

THE CHESHIRE RISING OF 1400

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THE crisis in the history of Cheshire at the beginning of the fifteenth century has not received a great deal of attention from students of medieval history. True, the details of the unprecedented favours bestowed by Richard II upon the men of the Palatinate, especially in the closing years of his reign, their insolent and unrestrained abuse of their privileges, and the equally lawless retribution meted out to them by the troops of the invading Henry Bolingbroke in 1399, are all fairly well known. Less widely known, perhaps, is the extent to which Hotspur's insurrection of 1403 was a "Cheshire rising" as far as its lesser participants were concerned—an attempt to avenge the humiliation of the Palatinate in 1399. But one aspect of the history of this period which appears to have passed almost completely unnoticed is the fact that a rising took place in Cheshire at the same time as the "Ricardian" earls' revolt in January 1400—a rising which emphasized the continuity of anti-Lancastrian feeling in Cheshire between 1399 and 1403.

The Cheshire rising of 1400 is scarcely even alluded to either by contemporary chroniclers or by more recent historians. In spite of this almost total neglect, there is enough evidence in published sources to make it quite clear that a disturbance of some sort took place at about this time. For instance, in Nicolas' *Proceedings and Ordinances of the Privy Council* there are references to the rising in the Council minutes of February 1400. Here it is noted that "puis le coronacion assemblees et levees de gentz ont este faitz sibien par les contes de Kent et de Saresbirs et autres come par ceux du contee de Cestre . . .",¹ and a little later the Council recommends the granting of a general pardon to all recent rebels "forspris a ceux du contee de Cestre".² The Cheshire Recognisance Rolls contain a writ of the prince of Wales, dated 15 March, ordering that all governors of castles in Cheshire and Wales should take personal custody of their fortresses "having consideration to the rebellions commenced

¹ *Proceedings and Ordinances of the Privy Council of England*, ed. Sir N. H. Nicolas, i. 109.

² *Ibid.* p. 112.

by some of the county of Chester".¹ These references seem to have passed either unnoticed or uninvestigated. Wylie draws attention to the references in the *Proceedings and Ordinances*, but he dismisses the delay in the granting of a pardon to Cheshire simply on the grounds that Cheshire was "a specially lawless district".² It might be hoped that some light would be thrown upon the subject by the Dieulacres chronicle, with its frequently detailed attention to Cheshire affairs at this period. In fact, the chronicle is completely silent regarding Cheshire involvement at the time of the earls' rising, though it does contain rather enigmatic passing reference to "communibus insurgentibus contra magnates propter tallagium...".³ in 1400. It is difficult to imagine who are referred to by "the magnates"; still more so, what is meant by the "tallage". There is no evidence of any taxation of Cheshire between Henry's accession and the insurrection; and on one issue at least, as will be noted, Henry displayed marked generosity towards the men of Cheshire in a matter of finance. It is far more likely that the rebellion was a reaction against the deposition of Richard and the violent treatment of Cheshire in 1399. And there is printed evidence which can be drawn upon to support this possibility. Most significant is a document in the Patent Rolls listing over a hundred people excepted from a general pardon granted to Cheshire men in May 1400 "for all treasons, insurrections, felonies, rebellions, and trespasses committed by them from Christmas last to the Purification", who were to sue for their pardons individually.⁴ The Recognisance Rolls, too, show that a considerable number of prominent Cheshire men were compelled to find sureties for their good behaviour and to sue for pardons in the summer and autumn of 1400. In each of these sources, several of the men involved can be identified, from information to be found in such

¹ 36th Annual Report of the Deputy Keeper of the Public Records, Appendix II (Calendar of Recognisance Rolls of the Palatinate of Chester), p. 99.

² J. H. Wylie, *History of England under Henry IV*, i. 121.

³ Dieulacres Chronicle, printed in conjunction with the article by M. V. Clarke and V. H. Galbraith, "The Deposition of Richard II", *BULLETIN*, xiv (1930), 125-81. This item (p. 172) follows a reference to the beheading of Peter Legh in 1399; the account continues "... caput cum corpore sepelitur".

⁴ *Calendar of Patent Rolls, 1399-1401*, pp. 285-6.

sources as the Dieulacres chronicle and the Recognisance Rolls, as retainers of the late king. The only modern writers who appear to have noticed the Patent Rolls document are Clarke and Galbraith, in their article on the deposition of Richard II, to which is appended the text of the Dieulacres chronicle. They note tentatively that certain members of the "Cheshire guard" "probably took part in the disturbances in Cheshire early in 1400", as they were excepted from a general pardon in May¹; and in a footnote to the text of the chronicle they state more categorically that "there was evidently some disturbance in Cheshire in connection with the Holland rising, as the Council minutes refer to the rising of the earls of Kent and Salisbury and of the men of Cheshire".² But although they draw attention to the circumstantial evidence for the likelihood that the Cheshire rising involved men who had been closely connected with Richard and who would presumably have welcomed his return, the authors quote no positive evidence that the Cheshire insurrection and the earls' rising were directly connected. In fact, a reading of the Council minutes seems to suggest, if anything, that the two movements were separate. In the chroniclers' accounts of the earls' rising, too, there is no suggestion that there was any Cheshire "branch" of the rebellion. The nearest inference we have is in the *Chronique de la Traison et Mort de Richart II*, where we are told that the earls, after being informed at a certain stage in their rebellion that Henry's forces were too strong for them to resist him, agreed that they should make for Wales or Chester, "where they would be strong enough to fight all England".³ This, however, seems to imply that they would raise the country themselves on their arrival, rather than that a separate but co-ordinated Cheshire rising was ready to join forces with them.

From the published sources, then, we can only answer a very few of the problems surrounding this Cheshire rising. We know that an insurrection of some sort took place, and that it is

¹ Dieulacres, p. 163.

² Ibid. p. 172. The Hollands were Richard II's half-brother John Holland, earl of Huntingdon, and the latter's nephew Thomas, earl of Kent.

³ *Chronique de la Traison et Mort de Richart II*, p. 237.

quite possible that it was instigated by former retainers or supporters of Richard II seeking vengeance against the house of Lancaster and the restoration of their master. We do not definitely know the names of the leaders of the rising, though one might perhaps assume in the absence of better evidence, that they included the eight men mentioned at the end of the list of rebels in the Patent Rolls who were completely excepted from the terms of the general pardon.¹ We have no positive proof of any connection between the rising in Cheshire and that in the south-east—beyond the fact that some link between two simultaneous rebellions with apparently identical aims might in practice be expected. We have no intimation anywhere as to the dates on which the rising took place—dates which would, if known, help to establish whether there was any connection between the two movements. Nor do we know what actually happened in Cheshire.²

The solutions to most of these problems, however, can be found in a Cheshire Assize Roll, P.R.O. Chester 25/10. The first four membranes of this document give a detailed account of the official inquiry into the Cheshire rising. Together with the additional details provided by the previously mentioned published documents, this original source provides an almost complete account of the events of the insurrection.

¹ It will be seen that this assumption is in fact a reasonably accurate one.

² The only printed information with a bearing upon this issue is to be found in G. Ormerod's *History of the County Palatine and city of Chester*. This work makes no mention of the rising in its summary of the history of the county, but there is a relevant item in a section entitled "Chronological series of local events connected with Cheshire, extracted from chronicles and the Cheshire collections, and incorporated with the annals given in the Vale Royal". This states that "a precept was issued to the mayor of Chester to apprehend and imprison John and Adam Hesketh, because they and their confederates had assaulted the castle, had taken the keys of the Eastgate, had beheaded Thomas Molineux, and made divers proclamations in Chester against the king and in behalf of Richard II" (ibid. i. 233). The specific origin of this piece of information, however, is not stated. All the facts are confirmed by the Cheshire Assize Roll except the execution of "Thomas Molineux". There is no evidence anywhere in support of this, and it may be that there is some confusion with the events of 1387, when the vice-justice of Cheshire of that name was killed fighting against the Lords Appellant at Radcot Bridge.

To understand why there was a rising in Cheshire in 1400, it is necessary to take the history of the county back to the second half of the reign of Richard II. There may be some truth in Walsingham's generalization that the people of Cheshire were naturally predisposed to unruly behaviour.¹ And Cheshire's peculiar status—that of a Palatinate under direct royal rule and not, therefore, subject to the regular system of local government in operation throughout most of the country—certainly tended to give scope for disorder if royal control were not firmly exercised. And it appears that in the reign of Richard this was not the case. Sporadic disturbances occurred in various parts of the county in the 1380s and 1390s.² A subsidy of 3,000 marks granted to the king by Cheshire in 1389 had still not been collected two years later, and during this period the sheriff had not only been obstructed in his duties but had been robbed of such money as he had managed to collect.³ It was in 1393, however, when there was trouble on a more serious scale,⁴ that the seeds of the more immediate causes of the 1400 rising were probably sown. The significance of the obscure insurrection in Cheshire in this year lies not in what it achieved—it appears to have been effectively suppressed before any real damage could be done—but in Richard's attitude towards the chief offenders. Neither Thomas Talbot nor John Massy of Tatton—the leaders of a rising which could have developed into a serious threat to the peace

¹ Referring in particular to the 1393 rising, he says “cum populus illarum partium ex sui capitis levitate ad similia perpetranda ex consuetudine sit prior . . .” (*Annales Henrici Quarti*), p. 160.

² Bands of armed men caused “great terror and disturbance” in the hundred of Nantwich in 1386 (*Ches. Recog. Rolls*, p. 135); there were disturbances in the lordship of Frodsham in 1391, and similar troubles in the hundreds of Edisbury and Macclesfield in the following year (*ibid.* pp. 30, 160).

³ *Ibid.* pp. 95-96.

⁴ The cause of the 1393 rising has never really been satisfactorily established. Walsingham maintains that the reason was the rumour put about in Cheshire that the dukes of Lancaster and Gloucester, together with Lancaster's son, the future Henry IV, were planning to surrender Richard II's claim to the French throne in the course of their current peace negotiations. It was also suspected that the special liberties of the Palatinate were about to be threatened. A force, according to Walsingham, of 20,000 men—probably a very generous overestimate—was gathered with the avowed intention of putting to death the three “offending” lords (*Annales*, pp. 159-60).

of the north-west—was ever brought to justice. Moreover, Richard took the opportunity of acting against his old opponent Gloucester by removing him from his office of justice of Chester and replacing him by the considerably more amenable earl Marshal, with Sir William Bagot, the fervent curialist of Richard's later "despotism", as his lieutenant. It is hardly to be wondered that it was rumoured that Richard might even have supported the rising, inasmuch as it was a protest against those lords who were at this time attempting to hold him in check and was led by two of the king's own retainers.¹ Whether or not there is any truth in this, it became clear from about this point that Richard intended to favour the men of the Palatinate above all others. It seems that the king had been favourably disposed towards Cheshire from a much earlier date; the army which Richard's favourite, de Vere, led to defeat against the Lords Appellant in 1387 at the battle of Radcot Bridge was to a large extent made up of Cheshire men.² The close connection may date back to the time of the Black Prince, Richard's father; we know of prominent Cheshire men, including Massy of Tatton, who served both men.³ It is not really clear why Richard chose to cultivate the men of this part of the country to quite such an inordinate extent. It may simply be that the very characteristics of Cheshire—its status as a royal Palatinate, its remoteness from the court, its freedom, in theory, from the interference or influence of powerful magnates, and the fighting qualities of its people—made it an ideal centre on which an absolutist-inclined king might base his rule. What is clear is that from the mid-1390s, the more Richard consolidated his position as king, the more honours were bestowed upon his Cheshire followers. In a process which reached its climax in the months immediately following the king's coup of 1397 against Arundel and Gloucester, annuities and gifts of landed pro-

¹ J. G. Bellamy, "The Northern Rebellions in the Later Years of Richard II", *BULLETIN*, xlvii (1964-5), 254-74, *q.v.* for a more detailed discussion of the implications of this rising.

² Dieulacres, p. 168.

³ Massy was granted a life annuity of 50 marks by the Black Prince in 1373, which was confirmed by Richard when he became prince of Wales (*History of Cheshire*, i. 440). Hugh Legh, a retainer of Richard and a rebel in the Percy cause in 1403, had also served with the late king's father (*Ches. Recog. Rolls*, p. 289).

perty were granted to the leading men of the county. Richard's notorious Cheshire archers, whose intimidating presence was a feature of the parliament of 1397,¹ were supplemented later that year and in the early months of 1398 by a further recruitment of Cheshire men, usually at the fee of 6d. daily for life. At the same time, the special relationship of the Palatinate with the Crown was emphasized by the advancement of the earldom of Chester to the status of a Principality, which could only be held by the king or his eldest son.² One of the most remarkable single acts of favour towards the county was the granting in December 1398, of 4,000 marks compensation to be paid to the men who had suffered in the king's cause at Radcot Bridge.³ But the best-known development of the last year of Richard's reign was the culmination of the process whereby the Cheshire recruits to the royal service were formed into a regular "Cheshire guard", a body of soldiers especially entrusted with the personal safety of the king. Its leaders, according to the Dieulacres chronicle, were John Legh of Booths, Ralph Davenport, Adam Bostok, John Donne, Thomas Beston, Thomas Holford, and Thomas Cholmondeley. Each of these seven captains commanded a select force of eighty men.⁴ This

¹ *Chronicon Adae de Usk*, p. 154.

² The new Principality was also enlarged by the annexation of lands on the border of the county of Cheshire which had been forfeited by the earl of Arundel. In giving as one of the reasons for these changes "la grant chierie et affection q'il ad a le Countee de Cestre et les gentz d'icell" (*Rotuli Parliamentorum*, iii. 353-4), Richard left little doubt as to his preference for this county above all others.

³ Ches. Recog. Rolls, p. 312.

⁴ Dieulacres, p. 172. Legh appears to have been one of the most favoured of Richard's Cheshire followers. After receiving an annuity of £5 in 1397 (Ches. Recog. Rolls, p. 292), he was granted the lands and tenements of the outlawed Ralph Shagh, worth 20s., in February 1398 (*ibid.*) and obtained a life grant of the town of Sutton in Macclesfield forest in the following December (*ibid.*) His responsibilities included the office of steward of High Peak, Derbyshire (*Cal. Pat. Rolls. 1396-1399*, p. 538). After rebelling in 1400 and 1403, he seems to have been fully pardoned, and he recovered the town of Sutton in 1404 on entering the service of the prince of Wales (Ches. Recog. Rolls, p. 295). Beston was constable of Shrawardyn castle and warrener and park-keeper of Shrawardyn (*ibid.* p. 30; *Cal. Pat. Rolls, 1396-1399*, p. 332), and held an annuity of £20 (*ibid.* p. 385). He was killed at the battle of Shrewsbury (*ibid.* p. 312). John Donne, of Utkinton, was forester of Delamere (Ches. Recog. Rolls, p. 153) and held an annuity of £10 (*ibid.* p. 154) besides a grant worth over

formidable bodyguard soon became renowned for petty terrorism, which appeared to be benevolently countenanced by Richard,¹ and for the outrageous familiarity with which they treated their royal master—a familiarity strangely out of character with the king's exalted ideas of his own dignity.² It was the Cheshire guard, it appears, which formed the nucleus of Richard's Irish expedition of 1399.³ But when these men left England that Spring, they were not to know that they had enjoyed their privileges for the last time. For while Richard was in Ireland, the new duke of Lancaster returned from exile, ultimately to seize the throne of England. In a matter of weeks the invading Bolingbroke, who had been marked out as an enemy of Cheshire in 1393, completely reversed the fortunes of the new Principality. Of all the counties of England, Cheshire was the only one in which any real resistance was offered to the triumphantly advancing Henry. This opposition, together with the apparently almost universal desire to punish the men who had taken such unbridled advantage of Richard's favour, brought swift and

£20 from the forest revenues (*ibid.*). In spite of his rebellion in 1400 and 1403, he managed to retain the office of forester (*ibid.* pp. 446-7). Bostok, who also rebelled in 1403 (*ibid.* p. 45), held annuities of £5 (*ibid.*) and £20 (*Cal. Pat. Rolls, 1396-1399*, p. 381). There is no evidence that Holford held an annuity from Richard, although one would have expected this to have been the case. He may have been involved in the disturbance in Cheshire in 1393, as he was ordered to appear before the justice of Chester in the following year (*Ches. Recog. Rolls*, p. 291). With Legh, Donne and Beston, he was one of the leaders of the 1400 rebellion amongst the Cheshire gentry; he died shortly after his rebellion in 1403, presumably from wounds received at Shrewsbury (*ibid.* p. 240). Nothing else is known of Cholmondeley, except that he rose in 1400. Davenport held annuities of £5 and £20 from Richard (*ibid.* p. 138), but he appears to have been prepared to accept Henry's usurpation, and does not seem to have been involved in any of the early troubles of the reign. These seven were by no means the most important of the Cheshire gentry among Richard's retainers, and it may be that they were specially selected either for their military ability or simply, as seems so often to have been the case with Richard's appointments, for personal reasons.

¹ *Rot. Parl.*, iii. 418, where the outrages committed by the men of Cheshire are the subject of one of the articles justifying Richard's deposition.

² E.g. *Traison*, p. 293; a footnote quotes a speech purporting to have been made to Richard, in the original local dialect, in which the king is addressed as "Dycum"—quoted from the chronicle of Kenilworth.

³ See *Ches. Recog. Rolls*, p. 491, for the appointment of other retainers of Richard to raise archers for Ireland.

violent reprisals. After his successful progress so far, Henry was doubtless in no mood to be tolerant of any remaining supporters of his rival. His army trampled the cornfields and pillaged the countryside, committing acts of wanton destruction and plunder in defiance of a probably half-hearted proclamation that the people and the countryside should be spared. Peter Legh, seemingly the chief among the men who had remained behind in Cheshire to protect Richard's local interests, was summarily beheaded and his head impaled on the gates of Chester. Then Henry entered the city. "Deus scit quo animo receptus", says the Dieulacres chronicler¹; but it hardly requires divine insight to understand the deep feelings of bitterness and hatred which must have been aroused in these men who had, until this moment, been reckoned the most favoured in the kingdom.

When it became clear that Richard's cause was irretrievably lost, most of the Cheshire guard seem, like the rest of the royal army, to have deserted his service. Two knights in particular, Robert Legh and John Stanley, whose careers in the royal service dated back well before the days of indiscriminate favour towards Cheshire men, found little difficulty in effecting a complete transfer of allegiance.² With the co-operation of such men, Henry, once the initial outburst of violence was past, seemed bent on early conciliation. Men who had been prominent in the service of Richard soon began to return to positions of

¹ See Dieulacres, pp. 171-2; Usk, pp. 175-7; and *Annales*, pp. 250-1, for fuller details of Henry's invasion and occupation of Cheshire.

² Robert Legh, of Adlington, had been sheriff of Cheshire in 1393 and 1397 (*Ches. Recog. Rolls*, pp. 97, 29) and constable of Oswestry castle (*ibid.* p. 291); he had had the responsibility for distributing the Radcot Bridge compensation in 1398 (*ibid.* p. 99). He was also a regular justice in eyre for Macclesfield (*ibid.* pp. 310, 312). His annuity of £40 was one of the few of Richard's grants to his Cheshire followers which was confirmed by the new king (*ibid.* p. 292). Stanley's career under Richard—he was deputy to de Vere in Ireland in 1386 (*ibid.* p. 444), justice of Chester in 1394 (*ibid.*) and controller of the royal household (*Cal. Pat. Rolls, 1396-1399*, p. 480)—proved to be merely a prelude to his advancement in Henry's reign, when he became steward of the household first of the prince of Wales and then of the king (*Ches. Recog. Rolls*, p. 446; *Cal. Pat. Rolls, 1401-1405*, p. 492). Legh was one of the leaders of a deputation sent to Henry to treat with him on behalf of the county (*History of Cheshire*, iii. 655-6), and he and Stanley were sureties for the good conduct of John Legh on 20 August after the latter had submitted to Henry (*Ches. Recog. Rolls*, p. 292).

responsibility.¹ Furthermore, Henry succeeded in restraining those elements among his supporters which clamoured for further reprisals. When the Commons, in the first parliament of the new reign, petitioned that the great sums of money given by Richard to his Cheshire adherents should be repaid, Henry replied that this was impracticable and that those who had received the gifts could "repay" the money by serving him for a certain period at their own expense.² That Henry, either through personal magnanimity or consciousness of the inherent weakness of his position, was prepared to be decidedly lenient is shown by his apparently lax attitude towards the depredations of the more lawless inhabitants of the county. Complaints were now coming in from the counties bordering on Cheshire that men who had committed robberies there were still finding refuge in the Palatinate.³ Popular feeling and the need for the restoration of order demanded that Henry should deal quickly and decisively with this continuing source of disturbance. But the blow was softened by the fact that the task was given, in November 1399, to the conservators of the peace for the hundred of Broxon, who included a number of former supporters of the deposed king.⁴ That these men probably accomplished next to nothing is suggested by the fact that on 9 December Prince Henry issued a writ to the sheriff, as "complaints had reached him from the people of Shropshire, Staffordshire, and Derbyshire, of bodies of armed men (after the last parliament) entering the said counties from the county of Cheshire and having committed great robberies, returning into the said county with their booty", ordering him to make proclamations to forbid such practices in the future.⁵ But mere words were not likely to trouble hardened Cheshire brigands. It was obvious that Henry had no intention of worsening relations with Cheshire at this stage by any effective

¹ Richard Winnington, for instance, who had held an annuity of 20 marks from Richard II, was appointed a conservator of the peace in Edisbury hundred as early as 14 August, long before Henry was ever acclaimed king (Ches. Recog. Rolls, p. 531).

² *Rot. Parl.*, iii. 439. The Commons' protest probably refers to the individual annuities and grants, although it is not impossible that the highly irregular payment of the Radcot Bridge compensation was also in their minds.

³ Ches. Recog. Rolls, p. 61.

⁴ *Ibid.*

⁵ *Ibid.*

intervention. Ineffectual though this policy might seem, it may not have been unwise. Henry could probably not yet consider his throne secure. As a usurper claiming to rid the country of an irresponsible tyrant, he was vulnerable to a popular reaction against him if he failed to live up to expectations. In such circumstances, the loyalty of Cheshire, until that county had been completely won over to the new dynasty, could not be relied upon. In fact, danger was nearer than Henry perhaps anticipated. In January 1400, only a few months after their apparently complete acceptance of the new regime, a number of Richard's former intimates among the nobility suddenly threw off their pretence of allegiance in a desperate attempt to reverse the revolution of the previous year.

The events of the earls' rebellion of 1400 are reasonably familiar; it is only necessary here to summarize the basic chronological details. In December 1399, the earls of Huntingdon, Kent, Salisbury and Rutland, together with other lesser supporters of Richard II, met to conspire against the usurper. Henry and his sons were to attend a tournament at Windsor on 6 January 1400. The conspirators planned to smuggle armed men into the castle during the preparations for the jousts. The leaders were then to meet at Kingston-on-Thames on the evening of 4 January, after which they would move on to Windsor, where their partisans would let them into the castle to kill the king and the young princes. By the time that the Kingston meeting took place, however, Rutland had decided to betray his colleagues and the plot had been revealed to the king. Henry immediately fled to London overnight, set about raising an army, and by 6 January was prepared to face his enemies. In the meantime, the rebels had captured Windsor, and, apparently lacking the confidence or strength to make a direct attack on Henry in London, began to make their way westwards, presumably in the hope of enlisting further support. At Cirencester Kent and Salisbury were captured by the townspeople, and with their beheading on 8 January the revolt, for all practical purposes, came to an end. The earl of Huntingdon, after attempting to flee the country, was captured in Essex and handed over to the

dowager countess of Hereford, Henry's mother-in-law, who yielded to popular pressure for his execution on 15 January. Lord Despenser, the former earl of Gloucester, suffered a similar fate on the same day at the hands of the townspeople of Bristol.¹

In none of the contemporary accounts of the earls' rising is there any suggestion that there was any direct link between the major outbreak of rebellion in the south and the obscure disturbance in Cheshire. And yet the tradition of loyalty to Richard in Cheshire tends to suggest that there ought to have been some connection between them. The Cheshire Assize Roll resolves the problem by supplying new information on two crucial points; the dates of the Cheshire rising, and its precise connection with the earls' revolt. We are, in fact, given the names of the agents who were entrusted with the responsibility for co-ordinating the two movements. These were the brothers John and Adam Hesketh, who may have been members of the Lancashire family of that name, but are described as "of Cheshire".² As John was also a former servant of the earl of Kent, they were ideally fitted for their task. On 5 January they left for Cheshire to inform four of the former captains of the Cheshire guard—John Legh, Thomas Beston, Thomas Holford and John Donne—together with Richard Winnington, who was evidently readily persuaded to betray the trust bestowed upon him the previous summer, and other, unnamed, members of the Cheshire gentry, that the earls had put Henry to flight and forced him to take refuge in the Tower of London. They had then sent the Heskeths to Cheshire to tell the people to take up arms and to play their part in the restoration of Richard. The forces raised in Cheshire were to meet the main body of rebels on the following Wednesday, 14 January, at Shrewsbury.³ It seems certain,

¹ See Wylie, i. 92-104, for a full account of the events of the rising.

² *Cal. Pat. Rolls, 1399-1401*, pp. 428, 431.

³ "... venerunt die lune proxime ante festum Epiphanie a comite Kancie usque in comitatum Cestrie ad diversas gentes eiusdem comitatus et eos informaverunt quod praedictus comes Kancie et comes Saresburie modo guerrino cum aliis diversis personis fugaverunt Henricum usque civitatem Londoniarum in turrin eiusdem civitatis qui quidem comites ipsos miserunt usque in hunc comitatum ad praemuniendum illos quod ipsi cum omni festinatione se prepararent cum totis viribus suis ipsos ad adiuvandum in relevationem Ricardi nuper

therefore, that the earls' westward march was undertaken with the ultimate intention of joining forces with the men of Cheshire.

Five days after the Hesketh brothers had left the south, their mission began to bear fruit. On Saturday, 10 January, rebellion broke out in Chester. An armed band of citizens, including a number of Chester tradesmen, wearing the badges of the livery of Richard II on their arms, as well as "other liveries"—probably those of the rebel earls—marched to the castle to demand its "delivery" in the name of King Richard. When this challenge failed to make any impression on the garrison, the rebels abandoned the castle for the time being and proceeded to the "Eastgate" of the city, where they took down the head of Peter Legh, which had been placed there after his execution the previous summer. After marching round the city, persuading and coercing people to join them, they seized the keys of the city gates and began to make proclamations, in the name of Richard, that all able-bodied men of the city and county should rally to serve their former master.¹ Then the insurgents, now no doubt augmented in numbers and more confident in their strength, attempted a more determined assault on the castle. The garrison was headed by bishop Trevor of St. Asaph, chamberlain of Chester, John Massy of Puddington, sheriff of Cheshire, and the constable, William Venables. These latter two, in particular, now obviously staunch supporters of the new regime, must have begun to fear for their lives as "traitors" to their Cheshire compatriots when the citizens began to fire arrows over the castle walls. But the rebels were evidently still not powerful

Regis Angliae ita quod eis obviarent apud Shrosbury die mercurii tunc proxime sequente " (P.R.O. Chester 25/10, mm. 2-4).

¹ "... iiverunt de vico in vicum et expresse usque castrum Cestrie petentes deliberationem dicti castri quod eis fuit penitus denegatum. Deinde usque le Estgate dictae civitatus et ibidem ceperunt quoddam capud Petri de Legh amputatum et per consilium domini Regis ibidem positum, sic que per totam civitatem ambulando et quamplures per districtionem et per timorem mortis et contra voluntates suas sibi adhererunt claves portarum dictae civitatis ceperunt diversas que proclamationes in eadem nomine et ex parte praedicti nuper Regis Ricardi tunc ibidem fieri fecerunt videlicet quod omnes homines defensibiles eiusdem civitatis et comitatus Cestrie, omnibus aliis praetermissis, meliori modo et arraia quo possent sibi advenirent se properarent et festinarent sub poena vitae membrorum que . . ." (ibid. m. 1).

enough to constitute a serious threat, as they do not seem to have persevered very long with their attack.¹

The ensuing events of the rising are not made completely clear by the inquisitions. There are two slightly different versions. According to the first of the four accounts of the insurrection in the Assize Roll, the Hesketh brothers arrived in Chester on the following day (11 January) with reinforcements for the rebels, to be joined on the Monday by a further band of men under the leadership of John Legh and Thomas Holford—wearing the livery of Richard II—who made proclamations on behalf of the rebels.² The other three accounts agree that the original “city” rebels, after their abortive assault on the castle, marched out into the neighbouring countryside and, at the instigation of the Heskeths, incited the men of the county to take up arms, proclaiming that all able-bodied men should rise and that King Richard would soon join them. After committing “robberies, extortions, oppressions and transgressions”, the whole force headed back to Chester “in destructionem et adnullationem communis populi tam eiusdem civitatis quam comitatus praedicti”.³ The main deficiency in this fuller account is that it does not state over what period of days this wider recruiting took place. It seems, though, that by about 12 January the rising in Cheshire was beginning to assume serious proportions. And it is at this apparently crucial point that the accounts of the events of the rising come to an abrupt end. It is probably safe to assume that it was soon after this gathering of forces from further afield that the rebels received word that the earls’ revolt had failed; and that they disbanded as quickly as possible before any action could be taken against them, perhaps hoping that by making themselves scarce some

¹ “. . . et instanter postmodum exierunt et castrum Cestrie ibidem obsiderunt, petentes castrum praedictum eis nomine praedicti Ricardi liberari et ad opus eiusdem Ricardi salvo custodiri . . . et in Johannem, Assavensis Episcopum, camerarium ibidem, Johannem de Massy de Potynton, chivaler, vicecomitem Cestrie, Willelmum de Venables, constabularium ibidem, et alios existentes infra castrum praedictum pro salva custodia eiusdem castri insultum fecerunt in dictum castrum sagittantes diversas sagittas contra coronam et regalitatem . . . Regis Henrici . . .” (ibid.).

² Ibid.

³ Ibid. mm. 2-4.

at least of them might manage to escape punishment. It is more than likely that no military suppression of the rising was needed. However, it soon became clear that the government still took a serious view of Cheshire's role in the rebellion, and considered it necessary to take immediate steps to restore law and order in the north-west and to bring the offenders to justice. On 23 January, conservators of the peace were appointed by Prince Henry in each of the hundreds of Cheshire. These seem to have included the greater part of the Cheshire gentry who had not been involved in the rising, although many were former retainers of the late king and seven had actually taken some part in the events of a fortnight previously.¹ In the following month, the question of Cheshire was raised in the Council, and it was recommended that the general pardon which was to be granted to the king's subjects for all rebellious acts committed before 2 February should not extend to the people of the Palatinate.² It was probably at about this time that Prince Henry wrote to John Massy of Puddington, John Capenhurst, Roger Horton and Matthew del Mere,³ saying that he had been informed of breaches of the peace in the county and had heard that the leaders of the insurrection had gone into hiding. Orders were therefore issued to find out by means of a jury who had been involved in the rising and had fled, who had given them support, and what goods and chattels they held; these latter were to be taken into the prince's hands. As a result of this injunction, a preliminary inquiry was held on 13 February before Massy, Capenhurst and del Mere. The jury was composed of men of apparently little consequence; they were probably all Chester men—this was definitely the case with four of them—and this probably accounts for the fact that their evidence was almost entirely restricted to details of events in the city. After providing a full account of the rising in Chester, they stated that

¹ Ches. Recog. Rolls, pp. 100-1. The seven rebels included were Richard Winnington, John Donne, Thomas Beston, Thomas Huxley, William Belewe, William Roter, and John Eton.

² *Proceedings and Ordinances*, i. 112.

³ Capenhurst was mayor and escheator of Chester (P.R.O. Chester 25/10, m. 1); Horton was "justice" of Chester—presumably Hotspur's deputy in that office (Ches. Recog. Rolls, p. 250); and del Mere was attorney-general of the county (*ibid.* p. 340).

the Heskeths arrived with reinforcements on the Sunday and Legh and Holford on the Monday.¹ There is no mention of any co-ordination with the earls' rebellion; the original Chester rebels are specifically mentioned as the "prime movers" of the insurrection.

On 9 March the main inquiry was opened, presided over by the justice of Chester, Henry Percy ("Hotspur"), son of the earl of Northumberland. Three juries were called upon. The first included many of the leading figures among the Cheshire gentry who had not taken part in the rising, among whom were such prominent retainers of the late king as Massy of Tatton and Richard Venables of Kinnerton. Nine other men gave additional evidence, including Matthew del Mere and William Venables.² These men were clearly better informed regarding the wider implications of the insurrection, and their account was a much fuller one. They gave evidence on the mission of the Heskeths to Cheshire and their connection with the earls' rising before providing information—identical to that of the preliminary inquiry—on the Chester rising of 10 January. They then described the rebels' recruiting outside Chester and their return to the city.³ The second and third inquiries provide exactly the same narrative—the only variations occur in the list of the names of the rebels.⁴

The sequel to these very thorough investigations came on 22 May. On that date a general pardon was issued to the people of Cheshire, from which 125 men were excepted.⁵ All but five of these are mentioned in the Assize Roll as having been involved in the rising⁶; 117 were ordered to sue for their pardons

¹ P.R.O. Chester 25/10, m. 1.

² Ibid. m. 2. It is worth noting that at least nine of the jury and three of the additional informants had been retained for life by the late king. ³ Ibid.

⁴ Ibid. mm. 3, 4. The juries, of somewhat less distinguished personnel, included three former retainers of Richard and several other men who had been servants of the late king. One of them, Thomas Huxley (m. 3), had actually been involved in the rebellion.

⁵ *Cal. Pat. Rolls, 1399-1401*, pp. 285-6.

⁶ Fourteen rebels are mentioned in the Assize Roll whose names do not appear in the list of exceptions in the Patent Rolls. One of them, Robert Chamberlain, is specifically mentioned as having taken part in the rising against his will (P.R.O. Chester 25/10, m. 1).

individually, but the other eight were simply "not to enjoy the benefit of this pardon". These were David Bykkeley, William Clayton, John and Adam Hesketh, Roger Kentcliffe, John Legh of Booths, Thomas Holford and Nicholas Holond. The special mention of the Heskeths—who were also ordered to be placed under arrest—is not difficult to understand; nor that of Legh and Holford, two of the captains of Richard's Cheshire guard and obviously leading figures in the rising. The reason for the inclusion of the others is not clear. Kentcliffe had been retained by the late king for the substantial fee of 20 marks,¹ but there seems to be nothing particularly noteworthy about the other three.

As was to be expected, a considerable number of these rebels had had strong links with Richard II. William Belewe, Thomas Beston, David Bostok, Nicholas Bulkylegh, John Donne, John Eton, Roger Kentcliffe, John Lee, John Legh of Booths, and Richard Winnington had all held life annuities from Richard,² while a further thirty-one lesser men had been retained for life at a daily fee of 4d. or 6d. Another two were servants of rebel members of the Cheshire gentry,³ while the rebel clerk Thomas Tarvin had been chaplain to Peter Legh.⁴

The granting of pardons to these men began immediately after the issuing of the general pardon, and continued until the following February. On 22 May the reluctant rebel Robert Chamberlain and John Winnington obtained their pardons.⁵ Roger de Salghhall was pardoned three days later.⁶ There is a record of the pardoning of twenty-five of the rebels, and six others who attended county courts at Chester apparently obtained similar grants. It can probably be assumed that all the rebels ordered to sue individually did so. Of the eight specially excepted rebels,

¹ Ches. Recog. Rolls, p. 134.

² Ibid. pp. 33, 31, 45, 73, 154, 175, 134, 285, 292, 531.

³ Hugh le Smyth, servant of Richard Winnington, and Henry Brayn, "Fleming", servant of Thomas Beston (*Cal. Pat. Rolls, 1399-1401*, p. 286).

⁴ *Cal. Pat. Rolls, 1399-1401*, pp. 87, 286. Other clerics known to have taken part were William Coke, chaplain of Wich Malbank parish church, Roger de Salghhall, vicar of Acton, William de Witton, of Weaverham (ibid. p. 286) and Thomas Paynter (P.R.O. Chester 25/10, m. 1).

⁵ Ibid. mm. 3, 2.

⁶ Ibid. m. 2.

Legh was pardoned on 10 July, Kentcliffe on 3 August, Holond on 3 October, Bykkeley on 13 November and Holford on 21 November.¹ There is no record of a pardon to Clayton. Last of all to be pardoned, unsurprisingly, were the Heskeths, whose pardons were granted on 12 February 1401 at the request of Lord Willoughby.² At the county courts held at Chester on 27 July, 7 December and 12 April various rebels appeared before the court to produce their pardons and to obtain legal assurances that they would henceforth be free from any action being taken against them in connection with offences committed during the insurrection.³ On 1 June, 27 July and 8 December a large proportion—possibly the majority—of the Cheshire rebels were required to find sureties for their good behaviour—their sureties being chosen to a large extent from among their former rebel colleagues.⁴ Some, such as John Donne and John Legh (£200), William Belewe and Nicholas Bulkylegh (200 marks), and John Lee and Robert Overton (100 marks)⁵ had to find sureties to put up a considerable sum. The standard amount appears to have been £40. With the completion of these formalities, Cheshire appeared outwardly to settle down in peaceful acceptance of the house of Lancaster.

How dangerous could this Cheshire rising have become if it had not, as seems to have been the case, been prematurely abandoned when Richard's cause was known to be lost? How great was the support among the Cheshire gentry and people for the restoration of their recent lord and benefactor? It is tempting to claim that Henry's policy of leniency had already paid dividends. There is no mention of such prominent

¹ *Cal. Pat. Rolls, 1399-1401*, pp. 327, 341, 361, 378, 393. Legh, at least, appears to have suffered some form of temporary forfeiture, as in June 1400 Thomas Swetenham of Mobberley was appointed by Prince Henry as collector of the rents of his lands, which were in the prince's hands at the time (*Ches. Recog. Rolls*, p. 462).

² *Cal. Pat. Rolls, 1399-1401*, pp. 428, 431.

³ P.R.O. Chester 25/10, mm. 1-4. These details are added afterwards to the accounts of the findings of each of the inquisitions; in some cases the information is obviously incomplete, and it appears that it was intended that the names of other acquitted rebels were to be added at the end of each membrane.

⁴ *Ches. Recog. Rolls, passim*.

⁵ *Ibid.* pp. 14, 240.

supporters of the late king as John Massy, Richard Venables, Adam Bostock, John Pulle, Richard Vernon and Ralph Davenport among the lists of Cheshire rebels. It has already been noted that former retainers of Richard appeared on juries to give evidence as to their former colleagues' complicity in the insurrection. Was it the case, however, that these men were genuinely reconciled and had not been involved in 1400, or was it that those of the gentry who had not been directly concerned in the initial organization of the revolt did not have time to make any positive moves before the insurrection collapsed, and then thought it expedient to confirm their "loyalty" by serving on the inquiry? Or were the "loyal" members of the gentry astute enough to realize that the rebellion was not sufficiently assured of success for them to risk giving their unqualified support at such an early stage? A comparison of this revolt with the much more serious Cheshire rising of 1403, in which men of the Palatinate formed the nucleus of Hotspur's army, seems to provide evidence in support of one or both of the latter possibilities. In this rising we find not only men like John Legh and Thomas Holford, who could probably always be relied upon to revolt again at the first sign of disaffection, but such apparently trustworthy men as Hugh Browe, the leading Flintshire administrator John Helegh, and even Robert Legh, who must have been considered one of the few really reliable servants of the king in Cheshire.¹ It cannot be maintained that this was the result

¹ Hugh Browe served Richard in Ireland in 1399 (*ibid.* p. 491). He was one of the conservators in Broxon hundred appointed to deal with the Cheshire plunderers in November 1399 (*ibid.* p. 61) and was retained for life by the king at the annual fee of £40 in February 1400 (*Cal. Pat. Rolls, 1399-1401*, p. 191). He gave evidence at the inquiry into the rising (P.R.O. Chester 25/10, m. 2), and later served in the earlier campaigns against the Welsh rebels (*Proceedings and Ordinances*, i. 153.) He died fighting at Shrewsbury (*Ches. Recog. Rolls*, p. 61). Helegh was deputy to the sheriff of Flintshire and the constable of the castle of Flint under Richard II (*ibid.* p. 224) and held an annuity of £5 from that king (*ibid.* p. 229). He continued in his office under the new dynasty (*ibid.* p. 501) until his rebellion with Hotspur (*ibid.* p. 225). He gradually recovered Henry's favour during the next five years, and was restored to the office of under-sheriff in 1408 (*ibid.* p. 230). Legh, who does not appear to have taken any serious part in the Percy rising, was pardoned for his involvement in September 1403 (*Cal. Pat. Rolls, 1401-1405*, p. 259).

of a worsening of relations between Henry and the men of Cheshire in the three intervening years. The king's policy of conciliation seems to have continued virtually unabated once the offenders of 1400 had been pardoned and officially reconciled.¹ Admittedly, Henry's work was increasingly hindered by the Glendower rebellion. Of all the counties of England, Cheshire was probably, at least in the early stages of the rebellion, the one which suffered most, militarily and economically. The people were burdened with compulsory service² in a war of a type which not even the most militant men of the Palatinate were likely to relish; while at the same time the county, especially in the west, suffered from the depredations of the rebels and from the prohibition of the trade in grain and livestock with the Welsh.³ There is no doubt that there was some friction over the trade restrictions,⁴ but this factor alone would not serve to make the revolt of 1403 so much more widely supported than that of 1400. Considering the events of 1403, it seems that there was nothing that Henry could have done to reconcile the men of Cheshire to the loss of "their" king in the four years which had elapsed since the usurpation. Four years was not nearly long enough for these men to forget the rude shock of Cheshire's reversion to the status, in practice, of just another English county—a county, moreover, whose people were now the least trusted instead

¹ Even John Legh, apparently one of the most dangerous of Richard's former followers, was confirmed in his possession of the town of Sutton, granted to him by the late king, in 1401 (*Ches. Recog. Rolls*, p. 293).

² In November 1402, for instance, the mayor and sheriffs of Chester received a writ ordering them to array all men possessing property of a certain value for the defence of the city, and the lands and goods of all "recusants" were to be distrained (*ibid.* p. 102).

³ In June 1403 the sale of grain and other provisions to Welshmen in Flintshire and elsewhere was prohibited, as it was alleged that this produce was later sold to the rebels (*ibid.* p. 534). In May of the same year an order went out for the seizure of any cattle that had been sold to the people of Cheshire by the rebels. The determination of the authorities to discourage this illicit trading was no doubt reinforced by the fact that it was common knowledge that at least some of the animals in question had only just been stolen from the English in rebel raids on the border counties (*ibid.* p. 340).

⁴ For example, an order was made in 1402 for the arrest of a group of men, including Henry Bruyn of Moreton, a rebel in the following year, for illegally taking cattle out of Wales into the Wirral (*ibid.* p. 333).

of the most favoured in England. To the people of Cheshire, however magnanimous the new king might be, he could never replace Richard. Even if he had wished to do so, he could not possibly have risked incurring the hostility which his predecessor had aroused in the rest of his subjects by restoring Cheshire to its former exalted position. The fact that the movement in 1403 must have seemed at the time to have had an excellent prospect of success may account not only for the more widespread support it received, but for the adherence to the cause of men who might be thought to have been reconciled by now to the new regime. The greater possibility of a Cheshire victory probably revived feelings in men which had been of necessity effectively suppressed for the past four years, while at the same time it is possible that men such as Robert Legh, who had almost certainly genuinely accepted the change of dynasty in 1399, realized that, if the rebels were indeed likely to succeed, their fate as Cheshire "traitors" if they did not join would be a particularly unenviable one. These factors were not present in the far more abortive rising of 1400; and there is every reason to believe that had the earls' revolt met with greater initial success, the Cheshire rising would have reached at least as formidable proportions as that of 1403. It may well have been even more so. The memory of Richard and of the ravages of Henry's army were fresher in men's minds in 1400, and it may be noted, in fact, that the names of several men involved in that year do not figure among the records of the insurgents of 1403.

The obvious significance of the Cheshire rebellion of 1400 was that it showed that the Palatinate was likely to remain a potential source of treason against the new king in the event of any national or local anti-Lancastrian movement. But one further aspect is worth some consideration. The inquiry was presided over by Hotspur, who was himself to lead the men of Cheshire three years later in the most serious rising of the reign. Hotspur's duties meant that after 1400 few men were better acquainted than himself with the feelings of the people of the county or with the political leanings of individual members of the Cheshire gentry. With his new and extensive interests in the north-west and his

responsibilities in the early stages of the Glendower rebellion,¹ Hotspur no doubt developed considerable connections with some of these men.² If they ever expressed unfavourable views about the new king, they would have found a willing listener in the increasingly disillusioned Hotspur, and a mutual exchange of political opinions was ultimately likely to lead both sides to a common conclusion. When the time came in 1403 when Hotspur decided to stake his future on a full-scale rebellion, it is very probable that his Cheshire contacts and the knowledge which he had acquired in 1400 played an important part in facilitating the raising of Cheshire in the Percy cause.

¹ Hotspur held the offices of justice of Chester, North Wales and Flintshire, constable of the castles of Chester, Flint, Conway and Caernarvon, and sheriff of Flintshire, together with the lordship and castle of Beaumaris (*Cal. Pat. Rolls, 1399-1401*, pp. 30, 158, 155). In March 1402 he was appointed the king's lieutenant in North Wales with power to punish or pardon rebels there (*Cal. Pat. Rolls, 1401-1405*, p. 53).

² Hugh Browe served with Hotspur on his Welsh campaign of 1401 (*Proceedings and Ordinances*, i. 153); John Pulle was constable of Hotspur's castle of Beaumaris (*ibid.* ii. 66), and he and William Stanley were bound by an indenture to serve Hotspur in 1402 (*Ches. Recog. Rolls*, pp. 379-80) and probably fought at Homildon Hill in the same year (*ibid.* p. 14—a safe-conduct to Scottish prisoners of Pulle and Stanley). All three of these former retainers of Richard II were involved in Hotspur's rebellion of 1403.