

THE MURDER OF JAMES ANDREW: SUFFOLK FACTION IN THE 1430S

by ROGER VIRGOE, PH.D., F.R.HIST.S.

DURING THE YEARS preceding 1450 East Anglia was dominated by William de la Pole, earl and later duke of Suffolk. It may be that the historical image of Suffolk himself and those of Thomas Tuddenham, John Heydon and others of his affinity suffer from the fact that the best-known sources for the period were written by their enemies, but there is no doubt that between 1440 and 1450 their influence in the politics of the region was all-pervasive, and was regarded by many as unnatural. It was unnatural not because great magnate power in the region had been previously unknown, but because Suffolk's authority stemmed largely from his position at Court and in Council, and because the greatest landowner and natural leader of the region, John Mowbray, third duke of Norfolk, had been forced into a position of inferiority, even humiliation, from which he was to free himself only after Suffolk's death in 1450.¹

It was during the years following Suffolk's return from France in 1430 that his local supremacy was established. Suffolk was quickly appointed to the Council that was governing England during the minority of Henry VI, and in 1433 became steward of the King's Household.² A man of great ability and ambition, he at once set out to build up his territorial and political power in East Anglia; this was centred on his castle at Wingfield, only a few miles from the duke of Norfolk's seat at Framlingham. The second duke of Norfolk had been the dominant figure in East Anglia during the late 1420s, but he died in 1432, leaving a son who was under age, though old enough to play a part in politics and to retain the loyalty of the large and powerful affinity that his father had collected.³ As the bulk of the Mowbrays' northern lands formed part of his mother's dower, his interests were, even more than his father's, centred upon East Anglia.⁴ In the circumstances rivalry between the two greatest magnates of the region was inevitable, and the years between 1432 and 1450 were punctuated by a series of disputes in Norfolk and Suffolk, involving the two lords, their friends and followers.⁵ What appears to have been the first of these open confrontations forms the subject of this article.

One reference to the dispute has long been in print. A minute of the King's Council of 15 February 1435 records the appearance of the duke of Norfolk and the earl of Suffolk before that body.⁶ Each had been asked to give security to keep the peace, Norfolk towards Sir John Heveningham, and John Andrew and Suffolk towards Sir Robert Wingfield and Edmund Fitzwilliam. The Council now quashed these securities on the promise of the two lords not to prevent enquiry into the death of James Andrew and to be 'good lords' to all the parties concerned in the affair. The names of those involved suggest that the entry represents the consequences of a clash between the supporters of the two lords; the discovery of the record of the subsequent judicial proceedings has allowed a partial reconstruction of the incident which provoked the Council's intervention.

The main source is the record in the King's Bench of proceedings consequent upon indictments taken at Henhowe before the Suffolk justices of the peace on 27 February 1435.⁷ More than one jury was concerned, but the alleged facts are almost the same in each indictment, and a composite story can be extracted. According to the indictments one James Andrew of Baylham, Suffolk, had been a plaintiff in an assize of novel disseisin concerning land in Baylham. Having been threatened by the defendants, Richard Steresacre, esquire, and John King, parson of Semer, and their friends, Andrew sought security of the peace

against a group of Suffolk men – Sir Robert Wingfield of Letheringham, knight, William Thornham, John Dautre and Thomas Caundysh, all of Framlingham, esquires, together with Robert Broun of Earl Soham and Richard Rosyngton and John Cushon of Framlingham, all yeomen. In response to Andrew's plea, John Crane, a Suffolk J.P., issued writs to the sheriff to have Wingfield before the assize judges at Henhowe on 22 July 1434 to find security to keep the peace towards Andrew. But before the writ could be delivered by the under-sheriff Andrew was ambushed and attacked near Bury St Edmunds at 10 p.m. on 21 July, and was dealt wounds from which he shortly afterwards died. Those indicted for the murder were John Dautre and John Cushon of Framlingham, together with Richard Blase of Stowmarket, yeoman, Thomas Chambre and Walter del Chambre of Framlingham, yeomen, John Hardying of Bungay, yeoman, Peter Longe of London, and Nicholas Boteler of Framlingham, groom (who is also styled 'of Canterbury, butler'). The indictment asserts that they acted at the instigation of Sir Robert Wingfield, William Thornham and Gilbert Debenham of Little Wenham, esquire. After the murder had been committed, it is alleged, the criminals fled to the hospices at Bury occupied by Wingfield, Thornham, Debenham, Richard Rosyngton and Robert Taury of Framlingham, yeoman. About midnight John Edward, alderman of Bury, came to arrest them, but Wingfield and others shot arrows at the alderman's party, and at about 5 a.m. all those accused fled from Bury in a large party and dispersed to Stowmarket and other places.

Such violence and defiance of the law were not uncommon in medieval England. Though, no doubt, aspects of the indictments and of the later appeal by Andrew's widow are conventional rather than an accurate description of the incident, there is no doubt that Andrew was killed and no real reason to doubt the basic truth of the version given in the indictments.⁸ The real significance of the incident appears from the names of the men involved. James Andrew had for many years been a figure of importance in Ipswich and its vicinity, five times parliamentary burgess for the town, and in December 1421 knight of the shire for Suffolk.⁹ He had married into a county family and held estates at Stoke by Ipswich, as well as at Baylham. Andrew was a lawyer and had been retained by the earl of Suffolk's father as early as 1408.¹⁰ It is likely that this de la Pole connection continued into his later years. He married as his second wife Margery, daughter of Sir John Heveningham and sister of the second wife of Sir Walter de la Pole, Suffolk's cousin, for whom he acted as feoffee in 1434. By this time he must have been an old man but his connections remained powerful. He had been engaged in litigation against Richard Steresacre for twenty years, mainly over land in Baylham, where they each held an estate.¹¹ By 1435 the disputes had drawn in other men and it is their affiliations which give the incident wider significance.

The affiliations of Andrew's enemies are obvious. Apart from the fact that many of them are styled in the indictment as 'of Framlingham', the duke of Norfolk's main castle, and others as 'of Soham' and 'of Bungay', two more of the duke's manors, there is much other evidence that Richard Steresacre, the defendant in the original action, and most of those indicted were servants or clients of the Mowbrays. Steresacre had been a Mowbray servant for more than 30 years and had been chamberlain to the second duke.¹² Wingfield was steward of Framlingham;¹³ Dautre was granted an annuity by the second duke;¹⁴ Thornham was the duke's deputy as keeper of the Marshalsea and was in the retinue taken by the third duke to France in 1439.¹⁵ Debenham a servant of the duke of Exeter, entered the service of the duke of Norfolk sometime during the 1430s or 1440s; by 1450 he was overseer of all the duke's estates.¹⁶ Thomas Caundyssh, who was involved in Andrew's original complaint, was armour-keeper and parker at Framlingham under the second duke.¹⁷ Of those under the rank of esquire who were involved in the incident, Richard Rosyngton was collector at Framlingham in 1433 and Thomas Chamber and John Barbour were probably the

men of that name who appear as household servants of the second duke in 1423.¹⁸

Andrew's legal dispute with Steresacre had, then, involved a powerful section of the Mowbray affinity, including some leading household officials. It could hope for the protection of the young duke and, in the last resort, perhaps also that of his guardian, Humphrey, duke of Gloucester, the King's uncle, recently Protector of England and one of the most powerful figures in the country. In the circumstances it was inevitable that the aggrieved parties should seek the assistance of a rival magnate, as well as of Sir John Heveningham, a Suffolk knight, who was the brother of Andrew's widow. The previous de la Pole connections of James Andrew made an appeal to the earl of Suffolk likely. In any case Andrew's son John was related to Sir Thomas Tuddenham, Suffolk's servant, through his mother, and had already made a more significant connection with his fellow lawyer, John Heydon, Suffolk's other leading servant in East Anglia; he was to become a client of the earl of Suffolk at least as early as the 1440s.¹⁹

The appeal to the two magnates produced a dangerous situation in East Anglia and during the next few months there was clearly the threat of large-scale violence in Suffolk. It was this that led the Council to intervene. In April 1430 the lords of the Council had agreed that in any future dispute between two of their number bonds should not be taken nor riotous gatherings made, but the parties should accept the mediation and judgement of the lords.²⁰ It was in pursuit of this policy that the Council summoned the two magnates concerned before it on 15 February 1435. The entry in the Council record makes it clear that both East Anglian magnates, together with Heveningham and Edmund Fitzwilliam, another leading servant of the duke of Norfolk, had been drawn into the dispute between John Andrew and Robert Wingfield and his associates. It was certainly the intervention of the Council that permitted the peaceful presentment of the indictments which a fortnight later were found to be true bills by Suffolk juries at Henhowe. Although the J.P.s who heard the indictments included the two assize judges, the accused were too powerful and well-connected to be dealt with locally and, as was to appear, there were conflicts of jurisdiction involved. Consequently on 7 April 1435 a *certiorari* was issued to send all the documents in the case to Chancery.²¹

During the Easter and Trinity terms of 1435 Margery, the widow of James Andrew, sued appeals of the murder of her husband in the King's Bench against John Harding of Bungay, who was in custody in the Marshalsea, and against the others indicted, who were not in custody. At the same time proceedings under the indictments began in the same court against Harding and *capias* writs were issued against the others accused.²² At this stage the abbot of Bury St Edmunds intervened, claiming that by the ancient privilege of the abbey the original indictments ought not to have been taken within its liberty. During the Easter term of 1436 the Court decided against the abbot's claim, and process under the appeals and the indictments continued.

During the next five years the two sets of processes – upon the Crown indictments and Margery's appeal – continued. A number of the accused were acquitted on the appeals by a Suffolk jury in 1438, and in the following year Wingfield and Thornham produced pardons granted 'at the special supplication' of the duke of Norfolk.²³ Debenham was also pardoned in that year.²⁴ Several of the principals, however – Dautre, Blase, Boteler, Barbour and Longe – were outlawed for non-appearance. One of them, Thomas Chamber, was in the Marshalsea in 1440 when he escaped with the help of John Wyndham, at that time in the service of the duke of Norfolk, and took refuge in sanctuary.²⁵ He, too, was outlawed in 1441. But, as so often with 15th-century legal proceedings, process on the plea roll then peters out. It is perhaps likely that most of those outlawed eventually received pardons, as Dautre certainly did,²⁶ but Wingfield and Thornham at least made fine with the King for their trespass

which, unlike the felony, had not been pardoned. Moreover, considering Suffolk's increasing strength during the late 1430s, it is possible that some monetary compensation was paid to the widow and to John Andrew.

The eventual outcome of the legal proceedings is, in any case, of less importance than its significance as the first of the disputes between the leading magnates of East Anglia and their clients which were to lead to the triumph of the earl of Suffolk but were perhaps also to contribute to his fall in 1450. Norfolk was able to secure pardons for his main followers, but not, at least by 1441, for the lesser men, and this may have contributed to the weakening of his affinity during the next few years. Nevertheless the episode illustrates the solidarity of a great magnate's retinue, the network of alliances and maintenance that held it together even after the death of its original patron.²⁷ It also shows how the lords of such affinities could be dragged into a dispute in which they were not originally involved, especially when, as often happened, the aggrieved party appealed to another magnate for support; honour, prestige and standing in the lords' 'country' were then at stake.

On the other hand, the incident also demonstrates the ability of the Minority Council to prevent the further extension of the conflict by enforcing at least a show of reconciliation between the leaders of the two factions. In July 1435 Suffolk departed from England as an ambassador to the Congress of Arras and soon after his return went to France with an army, while Norfolk accompanied the duke of Gloucester on his Calais expedition in 1436 and later in the same year was made lieutenant in the East March.²⁸ There were other reasons for their involvement in these activities but the Council can hardly have escaped the conclusion that the absence of the two lords would ease the tension in East Anglia and allow the sheriff and judges to do their work with less interference. Though it is perhaps unlikely that the Council was able to ensure that justice was done, at least the peace was restored, an achievement which contrasts markedly with the inability or unwillingness of the Council to act decisively in similar situations during the period of the King's personal rule.

NOTES

- ¹ See Gairdner 1904, II, 136-49 etc.; Virgoe 1966; K.B. 9/267/1-42; 272/1-5 etc.
- ² *D.N.B.*, xvi, 50-56.
- ³ *Complete Peerage*, ix, 605; *P.P.C.*, iv, 132.
- ⁴ Jacob 1938, II, 474; *C.P.R.* 1429-36, 260; Pugh and Ross 1953.
- ⁵ See, e.g., Gairdner 1904, I, 41. It is hoped to deal more fully with the politics of the period on another occasion.
- ⁶ *P.P.C.*, iv, 300-01.
- ⁷ K.B. 29/68, rot. 13; K.B. 27/696, rex, rot. 24, K.B. 27/697, plea, rot. 24; C. 244/12/11. Where not otherwise specified the information on the incident given below comes from one of these sources. Henhowe, which lay near the north gate of Bury St. Edmunds, was the abbot's hall of pleas for the Liberty of St Edmund established by royal authority in 33 Edward I (Gage 1838, xi and notes *l* and *m*). Assizes and Quarter Sessions for the Liberty were also held there.
- ⁸ K.B. 27/697, plea, rot. 85 specifies the nature of each blow inflicted on Andrew and the name of the man responsible, but this is a legal formality.
- ⁹ For Andrew see John 1959, 128; Add. MS. 19115, ff. 2-4.
- ¹⁰ Elvedon Hall, Cornwallis MSS., Box 9 no. 4.
- ¹¹ C.P. 40/619, roll of attorneys; C.P. 40/671, rot. 535; C.P. 40/691, rot. 612d. I owe these references to Miss Diana Spelman.
- ¹² John 1959, 583-5; Add. Ch. 16556, 7209; *C.Cl.R.* 1399-1401, 220; Arundel Castle MS. A. 1642, R.I. Box 1.
- ¹³ Hawes 1798, 395; for Wingfield see Storey 1966, 226-7.
- ¹⁴ Jacob 1938, II, 475.
- ¹⁵ *C.P.R.*, 1436-41, 229; *D.K.R.*, XLVIII, 328.
- ¹⁶ Haward 1928-9; Nicolas 1826, I, 210-11; E. 368/223, *communia*, Hillary, rot. 48.
- ¹⁷ Hawes 1798, 397; Add. Ch. 17209.

MURDER OF JAMES ANDREW

- ¹⁸ Hawes 1798, 397; Add. Ch. 17209.
¹⁹ For John Andrew see Wedgwood 1936, 11; Gairdner 1904, II, 105 etc. Heydon stood surety for Andrew in connection with this case in 1435, and certainly by 1450 Andrew was in receipt of an annuity from the duke of Suffolk – K.B. 27/697, rex. rot. 8d; Eg. Roll 8779.
²⁰ *P.P.C.*, IV, 36-7.
²¹ C. 244/12/11.
²² K.B. 27/696, rex. rot. 24; K.B. 27/697, plea, rot. 85.
²³ K.B. 27/696, plea, rot. 85; *C.P.R.*, 1436-41, 337.
²⁴ K.B. 27/696, plea, rot. 85; *C.P.R.*, 1436-41, 289.
²⁵ K.B. 29/68, rot. 13; K.B. 9/232/1. He had received a general pardon in November 1438 – *C.P.R.* 1436-41, 308.
²⁶ *C.P.R.*, 1436-41, 225.
²⁷ This may be compared with the continuity of Suffolk's retinue after his disgrace and death in 1450; see Gairdner 1904, II and III passim.
²⁸ *D.N.B.* XVI, 50-6; XIII, 1119-20.

REFERENCES

Printed works

- Cokayne, G. E., 1910-58. *The Complete Peerage*, 2nd edn. London.
 Gage, J., 1838. *The history and antiquities of Suffolk: Thingoe Hundred*. London.
 Gairdner, J. (ed.), 1904. *The Paston letters*. London.
 Haward, W. I., 1928-9. 'Gilbert Debenham: a medieval rascal in real life', *History*, XIII, 300-14.
 Hawes, R., 1798. *History of Framlingham*, Woodbridge.
 Jacob, E. F. (ed.), 1938. *The register of Henry Chichele* (Canterbury and York Society, III). London.
 John, T., 1959. 'The parliamentary representation of Norfolk and Suffolk, 1360-1422', Nottingham M.A. thesis.
 Nicolas, N. H. (ed.), 1826. *Testamenta vetusta*. London.
 Pugh, T. B. and Ross, C., 1953. 'The English baronage and the income tax of 1436', *Bull. Inst. Hist. Res.*, XXVI, 1-28.
 Storey, R. L., 1966, *The end of the house of Lancaster*. London.
 Virgoe, R., 1966. 'Three Suffolk elections of the mid-fifteenth century', *Bull. Inst. Hist. Res.*, XXXIX, 185-96.
 Wedgwood, J. C. (ed.), 1936. *History of Parliament: biographies*. London.

Primary Sources: Abbreviations

Printed works

- C.Cl.R.* *Calendar of Close Rolls*, H.M.S.O.
C.P.R. *Calendar of Patent Rolls*, H.M.S.O.
D.K.R. *Reports of the Deputy Keeper of the Public Records*.
D.N.B. *Dictionary of National Biography*.
P.P.C. *Proceedings of the Privy Council*, ed. N. H. Nicolas, 1834-7.

Unpublished MSS.

- Add. Ch. British Library, Additional Charters.
 Add. MS. British Library, Additional Manuscripts.
 C. 244 P.R.O., Chancery Files.

R. VIRGOE

C.P. 40 P.R.O., Common Pleas: Plea Rolls.
E. 368 P.R.O., Exchequer: Lord Treasurer's Remembrancer, Memoranda Rolls.
Eg. Roll British Library, Egerton Rolls.
K.B.9 P.R.O., King's Bench: Ancient Indictments.
K.B.27 P.R.O., King's Bench: Plea Rolls.
K.B.29 P.R.O., King's Bench: Controlment Rolls.
P.R.O. Public Record Office.