3; C 142/35/52; Vis. Surr., pp. 17, 214.


3PROB 11/21/3; C 142/35/52.


7Appendix One.

8List of Sheriffs, p. 137.


CARLTON, JOHN (c.1499-btw. 14 July/19 Nov. 1551) of Walton-on-Thames, Surr. and Baldwin Brightwell, Oxon. Marr. Joyce (or Jocosa). Issue: Anthony (heir), George, John, Edward, 1 other son, Anne, Katherin, Mabel, Joan. Memb. Inner Temple by 5 Feb. 1525, butler 13 June 1540.  
Executor: Joyce (wife).  
Will preamble: "I yield my soul to almighty God, my body to be laid among the dead bodies of Christ's souls."  
Cty.: JP 1541-c.1547.  
Steward Hampton Court chase, Surr. 1 Feb. 1539.  
Comm. sub. 1541-6; oyer and terminer 12 Feb. 1545.

1PROB 11/34/33; birthdate estimated from age in 1549, C.P.R. Edward VI,
CARRELL, JOHN (c.1505-1566) of Warnham, Suss. Son of John Caryll of Warnham and Margaret, da. of Thomas Elinbridge of Marstham, Surr. (q.v.). Marr. Elizabeth, da. of Robert Palmer of Parham, Suss. Issue: Thomas, marr. Dorothy, dq. of Thomas Bukenham; Edward; Bridget, marr. William Monyneux.


Will preamble: "Thanks be unto the Lord everlasting, calling to my remembrance the manifold dangers that mortal men daily and hourly lieth under in this frail and transitory life . . . I bequeath my soul to almighty God the father of heaven and to his only son Jesus Christ my redeemer and savior, most humbly beseeching him of his infinite mercy to forgive me mine innumerable offenses and to take my soul to the everlasting bliss which he prepared for me and all mankind, my wretched and sinfull body I will to be buried in the parish church of Warnham." 3

R. Govt., Admn.: Attorney, Ct. First Fruits and Tenths 1541-June 1543; Attorney-general, duchy of Lancaster 4 Mar. 1544; high steward, barony of Bramber c.1549.

Parl.: unknown 1542; Bg. Taunton 1547; Lancaster Mar. 1553; Kt. Suss. Oct. 1553, 1555, 1559. 4

Cty.: JP c.1547-d. 5 Comm. sub. 1550; 6 oyer and terminer 2 July 1544, 11 Feb. 1545, 1554, 1 Feb., 1 June 1564. 7

1PROB 11/49/34; C 142/143/28; Vis. Surr., p. 88; Bindoff, vol. I, p.

Cty.: JP 1522-d.2 Sub. comm. 1523-d.3

Will preamble: "I give my soul unto almighty God my maker and redeemer. . . ."  

R. Ct. Ch.: gentl. Privy Chamber by 1540.  

Hh.: master of revels and tents 1544-d.  

R. Govt., Admn.: various keeperships and stewardships (some Surr., below).  

Mil.: Lt. of Tower of London 17 Nov.--10 Dec. 1558.  

Parl.: Bg. Blechingley 1542, 1547; Kt. Surr. 1547, Mar. 1553, Nov. 1554, 1559.  

Cty.: JP 1547-d.  

Keeper or steward Blechingley 1540, Nonsuch 1544, Hampton Court 1550.  

Comm. sub. 1545-51; chantries 1547; church goods 1553; others; musters Feb. 1548; enforce proclamation concerning victuals Dec. 1551.


2Gray's Inn Adm., p. 7 lists a "Thomas Hawarden," most likely Cawarden. He was apprenticed as a mercer in 1528, but there is no evidence that he became a member of the Mercers, Bindoff, vol. I, p. 599.  

3Shaw, vol. II, p. 56.  

4PROB 11/43/4.  


6Appendix One.  

7List of Sheriffs, p. 137.  


11SP 10/3/16.  

12C.P.R. Edward VI, vol. IV, p. 142.

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2Appendix One.
3E 179/185/278, 286.

3Ibid.; D.N.B., "Cholmley, Sir Roger."


Will preamble: "I give and bequeath my soul to the hands of almighty God, my creator and redeemer, and of our blessed Lady, his mother, the virgin Mary, and of all the holy company of heaven. . . ." Parl.: Bg. Gatton Apr. 1554, Nov. 1554, 1558, 1559, 1563. Cty.: JP c.1557-1569. Comm. sub. 1559, 1567; oyer and terminer 1560, 1 Feb., 1 June 1564.

R. Gt., Hh.: Master of Queen's Household.1

Cty.: JP 1564-d.2

1 PROB 11/65/43.

2 Appendix One.

CRESWELL, RICHARD (?-?)

Cty.: JP 1541-4.1

Comm. Sub. 1541-4.2

1 Appendix One.

2 E 179/184/182-3.

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Cromwell's offices and accomplishments are too numerous to list them all, but some of the most important follow –

R. Ct., Hh: master of King's jewels 14 Apr. 1532–d.; principal secretary c. Apr. 1534–Apr. 1540; great chamberlain 17 Apr. 1540. 3

R. Govt., P.C.: by October 1530. 4


Law: receiver of petitions in House of Lords 1536, trier 1539; warden and chief justice in eyre north of Trent 30 Dec. 1537–d.

Mil.: constable Hertford, Berkeley, Leeds castles. 

Parl.: unknown 1523; Bg. Taunton 1529; Kt. ?Kent 1536. 5

Cty.: JP ?1531–d. 6

Comm. tenths of spiritualities. 7

2 Gray's Inn Adm., p. 4.
6 Appendix One.
7 L.P., vol. VIII, no. 149 (74).

CURSON, SIR ROBERT (?–btw. 1 Feb./4 July 1550). 1

Adm. Lincoln's Inn 10 Apr. 1512. 2

Bequests to Sir Thomas Pope and Sir Richard Southwell.

Will preamble: "I, most miserable sinner, commend my soul to almighty God and to his blessed son Jesus Christ and to the Holy Ghost, three persons and one God and to all the saints in heaven most humbly beseech the most blessed Trinity to have mercy upon my
soul and to pardon and forgive my sins and offenses so that after
this mutable life I may arise at the elect to have the eternal
life and . . . of the godhead, according to my fine faith and un-
doubted belief in that behalf."3
R. Govt., Law: second baron of the Exchequer 15 Feb. 1547.4
Cty.: JP 1538-d.5
Comm. sub. c.1541-9;6 sewers 4 July 1541; oyer and terminer 12 Feb.
1545.7

1PROB 11/33/18.
2Linc. Inn Adm., p. 35.
3PROB 11/33/18.
5Appendix One.
6E 179/184/182-3, 188, 190-1, 198-9; 185/221, 223-4, 229-30, 233-4,
238, 240-1; 281/JPR 6220, TG 12486; 381/3/1-2.
7L.P., vol. XVI, no. 1056 (23); vol. XX, pt. 1, no. 622 (IV).

DANASTER, JOHN (?-28 Feb. 1540) of Cobham, Surr. Marr. Anne. Issue:
Ann (heir).1 Mentioned as of Lincoln's Inn 1508.2
Executor: Anne (wife). Feoffees: John Molynas alias Bruer, Henry
Gile.
Will preamble: "I give my soul to God with him to rest and abide until
the day of judgement at which day I do not doubt but that I shall
arise among other in the same flesh that I now have and shall live
everlasting with God with a body purified and incorruptible. . . ."3
R. Govt.: Admn.: receiver of Ct. Aug. 4 Apr. 1536-2 Oct. 1538.4
Law: baron of the Exchequer (reversion) 5 Oct. 1537.5
Cty.: JP 1525-d.6
Understeward of Chertsey Abbey.7
Comm sub. 1523-37;8 gaol delivery 20 June 1530, 26 Apr. 1531;
tenths of spiritualities 30 Jan. 1535; oyer and terminer 4 July
1538.9

1PROB 11/28/5; C 142/82/143.
2Linc. Inn Adm., p. 33.

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Cty.: JP 1522.


3 Venn, Alumni Cantab., vol. II, p. 32.

4 Shaw, vol. II, p. 43.


6 Appendix One.


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Will preamble (virulently anti-papal, much too long to quote in full): "I bequeath my soul unto almighty and eternal God the father, the son, and the Holy Ghost . . . and I do also believed to be saved by the free mercy and grace which God of his only love without any desert of man or saint hath given unto me . . . I renounced and forsake . . . all works both of men and saints . . . I do renounce and abhor the usurpation, supremacy, and power which the pope . . . doth claim . . . with also all his tyrannies and doctrines injurious and derogatory to the merits and one only sacrifice of Christ, that is to say his robbing of the people by delivering it but in one kind of half the communion . . . also his blasphemous and idolatrous transubstantiation and mass . . . also his false doctrines . . . of his mediation peculiar unto Christ . . . prayer unto saints . . . his feigned fire of purgatory . . . and all such other doctrines of devils . . . it hath pleased God truly and nakedly to discover and reveal the pope . . . to be the anti-Christ . . . that little horn which shall spring out of the ten horns . . ."3

Parl.: Bg. St. Albans, Herts. 1559, Grampound, Corn. 1563.4
Cty.: JP 1570-d.5
Coll. sub. 1563.6

1PROB 11/53/35; Hasler, vol. II, p. 44.
2Linc. Inn Adm., p. 56.
3PROB 11/53/35.
4Hasler, vol. II, p. 44.
5Appendix One.
6E 179/381/3/5.


1PROB 11/7/17.

Adm. Gray's Inn 1555.2

Cty.: JP 1560-8.3 Comm. sub. 1563-1567;4 sewers 19 May 1564.5


1 D.N.B., "D'Oyly, Thomas."
2 Gray's Inn Adm., p. 25.
3 Appendix One.
5 C.P.R. Eliz., vol. III, no. 216.

1 PROB 11/42A/17; C 142/121/149.
2 Linc. Inn Adm., p. 55.

Gray's Inn.

R Govt., PC.: ?1485.1

Admn.: steward various lands Chester, Hants., Linc., Oxon, Staff., Suss., Wilts.2

Parl.: Sp. House of Commons 1504.3

Cty.: JP 1502-9.4

Comm. inquire concealed lands 26 Feb. 1505, de wallis et fossatis 27 Dec. 1505.5

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DUDLEY, SIR JOHN, DUKE OF NORTHUMBERLAND (1504/6-1553) of Halden, Kent; Dudley Castle, Staffs.; Durham Place, London; Chelsea and Syon, Mddx. Son of Edmund Dudley of Atherington, Suss. (q.v.) and Elizabeth, da. of Edward Grey, 1st viscount Lisle. Marr. Jane (by 1526), da. of Sir Edward Guildford of Halden and Hemsted, Kent. Issue: 8 sons, incl. Sir Robert, 2 da. Kt. 4 Nov. 1523; Kt. of the Garter 23 Apr. 1543. Viscount Lisle 12 Mar. 1542, earl of Warwick 16 Feb. 1547, duke of Northumberland 11 Oct. 1551. Northumberland's offices and accomplishments are too numerous to list in full, but some of the most relevant follow -

R. Ct., Hh.: Kt. of the body by 1533, chamberlain 1553, master 20 Feb. 1550-July 1553.


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3 D.N.B.

4 Appendix One.


Parl. Kt. Kent 1529, Staff. 1542.1
Cty.: JP 1530-41,2 1551-3?

2Appendix One.

EDGAR, THOMAS (by 1508-btw. 28 Jan./23 May 1547) of Bermondsey, Surr.; Blewbury, Berks.; London. Marr. Elizabeth, da. of Sir Christopher Wroughton of Broad Hinton, Wilts. . No issue.1 Adm. Gray's Inn 1541.2


Will preamble: "... knowing I am naturally born to die and pass from this transitory and mutable world ... after my humble thanks given to almighty God for his great and innumerable benefits that I have received of him ... I ... Thomas Edgar, most miserable and wretched sinner, commend my soul to almighty God and to his most blessed son Jesus Christ and to the Holy Ghost, three persons and one God, most humbly beseeching the most holy and blessed Trinity to have mercy on my soul and pardon and forgive my sins ... ". Bequests to Bermondsey householders to pray for his soul, and for a trental of masses for his soul.3

R. Ch., Ch.: gent. usher of the chamber by 10 July 1541.4
R. Govt., Admn.: searcher Boulonnais and Boulogne 1544.
Parl.: Bg. Malmesbury, Wilts. 1529.5
Cty.: JP 1541-d.6 Comm. sub. c.1544-7.7

1PROB 11/31/35; Bindoff, vol. II, p. 80.
2Gray's Inn Adm., p. 15.
3PROB 11/31/35.

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ELYNBRIGGE (ELMEBRIGGE, ELLINGBRIDGE), THOMAS (?-20 May 1497) of Nutfeld, Surr. Son of John Elynbrigge of Merstham, Surr. and Isabel, da. of Nicholas James, mayor and alderman of London. Marr. Elizabeth, da. of Nicholas Gaynesford (q.v.) and Margaret, da. of Sydney of Suss. Issue: Thomas, Margaret.


Cty.: JP 1493-d.

Comm. gaol delivery 21 Nov. 1589, musters 23 Apr. 1596.

ESTON, JOHN (by 1518-btw. 24 Apr./24 Nov. 1565) of Southwark, Surr.

 Marr. (1) Mildred, da. and coh. of George Congehurst of Hawkhurst, Kent (widow). (2) Margaret, da. of John Gaynesford of Lingfield, Surr. Issue: Margaret; Mary, marr. Edward Sparks; wife with child at his death.

 Executor: Margaret (wife). Overseers: John Gaynesford of Lingfield, Nicholas Spencer, citizen and Merchant Tailor of London.

Will preamble: "I, John Eston . . . one of the Christian creatures of almighty God and one of the number of the faithful and Christian congregation of Jesus Christ our only savior and redeemer, do make and ordain this my present testament . . . first and chiefly I bequeath and commend my soul unto almighty God my creator and to Jesus Christ his son, my only savior and redeemer. . . ."

Cty.: JP c.1546-60. Steward of Southwark by 20 Oct. 1539-d. Coll. sub. 1541, comm. 1546-59; oyer and terminer 1556-7, sewers 1554, 19 May 1564.6

2 PROB 11/48/32 (Morrison).
4 Appendix One.

EXMEW, SIR THOMAS (?-6 Feb. 1529), mayor London. Kt. ?1518.2
Cty.: JP 1518-22.3

2 Shaw, vol. II, p. 43.
3 Appendix One.

FITZ, ROGER (?-3 Apr. 1504) of Southwark, Surr.; Pylle, Hants.; Lewesham, Kent. Son of John Fitz of Tavistock and Fitzford. Marr. Elizabeth.1 Adm. Lincoln's Inn 6 Nov. 1484, put out and readm. 1489, 1490; master of revels 1489-90; steward 1495; butler 1496; pensioner 1498; marshal 1502-3.2 Executor: Robert Johnson. Overseers: Porse Beuyl, Robert Holand.3 Parl.: Bg. Tavistock 1491-2.4 Cty.: JP 1497-d.5 Comm. musters 23 Apr. 1496, gaol delivery 3 Apr. 1503.6

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Cty.: JF 1514-22.4


1PROB 11/25/33; D.N.B., "Fitzwilliam, Sir William."


4Appendix One.
Executors: Mabel (wife), Sir Anthony Browne, Lord John Russell, Lord Admiral, Sir John Baker, Chancellor of the Court of Augmentation. Overseer: Henry VIII. Feoffees: Sir Anthony Browne, Thomas Fitzwilliam alias Fisher, John Fitzwilliam, William Fitzwilliam. Bequests include Henry VIII; Margaret (sister), wife of Sir William Gascoign (q.v.); Katherine (cn.) wife of Sir Thomas Hennege (q.v.); Sir Thomas Wriothesley; Sir Anthony Denny. Southampton's offices and accomplishments are too numerous to list in full, but some of the most relevant follow -

R. Ct., Ch.: gent. usher 1509.

Hh.: King's cupbearer 1509; esq. (later kt.) of the body 1513; treasurer 1525-39.

R. Govt., PC: by Apr. 1522.

Admn.: Chancellor of duchy of Lancaster 3 Nov. 1529-d.; Lord Privy Seal 1540-d.

Law: trier of petitions in House of Lords 1539, 1542.

Mil.: vice-Admiral 1520, 1522-3; jt. master of ordnance Calais 1522; capt. Guisnes 1523-6; lt. Calais Castle 1526-30; Lord Admiral 1536-40; Lt. and Capt.-Gen. in the North 1542.


Parl.: Kt. Surr. 1529, 1536.5

Cty.: JP before 1518-d.6

Comm. sub. 1541; inquire about Wolsey's possessions 14 July 1530; gaol delivery 30 June 1530, 26 Apr. 1531; tenths of spiritualities.8

1PROB 11/29/16; C 142/70/29; Vis. Surr., p. 6; Bindoff, vol. II, p. 142.


3Handbook of British Chronology, p. 450.

4PROB 11/29/16; C 142/70/29.

5Bindoff, vol. II, p. 142; D.N.B., "Fitzwilliam, William, Earl of Southampton."

6Appendix One.

7E 179/184/183/2.

FOGGE, JOHN (?-btw. 9 Jan./11 Oct. 1564) of Ashford, Kent. Marr. Mary.
Issue: Edward.
Will preamble: "I commend my soul unto the merciful hands of my Lord
God almighty, my maker, savior, and redeemer by the merits of
whose precious death and passion I trust assuredly to be saved."1
Cty.: JP 1554-c.1558.2
Comm. sewers 28 Nov. 1554.3

1PROB 11/47/28.
2Appendix One.

GAGE, SIR JOHN (1479-1556) of West Firle, Suss. Son of William Gage
of Bristow, Surr. and Agnes, da. of Bartholomew Bolney of
Bolney, Suss. Marr. Phillipa, da. of Sir Richard Guildford of
Cranbrook and Rolvenden, Kent (q.v.). Issue: Sir Edward, marr.
Elizabeth, da. of John Parker of Willington, Suss.; James, marr.
da. of Dolnes; Phillip; Margery, marr. George Smith; Elizabeth,
marr. Spencer of Rowton, Warw.; Myored, marr. Austin Bilson of
Oxon.; Alice, marr. Anthony Browne, Viscount Montague (q.v.); da.,
marr. Baynham.1 ?Adm. Lincoln's Inn 1498.2 Kt. by 1519, Kt. of
the Garter 23 Apr. 1541.3
R. Ct., Hh.: esq. of the body by 1509; comm sub.there 1546; vice-
chamberlain by 1528-?36; comptroller 1547; Lord Chamberlain 1553-
d.
R. Govt., PC: 1540-d.
Admn.: comm. survey lands at Calais 1532; deputy of Guisnes by
1522; steward of Liberties of Abp. Canterbury; Chancellor of
duchy of Lancaster 1542-1 July 1547.
Mil.: Constable of Tower of London 1540-d.
Parl.: Kt. Suss. 1529, 1539, ?1542, ?1545.3
Cty.: JP 1528-d.4
King's steward of Southwark by 1542-d.
Escheator 1513-4.5
Comm. sub. 16 Dec. 1550; gaol delivery 20 June 1530; oyer and
terminer 4 July 1538, 14 June 1544, 2 July 1544, 11 February
1545, 12 February 1545; assizes 24 Jan. 1543; sewers 4 July
1541, 21 Nov. 1553, 28 Nov. 1554.6

1Vis. Suss., pp. 8-9; Bindoff, vol. II, p. 179.
2Linc. Inn Adm., p. 28.

4 Appendix One.


Parl.: Kt. Beds. 1529, 1536.

Cty.: JP 1525-8.


Parl.: Kt. Surr. 1467-8.

Cty.: JP 1469-d.

Sheriff 1471-2.

1PROB 11/28/12; C 142/64/121; Vis. Suss., pp. 92-4.

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Mil.: porter Odiham castle 1461, constable 1476.  
Cty.: JP 1461-d. 5  Sheriff 1460-1, 1468-9, 1472-3, 1485-6. 6  Escheator 1457-8. 7  Comm. de wallis et fossatis 28 May 1465, 3 July 1474, 7 Dec. 1476, 20 June 1478; oyer and terminer 1465, 20 June 1493; Survey Thames 7 Dec. 1476, 20 June 1478; array or musters 10 Oct. 1480, 23 Dec. 1488, 23 Apr. 1496; inquire about holdings of duke of Clarence 16 Mar. 1478; gaol delivery 11 Oct. 1482, 21 Nov. 1489. 8  

1 PROB 11/11/27; Vis. Surr., pp. 92-4; Wedgewood, p. 368.  
2 Linc. Inn Adm., p. 12; Linc. Inn Black Books, vol. I, p. 21,  
3 PROB 11/11/27.

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Parl.: Bg. Great Grimsby 1542, 1545, 1547.1

Cty.: JP 1547-71543.2 Comm. sub. 1549-50.3

Sir Thomas Rowe of London; Ellen, marr. William Uvedale of Hants.; Ursula, marr. Thomas Lewson of Kent; Scisley, marr. German Croll; Elizabeth, marr. John or James Elliot of London. (2) Catherine, da. of Sampson.1 Special adm. Lincoln's Inn 1 Mar. 1533.2 Kt. ?after 15 Nov. 1538, banneret btw. 18/25 Sept. 1547.3


Will preamble: "I give and commend my soul unto almighty God and unto his only begotten Son Jesus Christ, my savior and redeemer, in whom and by the merits of whose most blessed death, passion, and resurrection I trust and believe to be saved and to have full and clear remission and forgiveness of my sins . . . ."4

R. Ch., Hh.: esq, of the body.5
Cty.: JP 1539-d.6

Comm. sub. 1546-50;7 oyer and terminer Feb. 1545, 1551; survey chantries Feb. 1546; sewers 21 Nov. 1553, 28 Nov. 1554.8

1 PROB 11/38/28; C 142/108/98; Vis. Surr., p. 78; Vis. Suss., pp. 112-3.
2 Linc. Inn Adm., p. 46.
4 PROB 11/38/28; C 142/108/98.
6 Appendix One.


Overseers: Thomas Bayerd, William Rowe (ch.), sir William Cordall. Will preamble: "I commend my soul to almighty God my maker and to his only son Jesus Christ, my savior and redeemer in whom and by the
merits of whose most blessed death and passion is all my whole trust of clear remission and forgiveness of my sins.4

Cty.: JP 1564-d.5
Sheriff 1563-4.6

1Age estimated from father's I.P.M., C 142/108/98.


3Linc. Inn Adm., p. 53.

4PROB 11/61/30.

5Appendix One.

6List of Sheriffs, p. 137.

GULDEFORD (GUILDFORD), SIR RICHARD (?-28 Sept. 1506) of Cranbrook and Rolvenden, Kent. Son of John Guildford of Cranbrook and Rolvenden. Marr. (1) Anne, da. and h. of John Pimpe. Issue: Edward; George; Friswyd, marr. Sir Matthew Browne (q.v.); Phillipa, marr. Sir John Gage (q.v.); 2 other da. (2) Jane, sister of Sir Nicholas, Lord Vaux de Harowden. Issue: Sir Henry.4 Kt. 7 Aug. 1485; Kt. banneret 17 June 1497; Kt. of the Garter ?1500.2

Executor: Edward (son and h.).3

R. Ct., Hh.: Kt. of the body 1485-d., controller 1493-d.
R. Govt., PC.: 1485-d.
Admn.: Chamberlain of the Exchequer 1485-7, keeper of Kensington.
Mil.: Master of the ordnance 1485-d.
Parl.: Kt. Kent 1491-2, 1495, and probably 1487, 1489-90, 1497, 1504.4
Cty.: JP 1501-d.5
Comm. oyer and terminer 20 June 1493, 15 Feb. 1495; gaol delivery 14 June 1493, 3 Apr. 1503; de walliis et fossatis 12 Feb. 1503, 28 May 1504.6


3PROB 11/17/28.

4Wedgewood, p. 403. D.N.B.

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Will preamble: "I commend my soul unto almighty God, the father, the son, and the Holy Ghost, three persons and one God, verily believing, trusting, and hoping that by and through the death and passion of my savior and redeemer, Jesus Christ and my true faith and belief in him to have full remission and forgiveness of all my most grievous sins and offenses."

Parl.: Bg. Steyning 1563.
Cty.: JP 1564-d.
Comm. sewers 9 Dec. 1568.

HASTINGS, RICHARD (?-?).
R. Ch., Hh.: cupbearer 1502.
Cty.: JP 1512-3.
HENNEGE, THOMAS (?-1537) of Lincolnshire.\(^1\) Kt. 18 Oct. 1537.\(^2\)
Servant of Thomas Cromwell.
R. Ct., P.c.: gent. by 1528, chief gentleman 1536.\(^3\)
Cty.: JP 1525-c.1547.\(^4\)
Comm. sub. 1545-6; tenths of spiritualities 30 Jan. 1535, sewers 4 July 1541.\(^5\)

\(^1\) C.P.R. Edward VI, vol. V.
\(^4\) Appendix One.
\(^6\) L.P., vol. VIII, no. 149 (74); vol. XVI, no. 1056 (23).

HERON, SIR NICHOLAS (?—1568) of Croydon, Surr. Son of Thomas Heron of Addescombe near Croydon (q.v.) and Elizabeth, da. and coh. of William Bond. Marr. Mary, da. of Poole; Issue: Poynings; John; William; Henry; Mary, marr. (1) Richard Covert, (2) Lucas; Anne, marr. Thomas Barham of Teson, Kent; Susan, marr. Ralph Copinger of Kent; Elizabeth, marr. (1) Cheney, (2) Barker, (3) Tristram Gibbs; Margaret.
Will preamble: "I bequeath my soul unto almighty God my maker and savior..."\(^1\)
Cty.: JP 1565-d.\(^2\)

\(^1\) PROB 11/50/19; C 142/148/20; Vis. Surr., p. 16.
\(^2\) Appendix One.


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1PROB 11/30/18; C 142/72/87; Vis. Surr., p. 16; STAC 2/17/160.
2Linc. Inn Adm., p. 41.
3PROB 11/30/18; C 142/72/87.
4Appendix One.
5E 136/216/5.
7L.P., vol. XVI, no. 1056 (23); vol. XX, pt. 1, no. 622 (10).

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1Age estimated from father's I.P.M. C 142/72/87.
2Vis. Surr., p. 16.
3Appendix One.
4E 179/185/283-4.
HILL, SIR ROWLAND (by 1498-1561), citizens, mercer, mayor, alderman, and sheriff of London and Hodnet, Salop. Son of Thomas Hill of Hodnet and Margaret, da. of Thomas Wilbraham of Woodhey, Cheshire. No issue.\(^1\) Kt. 18 May 1542.\(^2\) Executor: Sir Thomas Leigh. Overseers: Ralph Cholmley (q.v.), Robert Christophers.

Will preamble: "I bequeath my soul to almighty God my only savior and redeemer, by whose death and passion I trust to be saved. . . ."\(^3\) R. Govt., Admn.: Comm. enforce Acts of Uniformity and Supremacy 19 July 1559.\(^4\) Law: Comm. Admiralty 1547.

Parl.: Bg. London Oct. 1553.\(^5\) Cty.: JP c.1559-60.\(^6\) Comm. sub. 1550-2.\(^7\)

\(^1\) PROB 11/44/33; Bindoff, vol. II, p. 359; D.N.B., "Hill, Sir Rowland."


\(^3\) PROB 11/44/33.


\(^6\) Appendix One.

\(^7\) E 179/185/257, 266; C.P.R. Edward VI, vol. V, p. 362.


R. Govt., PC: 1583-d.
Admn.: Constable Windsor 1588-d; high steward Windsor 1593-d.
Law: chief justice forests south of Trent 1597-d.
Mil.: general of horse 1569; Lord Admiral 1585-1619; Lt.-general army and navy Dec. 1587; joint commissioner to exercise office of earl marshal 1592, 1601, 1604, 1605, 1616, 1617, 1618; joint Commander Cadiz expedition 1596.
Dip.: envoy France 1559; amb. Spain 1605.
Parl.: Kt. Surr. 1563, 1572.
Cty.: JP 1565-d. Custos rotulorum.
Ld. Lieutenant 1579.
Keeper Oatlands Park 1562; high steward of Guildford 1585; keeper Hampton Court 1593.

1 Hasler, vol. II, p. 344; D.N.B., "Howard, Charles, Lord Howard of Effingham, Earl of Nottingham."
5 Appendix One.


1 Vis. Surr., p. 21; Smith, A Tudor Tragedy, pp. 37-45, 208-9. Note Smith's observations on the confusion about which children were Howard's and which Ralph Legh's.

Will preamble: "I knowledge my self to be a grievous offender unto almighty God my creator and maker in transgressing many ways his holy laws and commandments through the frailty of this mortal flesh of mine, yet knowing at whatsoever hour the sinner doth repent himself of his sins from the bottom of his heart, God will graciously hear him and take him to his mercy and favor; now I grievous sinner, being heartily sorry for my manifold and innumerable sins committed against his benign majesty and being in perfect love and charity with all the world, do even so ask almighty God mercy and forgiveness of all my sins and offenses committed and done against his holy will and commandment in all this my frail and transitory life, not doubting but that through the perfect faith that I have in the death of Jesus Christ his only son and my only redeemer and savior that he will receive my soul into his mercy and favor to be in the company amongst his elect and chosen forever, although in all my life long I have been a most grievous sinner. . . ." 6

4 Smith, A Tudor Tragedy, pp. 39, 41.
5 Appendix One.

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R. Govt., PC.: October 1553.

Admn.: gov. Calais 1552-3; Lord Chamberlain 1558-72; Lord Privy Seal 1572-3.

Mil.: Lord Admiral 1553-8; defended London against Wyatt 1554.

Dip.: embassies Scotland 1531, 1535, 1536; amb. France 1537, 1541; first Eng. amb. to Russia 7

Cty.: JP 1539-d. 8

Lord Lieutenant 1559-73. 9

Comm. sub. 1545-52; 10 musters 20 Jan. 1546, Feb. 1548; enforce proclamation victuals 4 Dec. 1551; church goods 1553; oyer and terminer 1 Feb., 1 June 1564; sewers 19 May 1564. 11


2 Inner Temp. Adm., p. 42.


6 PROB 11/55/22; C 142/165/172.


8 Appendix One.

9 D.N.B.


IWARBY, JOHN (?-?) of Ewell, Surr. Marr. Jane, da. of John Agmondesham of Leatherhead, Surr. 1 Kt. of the Bath 14 Nov. 1501. 2
Cty.: JP 1483-c.1526. 3
comm. muster and array 1 May, 8 Dec. 1484, 23 Apr. 1496; gaol delivery 21 Nov. 1489, 15 Sept. 1490. 4

JOHNS (JONES), SIR ROBERT (?-btw. 22 Apr./31 May 1532) of Wales and London. Marr. (1) Alice, (2) Elizabeth, (3) Katherine.
Executor: Katherine (wife), William Marten, Richard Reignold.
Will preamble: "I give and bequeath my soul to almighty God my maker, savior, and redeemer, to our blessed Lady Saint Mary the virgin, his mother, and to the blessed Saint John Evangelist, whom I have always worshipped and loved, and to all saints in heaven." Requests prayers for his and others' souls. 1
R. Ch., Hh.: esq. of the body.
R. Govt., Admn.: approver and master serjeant of lordship of Bergavenny, South Wales 4 May 1508; keeper Clonne park, etc., Glam. 18 Feb. 1518.
Mil. constable Lantrisham castle, Glam. 27 Feb. 1526. 2
Cty.: JP 1520-d. 3
comm. sub. 1523-5. 4

3 Ibid., no. 1123 (35).
4 Cruickshank, The English Occupation of Tournai.
5 Appendix One.

1 Vis. Surr., p. 52.
3 Appendix One.

R. Ct., Ch.: steward by 1526. R. Govt., Mil.: constable Lantrisham castle, Glam.\(^3\) Cty.: JP 1539-41.\(^4\) Comm sub. 1541-6.\(^5\)

LASSHER (LUSSHER), WILLIAM (?-?) of Surrey. Marr. (1) Jane, da. and h. of William Pembridge of Sussex. Issue: Thomas, marr. Jane, da. of Henry Burton of Castleton. (2) Alice, da. of William Sandes. Issue: Audrey, marr. (a) John Mascall of Lingfield, Surr., (b) Newdigate of Lingfield; Margaret, marr. Lawrence Woodhill. (3) Anne, da. of Roger Copley of Sussex, sister of Thomas Copley (q.v.). Issue: George, Roger, Thomas, Katherine, Mary.1

Cty.: JP 1514.2
Escheator: c.1520.3
Comm. sub. 1523-7.4

of the Bath 14 Nov. 1501.  

 Executors: Isabel (wife), Sir Richard Broke (q.v.), John Roper, John Spelman, Roger Legh (q.v.), John Legh (neph. and h.) Overseers: Sir John Gaynesford II (cn., q.v.), Erasmus Ford (cn.). Bequests incl. Henry, son of Lord Edmund Howard (q.v.) and Lord Edmund's wife, Joyce, widow of Ralph Legh (q.v.) - to be void if Edmund or Joyce meddle with the will. Feoffees: Lord Edmund Howard (q.v.), Sir John Gaynesford II (q.v.), Richard Lee, Edward Lee, John Roper, William Marten, John Spelman, Roger Legh (q.v.), Nicholas Gaynesford (q.v.), Erasmus Ford, Francis Langley, Thomas Polsted (q.v.).

 Cty.: JP 1483-d.  

 Sheriff 1492-3, 1509-10, 1515-6.  


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1 PROB 11/21/15; C 142/40/12; E 150/1076/3; Vis. Surr., p. 20; Wedgewood, pp. 533-4.

2 Linc. Inn Adm., p. 25.


4 PROB 11/21/15; C 142/40/12; E 150/1076/3.

5 Appendix One; C.P.R. 1476-85, Appendix.

6 List of Sheriffs, p. 137.


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 Feoffees: Henry Heydon, Richard Skinner, John Skinner I (q.v.), Ralph Tekell (q.v.).  

 R. Ct., Ch.: yeoman 1475.  

 Parl.: Bg. Plympton 1478, ?1484.

Feoffees: Sir John Pelham, Nicholas Saynton, Edmond Kederminster. 1
R. Ct., Ch.: sewer by 1516.

HH.: esq. of body 1547. 2
R. Govt., Admn.: comptroller of Southampton. 3
Parl.: Eg. Blechingley 1529. 4
Cty.: JP c.1535-d.

Comm sub. 1541-at least 1567; 6 sewers 4 July 1541, 19 May 1564; musters 20 Jan. 1546, Feb. 1548; church goods 1552-3.


5 Appendix One.

Cty.: JP 1506-4.3 Comm. de wallis et fossatis 12 Feb. 1503.4

Will preamble: "I bequeath and recomend my soul to almighty God, my savior and redeemer, to our blessed Lady Saint Mary, his mother, and to all the saints in heaven, beseeching them all to pray for me for grace and mercy. . . ." Request for prayers for his and others' souls.2
Cty.: JP 1514-22.3 Comm. sub. 1523-5; sewers 1 Feb. 1514.5

1PROB 11/16/24; Vis. Surr., pp. 20-1; on the confusion about Legh and Lord Edmund Howard's progeny, see Smith, A Tudor Tragedy, p. 209.
3Appendix One.
LEYSON, GRIFFIN (GRIFFITH) (?-btw. 18 June/9 Sept. 1555) of Carmarthen.
Son of Leyson ap Owen. Marr. Lady Joan Gamage.1 Educ. Oxford.2
Executor: Lady Joan (wife). Overseer: Thomas Croste (br.-in-law).
Will preamble: "I bequeath my soul unto the hands of almighty God, the
blessed virgin Mary, and all the holy company of heaven . . .
trusting through the merits of the truth and passion of our merci­ful Lord and savior Jesus Christ to be saved and to attain the
everlasting joys of heaven."3
Cty.: JP 1547-1553.4

1PROB 11/37/32.
2Emden, p. 356.
3PROB 11/37/32.
4Appendix One.

LISLE, (LYSLEY), THOMAS (?-after 1545) of Epsom, Surr.1
Cty.: JP c.1528-1545 (?1547).2
Comm. sub. 1523-45;3 tenths of spiritualities 30 Jan. 1535;
sewers 4 July 1541; oyer and terminer 12 Feb. 1545.4

2Appendix One.
3E 179/184/143, 167, 173, 176, 182, 197, 199, WN16662; 281/TG12486;
4L.P., vol. VIII, no. 149 (54); vol. XVI, no. 1056 (23); vol. XX, pt.
1, no. 622 (iv).

LITTLE, THOMAS (by 1531-1567/8) of Bray Berks. Marr. Elizabeth (by
1552), da. and coh. of Sir Robert Lytton of Knebworth, Herts.

R. Ct., Ch.: gent, usher 1535, gent. 1536. Hh.: Steward 1540; equerry of stable by 1533; master of buckhounds and hawks 1538.


Mil.: King's spear Calais 1515; captain Kingston-upon-Hull, Yks., Alderney, Gurney, and Sark 1541–Mar. 1545.


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1PROB 11/31/18; Bindoff, vol. II, p. 545.


3PROB 11/31/18.


5Appendix One.


7L.P., vol. XVI, no. 1056 (23).

1PROB 11/89/20; Vis. Surr., p. 69; D.N.B., "Lovell, Sir Thomas."


3Appendix One; Cockburn, Calendar of Assize Indictments, Surrey, Elizabeth, passim.

4C.P.R. Eliz., vol. III, no. 216.

Lyceld, Thomas (7-26 Jan. 1596) of Stoke d'Abernon, Surr. Marr. Frances (by 1562), da. of Edmund, Lord Bray (q.v.) and Jane, da. and h. of Richard Haliwell of Devon. Issue: Jane (h.), marr. (1) Sir Thomas Vincent (JP) of Stoke d'Abernon, (2) Richard Dubber of Betchworth, Surr.

Feoffees: Sir William More (q.v.); William Scott, son of John Scott II (q.v.); William Westbroke (not JP); Richard Drake; John Cowper; Edward Carlton.

Parl.: Bg. Boston 1571.

Cty.: JP 1569-d.

Sheriff (Surr. only) 1569-70.

Comm. musters 1580; ecc. 1580; sub. by 1584.

1 C 142/247/99; Vis. Surr., pp. 56, 109, 221.


3 Appendix One.

4 List of Sheriffs, p. 137.

Cty.: JP c.1535-8.\textsuperscript{2}

Master of St. Thomas' Hospital, Southwark 22 May 1528-1539.\textsuperscript{3}

\begin{enumerate}
\item Appendix One.
\end{enumerate}

MANNERS, SIR GEORGE, LORD ROOS (?-1513) of Etal, Northumb. and East Compton, Surr. Son of Sir Robert Manners and Eleanor, da. of Thomas, 10th Lord Roos. Marr. Anne, da. and h. of Sir Thomas St. Leger and Anne, sister of Edward IV. Issue incl. Thomas, marr. Elizabeth, da. of Sir Robert Lovell.\textsuperscript{1} Adm. Lincoln's Inn 12 May 1490.\textsuperscript{2} Kt. on or before 30 Sept. 1497.\textsuperscript{3} Lord Roos 1512.\textsuperscript{4}

Executors: Anne (wife), Sir Thomas Lovell (uncle, q.v.), William Fairfax, Thomas Fairfax, Gilbert Stoughton (q.v.), Ralph Elwick.\textsuperscript{5}

R. Ct., Hh.: Kt. of the Body 1509-12.

Parl.: Kt. Northumberland 1495.\textsuperscript{6}

Cty.: JP 1512-d.\textsuperscript{7}

Comm. oyer and terminer 1505; de wallis et fossatis 27 Dec. 1505; inquire about destructions and escapes 27 June 1506.\textsuperscript{8}

\begin{enumerate}
\item PROB 11/17/24; Wedgewood, pp. 570-1, 737.
\item Linc. Inn Adm., p. 25.
\item Shaw, vol. II, p. 31.
\item PROB 11/17/24.
\item Wedgewood, p. 570.
\end{enumerate}
APPENDIX ONE


4Appendix One.
5E 179/184/182, 199; 185/229, 238; 281/JPR 6224; C.P.R. Edward VI, vol. V, p. 357.


1Age estimated from his apprently being an adult when pardoned for entering on lands in Surrey without license, C.P.R. 1476-85, p. 515, and the date of his admission to Lincoln's Inn, Lin. Inn Adm., p. 24.

Feoffees: William Gaynesford, Nicholas Gaynesford (q.v.), John Elyn-brigge, John Woodward.

R. Ct., Ch.: groom by 25 Aug. 1487.

Parl.: Bg. Midhurst 1472-5.
Cty.: JP 1473-d.

Sheriff 1487-8.
Escheator 1463-4, 1469-70.
Comm. array 10 Oct. 1480; inquire about concealed lands 7 Aug. 1486.

3 Wedgewood, p. 587.

4 Appendix One.

5 List of Sheriffs.

6 Wedgewood, p. 587.

MORE, SIR CHRISTOPHER (by 1483–16 Aug. 1549) of Loseley, Surr. Son of John More of London and Elizabeth. Marr. (1) Margaret (by 1504) da. of Walter Mugge of Guildford, Surr. Issue: Sir William, marr. (a) Mabel (sett. 1545), da. of Mark Digneley of Wolverton, Isle of Wight, (b) Margaret (sett. 1551), da. of Ralph Daniell of Swaffham, Norf.; Christopher; John; Richard; Margaret, marr. Fiennes, br. of Lord Dacre; Elizabeth, marr. Wintershull; Anne, marr. John Skarlett; Bridget, marr. Compton of Gurnsey; Scissely; Catherine; Elizabeth; Eleanor, marr. William Henadge. Adm. Inner Temple 29 June 1513 at instance of Gilbert Stoughton (q.v.). Kt. btw. Aug. 1540/Feb. 1541.1

Feoffees: John Sackville, Richard Sackville, John Sackville junior, John Parker, William Hennage.2

Will preamble: "I bequeath my soul to almighty God, his mother St. Mary, and to the holy company of heaven, having perfect hope and confidence only by his blood to receive remission and forgiveness of all my sins and offenses, my body to be buried without pomp or vainglory. . . ."

R. Govt., Admin.: clerk of Exchequer by 1505; verderer Windsor Forest by 1519; secondary Lord Treasurer's Remembrancer's office by 1526; King's Remembrancer 1542-d.

Parl.: Kt. Surr 1539, 1547.4

Cty.: JP 1522-d.5 Sheriff 1532-3, 1539-40.6 Alnager 1505-d.; understeward Witley and Worplesdon 1513; master of game Merrow and West Clandon Parks 1540; steward West Horsley 1547.7

Comm. sub. 1515-49;8 inquire about Wolsey's possessions Surr. 14 July 1530; gaol delivery 20 June 1530, 26 Apr. 1531; oyer and terminer 4 July 1538, 14 June 1544, 2 July 1544, 11 Feb. 1545, 12 Feb. 1545; tenths of spiritualities 30 Jan. 1535; chantries Feb. 1546; musters 1544, Feb. 1548.9

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1 PROB 11/33/9; WARD 7/5/44; Vis. Surr., p. 2; Bindoff, vol. II, p. 616.
2 WARD 7/5/44.
3 PROB 11/33/9.
5 Appendix One.
6 List of Sheriffs, p. 137.
MORE, SIR WILLIAM (30 Jan. 1520-20 July 1600) of Loseley, Surr. Son
of Sir Christopher More of Loseley (q.v.) and Margaret, da. of
Walter Mugge of Guildford. Marr. (1) Mabel (sett. 12 June 1545),
da/ of Marchion Digneley of Wolverton, Isle of Wight. No issue.
(2) Margaret (sett. 1551), da. and h. of Ralph Daniel of Swaff-
ham, Norf. Issuc: Sir George, marr. Anne, da. and h. of Sir
Adrian Poyings of Burnegate, Dorset; Elizabeth, marr. (a) Richard
Polsted of Albury, Surr., (b) Sir John Wolley, (c) Lord Chancellor
Thomas Egerton; Anne, marr. Sir George Manwaring of Ightfeld,
Salop. 1 Kt. 14 May 1576.

Executor: Sir George (son). Overseers: Lawrence Stoughton, son of
Thomas Stoughton (q.v.); Francis Amger; George Austen. Feoffee:
George Austen.

Will preamble: "I bequeath my soul unto almighty God, and having as­
sured hope through the death, merits, and passion of my only
savior and redeemer, Jesus Christ, not only to have free pardon
and remission of all my sins, but also to enjoy with him his ever­
lasting kingdom, utterly rejecting all other ways and means to
attain thereunto than only by my said savior Jesus Christ."

R. Govt., Admn.: Chamberlain of Exchequer at d.; verderer Windsor
Forest by 1561.
Mil.: vice-Admiral Suss. 1559-94.
Parl.: unknown 1539; Bg. Reigate 1547, Guildford Oct. 1553, Nov. 1554,
1555, 1572, 1589, 1597, Grantham 1559; Kt. Surr. 1563, 1571, 1584,
1586, 1593.
Cty.: JP 1555 (or earlier)-d.; deputy custos rotulorum by 1594.
Sheriff 1558-9, 1579-80.
Provost marshal 1552; constable Farnham Castle 1565; deputy Lieu-
tenant 1569, 1580, 1588; farmer of alnage from 1549.
Comm. sub., etc. 1547-80; musters from 1548; church goods 1553
ecl. 1572; oyer and terminer 22 Feb. 1563, 1 Feb., 1 June,
1564, 1567.

1PROB 11/96/70; C 142/264/179; Vis. Surr., pp. 2-3; Bindoff, vol. II,

Cty.: JP 1554.2

comm. sewers 21 Nov. 1553.3

1Vis. Surr., p. 33. It is conceivable that the JP may have been instead Sir Richard Morgan, the Marian chief justice, D.N.B., "Morgan, Sir Richard"; Bindoff, vol. II, pp. 629-30. However, Morgan the chief justice was knighted in 1553 and Morgan the JP is not described as a knight on the 1554 commission of the peace.

2Appendix One.


MORTON, THOMAS (1462-25 Dec. 1516) of Lechlad, Glouc. Son of William Morton, and nephew and h. of Cardinal Morton. Marr. (1) Dorothy, da. and h. of John Twinho of Cirencester. Issue: Robert. (2) Margaret, da. and h. of William Woodford. Issue: John; William,
marr. Margaret, da. of John Kirton; Agnes; Scisley; Helen.

Parl.: Kt. Glouc. 71485, 1491-2.1
Cty.: JP 1494-d.2

Sheriff 1507-8.3
Comm. muster and array 23 Apr. 1496; gaol delivery 9 Oct. 1502,
20 Oct. 1502; inquire about wastes 24 Feb. 1514.4

1Vis. Surr., p. 73; Wedgewood, p. 615 is wrong about Morton's death
date and erroneously distinguishes a "second" Morton in Surrey.

2Appendix One.

3List of Sheriffs, p. 137.

2684 (99).

MORYS (MORES, MORRIS), JOHN (?-5 July 1540) of Syon, Mddx. and Farnham,
Surr. Marr. Elizabeth.1 Educ. Inner Temple, master of revels
1511, clerk of Kitchen 1518, 1520, Steward 1521-2, reader 1524.2
Will preamble (too lengthy to cite in full): "... I bequeath my soul
to almighty God, the father, son, and Holy Ghost ... ."3

Parl.: Bg. Steyning 1529.4
Cty.: JP 1525-c.1529, 1531-40.5
Keeper Farnham park 1524-d., receiver Syon Abbey in Surr. by 1534.6
Comm. sub. 1523-35;7 tenths of spiritualities.8


2Cal. Inner Temp. Recs., pp. 24, 43, 52, 67, 69, 71, 73, 76-7, 81, 85-
7, 108. Not apparently the John Morys of Lincoln's Inn, Linc. Inn

3PROB 11/28/14.


5Appendix One.


7E 179/184/138-9, 148, 156, 167, 173-4, WN16662; 281/TG12264; L.P.,
vol. III, pt. 2, no. 3282 (iii); vol. IV, pt. 1, no. 547.

Feoffees: Henry Lacy, Arthur Langton, William Harman, James Skinner (q.v.), William Young, Thomas Farnham, William Harris.3

Cty.: JP 1528—d.4
Comm. sub. c.1516—1525.5


Will preamble: "I bequeath my soul to almighty God. . . ." Request for prayers for his soul.2

R. Ct., Hh.: Henry VIII.
R. Govt., PC: Henry VII, Henry VIII.
Parl.: Kt. ?Kent, 1515 (Speaker of House of Commons).3

Cty.: JP 1512—d.4
Comm. gaol delivery 20 June 1530.5
NORBURY, SIR JOHN (1443-1504) of Stoke d' Abernon. Son or Sir Henry Norbury and Anne, da. and h. of William Crosier. Marr. Joan, da. of Otho Gilbert. Issue: John; Anne, marr. Richard Haliwell of Devon.¹

R. Govt., Mil.: vice-marshall 1484-5.
Cty.: JP 1483-d.²
Sheriff, 1484-5.³
Comm. musters and array 10 Oct. 1480, 1 May 1484, 8 Dec. 1484, 23 Dec. 1488, 23 Apr. 1496; arrests 5 July 1494.⁴

⁴List of Sheriffs, p. 137.

R. Ct., Ch.: gent. of Privy Chamber.2
Hh.: king's chief trencher 1530-7; Kt. of the body.3
R. Govt., Admn.: comptroller of customs London 1522.4
Cty: JP 1522-d.1538.3
Keeper of Asher Park.7
Comm. tenths of spiritualities 1535.8

1PROB 11/34/10.
2Starkey, "The King's Privy Chamber, 1485-1547."
3L.P., vol. XII, pt. 1, no. 539 (29); vol. XIV, pt. 1, no. 906 (6).
PEXSALL, RALPH (?-13 July 1537/12 Feb. 1538) of Beaurepaire, Hants.
(1) Marr. Edith, da. of William Brocas. (2) Anne. Issue:
Richard (h.).
Executors: Anne (wife); Sir William Fitzwilliam, earl of Southampton
(q.v.); Sir William Paulet; William Stokeley.1
R. Govt., Admn.: clerk of the crown in Chancery 1522.2
Cty.: JP 1514-2d.3

POLSTED, HENRY (by 1510-10 Dec. 1555) of Albury, Surr. Son of Thomas
Polsted of Stoke, Surr. (q.v.) and Agnes. Marr. (1) Joan, da.
and h. of John Nicholson of Yks. (2) Alice (May 1539), da. of
Robert Lord. Issue: Richard, marr. Elizabeth, da. of William
More of Loseley (q.v.); Joan, 1 illegit.1 Bencher Inner Temple
1552.2
Executors: Alice (wife), William More (esq.), John Brace, Richard
(sen). Overseers: John Caryll (q.v.), John Birch (q.v.), John
Agnomesham (q.v.), John Brace, John Statham. Servant: Henry
Weston (?q.v.). Feoffees: Sir Urian Brereton and wife Joan;
John Bray, Lord Bray.3
R. Govt., Admn.: receiver to Cromwell by 1533, understeward Ct. Aug.
1538-40.
Parl.: Bg. Blechingley 1547, Oct. 1553, Guildford Nov. 1554, 1555.4
Cty.: JP 1547-d.5
Escheator 1549-50.6
Comm. sub. 1541-52;7 musters Feb. 1548; proc. victuals 4 Dec.
1551; church goods 1553; sewers 21 Nov. 1553, 28 Nov. 1554;

and Faction," Appendix One.
oyer and terminer 1554.8


3 PROB 11/38/6; C 142/106/56.


5 Appendix One.


1 PROB 11/23/5.


3 PROB 11/23/5.

4 Appendix One.

POPE, SIR THOMAS (1506/7-29 Jan. 1559) of Clerkenwell, London and Tittenhanger, Herts. Son of William Pope of Deddington, Oxon. and Margaret, da. of Edmund Yate of Standlake, Oxon. Marr. (1) Eliza-
beth Gunston. No issue. (2) Margaret Townsend. Issue: Alice.
Admn.: warden of Tower mint 1534-6; treasurer Ct. Aug. 1536-40;
master of woods south of Trent by 1545-53; clerk of crown in
Chancery by July 1537-44.
Law: clerk of writs, Star Chamber 1532-d.
Parl.: Kt. Bucks. 1536, Berks. 1539.1
Cty.: JP 1541-d., custos rotulorum.2
Comm. sub. c.1541-1550;3 sewers 14 July 1541, 21 Nov. 1553, 28
Nov. 1554; Chantries 30 Feb. 1546; oyer and terminer 12 Feb.
1545, 1554.3

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2Ibid.; Appendix One.
3E 179/184/182-3, 188, 191, 199, 209; 185/223-4, 229-30, 233-4, 238,
240-1; 281/JPR6224, TC12486; 381/3/1-2; L.P., vol. XX, pt. 1, no.
623 (viii); vol. XXI, pt. 1, no. 970 (32); C.P.R. Edward VI, vol. V,
pp. 357, 362.
4L.P., vol. XVI, no. 1056 (23); vol. XX, pt. 1, nos. 302(30), 622 (IV);

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PORTER, WILLIAM (by 1526-?1593) of Gray's Inn, London and Grantham,
Linns. Son of Augustine Porter of Belton, Linns. and Ellen, da.
of Smith of Withcote, Leic. Marr. Jane (by 1569), da. of John
Butler of Aston-le-walls, Northants. Issue: 8 sons, 2 da.1
Adm Gray's Inn 1540.2 Educ. Oxford.3
Parl.: Bg. Grantham 1555, Blechingley 1559, Helston 1563.4
Cty.: JP 1570.5

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3Emden, p. 458.
5Appendix One.
POWLE, GEORGE (?-?).
Cty.: JP c.1552-3.

Appendix One.

RANDOLPH, BERNARD (?-btw. 17 Nov. 1578/31 May 1579) of Stanmar, Mddx.
Educ. Inner Temple, utter barrister by 1556, bencher 1566.
Will preamble: "I bequeath my soul to almighty God, who created me and by whom I trust to be saved. . . ."3
Cty.: JP 1567-d.
Escheator 1553.
Comm. sewers 19 May 1564.

Appendix One.
E 136/217/2.
C.P.R. Elizabeth, vol. III, no. 216.

Cty.: JP 1498-d.

PROB 11/14/41; Cal. I.P.M. Henry VII, vol. III, no. 94.

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ROKEBY, RICHARD. Comptroller Wolsey's household.1
R. Ct., Ch.: gent. usher by 1509.2
R. Govt., Admn.: treasure of Ireland.3
Cty.: JP 1518-22.4

1D.N.B., "Rokeby, William."

Russell, John
Cty.: JP c.1532-3.1

1Appendix One. Not Sir John Russell.

Sackville, William (by 1509-19 May 1556) of Blechingley and Dorking,
Surr. Son of Edward Sackville of Blechingley and Jane, da. of
Sir Roger Kynaston of Myddle and Hordley, Salop. Marr. (1) Rose,
da. of Sir John Gaynesford II of Crowhurst (q.v.). Issue: 2 sons,
1 da. (2) Eleanor, da. of Thomas Shirley of West Grinstead, Suss.
(widow of Henry, son of Sir Matthew Browne, q.v.).
R. Ct., Ch.: yeoman by 1530, sewer by 1544-1553.
Parl.: Bg. Blechingley 1542.1
Cty.: JP c.1547 (?) or earlier)-d.2
Escheator 1544-5.3
Bailiff of St. Mary Overy 1544.4
Comm. sub. c.1549-1552;5 musters Feb. 1548.6

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Issue: Oliver; illegit. da., Anne.
Executor: Eleanor (wife). Overseers: John Orphan Strange, John Eve,
Ralph Hurleston, John Vavysor.
Will preamble: "My soul I bequeath to the living and eternal father of
heaven and the earth, to whom through the death of his dear blessed
son hath been made a full oblation and satisfaction of my wicked
sins and offenses, wherein I most constantly and steadfastly be­
lieve. To whom with all the holy ghost be all glory, praise, and
thanks forever and ever. Amen."* 
Cty.: JP 1565-d.  
Comm. sub. 1567-8.  

SAUNDERS, HENRY (?-btw. 1 Sept. 1518/23 Feb. 1519) of Ewell, Surr.
(q.v.), marr. Jane, da. of William Merton (Merston) of Horton,
Surr. (q.v.).  
Adm. Lincoln's Inn 10 Feb. 1483, master of revels
1485, butler 1493.  
Executors: Joan (wife), William (son), William Holgill, Ralph Lepton,
Nicholas Saunders. Overseer: Richard Foxe, bp. of Winchester.
Feoffees: John Newdigate, Richard Broke (q.v.), William Holgill,
Thomas Candysh, John Pett, Sir Richard Carew (q.v.), Sir Nicholas
Carew (q.v.), Ralph Lepton, Thomas Lisle (q.v.), Nicholas Saunders,
John Skinner II (q.v.), Thomas Polsted (q.v.), James Skinner (q.v.), Richard Bray.  

Cty.: JP c.1512-d.  

Escheator 1516-7.  

Comm. gaol delivery 3 May 1513; seize Scots' property 27 Aug. 1513; inquire about wastes 24 Feb. 1514.

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3PROB 11/19/15.

4Appendix One.

5E 136/214/7.


Educ. Inner Temple, auditor 1536, 1538, attendant 1545, summer Reader 1546, autumn Reader, 1547; governor 1557, treasurer 1556-8.  

Kt. after 1549.  

Executors: Alice (wife), Thomas Walsingham (br.-in-law), Edmund (son), Sir Thomas White (br.-in-law). Overseers: Sir Walter Mildmay, John Caryll (q.v.), John Skinner IV (q.v.), Nicholas Saunders. Mentions warranty to James Skinner (q.v.).

Will preamble: "I bequeath my soul to our lord Jesus Christ, my only maker and savior. . . ."  

R. Govt., Admn.: solicitor in households of Anne of Cleves and Catherine Howard 1540; King's Remembrancer Aug. 1549-d.


Cty.: JP 1541-d.  

Sheriff 1553-4.  

Comm. sub. 1541-58; sewers 4 July 1541, 19 May 1564; musters Feb. 1548, 1557; proc. victuals 4 Dec. 1551; church goods 1553; oyer and terminer 12 Feb. 1545, 22 Feb. 1563, 1 Feb. 1564, 1 June 1564, 1567.

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1PROB 11/48/19 (Crymes); WARD 7/10/117; Vis. Surr., pp. 11, 18; Bindoff, vol. III, p. 274.

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SAUNDERS, WILLIAM (by 1497-btw. 2 Oct./10 Nov. 1570) of Ewell, Surr.
Son of Henry Saunders of Ewell (q.v.) and Joan, da. and coh. of
William Merton (q.v.) of Herton, Surr. Marr. (1)
Issue inc. Nicholas, marr. Mabel (Isabel), da. of Sir Nicholas
Craw (q.v.); Mary. (2) Joan (widow). Issue: 4 da.1 Adm.
Middle Temple 29 Jan. 1502, bencher 1525, Lent Reader 1524, 1532.2
Cty.: JP 1541-d.4
Sheriff 1555-6.5
Escheator c.1549.6
Coll. and comm. sub. 1536-67;8 sewers 4 July 1541, 19 May 1564;
musters 1544, Feb. 1548; chantries Feb. 1546.9


2Mid. Temp. Adm., p. 4.


4Appendix One.

5List of Sheriffs, p. 137.


Cty.: JP 1497-d.

2C 142/54/88; E 150/1083/1; Vis. Surr., pp. 48, 59.


4C 142/54/88.


6Appendix One.

7List of Sheriffs, p. 137.


Will preamble: "I bequeath my soul to almighty God, my maker and redeemer..."5

Cty.: JP c.1538 (or earlier)-d.

Comm. sub. c.1541-1557; sewers 4 July 1541, 21 Nov. 1553, 28 Nov. 1554; oyer and terminer 12 Feb. 1545; musters 20 Jan. 1546, Feb. 1548; church goods 1553.8

1Age based on John Scott I's I.P.M., C 142/54/88.
SCOTT, RICHARD (?-c.1561) of Camberwell, Surr. Son of John Scott II of Camberwell (q.v.) and Elizabeth, da. and h. of Robbins. Marr. Mary da. of Edward Weldon.1 Matric. Camb. 1544.2

Cty.: JP c.1557-60.3 Comm. sub. 1559.4

1Vis. Surr., p. 48.

2Venn, Alumni Cantab., p. 32.

3Appendix One.

4E 179/185/283-4.

SCRIMSHIRE (SKRYMSHER), JOHN (?-?). ?Son of Thomas Scrimshire.1

Cty.: JP 1530.2

1C.P.R. Edward VI, vol. IV, p. 39.

2Appendix One.
SHERBOURN (SHARNBORNE), SIR HENRY (?-?) of Sherbourn, Norf. Kt. 18 Apr. 1512.  
R. Govt., Law: marshal of King's Bench 1515.  
Mil.: various captaincies.  
Cty.: JP 1515.


*3E.g., L.P., vol. I, pt. 1, nos. 1176 (3), 1453 (ii, vi), 1661 (3,4) 1844, 1851, 2304 (3), 2478, 2652, 2686, 2842, 2938, 2946, 3513.*

*4Appendix One.*

SHELLEY, SIR WILLIAM (by 1479-1549) of London and Michelgrove, Suss.  
Son of John Shelley and Elizabeth, da. and h. or John Michelgrove.  
Issue: John, Sir Richard, Sir James, Sir Edward, 3 other sons;  
Margaret; 6 other da.  
Educ. Inner Temple, reader 1517, governor 1520-1.  
Kt. after 3 Nov. 1529.  
Executor: John (son).  
Will preamble: "I bequeath my soul to almighty God, the blessed virgin his mother, and to all the holy company of heaven..." Requests masses for his soul.  
R. Govt., Law: sjt.-at-law 1521, chief jutice Common Pleas 1526-d.;  
receiver of petitions in House of Lords 1539, 1542, 1545, 1547.  
Parl.: Bg. London 1523.  
Cty.: JP 1522-c.1538.  


*4PROB 11/32/25.*

*5Bindoff, vol. III, p. 310.*
R. Govt.: "King’s servant." 2
Cty.: JP 1485.3
Comm. oyer and terminer 18 Oct. 1470; felons 27 Oct. 1470; de wallis et fossatis 7 Dec. 1476, 20 June 1478; swans 13 Feb. 1577; survey Thames 7 Dec. 1476, 20 June 1478. 4

3 Appendix One.
4 C.P.R. 1467–77, pp. 246, 248; C.P.R. 1476–85, pp. 23–4, 144.

SKINNER, JAMES (?–30 July 1558) of Reigate, Surr. Son of John Skinner I of Reigate (q.v.). Brother of John Skinner II (q.v.). Marr. (1) Catherine (by 1513), da. of Green. (2) Elizabeth (widow). (3) Margaret, da. of Nicholas Saunders of Charlwood, Surr. (widow), and sister of Sir Thomas Saunders (q.v.). No issue. 1 Adm. Inner Temple 11 Feb. 1518, butler 1535. 2
Will preamble (too lengthy to cite in full): "... I give, will, and bequeath my soul to almighty God, my creator and redeemer, and to the holy, blessed, and immaculate virgin, our Lady Saint Mary, and to all the blessed company of heaven, with most humble heart beseeching [her] to be mediator for me to her most blessed son, that according to this my will and hearty desire through and by the merits of his most bitter passion, my soul may have the sight and fruition of the Godhead in heaven amongst all the holy and blessed company there, amongst whom I doubt not but to continue in joy without heaven end. ..." 3

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Cty.: JP 1524—d.4
Clerk of the peace c.1505—22.5 Understeward of Bansted in 1533; steward of Tandridge priory by 1536; understeward of Reigate priory by 1536.6 Comm. sub. 1523—43;7 tenths of spiritualities 30 Jan. 1535; musters 1539; sewers 4 July 1541; assize 24 Jan. 1543.8

2 PROB 11/54/6, will of son, John III.
4 Appendix One.
5 E 372/351—70/Surr.—Suss.
8 L.P., vol. VIII, no. 149 (74); vol. XVI, no. 1056 (23); vol. XVIII, pt. 1, no. 100 (23); Bindoff, vol. III, p. 327.

Executors: Anne (wife), John (son). Overseers: Richard Skinner (br.), Richard Eliot (son-in-law), Thomas Yngler (cn.). Feoffees: Same as John II.

Will preamble: "I do commend and commit my soul into the hands of almighty God, my only maker and savior, whom and by the merits of the second person, Jesus Christ, I trust and believe assuredly to be saved and to have full and clear redemption and forgiveness of my sins."

R. Govt., Admn.: clerk of the avery by 1541; clerk of the Green Cloth by 1564-d.

Law: usher and crier in King's Bench by d.

Parl.: Bg. Reigate 1542; Kt. Surr. 1555, 1558.

Cty.: JP c.1552-d.

Understeward of Banstead by 1546.

Comm. sub. 1546-67; sewers 4 July 1541, 19 May 1564; musters Feb. 1548, 1557; oyer and terminer 14 June 1544, 1 Feb. 1564, 1 June 1564; conventicles 1557.

1 PROB 11/54/6; Vis. Surr., pp. 59-60, in which his death date is erroneously given as 16 Nov. 1569; note that this John Skinner is numbered "II" in Bindoff, vol. III, p. 323.

2 Emden, p. 518.

3 PROB 11/54/6.


5 Appendix One.


Will preamble has no religious content.\footnote{Appendix One; Cockburn, Calendar of Assize Indictments, Surrey, Elizabeth.}


Comm. musters 1569.\footnote{Appendix One; Cockburn, Calendar of Assize Indictments, Surrey, Elizabeth.}

\footnote{PROB 11/67/6; C 142/204/123; Vis. Surr., pp. 59–60; Hasler, vol. III, pp. 388–9.}

\footnote{Linc. Inn Adm., p. 16.}

\footnote{C.P.R. Henry VII, vol. I, p. 319.}

SKIPWITH, GREGORY (?–?). Adm. Lincoln's Inn 1466.\footnote{Linc. Inn Adm., p. 16.}

Cty.: JP 1487–93.\footnote{Appendix One.}


\footnote{Linc. Inn Adm., p. 16.}

\footnote{Appendix One.}

\footnote{C.P.R. Henry VII, vol. I, p. 319.}


Will preamble (too lengthy to cite in full): "I commit my soul to God and to his mercy, believing without any doubt or mistrust that by his grace and merits of Jesus Christ and by the virtue of his passion and of his resurrection I have and shall have remission and forgiveness of all my sins. . ."

Cty.: JP 1558—d.3 Sheriff 1561-2.4


2PROB 11/77/18.

3Appendix One; Cockburn, Calendar of Assize Indictments, Surrey, Elizabeth.

4List of Sheriffs, p. 137.

SMITH, THOMAS (?–10 Jan. 1576) of Mitcham, Surr. Marr. (1) Mary, da. of Cely. (2) Eleanor, da. of Haselrigg of Leic. Issue: George, marr. Rose, da. of John Worship of Clapham, Surr.; William; Edmund; Edward Thomas; Thomas, marr. Sara, da. of Sir Humphrey Handford of London; Eleanor, marr. Gilbert Bourne; Marry, marr. Sir John Leigh of Mitcham; Elizabeth, marr. Richard Wich of London; Rose; Elizabeth; Susan; Agnes; Margaret.

Executors: Eleanor (wife); Edward Brabazon; Richard Brakenbury, William Haselrigg (br.–in-law).

Will preamble: "I give and bequeath my soul unto almighty God, my maker and redeemer, in whom I trust to be saved."1

Cty.: JP 1567–d.2

1PROB 11/58/22; WARD 7/16/15; Vis. Surr., pp. 98–9.

2Appendix One.

SOUTHWELL, SIR ROBERT (c.1506–26 Oct. 1559) of London and Mereworth, Kent. Son of Francis Southwell and Dorothy, da. and coh. of William Tendring of Little Birch, Essex. Marr. Margaret, da. and h. of Sir Thomas Neville (q.v.). Issue: Thomas, Henry, 2 other sons; Dorothy; Martha; Anne, marr. Edmund Bedingfield.1 Educ. Middle Temple, Bench and Autumn Reader 1540.2 Kt. 16 Jan. 1542.3

Executors: Sir Richard Southwell (br.), Thomas (son), John Thurstun.

Overseers: Margaret (wife), Sir Nicholas Bacon. Feoffee: John Neville.
Will preamble (too lengthy to cite in full): "I shall after my most humble and hearty thanks given to almighty God ... beseech his deity to have mercy on me ... his deity is the only health of all men ... that die in his faith ... almighty God, my only savior and redeemer ... strengthen me in faith in that my heart and spirit may incessantly cry Lord into thy hands and blessed custody I commit my soul and spirit." 4

R. Govt., PC.: 1540.
Law: master of requests 1540; trier of petitions in House of Lords 1542, 1545, 1547.
Cty.: JP 1541-d. 5
Comm. sub. 1541-2; 6 sewers 4 July 1541, 21 Nov. 1553; assize 24 Jan. 1543; oyer and terminer 2 July 1544, 11 Feb. 1545; 12 Feb. 1545, 1554; chantries 1546. 7

2 Mid. Temp. Adm., p. 3.
4 PROB 11/43/53.
5 Appendix One.
6 E 179/184/183, 185-6.
7 L.P., vol. XVI, no. 1056 (23); vol. XVIII, pt. 1, no. 100 (23); vol. XX, pt. 1, nos. 622 (II, IV), 623 (IV); vol. XXI, pt. 1, no. 302; C.P.R. Philip & Mary, vol. I, pp. 29, 35.


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¹ PROB 11/18/25; Vis. Surr., pp. 85-6; Wedgewood, p. 816.


³ PROB 11/18/25.

⁴ Wedgewood, p. 816.

⁵ Appendix One.

⁶ E 136/214/2.


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da. of Anthony Malar of London; Thomas (h.), marr. (a) Anne, da. of Francis Fleming of London, (b) Elizabeth, da. of Edmund Lewknor of Tangmere, Suss.; Richard; George; William; Henry. (2) ?Elizabeth.


Will preamble: "I bequeath my soul unto the glorious deity of the omnipotent God, trusting faithfully to be saved by the merits of the passion and death of our savior Jesus Christ. . . ."1

Cty.: JP 1541-64.2

Comm. sub. c.1541-1559;3 musters 1548.4

1PROB 11/54/12; C 142/187/84; Vis. Surr., pp. 85-7.

2Appendix One.


4SP 10/3/16.


Feoffees: Sir Thomas Palmer, George Stoughton, Thomas Lewknor, Edward Stoughton.2

Parl.: Bg. Guildford 1547, 1559, 1572; Chichester Mar. 1553, Oct. 1553, 1554, 1563.3

Cty.: JP 1558-d.4

Comm. sub. 1547-59; musters 1548, 1560; sewers 19 May 1564.5


2WARD 7/18/29.

Executor: Peter, Edmond, John (sons). Overseer: Mr. Croke.
Will preamble: "I bequeath my soul unto almighty God, my heavenly father. ..."1
R. Govt. Admn.: clerk of signet by 1537-1553.
Parl.: Bg. ?Liverpool 1547.2
Cty.: JP 1547-?1553.3
Comm. sub. 1549-1552.4

TAYLOR, GEORGE (?-bwt. 16 Nov. 1543/28 Jan. 1544) of Lingfield, Surr.
Marr. Audrey. Issue: John.1 Adm. Lincoln's Inn 12 Feb. 1532.2
Will preamble: "I bequeath my soul to our lord in heaven. . . ."
Requests masses for his and family's souls.3
Cty.: JP c.1535-8.4

1PROB 11/57/32; WARD 7/16/6; Bindoff, vol. III, p. 424; D.N.B., Taverner, Richard.
3Appendix One.

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Cty.: JP 1483-d.2
Comm. inquire concealed lands 7 Aug. 1486; musters 23 Apr. 1496; gaol delivery 21 Nov. 1489.3

THWAITES, SIR THOMAS (?-btw. 7 Apr./29 June 1503) of London, Calais, and Barnes, Surr. Marr. Alice. Issue: John, Ursula.* Kt. 6 Jan. 1483.2
R. Govt., Admn.: chancellor of the Exchequer 1471-83; treasurer of Calais 1483-90.
Cty.: JP 1488-94.4


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TINGILDEN, JOHN (by 1520–btw. 18 Aug./27 Oct. 1551) of Reigate, Surr.
Will preamble (too lengthy to cite in full): "I bequeath . . . to the hands of my most merciful father, the son, and the Holy Ghost . . . my soul, most steadfastly trusting unto his mercy that he through the merits of Christ's passion, my only savior and mediator, will now perform his promise that the eternal death may have no power upon me . . . not for my worthiness but through the merits of his passion . . . ." 1
Parl.: Bg. Gatton 1547. 2
Cty.: JP c.1550–1. 3
Comm. sub. 1547–51. 4

TUKE, SIR BRIAN (2-26 Oct. 1545). Son of Richard Tuke and Agnes, da. of John Bland of Notts. Marr. Grissell, da. of Nicholas Boughton of Woolwich. Issue: Maximillian; Charles; George; Elizabeth, marr. George, 18th Baron Audeley; Mary, marr. Sir Reginald Scott of Scott's Hall, Kent; 1 other da. Secretary to Wolsey. 1 Adm. Inner Temple 21 Dec. 1523. 2
R. Ct., Hh.: Kt. of the Body 1516, King's French secretary, 1522.
R. Govt., Admn.: bailiff of Sandwich 1508, clerk of signet 1509, feofary of Wallingford and St. Walric 1509, clerk of council of Calais 1510, governor of king's posts 1517.
Parl.: clerk 1522. 3

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1 PROB 11/34/30; Bindoff, vol. III, p. 468.
3 Appendix One.

R. Ct., Ch.: page by 1533, sewer by 1538.  
R. Govt., Admn.: steward various lands in North; member council in North 1558-d.  
Cty.: JP c.1554–1561.  
Comm. musters c.1576.  

VINE (VYNE), HENRY (?–19 Apr. 1561) of Ash, Surr. Son of Ralph Vine of Ash (q.v.) and Anne, da. of Thomas Manory of Ash. Marr. Jane,
da. of Richard Covert of Slougham, Suss. Issue; Richard, marr. Katherine; Henry; Ralph; ?Stephen; Jane, marr. Smith; Agnes. 

Cty.: JP 1554-c.1558.3
Coll. sub. c.1540, c.1544, comm. 1557.4

WARD 7/5/60; Vis. Surr., p. 4.

Mid. Temp. Adm., p. 11.

Appendix One.

E 179/185/275; 281/182, IPR 2969.

VINE, RALPH (?-c.1535) of Oxon. and Ash, Surr. Son of Thomas Vine.

Cty.: JP 1520-c.1533 (or later).2
Escheator c.1532.3
Comm. sub. 1523-c.1535.4

Vis. Surr., p. 4; Wedgewood, p. 910.

Appendix One.

E 136/216/1.


WAITE, ANTHONY (?-btw. 10 Sept. 1558/28 May 1559) of Clapham, Surr.
Will preamble: "Committing my soul chiefly to almighty God, our father in heaven, whom I most humbly beseech for his great mercy sake and for the blood of ... Jesus Christ, our savior and redeemer ... to make the same partakers of that inestimable glory prepared for all his, beseeching Jesus Christ ... to be an advocate unto our
most loving father for the remission of my sins and the most
blessed Virgin Mary with all the holy company of heaven to be
humble intercessors for the same. . . ."1

Cty.: JP 1558 (70r earlier)-1559.2
Comm. sewers 21 Nov. 1553, 28 Nov. 1554.3

1PROB 11/42B/22.

2Appendix One.


WALSINGHAM, SIR EDMUND (by 1480-10 Feb. 1550) of Scadbury, Chislehurst,
Kent. Son of James Walsingham and Eleanor, da. of Walter Writtle
of Bobbingworth. Marr. (1) Catherine, da. and h. of John Gunter
of Chilworth, Surr. (widow). Issue: Sir Thomas, marr. Dorothy,
da. of Sir John Guildford; 3 other infant sons; Mary, marr. Sir
Thomas Barnardiston; Alice, marr. Sir Thomas Saunders of Charle-
wood (q.v.); Eleanor, marr. Edward Baynard of Lackham, Wilts.;
Katherine, marr. Sir Thomas Gresley. (2) Anne (by 1543), da. of
13 Sept. 1513.1

Executor: Thomas (son). Overseers: Sir Thomas Saunders (q.v.), Sir
Thomas Barnardiston.

Will preamble: "I bequeath and commend my soul unto almighty God, my
creator, redeemer, and maker of the world. . . ."2

R. Ct.: vice-chamberlain Catherine Parr's household by 1544.
R. Govt., Mil.: Lieutenant of Tower 1521-43.
Parl.: Kt. Surr. 1545.3
Cty.: JP 1514.4
Comm. sub. 1514-c.1545.5

1PROB 11/33/25; WARD 7/5/60; D.N.B., "Walsingham, Sir Edmund"; Bindoff,

2PROB 11/33/25.


4Appendix One.

(iii); vol. IV, pt. 1, no. 547; vol. XX, pt. 1, no. 623 (viii).

R. Ct., Hh.: sewer by 1556.
Parl.: Bg. Chippenham 1545, Wilton 1547, Downton Mar. 1553, Bossiney 1559.1
Cty.: JP 1560-8.2 Comm. sub. 1559.3

2 Appendix One.
3 E 179/185/285.

Cty.: JP 1486-1514.1 Comm. gaol delivery 15 Sept. 1490; arrests 5 July 1494; de walliis et fossatis 27 Dec. 1505.2

1 Appendix One; see Chapter Three.

Will preamble: "... I bequeath my soul to almighty God, to our Lady St. Mary, and to all the glorious company of heaven. ..."
Request for masses for his soul.1
Cty.: JP 1524-c.1538.2 Comm. sub. 1523-37;3 gaol delivery 20 June 1530; tenths of spiritualities 30 Jan. 1535.4

Will preamble: "I commend my soul to almighty God and to his son, Jesus Christ, my savior and redeemer and to the Holy Ghost, three persons and one God, most humbly beseeching the most holy and blessed trinity to have mercy on my soul and to pardon and forgive my sins and offenses, that I may after this mutable life arise with the elect and have the life and fruition of the Godhead by the death and passion of our lord Jesus Christ."3

Parl.: Bg. Petersfield Apr. 1554, Nov. 1554, 1555, 1558, 1559, 1563, 1584; Kt. Surr. 1571.4 Cty.: JP 1538–64, 1571–d.5 Sheriff (Surr. only) 1568–9.6 Comm. sub. 1559, 1567;7 oyer and terminer 1 Feb. 1564, 1 June 1564; musters 1574.8

1PROB 11/34/3; Vis. Surr., p. 3.
2Appendix One.
4L.P., vol. IV, pt. 3, no. 6490 (20); vol. VIII, no. 149 (74).

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WESTON, SIR RICHARD (c.1465–7 Aug. 1541) of Sutton Place, Surr. Son of Edmund Weston of Boston, Linc. and Catherine, da. of Robert Cammel of Fiddleford, Dorset. Marr. Anne (by 1502), da. of Oliver Sandys of Shere, Surr. Issue: Francis, marr. Anne, da. and h. of Sir Christopher Pickering; Margaret, marr. Walter Dennis of Glouc.; Katherine, marr. John Rogers of Dorset.1

Kt. 3 Jan. 1518.2

Executors: Anne (wife); Sir William Fitzwilliam, earl of Southampton (q.v.); John, Lord Russell. Overseer: Sir Christopher More (q.v.).


Will preamble: "I bequeath my soul to almighty God and to his blessed mother, our Lady Saint Mary, and all the holy company of heaven . . ." Requests masses for his and family's souls.3

R. Ct., Ch.: groom by 1505.

Hh.: esquire (later kt.) of the body 1509, cupbearer 1521.

R. Govt., Admn.: various stewarships; keeper of swans on Thames 1517–d; master of wards 1518–26; treasurer of Calais 1525–8; under­treasurer of Exchequer 1528–d.

Law: councillor 1526.

Parl.: Kt. Berks, 1529.4

Cty.: JP 1524–d.5

Chief steward Chertsey Abbey.6

Comm. gaol delivery 20 June 1530, 26 Apr. 1531; tenths of spiritualities 30 Jan. 1535; oyer and terminer 4 July 1538.7


2Shaw, vol. II, p. 43.


5Appendix One.

7. L.P., vol. IV, pt. 3, no. 6490 (20); vol. V, no. 220 (10); vol. VIII, no. 149 (74); vol. XIII, pt. 1, no. 1519 (15).

WHEATELEY, RICHARD (?-13 Sept./18 Oct. 1558) of Bermondsey, Surr. Marr. Amy. Issue incl. Phillipa, marr. John Rochester; illegit., John. Executor: Amy (wife). Overseers: William Walker, John Cater. Will preamble: "I commend my soul to almighty God, my maker and creator, and to his only son, Jesus Christ, my savior and redeemer, in whom and by the merits of whose blessed death and passion is all my holy trust of the remission and forgiveness of all my sins, and to our blessed Lady Saint Mary the Virgin, and to all holy company of heaven..."

R.Ch., Hh.: ?yeoman butler by 1526. 2
Cty.: JP c.1550-d. 3
Comm. sub. 1550-57. 4

1 PROB 11/41/63.


3 Appendix One.

4 E 179/185/257, 265-6, 276; 281/JPR6224; C.P.R. Edward VI, vol. V, p. 357.

WHORWOOD, WILLIAM (by 1505-28 May 1545) of London and Putney, Surr. Son of John Whorwood of Compton, Staff. and Elizabeth, da. of Richard Corbyn of Kingswinford, Staff. Marr (1) Cassandra, da. of Sir Edward Gray of Enville, Staff. Issue: 1 da. (2) Margaret (by 1537), da. of Sir Richard Broke of London (q.v.). Issue: 1 da. 1 Adm. Middle Temple 2 Nov. 1519, under-treasurer 1524, Bencher and Autumn Reader 1537. 2

R. Govt., Law: solicitor-general 1536-40; attorney-general 1540-d.
Parl.: Bg. Downton 1529. 3
Cty.: JP c.1536-d. 4
Comm. sub. c.1523, c.1541; 5 sewers 4 July 1541. 6

1 Bindoff, vol. III, p. 608,


Cty.: JP c.1507-d.2
Escheator c.1515.3
Comm. sub. 1523-50.4


Will preamble: "I commend my soul to almighty God and to his dear beloved son, Jesus Christ, my redeemer, only Lord, and savior. . ."3

Cty.: JP c.1538-c.1540.4

1 PROB 11/42A/50.
Edu. Lincoln's Inn.\(^2\) Kt. of the Bath 23 June 1509; Kt. banneret 16 Aug. 1513.\(^3\)
Executors: Thomas Cromwell (q.v.), Thomas Wyatt (son), Walter Hendley.
Will preamble: "I bequeath my soul to almighty God, my savior and redeemer, and to our blessed Lady Saint Mary, and to all the holy company of heaven. . . ."\(^4\)
R. Ct., Ch.: treasurer 1524-23 Apr. 1528.
R. Govt., PC.: 1485-d.\(^5\)
Admn.: clerk of the jewels by 1488, clerk of king's mint 10 May 1488.\(^6\)
Cty.: JP 1503-d.\(^7\)
Comm. sub. 1523-4;\(^8\) gaol delivery 21 Mar. 1511, 18 Nov. 1513.\(^9\)

\(^1\) PROB 11/26/7; D.N.B., "Wyatt, Sir Thomas."

\(^2\) Linc. Inn Adm., p. 33.


\(^4\) PROB 11/26/7.

\(^5\) D.N.B.


\(^7\) Appendix One.

VITA

William Baxter Robison III, son of Baxter Robison, Jr. and Lucille Robison of Lecompte, Louisiana, was born on December 30, 1954 in Alexandria, Louisiana. He graduated from Rapides High School in Lecompte in 1973. He attended Louisiana State University at Alexandria from June 1973 to May 1975, transferring in June 1975 to Louisiana State University, where he received a B.A. in History in May 1976. In June he began work toward an M.A. in English history under the supervision of Professor Frederic A. Youngs, Jr., and received the degree in August 1977, upon completion of a thesis entitled, "The Justices of the Peace in Surrey, 1528-1564." On May 20, 1978 he married Mary Emily Bollich of Cheneyville, Louisiana. He spent a year in 1980-1 in England researching the present dissertation and in 1981-2 was awarded the T. Harry Williams Fellowship in history by the Department of History at Louisiana State University. He taught history at Louisiana State University from August 1982 to December 1983 and has been employed by the Department of History and Government at Southeastern Louisiana University since August 1983.
EXAMINATION AND THESIS REPORT

Candidate: William Baxter Robison III
Major Field: History
Title of Thesis: The Justices Of The Peace Of Surrey In National and County Politics, 1483-1570

Approved:

Major Professor and Chairman

Dean of the Graduate School

EXAMINING COMMITTEE:

Date of Examination:
August 22, 1983