THE LIEUTENANCY OF LANCASHIRE AND CHESHIRE IN THE SIXTEENTH AND EARLY SEVENTEENTH CENTURIES

BY B. COWARD, B.A.

THERE has been no account of the lieutenancy of Lancashire and Cheshire during the sixteenth and early seventeenth centuries since John Harland published in 1854 a selection of the documents relating to the lieutenancy which he found among the Shuttleworth muniments at Gawthorpe Hall and among the State Papers.1 The latest historian of the Elizabethan militia also makes clear the paucity of local studies.2 This study sets out to fill that gap and to throw further light on the position of the Stanley family in Tudor and Stuart Lancashire and Cheshire. It aims, first, to show that the lieutenancy was an expression of the economic and social pre-eminence of the Stanleys in the region; and, second, the development of the office of lieutenant in Lancashire and Cheshire, together with the functions of that office. The geographical position of these two counties made them strategically important to Tudor and Stuart military planning. One occasion when the lieutenant exercised his military powers will be examined in detail, also, in general, the complex relationships between privy council, lieutenant, deputy lieutenants, sheriffs and justices of the peace. In addition the work of the Stanleys as ecclesiastical commissioners will be considered for this was an integral part of their duties as lieutenants.

I THE ELITE OF LANCASHIRE AND CHESHIRE

By the mid-sixteenth century the Stanley family was undoubtedly the most important landowner in Lancashire and Cheshire and no other family there could match its economic power. The previous century and a half had seen its rise from a small Cheshire landowning family. The Lathom inheritance came to Sir John de Stanley after his marriage about 1385 to Isabel, the daughter and heiress of Sir Thomas Lathom. This brought Lathom and Knowsley, which were to be the founda-

1 J. Harland (ed), The Lancashire Lieutenancy under the Tudors and Stuarts. Chetham Society, 1st Series, XLIX, XL (1859).
tions of the Stanley estates in Lancashire. The Stanleys had built on these foundations by land granted in the fifteenth century by Henry VI and Richard III. They had also acquired property in the Welsh marches from Sir George Stanley's marriage to Joan, daughter and heiress of John Lestrange of Knockyn, before 1481. The most important development in their rise was the grants made by Henry VII as a reward for the parts played by Lord Thomas Stanley and his brother, Sir William Stanley, at Bosworth in 1485, including the grant to the former of the Earldom of Derby. The third Earl, Edward, consolidated their position by the purchase of land which had come on the market as a result of the dissolution of the monasteries.

The Stanleys held the lieutenancy of Lancashire and Cheshire almost continuously between 1551 and 1640. In the lieutenancy can be seen the pyramidal nature of Elizabethan and Stuart society with the lieutenant himself at the head, the deputy lieutenants, the sheriff and justices of the peace, down to the high and petty constables of the hundred. Because of the social prestige attached to the office, the lieutenancy was highly valued. Striking proof of this is the way in which the Earls of Derby were jealous of the rights of their office. It was obviously a position of influence and one to be sought after, as can be seen by the reaction of the Earls to attempts to encroach on their power. In 1533, for instance, Earl Edward clashed with Lord Dacre, who had ordered Sir Robert Bellingham to muster horsemen in his name. Earl Edward, however, maintained that Bellingham, by virtue of his office of steward of the Earl's lands in Furness, must serve under him. The respect that society felt for the power and standing of the Earl of Derby is revealed by The Submission of Sir Richard Mullineux before the Privy Council on 25 May 1593. Sir Richard, an important landowner in Lancashire, had been sent by the Council with letters for the Earl of Derby. But he went first to his own house at Sefton:

and that likewise I did kepe an extraordinary Christmas at an house of mine not far distant from the house of the said earl, and that during al the time of

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3 W. Farrer and T. Brownhill (eds.), *The Victoria County History of Lancashire*, (1906–14), iii, 159.
4 In February 1481 Sir George Stanley and his wife, Joan, were granted a licence to enter the possessions of the late Lord Lestrange. *Calendar of Patent Rolls*, (1476–85), 218.
<table>
<thead>
<tr>
<th>Subsidy of 1524</th>
<th>Loan of 1562-3</th>
<th>Muster of 1569 (Light Horses)</th>
<th>Muster of 1574</th>
<th>Loan of 1588-9</th>
<th>Muster of 1587 (Demi-lances)</th>
<th>Knights of Shire</th>
<th>Sheriffs</th>
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<td>£ s. d.</td>
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<td>GERARD</td>
<td>60 0 0</td>
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<td>2</td>
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<tr>
<td>SHIREBURN</td>
<td>30 0 0</td>
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<td>2</td>
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<td>BYRON</td>
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<td>HOLLAND</td>
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<td>100</td>
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<td>—</td>
<td>2</td>
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7 PRO E 179/130/79-82, 96.  
8 PRO E 34/15 Part 2, 5 Eliz.  
10 BM Harleian MSS, Cod. 1926, fol. 5-19.  
11 PRO E 34/16-40. Where the sum is not given the name is included in "The Names of all the Gentlemen of the Best Callinge within the Countye of Lancaster, whereof ch'ys ys to be made of a certain number to lend unto her Majesty moneye upon Privie Seals in January 1588" in C. S. 1st Series, (1862), LVII, 5-9.  
12 Harland, op. cit. 188-93. Names and proportions of persons furnishing 25 demi-lances.  
14 List of Sheriffs for England and Wales . . . compiled from documents in the PRO (1898).
### Table 2
THE CHESHIRE ELITE, APART FROM THE STANLEYS

<table>
<thead>
<tr>
<th>Loan of 1562–3(^{16})</th>
<th>Muste of 1569(^{16})</th>
<th>Freeholder Book of 1578(^{17})</th>
<th>Loan of 1588–9(^{18})</th>
<th>Sheriffs(^{19})</th>
<th>Knight of Shire(^{20})</th>
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<tr>
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<td>Demi-Lances</td>
<td>Light Horses</td>
<td>Demi-Lances</td>
<td>Light Horses</td>
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<td>2</td>
<td>2</td>
<td>18</td>
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<tr>
<td><strong>CHOLMONDLEY</strong></td>
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<tr>
<td><strong>LEGH</strong></td>
<td>£100 (Lancs)</td>
<td>2</td>
<td>1</td>
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<td>(Cheshire)</td>
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<td>1549 (Lancs)</td>
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<td><strong>SMITH</strong></td>
<td>£100</td>
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<tr>
<td><strong>STANLEY</strong></td>
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<td>1</td>
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<td>1</td>
<td>100</td>
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<td></td>
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<tr>
<td><strong>VENABLES</strong></td>
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<td>1</td>
<td>1</td>
<td>25</td>
</tr>
<tr>
<td><strong>WARBURTON</strong></td>
<td>£100</td>
<td>1</td>
<td>1</td>
<td>1</td>
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<td><strong>BRERETON</strong></td>
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<tr>
<td><strong>CALVELEY</strong></td>
<td>—</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>50</td>
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<tr>
<td><strong>DAVENPORT</strong></td>
<td>£100</td>
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<tr>
<td><strong>BOOTH</strong></td>
<td>—</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>25</td>
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<tr>
<td><strong>DUTTON</strong></td>
<td>—</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>25</td>
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</tbody>
</table>

\(^{16}\) PRO E 34/142, 5 Eliz.

\(^{18}\) PRO SP 12/53/25. Certificate of the furniture of horses, armour and weapons belonging to the gentlemen of Cheshire.

\(^{17}\) PRO SP 12/125/2. A booke conteyninge . . . the names of all the knights, esquiers and gents with free holders within the countie of Chester together with the horses, arms and other furniture . . . 7 October.

\(^{18}\) PRO E 34/16–40. Where the sum is not given the name is included in 'The Names of all the Gentlemen of the Best Callinge within the Countye of Lancaster, whereof choys ys to be made of a certen number to lend unto her Majesty moneye upon Privie Seals in January 1588' in C. S. 1st Series, (1862), LVII, 5–9.

\(^{19}\) List of Sheriffs for England and Wales . . . compiled from documents in the PRO (1898).

Molyneux was a substantial gentleman in his own right; yet he had failed to pay his respects to his social superior and had not taken notice of ‘the place and calling’ of the lieutenant.

The anatomy of the upper reaches of Lancashire and Cheshire society reflects the social composition of the lieutenancy. Who were the wealthy and powerful families of that society? The difficulties of discovering the exact wealth of the Tudor and Stuart nobility are well known. Yet the 1524 lay subsidy assessments, the privy seal loans and the contributions to the county musters as set out in freeholders’ books and certificates of musters provide useful pointers. Those families which figure prominently as sheriffs and knights of the shire show their ability to translate their economic wealth into political power. From this evidence emerges a picture of a closely related élite headed by the Stanleys and their cadet branches, notably that of the Lords Monteagle. In Lancashire this élite, apart from the Stanleys, consisted of about ten families, who were assessed to have an annual income of £60 or above in 1524; who were able to lend £100 to the Crown on at least one occasion during Elizabeth’s reign; who headed the county muster rolls by furnishing demi-lances and light horses; and whose names regularly appear as sheriffs and knights of the shire: Molyneux of Sefton, Trafford of Trafford, Houghton of Houghton Tower, Hesketh of Rufford, Gerard of Bryn, Shireburn of Stoneyhurst, Byron of Newgate and Holland of Denton (see Table One). Lancashire and Cheshire society was by no means divided into two sealed compartments. The Leghs of Lyme, for instance, had land in both counties. Yet in Cheshire a similar élite has been found headed by the Savages of Rock Savage, who, in their contribution to the Elizabethan militia, dominated that society. At least twelve other families were capable of lending money under privy seals, or contributing at least one demi-lance to the county militia and of becoming sheriffs or knights of the shire for Cheshire: Cholmondley of Cholmondley, Legh of Lyme, Fitton of Gawesworth, Smith of Hatherton, Stanley of Hooton, Venables of Kinderton, Warburton of Arley, Brereton of Brereton, Calveley of Lea, Davenport of Davenport, Booth of Dunham-Massey and Dutton of Dutton (see Table Two).

From this upper stratum of Lancashire and Cheshire society were drawn the officers of the lieutenancy. It is difficult to
# Table 3

## DEPUTY LIEUTENANTS OF LANCASHIRE AND CHESHIRE

<table>
<thead>
<tr>
<th>1569</th>
<th>1585</th>
<th>1619</th>
<th>1625</th>
<th>1626</th>
<th>1627</th>
<th>1628</th>
<th>1629</th>
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</thead>
<tbody>
<tr>
<td><strong>LANCASHIRE</strong></td>
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<tr>
<td>Sir John Savage</td>
<td>Sir John Savage</td>
<td>Sir George Booth, Sir George Booth, Robert Cholmondeley</td>
<td>Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh</td>
<td>Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh</td>
<td>Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh</td>
<td>Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh</td>
<td>Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh</td>
</tr>
</tbody>
</table>

| **CHESHIRE** | | | | | | | |
| Sir John Savage | Sir John Savage | Sir George Booth, Sir George Booth, Robert Cholmondeley | Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh | Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh | Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh | Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh | Sir George Booth, Robert Cholmondeley, W. Brereton, Urian Legh |

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23 PRO SP 12/59/61.  
24 PRO SP 12/209/98.  
25 PRO SP 14/108/20, 1 April 1619. The deputy lieutenants to earl.  
26 PRO SP 16/8/15, October 1625.  
27 PRO SP 16/36/4, September 1626.  
28 PRO SP 16/68/24, June 1627.  
29 PRO SP 16/117/26, September 1628.  
30 PRO SP 16/152/58, November 1629; PRO SP 16/150/64, October 1629.
identify the deputy lieutenants, but from somewhat limited evidence they appear to have held office for considerable periods. In 1569 and in 1585 Sir John Byron and Sir Richard Shireburn held the office of deputy lieutenant for Lancashire. The situation was the same in Cheshire, where in both 1569 and 1585 Sir John Savage and Sir Hugh Cholmondley held that office. Deputy lieutenants were appointed by the Crown, but the Crown usually followed the suggestions of the lieutenant when deciding whom to appoint. The initiative for an increase in the number of deputy lieutenants, which is apparent in the early seventeenth century, also came from the lieutenant; in 1622 Earl William wrote to the Privy Council asking for the number of deputy lieutenants to be increased,31 a request which was taken up by the council (see Table Three). The men who worked with the lieutenant as special commissioners for musters were also chosen from this Lancashire and Cheshire social élite. In 1569 the Cheshire commissioners were Sir Hugh Cholmondley, Sir John Savage, Sir Edward Fitton and Sir Lawrence Smith. The Lancashire commissioners were Earl Edward, Lord Monteagle, Sir Thomas Stanley, Sir George Stanley, Sir John Atherton, Edward Holland and Edmund Ashton.32 The 1579 commissioners, too, reflect the social structure of the two counties. The commissioners for Cheshire were Sir Hugh Cholmondley, Sir John Savage, Sir Lawrence Smith, Sir Rowland Stanley (of Hooton), Sir George Calveley, Sir Richard Bulkeley, Sir Edward Fitton, Thomas Stanley (of Weaver) and William Brereton. The Lancashire commissioners included William Lord Monteagle, Sir Piers Legh, Sir Richard Shireburn, Sir Thomas Hesketh, Sir John Radcliffe, Sir Edmund Trafford and Sir John Byron.33

II THE LIEUTENANCY AND THE STANLEYS

In one respect the Stanleys as lieutenants are an exception to the general trend of the history of the lieutenancy. Normal Tudor practice appears to have been to change the lieutenants of each county frequently, but they held that office until the outbreak of the Civil War, with only one short break from 1594 to 1607.34 Although the Stanleys monopolised the lieutenancy

31 PRO SP 14/130/28, 10 June 1622.
32 PRO SP 12/51/3, 1 June 1569.
33 PRO SP 12/133/14, December 1579.
34 G. Scott-Thomson, Lords Lieutenant in the Sixteenth Century, (1923), 49. But the Stanleys were not alone in the length of time they held the office; the Herberts, earls of Pembroke, held the lieutenancy of Wiltshire from the time of Edward VI until 1640, with only one interruption from 1601 to 1621: R. B. Pugh (ed.), V.C.H. of Wiltshire, (1953), v, 80.
for a considerable period, the lieutenancy in their hands corresponds to the history of the office in general. As with most Tudor administrative institutions the origins of the lieutenancy are obscure. It developed out of immediate needs on particular occasions before it took on any guise of permanency, settled duties or, indeed, of official recognition. The Earls of Derby can be seen carrying out the functions of lieutenants long before the first commission of lieutenancy was issued. In September 1512 Thomas, the second Earl, took men with him to join the Earl of Shrewsbury's forces against the Scots. This involved mustering troops as well as seeing that they were armed and trained, work which was to take up much of the time of the lieutenants. The Earls were also acting as local agents of the central government in administrative affairs before commissions of lieutenancy were issued. The Stanleys were included in many commissions of the peace; the lieutenancy was later to embrace many of the duties previously undertaken by justices of the peace.

Even after the first commission of lieutenancy was issued the Earls of Derby acted as agents of the central government when they were not lieutenants. Commissions of lieutenancy, in the mid-sixteenth century, were only issued in special circumstances and then revoked when the need for them disappeared. Yet one can still see the Earls carrying out administrative tasks even when their commissions had been revoked. In 1561 the Queen informed all sheriffs and justices of the peace that no commissions of lieutenancy would be issued during that year, but that the government of the counties would revert to their charge. The lieutenancy held by the third Earl therefore lapsed, but in March 1562 the Queen commanded the Earl to order the sheriff of Lancashire to publish a proclamation fixing the value of gold and silver throughout the country. The commission of lieutenancy was not a rigid concept. Lack of one did not preclude the Earls of Derby from carrying out duties often thought of as being solely confined to lieutenants.

The first occasion on which a Stanley became head of the county government in Lancashire and Cheshire was in 1536. Before the inception of the lieutenancy military duties were carried out by commissioners of muster. The principal commissioners, however, were indistinguishable from lieutenants. In 1536 a commission of muster was sent to the Earl of Derby at the time of the Pilgrimage of Grace. There is news of this in a

35 Letters and Papers of Henry VIII, i part i, No. 1391.
36 R. Lemon (ed.), Calendar of State Papers Domestic Series, of the Reigns of Edward VI, Mary, Elizabeth and James I, (1856–72), XVII, No. 36.
37 Ibid. XXII, No. 28.
letter from a kinsman of his, Thomas Stanley, to Lord Dacre:

Upon Thursday at night came to him [Earl Edward] a letter from the King to raise all the power he can and repair to the Earl of Shrewsbury. He hath in Commission all Lancashire and Cheshire saving only the . . . men which my Lord of Shrewsbury hath rule of. 38

This was the first time a Stanley had received such a grant, and Earl Edward 'shew[ed] his Commission saying that never none of his ancestors had . . . such'. 38

There gradually appeared 'a definite scheme of organising the county levies under certain picked noblemen and commoners'. 39 But the scheme, at first, was not localised: in 1547 the Earl of Shrewsbury was made lieutenant for a very wide area, comprising Yorkshire, Lancashire, Cheshire, Derbyshire, Shropshire and Nottinghamshire. 40 Shortly afterwards more localised commissions were issued. The first for which there is evidence is that sent to the Earl of Derby in 1551, for Lancashire only. As yet commissions were only issued in times of emergency and three commissions were sent to the Earl in 1551, 1552 and 1553. 41 Mary met much opposition during her reign, especially after her marriage to Philip of Spain. Earl Edward, however, appears to have been considered a loyal supporter and was placed in a position of power during Wyatt’s rebellion. The commission of 1553 was a very extensive one, covering Lancashire, Cheshire, Flintshire and Denbighshire, an acknowledgment of the Marcher interests of the Earl. 42 Mary did not intend, however, to make this a permanent scheme and, allowing the commission of 1553 to lapse, she told the Earl in 1554 that she would create only one lieutenant, Shrewsbury, that year. 43 But in 1557, as a result of danger from abroad and from Scotland, the Earl was again made lieutenant for Lancashire and Cheshire. 44 Her weak position on her accession made Elizabeth, like her predecessors, issue commissions of lieutenancy as a means of ensuring local order. In May 1559 the Earl was a lieutenant. 45 But the system was not yet regularised, since in July 1561 the Duke of Norfolk was lieutenant of a wide area in the north, including Lancashire and Cheshire. 46 The next major crisis of the reign, which warranted the issue of commissions of lieutenancy, was the

39 Scott-Thomson *op. cit.* 22.
40 Ibid. 23.
41 *APC* III, 259 (14 April 1551); *APC* IV, 50 (16 May 1552); *APC* IV, 277 (24 May 1553).
42 Scott-Thomson *op. cit.* 36, February 1553.
43 Ibid. 37.
44 *APC* VI, 289 (18 March 1557).
45 PRO SP 12/4/29, 26 May 1559.
46 PRO SP 12/18/36.
northern rebellion of 1569. Earl Edward’s key position in the north west was recognised by the grant of another commission.\footnote{PRO SP 12/59/57, 18 November 1569.} As before, however, once the crisis had passed the commission was revoked.\footnote{PRO SP 12/74/35, Queen to all lieutenants November 1570.}

The Crown was not successful in its attempts to organise local government without regularly issuing commissions of lieutenancy. This is evident in Lancashire and Cheshire during the latter part of Elizabeth’s reign after the Stanleys received the commission of 30 June 1585. Indeed throughout the country generally during the war against Spain commissions were issued regularly and held for long periods.\footnote{PRO SP 12/179/52; Scott-Thomson, \textit{op. cit.} 68.} The religious and military importance of the north west of England ensured that the lieutenancy there had to be more than temporary, and the Stanleys held every commission issued for Lancashire and Cheshire until 1594. They held so tight a grip on the lieutenancy that when Earl Henry was away on a diplomatic mission to Flanders in 1588 his son, Ferdinando Lord Strange, and his younger brother, Sir Edward Stanley, deputised for him during his absence.\footnote{PRO SP 12/206/86, Sir Edward Stanley to Privy Council 29 February 1587; \textit{APC}, XVI, 138 and 170, Council to Lord Strange, 27 June and 23 July 1588.} In 1594, however, the death of Earl Ferdinando, only months after the death of his father, Earl Henry, began a period of family disputes which seriously weakened the influence of the new earl, William, in national and social affairs—he did not receive the lieutenancy of Lancashire and Cheshire. Most of Earl William’s time and money were spent at law opposing the claims of Earl Ferdinando’s widow, Countess Dowager Alice, and her three daughters and their husbands. According to a contemporary these claims cost Earl William £30,000 as well as heavy costs.\footnote{Historical Manuscripts Commission, Salisbury Manuscripts, XI, 405, 2 December 1599, Raphe Wilbraham to Sir Robert Cecil. See also J. P. Cooper ‘The Counting of the Manors’, \textit{Econ. Hist. Rev.}, 2nd Ser. VIII (1955–6), 379 Note 2.} During the last years of the sixteenth century and the early years of the seventeenth, however, he gradually regained his family’s former authority. In 1598 he was included in the ecclesiastical commission for the diocese of Chester.\footnote{CSP Dom Elizabeth, CCLXVI, No. 33, 31 January 1598.} In 1603 he replaced Lord Egerton as Chamberlain of the county palatine of Chester.\footnote{CSP Dom James I, IV, No. 40, 30 October 1603.} But not until 1607 was he appointed lieutenant.\footnote{Scott-Thomson \textit{op. cit.} 52.} From 1607 until 1640 the Stanleys were to retain this office with something like hereditary rights. From 1626
Earl William shared the lieutenancy with his son, James Lord Strange, at a time when Charles I's and Buckingham's adventurous foreign policy embarked the lieutenancy on another period of renewed activity, matching Elizabeth's last years in intensity. The lieutenancy had by this time become a permanent part of the scheme of local government, and, unlike many other noble families, the Stanleys had become de facto hereditary lieutenants: this was the political expression of their economic and social dominance in north west England.

III THE MILITARY ROLE OF THE LIEUTENANTS

Lieutenants possessed great social prestige and influence. Their duties, however, were heavy and in time became even more so. Their office owed its origin to the military needs of the Crown; it fulfilled these needs throughout the sixteenth and seventeenth centuries. This is especially the case with the lieutenancies held by the Earls of Derby. The proximity of Ireland and Scotland, through which foreign invasions could be expected, made Lancashire and Cheshire strategically important to the defence of England. Sir William Stanley of Hooton, a cousin of Earl Henry and a captain who had traitorously taken over his regiment to the Spaniards at Deventer in 1587, more than once petitioned Philip II to allow him to lead an attack on England by way of Anglesey, North Wales and then into Lancashire and Cheshire. The internal situation in Ireland meant that troops had to be constantly sent to restore order there, which gave Chester added importance as a port of muster and embarkation, and Lancashire and Cheshire were called on for men and arms. The north west was also in a special position in relation to Scotland. If foreign troops received Scottish support, as they often did, then an obvious route southwards towards London lay through Lancashire and Cheshire. Troops from the Earls' lieutenancy would have to oppose them and also fight in Scotland.

The military powers of the Lieutenants were based on the principles which had underlain the old national militia, the fyrd, and which had been codified by the Assize of Arms (1181) and by the Statute of Westminster (1285). The Tudors revived these principles by statute. 4 and 5 Philip and Mary c. 2 determined the weapons which subjects were to provide on the basis of an assessment of land and income. 4 and 5 Philip and Mary c. 3

55 CSP Dom Charles I, XXXVI, No. 68, 27 September 1626.
enacted that every able-bodied male between the ages of 16 and 60 was liable for general musters which were held annually. Under a system of annual musters there were bound to be difficulties, especially during a period when new weapons and new methods of warfare were being introduced. Some attempts were made to train selected men to standards above the rest of the general muster; each hundred had to make a list of suitable men for this training. The difficulties connected with the trained bands were not peculiar to Lancashire. There was often no one sufficiently experienced in the new methods to train the men. Deputy lieutenants and local justices, like Sir Cecil Trafford and Edmund Holland, could and did exercise the trained bands. But they were not willing to do so for long; Earl William received a complaint, in April 1626, that Trafford and Holland ‘have only trained in every hundred twice in a fortnight and now intend to dismiss their men’. This difficulty was partly met by sending sergeants from London to show the trained bands the modern use of arms. But such expedients cannot have been wholly successful since experienced professionals, who trained the Tudor and early Stuart army in Lancashire and Cheshire, were few compared with the many amateurs.

The second major difficulty faced by the Earls was the mounting costs involved in mustering, training and sending men to war, whether to Ireland, Scotland or the Low Countries. These were borne by the locality. On the instructions of the earl, as lieutenant, his deputy lieutenant or justices would divide the cost between the various parishes and townships. Yet the deputy lieutenants often complained that they were having difficulty collecting money. In 1627 the deputy lieutenants of Cheshire wrote to Earl William that £4,000 was still to be collected, but that ‘the poverty and grievances of the county’ prevented this. The deputy lieutenants perhaps found that more and more of their time was being spent on the administrative work connected with the army and less and less on instructing the troops. The annual summer muster ought to have been the glory of the county and the pride of the lieutenancy. Yet this remained an

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58 Harland, *op. cit.* L, 111—119. Trained soldiers to be sent to Chester for Ireland.
59 See T. G. Barnes, *Somerset 1625—40*, (1961), 248, for similar difficulties in that county.
61 Ibid. XXV, No. 23.
62 Harland, *op. cit.* L, 147. Tax or rate on 4 parishes for 11 soldiers (1584).
63 CSP Dom Charles I, LXXII, No. 24, 27 July 1627.
64 See Barnes, *op. cit.* 108.
65 Ibid. 119.
THE LIEUTENANCY

unattainable ideal. The complaint of the deputy lieutenants in September 1628 is representative of many that were made to the earls over many years. They had recently taken the annual musters of the trained bands and reported a list of defaulters who had not sent their lances and light horses. Absenteeism was bound to be a problem in an agricultural economy when musters were held during the harvest months.

Despite difficulties and constant demands for men and money, the Earls of Derby, as lieutenants, regularly sent men to fight for the Crown. There was a duality about the machinery which organised this. From the soldiers who were assembled in 1588 a corps of ‘shock troops’ of 1,500 foot and 1,600 horse was organised, made up of the tenants and servants of the leading gentry. It is a fallacy to argue that the transition from ‘the age of the Wars of the Roses’ to that of ‘Tudor peace and order’ had seen the extinction of the private military resources of the nobility and leading gentry. The Earls of Derby certainly maintained large numbers of household servants in the sixteenth century. This does not necessarily imply military power, but the local gentry were drawn to his household, which consequently held the potentiality of power. Nor was it unknown for local gentry to bear arms in support of the Earls. In a complaint of 1521, put forward against the second Earl, Thomas, it is stated that ‘the said Erie caused John Butler and John Talbott Squires with two hundredth persons and more of his . . . retinue’ to go against the royal officers at Whalley. In June 1533 the third Earl wrote to the abbot of Whalley asking him to supply twenty archers dressed in white jackets ‘with my bage of the legges of Man of red cloth before on the brest’ for the defence of the Isle of Man against the Lord of the Outer Isles. This was the livery that Earl Edward’s servants probably wore in August 1553 when, on the accession of Queen Mary, Edward rode from Lathom to his house in Channon Row, London, with 80 squires ‘in cottes of velvet’ and 218 yeomen ‘in a leveray’.

The Crown, far from regarding this situation as a threat, tried to absorb it into its own military system. That the Crown tacitly recognised that the lord-tenant relationship was of military significance is clear from an order of 17 April 1545 from the

66 CSP Dom Charles I, CXVII, No. 26, 17 September 1628.
67 L. Stone, op. cit. 206.
69 PRO SP Henry VIII/23/1923.
70 Letters and Papers of Henry VIII, VI, No. 610, 9 June 1533.
71 J. G. Nichols (ed.), The Diary of Henry Machyn (Camden Society, Old Series, XLII, 1848), 40, 8 August 1553.
lieutenant, Shrewsbury, to the commissioners of the muster for Cheshire. They were to get men ready against the French and the Scots but were not to muster the tenants of the Earl of Derby, who was to serve with them in person. Sir Piers Dutton and the other commissioners in 1545 replied that they could not provide the men required because many able men ‘are under the rule of the Earl of Derby’. The influence of the Earls of Derby in the towns and cities of Lancashire and Cheshire further illustrates their power. Their visits to Liverpool always produced demonstrations of loyalty. A description of the scene in Chester on 30 September 1630 when the Dowager Duchess of Tremouille, the mother of Charlotte, wife of James Lord Strange, visited the city, tells how

all the gentry of Cheshier, Flintshier and Denbighshier went to meet her at Hoole Heath, with the earl of Derby, being at least six hundred men; all the gentlemen of the artelery-yard, lately erected at Chester, met in Cow Lane in very stately manner, all with great white and blew fithers, and went before her chariot to the bishop’s pallas, and making a yard, let her threw the midest, and then gave her three volleys of shot, and so returned to their yard; also the maier and aldermen in their best gowns and apparel, were on the stage in the Eastgate Street to entertaun her.

In this instance loyalty appears to have been expressed to the Earl as a local magnate rather than in his capacity as the king’s representative. The Crown attempted to channel such loyalty to its own service by making the Earl a partner in local government.

The Earl of Derby possessed added importance in military matters by virtue of the privileges given him as Lord of Man. In June 1540 he had a licence to levy 100 men for the defence of the island. This further emphasises the duality of the military machine: that men of influence like the Earl of Derby could call on the support of tenants and others to bear arms for them and to wear livery.

As lieutenants the Earls of Derby played an equally large part in organising the second half of the military system: the part based on the ancient principles of the fyrd. Ideally, the system ought to have been organised by an administrative machine with the lieutenant at its head and by deputy lieutenants who were also often Justices of the Peace; the deputy lieutenants ought to have co-operated with their fellow justices and the sheriff of the county. The sheriff and justices transmitted the lieutenant’s orders which, in turn, had come from the Crown

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72 Letters and Papers of Henry VIII, XX Part 1, No. 538.
73 Ibid. No. 574.
74 e.g. August 1566: J. A. Twemlow (ed.), The Liverpool Town Books, (1935) i (1550–71), 313–16.
75 Harleian MS No. 1923.
76 Letters and Papers of Henry VIII, XV, No. 831 (78), 23 June 1540.
and Privy Council, to the constables of the hundreds and petty constables of the parishes. How far did the situation in Lancashire and Cheshire approach this ideal? In the early decades of the sixteenth century the Crown relied on the sheriffs and justices to carry out its military policy. Miss Scott-Thomson argues that ‘the commissions had taken the control of the levies out of the hands of the sheriffs’, and that ‘the other county officers had to obey the lieutenants’. 77 Certainly, the Earls of Derby as lieutenants did come to play the major role in the control of military affairs in Lancashire and Cheshire. 78 It is true that the other royal officers of the county were subordinate to the lieutenant in military affairs. Through their deputy lieutenants the Earls passed on the instructions of the Council to the local justices. 79 Yet the growing power of the lieutenants did not imply that the power of the sheriffs and justices in military affairs was altogether extinguished. Not until late in the sixteenth century did the lieutenancy achieve permanency and the Council would often correspond directly with other officers on military matters. A Council letter in March 1580, for instance, is directed to the sheriff and justices of Lancashire, ordering them to muster the trained bands for Ireland and send them to Chester for embarkation. 80 Moreover, there is some indication in Lancashire and Cheshire that the powers of the deputy lieutenants during the late sixteenth century were increasing at the expense of those of the lieutenant. In Somerset this process appears to have been well advanced. 81 The Council began to send letters direct to the deputy lieutenants and this may account for the Earl of Derby’s anxiety in 1581. In that year the agenda of the Privy Council included a complaint that Earl Henry ‘had conceived some displeasure for that he (a messenger of the Council) first delivered their lordships letters unto Sir John Biron (a deputy lieutenant)’, and only afterwards sent them to the Earl of Derby. 82 Further, the number of deputies increased. In 1569 and 1585 there were two for each county, 83 a situation that was bound to alter greatly with the appointment

77 Scott-Thomson, op. cit. 40.
78 One example from many is the Earl, acting on instructions from Cecil in January 1560, ordering the gentlemen of the county to assemble on a stated date with men, horses and armour. (PRO SP 12/11/8.)
79 Thus one finds in February 1587 the justices of Derby hundred acting on the instructions of Sir John Byron, the deputy lieutenant, who had told them to muster the trained bands of the hundreds to be reviewed by ‘an experienced solldier of credite’. (Harland, op. cit. L, 194.)
80 Harland, op. cit. L, 111–119.
81 Barnes, op. cit. 102–3.
82 APC, XIII, 183.
83 PRO SP 12/59/61. (November 1569); PRO SP 12/179/52. (30 June 1585).
later of many more deputy lieutenants (see Table Three). The power of the lieutenants did not, therefore, develop at the expense of the royal officers. Even when the lieutenant exercised complete control he was not working against them. In the 1553 muster roll for Lancashire the commanders of the county forces are set out: the principal gentlemen of the county, with Earl Edward at their head as lieutenant. In the Earl’s despatch of September 1557 to the Earl of Shrewsbury, President of the North, in which he sets out the captains and numbers under them, the captains include the great men of the county who supply either 100 or 200 men, 1,200 men in all. The Earl adds: ‘The rest appointed in Lancashire be of my retinue’. It is probable that these amounted to 800 men since the whole quota for Lancashire was 2,000 men. Here, as in the case of the justices and the sheriff, the Earl was working with the great men of the county; but it is clear that he was pre-eminent in power and influence among them.

This study of the military duties of the Lancashire and Cheshire lieutenancy has so far been a general one. One incident, when the Earl of Derby acted as lieutenant during the Pilgrimage of Grace (1536), will now be considered in greater detail. At this date lieutenants were not yet appointed for every county; the Earl of Shrewsbury was the lieutenant for much of northern England. In all its essentials, however, the commission which Edward received on 20 October 1536 can be compared to a later commission of lieutenancy. It embraced (as has already been seen) Lancashire, Cheshire, North Wales and Staffordshire, ‘except what Shrewsbury has’. The Earl was enabled to levy forces and go against any rebellion wherever it arose. Mayors, sheriffs, bailiffs, constables and all other royal officers were to assist him with the provision of troops, arms, food supplies and money. Earl Edward did not play a major role in opposing the Pilgrimage of Grace; the rebellion occurred mainly in Lincolnshire and Yorkshire. He was also young and relatively inexperienced; for he had succeeded his father in 1521 as a minor, did not sue out the livery of his lands until February 1531, and in 1536 was still fresh from a training in Wolsey’s household and from ceremonial duties at court.

84 Harland, op. cit. XLIX, 2–15. Military Muster of the County 1553.
85 Ibid. 15–17. Captains of Lancashire Soldiers, 29 September 1557.
87 PRO C66/651/P.1m.24 (8 February 1531); Letters and Papers of Henry VIII, IV Part 2, No. 3216, Wolsey’s suit in 1527; Ibid. No. 3387, Wolsey to Henry VIII, 9 August 1527; Ibid. IV, Part 3, No. 6513, Signatory of letter to Pope 1530; Ibid. V, No. 1484, Earl and Countess accompanied King to Calais, 1532; Ibid. V, No. 246, Cup-bearer at Queen Anne’s Coronation banquet, 1533.
Yet, despite his youth, the Earl had to keep his forces in a state of readiness, either to quell incipient revolt in Lancashire or to help put down the rebellion in Yorkshire. What aspects of the lieutenancy did the Earl's part in opposing the rebellion reveal?

The revolt first broke out in Lincolnshire on 30 September 1536. Although there was no tangible evidence of support at first in Lancashire, nevertheless rebellious feeling was present below the surface. Thomas Stanley, a correspondent of Lord Dacre, reported that ‘this week past Manchester college should have been pulled down and there would have been a rising, but the commissioners recoiled’. Thomas Gryce also wrote to Lord Dacre, reporting that ‘the common people [in Lancashire] say openly that surely they will pay no more money, for they have it not, and as for the jewels of the Churches, they will part with none’. The Earl acted before the King contacted him, for Gryce further reported that ‘it is openly spoken here that certain horseloads of bowstaves and bows have been sent for to York to be carried into Lancashire and part gone thither to the Earl of Derby’. The scope of the power given to the Earl was vague. Edward was to ‘soo prepair yourself and put all or people being their about you in all these parties in such a toward aredynes’ so that they would be ready to march to a place the King would make known. Henry VIII acted through the Earl because the latter was the natural leader of society in Lancashire. Here the second significant point about the lieutenancy emerges. The Earl was seen by the King as a man who possessed a great deal of military power in his own right, as well as a man who could wield a great deal of influence with the local gentry. Thus the two aspects of the military functions of the lieutenancy are clear; at every stage in the opposition to the Pilgrimage of Grace, Earl Edward acted in co-operation with the leading gentry of Lancashire. In this way the Crown harnessed local military power to its own use. In response to the first royal orders (10 October) the Earl ordered the leading gentlemen of the county to prepare to serve the King. When he received further orders to march against the monastery at Salley, which had been re-entered by its abbots and monks supported by the people of the locality, he again consulted the leading gentlemen of the shire and was able to report that the march would start on

89 Letters and Papers of Henry VIII, XI, No. 635, 10 October 1536.
90 Ibid. No. 678, 12 October 1536.
91 Ibid. No. 634, 10 October 1536.
92 Ibid. No. 703, 14 October 1536.
93 Ibid. No. 785, 19 October 1536. Monastery of Salley to Sir Thomas Percy.
27 October. Although the attack on Salley never took place, the army which was assembled at Preston on 30 October illustrates the workings of the sixteenth century lieutenancy. It was composed of 7,811 men, made up of individual companies under the leadership of captains from all the predominant families in Lancashire. Each family brought its own quota of tenants and retainers in arms. The social pre-eminence of the Earl of Derby, as well as the fact that he had more men under him than anyone else, gave him the leadership of the army. He consulted Lord Monteagle and other leaders, as for instance at the end of October over disbanding the army, but the final decision in everything lay with him.

If the Earl had the power to lead and influence the county, which was recognised by the royal grant of the lieutenancy, he also had to contend with many difficulties, typical of those faced by all Tudor and Stuart lieutenants. The first difficulty appeared soon after the rebellion began. In organising the military strength of the county slowness of communications between London and Lancashire, together with the speed with which events were moving, meant that orders, once necessary, became irrelevant owing to changing circumstances. As has been seen, the Earl acted on the King’s instructions of 10 October and began to muster men against the insurrection in Lincolnshire. After receiving these instructions he received fresh orders: that, as a result of new outbreaks in Yorkshire, he should be ready to place himself at the Earl of Shrewsbury’s disposal. So fast did events move and so slow was the pace of communications that these orders were also countermanded. On 20 October, as a result of the rising at Salley Abbey, the Earl was instructed to ‘take the said Abbot and Monkes with their assisters forth with violence, and without any maner of delay, in their monkes apparell, cause them to be hanged up as most errant Traytors.’ No sooner had the Earl prepared to march on Salley than he was ordered to halt. An agreement had been reached with the rebels at Doncaster, and the Earl disbanded his troops.

Slow communications hindered the efficient organisation of the army, but finance was a greater problem. On 20 October, when the Earl was preparing to march to the Earl of Shrewsbury, he received a complaint from Lancashire: ‘I much desir your lordship, forasmuche as this country is ferr distant from the

94 Ibid. No. 857, 24 October 1536.
95 Ibid. No. 1251.
96 Ibid. No. 901, 28 October 1536.
97 Ibid. No. 719, 15 October 1536.
98 Ibid. No. 801.
99 Ibid. No. 901, Rutland and Huntingdon to Derby, 28 October 1536.
place wher you be and the people vere pore and of small habyltyte that ye will remember their conduct money.’ so great was the need for money that Earl Edward wanted definite assurance of ‘a place wher I shall shew theym that they shall receyve their money and wages’. On 24 October the Earl included a similar request in a letter to the King. In the space of a few days he also appealed to his brother-in-law, the Earl of Sussex, and to Cromwell. Some effort was made to overcome the problem of feeding by ordering new recuits to ‘bring vytaill with theym for v or vi days’. But these were only temporary expedients. All that the King could promise on 28 October was that either Norfolk or Shrewsbury would send money, or that he, Henry, would meet Derby at Nottingham. Financial insufficiency was the major difficulty facing the Earl during the rebellion. Indeed it was one which was never overcome by the Tudors or Stuarts in the military sphere.

IV RELIGIOUS POLICY AND THE LIEUTENANTS

Although lieutenants owed their origin to military necessity they were soon given other important duties. One was the enforcement of the royal religious policy. From the Reformation onwards the attempts of the Crown to enforce royal supremacy as well as uniformity met with considerable opposition in Lancashire and Cheshire. There is some doubt about the extent of recusancy in Lancashire—our knowledge of it relies too heavily on contemporary official opinion, which pointed to a growing lack of enthusiasm for the Church of England. Sir Edmund Trafford in May 1580, for example, reported the ‘lamentable’ state of Lancashire, where ‘many contynue in their disobedience and saie masses’. How did the Earls of Derby deal with this state of affairs?

During the Pilgrimage of Grace the Earl of Derby worked, under the direction of Cromwell and Henry VIII, to put down opposition, some, if not all, of which was religious. Earl Edward’s attitude to the religious changes of Edward VI’s reign remains obscure. Halley states that he did not wholeheartedly

100 Toller, op. cit. 26. Earl to Shrewsbury.
101 Letters and Papers of Henry VIII, IX, No. 856.
102 Toller, op. cit. 33–4.
105 PRO SP 12/138/18—to the Earl of Leicester; see also PRO SP 12/266/32 and 18, Bishop of Chester in 1598, and PRO SP 12/120/21, ‘Note of the imperfections of the present state of government in Lancashire’.
106 cf. supra.
support the King’s policy and retired to his estates.\textsuperscript{107} The grounds for this statement are perhaps to be found in the Earl’s alliance with the deposed Protector, Somerset, who had an understanding with the Earl of Shrewsbury, the President of the Council of the North, and a faction ‘which soon had behind it nearly the whole strength of the North’.\textsuperscript{108} Perhaps this understanding was here directed against Northumberland, Somerset’s supplanter, rather than against the Prayer Book of Edward VI. During Mary’s reign the Earl seems to have taken an active part in enforcing the Queen’s religious policy against reforming preachers like John Bradford, Dr Pendleton, Thomas Lever and George Marsh.\textsuperscript{109}

Under Elizabeth, however, there is more evidence about the work of the Earls of Derby with regard to religion. Government pressure against religious opposition was intensified during periods of political crisis caused by the fear of foreign invasion. On 19 July 1559 Elizabeth established a permanent Ecclesiastical Commission, based in London, whose duty was to supervise the imposition of the Acts of Supremacy and Uniformity.\textsuperscript{110} Special local commissions were set up throughout the country and one such commission for ecclesiastical causes was issued on 20 July 1562 to the Earl of Derby, the Bishop of Chester and others. It covered the diocese of Chester, which included most of Lancashire and Cheshire.\textsuperscript{111} The Earl and Bishop did not always deal with ecclesiastical matters. In 1581 a dispute between two parties over annuities and leases came before them.\textsuperscript{112} In 1618 they examined a dispute over a bond;\textsuperscript{113} later that year they dealt with a petitioner’s complaint that various people had unlawfully entered his land and had ruined him.\textsuperscript{114} The greater part of the Commission’s work, however, was ‘their proceeding with sundry gentlemen and others within the countie of Lancaster latelye fallen awaye in maters of Relligion’.\textsuperscript{115} Usually the first step in this ‘proceeding’ was the publication of royal proclamations and parliamentary statutes directed against nonconformists. Occasionally such proclamations would emanate from the commissioners themselves. In 1579 Bishop

\textsuperscript{107} R. Halley, Lancashire: its Puritanism and Nonconformity, (1869), 66.
\textsuperscript{109} Halley, op. cit. 74–77.
\textsuperscript{110} CSP Dom Eliz., V, 134.
\textsuperscript{111} PRO SP 12/23/56.
\textsuperscript{112} APC, XII, 346.
\textsuperscript{113} Ibid. XXXVI, 146.
\textsuperscript{114} Ibid. 178.
\textsuperscript{115} Ibid. XII, 52. Council to President of the Council of the North, 10 June 1580.
Chadderton and Earl Henry issued orders against ‘pipers and minstrels playing on the Sabbath days; and against superstitious ringings wakes and common fairs’. Search was then made by all the royal officers for offenders against the proclamations and statutes. In 1581 the Council ordered Earl Henry to assist the sheriff in searching houses said to be harbouring Edmund Campion, a noted Jesuit. The next step in the execution of the commission was for the Earl and Bishop to examine the suspects. On 31 July 1568 at Lathom House they summoned nine gentlemen before them for failure to attend church. Eight of them gave promises of reform and gave a bond of 300 marks each for their good behaviour and willingness to appear when required. The ninth gentleman, Sir John Southworth, would not give any such bonds and he was imprisoned. Persons imprisoned on religious grounds had been kept in Chester Castle, but the Fleet prison in Manchester came to be used for this purpose. Intratable persons were sent to London for examination by the Council. Indeed, in 1568, Sir John Southworth was sent before the Council, not for the last time. Between 1580 and 1586, for example, he was regularly discussed in correspondence between the Council and the Lancashire commission. From 1580 to 1584 he was in Manchester Fleet Prison, and in 1584 he was once again sent before the Council.

It is possible to follow from the Crosby Records the course of one case dealt with by the Earl of Derby and the ecclesiastical commission. On 11 June 1590 Crosby Hall, the home of the Blundells, was searched by men sent by the Earl of Derby. Richard Blundell and his son, William, were arrested because a seminary priest, Woodroffe, had been found on the premises. The Earl examined them at his house at New Park on the following day, after which they were sent to Chester Castle. Three weeks later father and son, together with the mother and Blundell’s servant, were examined at Knowsley by Bishop Chadderton. The Earl and the Bishop must have been convinced of their guilt because they were sent to Lancaster Castle, where they remained until March 1592. On 19 March the elder Blundell died and the Earl allowed William to go to visit his estate. The freedom did not last long. He was arrested and sent to London.

116 Halley, op. cit. 30.
117 APC, XIII, 149.
118 PRO, SP 12/48/36.
119 F Peck (ed.), Desiderata Curiosa, (1769), iii, No. 44.
120 Ibid. iii, Nos. 34 and 46; iv, Nos. 4, 24, 35, 43 and 48.
122 Ibid. 21.
123 Ibid. 22.
After being examined by Archbishop Whitgift he was sent to the Gatehouse Prison and was kept there until July 1595, when he was released on condition that he would appear at twenty days' notice. Nearly three years later his house was again searched, but William escaped, only to find that his wife had been arrested. She was later released on bonds and they both lived as fugitives until after Elizabeth I's death, when James I granted William a pardon. But this was not the end of the commission's interest in Blundell. In 1624 recusants again became a political danger because preparations were being made for war against Spain, and many Catholics were heavily fined. Blundell defied the attempts of the sheriff to seize Crosby Castle and his case was taken to the Star Chamber, where he was fined £2,000.

In religious as well as in military affairs the Earls of Derby worked in co-operation not only with the royal officers but with many of the leading gentry. The Council often wrote to the sheriffs and justices instructing them, as in December 1581, to bring all offenders against the religious laws before the quarter sessions. The 1568 commission, for instance, consisted of representatives of the county's leading families: Edward Fitton, Richard Shireburn, Richard Assheton, Edward Holland, William Gerrard and Robert Leek. Recusancy, however, appears to have attracted some of the class which provided the Earl's natural supporters. Leatherbarrow believes that the Earl and the Bishop were often slow in executing their commission, especially in the 1560s. He gives a coherent reason to support this view: 'a natural disinclination to proceed against gentlemen in the county, such as Southworth and Townley, whose substance in land and lineage were not greatly inferior to their own'. Certainly there is evidence of support for Catholicism among well-to-do people in Lancashire, and perhaps of organised support. It was said in 1567 that 'certain gentlemen in Lancashire have taken solemn oaths not to come to Communion and rejoice greatly at the report of the Spanish invasion'. Many justices of the peace were suspect and were lax in pressing

124 Ibid. 23–4.
126 Peck, op. cit. III, No. 43.
127 PRO SP 12/48/36.
laws against fellow recusants. Leatherbarrow prints the answer of the Bishop, dated 17 October 1564, to an order of the Privy Council to grade justices in the following categories, as regards their attitude to the Church of England: ‘favourable’, ‘indifferent’ and ‘hostile’. Out of twenty-five only six were classed as ‘favourable’ from Lancashire. A ‘note of the imperfections of the present state of government in Lancashire’, made c.1577, complains of ‘the slackness and parcialitie of the inferior officers in presentinge against malefactors indicted’, and ‘the want of authoritie for searche and apprehension of priests and semynaries in our country’. Sir Edmund Trafford, in 1580, complained to the Earl of Leicester that ‘the better sort’ refused to appear before the commission. The Council considered recusancy among the gentry a real danger, advising thus in 1580: ‘soe it is thought meter that in the execution of the commission you begin first with the best of the said recusant’. Also in 1580 the Council complained that divers of the poorer and unable sort of the saide recusants, having been convicted [before you], doe, upon the triall remayne lawfully convicted; & that those of the best qualitie & haviour, detected by the rest for massinge and popery, have & doe refuse to appere and answer there doings accordinge to lawe.

The extent of Catholicism among the gentry greatly hindered the Earl and the rest of the commissioners in their work. The lieutenants tried to confine Catholicism to the present generation by preventing children from being sent abroad to be educated, where ‘for the most part, they are accustomed and nurished in papistrie’. The Earl’s difficulty in enforcing royal supremacy is explained by the fact that the Savages, Cholmondleys, Duttons, Mainwarings in Cheshire, and the Hoghtons, Traffords, Ashtons Bolds and Rigbys in Lancashire, all had sons abroad in 1580 and so perhaps did not sympathise with royal policy.

Another major difficulty facing the ecclesiastical commission was lack of money. This is seen most clearly in the cost of keeping recusants in prison. Robert Worseley had charge of the Manchester Fleet in the 1580s, when it was the principal gaol for recusants. In 1582 in reply to his complaint of the increasing cost of keeping recusants, the Council put forward one of many schemes that aimed to solve the problem of finance. One third of the monthly forfeiture of recusants’ goods should be set aside

130 Leatherbarrow, *op. cit.* 26–27.
131 PRO SP 12/120/21.
132 PRO SP 12/138/18.
133 Peck, *op. cit.* III, No. 9.
for this purpose, and a collection of eightpence a week be made in every parish. Walsingham suggested to Earl Henry that prisoners who could not keep themselves be released, if they gave security that they would stand trial. These schemes soon ran into difficulties. Many county officers neglected to collect the eightpence tax: in February 1583 such officers were called before the Council. Some justices of the peace complained that the tax was unfairly assessed, which the Earl and Bishop on investigation found to be untrue. Whether the failure to raise money stemmed from a deep-rooted opposition to the Crown’s religious policy is not known, though the Council and the ecclesiastical commission thought, perhaps correctly, that it was.

It has been seen that the lieutenant took his orders from the Privy Council. What was the nature of the relationship between lieutenant and Council? To what extent was policy dictated by the Council? To what extent was it left to local initiative? The Council certainly made general policy decisions. It urged the commissioners to action during political crises. This was especially the case after 1569. The Rising of the Northern Earls showed that religious opposition was also a political threat; the publication of the bull Regnans in Excelsis in 1570, excommunicating the Queen, was an open invitation to Catholics in England to overthrow Elizabeth. Some suspicion of disloyalty fell on the Earl of Derby during these years. His son’s wife, Lady Margaret Clifford, was very close to the succession; his brother, Thomas Stanley of Winwick, and his brothers-in-law, Lords Stafford and Morley, Sir John Arundel and Sir Nicholas Pointz, were all Catholics. Nevertheless, the Earl and his son took the largest share of the work of the ecclesiastical commission. Downham, Bishop of Chester from 1559 to 1577, was lax in the performance of his duties: indeed he was called before the Council in November 1570 to answer for this. Chadderton, who succeeded Downham in 1577, was more diligent. He took

136 Ibid. No. 52, 28 June.
137 Ibid. No. 55, 30 June.
138 Ibid. iv, No. 17.
139 Ibid. No. 20.
140 Ibid. No. 26, 2 December 1583.
141 HMC Salisbury, i, 575: Burghley’s notes on the state of Lancashire and Cheshire (1571); Ibid. XIII, 100: Earl of Huntingdon to Burghley, 24 August 1570.
142 Leatherbarrow, op. cit. 43.
143 APC, VII, 399. Downham appears to have been equally inefficient and ineffective in executing his visitational powers in the Archdeaconry of Richmond in the North Riding of Yorkshire. It was not until Chadderton succeeded to the Bishopric of Chester that ‘The Archdeaconry felt the weight . . . of repressive action emanating from both Chester and York’. H. Aveling, Northern Catholics: The Catholic Recusants of the N. Riding of Yorkshire (1966), 15–16.
up residence in Lancashire, which Downham had rarely visited. His relationship with the Earl was also very close. He was a frequent visitor to the Earl’s Lancashire houses;144 and in March 1582 the Earl’s son, Ferdinando, requested him to grant the reversion of several leases which he held for Ferdinando’s sister-in-law, the Lady Monteagle.145 During Chadderton’s episcopate the Crown and Council attempted to instill some urgency into the local commission, especially as the likelihood of war with Spain increased. The 1590s saw a further intensification of the efforts of the Council. The authorities appear to have been unable to combat recusancy effectively. In 1590 the Council wrote to the Earl telling him to confer with the justices on ‘such course as may be thought fitt to be held presently without further delay by the indighting, correcting and punishing’ of recusants. That such measures were still being sought indicates the barreness of official thinking on this subject. After over thirty years of work by the commission there were, according to an official estimate, still 700 recusants in Lancashire and 200 in Cheshire.146 The Council was very anxious, for the Spanish war was at a critical stage. The 1588 defeat of the Armada had not resulted in a lessening of the intensity of the conflict with Spain. ‘It is difficult to believe that the international problems confronting Elizabeth in the last years of her reign were appreciably less grave than at any previous period.’147

If the general lines of policy were laid down by the Council, there is a good deal of evidence for an even closer supervision of the work of the commission by the Council. Reprimands were sent to the commissioners for failure to comply exactly with the Council’s instructions. In October 1580 Chadderton was ordered to make good his omission of Christian names and places of residence from a list of recusants.148 Detailed instructions were also sent about specific cases. In June 1581 advice was sent on the way Elizabeth Orton, who professed to have seen visions, should be examined.149 The Council gave orders in which prison recusants should be lodged. It disliked the traditional site at Chester and ordered the commissioners to use the Manchester Fleet in future. It gave good reasons for its decision: recusancy was not as strong in Manchester as in Chester; and Chester was

144 See Derby Household Books, op. cit. 46 and 48 (1588); 56, 59, 63–64 (1589); 72 and 89 (1590).
145 Peck, op. cit. iii, No. 48.
146 APC, XIX, 336, 25 July.
148 Peck, op. cit. iii, No. 25.
149 Ibid. No. 33.
a port and so too convenient for escaped prisoners who wanted to leave the country. ¹⁵⁰
The close supervision of the Council was at times stifling. Yet it handled the commission with tact, which tended to mitigate the effects of excessive interference. In 1580, for example, it supported the commissioners, who were being challenged by people who maintained that they could not be proceeded against by a new commission. The Council sent legal opinion to strengthen the commission’s executive arm. ¹⁵¹ Moreover, it sometimes bowed before local opinion, for which it had great respect. The commissioners in 1580 held back the new commission because they felt the old one was best. The Council ordered otherwise, but then relented, because the Earl and the Bishop were ‘best acquainted with the nature of the people and the manner of proceeding there’. In the same letter of 7 August 1580 it withdrew its choice as secretary to the Commission and allowed the Earl’s nomination to stand. ¹⁵² The Council was not slow to affirm its support for the Earl, whom it saw as ‘the principal cause of stayinge of the country from falling to poperye’; ¹⁵³ and generally the Council appears to have maintained a delicate balance between excessive interference and laxness by following a policy of tactful withdrawals and assurances of support.

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¹⁵⁰ Ibid. No. 43.
¹⁵² Ibid. No. 19.
¹⁵³ Ibid. iv, No. 26.