

Henry VII's Letter to Carlisle in 1498: His Concerns about Retaining in a Border Fortress¹

Abstract

Henry VII's reign has been the subject of increased study in recent years, in particular his relationship with the nobility and his determination to ensure the loyalty of his subjects. Henry VII was adept at utilising the numerous methods at his disposal in order to keep his crown. This article makes a contribution to this broader understanding of Henry VII's reign by focusing on one document, a letter to the city of Carlisle dated 15 February 1498, which ordered that the statutes relating to retaining and the distribution of liveries should be upheld. While the letter has been noted by previous historians, it has not been the subject of a detailed examination. This article explains the significance of the document for understanding the reign of Henry VII, his attitude towards retaining and the relationship between royal and urban governments in the late fifteenth century. This particular letter includes two novel features not found in other letters to towns about retaining. First, there is an explicit reference to the possibility of a Scottish invasion. Second, the city's government were all required to swear oaths of fealty to Henry VII. Although, the letter confirms the general picture that Henry VII was keen to remind his subjects of their duties and obligations to the crown and that he built on and adapted Yorkist innovations, it highlights his specific concern in early 1498, in the aftermath of the Perkin Warbeck conspiracy that James IV of Scotland may still invade.

Keywords: Henry VII; Carlisle; urban government; James IV; Perkin Warbeck; bastard feudalism.

Stanley Chrimes stated that his 1972 biography of Henry VII was to be regarded as 'an interim report' on the state of knowledge of Henry VII's reign and that 'much arduous research' was required before the reign could be properly understood.² Since that publication, and especially over the past decade, Henry VII's reign has been the subject of much historical research, although there is no modern biography on the

¹ I would like to thank Dr Neil Murphy for his comments on an earlier draft of this article and the two anonymous referees for their valuable suggestions.

² S.B Chrimes, *Henry VII*, (London, 1972), xii.

scale of those for Edward II, Edward III and Henry IV.³ Our understanding of Henry's reign had previously suffered from its liminal position in history with many viewing it as either an epilogue to late medieval history or a prelude to early modern history.⁴ The reign is now studied in its own right and it can be reasonably speculated that Henry VII is currently enjoying more attention from scholars than at any point during the previous half millennium. Likewise, it is possible to suggest that Henry VII currently attracts as much interest from academic, although not popular, historians as the man he usurped, Richard III.⁵ This article makes a further contribution to this developing understanding of Henry VII's reign, in particular his relations with urban communities and the North.

In developing a better understanding of Henry VII's reign historians have either drawn attention to newly discovered documents⁶ or reconsidered known aspects of the reign from a new perspective, such as the household or his plans for the upbringing and education of his first born son, Arthur.⁷ This article highlights the significance of one particular document, the significance of which has gone unnoticed which illustrates key aspects of Henry VII's reign. The document examined here survives in Cumbria Record Office. It is a letter, written under the privy seal, from Henry VII to the mayor and brethren of the city of Carlisle and is dated 15 February 1498 ('the xv day of Ffebruary the xiiijth yere of oure Reigne'). The letter states that no man from the city was to be retained 'by lyveree baggnen clothing cognoissance or

³ The most recent academic biography of Henry VII is Sean Cunningham, *Henry VII* (London, 2007). While Cunningham's biography of Henry is of a high standard, it is only 285 pages of text, significantly shorter than recent volumes in the English Monarchs series by Yale University Press: Chris Given-Wilson, *Henry IV* (London, 2016), W. Mark Ormrod, *Edward III* (London, 2011); Seymour Philips, *Edward II* (London, 2010). A further study has focused on the later years of the king's life: Thomas Penn, *Winter King: The Dawn of Tudor England* (London, 2011).

⁴ Steven Gunn, 'Henry VII in Context: Problems and Possibilities', *History*, 92 (2007), 301-2; P.R. Cavill, *The English Parliaments of Henry VII, 1485-1504*, (Oxford, 2009), 1-18.

⁵ This has been a recent development. Consider, in contrast, comments made by Michael Hicks quarter of a century ago: 'Richard III is now perhaps the most popular and most studied of English kings.' Michael Hicks, *Richard III and His Rivals: Magnates and their Motives in the Wars of the Roses* (London, 1991) 281. By no means, however, can it be argued that Henry VII has overtaken Richard III but academic research on the two reigns is now more even.

⁶ For instance: Paul Cavill, 'The Enforcement of the Penal Statutes in the 1490s: Some New Evidence', *Historical Research*, 82 (2009), 482-92; James Ross, "Contrary to the ryght and to the order of the law": New Evidence of Edmund Dudley's Activities on Behalf of Henry VII in 1504, *English Historical Review*, cxxvii (2012), 24-45.

⁷ Sean Cunningham, *Prince Arthur: The Tudor King Who Never Was* (Stroud, 2016); David Grummitt, 'Household, Politics and Political Morality in the Reign of Henry VII', *Historical Research*, 82 (2009), 393-411.

any other wise.’ Moreover, no-one from the city was to ride out of the city to become involved in local disorder. Instead they were ‘to be abiding and attending at all seasons bothe of warre and of peax in the same oure citie for the defens and suretie therof.’ Henry’s professed reason for writing to Carlisle was that the city was ‘oon of the chief keyes and fortseessies to the defense of this our Realm’ and that a Scottish invasion would not just be detrimental to the city of Carlisle but ‘a great and an universal hurt to all oure said Reame.’ These opening phrases may at first be regarded as a formulaic greeting to a border town but, when viewed in its immediate context, the greeting reflects particular circumstance. The letter was sent four months after Perkin Warbeck, the pseudo Richard IV, had been captured at Beaulieu Abbey and five months after a brief Scottish invasion of the North East led by James IV.⁸ The letter was a reaction to those events.

In contrast to many of the documents produced by England’s government in the Middle Ages, which were of a routine nature and therefore not necessarily direct evidence of a particular king’s interest in a matter, the context in which this document was produced suggests that Henry VII took a personal interest in the issues addressed. Henry VII is known to have taken a great personal interest in overseeing the routine administration of government as evident by the fact that he regularly signed his own accounts.⁹ Although the king’s signature on a privy seal letter is only evidence for his involvement in the administrative process, and not necessarily a produce of his own initiative, the connections made in the letter to rebellion and a possible Scottish invasion indicate that this was an issue the king himself was concerned about in February 1498. The letter examined here was not part of the routine process of government administration but was sent because of particular circumstances that attracted Henry’s attention. This article explores these circumstances and explains why Henry made the decision to write to Carlisle.

Furthermore, the document discussed here illustrates the importance of Carlisle and its surrounding region in England during Henry VII’s reign. David Yorth has claimed that the North West has rarely sparked the interest of fifteenth-century

⁸ The most detail account of the conspiracy is: Ian Arthurson, *The Perkin Warbeck Conspiracy, 1491-1499* (Stroud, 1994). For the role of James IV in the conspiracy and his invasion of England see in particular: Norman MacDougall, *James IV* (East Linton, 1997), 117-38

⁹ Cunningham, *Henry VII*, 143.

historians, a dearth of interest that possibly has been caused by ‘an ostensible lack of source material’ and the fact the region played a minimal role in events of national significance, with the exception of a few infractions.¹⁰ With the exception of Henry Summerson’s two volume study covering the entire Middle Ages, the city of Carlisle is rarely discussed in the context of Henry VII’s reign.¹¹ A recent wide ranging study on Henry VII’s ‘New Men’ and their significance in the fledgling Tudor regime includes only three indexed references to Carlisle itself.¹² The letter examined here shows that, although on the periphery of the kingdom, Carlisle was strategically important in times of foreign war and domestic unrest. This strategic importance was particularly pertinent in Henry VII’s reign as his position was never entirely secure and the eventual succession of his son was no mere formality, a problem exacerbated by the king’s problematic relations with large areas of the North. It is only with hindsight that Bosworth can be regarded as final dynastic change of late medieval England and for contemporaries further usurpations were perfectly conceivable.¹³ Sean Cunningham’s work in particular has illuminated the various methods Henry used to ensure the loyalty of his new subjects and remind them of their obligations of the crown, primarily by the use of bonds of allegiance, particularly in the North.¹⁴

Furthermore, remote areas of the kingdom in which royal power was likely to be weaker had a greater reputation for lawlessness and rebellion. Despite this, little work has focused directly on Carlisle, a city that was a remote centre far away from the centres of royal authority. The distance of Carlisle from the main centres of English royal power has been noted for the sixteenth century for which it has been argued that ‘the politics of Edinburgh had a more immediate impact on the area than those of London.’ With the exception of Kendal ‘most of Cumbria had closer contacts

¹⁰ David M. Yorth, ‘Sir Christopher Moresby of Scaleby and Winderemere, c. 1441-99’, *Northern History*, 53 (2016), 173.

¹¹ Henry Summerson, *Medieval Carlisle: The City and the Borders From the Late Eleventh to the Mid-Sixteenth Century*, 2 vols. (1993), 466-75.

¹² Steven Gunn, *Henry VII’s New Men & the Making of Tudor England* (Oxford, 2016), 10, 90-1, 256. For a further wide ranging study of the reign based on extensive archival material that has only one reference to the city of Carlisle see: Cavill, *The English Parliaments of Henry VII*, 169.

¹³ Michael Hicks, *Wars of the Roses* (London, 2010), 233.

¹⁴ Sean Cunningham, ‘Henry VII and Rebellion in North-Eastern England: Bonds of Allegiance and the Establishment of Tudor Authority’, *Northern History*, 32 (1996), 42-74; Idem, ‘Henry VII, Sir Thomas Butler and the Stanley Family: Regional Politics and the Assertion of Royal Influence in North Western England’, in *Social Attitudes and Political Structures in the Fifteenth Century*, ed. Tim Thornton, (Stroud, 2002), 220-41; Idem, ‘The Establishment of the Tudor Regime: Henry VII, Rebellion and the Financial Control of the Aristocracy’, (PhD thesis, Lancaster University, 1995).

with Scotland than with the south.¹⁵ During 1497 Carlisle became a closed town as the North was placed under martial law.¹⁶ Carlisle was an important military centre on the Scottish border and the king needed to be certain of the loyalty of its inhabitants.

The letter is not a new discovery. It was printed in Ian Arthurson's *Perkin Warbeck Conspiracy* as illustrative material but the significance of the document was not explained.¹⁷ To my knowledge the letter has only been cited on two other publications. The most recent citation of this letter is found in Claire Etty's discussions of royal administration of the West March,¹⁸ but the discussion of the document is limited to only quoting Henry's address to the city as 'oon of the chief keyes and fortresse to the defense of this oure Realme.' A more detailed discussion of this document was given by Henry Summerson who cited the letter as an example of how Henry VII took steps to ensure the loyalty of men from the North West since he had 'good reason for doubting the loyalty of at least some.'¹⁹ This, however, only partially explains the significance of this document. Successive English kings in the late fifteenth and early sixteenth centuries sent writs to various towns and lordships regarding illegal retaining and the distribution of liveries.²⁰ However, there are two novel features of this particular letter that distinguish it from the rest, namely a reference to the Scots and a requirement for the city's government to swear fealty of Henry VII. The letter is illustrative of key facets of Henry VII's reign, including his concerns about the loyalty of the North West, his attitude towards retaining and bastard feudalism and his concerns about a potential Scottish invasion. The document

¹⁵ M.A Clark, 'Reformation in the Far North: Cumbria and the Church, 1500-1571', *Northern History*, 32, (1996) 76, 78.

¹⁶ Cunningham, *Henry VII*, 86.

¹⁷ Arthurson, *Perkin Warbeck Conspiracy*, 221-2. It should be noted that Arthurson misdates the letter to 15 February 1497 even though the dating clause clearly refers to the thirteenth year of Henry VII's reign which was 22 August 1497 to 21 August 1498. In addition, Arthurson did not cite the letter as evidence to support any arguments made in his study therefore the implications of this mis-dating for his discussion of the Warbeck conspiracy is uncertain.

¹⁸ Claire Etty, "'Noo Man Indented for the Keping of the Borders": Royal Administration of the Marches, 1483-1509', in *England and Scotland at War, c. 1296-c. 1513*, eds. Andy King and David Simpkin (Leiden and Boston, 2012), 338-9.

¹⁹ Summerson, *Medieval Carlisle*, ii, 473.

²⁰ See below for such letters sent by Edward IV and Richard III. For other letters sent by Henry VII that survive in urban archive see: *The York House Books, 1461-1490*, 2 vols, ed. Lorraine Attreed (Stroud, 1991) ii, 521 (to York, 19 November 1486); H.M.C., *1st Report, Appendix* (London: H.M.S.O., 1874), 107 (to Wells, August 1497); *Records of the Borough of Leicester, Volume 2: 1327-1509*, ed. M. Bateson (London, 1901), 354. For those sent by Henry VII to the duchy of Lancaster see: The National Archives: Public Record Office, London, DL37/62 rott. 4, 5, 6d, 14, 17d, 19, 21, 30d, 41, 42d. I intend to produce a detailed examination these writs in detail in a separate article.

also illustrates broader policies of Yorkist and Tudor kings had towards retaining in towns and the role of urban governments in upholding the king's laws.

Henry VII and Noble Retaining

The letter was first and foremost concerned with retaining within the city of Carlisle. Retaining by the distribution of noble livery, and later indentures, oaths and other means, had been restricted by a series of laws passed between the late fourteenth and early sixteenth centuries.²¹ During Henry VII's reign, three parliaments discussed the issue of retaining. Those present at Henry's first parliament after Bosworth swore an oath stating that they would not 'receyve, aide ne comfort any persone openly cursed murderer, felon or outlawed man for felony' or prevent them being arrested or retain men by livery or indenture contrary to the law.²² The 1487 parliament passed a further act that prohibited the retaining of the king's tenants.²³ The final parliament of the reign in 1504 passed an act regarding retainers that continued allowing certain categories of men to be retained but also allowed nobles to retain more men provided they obtained a royal license. It was the most rigorous of all the acts regulating the distribution of livery and retaining fees that the English parliament passed at any point.²⁴

Henry VII's policy towards noble retaining was traditionally interpreted one facet of a conscious policy to break the independent power of the old nobility and assert royal dominance.²⁵ For Geoffrey Elton the Tudor Court only became the centre of social and political life with the accession of Henry VIII because 'the true Court of our imagination could not exist until the Crown had destroyed all alternative centres

²¹ For specific acts see: Alan Cameron, 'The giving of livery and retaining in Henry VII's reign', *Renaissance & Modern Studies*, 18 (1974): 17-35; M.A. Hicks, 'The 1468 Statute of Livery', *Historical Research*, 64 (1991): 15-28; Gordon McKelvie, 'The Livery Act of 1429' in *Fifteenth Century XIV: Essays in Honour of Michael Hicks*, ed. Linda Clark (Woodbridge: Boydell, 2015), 55-65; Nigel Saul, 'The Commons and the Abolition of Badges', *Parliamentary History*, 9 (1990), 302-15.

²² *Parliamentary Rolls of Medieval England*, eds. Christopher Given-Wilson et al., 16 vols. (Woodbridge, 2005), xv, 131-2.

²³ *PROME*, xv, 375-6.

²⁴ *Ibid*, xvi, 365-7.

²⁵ E.g. S.T. Bindoff, *Tudor England* (Harmondsworth, 1950), 29; Anthony Goodman, *The New Monarchy: England, 1471-1534* (Oxford, 1988), 52 – 'The larger aim of Henry VII's policy seems to have been to discipline the magnates'.

of political loyalty or ... all alternative sources of worldly advancement'.²⁶ The implicit premise in Elton's argument was that it was Henry VIII's father, Henry VII, who had destroyed the political independence of the nobility. Some cases had clear political overtones. The clearest example in the North was Henry's attack on the power of the Stanley family, who were the leading family in the North West at the start of his reign. They were also Henry's step family after the mother of Henry's mother Margaret Beaufort to Thomas Stanley, earl of Derby. The most dramatic attack on the family's power was in February 1495 with the execution of William Stanley.²⁷ There were also various indictments against the family for illegal livery and retaining across the north of England. An entry in one of Henry VII's Chamber Books states that on 22 July 1504 'tharchbissshope of yorke sent a rolle of parchement by master magnus wherin er compiled certyrn endictments made aygents master Stanley concerning his reteyndors'.²⁸ This may be a reference to Thomas Stanley's fifth son, Edward Stanley, lord Monteagle, who was accused of illegal livery in Yorkshire in 1504.²⁹ However, it may also be a reference to his brother James Stanley who was indicted on several occasions for illegal livery. He was indicted in 1499 while rector of Manchester College for illegally retaining three gentlemen and eleven yeomen from Toft along with sixteenth yeomen from Mobberley in October 1496³⁰ and was also indicted in Yorkshire in 1500.³¹ He was again indicted in Yorkshire in 1500 for illegally distributing badges five years earlier as part of a larger cluster of cases in Yorkshire at that time.³² It is also likely that he was indicted again in 1506, since a list of outstanding recognisances and debts owed to Henry VIII early in his reign records debts of £145,610 for Stanley and £58,644 for his retainers.³³ Such a large fine enabled Henry VII to put financial pressure on James Stanley with the intention of ensuring his future loyalty and good behaviour.

²⁶ G.R. Elton, 'Presidential Address: Tudor Government: The Points of Contact. III. The Court', *TRHS*, 26 (1976), 212.

²⁷ For Henry's relations with the Stanleys in relation to governing the north-west see: Cunningham, 'Henry VII, Sir Thomas Butler and the Stanley Family', 220-41.

²⁸ British Library, London, Add MS. 21,480 fol. 189.

²⁹ TNA, KB29/134 rot. 26.

³⁰ TNA, CHES25/18 rot. 13.

³¹ TNA, KB8/3/1 ms. 5.

³² TNA, KB8/3/1 ms. 5.

³³ *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII, Vol. 1, 1509-1514*, ed. J.S. Brewer, (London, 1920), no. 309; *Select Cases in the Council of Henry VII*, ed. C.G. Bayne and W.H. Dunham, Selden Society, 75 (London), p. cxxi, fn. 1.

The only comparable example from Henry VII's reign is indictment of George Neville, lord Bergavenny in 1507 for illegally retaining 471 men.³⁴ The number of men illegally retained was most likely interpreted as an attempt by Bergavenny to raise a private army in the same year that one of the few remaining Yorkist claimants, Edmund de la Pole, duke of Suffolk was imprisoned in England. Bergavenny was fined over £70,650³⁵ which was 'a fine which no one at the time could possibly have paid'.³⁶ The fine was far greater than the capital value of all his English estates and he was never in possession of his Welsh marcher lordship of Abergavenny which left him 'at the king's mercy'.³⁷ His movements were restricted and he was barred from entering the counties of Kent, Surrey, Sussex and Hampshire without royal consent. Since the size of the fine imposed on Bergavenny was less than half of the amount imposed on James Stanley, Sean Cunningham has estimated that Stanley's illegal retinue may have consisted of as many as 1000 men.³⁸ Indictments against the Stanley family for illegal retaining were one method by which Henry VII attempted to break their regional hegemony in the North West. Although his letter to Carlisle did not have the explicit intention of attacking the power of a particular noble family, or even a section of society, it is another example of the ways in which Henry linked unlimited retaining to threats to his sovereignty.

The records of the King's Bench show that Henry was keen to ensure that the statutes were upheld and that those offending were prosecuted. This is clearly shown by the fact that over one third of the cases against the statutes of livery between 1390 and 1520 that can be identified occurred during Henry VII's reign.³⁹ Yet, to view either Henry VII as simply a king determined to break the private power of the nobility is unrealistic and does not stand up to recent studies that emphasise Henry's

³⁴ TNA, KB29/136 rott. 16-17.

³⁵ TNA, KB27/985 rex rott. 7-8, fines.

³⁶ J.R Lander, 'Bonds, Coercion and Fear: Henry VII and the Peerage', in *Florilegium Historiale*, ed. J.G. Rowe and W.H Stockdale (Toronto, 1971), 344.

³⁷ T.B. Pugh, 'Henry VII and the English Nobility', in *The Tudor Nobility*, ed. G.W Bernard (Manchester, 1992), 70. TNA, E36/214 fol. 263 records payments due on Candlemas 1508 from Bergavenny for his debts to the crown, which must have included his fine for illegal retaining.

³⁸ Cunningham, 'St Oswald's Priory, Nostell v Stanley', 153.

³⁹ Gordon McKelvie, 'The Legality of Bastard Feudalism: The Statutes of Livery, 1390 to c. 1520', (PhD thesis, University of Winchester, 2013) 66, 94.

reliance on members of the old nobility in running England.⁴⁰ The law permitted retaining provided it was within the define terms. Moreover, the 1504 act allowed nobles to increase the size of their affinities provided such retaining was approved by the king and they obtained a license.⁴¹

There were significant variations in the number of case cases for illegal livery between different counties.⁴² These variations are known from the cases of illegal livery and retaining that are found in the records of the King's Bench. Although other courts such as the Star Chamber heard cases relating to local feuding, illegal livery and retaining are only mentioned in such cases incidentally and are not the reason for the accusation.⁴³ Henry VII also used various bonds and financial pressures on members of his nobility not to retain contrary to the statutes, though for many who were placed under bonds not to illegally retain are not known to have been indicted for the offence.⁴⁴ It should also be noted that counting cases of a particular crime is evidence for differing levels of enforcement between the counties and does not necessarily represent differing levels of illegal retaining between counties. Many instances of illegal retaining may not have been indicted and therefore leave no trace in the surviving records.

The two counties with the most cases were in the North, Cheshire and Yorkshire, both of which had, at various times, reputations of lawlessness and violence. Twenty-nine cases from Yorkshire during Henry VII's reign are known.⁴⁵ Yet, other northern counties recorded no instance of illegal retaining, including Cumbria, Northumberland and Westmorland. Although an act of 1429 stated explicitly that the law was to be enforced in the palatinates of Cheshire and Lancashire, the only known instance in Lancashire was a private prosecution in 1429.⁴⁶ Explanations for the lack of cases in the North-West (with the exception of Cheshire) can only be speculative but it is reasonable to assume that their distance

⁴⁰ James Ross, 'A Governing Elite? The Higher Nobility in the Yorkist and Early Tudor Period' in *The Yorkist Age: Proceedings of the 2011 Harlaxton Symposium*, eds. Hannes Kleineke and Christian Steer (Donnington, 2013), 95-115.

⁴¹ *PROME*, xvi, 365-7

⁴² McKelvie, 'The Legality of Bastard Feudalism', 71-93, 95-6.

⁴³ *Select Cases in the Council of Henry VII*, pp. cxxii-cxxiv.

⁴⁴ McKelvie, 'The Legality of Bastard Feudalism', 204.

⁴⁵ *Ibid*, 72-5.

⁴⁶ TNA, PL15/2 rot. 2; *PROME*, ix, 402-3. For the significance of this act in relation to the palatinate counties see: McKelvie, 'Livery Act of 1429', 63.

from the centre and relatively low population were contributory factors. The fact that wardens of the marches were exempt from the statutes and could retain as many men as they deemed necessary⁴⁷ may have made local justices in those counties lax about enforcing the statutes, even though it was only the wardens themselves who were not bound by the statutes, not all of the inhabitants of the marches. Henry VII did not write to Carlisle because a flurry of cases came to his attention. Similarly, the letter makes no mention of lack of enforcement of the statutes in Carlisle or its hinterland. Many letters to local officials about retaining identified specific concerns and problems caused or exacerbated by illegal retaining. For instance, in 1494 Henry VII wrote to the steward of the honour of Pickering stating that he had been informed about poaching in his woods and blamed unlawful retaining as a method employed by such offenders to gather men for such purposes.⁴⁸ In order to understand the full significance of the letter it is important to understand why a fifteenth-century English king would write to a town about illegal retaining.

The Crown and Urban Retaining

Henry's letter to Carlisle was concerned with preventing nobles from retaining men from the city illegally. The dominant figure in Carlisle and the surrounding area was Thomas, lord Dacre, who was warden on the west march when Henry wrote to Carlisle.⁴⁹ Although Dacre owed his position to Richard III, he made peace with Henry VII soon after he became king. Henry seems to have been distrustful of Dacre, placing him under several bonds and recognisances to ensure his good behaviour and appears to have had a 'deliberate policy to keep him as poor as possible'.⁵⁰ The other key men in the region were Sir John Musgrove, Sir Richard Salkeld, keeper of the city, and Sir Christopher Moresby. All of these men were utilised by Henry VII in the maintenance of law and order in Carlisle and the surrounding area and all had social, financial and political links with the city and its government. Henry VII was

⁴⁷ *PROME*, xiii, 65; xiii, 386.

⁴⁸ TNA, DL37/62 rot. 21.

⁴⁹ For this paragraph, unless otherwise stated, see: Steven G. Ellis, 'A Border Baron and the Tudor State: The Rise and Fall of Thomas, Lord Dacre of the North', *The Historical Journal*, 35 (1992), 253-77; Steven G. Ellis, 'Dacre, Thomas, second Baron Dacre of Gilsland (1467-1525)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online ed., Jan 2008 [[http://www.oxforddnb.com.winchester.idm.oclc.org/view/article/50220](http://www.oxforddnb.com/winchester.idm.oclc.org/view/article/50220), accessed 14 April 2017]; Summerson, *Medieval Carlisle*, ii, 466-76; Yorth, 'Sir Christopher Moresby', 182-8.

⁵⁰ Summerson, *Medieval Carlisle*, ii, 468

somewhat distrustful of these men and viewed them with suspicion, especially Dacre. Yet, the letter was not simply a means by which he intended to prevent a small group of gentry from retaining within the city. Instead, the letter was addressed to those who were responsible for upholding the king's laws and reveals Henry's concerns about retaining within the city and the threat of a Scottish invasion. To fully appreciate this point, it is necessary to consider Henry VII's general views on retaining in towns.

Discussions of noble retaining and bastard feudalism have tended to concentrate on the relationship between members of the peerage and members of the gentry.⁵¹ Implicit in this focus is the assumption that towns and townsmen did not operate within this system. In part this assumption was caused by an overemphasis by historians on the indenture of retainer as the main document for studying bastard feudalism, when in fact the indenture is only one of several types of document that illuminate such relationships.⁵² Carlisle was unusual because it is the only major town or city whose inhabitants are known to have been retained by indenture by a member of the peerage. Two such indentures survive, the earliest of which was drawn-up on 24 June 1461 when Richard Neville, earl of Warwick, as warden of the West March, retained John Faucon of Carlisle, gunner, for life. The indenture stated that Faucon would array men to ride with Warwick and giving the earl one third of any spoils of war.⁵³ The reason why this particular indenture deviates from the traditional magnate-gentry model was because of Carlisle's location on the edge of the Scottish border which meant it was at a greater risk of raiding. Warwick's position as Warden of the Marches meant that he was expected to retain men in this area to contribute to the defence of the realm.⁵⁴ The only other similar indenture was between Warwick's successor as warden, Richard, duke of Gloucester and another prominent citizen of Carlisle, Henry Denton in 1473 who went on to be mayor in 1478 and 1480.⁵⁵ The two indentures further attest to the military importance of Carlisle and suggests that

⁵¹ The classic discussion of the topic remains K.B. McFarlane, 'Bastard Feudalism', *Bulletin of the Institute of Historical Research*, 20 (1947 for 1945), 161-80.

⁵² See in particular: Michael Hicks, *Bastard Feudalism* (London, 1995)

⁵³ 'Private Indentures for Life Service in Peace and War', eds. Michael Jones and Simon Walker, *Camden Miscellany*, xiii (1994), no. 140.

⁵⁴ The Wardens of the Marches were permitted to retain as many men as they required under the law regarding retaining: *PROME*, viii, 38; xiii, 65, 386.

⁵⁵ 'Private Indentures', no. 153; Summerson, *Medieval Carlisle*, ii, 463.

the town's location on the Scottish border led to it being more militarized than the majority of English towns at this time.

Although townsmen only feature in two known indentures of retainer, other types of records from the nobility show that they were willing to incorporate townsmen into their affinities.⁵⁶ One prominent example from Henry VII's reign is the list of men retained by Sir Thomas Lovell under the 1504 act. Those named were men retained by Lovell who were not resident in his household or acting as estate officials but men that Henry VII permitted him to retain in order to boost his own personal powerbase. There was a clear urban dimension to this powerbase as the list included men from Lichfield, Walsall, Derby, St Albans and Oxford.⁵⁷ The high status of some of the men retained is indicated by the fact that four former mayors and three future mayors of Walsall were retained by Lovell.⁵⁸ Henry VII accepted nobles retaining townsmen provided it was within the accepted parameters.

The fact that townsmen could become embroiled in bastard feudal relationship was recognised in the parliamentary debates about noble liveries. A Commons' petition presented to the 1393 Parliament complained about the lack of enforcement, stating that those engaged in these disruptive practices included '*plusours tailleurs, drapers, souters, tanners, pisceners, bochers, et autres artificers, et auxi menuz gentz*'. The resultant act stated that no yeoman or anyone below the rank of esquire, which therefore included the townsmen referred to in the petition, was to wear livery unless he continually served in a lord's household.⁵⁹ A later act from 1429 permitted mayors to distribute liveries while in office.⁶⁰ In addition to townsmen being identified as participants in bastard feudal relationships, and their involvement in such relationships being regulated but not prohibited in law, urban governments themselves had a legal obligation to ensure that the statutes were upheld and that those who contravened the statutes were prosecuted. The 1468 Act which extended the law to include retaining by indenture also gave to the relevant civic officials in 'within eny

⁵⁶ For the importance of looking beyond the indenture of retainer to identify the full extent of a bastard feudal affinity see: Hicks, *Bastard Feudalism*, 43-68.

⁵⁷ HMC, *Report 24: Manuscripts of His Grace the Duke of Rutland*, iv (London, 1908), 559-66.

⁵⁸ Steven Gunn, 'Sir Thomas Lovell (c. 1449-1524): A New Man for a New Monarchy?', in *The End of the Middle Ages? England in the Fifteenth and Sixteenth Centuries*, ed. John L. Watts (Stroud, 1998), 119.

⁵⁹ *PROME*, vii, 239-40.

⁶⁰ *Ibid*, ix, 402-3.

such cite, burgh, towne port' the power to hear cases.⁶¹ This clause formalised certain existing practices as earlier charters had given the right to hear and determine livery cases to Norwich in 1452⁶², Canterbury in 1453⁶³, Derby in 1459⁶⁴ and Rochester⁶⁵ and Colchester in 1462.⁶⁶ Such towns therefore had a legal responsibility to ensure that illegal retaining was not happening within their walls.

Henry VII employed a logical tactic when he wrote to urban governments given the need to delegate power in fifteenth-century England. Medieval government was a partnership between the king and his richest subjects which were the nobility, upper ranks of the clergy and urban elites.⁶⁷ Henry had previously used urban governments to ensure that laws about retaining were communicated to the wider population and that it was expected they would be obeyed. On 16 February 1489 Henry wrote to the mayor and bailiffs of the town of Lancaster ordering them to make a proclamation that no one in the town was to retain or be retained by any means 'but as may and shal accord with oure lawes' or to come to any assemblies unless responding to a commission or commandment.⁶⁸ Likewise, Henry's letter was addressed to the mayor and brethren of Carlisle because they were the men ultimately responsible for maintaining law and order within the city.

Yet, the value of urban governments to the king extended beyond this, which made mayors and other officials the obvious recipients of such letters. English towns had various rights and liberties. Kings, in general, respected their autonomy, though they did need to ensure that local mayors and civic officials were men upon whom they could rely to do their bidding if necessary.⁶⁹ In England, urban government was an extension of royal government, not an alternative source of authority. Henry's letter to Carlisle does not represent any deviation from the norms of acceptable royal

⁶¹ *Ibid*, xiii, 384-5.

⁶² *Calendar of Charter Rolls Preserved in the Public Record Office, Volume VI, 1427-1516* (London, 1927), 115.

⁶³ *Ibid*, 124.

⁶⁴ *Ibid*, 132.

⁶⁵ *Ibid*, 151.

⁶⁶ *Ibid*, 179.

⁶⁷ Gerald Harriss, 'Political Society and the Growth of Government in Late Medieval England', *Past and Present*, no. 138 (1993), 28-57.

⁶⁸ TNA, DL37/62 rot. 4.

⁶⁹ James Lee, 'Urban Policy and Urban Political Culture: Henry VII and his Towns', *Historical Research*, lxxxii (2009), 493-510. For a similar theme in the context of the early fifteenth century see: Given-Wilson, *Henry IV*, 429-34.

conduct in relational to towns and was not concerned with the city's government, as an institution, retaining men. The authority that the mayor and brethren enjoyed came directly from the king who, in return, expected his laws to be upheld, order to be maintained within his kingdom and his sovereignty supported. Failure to uphold royal law jeopardised those urban liberties which towns cherished and fiercely guarded. If laws were not upheld, Henry VII was willing to directly interfere in urban government, as evident in two letters he sent to the city of York. In 1486 Henry wrote to York about retaining and included a thinly veiled threat to the mayor, aldermen, sheriffs and common counsel of York saying that 'if ye shew your self remise or negligent in the execution of this our commaundement, we shall soo correct and ley the default theror to your discharge, that it shalbe to heavy for you to bere the same, ye may be assured'.⁷⁰ Nine years later Henry VII threatened the mayor of York, stating that he would replace the city's magistrates if they did not keep the king's peace.⁷¹ By writing such letters to urban governments Henry employed the same tactics that he used with the nobility which was to utilise their own power structures for the benefit of the crown.

Developing Yorkist Policies

Henry VII was not the first English king to write to an urban government reminding them of their duty to ensure illegal retaining did not occur within the town's walls and was able to modify letters sent by previous kings to suit his particular objectives. Richard III sent letters to the mayors and other officials in Burton, Bedford, Canterbury, Northampton and Southampton as well as several of his lordships.⁷² Two letters sent by Edward IV to urban authorities about retaining in particular display similar concerns to those expressed in Henry's letter to Carlisle. Edward IV's first known letter on the topic, dated 9 January 1470, was addressed to the bailiff, burgesses and inhabitants of Scarborough prohibiting anyone from taking the livery of 'eny lord or estate whatsouer'. The letter's preamble suggests that Edward was

⁷⁰ *The York House Books, 1461-1490*, 2 vols, ed. Lorraine Attreed (Stroud, 1991) ii, 521.

⁷¹ *YCR*, ii, 115-16. See also: Christian Liddy, 'Urban Enclosure Riots: The Risings of the Commons in English Towns, 1480-1525', *Past and Present*, no. 226 (2015): 74-5.

⁷² *British Library, Harleian Manuscript 433*, ed. Rosemary Horrox and P.W Hammond, 4 vols. (Gloucester: Alan Sutton, 1979), ii, 10. 19, 69-70, 81, 162-3, 166-7; HMC, *11th Report, Appendix, Part 3: The Manuscripts of the Corporations of Southampton and King's Lynn* (London, 1887), 16.

concerned that livery would be distributed in order to raise troops against him, not just to conduct a private feud: ‘yet neither arise ne stirre towar ony Journey at the request or desire of eny persone whatsoever he been onlesse thon ye have a special commaundement from vs in that bihalue.’⁷³ The timing of the letter suggests that it was part of Edward IV’s more general concerns about the security of his throne. When Edward wrote to Scarborough he was in the midst of attempting to reconcile with his brother George, duke of Clarence, and Richard Neville, earl of Warwick, after their *coup* in 1469. The *coup* which led to Edward’s temporary imprisonment in late summer 1469 after the Battle of Edgecot began in the guise of a popular uprising led by Robin of Redesdale centred in Warwick’s estates in Richmondshire.⁷⁴ ‘[O]ny Journey’ must have meant accompanying a noble who was in open rebellion against the king. In the context of 1469 this must have been a veiled reference to Warwick and Clarence. Scarborough’s close proximity to the centre of the rebellion is likely to have left the town, and indeed most of the region, under suspicion. The letter indicates Edward’s concern about the threat of retaining in the region associated with Robin of Redesdale’s uprising and the potential for retaining to be the method used by a rebellious faction to increase its manpower. Henry’s letter to Carlisle similarly reveals a concern that retaining would be a method used to quickly increase the military strength of a rebellious faction.

The second letter, dated 11 February 1472, was addressed to the mayor and sheriffs of Coventry and ordered that no one in the town was to retain anyone by grants of liveries or retaining fees ‘contrarie to our laws & statutes ordeigned & prouided in suche behalfe’.⁷⁵ The recent rebellion of Warwick and Clarence seems to have prompted Edward IV to write to Coventry. The letter’s preamble highlighted the public order problems and made the connection between disorder and rebellion, referring to the second phase of the Wars of the Roses: ‘Callyng to our Remembraunce and consderacion the gret tempests, diusions & troubles that in late daies haue be in this our Reaume’. Edward then stated that his order was ‘for the

⁷³ North Yorkshire Country Record Office, DC/SCB, White Velum Book of Scarborough, f. 53. I would like to thank Professor Michael Hicks for supplying me with his transcription of this document.

⁷⁴ Michael Hicks, *Warwick the Kingmaker* (Oxford, 1998), 270-8; A.J. Pollard, *Warwick the Kingmaker: Politics, Power and Fame* (London, 2007), 67.

⁷⁵ *The Coventry Leet Book or Mayor’s Register, 1420-1555*, ed. M.D. Harris (London, 1907-1913), i, 374.

pacificacion, defence, and suretee of the same our land and subgittes, both inwards & outwards'.⁷⁶ Coventry was a staunch Lancastrian town during the 1450s and the 'Parliament of Devils' that oversaw the attainder of the Yorkist Lords was held there in October 1459.⁷⁷ The town supported Warwick and Clarence during the second phase of the Wars of the Roses and was made to pay 400 marks to Edward IV to restore its liberties.⁷⁸ In short, Coventry was a town with a history of opposition to Edward IV and the king wanted to ensure that the town would not become a hotbed of illegal retaining. Like the letter that Henry VII sent to Carlisle, Edward IV's letter to Coventry about retaining was targeted at a town in which the loyalty of the inhabitants of the region was uncertain.

Although Henry followed the broad patterns in writing to local governments established by his Yorkist predecessors, he also adapted them. Henry's letter to Carlisle is the only surviving letter which ordered the city's government to swear oaths of fealty to the bishop of Carlisle so that 'the same oure citie maye be of good suretue and trouthes amonges yourself.' They were also to tender their own sureties to the bishop. This was part of a broader strategy that Henry employed throughout his reign to remind his subjects of their obligations and responsibilities to the crown. On several occasions Henry made his subjects swear oaths that they would not illegally retain. The lords and MPs who attended Henry's first parliament were made to swear an oath stating that they would not illegally retain.⁷⁹ He also made those with a more personal connection to him swear separate oaths on the matter, including officials of the duchy of Lancaster who swore an oath stating that they would not be retained by anyone else.⁸⁰ The fact that this was part of a more general policy that Henry was employing around this time is shown by the fact that the oath seems to have been recorded in the spring or summer of 1497. An inscription top of the folio on which the oath for the attorney of the duchy of Lancaster is an entry regarding the honour of Pevensey dated to 29 May 1497.⁸¹ It is likely that the oath was recorded soon after this entry and therefore around eight months before he sent the letter to Carlisle.

⁷⁶ *Coventry Leet Book*, i, 373-5.

⁷⁷ Michael Hicks, *The Wars of the Roses* (London, 2010) 140-7.

⁷⁸ *Coventry Leet Book*, i, 367-9. See also: Ross, *Edward IV*, 182-3.

⁷⁹ *PROME*, xv, 131-2.

⁸⁰ TNA, DL5/3 fol. 152d, 153.

⁸¹ TNA, DL5/3 fol. 153.

Moreover, the requirement for the city's government to swear oaths of fealty to the king demonstrates the intersection of royal and urban political cultures as oaths were an important facet of urban society. Swearing oaths was an important public event and holders of office needed to take them before taking up their positions.⁸² The man who was supposed to hear the oaths was not an important secular figure of importance like Thomas, Lord Dacre, Sir Richard Salkeld or Sir Christopher Moresby, all of whom were given various roles for the region's defence by Henry VII. This may have been caused by Henry's apparent distrust of many of the leading men of the region.⁸³ Responsibility for taking the oaths was instead given to William Sever, bishop of Carlisle. Sever is not known to have had a close personal relationship with the king but he was a key member of Henry VII's government. For instance, he was named on two commissions to arrange a marriage alliance with James IV in 1496 and 1497.⁸⁴ He was also known to have been close to Reginald Bray and later became a member of the Henry's Council Learned in Law, acting as one of the council's agents across the North West.⁸⁵ His later appointment as a surveyor of the king's prerogative at some point in 1499 is illustrative of his abilities as the role involved maintaining a close oversight of the king's fiscal and feudal rights.⁸⁶ Sever's secular authority as one of the king's agent who helped him govern the region was likely augmented by the spiritual authority he had as bishop which would give additional weight to any oath taken.

⁸² For the importance of oaths in late medieval and early modern English towns see: Christian D. Liddy, "'Sir ye be not kyng': Citizenship and Speech in Late Medieval and Early Modern England", *The Historical Journal*, First view [early online publication]; James Lee, "'Ye shall disturbe noe mane right': Oath-taking and Oath-breaking in Late Medieval and Early Modern Bristol", *Urban History*, 34 (2007), 27-38.

⁸³ Ellis, 'A Border Baron and the Tudor', 253-77; Yorth, 'Sir Christopher Moresby', 185-7.

⁸⁴ *Calendar of Documents Relating to Scotland, Volume 4: 1357-1509*, eds. Joseph Bain (Edinburgh, 1888), nos. 1622; 1636; Jonathan Hughes, 'Sever, William (d. 1505)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/25089>, accessed 26 Oct 2016].

⁸⁵ Penn, *Winter King*, 135, 157; Sean Cunningham, 'Henry VII's council learned in the law (act. c.1499-1509)', *Oxford Dictionary of National Biography*, Oxford University Press. [<http://www.oxforddnb.com/view/theme/96407>, accessed 5 April 2017].

⁸⁶ Margaret Condon, 'Ruling Elites in the Reign of Henry VII' in *Patronage, Pedigree and Power*, ed. Charles Ross (Gloucester, 1979) 117, 137 fn. 40 notes the importance of this role and that although there is no evidence of the precise date of Sever's appointment, references in Henry VII's Chamber Books suggests this occurred in the spring of 1499. TNA, E101/414/16 fol. 228. For Sever's ability in legal and administrative matters see also: Rachel R. Reid, *King's Council in the North* (London, 1921) 78-9; W.C. Richardson, 'The Surveyor of the King's Perogative', *English Historical Review*, 56 (1941) 60 fn. 2

Henry's order for oaths of fealty to be taken was part his developing policy regarding the loyalty of his officials and his stance on retaining. The letter was part of a standard royal tactic in the late fifteenth century to remind certain towns of their obligations to uphold the king's laws with respect to retaining, but the letter is unusual because of the requirement to ensure that the city's government swore fealty to the king. This was part of Henry's general policy of exploiting all possible avenues of asserting royal authority and the all means available to remind his subjects of their duty of loyalty. The reason for the peculiarities in the letter to Carlisle can only be understood within the context of Henry VII's relations with Scotland.

Carlisle and Scottish Invasion

Although Carlisle was not the only town to receive a letter from Henry VII about retaining, the context of the letter was different to these others because this is the only letter about retaining that alludes to Anglo-Scottish relations. The statement that Carlisle was 'oon of the chief keyes and fortresses to the defense of this oure Reame' was no mere platitude. More attention has traditionally been paid to the importance of the North East and its role in the defence of the realm.⁸⁷ This is understandable as it was the North East that more often bore the brunt of Scottish invasions, as it had in 1496.⁸⁸ Yet, Carlisle and Berwick were the two major garrisoned towns on the Anglo-Scottish border during this period and therefore needed to be secure.⁸⁹ At the parliament of 1495 substantial revenues were assigned to Carlisle and Berwick because each was 'a grete defences ageyn the Scottish and a grete wele, suretie and ease to all this realme, and in especiall to the north parties.'⁹⁰ The act was passed towards the end of the parliament soon after James IV had publically declared his support for Perkin Warbeck. It appears that the issue was hurriedly added to the business of parliament in response to these developments.⁹¹ During this period the fledgling Tudor regime was becoming increasingly adept at combating serious military threats. Over the following two years, Henry's government displayed an

⁸⁷ The most recent study is: Steven G. Ellis, *Defending English Ground: War and Peace in Meath and Northumberland, 1460-1542* (Oxford, 2015).

⁸⁸ MacDougall, *James IV*, 131-3.

⁸⁹ Ellis, *Defending English Ground*, 39.

⁹⁰ *PROME*, xvi, 216-18.

⁹¹ As suggested by the editor of that particular roll: *PROME*, xvi, 139.

impressive ability to raise armies to combat the threats of Scottish invasions and an uprising in the West County.⁹² However, since Henry's grip on the throne was not a forgone conclusion, especially if a rebellious faction was able to retain a large number of supporters quickly and gain the backing of a foreign army. In this respect the letter to Carlisle is different from all other known royal letters to towns about retaining because it was connected to Anglo-Scottish tensions and the Perkin Warbeck conspiracy.

James IV's support for Warbeck was part of a more general Scottish policy during the Wars of the Roses to offer support and assistance to opposition factions to help destabilise England. For instance, after the deposition of Henry VI in 1461 many members of the deposed Lancastrian regime sought refuge at the Scottish royal court.⁹³ James IV's minority government adopted a similar policy when they offered shelter to Lord Lovell who was given a safe conduct along with three other men shortly after the start of the reign on 19 June 1488.⁹⁴ The minority government also received envoys from Margaret of Burgundy in 1489 and 1490.⁹⁵ On 2 March 1492 they received a letter from 'King Edwartis son' and Maurice Fitzgerald, earl of Desmond.⁹⁶ 'King Edwartis son' was Perkin Warbeck. James was one of several European rulers that exploited Warbeck's cause to advance his own position and Scotland's international standing more generally.⁹⁷ Treasurer's accounts indicate that James IV was willing to spend money to publically demonstrate his support for Warbeck.⁹⁸ In 1496 the Scottish exchequer paid £40 4s. 9d. for the expenses of Warbeck's English servants.⁹⁹ James had good reasons for supporting Warbeck, irrespective of his true identity. Waging foreign war, supported by his lords, helped

⁹² Sean Cunningham, 'National War and Dynastic Politics: Henry VII's Capacity to Wage War in the Scottish Campaigns of 1496-1497' in *England and Scotland at War, c. 1296-c. 1513*, eds. Andy King and David Simpkin (Leiden and Boston, 2012), 297-328.

⁹³ *The Exchequer Rolls of Scotland*, vol. 7, ed. George Burnett, (Edinburgh, 1884), 72 records a payment of £17 7d paid to 'Duncan of Dundee' for bringing Margaret of Anjou to Scotland.

⁹⁴ *Registrum Magna Sigilli Regum Scotorum*, ii (1434-1513), ed. J.B Pauld (Edinburgh, 1882) No. 1738.

⁹⁵ MacDougall, *James IV*, 118. For a safe conduct for Richard Hardilstoun, knight, and Richard Ludelay of Ireland, Englishmen along with forty others on behalf of Margaret of Burgundy on 4 November 1488 see: *R.M.S.*, ii, no. 1798.

⁹⁶ *Accounts of the High Treasurer of Scotland: Volume 1, 1473-1498*, ed. Thomas Dickson (Edinburgh, 1877), 199.

⁹⁷ For the remainder of this paragraph unless states otherwise see: MacDougall, *James IV*, 117-38 *passim*.

⁹⁸ *Accounts of the High Treasurer of Scotland*, i, 256, 263, 267.

⁹⁹ *The Exchequer Rolls of Scotland*, vol. 10, 1488-1496, ed. George Burnett, (Edinburgh, 1887), 576-7

James display his authority in Scotland. A bellicose policy towards his southern neighbours allowed James IV to distinguish himself from his father whose ‘obsession’ for an English alliance was one of the key reasons why many in Scotland were alienated from James III’s regime.¹⁰⁰ As a symbol of Scottish support Warbeck was married off to Lady Catherin Gordon, who although only a minor royal figure at best would give Warbeck a Scottish queen if he had been successful and provide James with a degree of influence at the English court.¹⁰¹ The eventual invasion occurred in September 1496 when the Scottish host crossed into Northumberland. Although it lasted only five days and retreated when an English army approached, it was able to destroy at least five tower houses in the Tweed and Till and briefly laid siege to Heton castle. Warbeck left the force during this campaign, with James unlikely to have been upset to see a man whose had outstayed his usefulness to him depart from his force.¹⁰²

While the Scots were making preparations for an invasion, Henry VII was being passed secrets by Scottish informants who were disaffected in the aftermath of the Battle of Sauchieburn in 1488 when James IV usurped his father James III. Among them was John Ramsay, formerly Lord Bothwell who was in receipt of annual pension of 100 marks from Henry from 1489.¹⁰³ Most of the information Ramsey provided with is unknown but two letters from Ramsay to Henry from just before the Scottish invasion survive. One of which, dated 8 September 1496, informed Henry that a messenger from Carlisle had come to the Scottish court from Randall of Dacre, brother of Thomas, Lord Dacre.¹⁰⁴ As previously stated, Henry VII was distrustful of Dacre and Ramsay’s information could only have exacerbated Henry’s existing concerns about Dacre and the loyalties of the keepers of Carlisle and Bewcastle as well as the sheriff of Westmorland.¹⁰⁵ Indeed, such concerns seem to have continued as Dacre was bound under 2000 marks with sureties in January 1502 for maintaining

¹⁰⁰ Norman MacDougall, ‘Response: At the Medieval Bedrock’, *Scottish Historical Review*, 73 (1994), 27. On the same page MacDougall aptly described James IV as a king who ‘knew how to wrap himself successfully in the national flag’.

¹⁰¹ Katie Stevenson, ‘Chivalry, British sovereignty and dynastic politics: undercurrents of antagonism in Tudor-Stewart relations, c. 1490- c. 1513’, *Historical Research*, 86 (2013), 603-4

¹⁰² By July 1497 ‘James IV had determined to rid himself of the cost – and by that time the embarrassment – of maintaining Warbeck.’ MacDougall, *James IV*, 137.

¹⁰³ *Ibid*, 128-30.

¹⁰⁴ A.F. Pollard, *The Reign of Henry VII from Contemporary Sources* (London, 1913), no. 100.

¹⁰⁵ Agnes Conway, *Henry VII’s Relations with Scotland and Ireland, 1485-1498* (Cambridge, 1932), 236-9 MacDougall, *James IV*, 130.

the city's defences.¹⁰⁶ Throughout the 1490s Henry was watchful over Carlisle and the North West more generally, a grip which only eased when it became more apparent that the Scottish threat had subsided.¹⁰⁷ Scottish support for Warbeck's claim was therefore entangled with Henry VII's broader concerns for the stability of his fledgling regime and his actions conform to the traditional picture of a king who was watchful of potential threats to his kingship.

Henry's unease about the activities of the Scottish king as apparent in the date that the letter was sent. Five days before Henry wrote his letter to Carlisle, James IV had ratified a seven-year truce from the previous 30 September in front of the bishop of Durham and two other English ambassadors. Since this occurred at St Andrews, news of the ratification probably did not reach Henry before he wrote to Carlisle on 15 February.¹⁰⁸ Although the decision to write to Carlisle may have been taken before 15 February, the decision to send the letter was clearly made no later than 15 February and therefore before Henry is likely to have received confirmation that the truce was ratified. This suggests that Henry was not fully confident that James would ratify the truce or that James could be trusted to uphold the truce. Henry's concern that James could not be trusted to stick to the truce explains the concern expressed in the letter to Carlisle about 'any sodein entieprins of the Scottes.' Moreover, the fact that he had already captured Perkin Warbeck in October 1497 further indicates that Henry was well aware that the king of Scot's was using Warbeck as a pawn and that his ambitions were more about destabilising England than they were with the who the rightful king of England was.

The context in which this letter was written therefore indicates a fear that illegal retaining would destabilise border defences which the Scots could exploit. One possibility was that hostile northern lords would retain large groups of men to act as a fifth column in any potential Scottish invasion. In hindsight this seems unlikely as a northern rising in support of Warbeck failed to materialise in coordination with the raid of Ellem in 1496.¹⁰⁹ The existing levels of xenophobia towards Scots in medieval England, particularly in the North which felt the full brunt of Scottish raiding

¹⁰⁶ TNA, C255/8/8/71.

¹⁰⁷ Summerson, *Medieval Carlisle*, ii, 471-3.

¹⁰⁸ *CDS*, iv, no. 1644.

¹⁰⁹ MacDougall, *James IV*, 131-2.

throughout the later middle ages made such an alliance unlikely, though perhaps not impossible.

Another possible concern for Henry must have been that illegal retaining would cause divisions in Carlisle and the surrounding hinterland that would weaken the collective defensive cohesion of the region if a Scottish army was to attack. Such problems had arisen in another border region earlier on in his reign. In 1487, just before the battle of Stoke, rioting and local feuding had occurred in Leominster between the followings of two knights, Richard Croft and Thomas Cornwall. The dispute was connected to contested claims to the manor of Brymfield and about local dominance more generally. Both men were key members of Henry VII's government in the Welsh Marches and divisions were a problem for the regime's security in that part of the kingdom.¹¹⁰ As Henry was concerned about a potential Scottish invasion in early 1498, he must have been concerned about the cohesion of local elites in order to ensure the border was properly defended.

Finally, similar letters which are likely now lost were probably sent to other northern towns and cities like Berwick and Durham, and possibly even York. Retaining was a concern for Henry VII in the immediate aftermath of the Warbeck conspiracy. Five weeks after writing to Carlisle, on 20 March 1498, Henry sent a similar letter to Leicester. Unlike the letter to Carlisle, which discussed the problem of rebellion or a potential Scottish invasion, Henry reminded Leicester's government of their additional obligation to him as duke of Lancaster as well as king of England, noting that the town was 'parcell of our duchie of Lancastre'. The letter went on to state that no one was to be retaining by 'cloth, cognisaunce, othe or otherwise, contrarie to our said lawed & statutz.'¹¹¹ Potential rebellion remained a concern of Henry's and was undoubtedly a factor that influenced the letters he sent in February and March 1498.

Conclusion

Henry's letter to Carlisle demonstrates a concern that disaffected northern lords, gentry and possibly even townsmen would either retain men from Carlisle thus

¹¹⁰ Cunningham, *Prince Arthur*, 93-8.

¹¹¹ *Records of the Borough of Leicester, Volume 2: 1327-1509*, ed. M. Bateson (London, 1901), 354.

creating a fifth-column that would join a Scottish invasion, or that illegal retaining would exacerbate existing divisions to the hindrance of their ability to defend the border. The benefit of hindsight shows that there was no imminent Scottish invasion but nevertheless when Henry wrote to Carlisle in February 1498 the potential of a large scale Scottish invasion must have been foremost on his mind. Henry was reminding his subjects of the duties and responsibilities to him which was one of various tactics and strategies that he used throughout his reign, along with the use of bonds, in order to ensure the loyalty of his subjects and thus keep his crown. By writing to governments to ensure that they upheld the laws regarding liveries and retaining Henry reminded them of their role in the upholding of the king's laws. He was able to tailor the rhetorical and the specific phrasing of certain letters to ensure that such statutes were upheld. In the case of Carlisle, its importance as a border fortification and its role in defending the kingdom against a traditional enemy was emphasised. In many respects Henry VII was continuing the policies of his Yorkist predecessors who also wrote to various urban governments urging them to restrain the excesses of noble retaining in their towns and cities. Henry built on these measures and his letter to Carlisle was not simply a copying of Yorkist practices but part of his development of Yorkist policies. The requirement for Carlisle's government to swear oaths was a novel feature when compared to similar letters sent by Henry and his predecessors, and was an additional attempt to ensure the loyalty of the city in the face of a potential Scottish invasion. Henry's ability to exploit the numerous means by which he was able to remind his subjects of their obligations to the crown was an important factor in allowing him to die peacefully in his bed and become the first English king since Henry V in 1422 never to be deposed.

Cumbria Record Office, Ca2/105

Henry by the grace of god king of England and of France and lord of Ireland to the Maire and his bretheryn of our cite of Carlill that nowe be and hereafter for the tyme shalbe greting. Insomuche as ye knowe well that the same our Citie is oon of the chief keyes and fortresses to the defens of this our Reame and that the losse therof by any sodein entieprins of the Scottes shulde be not oonly youre aller distruction but also a great and an universal hurt to all our said Reame whiche god defendes. We

therfor wol and charge you in oure estraiteſt wiſe not to ſuffice any maner of perſone or perſones dwelling within oure ſaid citie to be from hensfurthe reteyned with any man be he ſpiritual or temporall lord or other by lyveree baggnen clothing cognoiſſance or any other wiſe nor to ride or paſſe out of the ſame oure citie in harnoiſ to any feldeſ ſkirmyſſhinges affrayes or riotes with any gentelman or othre whatſoever eſtate or degre he be of but to be abiding and attending at all ſeaſons bothe of warre and of peax in the ſame oure citie for the defenſ and ſuretie therof ayenſt the Scottes if they wolde make any ſodein attempt at therunto by ſiege or otherwiſe. And to thentent that ye of the ſame oure citie maye be of good ſuretue and trouthes amonges yourſelf we have commanded the Right Reverend fadre in god oure right truſty counſeillour the Biſhop of Carlill to take your oathes of fidelitee unto us. Willing you therefore to be attendant unto hym in that behalve and alſo to conforme you to the due obſervyng of the promiſſes as ye tender your owne ſureties and the weal of this our Reame. And be it ſoo that any man diſobey and be reteyned contrary to this oure ordence we than charge you ſtraitely to certifie us furthwith of his name by your writing and we ſhal ſoo provide for his ſharp punicon according to oure laws and ſtatutes as other ſhal therat take feez ſemblably toffende for tyme coming. Yeven under out ſignet at oure paloife of Weſtmiſter the xv day of Ffebruary the xiiijth yere of oure Reigne.

[Signed by Henry VII]