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DYNASTY AND TERRITORY IN THE EARLY MODERN PERIOD: THE PRINCES OF WALES AND THEIR WESTERN BRITISH INHERITANCE

IN 1603 the people of Wales, Cornwall and Cheshire found themselves in a position which had not been experienced since 1547. The English monarch had a male heir, and they had a prince, duke or earl. King James's son Henry offered the prospect of a prince of Wales, duke of Cornwall, and earl of Chester to rule them; the last prince of Wales had been Henry, son of Henry VII, who became king in 1509. Henry Stuart, born in Stirling Castle in 1594, was only nine years old when he became duke of Cornwall at the start of his father's reign; by 1610, however, he was about to enter public life.¹ This posed many problems and opportunities for the principality of Wales, the duchy of Cornwall and palatinate of Chester. The recent historiography of the seventeenth century has paid little attention to the local role of the heir to the throne in his principality, or to the importance of his relationship between his traditional territories and the politics of the nation as a whole—in short, of dynasty to territory.² This relationship, it will be

¹ Roy Strong, *Henry, Prince of Wales, and England's Lost Renaissance* (1986), pp. 9–11, 141–2; G. E. C. Cokayne, *The Complete Peerage* (2nd edn, 12 vols. in 13, 1910–59) [hereafter *CP*], III, 176. Henry's creation as prince was expected from 1606; see below n. 20.

² Although much has been written about Wales and something about the principality during this period, surprisingly little has been written about the princes as princes of Wales; the main exceptions are the short article by P. R. Roberts, 'The Tudor princes of Wales', *The Historian*, 15 (Summer 1987), 3–8; and Philip Jenkins, 'Seventeenth-century Wales: definition and identity', in *British Consciousness and Identity: The Making of Britain, 1533–1707* (Cambridge, 1998), pp. 213–35, esp. pp. 228–30. Jenkins there accepts that 'the princely cult kept a Welsh political identity in being', but refuses to develop the argument into allowing the existence of a Welsh political tradition, largely because he works on the basis of a polarity between involvement and integration into a 'British' entity, on the one hand, and separation and independence, on the other (esp. pp. 214–15).

argued, was crucial in defining the nature of the territories ruled by the English king and in the way early modern English kings exercised their kingship. In particular it will be argued that we should look again at the persistence of autonomous institutions and political systems in these territories. The exact state of local autonomy in each of these territories, juristically, fiscally, and politically, varied considerably in this period. For example, the position of Cornwall with regard to the English Parliament and equity courts differed starkly from that of Wales and Cheshire, on which most emphasis will be placed. The argument advanced here will not depend on strict comparability of privilege, or upon precise synchronization of change, but on the overall trend in the state of this provincial autonomy, given its different starting-points. While a tendency to accept local privileged jurisdictions was characteristic of contemporary political thought and sprang from a number of sources, including 'British' historical traditions,³ it will also be suggested that the relationship between the heir to the English throne and Wales, Cornwall and Cheshire was important in helping to justify and support the continuation of provincial autonomy.⁴ One of those

³ Peter Roberts in particular has developed the argument that the 'Britishness' of Wales, in, for example, its language and religious heritage, was a resource gladly drawn upon by Protestants in England: P. R. Roberts, 'The Union with England and the identity of "Anglican" Wales', *Transactions of the Royal Historical Society* [hereafter *TRHS*], 5th series, 22 (1972), 49–70; idem, 'The Welsh language, English law and Tudor legislation', *Transactions of the Honourable Society of the Cymmrodorion*, session of 1987 (1988), 19–75; cf. below, note 81.

⁴ There are, for example, fruitful comparisons to be made between the history of the palatinate of Chester and the palatinate of Durham. Some statutes of the sixteenth century associated them: the enrolment of indentures of bargain and sale was dealt with for Cheshire, Lancashire, and Durham in 1562–3; and royal rights to feudal incidents in the palatine counties were regularized and protected, again in just one act, in the statute of 1576 concerning offices found in the counties palatine: 5 Elizabeth, c.26, & 18 Elizabeth, c.13; *The Statutes of the Realm* (9 vols. in 10, 1810–28) [hereafter *SR*], IV, 456, 624. As often as not, however, this association also included other non-palatine jurisdictions: the Parliament of 1562–63 extended legislation to recruit juries *de circumstantibus* to the three counties palatine, and to Wales: 5 Elizabeth, c.25; *SR*, IV, 454–55. There were, in fact, times when legislation regarding the same issue in Durham and Cheshire was drastically out of step: in 1547 an act clarified issues concerning exigents and proclamations in Wales and Chester: 1 Edward VI, c.10: *SR*, IV, 15–16. The issue of exigents was tackled in Lancashire in 1552 and in Durham only in 1589: 5 & 6 Edward VI, c.26, & 31

other factors promoting regional autonomy, the military significance of the borderlands, was dramatically curtailed in 1603 following the accession of James VI of Scotland to the English throne; nowhere in these islands did these areas any longer represent an interface with organized alien and potentially hostile forces.⁵ Such autonomy was therefore likely to face new challenges in this period. The often problematic state of the succession to the English throne, far from undermining the claims of these areas to autonomy, actually increased the political importance attached to them.

There is little doubt that the counties that made up the principality of Wales represented a set of effective political and administrative systems in the later middle ages. Although the operation of administrative and judicial structures there might fall under the control of powerful local gentlemen, especially in the reign of Henry VI, there was little of the concern over corruption and disorder expressed in and about some of the lordships of the Marches of Wales.⁶ The duchy of Cornwall also functioned efficiently, and the jurisdiction of the Stannaries, which provided so many communities in Cornwall and Devon with an effectively autonomous fiscal, legislative and legal jurisdiction, gained strength under the early Tudors, especially through

Elizabeth, c.9; SR, IV, 158–9, 807–8. More frequent was the association of Cheshire and Wales.

⁵ S. G. Ellis, *Tudor Frontiers and Noble Power: The Making of the British State* (Oxford, 1995), places particular emphasis on the military demands on such areas as Ireland and the march towards Scotland in the definition of their political and social structures.

⁶ R. A. Griffiths, *The Principality of Wales in the Later Middle Ages: The Structure and Personnel of Government, I, South Wales, 1277–1536* (Board of Celtic Studies, University of Wales, History and Law Series, 26, 1972); Glanmor Williams, *Renewal and Reformation: Wales, c. 1415–1642* (Oxford, 1993), ch. 2; J. B. Smith, 'Crown and community in the Principality of North Wales in the reign of Henry Tudor', ante, 3 (1965–7), 145–71; *Calendar of the Caernarvonshire Quarter Sessions Records, Vol. I, 1541–1558*, ed. W. Ogwen Williams, Caernarvonshire Historical Society (1956), p. xxxi; S. J. Gunn, 'The regime of Charles, Duke of Suffolk, in north Wales and the reform of Welsh government, 1509–25', ante, 12 (1985); T. B. Pugh, *The Marcher Lordships of South Wales, 1415–1536* (Cardiff, 1963). Cf. the over-drawn portrayals of violence in Wales stemming from Tudor authors such as Rice Merrick, John Wynn and George Owen: Williams, *Renewal and Reformation*, p. 50.

the Stannaries Charter of 1508.⁷ In fifteenth-century Cheshire, the courts and administration of the palatinate of Chester were working efficiently, and mechanisms existed to maintain peace and stability in the county, belying the lawlessness so overdrawn in some accounts.⁸ Like the principality of Wales, Cheshire had autonomy from the fiscal decisions of the English Parliament, and in both a particular form of taxation, the mise, was levied on several occasions in the fifteenth century, after grants made during a meeting between the representatives of the prince and local inhabitants, a conference sometimes referred to as a parliament.⁹

⁷ John Hatcher, *Rural Economy and Society in the Duchy of Cornwall, 1300–1500* (Cambridge, 1970); Graham Haslam, 'An administrative study of the Duchy of Cornwall, 1500–1650' (unpublished Ph.D. thesis, Louisiana State University, 1980); G. R. Lewis, *The Stannaries: A Study of the English Tin Miner* (Boston and New York, 1908), pp. 125–6; L. F. Salzman, 'Mines and stannaries', *The English Government at Work, 1327–1336*, Vol. III, *Local Administration and Justice*, ed. J. F. Willard, W. A. Morris, and W. H. Dunham, jr. (The Medieval Academy of America, 56, 1950); 1508 Charter: *Calendar of Patent Rolls, 1494–1509*, pp. 578–9; Robert R. Pennington, *Stannary Law: A History of Mining Law of Cornwall and Devon* (Newton Abbot, 1973), p. 20; Lewis, *Stannaries* (1965 edn), p. 127; John Rowe, *Cornwall in the Age of the Industrial Revolution* (Liverpool, 1953), p. 13; M. J. Stoye, "'Pagans or Paragons?": images of the Cornish during the English Civil War', *English Historical Review*, 111 (1996) [hereafter Stoye, 'Pagans or paragons?'], 299–323.

⁸ D. J. Clayton, *The Administration of the County Palatine of Chester, 1442–1485* (Chetham Society, 3rd series, XXXV, 1990); eadem, 'Peace bonds and the maintenance of law and order in late medieval England: the example of Cheshire', *Bulletin of the Institute of Historical Research* [hereafter *BIHR*], LVIII (1985), 133–48; D. J. Clayton and B. E. Harris, 'Criminal procedure in Cheshire in the mid-fifteenth century', *Transactions of the Historic Society of Lancashire and Cheshire* [hereafter *THSLC*], CXXVIII (1979), 161–72; D. J. Clayton and B. E. Harris, 'The Chester County Court in the fifteenth century', *Cheshire Sheaf*, 5th series, nos. 27, 35 (1976). Cf., again, the emphasis on anarchy in earlier works, esp. Geoffrey Barraclough, 'The earldom and County Palatine of Chester', *THSLC*, CIII (1952 for 1951), 23–57; and H. J. Hewitt, *Cheshire under the Three Edwards*, p. 11 (the palatinate as a 'serious disadvantage to its economic, social and even its political life'); J. T. Driver, *Cheshire in the Later Middle Ages 1399–1540*, p. 5, and Joan Beck, *Tudor Cheshire*, pp. 1–5 (respectively *A History of Cheshire*, V–VII, Chester, 1967, 1971, 1969).

⁹ B. E. Harris, 'A Cheshire parliament', *Cheshire Sheaf*, 5th series, no. 1 (1976), 1–2; idem, 'Cover illustration: the Cheshire "parliament"', *Cheshire History*,

By 1603, however, the principality of Wales, the duchy of Cornwall and the palatinate of Chester had undergone a process which has been seen as the effective end of their special status. The historiography of these areas during the early modern period therefore contrasts starkly with historians' accounts of their experience during the later middle ages.¹⁰ After 1536 in Wales and Cheshire writs ran in the king's name only, not in that of the prince or earl. Justices of the peace and quarter sessions were instituted where there had before been none. Statutes of 1536 and 1543 made provision for the representation of the counties of Wales and Cheshire in the Westminster Parliament. A representative of the sheriffs of the counties was to be present in the court of King's Bench at Westminster to ensure that indictments of inhabitants of the principality and palatinate could be proclaimed there. Local finances were removed from the control of the chamberlains of Chester, north

II (1978), 57–8; D. J. Clayton, 'The "Cheshire Parliament" in the fifteenth century', *Cheshire History*, VI (1980), 13–27; Clayton, *Administration of Chester*, pp. 45–50; H. D. Harrod, 'A defence of the liberties of Chester, 1450', *Archaeologia*, 57 (1900), 71–86, at 75.

¹⁰ Welsh historians from two starkly different traditions propagated views of the end of Welsh autonomy: those who glorified the English connection, from George Owen to W. Ll. Williams, *The Making of Modern Wales* (1919); and Welsh nationalists, e.g. A. O. H. Jarman. Cheshire: W. J. Jones, 'The exchequer of Chester in the last years of Elizabeth I', in A. J. Slavin (ed.), *Tudor Men and Institutions: Studies in English Law and Government* (Baton Rouge, 1972), pp. 123–70; idem, 'Palatine performance in the seventeenth century', in *The English Commonwealth, 1547–1640: Essays in Politics and Society Presented to Joel Hurstfield*, ed. Peter Clark, A. G. R. Smith, and Nicholas Tyacke (Leicester, 1979), pp. 189–204, 260–3; J. S. Morrill, *Cheshire, 1630–1660: County Government and Society During the English Revolution* (1974); E. W. Ives, 'Court and County Palatine in the reign of Henry VIII: the career of William Brereton of Malpas', *THSLC*, 123 (1971); E. W. Ives, *Letters and Accounts of William Brereton* (Record Society of Lancashire and Cheshire, 1976), esp. pp. 33–40. Cornwall: A. L. Rowse, *Tudor Cornwall: Portrait of a Society* (1941); idem, *The Expansion of Elizabethan England* (1955), ch. 1: the main elements of the historiography focus on the decline of the Cornish language, the defeat of rebellion in 1497 and 1549, and the recruitment of Cornishmen to the colonizing drive; 'the future was with the seamen and on the sea' (*Expansion of Elizabethan England*, p. 51). This is still true of recent work, e.g. Mark Stoye, *Loyalty and Locality: Popular Allegiance in Devon During the English Civil War* (Exeter, 1994); Anne Duffin, *Faction and Faith: Politics and Religion of the Cornish Gentry before the Civil War* (Exeter, 1996).

and south Wales, and placed under the control of the crown receiver.¹¹ Under Henry VIII, Edward VI, Mary and Elizabeth, the people of Wales and Cheshire began to use the Westminster equity courts of Star Chamber and Chancery, where they had scarcely litigated before.¹² So complete were these changes, as portrayed in the current historiography, that Cheshire in particular has been seen as, effectively, an archetypal English county—sometimes *the* archetypal English county.¹³

Several forces had been at play to bring about this change. The needs of the Tudor monarchy to secure the defence of the realm, to protect the religious settlements of the period after the break with Rome, and to win sufficient supply, provided pragmatic reasons for the reduction in local autonomy. These are seen at their starkest in Ireland.¹⁴ It has been suggested that the imperial ideal which provided the ideological and intellectual justification for these changes might also have driven a war against local privilege,¹⁵ although, as Ciaran Brady has recently

¹¹ The most detailed account of the changes in Wales remains P. R. Roberts, 'The "Acts of Union" and the Tudor Settlement of Wales' (unpublished Ph.D. thesis, University of Cambridge, 1966); useful summaries are provided by Williams, *Renewal and Reformation*, ch. 11; and J. Gwynfor Jones, *Early Modern Wales, c. 1525–1640* (Basingstoke and London, 1989), ch. 2; *VCH, Cheshire*, II. 31–5.

¹² Public Record Office, C 1/40/222 is the only Cheshire case *temp.* Edward IV; it concerns a large complex of lands, only a small part of which was in Cheshire. Wales: R. A. Griffiths, 'The King's realm and dominions and the king's subjects in the later Middle Ages', *Aspects of Late Medieval Government and Society*, ed. J. G. Rowe (Toronto, 1986), pp. 33–54, esp. pp. 53–4.

¹³ Especially the immensely influential work of John Morrill and his school, stemming from *Cheshire 1630–1660*, and *The Revolt of the Provinces: Conservatives and Radicals in the English Civil War, 1630–1650* (1976).

¹⁴ S. G. Ellis, 'Crown, community and government in the English territories, 1450–1575', *History*, 71 (1986), 187–204, at 187 (his quotation is from Palliser, *The Age of Elizabeth*, p. 9); idem, 'England in the Tudor state', *Historical Journal*, 26 (1983), 201–12, esp. 210–12; idem, 'Tudor state formation and the shaping of the British Isles', *Conquest and Union: Fashioning a British State, 1485–1725*, ed. Steven G. Ellis and Sarah Barber (London and New York, 1995), pp. 40–63; Hiram Morgan, 'British policies before the British state', *The British Problem, c. 1534–1707: State Formation in the Atlantic Archipelago*, ed. Brendan Bradshaw and John Morrill (Basingstoke and London, 1996), pp. 66–88.

¹⁵ Brendan Bradshaw, *The Irish Constitutional Revolution of the Sixteenth Century* (Cambridge, 1979), p. 161; idem, 'The Tudor Reformation and revolution in Wales and Ireland: the origins of the British problem', *British Problem*, ed. Bradshaw and Morrill, pp. 39–65.

shown, the theory may have emerged after the event to justify pragmatic responses to an ever-deepening crisis.¹⁶ In the specific cases of Wales, Cornwall, and Cheshire, however, there was an additional factor at play, namely, their connection with the succession to the English throne. Few would argue that the exercise of local privilege in the principality, duchy and county had been at its most impressive when the adult princes, Edward the Black Prince and the future Henry V, had been in control there. By contrast, it may be suggested that these changes to local privileges had occurred during a long period when there was no adult heir to the throne to use, and to defend, the privileges of the heir's traditional landed endowment: the last such adult prince had been Henry of Monmouth in the early fifteenth century.¹⁷ The period surrounding the accessions of James to the English throne in 1603 and of his son Henry to the principality, duchy and earldom in 1610 was, therefore, important. Given the prevalent historiographical interpretation, we might have expected that these years would see the continued decline of the privileges of these areas into irrelevance.¹⁸ On the other hand, the accessions might have provided the trigger for a restoration of the role of an active prince of Wales. After two centuries without one, how should an adult heir to the throne act? Should he even be created earl of Chester and prince of Wales? Henry VIII's heir Edward VI had never been: his designation as

¹⁶ Ciaran Brady, *The Chief Governors: The Rise and Fall of Reform Government in Tudor Ireland, 1536–1588* (Cambridge, 1994), p. xiv, prologue; idem, 'Comparable histories: Tudor reform in Wales and Ireland', *Conquest and Union*, ed. Ellis and Barber, pp. 64–86; idem, 'England's defence and Ireland's reform: the dilemmas of the Irish viceroys, 1541–1641', *British Problem*, ed. Bradshaw and Morrill, pp. 89–117.

¹⁷ On the activism of Henry of Monmouth and his predecessor, Edward the Black Prince, in their earldom and principality, A. E. Curry, 'Cheshire and the royal demesne, 1399–1422', *THSLC*, CXXVIII (1979), 113–38; Philip Morgan, *War and Society in Medieval Cheshire, 1277–1403* (Chetham Society, 3rd series, XXXIV, 1987), esp. ch. 3; P. H. W. Booth, *The Financial Administration of the Lordship and County of Chester, 1272–1377* (Chetham Society, 3rd series, XXVIII, 1981).

¹⁸ Cf. also the historiography of James VI's rule in Scotland, which had at times emphasised the reduction of local liberties: D. H. Willson, *King James VI and I* (1956), pp. 96–102, 106–15, and the critique developing, for example, in J. M. Brown, 'Scottish politics 1567–1625', *The Reign of James VI and I*, ed. A. G. R. Smith (London and Basingstoke, 1973), pp. 22–39.

'prince of England' in the Garter register seemed to emphasize an intentional divorce between the succession to the throne and the land of Wales.¹⁹ The response to the situation was bound to be tentative and equivocal but it tells us much about the attitude of the central government to Wales, Cornwall and Cheshire, about the vitality of their institutions and about the position of the heir to the English throne.

Indications of the fate of the principality, duchy and palatinate emerged soon after 1603. By tradition the accession of a new monarch or prince was marked by a grant of the mise. Mises were indeed granted in Wales and Cheshire following James's accession.²⁰ The grant made by Cheshire was particularly controversial, and the conflict it occasioned is instructive of the state of local privileges. Disagreement centred on the means by which the mise should be voted, collected and paid. The arrival of a commission under the great seal of England in September 1605, for the grant of the mise and for the appointing of collectors, produced uncertainty among the Cheshire gentry and a strong objection from William Stanley, sixth earl of Derby, the chamberlain of the county. The Cheshire gentry found two precedents among the records of the Chester exchequer: under Elizabeth, the great seal of England had directed the whole process, as was intended in 1605, but under Henry VIII the palatinate seal had done so. They preferred the latter precedent and sent Sir Thomas Holcroft to the earl

¹⁹ *CP*, III, 175; note by J. G. Nichols in *Notes and Queries*, 2nd series, V (1858), 325. There do seem to have been preparations for a creation in hand in 1536–7, 1543, and 1546–7, however: Roberts, "The Acts of Union" and the Tudor settlement of Wales', pp. 271–3; Roberts, 'Tudor princes of Wales', esp. figure 4 at 7; John Leland, *Genethliacon Illustrissimi Eaduerdi Principis Cambriae, Ducis Corinae, & Comitis Palatini* (1543), reprinted in *The Itinerary of John Leland the Antiquary*, ed. Thomas Hearne (3rd edn., 9 vols., Oxford, 1769), V; *The Chronicle and Political Papers of King Edward VI*, ed. W. K. Jordan (1966), p. 3.

²⁰ The grant was expected in Cheshire at least as early as 23 September 1604: Historical Manuscripts Commission, *Calendar of the Manuscripts of the Most Honourable the Marquess of Salisbury* (24 vols, 1883–1976), XVI, 315. The systematization of the mise burden on the township of Over Peover, 16 February 1603–4, suggests a similar expectation: John Rylands University Library, Manchester, Mainwaring MSS, Roll 10; *Calendar of Wynn (of Gwydir) Papers, 1515–1690, in the National Library of Wales and Elsewhere* (Aberystwyth, Cardiff and London, 1926), pp. 116–17; *SR*, IV(2), 1201 (#36).

of Salisbury with a request that it be followed.²¹ A conference with Holcroft on 16 December provided the assurance that a *supersedeas* was on its way, but it was not clear when it would arrive. Faced with this uncertainty, the county gentry opted to play safe:

Then considering the returne of this Commission, was the first day of the next terme, and having forborne the execucon thereof verey nere a Quarter of a yere, we thought it good to send vnto Mr Justice Warburton being the first in the Commission to vnderstand the danger if we did neglect our duties any longer, whome delivered his opinion, we might be fyned to the vlew of our landes, and have hazarded the seisin of our libertyes into the kinges handes, w[hi]ch being made knowne vnto Justice Townesend vice Chamberlyne, w[i]th his consent we proceeded vnto the execucon of this Commission the xxxth of December.²²

It was a small point, and the whole body of the liberties of the county was under threat, so the county gentry were ready to compromise. The earl of Derby, however, would not. He insisted that the palatinate seal should move the whole process, not the English one, assembling a collection of precedents dating back to the reign of Henry IV to prove his point.²³ Just as the Cheshire gentry lost their nerve and began collection under the original directive, Derby informed them that Lord Treasurer Dorset, Lord Chancellor Egerton, Salisbury, and Attorney General Coke had agreed to accept the county's case and alter the commission. The collection of the Cheshire mise in 1606–8, therefore,

²¹ Holcroft (d. 1620) was a prominent Cecil connection at this time: P. W. Hasler, *House of Commons, 1558–1603* (3 vols, 1981), II, 326–7. The vice-chamberlain of Chester, Sir Henry Townsend, told the earl of Salisbury that the commission was a 'course against the prerogative': HMC, *Salisbury*, XVII, 466 (24 October 1605).

²² PRO, SP 14/17/71: John Warburton, William Brereton, George Booth, Peter Warburton, Thomas Wilbraham, Richard Grosvenor, Henry Mainwaring to the earl of Salisbury, 31 December 1605 (*Calendar of State Papers Domestic, 1603–10*, p. 274). Cf. *Cheshire Sheaf*, 1st series, II, 351–2 (no. 1777), a letter from Sir Thomas Dod to Edward Dod, baron of the Chester exchequer (appointed 25 February 1604/5: *Thirty-Ninth Report of the Deputy Keeper of the Public Records*, p. 98), dated 27 December 1605, expressing concern about Justice Warburton's collection of the mise.

²³ PRO, SP 15/38/3 (*CSPD, Addenda 1580–1625*, p. 474).

followed the most traditional pattern. The immediate effect of the accession of James I was that the county had regained one element of autonomy eroded under Elizabeth.²⁴

The process was to go further with the creation of a new prince of Wales. There had been for some time a move to reconstitute the estates of the heir to the throne, in particular the duchy of Cornwall, which had suffered depredations in the last years of Elizabeth's reign after about 1590.²⁵ After 1606, the ground was clearly being prepared for Henry's accession.²⁶ The creation of Henry as prince of Wales and earl of Chester took place on 4 June 1610, during the fourth session of James's first Parliament. The earl of Salisbury stated at the beginning of the session that there were two aims to the Parliament: to witness the creation and to provide supply. The two were, in fact, linked: the creation of the prince provided another ground on which to request

²⁴ PRO, SP 14/17/71; SP 15/38/3; /3.i (the collectors of the mise, 1606) (*CSPD, 1603–10*, p. 274; *CSPD, Addenda 1580–1625*, p. 474); Cheshire County Record Office, DDX 43/13 (Wirral collectors' commission, 20 February 1606). The mise payments are recorded in views of accounts of Crown revenues for Cheshire, Derbyshire, Lincolnshire and Nottinghamshire: PRO, SC 6/1574, ff. 34–v.; /1575, ff. 33–v.; /1576 (unfoliated). It should be noted that by partial quotation W. J. Jones uses this incident to support his case for a *decline* in the power of the exchequer: Jones, 'Exchequer of Chester', p. 169.

²⁵ Graham Haslam, 'The Elizabethan Duchy of Cornwall, an estate in stasis', *The Estates of the English Crown, 1558–1640*, ed. R. W. Hoyle (Cambridge, 1992), pp. 88–111, esp. pp. 110–11. Haslam recognizes that the Cornwall lands were traditionally associated with the heir to the throne, but assumes that since there was no clear heir, this link was no longer a factor; this unwillingness to recognize the importance of the association with the heir to the throne is even clearer in its predecessor in the volume, David Thomas, 'The Elizabethan Crown lands: their purposes and problems', *ibid.*, pp. 58–87. Thomas lists the purposes of the lands, from the provision of revenue, through the loyalty of the tenants and the patronage at royal disposal there, and finally to hunting, without mentioning the symbolic importance of the duchy to the royal dynasty.

²⁶ Haslam, 'Administrative study of the Duchy of Cornwall', e.g. p. xxii; P. R. Roberts, 'Wales and England after the Tudor 'Union': Crown, Principality and Parliament, 1543–1624', *Law and Government under the Tudors: Essays Presented to Sir Geoffrey Elton on his Retirement*, ed. C. Cross, D. Loades, and J. J. Scarisbrick (Cambridge, 1988), pp. 111–38, esp. pp. 122–6.

supply.²⁷ The creation was followed by another grant of the mise by the inhabitants of Cheshire, amounting to a further 3,000 marks.²⁸ But the creation was also seen as an end in itself. In his speech to Parliament, Salisbury described the history of the principality and of the earldom, noting the changes that had occurred to local liberties under Henry VIII, but emphasizing the 'Regalities and powers incident to the Countie Pallatine that are not directlye taken away by the Statute of 27: H: 8',²⁹ especially the nomination of the bishop of St Asaph, a mark of sovereignty in Selden's eyes. The ceremonial for the creation also emphasized the importance of the occasion and drew particularly on

²⁷ *Proceedings in Parliament 1610*, ed. E. R. Foster (2 vols, New Haven and London, 1966), I, 3–8; II, 9–27, esp. pp. 11–14; *The Journals of the House of Commons* (55 vols, 1803) [hereafter *CJ*], I, 439; Strong, *Henry, Prince of Wales*, p. 152. Attempts to use Henry's advancing age for royal financial benefit, through an aid for his knighting in 1609 (e.g. Chester City Record Office, CR 63/2/692/217), had produced protests over rating: British Library, Harleian MS 2009, f. 15 (Cheshire); National Library of Wales, Aberystwyth, Additional MS 465E, 499, 512 (all cited by letter number); NLW, Additional MS 9053E, 495–6, 500 (*Wynn Papers*, pp. 80, 81, 83) (Caernarfonshire).

²⁸ Appointments of collectors, 1 July 1612: CCRO, DAR I/17, ff. 16–17 (Bucklow hundred); *Cheshire Sheaf*, 3:8, 33 (no. 1611) (Northwich hundred). This should be seen in the context of Henry's landed revenue from Wales and Cheshire, £3,336 in 1610, itself 36.5 per cent of his total landed revenues: T. V. Wilks, 'The Court culture of Prince Henry and his circle, 1603–1613' (unpublished D.Phil. thesis, University of Oxford, 1987), p. 129. One year's mise from Cheshire alone was therefore equivalent to a boost to the prince's revenues of roughly 7.5 per cent of ordinary landed revenues.

²⁹ BL, Harleian MS 777, ff. 2v–5, esp. ff. 4v–5 (it is interesting that the notes on the speech in BL, Lansdowne MS 486, ff. 131–v, and PRO, SP 14/52/70, picked up on the references to the power of the earldom and make no mention at all of the legislation of the sixteenth century); *Proceedings in Parliament 1610*, II, 13–14; John Selden, *Titles of Honor* (1614; 3rd edn, 1672), pp. 26, 495. In 1630, there was debate involving Mr Noy over whether *sede vacante* the temporalities of St Asaph belonged to king or prince: Flintshire Record Office, Hawarden, D/GW (Gwysaney MSS), 2101 (Theodore Grene to Robert Davies, 18 February 1629/30). For a different emphasis (that the prince had no prerogatives 'other than such as are due unto other Noble men'), John Doddridge, *The History of the Ancient and Moderne Estate of the Principality of Wales* (1630), p. C3v. There was also a rumour that the lord chancellor, Thomas Egerton, was to be made president of the Council and earl of Flint, reported on 12 June 1616, by Edward Sherburn to Carleton, *CSPD 1611–18*, p. 373. This is interesting in the light of Flintshire's close association with Cheshire under its palatinate.

themes from British history, of special relevance to the territories of the prince of Wales.³⁰

The respect for the principality and palatinate shown by Salisbury's 1610 speech, and by these creation ceremonies, was also reflected in the enthusiasm of Cheshire people, seen most notably in the entertainment put on in the city of Chester on St George's day 1610, 'Chester's Triumph in Honour of Her Prince'.³¹ A link between the national and the regional was provided by the personnel of Henry's entourage. The chief moving spirit behind the court of Prince Henry was Thomas Chaloner. Chaloner's father had made his fortune in the royal service, as clerk to the Council under Henry VIII and on other duties such as an embassy to France under Edward VI.³² Thomas added to the family fortune in Prince Henry's service and ended his life with a considerable landed estate around Guisborough in north Yorkshire.³³ He was in

³⁰ Strong, *Henry, Prince of Wales*, pp. 141–2, 152–3; Pauline Croft, 'The parliamentary installation of Henry, Prince of Wales', *Historical Research*, LXV (1992), 177–93; Stephen Orgel and Roy Strong, *Inigo Jones: The Theatre of the Stuart Court* (London and Berkeley and Los Angeles, 1973): 'Prince Henry's barriers', 6 January 1610 (i, 159–67); 'Tethys' Festival', 5 June 1610 (I, 193–201); Jonson, 'Oberon, the Fairy Prince', 1 January 1611 (i, 205–27); 'Barriers': C. H. Herford and Percy Simpson, *Ben Jonson* (11 vols, Oxford, 1925–52), VII, *The Sad Shepherd, The Fall of Mortimer, Masques and Entertainments* (1941), pp. 323–36; E. K. Chambers, *The Elizabethan Stage* (4 vols, Oxford, 1923), III, 393; M. C. Williams, 'Merlin and the prince: the speeches of Prince Henry's barriers', *Renaissance Drama*, n.s., VIII (1977), 221–30. The river fête that formed part of the celebrations showed Ancient Britain revived in her prince; Corinea, queen of Cornwall, riding astride a dolphin; and Amphion, genius of Wales: Strong, *Henry, Prince of Wales*, pp. 153–4; Francis Jones, *The Princes and Principality of Wales* (Cardiff, 1969), p. 133. Cf. Jonson's masque 'For the honour of Wales', n. 96 below; Jenkins, 'Seventeenth-century Wales', p. 229; Peter Roberts, 'Tudor Wales, national identity and the British inheritance', in *British Consciousness and Identity: The Making of Britain, 1533–1707* (Cambridge, 1998), pp. 8–42, pp. 40–1, is even more dismissive: the ceremonies of '1610 and 1613 [sic], were honorific affairs signifying little more than celebrations of the pluralistic character of the Jacobean monarchy'.

³¹ D. M. Bergeron, 'Prince Henry and English civic pageantry', *Tennessee Studies in Literature*, XIII (1968), 109–16, esp. 111; idem, *English Civic Pageantry 1558–1642* (1971), pp. 92–4 (which corrects his mistaken view that Henry was entertained at Chester).

³² S. T. Bindoff, *House of Commons, 1509–1558* (3 vols, 1982), I, 610–12; W. K. Jordan, *Edward VI: the Threshold of Power. The Dominance of the Earl of Northumberland* (1970), pp. 177–8.

³³ VCH, *Yorkshire, North Riding*, II, 353; Hasler, *Commons, 1558–1603*, I, 588–9.

origin, however, a man of north Wales and had Cheshire connections.³⁴ As such he provided a crucial link for the prince's court with the local culture of antiquarians, writers and heralds, along with other gentlemen who found the new prince's circle to be a useful source of patronage. These included Randle Holme I, herald at Chester, described as servant of Henry in 1607.³⁵

The creation of the prince was not the only occasion on which Wales and Cheshire were discussed in Parliament in 1610. Paradoxically, respect for their privileges, in particular those concerning taxation, was tested during this session. Since 1534, the people of Chester had been subject to the subsidies voted by the English Parliament; the people of Wales had become so liable in the 1540s.³⁶ They had remained exempt, however, from the payment of fifteenths and tenths, still a significant element of the parliamentary supply won by the Elizabethan regime. In spite of this, on 11 July 1610, it was suggested by Sir Nicholas Saunders that those privileged areas and institutions which did not contribute to taxation should now be included. It was noted that the representatives of the Cinque Ports, themselves exempt from the payments, had never been slow in volunteering money in Parliament.³⁷ The threat that Wales and Cheshire faced was clear; amongst those who

³⁴ *Pedigrees Made at the Visitation of Cheshire, 1613, Taken by Richard St. George*, ed. G. J. Armytage and J. P. Rylands (Harleian Society, LIX, 1909), pp. 59–61. Sir Thomas (d. 1565) was the great-grandson of Rees Chaloner of Denbigh.

³⁵ Wilks, 'Court culture of Prince Henry', pp. 11–12; J. P. Earwaker, 'The four Randle Holmes of Chester, antiquaries, heralds, and genealogists, c.1571 to 1707', *Journal of the Chester Archaeological and Historical Society*, n.s., IV (1892, for 1890–1), 116. Holme married the widow of Thomas Chaloner, Ulster king of arms, who was distantly related to Sir Thomas Chaloner: *Visitation of Cheshire, 1613*, pp. 59–61.

³⁶ PRO, E 179/85/2/3 (Cheshire); *Wynn Papers*, p. 2 (mandate to Arthur Bulkeley, bishop of Bangor, et al., to collect a lay subsidy in Caernarfonshire, 26 July 1543); Williams, *Renewal and Reformation*, p. 267.

³⁷ *CJ*, I, 448–50; *Proceedings in Parliament 1610*, II, 277–8, 383–4; Thomas Birch, *The Court and Times of James the First* (2 vols, 1848), I, 128–30. The year 1610 did see the start of taxation of the previously exempt border shires. On the constitutional position of the Cinque Ports and taxation, see K. M. E. Murray, *The Constitutional History of the Cinque Ports* (Manchester, 1935), pp. 223–4. In the case of the Universities of Oxford and Cambridge, the reason for the suggested reform was their disrespectful behaviour towards the Crown.

objected was Roger Puleston, the member for Flintshire.³⁸ Once again, however, the exemption of Wales and Cheshire from fifteenths and tenths, taxes levied again in 1624, and debated abortively in 1626, was permitted and cannot be said to have been seriously threatened. The subsidy act contained, like many of its predecessors, the concession that Cheshire and Wales would not be subject to the subsidy until after they had completed payments of the mises recently granted to the king.³⁹

The accession of Prince Henry had therefore seen a further grant of mises, a central feature of the principality and palatinate's special position, and the successful defence of their exemption from English fifteenths and tenths. Henry's death on 6 November 1612 put many of these achievements once more in doubt.⁴⁰ Although his brother Charles immediately became duke of Cornwall, he was not at the same time created earl of Chester and prince of Wales.⁴¹ One of the factors which might have influenced James against making his second son prince as he had his first was the continuing confusion over the exact powers of the Council in the Marches in the border shires, and the meaning of the grant of legislative power to the king under the 1543 'Act of Union'.⁴² Yet Charles too was later made prince of Wales and earl of

³⁸ Hasler, *Commons, 1558-1603*, I, 261-2.

³⁹ SR, IV(2) pp. 1187-1201 (7 James I, c. 23), esp. 1200-1. This refers to the grant made in 1605; cf. the clauses of subsidy acts of Edward VI, Mary and Elizabeth: SR, IV, 78-93 (#LII-LIII), 122-4 (#XV), 176-89; 301-12, 336-48, 384-96; SR, IV(2), 1247-62; Conrad Russell, *Parliaments and English Politics, 1621-1629* (Oxford, 1979), pp. 91, 189, 226, 291. In 1621, the representatives of Wales did not insist on the usual delay in collection of subsidy consequent on the grant of the mise, although on condition this should not stand as a precedent: 5-12 March 1621: *Commons Debates 1621*, ed. Wallace Notestein, F. H. Relf, and Hartley Simpson (7 vols, New Haven and London, 1935), IV, 145; VII, 345; NLW, Additional MS, 1019, 1034, 1043, 1064 (*Wynn Papers*, pp. 161, 165, 167, 171); A. H. Dodd, 'Wales's parliamentary apprenticeship (1536-1625)', *THSC*, session of 1942 (1944), pp. 54-5.

⁴⁰ CP, III, 176; Strong, *Henry, Prince of Wales*, p. 220.

⁴¹ CP, II, 176, 445; CSPD, 1611-18, p. 172; *pace* Pauline Gregg, *King Charles I* (London, Melbourne and Toronto, 1981), p. 38.

⁴² In 1613, James noted on a paper presented by Sir Herbert Croft concerning the legislative power, that 'My sonne will not lyke this discourse': PRO, SP 14/76/53; Roberts, 'Wales and England after the Tudor "Union"', p. 132.

Chester, in 1616.⁴³ If this delay suggested some hesitation on the part of the king, there was no sign of any such doubts in the areas of his principality once the creation had occurred: there were celebrations in Ludlow on the very day of his creation,⁴⁴ and Charles received a grant of the mise from Cheshire⁴⁵ and a similar grant in Cornwall.⁴⁶ Cheshire therefore voted three grants of the mise in the space of a dozen years. This was a frequency of grant that had not been seen since the reign of Henry VII, when there had been grants in 1486, 1497, 1500 and 1508. Even then, the 1497 grant had been less valuable than the usual one, at just 1,000 marks, so the early seventeenth century was one of the heaviest periods of palatine taxation in Cheshire's history.⁴⁷

It is clear that the administration of the prince's territories took some time to adapt to the new situation of having a ruling prince. In the case

⁴³ *CSPD, 1611–18*, pp. 261, 373, 397–8, 401–4, 427; Gregg, *Charles I*, pp. 38, 47–8. Charles's creation was based on the model of the 1504 grant to Prince Henry, limited to revenues rather than the lands themselves, and without a connection to the Marcher Council: Roberts, 'Wales and England after the Tudor "Union"', p. 133. (The fact that in both cases the new prince was the heir to a dead brother, and that James identified strongly with Henry VII, may be significant.) See also Jenkins, 'Seventeenth-century Wales', p. 229.

⁴⁴ Daniel Powel, *The Love of Wales to their Sovereign Prince* (1616).

⁴⁵ Appointment of collectors—2nd payments, 1618: CCityRO, CR 72/29/21 (Nantwich hundred, 12 May 1618); 3rd payments, 1619: CCRO, DDX 177/1 (Northwich hundred, 30 April 1619). Payments were made in 1617–19, resulting in a considerable increase in the sums being handled by the treasurer or receiver general of the possessions of Charles as prince of Wales. Receipts from Cheshire stood at £685 18s. in 1616–17; in the following year they rose to £703, and in 1618–19 to £790 15s. 10d.: PRO, SC 6/James I/1680–82 (14 and 15 James I to 16 and 17 James I). In 1619–20, receipts fell back to a more normal level of £68 18s. 7d., and in 1620–21 they were £122 18s. 1d.: PRO, SC 6/James I/1683. Welsh counties were still paying mise granted previously: NLW Additional MS 9061E, 1395, 1417, 1431, 1434 (*Wynn Papers*, pp. 225, 228, 231).

⁴⁶ PRO, E 306/12 (Exchequer: Augmentation Office, Duchy of Cornwall Records. Letters, orders, calculations and papers relating to the duchy in general, Henry VIII—Charles I), box 2, no. 64, 'A breife Note of such monies as were payd in to Sir Jo. Darrcomb in November 1617 being p[ar]t of the beneuolence giuen to his highnes at this last assession and what is to be paid'; also no. 70, 'An estimate of such somes of moneye as ar made to his highnes use att this Assesion 1617'. See Haslam, 'Administrative study of the Duchy of Cornwall', p. 151.

⁴⁷ Tim Thornton, 'Political society in early Tudor Cheshire, 1480–1560' (unpublished D.Phil. thesis, University of Oxford, 1993), ch. 4.

of the duchy, the surveyor, Richard Connok, said he had to look up the precedents from the prince's council chamber before he could be sure of the fees payable to the Council.⁴⁸ In Cheshire too, there were initial hesitations. Writs, of course, continued to run in the king's name: there was no question of a return to the situation where they ran in the name of the earl. Yet there was scope for some changes. Under Charles, some inquisitions were taken in the name of the prince, rather than in that of the king, which had been the practice during the brief principality of Henry.⁴⁹ It took time before the institutions of the prince's territories returned to their traditional pattern. Often the reasons for this are clear and they are nothing to do with a decline in respect for particularism. The decision to pay the justice of Chester, since the 1530s the king's official rather than the earl's, out of the Westminster Exchequer rather than from the funds of the receiver of Cheshire was not a calculated attempt to reduce county autonomy. Rather it was the consequence of earlier land sales and the grant of the county to the new earl, which left revenues from the royal lands remaining in the receiver's hands insufficient to cover the £100 fee.⁵⁰

Fiscal affairs illustrate starkly the impact of the accession of each new prince. A similar picture of the vitality of franchises is also apparent in judicial matters. The power of the Council in the Marches was extensive and feared, as objections to it from the English Marcher shires showed. The continuing importance of the Chester exchequer as an equity court was guaranteed by the case between Ralph and Henry Starkey of Oulton in the Westminster Chancery. Henry, a recusant, had allegedly defrauded his elder brother Ralph by means of the suppression of their father John's will, with the assistance of Jane Williamson, 'a wench of poore and mean parentage' whom Henry married. John died in 1611, and by 1614 Jane had become 'ouer famylliar' with David Masey, Henry's legal adviser. She and Masey tried to get Henry Starkey executed for his Catholicism, but the Cheshire JPs released him, Masey was expelled from the Starkey house,

⁴⁸ Haslam, 'Administrative study of the Duchy of Cornwall', p. 43; Hasler, *Commons, 1558-1603*, I, 640.

⁴⁹ *Cheshire Inquisitions Post Mortem, Stuart Period, 1603-60*, ed. R. Stewart-Brown (3 vols, RSLC, LXXXIV, LXXXVI and XCI, 1934, 1935, 1938); *VCH, Cheshire*, II, 36.

⁵⁰ *CSPD, 1611-18*, p. 45.

and details of the plot were revealed from a cache of papers that Mascy had hidden under the flagged floor.⁵¹ Ralph, a London merchant, sought remedy in the Chancery, claiming that since Henry was the liveried servant of the earl of Derby, the chamberlain of Chester and godson of the justice there, Sir Henry Townsend, the Chester courts were not impartial; but having considered the charter of the county palatine and its liberties and customs, and the resolutions of the judges of 1569, an eminent group comprising Julius Caesar, Henry Montague, John Doddridge and Robert Haughton were of the 'opynion that the princes highnes Chauncerie Court at Chester ought to have Iurisdiction of this cause. And that the defendantes ought not to appeare or answeare elsewhere.'⁵²

Cheshire and Wales therefore retained and developed some aspects of their former privileged position. Yet it is clear that Wales, Cornwall and Cheshire were more fully integrated in English institutions after 1536. Even so, the manner of this new involvement in the central institutions of the realm was not indistinguishable from that of the English counties. In much of the historiography, the ultimate institution of integration and incorporation has been, of course, Parliament; it has been assumed that when parliamentary representation was granted to Wales and Cheshire, their MPs began to act like those of other parts of England.⁵³ Yet Parliament did not embody a thoroughly unified realm under the king. The princes and their privileged territories could be important even there, as Charles demonstrated. In 1620–1 and 1624

⁵¹ *CSPD, 1623–25*, p. 313; George Ormerod, *The History of the County Palatine and City of Chester* (second edition, by Thomas Helsby, 3 vols, 1882), II, 188–90, 192; PRO, C 2/James I/S35/40.

⁵² BL, Lansdowne MS 163, ff. 5, 7, 9, 10, 58–9v, 72–4, 76 (Caesar's notes). The decision of Chancery (22 October 1619) was enrolled on the Chester enrolments: PRO, CHES 2/287, m. 2 (39 DKR, p. 250, 6 April 1621).

⁵³ G. R. Elton, 'Wales in Parliament, 1542–1581', *Studies in Tudor and Stuart Politics and Government* (4 vols, Cambridge, 1974–92), IV (1992), 91–108; Dodd, 'Wales's parliamentary apprenticeship'; A. D. K. Hawkyard, 'The enfranchisement of constituencies, 1509–1558', *Parliamentary History*, 10(1) (1991), 1–26. Roberts, 'Wales and England after the Tudor "Union"', concentrates on the response of Parliament to the 1536–43 settlement, especially the controversy over the king's legislative power under the act of 1543 and the role of the Council in the Marches (a concern mainly of the English Marcher counties).

he used the Council in the Marches to attempt to win the return of his nominees from boroughs and counties in Wales and Cheshire.⁵⁴ Charles was present in 1621 during debates on the so-called 'bill of grace' for the Welsh, which would have repealed the king's legislative power under the act of 1543, and in 1624 he took a prominent role in the final resolution of the issue.⁵⁵ Neither was the behaviour of MPs from Cheshire and Wales entirely typical in the period before the Civil War. Geoffrey Elton's determination to make the Welsh experience fit his model of Parliament as a point of contact between centre and localities, characterized mainly by co-operation for legislation for local interests, is equalled only by his evident disappointment that Welsh MPs made so little use of their opportunities.⁵⁶ Faced by the demand for the subsidy in Elizabeth's first Parliament, while a mise was still being collected, the representatives of Wales and Cheshire petitioned the Lords rather than raising the matter in the Commons.⁵⁷ In the early years of their presence in Parliament, the Welsh MPs made virtually no impact there, for although all but one of the Parliaments in which Welsh MPs sat before 1570 saw the discussion of Welsh bills, on only one occasion was such a bill committed to a Welsh MP.⁵⁸ Just as there was no sudden torrent of Welsh legislation after 1536, so there was no rush of legislation for Cheshire interests—practically the only example is the act for the maintenance of Huntingdon Lane near Chester in 1545.⁵⁹ No pent-up demand existed; this was not the reason for Wales and Cheshire being in Parliament.

⁵⁴ R. E. Ruigh, *The Parliament of 1624: Politics and Foreign Policy* (Cambridge, Massachusetts, 1971), pp. 48, 60–1; this was in spite of the fact that Charles's creation in 1616 had not associated him with the Council. Cf. *ibid.*, pp. 57–8, for Charles's use of his council to try to influence elections in his duchy.

⁵⁵ *The Journals of the House of Lords* (42 vols., 1771–#) [hereafter *Lj*], III, 119, 128, 146, 172, 186, 188 (he was absent for the third reading), 271, 273, 279, 304, 314, 336, 339; Roberts, 'Wales and England after the Tudor "Union"', pp. 136–8; Dodd, 'Wales's parliamentary apprenticeship', p. 59. Charles's parliamentary activity is surveyed in C. R. Kyle, 'Prince Charles in the Parliaments of 1621 and 1624', *Historical Journal*, 41 (1998), 603–24.

⁵⁶ Elton, 'Wales in Parliament', p. 91.

⁵⁷ *Lj*, II, 549; Dodd, 'Wales's parliamentary apprenticeship', p. 11.

⁵⁸ Dodd, 'Wales's parliamentary apprenticeship', pp. 9–10. They tended instead to be referred to the representatives of Gloucestershire.

⁵⁹ 37 Henry VIII, c.3: *SR*, III, 987; *Cheshire Sheaf*, 1st series, II (1883), 3, no. 974; *ibid.*, 3rd series, XVIII, 65 (1923) (no. 4384).

The acts which were passed and the failed bills for which we have evidence fit a pattern. They tended to deal with loose ends left dangling by previous legislation concerning the principality and palatinate and thereby redesignated and regularized the special position of Wales and Cheshire. These acts guaranteed the peculiar status of the prince's territories while bringing them more into line with English practice, for example, guaranteeing property transactions and outlawry process there.⁶⁰ The motive behind this legislation, as behind the request for parliamentary representation for Cheshire, was not the ending of autonomous status, but its defence in the altered circumstances of increased intervention by the Westminster Parliament. In 1543 a Cheshire petition argued that the county needed to be in Parliament to prevent the ' manifold disherisons ' which it had suffered thereby. Representation was necessary not for positive benefits but to prevent negative outcomes.⁶¹ In the Elizabethan and early Stuart Parliaments, parliamentary diaries reveal that the main role of parliamentarians from the principality and palatinate was to determine whether their areas should be included in pieces of general legislation. The palatinate of Chester, for example, was given the option to accept or reject legislation, a right which no part of the core territory of England was permitted.⁶² In May 1621, during discussion of a bill to deal with unjust fees in courts of justice, Sir William Brereton asked that Cheshire be included, and that in the ' County palatyne of Chester, which hath regall power, the fees of those courts of Justice may be

⁶⁰ 1 Edward VI, c.10: *SR*, IV, 15–16 (exigents and proclamations, Wales and Cheshire); 2 and 3 Edward VI, c.28: *SR*, IV, 71 (fines and proclamations, Cheshire).

⁶¹ 34 and 35 Henry VIII, c.13: *SR*, III, 911.

⁶² This right was also accorded on occasion to the palatinate of Durham, and it might therefore be argued that the position of the princes was irrelevant in this respect. It is, however, clear that the connection of Wales, Cornwall and Cheshire with the heir to the throne was present in the minds of members even when there was no clear heir to the throne. In June 1572, the Liverpool MP, Ralph Sekerston, attacked a proposal that forfeitures under the bill for sea marks should be paid to Trinity House, saying that such fines should not all flow into the metropolis. The response he received was a strong (if slightly inaccurate) affirmation from the recorder of London, William Fleetwood, that Cheshire and Lancashire were the patrimony of the heir to the throne and would, therefore, not be touched: *Proceedings in the Parliaments of Elizabeth I*, ed. T. E. Hartley (3 vols, Leicester, 1981–95), I, 1558–1581, p. 410. On Sekerston, Hasler, *Commons, 1558–1603*, III, 364–5.

reduced to the ancient fees'.⁶³ In another bill later in the same month, for the ease of the king's tenants in obtaining or in pleading of licences of alienation or pardons of alienation in the Exchequer, Brereton spoke again, requesting that the county palatine of Chester should be included in the act.⁶⁴ Another peculiarity of the behaviour of MPs from the principality and palatinate was the way they operated together as a committee. They were increasingly appointed collectively to committees,⁶⁵ and the role of Cheshire's MPs was particularly striking. It was not unusual for the knights or burgesses representing a particular shire or town to be appointed collectively to a committee. Cheshire representatives were appointed in this way, along with those of Derbyshire and Lancashire, to the committee considering an act for the tenants of Macclesfield (Cheshire) in 1625, for example.⁶⁶ Cheshire representatives, however, also acted as a committee to consider grievances over the Chester exchequer in 1621. They did this alone and simply as Cheshire MPs; and they did it during the recess after the first session of the 1621 Parliament. This caused some controversy at the time among MPs who realized that this was giving Cheshire MPs a semi-autonomous status.⁶⁷ The territories of the prince of Wales had a distinct role even when involved in national English institutions.

While local privileges might be defended from within the county and respected by a central government that was eager for local support, there had always been the potential for challenges to them. Such privileges had always had the capacity to be seen as potentially

⁶³ *Commons Debates 1621*, III, 149; VI, 130.

⁶⁴ *Commons Debates 1621*, II, 385; III, 295; cf. III, 297. The end of May saw the other Cheshire member, Sir Richard Grosvenor, requesting Cheshire's addition to the bill against undue inquisitions in the courts of justice: *Commons Debates 1621*, III, 360.

⁶⁵ Dodd, 'Wales's parliamentary apprenticeship', p. 13.

⁶⁶ *Proceedings in Parliament 1625*, ed. Maija Jansson and W. B. Bidwell (New Haven and London, 1987), p. 226. Cf. the committee on the bill for Lord Gerard in 1628, which included the knights and burgesses of Cheshire, Lancashire, Staffordshire and Shropshire: *Commons Debates 1628* (6 vols, New Haven and London, 1977-83), III, *21 April-27 May 1628* (1977), ed. R. C. Johnson, M. F. Keeler, M. Jansson Cole, and W. B. Bidwell, pp. 300-1.

⁶⁷ *Commons Debates 1621*, III, 382-3, 386-7; IV, 402, 404; V, 391; VI, 184. Sir Thomas Hoby asked whether those who had business in the court should be allowed to examine it. Yet Cheshire MPs were allowed to act alone outside the parliamentary session to consider the problems of their own county palatine.

threatening by two groups of people. English people might see the privileged institutions of principality and palatine administration as a threat to the liberties of the rest of the country.⁶⁸ Now English common lawyers in the House of Commons were particularly wary. The most obvious example of this was the fear of the power of the Council in the Marches over the four border shires of Hereford, Gloucester, Shropshire and Worcester.⁶⁹ Less well known, but none the less significant, if only for the way it incorporated fears of Catholicism thriving behind the jurisdictional barriers of the west, was the decision in the Starkey case, which was raised in the Westminster Parliament in 1626 and 1628.⁷⁰ In addition, there was concern among some in the localities ruled by the prince that local institutions might be misused by the Crown against local people. This had happened in the case of Cheshire, for example, under Henry IV and Henry V; it could happen again. Such was the confused concern expressed by Welsh representatives about the king's legislative powers in Wales under the 'Act of Union' of 1543.⁷¹

The accession of Prince Charles to the throne in 1625 heightened the urgency of these worries. While prince, Charles had shown no urge to undermine the position of his earldom or principality, but as king he presided over a regime which challenged the *status quo* in the areas of his former principality. In addition, Charles's ruthless use of the jurisdictions of his principality appears to have suggested strategies

⁶⁸ PRO, SP 16/30/3; Russell, *Parliaments and English Politics*, p. 271. Cf. the attitude of the English Parliament to the people of Cheshire in the aftermath of Richard II's erection of Chester into a principality: 1 Henry IV, c.18 (SR, II, 118–19). Or the concern implicit in much of the Welsh reform legislation of the 1530s at the depredations inflicted on Gloucestershire, Herefordshire and other border shires by criminals from south Wales.

⁶⁹ R. E. Ham, 'The four shires controversy', ante, 8 (1977), 386–99; Penry Williams, 'The attack on the Council in the Marches, 1603–1642', *THSC*, session of 1961 (1962), 1–22.

⁷⁰ *Proceedings in Parliament 1626*, ed. W. B. Bidwell and Maija Jansson (3 vols., New Haven and London, 1991–2), I, *House of Lords* (1991), 53, 57; *Proceedings in Parliament 1628*, V, *Lords Proceedings 1628*, ed. M. F. Keeler, M. J. Cole and W. B. Bidwell (New Haven and London, 1983), pp. 146–9, 369, 564–8. Cf. the comments of W. J. Jones on the case, 'Palatine performance', p. 202.

⁷¹ Morgan, *War and Society in Medieval Cheshire*, pp. 207–19; Roberts, 'Wales and England after the Tudor "Union"'.

later used during his rule as king of England.⁷² Charles's aim seems to have been a greater degree of uniformity among, and control over, his kingdoms, especially in the religious sphere.⁷³ In Cheshire, this is most clearly seen in the attack on the use by the county court of the *iusticies* writ that provided it with the mainstay of its considerable power, a challenge which provoked considerable resistance.⁷⁴ Perhaps also ominously for Cheshire, Charles failed to make his heir, Charles, born in 1630, prince of Wales and earl of Chester. Although he had only reached the age of ten by the end of 1640, he had been made a knight of the Garter and given his own household in 1638.⁷⁵ This failure to create a new prince was in spite of the obviously propagandist printing at London in 1630 of the tract by Sir John Doddridge on the territories of the prince of Wales, *The History of the Ancient and Moderne Estate of the Principality of Wales, Dutchy of Cornewall, and Earldome of Chester*, originally prepared for the new Prince Charles's dead uncle Henry.⁷⁶

⁷² The Books of Orders stemmed from the work of the Duchy council before 1625: Graham Haslam, 'Jacobean phoenix: the Duchy of Cornwall in the Principates of Henry Frederick and Charles', *Estates of the English Crown*, ed. Hoyle, pp. 263–96, at p. 279; and the earlier example of experimentation with *quo warranto* enquiries in Cheshire under Arthur and Henry VII: H. Garrett-Goodyear, 'The Tudor revival of *quo warranto* and local contributions to state building', *On the Laws and Customs of England*, ed. M. S. Arnold et al. (Chapel Hill, 1981), pp. 231–95. Cf. the policies of Richard III, Henry V, and at a greater remove in time, Athelstan, all of whom were unusual in having had experience as active princes in control of landed regional patrimonies before their accession to the throne.

⁷³ Conrad Russell, *The Causes of the English Civil War* (Oxford, 1990), ch. 5.

⁷⁴ Petition to the king: PRO, SP 16/268/75; CSPD, 1634–35, p. 42 (29 May 1634), SP 16/439/1 (CSPD, 1639–40, p. 249, placed by the editors in 1639). See William Holdsworth, *A History of English Law*, 7th edn, revised by A. L. Goodhart and G. L. Lanbury (14 vols, 1956), I, 188–9.

⁷⁵ Very little has been written about the early childhood of Charles Stuart. See Kevin Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), pp. 216, 220–2; Arthur Bryant, *King Charles II* (1936), pp. 3–7; Maurice Ashley, *Charles II: The Man and the Statesman* (1971), pp. 1–3; Ronald Hutton, *Charles the Second, King of England, Scotland, and Ireland* (Oxford, 1989), pp. 1–5; J. R. Jones, *Charles II: Royal Politician* (1987), p. 11; C. Carlton, *Charles I: The Personal Monarch* (1985), pp. 133–4.

⁷⁶ Pauline Croft, 'Sir John Doddridge, King James I, and the antiquity of Parliament', *Parliaments, Estates and Representation*, 12 (2) (December 1992), 95–107; Hasler, *Commons, 1558–1603*, II, 42–3. Cf. the note of the baptism of Prince Charles in the copy of *Allestree's Almanack* for 1630 possibly owned by Kenrick Edisbury: Flintshire Record Office, Hawarden, D/E (Erddig MSS), 2544.

Yet Charles's government was not so consistent that it would not use the structures of local privilege to line its own coffers. The levying of ship money in Cheshire was made more palatable by the sheriff, Sir Thomas Aston, by raising it 'according to an antient tax wee call ye myze . . . This is ye Rule most pleasing (because accustomed) to ye Countrey.'⁷⁷ This incident therefore highlights the way the dangers of royal abuse were heightened by local privilege. On the other hand, this abuse merely points up the immense strength of the local tradition—a strength to which the Crown turned when difficult times approached. The loyalty of Wales, Cheshire, and Cornwall to the royal cause was outstanding.⁷⁸ Even so, it should be noted that if this loyalty was in part due to their special position under the heir to the throne, it might come at a price to the monarch himself. It is no surprise that it was in Cornwall that suggestions were made that Charles I should abdicate in favour of his son in 1644 and in 1645.⁷⁹

There was, therefore, respect for the privileges of Wales, Cheshire and Cornwall in the early seventeenth century, and those privileges made a real difference in fiscal, legislative and judicial terms.⁸⁰ If the

⁷⁷ PRO, SP 16/327/11 (CSPD, 1636–37, pp. 3–4; 20 June 1636); cf. the Welsh 'ship mise': *Wynn Papers*, p. 257 (#1614).

⁷⁸ The prince rallied support in Wales and the Marches in 1642: Jenkins, 'Seventeenth-century Wales', p. 229. Cf. for Cheshire, PRO, SP 16/449/14 (CSPD, 1639–40, pp. 590–91, 27 March 1640).

⁷⁹ Lord Wilmot, general of the horse (1644), and Richard Grenville (1645): Mary Coote, *Cornwall in the Great Civil War and Interregnum, 1642–1660* (Oxford, 1933; reprinted Truro, 1963), pp. 142–3, 196–7; A. C. Miller, *Sir Richard Grenville of the Civil War* (1979), pp. 128–30; Stoye, "'Pagans or paragons?'"', pp. 321–2; M. J. Stoye, 'The last refuge of a scoundrel: Sir Richard Grenville and Cornish particularism', *Historical Research*, 71 (1998), 31–51.

⁸⁰ If it is no longer satisfactory to state that the Cheshire palatinate was a dead letter after 1536 and that Cheshire was simply one among many ultimately similar English counties, this casts doubt on the body of work which assumes it was an archetypal English county. The behaviour of the Cheshire grand jury, for example, may be influenced by its role in a palatinate with a royal earl at its head: J. S. Morrill, *The Cheshire Grand Jury, 1625–1659: A Social and Administrative Study* (Leicester University, Department of English Local History, Occasional Paper, 3rd series, no. 1, 1976). S. K. Roberts found that Devon's grand jury did not behave like that of Cheshire: 'Initiative and control: the Devon quarter sessions Grand Jury, 1649–70', *BIHR*, 57 (1984), 165–77. There, mid-seventeenth-century juries depended on 'semi-literate bailiffs, more like scouts than bureaucrats, trudging through the rain-washed Devon landscape to knock on the doors of yeomen' (p. 177).

period of Tudor reform under Henry VIII and his successors had threatened their separate identity and link to the heir to the throne—and this does not in fact seem likely—this threat had been overcome by other factors, such as the value of the cultural heritage of Wales (and, by extension, other ‘British’ areas) to the English monarchy in its pursuit of religious autonomy and reform.⁸¹ In particular, the early seventeenth century had shown that active princes with strong ties to privileged jurisdictions could still be important in early modern England. Although the link to the princes was not the only foundation for this local identity, it operated within and was supported by (in Rees Davies’s phrase) an ‘institutional corset’ provided by the prince’s government.⁸² The wider significance of these and later princes lies, in part, in the fact that in their association with Wales, Cheshire and Cornwall they could draw on the power of the western parts of Britain; and that power, in their hands, was still significant, partly because of the very difference that was enshrined in and through the special position of the prince. Those resources could be material, as has been shown; through the link to ‘British’ history they could also be ideological. The princes’ connection to their territories offered the royal family a way of expressing itself that was not entirely and simply English. The flexibility of the monarchy, especially its ability to accommodate local difference through the inherent complexity of the royal family and kin-group, contrasted with the unitary, English outlook of the Parliamentary side in the English Civil War; and this contrast enabled the Crown to retain, for example, Cornish and Welsh

⁸¹ Roberts, ‘Union with England and the identity of “Anglican” Wales’, pp. 49–70; idem, ‘The Welsh language, English law and Tudor legislation’, *THSC*, session of 1987 (1988), pp. 19–75. On the ‘British’ origins of the Reformation under Henry VIII: Richard Koebner, ‘“The imperial Crown of this realm”: Henry VIII, Constantine the Great, and Polydore Vergil’, *BIHR*, 26 (1953), 29–52, at 36–46; Graham Nicholson, ‘The Act of Appeals and the English Reformation’, in Cross, Loades, and Scarisbrick (eds.), *Law and Government under the Tudors*, pp. 19–30, esp. pp. 23–4. PRO, SP 6/1, f. 145 (stamped foliation) (notes relating to King Donnybalde of Cornwall, the first possessor of a golden crown and the founder of ecclesiastical sanctuary, and King Lucius, the first Christian king of Britain) indicates the importance of Cornwall in this connection.

⁸² R. R. Davies, ‘The peoples of Britain and Ireland, 1100–1400. II. Names, boundaries and regnal solidarities’, *TRHS*, 6th series, V (1995), 1–20, at 19.

loyalty and, ultimately, to be able to offer a more lasting hope of stability than any interregnum regime.⁸³ Local identity therefore helped to maintain a healthy diversity in the polity as expressed in the royal family and broader royal kin, as well as in the monarch alone.

Yet it was not simply the good sense of a settled and increasingly undisputed Crown which caused it to develop the ties between prince and principality, duchy and earldom. The link to Wales, Cornwall and Cheshire was especially important to the royal succession and to the prince himself because of the conditions of dynastic discontinuity and insecurity which pertained throughout most of the late medieval and early modern period in England. Within 150 years of the first association of the heir to the throne with Wales, Cornwall and Cheshire, the death of the Black Prince and, then, the childlessness and deposition of Richard II resulted in serious debate about the succession. In such circumstances, all too common in late medieval and early modern England, the relationship of Wales, Cheshire and Cornwall with the position of heir to the throne allowed for flexibility in the allocation of the succession to the throne and for the assertion of claims to it by potential claimants.⁸⁴ Highly symbolic territories in Wales, Cornwall and Cheshire were granted to men who were not the reigning monarch's eldest son—in 1460 to Richard, duke of York, in partial recognition of his newly affirmed status as Henry VI's successor, and in 1464 to George, duke of Clarence, as potential successor to his brother

⁸³ This might suggest answers to Stoye, "Pagans or paragons?", pp. 321–2.

⁸⁴ Recent historiography had begun to place more emphasis on designation in the transmission of the Crown. It is suggested here that greater flexibility needs to be applied in our judgement of what constituted designation, especially given the poor documentation of most of the known instances of royal pronouncement: landed ties provided a more concrete definition of the implications of designation. Michael Bennett, 'Edward III's entail and the succession to the Crown, 1376–1471', *EHR*, 113 (1998), 580–609.

Edward IV.⁸⁵ In 1525, the choice of Princess Mary as titular head of the Council in the Marches of Wales was a sign of Henry VIII's recognition that the likelihood of a male heir was decreasing, even though she was not given the title of princess of Wales and the accompanying appointment of the duke of Richmond to the Council of the North left open the possibility of a male, if illegitimate, successor. Elizabeth's willingness towards the end of her reign to see the dispersal of the traditional estate of the duke of Cornwall and the earl of Chester therefore tell all the more clearly of her unwillingness to allow any assumptions to be made about the accession to her Crown.⁸⁶ Margaret

⁸⁵ On 25 October 1460, 10,000 marks was allocated to Richard and his sons, the earls of March and Rutland, from the revenues of the principality of Wales and earldom of Chester; at the same time, the statute of treasons was extended to cover York and his family: R. A. Griffiths, *The Reign of Henry VI: The Exercise of Royal Authority, 1422–1461* (1981), p. 869; *Rotuli Parliamentorum*, ed. J. Strachey and others (6 vols., 1767–7), V. 375–83. *An English Chronicle*, ed. J. S. Davies (Camden Society, 1st series, LXIV, 1856), pp. 100–6, states that it was ordained that York 'shold be called Prince of Wales, duke of Cornewayle, and erle of Chestre', and Bertram Wolffe (*Henry VI* (1981), p. 325) follows this, saying that both titles and endowments were actually vested in York. Other chroniclers did not interpret the measure in the same light: 'John Benet's Chronicle for the years 1400 to 1462', ed. G. L. Harriss and M. A. Harriss, *Camden Miscellany, XXIV* (Camden Society, 4th series, IX, 1972), 228; Jean de Waurin, *Recueil des Croniques et Anchiennes Istories de la Grant Bretagne*, ed. W. and E. L. C. P. Hardy (5 vols., Rolls Series, 39, 1864–91), V, 317–18; *The Great Chronicle of London*, ed. A. H. Thomas and I. D. Thornley (1938), p. 193; *Chronicles of London*, ed. C. L. Kingsford (Oxford, 1905), p. 172. P. A. Johnson, *Richard, Duke of York* (Oxford, 1988), p. 219, simply states that the revenues passed to Richard as a consequence of Prince Edward's disinheritance and makes no further comment. For Clarence (30 August 1464): *CPR 1461–67*, p. 327; M. A. Hicks, *False, Fleeting, Perjur'd Clarence* (Gloucester, 1980), pp. 32, 172. This grant never took effect because of the marriage of the king soon after and the promise of an heir thereby.

⁸⁶ Given what Susan Doran has recently demonstrated about the seriousness of Elizabeth's hopes of marriage, and hence of an heir of her own body (*Monarchy and Matrimony: The Courtships of Elizabeth I* (London and New York, 1996)), we should not be surprised to see acknowledgement at least in the first half of her reign of the power of the principality, duchy and earldom, as in the assertion of the rights of the Chester exchequer against the Council in the Marches in 1569 and the city of Chester in 1574: *CSPD, Addenda, 1566–1579*, pp. 73–4 (16 March 1569); *HMC, de Lisle and Dudley*, I, 44–8; Roberts, 'Wales and England after the Tudor "Union"', p. 118; *Acts of the Privy Council of England (1571–1575)* (new series, VIII), pp. 223–8; *CSPD, 1547–1580*, pp. 476–7; *CSPD, Addenda 1566–79*, pp. 460–1; Jones, 'Exchequer of Chester', pp. 157–9; A. M. Johnson, 'Some aspects of the

of Scotland's interest in James V of Scotland's claim to the principality of Wales indicated that at least one potential claimant from outside England was aware of the opportunity offered by association with Wales, Cornwall and Cheshire.⁸⁷ If there was a crisis in the relations between the territories of the prince and the English regime during the sixteenth century, it was due as much to the peculiarities of the politics of the succession as it was to any new thinking concerning the constitutional foundations of the polity.

It was in this context that James I's reign saw the restoration of many aspects of the principality, duchy and earldom. James's problem was not the succession, as he had sons to succeed him; the Stuarts exploited the relationship between prince and principality to resolve their difficulties as a newly-established foreign dynasty. Once James I was safely established on the English throne, the new dynasty's relationship with Wales, Cornwall and Cheshire was bound to take on a great importance. Whatever the actual qualities of James VI and I, it cannot be doubted that many English people mistrusted him as a Scot. Wales, Cheshire and Cornwall offered some way out of this difficulty. Some Welsh people were unhappy at the prospect of being ruled by a Scot—one was alleged to have challenged James's proclamation, 'Shall we have a Scot for a king?', and there are signs that at least one sheriff considered an alternative proclamation, perhaps in favour of Arabella Stuart.⁸⁸ It should also be admitted that James retained a healthy suspicion of the turbulence of the Welsh.⁸⁹ Yet these mutual fears were outweighed by mutual advantages and respect. The Welsh tended to

political, constitutional, social, and economic history of the City of Chester, 1550–1662' (unpublished D.Phil. thesis, University of Oxford, 1970), pp. 167–78. Cf. Morris Kyffin, *Blessednes of Brytaine, or a Celebration of the Queenes Holyday . . . Newly Set Forth with a New Addition Containing the Late Accidents and Occurents of this Yeere 88* (1588), a Welsh view of Elizabeth's birthday, one of the key celebrations of the new identity of Protestant England and Wales, in which she appears as 'Princesse of Wales, wher the Inhabitants enioy Gods word in their own language, through the meere grace and goodnes of hir highnesse' (p. B4v.).

⁸⁷ Patricia Buchanan, *Margaret Tudor, Queen of Scotland* (Edinburgh, 1985), pp. 246–7.

⁸⁸ Williams, *Renewal and Reformation*, pp. 472–3; Dodd, 'Wales and the Scottish succession, 1570–1605', *THSC*, session of 1937 (1938), p. 213 (Carmarthenshire).

⁸⁹ Williams, *Renewal and Reformation*, p. 475.

welcome James as the descendant of a Tudor and a fellow Briton;⁹⁰ and, for James, the union of Wales and Cheshire with England in 1536–43 was an indication of the way that his project of an Anglo-Scottish Union might be effected.⁹¹ James encouraged the expression of Welsh sentiments by, for example, sponsoring the wearing of leeks at court on St David's Day.⁹² James is also significant in being the first monarch for more than a century to visit Cheshire: in 1617 the city of Chester laid on a splendid welcome for him, and he enjoyed good hunting in Delamere forest.⁹³ The process of adjustment to the new foreign dynasty of the Stuarts was carried out most effectively through the heir to the throne, however. Prince Henry was particularly successful in harnessing Welsh and Cheshire interests, many of which had been committed to the cause of the earl of Essex in his father James's interest in the 1590s.⁹⁴ In May 1612 Sir John Wynn recorded in an enthusiastic postscript, 'this day I kissed the princes hand & dynded at hys court', even though within a week he was again commenting sourly on the spendthrift ways of the king.⁹⁵ Charles, too, was strongly

⁹⁰ 'Brenin Siams . . . Cymro o had Cymrv yw hwn . . . bo yma i Siams bvmoes hydd' (Rhisiart Phylip, 1602): NLW, Llanstephan MS 123, pp. 70–4, esp. pp. 73–4; NLW, Additional MS 9853; Jones, *Princes and Principality of Wales*, p. 49; Williams, *Renewal and Reformation*, p. 472.

⁹¹ Williams, *Renewal and Reformation*, p. 474. Cf. the ideas of a Scottish-English union in the 1540s, through the marriage of Prince Edward and Princess Mary; and the possibility that this had given added vigour to the debate over the form of the Welsh settlement and Edward's place within it at the same period.

⁹² *Royal Apophthegms of King James* (1658): 'a good and commendable fashion' (BL, E. 1892, 1, 2). St David's Day was celebrated with leeks at Henry VIII's court: F. Madden, *Privy Purse Expenses of the Princess Mary* (1831), pp. 19, 61, 152 (1537–8, 1544); *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, ed. J. S. Brewer, J. Gairdner and R. H. Brodie (22 vols in 35, 1862–1932), V, 749, 753, 757 (1531–2); A. E. Hughes, 'The Welsh national emblem: leek or daffodil?', *Y Cymmrodor*, XXVI (1916), 145–90; and corrections, *ibid.*, XXVII (1917), 155–7.

⁹³ E. Parry, *Royal Visits and Progresses to Wales, and the Border Counties of Cheshire, Salop, Hereford, and Monmouth* (Chester, 1850), pp. 327–8.

⁹⁴ John Lewis of Radnorshire, in dedicating to him his history of Great Britain, described Henry as descended from Nest, daughter of Gruffydd ap Llywelyn: Jones, *Princes and Principality of Wales*, pp. 49, 133; Williams, *Renewal and Reformation*, pp. 471, 473.

⁹⁵ NLW, Additional MS 9054E, 596–7 (*Wynn Papers*, p. 94).

linked to the Welsh, for example, through the first masque in which he took part, revised by Jonson—to win greater favour—as *For the Honour of Wales* in 1618.⁹⁶

It might be expected that the Civil War would mark the end of this account. The years 1660, and, especially, 1707 in most analyses mark the end of significant local, regional and even national autonomy in Britain. Although the institutions of the Chester palatinate, most notably the Chester Exchequer, and the Council in the Marches of Wales were recreated at the Restoration, the Council did not survive into the 1690s and the Chester palatinate institutions are generally described as living on only in the most attenuated form.⁹⁷ Many of the factors already mentioned which tended to support regional autonomy in Britain had now ceased to be relevant. The tradition of 'British' history was by this time defunct as a theoretical basis for explaining constitutional development, and the borderlands had long since lost any meaningful military role. Yet some elements of local autonomy lived on, and it is important to see the connections between this and continuing dynastic discontinuity after the Civil War. It is, for example, interesting that the duke of Monmouth made high-profile visits to the West Country and to Cheshire during some of the most excited periods of the exclusion crisis, in 1680 and 1682: he possessed a clear appreciation of the importance of the local role of the heir to the throne in Cornwall, Wales and Cheshire. The religious politics of Monmouth's visit to Chester were clear and had violent effects: when the duke

⁹⁶ It was described as full of 'goats and Welsh speeches': Herford and Simpson, *Ben Jonson*, II, *The Man and His Work* (1925), 304–10; VII (1941), 497–510; X, *Play Commentary, Masque Commentary* (1950), 576–7; *CSPD, 1611–18*, pp. 522–3. This masque has been taken as an insulting jibe against the Welsh (e.g. Rosalind Miles, *Ben Jonson: His Life and Work* (London and New York, 1986), pp. 83–4; Alexander Leggatt, *Ben Jonson: His Vision and His Art* (London and New York, 1981), p. 235), but in the closing lines, ll. 384–412, he emphasized Welsh honour and courage. This suggests that if Jonson was initially asking his audience to laugh at the Welsh and therefore at the critics of his original masque, he sprang a surprise in the conclusion, and thereby questioned the audience's reaction both to the Welsh and to the original piece. Cf. *Civitas Amor: The Cites Love* (1616, reprinted 1816).

⁹⁷ *VCH, Cheshire*, II, 56–8; C. A. J. Skeel, *The Council in the Marches of Wales: A Study in Local Government during the Sixteenth and Seventeenth Centuries* (1904), pp. 166–79.

attended the cathedral for a service, the preacher, Dr Fogge, failed to pray for the queen and duke of York, and the mob:

furiously forced the doors of the Cathedral, and destroyed most of the painted glass, burst open the little vestrys and cupboards, wherein were the surplices and hoods belonging to the clergy, which they rent to rags, and carried away. They beat to pieces the baptismal font, pulled down some monuments, attempted to demolish the organ, and committed other most enormous outrages.

What must have been particularly provocative, however, was the way the visit associated Monmouth with the authorities of the city and the traditional role of the heir to the throne, for example in his stay at the Feathers Inn and the carrying upright of the civic sword before him. One contemporary noted that he stood as godfather while the mayor's daughter was baptized with the 'Princley name' of Henrietta.⁹⁸ Monmouth did not visit Wales but he had strong connections there, and these were recognized in the principality. David Edwardes produced a volume of pedigrees showing the descent of Charles II and many members of the nobility from the Welsh princes, and that of Monmouth appeared among them, stemming on his mother's side from Bleddyn ap Cynfyn. In Enderbie's *Cambria Triumphans*, on which Edwardes based his work, the Welsh inheritance was now enlisted to demonstrate the antiquity of monarchy and its superiority over other forms of government, a supremacy that had been thrown into doubt in the previous twenty years: now it was no longer just the Church of England but the English Crown that needed Welsh foundations. As Edwardes and Monmouth showed, however, that 'British' link perpetuated a diversity in the state as expressed in the royal family and broader royal kin, especially with regard to the succession to the throne.⁹⁹ Given Monmouth's appreciation of the contestability of the

⁹⁸ Parry, *Royal Visits to Wales*, p. 410; J. H. Hodson, *Cheshire, 1660-1760: Restoration to Industrial Revolution* (Chester, 1978), pp. 8-14; J. P. Earwaker, 'The 'Progress' of the duke of Monmouth in Cheshire, in September, 1682', *THSLC*, XLVI (1894), 71-96, esp. 88.

⁹⁹ College of Arms, box 36/IX (this is no. 129 in Francis Jones's *A Catalogue of Welsh Manuscript in the College of Arms* (Harleian Soc., new series, 7, 1988), pp. 81-2; Percy Enderbie, *Cambria Triumphans, or Brittain in its Perfect Lustre* (1661).

succession to the English throne through its complex relationship with Wales, Cornwall and Cheshire, it is intriguing that his rival, James, duke of York, made so little effort to cultivate his position there.¹⁰⁰ Indeed, once king, his assault on the privileges of the city of Chester in particular made him no friends, and the scale of the rebellion in Cheshire against him owes as much to the county's general horror at what was being done to their county's institutions of government as to the influence of the Booths and Stanleys.¹⁰¹ Even so, William of Orange showed scant regard for the sensitivities of the Welsh. This was seen most blatantly in his massive grant of Marcher land to his Dutch favourite Hans Willem Bentinck, earl of Portland, which stirred powerful hostility in Wales and Cheshire: it was believed Portland 'had thought to have been Prince of Wales'. Worries over the succession were again seen in territorial terms. This disregard for the connections between the succession to the throne and the prince's traditional territories may explain the continuing strength of Jacobitism there.¹⁰²

The accession of the Hanoverians in 1714 brought to the English throne the last of a long line of 'alien' dynasties. The grasp of their descendants on the throne has been relatively secure ever since, and this is partly because, building on precedents, they ensured that the potential for securing loyalties in western Britain through the prince of Wales was fulfilled. The difficulties of George I and George II with their

¹⁰⁰ Although he received the dedication of Book II of Enderbie's *Cambria Triumphans*.

¹⁰¹ It is interesting that the publication for James's son produced by Cambridge University emphasized, in its title at least, his titles in Wales, Cornwall and Cheshire: *Illustrissimi Principis Ducis Cornubiae et Comitum Palatini, &c, Genethliacon* (Cambridge, 1688).

¹⁰² Parry, *Royal Visits to Wales*, pp. 409–10; P. D. G. Thomas, *Politics in Eighteenth-Century Wales* (Cardiff, 1998), ch. on Jacobitism; Jenkins, 'Seventeenth-century Wales', p. 229; H. Horwitz, *Parliament, Policy and Politics in the Reign of William III* (Manchester, 1977), p. 164; *Calendar of Treasury Papers, 1556/7–1696*, pp. 437–8; HMC, *Kenyon*, pp. 396–7.

English subjects are well known.¹⁰³ As before, the first member of the family to engage with the sentiments of the dynasty's new subjects was a prince of Wales, Frederick. The link to Wales, Cornwall and Cheshire provided opportunities which both sides were quick to seize. Frederick was active as a sponsor of the Welsh, and not just as individuals but through their newly flourishing cultural institutions, for example the Society of the Cymmrodorion. Under Frederick's patronage, Welshmen in exile met on the first Wednesday of every month in the Half-Moon Tavern in Cheapside.¹⁰⁴ The Welsh responded, as did the people of Cheshire, who voted a *mise*, the first since 1665. During the rest of the century, the people of the palatinate continued to celebrate the principality with work such as the painted panel of the arms of the earls of Chester in the cathedral, which concludes with the arms of the new prince, Frederick, or the refurbished Bridgegate beside the Dee (1782, by Joseph Turner), proudly bearing the prince's crest of feathers.¹⁰⁵ In Devon and Cornwall, Frederick seems to have inspired and supported moves to restore the Stannaries Parliament in the 1740s.¹⁰⁶ Christine Gerrard has recently argued for Frederick's role in cultivating a new sense of Englishness through the patriot opposition to Walpole¹⁰⁷—this must be seen alongside his support for Welsh identity. If, as Linda

¹⁰³ Cf., however, the reprinting in 1714 by the leading Whig publisher of the time, with a dedication to George Augustus, prince of Wales and earl of Chester, of Dodderidge's *An Historical Account of the Ancient and Modern State of the Principality of Wales* (John Roberts, Warwick Lane, London). One of the objectives set out in the patent of George's creation was 'to make him acceptable to our People': *ibid.*, p. A3. An obvious link with Wales was provided by the coincidence of Princess Caroline's birthday with St David's Day; on 5 April 1715, the prince agreed to be president of the 'Honourable and Loyal Society of Ancient Britons': Jones, *Princes and Principality of Wales*, p. 52.

¹⁰⁴ G. H. Jenkins, *The Foundations of Modern Wales* (Oxford and New York, 1993), p. 390.

¹⁰⁵ Nikolaus Pevsner and Edward Hubbard, *The Buildings of England: Cheshire* (Harmondsworth, 1971), p. 167.

¹⁰⁶ Rowe, *Cornwall in the Age of the Industrial Revolution*, pp. 43–7; Eveline Cruickshanks, 'The convocation of the Stannaries of Cornwall: the Parliament of Tinnors, 1703–1752', *Parliaments, Estates and Representation*, 6 (1986), 59–67.

¹⁰⁷ *The Patriot Opposition to Walpole: Politics, Poetry and National Myth, 1725–1742* (Oxford, 1995); Linda Colley, *Britons: Forging the Nation, 1707–1837* (Pimlico edition, 1994), pp. 206–7.

Colley has argued, it was war, religion, trade and empire which forged the British nation of the eighteenth and nineteenth centuries, this was effective because it did not obliterate, but operated through, continuing strong local identities, some of which might be embodied simultaneously by members of the royal family, such as the 'Welshness' and 'Englishness' of the Hanoverian prince of Wales.¹⁰⁸ Only through a recognition of the continuing role of the heir to the throne as earl of Chester, duke of Cornwall and prince of Wales in the early modern period and beyond will we understand the history of Cheshire, Cornwall or Wales, and the history of the dynasties that ruled them and the other territories of the English Crown.

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¹⁰⁸ Cf. Colley's recognition of the importance of the fact that the Protestant classic, *A Pilgrim's Progress*, passed through seven Welsh-language editions, 1688–1790: *Britons*, p. 28.