SOME ASPECTS OF SPENCER BISHOP OF NORWICH

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ABBREVIATIONS

C.P.R.	Calendar of Patent Rolls
C.C.R.	Calendar of Close Rolls
C.F.R.	Calendar of Fine Rolls
D.N.B.	Dictionary of National Biography
Rot.Parl.	Rotuli Parliamentorum

CHAPTER I. FAMILY BACKGROUND AND EARLY LIFE.

The Bishop of Norwich was descended from the baronial Despenser family. The name was originally Despenser or le Despenser, but in his case the contracted form of Spencer or le Spenser was often used. The origin of the name goes back to the Latin word dispensator, which is defined as a man who spends, accepts, compensates and impends or weighs out.[1] It means one who administrates money or handles loans and debts for another man, for example the despenser of the public money of the state of Carthage. A despenser was a servant who corresponded to the maitre du palais, but who worked in the king's palace or in the houses of prominent people. Hence in Aragon he lived in the palace, and was the official who bought supplies for the palace and who spent the money. Joseph held this post in Egypt, and it existed under the Roman emperors and Frankish kings. It also existed under Anglo-Saxon kings like Harold and under the Angevins. The Roman of Jourdain says that the despensers bought the food. The office existed also in Flanders, and there were despensers of the church or priests who bought supplies for a church. In France the despensier or depensier was a maitre du palais.[2] Thus we see that it originated as a trade name.

A clue to the origin of the Despensers can be found in the descent of the manor of Arnesby.[3] It was held by John le Despenser according to the Inquisition of 1275, and was escheated to the crown. Henry II gave it to Hugh de Beauchamp, and Hugh enfeoffed it to Elias Despenser and two others. These

[1]Ducange, Glossarium, iii, 139-40. [2]Ibid, ix, 148.
[3]J.H.ROUND, Studies in Peerage and Family History, 303-6.

three men were represented by Thomas Despenser (1212). Thomas was succeeded by his younger brother Hugh, who was charged 25 shillings for its relief (1218). The sum was remitted to him in 1225 because he was in the King's service. He and his heirs held the estate in chief, and the overlordship of Beauchamp was eliminated. Geoffrey le Despenser was subenfeoffed in his quarter-fee (1235), and his heir, John le Despenser, held it in two halves (1275). Thus the origin of the family can be traced to Elias Despenser of Arnesby, the benefactor of Sulby Abbey. Hugh le Despenser the First prospered in the service of Henry III. He was given Ryhall and Belmethorpe in the eighth year of the reign, Loughborough in the eleventh year, and Freeby and Hugglescote in Leicestershire. All this passed to his heir, Hugh le Despenser the Justiciar. Thus we see that it was a house which rose to wealth in the service of Henry III. Geoffrey le Despenser speculated in wardships, and his son John died without heirs (1275). He was succeeded by his relative, Hugh le Despenser the Elder, Earl of Winchester.

The above-mentioned Geoffrey le Despenser seems to have held lands in Wales[1] and in Northampton county,[2] and he may have had financial connections with the Jews.[3] He went to France with Henry III,[4] and in 1242 he is mentioned by the King as "our cherished and faithful Geoffrey Despenser."[5] His brother Hugh held lands from the Earl of Chester in Chester county and outside,[6] and thus we see the Despenser connection with Chester.

[1] Patent Rolls, 1225-32, 269. [2] Ibid, 1232-47, 96. [3] Ibid, 397. Close Rolls, 1237-42, 85. [4] Patent Rolls, 1232-47, 314. [5] Close Rolls, 1237-42, 187. [6] Patent Rolls, 1232-47, 210.

There are several references to the barony of Sir Hugh Despenser in the Chester County Court Rolls,[1] and it is evident that the Despensers held the office of despenser to the earls of Chester, possibly to the de Lacys, constables of Chester.[2] Thus we see that the Despensers started out as the servants of great men and rose to prominence through the gifts of their patrons.

The first prominent member of the Despenser family was Hugh le Despenser, Justiciar of England, who died in 1265. He was the son of Hugh le Despenser the First, the royal courtier of Henry III. He had his name from the office of Steward to the Household held at that time by his family, and he was perhaps descended from Robert le Despenser, Steward to the Conqueror.[3] In 1256 Harestan Castle in Derbyshire was entrusted to him, and in 1257 he accompanied Richard of Cornwall to Germany. He was one of the twelve baronial representatives in the Parliament of Oxford who were elected to the council of twenty-four (June,1258). Besides his parliamentary activities, he was itinerant justice in three counties and justiciary of the barons (1260). He fell from power but was back in his post by 1263. He was constable of the Tower of London, and one of the baronial sureties for observance of the Mise of Amiens. He joined Simon de Montfort in the Barons' War, and led the mob that burnt Richard of Cornwall's house. He signed a convention with the Mayor of London before the advance on Lewes, and fought in the battle of Lewes (May 13,1264). He was summoned to Simon de Montfort's Parliament, and was one of the four arbitrators be-

[1] Chester County Court Rolls,230,239,240. [2] Dictionary of English History,374. Henry III appointed John de Lacy, Earl of Lincoln, custodian of Cheshire, and a few years later bestowed the earldom on his son Edward. [3] J.H.Ramsey, The Dawn of the Constitution,170 n4.

tween the earls of Leicester and Gloucester. He was killed at Evesham on August 4, 1265, and was the last of the English justiciaries. His wife Aliva was the mother of Hugh le Despenser the Elder.[1] He was so attached to de Montfort's cause that he died with him at Evesham. This is explained by the fact that he was appointed Justiciar by the barons and dismissed by the King, so he owed his position to the baronial party. He is praised by the chroniclers for he showed great courage at Evesham; when urged to fly he refused to survive de Montfort. He is called the most faithful of all Simon's friends, and a popular rhyme describes him as:-

> Despenser true, the good Sir Hugh,
> Our justice and our friend,
> Borne down with wrong amidst the throng,
> Has met his wretched end.[2]

The next important member of the family was Hugh le Despenser the Elder, Earl of Winchester (1262-1326). He was the son of Hugh the Justiciar of the barons and Aliva, daughter of Philip Basset. His life can be divided into four parts,(1) down to 1307 when Edward I died, (2) down to 1318 when his son joined him, (3) from 1318-22 when he was opposed to Lancaster, and (4) from 1322-6 when he was in power. During the first part of his life, he served with Edmund, Earl of Cornwall, in the Welsh wars of Edward I. He married Isabel, daughter of William Beauchamp, Earl of Warwick, a widow, and was fined 2000 marks for not having the King's license. He served with Edward I in Gascony(1294) was in Scotland at the battle of Dunbar, and went on an expedition to Flanders (1297). He was sent on an embassy to BonifaceVIII and again negotiated with the French (1303). In 1305 he was sent to Clement V at Lyons to get a bull absolving the King from his

[1] D.N.B. xiv,412-13. [2] W.H.Blaauw, The Barons' War, 276.

oaths to the people.[1] Thus we see that he was a royal servant.

After serving under Edward I, he continued under Edward II and carried part of the royal insignia at the new King's coronation. He supported Piers Gaveston against the barons (1308), and this drew down their wrath on him. But they also hated him because he aided and supported the King.[2] Because of this he was dismissed from the Council by the Parliament of Northampton (1308) when the King and earls agreed to remove him, but soon regained power as the King's advisor. He played a considerable part in the administration in the early years of the reign, acting as a messenger between the King and the Chancellor and between the King and the Treasurer. He was a witness to charters and the surrender of the seal, and a bearer of money from the Exchequer to the household. He summoned councils and was a secret administrator of the personal system.[3] He witnessed important deeds and decisions at the Council, and his attendance was very good. Many favours were given to him in lands and money, and the King was in his debt. But he had far less influence after his son rose to power.

He was made justice of the forest south of Trent(March,1308) and while forester he confiscated many lands. He was twice keeper of the forest, and his tyrannical proceedings caused bitter complaints.[4] People complained about the severity and injustice of his forest administration and the seizure of pasture into the King's hand without cause.[5] Already we can see traces of the grasping selfishness which would ultimately cause his fall. In 1309 he was ordered to conclude peace with the French king. He was one of the royal representatives in a treaty between the

[1] D.N.B.xiv,413. [2] J.C.Davies, Baronial Opposition to Edward II,90.
[3] Ibid,87-8. [4] T.F.Tout, The Place of Edward II in English History,359.
[5] Davies,90.

King and barons (1312), and in the same year he was sent with Aymer of Valence, Earl of Pembroke, to secure London for the King, but was driven from the city by the citizens. He became chief of the court party when Gaveston died, and was thoroughly hated by Thomas, Earl of Lancaster, head of the baronial party. In November 1312 the King ordered him to reform the household. His reforms were (1) establishments, amelioration of the forest law and limitation of the jurisdiction of court officers, (2) radical reforms of the household and chamber, chancery and Exchequer, and (3) other miscellaneous reforms like the household ordinances.[1] Despenser accompanied Edward II at the battle of Bannockburn (1314), and after the battle was sent as a hostage for the Bishop of St. Andrew's from Newark to Scotland. But his enemy Lancaster forced him to withdraw from court and Council. He attended the Parliament of Northampton armed (1318) and refused to submit to Lancaster. In the same year his son Hugh joined the King's side after supporting the barons.

Hugh the Elder and Hugh the Younger received large grants from the crown, and used their influence to promote their own greed and ambition. The Despenser family was a great house on the Welsh marches,[2] and Hugh the Elder was feared by the lords of the march.[3] He withheld dower lands from the widowed Countess of Pembroke,[4] and broke up the middle party by his aggressions. The middle party was that group of nobles headed by Aymer of Valence, Earl of Pembroke, who held the balance between the King and barons. At first Pembroke worked with Despenser, but he was alienated by the attack on his Welsh earldom. The county of Pembroke was near the Despenser fief in Glamorgan, and it soon fell

[1] Tout, 152. [2] Ibid, 209. [3] Ibid, 148. [4] Ibid, 20.

prey to Hugh's ambition. Despenser was also engaged in a hereditary feud with Thomas, Earl of Lancaster, head of the baronial party,[1] who refused to be reconciled with him at the Parliament of York (1321). This same Parliament made Despenser Earl of Winchester, and thus created a fresh grievance between him and the barons. This feud with Lancaster was natural enough, because the barons were against all royal favourites, the Despensers included. They were the deadly enemies of Lancaster, and they provoked the Lancastrian party to violence by their aggressions in Wales. A confederacy of barons was formed against them which even included the Scottish Earl of Angus (1321). The barons ravaged their lands and castles in Wales,[2] marched on London and forced the King to banish them. The barons accused the elder Hugh of appointing bad officials who falsely seized other people's lands and ignorant justices who were his friends and partisans. Two of these, Robert Basset and John Inge, fostered civil war and treacherously executed the Welsh rebel, Llewelyn Bren. Hugh's manors were pillaged by another enemy, Robert Lewer, who attacked and besieged him in Windsor Castle. He was exiled in 1321, and his earldom of Winchester was hated more than anything else. Keepers were ordered to inspect his goods and chattels before the King took his lands, but Edward II was still for him. His lands were placed in the custody of Ingelram Berenger after his exile, and this trusted servant returned them later. But Archbishop Reynolds of Canterbury declared the banishment illegal, so Hugh returned and saw the battle of Boroughbridge and Lancaster's trial and condemnation (1322). This concludes the period of his opposition to Lancaster.

[1] Davies, 90. [2] See the Despenser war in Glamorgan on page 11.

After returning to England and overthrowing Lancaster at the battle of Boroughbridge, the Despensers revived their plan of establishing a mighty marcher lordship.[1] They got back the land lost in 1320-21 with huge additions, and expanded east and west from Glamorgan. There was very little change in the place of the elder Hugh in the administration after 1322, but he had far less influence. He gave advice but his voice was weak next to that of his son.[2] He became the King's secretary (1322) and agreed to the arrest of the wool of wealthy native merchants for the King's use. Thus he antagonized the merchants, and indeed he was hated by all classes. But he did not set up a royal tyranny, for he inherited some of the doctrines of the baronial party under Henry III. Rather he tried to unite the crown and people against the turbulent nobles. But he was also a reformer. Indeed the Exchequer reform of 1322 showed that the Despensers were not mere courtiers but politicians with ideas, but they were odious reformers because their radical policy was only a cloak for their personal ambition.[3] Hugh the Elder was in power from 1322-6, and compared with Hugh the Younger he was a royal servant all his life and did not change sides frequently. He was not greedy and grasping like his son, but his son caused his fall.[4]

It is a curious fact that there is a tendency towards the development of constitutional theory in the policy of the Despensers.[5] At the Parliament of York (1321) Hugh the son maintained that there should be an alliance of King and people against the turbulent barons. He also claimed that allegiance was owed to the crown rather than to the King's person. But we must not read too much significance into these constitutional tendencies,

[1] Tout, 154. [2] Davies, 89-90. [3] Tout, 153. [4] Davies, 98-9. [5] Tout, 33.

because the Despensers were primarily opportunists and they made use of constitutional theory whenever it fitted in with their schemes. But they were now all-powerful and greedy, and Queen Isabella hated them because they caused a rift between her and the King. She fled to France and plotted there to overthrow them, so they outlawed her. When she invaded England in September 1326, the elder Despenser was sent to secure Bristol. He surrendered to the Queen and was sentenced to be beheaded as a traitor on the common gallows outside the city. The execution took place on October 27, 1326, and he died at the age of sixty-four. His bowels were torn out and burnt before his eyes, and he was hanged and quartered. He was hated by the people of Bristol and his head was sent to Winchester.[1]

The next important ancestor of the Bishop of Norwich was Hugh le Despenser the Younger, son of Hugh the Elder. His life can be divided into two parts, (1) up to 1318 when he deserted the barons and joined his father, and (2) from 1318-26 when he was a royal servant. He was knighted by the Prince of Wales on Easter 1306, and in 1309 he married Eleanor, daughter of Gilbert of Clare, Earl of Gloucester. He belonged to Lancaster's party at first, but later replaced Gaveston as chamberlain. He went to Scotland and fought in the battle of Bannockburn (1314), and in 1319 he was one of the commissioners to treat with the Scots. He was removed from the King's Council at Parliament in London (1315), in the baronial reaction against Edward II after his defeat in Scotland. He belonged to the middle party of Aymer of Valence, Earl of Pembroke, and then became a curialist. He acted with the middle party and his daughter married the el-

[1] D.N.B. xiv, 413-15.

dest son of the Earl of Arundel, another middle party leader. But after his quarrel over the division of his wife's inheritance, he deserted the baronial party and joined the King. He obtained one third of the Gloucester inheritance because Earl Gilbert was killed at Bannockburn, but there was considerable delay in turning it over to him. When his inheritance was finally delivered to him on November 15, 1317, he began to incline towards the King. His wife Eleanor[1] exerted a great influence on his career, and she helped to change him from the baronial to the royal party. He took the place of Gaveston in the King's favour and now worked with his father (1318).

He got Glamorgan as his fief and expanded rapidly. In fact he used his share of the Gloucester inheritance to become the autocrat of south Wales. But his ambitions in the Welsh march were the cause of his troubles, because the fierce marcher lords hated him for taking their rightful lands. He and his wife Eleanor received the grant of all royal and other liberties used by her ancestors, and he was endowed with lands worth 600 marks a year because he had to live at court. His numerous acquisitions in the march began when he tried to seize Gower from John Mowbray. But a confederacy of marcher lords, which included Mortimer and Arundel, stopped him. He acted against the custom of the march, and was hated by his Welsh serfs because he managed his manors too efficiently. His Welsh policy was an attempt to increase the economic prosperity of south Wales by making Cardiff the wool staple. In 1326 he supported the Ordinance of the Staple,

[1]Eleanor la Despenser or Eleanor of Clare enjoyed great influence at court, being the King's niece and a member of the Queen's household, and she received many gifts from Edward II. He took her property into his hands to safeguard it after her husband's exile. (Davies,90,135)

and the Cardiff staple was put under his control. It was a wise move to have the staple in England, but it antagonized the rival port of Bristol. Hugh the Younger possessed a keen political insight but was blind to the future. He was hated most of all for his aggressions and his policy of "unscrupulous opportunism".[1] He wanted to hold a position in the Welsh march as powerful as that of the Earl of Gloucester. He encroached on the lands of Roger Damory and John Mowbray, and acquired Lundy Island in the mouth of the Severn. He unjustly executed Llewelyn Bren at Cardiff, who led the Welsh rebellion of 1316 in Glamorgan.

He was hated by the Mortimers of north Wales and they formed a confederacy to crush him. The quarrel came out into the open in 1320; it was a dispute with John Mowbray over certain lands. So a league was formed against him by Humphrey Bohun, Earl of Hereford, who entered into a bond with John Birmingham, and soon war broke out. The Despenser war in Glamorgan (1321) was a result of his aggressions. The baronial opposition crystallized, and his lands were"ravaged and utterly devastated"[2]by the barons. He broke up the middle party and rallied the wronged barons around Lancaster again. Pembroke tried to act as a mediator, but baronial force made him acquiesce. The causes of the war went back to 1317 when portions of the Gloucester land were given to Despenser, Damory and D'Audley. It was Despenser's own fault because he antagonized Pembroke and all the barons, and this war saw the doctrine of coercion applied. The war was caused by (1) the evil counsel of the two Despensers, and (2) the greed of Hugh the Younger, and it broke out on April 16, 1321, when the King went to Gloucester to settle the feud between the Despensers and the marcher lords.

[1]Davies,473. [2]Ibid,94.

The Despenser lands in England and Wales were ravaged, and Hugh the Younger was attacked in Parliament, impeached and banished with his father. His banishment was caused by his ambition, and was enacted by the northern and western lords who came to London with thousands of armed retainers.

The barons accused him of (1) controlling the King's person, (2) acting like a king, (3) encroaching on royal power, and (4) running the whole administration to increase his own revenue and estates. But they thought that his greatest crime was efficiency and ability. There is a catalogue of the charges drawn up against him by the barons in 1321. They said (1) that Hugh the Son acted contrary to the terms of the Parliament of York, (2) that he was in league with his father, (3) that both exercised royal power and control, (4) that the younger Hugh made indentures to restrain the King's will, (5) that they did not allow the magnates to approach the King except in their presence, (6) that they made royal decisions, (7) that they removed good ministers and appointed bad ones, (8) that they appointed unsuitable sheriffs, escheators, constables and judges, (10) that they falsely indicted magnates of the realm and coveted their lands, (11) that they promoted civil war, (12) that they murdered Llewelyn Bren, (13) that they disinherited the barons, (14) that they followed a selfish policy, (15) that they undid acts of Parliament, and (16) that they were responsible for the Gower incident.[1]

The exile of the Despensers in 1321 proved to be a temporary setback. In 1322 a provincial council of bishops said that their exile was illegal, and Bishops Drokensford of Bath and Wells and Stapleton of Exeter upheld this view. Not a single baron support-

[1] Chronicles of Edward I and Edward II, ii, 66-9.

ed them, but they retained the King's confidence. Their exile was revoked at the Parliament of York (1322), and according to the Earl of Lincoln it was annulled without the assent of the barons. During his exile Hugh the Younger attacked two ships in the Severn and robbed their cargoes. In 1322 he was recalled and he joined his father against Lancaster, defeating the barons at the battle of Boroughbridge. He was almost captured by the Scots at the surprise of Byland, and in 1323 he negotiated a thirteen year truce with Robert Bruce. He upheld the rights of Parliament in the Parliament of York, and said that nothing could become law without the consent of the three estates. Thus some restraint was left on the King in his plan of a union of King and people against the barons. His policy was greedy and ambitious, but he was clever enough to have theories of constitutional law. He had a theory that homage was due to the crown and not to the King's person. His policy of reform led to the amelioration of the household, and he reformed the chamber when he was royal chamberlain. He had a bill to restrain the royal power by giving allegiance to the crown and not to the King, and he claimed that bad kings forfeited their power to the barons. His constitutional position was dangerous for he was not a slave to the crown, and his constitutional principles were derived from family tradition and still more from his early association with the barons. He was the author and supporter of the idea of a distinction between the personal and political capacities of the King, and he did not wholly abandon this position after joining the King.

On October 30, 1318, he replaced John Charleton as chamberlain by order of the Parliament of York . It was the middle party

that had him named chamberlain, and they soon regretted it. His tenure of office can be divided into two parts, (1) up to his exile in 1321, and (2) from his return to his death in 1326. He was the King's private secretary but held no official position. He controlled all interviews with the King, and Lancaster once asked for his custody. He used the office of chamberlain to extort fines from bishops, abbots and priors, and he kept in close personal contact with the King and made ordinances for reforming the household. He exercised overwhelming control of the administration, and resembled Gaveston but this favourite was never chamberlain. Considerable grants were made to him, and he was predominant after the battle of Boroughbridge and completely eclipsed Pembroke from 1322-4. He was efficient but not popular and had considerable administrative ability. But his petty oppression of individuals aroused a storm. He had strong influence over the King and was the greatest power in the land. All letters were sent to him and he intervened in Gascon affairs. He usurped royal powers and extorted fines from people who desired royal audiences. He was justly exiled, for he was selfish and unscrupulous and put ambition before theory. In the long run his government was no better than that of the barons. He accused people of being rebels in order to get their lands, and imprisoned them until they enfeoffed him with them. He disinherited defenceless heirs and was noted for greed, avarice and cupidity. His avarice is shown by the fact that he stole lands with insolent violence and received many grants including Bristol Castle. He was less a favourite than an administrator. In fact he was a natural administrator who paid attention to details , and J.C. Davies says that "he ex-

hibited himself as a most painstaking and prudent administrator."[1] For instance, he sent a series of letters to John Inge, his sheriff of Glamorgan, which show the personal supervision and efficient administration of his lands.

But selfish designs poisoned the administration, and there were numerous attacks on him. For instance, there was a plot to murder him in 1324. His character was moulded by the fact that he was connected with the household system. He is fiercely denounced in the chronicles, but less than Gaveston, and the chroniclers say that "he bore himself like a second King in the land."[2] Compared with his father he was worse than him, because he was far more greedy and opportunist. Contrasted with Gaveston, he was an Englishman and not a foreigner. He was within the government while Gaveston stood outside, and he robbed the Exchequer while Gaveston took the King's personal money and jewels. He never sent money abroad like Gaveston, but was far worse than him and far more dangerous.[3] He was noted for his heartless and selfish policy after 1322, but showed self-restraint during his five years of triumph and did not assume the coveted title of Earl of Gloucester.

The Despenser administration was characterized by the personal system, which was the rule of Hugh the Son from the battle of Boroughbridge to the end of the reign. It was efficient but not popular, and the truce with Scotland made the suppression of the lawless barons possible. The Despensers had considerable administrative ability, and they conducted a strict and efficient financial system. All audiences with the King had to be approved by them and all letters to the King sent through them.

1 Davies, 99. 2 Robert of Avesbury, Chronicles, 280. 3 Davies, 99-105.

They conducted the administration on the King's behalf and controlled his person completely. They directed the affairs of Gascony and placed their friends as Gascon officials. They assumed regal style in letters and filled the administration with their clerks. They worked through the administrative council, but their rule ended in violence and bloodshed.[1]

Hugh the Son met the same fate as his father owing to his quarrel with Queen Isabella. He was hated and feared by the Queen, who said that he was the reason for her not returning to England. Indeed he caused the quarrel of the King and Queen, which led to Isabella's exile in France. He would not even allow them to see each other. In 1326 he was attacked by the barons, the Queen, the Londoners and everyone. When Isabella invaded England, he accompanied Edward II to Gloucester, but taking refuge in his Welsh lands, he surrendered to the Queen at Llantrissaint. He was brought to trial before Lancaster and the nobles, and executed as a traitor. His head was fixed on London Bridge and his quarters were sent to four other towns.[2] He deserved his fate because "he indulged in wanton acts of tyranny and oppression," but he "was done to death by rivals who grudged his supremacy in the march of Wales."[3] Mortimer, the Queen's favourite, copied his very methods with even greater success. J.C. Davies claims that "by his schemes of personal aggrandizement he involved the King in that course which led to the tragedy of Berkeley Castle,"[4] but this is a little far-fetched. His sons were Hugh the Third who died without heirs in 1349, and Edward who died in 1342 leaving a son, Edward le Despenser.[5]

The next important member of the family was Edward le Des-

[1] Davies, 321, 336-41, 352. [2] D.N.B. xiv, 417. [3] Tout, 16. [4] Davies, 99. [5] D.N.B. xiv, 417.

penser who died in 1375. He was the son of Edward, the second son of Hugh le Despenser the Younger, and he married Elizabeth, daughter of Bartholomew Lord Burghersh. He was Lord of Glamorgan and he fought at the battle of Poitiers and in other French campaigns. He went with the Duke of Clarence to Italy and distinguished himself in the service of Urban V. He was summoned to Parliament in 1357, and was a knight of the garter. His son was Thomas le Despenser, Earl of Gloucester, and he also had daughters. He was a brother of the Bishop of Norwich.[1]

Thus we see that the Bishop of Norwich was descended from a fierce line of marcher lords. His ancestors were tough and warlike because they had to maintain themselves in the lawless and turbulent atmosphere of Wales. They lived in a frontier area on the fringe of civilization, which had recently been conquered by Edward I, and their Welsh subjects were turbulent and hard to hold down. There were frequent rebellions like that of Llewelyn Bren, and the Despensers lived in constant danger of being overthrown. Out of this environment they developed qualities of daring and courage which made them terrible in war. The Bishop of Norwich inherited these warlike qualities, and he always remained more a soldier than a priest. With a background like this, it is not surprising that he took an active part in the Peasants' Revolt and Spencer's Crusade. All his ancestors died violent deaths, and he was the only one of his line to die in bed, but he had several narrow escapes. But when he lived, the Despenser family was no longer of much importance in England, compared to its former glory.[2]

Henry le Despenser, Bishop of Norwich, lived from 1341 to

[1] D.N.B. xiv.416-17. [2] Trevelyan, England in the Age of Wiclif.19,n2.

to 1406. He was the fourth son of Edward, the second son of Hugh le Despenser the Younger, and his mother was Anne Ferrers, daug h-ter of Sir Ralph Ferrers of Groby. Nothing is known of his fa-ther except that he was killed at the siege of Vannes in 1342.[1] The date of the Bishop's birth is uncertain. The Dictionary of National Biography says that he was born in 1341, but this is almost certainly wrong, for it does not correspond with his age as given in the Papal Registers. It is far more likely that he was born in 1343, and this would make him a posthumous child. Although the family name was Despenser, the Bishop of Norwich was commonly called Spencer or le Spenser, so we will adopt the shorter form in the text. We have already seen the stormy career of the Despenser family, and how all died violent deaths in the direct line. We have seen how Hugh the Elder and Hugh the Young-er were overthrown by Queen Isabella and Roger Mortimer, Earl of March. The younger Despenser married Eleanor, sister and co-heiress of Gilbert, Earl of Gloucester, and niece of Edward II. He was the Bishop's grandfather, so Spencer thus had a remote connection with the royal family, and he is frequently referred to as the King's kinsman. Eleanor asked Queen Isabella and Ed-ward III to restore her husband's forfeited estates, and she got them back. Edward III married her son Edward to the daugh-ter of Sir Ralph Ferrers, and this Edward Despenser was the Bi-shop's father. He died a violent death as we have seen. He was five years married, and his son Henry, the future Bishop, was an infant, the youngest of four children. Nothing is known of Henry's childhood, but he was probably born and brought up at Cardiff Castle, for his father was Lord of Glamorgan. His three brothers were all soldiers, but he became a priest at an early

[1] D.N.B.xiv,410.

age and then canon of Salisbury.

In 1354 Pope Innocent VI received a petition from Edward, Lord le Spenser, the King's kinsman, on behalf of his brother, Henry le Spenser, in his tenth year, for a canonry at York with expectation of a prebend and with necessary dispensation, but he replied that York was overburdened (Nimis est onerata).[1] But he granted him a canonry in Salisbury. Thus we see that Spencer held a benefice as a child and became a priest at the age of ten. From the age given above,we also see that he must have been born in 1343 or 1344, not in 1341. In 1361 a petition was made by Edward III to Innocent VI on behalf of his kinsman, Henry Despenser, B.C.L., aged nineteen, for a dispensation to hold a benefice with cure of souls, and it was granted at Avignon.[2] In 1364 a petition was sent to Urban V, that "whereas on the voidance of the archdeaconry of Llandaff by the death of the archdeacon, Roger, Bishop of Waterford, who was translated to Llandaff, gave the archdeaconry to his chaplain, Thomas de Eltesle, bachelor of canon and civil law, rector of Bletchley, and secretly inducted him into the archdiaconal stall; but before the said translation, Edward, Prince of Wales, gave the archdeaconry, jure regalie, to his kinsman, Henry Despenser, B.C.L., then a minor, wherefore the said Thomas never entered upon the archdeaconry, and afterwards by will of the ordinary resigned it at the Roman court. Henry therefore prays for rehabilitation and dispensation to retain the same, together with a canonry of Lincoln with expectation of prebend, and the church of Elsworth in the diocese of Ely. Granted, and let him be content to hold two benefices and resign the rest."[3] Thus we see that Spencer was a pluralist

[1] Papal Registers,Petitions,i,261. [2] Ibid,364. [3] Ibid,490-1.

and an absentee, but he had some education for he was a Bachelor of Civil Law.

But the future Bishop was also a knight and a soldier. In 13 69 he accompanied his brother Edward to fight for Pope Urban V against Milan.[1] Froissart calls his brother Edward the ideal chivalrous knight, and both Despensers performed distinguished service in Italy.[2] Froissart was a close friend of Lord Edward Despenser, who lamented the loss of his inheritance and denounced Queen Isabella who overthrew his grandfather.[3] Froissart and the two Despensers accompanied Lionel, Duke of Clarence, to Milan for his marriage with Yolanda Visconti, daughter of Bernabo Visconti, tyrant of Milan (1368).[4] Lionel died three weeks later at Asti near Milan, and poison was suspected. To avenge his dear friend, Lord Edward Despenser made war on the Visconti, "et les haria, et les rua jus", until Monseigneur of Savoy made peace.[5] No doubt Edward Despenser and his brother Henry took service with Pope Urban V as mercenaries, for the Pontiff was a mortal enemy of the Visconti. Urban lived at Avignon, but the Visconti, who wanted to be masters of all north Italy, coveted lands in the Romagna which belonged to the Papal States. The dispute between the Pope and Bernabo Visconti over Bologna led to a long series of wars, one of which broke out in 1369. So the Despensers made an alliance with the Pope against their common enemy. Capgrave says that Henry distinguished himself as a warrior in Italy, and he mentions him in the same paragraph with Sir John Hawkwood, the famous captain of mercenaries.[6] He writes that, "In this same time was Sir Henry Spenser a great warrior in Italy, or the time that

[1] D.N.B. xiv, 410. [2] Froissart, Chronicles, vii, 251. [3] Mary Darmesteter, Froissart, 27. [4] Ibid, 31. [5] Froissart, Chronicles, vii, 83. [6] Capgrave, Chronicle of England, 226.

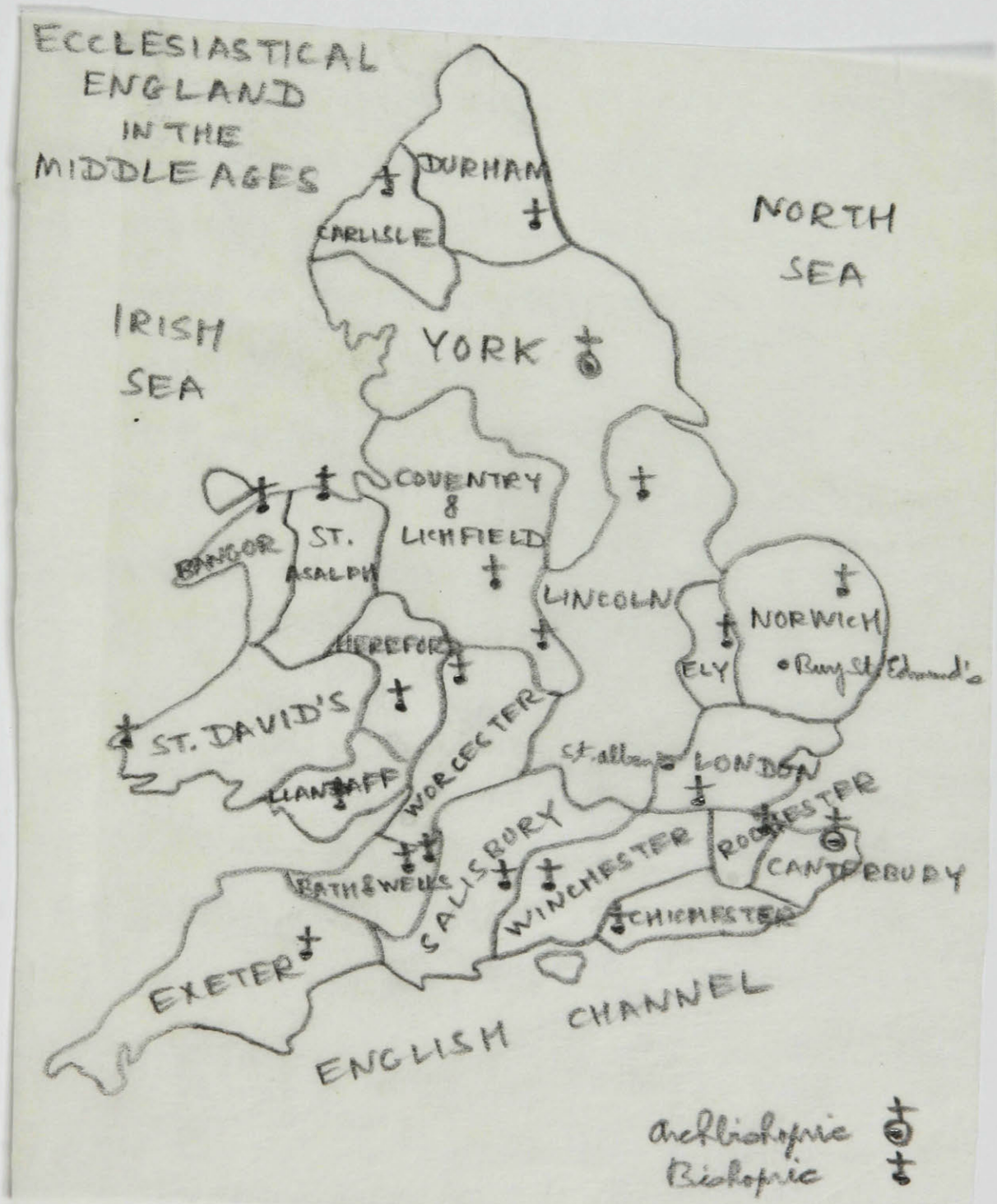
he was promoted."(1369)[1] Muratori mentions the fact that Spencer served in Italy, and although we do not know what route he followed in the war, he probably went from Milan to Bologna in order to take part in campaigns in the Romagna. For this was the point of conflict between Rome and Milan, and it was undoubtedly the chief objective of the Visconti. We know nothing of the battles and campaigns that Spencer fought in; all we know is that he was a papal mercenary. Capgrave says that previous to being chosen Bishop, he visited Rome and fought against certain heretics for many years.[2]

On April 3, 1370, he was named Bishop of Norwich while he was at Rome, and was consecrated there on April 20. He received his spiritualities from the Archbishop of Canterbury on July 12, and his temporalities from the King on August 14.[3] Wrong says that he solicited the Pope for a job, and got the important see of Norwich in return for his services, when he was not yet thirty years old.[4] In the Papal Registers there is a letter of Urban V to Henry Dispenser, licentiate of civil law and canon of Salisbury, giving him dispensation to have papal provision of the see of Norwich on April 3, 1370. He was in his twenty-seventh year and the letter was written at St. Peter's in Rome.[5] Capgrave says that when the see of Norwich fell vacant, he was made Bishop, and the Pope sent special letters recommending him to the King.[6] Trevelyan says that in 1370 the rich bishopric of Norwich became vacant, and the Pope made a bad appointment at the request of a soldier of fortune in his army, when he gave the see to the captain's brother. The new Bishop was consecrated on the spot, and sent back to England to take charge of the diocese, but he should have remained a soldier.[7]

[1]Capgrave, Chronicle of England, 226. [2]Capgrave, Liber de Illustribus Henricis, 170. [3]D.N.B. xiv, 410. [4]Wrong, The Crusade of 1383, 12. [5]Papal Registers, 1362-1404, 4. [6]Capgrave, Liber de Illustribus Henricis, 170. [7]Trevelyan, England in the Age of Wiclif, 109.

Walsingham says that in 1369 Thomas Percy, Bishop of Norwich, died, and the Pope made provision for his successor, Henry le Spenser.[1] In the Syllabus of Rymer's Foedera, we find a notice of the restitution of temporalities to Henry Dispenser, Bishop of Norwich, late canon of Salisbury, on August 14, 1370.[2] And on the same day, a mandate was given to the escheator of Norfolk and Suffolk to deliver the temporalities to the new Bishop. The act was to take place in the room of the late Bishop Thomas, and Spencer was required to renounce publicly all words in the bull of appointment prejudicial to the King and crown. A writ de intendendo was issued to the tenants of the bishopric, and a mandate was sent to the guardians of the temporalities to deliver them up.[3] So the Bishop of Norwich was finally installed in his diocese and ready to begin his episcopal administration.

[1]Walsingham, Historia Anglicana, i, 309. [2]Syllabus of Rymer's Foedera, i, 455. [3]C.P.R. 1367-70, 459.


ECCLESIASTICAL ENGLAND IN THE MIDDLE AGES
DURHAM
CARLISLE
NORTH SEA
IRISH SEA
YORK
COVENTRY & LICHFIELD
BANGOR
ST. ASAPH
LINCOLN
NORWICH
ELY
Bury St Edmund's
HEREFORD
ST. DAVID'S
WORCESTER
St. Albans
LONDON
LLANDAFF
ROCHESTER
CANTERBURY
BATH & WELLS
SALISBURY
WINCHESTER
CHICHESTER
EXETER
ENGLISH CHANNEL
Archbishopric
Bishopric

netted 23,526 pds, 7s, 1¾d from Norwich, an increase of 63% over 1254. From 1254 to 1291 the spiritualities increased 19% and the temporalities 92%. In the same period the total value of the diocese increased 886%. In wealthy dioceses like Norwich more than three quarters of the increase was on temporalities.[1] Lunt gives us detailed statistics on the value of each church and deanery in the diocese of Norwich.[2] The Valuation of Norwich says there were 782 churches in Norfolk. The Bishop's property was taxed at 1000 marks, and a large amount of property was held in the county by religious houses.[3] Although the above figures are a century before Spencer, they give us a good idea of the relative value of Norwich compared to the other dioceses. If there was any change between 1291 and 1370, and we must not forget the Black Death, it was probably an increase in the value of the bishopric. In spite of the fact that many churches were in ruins, it is safe to say that Spencer took over a diocese even richer than in the days of Walter Suffield.

No account can be given here of Spencer's judicial aspect or of the proceedings in his Court Christian, for the registers of Norwich have never been published. We do not know how many visitations of his diocese were made by him, but we do know that he made one in 1389 when he discovered scandalous abuses in a certain priory. John Snoring, prior of St. Mary, Walsingham, was removed by sentence before Spencer's commissaries, but he appealed to the Pope and the priory and its possessions were taken into the King's hands. Royal officers were ordered to inspect and audit the priory accounts, to find out debtors and to reform abuses.[4] We also know that the Bishop of Norwich was entitled to collect first

[1]Lunt, The Valuation of Norwich, 119-121. [2]Ibid, 363-466. [3]Victoria History of Norfolk, 235. [4]C.P.R. 1385-9, 36.

fruits,[1] and that he was absent so often that he employed suffragan bishops for ordination and confirmation. We have on record ten pieces of parchment, each of which contains several copies of certificates or orders conferred under his direction. In many cases the orders were conferred by foreign bishops acting as his suffragans. John, Archbishop of Smyrna, and Thomas, Bishop of Aladensis, are the outlandish prelates who assisted Spencer, and on one occasion Simon of Sudbury, then Bishop of London and afterwards Archbishop of Canterbury, undertook the duty.[2] Many cases in Spencer's episcopal court were referred to the royal courts at London, and in 1376 he complained in Parliament of an erroneous judgment given against him in the Court of Common Bench, touching his right of presentation to the archdeaconry of Norfolk, and he prayed that it might be corrected and amended. With the assent of all the justices it was answered, that errors in the Common Bench were to be amended in the King's Bench, and those of the King's Bench in Parliament, and not otherwise.[3]

Spencer seems to have been lax for marriage regulations. In 1378 he performed a clandestine marriage when Margery Nerford was forcibly carried off by water on the river Thames as far as his house. This gave rise to the case of Margery Nerford and Robert Howard, in which their clandestine marriage was ordered to be dissolved by a council at London. Margery was brought to the Bishop of Norwich's palace, where Robert met her and fled with her from one county to another.[4] Spencer was at fault in this and it shows his complete contempt for canon law. In 1390 the Bishop of Ely received a mandate from the Pope to separate for a time and then absolve from excommunication Thomas de Morle, knight, and Anne de

[1] E.K.Lyle, The Office of an English Bishop in 1st half of 14th c, 62.
[2] Historical MSS. Commission, Report 5,450. [3] Rot.Parl, iii, 330. [4] Ibid, 39.

Despenser, damsel of Norwich, for being related. They held Henry, Bishop of Norwich, suspect, for he should have been consulted in this case.[1] This is another example of Spencer's contempt for canon law.

But Spencer was famous for his many disputes. The biggest was his life-long struggle with the town of Lynn in his diocese. It was Bishop's Lynn at that time, not King's Lynn, and Henry was overlord of the city.[2] As early as 1372 Spencer had trouble with the town, when his steward imprisoned the mayor for being pro-French.[3] In 1377 he made an official visit to Lynn. There was a custom of carrying a mace before the mayor, but Henry claimed the right for himself and demanded that the mace be carried before his procession, which would make him higher in rank than the mayor. He required the same honours to be paid to him as to the mayor, and wanted the mace to be carried in front of him by the aldermen. The aldermen tried to dissuade him by pointing out the danger of mob rioting, but he insisted so as to humble the people.[4] They warned him of the danger of such an affront to civic rights, for the people were already evily[1] disposed and might kill him.[5] The mayor and councillors begged him on bended knees not to go through with it or they would be killed. Spencer haughtily replied that he would not take lessons from them, and said that they were poltroons.[6] Scorning the ribald mob, he said that the common people were of no account. This attitude was typical of the dominant class in the Middle Ages.

Spencer was young and bold, so he ordered the staff to be borne in front of him, the aldermen having been excused from the procession. A riot in the town resulted from it, for the people

[1] Papal Registers, iv, 375. [2] Bishop John de Grey (1200) built a great house at Gaywood near Lynn, "then a flourishing port which the bishops spent great sums to raise to importance." (Victoria History of

were enraged by this affront to their liberties. They closed the town gates, rose up with sticks, bows and stones, and attacked the Bishop. Bows were drawn and arrows were shot at the episcopal party. The Bishop was driven out of the town, and his horse and several of his company were gravely wounded, but the rest fled.[1] The disturbance required royal intervention, for on July 16,1377, a commission of oyer and terminer was given to several people to hear a complaint of Henry, Bishop of Norwich, that a swarm of citizens assaulted him at Bishop's Lynn, followed him to the priory of St. Margaret to kill him, besieged him there, killed twenty of his horses and assaulted his men and servants.[2] On July 12 of the same year, an order was sent to the sheriff of Norfolk and to the mayor and bailiffs of Lynn, to make proclamation in Lynn and elsewhere, forbidding any man under pain of 2000 pds fine, to hurt Henry, Bishop of Norwich, and the men and commonalty of Lynn. The incident there had come to the King's attention, and there was strife and dispute between the two parties. Evil doings and trespasses were newly committed by both sides, in contempt of the King and in breach of the peace. The King took the quarrel into his hand by advice of the Council, and the matter would be speedily determined by the Great Council.[3] This revolt was a forerunner of 1381 and it showed what mood the people were in.[4]

The struggle continued, for in 1386 we find confirmation of certain privileges like frankpledge of rent and tenants, weekly court, cognisances of pleas and other liberties, as acquired by John of Ely, former Bishop of Norwich, from the mayor and commons of Lynn.[5] In 1392 inspeximus and confirmation was granted to the mayor and burgesses of Lynn, of letters patent tripartite of Henry

[3] C.C.R.1369-74,386. [4] Chronicon Angliae,139. [5] Wrong, The Crusade of 1383,14. [6] Reville,95.

[1] Chronicon Angliae,139-40. [2] C.P.R.1374-7,502.
[3] ~~C.C.R.1377-81,~~ 85. [4] Reville,95. [5] C.P.R.1385-9,190.

Bishop of Norwich, granting to them at fee farm rent of 20s a year a mill site in the flete, but they must not damage the Bishop's property.[1] In 1401 a commission was appointed to inquire about trespasses, extortions and oppressions committed against the inhabitants of Lynn by Spencer and his officers and ministers. They hindered the mayor, aldermen and commonalty of the town from enjoying divers liberties, franchises and privileges granted to them by the King's progenitors. For instance, lack of repairs was dangerous for floods. The commission was appointed to find out whether the town and lordship pertained of old to the King's predecessors and whether it should pertain to the King and his heirs as a parcel of the crown.[2] Henry IV found that it had once belonged to the royal demesne and had been usurped by the Bishops of Norwich. Indeed it was once a free borough with royal charters to insure its liberty.[3] So he took it back and changed the name from Bishop's Lynn to King's Lynn.

But the struggle with Spencer continued. In 1402 Henry IV ordered the sheriff of Norfolk to issue a writ of supersedeas omnino for a long list of burgesses of Lynn and to set them free. They were called before the King upon a petition of Spencer.[4] On March 2, 1403, Henry Percy, Earl of Northumberland, Thomas, Earl of Worcester, and others were appointed royal commissioners to treat between Spencer and the mayor and commonalty of the King's town and borough of Lynn. There was a longstanding dispute over a stank or staithe which had not been repaired or maintained by the Bishop, and both parties suffered heavy losses. The commission was appointed to bring them into agreement.[5] On May 18 of the same year, the King informed the treasurer and barons of the Exchequer that a com-

[1] C.P.R.1391-6,147. [2] Ibid,1401-5,67. [3] Victoria History of Norfolk,226.
[4] C.C.R.1399-1402,575, [5] C.P.R.1401-5,274.

mission had been appointed to make inquisition in Norfolk about trespasses, extortions, wrongdoings, oppressions, grievances, etc in Lynn, committed by Spencer against the inhabitants. One of these was the lack of repair of a staithe called Bishopstathe.[1] In 1404 the sheriff of Norfolk was ordered to execute the judgment of a court of assizes in Norfolk whereby Spencer recovered the seisin of 100 acres of land and 20 acres of pasture in Bishop's Lynn against John Wentworth, mayor, and the commons of Lynn. A thousand marks of damages were assessed by the jurors, but an order to delay execution of the judgment was issued (August 5).[2] Thus Spencer won this case in spite of the fact that 457 pds, 19s, 7d and many other sums of money were spent by Lynn against him.[3] Lynn never succeeded during the whole Middle Ages in obtaining from the Bishop of Norwich the charter which it enjoyed during the 13th century when it was part of the royal demesne.[4]

This was not the only fight that Spencer had, for in 1380 he had a dispute with the powerful abbey of St. Alban's. Convocation granted one tenth, and Henry ordered the prior of Wymundham (a priory in his diocese belonging to St. Alban's) to collect it. The prior said he was exempt but Spencer insisted that he was under his jurisdiction. A lawsuit followed, and Capgrave says that there was a plea at court between Henry Despenser, Bishop of Norwich, and Thomas de la Mare, Abbot of St. Alban's. The abbot obtained a decision that no priory belonging to St. Alban's in the diocese of Norwich could be compelled to gather tithes for the King.[5] The Chronicon Angliae says that the Bishop of Norwich, a man not blessed with learning or discretion and a headstrong and insolent young man, appointed the prior of Wymundham to collect

[1] C.C.R.1402-5,166. [2] Ibid,358,384. [3] Historical MSS. Comm.Report 11,194.
[4] Reville,43 introduction. [5] Capgrave,Chronicle of England,235.

the tenth in his diocese. The prior was Nicholas de Radcliffe, a professor of Holy Scripture. The Bishop claimed no one was exempt from the tax, but the prior claimed exemption by the privileges of St. Alban's. The unstable Bishop made a row, and being as angry as Herod, brought the case to court in order to chastise the prior. But the Abbot of St. Alban's removed the prior, and the archdeacon of the monastery was elected prior in his place. The case went to a royal court where a sheriff was judge. The abbot said that he had full power to appoint and remove priors, but the judge decided in favour of Spencer at first. The case was finally decided in favour of the abbot, according to canon law and not common law. St. Alban's won, but there was a great commotion over the case. The decision was printed in full, and the judge ordered Spencer not to molest or coerce the prior, because he was not under his jurisdiction.[1] Spencer lost the case, but we must remember that this chronicle is hostile to him because it was written by a monk of St. Alban's.

Spencer also had a dispute with the powerful monastery of Bury St. Edmund's which was in his diocese. It was about the pension of Woolpit and the case dragged on for a long time. It started with a dispute between the parson of Woolpit and the Abbot of St. Edmund's over 20 marks of rent a year. The parson refused to pay the sum to the abbot. The case went far back in history, for originally the abbey appropriated the parsonage, but several parsons successfully withheld the rent. The abbot sued John Atte-Yate, parson of Woolpit, in 1346, but he refused to pay even though John Totyngton, rector of Woolpit, swore to pay 20 marks regularly. A royal writ was sent to the sheriff of Suffolk directing the parson

[1] Chronicon Angliae, 258-61.

to pay 40 marks to the abbey. But John Atte-Yate said that no layman had any power over him, only the Bishop of Norwich in whose diocese Woolpit was located. So in 1402 Henry IV sent a writ to Spencer requiring him to send up the defaulter to Westminster for trial. He was ordered to send John Atte-Yate, parson of Woolpit, to appear before the justices at Westminster on the octave of St. Hilary, to answer William, Abbot of St. Edmund's, in a lawsuit for 40 marks of back rent. When the sheriff of Suffolk tried to arrest the parson, he said that no layman had power over him. Then Bishop Spencer wrote a letter to the archdeacon of Sudbury requiring him to put the writ into execution. The archdeacon of Sudbury was ordered to proclaim the writ in the church of Woolpit, before the parishioners and friends of John Atte-Yate, ordering him to appear before the justices at Westminster, to answer William, Abbot of St. Edmund's, on the octave of St. Hilary, November 9, 1402.[1] The official of the archdeacon replied that he had done all that the writ required. He received Spencer's letter on December 2. John Atte-Yate was summoned in his church to appear at Westminster (December 28). We also know the reply of the Bishop to the King's writ and the pleadings at Westminster. William, Abbot of St. Edmund's, was cheated out of 20 marks annually by John Scarle, rector of Woolpit. Twenty marks were due at the end of St. Michael's feast in September and at the Passover, in equal portions since time immemorial, but it was not paid for 35 years. Symon Broun pleaded for the abbot, and by agreement the debt was reduced to 20 marks. Finally John Atte-Yate and Andrew Beneyt, his tenant, had to pay 100 legal marks of English money on the first Quadragesima Sunday, 100 on the feast of the Passover, and 15 marks at Pentecost

[1]The letter is dated London, the 33rd year of Spencer's consecration as bishop.

every year, until the debt was cleared.[1] Thus Spencer intervened in monastic affairs when he was called upon to do so.

He also had a dispute with the prior and chapter of Norwich Cathedral. He was at variance with the monks for 15 years, and they had to give him 400 marks to secure their privileges. For this they ignore him in their accounts of bishops, and Cotton only mentions his name. This is not surprising for he favoured the secular clergy and slighted and opposed the regulars.[2] The fight dragged on for many years, and in 1395 the Archbishop of Canterbury and the Bishop of Hereford were ordered to judge the dispute between Henry, Bishop of Norwich, and Alexander, prior of the chapter of Norwich. Henry interfered with Alexander's right to visit and discipline the monks of the city, denied his right of inquiry into excesses at Norman's Hospital, an exempt jurisdiction of the prior, and absolved Richard de Bilney, a monk whom the prior excommunicated for disobedience and other offences.[3] He was prevented under pain of excommunication from doing anything against the prior and chapter while the decision was pending. If the above bishops could not decide, the case would be referred to Rome.[4] In 1396 a commission was given to William, Archbishop of Canterbury, in case the arbitrators agreed to by both parties when summoned before the Council, could not agree to an award before Whitsunday, to be umpire and to hear and determine the matter before Michaelmas.[5] In the same year Spencer freed one of the prior's serfs, and this may have been done to injure his enemy.[6] For this and other steps which he took in the dispute, he incurred the displeasure of the Pope, who called the case to himself and ordered the Archbishop and bishops to settle it.[7]

[1] Memorials of St. Edmund's Abbey, iii, 101-5. [2] Britton's Cathedral Antiquities, ii, 61. [3] Victoria History of Norfolk, 245. [4] C.P.R. 1381-5, 410. [5] Ibid. 1391-6, 712. [6] Ibid, 1396-9, 15. [7] Victoria History of Norfolk, 245.

Cardinal Cosmatus (titular of the Holy Cross in Jerusalem) afterwards Pope Innocent VII, was the judge deputed by the Pope to arbitrate in the dispute between Spencer and the convent of Holy Trinity.[1] In 1397 a commission was given to Thomas Arundel, Archbishop of Canterbury, Edmund, Bishop of Exeter, Chancellor, Richard, Bishop of Salisbury, and Roger Walden, Treasurer, to hear and determine at Westminster at the quinzaine of Easter, the disputes that had long pended at great expense to both parties between Spencer and the prior and chapter of Norwich Cathedral, so as to prevent transfer of the case to Rome.[2] The case was still going on in 1400, for when Archbishop Arundel made a visitation of the province of Canterbury, he visited Norwich and reconciled Spencer with the monks. He was received by the Bishop, prior and convent, and all the citizens in a solemn procession to Holy Trinity Cathedral. Then he heard the case between Spencer and the prior and convent. It concerned certain customs and caused a long and bitter dispute, but Arundel's mediation ended the rancour and discord and restored peace to the diocese.[3] The case ended in 1402 when the Pope confirmed Arundel's arbitration. It is an interesting fact that when Spencer died in 1406, Alexander Todyngton, the prior of Norwich, was made Bishop by the Pope. This is a typical example of the struggle between the bishops and their cathedral chapters which "waxed hottest in the second half of the thirteenth century."[4] The bishops were always trying to extend the power and jurisdiction of the episcopate, and the cathedral chapters were just as keen on keeping their long-established privileges and on extending them if it was possible. Spencer's bad temper and imperious nature added fuel to a conflict which had long existed in the Med-

[1] Historical MSS.Comm,Report 5,450. [2] C.P.R.1396-9,107. [3] Memorials of St.Edmund's Abbey,iii,184-5. [4] E.K.Lyle,The Office of an English Bishop in 1st half of 14th c,43.

ieval Church and which would continue down to the Reformation.

Spencer also had several minor disputes. One was with the prior of St. Mary's Walsingham, who complained that though appointed by the Bishop of Norwich to levy and collect in the archdeaconries of Norfolk and Suffolk the moiety of one tenth granted by the clergy of Canterbury province, some priests refused to pay it(1397).[1] The prior was forced to submit in 1398.[2] This shows the difficulty often experienced by a bishop in collecting taxes from his clergy. In 1393 Edmund de Clepesby the Elder, J.P. of Norfolk, was murdered by a group of Spencer's domestic servants.[3] It looks like Henry had a personal quarrel with Edmund de Clepesby and that he sent his servants to injure the J.P.

The Bishop of Norwich was particularly active against Wiclif and the Lollards, and he can be called a spearhead of the hierarchy in their efforts to stamp out heresy. He was present at the trial of Wiclif in 1382. The famous heretic and reformer was summoned to appear before Archbishop Courtney in Oxford, and he had to answer for a list of 15 heresies. He appeared before the Archbishop of Canterbury and the Bishops of London, Norwich, Lincoln, Salisbury and Hereford, as well as the Chancellor of the university and many doctors and clerics. He had to answer for his conclusions and opinions and was ordered to renounce his heresies. He made his first confession in Latin and his second in English, and he denied transubstantiation in a long speech. Wiclif's opinions were condemned by the Archbishop and his council of bishops, clerics and doctors. After some discussion they pronounced them false damnable heresies and errors, and they declared all defenders of them excommunicated. A procession was held through the city of London in

[1] C.P.R.1391-6,171. [2] Victoria History of Norfolk,245. [3] C.P.R.1391-6, 341.370.

connection with the condemnation, near the feast of Pentecost. Priests and laymen marched barefoot through the streets, and a sermon was preached against Wiclif by Dr. Kyningham, a Carmelite.[1] Thus we see that Spencer was in no mood for reform, for he took an active part in the condemnation of Wiclif.

Further evidence of his activity against the Lollards is shown by the fact that in 1388 he received a commission, in common with the rest of the episcopate, "to arrest and bring before the Council all books, pamphlets, sheets and quires containing the heresies of John Wiclif, Nicholas Hereford, John Aston and their followers ... to make proclamation prohibiting any persons, under pain of forfeiting all they can forfeit, from maintaining or teaching such opinions or causing such books to be written, bought or sold, and to compel those who have them to surrender them, with power to commit to the nearest jail offenders after proclamation, until they have retracted their errors."[2] Walsingham tells of his zeal against the Lollards in 1389. The bishops neglected to suppress them, but the Bishop of Norwich alone threatened them with death. He said, that if anyone of that perverse sect should preach in his diocese, he would burn them or cut their heads off. The monastic chronicler says that none of them wanted to be martyrs, so orthodox faith and inviolate religion prevailed in the diocese of Norwich.[3] Trevelyan says that Spencer kept the poor priests out of his diocese by timely threats, and that he forced them to act in such secrecy that Norfolk and Suffolk remained in outward appearance the most Catholic part of England. But after his death Norwich was overrun with Lollards.[4] In spite of his persecution Lollard doctrines took firm root. The first victim of the statute De Haeretico Comburendo was

[1] Knighton, Chronicle, ii, 160. [2] C.P.R. 1385-9, 550. [3] Walsingham, Historia Anglicana, ii, 189. [4] Trevelyan, England in the Age of Wiclif, 341.

William Sawtre, chaplain of the parish of St. Margaret's, Lynn, who was cited before Spencer for heresy (May 1, 1399). He publicly recanted at Lynn (May 26) but continued his heresy at London until he was burnt (February 26, 1401).[1] Thus we see that Spencer was a persecuting bishop, but although he drove Lollardry underground he could not entirely suppress the movement.

Spencer was both a young bishop and an arrogant and headstrong noble.[2] He was a strenuous soldier and his love of war won for him the name of "warlike Bishop." But Capgrave says that he was popular and calls him "generous, charitable and cheerful." Having been made bishop, he ruled his people peacefully for many years and won their hearts. He made large gifts, gave good counsel, and was a father to all the poor.[3] He had a skilful head and a courageous heart, and Godwin describes him as "breathing nothing but war and arms."[4] His character traits are described on his tomb in Norwich Cathedral, and his morning prayer was "The earth is the Lord's." He was a medieval churchman and a great noble, and although he was spiritually sincere, he mixed pastoral functions with worldly trifles. He was the Lord's agent in Norwich diocese, and those who opposed his rights were defying God. This attitude encouraged his natural tendency towards arrogance,[5] and was the cause of his numerous fights and disputes with almost all those with whom he came in contact. He was a fanatic who believed in his cause very strongly, and he showed an absolute unwillingness to compromise. He was the opposite of a smooth administrator, and his occupancy of the see of Norwich was characterized by violent quarrels with the powerful monasteries of St. Alban's and Bury St. Edmund's and with the prior and chapter of Norwich Cathedral. In these disputes he

[1] Victoria History of Norfolk, 245. [2] D.N.B. xiv, 410. [3] Capgrave, Liber de Illustribus Henricis, 170. [4] Britton's Cathedral Antiquities, ii, 60. [5] Wrong, Crusade, 13.

refused to yield an inch, and the lawsuits dragged on until his death. He cannot be called a good administrator, for he was unable to get along with anybody or to make harmony and friendly relations. But he pursued his stormy and hectic career with a great deal of courage, and he put his life in danger during the Lynn incident. He was stubborn and pigheaded beyond reason, but whatever may be said about his faults, he had the courage of his convictions.

His episcopal administration cannot be called a great success, for he allowed his manors to fall into ruins, and his successor, Alexander Totyngton, had to undertake considerable repairs.[1] His chief weakness was on the psychological side, for he did not know how to handle people smoothly or how to conduct a smooth-running administration. His terrible temper precipitated all kinds of quarrels, and when it did not cause them it accentuated already existing disputes. Norwich must have been one of the most turbulent dioceses in England, for the King was often called upon to intervene in Spencer's lawsuits.Considering this state of affairs, it is not surprising that Spencer was never promoted in the hierarchy. Winchelsey, Sudbury, Courtney and Arundel who were his superiors at Canterbury must have considered him a bad administrator who did not deserve advancement. And so he was never transferred to London or Canterbury but always held the same job at Norwich. Thomas Arundel who became Archbishop of Canterbury was only

[1]Alexander Totyngton, Bishop of Norwich (1406-1413) was chosen by the monks. He was jailed for one year because the election took place without consent of the crown, but Archbishop Arundel, several nobles and the city of Norwich interceded for him. His temporalities were restored on October 23, 1407, and he was consecrated at Gloucester on the same day. He died on April 28, 1413, and was bishop less than six years. During his uneventful administration, he made a composition with Lynn (May 20,1413), and spent considerable sums repairing manors. Churches were united owing to the poverty of parishes. The diocese was overrun with Lollards because Totyngton did not suppress heresy.(Victoria History of Norfolk,245-6)

Bishop of Ely at first, and Ely was one of the smallest dioceses in England. It was common for bishops to receive small dioceses at first as a step towards greater advancement. Absenteeism was common in the 14th century and the Caesarean clergy were busy running the kingdom. Spencer was absent quite a bit, but less for work at London than for military expeditions, although he attended Parliament frequently. Nevertheless he spent a good deal of time, probably at least half his time, in his own diocese. When he was away he employed suffragan bishops to do his work, a customary procedure at that time. But he never showed the least bit of tact or discretion, and he plunged headlong into fights that were hopeless. For instance he attacked the ancient privileges of St. Alban's and fought out a case in which there was small chance of success. Nor was his pugnacity confined to episcopal administration, for he showed the same recklessness in his political and military activity, as we shall see in the next chapter.

CHAPTER III. THE PEASANTS' REVOLT.

Spencer was not destined to remain a mere routine administrator of the diocese of Norwich, for he resumed his warlike profession when the Peasants' Revolt broke out in 1381. There had been feeling against him since the Lynn incident of 1377, and Reville considers this local riot a preliminary to the main uprising.[1] But we have other proof that the peasants hated Spencer. On August 16, 1379, a commission of oyer and terminer was appointed to hear a complaint that several persons broke his close at Northelmham in Norfolk, felled and carried away his trees, and assaulted and maimed his servants at Derham.[2] The revolt was caused by (1) the poll tax of 12d a head (1380), following that of 4d a head (1377) which caused a cry against the government, (2) stricter enforcement of the lord's rights to unpaid labour in spite of the Black Death, which constituted a grievance against the lords and squires, (3) the extortions and oppressions of monasteries, and (4) the hatred of Flemings and their competition and privileges. During the revolt all Flemings were murdered. All four grievances put together caused the rising.[3]

The chief leader of the revolt was Geoffrey Lister[4](Litster or Lystere), a dyer of Felmingham near Walsham in the county of Norfolk. He was a born leader and man of action, comfortably off though not rich. He is first mentioned as leading a band from the north to Norwich on June 17, 1381. The movement he led was a universal uprising, and he not only recruited the peasants but also local gentry and notables like Sir Roger Bacon of Baconsthorpe and Thomas de Gissing. The rebellious peasants tried to make William of Ufford, Earl of Suffolk, titular leader, but the earl fled.[5] John

[1] Reville, Le Soulevement des Travailleurs d'Angleterre en 1381, 95. [2] C.P.R. 1377-81, 418-19. [3] Victoria History of Norfolk, 482-3. [4] Wrong and the chroniclers erroneously call him John Lister. [5] Dobree, English Revolts, 78.

Gentilhomme and Robert Filmond, both of Buxton, rode from village to village proclaiming the rising (June 14 to 21, 1381), and the first blow was struck at a manor house of John of Gaunt at Methwold (June 16) where the court rolls were burnt. On June 17 the rebels under Sir Roger Bacon met on Mousehold Heath near Norwich, and sent an ultimatum to Sir Robert Salle, temporary keeper of Norwich. He rode out alone to meet them, refused to join them, and was killed near Magdalen Chapel.[1] Then the rebels advanced a mile or two to the gates of Norwich, where they were met by the terrified burgesses, who offered them money and begged them to spare their lives. They accepted the gift and entered the city peacefully. But they murdered a J.P. called William de Eccles and looted the property of Sir Robert Salle. Discipline was well preserved on the whole, however. There was very little bloodshed and not much plunder, but great and systematic destruction of court rolls which contained entries of forced services. The rebels were noted for moderation and good behaviour.[2]

On June 18 the convent of Carrow Abbey was attacked, and the prioress of Carrow was forced to surrender all deeds and court rolls, which were promptly burnt. It was necessary to consolidate East Anglia, so the rebels attacked the privileged town of Yarmouth in order to destroy its special charter of liberties and make it a free market. The town fell easily to the rebel leader, Sir Roger Bacon. The charter was seized and torn to pieces and the prisons were opened. But only one prisoner was freed; the others were found guilty of capital crimes and executed. Lister was now master of Norfolk, and he ruled so well that he was loved by the people. Many Lollard priests were in his army, possibly some friars, and many knights. He acted like a king and kept ro-

[1] Victoria History of Norfolk, 483. [2] Ibid, 485.

ENGLAND

AREA OF THE RISINGS OF 1381

SCOTLAND
NORTHUMBERLAND
CUMBERLAND
DURHAM
SPENCER'S MARCH →
WESTMORLAND
YORK
YORK
HULL
LANCASTER
ANGLESEY
FLINT
CHESHIRE
DERBY
NOTTINGHAM
LINCOLN
CAPNARVON
DENBIGH
MERIONETH
STAFFORD
LEICESTER
RUTLAND
OAKLEY
PETERBOROUGH
WYMONDHAM
NORTH WALSHAM
NORFOLK
NORWICH
THETFORD
MONTGOMERY
SHROPSHIRE
RAMSEY
HUNTINGDON
CAMBRIDGE
BURY ST. EDMONDS
SUFFOLK
NEWMARKET
CARDIGAN
RADNOR
WORCESTER
WARWICK
NORTAMPTON
CAMBRIDGE
HEREFORD
BEDFORD
BRECKNOK
PEMBROKE
CARMARTHEN
OXFORD
BUCKINGHAM
ST. ALBANS
HERTFORD
ESSEX
GLOUCESTER
OXFORD
MONMOUTH
BERKSHIRE
MIDDLESEX
LONDON
GLAMORGAN
BRISTOL
SURREY
KENT
WILTSHIRE
HAMPSHIRE
SOMERSET
SUSSEX
SOUTHAMPTON
DEVON
DORSET
CORNWALL

yal state, forcing the knights to serve him at table on bended knee. He was called King of the Common People (Rex Communium). His court servants were lesser nobles, like Sir Stephen Hale who was his meat-taster. People came to him for advice and he settled disputes like a judge. The general hostility to foreigners is shown by the fact that he ordered all Flemish merchants to be killed. He also ordered all court rolls to be captured and burnt. Lister had a natural constructive capacity, and he organized justice, but his position was weak. Roger Bacon, his subordinate, went off on marauding raids of his own. Lister wanted a confederacy of districts under Richard II, and he sent a delegation with money to obtain pardon. It was composed of Sir William de Morley, Sir John Brewes, Sceth, Trunch and Cubith. By June 18 or 20 the situation seemed to be in the rebels' hands, although Wat Tyler was dead and London had shaken them off. Norfolk was dominated by the people and Lister was supreme in East Anglia.[1]

The reaction was led "par le puissant et riche eveque de Norwich, Henry Spencer."[2] When he heard that the rebels had captured his episcopal seat, the military instincts of his youth suddenly revived. Capgrave says that his martial spirit was not quenched, and that he threw himself into the struggle with all his old zeal and energy. "Whilst lords and knights, and others of the nobility, were hiding themselves for fear, he went forth openly."[3] He was at his manor of Burley in Rutland when the revolt broke out. As soon as the news reached him, he set out in complete armour with only eight lances and a few archers, and began his famous march towards Norwich (see map). He arrived at Peterborough where there was an

[1] Dobree, English Revolts, 78-84. The revolt began at Lynn on June 17, 1381, but in western Norfolk the uprising was an immense and fantastic pillage. In eastern Norfolk the revolt was completely different, for instead of being dispersed, it centered on Norwich. Besides it was far more formidable than the scattered uprisings in the western part of the county. (Reville, 95)
[2] Reville, 50 introduction.
[3] Capgrave, Liber de Illustribus Henricis, 170.

uprising of tenants against the abbey. He saved the monks of Peterborough Abbey from falling into the hands of their own serfs, and coming heavily armed, punished the rebellious peasants. After being dispersed, some were killed and others put in jail. As they spared none, none were spared, and the Church was avenged.[1] This shows the attitude of the Medieval Church towards the peasantry. Monastic chroniclers like Knighton had no sympathy for the lower classes or their oppressed condition. Modern writers like Bonamy Dobree treat the Peasants' Revolt from a democratic point of view, but we cannot expect medieval chroniclers to share this attitude. But at least they might have had some traces of Christian charity.

The Bishop of Norwich took similar measures in Cambridgeshire and Huntingdonshire. Reville says that "l'eveque de Norwich, Henry Spencer, étouffa la revolte dans les comtés de Northampton, de Huntingdon, de Cambridge et de Norfolk."[2] He defeated the insurgents in Cambridge who had sacked the city. He put to death or imprisoned all who resisted him, and sent away all who submitted. Furthermore he compelled them to swear that they would never again take up arms in the cause of the rebels. Then he left Cambridge and drove on through Newmarket (Novum Forum). He pressed on to Templebridge near Icklingham, and there he met the delegation Lister was sending to the King. Sceth, Trunch and Cubith were delivered up to him by Sir William de Morley and Sir John Brewes, "at a spot where a millhouse somewhat narrowed the roadway between Cambridge and Thetford."[3] They had murdered a prior called John of Cambridge a few days before. Spencer executed the three low born rebels and sent their heads to be displayed at Newmarket. He justified this procedure by saying that he had the right to punish members of his flock.

[1] Knighton, Chronicle, ii, 140. [2] Reville, 117 introduction. [3] Capgrave, Liber de Illustribus Henricis, 171.

But this is bad canon law because the clergy cannot inflict the death penalty. Trevelyan says that Spencer executed rebels on his own authority. Nor was he deceived by the rebel claim that the King was for the revolt.[1] He inspired people to stand up to the revolt, and when the gentry saw his vigorous initiative, they took courage. Spencer did not wait for the instructions or assistance of the London executive, but took steps on his own.

Then he hastened on through Wymondham and the rebels fled before him. He is described as a "vir idoneus satis armis gerendis bellicis, et ipse armatus ad unguem."[2] The peasants attacked the abbey of St. Benedict de Hulm (Sunday, June 23), hoping to catch and slay Spencer there, but they were beaten off after burning the rolls. Spencer probably returned to his diocese before June 23 and was expected to be lodging at the abbey that night.[3] He entered Norwich in state and was acclaimed by the burgesses, who were glad to be delivered from mob rule. He returned them the money which the rebels had seized, but they gave it back to him as a present. Then he went after Lister, but the rebel was difficult to find. The people of Norwich said that he was wandering about in the neighbourhood of Walsham-market and Gimingham. Spencer reached Felmingham where Lister had a mansion, and was told that the rebel had been seen the day before at Thorpmarket. There Lister had proclaimed that "he intended to gather all true friends of the Kingdom and of the community at Walsham, and there make a stand against the tyranny of the approaching Bishop with military force."[4] Geoffrey Lister sent two men around to gather peasants to end Spencer's wickedness,[5] and he gathered his army to make a stand at North Walsham. There he made a fort, dug trenches, and built a palissade

[1] Trevelyan, England in the Age of Wiclif, 245-6. [2] Walsingham, Historia Anglicana, ii, 6. [3] Powell, The East Anglia Rising of 1381, 34 & n2. [4] Capgrave, Liber de Illustribus Henricis, 172. [5] Assize Rolls, No 2, 29. cited by Reville. 137.

out of tables, doors, window-frames and beams. Then Spencer hurried on to North Walsham where the rebel force was intrenched, and attacked the rebel camp with a large force. In the hand-to-hand fight he was "like a wild boar gnashing with his teeth, sparing neither himself nor his enemies."[1] The rebels withstood a volley of arrows, but the warlike and pugnacious Bishop, ignoring the arrows, charged their intrenchments with a lance in his hand. He crossed the moat and came to grips with them. It was a fight to the death, for Lister had carts and wagons piled up behind his troops, so that they could not escape. Spencer, who was more a soldier than a priest, arrived on June 25. The next day he reconnoitred the position in person, and decided to attack. Placing himself at the head of his men, he drew his sword and set spurs to his horse. Supported by archers, he drove straight at the palissade, jumped the trench, and made a breach for his men to follow through. It was a furious fight, and in the hand-to-hand combat no quarter was asked or given. Spencer was everywhere striking right and left, urging and encouraging his men. It was a desperate struggle, but Spencer's force was better armed, so desperation took hold of the rebels and they finally broke their ranks. There were heaps of corpses, and some rebels tried to escape over the wagons, but they were hewn down as they climbed over the carts piled up behind them. With such a merciless slaughter the fight was soon over.[2]

Most of the rebels were dead but Lister escaped. The peasant

[1] Walsingham, ii, 7. [2] Dobree, 78-84. The final battle was held on June 26 A stone cross still marks the spot at North Walsham where the two classes came into collision, and the peasants point it out to travellers even to this day. Powell thinks Capgrave gives a better account of the revolt than Walsingham, for Capgrave was a Norfolk man, born at Lynn in 1393, educated at Cambridge, and he had good opportunities of ascertaining the truth. According to him the revolt collapsed quickly and List fled; there was no fierce battle at North Walsham. But Capgrave is notoriously inaccurate in his Book of Illustrious Henries. (Powell, The East Anglia Rising 1381, 37-8 & note 1)

leader hid in some standing corn, but was soon captured. He was tried by Spencer and condemned to be dragged on a hurdle, hanged, drawn and quartered. But the Bishop confessed and absolved him, gave him the last sacraments, and held up his head when he was being dragged to the scaffold to prevent it from being flayed on the stones. A monk says that Spencer was "discharging in this a work of clemency and piety."[1] This was the sad end of Geoffrey Lister, King of Norfolk. His quarters were sent to his own country-house at Felmingham, to Norwich, to Yarmouth and to Lynn, so "that rebels and insurgents against the peace might learn by what end they will finish their career."[2] Spencer was maddened by the taste of blood, and even though there were only a few isolated incidents of revolt in Norfolk after this, he seems to have gone to the northwest extremity of Norfolk, hence crossing the whole length of the county. Spencer continued his victorious march through Norfolk. The rebels fled to churches for sanctuary, but they were struck down with swords and spears at the altar itself. This was another breach of canon law. They were put to flight like hunted beasts. Spencer's hand stretched out wide in vengeance, and he gave absolution of the sword. Thus peace was restored in the district, and these dangerous rebels who tried to wipe out the hierarchy were suppressed.[3]

Some rebels tried to continue the fight. On June 27 a band of tradesmen at Rollesby and Heigham urged the people to continue the revolt.[4] On July 1 a man refused to respect the peace, and on July 8 Robert Fletcher of Hunstanton near Holme cursed Spencer for chastising the rebels and got the villagers to revolt. But the above were isolated and futile uprisings, and they were easily put down by the judges. The nobility remained long on the alert, however.

[1] Chronicon Angliae, 304-8. Capgrave, Liber de Illustribus Henricis, 172.
[2] Walsingham, Historia Anglicana, ii, 8.
[3] Assize Rolls, No 2, 29. Cited by Reville, 140.

On July 10 the King ordered Spencer to be ready for a new uprising, but nothing happened. The revolt was finished.

On December 21, 1382, a commission was granted to many prominent Londoners to establish order and suppress the rebels.[1] Spencer was on a commission with the Bishop of London, Hugh le Despenser and others in Rutland county, and he was also on commissions in Norfolk and Suffolk.[2] He pardoned several people for taking part in the insurrection, and intervened to save an innocent man, John Spayne, shoemaker of Lynn, who was accused of starting the revolt in Lynn. Spencer knew he was innocent and a victim of calumny, so he got a letter of pardon for him (May 21, 1383).[3] But Reville speaks of the severity of Spencer who condemned many rebels to death in Norfolk.[4] He was named one of the judges to try and punish the rioters, and 28 rebels were executed, more than in any other county except Suffolk. On March 8, 1382, he was on a commission to establish quiet after the revolt, to suppress congregations, conventicles, dangerous meetings etc, and to lead a posse comitatus against the rebels and try them without delay.[5] He was appointed commissioner of oyer and terminer, with power to arrest, imprison and punish any who refused to assist him, and he is mentioned twice as a member of commissions in Norfolk and Suffolk to suppress the rebels.[6]

Spencer was so hated for his ruthless repression that there was a conspiracy to murder him in 1382.[7] It was a conspiracy of the men of Norfolk, who planned an uprising on the feast of blessed Michael the Archangel (September 29). It was inspired by the devil, and caused by unruly elements whom death and torments could not terrify. They planned to kill Spencer and the leading men while they

[1] C.P.R.1381-5,245. [2] Ibid,247. [3] Reville,162 & note 3. [4] Ibid,157.
[5] C.P.R.1381-5,140. [6] Ibid,141. [7] Walsingham,Historia Anglicana,ii,70.

were visiting the abbey of St. Bennet-atte-Holme. They planned to rise at Horsham while St. Faith's fair was being held, and go across to St. Bennet's Abbey to seize it and hold it as a fortress.[1] But the scheme was betrayed by one of the plotters, and the conspirators were beheaded at Norwich.[2] There was another insurrection in 1384.

Thus we see that Spencer played a prominent part in suppressing this uprising of the lower classes. He came from a great noble family and was used to every form of privilege in feudal society. There had always been lords and serfs as far back as he could remember, and he accepted this state of affairs as natural and divinely ordained. He thought that people should keep their stations in life, and not try to rise in the social ladder and better themselves. He could not see any reason for a levelling out of society, and being a beneficiary of the existing order, he had no sympathy for the democratic and egalitarian ideas of John Ball. People might be equal before God, but they certainly were not equal in this world. So Spencer resisted social change and acted as a pillar of conservatism. As a privileged ecclesiastic he could do little else but preserve the status quo. So we cannot blame him too much for being unable to forsee 20th century developments or to think in terms of modern democracy. He had a medieval mind and the unjust social system seemed alright to him. Furthermore it was from the Peasants' Revolt that he gained the reputation of being a good general. He was the hero of North Walsham and all England admired his military prowess. He was the warlike Bishop and this characteristic made him stand out among the English prelates, none of whom were famous for war. He had conquered his mitre at the point of the sword, and Archbishop Parker said that he was "abler in matters of war than in those

[1] Victoria History of Norfolk, 485. [2] Holinshed, Chronicle of England, ii, 755.

of theology." In fact he was the only warlike bishop in the country. Sudbury was peaceful, Courtenay was fiery, Braybrook was mild, Arundel was a persecutor, and Brunton was saintly, but none of them had a reputation for warlike deeds. Spencer became so famous from his exploits against the peasants, that two years later he was called upon to lead a crusade. Pope Urban VI heard of his military feats, and thought he was just the man to fight the schismatics. So in the next chapter, we shall see him leading a crusade in Flanders which had a disastrous result for his military career.

CHAPTER IV. THE CRUSADE OF 1383.

The most important event in Bishop Spencer's life was undoubtedly his crusade in Flanders which took place in 1383. All the previous episodes of his colourful career were but steps leading up to this grand climax of his military activity. The name which he had made for himself in 1381 would now be tested against the enemies of England and the Pope. But how was it that Spencer was called upon to lead a crusade in the 14th century? Had not the crusading spirit cooled since the 11th century ? True enough, but this campaign in Flanders was modelled after the great Crusades, even though these were dead for a hundred years. This crusade which England made for Pope Urban VI had its background in the Great Schism of the Occident which was raging in the Catholic Church at this time. The whole thing began with the famous double election of 1378 when Christendom had two popes, Urban VI and Clement VII.

This was the origin of the Great Schism which split Europe in half, and from which the Crusade of 1383 sprang. There were good arguments on both sides, and people debated the question all over Europe ,just as they discuss the international situation today. People were at sixes and sevens when they argued about Urban VI and Clement VII. One question was on everyone's lips, who was the rightful Pope ? The Urbanists said that the cardinals could not undo a papal election, while the Clementists replied that there had been no true election because the cardinals voted under compulsion. History is for Urban, since the Catholic Church later recognized his claim as legal and pronounced Clement and his followers schismatics. But at that time the issue was not so clear, and the canon lawyers debated the case at great length, but they could not de-

cide anything by words alone. The Schism took on a political complexion and became involved in the complex system of alliances and counter-alliances which then existed between the various European monarchs. It degenerated into a political football, and every opportunity was eagerly taken by the kings to gain some advantage from the religious confusion. The nations followed their political desires, regardless of legal argument, and were governed for the most part by political expediency. Charles V, King of France, was the first to recognize Clement VII. From then on he used his power and influence to help the Clementists obtain recognition and support from other kings and allies of France. Clement was recognized in Scotland, Castille, Aragon, Navarre, Portugal, Savoy, Milan, Naples and Cyprus. Thus half of Europe broke away from Urban and gave its allegiance to Clement. But Charles V was not so successful elsewhere. Many countries remained loyal to the Roman pontiff. England, Ireland, Flanders, Germany, Bohemia, Poland, Hungary, Lithuania, Norway, Sweden, Denmark, Iceland, and the Italian city states of Genoa, Venice and Florence, as well as the Papal States constituted Urbanist territory. Thus we see that the Urbanists had more extensive and widespread support than the Clementists, but nevertheless their opponents were backed by powerful forces.[1]

Because France was for Clement, England naturally declared for Urban, and the religious issue became involved in the Hundred Years' War which had been raging between France and England since 1337. Envoys were sent to England from both popes to win her support in the Great Schism. They obtained a hearing at the Parliament of Gloucester in 1378, and although the Clementists presented able arguments, they could not win the English away from Urban. In the

[1]Valois, La France et le Grand Schisme d'Occident, i, 114-238.

Rolls of Parliament we find the following passages. "It is ordained and assented, that all the benefices of cardinals, and whatever other rebels there are against Pope Urban, be seized into the King's hands..."[1] And again: "Item, because our Lord the King has understood so well by certain letters patent recently arrived, from certain rebel cardinals against our Holy Father Urban and hence Pope, as otherwise by common consent, that there was division and discord between our said Holy Father and the said cardinals, who strive with all their power to depose our said Holy Father from the office of Pope, and to excite and stir up by their untrue suggestions, the kings, princes, and Christian people against him, to the great peril of their souls, and to very bad example; our said Lord the King had the said letters shown to the prelates, lords, and other great and learned men of his kingdom staying at the said Parliament, and having seen and heard the aforesaid letters, and had more deliberation on the matter, it was by the said prelates...(gap in text) and published for several great and notable reasons shown here in full Parliament, so well by matter found in the said letters as otherwise, that the said Urban was duly elected Pope, and that...he and ...must be really Pope, and...of the Holy Church must accept and obey him. And having done this all the prelates, lords and commons in the aforesaid Parliament agreed. And furthermore it is assented that all the benefices and other possessions which the said rebellious cardinals, and all their other coadjutors, favourites, adherents, or any other enemies of our Lord the King and of his kingdom...And that our Lord the King be entrusted with the fruits and profits of the same benefices and possessions, even as...ordered that if any liege of the King, or other in his power, purchases provision, benefice...from any other with the name of Pope... the person like the Pope, be put outside the protection of the King."[2]

[1] Rot.Parl.iii,46-7. [2] Ibid,48.

Thus we see that England was prejudiced against Clement VII from the very start. He was regarded as a tool and creature of Charles V and hence an enemy of England. Under these circumstances England could not be anything else but Urbanist, and she considered Clement a usurper. Furthermore Edward III had a quarrel with Count Robert of Geneva when he was a cardinal at Avignon, and as a result all Genevans were excluded from England. The Archbishop of Canterbury, William Courtenay, preached in public against Clement; the revenues of the Avignon cardinals were seized and Clementists were deprived of their goods. The Schism was now irrevocable and each Pope denounced the other and preached crusades against his opponent. All Europe was torn in two, witnessing this deep rift in the Catholic Church which had hithertoo seemed to be one and indivisible. Some clever person remarked sarcastically that the fountain of truth was squirting against itself. Indeed it was evident that the Great Schism was undermining men's confidence in the authority of the Church and adding fuel to the flames of already existing conflicts. For instance, the longstanding feud between France and England now became religious. Urban VI appealed to England as the leading Urbanist power to wage war on the Anti-pope, and this fitted in perfectly with the Hundred Years' War. But the subsequent crusade was far less a holy war than a war against the enemies of English claims and commerce.[1]

Spencer took a strong Urbanist stand along with the rest of the English hierarchy. He was such a strong Urbanist that Thomas of Rossy, Clementist Bishop of Galloway in Scotland, once challenged him to a duel to decide which Pope was right, but it never took place.[2] Spencer was an adventurer who solicited the Pope to lead

[1]Wrong, The Crusade of 1383, 9. [2]Perroy, L'Angleterre et le Grand Schisme d'Occident, 74-5.

an Urbanist crusade, and who took advantage of the Great Schism to gain glory. He got the commission because he had many friends in the Curia. His clerk Henry Bowet left for Rome in February 13 80 on a royal mission, but he was also working for Spencer.[1] He worked so well that on March 23 and 25, 1381, two bulls arrived in England. The first, Dudum cum vinea Dei, condemned the Anti-pope and authorized a crusade against him. It was directed against certain sons of the Church who had turned against her, who had conspired and made divisions and schisms, who usurped the papal lands at Avignon and in Campania, who armed Bretons and Gascons against Rome, who were charged with perpetrating "homicides, sacrileges and devastation,"[2] who elected a false Pope and cardinals, who held court and performed ceremonies at Avignon. The bull refers to Robert of Geneva who presumptiously calls himself Pope and is supported by false cardinals. The list of his supporters includes James, Patriarch of Constantinople. They are referred to as"schismatics who have conspired and blasphemed against the Pope,"[3] and who will be punished like heretics. The Anti-pope is deposed and stripped of all his powers and dignities, and all Clementist property and goods must be seized.

The second bull, Dudum cum filii Belial, allowed clerks to take part in the crusade. Spencer was nowhere mentioned as leader, he was only told to preach it and give indulgences. He was free to lead it in person or send a lay captain.[4] Numerous privileges were given to him for his crusade. He was given power to publish the bulls, power to find and imprison heretics and confiscate their movable and non-movable goods, power to proceed against heretical laymen, power to remove schismatic priests and clerics

1 Camden Society, Diplomatic Correspondence of Richard II, No.14&15. 2 Walsingham, Historia Anglicana, ii, 71. 3 Ibid, 72. 4 Perroy, Schisme, 175-6.

and to appoint others in their place, power over exempt persons like mendicant friars, hospitallers and professors.[1] They had the right to join his army without permission from their superiors, and all their expenses would be paid and their sins forgiven. The souls of dead persons could be saved from Purgatory by contributing to the crusade, and a plenary indulgence for the remission of sins, equal to that for a pilgrimage to the Holy Land, was granted. The form of absolution given to all who would join up can be seen from the following quotation: "We absolve you from all your sins, if you make an oral confession and have a contrite heart ...and we give you a plenary indulgence and all the privileges of going to the Holy Land."[2] In addition to all this, Spencer was given power to excommunicate rebellious or recalcitrant persons, and power to make the friars preach the crusade.[3] He was ordered to publish the bulls in all dioceses and parishes in England. Furthermore he was appointed papal legate and ordered to launch the crusade at St. Paul's Cathedral, London.[4]

The two bulls were not published at once, because Spencer was busy in the Peasants' Revolt, and he held them until a better time. There was a plan for an Anglo-German offensive against France, and it was cemented by the marriage of Richard II with Anne of Bohemia. At this time Richard was seeking papal blessing for a Clementist crusade, but the Pope was loath to give England money. He said to use the crusade money levied by Spencer. John of Gaunt, Duke of Lancaster, wanted to lead a crusade in Spain, so the Curia aided these ambitions. But the government had its own plans for a crusade, and this made great rivalry with Spencer and Gaunt. The English ambassadors at Rome, Dagworth and Skirlaw, told Spencer of

[1] Walsingham, Historia Anglicana, ii, 76. [2] Ibid, 79-80. [3] Ibid, 78. [4] Ibid, 78-9.

papal decisions in advance (August 1382).[1]

The third bull, Dignum censemus, ordered the crusade preached in the provinces of Canterbury, York and Cashel. It went farther than the others, for Spencer was ordered to suppress Clementists, confiscate their goods, imprison them, depose them, and replace them with good Urbanists. He was made a papal nuncio, and thus outranked the Archbishops of Canterbury and York in matters relating to the crusade, because they were only legates. After having named Henry Bowet general commissioner, he sent the three bulls to all the English prelates with orders to publish them. (September 17) Being impatient to leave for war and gain military glory, he took advantage of all events like the collapse of the wool market in Flanders. He was authorized to conduct a general crusade and no place had been specified, but owing to economic reasons Flanders seemed a good place to wage it.[2]

So he let it be known that he would attack France with Calais and Flanders for base, that he would reopen the route to Bruges, and Ghent would have to accept the English alliance. It was a clever scheme to rally public opinion and gain the support of the London capitalists, and it also served to silence the hostile aristocracy which was for Lancaster.[3] It was a case of a private plan being imposed on the government, and in fact Spencer went ahead of the government.

There was a storm when Parliament opened on October 6, 1382. Bishop Braybrook of London, who belonged to the party of courtiers, was Chancellor. He would not take sides in the rival schemes of Spencer and Gaunt, and he only mentioned the way of Flanders and the way of Spain in his opening speech. The Treasurer Gilbert ur-

[1] Perroy, Schisme, 178. [2] Ibid, 178. [3] Ibid, 179.

ged a crusade in Spain, but his eloquent appeal did not move the Commons. They asked for a committee with the lords and prelates, and both Spencer and Gaunt were on it. After a heated discussion, the committee decided in favour of Flanders. The London capitalists wanted an alliance with Ghent. Philip van Artevelde sent William of Coudenberghe to negotiate with London, but he was also dealing with Paris. An armed descent on Calais would force Ghent to join England. So the Commons were strong for Spencer, and used their influence to get his plan adopted. The march of Calais would be given to Spencer as a fief, and it would serve as a base for future crusades.[1]

This plan contradicted royal plans, but the Council said it would negotiate directly with Spencer. There were violent disputes in the committee, because Spencer was backed by the merchants and Lancaster by the lords. The royal councillors objected to an army led by a prelate, for the French army was massing at Artois and a royal expedition was needed to counteract it. The fight was so bad that Parliament was dissolved after voting only one fifteenth which was not enough.(October 24). But the clergy promised to raise as much. Nevertheless the government was paralysed, and the Flemish envoys left on November 10 empty handed.[2]

The delay was costly, for Ghent was defeated by the French at the battle of Roosebeke (November 27). Charles VI seized all English goods at Bruges (November 29), and made Flanders break her commerce with England. This killed the wool trade and hit the royal treasury. The staple was moved to Middelbourg in Zealand, but all commerce stopped. The government was losing money, so it asked the merchants for half the wool tax, and this was a hard blow

[1]Perroy, Schisme,179. [2]Ibid,180.

to trade. The rival factions tried to capitalize on Roosebeke, and there was a race between Spencer and the King to get their expeditions ready. Spencer won the first round. He did not wait for royal permission to publish the bulls, but sent his preachers around on his own authority. They did so well that on December 6 the government authorized enrollments for the crusade, but the King exempted his own retinue.[1]

The government began its preparations but it needed money. The clergy assembled at Oxford refused a subsidy (November 26) because the government would do nothing against Wiclif, but they granted one tenth at London (January 21, 1383). On December 12 ships were rounded up on the south and east coasts, and munitions were sent to Calais. At Christmas the Great Council met at Windsor, and although some councillors feared John of Gaunt, he adhered to the government plan. But it was necessary to call a new Parliament, and here Spencer would triumph. He was sure of success because the merchants supported him for economic reasons. So he neglected to appear before the Council, and did not return to London until the eve of the opening of Parliament.[2]

The two parties arrived in strength, for it was no longer question of an expedition but who should lead it. The government hoped to rally Parliament to support the royal plan, but the Commons showed their independence by calling for a committee with the prelates and barons. This committee was against Spencer even though Courtenay, Arundel and Gilbert were on it, but it said that the Scottish menace prevented Richard II or his uncles from going overseas.[3]

This humiliation for the lords left the way open for Spencer.

[1] Perroy, Schisme, 181. [2] Ibid, 182. Spencer had a manor at Charing Cross in London. [3] Ibid, 183.

The lords feared his incompetence as a general, and that the Pope would confiscate all gains of the crusade, so they adhered to the royal plan. Shocked by all these intrigues, Gaunt left Westminster in mid-session, but the Commons aided by Philip and Peter Courtenay prevailed. Spencer was allowed to propose his plan before the Council. The ambitious prelate asked for control of the subsidy, tithe and tonnage, and ten big boats and ten armed barges to transport his men. He would raise 3000 men and as many archers to fight France, and an advance guard of 1000 men would rescue Ghent. It was a small return for so much money, so the King refused.[1]

Spencer offered better terms in a second audience. Now he only asked for the fifteenth voted by Parliament. His army was reduced to 2500 men and 2500 archers. The length of service was one year, and a vanguard of 2000 men would rescue Ghent. These new offers served as a basis for discussion. The Council wanted a royal lieutenant to accompany the expedition, but when the names of several captains were proposed, new quarrels resulted. Spencer said he had the best captains, but refused to disclose their names unless his offer was accepted. The Council demanded a royal lieutenant, under Spencer but responsible for military decisions. Spencer yielded on every point but this, for he wanted to be his own boss. If the French were converted to Urbanism he would withdraw and fight for the King elsewhere. He submitted four names for lieutenant, but wanted absolute command of the crusade. Lord Neville was considered, but Spencer was so obstinate that no lieutenant was named. The Council saw that he would never cooperate, so it yielded to him and gave him a free hand. The royal expedition was cancelled and the government seconded

[1]Perroy, Schisme,184.

the crusade. Finally the Great Council drew up an indenture between Spencer and the King.[1]

On March 16 the government began to requisition ships. The restrictions on enrollment were removed, and now all men could join up, even the royal retinue but not the royal uncles. The army massed in Kent and the fleet assembled at Sandwich. Meanwhile Spencer actively pursued preaching the crusade in England and her colonies, and he even sent agents to Gascony.[2] His commissioners supervised the mendicant friars who were preaching the crusade. The friars received a commission of six dinars on the pound, and were accompanied by clerks for accounting purposes. The commissioners forced the curates and parish priests to help them. They also preached, exhorted, gave indulgences, signed on soldiers by indenture, and forbade looting under pain of expulsion from the army. Substitutes were no good, and no women were allowed to follow the army.[3]

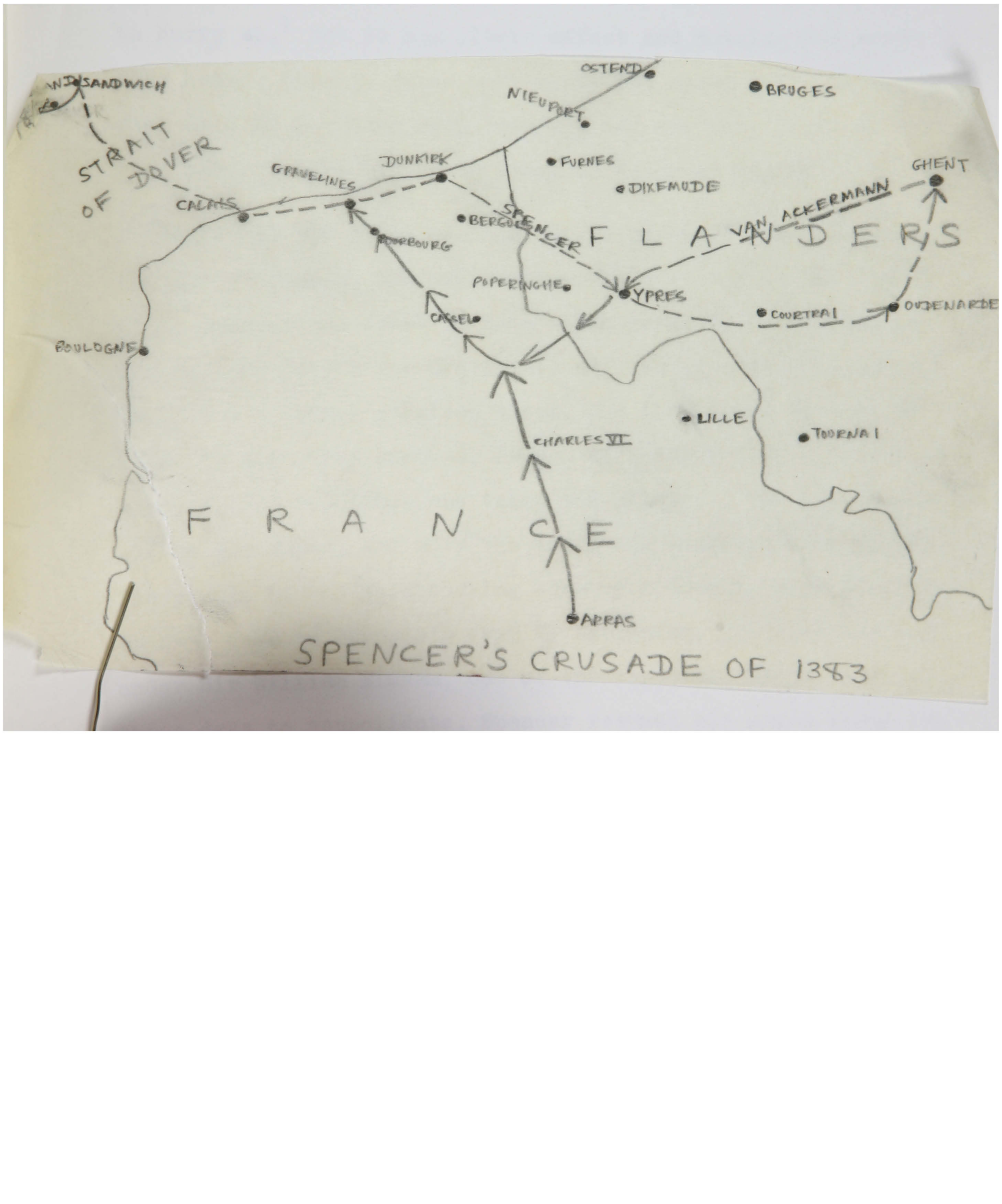
The English people were impressed by all this activity, even though it was a scandalous abuse of papal power. Wiclif preached against the crusade at Gloucester (February 24, 1383). He said that the bishops were sons of the devil and those promoting the crusade were thieves. Spencer took steps to silence the Lollards, for he saw that they were a nuisance and might endanger the success of the enterprise. He ordered them to be summoned to London and they were soon silenced. Wiclif was ignored by the people, and it was easy to get recruits owing to the great enthusiasm for the crusade.[4] Wrong is wrong to say that only the foolish and ignorant believed in it.[5] Generous contributions were made

[1] Perroy, Schisme, 184-5. [2] Ibid, 186 note 5. [3] Ibid, 186-7. [4] Ibid, 187. [5] Ibid, 188 note 1.

by all. One lady gave 100 pds which would be equal to 1200 now. Silver spoons, dishes, rings, jewellery and ornaments were given. Someone even gave a large cask full of gold, and people were urged to leave all their property if they died. Convents gave money, and one contributor was Peter, Abbot of Abingdon.[1] There was much fraud connected with the crusade, and false collectors deceived the people by forging the Bishop's name. This state of affairs was so serious that the crown appointed a commission to investigate the matter. Spencer was backed by the secular arm to take action against false collectors. For instance, on March 15, 1383, he obtained a commission to arrest and imprison certain people with forged letters who were acting as his proctors, collecting money for a crusade and applying it to their own uses.[2] And again, on July 19, 1383, four officers were appointed to arrest and imprison all persons who had collected money by falsely representing themselves to be proctors of Henry, Bishop of Norwich, until they made amends to him and paid back what they had thus received.[3]

Spencer searched the cathedrals for the crusading ritual, which had been forgotten since the great Crusades against the Mohammedans. Finally he found it at Westminster Abbey, and was able to take the cross there on December 7. His collectors were ordered to bring the money to Sandwich within ten days (December 8).[4] The Archbishop of Canterbury made public prayers on December 10. Ghent was anxious for help and her merchants kept contact with London. The sea communications between England and Flanders were guaranteed by the Flemish fleet cruising under Francis Ackermann, who was ready to convoy the ships.[5] The muster at Sandwich was very slow, however. John Philpot was na-

[1]Perroy, Schisme,188 note 3. [2]C.P.R.1381-5,261. [3]Ibid,350. [4]Perroy, Schisme, 188. [5]Ibid,176.


SANDWICH
STRAIT OF DOVER
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GRAVELINES
DUNKIRK
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BRUGES
FURNES
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GHENT
VAN ACKERMANN
BERGUES
SPENCER
F L A N D E R S
BOURBOURG
POPERINGHE
YPRES
COURTRAI
OUDENARDE
CASSEL
BOULOGNE
LILLE
TOURNAI
CHARLES VI
F R A N C E
ARRAS
SPENCER'S CRUSADE OF 1383

med banker of the crusade, and his receiver, Robert Fulmer, received 30,000 pds from the Exchequer by March 17 as first payment on the subsidy. Spencer was unable to keep his promise of sending 2000 men to rescue Ghent, because the recruits arrived so slowly. There were weeks of inaction and the government became impatient. On April 27 order was given for all soldiers to hurry up,[1] but it had little effect and nothing was ready 15 days later. Spencer asked more money but never left. By the second half of May less than 5000 men had arrived. Tired of waiting, Spencer gave orders to start on Saturday May 16.

On May 17 the fleet reached Calais safely.[2] John Devereux, captain of Calais, was ordered to take a muster in the King's name. Spencer was irked by this so he refused. On Tuesday May 19, he left Calais for Gravelines and camped under the walls. There was a French garrison there, and the people refused to yield at the first summons. On May 20 Spencer made a four hour assault, and the place was taken and pillaged. The people were put to the sword, and only the women and children were spared. The people of the neighbouring town of Bourbourg were terrified, so they came to Spencer's camp to surrender. The town was put under Sir William Elmham, one of the captains. After waiting three days to consolidate, Spencer resumed his march along the coast on Sunday, May 24. (see map) He entered Flanders when he was supposed to attack France, but he had conflicting orders, one from the Pope to fight schismatics and one from Parliament to relieve Ghent. Evidently he intended to rescue Ghent as quickly as possible and then march on the French schismatics who were the real enemy. But he had some justification for invading Urbanist Flanders, because he was on the lands of the Countess of

[1] Perroy, Schisme, 189. [2] Ibid, 190.

Bar, a Clementist.[1] Yolanda of Flanders, Countess of Bar and of Longueville, was an ardent schismatic. She was from Cassel, and when the town was taken she disappeared and the Clementist clergy fled.[2]

When the Flemings heard of the English advance, alarm spread. Louis de Male, Count of Flanders, heard of it at Lille, and he sent two envoys to demand the reason for this hostile invasion and undeclared war. "We have come on behalf of the lord of Flanders," they said. "What lord ?" said Spencer. "The Count of Flanders," they said, "he is the only lord in Flanders." "In God's name," said the Bishop, "we take the King of France or the Duke of Burgundy to be lords here, for they have conquered the country."[3] The envoys explained that Flanders had been restored to the Count at Tournai, and that Louis de Male and his people were good Urbanists.[4] They demanded a safe conduct to England to protest against the invasion to the English King. Spencer refused because delay would enable Flanders to arm. Sir Hugh Calverley said that they were soldiers of Pope Urban and not of the King of England. If the Flemings would join them in a holy war, there would be no damage. After hearing this the envoys retired.

While Louis de Male waited for a reply, the people armed and gathered to oppose the English. Louis, Bastard of Flanders, a natural son of the Count, was the leader of a hastily collected force. It was a hasty effort and there was no cooperation with the Count. The host secretly gathered at Dunkirk to surprise the English. Froissart says that it numbered 12,000 men while Spencer had only 3000,[5] but actually it was only a little troop composed of the French garrison and local contin-

[1] Froissart, Chronicles, 263. [2] Valois, Schisme, ii, 228. [3] Wrong, Crusade, 61.
[4] But there were still French garrisons in the country. Froissart, Chronicles. 263.

gents, and its numbers are unknown. The crusaders met the army of the Bastard of Flanders between Gravelines and Dunkirk. The English were outnumbered but were better disciplined. The French put the Flemish artisans in front, because they were doubtful of their loyalty. The English archers decimated them and they fled. A fearful carnage followed, and the English pursued the defeated enemy into Dunkirk. They were enraged because before the battle they had sent a herald to ask which pope the Flemings obeyed, and he was killed. His name was Montfort and he was attached to the Duke of Brittany.[1] Froissart says that 9000 Flemings were killed by the pointed spears of the English, but this is certainly an exaggeration.[2] Walsingham says that the enemy leaders were the Bastard of Flanders and John Mytteneye. He places their numbers as high as 30,000, but he is even more unreliable than Froissart.[3] He says that Spencer was warned by scouts of the approach of the enemy to Dunkirk, and that his army lost courage and got panicky. Sir Hugh Calverley addressed the troops and urged them not to be afraid. Walsingham praises the resolution of the clergy in the English ranks and the skill of the English archers. But he was himself a monk of St. Alban's and is undoubtedly boosting his own profession. He tells how a storm of thunder and lightning greatly aided the English. He claims that 12,000 of the enemy were killed but only seven English, but he was a very patriotic chronicler. Capgrave gives us different figures.[4] He says that Spencer had 5000 men and that he killed 7000 French, Flemings and Bretons, losing only seven men. Higden says that the enemy had 28,000 men, and that they attacked the English after nine o'clock on May 25. The English sang "Te deum laudamus" after the battle, and were mar-

[1]Froissart, Chronicles, 263. [2]Ibid, 264. [3]Walsingham, Historia Anglicana, ii.90-3. [4]Capgrave, Chronicle of England, 238.

velously aided by a thunderstorm.[1] The battle was fought on St. Urban's day, May 25, 1383, and this was considered a good omen for the Urbanist cause.

The English occupied Dunkirk and were masters of the surrounding country. They held the coast from Calais to Blakenburg. Nieuport, Furnes, Bergues, Bourbourg, Poperinghe, Dixmude, Cassel and other places surrendered or were captured by Spencer. It was not all military success, for some towns hated their French masters and yielded, while others bowed because of cowardice. Spencer was elated to see part of Flanders at his feet, for now he had the military glory which he had always desired. He called himself the "conqueror of West Flanders," and wrote a letter to Charles VI of France, calling him a schismatic and unjust holder of his throne, and charging him to put away the false Pope.[2]

The Bishop's success produced high hopes of political advantage in England, where people expected that the Flemings would recognize Richard II as their feudal lord. Spencer was ordered to redress the grievances between them and to treat for peace. He was authorized to receive oaths of homage and fealty from the Count and people of Flanders. The victories produced excitement in England, because those who brought the good news had horses, cattle and goods with them. The desire for plunder spread, and apprentices and servants from London ran away to Flanders. The English peasants were in a wretched condition after the failure of their revolt, and were glad to escape from misery and seek an El Dorado in Flanders. Monks and friars fled from their cloisters. Sir John Philpot, one of the financial backers of the expedition, transported mobs across the Channel

[1]Higden, Polychronicon, ix, 19. [2]Eulogium Historiarum, iii, 356-7.

just to make money. This badly armed and unwarlike host was soon destined to come to grief.

Spencer and his officers faced the question of where to go next. The more devout like Calverley wanted to invade France, but the envoys of Ghent said that a decisive blow must first be struck. They urged the Bishop to march on Ypres and promised a large army to join the English. Therefore the leaders resolved to attack Ypres. The three largest cities in Flanders were Ghent, Bruges and Ypres. Ypres was on the main road to Bruges in the south. The year before it surrendered to the French without a blow, and the French marched from it to Roosebeke. It was now held by a French garrison under Pierre van der Zype, a brave and able captain. The commercial and ruling class supported the French, but the artisans were in sympathy with the independence movement. If Ypres fell, Bruges would be cut off from France and would fall. Ypres was one of the great cities of the world, for it was the seat of the woolen and linen industries. The famous Cloth Hall was finished in 1342, and the facade was 462 feet long, which made it the largest building of its kind in Flanders.

Alarm of the English attack soon reached Ypres, and the city adopted vigorous measures of defense. Each person secured four months food supply, and the people of the suburbs were crowded inside the walls. Houses were torn down and the material was used to strengthen the defenses. It was known that the English counted on an uprising of the populace, so a proclamation was made that anyone who favoured the enemy would be put to death. All available stores were gathered, and yet the city was almost surprised by the English. They suddenly appeared on June 9. Alarm

was given by ringing the bells, and workmen rushed to the defense. The English thought they had captured the city, but they were deceived by the vast suburbs. An English officer was shot from the walls, and the gates were shut in the faces of the besiegers. The army of Ghent under Francis Ackermann de now joined the English. It consisted of 20,000 men and had a large train of carts. But the people of Ypres set fire to the captured suburbs, and there was tumult and confusion all night. The men of Ghent felt sure that the populace of Ypres would rise, and they shouted to the men of Ypres on the walls, but there was no response. The first assault failed and a long and disastrous siege began. Spencer lacked siege equipment so he had to reduce the place by attrition.

About 5000 English and Flemings surrounded the city and cut it off from all outside supplies. Many assaults were repulsed and there were bitter hand-to-hand fights, which caused heavy losses on both sides. A stream which supplied the moat was diverted, and an attempt was made to fill it up with dry pitch and scale the walls. Artillery threw stones into the city day and night, the wall was undermined and the besiegers tried to set the town on fire, but every trick failed. Two months passed and Ypres remained unconquered.

The Count of Flanders, who was at Lille, tried to help the city. He got the Bishop of Liege to intercede with Spencer, and promised 500 men for three months at his own expense if only the crusaders would turn against France. Ackermann and the other captains feared that the English would fall for these offers, for they knew that the Count was a notorious liar. But the Bi-

shop of Liege left, and the siege was pressed. A letter thrown into the town by a catapult, urged the people to rise against their masters. A messenger was sent offering money if the city surrendered. Spencer threatened to burn the place and put all the people to the sword. He invited a deputation to meet him; he treated them with courtesy and dined with them. The Bishop claimed to be their lord in the English King's name, and he claimed spiritual powers over them by virtue of the bull which he held from the Pope. He requested that representatives of the three estates be sent to him. Four prelates, four knights and four burghers[1] came to the English camp, and Spencer received them with mitre and staff and crusader's sword. He commanded them to obey him as the Pope's representative, but they refused and were excommunicated. The Provost of St. Martin's said, "Please God, my lord, you have no power to excommunicate us, for we appeal to the Pope himself." The delegates retired, and Spencer raised the azure banner of the Church with a crucifix on it. The people of Ypres were now outcasts like Jews and Saracens. The banner caused uneasiness within the town, because the people were afraid to fight against it. But the local clergy led a procession through the streets in honour of the Church, and thus showed their loyalty to the Pope. It was a strange medley of protestations.

But both sides got tired, and Ypres feared an uprising. Food and water began to fail, so the women whose husbands were absent were turned out. This is a sour comment on medieval chivalry. But there was discord and trouble in the English camp also. The force was badly governed, and no royal lieutenant

[1]Not four bishops as Wrong translated.(Valois,ii,228,note 3)

joined the army because Spencer wanted sole command. Sir William Beauchamp returned from Scotland and prepared to set out with a stong force, but the influence of John of Gaunt kept him back.[1] Since Beauchamp did not come, the King proposed another leader. But Spencer grumbled and kept the sole command. The result was disastrous, for Norwich was zealous but unskilled in war. He was contemptuous of the trained soldiers under him and showed very poor generalship. Some of them refused to obey him, and some were charged with being in league with the enemy, but it was never proved. Distrust and division produced inefficiency, and the English did not press the siege like Ackermann did. Disease broke out and many soldiers died of the bloody flux or dysentery.[2] Food was scarce, and the situation was aggravated by large numbers of English peasants and artisans who were arriving to plunder. These non-combatants came for gain and scorned all discipline. Insanitary conditions resulting from this mob caused an outbreak of the bubonic plague, and many English died. Spencer angrily dismissed this mob, and forbade Sir John Philpot to let any more come across. The mob wandered around causing tumult. They were the enemies of English soldiers and friends of none. Most died before reaching the sea, and this shows the cheapness of human life in the Middle Ages. Besides them many soldiers deserted with their booty. This shows what sort of conditions Spencer was faced with at the siege of Ypres. Besides contending with the enemy, he was hampered by all the above difficulties.

In early August news of the French arrived. The Count of

Flanders appealed to them because he could not relieve Ypres.

[1]John of Gaunt had a quarrel with Lord Edward Despenser, the Bishop's brother, and he hated the family. It was a dispute over lands in Aquitaine(1366) John of Reading,Chronicle,175,343.

[2]Adam of Usk,Chronicle,7,146.

Philip the Bold, Dule of Burgundy, son-in-law and heir of Louis de Male, acted as intermediary. He met the French King and nobles at Compiegne in 1383, and urged help for the besieged city. The proposal was adopted, and it was agreed that a large host would join Charles VI at Arras by August 15. The English heard of this gathering army, and they knew that time was short. Ypres offered to yield if not rescued by August 20, but the siege was lifted before the above date.[1] Spencer made one last desperate effort to take Ypres. The final assault was on Saturday, August 8. But on August 2 Charles VI took the oriflame banner of the Clementist party at St. Dennis,[2] thus signifying that he would conduct a counter-crusade. And Clement VII excused clerks from all irregularities committed while on crusades.[3] This was as bad a breach of canon law as Urban VI had condoned, and it shows that the two rival popes had no scruples about making the clergy fight each other. Canon law said that clerks guilty of homicides could not perform the sacraments, but one theory said that priests could go voluntarily on crusades.[4] Nevertheless before the final assault, Spencer gave absolution to the crusaders. The assault was long and stubborn but it failed. When the allies retired, Ypres rejoiced. There was a good deal of recrimination among the allies, and this came out later when Spencer was tried by Parliament. The English said Ghent promised that Ypres would surrender in a few days, but Ackermann said that the English had not pressed the siege. The two armies marched away simultaneously on Monday, August 10, and the bells of Ypres rang out with the joy of deliverance. Priests led processions of thanksgiving in the streets, but the disaster proved fatal to the city's future growth. The suburbs were never rebuilt, and Ypres lost

[1] Perroy, Schisme, 194. [2] Valois, Schisme, ii, 229. [3] Ibid, 229. [4] Ibid, 229 n6.

her commercial position. She never recovered from the blow or achieved the same extent of prosperity which she had enjoyed before 1383.

The men of Ghent deserted Spencer and went home, but they planned to carry on the war. Ackermann took Oudenarde by a sudden blow, but the English army lost its spirit. There was division among the leaders. Spencer wanted to press forward and meet the French. He would not admit defeat, and was so confident that he refused reinforcements from England. He had called Ypres his property, and he held the Marshall of Ypres and the Bastard of Flanders as prisoners. He accepted ransom, but when he heard that the Marshall's ransom came from Ypres, he refused to release him, declaring that the money was already his. When he heard of the French King's advance, he said he would wait and fight him. He now proposed to march into Picardy and surprise the French by a night attack. But Trivet, Elmham and the others said it was folly and refused to follow him. Calverley was loyal however. On August 10 the English fired the suburbs of Ypres, abandoned their artillery and marched away. The army divided. The chief part went to safe places in the rear, while Spencer and Calverley bravely led a small band into Picardy. But it was only a raid, for the main army had received a disastrous check and was now in retreat. The raiding party had to retire without meeting the enemy, for the French were not yet gathered. Calverley stayed with the rearguard, but Spencer pressed through to Gravelines to ask for help. He had refused aid a short while before, but now he needed it badly.

The French army slowly gathered and entered Flanders in early

vage something.

Meanwhile there was much talk in England about sending reinforcements. John of Gaunt, the Bishop's rival, was at the head of forces gathered in Kent to aid the crusade, when news of the disasters reached England. Lancaster and Cambridge concentrated their hastily collected recruits on the Isle of Thanet under pretext of helping Spencer, but their real design was to make a dash for Spain as soon as events in Flanders permitted. When the disastrous retreat began in September, Lancaster disbanded his troops.[1] He waited for the crusaders to come home, because he planned to join them to his forces for a Spanish expedition.[2] In fact Spencer returned home in consequence of the jealousy and machinations of the Duke of Lancaster.[3]

Spencer was at Gravelines and the French were beginning to press him, so he sent an urgent message to Richard II, asking him to come himself or to send help. Richard and Anne of Bohemia were on a tour of the English abbeys, and they had visited Norwich. They were at Daventry in Northamptonshire at a banquet with the Cluniac prior when the message reached them. Richard started up in great haste, angrily ordered his horse and rode off with a small band, as if to annihilate the French that very night. He rode on furiously and got a change of horses at midnight from the Abbot of St. Alban's. He borrowed the abbot's horse and never returned it. He dashed on and reached Westminster, where fatigue and sleep overcame him. He rested, and when he awoke his ardor cooled. He had intended to ride through to the coast and cross the Channel in person. Now he sent for John of Gaunt and a royal council was held. A single combat was proposed between the Kings of France and England, or between the

[1] Perroy, Schisme, 229. [2] Ibid, 228. [3] Britton's Cathedral Antiquities, ii, 61.

three uncles of Richard II and the three uncles of Charles VI.

A general battle was also proposed, but these plans were not feasible. John of Gaunt was now appointed royal lieutenant and all powers were transferred to him. Not the King but Gaunt would go to Flanders to treat with Charles VI. But Gaunt was in no hurry to help Spencer, and his army stayed in Kent, while the crusaders, trapped in Bourbourg and Gravelines, were left to perish. Sir William Elmham was in command at Bourbourg, while Calverley and Spencer held Gravelines. Both places were hard pressed by the French, but the English fought with the courage of despair. When summoned to surrender, they shouted defiance from the walls. "You are dealing with dogs that can only be taken with iron gloves," was their answer. The French assaulted the town. They threw Greek fire which destroyed many houses, and the stores and horses were burnt. One third of the town was consumed, but the English fought on the walls until night forced the French to retire. The attack was renewed the next day, but the French were checked. Elsewhere the Count of Flanders suffered a reverse. In order to reinforce the army before Bourbourg, he withdrew some men from Oudenarde, but Francis Ackermann took the city by a night attack. News of this reached the French camp, and combined with other factors made terms possible. It was hard to find food for the French army or hold it together. The men were bound by a limited and short service, and were anxious to go home. Furthermore dysentery and disease broke out and 300 men died in one day. Winter was approaching, so peace with England was desirable.[1]

The English too were distressed, for provisions were scarce and aid from England was remote. Elmham opened negotiations with

[1]Walsingham, Historia Anglicana, ii, 100-102.

Charles VI through the Duke of Brittany, which was an act of open treachery. The French also made advances to Spencer, and offered to pay him 15,000 marks if he would abandon Gravelines and retire. An unlawful truce was arranged for a few days, and Elmham gave up Bourbourg for 2000 francs shared with William de la Hoo.[1] Thus the charge of treachery against him was justified, but the place was untenable. The English were to take their baggage and booty with them, but were not to fight the French before returning to England. On Wednesday September 23, the English gathered their booty, piled it on carts and carriages, and left Bourbourg. The French soldiers were discontented because they coveted the booty, so they wreaked vengeance on the looters left behind. The English now gathered around Gravelines and Calais, but they could not enter because the swarms of refugees made provisions scarce. At Gravelines Spencer refused bribes to surrender, but some of his officers secretly accepted French money. Peter of Cressingham gave up nearby places for money. The French approached the captains at Gravelines and bribed them for 2000 francs. Fitz Ralph pocketed 400 francs and Faringdon a little sum. For 10,000 francs the captains retreated to Calais. Spencer knew of these transactions but not the financial clauses. His treasurer, Robert Fulmer,[2] pocketed 5000 francs, and Spencer was enraged when he heard of the payment. He thought that the sum was returned, but it was spent to buy provisions.[3]

Spencer was in a hopeless situation. If he stayed at Gravelines, the French would massacre the helpless refugees outside

[1] Perroy, Schisme, 198. [2] Robert Fulmer was a priest and chaplain. He was parson of Blofield in Norwich diocese, archdeacon of Suffolk, and he obtained a prebend in the King's free chapel of St. Stephen in Westminster palace. He dealt in estates and successions, and died in 1401. [3] Perroy, Schisme, 199.

when the truce expired. So he set fire to Gravelines and marched to Calais. Gravelines was completely destroyed, but the French rebuilt it and repeopled it from the surrounding countryside. They fortified it strongly and it became a menace to Calais. Meanwhile Spencer's army was trapped at Calais without money or provisions. Henry Bowet,[1] the Bishop's clerk, made Spencer believe that he had secured a loan from the Calais merchants, but actually he used part of the money he treacherously received from the French. The truce expired, but the French army disbanded and left a curtain of troops to face the English.[2] Spencer crossed over to England, but trouble awaited him there.

The final disaster enraged England and everyone turned on Spencer, but a monk of St. Alban's blamed his captains and Lancaster. The disillusionment was all the greater because enthusiasm was artificially kept up by Spencer's preachers and collectors, and the London authorities suppressed the bad news. The truth was now evident. The money had been wasted and the expedition diverted. There were no economic advantages, and Ghent was still isolated in a Flanders loyal to its Count. The route from Calais to Bruges was still closed to the wool trade, and Bruges was still hostile to English commerce. The whole church was involved in scandal, for an army of adventurers ravaged Flanders under papal blessing. The crusade injured good Urbanists and did not convert a single Clementist. It aroused the wrath of Wiclif who wrote three violent pamphlets, De cruciata, De dissensione paparum and De pontificum Romanorum schismate.[3] The reformer said that crusades were sinful because they encouraged Christians to kill good people, and that all who par-

[1]Henry Bowet L.L.D.(died 1423) became Bishop of Bath and Wells and Archbishop of York. D.N.B.vi,63-5. [2]Perroy,Schisme,200. [3]Ibid,201.

ticipated in them were blasphemers. He said that the two popes were like two dogs fighting for the bone of temporal power, and that the only solution was for the state to take away the bone. He attacked pride and greed acting in Christ's name, saying that the popes sacrificed their sheep for selfish ends and robbed the weak. He called them traitors to Christ, Iscariots, members of Satan and incarnate devils. Because they incited men to fight in the ranks of Satan, they were therefore Antichrists.

A monk of Canterbury said of the crusaders that "they returned dripping with blood and disgracing their country. Blessed be God who confounds the proud." John of Gaunt met and reproached Spencer on the shores of Kent. The Duke of Lancaster censured the Bishop of Norwich but honoured Sir Hugh Calverley.[1] No one suspected Calverley and no charges were made against him, but Spencer and his chief officers were accused before Parliament on October 26, 1383. It was revenge for his insolent humiliations of the government. The Chancellor, Michael de la Pole, attacked him on November 13 and layed seven charges against him. He was accused of carrying his sword in front of him while on the crusade. He was back after six months and his army never numbered 5000 men. The muster was never held at Calais and he refused a royal lieutenant. He made the King abandon his plans, as well as Lancaster, and sold out to the French for 18,000 francs which he pocketed.[2]

Spencer pleaded for time to talk with Fulmer about the exact numbers of the army, so he was given a few days respite. On November 16 all the traitors were ordered to appear before the assembly. The captains were already in the Tower of London for weeks.

[1] Walsingham, Historia Anglicana, ii, 104. [2] Perroy, Schisme, 202.

They were questioned one by one, but they did not understand the gravity of the charges. But they did nothing unusual for the period in which they lived. Public anger accused them of treason all the same. The captains put up an able defense, but they were doomed in advance for the government wanted sanctions. Bowet had an alibi, he went to Ghent while the transactions were going on, so he was let off. Fulmer, Elmham, Faringdon, Fitz Ralph, Trivet and Cressingham were jailed and forced to return the money which was part of the subsidy.[1]

Spencer's trial was resumed on November 24, but his arrogance hurt him. He said it was the King's fault that no lieutenant was named, and he blamed Ghent for the siege of Ypres. His captains forced him to retreat. He even boasted of good service, that his exploits made peace feelers possible, but this was a lie. The Chancellor interrupted and seized his temporalities untill the damage was repaid. But the government's anger gave way to leniency. Ferrers and Fulmer were freed, and the others were pardoned at Salisbury. But Spencer had to wait two years before his temporalities were restored.[2]

A more detailed account of Spencer's trial is warranted, so that we may find out whether he was really guilty of the above charges or not. The first accusation against him says that Spencer and his captains "have not yet performed their service accorded and promised by them to the King our lord in his wars."[3] It mentions "the gold which was taken and received from the King's enemies over here and over there by the same persons in more than one way, which amounts to 18,000 gold franks and more..."[4] But Spencer claimed that the money "was employed entirely in the King's

[1]Perroy, Schisme, 203. [2]Ibid, 204. [3]Rot. Parl. iii, 152. [4]Ibid, 152.

service on the march of Scotland..."[1] He also "begged our lord the King, that if by the benignity and grace of God he would give him an audience, at a fixed time and place, that he could in this same Parliament excuse the gold, which the Commons speak about; and all other things which men impute to him other than good."[2] This is the testimony of Henry Bowet, his clerk, who was appearing before Parliament in a preliminary hearing. Bowet goes on to say of Spencer that "if it pleased the King to do it, he thought with the help of Our Lord to so declare his deeds and his innocence in this matter, that all reasonable men would consider him well excused. And he also expressly said, that he had not received from any enemy of the King our lord here or overseas, gold, silver, money, plate or jewels, or any other gifts from anybody: And if any man could ever prove the opposite of his defense, he would voluntarily incur whatever blame and defame he deserved."[3] Spencer is of course defending himself by completely denying the charges of treachery which were brought against him. His claim, that the money received from the French was remitted to the royal treasury and spent in the Scottish wars, is interesting. This would indicate that he did not spend it all to buy provisions for his stricken army. But there is no evidence that he kept any part of it for himself, like Trivet and Elmham. The Commons claimed that he had not performed half the required military service. Undoubtedly he served in Scotland in 1385 so as to complete his obligation according to the terms of the indenture.

Whereupon Henry Bowet, the Bishop's clerk, "was charged and examined on his allegiance in Parliament to say if he knew if any gold was received, or covenant made, between the said Bishop

[1]Rot.Parl.iii.152. [2]Ibid,152. [3]Ibid,152.

and the said enemies on the last voyage to Flanders, or since their return to the kingdom..."[1] He was asked to tell if he knew that a certain sum of gold franks had been received at the Bishop's room by Elmham and Faringdon. Apparently he was not present at this secret meeting, where indentures were made with the French, but he heard of it. These were indentures about the evacuation of Flanders and the surrender of Gravelines. Elmham and Faringdon were accused of being go-betweens. But when the indenture was shown to Spencer, he had it cancelled and removed the clause which mentioned the receipt of the gold at his room.[2] He swore that he would not take the sum of 10,000 gold franks, which ostensibly was given to pay for fortifications and provisions. Nevertheless, the next day certain persons came from the French, bringing with them 5000 gold franks of the sum of 10,000, and offered them in Bowet's room at Gravelines. But Bowet made it known to the Bishop how the gold was sent to him. "To which the Bishop in replying commanded, that it should be sent back to its bearers, and that Sir William Faringdon, knight, should go to the Duke of Brittany, who was then very near in the east of France, with the bearers of the gold; and he wished the gold to be entirely returned to the one who sent it."[3] Bowet says that Spencer "would not rest until he knew for sure that the gold was entirely returned,"[4] and that the Bishop of Norwich would not betray the King for all the gold which the French could amass. But the bearers turned back, and Faringdon was with them, leaving 5000 franks in the room. And when Bowet returned to the room, and saw the gold left there and the people who brought it gone, he called Sir Robert Fulmer, clerk and treasurer of the Bishop, and

[1] Rot.Parl.iii,152. [2] Ibid,152. [3] Ibid,152. [4] Ibid,152.

showed it to him and told him how it was left there. Then Bowet said to Fulmer: "Take care of this gold, so that it will be well kept in case they ask where it came from."[1] Having said this, Bowet left for Ghent on the Bishop's business, and did not see Spencer or Fulmer again until he returned to England and was told more about the matter. He did not know what became of the gold until he reached England. He claimed he was not involved in the treaty or the indentures contained in it. He swore he was telling the truth, and attempted to clear his master. He claimed that Spencer never knew that the gold was left with his treasurer. If this testimony is true, then Spencer did not know what was going on around him, and was fooled by his subordinates.

Then Sir Robert Fulmer was examined on oath. He confessed that Bowet was telling the whole truth, and said that Elmham, Trivet, Ferrers, Drayton, Faringdon and others who were present at the treaty, knew that Spencer did not know that the money remained with Fulmer after he had ordered it sent back to the French. The Commons asked him why he kept the money in this secret way and against the Bishop's orders. He replied that he thought that Spencer "had great need for the money to make payments at Calais and elsewhere, to buy food and equipment for him and his army to return to England, and...to pay his soldiers with."[2] If the soldiers had known about this money, they would have taken it away from him by force. And it seemed to him, that instead of throwing the gold into the sea or sending it back to the French, it would be better to keep it. So he kept it falsely and privately, because he was afraid of the soldiers, and because the Bishop did not know anything about it. He decided to bring it to England, where it could

[1] Rot.Parl.iii,152. [2] Ibid,152.

be used for the benefit of the country, rather than send it to the enemy. Finally he took a certain quantity of franks from the money, to defray what he had spent for equipment and food at Calais. Without this Spencer, to whom he explained everything, would have had to trade and barter with the merchants of Calais. And it seemed to him that he had done the right thing, but if this offended the King, then he begged his mercy.[1] Fulmer gave a very weak testimony, and it shows his dishonest nature. It is obvious that he kept most of the gold for himself. He did not bring it to England to help the King but for his own use. It appears that Spencer was duped by his treasurer, but finding money at hand used it to buy provisions for his army.

The Chancellor replied for the King, "What could be better, than the enemy should receive his own gold, rather than a liege of the King take it from them in such a guise. For otherwise, every traitor who should give or sell the castles and other fortresses of the King to his enemies for gold or other things, could excuse himself from treason in the same way."[2] He also said to Fulmer, "Because the reasons which you have given to excuse yourself from receiving and keeping the same money seem to me not sufficient enough to excuse you, I order your body to stay in prison until you have made full payment for whatever you have received from the aforesaid enemies, and until order is given for your deliverance."[3] This was a just verdict, considering the hypocritical defense given by Fulmer. He was obviously a rascal and a traitor to describe his ill-doings in such a pleasant manner. But we must not forget that the accusers were by no means impartial. The government was controlled by John of Gaunt, the mortal enemy of

[1] Rot.Parl.iii,152. [2] Ibid,153. [3] Ibid,153.

Spencer, and they judged the Bishop of Norwich in advance. Nevertheless, it cannot be denied that Spencer employed many rascals on his crusade, and they deserved the sentences they got.

A description is given of the first impeachment and reply of the Bishop of Norwich. Spencer was impeached in Parliament under four articles shown to him by the Chancellor. It was in the presence of Richard II and John of Gaunt in full Parliament. The Chancellor said to him, "Sir Bishop of Norwich, I was commanded to tell you what I will say for the King."[1] He reminded Spencer that by indenture and covenants made with the King, he was obliged to serve the King in France with 2500 armed men and as many archers, well armed, equipped and mounted. He was ordered to make a muster at Calais and serve for one year. He returned before the half year, thus violating the form of the indenture and causing great damage to the King and his kingdom. In this he was at fault. This was the first article against him, that he had not served his full time overseas. The second charge was that he had not made the required muster at Calais, but had plunged ahead toward Gravelines because he feared that a royal lieutenant would be appointed. The third charge was that he had persistently refused a royal lieutenant, and excluded Gaunt and other uncles of the King by trickery. He induced the King by great promises that he would have the specified number of men and the best captains with him, to give him the sole command. When the King asked him to specify their names in case the voyage was granted to him, he replied that for certain reasons he would not show their names until he was sure of obtaining the voyage. And he promised that he would have the best captains in the kingdom after the royalty. But he failed, and the King was greatly deceived by his promises, for it seemed

[1]Rot.Parl.iii,153.

that Spencer knew in advance that he would fail. Owing to this deceit the voyage was granted, and it led "to the great damage and villany of the King our lord, and of his aforesaid kingdom."[1] Furthermore the King made him promise in Parliament, "for the good governance and safety of the said project, to make and create a sufficient Lord Temporal of the kingdom of England into his lieutenant, who would obey you during that project, in all things concerning the crusade, and you would obey him in all things concerning the lieutenancy."[2] But this offer did not please Spencer, so he refused it. But he so deceived the King that he obtained command of the army. Above all, "by default of a lieutenant, and of good captains and governors, the great villanies and unspeakable damages came about..."[3] And so he was at great fault in the whole matter, according to the Chancellor.

Spencer answered that if he wandered off the subject in his reply, or said more or less than he should say, he should be amended and corrected another time. He was pleading in person because he knew more about the case than anyone else. First of all, he defended himself against the charge that he did not serve the King for the term which he had promised, by saying that he was ordered to rescue Ghent before anything else. By virtue of this order, when he arrived over there, he took the road to Ghent and met the enemy at Gravelines and Dunkirk. And the next day, when the men of Ghent met him, and they had discussed and advised him what would be the best thing to do, he decided to come to their aid, which was the original purpose of the expedition. It was the final decision of the men of Ghent, that his men should lay siege to the town of Ypres. And "it was sworn by

[1] Rot.Parl.iii,153. [2] Ibid,154. [3] Ibid,154.

their spokesmen that Ypres was not stocked well enough with men or provisions to long endure an assault by the peers of England and Ghent. And they also said, that if the town of Ypres, which was the key to all Flanders, was won, they would easily win the rest. And thus, by the excitement and comfort of the men of Ghent, and by assent of all the English captains who were in the said voyage, it was decided to begin the siege; in which many of these people were stricken with great sickness, and many were drowned and died, and a large number of bad people who were rebels and disobedient to the Bishop, returned to England with their loot. And after all, and also because of the departure of the men of Ghent from the siege, the captains of the English army perceiving, that after the departure of the men of Ghent the English army was greatly exposed, and desiring to withdraw for these reasons, rather than meet such prowess as the French had assembled, the English would not and could not hold the field in any way."[1]

Actually the two armies withdrew simultaneously from Ypres, so Spencer's charge that the men of Ghent deserted him is rather far-fetched. They certainly did not desert him in the siege. But they went back to Ghent and did not join in his invasion of Picardy, so Spencer must be thinking of this when he accuses them of desertion. "And thus with due consideration for these reasons alledged by him, and the days which the said Bishop has had with his followers on the said voyage, to the honour and profit of our liege lord and of his kingdom; and especially because on the said voyage truces were made and professions of the Peace Treaty made by the French adversary, so that God willing will make an introduction to the final peace; and that which is thus arrived at

[1] Rot. Parl. iii, 154.

should not for any reason be surmised in his default, since it happened more by the adventure of God, than in any other manner, it seemed to him, that as for that article it should be held to excuse him in all things."[1]

Secondly Spencer replied to the charge that he did not do his muster at Calais. He said, "that to hasten his men to come to the said voyage for the rescue of Ghent, in the way that he had promised, he passed over to Calais before his other captains, with such persons in a small group as he could gather, and did not ... stay more than two or three days after his arrival at Calais..."[2] "And then when he had arrived before Ypres, how could he make the said muster at Calais for the said reason, for he had before Ypres his entire number of men in each degree, and even more, at the town of Ypres itself."[3] This testimony is false, for Spencer did not make the required muster, because he was afraid of being recalled for crossing the Channel against royal orders.His crusade was technically illegal, as far as the English government was concerned, but he could always say that he was a soldier of the Pope. His defense was weak, and it seems to me that he was begging the question and deliberately concealing important facts. He protested his innocence and said that he should not be blamed. He answered the charge that he did not have the best captains, by saying that he had good captains and enough of them. This was untrue, for his officers all had bad records with the exception of Calverley. They were dishonest traitors with unsavoury backgrounds, certainly not good captains. But it shows that Spencer could not get anyone better to follow him on his crusade. He would have had better captains if the King allowed it, like Lord Neville who begged the

[1] Rot.Parl.iii,154. [2] Ibid,154. [3] Ibid,154.

King to let him go but who could not obtain leave. The Bishop scored a good point, that the King himself prevented good men from serving under him. As for the charge that he refused to have a lieutenant, he said that the King sent him letters and messages while he was in Flanders, concerning the matter. Spencer replied that he would gladly accept a lieutenant whenever one was appointed. And thus he did not refuse one. He asked clemency because of the service he had performed for the King overseas, and which he would do again.

The Chancellor replied that the King had received numerous letters from the captains of the army, telling him that the army was in great peril and confusion because it did not have a lieutenant to manage it.[1] So the King conferred with the Earl of Arundel about the matter, and finally it was agreed that he would be the royal lieutenant, and would come to Flanders with archers and men-at-arms in aid and succour of Spencer and his army, if the Bishop required further aid. But Spencer replied by letters, which could be shown as evidence, that he did not want any lieutenant. So his denial was false, for it was known that he refused to have a lieutenant before his departure from the kingdom, according to the first offer made to him. Through negligence and also through lack of good captains and governors, all the mischief happened to his army. So his testimony did not help him in any way. And the Chancellor said to him in the King 's presence, "Sir Bishop of Norwich, the King our lord has well heard what you have thus said.and alleged here in excuse of the articles and misdemeanours surmised to you, and has had good deliberation about it with the Lords Temporal, and other sages

[1]Rot.Parl.iii,155.

of his council here present. And it seems to our lord the King and to the aforesaid Lords Temporal, that the answers that you have thus given for your excuse are not at all in fact about the matter surmised to you, do not suffice at all to excuse you from the villanies, important damages, losses, and other misdemeanours which are done to the King and his kingdom by you, and your procurement, as is said. By which thus it seems, that by lack of sufficient answer, you should be convicted of the misdemeanours comprised in the four articles surmised to you; and also put to fine and ransom at the King's will for your misdeeds. And it also seems, that to compensate the King you must consent to the seizure of the temporalities of your bishopric of Norwich, when it pleases him."[1]

On Saturday, November 18, the Commons asked Spencer to give them a list of all those who had not performed their full military service according to the covenants.[2] He had to certify, distinctly and in writing, the names, estates and degrees of all those who were hired by him and who had not performed their service. They were still held to serve the King, and their services still due were to be performed in the defense of England. Most of them went to Scotland in 1385, for this was the place where great need was apparent. Spencer admitted that several of his retinue had not performed their service, and asked for the release of his treasurer, Sir Robert Fulmer, who had all the indentures under guard. He asked that Fulmer be let out of prison for a suitable term, so that he might draw up the required list, as this would involve a great deal of work. Fulmer was delivered from prison by mainpernor,[3] and Spencer was ordered to make

[1] Rot.Parl.iii,155. [2] Ibid,155. [3] Ibid,155.

certification on the next Wednesday. He replied that he would do it voluntarily as soon as possible, and afterwards, the deadline was extended eight days at his request.[1]

But Spencer had enough influence to obtain a second trial. He probably exerted pressure through Courtney and his fellow bishops in the House of Lords. He claimed in the King's presence that he had been disturbed and interrupted in the first trial, by captious remarks and other ways, so that "he forgot ... a large part of the material he had to say in his defense..."[2] He begged the King to give another suitable day and audience without interruption in the same Parliament, so that he would defend himself so clearly that the four charges would be dropped. The request was granted and another day was given to him, November 24. It was true that he became nervous and tongue-tied in Parliament, owing to the threats and insults of the members, and he forgot his speech because he was foaming with rage. He was a man of action, more at ease on the battlefield.

When the day came, Spencer rehearsed the four articles surmised to him, and gave his answers very well in the presence of Richard II. He added that he would have met the French army advancing into Flanders, but his officers contradicted him and would not consent to it. They urged him to retire and receive the enemy in his fortresses, owing to lack of forces and fear of the enemy. So he returned to Gravelines and stayed there until his captains exposed him by surrendering the other forts. He could have held out longer, but some Englishmen came to him, and told him that there were six or 7000 English rotting on the sands near Calais. They were driven out of the surrendered forts

[1] Rot.Parl.iii,155. [2] Ibid,155.

and having no provisions, could not enter the town of Calais. And knowing that the truce would expire in the next two or three days, and that the French would kill them all, Spencer surrendered Gravelines in order to save the lives of these helpless refugees. He took to the road to rescue these men, and then returned to England with his army. He was responsible for these men who were stranded on the beaches, and he was afraid to be blamed for their death. It was convenient for him to destroy and evacuate the town of Gravelines, which he did before the French entered. He also received a letter from the King, commanding him to evacuate his army and return to England, if there was great lack of provisions in the town.[1] So he felt justified in his actions.

The Chancellor replied, "Sir Bishop, as for this your last answer, it seems, that you had enough provisions when that letter came to you, and without this the King was sending you other provisions, in great plenty; and also, with that, other good letters containing, how he had ordered his uncle of Spain[2] to come quickly to you in aid and rescue. And all this notwithstanding you left there, even leaving the town to the enemy, against the form of your indenture, by which the King had given and granted you as long as you could conquer, not to surrender, sell, or leave to the enemy, but to hold and possess."[3] He went on to say that the French made a truce, not because they feared Spencer, but because they knew that the King and the Duke of Lancaster were ready to cross the Channel. Spencer made a truce on his own authority and without permission, because he was in a desperate situation. He could not blame it all on the

[1]Rot.Parl.iii,156. [2]John of Gaunt. [3]Ibid,156.

mistakes of his captains, because he had selected these same captains himself. "...you cannot and should not be excused from the damages, deceits, villanies, contempts, and the other losses and misdemeanours surmised of you: nor especially of the treaty made with the enemy about the surrender of the said fortresses, about which there are certain indentures made and cut by you and your captains on one side and the King's enemies on the other, sealed with your seal and the seals of the other captains, without the authority or wish of our lord the King, as is said below."[1]

The Chancellor also said for the King, "Sir Bishop, how well could the King our lord try and judge you clearly as a temporal person of his kingdom, because you acted like a temporal person: for expressedly you bound yourself to the King our lord by your indenture to be a soldier of the King, to wage war on Christian people after the term of your crusade was finished, and you had your sword carried in front of you in public. And several other similar things you did every day as temporal lord, publicly, against the common custom of the state of an English prelate. Nevertheless, because of your state the King our lord in his grace will abstain for the present from putting his hand on your body, but whereas he is informed that you have complained to several lords of the kingdom, that wrong was nevertheless done to you on the last day: swearing by your words, that what was done then was not passed by the assent or knowledge of your fathers of the kingdom: it is greatly to marvel at you and at these your words, since the matter does not touch your office, but only certain misdemeanours which you as a soldier of the King, against the forms of your indentures and covenants made with the King our lord, have made and perpetrated, to the great damage of the King

[1] Rot.Parl.iii,156.

as is said above, of which the trying and punishment by common law, and ancient custom of the Kingdom of England, alone and completely belongs to the King our lord and to no other."[1] From this we learn that Spencer tried to raise the issue of clerical immunity, but without success. He was both a soldier of the King and of the Pope, and he could not escape his double obligation. When he came into difficulties in Flanders, he skillfully used his double powers to deceive the people. For instance he told the people of Ypres that he was a soldier of the Pope and not of the King of England. This kind of double dealing did not work in Parliament.

Then the Chancellor sentenced him to the seizure of his temporalities, commanding "that whoever spent in your name the 10,000 gold franks, you make full payment to the treasury of Our Lord the King, without delay or difficulty."[2] So Spencer did not gain anything from this second trial. In fact it made matters worse and he received the same sentence as before. But did he receive a fair trial ? We must remember that he was being tried by his enemies, the prejudiced faction led by John of Gaunt, and they were interested in obtaining his conviction. But in spite of this fact, and solely on the basis of the above evidence, I think that Spencer deserved his sentence. He was not as bad as Trivet and Elmham, who stole money for their own benefit and surrendered fortresses in return for gold. As far as can be seen from available information, Fulmer obtained the 10,000 gold franks without Spencer's knowledge or consent, and spent them to buy provisions for the army. Thus Spencer was innocent of stealing or accepting bribes from the French, but

[1] Rot.Parl.iii,156. [2] Ibid,156. Evidently the Chancellor himself was convinced that Spencer did not steal the money.

there is no doubt that he made unlawful truces with the enemy and surrendered Gravelines on his own authority. It was perfectly lawful for a field commander to surrender unconditionally and be taken prisoner, if further resistance was useless, but he arranged special terms by indenture whereby he could return to England. Furthermore he had disobeyed orders by crossing the Channel too soon, and he persistently refused a royal lieutenant. So he was guilty of three counts out of four, and although not an absolute traitor in the first degree, he was undoubtedly guilty of treachery in the second degree.

It was easy for Spencer to refute the charge that he took money from the French,[1] for the treachery was unknown to him. But the disaster was caused by his incompetence and obstinacy. Being a priest he was not jailed but commanded to say the Psalter for the war dead.[2] But he acted as a temporal lord and was judged as such. He was ordered to pay to the King the money received from the French, and was deprived of his resources and revenues. His temporalities were seized, after a bitter speech by the Chancellor, Michael de la Pole, Earl of Suffolk, who blamed the Bishop for neglecting his promise. Spencer was dumbfounded when he heard of the seizure,[3] but he could not do anything about it. The escheator of Norfolk and Suffolk was ordered to seize his temporalities,[4] and in 1385 they were farmed out to the guardians. But Spencer was allowed to take enough timber to repair and maintain his houses, provided he did not give or sell it. On October 24, 1385, his temporalities were restored, because he was a friend of Richard II and because he went to Scotland.

[1] Wrong, Crusade, 88. [2] Ibid, 89. [3] Higden, Polychronicon, ix, 25-6.
[4] C.F.R. x, 33.

John of Gaunt and other commissioners went to Calais and negotiated with the French at Lalingham. A truce was agreed to and signed. It included Ghent and was to last until October 1, 1384. Froissart says that the truce applied to the Scots, and that Louis de Male, Count of Flanders, died on January 30, 1384, a few weeks after the truce was signed.[1] Walsingham says that the temporalities of the Bishop of Norwich were restored at the Parliament of 1385 in London. They were restored against the remonstrances of the Chancellor, Michael de la Pole, Earl of Suffolk, who belonged to the anti-clerical faction of John of Gaunt. The conflict of clergy and laity is shown by this and other events in this anti-clerical Parliament. Thomas Arundel, Bishop of Ely, asked for their restoration, but Michael de la Pole objected because he claimed that Spencer had accepted 1000 marks from the French. The Bishop of Ely answered the Chancellor's objections by saying that it was an injustice to hold them for two years, and he retorted that Michael accepted 1000 marks a year from the King when he was made Earl of Suffolk. The Chancellor could not reply and the Parliament came to an end on this sour note.[2]

Spencer's crusade settled nothing, for it failed to gain a decisive victory over the Clementists. It affected English religious opinion and caused feeling against church worldliness and corruption. It increased the discontent of the Lollards, in their rebellion against the mysteries of the church, and provided ammunition for Wiclif in his attacks on the hierarchy.[3] It showed the worldliness of 14th century prelates and the corruption of the Medieval Church. It was one of the last crusades and it represented the final petering out of the crusading.

[1] Froissart, Chronicles, 269. [2] Walsingham, Historia Anglicana, ii, 141.
[3] See pages 75-6.

ideal. It was a far cry from the great Crusades when a group of London capitalists were in league with Spencer to put the church and state in the service of commercial interests in Flanders.[1] The crusade of 1383 cost 37,475 pds, 7s, 6d and many large gifts and aids.[2] What is more important to us, it established the incompetence of Spencer as a general, and after that he never again played a prominent part in military events.

[1]Perroy, Schisme, 390. [2]Britton's Cathedral Antiquities, ii, 62.

CHAPTER V. NATIONAL ACTIVITY.

Two years after his unsuccessful crusade, the Bishop of Norwich took part in the English invasion of Scotland. The invasion of 1385 was part of the Hundred Years' War, for Scotland was allied with France against England. But it was also regarded as an Urbanist crusade because Robert II of Scotland adhered to the Antipope Clement. Spencer and his crusaders had served less than six months in Flanders, so they were attached to the invading army in order to complete their service and fulfill the terms of their contract. In 1385 Richard II and his army advanced from York to Durham in order to invade Scotland. The army was divided into three parts. The commanders of the first portion were John of Gaunt, Duke of Lancaster and Seneschal of England, the Earl of Buckingham, Constable of England, and the Earl of Nottingham, Marshal of England, to whom were joined the Bishop of Norwich and his crusaders under the sign of St. Cuthbert, and also other strenuous and robust nobles. The second part was under the Earls of Cambridge, Oxford, Stafford, Arundel, Warwick and Salisbury, and other noble lords and magnates. The third part was under the Earl of Northumberland, Lord Neville, Lord Clifford, Baron Graystoke and Lord Richard Scroop, who had a large army with them. The number of troops was 30,000 archers and armed men, and they arrived at Berwick around the end of July. On August 6 the English entered Scotland with their banners unfurled, and the banner of Pope Urban gave the expedition the nature of a holy crusade against the Scottish schismatics.[1]

Honours were conferred on the leaders when the King promoted

[1]Higden, Polychronicon, iii, 62-5.

the Earls of Cambridge and Buckingham to the rank of duke. Michael de la Pole was made Earl of Suffolk and Lord Neville Earl of Cumberland. The army rested first at Edwick forest, and all the Scots and French they could capture were killed. Much booty was taken including many cattle. When they came to Melrose Abbey, they set it on fire and completely destroyed it, because it was a guest house for the enemy and because the monks were Clementist. Then they laid waste the whole of Lothian up to the Firth of Forth, and the French and Scots fled before them. They reduced Newbottle Abbey to ashes and all places which harboured the enemy. Higden thinks they were justified because the Scots were schismatics and followers of the Antipope. The Scots fled west and the French fled east, so the enemy was divided into two parts. After August 11 Richard II reached the capital at Edinburgh, and both the city and the adjoining abbey were burnt. The army was camped along the Firth of Forth, but the Duke of Lancaster crossed it and devastated the whole of Scotland. He advised the King against continuing the campaign and pointed out the impossibility of finding food for the troops. But the King ascribed the Duke's advice to an evil motive, and his councillors murmured against Lancaster and accused him of treason. Sharp words passed between Richard II and John of Gaunt, and there was an estrangement between them. On August 20 the King decided to return to England because the enemy had fled, and he was reconciled with his uncle. Shortly after this, the army reached Newcastle where it was disbanded.[1] From this we see that Spencer played a very obscure part in the invasion of Scotland, for he is only mentioned once. After failing so badly in Flanders, his military reputation was destroy-

1 iii,62-5.

ed and he was not given the command of any more armies. It was only after he came back from Scotland that his temporalities were restored, as we have seen in the previous chapter.[1]

But Spencer could not settle down to mere administrative work, so he became a sailor and went on a naval expedition to Flanders from 1386-7. He joined an English fleet under the Earl of Arundel which was at sea between England and Flanders. It included the Earls of Devonshire and Nottingham with 5000 men-at-arms and 1000 archers. It was watching for enemy fleets, and there was great disappointment when the Flemish fleet escaped to La Rochelle, and the Constable of France passed Calais unhindered on his way from Treguier to Sluys. The English were anchored in Margate roads at the mouth of the Thames to wait for the return of the Flemings. When the Flemings came in sight a combat was unavoidable. The Flemish fleet had 700 crossbows and armed men under Sir John de Bucq, admiral of the Flemish seas for the Duke of Burgundy, who had caused the English much damage. He exhorted his men to put up a running fight toward Sluys and to draw the English onto the Flemish coast. As the two fleets approached each other, the gunners made ready their bows and cannon. The English had light galleys with archers on board, so they began the combat, but their arrows were fired in vain, for the Flemings sheltered themselves in their vessels and were unhurt. The Flemings sailed on before the wind, but when out of arrowshot they wounded many English with crossbows. The large ships under Arundel, Spencer and others now advanced, but they could gain no advantage. John de Bucq was well armed, and his fleet had cannons with shot balls, which did much damage. The Flemings moved toward Flanders, but the

[1]See page 92.

battle was long and obstinate and it lasted three or four hours. Many vessels were sunk by large sharply-pointed bolts of iron, which were cast down from the tops of ships and which drove holes through the ships. When night came the fleets separated, but when the tide returned they set their sails and renewed the combat. The English now got the better of the Flemings, and they drove them to Cadsand where the defeat was completed. The people of Sluys were terrified when they heard of the English victory, and they expected to be instantly attacked. If the English knew the state of panic at Sluys or followed the advice of Peter du Bois who was on board and who urged an attack, they might have captured the town and castle. But they thought they had done enough, so they did not disembark but instead tried to burn the ships in the harbour. They did much damage and returned to England with Sir John de Bucq as a prisoner. He stayed in London until he died because all ransoms were refused.[1] Thus we see that Spencer had enough tactical ability to command a ship successfully on a naval expedition. But there is no evidence that this expedition was piratical or that Spencer played the part of a pirate. It was part of the Hundred Years' War and can be classed as a naval operation against the French and Flemings.

Besides these military and naval expeditions Spencer frequently attended Parliament. He was present at the Good Parliament of 1376. On April 29, Chancellor Kynvet addressed both houses in the painted chamber and asked for a grant of taxes. The Commons retired to the Chapter House of Westminster Abbey, and they determined to withhold supplies until they had called the Privy Council to account. They needed strong protectors, so they asked certain lords to sit with them and take part in

[1]Froissart, Chronicles, 370-71.

the consultations. There was a precedent for this in the last Parliament, so the request was granted.[1] Sir Peter de la Mare proposed that a committee of four bishops, four lords and four earls should be appointed to correct abuses. The Commons refused a supply until the conference with the magnates took place. During the debate the Duke of Lancaster asked for the names of the proposed appointees. Sir Peter answered: "the Bishops of Norwich, London, Carlisle and Bath, the Earls of March, Warwick, Suffolk and Stafford; the barons and bannerets... Lord Percy, Sir Roger Beauchamp, Sir Guy de Brian and Sir Richard de Stafford."[2] All these persons were accepted, so Spencer was appointed one of the committee to confer with the Commons. Among the bishops were Courtney and Spencer, two fearless and violent men who were champions of the Church and enemies of John of Gaunt. One of the members of Parliament had a dream in encouragement of their action. Thomas de la Hoo, a knight, dreamt that some lords and monks were holding seven pieces of gold, and these turned into the seven gifts of the Holy Ghost.[3] Then there was an argument between the Duke of Lancaster and the bishops over a grant of money. There was a great altercation between them because the bishops did not know what the money would be used for.[4] This shows the conflict between clergy and laity in which Spencer and Gaunt were on opposite sides.

Like his predecessor Thomas Percy, Spencer was a trier of petitions from Gascony and other lands and countries beyond the seas and from the islands (1377). He was on a committee of many bishops and lords, 25 members in all, and they called

[1]Trevelyan, England in the Age of Wiclif, 21. [2]Anominalle Chronicle, 84. [3]Chronicon Angliae, 68-72. [4]Anominalle Chronicle, 100.

before them the Chancellor, the Treasurer, the Seneschal, the Chamberlain and the Sergeant at arms.[1] In 1378 John of Gaunt, Simon of Sudbury, William Courtney, William of Wykeham, Henry Spencer and other bishops, abbots, earls, knights and gentlemen were on a committee as triers of petitions from England, Wales, Ireland and Scotland. It was at the Parliament of Gloucester that they were to meet in Notre Dame Chapel in Gloucester Abbey.[2] In 1381 Spencer was again on a committee to try petitions from Gascony.[3] In 1382 he attended Parliament at Westminster with John of Gaunt, William Courtney and other bishops. He had to decide whether a girl forfeits her lands if she marries without royal consent, in the case of Elizabeth de Say, heiress, who married John de Faluesle, knight. The commissioners said no.[4] In Parliament he was associated with the clerical party, for he was one of the Lords Spiritual in the House of Lords. He usually backed the Pope and the Church, and the prelates generally supported his projects like the crusade in Flanders. He was opposed to John of Gaunt and his servant, Michael de la Pole, who were leaders of the anti-clerical party. And besides Gaunt had a personal quarrel with Spencer's family.[5] The Bishop of Norwich was equally opposed to all defenders of Wiclif and the Lollards, and he was a strong advocate of the persecution of heretics. He was also a friend of Richard II, and was distantly related to the King, so he could obtain favours from him and exert influence through him.

Spencer had a lengthy dispute with William, Baron of Hilton, who had been a soldier on his crusade. In 1392 a commission and special mandate was granted to William, Bishop of Durham,

[1] Rot.Parl.iii,4. [2] Ibid,34. [3] Ibid,133. [4] C.C.R.1381-5,235.
[5] See page 68.

Henry Percy, Earl of Northumberland, and others to decide a dispute between Spencer, plaintiff, and Hilton, defendant, against the sentence of John Cobeham, acting Constable of England.[1] It was a lawsuit and appeal in a court of chivalry about Hilton's service as a soldier in Spencer's crusade.[2] In 1394 the case was still going on, and new commissioners were appointed because those first named were too busy to attend to it.[3] The King ordered the Chancellor to appoint judges to decide Hilton's appeal against the sentence delivered in the court of chivalry in favour of Spencer.[4] In 1393 John, Bishop of Hereford, John de Holland, Earl of Huntingdon, Sir John Lovell, Sir William Bereford and four others were appointed judges of appeal in the suit between Spencer and Hilton.[5] We do not know the outcome of this lawsuit, but it was another one of Spencer's unending quarrels.

Spencer was also engaged in the defense of his diocese. For instance, in 1386 a commission of array in Norwich was given to him and to his bailiffs to resist an imminent French invasion.[6] The King ordered the citizens of Norwich to fortify the city, array men and look after the towers, gates and walls. The citizens chose Spencer as their governor and appointed eight of their number as an advisory committee.[7] Again in 1386 Spencer ordered three bastides to be built or three ferries at Yarmouth at the cost of the country, and forced the men of the adjacent country to contribute. The King warned that the building was of no advantage that time.[8] In 1387 Spencer obtained license to fortify two of his manors.[9] There was another French invasion scare in 1388, and the biggest of all in 1402. These re-

[1] C.P.R.1391-6,17. [2] Ibid,306. [3] Ibid,390. [4] Syllabus of Rymer's Foedera, ii,520. [5] Ibid,524. [6] C.P.R.1385-9,261. [7] Victoria History of Norfolk,485. [8] C.C.R.1385-9,169. [9] C.P.R.1385-9,381.

ferences show the state of alarm which prevailed in coastal dioceses like Norwich, and the warlike preparations which were made there. The Hundred Years' War had turned against England, and the French made frequent raids on the English coast which gave rise to invasion scares. Actually the invasion was made through Scotland in 1385, but it did not succeed.

In 1397 ordinances were made in Parliament by the Lords Apellant against Richard II, and all the bishops including Spencer swore to observe them.[1] Thus Spencer did not oppose the Lords Apellant, but when the Duke of Lancaster invaded England in 1399, he sneered at the timid councillors of Richard II. Writs were issued in Richard's last year demanding special pledges from many of his leading subjects. Thus Spencer was adjured to assemble all the clergy of his diocese and make them swear to maintain the statutes and judgments of his last Parliament and of its committee.[2] The Royal Council was meeting to consider what steps to take against Lancaster, and Spencer was a member of it. Favourable opinions were expressed in Lancaster's behalf by several councillors, but the Bishop of Norwich wanted to fight it out. The Duke landed at Ravenspur, and when the Council heard of this, fear was manifested by William Scrope, John Bushy, Thomas Greene, William Bagot and John Russel. But Spencer sneered at them for their cowardice and upbraided them. Nevertheless they fled to St. Alban's and on to Oxford.[3] Thus we see that Spencer was against what Hilaire Belloc calls the Lancastrian Usurpation.

The royal army was raised by Edmund Langley, Duke of York,

[1] Rot.Parl.iii,373. [2] Anthony Steel, Richard II, 257.
[3] John de Trokelowe & Anon, Chronicles and Annals, 244.

Henry Spencer, Bishop of Norwich, and the knights Bushy, Bagot and Greene. It numbered almost 16,000 men.[1] At St. Alban's the valiant Bishop of Norwich came to the Duke of York's assistance with a strong body of warriors.[2] Richard's appeal to arms at St. Alban's was ignored by all except that old war-horse bishop, Spencer of Norwich.[3] This is interesting because the people of Norfolk welcomed Henry IV and were glad Richard fell. The county and especially Norwich declared for him at once. The city put all its fortifications in order and sent letters to Henry assuring him of support. He rewarded the city with a new charter.[4] The royal army marched on to Bristol where the Duke of York and many others joined Lancaster. But a faint opposition was made to Lancaster by the Bishop of Norwich and Sir William Elmham. Whereas the Duke of York and many others shook hands with Lancaster and rode alongside him, Spencer and Elmham rushed at him ferociously, not waiting for everyone to ride past him, and tried childishly to injure the Duke. But they were captured without difficulty and all their goods were seized. They were thrown into prison, but Lancaster had mercy on them and ordered them released.[5] Besides Spencer and Elmham, Sir Walter Boterly, Lawrence Drew and John Golofre, esquires, were those who refused to join the general defection.[6] The bishops summoned to Parliament to meet at Westminster on the day of St. Faith the Virgin (September 30, 1399) include Spencer.[7] In this same Parliament he assented to the imprisonment of Richard II,[8] but he was by no means reconciled to the change of dynasty. We have seen how he supported Richard to the end and how he refused to desert his anointed King. His mad at-

[1] Ingulph's Chronicle of the Abbey of Croyland, 353. [2] Chronique de la Traison et Mort de Richard II, 184 n2. [3] Steel, Richard II, 265. [4] Victoria History of Norfolk, 485-6. [5] John de Trokelowe, 246.

tempt to assassinate Lancaster at Bristol shows that he had no more discretion at the age of fifty-four than in his youth. But the act shows his blind courage which he had acquired as a soldier. What were his motives in supporting Richard when everyone else changed sides ? First of all, he was a close friend of the King and he had obtained many favours from him. Undoubtedly there was a close bond of personal friendship, and Spencer remained faithful to his friends like Trivet and Elmham even though they were unfaithful to him. He was also related to Richard and he is often called the King's kinsman. Thirdly the idea of hereditary kingship was very strong in the Middle Ages, and this explains the numerous revolts against the House of Lancaster. Undoubtedly Spencer shared these ideas, and he risked his life and came within an inch of losing his head in the plot which we shall now describe.

In 1400 he was involved in a plot against Henry IV with the Earl of Kent, the Earl of Huntingdon, the Earl of Salisbury,[1] the Lord de Spencer[2] and some other knights. At a peaceful tour-

[6]Chronique de la Traison et Mort de Richard II,292. [7]Ibid,preface 14 note 1. [8]Rot.Parl.iii,426. [1]John de Montague, Earl of Salisbury was a Lollard. [2]Thomas le Despenser, Lord of Glamorgan and Earl of Glou cester,(1373-1400) was a nephew of the Bishop of Norwich. He was the son of Edward le Despenser and Elizabeth Burghersh. He was two years old when his father died, and his guardian was Edmund Langley, Duke of York. He married Constance, daughter of his guardian, and was summoned to Parliament in 1396. He belonged to a party of nobles who upheld Richard II against a coalition of lords(1397). He advised their arrest and trial for treason, and the King created him Earl of Gloucester as a reward. He was with Richard in Ireland (1399), for he led the rearguard of the army and had an interview with Art MacMurrough, King of Leinster. He was accused of poisoning Humphrey, son of the late Duke of Gloucester. Richard asked for Spencer's safety in an interview with Northumberland at Chester, but he deserted Richard and was a commissioner of Parliament to depose the King. He was called before Parliament to answer for his conduct as a Lord Apellant(1397), but he denied any share in Gloucester's death. He was degraded from his earldom but freed after a short imprisonment. In 1400 he joined an uprising of nobles at Cirencester, but the townsmen burnt his lodging house. He jumped out a window and fled to his castle at Cardiff. Then he sought refuge on a ship in the Severn, but was brought back to Bristol and behead ed (D.N.B. xiv.417.)

nament called a "mumming" which was held before the King on Epiphany, "they caused public proclamation to be made, so that, making an attack with a strong hand, they might be enabled traitorously to slay the King by taking him unawares."[1] But the King discovered the plot and the leaders fled and were beheaded. The Chronique de la Traison et Mort de Richard Deux says that Spencer plotted for King Richard's restoration. He plotted with the Countess of Oxford and the Abbot of St. John's against Henry IV. He gave comfort to and received the King's enemies, and he helped them to plot the destruction of their lige lord.[2] Adam of Usk says that he was put in custody for this. The Bishop of Norwich, uncle of Thomas le Despenser, Lord of Glamorgan and Earl of Gloucester, being accused of the same treason, was not delivered to a temporal prison, but to the keeping of Thomas Arundel, Archbishop of Canterbury, from reverence for his priestly office, to await judgment. But afterwards the King frankly restored him to his church and dignity, for Henry IV was following a policy of conciliation. Spencer's arrest for complicity in the plot does not appear to be noticed elsewhere.[3] Shakespeare refers to this plot in Richard II when Northumberland says to Bolingbroke:

> I have to London sent
> The heads of Salisbury, Spencer, Blunt, and Kent:[4]

The Bishop of Norwich came very near to being executed in connection with this plot, and only his clerical immunity saved him from the fate of his nephew Thomas. It was fortunate for him that Henry IV was trying to conciliate recalcitrant elements, and was subject to pressure from Arundel and the prelates on the matter of pursuing a stiffer policy toward here-

[1] Ingulph's Chronicle of the Abbey of Croyland, 355. Chronique de la Traison et Mort de Richard II, 272. [3] Adam of Usk, Chronicle, 43, 203.
[4] Act 5, Scene 6.

tics. It is a fact that most prelates welcomed the change of dynasty, for it inaugurated a vigorous persecution of heretics with the Statute of Heretics in 1401. Most of them were dissatisfied with the inactivity of Richard II in suppressing heresy, and only Spencer and Carlisle among the bishops and the Abbot of Westminster clung to the murdered King. No doubt they thought that Richard was still living and that his cause had a chance of success, but nevertheless it shows their high courage. Even after this narrow escape Spencer was still bitter against Henry IV. In the Rolls of Parliament we find a declaration by the King in Parliament respecting him and the affirmance of amity between him and Thomas de Erpingham. On February 9, 1401, Spencer came before the King and lords in Parliament and Thomas de Erpingham, sub-chamberlain of the King, also appeared. There was a quarrel between them. Sir Thomas Erpingham was a Lollard of Norfolk, and Spencer hated him and all Lollards.[1] Spencer had imprisoned him arbitrarily and compelled him to erect an elegant gatehouse at the west end of the cathedral called Erpingham's Gate.[2] Erpingham accused Spencer of having insulted the King by finding fault with his right of succession and by claiming that Henry was not the rightful King. And Erpingham brought the dispute to Parliament. Henry IV rebuked Spencer for being too outspoken, but pardoned him because of his high lineage. He ordered the Archbishop of Canterbury to make peace between the two men, but praised Erpingham for being a faithful knight. Arundel made the two disputants shake hands and they were reconciled.[3] In this way Spencer was reconciled with the House of Lancaster.

But his national activity continued during the last six

[1] Victoria History of Norfolk, 245. [2] Britton's Cathedral Antiquities, ii 62. [3] Rot. Parl. iii, 456.

years of his life. In 1402 a commission was given to Spencer and others in Norfolk and Suffolk (included in a long list of officials all over England) to declare that it was in the King's will to uphold the laws and customs of England, and that preachers in taverns of lies to the contrary and their maintainers would be punished. They were to inquire about the names of all such preachers, and to assemble the King's liges of the country to resist them. They were to arrest and imprison all persons preaching such lies, and to certify thereon to the King and Council frm time to time.[1] This shows that there was widespread discontent against Henry IV. In the same year Spencer received a commission to array the clergy of Norfolk and Suffolk for defense against enemies of the King who intended to invade the realm.[2] The King ordered the Archbishop of Canterbury and the Bishops of Norwich and Exeter to array their clergy to resist an expected invasion.[3] This shows that Henry IV was uneasy and insecure on his throne. In 1406 a commission was given to Spencer and others in Norfolk and Suffolk to borrow in the King's name certain sums of money for arduous and urgent business concerning the King and the state of the realm, to bring it to the King's person with all speed and to make in his name securities for repayment on certain days from certain profits of the realm.[4] This is an early example of a forced loan.

This was the last task which Spencer performed for the King, because he died on August 23, 1406. Walsingham reports his death around the end of autumn, and says that he was a soldier like his fathers. He followed in their footsteps but did not neglect his episcopal duties. The monks of Norwich elected Alexander

[1] C.P.R.1401-5,128. [2] Ibid,109. [3] Syllabus of Rymer's Foedera,ii,545.
[4] C.P.R.1405-8,199.

Todyngton,their prior, to fill his place.[1] On September 3, 1406, license was given for the prior and convent of the cathedral church of Holy Trinity, Norwich, to elect a bishop in place of Henry Spencer, whose death was reported by Robert de Brunham, their fellow monk.[2] We do not know what was the cause of his death, but we do know that he died at the age of sixty-three. He was the only one of his family to die in his bed, for all his ancestors died violent deaths. In 1407 the King sent a mandate to the escheator of Norfolk and Suffolk for restitution of the temporalities of the bishopric of Norwich to Alexander, prior of the church, whom the Pope appointed bishop on the death of the late Bishop Henry, and who had renounced everything prejudicial to the King in the papal bull of appointment, and whose fealty the King had taken. A writ de intendendo in pursuance was sent to his tenants.[3] Thus Alexander Todyngton, prior of Norwich Cathedral, who had waged such a long fight against Spencer, finally became bishop himself. But he did not long enjoy his new position, for he died six years after.[4]

[1] Walsingham, Historia Anglicana, ii, 274. [2] C.P.R. 1405-8, 217.
[3] Ibid, 372. [4] See page 37.

CONCLUSION

Spencer was the twenty-second Bishop of Norwich, and he served thirty-six years under three Kings, five Popes and four Archbishops of Canterbury, a remarkably long term for a medieval prelate.[1] His life can be divided into five parts, (1) down to 1370 when he was named bishop, (2) down to the Peasants' Revolt of 1381, (3) down to the end of his crusade in 1385, (4) down to the fall of Richard II in 1399, and (5) down to his death in 1406. In the first part we see him as the younger son of a great noble who was destined for the church. But although he became a priest early in life, he was far more a knight and a soldier, and he should have stayed in the army. The soldierly profession was more suited to his character, and had he pursued it he might have attained high rank. He became Bishop of Norwich purely by accident, and this launched him into the career of a prelate. In the second part of his life we find him engaged in diocesan work, but his episcopal administration was very stormy. This was caused by his tenacious and unyielding character combined with his terrible temper. But he believed in his cause and took his work seriously. His favourite prayer was "The earth is the Lord's," and he regarded himself as the agent of God in the diocese of Norwich. In 1381 he was given a chance to resume his warlike profession, and his success against ill-armed peasants gave him a reputation which he did not deserve. He may have been good for individual combat, but he did not have the tactical or strategic ability to conduct a campaign. In the third period we see his military reputation blasted when he had to face a real army, for the crusade of 1383 was a complete fiasco. Capgrave says

[1] Britton's Cathedral Antiquities, ii, 80.

that he fought the schismatics in Flanders and left signs of desolation there, but he would have done more had he not been baulked by Sir William Elmham and Sir Thomas Trivet.[1] We can only conclude however that he was brave but incompetent.

In the fourth period of his life, he returned to his diocese and administered it with unyielding severity, cutting down all who offended him, or in his opinion offended against the Church, with unsparing hand. Capgrave says that "in his time no heretic could dwell among the people. Nor did he confine himself to the correction of spiritual offences only; perjury in matters of quest and assize could not prevail in his days, so diligently did he seek out all who were guilty of it, and visit them with severe punishment."[2] But Capgrave feels that some apology is necessary for the good pastor, so he writes an excuse, or rather a confirmation of the deeds of the venerable Bishop, and defends him from adverse criticism. He says that Spencer "warred solely against schismatics, and perturbers of the peace, or enemies of the faith."[3] He discusses the lawfulness of an ecclesiastic bearing arms, and quotes Roman writers and the Bible in support of this practice. According to canon law it was forbidden for a priest to fight except in crusades. This part of Spencer's life culminated in his attempt to assassinate Henry IV, and his plot against the new King for which he was nearly executed. The fifth and last period of his life covers the remaining six years of comparative inactivity down to his death. He died on August 23, 1406, on the vigil of St. Bartholomew, and was buried in Norwich Cathedral. The epitaph on his tomb gives us a good summary of his life and character, for it reads:

[1]Capgrave, Liber de Illustribus Henricis, 171-2. [2]Ibid, 172. [3]Ibid, 174.

"Henricus natus le Spenser, miles amatus
Praesul sacratus, hic Norwycensis humatus.
Florens progenie regali virgo putatur,
Et pugil Ecclesiae, per eum quia Schisma fugatur.
Lollardi mores damnavit deteriores.
Insurrectores perimens necat et proditores.
Spirat ad astra boni Pastoris, mens matutinis,
Dicendo 'Domini est terra.' Fuit sibi finis
M. quadringeno Vigili Sex Bartholomaei;
Christo, Sereno Regi, peragrat requiei."[1]

[1]Capgrave, Liber de Illustribus Henricis, 174. But we must remember that Capgrave was writing in praise of Spencer.

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