

**POLITICS AND SOCIETY IN NOTTINGHAMSHIRE, 1327-
1360**

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Abstract

‘Politics and Society in Nottinghamshire, 1327-1360’, by P. D. Russell, B.A. M.A.; thesis submitted to the University of Nottingham for the degree of Doctor of Philosophy, September, 2007.

This thesis addresses the governance of Nottinghamshire during the first thirty-three years of the reign of Edward III. The time-frame is significant as it seeks to re-dress an imbalance in the study of provincial societies during the later Middle Ages, which hitherto have largely concentrated on the second half of the fourteenth and fifteenth centuries. The most important belief to be addressed is that those who were engaged in the governance of Nottinghamshire were drawn from a considerably wider section of society than is apparent from previous county or regional gentry-based studies. It will also demonstrate the close nature of the relationship between the shire and the crown, which manifested itself in a wide variety of channels of communication.

Chapters one and two look at the formal structures of government in Nottinghamshire. The focus for these chapters will be upon the whole of the county, as this reflects the crown’s approach to governance. Chapter one will address the offices of local government, and chapter two will look at the pivotal relationship between the locality and the crown, concentrating upon parliamentary representatives and petitions. These chapters will also assess the

impact of war and the Black Death upon Nottinghamshire. For subsequent chapters, the geographical focus of the study will be reduced to that of south Nottinghamshire, which will facilitate a more in-depth analysis of law and order in chapter three, and landholding in chapter four. The study will then conclude with a case-study upon a smaller area within south Nottinghamshire.

Throughout, this thesis will address significant historiographical debates. The most important of which relates to the impact upon provincial societies and local government of bastard feudalism, and to the related debates over the vertical and horizontal ties of lordship, and to the existence or otherwise of an 'independent gentry', and of 'county communities'.

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List of Abbreviations

<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>CCR</i>	<i>Calendar of Close Rolls</i>
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>Notts, IPM</i>	<i>Abstracts of the Inquisitiones Post Mortem Relating To Nottinghamshire, 1242-1546, 5 vols., Thoroton Society Records Series, 4, 6 (1898-1956)</i>
<i>P & P</i>	<i>Past and Present</i>
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>

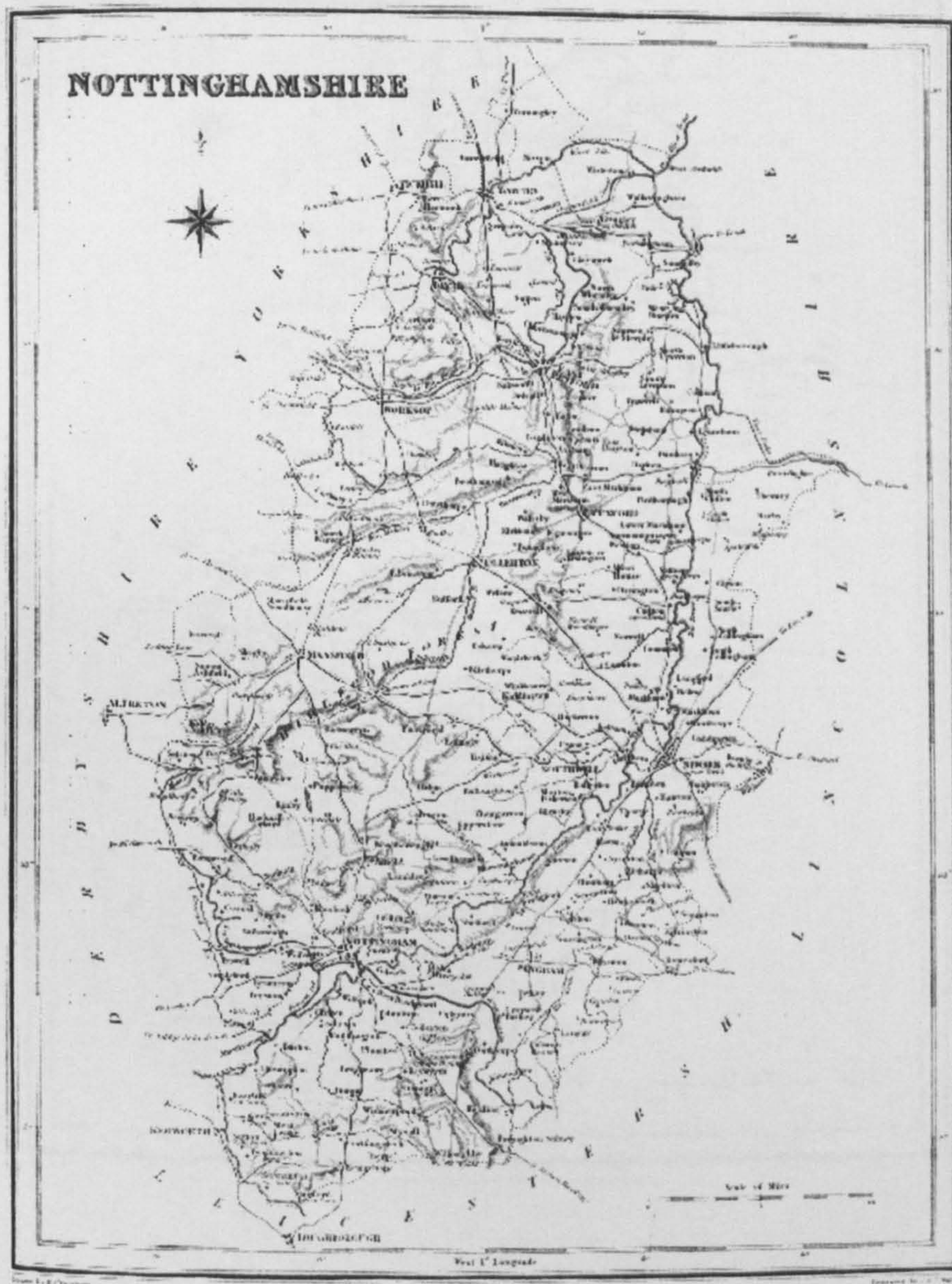
Maps

1. Nottinghamshire
2. The Middleton area of south Nottinghamshire
3. Willoughby-on-the-Wolds
4. The Bingham area

Map by R. Creighton and published in S. L. Lewis (ed.), *A Topographical Dictionary of England*, (London, 1848).

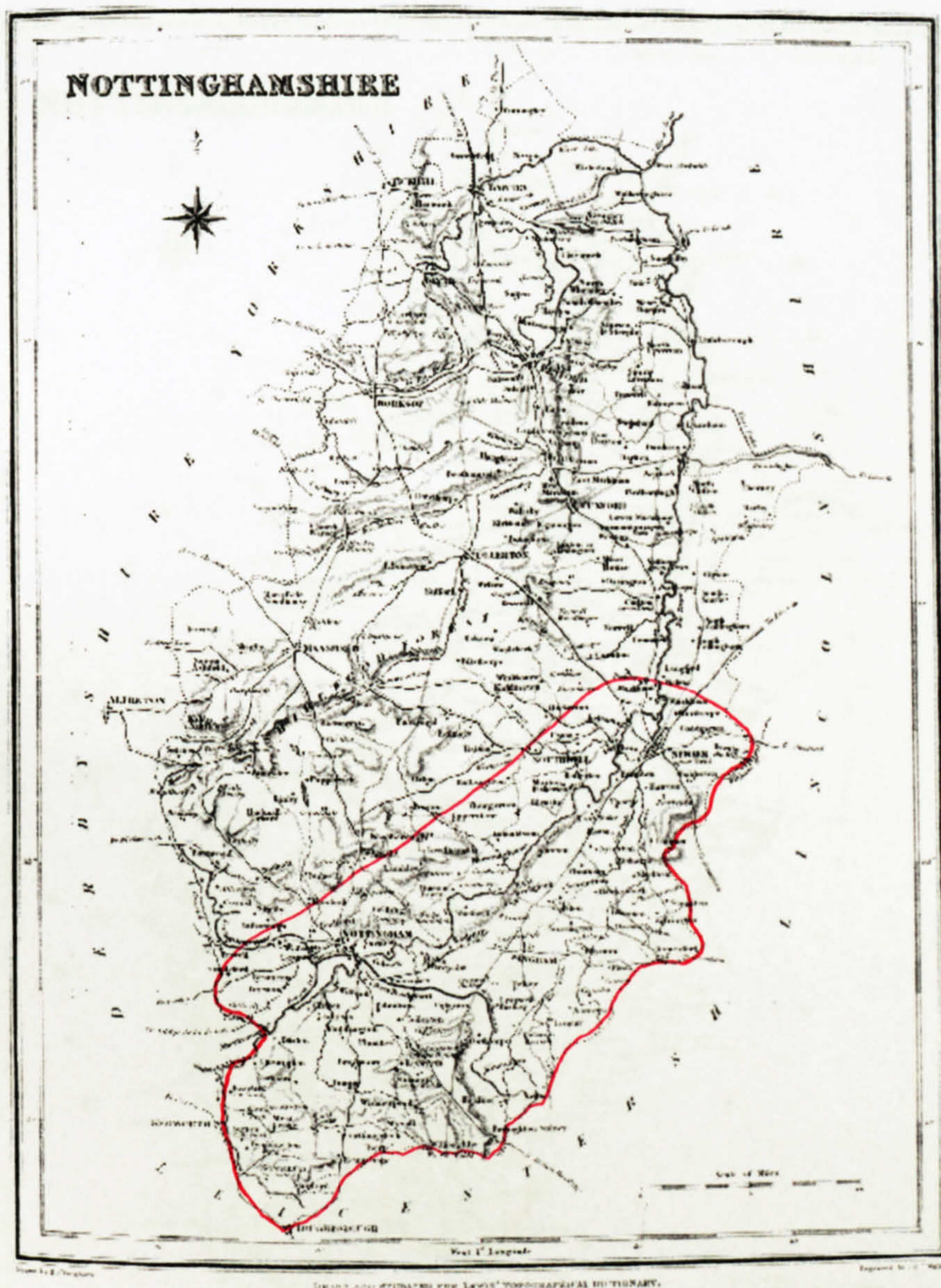
Although not the oldest map of Nottinghamshire, it is one of the first to portray an accurate representation of the county, and does so before the rapid expansion of Nottingham during the second half of the nineteenth-century.

1. Nottinghamshire



Drawn and Engraved for Lewis' Topographical Dictionary.

2. The Middleton Area



3. Willoughby-on-the-Wolds



4. The Bingham Area



INTRODUCTION

This thesis will address the governance of Nottinghamshire during the first thirty-three years of the reign of Edward III. The focus will be upon lay rural society, but it will also draw upon the involvement of burgesses (principally from the towns of Nottingham and Newark) and church and ecclesiastical institutions where there is clear evidence of their involvement to property and office-holding. The choice of this time-frame is deliberate for, in marked contrast to the second half of the fourteenth and the fifteenth-century, provincial societies during the period covered by this thesis have received little recent attention from historians.¹ This imbalance needs to be addressed as the fourteenth-century was a key period in the growth and development of central government, and in particular of important developments in the judicial system, both of which were to have long-lasting effects upon provincial society. It will also enable a contrast to be made of the nature of Edward III's reign, that is his Minority (1327-1330) and Majority (1330-1360) with that of his predecessor, Edward II, and successor, Richard II, and therefore facilitate an analysis of the role of kingship and its impact upon provincial society. It was also the century in which the Black Death had the most significant demographic impact upon England, with the consequential social, economic and legal outcomes that affected society.

The historiography of the county as a vehicle for studying provincial society illustrates that the nature of this subject is, like other aspects of

¹ The only substantial published works on provincial societies during the period covered by this thesis are: N. Saul, *Knights and Esquires: The Gentry of Gloucestershire in the Fourteenth-century* (Oxford, 1981) and *Scenes from a Provincial Life: Knightly Families in Sussex, 1280-1400* (Oxford, 1986); M. J. Bennett, *Community, Class and Careerism. Cheshire and Lancashire Society in the Age of Sir Gawain and the Green Knight* (Cambridge, 1983).

historical research, subject to constant change. It is generally acknowledged that the study of counties in the later Middle Ages followed the lead given by Stuart and Tudor historians in the late 1960s.² The county, and occasionally region, has been the subject of investigation for centuries (particularly by local historians). The history of Nottinghamshire for example still benefits from the eighteenth century study by William Thoroton, as well as a wide range of more recent work.³ The bibliographies of more recent county studies show that Nottinghamshire is not alone in this respect. The use of the county or region as a basis for studying provincial political society in the later Middle Ages appears to support the view that areas of historical research are subject to change. The last published county-based study is Christine Carpenter's 1992 account of the gentry of fifteenth-century Warwickshire, though it should be noted that the county has continued to be the vehicle for doctoral research.⁴

The county or regional approach is not, nor has it ever been, the only *modus operandi*. Helen Castor's important study on the relationship between the crown and the duchy of Lancaster in the first half of the fifteenth-century, illustrates that the county is not the only political structure through which society can be studied.⁵ In his study of the fourteenth-century sheriff, R. Gorski succinctly summarised one of the major dilemmas facing those seeking

² One of the earliest studies is A. Everitt, 'The County Community', in E.W. Ives (ed.), *The English Revolution 1600-1660* (London, 1968), pp. 48-63.

³ R. Thoroton, *The Antiquities of Nottinghamshire*, J. Throsby (ed.), 3 vols. (Nottingham, 1790-6).

⁴ C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992). This is itself based on Dr Carpenter's Ph.D. thesis of 1976; for example see: P. H. T. Unwin, *Patterns and Hierarchies of Rural Settlement in Nottinghamshire before 1700*, Ph.D thesis (University of Durham, 1980).

⁵ H. Castor, *The King, The Crown, and the Duchy of Lancaster: Public Authority and Private Power, 1388-1461* (Oxford, 2000).

to investigate provincial society.⁶ He explained that the study of an individual county - facilitated by the nature of government records - enables an in-depth analysis, yet mitigates against a range of cross-border contacts.⁷ Nigel Saul in his study of the gentry in fourteenth-century Sussex suggested that administrative divisions within Sussex – the rape – might have been more significant in terms of gentry social networks than county borders.⁸ In another example, K. S. Naughton found that patterns of gentry land ownership in fourteenth-century Bedfordshire appear to have been not only distinct from national trends towards leasing, but that variations also existed within the county itself.⁹ This last example underlines the complexity of this issue. It does seem as though through its very existence as an administrative unit, the county could contain features which were, to some degree at least, distinctive even from neighbouring counties.¹⁰ As Saul and Naughton have found, social and economic factors could vary within, as well as cutting across, county borders.

Although the vast majority of published county studies have focused on a single county, two notable studies have adopted a regional approach to their subject. The northwest and northeast of England are generally accepted as being distinct from the rest of England, on the basis of geography and (in the

⁶ Gorski, *The Fourteenth-century Sheriff: English Local Administration in the Late Middle Ages* (Woodbridge, 2002), pp. 5-6.

⁷ Peter Coss, in his study of the honour of Coventry in the thirteenth century, disputes that the county is the natural vehicle for the study of gentry society, both on the basis of how that society was organised, and the survival of records: Coss, *Lordship, Knighthood and Locality* (Cambridge, 1991), pp 2-3; for a contrary view, see Carpenter, *Locality and Polity*, p. 10.

⁸ Saul, *Scenes from a Provincial Life*, pp. 58-61.

⁹ K. S. Naughton, *The Gentry of Bedfordshire in the Thirteenth and Fourteenth Centuries* (Leicester, 1976), pp. 18-22.

¹⁰ A good example of this can be found in the contrasting status of the peasants of Kent and Essex at the time of the 1381 Peasants' Revolt. In Kent, as a result of the 'Custom of Kent', peasant servile status did not exist (at least for those born in Kent), which was in marked contrast to the situation in Essex.

Middle Ages) remoteness from the centre of political power.¹¹ A. J. Pollard, in his study of the northeast, suggested that although essentially the same as the rest of the country, landed society did have different attitudes and values, which were more traditional and conservative.¹² Similarly M. J. Bennett, looking at Lancashire and Cheshire argues that geographical isolation led to a conscious regional identity.¹³ The regional approach of Bennett and Pollard enables the historian to avoid some of the potential limitations of a county approach, outlined by Carpenter.¹⁴ The strength of these studies is that the range of activities such as land ownership and social networks can be examined over a wider area, unconstrained by artificial county boundaries. However, the very scale of regional studies effectively precludes a detailed analysis of the complex patterns of landholding and the range of horizontal ties.

This thesis clearly acknowledges that as the geographical basis for studying provincial societies, the county does contain significant limitations. But by adopting a changing focus of the area of study, it will show that it is possible to utilise the records of central government and, to an extent at least, reduce the problems associated with county borders. The first two chapters will address the formal aspects of local government in Nottinghamshire. This will be done at the level of the county, as this was the administrative structure through which the crown exercised governance. Chapter one will have as its focus the nature of government as it was exercised in the locality. It will address the offices of sheriff, escheator and coroner, together with a range of

¹¹ A. J. Pollard, *North-Eastern England During the Wars of the Roses* (Oxford, 1990); Bennett, *Community, Class and Careerism*.

¹² Pollard, *North-Eastern England*, p. 398.

¹³ Bennett, *Community, Class and Careerism*, pp. 240-250.

¹⁴ C. Carpenter, 'Gentry and Community in Medieval England', *Journal of British Studies*, xxxiii (1994), 340-380.

commissions made by the crown to individuals to undertake commissions of array, the collection of subsidy, and a variety of judicial appointments. It will also look at the administrative structure of the royal forest of Sherwood, and the impact upon local government of the arrival of the Black Death in Nottinghamshire in 1349.¹⁵ Chapter two will focus upon the key nature of the relationship between Nottinghamshire and the crown. It will specifically look at the role of parliamentary representatives (knights of the shire), and of the important part played by petitions from the county as a channel of communication between the locality and the crown. It will conclude by looking at the impact of warfare upon Nottinghamshire, both in terms of purveyance and military service.

The geographical area of this thesis will then be reduced for the next two chapters to that of south Nottinghamshire, which is defined by the spread of land title deeds contained within the Middleton collection (see map 2).¹⁶ Chapter three will address the subject of law and order, and chapter four, landholding. The purpose of this ‘telescoping’ down of the area of study is primarily to facilitate a more in-depth analysis than could be achieved by using the boundaries of the entire county, but it also lessens the problems associated by these very borders. It will be shown, for example, that landholding in south Nottinghamshire included land held by individuals who resided in the area, as well as those from elsewhere within the county and from outside of its borders. The geographically diverse nature of landholding is also true of a range of other activities such as criminal behaviour, marriage, and the witnessing of

¹⁵ O. Benedictow, *The Black Death 1348-1353: A Complete History* (Woodbridge, 2004), pp. 139-41.

¹⁶ For more details of the importance to this thesis of the Middleton collection, see chapter 4. This area of south Nottinghamshire will be referred to as the Middleton area.

deeds and charters. The final chapter is a case-study which draws together all of the aspects of governance to look at a further reduced area within south Nottinghamshire, based upon the vill of Bingham in the vale of Belvoir (see map 4). As with the previous two chapters, by looking at those involved in politics within an even smaller area, it will be possible to gain an understanding of the complex patterns of landholding, and how these related to involvement in local government as well as criminal behaviour and the horizontal ties of association.

The most important theory that this thesis addresses is that of the extent of the involvement in local government by those who were either lesser gentry or richer peasant in status. Virtually every previous study of provincial societies has had as its focus the landed élite.¹⁷ This is to a very large degree understandable on two accounts. Firstly, the nobility and gentry élite were, by virtue of their position within society, those who were appointed by the crown to undertake the most important positions of local government. Collectively they constituted the landholding élite who exercised lordship, or authority, in the locality in the name of the crown. And secondly, the nature of extant sources tends to be considerably more detailed in relation to the landed élite than to those lower down the social spectrum.¹⁸ This is not to imply criticism of these studies, which have considerably added to our understanding of provincial societies, and have not set out to be anything other than studies of their subject: the nobility and gentry. Nevertheless, as the growing body of

¹⁷ The vast majority of titles are described as being studies of the gentry. They do however also include magnates and titled nobility. Bennett does include a chapter devoted to the peasantry in his study of Lancashire and Cheshire: Bennett, *Community, Class Careerism*, chapter 6, pp. 90-107.

¹⁸ See G. L. Harriss, 'Political Society and the Growth of Government in Late Medieval England', *P & P*, cxxxviii (1993), 33-34.

work on the peasantry demonstrates, a range of evidence has enabled historians to gain a much greater understanding of the important role played by the peasantry in local government.¹⁹ The hierarchical structure of feudal society was a reality, which was mirrored by the personnel of local government, but this did not prevent many members of the lesser gentry or peasantry from undertaking a range of important formal roles in the governance of Nottinghamshire. This thesis will differ from previous studies in that it deliberately adopts an inclusive approach to local governance.

Of direct relevance to this study are three inter-related areas of historiographical debate. According to Hicks, an understanding of bastard feudalism is fundamental to understanding English society, as it affected the whole of society.²⁰ Debates range across the nature and origins of bastard feudalism, and how and to what degree it affected provincial society. Through a combination of wealth, political power and status, the nobility could exert the greatest influence through the practice of retaining. And yet the vertical ties of lordship, as the fifteenth-century gentry letter collections illustrate, could also extend to members of the gentry being served by other members of the gentry.²¹

A number of important questions in relation to the impact of bastard feudalism have been raised by studies of provincial societies in the later Middle Ages. Most county-based studies have argued that the societies they describe were largely, or fully, free of magnate influence, giving rise to the description

¹⁹ A useful recent summary of the varied works on the peasantry can be found in P. R. Schofield, *Peasant and Community in Medieval England 1200-1500* (Basingstoke, 2003), pp. 257-65; and E. B. Fryde, *Peasants and Landlords in Later Medieval England* (Stroud, 1996).

²⁰ M. Hicks, *Bastard Feudalism* (London, 1995), p. 2.

²¹ *Ibid.*, p. 74.

of these societies as being run by 'independent gentry'.²² However, Castor, in her study of the duchy of Lancaster in the fifteenth-century, has argued that the political importance of the duchy has been downplayed by historians who have studied counties where the duchy had a significant presence.²³ Interestingly, A. Goodman, writing of John of Gaunt, shares the views of G. G. Astill and S. K. Walker that Gaunt did not seek to dominate local government or society through the retaining of the local gentry.²⁴ Carpenter has argued for the essential role played by the nobility in the judicial process and as acting as a link between the crown and locality.²⁵ She has further stated that in most counties there was at least one lord who 'was substantially more powerful than any of the gentry in the county'.²⁶ G. L. Harriss is surely correct in stating that the nobility were not spread evenly, and that there were, for periods of time, areas of the country, such as Nottinghamshire and Cheshire which lacked a significant magnate presence.²⁷ Although Saul's comments that an absentee magnate landlord was little different from having no landlord at all may well have been true of Sussex in the fourteenth-century, it can be argued that in more general terms this almost certainly depended upon the efficiency and

²² The overwhelming majority of county and regional studies have argued that bastard feudalism, in the form of magnate influence, had little or no impact on local political society. Only Carpenter and Ward, in their studies of Warwickshire and Essex respectively, have found in the affirmative. Nigel Saul's account of the gentry of Sussex considers that bastard feudalism did have an impact, but that there were also many independent local gentry.

²³ Castor, *The King, The Crown*, p. 19.

²⁴ A. Goodman, *John of Gaunt: The Exercise of Princely Power in Fourteenth-Century Europe* (Harlow, 1992), pp. 327-330.

²⁵ Carpenter, 'Gentry and Community', pp. 358-9. Interesting, in an earlier paper, Carpenter accepted that there were areas where the influence of the nobility was weak, and that the gentry could take over the role of co-ordinating networks of influence: C. Carpenter, 'Law, Justice and Landowners in Late Medieval England', *Law and History Review*, i (1983), 205-237, esp. p. 225.

²⁶ Carpenter, 'Gentry and Community', p. 360.

²⁷ Harriss, 'Political Society', p. 53; The same point is made by Chris Given-Wilson, *The English Nobility in the Late Middle Ages* (London, 1996), pp. 79-82.

competency of the stewards, and other officials who ran estates.²⁸ Furthermore, the church and ecclesiastical institutions, who together represented one of the largest landholders in England were not only the 'ultimate' absentee landlords, but throughout the Middle Ages regarded as being amongst the most conservative in terms of estate administration.²⁹

The possibility that magnates, through a policy of retaining members of the local gentry, did not dominate local society in every corner of the kingdom does not diminish the impact of lordship in apparently magnate-free areas. As Goodman suggests, John of Gaunt did not need to dominate local affairs in Leicestershire, as he could expect and foster a degree of 'traditional respect'.³⁰ And of course it must be borne in mind that the circumstances of control within a locality could change. For example magnates were vulnerable, through a failure of the male line, and gentry controlled areas such as Cheshire and Lancashire could come under the effective control of emerging nobility.³¹ Even in an area such as Lancastrian Nottinghamshire, where Payling has found that what he has termed the 'greater gentry' effectively fulfilled the role of the nobility in a county predominantly lacking the latter's influence, the role of lordship was maintained.³² This thesis will demonstrate through an analysis of office and landholding that magnates appear to have held remarkably little land within Nottinghamshire. It will also suggest that evidence of retaining by the

²⁸ Saul, *Scenes from a Provincial Life*, p. 29.

²⁹ A good example of the degree of control exercised by church estates can be found in the archbishops of Canterbury. Who even after the gradual switch from direct exploitation to leasing, continued to impose strict conditions on those who leased land: F. R. H. Du Boulay, *The Lordship of Canterbury: An Essay on Medieval Society* (London, 1966), pp. 218-237.

³⁰ Goodman, *John of Gaunt*, p. 328.

³¹ For the extinction of noble families during the later Middle Ages, see: K. B. McFarlane, *The Nobility of Later Medieval England: The Ford Lectures for 1953 and Related Studies* (Oxford, 1973), pp. 142-176.

³² Payling, *Political Society*, pp. 218-219; Wright makes a similar argument for the leading gentry of Derbyshire. Wright, *Derbyshire Gentry*, p. 146.

earls/dukes of Lancaster, who were the largest magnate landholders within the county, was also restricted to only a few individuals. This does not of course mean that more subtle, unrecorded ties of influence did not exist, but that the extant evidence suggests that magnate influence within Nottinghamshire, and especially in relation to local government, does not appear to have been as strong as Carpenter and M. Cherry found in fifteenth-century Warwickshire and Devon respectively.³³ However, it will be shown that even if Nottinghamshire during the period of this study appears to have been a county lacking resident magnates, or even significant magnate influence, it was not a county lacking in lordship. Both in terms of their involvement in local governance, and through the extent of their landholding, Nottinghamshire, and the adjacent counties of Leicestershire, Derbyshire and Yorkshire, possessed members of the titled nobility who undoubtedly provided the natural political and social apex of the geographical areas where they dominated. In other words, there is no evidence that Nottinghamshire was a county ruled by an 'independent gentry'.

One of the most contentious historiographical debates has been over the existence or otherwise of a 'county community' derived from the administrative functions of the county. As W. M. Ormrod points out, the 'county community' is inextricably linked with the rival school of thought which sees the vertical ties of lordship as being paramount.³⁴ Ormrod is surely correct to state that these views are not mutually exclusive. Christine Carpenter, one of the strongest opponents of the 'county community', has

³³ C. Carpenter, 'The Beauchamp Affinity: A Study of Bastard Feudalism at Work', *EHR*, xciv (1980), 514-32; M. Cherry, 'The Courtenay Earls of Devon: The Formation and Disintegration of a Late Medieval Aristocratic Affinity', *Southern History*, I (1979), 91-97.

³⁴ W. M. Ormrod, *Political Life in Medieval England 1300-1450* (London, 1995), p. 47.

argued that 'most counties had very little existence as political and social units until the later sixteenth century'.³⁵ This reference to the early modern period is apposite, in that the form the 'county community' debate has taken in relation to the later Middle Ages first started among Stuart and Tudor historians.³⁶

However, as R. Virgoe points out, the notion that the county could shape local society was first voiced in relation to the Middle Ages by Helen Cam, before the more recent Stuart/Tudor debate.³⁷

At the heart of this debate is the county court, which according to supporters of the concept of a 'county community' was the principal forum through which an affinity with the shire was fostered.³⁸ However, the level of participation and involvement at the county court has been challenged by Carpenter, who doubts that it was indeed a focus for local society.³⁹ Despite a decline in the fourteenth-century of the judicial function of the county court, it continued to fulfil an important administrative role, such as the election of knights of the shire, coroners and verderers, and the reading out of government proclamations.⁴⁰ That these functions were undertaken is not in dispute. What is in dispute is the level of attendance by those eligible to take part in its

³⁵ Carpenter, *Locality and Polity*, p. 10.

³⁶ For example see Everitt, 'County Community', and C. Holmes, 'The County Community in Stuart Historiography', *Journal of British Studies*, xix (1980), 54-73.

³⁷ H. M. Cam, *Liberties and Communities in Medieval England* (London, 1963), p. 247; R. Virgoe, 'Aspects of the County Community in the Fifteenth-century', in M. Hicks (ed.), *Profit, Piety and the Professions in Later Medieval England* (Gloucester, 1990), pp. 1-13.

³⁸ See J. R. Maddicott, 'The County Community and the Making of Public Opinion in Fourteenth-century England', *TRHS*, xxviii (1978), 27-43.

³⁹ Carpenter, 'Gentry and Community', p. 347; Peter Coss makes an interesting observation on Carpenter's comments on the importance of the county court, pointing out that if it was so peripheral to the gentry, why did the government use it as a means of transmitting information: Coss, 'Identify and the Gentry', in M. Prestwich and R. H. Britnell (eds.), *Thirteenth Century England*, vol. VI (Woodbridge, 1997), pp. 49-60; R. C. Palmer's study of the county court concludes that its primary function was the administration of justice, and that elections were usually determined by seneschals and bailiffs: R. C. Palmer, *The County Courts of Medieval England, 1150-1350* (Princeton, 1990).

⁴⁰ H. M. Jewell, *English Local Administration in the Later Middle Ages* (Newton Abbot, 1972), p. 45.

proceedings, which may support the view that the county court was a social as well as administrative focus for political society.⁴¹ This debate illustrates one of the key problems facing historians. The names of electors for parliamentary elections, for example, were not recorded until the early fifteenth-century, and even then, not all names were necessarily included.⁴²

This thesis will suggest that the evidence from Nottinghamshire does not appear to support the view that the county court may have been the focus for a 'county community'. What it does illustrate however, is that the level of involvement in political decision making clearly extended beneath the predominantly knighted gentry élite who were elected to parliament, or appointed by the crown to hold the most important offices of local government. The evidence derived, for example, from the names of mainpernors or guarantors for knights of the shire to attend parliament, and who appear to have been of lesser gentry or peasant status, reinforces the view that smaller landholders played an active role in politics.

The relationship between those who governed in the name of the crown in Nottinghamshire, and the crown and its offices of central government, is a vitally important strand which runs through this thesis. Nottinghamshire was not a remote, isolated part of the county, largely free of control by the crown. The level of direct involvement by the crown in the governance of the county was of fundamental importance. Most of the offices of local government were local men appointed by the crown, as were those who undertook a variety of commissions in its name. Yet it is important to stress that although these

⁴¹ Palmer believes that the election of representatives for parliament, and the selection of local officials, was normally undertaken by 'those who ordinarily made judgements in the county courts, at least in the thirteenth and for most of the fourteenth centuries'. Palmer, *County Courts*, p. 293.

⁴² Payling, *Political Society*, p. 158.

appointments were made by the crown, there is evidence that the crown may have taken into account the willingness and suitability as well as the local hierarchy when making appointments. It should also be noted that stability and social cohesion were in the interests of both the crown and those who ruled in its name. As has been found in other county studies, the overwhelming majority of local office-holders were tenants-in-chief of the crown, whose appointments therefore reflected the social hierarchy.

For Ormrod, justice lay at the heart of political life in the Middle Ages.⁴³ Justice of course, cannot be separated from government, but, as Carpenter has noted, very few county studies have addressed the issue of justice in the localities, particularly given the increased access and recourse to the use of the law in defence of property.⁴⁴ This thesis will address the important historiographical debates related to the development of the legal system during the reign of Edward III. In particular it will address the conflicting interpretations that have arisen over the emergence of justices of the peace.⁴⁵ The question of law and order in the localities has received varying degrees of attention by previous county studies. J. G. Bellamy has suggested that magnates and their gentry followers were often the cause of violent crime, and yet at the same time, were from the class largely responsible for enforcing the king's law.⁴⁶ Yet evidence of criminal behaviour and its interpretation is

⁴³ *Ibid.*, p. 109.

⁴⁴ Carpenter, *Locality and Polity*, p. 2.

⁴⁵ See A. Musson, *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt* (Manchester, 2000); A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth-century* (London, 1999); A. Musson, *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350* (Woodbridge, 1996); R. W. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988): The 'war state/law state' debate will be addressed in chapter 3.

⁴⁶ J. G. Bellamy, *Crime and Public Order in England in the Later Middle Ages* (London, 1973), pp. 2, 69-70; members of the peasantry and lesser gentry played an important role in

still the subject of often fierce debate today. For the fourteenth-century, where extant evidence is often incomplete or patchy, this presents particular problems. This thesis will challenge the interpretations of Bellamy and B. A. Hanawalt who have suggested that a high level of violent crime occurred during later Middle Ages. It will suggest that although there is clear evidence of such crime, when evidence is mapped over a geographical area and over a given time-frame, the instances of violent crime for south Nottinghamshire may not have been of a particularly high level.⁴⁷

Channels of communication between the centre and the locality are clearly evident in Nottinghamshire. The crown was able to communicate its instructions, as well as propaganda, directly with the locality through individuals, and proclamations, yet there is also clear evidence that this was not a one-way channel of communication. In addition to knights of the shire, the number of petitions, and the range of issues of concern to the locality voiced through them to the crown, illustrate that the crown was both receptive and responsive to the needs of its subjects. More than anything else this thesis, perhaps paradoxically given its subject, illustrates just how central the crown was to the governance of the localities. And although it is hard to detect the individual hand of Edward III on the governance of Nottinghamshire, the general stability it appears to have experienced during the period of this study is surely evidence of just how vital the personal qualities of the monarch were to the peace and stability of the realm.

law enforcement through serving as constables of vills, wapentakes and boroughs, as well as sub-keepers of the peace: A. Musson, 'Sub-Keepers and Constables: The Role of Local Officials in Keeping the Peace in Fourteenth-century England', *EHR*, cxvii (2002), 1-24.

⁴⁷ B. A. Hanawalt, *Crime and Conflict in English Communities, 1300-1348* (Harvard, 1979).

Appendix B contains brief biographical details of individuals mentioned in the text. The reader is also referred to the maps for places mentioned.

Definitions

In a highly stratified society, defining who was a member of a particular group presents the historian with considerable problems.⁴⁸ For the purpose of this thesis, the following definitions will be employed. Those families, who were by the fifteenth-century to constitute the parliamentary peerage, will be defined as the **titled nobility**. However, the term **magnate** will be used to differentiate the greatest of these, such as the earls and dukes of Lancaster.

Those beneath the titled nobility - the gentry - present an even greater problem, as the various definitions used by previous county studies of the gentry have demonstrated. This study will broadly follow the proposed definition of the gentry by Peter Coss, which accepts that the urban élite and professionals, such as 'men-of-law', should be included within this broad stratum.⁴⁹ To differentiate those who through title, landholding and wealth could be said to occupy the highest level of gentry society, the term **county or gentry élite** will be used, whereas at the lower end, **lesser gentry** will be employed for those whom it is often impossible to separate from the richer peasantry. The term **wealthier peasant** describes the upper ranks of the peasantry who were involved in the governance of the county.

⁴⁸ Good introductions to this problem can be found in M. Prestwich, *Plantagenet England, 1225-1360* (Oxford, 2005), pp. 353-4; Carpenter, *Locality and Polity*, pp. 35-9; P. Coss, *The Origins of the English Gentry* (Cambridge, 2003), pp. 1-19.

⁴⁹ Coss, *Origins of the Gentry*, p. 11.

CHAPTER 1

GOVERNMENT IN THE LOCALITY

1.1 Introduction

The geographical boundaries of this study are those that define the county of Nottinghamshire as an administrative unit. The subject of the first two chapters – the nature of local government and the relationship between the locality and the centre – will also be addressed at a county level, as the shire was the administrative unit through which the crown exercised governance.¹

The personnel of local government were predominantly those who resided in the shire. Communities and individuals not only possessed a complex social and political structure which could vary across the country - in some respects quite considerably - but were engaged in a variety of ways in clear political dialogue with the centre. Parliamentary representatives, petitions, visits by Edward III to the county and individuals from Nottinghamshire travelling to London for a variety of reasons were some of the channels of communication that ensured that the county was not isolated from the centre.² With this in mind, Helen Castor is correct in commenting that some previous county-based gentry studies, when addressing the subject of

¹ The shire boundaries of Nottinghamshire were defined during the tenth and eleventh centuries: P. Stafford, *The East Midlands in the Early Middle Ages* (Leicester, 1985), pp. 137-42.

² The election of knights of the shire and petitions to the crown will be addressed in chapter 2. For Edward III's itinerary for the period 1327-1345, see: C. Shenton, *The Itinerary of Edward III and his Household, 1327-1345*, List and Index Society, vol. 318 (Chippenham, 2007). However, in addition to a council held at Nottingham in 1336 (W. M. Ormrod, *The Reign of Edward III* (Gloucester, 2000 edn.), p. 193.), the presence in Sherwood forest of the royal hunting lodge at Clipstone is likely to have presented the titled nobility and gentry the opportunity to come in to contact with Edward III.

governance in the localities, have ignored or downplayed the importance of the crown and central government to local government.³ It is equally true that whilst acknowledging the key role in local government played by the crown, the period covered by this study was one marked by a clear improvement, largely through the emergence of parliament, of a two-way political relationship between crown and provinces. An awareness of this crucial development is vital to our understanding of government at both local and national level.

Central to this study is the belief that those who played a role in politics - the political classes - were not restricted to members of the titled nobility and gentry. The vast majority of the extant evidence of office-holders relates to the principal offices of the crown in local government, such as sheriff and escheator: positions that were dominated by the gentry. It should also be noted that church and ecclesiastical institutions also played a role in governance through their extensive landholding in the county, and that towns such as Nottingham were often self-governing. However despite the limitations of extant sources, there is information on those who functioned lower down the administrative ladder. Not only was their work essential if government was to be successful, but it should be borne in mind that most individuals were probably far more likely to come into contact with, for example, a local constable, a position most likely to be held by members of the lower gentry or richer peasantry, than they were with the sheriff.⁴ It is true that the nature of extant sources in relation to local government has led to an inevitable bias towards the role played by the gentry, but it is important to redress this

³ Castor, *The King, the Crown*, p. 7.

⁴ For an analysis of the probable social backgrounds of constables, see A. Musson, 'Sub-keepers and Constables', *EHR*, cxvii (2002), 1-24.

imbalance. The historiographical practice of separate studies of the nobility and gentry on the one hand, and peasants on the other may reflect contemporary social attitudes and distinctions, but presents a distorted and incomplete view of politics.⁵

The period covered by this thesis coincides with that of far-reaching changes introduced by Edward III to the way local government was administered.⁶ In offering an explanation for the underlying reasons for these changes, R. W. Kaeuper and others have argued that as a result of the high level of warfare experienced by England from the late thirteenth century onwards, the country moved from what Kaeuper described as a 'law state' to that of a 'war state'.⁷ Kaeuper maintained that the burdens of prolonged warfare led to the crown surrendering to magnates and gentry control over the administration of local justice, principally in the form of the emerging office of justice of the peace (JPs). An alternative explanation pioneered by A. Musson and W. M. Ormrod has argued that far from surrendering control of local justice, the crown, during a period of experimentation with the judicial system, successfully extended its authority into provincial society.⁸ And yet as A. Verduyn has suggested, the experimentation with the legal system began under the minority government of Edward III, when Isabella and Mortimer were faced with the inherited disorder from the end of Edward II's reign, but also the

⁵ For an introduction, and references to principal works on the peasantry, see Schofield, *Peasant and Community*; R. H. Hilton, *The English Peasantry in the Later Middle Ages* (Oxford, 1975); Fryde, *Peasants and Landlords*.

⁶ The best general survey of royal government is A. L. Brown, *The Governance of Late Medieval England 1272-1461* (London, 1989).

⁷ Kaeuper, *War, Justice*; For a summary of this debate, see Harriss, 'Political Society', 28-57. This thesis will explore this historiographical debate in more detail in chapter 3.

⁸ Musson and Ormrod, *Evolution of English Justice*.

pressing need to deal with this in order maintain power.⁹ This thesis will address this important historiographical debate, and will argue that the evidence from Nottinghamshire supports the view that the crown was successful in extending its authority into the shires.

An important aspect of the debate concerning the development of the legal system has been the impact on the administration of the judicial system of bastard feudalism.¹⁰ The significance of bastard feudalism is that it describes relationships which went to the very core of late medieval society. As M. Hicks points out, bastard feudalism itself was neutral, but it was how these relationships were used which has divided historians.¹¹ This issue is clearly of fundamental importance to this thesis, especially as Ormrod has pointed out it is generally regarded that the negative aspects of bastard feudalism first emerged during the reign of Edward III in the form of 'infiltrating local government, of intimidating rivals, and of securing favourable judgements in the courts'.¹² By looking at local government in Nottinghamshire, it will be suggested that there is little evidence to support the view that bastard feudal ties were numerically prevalent in Nottinghamshire, or that they had any noticeable impact upon local government.

And finally there is the question of whether or not the shire, through its administrative functions, led to the development of what some historians have described as a single 'county community', or whether within the shire we

⁹ A. Verduyn, 'The Politics of Law and Order during the Early Years of Edward III', *EHR* vol. cviii, (1993), 842-867, esp. pp. 842, 843, 855.

¹⁰ The best introduction to the subject of bastard feudalism is Hicks, *Bastard Feudalism*; for an examples of this debate, which addresses the origins of bastard feudalism, see P. Coss, 'Bastard Feudalism Revised', *P & P*, cxxv (1989), 27-64; D. Crouch, *P & P*, cxxxi (1991), 165-177.

¹¹ Hicks, *Bastard Feudalism*, p. 221.

¹² Ormrod, *Reign of Edward III*, pp. 142-3.

should be looking at a wide range of communities, defined largely through geographical location. Susan Reynolds has argued persuasively that a range of communities existed in the Middle Ages which frequently overlapped, and that an individual could (and almost certainly did) think of himself as belonging to more than one community.¹³ Although the county community debate appeared to have been 'won' by those who argued against its existence or as a significant factor in the locality, an important article by Simon Walker has reawakened this debate.¹⁴ Walker has suggested that the 'county community' evolved over the course of the late Middle Ages, but existed as an imagined construct, based upon local office holding and the role of conflict resolution.¹⁵ In other words, the increasing importance of the administrative functions of the shire led to a situation where county élites and lesser gentry had a vested interest in perpetuating a concept of conferred status based upon the peaceable rule of the shire. Walker's thesis is compelling, but by definition difficult to substantiate. It is however based largely upon his belief in the key role played by the shire élite in local administration and conflict resolution, and so by addressing these issues this survey will shed light upon this important proposition. The impact upon local communities of national politics and warfare are important factors to be addressed. In her study of thirteenth and fourteenth-century Bedfordshire, K. S. Naughton found that the gentry largely managed to avoid becoming embroiled in national political disputes, and that involvement by the

¹³ Perhaps the most important recent study of communities is S. Reynolds, *Kingdoms and Communities in Western Europe, 900-1300*, 2nd edn. (Oxford, 1997). Another important work, directly relevant to this thesis is A. MacFarlane, *Reconstructing Historical Communities* (Cambridge, 1977).

¹⁴ S. K. Walker, 'Communities of the Counties in Later Medieval England', in M. J. Braddick (ed.), *Political Culture in Later Medieval England* (Manchester, 2006), pp. 68-80. Walker provides a good summary of the historiographical debate on the 'county community'.

¹⁵ *Ibid.*, p. 75.

gentry in military service for the king was also limited.¹⁶ This in part contrasts with Nigel Saul's findings for fourteenth-century Gloucestershire, where there appears to have been a much higher level of involvement in military service, though this in turn may be explained by the county's border status.¹⁷ It is only by assessing the degree of involvement in political events of a national significance during the period 1327-1360, and what if any impact this had upon the political classes in Nottinghamshire, that we can determine the nature and extent of any such variations.

1.2 Principal Office-Holders and Commissioners in the Localities

Of the three principal officers of local government who operated on a regular basis, that of sheriff and escheator were regarded by contemporaries as having the highest status. This observation is based upon the status of those who held these positions, the vast majority of whom were either belted knights or those of an equivalent status. By the same criteria, the third office of coroner seems to have been held in a lower esteem. However, it is important to stress that although these positions, together with those of tax assessors, commissioners of array and various judicial commissioners, represent the top level of local administration there was a range of other crown officials without whom the

¹⁶ K. S. Naughton, *The Gentry of Bedfordshire in the Thirteenth and Fourteenth Centuries* (Leicester, 1976), pp. 15-16.

¹⁷ Saul, *Knights and Esquires*, pp. 36-58.

requirements of central and local government could not be fulfilled.¹⁸ Bailiffs and other officials such as constables, provided essential services at various administrative levels within the shire, as well as those for royal and magnate held land.¹⁹ Unfortunately, very little extant evidence of the identities of these last office-holders or their activities has survived for Nottinghamshire.

1. 2. 1 Sheriffs

Despite undergoing a reduction in their authority and standing from previous centuries, the position of sheriff remained throughout the fourteenth-century and beyond the principal officer of the crown in the localities.²⁰ Supported by a small staff that included under-sheriffs, sheriffs still had a wide range of duties to undertake.²¹ Indeed, as Gorski explains, the sheer range of duties required of a fourteenth-century sheriff ensured their continued importance, even if earlier legislation had seen a dilution of their overall powers.²² The normal method of appointing sheriffs during this period was under the great seal, by the chancellor, the treasurer and the king's council.²³ Occasionally, as shown by Richard II in 1390s the king could make a direct intervention in the

¹⁸ For an introduction to government in the localities, see Jewell, *English Local Administration*, and H. M. Jewell, 'Local Administration and Administrators in Yorkshire, 1258-1348', *Northern History*, xvi, (1980), pp. 1-19.

¹⁹ Nottinghamshire fell within the Danelaw and therefore used the term wapentake. Elsewhere in England, this unit was referred to as the hundred: for a general introduction into the origin and nature of the hundred, see Jewell, *English Local Administration*, pp. 47-51; H. M. Cam, *The Hundred and the Hundred Rolls* (Oxford, 1930).

²⁰ The most recent and comprehensive survey of the sheriff in the fourteenth-century is Gorski, *Fourteenth-Century Sheriff*. This thesis will draw upon the work of Dr Gorski for much of its comments on the role of the sheriff. For the role of the sheriff up to 1300, see W. A. Morris, *The Medieval Sheriff to 1300* (Manchester, 1925).

²¹ *Ibid.*, pp. 33-64, 112-113.

²² Gorski, *Fourteenth-Century Sheriff*, pp. 2-4; Jewell, 'Local Administration', pp. 1-2.

²³ *Ibid.*, pp. 11-12; Legislation was brought in by parliament in 1311 (The Ordinances), 1316, 1322, 1326, 1328 and 1340 concerning the appointment of sheriffs, (and from 1340, escheators and coroners): S. L. Waugh, *England in the Reign of Edward III* (Cambridge, 1991), p. 168.

appointment of sheriffs.²⁴ But such interference by means of the appointment of members of the king's affinity to shrievalties was unusual.²⁵ It was clearly in the king's interest to make appointments that pleased both the crown and the localities as social cohesion and stability required mutual consent.

Given the importance of the position of sheriff in local society, the possibility that an appointment could be open to undue influence by a powerful magnate with an interest in a given shire, must be explored. Nottinghamshire in the period of this study appears to have been a county largely, if not entirely, devoid of resident magnates.²⁶ This of course does not mean that magnates did not have vested interests within its borders.²⁷ Patterns of landholding in Nottinghamshire are complex and difficult to establish. What can be said with certainty is that in addition to the substantial royal forest of Sherwood, there is clear evidence that a number of magnates held land within Nottinghamshire. However, both in terms of the number of magnates, and the amount of land held, the most substantial tenants-in-chief appear to have been local or regional lesser nobles and wealthiest gentry families, together with a number of (predominantly) local religious institutions. This situation stands in contrast with neighbouring Leicestershire and Derbyshire, both of which had resident magnates. In addition the duchy of Lancaster held substantial holdings through which successive earls (and from 1351) and dukes of Lancaster were able to

²⁴ N. Saul, *Richard II* (London, 1997), pp. 383-4.

²⁵ Gorski, *Fourteenth-Century Sheriff*, pp. 12-3. Gorski points out that for most of the reign of Richard II there was limited use of the royal affinity in the shires.

²⁶ Simon Payling (in his study of Lancastrian Nottinghamshire) concluded that there were resident magnates, but that it was the 'greater gentry' who were the principal landholders: Payling, *Political Society*, pp. 219-220.

²⁷ As will be shown in chapter 4, there is considerable evidence of landholding by magnates and titled nobility landholding in Nottinghamshire, which suggests the possibility of influence among resident members of the gentry.

exert a considerable influence on local society and administration.²⁸

There are two examples of the possible patronage of sheriffs by magnates. John de Oxenford, sheriff in 1334-1335, and again in 1336-1339, was, according to Gorski, 'one of the worst offenders...of the administrative world', being guilty of extortion, and whose activities were uncovered as part of Edward III's drive against local corruption in 1341.²⁹ It seems almost certainly the case, given his humble origins and modest land holdings within the county, that Oxenford's appointment as sheriff on no less than three occasions during the 1330s, was due to the apparent patronage he received from his father-in law, Sir John de Shoreditch, a diplomat who served both Edward II and Edward III, until his murder in 1345.³⁰ This best explains how a man who does not appear to have become a knight could become sheriff in a county where the majority of sheriffs were belted knights. Nor does he appear to have been a substantial landowner.³¹ Although Oxenford did eventually fall from grace, he was not found guilty of the many charges against him resulting from Edward III's 1341 drive against corruption. Maddicott suggests that he may have been protected in this instance by his father-in-law, Shoreditch.

Maddicott also suggests that the virtual absence of complaints against

²⁸ Castor, *The King, the Crown*, pp. 191-306; Wright, *Derbyshire Gentry*, pp. 83-92; E. Acheson, *A Gentry Community. Leicestershire in the fifteenth-century, c.1422- c.1485* (Cambridge, 1992), pp. 15-18, 99-101; Henry Grosmont, earl of Lancaster, was created a duke by Edward III on 6 March 1351: K. Kowler, *The King's Lieutenant. Henry Grosmont First Duke of Lancaster 1310-1361* (London, 1969), p. 173. This thesis will employ the title appropriate to the date in question.

²⁹ Gorski, *The Fourteenth-century Sheriff*, p. 122. Oxenford's criminal activities are discussed in greater detail in chapter 2, pp. 12-3.

³⁰ For a summary of Sir John Shoreditch's life, see R. M. Haines, 'Sir John Shoreditch (d. 1345)', *Oxford Dictionary of National Biography* (Oxford 2004), accessed 9/8/2007: <http://via.oxforddnb.com>; Oxenford is recorded as being appointed as sheriff in February of 1334, but did not act. His place was taken by Roger Deincourt, who was sheriff for just five months, before Oxenford was appointed again in July 1334: *List of Sheriffs for England and Wales* (PRO Lists and Indexes, 9 (London 1893); J. R. Maddicott, 'The Birth and Setting of the Ballads of Robin Hood', *EHR* xciii (1978), 276-99, esp. p. 287.

³¹ Oxenford married the widow of a minor land holder in Owthorpe, south Nottinghamshire. See Maddicott, 'The Birth and Setting'; Gorski, *The Fourteenth-century Sheriff*, p. 80.

Oxenford during his two periods as sheriff suggests that he was able to control the means by which complaints against crown officials could be exercised.³² The normal avenue for such complaints against a crown official in the locality would have been through petitions to the crown.³³ The apparent nature of Oxenford's tenures as sheriff, and the absence of extant petitions of complaint, may well be explained by the fact that he was sheriff on three of the four times he attended parliament, which would have afforded him the opportunity to prevent any critical petitions from being presented.³⁴ If this was indeed the case, then it would help to explain the crisis faced by Edward III in 1340-1. If sheriffs such as Oxenford and Bekering, the most powerful of the crown's officials in the shire, were able to effectively block complaints to the crown against their behaviour, then when coupled with a prolonged period of high taxation, it is easy to see how this domestic crisis came to a head. However, it is hard to see Oxenford's appointment as being the result of bastard feudalism. Shoreditch, as a respected and clearly trusted diplomat may well have been a man of influence, but he was not a great lord, and there is no evidence that he held retainers, or that Oxenford was one of them. On the surface, it would seem that Oxenford's rise was the result of a particular form of patronage: nepotism.

The second, and perhaps more likely case for an example of malign magnate influence within local government, is that of Sir Thomas de Bekering who, perhaps ironically, was one of many alleged victims of Oxenford's criminal activities during his terms as sheriff, and who was himself sheriff in

³² Maddicott, 'The Birth and Setting', p. 291.

³³ The best recent work on private petitions in the later Middle Ages is: G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the Later Middle Ages* (Oxford, 2007).

³⁴ This matter is discussed in chapter 2, pp. 78-83.

1335-1336 and again in 1346.³⁵ Bekering's criminal career has been well documented, but the significant factor relates to his pardon in 1347 which was at the request of the earl of Lancaster.³⁶ A Thomas de Bekering is recorded in 1322 as having been a life retainer of Thomas, earl of Lancaster for the vill of Thoresby in Lincolnshire.³⁷ Although it seems unlikely that the manor of Tuxford held by Bekering in Nottinghamshire was of the duchy of Lancaster, confirmation that (sheriff) Bekering also held land in Lincolnshire would strongly suggest that both Thomas Bekerings were one and the same.³⁸ There is, however, no record of a Thomas Bekering being retained by Thomas of Lancaster's successors as earl of Lancaster, Henry of Lancaster or Henry Grosmont. However the fact that the earl of Lancaster did petition for Bekering's pardon does suggest that there may have continued to be some connection. As Simon Walker has shown in relation to John of Gaunt and the palatinate of Lancaster, not even the most powerful magnate was able to exert complete control over his officials, and it may well be that Bekering represents a similar example.³⁹ Quite why the earl of Lancaster should petition on behalf of an unpopular crown official and a convicted criminal is unknown.⁴⁰ But a key aspect of bastard feudal affinities was the reciprocal nature of the

³⁵ Maddicott, 'The Birth and Setting'.

³⁶ For Bekering's criminal career see Gorski, *Fourteenth-Century Sheriff*, p.103. For Bekering's pardon, see SC 8/13/647B and SC 8/13/647C.

³⁷ G. A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957), p. 142.

³⁸ Instructions to the sheriff of Nottinghamshire, dated 4 September 1348 make reference to unspecified land held by Bekering within Nottinghamshire. There are duplicate instructions to the sheriffs of Cambridgeshire, Huntingdonshire and Lincolnshire: *CCR, 1346-1349*, p. 419. This is almost certainly the manor of Tuxford, which was held by Thomas Bekering, Bekering's father: *CPR, 1317-1321*, p. 216; see also Gorski, *Fourteenth-Century Sheriff*, p. 105. n.4.

³⁹ S. K. Walker, 'Lordship and Lawlessness in the Palatinate of Lancaster, 1370-1400', *The Journal of British Studies*, xxviii (1989), 352-348.

⁴⁰ Bekering's unpopularity continued after his terms as sheriff. In 1344 men from his manor of Tuxford protested against customary dues recently imposed by Bekering; see Ormrod, *Reign of Edward III*, p. 138.

relationship between a lord and his men, and if Bekering was retained by the earl of Lancaster, then this could be an example of a magnate 'looking after' a retainer.⁴¹

Even if this is the case, it should be pointed out that the earl of Lancaster's intervention came about only after Bekering had been tried, convicted and sentenced to prison; Bekering's probable connection to the earl did not protect him from justice, it only lessened his sentence. Bekering and to a lesser extent Oxenford, remain the only known suspects of the negative influence of magnate power in the localities. Yet the diverse (if limited) nature of magnate landholding within Nottinghamshire, and the restricted evidence from extant sources precludes a definite statement on this issue. The bailiffs and seneschals who ran magnate estates within the county are unknown. It is therefore entirely possible that they may have exerted a considerable influence on government in the localities if, as Palmer argues, elections of county officials and parliamentary representatives were largely undertaken by such men.⁴²

Gorski has identified marked regional variations in terms of the social status of sheriffs, which he describes as being 'so great that evidence can be found to support practically any argument'.⁴³ The joint Nottinghamshire-Derbyshire shrievalty was one of a number of more 'isolated' shrievalties where belted knights enjoyed a 'near monopoly of the shrievalty', the vast majority of who were also local landowners.⁴⁴ This domination by belted knights is also evident in the status of those elected to serve as knights of the

⁴¹ For an example of how this relationship could work, see Carpenter, 'Beauchamp Affinity'.

⁴² Palmer, *County Courts*, pp. 293-4.

⁴³ Gorski, *Fourteenth-Century Sheriff*, p. 87.

⁴⁴ *Ibid.*, pp. 87, 79-80: Gorski also notes that there were a number of counties where esquires tended to dominate the shrievalty.

shire.⁴⁵ Fourteen of the eighteen Nottinghamshire sheriffs during this period were belted knights. Of the remaining four, Richard de Bingham, the son of Sir William de Bingham almost certainly was, and Hugh de Hercy, is listed as having been a man-at-arms in 1323-1324.⁴⁶ Only one sheriff, John de Oxenford, was conspicuously neither a knight or esquire, or indeed a landowner of any substance.

In one sense this situation is not unsurprising. Simon Payling has identified forty-five knightly families resident in Nottinghamshire in the first quarter of the fourteenth-century.⁴⁷ Even by making allowance for absence due to military service, or other factors which may have rendered individuals ineligible for appointment, there were sufficient candidates of knightly status for the office of sheriff to ensure that it was dominated by this class.⁴⁸ Of the twenty-four individuals who are recorded as having been sheriff for Derbyshire and Nottinghamshire between 1327 and 1360, eighteen can be identified with reasonable certainty as holding land within Nottinghamshire. Of the remainder, five were from Derbyshire, and one from Wiltshire.⁴⁹ This disparity in the number of sheriffs provided by Nottinghamshire and Derbyshire is difficult to account for. In her study of fifteenth century Derbyshire, Wright found that a similar situation existed, speculating that this may have been

⁴⁵ *Ibid.*, p. 90.

⁴⁶ Reference to Sir William de Bingham can be found in *CCR, 1349-54*, p. 347; For Hugh de Hercy see *Parliamentary Writs*, ed. F. Palgrave, Record Commission (1827-34), II. ii.; For the career of John de Oxenford, see Maddicott, 'Birth and Setting', 276-299; and Gorski, *Fourteenth-Century Sheriff*, p. 80.

⁴⁷ This figure includes 22 who were actual knights with the remainder comprising families who had supported knighthood, but at the time of the summonses upon which Payling based his estimate, were not knighted: Payling, *Political Society*, pp. 62-3, 228-9; This figure is broadly comparable with the estimated 30 knights that Saul identified for fourteenth-century Gloucestershire (Saul, *Knights and Esquires*, pp. 271-292); See also C. Given-Wilson, *The English Nobility in the Late Middle Ages* (London 1987), pp. 69-73.

⁴⁸ The question of military service is discussed in chapter 2.

⁴⁹ *List of Sheriffs*; Derbyshire families from Wright, *Derbyshire Gentry*, pp. 195-202. It is of course acknowledged that landholding was in no way restricted by county borders, and it is therefore highly likely that many of the landholding élite held land in more than one county.

because Nottinghamshire was a wealthier county and had more contacts at court.⁵⁰ To this can be added the likelihood that the population of Nottinghamshire may have been twice that of Derbyshire, which is sufficient in itself to explain the balance in favour of sheriffs emanating from Nottinghamshire.⁵¹

The sheer range of duties of a fourteenth-century sheriff could not have been performed without a small support staff, the most important of which was the position of under-sheriff. Unfortunately, very little is known regarding how under-sheriffs were appointed.⁵² It does seem unlikely that they were appointed by the crown. As Ormrod points out, the practical realities of late medieval government required the crown to utilize magnate support in order to govern in the localities. This could mean that a magnate might appoint a member of their affinity to positions such as that of under-sheriff.⁵³ Whether or not this situation required that the sheriff was also a member of the same affinity is not known. However, as Nottinghamshire does not appear to have been a shire that was dominated by magnates, it may well be that the choice of under-sheriff was dictated by local custom, or simply the preference of the sheriff. Wright's suggestion that in the fifteenth-century, Nottinghamshire sheriffs may have picked a Derbyshire under-sheriff who would 'know the lay of the land' seems to support the view that appointments were dictated by the practical realities of a joint shrievalty, and that this practice may well have operated during the

⁵⁰ Wright, *Derbyshire Gentry*, pp. 110-112

⁵¹ Based on an analysis of the number of taxpayers for the 1327 and 1332 lay subsidies, Campbell and Barley estimate the total figures for both assessments for Nottinghamshire and Derbyshire as: Nottinghamshire 4,220 and Derbyshire 2,314: B. M. Campbell and K. Bartley, *England on the Eve of the Black Death: An Atlas of Lay Lordship, Land and Wealth, 1300-1349* (Manchester, 2006), p. 330.

⁵² For an introduction to the staff of a sheriff and their responsibilities, see Jewell, *English Local Administration*, pp. 197-99.

⁵³ Ormrod, *Reign of Edward III*, p.106.

fourteenth-century as well.⁵⁴

The only extant evidence of an under-sheriff for Nottinghamshire during this period relates to Thomas of Ratcliffe-on-Soar, who illustrates that it was not only sheriffs like Oxenford and Bekering who could abuse their positions of authority.⁵⁵ In two petitions dating to 1330-1331, Andrew de Rolleston complained that Thomas of Ratcliffe-on-Soar, together with two accomplices, conspired to disinherit him of his father's lands of which Thomas had been a tenant, and then framed him for burglary and imprisoned him, where he was forced to sign over his land to Thomas in order to be released. Despite being acquitted of this crime, he suffered £200 damages.⁵⁶ The final outcome of this petition is not known. Ratcliffe was not the only under-sheriff to be accused of criminal behaviour. A commission of 1333 was ordered to look into alleged oppressions by the under-sheriff of Lincoln.⁵⁷ Several points of interest emerge. The first is that of the status of Thomas de Ratcliffe-on-Soar, who later served as a knight of the shire for Nottinghamshire in 1334, and was a justice in eyre.⁵⁸ Although there is no evidence that Ratcliffe was knighted, he was evidently a member of the county élite, which suggests that the position of under-sheriff may have been held by contemporaries in sufficient regard to attract someone of Ratcliffe's standing, or perhaps, given

⁵⁴ Wright, *Derbyshire Gentry*, p. 112.

⁵⁵ The complaints against Ratcliffe are found in two petitions, dated 1330-1331. The date of the alleged offence is not given, but the sheriff of Nottinghamshire and Derbyshire between 11 November 1329 and 3 January 1330 was the Derbyshire man Edmund Cressy. If Cressy appointed Ratcliffe, from Nottinghamshire, as his under-sheriff, then this could place the offence as occurring sometime during Cressy's shrievalty.

⁵⁶ SC 8/69/3401, SC 8/17/822.

⁵⁷ *CPR, 1330-1334*, p. 496. The commission is dated 8 July 1333 and refers to the actions of the former under-sheriff, Thomas of Carlton, as well as his clerk, and bailiffs of the city of Lincoln.

⁵⁸ *Return of the Name of Every Member of the Lower House of the Parliament of England*, iii, 3 vols. (London, 1878), pt. I, 1213-1702; Radcliffe and Ratcliffe are two quite separate villages, but even official documents frequently describe both as Radcliff(e).

his subsequent achievements, constituted a first step on a *cursus honorum*.

This may well be related to the fact that Nottinghamshire and Derbyshire was a joint shrievalty. If, as seems likely, Ratcliffe was a Nottinghamshire under-sheriff for a Derbyshire sheriff, then on a practical, day-to-day level, Ratcliffe may effectively have been the most senior crown official in Nottinghamshire. This would have made the position of under-sheriff perhaps more important than may have been the case in a single shrievalty, and therefore more attractive to the political county élite.

The importance of the functions undertaken by the sheriff and under-sheriff to both the crown and the shires they were appointed to is abundantly clear. It is however hard not to feel that historians of gentry-based county studies have largely ignored the structures and officers of local government that operated beneath the sheriff.⁵⁹ Helen Cam for example has described the office of constable as representing 'the fusion of popular and royal government more completely than any other local government official'.⁶⁰ And Musson has also identified that constables, together with sub-keepers of the peace, played an important role in local politics and the judicial system.⁶¹ Together with bailiffs of wapentakes, who were appointed by the crown, the administrative structure of local government in manor, borough and wapentake were responsible (amongst other things) for the maintenance of law and order, which

⁵⁹ Gorski for example in his study of the fourteenth-century sheriff makes virtually no reference to the role played by sub-keepers, constables or bailiffs (Gorski, *Fourteenth-century Sheriff*); Christine Carpenter's study of fifteenth-century Warwickshire gentry society also makes no mention of local government below that of the principal offices (Carpenter, *Locality and Polity*).

⁶⁰ Cam, *Hundred and the Hundred Rolls*, p. 193: see also H. M. Cam, 'Shire Officials: Coroners, Constables, and Bailiffs', in J. F. Willard, W. A. Morris, (eds.), *The English Government at Work, 1327-1336*, (Cambridge, Mass, 1940-50), pp. 185-217; Bellamy, *Crime and Public Order*, pp.93-4. Bellamy makes no mention of constables of vills and describes constables of the hundred as effectively ceasing to exist after the early fourteenth-century. For a contrary, and more recent view see Musson, 'Sub-keepers and Constables'.

⁶¹ Musson, 'Sub-keepers and Constables', p. 3.

was a fully integrated part of the judicial system. Musson has suggested that most sub-keepers and constables were, in terms of their social background, probably lesser gentry, but their numbers also included peasants and knighted gentry.⁶² Each vill and borough elected at least one constable, who in turn answered to the constable of each wapentake, and ultimately to the high constable of the shire and the sheriff. Evidence of whether or not constables (and by implication other officials such as bailiffs) were regarded by the communities they lived in as being crown officials can be gained from the Peasants' Revolt of 1381. In Hoxne (Norfolk), the rebels compelled the constable to raise troops for the rebellion, which in this instance at least, suggests that constables may have been regarded by peasant society as primarily crown officials.⁶³ Although extant evidence of the identities and functions of these minor officials is considerably less than that of the sheriff, it is quite clear that their importance has been overlooked by historians of provincial politics. Nottinghamshire had over 150 constables, who collectively could be said to have played a far more important role to both the crown and the communities they lived in with regards to law and order than that of the sheriff.⁶⁴

The only extant evidence of a constable in Nottinghamshire is that relating to John Wyne and also demonstrates the potential dangers faced by those lower down the administrative hierarchy. In directing justices to look into the behaviour of 'armed evildoers' in Newark-on-Trent in c. 1349-50, who

⁶² *Ibid.*, p. 20.

⁶³ E. Powell, *The Rising in East Anglia in 1381* (Cambridge, 1896), p. 15.

⁶⁴ Based on the 1377 poll tax assessments, there were 151 towns and vills in Nottinghamshire, to which should be added constables for the six wapentakes: C. C. Fenwick (ed.), *The Poll Taxes of 1377, 1379, and 1381. Part Two Lincolnshire to Westmorland* (Oxford, 2001), pp. 272-282.

are described as attacking and kidnapping local merchants and attacking the crew of a king's ship conveying victuals for Nottingham castle, mention is also made of the assault by the same men against the constable of Newark-on-Trent, John Wyne.⁶⁵ Sadly, no further information on Wyne's identity and background have been found. He does not appear to have served in any other official capacity for which records have been consulted, and there is no trace of him in surviving subsidy rolls.⁶⁶ Whether or not the crown's concern in this case was primarily due to the attack on a king's ship is not known, but it is probable that there was equal concern over the alleged attack on a crown official, who regardless of his possible social background nevertheless played an important role in the governance of the town.

1. 2. 2 Escheators

The principal function of the escheator, who was appointed by the crown, was to protect the revenues of the crown upon the death of a tenant-in-chief.⁶⁷ Analysis of the office of escheator is complicated by major changes to the structure of the escheatrics during the first half of the fourteenth-century. Following his victory over the earl of Lancaster in 1322, Edward II re-organised the escheatrics to deal with another aspect of the function of the escheator: the confiscation of estates of those deemed treasonable.⁶⁸ The fact

⁶⁵ *CPR*, 1348-50, p. 521.

⁶⁶ For a fuller discussion on constables and sub-keepers, see Musson, 'Sub-Keepers and Constables', pp. 1-24.

⁶⁷ See S. T. Gibson, 'The Escheatrics, 1327-41', *EHR*, xxxvi (1921), 218-25. For an introduction on the role and function of escheators, see: Jewell, *Local Administration*, pp. 92-102; E. R. Stevenson, 'The Escheators', in J. F. Willard and W. A. Morris (eds.), *The English Government at Work, 1327-36*, (Cambridge, Mass, 1940-50), pp. 109-167.

⁶⁸ For the confiscation of Contrariant estates, see: N. Fryde, *The Tyranny and Fall of Edward II 1321-1326* (Cambridge, 1979), pp. 69-86.

that the minority government of Edward III reversed these changes back to the system established by the Ordinances of 1311, suggests that the structural experiments that occurred during the period 1323-1341 were a result of political struggles between the crown and its leading subjects, and emphasises the financial importance of the escheator to the crown.⁶⁹ Interestingly, a key factor in these changes was the river Trent, which for periods of time represented the administrative border of the two main escheatrics. Gibson has pointed out the inherent weaknesses of a system which could see landholding either side of the Trent within Nottinghamshire fall within separate escheatrics.⁷⁰ Reflecting the enormous size of their administrative responsibilities, escheators, appointed by the crown were, until 1341 men of substance, though Jewell points out those sub-escheators of a lower social status operated at county level.⁷¹ Unfortunately, as with the case of sub-sheriffs, the identities and social background of sub-escheators for Nottinghamshire remain illusive. There is no evidence that any of the escheators responsible for Nottinghamshire until 1341 came from that county (and from 1341, Derbyshire with which it was grouped). However from 1341 until 1355, the office of escheator for both counties was combined with that of the sheriff. From 1355 onwards, the office was separated from that of sheriff, and it has not proved possible to identify the residency of Philip de Lutteleye, who held office from 1357-63.⁷²

⁶⁹ Stevenson, 'The Escheator', p. 120: see also Gibson, 'Escheatrics'.

⁷⁰ Gibson, 'The Escheatrics', pp. 220-1. Gibson gives as an example the manors held by Sir Thomas Bardolf, who held the Nottinghamshire manors of Stoke Bardolph and Shelford which are on opposite banks of the Trent.

⁷¹ Jewell, *Local Administration*, p. 93; S. L. Waugh, *The Lordship of England: Royal Wardships and Marriages in English Society and Politics 1217-1327* (Princeton, 1988), pp. 111-2.

⁷² The vast majority of escheators who held office after Philip de Lutteleye (1357-63) tended to be either knights, or individuals from families with an active involvement in local government.

Evidence that the sheriff/escheator was supported by staff can be found in a 1337 warning to an un-named sub-escheator not to 'meddle' in land in Radcliffe-on-Soar.⁷³ And in 1332, William Erneys, the escheator for five Midlands counties, was warned by the crown against 'meddling' in the affairs of Lenton Priory, probably the wealthiest religious institution in Nottinghamshire, and which had been taken into the king's hands.⁷⁴

1.2.3 Coroners⁷⁵

In contrast to the office of sheriff and escheator, both of which were appointed by the crown, that of coroner - of whom there were between two and four per county - was determined by election at the county court on a writ of *coronatore eligendo*.⁷⁶ Although the office, which was unpaid, had declined in importance since the thirteenth century, and appears by the fourteenth-century to have been held by those lower down the social hierarchy than that of sheriff, it was still an important position as far as the crown was concerned, as well as, one assumes, the locality. The principal functions of the coroner were; to hold an inquest upon a sudden or suspicious death; record indictments on the sheriff's tourn; and be required to undertake any of the functions of the sheriff on a king's writ.⁷⁷ This raises the question why should there be an apparent move from the position of coroner being occupied by the upper strata of provincial society to

It has not proved possible to establish where Lutteleye came from. He does not appear to have served in any other capacity in local administration within Nottinghamshire.

⁷³ CCR, 1327-1330, p. 125.

⁷⁴ CCR, 1330-1333, p. 499.

⁷⁵ For a more detailed survey of the work of the medieval coroner, see R. F. Hunnisett, *The Medieval Coroner* (Cambridge, 1961) and Jewell, *Local Administration*, pp. 153-157.

⁷⁶ Hunnisett, *The Medieval Coroner*, pp. 2, 150-52.

⁷⁷ *Ibid.*, pp. 1, 55-70, 75-86.

seemingly that of the lesser gentry? Hunnisett has shown that although from about 1300 it was comparatively rare for knights to hold this office, there was a general requirement by the crown for coroners to hold property valued at some 100 s per year, which in addition, needed to be within, or near the district they were to serve.⁷⁸ This would seem to support the view that it was a position of sufficient status to prove attractive for families seeking to rise up the social ladder, although there is little evidence to support this view as far as Nottinghamshire is concerned.⁷⁹

Out of a total of nine coroners who have been identified covering the period 1327 to 1360, only two are known to be of knightly status (see Appendix A.1).⁸⁰ These both held the office at the beginning of the period, which may suggest that the attractiveness of the position of coroner, at least as far as the county élite was concerned, was in decline in Nottinghamshire from broadly the start of this period. One of these, Sir Robert Jorce, also served as a verderer, as a knight of the shire for Nottinghamshire on five occasions between 1324 and 1340, and was sheriff in 1331.⁸¹ In November of 1327, the sheriff was instructed to re-instate Jorce as coroner, as he had been with the king in the marches of Scotland.⁸² The other, Sir Roger de Saint Andrew, is recorded as being dead in 1327. None of the subsequent coroners appear to be

⁷⁸ *Ibid.*, pp. 174-7.

⁷⁹ *Ibid.*, p. 170; N. Denholm-Young, *The County Gentry in the Fourteenth-century: With Special Reference to the Heraldic Rolls of Arms* (Oxford, 1969), p. 52; Naughton presents a less attractive picture of the office of coroner, arguing that many left the post once they discovered what it entailed; Naughton, *Gentry of Bedfordshire*, pp. 40-45.

⁸⁰ The evidence relating to coroners is derived from the patent rolls, which detail instructions to the sheriff to arrange for the election (at the county court) of a coroner, usually upon the death of the previous holder. The sheriff was required to inform the crown of the outcome of elections, and on circumstances requiring the election of a new coroner (Hunnisett, *Medieval Coroner*, pp. 150-189).

⁸¹ Denholm-Young raises doubts as to whether or not Jorce was a knight, pointing out that he was only styled as a knight once in being recorded as a knight of the shire: Denholm-Young, *County Gentry*, pp. 49-50.

⁸² *CCR, 1327-1330*, pp. 154, 156.

of the same status. There are a number of possible explanations. The Patent Rolls record instructions to the sheriff to arrange for the election of a new coroner on six occasions between 1327-1360, as the individual elected was deemed 'insufficiently qualified'. This suggests that even if coroners subsequent to Jorce and St. Andrew were not belted knights, the crown was still keen that holders of this position were of a sufficient status.⁸³ One of those deemed 'insufficiently qualified' was John Power, who served as a commissioner of the peace and of labourers between 1351-1356.⁸⁴ As Ormrod has pointed out, the position of Commissioner of the Peace (later to become Justice of the Peace), was one normally held by the 'greater gentry' of each shire.⁸⁵ The only other reference to a John Power in the county is the *IPM* of a John Power of Tilne, who died in 1375, holding land in Tilne of the crown for an annual payment of one sore hawk.⁸⁶ If these John Powers are one and the same, then his apparently modest land holdings, and frequent appearance as a commissioner of the peace and labourers, suggest that he was probably a local man of law.

The case of Laurence de Bere also suggests that the crown found it difficult during this period to obtain coroners that met the minimum requirements of land and income. In 1331, the sheriff was instructed to order an election to replace Bere as he held no land in the county, an instruction repeated eight years later, this time simply being described as 'insufficiently

⁸³ For a more detailed analysis on the replacement of coroners, see Hunnisett, pp. 150-189: the vast majority of writs ordering the replacement of a coroner contain no specific details.

⁸⁴ John Power: *CPR, 1358-1361*, p. 3; John Power served on a number of commissions of the peace and commissions of labourers in the 1350s; B. H. Putnam, *The Enforcement of the Statute of Labourers* (New York, 1908).

⁸⁵ Ormrod, *Reign of Edward III*, p. 146.

⁸⁶ *Notts, IPM, 1450-1436*, p 70.

qualified'.⁸⁷ It is not known whether Bere had served as coroner during all or part of the eight years between these two instructions to replace him, or whether he tried again in 1339, but if he did serve, this is the only trace he has left as far as administrative service is concerned. The Index to the *Placita De Banco* Rolls records that a Laurence le Bere of Nottingham was the defendant in a plea of debt in 1328.⁸⁸ The Borough records for Nottingham also contain references to a Laurence de Bere, including one from 1339 which, perhaps tellingly, records a tenement that was formerly owned by de Bere.⁸⁹ If Laurence de Bere was a citizen of Nottingham, and the city had the right to elect its own borough coroner, then it may be that de Bere was not considered suitable by the crown precisely because he was a citizen of Nottingham. This throws interesting light upon the relationship between rural and urban communities. For if we assume that de Bere was elected as a county coroner at the county court, his election would have been undertaken by the rural élite, or their representatives, who would almost certainly have known of his borough status. In other words, the fact that de Bere was a burgess of Nottingham was not considered a barrier by the rural élite to his appointment as a county official; it was the crown which objected to his election, even if the information which led to the crown's decision may have been supplied from within the Nottinghamshire community.⁹⁰ It is of course possible that de Bere may have been the only suitable candidate willing to undertake this position. But if this

⁸⁷ *CCR, 1330-1331*, p. 376 and *CCR, 1339-1341*, p. 210. Jewell points out that the reason given in writs for disqualification of a coroner were not necessarily the real reason: Jewell, *Local Administration*, p. 156; Hunnisett, *Medieval Coroner*, pp. 172-3.

⁸⁸ *Index to Placita de Banco*, p. 519.

⁸⁹ *Records of the Borough of Nottingham*, vol. I, 1155-1399, W. H. Stevenson (ed.) (London, 1882-1900), p. 130. There are also references to a Laurence de Bere in 1337 witnessing a deed, and a 1362 reference to land outside the city that was once held by de Bere; pp. 400-1, 178.

⁹⁰ Saul in his study of fourteenth-century Gloucestershire cites the example of a borough merchant who was removed as a county coroner because he could not attend to his duties. Saul, *Knights and Esquires*, p. 145; Hunnisett, *Medieval Coroner*, pp. 180-2.

was the case, then it does demonstrate a degree of pragmatic flexibility on the part of the rural élite, which reflects findings elsewhere in this thesis of social and economic integration between town and countryside. For the period covered by this study, and for which we have information, no coroner, other than Sir Robert Jorce, also served as either sheriff, escheator or as knight of the shire. In other words, the office of coroner does not appear to have attracted 'rising families' in Nottinghamshire, and seems to bear a closer resemblance to that found by Naughton in Bedfordshire.⁹¹

One of the most interesting references to coroners in Nottinghamshire is also the only example of a geographical feature – in this case the river Trent – affecting the functioning of local administration. Throughout the Middle Ages, the Trent was bridged at two points in Nottinghamshire: Newark-on-Trent and Nottingham. In addition, there were a number of fords and ferries.⁹² In 1343, upon receiving a complaint from those living south of the Trent that contrary to custom, both of the county coroners lived north of the river, and that due to flooding of the river were unable to perform their duties, the crown ordered the election of a coroner (to serve) south of the river.⁹³ However, even if we accept this account, it must also remain a possibility that the 'complaining' communities south of the Trent may have used a flood as a means of putting pressure on the crown to appoint a coroner to negate their need to cross the

⁹¹ Naughton, *Gentry of Bedfordshire*, pp. 40–45.

⁹² The best recent study of medieval bridges is D. Harrison, *The Bridges of Medieval England: Transport and Society 400–1800* (Oxford, 2004). A stone bridge at Nottingham was started in the early fourteenth-century by the Nottingham burgess and his wife John and Alice le Palmer (p. 115) whilst the bridge at Newark-on-Trent appears to have been a wooden construction during the Middle Ages (p. 177). Both bridges facilitated travel on the two principal routes north from London (p. 54); For a discussion on the probable location of fords and ferries on the Trent, see: K. Challis, 'Drowned in 'A Whyrlepytte': The River Trent in the Nottinghamshire Coroners' Inquests of 1485–1558', *Transactions of the Thoroton Society of Nottinghamshire*, cviii (2004), 115–123.

⁹³ *CCR, 1343–1346*, p. 3.

Trent whenever a coroner was required. At first sight it may seem odd that the complaint only refers to the office of coroner, and not also, for example, to that of the sheriff. This is probably explained by reference to the differing level of staff for both offices. The sheriff was supported by an under-sheriff, and at a lower level, constables, sub-keepers and bailiffs. Assuming that the flooding referred to was severe enough to prevent either coroners north of the Trent from performing their duty south of the river, this need not have been the case as far as most of the duties required of the sheriff. The sheriff may not have been able to cross the river, but the day-to-day control of law and order was in any event the responsibility of constables, sub-keepers and bailiff. This example clearly illustrates a need to exercise a degree of caution with regards to extant sources: there probably were occasions when the Trent could become a formidable barrier, which for an officer of the crown with limited resources, may have affected the functioning of government at a local level. It may also suggest that the communities may have been well versed in presenting a requirement to the crown in such a way as to illicit a favourable response.⁹⁴

1.3 Commissions in the Locality

1.3.1 Lay Taxation⁹⁵

⁹⁴ Dodd discusses what may have been regarded as an acceptable degree of exaggeration in petitions to the crown: Dodd, *Justice and Grace*, pp. 242-78.

⁹⁵ The best introductions to public finances are: G. L. Harriss, *King, Parliament and Public Finance in Medieval England to 1369* (Oxford, 1975); S. K. Mitchell, *Taxation in Medieval England* (New Haven, 1951); M. Jurkowski, C. L. Smith, D. Crook, *Lay Taxes in England and Wales 1188-1688* (Kew, 1998). See also Ormrod, *Reign of Edward III*, pp. 62-69, 146-158; C. Johnson, 'The Collectors of Lay Taxes', in *The English Government at Work*, pp. 201-226; Brown, *Governance of England*, pp. 61-80.

As with the offices of sheriff and escheator, individuals appointed by the crown to oversee the collection of various forms of taxation had working beneath them those who had the task of directly collecting goods or money, but whose names have, in the case of Nottinghamshire at least, not survived. What has survived are records of those commissioned to undertake the role of chief taxers, to whom local collectors delivered the proceeds of lay subsidies approved by parliament. In addition, there are also the names of those commissioned to raise goods (usually wool) or cash for a range of purposes, such as the defence of the realm. Jewell has identified that the chief taxers, commissioned by the crown, were local (that is, of the shire) men of property.⁹⁶ Coss is more specific. Looking at the taxers of Warwickshire in the first half of the fourteenth-century, he found that up to 1334 the vast majority were knights, but from that date onwards the composition became more mixed, with just one third being knights, whilst the remaining two thirds consisted of esquires, clerics, merchants, as well as professionals, such as lawyers.⁹⁷

In Nottinghamshire nine commissions were appointed between 1333 and 1348 to collect the lay subsidies approved by parliament, each of which consisted of two chief taxers. Of the nine, six commissions consisted of two knights, with the remaining three having one confirmed knight. Two of the three individuals who have not been identified as being knights, Richard de Sutton of Averham and John de Leek, almost certainly were.⁹⁸ Thus the social

⁹⁶ Jewell, *Local Administration*, p. 110.

⁹⁷ Coss, *Origins of the English Gentry*, pp. 199-200.

⁹⁸ The Suttons of Averham were known to have been of knightly status until the late fourteenth-century; See Payling, *Political Society*, pp. 16, 74. John Leek is more problematical. The main branch of the Leeks (of Cotham) were to emerge in the late fourteenth-century as one of the leading gentry families identified by Payling during the fifteenth-century. A minor branch, the Leeks of Screveton, were, in the fifteenth-century, in the second tier of gentry society: Payling, *Political Society*, pp. 244-5.

status of chief taxers appointed by the crown in Nottinghamshire appears to reflect the position nationally.⁹⁹ From 1349 until 1357, the number of commissioners appointed to each commission increased. The 1349 and 1350 commissions occurred during, and in the year following, the outbreak of the Black Death in Nottinghamshire. The resulting disruption and opposition to the collection of taxes, which were based upon population levels that had been reduced by approximately a half, probably accounts for the increase in the size of both commissions.¹⁰⁰ The first two commissions of 1349 and 1350, contained six and seven commissioners respectively, whilst the remaining four commissions in the period covered by this study contained three.¹⁰¹

Despite an increase in the number of commissioners, the overwhelming majority continued to be knights. Yet if the position of chief taxer is one dominated by those from leading Nottinghamshire gentry families, then surprisingly few of those who held commissions also held other posts of a supposedly similar status.¹⁰² Only five of the twenty-two sheriffs for Nottinghamshire covering the period 1327-1360 also served as chief taxers (22%). The figures are broadly similar for knights of the shire, where six out of thirty-five (17%) who represented the county in parliament also acted as tax commissioners. However, with the exception of John Byk, none of these were

⁹⁹ Ormrod, *Reign of Edward III*, p. 146.

¹⁰⁰ Benedictow suggests a mortality resulting from the Black Death of 60%: Benedictow, *Black Death*, p. 383.

¹⁰¹ The size of the commissions in 1349 and 1350 probably reflect widespread dissatisfaction due to the impact of the Black Death. See Harriss, *King, Parliament and Public Finance*, pp. 320-3; Saul has described how the number of chief taxers increased from two in the first three decades of the fourteenth-century, to ten or twelve by the 1380s. He speculates that this may reflect a desire for 'newly prosperous men among the lesser gentry who sought to gain admission to the ranks of the office-holders': Saul, *Knights and Esquires*, pp. 145-7.

¹⁰² Ormrod, *Reign of Edward III*, p. 146.

appointed as chief taxers following the parliaments they attended.¹⁰³ It is possible that the crown may have been mindful not to appoint as chief taxers the same individuals who had approved taxation in parliament, or that this may have been a condition of the grant.¹⁰⁴ Or it may simply have been that the position of chief taxer was sufficiently time-consuming to effectively preclude those who had represented their shires from holding the position. Perhaps more interestingly, the details of those who did serve as chief taxers suggest that there may have been a degree of specialization.¹⁰⁵ Sir Thomas de Neumarche and Sir William de Bingham, for example, served on six and five commissions respectively. And Sir John Mounteny and Sir John de Annesley both served as commissioner on four occasions. In fact, the forty-three named commissioners for fourteen separate lay subsidy commissions during this period were occupied by only eighteen different individuals. Of these eighteen, only seven served on only one occasion.

Thus a relatively small number of individuals acted as chief taxers, of whom the vast majority were, or are strongly believed to have been, belted knights. It is clear that the position of chief taxer was one that was not 'shared around' amongst the county élite. But it must not be forgotten that the office of chief taxer, like that of sheriff and escheator, was one which was appointed by

¹⁰³ John Byk, attended the Westminster parliament of 9-12 September 1332, and was appointed a commissioner for the collection of custom on wool, hides, wool felt on 20 June 1333: *Return of the Name of Every Member, CCR, 1330-1333*, p. 61.

¹⁰⁴ Illsley suggests that it was uncommon for parliamentary representatives to be appointed as assessors and collectors of taxes. He further speculates that it is possible that knights of the shire may have been empowered to nominate the assessors and collectors, and that some nominated themselves: J. S. Illsley, 'Parliamentary Elections in the reign of Edward I', *BIHR*, xlix (1976), 24-40.

¹⁰⁵ This corresponds with the view of Johnson, who states that most lay taxers had experience as commissioners of various types, or as knights of the shire. Johnson, 'Collectors of Taxes', p. 203.

the crown.¹⁰⁶ It was therefore the crown's decision to re-appoint, for example, Sir William Bingham, which it presumably did because it was satisfied with his performance. It may also suggest a degree of willingness, coupled with an aptitude for management and finances, which the crown recognised and was keen to continue to utilize.¹⁰⁷ Although not in itself proof, the fact that a small number were repeatedly re-appointed by the crown suggests a level of satisfaction with their performance; a failure to collect the required subsidy would, one imagines, have resulted in a change of personnel. It should also be borne in mind that the position was unlikely to have been a popular one, and as such, it may not have attracted those who sought high local office. Therefore the crown may have been content to re-appoint those who were both willing and had demonstrated a degree of competency.¹⁰⁸ For unscrupulous involvement in the collection of subsidies could lead to corruption or opportunities for self-aggrandisement, as is illustrated by the case of John Lanum, who not only failed to pay back an excess of taxation collected in 1360, but pocketed it himself.¹⁰⁹

Although the collection of direct subsidies accounts for the vast majority of revenue raising commissions, parliament also granted eleven wool subsidies during the period of this study.¹¹⁰ As significant producers of wool,

¹⁰⁶ See n. 103 above. It is possible knights of the shire may have been empowered to nominate chief taxers.

¹⁰⁷ Musson and Ormrod have questioned the view that local gentry serving as commissioners of the peace were 'amateurs', as opposed to 'professional' lawyers. It must therefore remain a strong possibility that many if not all of those who acted as chief taxers had managerial as well as an aptitude for finances. Musson and Ormrod, *Evolution of English Justice*, pp. 62-74.

¹⁰⁸ Mitchell, writing of the situation in the thirteenth-century, suggests that chief taxers were appointed having demonstrated a level of loyalty to the crown through previous administrative experience within the shire: Mitchell, *Taxation in Medieval England*, p. 70.

¹⁰⁹ Ormrod, *Reign of Edward III*, p. 148.

¹¹⁰ For a complete list of all lay, clerical, and wool subsidies, and customs revenues during this period, see Ormrod, *Reign of Edward III*, pp. 189-192. For an introduction to the collection of

Nottingham merchants are included on the two commissions for the wool subsidy where details have survived.¹¹¹ The commission granting 30,000 sacks of wool to the king in 1342, for example, included two names, almost certainly those of merchants. One was Roger de Bothale who is probably identical to the Roger de Bothale who was mayor of Nottingham in 1334-5, and the other was Henry Mons, likewise a prominent burgess of Newark-on-Trent.¹¹² Despite the merchants' wealth, prominence in urban government, and one presumes urban society, in addition to the sheriff, the commission also contained two knights.¹¹³ This almost certainly reflects the importance of the wool subsidy to the crown, particularly once war with France began in 1337, and also that the rural élite were the principal suppliers of wool. Yet the lay subsidy commissions, even when expanded in number towards the end of this period, still do not appear to have included any merchants in their number, despite the fact that towns paid a higher level of taxation than the countryside. This may suggest that in the eyes of the government, the urban and rural élite were not of the same status, and that even in matters such as the collection and transportation of wool, there was still a requirement for knights to be present, presumably to oversee the process.¹¹⁴ Although perhaps an untypical example, the wool subsidy of 1340 does provide an example of where the government

customs, see M. H. Mills, 'The Collection of Customs', in *The English Government at Work*, pp. 168-200.

¹¹¹ Nottingham appears to have had one of the larger populations of merchants in England during this period. See J. Masschaele, *Peasants, Merchants and Markets; Inland Trade in Medieval England, 1150-1350* (London, 1997), p. 96.

¹¹² *CFR, 1327-1337*, p. 285; Roger de Bothale appears frequently in the borough records for Nottingham. See *Records of the Borough of Nottingham*, p. 424; For references to Henry Mons, see C. Brown, *A History of Newark-on-Trent-on-Trent: The Life of an Ancient Town*, vol. 1 (Newark-on-Trent, 1904), p. 115.

¹¹³ Henry Mons is recorded in the lay subsidy roll of 1328 as being one of the wealthiest citizens of Newark-on-Trent: E 179/159/4 rot 13.

¹¹⁴ Horrox suggests that the position of mayor was roughly equivalent in status to that of esquire: R. Horrox, 'The Urban Gentry in the Fifteenth-century', in J. A. F. Thompson (ed.), *Towns and Townspeople in the Fifteenth-century* (Gloucester, 1988), 22-44: p. 32.

could act in the interest of local merchants, and perhaps correct an over zealous collector.¹¹⁵ The takers and purveyors of wool in Nottinghamshire were ordered to 'de-arrest' four of the 200 sacks of wool, wrongly taken from the merchants working for John de Sibthorpe, parson of Bingham church. John de Sibthorpe was related to Thomas de Sibthorpe, a clerk of chancery, and substantial landholder in south Nottinghamshire, which may have prompted a quicker response from the crown, but it was in any event not in the crown's interest to antagonise the very people it relied upon to govern in its name.¹¹⁶ Furthermore, this example illustrates just how closely involved the crown was in the governance of the localities, and also how it was able to respond to requests from individuals, even over a matter of four sacks of wool.

1.3. 2 Local Justices

Criminal behaviour, and the nature and development of the criminal justice system will be discussed in greater depth in chapter three. However, within the context of analysing the involvement of local men in the governance of Nottinghamshire, it is necessary to assess who was directly involved in this most important aspect of government. The period of this study was one that witnessed profound changes in the remit and profile of keepers and justices of the peace, which constituted an important aspect of broader changes to the whole judicial system.¹¹⁷ Through the appointment of commissions of the peace, the crown engaged local men of a sufficient status, together with local men of law, to sit as justices with their professional peers. It is quite clear that

¹¹⁵ *CCR, 1339-1341*, p. 563.

¹¹⁶ Ormrod, *Reign of Edward III*, p. 72.

¹¹⁷ The best introduction is: Musson and Ormrod, *Evolution of English Justice*, pp. 42-74.

as far as local government is concerned, the largest number of those who were engaged in the governance of the localities were those involved in the judicial process in its various and developing forms.¹¹⁸

Identifying individuals involved is complicated by the fact that at least one of the justices of courts, Sir Richard de Willoughby, was also a prominent local landholder.¹¹⁹ However, by looking at the commissions of the peace and labourers held between 1350 and 1360 we can gain an insight into gentry involvement in the administration of justice. This period saw a total of seventeen commissions, of which ten were commissions of the peace, six commissions of labourers, and one a joint commission of peace and labourers. A total of one hundred and sixteen commissions were issued to twenty-two individuals. Of these, only three served on one commission, and thirteen served on five commissions or less. Five men served on ten or more commissions. Four of these five can be identified as being local men of knightly status. The fifth, William de Wakebridge can be shown to be a Nottinghamshire land holder within the county, and was almost certainly of, or just below, knightly status.¹²⁰ Indeed, given that Wakebridge served as a knight of the shire for Nottinghamshire on four occasions between 1352 and 1362, it seems reasonable to assume that he can be seen as an example of an individual beneath knightly status, who through service to the crown in the locality, was one of those Peter Coss has identified as helping to define the gentry as a

¹¹⁸ S. K. Walker, 'Yorkshire Justices of the Peace, 1389-1413', *EHR*, ccccxxvii (1993), 281-313.

¹¹⁹ For the career of Sir Richard de Willoughby, and his son, Sir Richard, see M. Bloom, 'The Careers of Sir Richard II de Willoughby and Sir Richard III de Willoughby, Chief Justice of the King's Bench (1338-1340) and the Rise of the Willoughbys of Nottinghamshire', D. Phil. Thesis (Oxford, 1985).

¹²⁰ *Notts, IPM, 1350-1436*, pp. 22-3, 39, 51, 53. Wakebridge appears to have been a man of some means, as he made over land to the church.

distinct social group.¹²¹ There is also a measure of continuity as far as membership of commissions is concerned, with three - Sir William Deincourt, Sir Adam de Everingham, and Sir Geoffrey de Staunton appointed to serve on all commissions which were appointed between 1350 and 1364. The appointments of Sir William Deincourt and Sir Adam Everingham, together with those of Sir Richard Grey of Codnor, Sir William Ros of Helmsley, Sir Nicholas Cantilupe and Sir Robert Pierrepont also demonstrates that the crown, in making its appointments was conscious of the need to balance the leadership provided by the titled nobility with the involvement of the resident gentry. Only one of the sixteen commissions of the peace during this period was not led by one or more of these members of the titled nobility.¹²² It is important however not to adopt too parochial an attitude towards this subject. Although all of these families held land in Nottinghamshire, they were also (to varying degrees) substantial landholders on a regional and even national level, and all served the crown in areas other than in Nottinghamshire.¹²³ Sir Richard Grey of Codnor, for example, also sat as a commissioner of the peace in his native Derbyshire as well as having a lengthy and considerable reputation as a soldier under Edward II, and Sir Nicholas Cantilupe was in addition to his role as a prominent justice, a soldier and adviser of Edward III.¹²⁴ Only Sir Adam Everingham and Sir Robert Pierrepont seem likely to have been resident within

¹²¹ Coss, *Origins of the English Gentry*, pp, 165-201.

¹²² The commission appointed for Nottinghamshire on 16 February 1331 contained only two names: Sir John Mounteny and Sir Thomas Longvillers. Although both were part of the Nottinghamshire county elite, neither could be described as being landholders of the same scale of the titled nobility or wealthiest gentry families: *CPR, 1330-1334*, p. 136.

¹²³ For landholding by the titled nobility, see chapter 4.

¹²⁴ Sir Richard Grey was appointed to a commission for Nottinghamshire on 20 August 1328, and two months later to one for Derbyshire on 20 October: *CPR, 1327-1330*, pp. 351-352; For the career of Sir Richard Grey see: S. K. Walker, 'Grey, John, Second Baron Grey of Codnor' *Oxford Dictionary of National Biography*, <http://www.oxforddbd.com>., accessed 29/5/2007; For the career of Sir Nicholas Cantilupe see: R. Partington, 'Nicholas Cantilupe', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com>., accessed 28/6/2007.

the county, which suggests that the crown took a broader view when it came to making its appointments of those it intended would lead commissions. What is also noticeable in relation to peace commissions for Nottinghamshire is the absence of any magnate appointments until 1380, a process which the commons had encouraged the crown to take in 1352.¹²⁵ Of particular relevance, as Musson and Ormrod have pointed out, is the appointment of Henry Grosmont, duke of Lancaster to peace commissions in the adjacent counties of Derbyshire, Leicestershire and Yorkshire.¹²⁶ These appointments reflect the principal patterns of landholding by the duchy of Lancaster in the region, which suggests that the crown - at least until 1380 - may not have considered that Nottinghamshire fell within the natural orbit of the duchy.

As Simon Walker has shown in relation to Yorkshire justices of the peace, not all of those appointed necessarily actually attended. The evidence for Nottinghamshire suggest that a small number of individuals, almost all of whom were knights and local men of law, formed the core of the gentry presence on peace commissions in Nottinghamshire from 1350 to 1360 and beyond.¹²⁷ Of this core of peace and labourer commissioners, only three were appointed in any other capacities in local government.¹²⁸ Sir John Bozon (twelve commissions of peace and labourers) served as a knight of the shire in 1357 and 1358. Sir Geoffrey Staunton (sixteen commissions) also represented Nottinghamshire in parliament and served as a commissioner of subsidy: both

¹²⁵ Musson and Ormrod, *Evolution of English Justice*, p. 71; The first magnate to be appointed to a commission of the peace for Nottinghamshire was John of Gaunt, duke of Lancaster, on 26 May 1380: *CPR, 1377-1381*, p. 513.

¹²⁶ Musson and Ormrod, *Evolution of English Justice*, p. 71.

¹²⁷ *Ibid.*, pp. 299-301.

¹²⁸ Commissions of labourers were introduced in 1349 to enforce measures resulting from the Ordinance and Statute of Labourers of 1349 and 1351 respectively which were a result of the social and economic upheavals from the Black Death: See Musson and Ormrod, *Evolution of English Justice*, pp. 93-6; B. H. Putnam, 'The Transformation of the Keepers of the Peace into the Justices of the Peace, 1327-1380', *TRHS*, xii (1929), 19-48.

roles were also undertaken by Sir Thomas de Newmarche (seven commissions). What is interesting in this respect is that with the exception of Sir Geoffrey Staunton and Sir Richard Grey, none of those who were appointed as commissioners, and who can be described as being part of the county élite, used their appointment as a stepping stone to other higher offices in local government such as sheriff, escheator or knight of the shire.

Between 1327 and 1360, there were at least twenty-two commissions of oyer and terminer either at the request of individuals (special commissions), or to address wider issues (general commissions), such as that commissioned on 18 May 1341 to 'hear and determine the oppressions, extortions committed by the king's ministers in county Nottingham'.¹²⁹ The position, as far as can be determined, for commissions of oyer and terminer suggests a more widespread composition than those of the peace and labourers. With the exception of centrally appointed justices, most of the local commissioners served only on one or two commissions. Although most of those who largely dominated the commissions of peace and labourers do appear on commissions of oyer and terminer, there is no similar pattern of continuity. In fact, of the twenty-two individuals who served on commissions of peace or labourers, only seven also served on commissions of oyer and terminer, and only one, Sir Richard Grey de Landeford served on more than two such commissions.¹³⁰ Grey stands out in other respects, as he appears to have been exceptionally heavily involved in various official capacities in the locality during this period. Apart from serving on commissions of oyer and terminer between 1331 and

¹²⁹ *CCR, 1341-1343*, p. 96; For an introduction to oyer and terminer commissions see: Musson and Ormrod, *Evolution of English Justice*, pp 48-50, 119-122; R. W. Kaeuper, 'Law and Order in Fourteenth-Century England: The Evidence of Special Commissions of Oyer and Terminer', *Speculum*, liv (1979), 734-784.

¹³⁰ *CCR, 1330-1333*, p. 425, *CCR, 1330-1333*, p. 252.

1360, he also sat on nine commissions of the peace and/or of labourers between 1350 and 1358, was sheriff and escheator in 1356, and served as knight of the shire for the county on seven occasions between 1352 and 1361.¹³¹ The holding of multiple offices such as that undertaken by Sir Richard Grey by members of the local gentry is extremely rare during this period. In addition to Grey, only six other individuals also held three or more of the principal offices of government in the locality (See Appendix A.1 and A.2).¹³² It is impossible to offer any concrete explanation for this situation, other to suggest that it may simply have been due to a strong desire to serve in local government.

1.3.3 Commissions of Array

Commissioners of array were appointed by the crown to oversee the process undertaken at the level of vill and borough by constables of arraying men of the shire for military service.¹³³ According to M. Powicke, arrayers during the reign of Edward II were local magnates and barons.¹³⁴ The evidence for Nottinghamshire for the period 1327 to 1360 confirms a continuation by the crown of appointing to these positions members of the nobility and knighted

¹³¹ See appendix A.1 & A.2 for office-holding; It is by no means impossible that Richard Grey of Landford, who served as sheriff in 1371, and knight of the shire in the same year, may be the same individual.

¹³² The six are William Wakebridge, Sir Geoffrey Staunton, John de Oxenford, Sir Hugh Hercy, William Eland, esquire, and Sir John Boson.

¹³³ The impact of war upon Nottinghamshire will be discussed in more detail in chapter 2.

¹³⁴ M. Powicke, *Military Obligation in Medieval England* (Oxford, 1962), pp. 156-159. Michael Prestwich, in tracing the development of commissioners of array, makes similar observations about their status during the reigns of Edward I and Edward II, where most appear to have been either lay or ecclesiastical magnates and experienced knights: M. Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven, 1996), pp. 123-6.

gentry families, the vast majority of whom were resident in the shire.¹³⁵ Of the fourteen individuals commissioned who appear to have fulfilled their commission, ten (71%) are confirmed knights, of which two - Sir Robert Pierrepont and Sir Adam Everingham - were members of the titled nobility.¹³⁶ Of these ten, all either held or went on to hold one or more of the positions of sheriff, escheator, and knight of the shire, commissioner of peace or labourers or chief taxers. Of the remaining four who were not of knightly status, Robert Morton is recorded as being retained by Richard II as an esquire of the household, and John Oxenford also served as sheriff and knight of the shire.¹³⁷ Only one individual, Sir John Shoreditch was almost certainly not resident in the county.¹³⁸

1.4 Administration of Royal Forests – Sherwood¹³⁹

Charles Young has described the fourteenth-century as the period which marked the beginning of the long term decline of the royal forests during the

¹³⁵ A comparison with other counties is difficult as not all county studies have addressed the subject of commissions of array. Acheson found that in fifteenth-century Leicester, most appointed to this position were knights; Acheson, *Gentry Community*, p. 113; Susan Wright makes the interesting observation that national political factors could determine the crown's appointment of commissioners; Wright, *Derbyshire Gentry*, p. 102: Commission of array for Nottinghamshire for the period 1360-1392 continued to be dominated by the titled nobility and knighted gentry families.

¹³⁶ William, son of William and Sir Robert Pierrepont were ordered to be replaced as being 'unable to act'; *CPR, 1330-1334*, p. 415.

¹³⁷ C. Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England 1360-1413* (New Haven, 1986), p. 249; Robert Morton had an extensive career in local government, serving as sheriff (three occasions), knight of the shire (seven times), and commissioner of the peace (ten occasions) between 1360 and 1394; It has not proved possible to find any other information regarding the identities of the remaining two individuals not of knightly status.

¹³⁸ For Shoreditch, see n. 30 above. It is interesting that Shoreditch served on the same commission as his son-in-law, John Oxenford, whose rise from obscurity to the position of sheriff and knight of the shire he was probably responsible for; *CCR, 1333-1337*, p. 161.

¹³⁹ For an introduction to the administration of royal forests, see C. R. Young, *The Royal Forests of Medieval England* (Leicester, 1979)

later Middle Ages.¹⁴⁰ However, the administrative structure of the royal forests continued to exist, and to varying degrees function, well beyond the fourteenth-century. The main exception was the forest eyre, which had virtually ceased to operate by the early fourteenth-century.¹⁴¹ Despite this relative decline, royal forests, and the administration governing them, still accounted for a significant percentage of the land area of England.¹⁴² It is therefore somewhat surprising that some fourteenth and fifteenth century county studies that include within their geographical parameters royal forests, have largely neglected the administrative role undertaken by local men of varying status. Saul, for example in his study of fourteenth century Gloucestershire - which includes within its borders the sizable royal forest of Dean - does not address forest office-holders.¹⁴³ Although not the largest royal forest in England, the boundaries of Sherwood Forest, within which forest law was applicable, accounted for approximately one-third of the geographical area of the county.¹⁴⁴ In addition, the location of the royal hunting lodge at Clipstone on the Great North road ensured frequent visits by Edward III up until the early 1340s.¹⁴⁵ The two principal administrative positions of the royal forests were appointed directly by the crown. These were keeper of the forest beyond (or north of) the Trent, and keeper of the forest 'this side (south) of the Trent'. The

¹⁴⁰ Young, *Royal Forests*, pp. 149-171.

¹⁴¹ *Ibid.*, pp 151-157.

¹⁴² For a map detailing the extent of royal forests in the period 1327-1336, see *Ibid.* p. 152.

¹⁴³ Saul, *Knights and Esquires*. Saul does address the issue of crime in the forest of Dean, but does not include forest officials among his analysis of office-holders.

¹⁴⁴ This estimate is based upon Young, *Royal Forests*, pp. 62, 152.

¹⁴⁵ Shenton, *Itinerary of Edward III*. During his minority (1327-1330) and majority, Edward III paid frequent visits to Clipstone, but also to Nottingham, Blyth, Southwell and Newark-on-Trent. These varied in length from a few days to several months, although in the case of the latter not always at the same location within the county. From c.1340 the royal itinerary nationally dramatically decreased both in geographical spread and frequency (p. 9). From 1340 to 1360, Edward III appears to have visited Nottinghamshire on only two occasions in 1343 (p.257) and 1345 (pp. 287-8).

holder of this position was answerable directly to the king, and required that forest law was implemented and upheld.¹⁴⁶ One individual who held both positions was a prominent Nottinghamshire land holder, John, Lord Cromwell, who also held the position of keeper of Sherwood Forest (see Appendix A.3 for forest office-holders).¹⁴⁷ At a lower level we do, in contrast to the extant records of other offices of government, have details of the involvement in administration of members of peasant society. Robert Mauley is described in 1339 as the king's yeoman, and in 1363 as repairing the king's lodge at Bestwood.¹⁴⁸ As this position was one appointed directly by the crown, it is possible that Maule may have performed some service for the crown, and in return was rewarded with these appointments.

The position of verderer – of which there were usually four for each forest – was one where the individual was elected at the county court. At the height of the royal forests in the thirteenth century, verderers were 'men of considerable standing in the county'.¹⁴⁹ But some historians regard the position as one occupied by the lesser gentry by the fourteenth-century.¹⁵⁰ The evidence of those who were elected to hold the position of verderer for Sherwood Forest during the period 1327-1360 supports the view that the social standing of office-holders had declined from that attributed to the thirteenth century.

¹⁴⁶ *Ibid.*, pp. 74-76.

¹⁴⁷ For a brief summary of the Cromwells, see Payling, *Political Society*, p. 95; *The Complete Peerage*, (ed.) G. E. Cokayne, revised by Vicary Gibbs, H. A. Doubleday and Lord Howard de Walden, 12 vols. (London, 1910-1957): vol. iii, p. 553.

¹⁴⁸ There seem likely to have been two Robert Mauleys. A Robert Mauley is described as being the chief forester of Sherwood in 1337 and again in 1349 (*CCR, 1333-1337*, p. 75; *CCR, 1346-1349*, p. 33) and a Robert Mauley is also detailed as being a commissioner of array in 1322 (*CPR, 1321-1326*, p. 226.) It would seem unlikely that these Robert Mauleys are identical to a king's yeoman: *CCR, 1339-1341*, p. 206; *CCR, 1360-1364*, pp. 444-5; John, Lord Cromwell (d. 1335), was a steward of Edward II's household: Payling, *Political Society*, 95-6.

¹⁴⁹ Young, *Royal Forests*, p. 85.

¹⁵⁰ *Ibid.*, p. 85.

However, the picture is not clear cut. Of the sixteen individuals who held the position, nine are confirmed as being of knightly status, and another one is likely to have been so.¹⁵¹ None of the remaining seven appear to have served in any other capacity in local administration. Interestingly, of the seven who do not appear to have been of knightly status, only one, Alexander de Gonalston, was ordered to be replaced on no fewer than four occasions as being insufficiently qualified.¹⁵² Gonalston is almost certainly identical with the Alexander de Gonalston who, in a writ *de etate probanda* of 1353 attesting the age of Elizabeth de Hercy, describes how he had been the steward to (the recently deceased) Sir Thomas Hercy.¹⁵³ There is also a writ of 1347 which refers to land held by Alexander Gonalston within Sherwood Forest and of his wish to divert a stream and build a windmill, which is witnessed by another verderer who appears to have not been of knightly status, Alan Stuffyn.¹⁵⁴

The case of Gonalston raises questions about how the county court functioned, and its relationship with central government. If, as Maddicott has suggested the county court was attended by an average of 150 people representing a 'microcosm of county society', then the election of Gonalston on at least two occasions would suggest a willingness to go against the instructions of the crown who had judged him 'insufficiently qualified' to hold office.¹⁵⁵ As Hunnisett has suggested in the case of coroners who were also

¹⁵¹ Philip Caltoft also served as a knight of the shire, and on commissions of the peace, labourers, oyer and terminer and subsidy.

¹⁵² Gonalston was the subject of a petition from the people of Nottingham of 1337, who complained of his various extortions, and demanded that he be replaced. Justice Sir Nicholas de Cantilupe agreed with them. Instruction from the close rolls of February and May 1340 ordered the sheriff to arrange for an election to replace Gonalston on the grounds that he was insufficiently qualified: SC 8/65/3220 and CCR, 1339-1341, pp. 348, 395.

¹⁵³ Notts, IPM, 1350-1436, pp. 9-10.

¹⁵⁴ *Ibid.*, pp. 157-8.

¹⁵⁵ Maddicott, 'County Community', pp. 29, 33; The instructions by the crown to the sheriff simply record that Gonalston was insufficiently qualified,

elected at the county court, in most cases it would seem that the crown was informed that an unsuitable candidate had been elected by an individual(s) from within the community.¹⁵⁶ On the other hand if Palmer is correct in believing that elections at the county court were determined by a small number of seneschals and bailiffs, then it is plausible that an individual of relatively low status such as Gonalston could be elected or perhaps simply appointed.¹⁵⁷ It is reasonable to assume that the crown became aware that Gonalston was still holding the office of verderer as a result of the 1337 petition, despite instructing the sheriff in 1330 that a new election was to be held. However, it does raise questions as to whether or not the sheriff - as was required in the case of verderers - did actually inform the crown of the result of the elections that were presumably held in 1330, and again in 1337, or if he did whether the replies became a bureaucratic casualty.¹⁵⁸ The sheriff at the time of the 1337 petition and subsequent crown letter to replace Gonalston was John Oxenford, whose own criminal activities suggest a possible connection with Gonalston and explanation as to why he seemingly continued to hold the post.¹⁵⁹

Although there were verderers like Alexander Gonalston who was of lesser gentry or wealthier peasant status, knights continued to constitute the majority of verderers up until the end of the fourteenth-century. Yet very few of those who held this office also held one or more of the major offices available in the locality. Denholm-Young postulates that in relation to

¹⁵⁶ Hunnisett, *Medieval Coroner*, p. 181.

¹⁵⁷ Palmer, *County Courts*, pp. 294-5.

¹⁵⁸ Hunnisett, *Medieval Coroner*, p. 152: The sheriff was required to oversee the election of coroners, and return their names to chancery. It is not known if the same was also applicable to the position of verderer, but it would seem most likely.

¹⁵⁹ The sheriff at the time of the 1330 letter to replace Gonalston was Sir John Bret, who would also appear to have also been a verderer. On 15 October 1331 Bret now no longer sheriff, was himself ordered to be replaced as a verderer for stealing venison, though like Gonalston, he appears to have remained holding this office until his death in 1339; *CCR, 1330-1333*, p. 271; *CCR, 1339-1341*, p. 287.

verderers 'there was so much hankering after local office by sick old men that we must believe any local office to have had considerable social value'.¹⁶⁰ In the absence of evidence which would shed light upon the length of office holding by verderers, it is impossible to state whether or not this applied to the verderers of Sherwood. But it is likely that many of the knights who held this office until death were elected in the late thirteenth or early fourteenth-century when the office had a higher status than it did at the end of the fourteenth-century. Apart from those the crown deemed 'insufficiently qualified', the office was effectively held for life and it is therefore not surprising that most elections were to replace those who had either died or who were too old to perform their duties. With regards to the latter, it is worth commenting that the crown clearly did still attach sufficient value to the office to ensure that only those who were able to undertake their duties held office.

Although falling outside the administrative and legal jurisdiction of Sherwood Forest, the burgesses of the town of Nottingham successfully managed to prove to the crown in 1332 their rights to immunity from forest law and administration.¹⁶¹ The agreement by the crown came with the proviso that the burgesses would not damage venison with dogs, and it does provide an interesting example of how burgesses clearly were involved in what might be described as rural pursuits.¹⁶²

¹⁶⁰ Denholm-Young, *County Gentry*, p. 49.

¹⁶¹ *Records of the Borough of Nottingham*, vol. 1, pp. 109-115.

¹⁶² See chapter 5, pp. 225-6 for evidence of a Nottingham burgess engaged in hunting.

1.5 Local Administration and the Black Death

The Black Death appears to have reached Nottinghamshire in 1349 from two directions; westwards through Lincolnshire by means of the Trent, and also from the broad northwards sweep from the south of England. The first recorded outbreaks occurred in Newark-on-Trent-on-Trent in early 1349.¹⁶³ An analysis of the mortality rates as a result of the plague of parish clergy in England suggest that although there were regional variations, the clergy in Nottinghamshire appear to have suffered a similar rate to the majority of the country.¹⁶⁴ As undeniably horrific as the death rates clearly were throughout the country, Ormrod has suggested the functions of central government quickly recovered.¹⁶⁵ Unfortunately, it is much harder to establish whether this was true of the provinces, where staffing levels were considerably less, and where evidence of the impact of plague is largely confined to communications from central government, assessing the lists of office-holders, and evidence contained in *IPMs*.

The only official who might conceivably have been a victim of the epidemic is Sir John de Vaux, the sheriff and escheator from 1346, who is listed as having died in office before October 1349, but who appears to have still been alive in August of that year.¹⁶⁶ It is quite possible that Vaux died of natural causes, but the timing suggests that he was, as other sheriffs and local

¹⁶³ Benedictow, *Black Death*, pp. 139-141.

¹⁶⁴ *Ibid.*, pp. 356-7.

¹⁶⁵ W. M. Ormrod, 'The English Government and the Black Death of 1348-49', in Ormrod (ed.), *England in the Fourteenth-Century* (Woodbridge, 1986), pp. 175-188.

¹⁶⁶ *List of Sheriffs; Escheators for England and Wales*. Vaux, in his position as escheator, is recorded as holding an inquisition in Nottingham on 28 August 1349: *Notts, IPM, 1321-1350*, p. 118.

officials around the country undoubtedly were, a victim of the plague.¹⁶⁷

Vaux's successor as sheriff/escheator was Sir Walter de Montgomery of Derbyshire, who is listed as not taking up the position. In turn, his successor, Sir John Waleys acted until 1354, when he was replaced by Montgomery.

Although Vaux was replaced by Waleys, who clearly survived the 1348/9 outbreak of the plague, it is not known what the impact was on those under-sheriffs and escheators who worked for him. The last extant inquisition for

Nottinghamshire undertaken by Vaux in his role as escheator is 28 August

1349.¹⁶⁸ The first inquisition of Waleys is 15 March 1350, a gap of some six

months.¹⁶⁹ This may be due to the impact of the plague on officials, but it

should be borne in mind that throughout the 1340s the total number of

inquisitions of all forms amounted to only thirty-five, an average of only 3.5

per year, and that for some years before the arrival of the Black Death, only a

single inquisition is recorded as having taken place.¹⁷⁰ In the years after the

arrival of the plague, the number of inquisitions from 1350-1359 total twenty

seven, at an average of 3 per year. Although one should be cautious into

reading too much into these figures, the low number of *IPMs* held in the

months and years immediately after the arrival of the Black Death suggest that

the mortality rate of tenants-in-chief was not that high. It must remain a

possibility that for a period of some six months, the administrative process was

unable to function due to the mortality of essential personnel. However, given

¹⁶⁷ R. Horrox cites a contemporary account of the impact of the plague on local officials in Devon. There is no reason to doubt that regardless of whether or not Vaux was a victim of the plague, the broad impact on officials in Nottinghamshire at all levels would not have been similar. R. Horrox (ed. and trans.), *The Black Death* (Manchester, 1994), pp. 274-5.

¹⁶⁸ *Notts, IPM, 1321-1350*, pp. 155-6.

¹⁶⁹ *Ibid.*, pp. 155-6.

¹⁷⁰ These figures were derived by totalling all inquisitions for Nottinghamshire contained in *Notts, IPM, 1321-1350*, p. 6. The figures for each year are: 1340 inquisition 1, 1341, 3, 1342, 6, 1343 6, 1344, 2, 1345, 1, 1346, 3, 1347, 4, 1348, 5, 1349, 5.

the financial importance to the crown of the work undertaken by the escheator, it is hard to conceive that the crown would allow such a situation to continue for any length of time if the escheator – who in this period was also the sheriff - was unable to fulfil their obligations.

Evidence of mortality rates amongst other office-holders in Nottinghamshire is also elusive. In fact, what is remarkable is the high degree of continuation of service. Many of those who held varying offices before 1349 continued to do so well beyond the time the plague had presumably subsided.¹⁷¹ This seems to support the view that in its first visitation, the Black Death hit the poor the hardest.¹⁷² Evidence to support this can be seen from the appointment of chief taxers to collect the lay subsidy of a 10th and a 15th of 16 July 1349. The three original commissioners were augmented by an additional three over the following five months.¹⁷³ The number of commissioners appointed on 20 July 1350 for the subsidy of that year was increased to six, and a seventh was associated in January of 1351 ‘to hasten the matter’.¹⁷⁴ Five of the seven commissioners who served in 1349, when presumably the epidemic was at its worst in Nottinghamshire, also served in the 1350-1351 commission. The exception, Sir Thomas de Nevil, is recorded as serving as a knight of the shire in 1363.¹⁷⁵ In 1352, the number of chief taxers was reduced to three, a level at which it remained until the end of the period covered by this study. This increase in the size of commissions suggests that there there may have

¹⁷¹ Saul, in his study of fourteenth-century Gloucestershire also appears to have found that the gentry were not particularly badly hit by the Black Death; Saul, *Knights and Esquires*, p. 118.

¹⁷² Benedictow, *Black Death*, p. 348. For a contrasting view that the 1348/9 epidemic struck ‘rich and poor alike’, see J. Bolton, ‘The World Turned Upside Down’. Plague as an Agent of Economic and Social Change’, in W. M. Ormrod and P. Lindley (eds.), *The Black Death in England* (Stamford, 1996), pp. 17-78.

¹⁷³ *CFR, 1347-1356*, pp. 190, 194, 196.

¹⁷⁴ *Ibid.*, pp. 268, 271.

¹⁷⁵ *Return of the Name of Every Member*.

been opposition to the collection of the lay subsidy during, and in the year after, the arrival of the plague in Nottinghamshire, and also possibly a higher mortality rate amongst those beneath the chief taxers – the collectors of hundreds and boroughs – that necessitated an increase in the size of both commissions.

The extant evidence suggests that those appointed or elected to undertake – at least at the highest level – government in the locality did not significantly suffer as a result of the 1348/9 visitation. Sadly, the lack of evidence does not enable us to reach any conclusions about those who also took part in government at a lower level. An insight into the broader impact of the Black Death upon Nottinghamshire can be gained from an analysis of the title deeds contained within the Middleton collection.¹⁷⁶ The title deeds represent the geographical extent of property acquired (and occasionally disposed of) by the Willoughbys of Willoughby-on-the-Wolds, over the course of some three centuries. Although not a comprehensive collection of all property transactions, they represent an extremely valuable source both in terms of the geographical and chronological range covered. From 1340 to 1350, the collection contains a total of 120 deeds relating to property in Nottinghamshire, with an average of 10.9 per year. The corresponding figure for the period 1351-1360 is fifty-six deeds at an average of 5.6 per year. This clearly shows a long term decline in the number of deeds contained in the collection, which broadly reflects the known ‘tailing off’ of property acquired by the family.¹⁷⁷ However, the figure for 1349 is a total of ten deeds, which

¹⁷⁶ The Middleton collection as a source is discussed in more detail in chapter 4, pp. 159-65.

¹⁷⁷ Bloom, ‘Careers of Sir Richard II’, pp. 69.

statistically compares favourably with the four years either side of this date.¹⁷⁸

What these figures suggest is that despite a long term decline in the number of deeds contained in the Middleton collection, the arrival of the Black Death does not appear to have had any obvious or specific impact on this trend. In other words, landholders such as Sir Richard Willoughby appear to have continued to be involved in property transactions to (broadly speaking) the same degree before, during, and after the Black Death.

It is important to note that the evidence from the Middleton title deeds may not be typical of the land market throughout England before and after the Black Death. Sir Richard II and Sir Richard III Willoughby are prime examples of new entrants to the gentry who had acquired considerable wealth as central court justices.¹⁷⁹ They were able to use this wealth, predominantly before the arrival of the Black Death, to purchase property at a time when over population meant a general scarcity of available land. This pattern of land acquisition by the Willoughbys appears to be contrary to the national trend of the land market, which Saul observes picked up towards the end of the fourteenth-century.¹⁸⁰ What we can propose is that the crown was motivated to not only re-establish the apparatus of central government as quickly as possible, but also, and for very good reasons, governance in the locality. If the Middleton deeds can be taken as evidence that aspects of life in the locality continued – seemingly with little or no effect - throughout 1349, and in the years immediately following, it may well be that the administrative and legal functions undertaken in the

¹⁷⁸ The average number of deeds per year for the period 1345-1348 is 10.25, and for the period 1350-1353 8.25 per year. The average for the whole of this period, including 1349, is 9.3: Mi D.

¹⁷⁹ Saul identified similar examples in fourteenth-century Gloucestershire; Saul, *Knights and Esquires*, pp. 230-1.

¹⁸⁰ *Ibid.*, pp. 229-230.

locality recovered remarkably quickly. It therefore seems likely that the impact of the Black Death was, at least as far as the functioning of local government was concerned, reduced to a matter of months.

1.6 Conclusion

The focus of this chapter has been how the requirements of central government were undertaken in Nottinghamshire. The most important finding is that despite the restraints of extant sources, involvement in politics clearly extended beyond the ranks of the gentry, nobility and magnates. This view will be reinforced when the subjects of law and order and property holding are addressed. But already it can be seen that through officers such as constables and bailiffs, literally hundreds of individuals who were probably predominantly of lesser gentry status, but whose ranks may well have included some of peasant status who possessed a level of literacy, played a vitally important role in the formal structures of governance in the locality. It should also be noted that although seemingly limited to commissions for the wool subsidy, urban merchants were also involved in governance beyond that of towns such as Nottingham.

The office-holders who were appointed by central government, or elected in the county court, broadly reflect the findings of other county studies. The position of sheriff (which for most of this period also included that of the escheator) was one dominated by the belted knights of the county. The same is true of commissioners of the peace, and of array and chief taxers. The evidence of those appointed by the crown to the more important offices of local

government throughout most of the period of this study suggests that the crown was aware of, and took into account in making its appointments, the advantages of employing not only those of an appropriate status to commissions, but also their competence and willingness. This is particularly evident in appointments to commissions of the peace and of chief taxers, where in both cases, a small number of the county's élite held repeat commissions; perhaps also as a result of pressure to do so by the holders themselves. This observation can be taken further in that it suggests a conscious understanding by both crown and the locality that good governance was mutually beneficial. The exception as far as Nottinghamshire is concerned seems to coincide with the period in the 1330s when Edward III appears to have directed his focus upon foreign policy and warfare, and which was to lead to the 'crisis' of 1340-1341. It was during this period that Nottinghamshire witnessed the appointment by the crown of two sheriffs – John Oxenford and Thomas Bekering – whose criminal activities have been addressed. Sir Thomas Bekering was an establish member of the county gentry élite, and as such seemingly a likely candidate for sheriff. But in the case of Oxenford, it may be that his father-in-law, Sir John Shoreditch was able to take advantage of a possible lessening in the efficiency of the appointments process during this period.

Evidence of excessive magnate influence over local government is severely hampered by a general lack of knowledge regarding the composition of magnate affinities. The duchy of Lancaster, for which records have survived, suggests that any such influence over the appointments process was probably limited as far as Nottinghamshire was concerned. Whether or not

magnates like the earls and dukes of Lancaster were able to exert a more subtle control through stewards, bailiffs and seneschals is unknown, as the identities of these individuals have not survived. But if Nottinghamshire was a county lacking a resident magnate during the period of this study, it is abundantly clear that it was not a county lacking lordship, or that the crown utilized the lordship provided by the resident and regional titled nobility. The number of appointments to positions of governance by the crown of members of the titled nobility makes clear that the pivotal nature of the crown's control over the locality. But Edward III's appointments also reflect the county and regional social hierarchy, and suggest a desire to govern by consent, a factor that stands in marked contrast to the domestic turmoil that occurred during the reigns of his father, Edward II and grandson, Richard II.

The impact of the Black Death on local government in Nottinghamshire is another interesting area, as there is evidence to suggest that just as central government recovered quickly from the initial arrival of the plague, the same may have been true of local government in Nottinghamshire. The mortality rate based on office-holders and from *IPMs* seems to confirm the view that richer members of society suffered less during the first visitation in 1348-9, and the functions of local government may have recovered quickly.

CHAPTER 2

THE LOCALITY AND THE CENTRE

2.1 Introduction

The relationship between the locality and the centre needs to be seen within the context of the centrality of the monarchy in late medieval England. As John Watts has shown in respect of the reign of Henry VI, the medieval ideology of kingship effectively saw the crown and government as being indivisible.¹ Decisions by the crown and central government, and how these were implemented in the shires, therefore had a profound impact upon individuals and communities.² And yet it is quite clear that the relationship between the crown and the localities was not simply a one-way flow of demands by the former of the latter. As this chapter will demonstrate, formal and informal mechanisms existed for the localities to communicate, on a wide range of issues, with the centre. These two-way channels of communication enabled the crown to become aware of, and potentially act upon, issues of concern in the localities from a much wider spectrum of society than had previously been the case.³ Arguably the two most important channels of communications were those provided by parliament, which required the election of shire and borough

¹ Harvey has argued that the vill – the smallest administrative unit that the crown dealt with – effectively acted as a self-governing unit of ‘local government’: P. D. A. Harvey, ‘Initiative and Authority in Settlement Change’, in M. Aston, D. Austin and C. Dyer (eds.), *The Rural Settlements of Medieval England* (Oxford, 1989), pp. 39–43; J. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996). Although Watts’s study is of Lancastrian England, his assessments surely hold true for the period of this study.

² See Harriss, ‘Political Society’, 28–57.

³ The important changes to the legal system that occurred during the reign of Edward III will be addressed in chapter 3.

representatives, and the development of petitions to the crown. In addition, this chapter will also assess the impact on Nottinghamshire of what was a period of frequent warfare, both in terms of direct and indirect participation by individuals and communities, and what, if any effect the demands of the crown to prosecute its wars had upon the governance of the shire.

Very much related to this are the questions of what constitutes ‘politics’ and ‘political culture’, and how widespread was the involvement in both in fourteenth-century England? Commenting upon the question of political culture in the fifteenth-century, Christine Carpenter is correct when she says that both political participation and political culture should ideally be addressed together.⁴ She goes on to note that political ‘participation, whether welcomed or not by those at the top, spread through England to a remarkable extent in the last three hundred years or so of the medieval period’.⁵ She also agrees with John Watts that political opinion had ‘come to encompass a large part of society by the end of the fourteenth-century’.⁶ These definitions and how they are now seen by historians as applying to the later Middle Ages are surely correct. Direct engagement in the act of politics, specifically through office-holding, was not restricted to the land-holding élites. Indeed, without the formal participation of the lesser gentry and wealthier peasantry, governance and stability in Nottinghamshire and elsewhere would surely have been impossible.⁷ Clearly the functions and structure of government in the late

⁴ C. Carpenter, ‘Political Culture, Politics, and Cultural History’, in *The Fifteenth-century Vol. 4: Political Culture in Late Medieval Britain*, L. Clark and C. Carpenter (eds.), (Woodbridge, 2004), p. 1.

⁵ *Ibid.*, p. 19.

⁶ *Ibid.*, p. 18. see n. 1 above for ref. to Watts.

⁷ An important contribution to this development has been the body of works by Christopher Dyer. For example see C. Dyer, ‘The Political Life of a Fifteenth-Century Village’, in L. Clark and C. Carpenter (eds.), *The Fifteenth-century IV: Political Cultures in Late Medieval Britain* (Woodbridge, 2004), pp.135-158; S. Justice, *Writing and Rebellion: England in 1381*

Middle Ages were defined by kingship, and the hierarchical nature of society. But it is important, if we are to understand how society was governed, that we adopt as broad an approach to politics as possible; governance in the localities was not, as this thesis will demonstrate, the sole preserve of the nobility and gentry.

2.2 Representation at Parliament and Councils

One of the most fiercely debated historiographical discussions of recent years has been over the existence, or otherwise, of county communities. Central to this debate is the role played by the county court.⁸ The main reason for this debate is the relative lack of evidence concerning who attended sessions of the county court, how frequently they attended, and how inclusive were the decisions for elections of knights of the shire (MP), coroners and verderers. Although the functioning of the county court is only one factor that needs to be addressed when looking at these issues, it can throw important light on these historiographical debates.

One of the functions that the county court (which for Nottinghamshire was located in Nottingham) was required to fulfil was the election of representatives - the MPs - to attend parliament. Whether or not elections, as opposed to the selection of representative took place, and if so, how often, and

(University of California Press, 1994); G. Dodd, 'A Parliament Full of Rats? Piers Plowman and the Good Parliament of 1376', *Institute of Historical Research*, lxxix (2004), 21-49.

⁸ See Introduction, pp. 11-12 for a more detailed discussion on the historiographical debates surrounding the county court and community.

how many took part in the process is open to debate.⁹ Maddicott has also asked whether serving in this capacity represented, at this time, an honour or a burden.¹⁰ In fact, it could be argued that the requirement of mainpernors, or guarantors, to ensure attendance might suggest that this office was not sought after. This practice was one that appears to have originated within the county courts and was not it seems a demand of the crown.¹¹ As MPs were paid for attending parliament (on a regular basis from 1327), it may be that since this sum was collected by the sheriff from the county there was a vested interest in ensuring attendance.¹² But the evidence from Nottinghamshire, where a large percentage of MPs were belted knights, would suggest that the office was considered attractive enough to the county's élites to probably not require the 'supervisory' attendance of mainpernors. In contrast, J. S. Roskell has found that the attendance of those receiving a personal writ of summons to attend the Lords could frequently be so poor as to affect the functioning of parliament.¹³ Further evidence to support this view can be found in what has been described as the *cursus honorum* of late medieval local office holding; many of those who represented Nottinghamshire as MPs then went onto serve in one or more of the high status offices in the locality. This leads to the conclusion that parliamentary representation in Nottinghamshire does not appear to have been considered a burden. This is especially true as the fourteenth-century

⁹ Palmer suggests that the process of electing MPS was normally determined by seneschals and bailiffs: *County Courts*, p. 294; see also Introduction, pp. 11-12.

¹⁰ J. R. Maddicott, 'Parliament and the Constituencies, 1272-1377', R. G. Davis and J. H. Denton (eds.), *The English Parliament in the Middle Ages* (Manchester, 1981), pp. 61-87.

¹¹ Illsley, 'Parliamentary Elections', 24-40.

¹² MPs received 4s. a day while attending parliament, burgesses 2s.

¹³ J. S. Roskell, 'The Problem of the Attendance of the Lords in Medieval Parliaments', *BIHR* xxix (1956), 153-204, esp. p. 165.

progressed, as both parliament and its representatives came to be seen as important enough for the titled nobility to start to control them.¹⁴

The names of electors (attestors) were not recorded until 1406, but for most of the parliaments held during the period of this study, we do possess, in addition to the details of MPs themselves, the names of their mainpernors.¹⁵

This information throws light on the debate surrounding the functioning of the county court, and by extension, the historiographical debates over the county community, and the level of influence in shire politics by the titled nobility.¹⁶

Central to this debate is how inclusive the county court was in the mid fourteenth-century. Addressing the question of parliamentary elections in Lancastrian Nottinghamshire, a period when the details of electors have survived, Simon Payling notes that the vast majority of elections appear to have been uncontested, and with only a small number of attestors being recorded in these cases.¹⁷ A similar situation appears to have prevailed in neighbouring Derbyshire, where Susan Wright observes that throughout the fifteenth-century, elections appear to have been largely uncontested.¹⁸ This

¹⁴ Maddicott, 'Parliament and the Constituencies', p. 75.

¹⁵ C 219/5 contains the names of parliamentary representatives and their mainpernors for 17 of the 23 parliaments for which records survive held between 1327 and 1360. Details for the remaining 6 for Nottinghamshire are either not recorded or too faint or damaged. Derbyshire and Nottinghamshire returned separate representatives, as did Nottingham which also returned two representatives. The parliaments for which details are available are: Lincoln 19th September 1327; York 20th January 1328; Northampton 24th April 1328; Salisbury 16th October 1328; Winchester 11th March 1330; Westminster 26th November 1330; Nottingham 23rd September 1336; Westminster 26th September 1337; Northampton 26th July 1338; Westminster 13th October 1339; Westminster 3rd February 1337/8; Westminster 31/3/1348; Westminster 9th February 1350; Westminster 13th January 1352; Westminster 23rd September 1353; Westminster 5th February 1358.

¹⁶ L. Grant, 'Magnates and their Affinities in the Parliaments of 1386-1421', in R. H. Britnall and A. J. Pollard (eds.), *The McFarlane Legacy: Studies in Late Medieval Politics and Society* (Stroud, 1995), pp 127-153. Grant provides a good survey of the problems in interpreting evidence for parliamentary elections.

¹⁷ Payling, *Political Society*, pp. 158-161; see also Payling, 'The Widening Franchise: Parliamentary Elections in Lancastrian Nottinghamshire', in D. Williams (ed.), *England in the Fifteenth-century: Proceedings of the 1986 Harlaxton Symposium* (Woodbridge, 1987), pp. 172-3.

¹⁸ Wright, *Derbyshire Gentry*, p. 115.

view is also supported by M. Kishlansky who, writing of parliamentary elections in the sixteenth and seventeenth centuries, found that selection was usually based on the prevailing social hierarchies; where members of the titled nobility were present they usually determined the outcome, but elsewhere personal patronage was of prime importance.¹⁹ In the absence of extant evidence, it clearly remains a possibility that Nottinghamshire MPs were elected with the full assent and authority of those eligible to vote. But it is surely more likely that the process was probably uncontested, and that those elected reflected the existing social hierarchy in Nottinghamshire.

Whether or not the electoral process was determined by the titled nobility remains a possibility, but it should be noted that in Lancastrian Nottinghamshire, which did possess several resident magnates, Payling found that these rarely exerted their influence as far as elections were concerned.²⁰ Lacking resident members of the titled nobility, and furthermore at a time when they may not have yet taken the interest in the parliamentary process that is evident from the end of the fourteenth-century, it seems likely that parliamentary representatives for mid-fourteenth-century Nottinghamshire were generally determined amongst the leading gentry themselves.

As far as the details of mainpernors for Nottinghamshire MPs are concerned, the evidence appears to support Maddicott's view that mainpernors were often free-holders from the manor of the representative.²¹ None of the mainpernors for shire representatives appear, from extant records, in any other

¹⁹ M. A. Kishlansky, *Parliamentary Selection: Social and Political Choice in Early Modern England* (Cambridge, 1986), pp. 25, 37-8.

²⁰ Palmer has argued that elections were determined by the bailiffs and seneschals who represented magnates: Palmer, *County Court*, pp. 293-4; Payling, *Political Society*, pp. 166-7; Wright also found that magnate interference 'in Derbyshire officialdom was the exception not the rule': Wright, *Derbyshire Gentry*, p. 117.

²¹ *Ibid.*, pp. 32, 33.

official capacity within the county. It has proved possible to identify in five instances a firm local connection between a MP and their mainpernors.²² Sir Philip de Caltoft, who jointly held the manor of East Bridgford with his cousin Sir Thomas Multon, was elected to attend the Salisbury Parliament of 16 October 1328.²³ His mainpernors were Richard, son of William and Roger son of William of East Bridgford. Another example suggests that family members may have also acted as mainpernors. Sir Pagamus de Vilers, who held the manor of Kinoulton, was elected to attend the Winchester Parliament of 11 March 1330.²⁴ One of his mainpernors was Edward de Vilers who was presumably related to Sir Pagamus in some way.²⁵ The other mainpernor was John de Kinoulton. Maddicott suggests that mainpernors could be reeves or other freemen local to the representative, but that this practice had largely gone by the middle of the fourteenth-century.²⁶ The evidence for Nottinghamshire is inconclusive in this respect. Up until the Westminster Parliament of 23 September 1353, mainpernors are recorded, but for the five parliaments that were held during the period from 1353 until 1360 only the names of MPs are listed. There is however some evidence which suggests that mainpernors may not have always been manorial officials, or included those who may have been more substantial tenants resident within the manor. None of the mainpernors

²² This figure may well be considerably higher but it has proved impossible (other than these five cases) to identify a definite connection between mainpernors identified as coming from a given manor, and the MP in question: Richard Ingram for example represented the county at the 1328 Northampton parliament. His two mainpernors were both from the manor of Newthorpe, but it is not known if Ingram held the manor. After the Westminster parliament of November 1330, none of the mainpernors listed contain, as part of their names, identification with a vill or town.

²³ The lay subsidy of 1327-8 details a Philip de Caltoft residing in East Bridgford; E 179/154/4; C 219/5; *Return of the Name of Every Member*.

²⁴ *Feudal Aids, 1284-1431* (London: H.M.S.O., 6 vols., 1899-1920).

²⁵ Another possible family connection occurred in 1330, when John Beck had Edward Beck as one of his mainpernors; C 219/5.

²⁶ Maddicott, 'County Community', p. 31.

detailed acted in this capacity on more than one occasion. Peter Foun of Markham for example, attended three parliaments between 1327 and 1330, and yet on each occasion with different mainpernors.²⁷ This raises the possibility that either acting as mainpernor was a position shared between those within the manor considered to be of a suitable social standing, or perhaps that little significance was attached to it. If mainpernors were manorial reeves and bailiffs, then it would be expected that they would act in this capacity, if required, on more than one occasion. And yet all of the MPs who served on more than one occasion had different mainpernors.

But what do the names of mainpernors tell us about the functioning of the county court in particular, and the issues of the county community and the influence of the titled nobility? Peter Coss has suggested that mainpernors, who acted for chief taxers in Warwickshire in the 1320s, were substantially of the same 'élite' background as the men they stood as guarantors for.²⁸ This is clearly at variance with Maddicott's views on mainpernors. Although the evidence from Nottinghamshire is inconclusive, it does not appear to be the case that mainpernors were of the same social background as MPs, though it is possible that some, perhaps the majority, may have been members of the lesser gentry. Even if two of the guarantors appear to be from the same knighted families as those elected, and arguably therefore from the same background, the overwhelming majority do not seem to fall into this category. An explanation for this may lie with the nature of the electoral process for Nottinghamshire during the period of this study. If the majority of elections of MPs were uncontested, and probably largely free of the influence of the titled

²⁷ Lincoln 1327; York, 1328; Salisbury 1328; Westminster, 1330.

²⁸ Coss, *Origins of the English Gentry*, p. 200.

nobility, then it would seem likely that those elected would be a result of agreement amongst the Nottinghamshire county élite based upon a combination of the social hierarchy, aptitude and willingness. This may in turn have rendered the role of mainpernor to being largely 'honorific' in nature, and might explain the probable lower social background of most of those identified. One clue as to the social identity of mainpernors may lie with their role in escorting MPs to parliament. Clearly this does not preclude reeves and bailiffs, but given that the majority of MPs were belted knights, it may be that the majority of mainpernors were members of the lesser gentry, and therefore from the same broad social background. The evidence of electors for the fifteenth-century strongly suggests that the vast majority were lesser gentry in status.²⁹ If this was also true of the fourteenth-century, then it is likely that mainpernors were probably freeholders.³⁰ Gwilym Dodd has suggested that during the first two decades of the fifteenth-century, the lesser gentry may have played a role in deciding the election of MPs, possibly as the role may have been less attractive during this period.³¹ The limited nature of extant evidence relating to the electoral process in the fourteenth-century prevents any firm conclusions. But during a period which coincides with the early growth and development of parliament as an institution, and in particular to the importance and status of MPs, it is surely possible that mainpernors may have played a role in the electoral process.

²⁹ Payling, 'Widening Franchise', pp. 167-85; G. Dodd, 'Crown, Magnates and Gentry: The English Parliament, 1369-1421' unpublished Ph.D. thesis (University of York, 1998), pp. 146-8.

³⁰ A statute of 1329-30 defined the franchise as freeholders worth 40s per annum or more: Payling, *Political Society*, p. 158.

³¹ Dodd, 'Crown, Magnates', p. 147.

2.3.1 Knights of the Shire

Those who were elected to represent the community of Nottinghamshire were overwhelmingly from the same category of local men who held the other principal offices and commissions within the county. Twenty-one of the thirty five individuals (60%) who were elected to attend parliament between 1327 and 1360 were belted knights. The picture for Lancastrian Nottinghamshire is broadly similar with 73% of parliamentary representatives being belted knights or distrainees.³² G. Holmes has shown that thirty-nine of the seventy-two (54%) who attended the Good Parliament in 1376 were knights, whilst N. Saul, looking at fourteenth-century Gloucestershire, has found that about 50% of those elected to serve were knights, a percentage which increased towards the end of the century.³³ However, there were clearly variations: Naughton's study of thirteenth and fourteenth-century Bedfordshire has found that the percentage of known, or those suspected of being, knights who were elected as MPs was 84%.³⁴ What is of significance, and is mirrored in the domination of the office of MP by knights, is that there is no obvious trend towards a higher percentage of belted knights in Nottinghamshire holding office over time. As with those who held the office of sheriff, MPs were men who were predominately knighted, and with the exception of the 1330s, continued to be so throughout the period 1327-1360.³⁵ Saul found that in the 1330s in

³² Payling, *Political Society*, p. 111. Payling found that between 1399-1461 38 different men were elected to parliament. Of these 16 were from the gentry élite, and 12 were lesser knights and distrainees. The remaining 10 were of the lesser squirearchy (4) or from other counties (6).

³³ G. Holmes, *The Good Parliament* (Oxford, 1965), pp. 134-135; Saul, *Knights and Esquires*, p. 120.

³⁴ Naughton, *Gentry of Bedfordshire*, p. 49.

³⁵ Saul, *Knights and Esquires*, p. 119. The evidence also suggests that knights dominated in the period 1300-1327 and from 1360-1380.

particular a 'large number of very humble men who seem to have held no manorial rights at all' were elected to parliament, and that it was only towards the 1390s that richer, local men came to dominate the position of MP.³⁶ Although the 1330s does have the lowest percentage of knights elected as MPs in Nottinghamshire, at least nine out of the sixteen individuals (56%) are known to have been a knight, which is only fractionally down from the average figure for the whole period 1327-1360 of 60 percent.³⁷ In addition, those who do not appear to have been of knightly status hardly appear to fall in the 'humble' category. Of these nine, one was a sheriff, one a justice in eyre, and five justices of the peace.³⁸ One possible explanation for this relative decline in the number of knights holding office in the 1330s may lie with national politics, and how this could affect local government. Saul has demonstrated in relation to the Good Parliament of 1376, that local political issues could not only be raised in the commons, but could become enmeshed in national politics, particularly at times of crown weakness and unpopularity.³⁹ But as we have seen in respect to the office of sheriff in Nottinghamshire, which also saw a decline in the status of those holding this office during the same period, this may be due to the demands of the crown towards knights for service in its campaigns in Scotland.⁴⁰

In other respects, Nottinghamshire MPs broadly mirror those of other counties. Whether or not the election to parliament as an MP during the

³⁶ *Ibid.*, p. 121.

³⁷ *Ibid.*, p. 125.

³⁸ John de Oxenford was sheriff in 1334 and again in 1336; Thomas de Ratcliffe was justice in eyre; Roger Verdon, William Gotham, William Trussebutt and William Wakebrigg were all keepers of the peace.

³⁹ N. Saul, 'Local Politics and the Good Parliament', in T. Pollard (ed.), *Property and Politics: Essays in Later Medieval English History* (Gloucester, 1984), pp. 156-171.

⁴⁰ See chapter 1, p. 22-33.

fourteenth-century represented part of a *cursus honorum* for the most important positions of local office-holding is open to debate. Saul notes that in fourteenth-century Gloucestershire, a considerably larger number of MPs 'used' the position as a stepping stone to becoming sheriff.⁴¹ In Nottinghamshire a different situation existed which suggests that there were shire or regional variations. Of the eleven sheriffs who also served as MPs, six were appointed as sheriff before sitting in parliament, and of these, only one, Sir Giles Meynell, was elected within a year of his appointment.⁴² (This case is interesting in another respect, as Meynell was a member of the Derbyshire gentry, yet represented Nottinghamshire in parliament.)⁴³ Also in contrast to the situation in Gloucestershire, only five went on to become sheriff, and of these, only one (Sir Robert Jorce) became sheriff within a year of sitting in parliament. In other words, of the thirty-five individuals who served as MPs between 1327 and 1360, only five (14%) may have viewed this as a route to becoming sheriff. Yet of the twenty-one sheriffs during the same period, six (28%) went onto become MPs. Gorski found that for the whole of England for the period 1300-1400, 277 sheriffs had been elected as MPs before being appointed to the shrievalty; seventy-five were elected in the same year as their appointment as sheriff; and 404 went onto become an MP after being appointed

⁴¹ Saul, *Knights and Esquires*, pp. 127-8. Saul found that between 1300 and 1400 three sheriffs became MPs for the first time shortly after completing their terms of sheriff, but that eleven became sheriff shortly after sitting in parliament; Naughton in her study of Bedfordshire only details that three individuals out of thirty-seven who held office in addition to being an MP were also sheriffs: Naughton, *Gentry of Bedfordshire*, p 49.

⁴² The Meynells are described as a Derbyshire family by Susan Wright in her study of the gentry of fifteenth-century Derbyshire: Wright, *Derbyshire Gentry*, pp. 42, 66.

⁴³ Although Nottinghamshire and Derbyshire had a joint shrievalty, they elected their own parliamentary representatives. It is probable that Meynell held land in Nottinghamshire. There is a reference to a Sir Hugh Meynell holding land in south Nottinghamshire in the 1350s: Notts, *IPM, 1350-1436*, pp. 12-13.

as sheriff.⁴⁴ Evidence from the fifteenth-century, seems to suggest that variations between counties continued, but that the election as an MP was for most seen as a stepping stone to the offices of sheriff, JP and escheator.⁴⁵ What the finding of this study suggests is that it may be premature to talk of a clearly defined *cursus honorum* in relation to the most important offices of local government in the fourteenth-century. And that even when there does appear to be a more clearly identifiable pattern in the fifteenth-century, there is evidence of variations between counties.

That not all of those who represented the county were necessarily elected may be inferred by the number of sheriffs (who were required by the crown to act as returning officer) who served as MPs whilst simultaneously holding the shrievalty. This does not of course preclude the possibility that they were elected even if acting as returning officer. Nationally, the issue was first raised in parliament in 1339, though it was not until the Ordinance of 1372 that sheriffs and lawyers were prohibited from simultaneously being elected to parliament.⁴⁶ In the case of Nottinghamshire, six serving sheriffs were elected to attend parliament between 1327 and 1360.⁴⁷ However, with the exception of John Oxenford (who will be discussed in detail later), there is no evidence of

⁴⁴ Gorski, *Fourteenth-Century Sheriff*, p. 147.

⁴⁵ Acheson suggests that majority of MPs for Leicestershire in the fifteenth-century had previous experience in local government, but that electoral success in the county court was 'an early stepping stone to further advancement': Acheson, *Gentry Community*, p. 124; Wright found a similar situation in Derbyshire, but did not find any clear evidence of a preference for those with previous experience in local government: Wright, *Derbyshire Gentry*, p. 113; Payling has also identified 'something of a *cursus honorum*' for Nottinghamshire with 27 out of 38 MPs having no previous experience in local government: Payling, *Political Society*, p. 114.

⁴⁶ K. L. Wood-Legh, 'Sheriffs, Lawyers and Belted Knights in the Parliaments of Edward III', *EHR*, xlv (1931), 372-388, esp. p. 373.

⁴⁷ Sir Robert Ingram, Sir Robert Jorce, Sir John Bret, John Oxenford, Sir John Muster, Sir John Vaux and Robert Morton; *Return of the Name of Every Member*.

any complaints about this process nor is there any obvious pattern.⁴⁸ The first example occurs in 1328 when Sir Robert Ingram, who had two spells as sheriff, was also elected to attend two parliaments in the same year. And in 1361 the sheriff, Robert Morton, also attended the parliament of that year.

Although a small number of men were elected as MPs on multiple occasions, the majority (71%) were elected only once or twice.⁴⁹ The 'pool' of those who did serve as MPs varied little during the period of this study, and indeed for twenty years beyond until 1380.⁵⁰ Although few could match the length and variety of service of Sir Geoffrey Staunton, most, like him, held office in addition to representing the shire in parliament.⁵¹ This strongly suggests that throughout the period 1327-1360, the holders of the higher positions of local government within the shire were largely in the hands of a small pool of men usually with the experience of holding more than one form of office.

Evidence that may throw light on the functioning of the county court, and the extent of the influence of the titled nobility on local politics can be found in the case of John de Oxenford.⁵² Oxenford's first election as an MP for

⁴⁸ For examples of complaints about corruption of the electoral process, see Ormrod, *Reign of Edward III*, pp. 153-4. There is no evidence relating to Nottinghamshire of complaints about the election of sheriffs, or their friends during this period.

⁴⁹ Sir Richard Grey of Landeford served on seven occasions between 1352 and 1361, and Sir Richard Strelley six times between 1335-8. A further three served on five occasions, between 1327-1338: *Return of the Name of Every Member*, p x..

⁵⁰ A rough calculation, which includes as separate individuals those who attended parliament in different decades, suggests that the ratio of individuals to parliaments held in each decade varied little: 1327-1330, 7 parliaments attended by 5 different individuals; 1330s 18 parliaments, 17 individuals; 1340s 10 parliaments 12 individuals; 1350 (which include three parliaments at which only 1 representative attended); 1360s 8 parliaments, 7 individuals; and 1370s 9 parliaments and 10 individuals.

⁵¹ Staunton, in addition to attending parliament on three occasions in the 1340s, also sat on commissions of the peace, labourers, array, and subsidy during the 1350s and 1360s.

⁵² What follows is based upon an analysis of Maddicott, 'Birth and Setting', 276-99; Sir John Shoreditch was made a baron of the exchequer in November 1336, and appointed to the king's council in Gascony in September 1343. He was murdered by his servants in 1345: R. M. Haines, 'Shoreditch, Sir John (d. 1345)', *Oxford Dictionary of National Biography* (Oxford

Nottinghamshire occurred in 1332, some two years before he was first appointed as sheriff for Nottinghamshire and Derbyshire. Maddicott suggests that Oxenford's rise from humble obscurity appears to have been the result of the patronage of his step-father, Sir John de Shoreditch, a baron of the exchequer.⁵³ There is no evidence that Oxenford was connected with the affinity of a member of the titled nobility, and similarly there is no evidence that Shoreditch held land in Nottinghamshire.⁵⁴ If Oxenford's election in 1332 was as a result of the direct intervention of Shoreditch, then it may have been that Shoreditch's status as a prominent diplomat for Edward III was sufficient to persuade the county court to accept Oxenford. Maddicott has also identified that Oxenford moved to Nottinghamshire from Oxford and was therefore an 'outsider', who, moreover acquired his modest wealth through marriage to a local widow.⁵⁵ But Oxenford was not the only individual who could be classed as being an 'outsider' who represented the county in parliament.⁵⁶ Having achieved the success and status attached to parliamentary representation, Oxenford is surely a prime example of a 'rising man' using the office of MP as a means for further advancement.⁵⁷

Important though Oxenford's election was, it must be placed within a

University Press, 2004) <http://www.oxforddnb.com> accessed 29 May 2007; H. G. Richardson and G. O. Sayles, *The English Parliament in the Middle Ages* (Gloucester, 1981), p. 383.

⁵³ See chapter 1, p. 25.

⁵⁴ A John Shoreditch was appointed as a commissioner of array for Nottinghamshire on 25 August 1337; John Oxenford was associated with the commission as sheriff: *CCR, 1333-1337*, p. 161.

⁵⁵ It is not known when Oxenford moved from Oxford to Nottinghamshire, but he is recorded in the 1327 lay subsidy: Maddicott, 'Birth and Setting', p. 288; for office holding in another county see Gorski, *Fourteenth-Century Sheriff*, pp. 58-62, 162-9.

⁵⁶ Sir Henry de Faucomberg, a Yorkshire knight, represented Nottinghamshire at parliament twice in 1328; the Derbyshire knight Giles Meynill served in 1339 and 1340; and another Derbyshire man, Thomas de Ashbourne served in 1340: *Return of the name of Every Member*.

⁵⁷ Payling felt that in the early fifteenth-century the election as an MP was confirmation of the status of the county élite, but for rising men such as Oxenford it granted more immediate benefits: S. J. Payling, 'Identifiable Motives for Election to Parliament in the Reign of Henry VI: The Operation of Public and Private Factors', in L. Clark (ed.), *The Fifteenth-century* (Woodbridge, 2006), pp. 89-106, esp. pp. 91-2.

broader context. Oxenford's two terms as sheriff, the first of which started in July 1334, began a period of nearly four years when the sheriff of Nottinghamshire and Derbyshire was not of knightly status, which to a lesser extent is also mirrored by those elected to serve in parliament. Oxenford was replaced as sheriff by Sir Thomas de Beckering in June 1335, before Oxenford was appointed again in March 1336, serving until March 1339. During this period, a total of nine parliaments were held, which required a total of eighteen representatives to be elected for Nottinghamshire. Of these, only six (33%) can be confirmed as being of knightly status. Oxenford on three occasions was among the twelve who were almost certainly not of knightly status. This contrasts with the period after Oxenford's terms as sheriff. In the nine parliaments after Oxenford's second term as sheriff (that is, after 1339), only three (16%) of the eighteen parliamentary representatives were not belted knights. It is entirely probable that the decline in the number of knights holding high office in the localities during the 1330s was in part at least due to the requirements of Edward III's wars against Scotland from 1333, and from 1337, France. However, it should be noted that Oxenford's first election as an MP was in 1332, a year before Edward III's first Scottish campaign in that decade. In this instance at least it seems that it was not the absence of Nottinghamshire's gentry elite on military service that allowed Oxenford to gain high office. The fact that Saul identified a similar situation in Gloucestershire in the 1330s strongly suggests that this was not unique to Nottinghamshire. Although it does cast some doubt over the desirability of the position of MP during this period, it is more likely to be the result of a combination of factors. Edward III's focus on foreign issues at the expense of

domestic governance may well have allowed individuals such as Oxenford to be appointed as sheriff. The higher percentage of 'lower status' parliamentary representatives for Nottinghamshire during most of the 1330s can probably be explained by the importance of the role played by the sheriff in the electoral process, together with an absence due to military service of many knights who had previously dominated parliamentary representation, and who were to continue to do so again from 1339. The domestic 'crisis' faced by Edward III in 1340-1 led to a determined effort by the crown to deal with corruption in local government, which uncovered the criminal activities of sheriffs such as John Oxenford.⁵⁸

Oxenford's well documented criminal activities when sheriff - which were the subject of a 1341 trailbaston commission - raise more questions. Maddicott argues that Oxenford had probably been able to repress any complaints (in the form of petitions) at the time he was sheriff, returned himself as MP, and was therefore not elected freely by the county court.⁵⁹ If the election of MPs was, as required, in a full county court, with the assent of 'the whole community of all faithful men' how was it possible for Oxenford to be re-elected to parliament in 1334, 1336, 1337 and 1338 if his criminal activities had rendered him so unpopular?⁶⁰ Oxenford's alleged crimes may be exaggerated; or they may not have been deemed unacceptable by his electors. As we have seen, Nottinghamshire MPs were - apart from the four years Oxenford was sheriff - dominated by the principal local landowners, most of who were belted knights. The answer may lie with a possible connection between Oxenford and three members of powerful gentry families: Ralph

⁵⁸ Gorski, *Fourteenth-Century Sheriff*, pp. 119-25.

⁵⁹ Maddicott, 'Birth and Setting', pp. 288-91.

⁶⁰ Ormrod, *Reign of Edward III*, p 153.

Cromwell, Roger Bellers and John de Folville, who together paid Oxenford's fine for outlawry in 1342.⁶¹ This relationship clearly casts doubt on Maddicott's belief that Oxenford, as sheriff, elected himself to parliament; in all probability, despite his humble origins and alleged 'outsider' status, Oxenford seems to have had the support of powerful members of the gentry élite within Nottinghamshire.

It should also be remembered that sandwiched between Oxenford's two terms as sheriff was Sir Thomas de Beckering. Unlike Oxenford, Beckering was a knight of an old established family.⁶² Like Oxenford however, Beckering's term as sheriff was marked by personal criminal activity, which although eventually leading to his arrest and imprisonment, did not prevent him from being elected to parliament. But if the possible link between Beckering and Henry Grosmont, duke of Lancaster, and the more certain one between Thomas of Lancaster and Sir John Bret, who served as an MP on four occasions between 1332 and 1335, is also taken into account, then it may be that for a brief period at least, the influences of members of the titled nobility may have been responsible for the appointment and protection of at least two men.⁶³ The evidence for Nottinghamshire of magnate influence upon the election of parliamentary representatives suggests that this was minimal. This may be, as Maddicott has suggested, that it was not until the latter part of the fourteenth-century that magnates considered parliament as an institution to be

⁶¹ *CPR, 1340-1343*, p. 473. This possible relationship is discussed in more detail in chapter 3, p. 141.

⁶² See Payling, *Political Society*, pp. 15, 39.

⁶³ For the possible link between Beckering and the duke of Lancaster, see Chapter 1, pp. 25-27. Sir John Bret and Thomas de Longvillers are listed by Maddicott as being retained by Thomas of Lancaster. Thomas Longvillers was an MP for Nottinghamshire in 1319: J. R. Maddicott, *Thomas of Lancaster, 1307-1322* (Oxford, 1970), pp. 45, 64.

worth interfering in the electoral process.⁶⁴ But as Grant has identified, even at the end of the fourteenth-century, clear evidence of the interference by the titled nobility in the election of MPs is limited, an observation which is also borne out by fifteenth-century county studies.⁶⁵ For a county seemingly lacking a resident magnate, and with little evidence of substantial landholding by the titled nobility, it is perhaps not surprising that the overwhelming majority of Nottinghamshire parliamentary representatives appear to have been determined without outside interference.⁶⁶

2.3.2 The Peerage

The political significance to both the locality and national politics of MPs should not overshadow that of the personal writs of summons issued by the crown to selected members of the titled nobility. These invitations were, during the course of the fourteenth and fifteenth-centuries, to define what was to become known as the peerage.⁶⁷ Although Nottinghamshire appears to have been a county without resident magnates, it did contain resident families of the titled nobility, as well as those who were non-resident but who held land within

⁶⁴ Maddicott, 'Parliament and the Constituencies', p. 75.

⁶⁵ Grant looked at parliaments held between 1386 and 1421, estimating that some 14% of knights of the shire were retained by members of the peerage: Grant, 'Magnates and the Affinities', pp. 134-5; Wright found that in fifteenth-century Derbyshire magnate interference in the electoral process was the exception rather than the rule: Wright, *Derbyshire Gentry*, p. 117; Payling also argues that magnate influence was rare, and was in any event dependant upon the agreement of the leading gentry families: Payling, *Political Society*, pp. 109-56, 158-67; Saul found in fourteenth-century Gloucestershire 'prominent magnates may have helped to secure the election of some of their clients', but that this may have been with the agreement of the electors as it gave them access to someone of power: Saul, *Knights and Esquires*, p. 123.

⁶⁶ Magnate landholding will be discussed in chapter 4. There is little evidence that this was on a substantial level in Nottinghamshire.

⁶⁷ For the development of the peerage, see K. B. McFarlane, *The Nobility of Later Medieval England: The Ford Lectures for 1953 and Related studies* (Oxford, 1973); Given-Wilson, *English Nobility*.

the county.⁶⁸ Taken together, these families constituted a powerful regional network of landholders. In Nottinghamshire, and perhaps elsewhere in the East Midlands, they may have fulfilled - in part at least - some of the role of 'the ordering of social and political relationships among the gentry', undertaken by magnates such as the earls and dukes of Lancaster.⁶⁹ Although landholding by resident and non-resident members of the lay and ecclesiastical nobility will be addressed in chapter four, it is worth noting that Nottinghamshire appears to have been little affected by the significant changes in lordship resulting from the political upheavals of 1327-1330.⁷⁰ This, when coupled with what appears to have been a high level of church and ecclesiastical landholding within the county, suggests at least in terms of lordship, a degree of stability existed. The extent and nature of possible formal relationships between magnates and the titled nobility within the East Midlands is more problematic due to our limited knowledge of the composition of the affinities of most titled nobles. Simon Walker has identified that one of these 'regional' nobles, Lord John Ros, was one of the duke of Lancaster's (John of Gaunt) most senior retainers, and that Lord Ros's father, Lord John Ros (d. 1338) also held both land and local office in Nottinghamshire, and also received writs to attend parliament.⁷¹ However, there is no evidence that Lord Ros senior was retained by the duchy of Lancaster during the period of this study, or indeed that any of the other nobles who received writs of summons

⁶⁸ Magnate and landholding by the titled nobility will be addressed in detail in chapter 4.

⁶⁹ Carpenter, *Locality and Polity*, p. 345.

⁷⁰ See J. S. Bothwell, *Edward III and the English Peerage: Royal Patronage, Social Mobility and Political Control in Fourteenth-Century England* (Woodbridge, 2004) and by the same author 'Edward III, The English Peerage, and the 1337 Earls' in J. S. Bothwell (ed.), *The Age of Edward III* (Woodbridge, 2002), pp. 35-52.

⁷¹ S. K. Walker, *The Lancastrian Affinity 1361-1399* (Oxford, 1990), pp. 26-7; C. McNamee, 'Ros, William de, First Lord Ros (c.1255-1316)', *Oxford Dictionary National Biography* (Oxford, 2004), <http://oxforddnb.com> accessed 22 February 2007.

were formally attached to the duchy of Lancaster or to any other magnate.⁷² Not all such families received writs to attend parliament. One such was Sir Adam Everingham of Laxton (d. 1387, aged c.80), who held several manors within Nottinghamshire including the barony of Shelford. And yet despite holding land in several neighbouring counties, and a record of almost continuous military service for the crown from 1333 to 1360, which twice included service in the retinue of the earl of Derby, Everingham was only summoned to Parliament for the first time during the reign of Edward III in 1371.⁷³ What is also interesting in the case of Everingham is that he was also retained by Thomas, earl of Lancaster, which suggests that even the most powerful of titled nobles may not have been able to secure a summons to parliament for a retainer.⁷⁴

One of the dangers of adopting an analysis of politics in the locality defined strictly by county borders can be seen by looking at those who received a personal summons to attend parliament. For the period 1327-1360, only three individuals from the nobility who received a writ can, with reasonable confidence, be considered to have been resident in Nottinghamshire.⁷⁵ And yet if we include those peers who were not resident, but who held land within the

⁷² Although there is no evidence of any formal connection, Sir Robert Pierrepont, who received two summonses to parliament, held the manor of Holme Pierrepont of the duchy of Lancaster.

⁷³ *Complete Peerage*, vol. v, pp. 189-190.

⁷⁴ Maddicott, *Thomas of Lancaster*, p. 45; for writs see: *A Perfect Copy of All Summons of the Nobility to the Great Councils and Parliaments of the Realm*, ed. W. A. Dugdale (London, 1685).

⁷⁵ These were John Lord Cromwell, a steward of Edward II's household, who was summoned to parliament from 1308 until his death in 1335: Payling, *Political Society*, p. 95; Sir William Deincourt who was summoned throughout this period; Sir Robert Pierrepont, received one summons in 1333: *Reports for the Lords Committee Touching the Dignity of a Peer of the Realm*, vol. iv; Sir Richard II and his son Sir Richard III de Willoughby also received writs in their capacities as judges. Sir Adam de Everingham of Laxton had received summonses to parliament during the reign of Edward II, but following his support of Thomas of Lancaster, he was taken prisoner at Boroughbridge. The next Sir Adam did not receive a writ until 1371: *Complete Peerage*, vol. v, pp. 189-90; Brown, *Nottingham Worthies*, pp. 53-5.

county, then a different picture emerges.⁷⁶ Lord Grey of Codnor was resident in Derbyshire, but held land in Nottinghamshire, and served as a justice on a number of commissions within Nottinghamshire. This was also the case with Lord John Ros of Helmsley, whose principal land holding was in Yorkshire and Leicestershire. Not all of those who held land in Nottinghamshire, and were summoned to parliament, also took part in the formal political process of governance within the county. Sir Thomas Furnivall the elder, Lord of Hallomshire in Yorkshire, and his son Sir Thomas between them received writs throughout the whole of this period. Yet despite holding the manor of Worksop in Nottinghamshire, there is no evidence that they were engaged in any of the offices of local government within Nottinghamshire. The same is true of Sir John Tiptoft (d. 1367), who held the manor of Langar and Barnstone. In both cases it is important to stress that this does not of course equate to a lack of lordship within the locality; both Furnivall and Tiptoft were lords of several manors within the county, and as peers, were individuals with an authority in the locality commensurate with their status. However, Tiptoft's principal landholding appears to have been in Worcestershire, which when coupled with his lengthy military career could easily explain why there is no evidence that – unlike his grandfather – he was involved in the formal governance of Nottinghamshire.⁷⁷

⁷⁶ For an analysis of the baronage in fifteenth-century Nottinghamshire, see Payling, *Political Society*, pp. 87-108. Payling identified four baronial families who held land in Nottinghamshire, and who played a significant role in politics. Three of these, the Greys of Codnor (Derbyshire), Cromwells of Tattershall (Lincolnshire) and Ros of Helmsley (Yorkshire) and Belvoir (Leicestershire) were also prominent families in the fourteenth-century.

⁷⁷ McFarlane, *Nobility of Later Medieval England*, pp. 46, 233; See A. Ayton, *Knights and Warhorses: Military Service and the English Aristocracy Under Edward III* (Woodbridge, 1994): for references to Tiptoft's military career; *Complete Peerage*, vol. xii, pp. 91-7: Lord John Tiptoft's grandfather, Lord Robert Tiptoft (d. 1298), appears to have played a much greater role in the governance of Nottinghamshire, having been appointed constable of

2.4 Petitions to the Crown

Petitions to the crown from individuals, institutions, vills, towns and the community of the shire played an important part in the development and course of national politics in England in the later Middle Ages.⁷⁸ They enabled the localities to raise a wide range of issues of concern with the crown, and thus throw important light on the functioning of government – in all of its various forms – and the relationship between the crown and the provinces.⁷⁹ Dodd has shown that most private petitions are likely to have been formally composed (probably by royal clerks) and presented to the king and council by the petitioners themselves, who would be on hand in the event of the crown requiring additional information.⁸⁰ Petitions presented in the name of the community of the realm were composed by MPs during parliamentary sessions.⁸¹ Numerically, the number of petitions from Nottinghamshire was at its highest level in the 1320s and 1330s, and then declines dramatically in the 1340s before virtually ceasing altogether in the 1350s and 1360s, a fall which mirrors national trends.⁸² Of the seventy-one petitions analysed, ten can be

Nottingham castle, keeper of the town of Nottingham, and keeper of the royal hunting lodge at Bestwood (Sherwood Forest).

⁷⁸ This survey draws on the SC 8 class of petitions contained in The National Archives (TNA). The best study on private petitions is Dodd, *Justice and Grace*.

⁷⁹ This chapter will discuss those petitions that specifically relate to the relationship between the crown and the locality: petitions on issues of law and order and property will be discussed in subsequent chapters.

⁸⁰ Dodd, *Justice and Grace*, pp. 297-316.

⁸¹ *Ibid.*, pp. 128-41. The vast majority of extant petitions consulted for this survey are private petitions.

⁸² This decline may, in part be due to a loss of records as well as the diminishing of private petitions: see Dodd, *Justice and Grace*, pp. 1-15 and by the same author, 'The Hidden Presence: Parliament and the Private Petition in the Fourteenth-century', in A. Musson (ed.), *Expectations of the Law in the Middle Ages* (Woodbridge, 2001), pp. 135-49. Problems with establishing a precise date for some petitions mean that a number can only be given a broad timeframe. Some of those included as part of this analysis may, therefore, be describing events that may have fallen substantially before 1327, the starting date of this study. The breakdown by decade for petitions is: 1320s 28 petitions; (39%), 1330s 26 petitions (36%); 1340s 12

described as being communal in nature, coming from vills, towns and on behalf of the county of Nottinghamshire. These include two joint petitions from Nottinghamshire and Derbyshire, and one in the name of the 'commons' of Nottinghamshire, Derbyshire and Yorkshire. Of the remaining sixty-one petitions, the vast majority are from a single named individual, but there are also petitions from a varying number of individuals as well as religious institutions. Petitions from individual clerics or ecclesiastical institutions account for some twenty-one percent of all petitions, the vast majority of which concern the protection of property rights.

The extant petitions from Nottinghamshire address a wide range of subjects. Some 33% relate to criminal activity, of which half are those seeking pardons for a wide range of offences. Property disputes account for 17%, and 30% can be said to relate to aspects of government such as repaying loans to the crown and the functioning of the shrievalty. Even the three petitions (4%) that do not fall into any of these categories still have a clear link to central government. The Bishop of Lincoln's 1327 petition requesting permission to extend the time of his fairs in Newark and Banbury still needed the permission of the crown, as did Benet de Normanton, a chancery clerk, who in 1350 sought permission to establish a chantry in Morton.⁸³ What these two examples illustrate is firstly the remarkable extent of the crown's control over the localities, but secondly, that by means of petitioning an effective channel of communication existed for the localities to raise issues directly with the crown. What then do the petitions from Nottinghamshire tell us about governance in the locality, and the relationship between the centre and the locality?

petitions (17%); 1350s 3 petitions (4%); and 1360s 2 petitions (3%). These figures are for all petitions.

⁸³ SC 8/18/877; SC 8/194/9690.

A good example of the nature of the relationship between local government and the crown is to be found in two petitions: one from prisoners in Nottingham gaol of c.1330, and a second dating from 1335-1336 from William Eland, Constable of Nottingham castle.⁸⁴ The petition from the prisoners requests that justices be appointed as they were dying of hunger and privation as a result of overcrowding, and the long period since the last visit of gaol delivery justices.⁸⁵ It would seem likely that the petition had the desired effect, as the next visitation (which may have already been in progress) dealt with those who had submitted the petition.⁸⁶ What is clearly of interest is that the right to petition for the king's grace extended to those awaiting the king's justice, and furthermore, that they received a swift response. It is interesting that the prisoners' petition makes no mention of the state of Nottingham gaol, the subject of William Eland's petition to the crown. Among six points Eland addresses to the king and council are three which relate to the state of repair of the castle, and in particular, the hall, which 'as the king has seen' is described as being on the point of collapse, and that a previous order by the king to repair it has had no effect. The reference to Edward III having seen the state of the hall probably relates to a great council held in Nottingham in September 1336. The mention in Eland's petition to a previous instruction by Edward III may relate to a letter recorded in the Close Rolls, dated 1 June 1327, which instructs the sheriff (Sir Robert Ingram) to repair the king's gaol and hall of pleas as the

⁸⁴The author is grateful to Dr David Crook for the use of his unpublished paper 'A Petition from the Prisoners in Nottingham Gaol, c.1330': the petition in question is SC 8/65/3213; for the petition from William Eland see SC 8/202/10098. William Eland was rewarded for his role in the 1330 'coup' at Nottingham castle against Roger Mortimer by being made constable of the castle as well as receiving the bailiwick of the honour of Peverel: C. Shenton, 'Edward III and the Coup of 1330', in J. S. Bothwell (ed.), *The Age of Edward III* (Woodbridge, 2001), p. 20.

⁸⁵ Crook, 'Petition from the Prisoners', p. 1.

⁸⁶ *Ibid.*, pp. 6-7.

king understands that both are 'so insecure and ruinous that prisoners cannot be kept safely in gaol, or pleas held until repaired'.⁸⁷ The situation, at least as far as the hall of pleas is concerned, had clearly not been remedied by 1330, as another Close Roll entry instructs that payment is made to the sheriff, Sir Edmund Cressy, for repairs of house for sessions of the eyre which he had made from his own pocket.⁸⁸ And yet two years later, in January 1332, letters to the sheriff and keeper of Sherwood forest are both concerned with addressing the same problem. The sheriff (Sir Robert Jorce) is authorised to spend up to twenty marks to repair the hall where pleas are heard, and Ralph Nevill, keeper of the forest, is instructed to provide the sheriff with wood from Sherwood Forest for the repairs.⁸⁹ Thus, it would seem that although repairs to the gaol had been undertaken, presumably at sometime between 1327 and 1330, the hall of pleas still required repairs some nine years after the king had first been made aware of the situation.

This seemingly lengthy catalogue of administrative incompetence raises a number of questions. Firstly, allowance must be made for exaggeration. Yet against this is the evidence that Edward III visited Nottingham every year from 1327 to 1337, with the exceptions of 1329 and 1333.⁹⁰ The 1327 letter from the crown includes the telling phrase 'as the king understands', which implies a lack of first-hand knowledge on the part of the crown. The possibility thus remains that the description of the gaol not being fit to hold prisoners and the hall on the verge of collapse may be exaggerations in order to prompt the

⁸⁷ CCR, 1327-1330, p. 181; the repair of royal castles was normally the responsibility of the sheriff: H.M. Cam, *The Hundred and the Hundred Rolls: An Outline of Local Government in Medieval England* (London, 1930), pp. 103-5.

⁸⁸ CCR, 1330-1333, p. 74.

⁸⁹ Ormrod, *Reign of Edward III*, p. 433.

⁹⁰ Shenton, *Itinerary of Edward III*, pp. 21-6, 29, 33-5, 62-3, 75-6, 95, 121, 131-2, 151, 160-3, 257, 287-8.

crown to authorise the necessary work. But even if there was a degree of exaggeration, this appears to have worked as far as the gaol is concerned. The prospect of a gaol within a royal castle not being able to hold prisoners may have been sufficient to ensure a relatively prompt response from central government. However, this situation may have arisen from, and been adversely affected by national politics. The period 1327-1330 was that of Edward III's minority. It is therefore entirely conceivable that the turbulent period of Queen Isabella and Roger Mortimer's rule may well have had a negative effect on the normal, more mundane procedures of government, such as authorising repairs to royal buildings, which perhaps received a lower priority due to more pressing needs. Indeed, this example may well have been typical of the relationship between the localities and the crown; in order to gain authorisation for costly repairs to essential infrastructure such as gaols and bridges, those charged with responsibility in the locality had to engage in forcing the centre to take action. And yet if the gaol was perhaps not quite as described, no doubt events such as the pardon granted to Richard Lord Grey of Codnor in March 1327 for the escape from Nottingham castle of Hugh Audele the younger, helped persuade the government into taking remedial action.⁹¹

That exaggeration may have played an important role relates to the hall of pleas in Nottingham castle, which in 1327, six years before the sheriff was instructed to organise repairs, was described as being in danger of collapse. And yet the condition of the hall does not seem to have prevented the eyre from visiting Nottingham in 1329, and again in 1330.⁹² This example also

⁹¹ *CPR, 1327-1330*, p. 69. Nottingham gaol continued to be less than secure. In 1331 the sheriff was ordered to bring back to Nottingham two men who had escaped and fled to Derby: *CPR, 1327-1330*, p. 145.

⁹² D. Crook, *Records of the General Eyre* (PRO, London, 1982), p. 185.

suggests that officials operating in the localities were severely limited in terms of available financial resources, even in matters as fundamental as repairing a gaol, and required the necessary funding from the crown. It would seem that all requests had to be made to central government, which in turn had to satisfy themselves that the work was necessary before authorising expenditure.⁹³ The instructions to the sheriff in 1332, for example, not only authorises the work to be undertaken, but stipulate how much is to be spent. However, it must be acknowledged that as a royal castle, it is unlikely that the sheriff would have independently undertaken repair work to Nottingham castle without reference to the crown. In any event, the responsibility in this case clearly lay with the constable of the castle

Further evidence that government officials in the locality may have had to use 'every trick in the book' to achieve an objective can be found in two petitions presented as being from the 'commons' of Nottinghamshire and Derbyshire. Both relate to the fee farm, the sum payable from royal interests in the shire or borough which the sheriff was required to collect and account for at the exchequer.⁹⁴ The petitions are not untypical of complaints by sheriffs over changes to the fee farm resulting from gifts of land by the crown, which in turn adversely affected sheriffs.⁹⁵ Both petitions were presented as being from the 'commons' of both counties, yet as Dodd makes clear, this did not necessarily entail a measure of deception by the petitioners.⁹⁶ It may well have been the

⁹³ Work undertaken on Nottingham castle during the reign of Edward III was clearly on the instructions of the crown: C. Drage, *Nottingham Castle: A Place Full Royal* (Nottingham, 1990), pp. 49-60.

⁹⁴ For an introduction to farms, see Jewell, *English Local Administration*, pp. 97-9.

⁹⁵ SC 8/258/12866 dated c.1360-c.1390; SC 8/218/10855 dated c.1331; according to Ormrod, petitions from the 'commons' of Nottinghamshire and Derbyshire regarding the fee farm were prominent during the reign of Edward III: Ormrod, *Reign of Edward III*, pp. 151-3.

⁹⁶ For a detailed analysis of 'common' petitions see Dodd, *Justice and Grace*, pp. 126-55.

case that the use of ‘common’ in the petitions was understood by both petitioners and the crown to refer to the small body of gentry families who constituted the pool of potential sheriffs in the shire; they were in effect the governing élite in the shire, and therefore represented the ‘common’ interest.⁹⁷ Two further petitions, dated to the same year (1331) as one of the joint Nottinghamshire and Derbyshire petitions, but this time from former sheriffs, raise the same general point concerning alleged financial losses resulting from their terms in office.⁹⁸ In both of these cases the petitions are ordered forwarded to the treasurer for further action. Unfortunately, we do not know the order in which the three petitions dated to c.1331 were submitted. It may be that the two petitions from individual former sheriffs were submitted first, and then followed by that representing the ‘commons’ of both counties which they hoped might carry more weight with the crown. It is debatable to what extent the petitions presented as being on behalf of the ‘commons’ of both counties really did represent the common views on this subject, rather than a small number of men who had served, were serving, or might in the future serve as sheriff. This again casts some doubt as to just how inclusive the county court actually was, though it should be noted that not all petitions were necessarily composed at the court.⁹⁹ This last point raises an interesting question in relation to the alleged criminal activities of two Nottinghamshire sheriffs: John Oxenford and Sir Thomas Beckering. Although it is true that both were also elected to parliament during their terms as sheriff, the

⁹⁷ *Ibid.*, pp. 150-1.

⁹⁸ SC 8/15/724 of 1331; SC 8/58/2900 of c.1331. The three sheriffs were: Sir Thomas Longvillers who was sheriff from November 1328 to November 1329; Sir John Bret, January 1330- January 1331, and Sir Robert Jorce, January 1331- February 1333. Bret also served a second term from February 1333 to January 1334: *List of Sheriffs for England and Wales*, PRO Lists and Indexes, ix (London, 1893).

⁹⁹ Dodd, *Justice and Grace*, p. 265.

opportunity for the ‘commons’ to voice a complaint against their behaviour by means of petitions submitted by MPs surely existed.¹⁰⁰ This suggests that their criminal activities may not have either been that widely known, or adversely affected a sufficient number of their peers to warrant a complaint.

The other petitions from the ‘commons’ of Nottinghamshire are perhaps more typical of what we might expect in terms of broad issues affecting a large number of people. The first, although dated before the period of this study, complains of the encroachment of the king’s highway between Kelham and Newark by the Lady of Averham, who had been illegally charging people for using the highway.¹⁰¹ The second, submitted jointly in the name of the ‘commons’ of Nottinghamshire, Derbyshire and Yorkshire, requests the appointment of justices to hear into ‘false indictments, imprisonments and extortions’ made by Sir William de Aune, constable of Tickhill castle.¹⁰² If Aune’s rule (or misrule) as constable was as the petition claimed, then the geographical extent of the honour of Tickhill’s holdings explains why the counties of Yorkshire, Nottinghamshire and Derbyshire were included in a ‘common’ petition. To what extent officials from these three shires consulted in drawing up the petition is unknown, but it is highly likely that even allowing

¹⁰⁰ Oxenford’s second term as sheriff, which ran from 24 March 1336 to 15 January 1341 coincided with five parliaments which he attended as an MP on three occasions: *List of Sheriffs*.

¹⁰¹ SC 8/8/374, dated 1324-1325. The lady of Averham was almost certainly Agnes, widow of John Sutton who held the manor. At the *IPM* held on Agnes’ death, a reference is made to the manor containing ‘a certain passage-way of the lord’s park towards Newark’: this does not seem to equate to the king’s highway: *Notts, IPM, 1321-1350*, pp. 14-6; Kelham and Averham are situated approximately a mile apart from each other, and some two miles west of Newark.

¹⁰² SC 8/64/3176, dated 1327. Sir William Aune was rewarded by Edward II for his part in the suppression of the earl of Lancaster’s 1322 rebellion: *CPR, 1321-1324*, p. 108; This association with Edward II seems to have cost him the office of constable of Tickhill castle: Bellamy, *Crime and Public Order*, p. 74; In 1327, Aune was accused of being responsible for two separate cases of theft in Yorkshire, in what appears to be ‘gang’ activity. According to Bellamy Aune became associated with the Coterel gang: *CPR, 1327-1330*, pp. 85-6; Bellamy, *Crime and Public Order*, pp. 74, 86.

for a degree of exaggeration, it did contain an element of truth.¹⁰³ What both these petitions have in common is that they clearly address issues that affected the ‘commons’.¹⁰⁴ Furthermore it does suggest that such broad issues could still be represented at the county court, even if the court was largely in the hands of a small number of men. However, with the exception of the rather dubious petitions submitted by the ‘commons’ of Nottinghamshire and Derbyshire on behalf of their sheriffs, all of the above deal with specific local issues, both within and across county borders. Although the petition relating to Aune’s misrule relates to a wide geographical area, the Averham-Kelham petition is highly localised. Since it is unlikely that this was the only example of behaviour which may have resulted in the ‘commons’ submitting a petition seeking redress, its rarity suggests that it may have had a powerful – if unknown – backer.¹⁰⁵ In other words, there is no evidence within these ‘commons’ petitions of what has been termed a county community. It should also be repeated that eighty-six percent of extant petitions from Nottinghamshire are from individuals, and of these, the vast majority relate to individual criminal or property disputes.

Not all petitions to the king were submitted through the formal process of council and parliament.¹⁰⁶ As Dodd has shown in relation to the reign of

¹⁰³ Dodd suggests that petitions lacking the backing of county MPs would be unlikely to pass through parliament: Dodd, *Justice and Grace*, pp. 258-9; The concentration of land held by the honour of Tickhill in Nottinghamshire was in the north of the county. It would therefore seem unlikely that Aune’s alleged misrule extended much beyond this area of Nottinghamshire.

¹⁰⁴ There are also three petitions from the ‘people’ or ‘commons’ of the town of Nottingham. Two of these seek relief from murage and pontage. The third complains of the actions of a verderer, and seeks his replacement; SC 8/127/6323, SC 8/65/3216 and SC 8/65/3220 respectively.

¹⁰⁵ There are no obvious connections in terms of landholding between those who acted as sheriff, or who were elected as MPs for the probable time of submission of this petition.

¹⁰⁶ The best recent study on petitions or bills submitted directly to the king is: G. Dodd, ‘Patronage, Petitions and Grace: the ‘Chamberlains’ Bills of Henry IV’s Reign’, in G. Dodd

Henry IV, such petitions or bills received directly by the king formed a substantial part of a monarch's daily work load. Given, as we have seen the frequency of Edward III's visits to Nottinghamshire, at least in the first ten years of his reign, it is frustrating that so few of this class of petitions has survived.¹⁰⁷ However, as signet letters issued by Henry IV and V suggest, the fact that a monarch happened to be in a particular locality other than Westminster cannot be taken as evidence of a preponderance of 'local issues' being raised.¹⁰⁸ However, it must also remain a possibility that the relative 'availability' of the king when visiting the county may have facilitated less formal means of communication between the locality and the monarch, particularly if some of the former were invited by Edward III to take part in hunting at Clipstone or Bestwood within Sherwood forest.

2.5 War

2.5.1 Military Service

Throughout the period of this study, Nottinghamshire avoided direct, first-hand experience of either internal civil conflict, or warfare with a foreign power.¹⁰⁹

However, as we have seen, the requirements of the crown, and how these were

and D. Biggs (eds.), *The Reign of Henry IV: Rebellion and Survival, 1403-13* (Woodbridge, 2008), pp. 105-135.

¹⁰⁷ For Edward III's itinerary see chapter 1, n. 145; Dodd, 'Patronage, Petitions', pp. 107-9.

¹⁰⁸ An examination of the signet letters of Henry IV and V suggests that wherever the king was, issues brought to his attention requiring the issuing of letters under the signet do not appear to have been specific to that physical location: *Calendar of Signet Letters of Henry IV and Henry V*, edited by J. L. Kirby (London, 1978).

¹⁰⁹ It should of course be noted that the 1330 coup against Roger Mortimer and Queen Isabella occurred at Nottingham castle. It was, however, relatively bloodless; The only battle to occur within the borders of Nottinghamshire throughout the whole of the later Middle Ages was at Stoke in 1487.

achieved in the localities meant that even if a county such as Nottinghamshire did not directly suffer the ravages of war, it was still affected by such conflicts. The period of this study includes the outbreak in 1337 of what came to be known as the Hundred Years War, and the second phase of the Scottish wars of independence (1332-1363). For the state to prosecute these conflicts it required both personnel and material support from throughout the country: in both cases Nottinghamshire contributed.¹¹⁰ There were also other ways in which warfare could affect the localities. Lawlessness by troops passing through an area, or by government purveyors of materials and the effect on merchants and alien religious orders are just a few examples, all of which can be identified as having occurred within Nottinghamshire. What then was the impact on Nottinghamshire of foreign warfare? And how involved were the political classes in Edward III's wars?

The location of direct involvement in warfare during this period by men from Nottinghamshire was to an extent defined by the river Trent. This formed the dividing line for the recruitment of men, and determined whether they served with the king's armies overseas or in defence of England against the threat of Scottish invasions.¹¹¹ Whether or not those in Nottinghamshire residing north of the Trent regarded themselves as being from the 'north' is unknown, but as Jewell suggests, it may well be that administrative changes introduced by central government proved to be stronger than the Trent was

¹¹⁰ The best introductions to the organisation of warfare in this period are H. J. Hewitt, *The Organisation of War under Edward III* (Manchester, 1966); and M. Powicke, *Military Obligation in Medieval England* (Oxford, 1962).

¹¹¹ A. Ayton, 'The English Army at Crecy' in A. Ayton and P. Preston (eds.), *The Battle of Crecy, 1346* (Woodbridge, 2005), p. 216; Hewitt, *The Organisation of War*, p. 41. In 1339, the Commons agreed that men from Derbyshire, Nottinghamshire and Yorkshire should go as far as Newcastle at the expense of their counties. It is not known if the use of the Trent as a dividing line applied before this date.

divisive.¹¹² In any event, as Ayton points out, this was not rigidly adhered to, as some examples can be found of individuals from Nottinghamshire who served with the king in France.¹¹³ Sir John Deincourt, for example, who fought with Edward III at the battle of Crécy in 1346.¹¹⁴ And Lord William Deincourt (d. 1364), who received regular writs to attend parliament and councils throughout this period, and who was one of the leading members of Nottinghamshire's county élite, was heavily involved in fighting for Edward III.¹¹⁵ Evidence that he appears to have led his own retinue to war in 1337 can be found in a protection with clause *volumus* enrolled in the Patent Rolls on 4 October 1337.¹¹⁶ Listed with Sir William Deincourt are Sir John Deincourt, William of Cossall of Muskham, Henry de Brailesford (Derbyshire), Hugh de Kegworth (Leicestershire) and John Bate. Two members of the Nottinghamshire gentry who are recorded as having fought against the Scots are William de Thorp, who received a pardon in 1331 for his military service, and Sir Robert Jorce, who was ordered to be re-instated as a coroner due to his military service with the king.¹¹⁷

In fourteenth-century Gloucestershire, Saul found evidence that less than half of the county's resident knights experienced military service, and that

¹¹² H. M. Jewell, *The North-South Divide: The Origins of Northern Consciousness in England* (Manchester, 1994), p. 24.

¹¹³ An order to the arrayers of men for Nottinghamshire to march their men to the sea in Lincolnshire to counter a feared French invasion illustrates that the Trent division could be overridden; *CCR, 1354-1360*, p. 98.

¹¹⁴ *Ibid.*, p. 247. A John Deincourt served as an MP for Nottinghamshire in 1320: *Return of the Name of Every Member*.

¹¹⁵ *Complete Peerage*, vol. iv, pp. 120-1.

¹¹⁶ *CPR, 1335-1338*, p. 539.

¹¹⁷ *CCR, 1327-1331*, p. 155. William Thorp was pardoned for his father's failure to account for lands of the Templars which were placed in his custody. William Thorp is also recorded as a justice of assize for Nottinghamshire and Derbyshire in 1347: *CCR, 1346-1349*, p. 241. Another example is that of Sir Robert Jorce, who was ordered to be reinstated as coroner in 1327 as he was with the king in Scotland: *CCR, 1327-1330*, pp. 154-6.

very few made it a profession.¹¹⁸ The evidence for Nottinghamshire is less conclusive, but may have been broadly similar.¹¹⁹ The period of this study coincides with the gradual introduction of paid or indentured military service.¹²⁰ Yet Edward III's military needs ensured that in addition to indentured troops, there was still a requirement for men to be raised through feudal obligation by means of commissioners of array. The role of commissioners of array who were appointed by the crown, was to supervise the process of training, equipping and mobilisation of acceptable men which, at the level of wapentake, vill and borough, was undertaken by constables.¹²¹ A good example for Nottinghamshire can be found in instructions dated 13 October 1341 for commissioners of array to recruit one thousand archers, and to send them to Newcastle for use against the Scots.¹²² The level of training and quality of these men may well have varied, nor is it known if all of those required actually materialised.¹²³ In addition to commissioners of array, Richard Partington has shown that part of the function of raising troops in the localities was undertaken, at least from the 1340s, by the king's sergeants-at-arms.¹²⁴ It has not proved possible to identify whether any of those retained by

¹¹⁸ Saul, *Knights and Esquires*, pp. 51-2.

¹¹⁹ In the absence of comprehensive evidence that members of Nottinghamshire knightly families did take part in military activity, a rough estimate, based upon the 45 Nottinghamshire knightly families identified by Payling (Payling, *Greater Gentry*, pp. 228-9) for the second quarter of the fourteenth-century, against known participation in local office holding, suggests that 55% held some form of office during the period of this study. Of the remaining 45% who did not take part local government, it seems reasonable to assume that a percentage probably constituted what Naughton has identified as military families: Naughton, *Gentry of Bedfordshire*, p. 7. Sir John Tiptoft may well fall into this category (see note 121). However, the case of Sir Adam de Everingham illustrates that it was clearly possible for an individual to both engage in military service for a period of time and (either before or after) hold local office.

¹²⁰ Hewitt, *Organisation of War*, pp. 33-9.

¹²¹ The background of commissioners of array and constables is discussed in chapter 1.

¹²² CCR, 1341-1343, p. 471. One of the commissioners of array was Sir Adam de Everingham

¹²³ Hewitt, *Organisation of War*, pp. 36-7.

¹²⁴ R. Partington, 'Edward III's Enforcers: the King's Sergeants-at-Arms in the Localities' in Bothwell (ed.), *Age of Edward III*, pp. 89-106.

Edward III were Nottinghamshire men, though none of those detailed by Chris Given-Wilson for the period 1360-1377 are from Nottinghamshire.¹²⁵ One possible candidate is John Churchman, who is described as a king's sergeant, and who in 1336 is given land by the king in Mansfield Woodhouse.¹²⁶

The nature of surviving evidence tends to focus on a few individuals, usually knights, when in fact numerically the largest contribution was made by those broadly classed as peasants.¹²⁷ Whether or not all of the one thousand archers to be recruited from Nottinghamshire detailed above actually arrived in Newcastle is perhaps less important than the fact that this level of contribution by the peasantry dwarfs that of the counties' gentry élite. Sadly, the identity of these individuals is rarely known. One who may fall into this category is Robert de Lenton, who was one of a number of individuals petitioning the king in 1350 for a pardon for the death of John de Swanewyke.¹²⁸ Lenton used his good service in the king's wars in France as his plea for a pardon. If Nottinghamshire was not directly subjected to the effects of warfare, there is evidence that it was close enough to the threat posed by Scotland to cause actual unrest, or that the crown considered it a possibility. In 1333 commissioners of array were granted the power to arrest any in the county who were in rebellion as a result of a feared Scottish invasion.¹²⁹

Evidence that military service may have been resented can be found in the case of an order to release five men who had been imprisoned in

¹²⁵ Given-Wilson, *Royal Household*, pp. 280-1. See also Given-Wilson's *The Court and Household of Edward III 1360-1377* Ph.D. thesis (University of St. Andrews, 1976).

¹²⁶ *CPR, 1334-1336*, p. 321.

¹²⁷ The identities of those who were contracted to serve in English armies in the Hundred Years War is now the subject of an exciting online database project being jointly undertaken by the universities of Southampton and Reading entitled 'Soldiers in Later Medieval England, 1369-1453'.

¹²⁸ SC 8/185/9212 and SC 8/190/9469.

¹²⁹ *CPR, 1330-1334*, p. 412.

Nottingham gaol for disobedience of Simon Beltoft and his fellow arrayers of men in 1327.¹³⁰ It is not known if this was for refusing to serve, attend the array, or for some misdemeanour that warranted imprisonment. One issue which caused considerable concern to contemporaries was the granting of pardons by the crown in return for military service, which was most prevalent in the 1340s and 1350s.¹³¹ A petition dated c.1334 complains of robbery committed by Roger de Wendesley, who had been imprisoned in Nottingham, but had escaped and purchased a pardon for service in the king's wars, but, it is claimed, never fought.¹³² There are however, two examples, both dated to 1342, of men from Nottinghamshire granted pardons because of service abroad.¹³³ Whether or not the comparative lack of evidence for Nottinghamshire of unrest caused by the granting of pardons, and the subsequent lawlessness of men returning from abroad reflects that this was not a major problem for the county, or that extant evidence does not reflect what may well have been an issue is not known. It is more likely that if most men were required to serve in defence of their country on the Scottish Marches, then their lack of experience of engaging in chevauchées and other free-booting activities on foreign soil may have lessened the impact of returning soldiers.

2.5.2 Purveyance

In addition to personnel, the crown also needed victuals of food, horses, and a wide range of equipment for its military campaigns. As with other counties,

¹³⁰ *CCR, 1327-1331*, p. 183.

¹³¹ See Hewitt, *Organisation of War*, pp. 173-5.

¹³² SC 8/51/2516. See also chapter 3, p. 15.

¹³³ *CCR, 1341-1343*, p. 658.

Nottinghamshire (which was grouped together for this purpose with Derbyshire), was required to provide a wide range of provisions.¹³⁴ Supplies were collected at Nottingham and Newark and transported by the Trent to Hull. The importance of the Trent for transporting supplies may be gauged by the commission appointed in 1348 to deal with an attack on a king's ship carrying supplies for Nottingham castle.¹³⁵ An example of the type and quantity of supplies Nottinghamshire was required to provide for the king's wars can be found in an order of 25 February 1339, which stipulates that the county was to provide 10,000 horse shoes and 60,000 nails.¹³⁶ However, evidence that the crown, through its agents in the localities could behave in a criminal manner with regards to the gathering of victuals, in Nottinghamshire comes largely from an admission of such from the crown itself.¹³⁷ Thomas de St. Albans, parson of Misterton church in a petition dated to c.1327, complained that the keeper of the king's horse took hay, fish and doves without consent.¹³⁸ The main source for criminal behaviour comes in the form of an instruction to the sheriff, dated 6 October 1341, ordering that a proclamation be read out listing what was not acceptable for those authorised to collect victuals.¹³⁹ The lengthy list of what is not allowed presumably details what had occurred in the past, and enables us to see the extent and nature of the problem. Apart from not paying for goods, wasting corn, and acting without the will of local lords, the proclamation details cases of rape, theft, physical attacks, extortion, and

¹³⁴ Hewitt, *Organisation of War*, p. 55.

¹³⁵ CPR, 1348-1350, p. 521.

¹³⁶ CCR, 1339-1341, p. 28; see also Hewitt, *Organisation of War*, pp. 50-74. For the 1346 Crécy campaign, Nottingham provided corn, flour, oats, salt pork, mutton, beef, cheese and peas and beans.

¹³⁷ For the widespread nature of corruption and malpractice in purveyance see Prestwich, *Armies and Warfare*, pp. 254-9.

¹³⁸ SC 8/79/3910.

¹³⁹ CCR, 1341-1343, pp. 337-8.

bringing harlots to live in churches. Coming just two years after the end of John Oxenford's second term as sheriff, the criminal behaviour of royal purveyors must have placed a great strain on the relationship between the locality and central government, a strain which nationwide was to result in the political crisis of 1340-1.

It is important to stress that although royal purveyors appears to have behaved in such a manner as to require a royal proclamation condemning their actions, the crown was far from being cut off from the localities. The use by the crown throughout the later Middle Ages of royal proclamations for propaganda purposes has been shown to have been highly effective.¹⁴⁰ And in addition, as Alison McHardy has demonstrated, the crown also employed the church to both inform and persuade its subjects of its military and political undertaking.¹⁴¹ Edward III's victory at Crécy in 1346 for example was not only the subject of official celebration, but campaign newsletters are believed to have been circulated widely throughout the country.¹⁴² Indeed, as we have seen, there existed a range of channels of communication between the crown and the localities, which included royal visits to Nottinghamshire as well as those who travelled to London.¹⁴³

¹⁴⁰ J. A. Doig, 'Political Propaganda and Royal Proclamations in Late Medieval England', *Historical Research*, lxxi (1998), 253-80.

¹⁴¹ A. K. McHardy, 'Some Reflections on Edward III's Use of Propaganda', in Bothwell (ed.), *Age of Edward III*, pp. 171-89.

¹⁴² A. Ayton, 'Crécy and the Chroniclers', in A. Ayton and P. Preston, *The Battle of Crécy, 1346* (Woodbridge, 2005), pp. 287-350, esp., 295-314.

¹⁴³ Parliament was held in Nottingham in 1336 (Ormrod, *Reign of Edward III*, p. 193), and in addition Edward III is known to have been a frequent visitor to the royal hunting lodge at Clipstone in Sherwood forest. Those from Nottinghamshire visiting London would include petitioners, and individuals involved in legal cases at the central courts as well as those involved in business with crown officials and servants. A forthcoming Lists and Indexes Society publication entitled *The Itinerary of Edward III*, was unfortunately not available for this thesis.

War also had other effects upon the locality. The German wool merchant, Godkin de Revele, petitioned the king requesting the release of his wool, which had been confiscated and held in Nottingham, as he had been judged (wrongly, or so he claimed) to have been in allegiance with the king of France.¹⁴⁴ His request was granted, but illustrates that in a time of war, genuine confusion existed, which also granted some the opportunity to exploit this confusion for personal gain. It was probably the same confusion which enabled John Oxenford's theft of victuals to go unpunished at the time. Furthermore, the limited nature of government administration probably led those like Oxenford to feel that they stood a fair chance of escaping punishment. Alien priories were also affected by England's war with France. In Nottinghamshire, the Cluniac priory at Lenton, the largest in the county and a substantial regional landholder, was taken into the king's hands. A petition from the prior Astorgius de Gorciis, dated c.1342, requested that he be allowed to hold the house as he did before it was taken into the king's hands, and complains that his position was being exploited by Sir John Tiptoft.¹⁴⁵

As a county situated broadly speaking in the centre of England, Nottinghamshire did not have to bear the brunt of Edward III's wars in the way the counties of Northumberland or Cumbria, or those of southern England did. It was comparatively remote from the harsh realities of war, and yet like all counties in England it contributed materially, financially, and provided

¹⁴⁴ SC 8/12/590.

¹⁴⁵ SC 8/124/6180; For an introduction into the seizing of alien priories by Edward III in 1337, see Ormrod, *Reign of Edward III*, pp. 118-121; P. Heath, *Church and Realm, 1272-1461* (London, 1988), pp. 112-148. The main benefit to the crown in seizing alien priories was financial. Sir John Tiptoft, a member of the titled nobility held several manors in Nottinghamshire (*Notts, IPM, 1321-1350*, pp. 28-9); Ayton describes him as having fought in France in the 1330s (Ayton, 'The English army', p. 215), and having led a retinue of nineteen men-at-arms in Scotland in 1336: Ayton, *Knights and Warhorses*, p. 154.).

manpower for royal armies. Like other counties it also suffered the abuses of overzealous or criminal purveyors, as well as, one presumes, from the behaviour of troops passing to or from the North on one of the two main routes, both of which passed through the county. Saul found no evidence in Gloucestershire that warfare during this period adversely affected local administration, which appears to have also been the case in Nottinghamshire.¹⁴⁶

2.6 Conclusion

From the late thirteenth-century, the relationship between the crown and the localities expanded to embrace a much wider section of society through the institution of parliament. For Nottinghamshire, as elsewhere, the significance of the development of parliament was that it enabled the direct involvement in the political decision making process of those beneath the ranks of the nobility, the gentry. As we have seen, MPs who were elected to represent Nottinghamshire were overwhelmingly belted knights from the same county élite as those appointed by the crown to hold the most important positions of local government. Evidence of any overt influence by the titled nobility in the election process is limited, largely due to the nature of extant records, but the limited nature of any such evidence does not automatically lead to the conclusion that Nottinghamshire's county gentry were therefore 'independent'. It should also not be forgotten that possible bastard feudal ties may have existed between members of the titled nobility such as the earls and dukes of Lancaster, and those members of the titled nobility who were resident or who

¹⁴⁶ Saul, *Knights and Esquires*, pp. 54-8.

held land within Nottinghamshire.

Involvement in politics was not restricted to belted knights or those of an equivalent status. Evidence of this can be found in the electoral process. By acting as mainpernors, or guarantors for knights of the shire, those who may be termed lesser gentry or village élites evidently played a direct part in the political process. Whether or not they played an active role in the selection of MPs is not known, but at the very least it must remain a possibility, but when taken together with other areas of involvement discussed later, represents a clear confirmation of a widening in society of those involved in politics. An important feature during this period was the emergence of parliament, and the mutually beneficial line of communication between the crown and the localities established by means of private petitions. Petitions from Nottinghamshire illustrate the wide range of issues of concern that were presented to the king and council through parliament, and also that these emanated from a broad range of local society. The vast majority were from individuals (or groups of individuals), and relate to criminal or property issues. Those that are communal in nature argue against the existence of a county community, as most are from specific geographical areas within Nottinghamshire, and are likewise concerned with 'local issues'. When petitions were presented as being in the name of the 'commons' of Nottinghamshire, there is circumstantial evidence to suggest that this may have entailed a degree of exaggeration, which in turn was a reflection of the need for petitioners to adapt to the 'process' by which petitions were handled. However, it is important not to overstate the importance of petitions, as a channel of communication between centre and locality. Although allowance should be made for the administrative loss of

private petitions, the total number of seventy-one is relatively modest, averaging just over two per year. This could be interpreted as suggesting that although this channel of communication clearly existed, it may not have been one that was as yet, widely employed.

Above all, this survey has demonstrated that in the case of Nottinghamshire, the two-way relationship between the locality and the crown was pivotal to understanding governance in the locality. Clearly in many respects the communities contained within the borders of Nottinghamshire were separate from the crown; the complex and ever changing patterns of landholding and lordship, and how this was exercised 'on the ground' can be seen as a reflection of the physical separation from the crown.¹⁴⁷ And yet it is equally clear that Nottinghamshire was not a remote island, cut off from the decisions of the crown and its apparatus of central government. The crown appointed most of the key officers of local government; it met and listened to the county's parliamentary representatives, as well as those members of the nobility who were invited attended parliament and/or Great Councils, and it received and responded to petitions that emanated from individuals or communities.¹⁴⁸ It also through its ability to grant land, wardships and title, was able to exercise considerable control of landholding, at least in respect to lay estates, though in the case of Nottinghamshire the relative stability of lordship by the nobility may have helped to facilitate communication and governance. Indeed, it is hard to find any aspect of political life in which there was not an active channel of communication between crown and the locality.

¹⁴⁷ Landholding will be discussed in chapter 4.

¹⁴⁸ Sir Adam Everingham for example did not receive a personal writ to attend parliament during the period of this study, but was summoned to attend a king's council on 20 March 1349: *The Complete Peerage*, vol. v, p. 189.

What can be said with certainty is that Nottinghamshire was not independent of the crown; the centrality of the monarch to late medieval life was not optional for the cohesiveness of society, it was integral.

CHAPTER 3

LAW AND ORDER IN SOUTH NOTTINGHAMSHIRE

3.1 Introduction

Having adopted in the first two chapters a county-wide approach to address the nature of government in Nottinghamshire, this chapter will assess the evidence of criminal behaviour and the functioning of the judicial system by focusing upon the Middleton area of south Nottinghamshire.¹ As Anthony Musson has explained, the king was, according to legal theory, the head of the judicial system, and through his coronation oath, swore to ‘uphold the laws and customs of the realm and so justice for all’.² Clearly, the crown’s response to actual or perceived criminal behaviour constitutes a vitally important aspect of the expected functions of the monarchy in the late Middle Ages. By undertaking an analysis of how it operated in a given locality, this survey will shed light upon the fundamental changes that the judicial system underwent during what is acknowledged to have been a crucial period in its evolution.³ A core aspect of this thesis is the nature of the relationship between the crown

¹ For the purpose of this study, this area will be referred to as the Middleton area, which broadly comprises south Nottinghamshire, and approximately five miles north of the river Trent. It is defined by the geographical spread of property, and other deeds contained within the Middleton collection for the period of this study (see map 2). A number of criminal cases where a combination of the accused, victim, or crime itself cross county borders have been included to illustrate that criminal behaviour was obviously not restricted by county borders. The counties involved are Derbyshire and Leicestershire.

² A. Musson, ‘Edward II: The Public and Private Faces of the Law’, in G. Dodd and A. Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 140-164, esp. p. 140.

³ The best recent survey of the developments that occurred to the English legal system during the fourteenth-century is: Musson and Ormrod, *Evolution of English Justice*; for a view that places these developments within the broader context of the growth and development of central government, see Harris, ‘Political Society’, 28-57. For further discussion on the centrality of the law to politics and medieval monarchs see Musson, *Medieval Law in Context*, pp. 3-4, 217-264; Watts, *Henry VI*, pp. 16-17; Bellamy, *Crime and Public Order*, p. 199.

and the locality. In respect of law and order, this chapter will seek to establish to what extent the provision of justice was dictated by the centre, and also to what extent it was driven by usage and demand in the locality. By focusing upon a smaller geographical area, this study will be able to undertake a more in-depth analysis of criminal behaviour than previous county based gentry studies, and the crown's response to it. This will entail looking at the evidence relating to a range of recorded crimes from a variety of sources, including the records of the judicial system and other evidence of criminal activity from both the records of central government and from the locality itself. It will seek to establish patterns of crime, and also assess the impact of major political crisis, warfare, and the Black Death on crime in the Middleton area.

R. W. Kaeuper and others have argued that the high level of warfare under successive monarchs from the late thirteenth century led to what he defined as a move from a 'law state' to a 'war state', which resulted during the fourteenth-century in the crown surrendering the administration of justice in the localities to the nobility and gentry, principally through the introduction of the office of JP.⁴ An alternative interpretation has been pioneered by Musson and W.M. Ormrod, who have argued that the fourteenth-century was a period of experimentation and evolution in the English judicial system.⁵ The evidence from the Middleton area would appear to support this latter view. For as we have already seen in relation to local government in Nottinghamshire, clear evidence of the two-way channels of communication between the crown and the locality strongly suggests that for the period of this study, there is little evidence to suggest that the crown did 'surrender' the administration of justice

⁴ Kaeuper, *War, Justice and Public Order*; For other contributors to this debate, and for a introductory summary, see Harriss, 'Political Society', 28-57, esp. pp. 28-32.

⁵ Musson and Ormrod, *Evolution of English Justice*. This title post dates Harriss' article.

to magnates.

Musson and Ormrod have also suggested that far from surrendering the provision of justice in the localities, the crown was successful in extending royal justice throughout the realm, both in terms of its scope and availability to a greater proportion of the population. These observations are strongly supported by the evidence from the Middleton area. The second issue that will be considered, and which is closely related to the 'war state/law state' debate, is whether or not the judicial system (in the localities) was subverted by the bastard feudal practice of retaining those involved in the judicial practice. There is little doubt that through the practice of retaining judges and sheriffs, and perverting the jury system both at the central courts and in the provinces, magnates were able to secure favourable outcomes on occasions.⁶ A key question is how widespread was this practice of 'maintenance', and what, if anything, can the evidence from the Middleton area reveal of this practice? As we have seen in relation to other aspects of governance in Nottinghamshire, the evidence does not suggest that magnates sought to pervert the judicial process through their affinities.⁷ However, this observation comes with a clear caveat that the limited nature of extant sources cannot preclude the possibility that this did not occur. Widespread complaints against judicial corruption in fourteenth-century England, which it is reasonable to assume also took the form of verse, such as the Tales of Robin Hood, coupled with periodic responses by the

⁶ For bastard feudalism and the law, see J. G. Bellamy, *Bastard Feudalism and the Law* (London, 1989); Musson and Ormrod, *Evolution of English Justice*, pp. 36-40, 109-110; Simon Walker found that in the Palatinate of Lancaster during the period 1370-1400, the duke of Lancaster, John of Gaunt, was quite possibly unaware of acts of lawlessness by his officials, and that the fundamental problem was 'the endemic failure of medieval rulers to control their local agents': Walker, 'Lordship and Lawlessness', p.348; Hicks, *Bastard Feudalism*, pp. 116-24, 167-70.

⁷ See also chapter 4 on landholding, which suggests that the level of magnate landholding in south Nottinghamshire appears to have been minimal, in comparison with regional and resident members of the titled nobility and gentry families.

crown, clearly demonstrate that at the very least there was a widely held perception of corruption.⁸

The evidence from the Middleton area clearly demonstrates that violent criminal behaviour occurred during the period of this study. This will be assessed against both county studies and those that address the broad nature of crime across the whole England in the late Middle Ages. J. G. Bellamy and Barbara Hanawalt for example, suggest that the level of violent crime was high, an interpretation that has been challenged over recent years.⁹ This chapter will suggest that the as far as the Middleton area is concerned, the frequency of violent crimes together with their geographical spread, broadly supports the findings of Carl Hammer and A. J. Finch who have found that such crimes may not have been quite as endemic or as uniform in their geographical spread as has previously been believed.¹⁰

As we have seen in relation to other facets of governance in Nottinghamshire, those engaged in the politics of the locality clearly embraced more than just the lay and ecclesiastical élites. It is therefore important when assessing the issues of law and order that any such analysis must seek to address the full spectrum of those who can be shown to have engaged in the legal process. Musson has challenged the previously held view that access to

⁸ The vast body of work on what may be termed the political content of literature and verse clearly demonstrates that works such as Langland's *Piers the Plowman*, and Chaucer's *Canterbury Tales* were both widely known and their 'political content' understood: see Dodd, 'Parliament Full of Rats', and S. Justice, *Writing and Rebellion: England in 1381* (University of California, 1994). A. J. Pollard has pointed out that there is 'no doubt that some [of the tales of Robin Hood] were in circulation well before 1400': A. J. Pollard, *Imaging Robin Hood: The Late-Medieval Stories in Historical Context* (London, 2004), p. 16.

⁹ Bellamy, *Crime and Public Order*, Hanawalt, *Crime and Conflict*.

¹⁰ C. I. Hammer, 'Patterns of Homicide in a Medieval Town: Fourteenth-Century Oxford', *P & P*, lxxviii (1978), 3-23; A. J. Finch, 'The Nature of Violence in the Middle Ages: An Alternative Perspective', *Historical Research*, lxx (1997), 249-268. Finch believes that Hammer's homicide rate for Oxford is too high, but agrees that vulnerability to becoming a victim was determined by age, sex, social status and geographical location: Finch, 'Nature of Violence', p. 250.

justice was largely restricted to the ruling élites by demonstrating that the crown (and in particularly Edward III), deliberately sought to make justice more inclusive by widening its scope and affordability.¹¹ It will also address the resolution of disputes - principally over the possession of property - which could take place outside of the judicial system through the practice of arbitration.

The study of crime in the Middle Ages presents a range of problems which must be addressed. Christine Carpenter, for example, has raised the point that historians need to be aware that 'modern' views on crime may not have been the same as those held in an earlier period.¹² This is a valid point, and one that equally applies to other aspects of human behaviour. There were clearly differences of attitudes and beliefs, but there is evidence to suggest there may have been similarities and that crime - actual or perceived - may have been used as a political tool in the Middle Ages in much the same way the publication of crime figures are today.¹³ One of the most significant problems lies with the sources themselves.¹⁴ Although the records for the highest courts,

¹¹ For how inclusive the justice system was, see A. Musson, 'Social Exclusivity or Justice for all? Access to Justice in Fourteenth-Century England', in R. Horrox and S. Rees Jones (eds.), *Pragmatic Utopias: Ideals and Communities, 1200-1630* (Cambridge, 2001), pp. 136-155; Musson and Ormrod, *Evolution of English Justice*, pp. 177-181. The vast majority of published county or regional studies on England in the fourteenth and fifteenth centuries have been studies of the gentry. Most of these have - to varying degrees - addressed magnate and gentry crime, but not surprisingly, given their subject, have not addressed criminal behaviour by the vast majority of the population within the whole of the county or region in question. Hanawalt's study of crime in English communities in the first half of the fourteenth-century makes an important and detailed contribution to our understanding of this subject. It is however, a broad assessment based largely upon the nature of surviving evidence, which does not include evidence from Nottinghamshire; Hanawalt, *Crime and Conflict*.

¹² C. Carpenter, 'Law, Justice and Landowners in Late Medieval England', *Law and History Review*, (1983), pp.205-237; Barbara Hanawalt makes a similar point in relation to 'modern' perceptions of what constitutes violence and that which may have existed in the late Middle Ages: B. A. Hanawalt, 'Violence in the Domestic Milieu of Late Medieval England', in R. W. Kaeuper (ed.), *Violence in Medieval Society* (Woodbridge, 2000), pp. 197-214.

¹³ Musson, *Medieval Law*, pp. 217-264; Hanawalt, *Crime and Conflict*, pp. 261-273.

¹⁴ For an introduction on the problems of extant legal records, see Hanawalt, *Crime and Conflict*, pp. 1-18.

the King's Bench and the court of the common pleas have survived, they provide little more than basic information, and very rarely an outcome. Unfortunately, although the more detailed records of eyre visitations to some counties have survived, Nottinghamshire is not among their number.¹⁵ Extant assize, gaol delivery and manorial court rolls are also patchy for Nottinghamshire during this period. Despite this, evidence derived from legal records of specific crimes, and criminal activity, can be found from other government records, as well as locally produced sources. The close and patent rolls contain considerable material relating to both criminal cases and actual or alleged criminal activity, as do petitions to the crown.¹⁶ Writs issued by chancery and locally produced charters contain a wealth of evidence, the latter having the benefit of emanating from the locality. These local sources are of particular importance. Firstly, taken together with the legal records of the judicial system, they enable us to gain a fuller picture of criminal activity within a given area. Secondly, they represent a source on criminal activity in the locality - to a degree at least - other than that of the centre.¹⁷

There are also problems of interpretation, which render problematic the production of crime figures and therefore in assessing the impact of crime on society. Hanawalt has drawn our attention to the fundamental problem that without accurate population figures, crime rates for this period are difficult, if

¹⁵ The period of this study coincides with the end of the general eyre. The last general eyre to visit Nottinghamshire was in 1329-30: D. Crook, *Records of the General Eyre* (HMSO, 1982), p. 52; The author is grateful to Dr David Crook for the use of his unpublished paper 'A Petition from the Prisoners in Nottingham Gaol, c.1330', which is based upon evidence resulting from the last Nottinghamshire eyre which began at Nottingham castle in November 1329, and which sat for the next eight months.

¹⁶ Petitions could be drawn-up at the county court, or in parliament: see Dodd, *Justice and Grace*, chapters 5 and 9.

¹⁷ It should be acknowledged that some of these 'local' voices were crown appointed officials, such as escheators who were also part of the central criminal justice system. Sir Richard Willoughby, a prominent south Nottinghamshire landowner and chief justice, may well have imposed to his advantage settlements over land disputes.

not impossible, to produce with any real accuracy.¹⁸ There is also the question of absolute criminal activity as opposed to that which was 'captured' within the judicial system that operated during this period.¹⁹ That there is a difference between the two is not unique to the Middle Ages, but by attempting to assess the former we can gain a better understanding of the effectiveness of the latter. By focusing upon a relatively small geographical area, it will be possible to throw some light upon criminal activity which did not enter the justice system, but which in some instances appears to have been resolved between parties through arbitration, even if this sometimes appears to have been the 'strong' imposing a settlement to a dispute upon the 'weak; in this respect the Middleton deeds have proved extremely illuminating. By adopting a micro evaluation of crime and the justice system within the Middleton area, and by placing it firmly within the context of political society as a whole, this survey will show that despite the limitations outlined above, it is possible to gain a greater understanding of an issue which is still, despite vastly improved statistical evidence, emotive, and which was of vital importance to the late medieval crown.

The chapter will address the nature and level of crimes; who committed the crimes and against whom, and what this evidence says about the functioning of the judicial system during what has been described as a half-

¹⁸ Hanawalt, *Crime and Conflict*, p. 269; Drawing on recent research, Prestwich provides a synthesis of the current estimates for the population of England in 1300 which is generally believed to have been about 5 million, but points out the large discrepancies that exist between various estimates: *Plantagenet England*, pp.531-7.

¹⁹ For an introduction to the range of justice systems that existed during the later Middle Ages, see Musson and Ormrod, *Evolution of English Justice*, pp. 8-10; although ecclesiastical court records that include Nottinghamshire do exist, the constraints of time and space have precluded their inclusion in this study. However, as will be seen, individual clerics, and religious institutions were both the victims and alleged instigators of crime.

century of experimentation.²⁰ As the provision of justice was a key part of government, it will also look at what impact crime, and the crown's response to it, had on government in the locality and its relationship with the centre. The evidence will also be assessed to see what light it throws on the historiographical debates outlined above.

3.2 Extant Legal Records of Criminal Activity

3.2.1 Levels of Criminal Activity

Any assessment of the levels and types of criminal activities that were committed in an area is largely dependant upon the survival of legal records. In this respect Nottinghamshire in general, and by extension the Middleton area, is not as well served as other counties.²¹ This poses a fundamental problem in the production of meaningful statistical data, as well as any broad assessment of the nature of criminal activity that became part of the judicial system. For the purpose of undertaking a broad analysis, based upon as many sources as possible for the Middleton area, this study will focus upon the periods c.1340-2 and c.1352-9, which are the periods for which assize and gaol delivery rolls for Nottinghamshire exist, and to which can be added the records of the King's Bench and the court of the Common Pleas, as well as evidence from close and patent rolls, writs and petitions.²² Although these two periods

²⁰ Musson and Ormrod, *Evolution of English Justice*, p. 73.

²¹ Hanawalt's study of crime in English communities was based upon a number of English counties for which extant legal records are able to provide the best evidential basis for compiling an assessment. Gaol delivery rolls were of central importance in this respect: Hanawalt, *Crime and Conflict*, pp. 1-18.

²² Just 1/1400, Just 1/1428, Just 1/1449, Just 3/133 and Just 3/140.

are determined by extant sources, they are nevertheless significant in terms of the events that occurred during them, and also as they fall either side of the arrival in England of the Black Death in 1348. 1340-2 coincides with Edward III's political crisis of 1340-1, and the period 1352-9, was, to a large extent dominated by the aftermath of the Black Death, which had led to the Statute of Labourers in 1351. This will not preclude the evaluation of extant legal records outside of these periods, but it is only during these two periods that the full range of sources coincides.

Extant legal records of criminal cases for the Middleton area during the period c.1340-3 and 1352-9 cannot be taken as evidence of actual or alleged criminal behaviour during these periods. The legal process was notoriously slow, and it was quite common for cases to continue for years, often without resolution, and if a case did result in an outcome, this could well relate to a crime, or alleged crime committed years before.²³ At best therefore, the evidence illustrates a snap-shot of cases in various stages of progress. The visitation by central court justices on circuits of counties throughout England ensured that the king's law was applied throughout the realm.²⁴ Apart from a brief revival in the late 1320s and early 1330s, justices in eyre were replaced by justices of assize, who also delivered gaols of their prisoners (gaol delivery), and undertook commissions of *oyer and terminer* (hear and determine). Although general assize commissions appear during the reign of Edward III to have been entirely composed of central court justices, local men did sit with professional justices on commissions of gaol delivery, *oyer and terminer* and

²³ The acquittal rate of cases coming to court was some 80%; Prestwich, *Plantagenet England*, p. 507.

²⁴ For a summary of how royal justice operated in the localities and it evolved during the fourteenth-century, See Musson and Ormrod, *Evolution of Justice*, pp. 42-74.

commissions of the peace.

The visit of justices of assize to Nottingham in 1340, 1341 and 1343 record for the Middleton area that a total of seven, two and eight cases were heard respectively.²⁵ The figures for visitations in 1352 and 1354 are four and two cases. Records of the gaol delivery for Nottinghamshire undertaken in 1341 contain one case for the Middleton area, and the following year, two cases. Figures for visitations from 1354-9 are of a similar level. The court of the common pleas for 1341-2 contains thirty-two cases for the Middleton area. This compares with forty-seven cases for 1352-3, an increase that is mirrored in cases found in the King's Bench. However, it should be noted that because of the filtering of cases upwards through the legal system, the total number of cases at the lower end must originally have been much greater than the figures given above. Further evidence of criminal activity which was either already within the justice system or became so, can be found in the close and patent rolls. The number of pardons granted for crimes within the Middleton area or (more typically) Nottinghamshire during the 1330s and 1350s vary between one and three per year. A similar number of commissions of *oyer and terminer* were also dispatched to Nottinghamshire, either by the crown (general commissions) or at the request of individuals (special commissions).²⁶

The most obvious factor that needs to be considered when assessing these figures is that they refer to periods either side of the arrival of the Black

²⁵ Just 1/1400, 1340; Just 1/1428, 1341; Just 1/1433, 1343. Cases recorded are only those which can be positively identified as involving individuals from, or relate to crimes committed within the Middleton area. A number of cases have been discounted from these figures due to ineligibility.

²⁶ For a view that special commissions of *oyer and terminer* contributed to disorder in the fourteenth-century, see R. W. Kaeuper, 'Law and Order in Fourteenth-century England: The Evidence of Special Commissions of Oyer and Terminer', *Speculum*, liv (1979), 734-784; For a contrasting view see Musson and Ormrod, *Evolution of English Justice*, pp. 48-50, 119-122.

Death in England, which reached Nottinghamshire in 1349.²⁷ Given the tremendous mortality resulting from the plague, it is remarkable that within a few years, the number of cases being heard from the Middleton area in the court of the Common Pleas, had increased by nearly 50% from its pre-plague level.²⁸ It should also be noted that this increase occurred during a period when the crown introduced legislation in the form of the Ordinance and Statute of Labourers (1349 and 1351 respectively) which was primarily aimed to restrict peasant movement and wages. And yet despite this legislation, and against a background of a massive decline in the overall population, the number of those seeking the king's justice rose markedly throughout the fourteenth-century. The most likely explanation for this lies in a combination of factors. During the fourteenth-century, the crown and parliament introduced a wide range of new legislation.²⁹ To this must be added the clear desire by the crown to extend the availability of justice to all who were eligible. It is also likely that the greater availability of land following the Black Death gave - at least in some parts of the country - a generally more prosperous peasantry not only the means to acquire land which was now widely available, but should the need arise, the ability to seek legal redress.³⁰

Although these figures do not include ecclesiastical courts, or the range of customary courts such as county, wapentake (hundred) and vill, or manorial

²⁷ Benedictow, *Black Death*, pp. 139-140.

²⁸ For estimates of mortality rates for England resulting from the 1348-9 plague see Benedictow, *Black Death*, pp. 232-379; The number of cases from the Middleton area heard at the court of the common pleas, show a marked increase from 1341-2 and 1352-3: CP 40/321-324 (1341-1342) a total of 32 cases, and CP 40/368-371 (1352-1353) a total of 47 cases. This would seem to suggest that despite the high mortality rate, a larger number of individuals were seeking legal redress through the judicial system.

²⁹ For a summary of this see Musson and Ormrod, *Evolution of English Justice*, chapters 4 and 5.

³⁰ J. Bolton, 'The World Upside Down.' Plague as an Agent of Economic and Social Change,' in W. M. Ormrod and P. Lindley (eds.), *The Black Death in England* (Donington, 1996), pp. 17-78, esp. p. 18-19.

or honour courts, they do suggest that the level of criminal cases that were part of the king's justice system for the Middleton area, which included the towns of Nottingham and Newark, ran to dozens rather than hundreds per year.³¹

However, great caution is required as many - perhaps even the majority - of cases which became part of the legal system would not have made their way to the central courts. However even if this estimate is correct, without accurate population figures it is impossible to produce meaningful crime statistics. One estimation of population, based upon the poll tax figures for 1377, puts Nottinghamshire with a rural population of 30-39 per square mile, as amongst the second most populous counties in England.³² And yet with such large gaps in our knowledge of, for example, assize and gaol delivery in Nottinghamshire, comparisons with the estimates contained in Hanawalt's study of rural crime are virtually impossible.³³ Perhaps at most we can suggest that for the brief periods where we do have reasonable coverage, the level of crime, relative to the probable size of the population, appears to have been broadly similar to other counties.³⁴

³¹ The only legal records relating to the Middleton area other than those of the king's law or canon law are fragmentary manorial records for Bradmore (1352, 1361) and Calverton (1327) contained within the Middleton collection: Mi M 25 and Mi M 34/1 respectively, both of which are sadly very limited in terms of information contained.

³² J. C. Russell, *British Medieval Population* (Albuquerque, N. Mex., 1948).

³³ Hanawalt's study is largely based upon gaol delivery and coroners' rolls: Hanawalt, *Crime and Conflict*, pp. 1-18.

³⁴ Although looking largely at records of gaol delivery, Hanawalt found marked variations between the eight counties she studied, which also differed over time. This study only identified cases from gaol delivery rolls that fell within the Middleton area. If the numbers of Middleton cases are doubled to produce an approximate figure for the whole of Nottinghamshire, then for 1340 and 1341, Nottinghamshire would come close to having the lowest rate of the eight counties listed in Hanawalt's analysis. Hanawalt, *Crime and Conflict*, pp. 278-80.

3.2.2 Types of Crime

The extant legal records for the Middleton area record evidence of a wide range of actual or alleged criminal activity classified under the common and statute law as felony and trespass. More serious crimes - felonies - included such acts as murder and burglary whereas assaults were usually prosecuted at gaol delivery or the central courts; other, less violent crimes - trespasses - were usually heard at manorial or town courts.³⁵ What does this evidence say about the nature and level of criminal activity both within the Middleton area and of the justice system itself? Who, what and where are questions which need to be addressed to throw light on the broader historiographical issues that pertain to the wider issue of law and order.

The impact upon communities of crime that has been termed 'anti-social' or low level crime can have a marked negative impact, seemingly disproportional to the nature of the offences themselves.³⁶ Due to the absence of evidence from manorial courts in the Middleton area, it is difficult to assess whether or not the same was true in the later Middle Ages. The surviving evidence mainly details crimes involving violence, theft and disputes over property. Saul, in his study of the gentry in fourteenth-century Gloucestershire found that the most common crimes committed by the gentry - who he thought were the biggest problem as far as lawlessness was concerned - revolved around property. Those were cases of trespass which frequently entailed

³⁵ Hanawalt, *Crime and Conflict*, pp. 3-5.

³⁶ There is a vast body of work on the relationship between crime, the response by governments to actual or perceived crime, and public fear of crime. For a debate that addresses these issues in relation to late twentieth and early twenty-first century Britain and America, see: D. Garland, "The Culture of High Crime Societies: Some Preconditions of recent 'Law and Order' Policies", *The British Journal of Criminology*, xl (2000), 437-375.

assault.³⁷ Susan Wright and Simon Payling reached similar conclusions for fifteenth-century Derbyshire and Nottinghamshire respectively.³⁸ All three suggest that recorded violent crimes were rare. However it is clear that, as Saul points out, crime rates were not uniform across a county, an observation that is supported by Hammer's findings for Oxford and by those for the Middleton area of Nottinghamshire.³⁹

3.3 The Broad Picture – The Middleton Area

3.3.1 Violent and Serious Crime

For the purpose of this study, violent crime is defined as all crimes involving violence or the threat of violence; this includes murder, manslaughter, rape, assault and kidnapping. Was the Middleton area of south Nottinghamshire afflicted by violent and serious crime during the period of this study? The extant legal records certainly contain examples of such crime. But the incomplete nature of these records, coupled with what are at best approximate population figures, render any attempt to produce accurate figures impossible.⁴⁰ The extant evidence of violent crime within the Middleton area suggests that this was of a low level, even if it is not possible to produce

³⁷ Saul, *Knights and Esquires*, pp. 168-203. It is worth noting that without undertaking a 'comprehensive' survey of recorded crime in a given area, identification of one strata of society as being largely responsible for crime in general, or a specific type of criminal act, is difficult to substantiate.

³⁸ Wright, *Derbyshire Gentry*, pp. 119-142; Payling, *Political Society*, pp. 186-215.

³⁹ Hammer, 'Patterns of Homicide', p. 78. Hammer identified that Oxford had 'safe' and 'dangerous' areas which were a reflection of recorded assaults.

⁴⁰ The only estimate for the population of Nottinghamshire that I have been able to locate is one of 'less than 30,000' in 1086: M. Bishop, 'An Archaeological Resource Assessment of Medieval Nottinghamshire', East Midlands Archaeological Research Framework @ www.le.ac.uk/archaeology/research/projects/eastmidsw/index.html accessed on 3 September 2006, p.1.

accurate statistical data. The minority of Edward III (1327-1330), during which the country was effectively governed by Queen Isabella and Roger Mortimer, the number of cases heard in the King's Bench relating to the Middleton area that involved the use of violence number only 11 in total.⁴¹ Yet, this is clearly not the whole picture. As Verduyn has pointed out, Isabella and Mortimer inherited a kingdom which had not only experienced the widespread lawlessness brought about by the misrule of the younger and elder Dispensers, but also by a failure to enforce the law.⁴² Although Nottinghamshire does not appear to have been one of the worst affected parts of the country, evidence that lawlessness existed can be found.⁴³ On the 22 July 1327 for example, the sheriff was ordered by the crown to arrest ten named individuals described as criminals to the south of Nottingham.⁴⁴ This instruction related to gang activities of the Coterels and Folvilles, whose actions were shortly to come to an end. However there is evidence suggesting that crime, other than cases that had become part of the judicial process, may have been at a higher level

The close and patent rolls contain evidence of instructions to the sheriff, keepers of the peace, or of commissions of *oyer* and *terminer* for almost every year of this study referring either to crimes committed by crown agents, (or those purporting to be crown agents), by soldiers, or by crimes committed by

⁴¹ This figure is derived from: 1327, KB 27/269-270, 1328, KB 27/271-274, 1329, KB 27/275-278. The figures are 2, 4 and 5 cases respectively.

⁴² Verduyn, 'Politics of Law and Order', p. 842.

⁴³ Verduyn identified Oxfordshire, Suffolk, Hertfordshire, Staffordshire, Warwickshire, the south Midlands and the South West of England as being the worst affected areas: *Ibid*, pp. 847-8.

⁴⁴ *CCR, 1327-1330*, p. 213. The named individuals were, in fact members of the notorious Folville and Coterel gangs. For the activities of the Folviles and Coterels, see Bellamy, *Crime and Public Order*, pp. 69-88; J. G. Bellamy, 'The Coterel Gang: An Anatomy of a Band of Fourteenth-century Criminals', *EHR*, lxxix (1964), 698-717; E. L. G. Stones, 'The Folvilles of Ashby Folville, Leicestershire, and their Associates in Crime', *TRHS*, 5th ser., vii (1957), 117-36.

the public at large.⁴⁵ In 1327 for example, the sub-escheator for Nottinghamshire was instructed by the crown not to meddle in the lands of Helewysia, late wife of Thomas Barkeby in Ratcliffe-on-Soar.⁴⁶ Although this may relate to a dispute over rights, it may have been sufficiently close to being a crime for the crown to respond. It is worth stressing that although these instructions probably do relate to actual crimes, the number issued by the crown is remarkably small. The 1341 commission for Nottinghamshire, which was part of a nation-wide campaign against 'oppressions and extortions committed by the king's ministers', illustrates that criminal behaviour by those appointed by the crown, or elected in its name to govern a shire, could be a significant problem to both those directly affected by alleged criminal behaviour, and to the crown itself.⁴⁷ However, even before the 1340-1 'crisis' there is clear evidence that the crown did appear to respond to local concerns over alleged criminal activities by crown appointed officials. In 1336 a commission was appointed to investigate unspecified 'oppressions' by ministers of Queen Philippa in Yorkshire, Derbyshire and Nottinghamshire.⁴⁸ It is not known whether these oppressions entailed violence, or how widespread they were, or how the crown was made aware of them.⁴⁹ Whether

⁴⁵ This study has not undertaken a comprehensive survey of all of the close and patent rolls covering the period of this study. It would seem highly likely that it would reveal more than one or two examples for each year.

⁴⁶ CCR, 1327-1330, p. 125.

⁴⁷ CCR, 1339-1341, p. 96. For shrieval corruption, see Gorski, *Fourteenth-Century Sheriff*, pp. 102-125; For a general discussion on corruption in local government during this period see Ormrod, *Reign of Edward III*, pp. 146-151.

⁴⁸ CPR, 1334-1338, p. 137.

⁴⁹ One possible source by which the crown may have been made aware of actual or alleged 'oppressions and extortions' is a petition dated c.1334 from the tenants of Queen Philippa in High Peak, Derbyshire, which complains of robbery and other crimes committed by Roger de Wendesley, who had escaped from Nottingham gaol, and was who involved in a gang which operated in (the manor of) High Peak. The petition makes no mention of Yorkshire or Nottinghamshire. The response of the crown was to offer, 'for a reasonable fine', a commission of *oyer and terminer*. There is no evidence of such a commission being appointed: SC 8/51/2516. Roger Wendesley may be identical with Sir Roger Wennesley, a Derbyshire

or not these crimes can be taken as examples of actual criminal behaviour is not known. Even if they do contain an element of 'truth', it is entirely possible that they were exaggerated in order to illicit a response from the crown, which in turn may have led the crown to over-react. It must also be borne in mind that the maintenance of law and order was one of the fundamental requirements of good kingship for late medieval monarchs; Edward III's response to the domestic crisis that came to a head in 1340-1 illustrates not only the danger to a king of seemingly neglecting his domestic responsibilities, but also of just how important these were.⁵⁰ It would seem likely that given the potential damage to the reputation of the monarch the alleged behaviour of Queen Philippa's officials could cause, the response of the crown suggests that they are likely to have contained some element of truth, or at the very least required an investigation. It is also interesting to note that this commission occurred before the 1340-1 crisis, but also before the start of the Hundred Years War in 1337, the outbreak of which is taken as being largely responsible for Edward III's apparent switch of focus from domestic to foreign policy. The crown could also be the alleged victim of violence. In 1352 a commission of *oyer and terminer* was appointed to investigate 'evildoers and vagabonds' in Nottinghamshire who assaulted Queen Philippa's men and tenants, 'murdered some of them, and (had) done many other felonies, trespasses, extortions, oppressions, falsities and excesses'.⁵¹

knight, who killed a member of the Coterel gang in 1330, and was later tasked with capturing the gang: Bellamy, *Crime and Public Order*, pp. 77, 84.

⁵⁰ For an overview of the 1340-1 crisis, and the greater involvement by Edward III following this in rooting out corruption among crown officials in local government, see: W. M. Ormrod, 'Edward III and the Recovery of Royal Authority in England, 1340-1360', *History*, lxxii (1985), 4-19; *Reign of Edward III*, pp. 55-7. Ormrod observes that Edward III only personally intervened in cases where those of high rank were affected by crime.

⁵¹ *CPR, 1350-1354*, p. 274.

The overwhelming majority of extant petitions to the king emanating from the Middleton area during the period of this study relate to crimes or disputes, and are from individuals, or a small number of individuals.⁵² It is perhaps surprising that there are so few extant petitions to the crown from the commons of Nottinghamshire, or specific towns or areas within the county against violent crime.⁵³ One of the few that do emanate from the ‘commons’ of Nottinghamshire and Derbyshire’ relates to the unstable political situation prior to the deposition of Edward II, in that it complains of the false indictments, imprisonments and extortions by Sir William Aune, keeper of Tickhill castle.⁵⁴ Only one extant petition relates to the alleged widespread nature of criminal gangs such as the Coterels and Folvilles, whose reach certainly included the Middleton area or of the supposedly corrupt and criminal shrievalties of Sir Thomas de Beckering and John de Oxenford in the 1330s. The petition from Isabella Clinton dated c.1330 complaining that her husband had been murdered by James Coterel, who then was able to secure an acquittal by bringing 400 armed men to his trial, is a good example of why individuals or communities

⁵² The break down of petitions are as follows: pardons 10 (14%); crime (including fear of) 13 (18%); property disputes 12 (16%); found chantry 1 (1%); central government 9 (13%); financial (loans) 11 (15%); miscellaneous (knights fee, trade fair) 3 (4%). 1 petition relating to a property disputes is also included in the criminal category; The number of private petitions from the Middleton area to the king declines markedly during the period of this study. However, as Gwilym Dodd has suggested, this is almost certainly a reflection of inept handling of extant private petitions in the nineteenth century and not, as previously thought, that private petition had ceased to be submitted to the king and parliament during the second half of the fourteen-century: Dodd, ‘Hidden Presence’, pp.135-150; the most authoritative work on private petitions is: Dodd, *Justice and Grace*.

⁵³ Dodd details that ‘common’ petitions from a county or group of counties are not numerically significant. There are also difficulties in determining whether they do represent the views of a small ruling élite, or wider interests; in most cases petitions were likely to have been ‘genuine’ in terms of their broad content: Dodd, *Justice and Grace*, pp. 254-66.

⁵⁴ SC 8/64/3176. Another petition, dated c.1327, from Thomas of St. Albans, parson of Misterton, also complains of illegal behaviour by Sir William Aune; SC 8/8/14/699. Sir William Aune was a supporter of Edward II; J. R. Maddicott, *Thomas of Lancaster, 1307-1322* (Oxford, 1970), p. 306. Aune was later removed as keeper of Tickhill castle, and turned to crime due to reduced personal circumstances: Bellamy, *Crime and Public Order*, pp. 74-5.

resorted to petitioning for the king's grace.⁵⁵ In this instance Isabella Clinton clearly felt that the common law courts were unable to provide her with justice: the vigorous response to this petition by the crown, which demanded that all those concerned should be brought before the king to answer the charges, illustrates not only that private petitions could work, but also the potentially mutually beneficial importance of such petitions to both petitioner and the crown. For the crown in this instance, the petition enabled it to rectify what appears to have been a blatant perversion of the king's justice.

The probability that more complaints on behalf of communities were made than have survived may be inferred by the response of the crown. This observation should be linked to the filtering process of legal cases, which taken together, strongly suggests that extant evidence, be it in the form of petitions or legal cases, is almost certainly far less than once existed. Whether as a result of a petition that has not survived, or by some other channel, a commission to Sir Richard de Grey, the sheriff of Nottinghamshire and Derbyshire in 1357 for example, states that 'the king is informed that divers felons and evildoers perpetrating felonies and misdeeds...roam about in these counties and elsewhere without being attached or arrested.'⁵⁶ Nottinghamshire was not the only county to receive such a writ, nor was this the only occasion during the period of this study that the sheriff of Nottinghamshire was instructed to deal with alleged widespread criminal behaviour. There may well be a direct link, as Hanawalt has suggested, between periods of active warfare and levels of criminal activity.⁵⁷ But it is also possible that since sheriffs were required by the crown to maintain the peace in their shires, this statement could be

⁵⁵ SC 8/257/12808.

⁵⁶ CCR, 1357-1360, p. 502.

⁵⁷ Hanawalt, *Crime and Conflict*, pp. 229-238.

interpreted as a criticism of Sir Richard Grey and his staff.⁵⁸ However, although no extant evidence exists, it must also remain a possibility that Grey himself sought the assistance of the crown in dealing with a situation he may have perceived to be beyond his control. Since the complaint relates to the whole of the county, it remains a possibility that this may have been expressed as being on behalf of the 'commons' of the county, or at least its gentry élite in the form of a petition which has not survived.⁵⁹ Whether or not this did reflect a widespread feeling or was presented as such by Grey is not known. Though given the prominent role played by the sheriff in drawing up and submitting petitions at the county court, this instance may represent an 'out of (county) court' submission by an unknown number of individuals. It is however important not to read too much into this commission, as there are too many unknown factors, such as the possibility of a malicious accusation or exaggeration of the lawlessness in order to prompt the crown to act.⁶⁰

Evidence that the localities could and did make demands upon the crown to remedy apparent failings by the crown's own officials can be found in other sources. A 1333 commission of oyer and *terminer* appointed 'on representation of the people of Nottingham and other parts' to investigate allegations against marauding soldiers is a rare example of a communal, as opposed to individual, complaint against crime.⁶¹ The appointment of keepers of the peace earlier in the same year was made because 'existing keepers of the

⁵⁸ The sheriff had a broad responsibility to maintain law and order in the shire, which took the form of a close involvement in a wide range of judicial activities, which, as Gorski illustrates, also provided the less honest with the opportunity for corruption: Gorski, *Fourteenth-Century Sheriff*, pp. 3, 112-113.

⁵⁹ Dodd, *Justice and Grace*, pp. 254-66.

⁶⁰ Evidence of possible malicious accusations against crown officials can be found in a petition dated c.1327 by Sir Richard Whatton, a prominent landholder and local justice who demanded a pardon resulting from malicious accusations: SC 8/151/7537.

⁶¹ CPR, 1330-1334, pp. 495-6.

peace have been unable to restore order', which whilst being frustratingly vague, suggests that there may have been a complaint either related to the later commission on marauding soldiers, or to other unspecified criminal activity.⁶² What all of these sources have in common is that they suggest a higher level of crime than that contained within the extant legal records. However, they also raise as many questions as they answer. The precise nature, extent, and frequency of criminal behaviour is either not specified at all or left vague. We simply do not know with any certainty whether 'actual' crimes were committed, and if they were, if these were exaggerated intentionally in order to illicit a response by the crown, or unintentionally as a result of a 'fear' of crime. Alternatively it may be that the level of criminal activities overwhelmed the local judicial system; yet even if this were the case, given the limited personnel available for law enforcement in the localities, the actual level of crime need not have been that high to produce this effect. Did, for example the 'evildoers and vagabonds' who assaulted and murdered Queen Philippa's men and tenants in the early 1350s also commit similar crimes against those who were not her tenants but who lived in the same area, or was it only her tenants who were the victims, selected for that very reason?⁶³ It is possible that the crimes referred to may have been related to the change in possession in 1330, of the castle, town, and honour of Tickhill from Edward III's mother, Queen Isabella, to his wife, Queen Philippa.⁶⁴ And that there may have been some

⁶² *Ibid.*, p. 445.

⁶³ *CPR, 1350-1354*, p. 274.

⁶⁴ Wolffe, *Royal Demesne*, pp. 235, 237. There is no evidence of any dispute over the possession of Tickhill between Isabella and Queen Philippa. Given that the commission dates to 3 February 1352, it would also seem unlikely that any lingering loyalty by those living within Tickhill to Isabella must also surely be ruled out

lingering support for Isabella which in turn led to the commission.⁶⁵ If it was indeed the former, then it suggests that unless individuals or communities had the protection of the crown or a powerful magnate, or were able to afford a special commission of *oyer and terminer*, then they were likely to be dependent upon the justice system unaided.

Evidence of crimes resulting in the death of one or more individuals is rare for the Middleton area. In the absence of complete or even near complete legal records, perhaps the most reliable source of such crimes are of pardons granted by the crown.⁶⁶ Not all found guilty of serious crimes were granted pardons, but the level of pardons appears to have been sufficiently high for this to provide a rough indication of such crimes. The patent rolls for the years 1330-1339 contain details of eleven pardons granted to individuals. Of these, four appear to have committed either murder or manslaughter, of which one was pardoned for his service with the Black Prince overseas. Six were pardoned as it was accepted that they had killed in self defence and another that he had killed by mischance.⁶⁷ In addition, there are two petitions for pardons, both of which are by soldiers seeking pardons for causing the deaths of individuals.⁶⁸ In his study of Newark, Brown, citing extant legal sources, gives a number of examples of violent crime in Newark during the period of this study, the vast majority of which involved individuals who killed in self-

⁶⁵ *CPR, 1334-1338*, p. 137. The commission was appointed to look into 'oppressions' by Queen Philippa's ministers in the counties of Nottinghamshire, Derbyshire and Yorkshire.

⁶⁶ For pardons see Bellamy, *Crime and Public Order*, pp. 85-6, 191-8.

⁶⁷ The four pardoned for murder/manslaughter are: William Porchet, *CPR, 1327-1330*, p. 468; William Bucstone, *CPR, 1330-1334*, p. 419; Robert Arnald, *CPR, 1348-1350*, p. 566; William Peytevyn, *CPR, 1354-1358*, p. 3. The six pardoned for self-defence are: John Warner, *CPR, 1350-1354*, p. x; David Wych, *CPR, 1350-1354*, p. 502; Hugh Bene, *CPR, 1354-1358*, p. 268; John, son of John of Willoughby-in-the-Wolds, *CPR, 1354-1358*, p. 571; Henry Lanum, *CPR, 1358-1361*, p. 60; John Dode, *CPR, 1358-1361*, p. 248. The pardon for death by mischance is: William Cokke, *CPR, 1358-1361*, p. 243.

⁶⁸ SC 8/244/12155 of 1340; SC 8/185/9212 of 1350

defence, and were subsequently pardoned.⁶⁹ Special commissions of *oyer* and *terminer* could also be used to investigate deaths. A commission of 1357, for example, was appointed to look into the deaths of four men killed in Nottingham, one of whom was the son of Hugo Martel of Chilwell, a local landholder, attorney and justice.⁷⁰ And a commission of 1350, one of whose members was Hugo Martel, was tasked with investigating the deaths of two men from Newark at nearby Kelham.⁷¹

A further indication of the levels of violent crime can be inferred by physical assaults against the personnel of the judicial system, and whether these attacks can be taken as evidence of an attack against the justice system itself. The well-known kidnapping by the Coterel gang of justice Sir Richard II Willoughby in Leicestershire in 1332 does not appear to have been repeated against any other judicial personnel within the Middleton area during this period.⁷² However, in c.1356, William de Wakebridge, a local landowner and JP, obtained a special commission of *oyer* and *terminer* as a result of an alleged assault on him at Hucknall Torkard after he had attended a session at Nottingham.⁷³ Wakebridge claimed that his assailants drove away his horse and carried off his goods, but no mention is made connecting the attack with any particular case Wakebridge had been involved in hearing. In this instance

⁶⁹ C. Brown, *A History of Newark, being the Life Story of an Ancient Town* (Newark, 1904), pp. 125-130. Brown makes the interesting observation that since most men carried knives, and were trained in their use, fights and brawls were liable to end in bloodshed. This raises the possibility that it was not necessarily the case that communities were inherently violent (though it may well have been), but that there may have been more accidental deaths because most men were armed. This seems to be supported by the pardons cited above, which seem to suggest that most deaths were not intentional. See also Finch, 'Nature of Violence'.

⁷⁰ *CPR, 1354-1358*, p. 293. The father of one of the victims, Hugo Martel of Chilwell, served as a keeper of the peace between 1350 and 1354.

⁷¹ *CPR, 1348-1350*, p. 591.

⁷² Bellamy, *Crime and Public Order*, p. 71. Bellamy states that examples of attacks on justices, jurors, witnesses or party rivals are plentiful: pp. 18-19.

⁷³ *CPR, 1354-1358*, pp. 497-8; Wakebridge also served as a knight of the shire for Nottinghamshire on four occasions between 1352 and 1362, and also served on four commissions of labourers between 1354-1356 (see appendix A.2).

his occupation may have been coincidental to the assault. However, as Wakebridge had also served on a commission of labourers in March 1356, it must remain a possibility that he may have been a victim of the wider attack on the judicial system, which, as Alan Harding has identified was to become a key factor in the Peasants' Revolt of 1381.⁷⁴ It was not only justices who could be the subject of physical assault. Two examples of attacks on jurors exist. The first was a physical assault on a single juror at an *oyer and terminer* commission held in Bingham in c.1331, 'after the justices had retired from this session'.⁷⁵ The second occurred at Newark in c.1336, and involved the beating, wounding and imprisoning of jurors, and others, returning from a gaol delivery session at Nottingham.⁷⁶ The Bingham case clearly links those who committed the assault to the crimes which were being investigated, whereas the assaults on jurors and others at Newark cannot be conclusively linked to a case (or cases) that were being heard at Nottingham.⁷⁷ Indeed, the widespread nature of the violence at Bingham seems to have more in common with gang behaviour than some form of revenge upon, or intimidation of jurors. However, it is important to stress that in only one of these examples - the attack on the Bingham juror (who is identified as such) - can we be certain that assault was connected to the judicial system. The Bingham case is also interesting in that it

⁷⁴ A. Harding, 'The Revolt against the Justices', in R. H. Hilton and T. H. Aston (eds.), *The English Rising of 1381* (Cambridge, 1984), pp. 165-193; see also Musson and Ormrod, *Evolution of Justice*, pp. 96-101; For the importance of the Ordinance and Statute of Labourers (1349 and 1351 respectively) that were introduced as a result of the Black Death, and which were to play a key role in changing attitudes towards justice, see: W. M. Ormrod, 'The Politics of Pestilence: Government in England after the Black Death', in W. M. Ormrod and P. Lindley (eds.), *The Black Death in England* (Donington, 2003), pp. 147-179.

⁷⁵ *CPR, 1330-1334*, p. 284. Details of the alleged crime are made in an *oyer and terminer* commission dated 10 February 1332 on the complaint of the victim. The assault can reasonably be dated to 1331 as justice Sir Richard Grey, who is named as leading the commission at which the assault took place, only served on an *oyer and terminer* commissions in Nottinghamshire in 1331. This assault will be looked at in more detail later in this chapter.

⁷⁶ *CCR*, 10 Edw. III, m. 27d. cited in Brown, *History of Newark*, pp. 124-125.

⁷⁷ The gaol delivery rolls for c.1336 have not survived.

provides an example of an individual, who from extant records does not appear to have been a member of the gentry, who sought justice by purchasing a special commission of *oyer and terminer*.⁷⁸ This supports Musson's view that justice was relatively inclusive during this period.⁷⁹ Even allowing for the probability that similar, unrecorded attacks occurred against individuals involved in the judicial process, it would seem that such incidents were not that common in the Middleton area, and that perhaps, as Saul found in Gloucestershire, there were geographical variations in criminal activity across the country.⁸⁰

The activities of the Coterel and Folville criminal gangs, in as much as they affected the Middleton area, have been the subject of detailed study.⁸¹ Bellamy suggests that the impact of criminal gangs on society at large 'was fear mixed with a grudging admiration'.⁸² Extant records provide enough evidence to show that the victims of these gangs were not only 'wealthy' individuals, but could also include whole communities. Whilst not challenging what has been written about the Coterels, Folvilles, and other gangs whose

⁷⁸ The individual was John de Scarrington, who does not appear, from extant records, to have held any form of office in local government. A John Scarrington is recorded as appearing at an assize hearing in 1330, where he is described as being the bailiff of the defendants, all of whom came from villages close to Scarrington: JUST 1/1400 m. 187; According to Bellamy, jurors were 'men of substance', many having held office in local government; Bellamy, *Crime and Public Order*, p. 122. All of those listed as having assaulted him appear to have also come from Scarrington.

⁷⁹ Musson, 'Access to Justice', p. 141; Musson also discusses and demonstrates how an awareness of the law was integral to communities and that legal knowledge and involvement at various levels in various legal systems was widespread: Musson, *Medieval Law*, pp 88-124; Another potential case of an individual who does not appear to have been of gentry status is that of Philip Andeknappe of Hameldon, who purchased a commission as a result of an alleged assault and theft of his goods at Lenton in 1354: *CPR, 1354-1358*, p. 127.

⁸⁰ The instructions by the crown to the sheriff of Nottingham(shire) to apprehend those responsible for the attack on jurors at Bingham, refers to the Northampton parliament (1328), which decreed that 'no one should presume to come with armed force before our Justices', which clearly suggests that this must have been an occurrence of sufficient frequency to warrant royal concern: see n. 403 above.

⁸¹ See n. 44 above for references.

⁸² Bellamy, *Crime and Public Order*, p. 82.

geographical range of operation included the Middleton area, it might be asked whether their undoubted activities (much of which will probably remain unknown) were of a sufficient level, both in terms of their geographical spread and frequency, to produce widespread fear in society. The number of cases of *vi et armis* involving theft and physical assault being heard in the King's Bench for the Middleton area between 1327-1330, total only eleven. This almost certainly represents only a small percentage of the total number of similar cases that entered the legal system, but which were filtered out, and did not therefore reach the king's bench. But even if the incidents of violent and serious crimes was double or treble this figure, it still produces a figure of less than one serious crime per month for the whole of the Middleton area, which broadly measures thirty-three by eighteen miles, and contained over sixty vills and towns.⁸³ The production of statistics on crime for the Middle Ages is fraught with difficulties. This figure serves as little more than a reminder that when considering the activities of gangs, or other forms of serious and violent crime, this must be placed firmly within the context of time and geographical spread. Even allowing for unreported crimes, or those for which we no longer have evidence, violent and other forms of serious crime do not appear to have been as geographically widespread, or to have occurred at a high level over time within the Middleton area. In one important respect, Bellamy may be correct in stating that fear may have been one of the outcomes on communities of gang activities. Even if violent or serious crime - regardless of who committed it - was neither that widespread or frequent, as we know from modern studies on

⁸³ The measurements are based on what is an approximate area, but are taken from Newark to Ratcliffe-on-Soar and from Lenton to Willoughby on the Wolds. The total number of settlements is based upon the 1334 lay taxation records, and 1377 Poll Tax records. See C. C. Fenwick, *The Poll Taxes of 1377, 1379, and 1381* (Oxford, 2001), pp. 272-282.

the impact of crime, fear of becoming a victim often runs contrary to the statistical likelihood of such an event occurring. Only one example exists of communal or individual complaints against gang activity within the Middleton area.⁸⁴ Although there is evidence that at least one sheriff of Nottinghamshire and Derbyshire, Sir Robert Ingram, may have been an ally of the Coterels, it is unlikely that he would have been able to prevent a petition from all, or part of the community had one been submitted.⁸⁵

So to return to the original question, was the Middleton area afflicted by violent and serious crime? Bellamy and Hanawalt have both stated that England in the late Middle Ages was known for its high rate of crime.⁸⁶ Yet this view has to some extent been challenged, or, perhaps more accurately, placed within the context of greater accessibility to justice during a period when the English state expanded.⁸⁷ There is also the question of attitudes to crime, which as Carpenter suggests, may have been very different to our own. This is perhaps the most frustratingly elusive of all evidence regarding crime. Put simply, what to our eyes may appear to have been a high level of violent or serious crime may not have been the view shared by a majority of those contemporary to the crimes in question. This is further complicated by the fact that we are not talking about a single attitude, but a wide range of views, based on attitudes and beliefs, personality, geographical location, social standing and other factors. As fragmentary as the evidence for the Middleton area is, it is clear that violent and serious crime clearly was a factor in peoples' lives. At

⁸⁴ See n. 54 above.

⁸⁵ Dodd details examples of 'commons' petitions complaining against the behaviour of sheriffs. These may have involved the counties MPs, but also suggest that sheriffs were not always able to block petitions, or that they were necessarily compiled at the county court: Dodd, *Justice and Grace*, pp. 264-5; Bellamy, *Crime and Public Order*, p. 75.

⁸⁶ Bellamy, *Crime and Public Order*, p. 3; Hanawalt, *Crime and Conflict*, p. 45.

⁸⁷ Musson and Ormrod, *Evolution of English Justice*, pp. 189-193.

best it can be suggested that the communities within the Middleton area do not appear to have experienced violent or serious crime that became part of the judicial system more than once a year and many do not appear at all in extant sources. Coupled with this may have been a greater acceptance of violence in general as being part of normality, and it is therefore tempting to speculate that many of those who lived within the Middleton area during this period may not have shared the view that they lived in an area afflicted by a high level of serious and violent crime.

3.3.2 Serious and Violent Crime – Perpetrators, Victims and Locations

In his study of criminal gangs, Bellamy has demonstrated that their activities embraced most sections of society. The nobility and gentry could both commission and aid gangs such as the Coterels and the Folvilles, but could also be their victims. A good example of the complexity of the situation regarding those who committed crimes and their victims is the prior of Lenton. In 1332, James Coterel was warned by the prior of Lenton priory of the arrival of a leading keeper of the peace who was to hear pleas in Nottingham.⁸⁸ Whether or not this suggests an ambivalent attitude towards the law by the prior, or a pragmatic approach to the realities of crime and the justice system as it affected the priory can only be a matter of speculation. It may however, be related to a 1332 instruction by the crown to the escheator, William Erneys, to stop meddling further with the priory, which had been taken into the king's hand upon the death of the prior, and which also states that a guard placed on the

⁸⁸ Bellamy, *Crime and Public Order*, p. 84.

priory gates by the sheriff had ceased to operate.⁸⁹ If the priory felt threatened and let down by the crown's officials, then it may well explain why the prior tipped off a notorious gang member. However, there is also evidence that Lenton priory was fully prepared to use the law to its advantage. In c.1332, the prior petitioned the crown concerning a dispute with the constable of Nottingham castle, William de Eland, over forestry rights.⁹⁰ And in August 1335, the prior obtained a special commission of *oyer and terminer* appointed to investigate his claim that three of the priory's carts containing corn were stopped at Langar, Barnstone and Wiverton, their horses killed, and the prior's servants assaulted.⁹¹ Interestingly, one of those named as having carried out the assault is Baldwin de Cokefield, parson of Langar church. Given that the commission states that the corn in question was thrown into the air, it suggests that theft was not the motive behind the alleged crime. Nevertheless, it does demonstrate that clerics were not above some level of involvement in criminal activity, even against a locally powerful religious order.⁹² What this case does illustrate is the problem of motive. Baldwin de Cokefield may have been a 'criminal', who was also a member of the clergy, but he may have been a parson aiding his parishioners to the point of engaging in criminal activity against an actual or perceived wrong by a feudal overlord, as was to occur in the Peasants' Revolt of 1381.⁹³ Evidence from the King's Bench for 1353 contains six separate cases, five of which were brought by the priory, and

⁸⁹ CCR, 1330-1333, p. 499.

⁹⁰ SC 8/57/2834

⁹¹ CPR, 1334-1338, p. 203.

⁹² Hanawalt describes the clergy as being 'heavily involved in robbery and such crimes': *Crime and Conflict*, pp. 136-8. See also J. Aberth, *Criminal Churchmen in the Age of Edward III*, (Philadelphia, 1996), pp. 61-93.

⁹³ For the involvement of lower orders of the clergy in the leadership of the Peasant's Revolt, see R. Hilton, *Bondmen Made Free: Medieval Peasant Movements and the English Rising of 1381* (London, 1973), pp. 207-214. Lenton Priory held the manor of Langar until it was eventually made over to Lord John Tiptoft.

illustrates that it was still very active in using the law to defend itself from both violent and non-violent crime.⁹⁴ Evidence of clerical involvement in more serious crime within the Middleton area is also available. On 22 January 1332, the sheriff was ordered to restore the lands, goods and chattels of Robert Jorce of Gedling, clerk, who had been found guilty of the homicide of William de Pykworth at Gedling as he had purged his innocence before the archbishop of York.⁹⁵

There is evidence that the members of the church and religious orders were, for whatever motives, engaged in crime, as well as the victims of crime, and that they were prepared to use the law. However the overwhelming majority of extant criminal cases involved lay members of society. Bellamy has identified examples of members of the gentry being involved - in a variety of ways - in the activities of criminal gangs.⁹⁶ Although there is evidence that members of the Folville and Coterel gangs originated from within the Middleton area, there is no evidence that any member of the Middleton gentry actually rode with them.⁹⁷ Even if evidence did exist that members of the gentry from within the Middleton area had been involved in the criminal

⁹⁴ KB 27/371 m. 11d; The prior of Lenton brought a case of trespass against Thomas Sommervill of Keyworth which resulted in Thomas having his lands, etc seized; another case of trespass against Henry le Longe, John Capella, and William Foston all of Radford, Thomas Fishelake of Lenton and Alice and John Tumby and Richard Stanley of Nottingham all of whom had their lands seized; two other cases of trespass brought against Richard Nanbye of Nottingham and Richard Stanley were not resolved; a case of *vi et armis* entailing assault and theft at Stanton near Keyworth at which £10 worth of the prior's goods were stolen was made against Robert Sommervill (a possible relation to Thomas Sommervill); the prior was also the defendant in a case of trespass brought by Robert del Roche which was not resolved.

⁹⁵ CCR, 1330-1333, p. 429. Members of the clergy could not be hanged for capital crimes. For this reason some professional criminals appear to have 'taken out the insurance' of joining the lower orders of the clergy: Hanawalt, *Crime and Conflict*, p. 55.

⁹⁶ Bellamy, *Crime and Public Order*, pp. 72-3. Bellamy gives the home of one of the main gang leaders, Roger le Savage, as Stainsby in Nottinghamshire. It was (and still is) within borders of Derbyshire.

⁹⁷ CPR, 1327-1330, p. 213. The sheriff was instructed to arrest six individuals, all of whom appear to have resided and/or originated from within the Middleton area. Another named was Robert Folville, a leading member of the Folville gang.

activities of these gangs, this would hardly be surprising; criminal behaviour neither was nor is the exclusive preserve of any one section of society.

Although belted knights are usually identified as such, those who in other respects would qualify as being 'gentle' in status are not so clearly defined. A rare example of an individual who can be defined as being a member of the gentry, but who was not a belted knight was John de Allerton. Allerton, who is described as a man-at-arms, petitioned the crown sometime between 1355 and 1390, complaining that he was being threatened by Lord Basset.⁹⁸ Evidence in the form of pardons of the gentry's involvement in serious and violent crime from pardons is inconclusive. There are only a small number of Middleton knights pardoned during this period for what may have been serious crimes, and which were not apparently related to local office holding.⁹⁹ One of these, pertaining to Sir Richard de Whatton and his son Robert, resulted from a petition from Sir Richard dated to c.1327, requesting a pardon, as he and his son had several offices in the county, and they suffered due to malicious accusations resulting from the ill-will of the people towards (Sir) Roger Bellers and his followers.¹⁰⁰ Sir Richard de Whatton, who had regularly served as a justice of gaol delivery at Nottingham with Sir Richard Willoughby, has been

⁹⁸ SC 8/166/8266; for the status of men-at-arms, see Coss, *Origins of the English Gentry*, pp. 221-228. Coss concludes that the term could include knights, esquires or valet, and those who were neither.

⁹⁹ Sir Richard Whatton and his son Robert were pardoned for 'certain trespasses' in 1332: CPR, 1330-1334, p.262; see also Crook, 'Petition from the Prisoners', p.1. n1; Sir Edmund de Boun was pardoned in 1335 of outlawry: CPR, 1334-1338, p. 82; and Sir Roger de Stonham was pardoned of outlawry in 1356: CPR, 1354-1358, p. 467; The total number of pardons for knights, usually outlawed, is approximately less than 12 for the whole period.

¹⁰⁰ SC 8/151/7537. The alleged 'ill-will' towards Sir Rogers Bellers may be due to his position as baron of the exchequer (Bellamy, *Crime and Public Order*, p. 74). Bellers was a member of the Leicestershire gentry. According to Astil, Roger Bellers appears to have been actively involved in local affairs within Leicestershire, as well as extensive military service, though an IPM dated 1325 shows that he held the manor of Bunny in Nottinghamshire (*Notts, IPMs, 1321-1350*, p. 18). There is no evidence that Roger Bellers ever held office in Nottinghamshire: Astil, *Medieval Society*, pp. 352, 353, 358. In 1344, Roger Bellers, the son of the first Sir Roger Bellers enfeoffed Richard de Whatton, parson of the church of Widmerpool, with land in Bunny: CPR, 1343-1345, p. 366.

associated with the 1332 commission of *oyer and terminer* which was appointed to investigate the assault on the juror at Bingham. Whatton's son, Robert, was to serve on three commissions of subsidy from the 1350s to 1390s, but there is no other evidence that either held high office within the county before the date of the pardon.¹⁰¹ The dispute may have revolved around land ownership, and if so, illustrates that county borders were no barrier to such actions. In two other examples dating to 1327, Sir Bertrand de Monboucher was pardoned for stealing venison in Sherwood Forest, and Richard Lord Grey of Codnor, constable of Nottingham castle was pardoned for allowing a prisoner to escape from Nottingham castle.¹⁰²

Pardons granted to those who held office in Nottinghamshire, or, as was the case with Sir Richard de Willoughby, who lived within the Middleton area are as frequent. There is evidence that national politics had an impact upon the governance of the Middleton area, which reinforces the observation that the king's justice system reached out to all parts of the realm. Justice Sir Richard de Willoughby for example, a prominent local landowner, fell foul of the political crisis of 1340-1, but was pardoned in May 1341.¹⁰³ John de Molyns, described as the king's yeoman, was pardoned for entering Nottingham castle armed, at the time of the arrest of Mortimer during the 1330 coup at Nottingham castle, and for supporting the Despensers.¹⁰⁴ What is perhaps surprising is the virtual absence in extant records of any evidence of the impact

¹⁰¹ See Crook, 'Petition from Prisoners', pp. 1-4; *CPR, 1330-1334*, p. 284.

¹⁰² *CPR, 1327-1330*, p. 69; *CPR, 1327-1330*, p. 69. William Eland is mentioned together with Richard Lord Grey; according to Caroline Shenton, William Eland held the position of speculator of the castle until he was rewarded by Edward III in 1330 by being made its constable: C. Shenton, 'Edward III and the Coup of 1330', in J. S. Bothwell (ed.), *The Age of Edward III* (Woodbridge, 2001), pp. 13-34.

¹⁰³ *CPR, 1340-1343*, p. 229; See also Bloom, 'Careers of Sir Richard II de Willoughby'.

¹⁰⁴ *CPR, 1330-1334*, p. 110.

of Edward III's minority upon Nottinghamshire. Although the patent rolls detail a number of pardons for the period 1327-1330, almost all of these are for what might be termed 'normal' crimes. Only a general pardon, issued on 9 December 1329 to Sir John (Lord) Cromwell (d.1335) and Richard Cromwell for their siding with Edward II in the 'late rebellion' is a clear indication of an involvement in national politics.¹⁰⁵ This may well support the findings of Naughton for Bedfordshire that the gentry of Nottinghamshire largely avoided direct involvement in national political events.¹⁰⁶ What is also interesting about all of the pardons granted to men from within, or who are alleged to have committed crimes within the Middleton area, is how few are the result of an intercession by a magnate.¹⁰⁷ One such is the pardon granted to Sir Thomas de Bekering and his wife, for his crimes when serving as sheriff, which appears to have been as the result of the intervention of the earl of Lancaster. Another equally notorious sheriff, John de Oxenford, was pardoned of his crimes in 1342, and of outlawry, by payment of a fine by Roger Bellers, Ralph son of Ralph de Cromwell and John son of John de Folville.¹⁰⁸ Exactly what the connection was between Oxenford and those who paid his fine are unclear, but it is highly likely that Roger Bellers was the son of the unpopular Sir Roger Bellers, a baron of the exchequer, who was murdered by the Folville gang.¹⁰⁹

¹⁰⁵ *CPR, 1327-1330*, p. 465; John, Lord Cromwell was a steward of the household of Edward II: *Complete Peerage*, vol. III, p. 553; Payling, *Political Society*, p. 95.

¹⁰⁶ Naughton, *Gentry of Bedfordshire*, p. 16.

¹⁰⁷ This may be linked to the difficulty magnates could face in controlling the illegal behaviour of their retainers (see n. 6 above). Bellamy suggests that a sympathetic magnate could intercede to obtain a pardon if they had helped the offender give up their criminal activities, but connections between a magnate and criminal could be tenuous: Bellamy, *Crime and Public Order*, pp. 85, 194.

¹⁰⁸ *CPR, 1340-1343*, p. 473; Ralph Cromwell's son, Ralph, was in turn to acquire through marriage Tattershall in Lincolnshire, which was to be the foundation of the Cromwell's wealth and elevation to the peerage in the fifteenth-century: *Complete Peerage*, Vol. III, p. 551; Payling, *Political Society*, pp. 95-6.

¹⁰⁹ Bellamy, *Crime and Public Order*, p. 74.

There is no record of a John, son of John Folville being a member of the gang, but the Folville brothers who were in the gang were sons of John de Folville, lord of Ashby-Folville. In addition, Ralph Cromwell (d. 1356) married Avice, the daughter of the notorious Roger Lord Bellers.¹¹⁰ Whether or not Bellers, Cromwell and Folville were party to, or profited from, Oxenford's crimes as sheriff is not known, but must remain a possibility.¹¹¹ In any event, despite the apparent difference in social status between Oxenford (the son of an Oxford silversmith), and Bellers and Cromwell, both of whom were members of prominent local families with interests across the east Midlands, the latter were prepared to pay a considerable sum of money to free Oxenford. Which suggests that apparent differences in social status were not always a barrier to co-operation between individuals?¹¹²

If the Middleton gentry are hard to identify from pardons, some, at least of the majority of those pardoned for violent or serious crimes, can be identified as belonging to the peasantry. The case of Henry de Lanum, carpenter, is not untypical. He was pardoned in 1358 for the death of his servant, Roger de Corby (Leicestershire) who attacked Lanum, who in turn killed Corby in 'self-defence'.¹¹³ The extant legal records also seem to suggest that although those clearly identified as being members of the gentry brought cases to court, and were also the subject of prosecutions, the vast majority of

¹¹⁰ Payling, *Political Society*, pp. 95-6.

¹¹¹ The only other example of a pardon resulting from an intervention is that granted to Hugh son of Hugh Gamel of outlawry in Nottinghamshire and Lincolnshire resulting from 'divers felonies and trespasses' against Robert de Nevil at Balderton. The intervention, in a petition dated 1332, is by John de Warenne, earl of Surrey. There is no evidence that Gamel held land or office in Nottinghamshire, or that Warenne held land in Nottinghamshire. *CPR, 1330-1334*, p. 376; SC 8/112/5584.

¹¹² See Chapter one, pp. 24-7 and chapter 2, pp. 79-83; Maddicott believed that Oxenford escaped punishment due to his father-in-law, Sir John de Shoreditch: Maddicott, 'Birth and Setting', 276-299.

¹¹³ *CPR, 1358-1361*, p. 243.

cases involve individuals whose precise status cannot be determined.¹¹⁴ Of twelve cases identified as relating to the Middleton area that were heard in the King's Bench in 1346-1347, only one involved a local knight.¹¹⁵ Two were brought by individuals outside the county (Derbyshire and Leicestershire), and one by a burgess of Nottingham. Four of the twelve cases were of *vi et armis* entailing assault and theft, one of which was brought by a carpenter. Even if we allow that many of these cases were probably brought by non-knighted members of the gentry, there are a sufficient number of individuals who were not, which suggests that for some sections of the peasantry from the Middleton area at least, recourse to justice was both affordable and considered worth pursuing.

The recorded location of violent and serious crimes within the Middleton area shows no obvious pattern, other than that related to probable population size. More crimes are recorded as having taken place in Nottingham, and to a lesser degree, Newark, than elsewhere. Settlements such as Bingham and Radcliffe, which may, based upon lay taxation records, have been amongst the larger villis, also feature repeatedly throughout this period, but still at a very low level. Many of the approximately sixty settlements within the Middleton area do not feature at all. Given the fragmented nature of extant records this is not surprising, but perhaps suggests that some of these villis -

¹¹⁴ Crook suggests that nearly all of 207 prisoners held in Nottingham gaol, whose cases were heard at the gaol delivery sessions heard at Nottingham from January-June 1330 were from the lower orders of society. Only two of the prisoners were knights. Sir Robert Pierrepont was found not guilty of murdering his wife, and Sir Hugh Eland pleaded benefit of clergy to several cases of theft: Crook, 'Petition from the Prisoners', pp. 7-11.

¹¹⁵ KB 27/345-349. The knight in question was Sir Edmund Pierrepont (of Holme Pierrepont), who brought a charge of trespass against Thomas the Miller of Bingham: KB 27/349 m. 7. Another case (KB 27/349, m. 8.) which records the order to the sheriff to arrest Henry Bozon of Screveton who had not answered a pleas of *vi et armis* against John Green of Clifton, may refer to a member of the Bozon family. John Bozon saw extensive service in Nottinghamshire as a JP and commissioner of labourers during the 1350s. There is no evidence that he was knighted.

which almost certainly had populations numbering tens rather than hundreds - may not have experienced a violent or serious crime for a number of years.¹¹⁶ This does not of course necessarily mean that they were 'crime free', but that the types of crimes that were committed were - if they became part of the judicial system - almost certainly dealt with at manorial courts.¹¹⁷ Although the vast majority of extant legal records detailing criminal activity within the Middleton area involve protagonists from within the same vill, or area, there are frequent examples showing that crime (other than gang activity), as with other activities, crossed administrative borders, or involved individuals from opposite ends of a larger geographical area. In 1346 William de Eaton of Ashbourne in Derbyshire for example, brought a plea of *vi et armis* against Nicholas de Cropwell Butler for an assault said to have taken place in Nottingham.¹¹⁸ And in 1342, Robert del Stort was found guilty of burglary, and sentenced to hang for stealing skins from William de Beckfield at Thurgarton.¹¹⁹ In this instance, the interesting factor is that one John Cokeyn, steward of the duchy of Lancaster at Wirksworth in Derbyshire, was also indicted for assisting Stort in removing the stolen goods.

¹¹⁶ See Hanawalt, *Crime and Conflict*, pp. 22-23. The average size of villages in the later Middle ages has been estimated as being between 50 and 600 inhabitants, with an average of 150-300. A good example of the problems in estimating the population of villages from extant data can be found in C. C. Taylor, 'Whittlesford: The Study of a River-edge Village', in M. Aston, D. Austin and C. Dyer, (eds.), *The Rural Settlement of Medieval England* (Oxford, 1989), pp. 207-230, esp. pp. 213-4.

¹¹⁷ By the fourteenth-century, most cases tried in manor courts were cases of trespass: Hanawalt, *Crime and Conflict*, p. 15.

¹¹⁸ KB 27/345, m. 20.

¹¹⁹ JUST 3/133, m. 10.

3.4 The Middleton Area – Non Violent Crime

Disputes relating to the ownership of property for the Middleton area dominate the extant assize rolls, and figure prominently in King's Bench and common pleas records. There is clear evidence that a broad cross section of society used the law to defend claims to property. The assize rolls for 1346 for example, contains details of eight cases, all of which relate to disputes over property. One of the eight plaintiffs was the prior of Lenton, which from 1337 became an alien priory and was as a result more vulnerable to criminal activity.¹²⁰ The remaining six all appear to have been smallholders: a widow, a furrier, and four whose occupation and precise status is unknown, but who do not from other sources appear to have been from the land-holding élite. In addition to the prior of Lenton, who was also a defendant in one case, only one of the principal parties involved was a knight, Sir John Plumtree.¹²¹ A similar picture can be found when looking at the records of the court of common pleas. For 1341-2, out of a total of thirty-two cases relating to the Middleton area, six (19%) relate to disputes over property.¹²² Of these, two cases involved as the plaintiff the prior of Lenton and the prior of Shelford, with the remaining four cases involved parties who appear to have been of lesser gentry or wealthier peasant status. In 1352-3, out of forty-six cases, ten (22%) involved property disputes.¹²³ What is interesting when looking at the similar figures for 1341-2,

¹²⁰ Heath, *Church and Realm*, pp. 112-3. The problems this caused Lenton Priory are discussed in more detail in chapter 4.

¹²¹ JUST 1/1433 m. 61. Sir John Plumtree's status is doubtful. He is described as 'John son of William de Plumtree, chevalier'. However, there is no evidence from any other extant source of a Sir John Plumtree or that any other bearing the name Plumtree were knighted. A John Plumtree of Nottingham is recorded seeking leave to gift land to found a hospital in Nottingham in 1392: *Notts, IPM, 1350-1436*, pp. 122-3.

¹²² CP 40/321-324.

¹²³ CP 40/368-371.

and 1352-3, is that they seem to have been relatively unaffected by a prolonged period of almost continuous warfare in the case of the former, or the impact of the Black Death in the case of the latter.¹²⁴ Although it is clearly impossible to draw any firm conclusions on the basis of such a small sample, it does suggest - perhaps not surprisingly - that some aspects of life in the localities continued regardless of national events. Eight of the ten cases appear to have been between peasants, whilst the remaining two plaintiffs were a Nottingham burgess and a knight.¹²⁵ This evidence illustrates that some of the former were both able to afford, and were willing to use, the law to defend property rights. However, it is likely that it was only the wealthier, free peasants who would be able to use the law to defend their property rights.

Debt, as the extant records show, was a problem that affected a wide section of society in the Middleton area. In her study of Derbyshire gentry in the fifteenth-century, Wright observes that money debts 'must have been widespread.....for indebtedness was the inescapable consequence of the limited circulating medium and the absence of financial machinery'.¹²⁶ That debt is in evidence at all levels of society can be found from one of the few surviving manorial records from within the Middleton area. The court records for Calverton in 1327 record that Richard the carpenter successfully brought two

¹²⁴ Edward III was engaged in almost yearly campaigns against Scotland from 1332, and France from 1337: Ormrod, *Reign of Edward III*, pp. 17-24; the cases heard in the court of the Common Pleas in 1341-2 almost certainly relate to events that took place in the 1330s, or even earlier.

¹²⁵ CP 40/371 m. 83. The Nottingham burgess was the merchant Hugo Spicer and his wife, who disputed with Sir Hugh Meynill ownership of land in Kinoulton. Sir Philip Somerville disputed with an apparent small-holder ownership of just one messuage and 2 acres of land in Stoke Bardolph. Somerville held land in Stoke Bardolph from Lord Adam Everingham: *Notts, IPM, 1350-1436*, p. 13.

¹²⁶ Wright, *Derbyshire Gentry*, pp 24-5. It is somewhat surprising that given the large instances of recourse to the legal framework in order to recover debts in the Middleton area, that this subject has received so little coverage by either historians of county studies or general accounts of the justice system.

cases against John Tege for a debts of 6*d.*, 15*d.* and 15*s.* 6*d.*¹²⁷ At the other end of the social spectrum the Middleton collection contains a deed dated to 1329 which records that Sir Richard de Willoughby loaned £200 to Richard Grey, Lord of Codnor.¹²⁸ As surety for the loan, Grey granted to Willoughby land and two servile tenants. The loan was to be paid by the following Easter. The following year, but after the Easter deadline, Grey appears to have run into difficulties in repaying the loan, as a further deed records that he was to forfeit the land granted to Willoughby unless a payment of £40 was made by the following Michaelmas.¹²⁹ In 1334, Willoughby granted power of attorney to recover all of his debts from Grey.¹³⁰ Precisely what steps Willoughby then took is not known, but in 1339 the close rolls record that Grey acknowledged that he owed Willoughby 200 marks, which was to be levied from his lands and chattels.¹³¹ What is of interest is that the Greys of Codnor were a powerful baronial family, who (with a small number of similar families) represented the apex of society in the east Midlands. And yet despite this, Sir Richard Willoughby clearly had no qualms about employing loans to acquire land.¹³² Although the vast majority of recorded debts are between individuals apparently resident in, or from the Middleton area, there are examples which clearly extend beyond a specific geographical area, such as the debt of 10*s.* owed by Roger Foun to Richard le Cook of Westminster in 1342.¹³³

¹²⁷ Mi M 34/1

¹²⁸ Mi D 1136 of 7 January 1329.

¹²⁹ Mi D 1137 of 29 August 1330.

¹³⁰ Mi D 360/1 of 27 May 1334.

¹³¹ *CCR, 1339-1341*, p. 95. Richard Grey, Lord of Codnor clearly had financial difficulties, as the Close Rolls also record that he owed 200 marks to Thomas of Gravesend in 1339 (*CCR, 1339-1341*, p. 103.) and £40 to Sir Hugh Nevil in 1341 (*CCR, 1341-1343*, p. 340.).

¹³² Bloom identified that from c.1304, the de Willoughbys used loans as the principal means of acquiring property: Bloom, 'Careers of Sir Richard II', p.24.

¹³³ *CCR, 1341-1343*, p. 471.

3.5 Arbitration

Arbitration, usually involving lawyers, has been described as 'an extra-judicial means of resolving disputes' in that it was likely to be both cheaper and quicker than recourse to the common law.¹³⁴ Payling has found that arbitration was an important means for the resolution of disputes, principally over property, amongst the nobility and gentry in fifteenth-century Nottinghamshire.¹³⁵ The evidence for arbitration occurring within the Middleton area during the period of this study can be found within the Middleton deeds. In addition to examples of arbitration between prominent gentry families, the Middleton deeds also reveal plentiful evidence of arbitration between individuals of low social status. It is impossible from the deeds alone to determine whether or not these cases involved some form of pressure or coercion, or if the final concord, or agreement, which related to the conveyance of free or copyhold property, represented one that broadly satisfied both parties.¹³⁶

In 1331 the release by Ralph de Wollaton of Nottingham of all claims to one parcel of meadows in Lenton held by William de Crophull of Nottingham, not only illustrates that burgesses of Nottingham held land outside of Nottingham, but that disputes could be over a relatively small amount of property.¹³⁷ What is also interesting is that, in addition to individuals from

¹³⁴ Musson and Ormrod, *Evolution of English Justice*, p. 143; Musson, *Medieval Law*, pp. 91-3.

¹³⁵ S. J. Payling, 'Law and Arbitration in Nottinghamshire 1399-1461', in J. Rosenthal and C. Richmond (eds.), *People, Politics and Community in the Later Middle Ages* (Gloucester, 1987), pp. 140-160.

¹³⁶ A final concord, or 'fine', was at least in principle, an agreement between two parties regarding property in which property would be settled on one party for a monetary payment. The document was not, during the Middle Ages, a legal document.

¹³⁷ Mi D 658 of 26 March 1331. Lenton and Radford were villis to the west and north-west of Nottingham respectively.

Lenton and Radford, among the list of witnesses are the mayor and bailiffs of Nottingham, which points towards a degree of solidarity amongst Nottingham merchants, as well as suggesting the importance attached to arbitration as a means of conflict resolution. Another example, dating to 1333, is of an agreement between two individuals who were probably peasants, from the village of Bramcote. Robert Symund of Bramcote released all claims to a messuage, and four bovates (approximately sixty acres) in Bramcote to Richard Mabston. Most of the witnesses are given as being of Bramcote, and none can be positively identified as being members of the local gentry or as lawyers.¹³⁸ But if these two examples seem to have been between parties of roughly equal status, one of a number involving Sir Richard de Willoughby illustrates the advantages of wealth and power, and suggests that these may have been a factor in the resolution of disputes.

In 1334, Richard and Sarah Green recognised the right of Sir Richard Willoughby to 20s. rent from property in Hickling.¹³⁹ Whereas Sir Richard was represented by his attorney, John de Sherwood, Richard and Sarah Green appear to have represented themselves. In addition, it is noted that the deed was recorded in the presence of five of Willoughby's central justice colleagues.¹⁴⁰ Similar examples of final concords involving Sir Richard Willoughby can be

¹³⁸ Mi D/151 of 5 February 1333. The possible exception is John de la Ker of Ruddington. The 1327-8 lay subsidy (E 179/159/4) records a John de la Ker as being the largest contributor for Bramcote. However, the Middleton deed records him as being from Ruddington, a village south of the Trent. An *inquisition post mortem* of 1421 refers to substantial amount of property given by a John del Ker. No date is given for this donation (*Notts, IPM, 1350-1436*, pp.172-3). It is also possible that he may be identical to John del Clay, who served as a justice on a commission of oyer and terminer in 1332 (*CPR, 1330-1334*, p. 282).

¹³⁹ Mi D 576 of 18 January 1334.

¹⁴⁰ These were William Herle, Sir John Inge, John Shardlowe, Richard Aldeborough, William Shareshull, John Stonor and John Cantebrigge. It is surely unlikely that Sir Richard Willoughby requested these justices to act in this capacity in respect of what was a relatively small quantity of property. A more probable explanation is that they were serving in the general area in their professional capacity, and may have been staying with Sir Richard at the time the deed was witnessed.

found throughout the period of this study, all of which appear to be with social inferiors. Precisely why individuals sought arbitration rather than the law to settle disputes is unlikely to be known in individual cases. As has been clearly demonstrated, the crown was successful in making justice more widely available throughout society. Yet it is still likely that the cost may have been prohibitive for some, especially when coupled with the time a case could take to reach a resolution.¹⁴¹ It must also remain a possibility that arbitration, when conducted between those of unequal wealth and status, may have been effectively 'imposed' by powerful individuals such as Sir Richard Willoughby. The examples of arbitration contained within the Middleton deeds are predominantly of resolutions of disputes over small quantities of land between parties who were almost certainly lower gentry or wealthier peasants. The witnesses are almost always entirely from the village or villages involved, which suggests that it was probably through the formal village hierarchy, and/or kinship networks, that the arbitration of these disputes was resolved. It is only when disputes involved men of wealth and authority, such as Sir Richard Willoughby, that there is clear evidence of the use of attorneys, or of men of substance acting as witnesses. Whether or not this was intended to put pressure on the other party involved cannot be determined, but it must have been at the very least a welcome by-product if it did.

What, if anything, can be inferred by the evidence of arbitration contained within the Middleton deeds? It is clear, from the number of property cases that did become part of the judicial system that individuals from a wide

¹⁴¹ A good example of the often protracted nature of property disputes can be found in the fifteenth-century Armburgh gentry letter collection: C. Carpenter (ed.), *The Armburgh Papers: The Brokholes Inheritance in Warwickshire, Hertfordshire and Essex, c.1417-c.1453* (Woodbridge, 1998), Introduction pp. 1-60.

range of backgrounds from within the Middleton area were both able and willing to trust the king's justice. This in itself cannot be taken as evidence of an absolute level of trust that the judicial system was completely free and impartial. But it does suggest a degree of trust in the judicial system, and that it was worth pursuing. Conversely, the fact that examples of arbitration can be found within the Middleton collection does not imply a fundamental lack of faith in the judicial system. What can be inferred is that the high demand for a resolution to disputes probably exceeded the capacity of the judicial system, and in addition, arbitration provided a quicker and cheaper alternative. The successful attempt by the crown during this period to make access to the judicial system more inclusive is not undermined by the evidence of the use of arbitration in the Middleton area. Far from turning their backs on the king's law, arbitration as a means for formally resolving disputes simply met a strong desire for justice that the judicial system could not yet fulfil, and which was both quicker and cheaper than recourse to the king's courts. Furthermore it was one that was used by all levels of society, and continues to be employed as a means of resolving conflict.

3.6 Conclusion

Any conclusions about the extent and nature of criminal activity, and the justice systems intended to deal with it in a given area must be prefaced with clear caveats about the fragmented nature of the extant evidence. There are also question marks about the reliability of this evidence. In a petition to the crown dated c.1330, a widow claimed that her husband's murderer, James Coterel,

escaped justice as he brought four hundred armed men ‘and more’ to the hearing at Nottingham at which he was acquitted.¹⁴² The doubt here is surely whether even a member of the notorious Coterel gang could muster over four hundred armed men. It may be that petitioners believed that in order to get a response from the crown, a degree of exaggeration was required, which the crown in turn may have expected and taken into account. Nevertheless, this example does raise doubts as to what else may have been exaggerated or fabricated. It is also the case, as Carpenter points out, that we are also dealing with a period of time when attitudes towards crime may have been quite different from our own, and that a lack of evidence in this respect requires a degree of imagination from the historian.

Despite these concerns it is possible to come to some broad conclusions on this subject. The first is that as far as the Middleton area is concerned, evidence of violent or serious crimes does not seem to support the view that the rates of such criminal activity was high throughout the country. Indeed, the evidence suggests that many communities may not have witnessed such crimes for decades and even those that did, such incidents may have amounted to less than one such crime per year. However, it again must be stressed that the patchy nature of extant sources for Nottinghamshire cannot preclude the possibility that such crime may well have been as high as Hanawalt and Bellamy have found to be the case elsewhere. This does not diminish violent crime – which clearly did take place – but suggests that both in terms of its geographical spread and frequency, it may have been rather less a part of day-to-day life than previously thought.

¹⁴² SC 8/257/12808.

The second broad observation is that violent crime accounts for only a small percentage of all extant criminal records, and furthermore, those using the criminal justice system came from most sections of society. This surely supports the view of Musson and Ormrod that justice was relatively inclusive, and that more and more people were able and willing to use it to settle disputes. This view is not undermined by the examples of arbitration from within the Middleton area, but instead illustrates that a growing demand for legally binding justice was outstripping the crown's ability to provide justice that was both quick and affordable. Both should be seen as addressing the same fundamental need. This survey has also found virtually no evidence of magnate interference in the justice system. And finally, we have seen that the provision of justice was clearly a two-way process. The judicial system was imposed on the localities by the crown, which could also take a direct interest over issues relating to criminal behaviour in the locality. But often these instructions to local officials seem to have been as a result of concerns expressed locally to the crown. In this respect, petitions were an important means by which the locality - either individually or communally - could seek redress from the crown. The justice system must be seen as an integral part of government, which was driven by the needs of the locality as well as those of the centre.

CHAPTER 4

LAND, POLITICS AND SOCIETY

4.1 Introduction

The basis of wealth, social standing and lordship was determined by the possession of land. As we have seen in the previous chapter, legal disputes over property dominate extant sources for south Nottinghamshire, and illustrate not only the rising importance of the law as a means to resolving such disputes, but the essential part played by landholding in what was overwhelmingly a rural society. Indeed, even when predominantly (urban) merchants or ‘men of law’ acquired status and social standing without the basis of a landed income, such was the primacy conferred by rural landholding that many sought to join the ranks of the rural landed élite through rural property.¹ Understanding the patterns of rural landholding in a given area is therefore of fundamental importance if we are to gain a greater understanding of the complex structures of political power - the vertical ties of lordship and the horizontal ties of association - in both the localities and at a national level.

The focus of this chapter will be upon landholding within the Middleton area of south Nottinghamshire (see map 2).² It should also be pointed out that although the Willoughby family during this period held land outside of Nottinghamshire, this will not constitute part of this study, as the vast majority of the Willoughby’s land was within the borders of

¹ For urban gentry and rural landholding, see Horrox, ‘The Urban Gentry’ in J. A. F. Thompson (ed.), *Towns and Townspeople in the Fifteenth-century* (Gloucester, 1988), pp. 22-44.

² See chapter 3, n 1 for an explanation of the Middleton area.

Nottinghamshire.³ The principal advantage of focusing upon a relatively small geographical area is that it enables a more thorough examination of the patterns of landholding and how these relate to the governance of communities.⁴ The main disadvantage is that it raises the seemingly intractable problem of how to address landholding by individuals or institutions resident within the area of study but whose landholding frequently extended beyond the borders of this area, as well as landholding within an area by those who were resident elsewhere. Many of Nottinghamshire's county élite who held land within the Middleton area will be shown to have also held land elsewhere within the county, and a small number of these can aptly be described as being landholders of regional and even national importance.⁵ As far as is practical, the nature and extent of cross border landholding will be identified and analysed. However, the focus of this study is upon those - lay and ecclesiastical - who played a role in politics and political culture within a smaller geographical area. By assessing the basis of wealth for the vast majority in a given location, we can shed light upon the relationship between landholding and engagement in politics. Where there is evidence of landholding by non-resident individuals or institutions playing, or having a role in politics within the Middleton area, this will be addressed.

³ During the course of the fourteenth-century, the Willoughbys, in addition to their holdings within Nottinghamshire, acquired land in Derbyshire, Leicestershire and Lincolnshire: see Stevenson, 'Report to the Commissioners', pp. 504-507; Bloom, 'The Careers of Sir Richard II'.

⁴ For a national survey of landholding in England for most of the period covered by this study see: Campbell and Bartley, *England on the Eve of the Black Death*. For a general survey of landholding and land use, and the broad implications for rural society, see: B. M. S. Campbell, 'Land', in R. Horrox and W. M. Ormrod (eds.), *A Social History of England 1200-1500* (Cambridge, 2006), 179-237.

⁵ The problems of addressing landholding through a county-based study are discussed in Carpenter, *Locality and Polity*, pp. 35-95.

Although the possession of land was not an absolute pre-requisite for involvement in politics, the fact that the vast majority of those who were involved did derive their wealth and status primarily by this means clearly argues for a detailed analysis of land and property holding within the Middleton area.⁶ As we have seen in relation to the workings of government, of central importance in understanding the significance of landholding is the role played by the crown. Under feudal tenure all land was ultimately held of the king, but the crown, in the form of the royal demesne, was still, at the start of the fourteenth-century, the largest landholder in England.⁷ The crown also had a vested financial interest (a role principally undertaken in the localities by the office of escheator) in the state of property-holding of those who directly held land of the crown, the tenants-in-chief. This was both for the income generated upon, for example, the death of a tenant-in-chief, and as a means of bestowing patronage through the granting of property, particularly in the cases of wardships and the marriage of heiresses.⁸ The starting date for this thesis also coincides with the statute of 1327, which formally granted tenants-in-chief the right to alienate their land.⁹ Two examples of enfeoffment to use, dated 1355 and 1358, can be found in the Middleton deeds, and will be discussed later.¹⁰

Although many of the legal and administrative functions of royal forests were in decline during the fourteenth-century, they still constituted a source of

⁶ The best introduction to this subject is Given-Wilson, *English Nobility*, pp. 29-69; further evidence on the centrality of property-holding in relation to status can be found in the contemporary document, *The Modus Tenendi Parliamentum*, which describes the procedures and organisation of fourteenth-century parliament: for a summary of the debate concerning the dating of this document, see Prestwich, *Plantagenet England*, pp. 224-6.

⁷ Campbell, 'Land', p. 201. The best survey of royal landholding is B. P. Wolffe's, *The Royal Demesne in English History: The Crown Estate in the Governance of the Realm from the Conquest to 1509* (London, 1971).

⁸ Although ending his coverage at the point that this thesis begins, Waugh's study on royal wardships and marriages is still relevant to this study: Waugh, *Lordship of England*.

⁹ J. M. W. Bean, *The Decline of English Feudalism 1215-1540* (Manchester, 1968), pp. 100-3

¹⁰ See pp. 178-83.

income for the crown, as well as becoming a growing source of conflict between the crown and some in the localities.¹¹ This chapter will therefore address the significance of the royal Forest of Sherwood, the administrative boundaries of which extended across much of western Nottinghamshire.

This relationship between bastard feudalism and lordship is central to any analysis of landholding. Christine Carpenter, whilst stressing the shared values and ties that drew magnates and gentry together, has argued that lordship exercised by at least one noble existed in most counties.¹² This view has been disputed by a number of historians, such as Dr Payling, who found that in fifteenth-century Nottinghamshire the periodic absence of resident members of the titled nobility led to what he termed the 'greater gentry' largely fulfilling the role of the leaders of provincial society.¹³ This study has found that in fourteenth-century Nottinghamshire it was not a small number of gentry élite ('greater gentry') who provided the focal point of lordship, but resident members of the titled nobility, or those of an equivalent status, as well as those who were resident in adjacent counties but who held substantial land within the county. This is not to suggest an absence of lordship in Nottinghamshire in the fourteenth-century, but rather that lordship, in a county seemingly lacking a resident magnate (or one which appears to have exerted an appreciable influence over the county), was provided by members of the titled nobility.

Of equal importance will be to discover the nature and extent of landholding by those who held office in the Middleton area, and whether or not there is any correlation between land and office-holding, and whether any

¹¹ Young, *The Royal Forests*, pp. 149-171.

¹² Carpenter, 'Gentry and Community', 340-380, esp. p. 360.

¹³ Payling, *Political Society*, pp. 216-220; Saul found a similar situation existed in fourteenth-century Sussex, where the gentry were largely free from non-resident nobility whose lands were managed by bailiffs: Saul, *Scenes from Provincial Life*, p. 28.

substantial landholders, for whatever reason, do not appear to have held office. This analysis will be compared with the evidence of other county studies which suggest that the wealthier gentry families tended to be those who dominated local administration.¹⁴ However, previous studies have specifically looked at one social grouping in society - the gentry - and therefore not at all of those who played a role in politics. As we have seen, those engaged in politics were not restricted to the élite, or county gentry, and therefore this discussion will include an analysis of the evidence of land and property ownership by lesser gentry and wealthier peasants. Two other categories of landholding, both of which have been generally excluded from gentry-based studies will be addressed, namely rural landholding by burgesses and that by the Church and religious institutions. Dr Horrox has argued for the existence of an 'urban gentry', whose members often sought to hold rural land. Those who lived in the countryside could also acquire urban property holdings.¹⁵ There are also ecclesiastical élite and religious institutions, who between them held over one third of the land in England.¹⁶ In Nottinghamshire, episcopal and monastic institutions held land in some two-thirds of all settlements within the county.¹⁷ Du Boulay, for example found that the archbishops of Canterbury were not only the largest single landholders in Kent after the crown, but the wealth the archbishops' demesnes generated made them amongst the wealthiest in the realm.¹⁸ Given the location of Canterbury this is perhaps not surprising, yet the

¹⁴ See Given-Wilson, *English Nobility*, pp. 71-2.

¹⁵ Horrox 'Urban Gentry', 22-44; Peter Coss' definition of the gentry specifically includes the urban gentry: Coss, *Origins of the English Gentry*, p. 11.

¹⁶ Campbell, 'Land', p. 203.

¹⁷ This estimation includes individuals, such as the archbishop of York, as well as monastic institutions which were based outside the county: Unwin, 'Patterns and Hierarchies', p. 225.

¹⁸ F. R. H. Du Boulay, *The Lordship of Canterbury: An Essay on Medieval Society* (London, 1966), p.114.

evidence from the Middleton area suggests that both individual churchmen, such as the bishops of Lincoln who held the town of Newark, and religious institutions, like the Cluniac priory at Lenton, were substantial landholders within Nottinghamshire in general, and the Middleton area specifically, and played an active role in its governance.¹⁹

The first visitation in England in 1348 of the Black Death, or ‘Great Pestilence’ as it was known to contemporaries, proved pivotal in all aspects of life. The impact of the Black Death on landholding will be assessed. This is particularly relevant in relation to how land was held, and whether or not the evidence from the Middleton area supports the broad view of an increase of the amount of land leased by lords.²⁰ It will also look at the resulting impact of the changing economic and political climate brought about by the Black Death.

4.2 Sources

4.2.1 Deeds

Of the range of sources that will be employed in this survey, two require specific comment. These are land charters or title deeds, and *IPMs*. The family and estate papers of the Willoughby family, the Lords Middleton, constitute an important and under-used resource.²¹ The period of this study coincides with

¹⁹ A breakdown of landholding by monastic orders within Nottinghamshire can be found in: D. Knowles and R. Neville Hadcock, *Medieval Religious Houses: England and Wales* (Harlow, 1971).

²⁰ Schofield, *Peasant and Community*, pp. 18-20.

²¹ For a more detailed background to the Middleton collection, see W. Stevenson, ‘Report to the Commission on the Manuscripts of Lord Middleton Preserved at Wollaton Hall, Nottinghamshire’ (London, 1911); and ‘Principal Family and Estate Collections: Family Names L-W’ (The Stationary Office, 1999), pp. 144-7.

the rise from relatively obscurity of the Willoughbys of Willoughby-on-the-Wolds in south Nottinghamshire.²² In two respects the Willoughbys are untypical of most gentry families identified in this thesis; firstly because their status as members of the gentry was achieved only at the beginning of the fourteenth-century, and secondly, as will be shown, the wealth they obtained from successful legal careers enabled them to accumulate large quantities of land at a time of widespread impoverishment and volatility in the land market.²³ The collection contains a variety of documents and letters, of which title deeds form by far the largest part, ranging in date from the thirteenth to the twentieth century. The significance of this collection lies in the fact that title deeds, which constituted a legal document recording (usually) a property transaction, were enrolled in manorial court rolls. Since this process was not always undertaken, and given the virtual absence of extant manorial records for Nottinghamshire for the period of this study, the title deeds in the Middleton collection represent a highly valuable source of information.²⁴ In addition to detailing the acquisition and disposal of property, the deeds also shed light upon the identities of those who - in their capacity as witnesses and clerks - played an important role within provincial communities, as well as facilitating a greater understanding of the relationship between 'purchaser' and 'seller',

²² For a detailed survey of the rise of the Willoughbys, see Bloom, 'Careers of Sir Richard II'.

²³ The 'Great Famine' of 1315-1322 had a significant impact on England (and most of northern Europe) in terms of a dramatic decline in the population, as well as both an immediate and longer-term effect upon the land market. Jordan has described how the resulting rural impoverishment enabled wealthier individuals (such as the Willoughbys) to take advantage of a 'buyers market': W. C. Jordan, *The Great Famine: Northern Europe in the Early Fourteenth-Century* (Princeton, 1996), p. 102; for a broader discussion which also addresses historiographical debates surrounding agriculture, population and land use, see B. M. S. Campbell, 'England: Land and People', in S. H. Rigby (ed.), *A Companion to Britain in the Later Middle Ages* (Oxford, 2003), pp. 1-25.

²⁴ J. A. Raftis, *Peasant Economic Development within the English Manorial System* (Montreal, 1996), pp. 133-5; Michael Clanchy points out that strictly speaking a charter was not essential to validate a property conveyance, but by the thirteenth century it had become accepted practice: M. T. Clanchy, *From Memory to Written Record: England 1066-1307* (Oxford, 2nd edn., 1993), p. 52.

and the structure of these communities. J. A. Raftis' analysis of extant title deeds for four Hampshire manors between 1285 and 1346 suggests that witnesses to title deeds were chosen by the principal parties from amongst those within the community who were both known to them and respected by the community as a whole.²⁵ He further observed that some 70% of identified witnesses served as a witness on at least one occasion for land other than where they resided. The analysis of witnesses detailed in the Middleton deeds, together with evidence of those who acted as witnesses for *IPMs* and other inquisitions will enable a direct comparison with Raftis' findings for the Hampshire manors, at an overlapping timeframe.²⁶ Whereas the Hampshire manorial findings of title deeds record transactions of small quantities of land between peasants, the Middleton deeds, for the period of this study, contain some 37% that relate directly to Sir Richard (II) (d. 1325) and his son and heir Sir Richard (III) (d.1362) Willoughby both of whom were amongst the wealthiest of the county's gentry élite, and whose landholdings were on a regional scale.²⁷ If Raftis is correct in his observations regarding the social standing of witnesses, then a direct contrast between witnesses for both Sir Richard Willoughbys and peasants residing in the same locality may shed important light on the political structure of a locality.

The great strength of the Middleton collection is that it enables an insight into property transactions unconnected to the Willoughbys in mid-fourteenth-century Nottinghamshire. For the period of this study a total of 362

²⁵ Raftis, *Peasant Economic Development*, p. 135.

²⁶ The evidence gained by an analysis of witnesses and jurors will be discussed in detail in the case study in chapter five.

²⁷ For the extent of landholding by the Willoughbys during this period, see Bloom, 'Careers of Sir Richard II', pp. 369-373. Bloom points out that although the Willoughbys landholdings were focused on the midlands, by 1340 they held land in fifteen counties, p. 112.

deeds relating to Nottinghamshire were consulted, of which only 134 (37%) involved members of the Willoughby family.²⁸ However, all but eight of the remaining 228 deeds relate to vills where, during the period 1209-1362, the Willoughbys had acquired land.²⁹ The remaining eight apparently bear no relation to the Willoughbys. One of these vills, Trowell, may explain why the collection contains title deeds seemingly unrelated to landholding by the family during the period of this study. The Middleton collection contains a number of title deeds relating to property transactions within the manor of Trowell, ranging chronologically from c. 1200 to 1662. The last of these, dated 13 April 1662 confirms that the manor of Trowell had recently been acquired by Sir Francis Willoughby.³⁰ This suggests that the acquisition of title deeds relating to a particular property (or in this case manor) that pre-dated its acquisition in 1662 were probably seen as assisting in supporting title to the property. Of the 362 deeds consulted, a total of seventy-eight different locations within Nottinghamshire are mentioned, of which forty-one involve members of the Willoughby family. There is a strong link between the most frequently recorded vills and the Willoughbys. Willoughby-on- the-Wolds is mentioned in a total of thirty-eight deeds of which twenty-four relate to Sir Richard (II) and his son Richard (III) de Willoughby. This can be explained by the fact that the

²⁸ For the acquisition of land within Nottinghamshire by Sir Richard II Willoughby, and his son Sir Richard III Willoughby, see Bloom, 'The Careers of Sir Richard II'. Although the overwhelming majority of deeds contained in the Middleton collection relate to property, there are some examples of deeds relating, for example to loans, or the establishment of chantries.

²⁹ This timeframe is taken from Bloom's analysis of the acquisition of land by the Willoughby family from the 'founder' of the family's fortune, Ralph Bugge of Nottingham's first recorded acquisition in 1209, until the death of Sir Richard (III) Willoughby in 1362: see n. 16 above for ref. The Middleton deeds consulted for this study range from 1327-1360. The eight vills detailed in the Middleton deeds for which there is no evidence of any connection with the Willoughbys during this period are: Chilwell, Hucknall Torkard, Basford, Shelford, Trowell, Mansfield and Annesley Woodhouse.

³⁰ PO 206 of 14/04/1662; Mi 2/55/10 of 4 June 1367 makes mention of land held in Trowell by Hugo Willoughby. There is no evidence that a Hugo Willoughby was a member of the main Willoughby line, but it remains possible that he was distantly related.

Willoughbys were the lords of the manor of Willoughby-on-the-Wolds, and as such would have been in possession of the manorial rolls recording property transactions within the manor. Yet, elsewhere the collection illustrates that considerable gaps exist, and that it cannot be taken as representing a comprehensive collection of all title deeds within a given geographical area. To reinforce the point that the Middleton collection does not represent the totality of extant title deeds within the Middleton area, another, smaller collection of title deeds has also been consulted. The Clifton title deeds are from the Cliftons of Clifton in south Nottinghamshire, who were a family of considerable local significance throughout the later Middle Ages.³¹

The fact that so many of the deeds apparently involve wealthier peasants as well as Nottingham merchants, reinforces the importance of landholding throughout society, and explains, in part, why so many took recourse to the legal system as well as arbitration to settle disputes relating to property. One aspect of the title deeds is the plentiful evidence they provide of the involvement in the rural land market of the urban gentry. Burgesses of Nottingham, throughout the period of this study, acquired property or land in a number of villis close to the town. What is most striking is that none of these are located more than approximately three miles from Nottingham. All of these villis are located on the north bank of the Trent, and most to the west of Nottingham, which is probably a reflection of the composition of the Middleton deeds rather than the full picture. Although not covered by the Middleton deeds, the example of Newark strongly suggests that landholding

³¹ For background to the Cliftons, see Payling, *Political Society*, pp. 29-30. Sir Gervase Clifton (d. 1389) served as sheriff and escheator for Nottinghamshire in 1344 and as an MP in 1348. He does however appear to have devoted his life to more than fifty years of military service: Lists and Indexes; Denholm-Young, *The Country Gentry*, p. 135.

probably extended around the whole of the town and within a similar radius of a few miles.³²

The number of deeds contained in the Middleton collection also requires comment. Between 1327 and 1360 there is an average of 10.6 deeds per year. Yet this figure masks a steady decline from the start to the end of this period; for the three years of the 1320s, the average number of deeds is 17.3 per year; for the 1330s this figure is 13.5; for the 1340s (up to the eve of the Black Death) it is 8.44; and from 1349-1360 it is 6.41. The equivalent figures for the much smaller Clifton deeds are of an equal number of deeds for each decade up to the Black Death, then a halving for the 1350s.³³ Bloom has identified the period 1325-1340 as one of an 'explosion' of the Willoughby estates; it may simply be that this period represented the height of the Willoughbys expansion into the land market, even though they continued to acquire estates after 1340.³⁴ It would also seem that in this respect, the Willoughbys through service to the crown were able to take advantage of a long term decline in the property market, which had started with the 'Great Famine', and was to continue with the demographic catastrophe of the Black Death.³⁵

³² See Brown, *A History of Newark*, pp. 111-2, 141-3, 149-51. Brown does not comment upon the land market, but does provide translations of Feet of Fine records, corporation records of Newark, and Close Roll entries pertaining to Newark. These show a lively property market both within the town itself, and in land in surrounding villis.

³³ There are a total of 20 deeds in the Clifton collection that fall within the period of this study. The number of deeds for each decade is: 1327-1330, 5 deeds; 1330s, 6 deeds; 1340-1348, 6 deeds; and 1349-1360, 3 deeds.

³⁴ Bloom, 'Careers of Sir Richard', p. 69.

³⁵ For the impact upon the land market resulting from the Great Famine of 1315-1322, see Jordan, *Great Famine*.

4.2.2 Inquisitions Post Mortem

The other principal source that has been consulted for establishing patterns of landholding are *IPMs* and other inquisitions.³⁶ An *IPM* was held upon the death of a tenant-in-chief, and was conducted by the escheator where an individual held land of the crown and which entailed identifying any heirs as well as valuing the property. It is important to stress that *IPMs* therefore do not provide a comprehensive coverage of property holding, but they do complement the information contained in title deeds; the latter record information of the engagement in the property market of a much wider section of society, whereas tenants-in-chief were predominantly the landholding élite. *IPMs* are also of some assistance in addressing the problem of cross-border landholding, as an inquest was undertaken in each county where an individual held land, which to some degree at least facilitates an understanding of the extent of patterns of landholding. The information contained within *IPMs* is not only invaluable in identifying who held land, but it often details sub-tenants, thus shedding light upon what could constitute a complex chain of landholding. Another important aspect of *IPMs* is what has been until recently, the under-used evidence to be gained from analysing the names of jurors summoned by the escheator to attend inquests.³⁷ Carpenter has rightly pointed out the potential dangers of accepting at face value evidence recorded as having been given by jurors, especially in the case of proof of age inquests.³⁸ And Hunnisett

³⁶ The best recent survey on *IPMs* is Christine Carpenter's introduction to *Calendar of Inquisitions Post Mortem*, 1-5 Henry VI, 1422-1427 (Woodbridge, 2003), pp. 1-22. See also Campbell and Bartley, *England on the Eve*, pp. 13-29.

³⁷ An analysis of jurors for *IPMs* and other inquisitions will be explored in the case study in chapter five.

³⁸ Carpenter, *Calendar of Inquisitions*, pp. 10, 18-19.

has also cast considerable doubt over the reliability of information contained within *IPMs*, which, he has argued, could often be the product of an acceptable compromise between crown officials and interested parties.³⁹ Nevertheless, when combined with evidence of witnesses to title deeds, and occasional details of office-holding in local government, the details of jurors for *IPMs* provides crucial information on a section of society who were not only actively engaged in legal aspects of local government, but whose contribution has too often been overlooked by historians when addressing the broad issue of governance in the localities.

4.3 Crown and Magnate Landholding

The extent of crown and magnate landholding within a given locality is primarily of interest for what it can reveal about the nature of lordship. County and regional studies of England in the late Middle Ages strongly suggest that although crown and magnate landholding was widespread throughout the realm, the patterns of such landholding could produce quite distinct county or regional variations which have led in turn to historiographical debates over the nature and functioning of political authority in the localities.⁴⁰ Two inter-linked strands of these historiographical debates have a direct bearing upon this study.

³⁹ R. F. Hunnisett, 'The Reliability of Inquisitions as Historical Evidence', in D. A. Bullough and R. L. Storey (eds.), *The Study of Medieval Records: Essays in Honour of Kathleen Major* (Oxford, 1971), pp. 206-235, esp. p. 206.

⁴⁰ The best study on the relationship between Edward III and the nobility during the period of this study is J. S. Bothwell, *Edward III and the English Peerage: Royal Patronage, Social Mobility and Political Control, in Fourteenth-Century England* (Woodbridge, 2004). Bothwell's focus is on Edward III's programme of patronage, with particular reference to the creation of a 'new' nobility; for a comparison with the relationship between Richard II and the nobility, see A. Dunn, *The Politics of Magnate Power: England and Wales 1389-1413* (Oxford, 2003).

First, there is the view, expressed by historians such as Christine Carpenter, that lordship, as exercised by magnates through their extensive landholdings was, in essence, universal throughout the realm.⁴¹ This view stands in partial opposition at least to the findings of a number of gentry county studies which have argued - to varying degrees - that in parts of the country the lack of magnate lordship saw the development of an 'independent gentry'.⁴² The fundamental problem in addressing these debates lies with the nature of extant sources, which preclude anything approaching a comprehensive national analysis of the extent of informal ties between magnates, and the titled nobility and the gentry.⁴³ But equally frustrating is the absence of evidence revealing the nature and extent of informal ties of lordship which undoubtedly existed, but which by their very nature are less likely to have been recorded during this period. There is surely little doubt, as the studies of Carpenter and M. Cherry have demonstrated for fifteenth-century Warwickshire and Devon respectively, that there were, at the very least in parts of England in the later Middle Ages, magnates who through the process of retaining members of the titled nobility and gentry, as well as the nebulous horizontal ties of association, could dominate politically and socially 'their country'.⁴⁴ Given that the very structure of late medieval society gave magnates - the king's leading subjects - the principal role of ruling in the king's name in the localities, this is hardly surprising.

Both Carpenter and Cherry have further argued that even in areas lacking resident magnates, any involvement by the gentry in the 'political

⁴¹ See Carpenter, 'Gentry and Community', p. 360.

⁴² For references to works arguing (to varying degrees) for the existence of independent gentry, see Carpenter, 'Gentry and Community', p. 357. n. 71.

⁴³ Saul, *Knights and Esquires*, p. 61.

⁴⁴ Carpenter, *Locality and Polity*, pp. 281-614; Cherry, 'The Courtenay Earls of Devon', 91-97.

world' meant that they would, inevitably, come into contact with either magnates or their representative in a county within which a magnate had a landed interest.⁴⁵ However, it is hard not to escape the feeling that this debate has a slightly artificial air to it. The county studies that have been labelled as supporting the existence of an 'independent gentry', do not deny the existence of the lordship and authority of resident magnates, but rather suggest that their level of involvement or interference within gentry political society may not, for some areas, have been that significant.⁴⁶ Of particular relevance for this study are the findings of Dr Payling, who has identified that although there were 'regional' baronial families who held land in Nottinghamshire in the fifteenth-century, they found it necessary to work with the gentry élite if they wished to exert political influence, who through their landholding within the county came to dominate political offices.⁴⁷ But if this was the situation in Lancastrian Nottinghamshire, what then can we say of the situation in south Nottinghamshire for the period of this study?

4.3.1 Crown Landholding

By the later Middle Ages, the royal demesne in Nottinghamshire was limited to land granted to members of the royal family, and three royal parks with hunting lodges located north of the river Trent within the boundaries of Sherwood

⁴⁵ Carpenter, 'The Midlands', p. 8.

⁴⁶ Dr. Wright, for example found in fifteenth-century Derbyshire that although the duchy of Lancaster held considerable estates in the north-west of the county, and dominated political society there, the remainder of Derbyshire – and in particular the south – was controlled by the local gentry: Wright, *Derbyshire Gentry*, p. 14; Naughton, writing of thirteenth and fourteenth-century Bedfordshire, found that a lack of baronial ties kept the counties' gentry from becoming involved in internal (national) politics: Naughton, *Gentry of Bedfordshire*, pp. 5-16.

⁴⁷ Payling, *Political Society*, pp. 87-108

Forest.⁴⁸ The level of royal demesne land in Nottinghamshire during the period of this study was modest when compared to other counties: within the Middleton area it consisted of a single mill at the vill of Radford.⁴⁹ However, land held directly by the crown, including that endowed on members of the royal family, was only part of the royal estate, which also consisted of the income from wardships, alien priories and vacant church property.⁵⁰ An example of how the crown derived income through wardships can be found in the Middleton deeds. In a letter dated 29 April 1350 from Queen Philippa to Walter Stretton, keeper of the queen's franchise and fees in the county of Nottingham(shire), Sir Richard Willoughby was granted two parts of the manor of Sutton-on-Trent as a result of the minority of Bertram Montboucher, son and heir of Sir Reginald.⁵¹ Sir Richard Willoughby was required to render to the queen's exchequer at Michaelmas and Easter the sum of eight marks.

Although evidence of wardships in the Middleton area are rare, it must be seen as another strand of the two-way relationship between the crown and the locality, for by granting the wardship, the crown was not only bestowing financial benefits to Sir Richard, but also seeking to encourage loyalty. Part of the royal demesne, was the honour of Peverel (also known as the honour of

⁴⁸ For the extent of the royal demesne in Nottinghamshire see Wolffe, *Royal Demesne*; the three parks were at Clipstone, Kingshaugh and Dunham. There was also a small park to the west of Nottingham castle: see D. Crook, 'The Development of Private Parks in Medieval Nottinghamshire', *Transactions of the Thoroton Society of Nottinghamshire*, cvi (2002), 73-9.

⁴⁹ Land within Nottinghamshire granted to members of the royal family comprised: Queen Isabella, £10 of yearly rental by the abbot of Welbeck for the mill at Radford; £10 from the farm of Retford; £10 of the yearly farm by Hugh de Nevil for the town of Arnold; £54 for the manor of Mansfield. Queen Philippa, £10 of the farm of Radford mill of the abbot of Welbeck; £14 of the towns of Darlton and Ragnall. In addition Philippa was granted the castle and town of Tickhill, which included the manors of Gringley and Wheatley in north Nottinghamshire: Wolffe, *Royal Demesne*, pp. 230-44; see also R. S. Hoyt, *The Royal Demesne in English Constitutional History, 1066-1272* (Cornell, 1950).

⁵⁰ Wolffe, *Royal Demesne*, p. 54.

⁵¹ Mi D 1067. The letter also states that Bertram Montboucher was Sir Richard Willoughby's grandson. Sir Bertram Monboucher was later to marry Isabel, daughter of Sir Richard Willoughby. He served as an MP and sheriff for Nottinghamshire in the 1370-80s.

Nottingham), which reverted to the crown in 1155, constituted a compact collection of manors, the vast majority of which were within the Middleton area.⁵² From an examination of *IPMs*, the honour of Peverel consisted of at least twenty-three manors within the Middleton area.⁵³ The administrative functions of the honour required that a court be held every three weeks, to which tenants (or their representatives) were required to attend, as well as a tourn, which was to be undertaken by the holder of the bailiwick, accompanied by the sheriff.⁵⁴ In 1336, William Eland, who had been rewarded by Edward III for his role in the coup of 1330 at Nottingham castle by being made its constable, was also granted the bailiwick of the honour, a position which appears to have been hereditary, as he was followed in this role by his son, William.⁵⁵ One of Eland's predecessors can be identified in a petition to the crown, dated c.1300-1332 presented by Sir John Annesley. Annesley sought his reappointment to the bailiwick of the honour of Peverel, and refers to the farm of the honour being collected by the sheriff.⁵⁶ Although Sir John Annesley may not be counted amongst the landholding county élite, he was nevertheless a belted knight with a record of local service.⁵⁷ When seen

⁵² C. Drage, *Nottingham Castle: A Place Full Royal* (The Thoroton Society of Nottingham, 1989), p. 31. The honour, which was held by Sir William Peverel, reverted to the crown in 1255. The greater part of the honour was located within south Nottinghamshire, but also extended to holdings in Derbyshire, Northamptonshire and Essex. In addition to the honour of Peverel, the crown also held the honour of Tickhill, which although based upon the royal castle of that name in west Yorkshire, also comprised land in Nottinghamshire, though most of this was located towards the northern border with Yorkshire.

⁵³ *IPM, Notts, 1321-1350 and 1350-1436*. The honour of Peverel held land in both Nottinghamshire and Derbyshire. Although this study has focused upon land held in the Middleton area, it should be noted that the honour also held land in the rest of the county. The majority of land however was in the south of Nottinghamshire.

⁵⁴ J. T. Godfrey, *A History of the Parish and Church of Lenton in the County of Nottinghamshire* (London, 1904), pp. 386-390.

⁵⁵ *Ibid.*, p.389-90.

⁵⁶ SC 8/88/4366. The petition is badly damaged, but suggests that 'bad behaviour' by Annesley cost him the appointment.

⁵⁷ Sir John Annesley was an MP Nottinghamshire in 1295, 1321, and 1326-7: *Return of the Name of Every Member*.

alongside Eland's appointment, this suggests that the crown was content to appoint to this position those who were from what might be termed the 'second tier' of Nottinghamshire landed society.

4.3.2 Landholding by Magnates and the Titled Nobility

The evidence shows that landholding by lay and ecclesiastical magnates, such as the archbishop of York who held the town of Southwell, is surprisingly limited both in the Middleton area of south Nottinghamshire, and within the remainder of the county.⁵⁸ For example the *IPM* held upon the death of the earl of Kent in 1352, reveals a distinctly modest level of landholding in the county.⁵⁹ Even the duchy of Lancaster, which was a substantial landholder in neighbouring Derbyshire, Yorkshire and Leicestershire, appears to have held relatively little land in Nottinghamshire. On the death of Thomas, earl of Lancaster in 1322, his holdings are given as the manors of Gunthorpe held of the honour of Leicester, and Cropwell Butler of the honour Lancaster.⁶⁰ His brother's son, Henry Grosmount, earl of Lancaster, appears to have acquired additional land in three other manors. All of the land known to have been held was within the Middleton area of the county.

The absence of substantial magnate held land within the Middleton area specifically, and Nottinghamshire in general, is probably the result of the long-term patterns of landholding. The 'Domesday' entry for Nottinghamshire records that land held by William Peverel broadly corresponds geographically

⁵⁸ *Notts, IPM, 1350-1436*, p. 51; In addition, the bishops of Lincoln held the town of Newark: Brown, *History of Newark*, p. 26.

⁵⁹ *Notts, IPM, 1350-1436*, pp. 4-6.

⁶⁰ *Ibid.*, p.25.

to what would later become the honour of Peverel.⁶¹ And the eleventh-century ancestor of another substantial fourteenth-century landholding family, Walter D'Aincourt (Deincourt), was also a significant landholder. Although there were many changes in landholding in the Middleton area between the eleventh and fourteenth centuries, the honour of Peverel appears to have remained essentially the same. With the concentration of the honour in the Middleton area, which in the fourteenth-century was predominantly in the possession of the titled nobility, gentry, and religious institutions, it may simply be that in this part of England, the long term development of landholding precluded the extent of magnate landholding identified elsewhere in the realm. What is also of interest is that Edward III does not appear to have used the honour as patronage in creating a 'new' nobility.⁶² It is however, a similar picture to that which Payling found for early fifteenth-century Nottinghamshire, where the percentage of wealth in magnate hands in the county was in his opinion amongst the lowest in the country.⁶³ This suggests that broad patterns of landholding in Nottinghamshire appear to have remained relatively stable for a period of over one hundred years.

If there is little extant evidence of magnate landholding within the Middleton area, then land held by members of the titled nobility is more plentiful. One such family, who were one of the most prominent baronial families in the region, were the Greys of Codnor, a Derbyshire family who held

⁶¹ A. Williams and G. H. Martin (eds.), *The Domesday Book: A Complete Translation* (London, 1992), pp. 757-84. The archbishop of York is recorded as holding Southwell and the bishop of Lincoln, the town of Newark.

⁶² Bothwell, *Edward III and the English Peerage*, pp. 46-77.

⁶³ Payling, *Political Society*, p. 12.

land across the East Midlands, as well as in the south east of England.⁶⁴

Wright found that in the fifteenth-century a substantial part of Lord Grey's landholding was in Nottinghamshire, and Payling has examined the prominent role played by the Greys in Nottinghamshire during the same period.⁶⁵ The evidence suggests that the Greys landholding in Nottinghamshire was largely achieved during the fourteenth-century. In addition to the manors of Toton and Radcliffe-on-Trent (both within the Middleton area) and Eastwood, two deeds in the Middleton collection record the acquisition by Grey of the manor of Bradmore and Barton (also in the Middleton area), and which also show that property holding could be international in nature. Grey acquired the manor for the sum of £800 from the French noble, Estout Esteville, in deeds which were witnessed by the constable of France, the count d'Eu.⁶⁶ Although modest by comparison with the expansion of the family's landholding in the fifteenth-century, Richard Lord Grey, during the period of this study was still one of the largest landholders in the county: the vast majority of Grey's land being situated in the Middleton area. However, Grey and Lord Bellers from Leicestershire are typical of baronial families who held land within Nottinghamshire, but who appear to have played a limited role in local governance within the county.⁶⁷ A similar situation exists for 'resident' Nottinghamshire titled nobles. Lord Adam de Everingham of Laxton and his son Adam, for example, held considerable land throughout the county,

⁶⁴ Wright, *Derbyshire Gentry*, p. 4. Lord Richard Grey received personal writs to attend parliament as a peer throughout the period of this study: *Reports for the Lords Committee Touching the Dignity of a Peer of the Realm*, vol. iv: R. I. Jack, 'Grey Family', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com> accessed 26 June 2007.

⁶⁵ Payling, *Political Society*, pp. 90-3. Payling describes the Greys as a minor baronial family until the last quarter of the fourteenth-century.

⁶⁶ Mi D 28 of 11 November 1331, and Mi D 29 of 1332. See also *Notts, IPM, 1321-1350*, p. 64.

⁶⁷ Roger Bellers held the office of sheriff in 1361, and was an MP in 1371. There is no evidence that any of the Greys of Codnor held any form of office during this period.

including the lordship or joint lordship of more than nine vills within the Middleton area.⁶⁸ Yet apart from serving as a commissioner of the peace in 1350, there is no evidence of office-holding by either Lord Adam during this period.

What this surely illustrates is the danger of placing too much emphasis upon the connection that existed between local office-holding and political power during the period of this study. The focus of magnates and the titled nobility was upon direct service to the crown, principally in the form of military activity, providing advice to the monarch, and increasingly during the fourteenth-century, attendance at parliament, rather than through local office-holding.⁶⁹ However, this did not mean that magnates such as the earls/dukes of Lancaster, or titled nobles such as Richard Lord Grey, through their landholding and the authority did not exert considerable political and social influence within the locality. Whether or not the earls/dukes of Lancaster periodically resided at any of their Nottinghamshire manors is not known, but from what is known of Henry Grosmont's itinerary, it would appear unlikely.⁷⁰ But as Saul has shown, magnates such as John of Gaunt did not need to reside in an area where he held land in order to exercise his considerable authority in protecting his interests.⁷¹ Though it is worth pointing out, as Walker has

⁶⁸ Laxton is in the middle of the county. The vills held by Everingham within the Middleton area were: Laneham, Shelford, Newton, Radcliffe-on-Trent, Lamberley, Colwick, Carlton and Stoke Bardolph: Brown, *Nottingham Worthies*, pp. 53-5. For military service, see chapter 2.

⁶⁹ See chapter 2; the exception to this observation is the position of commission of the peace: see chapter 1, pp. 46-51.

⁷⁰ Henry Grosmont, duke of Lancaster, spent approximately half of his life between 1333 and 1361 either in France or Scotland. According to Fowler, when he was in England of all of his 'numerous other residences', he favoured Leicester castle: Fowler, *King's Lieutenant*, pp. 214-5; For the itinerant nature of royal and princely courts, see: M. Vale, *The Princely Court. Medieval Courts and Culture in North-West Europe* (Oxford, 2001), pp. 136-166.

⁷¹ Saul charts opposition by local landholders in Sussex to Gaunt's attempt to assert his rights to hold a hundredal court: Saul, *Scenes from Provincial Life*, pp. 28-9.

demonstrated, there were limits to what even Gaunt could achieve.⁷² It must be stressed that even if there probably were no resident magnates in the Middleton area, it did contain resident members of the titled nobility such as the Pierreponts and Everinghams, who locally at least, stood at the apex of political and social networks. Precisely how these political and social networks manifested themselves within the Middleton area is largely a matter of surmise, but that they surely existed is beyond doubt.

4.4 Gentry Landholding

Although it is difficult to make exact comparisons, there do appear to have been families who resided within Nottinghamshire or who held land within the county, who can be said to have been comparable in the extent of their landholding to some members of the titled nobility. A prime example of a regional landholder is that of the Chaworth family, one of the leading knightly families in the Midlands.⁷³ During the period of this study the heads of this family, Sir Thomas II Chaworth (d.1347) and his son Sir Thomas III (d. 1370) held land in four adjacent counties: Nottinghamshire, Derbyshire, Yorkshire and Leicestershire. And yet despite the fact that the majority of the family's land was held in the Nottinghamshire manors of Edwalton, Osberton and Marnham, it seems to have resided firstly in Alfreton in Derbyshire, and then at some point between 1315 and the 1330s, in Melbourne, Leicestershire, where

⁷² Walker, 'Lordship and Lawlessness'.

⁷³ S. J. Payling, 'Chaworth (de Cadurcis) Family (per. c.1160-c.1521)', *Oxford Dictionary of National Biography*, <http://via.www.oxforddnb.com>, accessed 11/06/2007.

its members also served as keepers of the peace and knights of the shire.⁷⁴

The Chaworths are also of interest in another respect. Despite their sizable landholding in Nottinghamshire, for the period of this study their involvement in local governance appears to have been focused upon their Leicestershire residence of Melbourne. And yet as Payling has identified, from the late fourteenth-century, the Chaworths can be counted as having played a prominent role in the governance of Nottinghamshire once they became resident in the county.⁷⁵ This suggests that location of residency for families such as the Chaworths largely determined the focus of their visible engagement in politics in a given locality, almost regardless of the extent of their landholding elsewhere. Again, it must be stressed that office-holding was only one facet, albeit for the historian a highly tangible one, of engagement in politics.

During the period of this study, the Chaworths may have been involved in local government in Leicestershire, but this does not mean - as we have seen in the case of magnates and lesser nobles - that they had little or no impact in the governance of their manorial lands in Nottinghamshire or elsewhere. Most of the families that Payling identified as representing the county élite in fifteenth-century Nottinghamshire occupied the same position during the earlier period covered in this study. The Deincourts, Cliftons, Pierreponts, Strelleys Willoughbys, and Chaworths were amongst the major landholders in

⁷⁴ *Ibid.*, Sir Thomas II Chaworth served as a keeper of the peace in the 1330s; Sir Thomas III served as an MP for Leicestershire in 1360. Lawrence Chaworth, a younger son of the first Sir Thomas (d. 1315) served as a coroner for Nottinghamshire and was an MP for Nottinghamshire in 1313. See also Astil, 'Medieval Gentry', pp. 5, 352-3; Payling describes the Chaworths as at the end of the thirteenth century as 'perhaps even then the greatest gentry family with estates in Nottinghamshire': Payling, *Political Society*, p. 25.

⁷⁵ *Ibid.*, pp. 25-9. The Chaworths acquired the Nottinghamshire manors of East Bridgford and Wiverton in the late fourteenth-century, which according to Payling saw the family's focus move from Leicestershire to Nottinghamshire.

the county, which included the Middleton area.⁷⁶ The sheer size and geographical spread of their landholding can be seen by the example of Sir Richard II Willoughby and his son Sir Richard III, whose landholdings extended across much of south Nottinghamshire. What these families have in common with lesser noble families such as the Everinghams and Greys, is not only a broadly similar level of landholding, but a general absence of involvement in the formal governance of the locality during this period.⁷⁷ This situation is in stark contrast to fifteenth-century Nottinghamshire, where the principal offices of local government - sheriff, MP, escheator, and Justices of the Peace - were largely dominated by the county's landholding élite.⁷⁸

What does this tell us about the connection between the extent of landholding and the level of involvement in local government and why did this relationship change from the fourteenth to the fifteenth-century? There is no single answer to this question. Part of the explanation must lie with the growing attractiveness office-holding held for the governing élite in the localities, which increased during the course of the fourteenth-century.⁷⁹ The *Modus Tenendi Parliamentum* for example, strongly points towards not only the importance specifically of parliaments and how they were conducted, but to the importance of status and office-holding in general. For the period of this study, many of the landholding élite undoubtedly pursued military careers during what was a period of almost continuous warfare, or, like Sir Richard

⁷⁶ For more background to these families, see Payling, *Political Society*, pp. 19-62.

⁷⁷ The only member of any of these families to hold the position of sheriff, for example, was Sir Gervase de Clifton, in 1344, who also served as a knight of the shire in 1348. Despite their legal careers, Sir Richard II and Sir Richard III de Willoughby both took part in a number of local commissions.

⁷⁸ Payling, *Political Society*, pp. 244-5. Between 1399 and 1461, for example, the 13 families that Payling identified as representing the county's élite held the position of sheriff on 44 occasions (63%), compared to 25 holders (36%) from 45 families described as lesser knightly, and the greater and lesser squirearchy.

⁷⁹ See also chapters 1 and 2 for detailed discussion on office-holding.

Willoughby, held high office in central government. Yet this was also true of much of the fifteenth-century. Another factor to consider is the changing attitude of both the crown and parliament towards the quality of local office holders. Income and property qualifications applicable to the offices of sheriff, escheator and MP were introduced by parliament in the late fourteenth-century. But it is unlikely if these would have prevented the overwhelming majority of those who held high office in Nottinghamshire during the period of this study from doing so had they been introduced at an earlier date.⁸⁰ Although Edward III faced a domestic crisis in 1340-1 as a result of a combination of high taxation and a perceived high level of corruption by crown official in the localities, the period of this study can be categorised as one of remarkable domestic political stability. And even when we consider the effects of Richard II's personal interference in the localities from the late 1370s, those who were members of the royal affinity and who were appointed as office holders in the localities were still prominent local men.⁸¹ In Lancastrian Nottinghamshire, Payling found that Henry IV continued the policy of his predecessor of increasing the size of the royal affinity, which led to a situation where the king's affinity was to play a significant role in the appointment of those who held local office.⁸² In other words, when seeking to understand the change in status of those who were appointed or elected to the most important offices of

⁸⁰ See Gorski, *Fourteenth-Century Sheriff*, pp. 68-9; Payling, *Political Society*, pp. 109-110; as we have seen in chapters 1 and 2, most of those who held the most important offices of local government were of knightly status.

⁸¹ Saul found that in late fourteenth-century Gloucestershire, most of those appointed to the shrievalty were retainers of either powerful magnates or the royal affinity of Richard II: Saul, *Knights and Esquires*, pp. 123-5; Dunn observes that the violent upheavals of the last ten years of Richard II's reign showed 'the limited nature of the crown's capacity to effect profound and lasting change to the patterns of magnate tenurial power': Dunn, *Politics of Magnate Power*, p. 182.

⁸² For recruitment to the royal affinities of Richard II and Henry IV, see: Given-Wilson, *Royal Household*; The best recent survey on the incorporation of the duchy of Lancaster into the royal affinity is: Castor, *King, The Crown*.

local government, the state of national politics clearly had an important role to play.⁸³

Vertical ties of lordship existed alongside a raft of what historians have termed horizontal ties of office-holding, voluntary ties of association, such as marriage, the attestation of a range of legal documents such as title deeds, and proof of age inquisitions.⁸⁴ Whether or not evidence of such contacts between landholders can be taken as indicating acts of friendship is not known, but it was surely, as Saul suggests, a necessary function undertaken by those involved in the governance of a locality for the cohesion and functioning of the community.⁸⁵ Two examples from the Middleton deeds, which also illustrate the gentry's use of enfeoffment-to-use, provide evidence of the mutual attestation of title deeds. In 1358, Sir Gervase de Clifton, Sir John Longvillers, Sir Richard Grey of Landford and Sir Thomas Newmarche witnessed Sir Adam de Everingham enfeoff his son and daughter-in-law with his manor of North Leverton.⁸⁶ What is of interest is that all of those who acted as witnesses were not only belted knights, reflecting no doubt Everingham's baronial status, but that the location of their landholding - in the case of two witnesses - seems to mitigate against Sir Adam calling upon the service of 'near neighbours'. The nearest of the witnesses in terms of probable residency, were Sir John

⁸³ Helen Castor has demonstrated how both Henry IV and Henry V were able to use the Lancastrian affinity to control Derbyshire, Staffordshire and Nottinghamshire. It was only during the 1430s that as a result of a lack of royal direction, magnate and baronial disputes broke out: Castor, *King, The Crown*, pp. 241-251.

⁸⁴ Horizontal ties within the Middleton area will be explored in more detail in the case study in chapter 5.

⁸⁵ Saul, *Scenes from Provincial Life*, p. 28; Carpenter is surely correct when she points out that the nobility and gentry had shared values, and therefore an interest in maintaining cohesion within a given area: Carpenter, *Gentry and Community*, p. 360; Morton also casts doubt on the perceived social gulf between the lesser and greater gentry identified by some historians: C. E. Morton, 'A Social Gulf? The Upper and Lesser Gentry of Later Medieval England', *Journal of Medieval History* xvii (1991), 255-22.

⁸⁶ Mi D 709/1 of 1 August 1358.

Longvillers, who held land in the vill of Tuxford and the manor of Haughton both of which are some three-four miles from Sir Adam's manor of Laxton, and Sir Richard Grey who held the manor of Langford, some nine miles from Laxton. However, both Sir Gervase Clifton who resided in his manor of Clifton, and Sir Thomas Newmarche, who held land in the manors of Aslocton and Hawksworth in south Nottinghamshire were approximately twenty and fifteen miles respectively from Laxton, though Sir Gervase Clifton did hold land in Holme, some six miles from Laxton.⁸⁷ Quite clearly, Longvillers, who held land of Everingham, and whose daughter was to marry a son of Sir Adam resided close enough to be classed as a 'neighbour'.⁸⁸ None of the likely distances separating the other witnesses from Sir Adam were greater than a day's ride, but it does suggest that factors other than purely neighbourly convenience may have been at play, at least in the case of Clifton and Newmarche.⁸⁹ It is entirely possible that the witnesses were chosen on the basis of friendship, either as a result of being neighbours, or through local or possibly military service. Sir Thomas Newmarche and Sir Richard Grey both served with Sir Adam Everingham on a commission of the peace in 1350 and,

⁸⁷ Sir John Longvillers held substantial land throughout the county, chief of which was the vill of Tuxford of the king, and one messuage of Sir Adam Everingham in Laxton: *IPM, Notts, 1350-1436*, pp. 30-2, 45-9; Sir Richard Grey was seized of the manor of Langford by Sir Richard Grey of Sandiacre: *Notts, IPM, 1350-1436*, pp. 96-7; Sir Gervase Clifton held the manors of Clifton, Wilford, and Upper Broughton: Payling, *Political Society*, p. 20; Sir Thomas Newmarche held land in the south Nottinghamshire manors of Hawksworth and Aslocton: *IPM, Notts, 1321-1350*, pp. 40-43. Sir Thomas Newmarche was also involved in 1355 in another example of cooperation between local gentry landholders when Sir Nicholas Cantilupe, third Lord Cantilupe, a prominent soldier, justice and administrator, jointly enfeoffed his Nottinghamshire lands to Sir John Lisures, Sir Thomas Newmarche and Sir Hugh Cressy, which comprised the castle of Greasely. In 1375, at the insistence of the three feoffees, the castle and land was settled on Cantilupe's heir, Sir William Cantilupe: *Notts, IPM, 1350-1436*, pp. 14, 33: for the career of Sir Nicholas Cantilupe, see R. Partington, 'Nicholas Cantilupe, Third Lord Cantilupe', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com>, accessed 28/6/2007.

⁸⁸ Payling, *Political Society*, p. 240. The marriage appears to have occurred at some time after the witnessing of the deed.

⁸⁹ For the rich, 30-40 miles per day on horseback was readily achievable: W. R. Childs, 'Moving Around', in Horrox and Ormrod, (eds.), *Social History of England*, 260-275.

in 1367, Everingham, Clifton, and Grey were amongst those named as commissioners of array.⁹⁰ Although all of the witnesses were belted knights, it is interesting to note that the level of engagement in local government varied considerably, probably in inverse proportion to the apparent level of landholding. Sir Adam Everingham, Sir Gervase Clifton, and Sir John Longvillers, were undoubtedly the largest landholders of those involved in the enfeoffment. Yet all played only a limited role in local government. In contrast, Sir Richard Grey and Sir Thomas Newmarche saw extensive service. What this seems to suggest is that in the case of those chosen by Sir Adam Everingham to witness his enfeoffment, status and possibly friendship were more important than their level of landholding or engagement in local office.

The second example can be found in two deeds dated May and June of 1355. The first of these deeds of 22 May records that Reginald Lord Grey of Wilton (Hertfordshire), Sir Roger Bellers, William Trussel, Hugo Martel, Nicholas Warton, chaplain, William Wakebridge and Robert Clapwell witnessed Sir Richard III Willoughby enfeoff his father, Sir Richard II, and the local attorney Hugo Martel, with his manors of Cossall (Nottinghamshire), Ingelby (Derbyshire) and Wigtoft (Lincolnshire).⁹¹ A second deed dated 14 June 1355 records the same manors being enfeoffed back to Sir Richard III Willoughby and his wife Maud.⁹² All of the witnesses, with the exception of

⁹⁰*CPR, 1348-1350*, p. 516. Although his term of office had finished at the time the deed was witnessed, Sir Richard Grey had been the joint sheriff and escheator in the previous year: *Lists and Indexes*. In addition, Sir Roger Bellers, Lord Grey of Codnor and Sir John Loudham were named commissioners of array: *CPR, 1364-1367*, pp. 430-1.

⁹¹ Mi D 374 of 22 May 1355 and Mi D 375 of 14 June 1355. Hugo Martel held the manor of Chilwell in south Nottinghamshire. He acted as an attorney for many title deeds involving the Willoughbys as well as for other title deeds contained within the Middleton collection throughout the period of this study.

⁹² Enfeoffment to use was a legal devise to reduce crown interference in the estates of tenants-in-chief. It enabled a landholder to enfeoff his land to another who would then re-enfeoff it back: Dunn, *Politics of Magnate Power*, pp. 6-8.

Robert Clapwell, who appears to have been replaced by Thomas Barre for the June deed, witnessed both deeds. In one important respect, the witnesses chosen by Sir Richard Willoughby represent a broader social mix as well as a wider geographical range in terms of probable residency. Unlike the witnesses chosen by Sir Adam Everingham, all of whom were belted knights, only three of those who witnessed both Willoughby deeds fall into that category.⁹³

Although there is no evidence that William Wakebridge was knighted, he was nevertheless a Nottinghamshire landholder, and perhaps more significantly in terms of explaining his presence, a local justice.⁹⁴ The presence of Nicholas Warton, chaplain, may also be explained by his landholding in the manor of Cossall.⁹⁵ The only individuals of whom nothing is known are Clapwell and Barre, though Thomas Barre may have been related to William Barre of Cossall, who is recorded as holding land in Cossall adjacent to that of Sir Richard Willoughby.⁹⁶

However, unlike Everingham's witnesses who were all Nottinghamshire families, and most of whom resided close to Everingham, Sir

⁹³ The Greys of Wilton-upon-Wye were a baronial branch of the Grey whose landholdings were divided in 1323. The Greys of Ruthin benefited from this division receiving the majority of the land said to be worth £850 as opposed to the Greys of Wilton, whose holdings amounted to some £283: see Jack, 'Grey Family', *DNB*; Sir Roger Bellers was a Leicestershire knight, who was the son of Sir Roger Bellers, baron of the exchequer, who was murdered by the Folville gang in 1326: Bellamy, *Crime and Public Order*, p. 76; Sir William Trussell is more problematic in as much as three individuals holding that name existed at the same time. He is likely to have been the son of Sir William Trussell (d. c.1346/7) who held land in Peatling Magna, Leicestershire, and who was a retainer for more than thirty years of the duchy of Lancaster. The William Trussell who witnessed the Willoughby deed was a diplomat and possible justice: R. Martin Haines, 'Sir William Trussell', *Oxford Dictionary of National Biography*, <http://www.oxforddnb.com>, accessed 26/6/2007: A Sir William Trussell was appointed as a justice of oyer and terminer in 1331: *CPR, 1330-1334*, p. 206.

⁹⁴ Wakebridge held land in a variety of locations within Nottinghamshire: *Notts, IPM, 1350-1436*, pp. 22-3, 39, 51, 53; He also served as a commissioner of the peace on ten occasions between 1354 and 1368, and as a knight of the shire four times between 1352 and 1362: *Lists and Indexes*.

⁹⁵ Warton held land in the manor of Cossall: Mi D 371 of 10 July 1345.

⁹⁶ William Barre is recorded as holding land next to that of Sir Richard Willoughby in Cossall in 1328: Mi D 357 of 22 December 1328.

Richard Willoughby's witnesses seem have been chosen from a mix of near neighbours (Sir Roger Bellers and Sir William Trussell), a fellow justice (William Wakebridge), and tenants of his manor in Cossall (Warton, Barre, and possible Clapwell).⁹⁷ In the case of Lord Grey, the deeds themselves contain the most likely explanation for his presence: his daughter Maud was married to Sir Richard III Willoughby. What these two examples suggest is that the horizontal ties of association could vary considerably, including, as these examples illustrate, ties through marriage and professional associations, as well as an obligation of neighbours, some of whom were undoubtedly friends, to assist each other. These ties did not obviate the vertical ties of lordship, but operated along side them, and were just as vital for the cohesion and stability of the locality.

Landholding by the gentry beneath the ranks of the county élite in the Middleton area presents a complex picture, but seems to confirm findings for other counties. Dr Astil, writing of Leicestershire in the second half of the fourteenth-century, found that most of the county's gentry had small, compact estates, with usually only the wealthier individuals, or those of baronial status, holding land outside county borders.⁹⁸ A similar situation appears to have existed in fourteenth-century Bedfordshire and fifteenth-century Derbyshire.⁹⁹

⁹⁷ At the time of this study, Sir Richard Willoughby resided at Willoughby-on-the-Wolds on the Nottinghamshire-Leicestershire border'; Sir Roger Bellers held the manor of Kirby Bellers in north Leicestershire, some 10 miles from the Willoughby's residence: Astil, *Medieval Gentry*, p. 333; Bellers also held land in Bunny in Nottinghamshire: *Notts, IPM, 1350-1436*, pp. 60-1; Sir William Trussell's land in Peatling Magna is some twenty-three miles from Willoughby-on-the-Wolds.

⁹⁸ Astil, *Medieval Gentry*, pp. 121-2. This situation seems to have changed during the fifteenth-century in Leicestershire, as Dr Acheson states that most of the knighted families, or those of equivalent status held at least three manors, at least one of which was within the county, and all held at least one manor in other counties: Acheson, *Gentry Community*, p.46.

⁹⁹ Naughton, *Gentry of Bedfordshire*, pp. 18-20; Wright, *Derbyshire Gentry*, p. 14; due to the fact that Payling's study of Lancastrian Nottinghamshire focused upon the thirteen wealthiest

Although the nature of landholding by the wealthier Nottinghamshire families does seem to have mirrored that found elsewhere, and could be described as being on a regional or even national level, the gentry families of Nottinghamshire who occupied the principal positions of local government seem to have held land over a broader area within the county, as well as in other counties. Of course, it is quite possible that these estates could be described as having been 'compact' in nature, for the distances involved are relatively small. However, it is also possible that as a result of long-standing patterns of landholding by ecclesiastical and monastic institutions, as well as the honour of Peverel, the gentry from the Middleton area (or those from outside of, or from elsewhere within the county) who aspired to increase their landholding, may have had to look further afield than in some counties.

Two belted knights who resided within the Middleton area illustrate that there may have been exceptions to compact landholding by the gentry within the East Midlands. Sir William de Bingham, for example, who played an active role in local government, was recorded in 1346 as holding the manor of Bingham, and land in Rolleston, Clipston, approximately five miles south west of Bingham, and Kelham, twelve-fifteen miles north east of Bingham.¹⁰⁰ Sir Geoffrey Staunton, another prominent figure in local administration, held the manor of Staunton-on-the-Wolds from Lord Ros, and the manor of Elston, some fifteen miles distant, of the king of the honour of Tickhill.¹⁰¹ Although

gentry and baronial families, a direct comparison is not possible regarding those members of the gentry of lesser wealth and status.

¹⁰⁰ Sir William Bingham was a commissioner of the peace in 1351, and a commissioner of lay subsidy on 5 occasions between 1344 and 1348; Feudal aid granted for the knighting of the Black Prince in 1346: *Feudal Aid*, vol. x (London, 1899-1920), pp. 112, 121-2.

¹⁰¹ *Notts, IPM, 1321-1350*, pp. 65-5. The details are those recorded upon his death in 1370. Sir Geoffrey Staunton was a knight of the shire on 3 occasions between 1341 and 1344, a commissioner of the peace and labourers on 15 occasions between 1350-1364.

the distances involved for both cannot be said to be great, it is debatable to describe their respective landholdings compact. They also illustrate, in the case of Sir William Bingham that the Trent does not seem to have acted as a physical or psychological barrier to landholding by families of this status to either side of the river.

The gentry were not restricted to belted knights, or those who held high office in local government. The difficulty of identifying those who may have considered themselves to have been of gentle birth is much harder. Sir Richard II Willoughby is perhaps the best example of an individual who was able to join the county's landholding élite through a career in the legal profession.¹⁰² Another and more typical example of men of law who were able to enter landed society can be found in the case of Hugo Martel, who appears in more than a dozen title deeds in the Middleton collection between 1328 and 1355.¹⁰³ He also is recorded as sitting on three commissions of the peace between 1350 and 1354, and serving as a justice of *oyer and terminer*.¹⁰⁴ A deed of 1331, recording a small transaction of property in Chilwell, details that the manor was held by Hugo Martel.¹⁰⁵ And in 1340, Martel is recorded as acting as Sir Richard II Willoughby's attorney.¹⁰⁶ There must have been a degree of trust by Willoughby towards Martel, as the latter is one of those named in two deeds of

¹⁰² Anthony Musson observes that almost all judges and lawyers held 'lands and private local interests, and were immersed in the local social and economic world': Musson, *Medieval Law*, p. 61.

¹⁰³ Ormrod points out that many of the clerks in chancery and the exchequer were from Nottinghamshire, Lincolnshire and Yorkshire: Ormrod, *Reign of Edward III*, p. 72; A total of four attorneys who represented plaintiffs in the King's Bench in cases within the Middleton area appear to have originated from and/or still resided within the area: Thomas de Whatton, Richard de Gedling, William Langar and Robert de Kneeton (KB/27).

¹⁰⁴ *CPR, 1354-1358*, p. 497. In 1349 Martel was also commissioned, together with Sir Richard Willoughby and Thomas Sibthorpe, parson, to survey damage to Trent bridge at Nottingham: *CPR, 1348-1350*, p. 321.

¹⁰⁵ Mi D 80/16/1 of 17 May 1331.

¹⁰⁶ Mi D 890 of 1 March 1340.

enfeoffment to use of 1355 in which Sir Richard III Willoughby enfeoffed his father and Martel with three manors that he held.¹⁰⁷ It should also be pointed out that if Martel's name on title deeds represents his presence as an attorney, then he undertook this capacity for a wide range of individuals, as the majority of the title deeds where Martel's name appears seem to involve wealthier peasants or lesser gentry.

4.5 Landholding by Religious Institutions

It is somewhat surprising that previous 'county' gentry studies have largely ignored the impact on communities of landholding by the ecclesiastical élite of archbishops, bishops, and monastic houses, especially as the latter are estimated to have numbered some nine hundred in England in 1350.¹⁰⁸ It is important to stress that members of the ecclesiastical élite and religious institutions were substantial landholders in Nottinghamshire in general, and in the Middleton area in particular and therefore played a key role in the governance of many manors within the Middleton area. Episcopal land was largely confined to towns and land surrounding them. The archbishop of York held the vill of Southwell, and the bishop of Lincoln, that of Newark.¹⁰⁹ In contrast, monastic houses, of which there were thirteen from within Nottinghamshire, and twenty-eight from outside the county who held land within it, were overwhelmingly rural in terms of land held.¹¹⁰ It should also be noted that according to Unwin, the fourteenth-century witnessed the gradual

¹⁰⁷ Mi D 374 of 22 May 1355.

¹⁰⁸ Heath, *Church and Realm*, p. 17.

¹⁰⁹ Unwin, 'Patterns and Hierarchies', pp. 228-9.

¹¹⁰ *Ibid.*, pp. 233-4. The priories based outside of the county held only a small percentage of the total land held by monastic houses.

decline in fortunes of monastic houses in the county, which was hastened by the impact of the Black Death in 1348-9, and which resulted in a significant increase in the leasing of land by monasteries, as well as - for some at least - financial difficulties.¹¹¹

In addition to the vertical ties of lordship, there is clear evidence that religious institutions and members of the Church were actively involved in the horizontal ties of association with the lay landholding élite, and should not be viewed as existing in isolation from the wider community. Evidence of the direct involvement in politics by Church and religious institutions can be found at both national and local level. Henry Burghersh, bishop of Lincoln was alleged to have been involved in the failed rebellion by the earl of Lancaster against Edward II in 1322, which led to the confiscation of his many manors for some years, including that of Newark. Yet despite his apparent close relationship with Roger Mortimer, he did not suffer following the 1330 coup, and accompanied Edward III on campaign in 1338.¹¹² Indeed, it is worth stressing that both Church and monastic houses contributed to the wars of Edward III both in terms of taxation and as one of the principal means of disseminating royal propaganda.¹¹³ Locally, the priory at Lenton was used for the collection of the lay subsidy and, in 1334, the prior of Shelford was commissioned to investigate alleged abuses in the collection of the subsidy of a tenth and fifteenth granted by the last parliament.¹¹⁴ In 1340, the prior of Shelford, together with prominent members of the lay landholding élite, was

¹¹¹ *Ibid.*, pp. 241-8.

¹¹² Heath, *Church and Realm*, p. 118.

¹¹³ For royal propaganda see Doig, 'Political Propaganda', 253-280; for the use of the church for royal propaganda, see McHardy, 'Some Reflections on Edward III's use of Propaganda', in J. S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp.171-192.

¹¹⁴ *CPR, 1334-1338*, p. 39.

appointed as a commissioner to assess and levy the subsidy of a ninth and fifteenth for the county, for which the prior was held responsible for its delivery.¹¹⁵

Within the Middleton area, the two most significant religious houses were the priories of Lenton and Thurgarton. The priory of Thurgarton had, by the early fourteenth-century, acquired land and property in fifty-six villis within Nottinghamshire, the vast majority of which were within the Middleton area. In addition, it also held smaller quantities of land in Derbyshire and Leicestershire.¹¹⁶ The focus of the priory's holdings were seven manors located either side of the Trent, the income from which, according to Foulds, made it a wealthy house of high status.¹¹⁷ Lenton priory was situated a few miles to the west of Nottingham. Unlike Thurgarton, Lenton's landholdings were to be found over a much wider geographical area that extended well beyond the county boundaries. It was also a Cluniac house, which once conflict with France resumed in 1337, again became an alien priory.¹¹⁸ This may well explain why there is considerable evidence in the form of petitions to the crown and legal action undertaken by the successive priors of Lenton, mainly in defence of their property, but also against alleged physical attacks.¹¹⁹ As

¹¹⁵ *CPR, 1338-1340*, p. 551. The lay commissioners were: Sir Thomas Longvillers, Sir Edmund Cressy, Sir John Bolingbroke, Sir John Mounteny, Sir John Annesley, Sir Robert Jorz, Sir John Vaux and William Gotham. The prior received a similar commission in 1371, when he was appointed collector of parochial assessment: *CPR, 1370-1374*, p. 120.

¹¹⁶ T. Foulds (ed.), *Thurgarton Priory: The Thurgarton Cartulary* (Stamford, 1994), p. xxvi.

¹¹⁷ *Ibid.*, p. xxviii; according to Unwin, Thurgarton was in dire financial difficulties from the end of the thirteenth-century: Unwin, 'Patterns and Hierarchies', p. 241.

¹¹⁸ Alien priories were taken into royal hands from 1337-1360, and again from 1369: Heath, *Church and Realm*, pp. 112-3; A. K. McHardy, 'The Effect of War Upon the Church: The Case of the Alien Priories in the Fourteenth Century', in M. Jones and M. Vale (eds.), *England and Her Neighbours 1066-1453: Essays in Honour of Pierre Chaplais* (London, 1989), pp. 277-295.

¹¹⁹ For example, see SC 57/2832 of 1337 in which the prior sought recovery of the advowson of a church, citing in its defence that the priory had evidence going back to the (Norman) conquest. McHardy describes the seizure of alien priories by both Edward III and Richard II as

McHardy points out, 'at a time when jingoism was rampant in the political community' priories such as Lenton were forced to trust that the law would protect them.¹²⁰ A typical petition, dated c.1342 from the prior of Lenton, sought royal help, requesting that the priory be allowed to hold its lands as it did before the war with France, and that the farm not be granted to Sir John Tiptoft, with whom the priory was already in dispute over the manor of Langar.¹²¹ As was the case with many alien priories during the fourteenth-century, the granting by the crown of the manor of Langar to Tiptoft for an annual farm, resulted in the permanent loss of the manor.

Although Lenton and Thurgarton were the largest of the Nottinghamshire religious houses, they were not the only ones. Within the Middleton area, Shelford priory held the manor of Shelford of Sir Adam Everingham, and jointly held Flintham and Saxondale.¹²² The Augustinian priory at Newstead, located within the boundaries of Sherwood Forest, held land in the manor of Cossall.¹²³ And as was the case with lay landholding, the Abbey of Darley in Derbyshire was just one of a number of houses based outside Nottinghamshire which held land within the county.¹²⁴ But it was not only the ecclesiastical élite who held land. The Middleton deeds contain many examples of chaplains, rectors and parsons both acquiring and releasing claim to property within the Middleton area. In 1329, for example, John Passeys of

due to greed, and the way the crown dealt with those labelled as alien as 'harsh, muddled, inconsistent and inefficient': McHardy, 'Effect of War', pp. 279-80.

¹²⁰ McHardy, 'Effect of War', p. 286.

¹²¹ SC 8/124/6180. The *IPM* held on Tiptoft's death show that he had been successful in acquiring the manor of Langar: *Notts, IPM, 1350-1436*, pp. 58-9; McHardy points out that many such petitions exist: McHardy, 'Effect of War', pp. 286-7.

¹²² *Feudal Aid*, pp. 120, 12.

¹²³ For the complex nature of property transactions involving Newstead priory, see *Newstead Priory Cartulary, 1344 and other Archives* (Nottingham, 1940), D. Gray (ed.), V. W. Walker (trans.).

¹²⁴ The abbey held land in Chilwell, located on the border with Derbyshire: SC 8/56/2777, and *Feudal Aid*, p. 117.

Sutton Passeys granted land, wood and fourteen bondsmen to Adam Wellum parson of Wollaton, in Sutton Passeys and Wollaton.¹²⁵ This deed is of additional interest in that it is one of the few to be witnessed by Sir Richard II Willoughby where he is not the subject of the deed, and also by the then sheriff, Sir Thomas Longvillers and Laurence Spicer, a merchant from Nottingham. The inclusion of the latter may indicate that Spicer also held land in Sutton Passeys, and was therefore an interested party.¹²⁶ In 1338, Sir Richard II Willoughby leased lands in Stanton-on-the-Wolds to Richard Ingwardby, dominus and rector of Stanton church.¹²⁷ As well as benefiting in terms of acquiring land and property, the lower ranks of the clergy were not exempt from threats to their holdings. A letter of 1331 to the crown from the archbishop of York, William Melton, complains that Stephen le Eyr, rector of Wilford church was being disturbed in his possession by lay force, and requested action by the king.¹²⁸ One final example illustrates the complexity of property holding, but also suggests that personal contact - in this case resulting from service to the crown - may have played a part in a property transaction. In a deed dated 17 August 1340, between Sir Richard II Willoughby and Thomas Sibthorpe, parson of Beckingham church and a chancery clerk, traces the history of land confiscated from the Templars, which came into possession of the Order of St. John of Jerusalem.¹²⁹ Willoughby, who had come into

¹²⁵ Mi D 1027 of 31 January 1329. This grant seems to have been contested, as another deed, dated 21 February 1329, details a release to all claims to woodland in Sutton Passeys by Walter of Lincoln: Mi D 148.

¹²⁶ Although there are no deeds in the Middleton collection recording land acquired in Sutton Passeys by Spicer, Mi D 1024 of 21 February 1329 lists Spicer as a witness to property transferred in that vill, which is usually an indication of direct interest.

¹²⁷ Mi D 889 of 14 March 1338.

¹²⁸ SC 8/196/9799.

¹²⁹ Mi D 22/3. For a brief history of Thomas Sibthorpe, see Ormrod, *Reign of Edward III*, p. 72; See also SC 8/16/8030 of 1328 in which Sibthorpe petitions the crown for the return of the land, which presumably reached a satisfactory outcome in the Middleton deed.

possession of the land, granted some to Sibthorpe for an annual rent of 6d. for life. The deed concludes with Willoughby 'remembering his affection towards Thomas', who he may well, as a justice of the King's Bench, have come into contact with.

4.5.1 Chantries

An important link between the landholding élite, and the Church and monastic orders was the practice of founding chantries, most commonly within a parish church, to celebrate intercessory mass for the souls of those named in the foundation.¹³⁰ This widespread practice, which extended across Western Europe, and which was undertaken by all sections of societies who could afford it, reached its peak in England during the first half of the fourteenth-century, when 934 licences were granted by the crown.¹³¹ The normal means by which a chantry was endowed was through a grant of land by the benefactor, which since the 1297 Statute of Mortmain required a licence issued by the crown for grants of land to be made over to the church, which was to pay for a varying number of chaplains who were to undertake the service, either for a limited period, or if the benefactor was exceptionally wealthy,

¹³⁰ See E. Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580* (London, 1992) and by the same author, 'Religious Belief' in, Horrox and Ormrod (eds.), *Social History of England*, pp. 293-339; K. L. Wood-Legh, *Perpetual Chantries in Britain* (Cambridge, 1965).

¹³¹ H. Colvin, 'The Origins of Chantries', *Journal of Medieval History*, xxvi (2000), 163-173, esp. p. 165; See also: J. T. Rosenthal, *The Purchase of Paradise: Gift Giving and the Aristocracy, 1307-1485* (London, 1972); M. A. Riley, 'The Foundation of Chantries in the Counties of Nottingham and York, 1350-1400', *Yorkshire Archaeological Journal*, xxxiii (1937), 122-165, 237-285; C. M. Woolgar, *The Great Household in Late Medieval England* (London, 1999); K. Mertes, *The English Noble Household 1250-1600* (Oxford, 1988): Rosenthal explains that for what must have been the vast majority who were unable to afford to found a chantry, guilds and fraternities were available for 'collective endowed prayers': Rosenthal, *Purchase of Paradise*, p. 49.

perpetuity.¹³² The evidence for the Middleton area suggests that this practice was undertaken by both lay and ecclesiastical landholders. As Eamon Duffy makes clear, the founding of a chantry was an individual act of piety, yet it was nevertheless the intention that the chantry was for the spiritual benefit of the whole community.¹³³ Whether or not this was intentional is hard to determine, but the additional priest or priests seem to have brought benefits such as school teaching, and care of the poor and sick.¹³⁴

Evidence of the foundation of chantries in Nottinghamshire is largely to be found in the form of inquisitions, undertaken by the escheator as a requirement of mortmain legislation.¹³⁵ Between 1324 and 1367 a total of 11 inquisitions were held relating to requests by nine different individuals to found a chantry. All but one of these was for churches within the Middleton area.¹³⁶ Although this reflects the fact that the majority of the population of the county were to found in settlements in the south of Nottinghamshire, it is nevertheless surprising that during the period of this study, there is no extant evidence of chantries for central and north Nottinghamshire.¹³⁷ Saul, in his study of the gentry of fourteenth-century Sussex, describes the move away from public worship to the convenience and status derived from the building of private chapels within manorial houses, which he suggests were to become

¹³² As Bean points out, the 1279 Statute of Mortmain did not in fact facilitate the alienation of land to the church, but the crown 'ceased to adhere to its strict terms': Bean, *Decline of English Feudalism*, p. 54.

¹³³ Duffy, *Stripping the Altars*, pp. 139-140.

¹³⁴ Riley, 'Foundation of Chantries in Nottingham', pp. 142-3.

¹³⁵ A petition to the crown dated 1345 from Benedict Normanton, a chancery clerk, seeking permission to establish a chantry near Morton in south Nottinghamshire is the only extant example of a private petition being used for this purpose: SC 8/194/9690.

¹³⁶ It has not proved possible to identify one church, though it is likely to have been in south Nottinghamshire on the basis of the land to be gifted.

¹³⁷ For an indication of population density based upon lay subsidy records, see Campbell and Bartley, *England on the Eve*, pp. 313-349, and maps 18.7a, 18.7b, 18.10.

almost universal for manorial houses by the end of the century.¹³⁸ If this move from public to private worship also occurred in Nottinghamshire, then it may at least explain the small number of the county's landholding élite who founded chantries: the majority of their peers were building private chapels which negated the need for the involvement of the crown in the form of an inquisition.¹³⁹

What is noticeable is that eight of the applications to found chantries (66%) fell within a twelve year period between 1338 and 1350, and of these, four (33%) occurred after the arrival in England of the Black Death.¹⁴⁰

Although it is highly likely that there is a link between these four inquests and the arrival of the Black Death, it should be borne in mind that the application process could, as one example illustrates, take years to complete. One of those who applied to establish a chantry was the Nottingham merchant, John Collyer. The Middleton collection contains a charter between Collyer and Sir Richard II Willoughby, dated 28 September 1340, which records Willoughby's permission for Collyer to use a chaplain in Willoughby's manor of Sutton

¹³⁸ Saul, *Scenes from Provincial Life*, pp. 157-160: For private worship by magnates, see: Woolgar, *Great Households*, pp. 176-9; Mertes, *English Noble Household*, pp. 139-160.

¹³⁹ The virtual absence in Nottinghamshire of extant manorial houses dating from the later Middle Ages precludes any physical analysis on this subject.

¹⁴⁰ The first recorded outbreak in England was in Weymouth in June 1348. It seems to have reached Nottinghamshire in early 1349: Benedictow, *Black Death*, pp. 127, 139-140; the inquisitions held in Nottinghamshire were: writ dated 17 August 1324, applicant Sir Richard Willoughby, chantry in church at Willoughby-in-the-Wolds (*Notts, IPM, 1321-1350*, pp. 71-2); 28 July 1338, Sir Richard Willoughby, Willoughby-in-the-Wolds (*Notts, IPM, 1321-1350*, pp. 179-180); 8 September 1341, Henry Edenstowe, clerk, Edenstowe (*Notts, IPM, 1321-1350*, pp. 163-4); 20 April, 1342, John Collyer, Sutton Passeys (*Notts, IPM, 1321-1350*, pp. 166-7); 3 October 1343, Simon Sibthorpe, Sibthorpe (*Notts, IPM, 1321-1350*, pp. 171-2); 24 December 1348, Thomas Sibthorpe, Newark (*Notts, IPM, 1321-1350*, pp. 162-3); 16 December 1348, Sir Gervase Clifton, Clifton (*Notts, IPM, 1321-1350*, pp. 158-9); 15 March 1349, Sir William Thorpe, Thorpe (*Notts, IPM, 1321-1350*, pp. 155-6); 1 May 1357, Sir Richard Willoughby, Sutton Passeys (*Notts, IPM, 1350-1436*, p. 36); (day lost) July, 1360, William Wakebridge, Sir Robert Annesley, Richard Davy for Sir John Annesley and Anne his wife, Annesley (*Notts, IPM, 1350-1436*, p. 51); 1 June 1367, Prior of Thurgarton, Normanton (*Notts, IPM, 1350-1436*, p. 22); details of another application can be found in a petition dated 1345 from Benedict de Normanton, chancery clerk, who sought leave to establish a chantry in Morton: SC 8/194/9690.

Passeys to establish a chantry in the town's church.¹⁴¹ However, the inquisition did not take place until 20 April 1342, though the king's licence was issued just over six months later on 8 October 1342.¹⁴² A title deed recording the gift of land by Collyer to a named chaplain did not occur until 1344.¹⁴³ The final stage in the process, the *inspeximus* and exemplification by the archbishop of York took a further year. According to Colin Platt, the arrival of the Black Death was a signal for 'all who could afford it' to make provision for their souls by founding chantries.¹⁴⁴ Yet the evidence from the Middleton and elsewhere in England is that the founding of chantries was a practice well established before the Black Death arrived in Nottinghamshire. Indeed, as Colvin and Rosenthal have found, the number of chantries founded declined in the second half of the fourteenth-century.¹⁴⁵

The case of John Collyer is also of interest in that it illustrates that it was not only the knightly class who sought to establish chantries. Although four of the nine individuals were belted knights, in addition to the Nottingham burgess Collyer, three were clerks and one was the prior and convent of Thurgarton.¹⁴⁶ The status of the witnesses to the title deed by which Collyer gifted land suggests the importance of this action, but also that the horizontal ties of those who witnessed the deed could cut across the rural-urban divide. In

¹⁴¹ Mi D 1049.

¹⁴² *Notts, IPM, 1321-1350*, pp. 166-7; a copy of the king's licence is found in Mi D 2/71/5 of 8 October 1342.

¹⁴³ Mi D 1053 of 10 November 1344.

¹⁴⁴ C. Platt, *King Death: The Black Death and its Aftermath in Late Medieval England* (London, 1996), pp. 138-9.

¹⁴⁵ Colvin, 'Origin of Chantries', p. 165.

¹⁴⁶ The four belted knights were: Sir Richard Willoughby, Sir Gervase Clifton, Sir William Thorpe, and Sir Robert Annesley. One of the clerks was Henry Edenstowe, canon of Lincoln cathedral: *Notts, IPM, 1321-1350*, p. 163; the most generous grant of land was that made by Thomas Sibthorpe, parson of Beckingham, who in 1348 declared that he would gift 5 messuages, 7 tofts, 96 acres, 16 acres of meadows and £16 of rent for 9 chaplains and 3 clerks in the church of Sibthorpe: *Notts, IPM, 1321-1350*, pp. 156, 162.

addition to Collyer and the beneficiary Michael Linby, chaplain, the deed was witnessed by three knights: Sir Robert Strelley, Sir John Annesley, and Sir John Cokefield.¹⁴⁷ An inquisition held in 1360 illustrates that not every application to found a chantry was undertaken by an individual.¹⁴⁸ The Nottinghamshire justice William Wakebridge, Sir Robert Annesley, and Richard Davy chaplain jointly sought to make over land for a chantry to celebrate daily the souls of Sir John Annesley and his wife, Anne, and their benefactors, all of whom were alive at the time. Although it is not clear, it may be assumed that the 'benefactors' were Wakebridge, Sir Robert Annesley and Davy. However, quite why Sir John Annesley did not make the application himself remains a mystery; it may be connected with the removal by Edward III of the bailiwick of the honour of Peverel from Sir John Annesley at some point prior to 1330.¹⁴⁹ However, since Sir John was commissioned as a justice of *oyer and terminer* in 1347, this suggests that whatever he did that cost him the bailiwick, it is unlikely to account for why the chantry application was not in his name.¹⁵⁰ It may have simply been that he was incapacitated, and unable to make the application himself. What is also interesting about the 1347 *oyer and terminer* commission is that William Wakebridge was one of those commissioned with Annesley, which suggests that a professional association was a factor in their relationship, as indeed it appears to have been with

¹⁴⁷ Mi D 1053.

¹⁴⁸ *Notts, IPM, 1350-1436*, p. 51. The inquisition is dated 26 November 1361. The king's licence is dated 10 February 1362: *CPR, 1361-1364*, p. 161. Confirmation by the archbishop of York followed in 1373.

¹⁴⁹ A petition dated c.1330-1332 from John Annesley requested the return of the bailiwick of the honour of Peverel, which was dependent upon his good behaviour: SC 8/88/4366. Precisely what the 'good behaviour' referred to is not known, but in 1371, Annesley was pardoned for his involvement in a murder: *CPR, 1370-1374*, p. 150.

¹⁵⁰ *CPR, 1345-1348*, p. 380.

Wakebridge and Sir Richard Willoughby, whose enfeoffment Wakebridge witnessed.

4.6 Lesser Gentry and Wealthy Peasants

The involvement of the lesser gentry and wealthier peasantry in the governance of south Nottinghamshire will be addressed in detail in chapter five. Although the Middleton collection of title deeds represents the acquisition of land by the Willoughbys over many centuries, it does nevertheless contain a large number of title deeds relating to the involvement in the land market by such individuals. By looking at the deeds for a single manor, it will be possible to illustrate the nature and extent of their involvement, and to build up a picture of those who appear to have represented the principal individuals within the manor and wider geographical area.

The manor of Willoughby-on-the-Wolds (Willoughby) during the period of this study was held by Sir Richard II Willoughby and his son Sir Richard III of Sir John Heriz of the honour of Tickhill.¹⁵¹ Geographically, the parish and vill are situated on the Nottinghamshire-Leicestershire Wolds; the parish and county borders form what could be described as a narrow 'finger' of Nottinghamshire surrounded on three sides by Leicestershire (see map 3).¹⁵² The Middleton collection contains 238 title deeds relating to property in Willoughby, ranging from the late thirteenth century to 1457. For the period 1327-1361, there are a total of thirty-eight deeds. Statistically, there is little

¹⁵¹ *Notts, IPM, 1321-1350*, pp. 71-2; See also Bloom, 'Careers of Sir Richard II'.

¹⁵² For a discussion on the distinctive regional features of the Wolds, see H. S. A. Fox, 'The People of the Wolds', in M. Aston, D. Austin, and C. Dyer (eds.), *The Rural Settlements of Medieval England* (Oxford, 1989), pp.77-101.

variation in the number of deeds: for the period 1327-1330 there are an average of 2.3 deeds per year, which drops only slightly to 2 per year for the 1330s. However, for the period 1345-1355 inclusive there are no extant deeds. It is entirely probable that the arrival in Nottinghamshire of the Black Death in 1349 had a particularly bad effect upon the manor of Willoughby. Only two individuals who witnessed title deeds up to 1345 appear again when title deeds resume in 1355.¹⁵³ This contrasts quite markedly with the period 1327-1345, where a number of individuals repeatedly witness deeds, or are themselves the principal parties of deeds. Against this, the overall statistics for the title deeds in the Middleton collection show a gradual decline in the average number of deeds for the period of this study, which is not particularly affected by the Black Death.¹⁵⁴ However, it is hard not to conclude that in the case of Willoughby, an almost entirely 'new' generation of landholders and witnesses seem to have emerged by the mid 1350s. An example of such an individual can be found in the case of Richard Hull of Willoughby. Nothing is known of Hull before he, and in one deed jointly with his parents, leased land in south Nottinghamshire. The first deed dated 1357 records Sir Richard Willoughby leasing land jointly to William Hull and his wife and son, Richard Hull, in Sutton on Trent.¹⁵⁵ And in two deeds dated to 1360, Richard Hull leased land in Willoughby from Robert Burbage of Widmerpool on a long-term lease of thirty-four years.¹⁵⁶ The final deed, which is contained in the Clifton collection,

¹⁵³ John, son of William of Willoughby witnessed a deed in 1334, and again in 1355: Mi D 1434 of 29 September 1334 and Mi D 1454 of 15 May 1355; Nicholas Dawe of Willoughby witnessed two deeds in 1337 and 1342, and again in 1355: Mi D 1442 of 21 October 1337, Mi D 1445 of 7 July 1445 and Mi D 1454 of 12 May 1355.

¹⁵⁴ For a statistical analysis of the Middleton title deeds, see chapter 4, pp. 160-5.

¹⁵⁵ Mi D 932 of 30 October 1357. William Hull and his wife are described as being from Sutton Passeys, which was located a few miles west of Nottingham, and north of the Trent.

¹⁵⁶ Mi D 1457 of 7 January 1360.

records that Cecilia, the widow of William Birkes of Stanton-on-the-Wolds enfeoffed land in that vill to Richard Hull.¹⁵⁷

Of the thirty-eight deeds that relate to land in Willoughby, twenty-two record the acquisition of land by Sir Richard Willoughby.¹⁵⁸ A further deed details the leasing of land by Sir Richard.¹⁵⁹ There is only one deed in which Sir Richard is a witness.¹⁶⁰ What is most interesting is that when details are given, the amount of land acquired by Sir Richard is remarkably small. Typical in this respect are three deeds which detail land acquired from a widow in Willoughby. Alice, widow of Robert Colyn, enfeoffed Sir Richard with two and half acres of arable land in Willoughby in August 1333, and in November of 1334, a further messuage, and four and a half acres; in between these two deeds, she leased, in September 1334 to Sir Richard another messuage, four acres, and one and half rods of land, all in Willoughby.¹⁶¹ The lay subsidy for a fifteenth and a tenth for 1333 detail a total of twenty-seven individuals for Willoughby, among which is an Alice, widow of Robert, who was assessed at 3 *d*, the third lowest for the vill.¹⁶² Not all land that was acquired by Sir Richard Willoughby was held by individuals resident within Willoughby, or of a lower status.

In 1283 William Nodaris is recorded as holding the manor of East

¹⁵⁷ CI D/549 of 30 January 1360.

¹⁵⁸ Five of the deeds from 1327 to 1329 are jointly in the name of Sir Richard, and his first wife Isabel (d.1332), and five from 1339-1342 are jointly with his second wife, Joan (d.1342); the remainder are in Sir Richard's name only.

¹⁵⁹ Mi D 1452 of 11 April 1344.

¹⁶⁰ Mi D 1430 of 28 November 1333 records the granting of rent derived from land in Willoughby by William Nodaris to his son William.

¹⁶¹ Mi D 1431 of 8 August 1333; Mi D 1433 of 24 November 1334; and Mi D 1434 of 29 September 1334. Another widow, Agnes, the wife of John Warde of Willoughby, also released to Sir Richard her right of dower, and four years later granted five seliones of arable land: Mi D1429 of 27 August 1332 and Mi D 1436 of 2 June 1336; For difficulties in the regional variations of measures of land, see Campbell and Bartley, *England on the Eve*, pp. 38-9.

¹⁶² E 179/159/5 rot 6.

Leake in the Middleton area, and in 1316, of also holding the manor of Weston in Buckinghamshire.¹⁶³ The following year, Sir Richard II Willoughby seems to have initiated a gradual acquisition of property held by William Nodaris in Willoughby-in-the-Wolds.¹⁶⁴ In a deed dated November 1333, William Nodaris granted to his son, William, the rent from one messuage and four bovates (approximately 24-80 acres) in Willoughby, which was held by John, son of John who was of servile status.¹⁶⁵ The following year, Nodaris also acquired a messuage, three acres and one rood in Willoughby from Peter Karles of Broughton.¹⁶⁶ Later in 1334, Nodaris (son) granted the land and rent gifted to him by his father, to Ralph Burgeys of Melton Mowbray (Leicestershire), who in turn in 1337 granted the same land and rents to Sir Richard Willoughby.¹⁶⁷ Nodaris's remaining holdings in Willoughby were then gifted to William, son of Richard, son of Cecily of Willoughby, who in turn granted these lands to Sir Richard Willoughby.¹⁶⁸ Although the precise status of William Nodaris and his son William is not known, it would seem likely that as a tenants-in-chief of at least one manor, they can be probably be regarded as being of broadly equal status to Sir Richard Willoughby. What this may illustrate is the example of a family 'on the rise' who had through service to the crown acquired sufficient wealth to be able to expand their landholdings regardless of the status of the previous holder.

¹⁶³ Nodaris is recorded as holding East Leake of the honour of Peverel: *CPR, 1281-1292*, pp. 87-8: Mi D 1394 of 18 January 1316.

¹⁶⁴ Mi D 1396 of 4 March 1317 records that Nodaris enfeoffed Sir Richard Willoughby with a messuage, and 22s. annual rent. There appears to be no extant reference to Nodaris in the lay subsidy records for 1328 and 1333.

¹⁶⁵ Mi D 1430 of 28 November 1333.

¹⁶⁶ Mi D1432 of 22 May 1334.

¹⁶⁷ Mi D 1431/1 of 3 July 1334; Mi D 1441 of 9 January 1337.

¹⁶⁸ Mi D 1440 of 20 October 1337; Mi D 1444 of 1 October 1339; Mi D 1446 of 26 October 1339; Mi D 1467 of 25 October 1339; the final release of all claims to the lands granted in gift and fee by William Nodaris to William, son of Richard occurs in 1341: Mi D 1447 of 16 January 1341.

Of the thirty-three title deeds relating to Willoughby for which details of witnesses are available, a total of forty-nine different individuals acted in this capacity. However, these figures contain strong evidence to support Raftis's view that witnesses were probably known to the principal parties, and were also respected members of the community.¹⁶⁹ Of the forty-nine different witnesses, thirty-five appear only once, and a further five witnessed between two and four deeds. In contrast, four individuals, all of whom are described as being 'of Willoughby,' witnessed between nine and seventeen deeds.¹⁷⁰ Typical is John Asty, who between 1327 and 1334 witnessed thirteen of the fourteen deeds that exist for property within Willoughby during this period. In addition, Asty also witnessed three deeds involving land acquired by Sir Richard Willoughby in manors other than Willoughby. That Asty witnessed a total of sixteen deeds suggests that he may have been a figure of some standing within the community, and that he was trusted by Sir Richard Willoughby. This is particularly so in the case of his presence as a witness for a deed of 1329, in which Sir Richard Willoughby acquired land from the son of Sir Gervase Clifton, a prominent landholder in south Nottinghamshire.¹⁷¹ It may be that Asty was a manorial official such as a reeve or bailiff. Unfortunately, none of the deeds in the Middleton collection record the level of landholding by Asty.¹⁷² A John Asty of Willoughby is also recorded as having served as a

¹⁶⁹ See n. 156 above.

¹⁷⁰ These are: John Asty (13 deeds), Richard, son of Felicia (17 deeds), Geoffrey Harding (12 deeds) and John, son of Robert (9 deeds). Another individual who witnessed thirteen deeds was Richard Willoughby, son of Sir Richard Willoughby.

¹⁷¹ Mi D 186 of 28 September 1329. Another of the witnesses to this deed was Geoffrey Harding of Willoughby.

¹⁷² In two deeds of 1370, Richard Asty, described as the son of John Asty of Willoughby, made over all of his lands, holdings, meadows, pastures and rents and appurtenances to John, son of Geoffrey and his wife, Margery, the daughter of John Asty. The deeds do not state the location of the property: Mi D 1449 of 29 June 1370 and Mi D 1468 29 April 1370. Richard Asty also

juror for three *IPMs* during the same period, all in respect of land close to Willoughby, which further reinforces the view of Asty having been one of the vill peasant elite.¹⁷³ However, although there is no clear evidence of a John Asty in the 1333 lay subsidy records for Willoughby, three of the other four who witnessed multiple deeds - Geoffrey Harding, Richard son of Felicia, and John son of Robert - are recorded.¹⁷⁴ The relatively low levels of taxation they were assessed at seem to suggest that they were of peasant, rather than lower gentry status. What is also of interest is that a Richard Faber (Smith) had the second highest assessment of £ 2, and John Carpenter the seventh, at 17 s, which perhaps implies that it was not necessarily the vill peasant elite who were automatically called upon to act as witnesses.¹⁷⁵

4.7 Conclusion

Nottinghamshire, and the Middleton area of south Nottinghamshire specifically, was an area where a large percentage of the land was held directly of the crown, principally through the honour of Peverel. Most of this appears to have been held by lesser noble and gentry families, as well as religious institutions. There is clear evidence that lay and ecclesiastical magnates held land throughout the county, but this seems to have been - in comparison with

seems to have resided at Willoughby, as the patent rolls record a pardon dated 13 June 1327 for those responsible for the death of his son, Robert: *CPR, 1327-1330*, p. 120.

¹⁷³ *Notts, IPM, 1321-1350*, pp. 32, 99, 103. The manors in question were Thorpe, Stanton on the Wolds, and Widmerpool, all of which are within four miles of Willoughby. William Costock of Willoughby, who witnessed four of the Willoughby deeds, also served as a juror for the *IPM* held at Widmerpool.

¹⁷⁴ E 179/159/5 rot 6: Geoffrey Harding is listed 15th out of 27, paying 6 s 12 d; Richard son of Felicia 27nd out of 27, paying 11 d; John son of Robert either 22nd out of 27, paying 20 d or the fourth highest contribution of £ 2.

¹⁷⁵ *Ibid.*

other parts of England - limited in extent. Whether or not this level of landholding enabled any magnate who sought through retaining, or informal associations, to influence excessively or to pervert for their own gain the governance of the county is unclear, but seems unlikely. As Simon Walker has shown, the most powerful of magnates, John of Gaunt, duke of Lancaster, was limited by what he could achieve even in areas where the duchy was at its strongest. Another important factor when considering landholding was the extent of land held by religious houses. Within the Middleton area the priories at Lenton and Thurgarton were major landholders, comparable in terms of the level of their holdings with the lesser noble and gentry landholding élite. Taken together with what appears to have been long established patterns of landholding dating, in some cases, to the Norman Conquest, this may well be a factor in explaining the limited extent of magnate landholding: for land held by the Church or religious institutions was not subject to the uncertainties of family extinction or the potential hazards faced by lay tenants-in-chief of the crown.

What can this study say about the purpose and motivations of those who acquired land? The most likely motivation is the observation made at the beginning of this chapter: land was the basis of social status and wealth. Yet as we have seen in the case of Sir Richard Willoughby, not all obtained their wealth through the possession of property. The Willoughbys, as central court justices, may have been unusual in terms of the extent of their land acquisition over a relatively short time frame, but they were not the only example of individuals who through direct service to the crown, or as local 'men of law' and town burgesses were able to use income not derived from rural landholding

to acquire property. Addressing the accumulation of inheritances of the higher nobility during the fourteenth-century, Holmes has observed that once allowance is made for families which died out, and of the emergence of 'new blood', there 'was [also] a definite tendency for inheritances which survived to grow larger'.¹⁷⁶ A similar trend can be observed amongst the gentry of Nottinghamshire, where Payling has traced the emergence of what he has termed the 'greater gentry' in the fifteenth-century to their acquisitions in the fourteenth.¹⁷⁷ In the case of the Willoughbys, this would seem to confirm the attractiveness to such men of the status bestowed to rural landholding. But it is worth noting that the Willoughbys, by virtue of their professional duties already held high status, and Nottingham burgesses who sought rural land may have used this less as an entry point into landed society than as a source of revenue.

Gentry families dominated office-holding at its highest level. However, the evidence suggests that families of the titled nobility, together with the wealthiest of the gentry families - most of whom continued to occupy this position into the fifteenth-century - largely avoided holding local office, with the noticeable exception of involvement in the administration of local justice. At first sight this position is in contrast with that found by Payling for Nottinghamshire in the Lancastrian period. But it is important to note that the trend towards the domination of the most important offices of local government by the county or regional landholding élite can be traced back to the second half of the fourteenth-century. During the period of this study it was those gentry families who, in terms of landholding, fell beneath the titled

¹⁷⁶ G. A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957), p. 40.

¹⁷⁷ Payling, *Political Society*, pp. 63-86.

nobility and the wealthiest gentry families, who undertook the most important positions of local government. However, too much emphasis should not be placed upon office-holding in the locality, as to do so would run the danger of misrepresenting the complex interweaving of vertical and horizontal ties that bound society together. Office-holding was important at all levels, but it is only one, albeit highly visible, manifestation of involvement in politics. As we have seen, the largest landholders in the locality seem, for periods of time, to have been engaged in direct service to the crown. But as the enfeoffment title deeds illustrate the fusion of lordship and social duties reflect the essentially hierarchical structure of late medieval society.

This study has stressed the importance of adopting an inclusive approach to politics, and it is therefore appropriate to conclude by noting that the same observations made in relation to land and office-holding also apply to the richer peasants, whose identities are largely elusive. Landholding was just as significant to them as it was to their social superiors. The Middleton title deeds suggest an active, even thriving engagement in the property market by wealthier peasants and for some, a visible involvement in the functions of governance.

CHAPTER 5

A CASE-STUDY:

BINGHAM AND SURROUNDING VILLS¹

5.1 Introduction

This study has addressed a number of aspects of the governance of Nottinghamshire in general, and more specifically the Middleton area. In this final chapter, by means of undertaking a case-study, these factors will be drawn together in order to undertake a more in-depth and comprehensive study of governance within a given area. The geographical area chosen is from within the Middleton area, and centres upon the vill of Bingham in the Vale of Belvoir and those settlements contained within an approximate radius from Bingham of six miles (see map 4). This area has been chosen because it enables the study of settlements on both sides of the river Trent. It is also close enough to Nottingham to fall within its orbit as far as the impact of burgess landholding is concerned.

It is of course acknowledged that the same criticisms that have been levelled at previous county-based studies can be applied to this case-study. For, unlike the former, which have the validity of being based upon contemporary administrative boundaries, the area of this case-study is entirely arbitrary. But in the absence of a detailed national survey that addresses issues such as cross-border landholding and marriage ties, there will always be

¹ For the purpose of this chapter, the geographical area of this case-study will be referred to as the Bingham area.

'borders' that extend beyond office and landholding and the vertical and horizontal ties of lordship. Indeed with the exception of office-holding specific to a county (or administrative division within a county), all of these factors which extend beyond an administrative boundary could have a county, regional or even national dimension. Indeed, by adopting as an area of study one which is not defined by administrative boundaries, it is possible to demonstrate - at least in relation to evidence gained from within the county - the extent and nature of these broader patterns of behaviour. Therefore, it is only by undertaking studies of the complex interaction of how communities functioned 'on the ground' that we can gain a fuller understanding of these complexities, and whether or not they display distinct variations on a national level.

The Bingham area was chosen as it represents an area of typical settlement patterns in the Trent valley. By including an area which contains the only significant geographical feature, the river Trent, a significant means of transport throughout this period, it will be possible to assess what, if any, impact the river had on landholding and criminal behaviour.² Within the Bingham area the Trent could be crossed by means of a ferry at Shelford, and at fords located at Burton Joyce, East Bridgford, and Radcliffe-on-Trent.³ From an analysis of landholding, arable farming was predominant within this area, and there is no evidence of any significant manufacturing or industry.⁴ The vill of Bingham, which is likely to have been the largest in terms of

² An example of the Trent as a means of transport can be found in chapter 2, p. 102x; For the importance of the Trent on trade, and in particular Nottingham, see Hart, 'Town of Nottingham'; the importance of rivers is discussed in more general terms in: Masschaele, *Peasants, Merchants and Markets: Inland Trade in Medieval England, 1150-1350* (London, 1997).

³ For a full list of known or suspected river crossings for the whole of Nottinghamshire, see: Challis, "Drowned in 'A Whyrlepytte', 115-123.

⁴ The nature of land use is beyond the scope of this study. However, the area known as the Nottinghamshire Wolds, to the south and west of the area of this case-study, appears to have specialised in the production of wool. See Fox, 'The People of the Wolds', pp. 77-104.

population, is situated close to the junction of one of the major roads in medieval England, the Foss Way, which in a regional context ran north-east from Bingham to the city of Lincoln, and south to Leicester. It was also located on the east-west road between Nottingham and Grantham, in Lincolnshire.⁵

5.2 Landholding

Landholding and the resulting wealth and status derived from it were, for the vast majority, the basis for involvement in political society at all levels.⁶ Thus, how and by whom land was held is of prime significance in understanding the complex nature of political society. Not surprisingly, the evidence of landholding in the Bingham area conforms to the broad patterns established for the Middleton area of south Nottinghamshire.⁷ Most of the land in the Bingham area was held by tenants-in-chief of the crown - usually of the honour of Peverel - as well as that held of the duchy of Lancaster. What this case-study will illustrate are the often quite lengthy and occasionally complex 'chains' of landholding that could occur as tenants-in-chief sub-let land. In both cases most land was held by those who appear to have been resident within the Bingham area.

⁵ For a general discussion of the medieval road system, see: F. M. Stenton, 'The Road System of Medieval England', *Economic Historical Review*, vii (1936), 1-21.

⁶ The most obvious exception to this would be town burgesses.

⁷ See chapter 4 above.

5.2.1 Crown and Magnate Landholding

There is no evidence that the crown held any land within the Bingham area in the form of the royal demesne.⁸ It did, however, through the honours of Peverel and Tickhill which were in the possession of the crown, hold land within the Bingham area. Three of the twenty-three manors held by the honour of Peverel within Nottinghamshire were within the Bingham area: Langar and Barnstone, Radcliffe-on-Trent and Wiverton. In addition, queen Isabella, and from 1330 queen Philippa, held the manor of East Bridgford of the honour of Tickhill.⁹ Two of the manors held of the honour of Peverel were held during the period of this study by the Deincourts and Tiptofts who were members of the titled nobility and whose landholding could be said to have been on a regional scale. The third appears to have been held jointly by Sir Richard Whatton, a local justice and prominent member of the local gentry, and William of Wiverton. However, there was a clear difference between the manor of Langar and Barnstone, which was held by Lord John Tiptoft, and the manors of Radcliffe-on-Trent (Lord William Deincourt) and Wiverton (Sir Richard Whatton and William of Wiverton) in terms of how these manors were exploited. Langar and Barnstone appear to have been held largely as the direct demesne of Lord Tiptoft, whereas in the case of Radcliffe-on-Trent and Wiverton, there is considerable evidence that a large percentage of the land within these manors was leased or rented to others.¹⁰ In the case of Wiverton, for example, Aukar de Frechvill held a moiety of a knight's fee of Lord Deincourt, and Henry son

⁸ Wolffe, *Royal Demesne*.

⁹ *Notts, IPM, 1350-1436*, pp. 8-9.

¹⁰ *Ibid.*, p. 59. It is not clear if Lord Tiptoft normally or periodically resided at Langar. In a petition by Thomas, parson of Langar dated 1361; Thomas complains that he was taken to Lord Tiptoft's house in Sherwood: SC 8/166/8266.

of Robert of Wiverton held land of Sir Hugh Meynill.¹¹

Landholding in Wiverton also illustrates that estates could be held by both merchants and non-resident gentry from other counties. Alice, the widow of the Nottingham merchant John Palmer, held in Wiverton of Hugh of Stapleford a messuage, a tumbledown mill, a dovecote, ten acres of arable land and three of meadows as well as 40s. rent.¹² The non-resident Sir Philip Somerville, held an unspecified amount of land within the vill of Wiverton.¹³ One interesting observation which throws light on the impact of the Black Death upon land holding can be found in the *IPM* for William of Cotgrave, dated 10 June 1351.¹⁴ In detailing the modest amount of land and rented cottages held by William in Wiverton of the honour of Peverel, the inquisition notes that the land is beyond 'reprises' (repair), and that the cottages were empty of tenants, which suggests a substantial population loss in at least this part of Nottinghamshire. And in 1379, upon the *IPM* for Milicent, the wife of Lord Deincourt, the manor of Granby is described as containing 'two ruinous windmills, worth nothing', as well as 240 acres of land lying uncultivated.¹⁵

The next largest secular landholder after the crown in the Bingham area was the duchy of Lancaster, which held the manors of Gunthorpe (of the honour of Leicester) and Cropwell Butler.¹⁶ Again, there is a difference in the

¹¹ *Notts, IPM, 1350-1436*, pp. 57, 12.

¹² Henry Grosmont became the first duke of Lancaster in 1351. All references that predate this appointment will refer to the previous title of earl of Lancaster: Fowler, *The King's Lieutenant*, pp. 172-3; *IPM, Notts, 1321-1350*, p. 205.

¹³ *Ibid.*, p. 151. Somerville also held substantial lands within the Bingham area in Gedling, Shelford, and Newton which were rented, predominantly to resident small-holders.

¹⁴ *Ibid.*, pp. 118-9.

¹⁵ *Notts, IPM, 1350-1436*, pp. 81-2.

¹⁶ L. Fox, 'The Administration of the Honour of Leicester in the Fourteenth-century', *Transactions of the Leicestershire Archaeological Society*, xx (1938-9), 290-374; However, the *IPM* in 1369 for the earl of Warwick, states that Montford held the manor of the earl of Warwick throughout this period: *Notts, IPM, 1350-1436*, p. 63. A deed in the Middleton collection, dated 4 January 1349 between Roger Belgrave, bailiff of the Honour of Leicester,

way both manors were exploited. Gunthorpe appears to have been held throughout this period by Sir Peter Montford, whereas Cropwell Butler was held by Thurgarton Priory and at least four other individuals, three of whom appear to have been small-holders beneath the rank of gentry.¹⁷ Evidence of other magnate landholding within the Bingham area is on a much smaller scale. Thomas de Sibthorpe, a chancery clerk, parson of Beckingham and significant landholder in south Nottinghamshire held land in the manor of Aslocton. Part of this was held of a Nottinghamshire knight, Sir Thomas Newmarche, who in turn held it of Henry Beaumont, earl of Buchan.¹⁸ Also in Aslocton, Alice, the widow of Geoffrey the Clerk, held land of Sir William Bingham, who in turn held it of William Musters, who held it of John duke of Brittany and earl of Richmond.¹⁹ Overall, of the fifteen manors within the Bingham area, three were held directly by the crown in the form of the Honour of Peverel, and a further two by the duchy of Lancaster. Thus one third were held directly of the crown or by the most powerful magnate in England, the duke of Lancaster.

and acting on behalf of the duke of Lancaster, and Monsieur Peter Montford concerning the Easter term fee farm of the manor of Gunthorpe, suggests that it was at least still in the hands of the honour of Leicester at this time: Mi D 537.

¹⁷ It has not been possible to establish whether Sir Peter Montford was a resident Nottinghamshire knight. There is no evidence that he ever held office in Nottinghamshire. It is possible that he may have been a descendant of Peter de Montfort, aide to Simon de Montfort: see J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 64-8. The feudal aid of 1346 for the knighting of the Black Prince lists Thurgarton Priory and William Butler as mesne lords for Cropwell Butler, and Thomas de Asteley and Robert Staunton as demesne tenants: *Feudal Aid*, p. 120; Sir Richard II Willoughby acquired land in Cropwell Butler in 1333 (Mi D 422/2 of 14 January 1333) and leased land to Agnes Bronby of Nottingham in 1353 (Mi D 423 of 2 March 1353). A survey of lands held by Thurgarton Priory in 1328 details the extent of landholding: William Butler is listed as a free tenant, paying 4s. 6d. rent for five seliones in capital messuage: Foulds (ed.), *Thurgarton Priory*, pp. 668-9.

¹⁸ *Notts, IPM, 1321-1350*, pp. 41-2.

¹⁹ *Ibid.*

5.2.2 Titled Nobility and Gentry Landholding

That the crown and the duchy of Lancaster should be major landholders within the Bingham area is, as we have seen in chapter four hardly surprising.²⁰ Of greater significance, however, is the nature and extent of landholding by members of the titled nobility, or those of equivalent wealth and status. Apart from Lord Robert Pierrepont (d. 1333) and his son Lord Edmund, who resided at Holm Pierrepont, all of the other titled noble families who held land within the Bingham area either lived elsewhere within the county, or in the case of Lord Ros of Helmsley, and Lord Richard Grey, beyond its borders. The principal landholder was Lord Adam Everingham of Laxton, in the north of Nottinghamshire, who held the barony of Shelford, as well as substantial land in the nearby manors of Carlton and Gedling, and Stoke Bardolph.²¹ Lord John Tiptoft held the manor of Langar and Barnstone as well as that of (West) Bridgford and Gamston, and land in Wiverton, while Lord William Deincourt (d. 1364) in addition to the manor of Granby, held land in Radcliffe-on-Trent, Cotgrave and Aslocton.²² Although not of baronial status, in terms of the geographical extent of landholding, Sir Richard II Willoughby and Sir Richard III Willoughby, whose acquisitions included the manor of Cotgrave, as well as one knight's fee in Radcliffe-on-Trent amongst other holdings within the Bingham area, must clearly be regarded as a major landholder.²³

²⁰ See chapter four.

²¹ *Notts, IPM, 1350-1436*, pp. 105-6.

²² *Ibid.*, pp. 56-60.

²³ *Notts, IPM, 1321-1350*, pp. 96-7. The Middleton deeds also show that Sir Richard Willoughby acquired land within the Bingham area in Car Colston, Gedling, Stoke Bardolph, Cropwell Butler, Shelford, Wiverton, Colston Basset and Tithby, Screveton, Carlton, Gunthorpe and Owthorpe.

Apart from the Pierreponts, land held by the titled nobility in the Bingham area seems to have been rented or leased to a range of individuals of varying status. Sir Richard Willoughby, for example, held one knight's fee in Radcliffe-on-Trent of Lord William Deincourt. And Thomas Bardolph, who held the manor of Stoke Bardolph of the crown, held land in Shelford of Lord Adam Everingham.²⁴ Perhaps not surprisingly, the vast majority of those who held land within the Bingham area, and who can clearly be identified as being of knightly status, or equivalent, seem to have resided there. The exceptions, such as the Nottingham merchant John Palmer or William Eland, the constable of Nottingham castle, suggest that the acquisition of land by those of or beneath gentry status seems to have had a more local focus than the lesser nobles, whose interests were over a much wider geographical area.²⁵ In fact, remarkably few members of the gentry, regardless as to whether they were resident in Nottinghamshire, appear to have held land within the Bingham area and not lived there. A rare example is Sir Thomas Furnival, who seems to have resided in the north of the county where he held two manors, but who also held the manor of Saxondale, which in turn was held by the Prior of Shelford.²⁶

The extent of landholding by the gentry who were resident within the Bingham area varied considerably. The manor of East Bridgford, for example was jointly held of Queen Philippa of the honour of Tickhill, by Sir Thomas

²⁴ *Notts, IPM, 1350-1436*, pp. 56-8; *IPM, Notts, 1321-1350*, pp. 36-7.

²⁵ William Eland, was rewarded by Edward III for his role in the 1330 coup against Roger Mortimer by being made constable of Nottingham castle, as well as, in 1336, being given the bailiwick of the court of the Honour of Peverel. The court, which was held every three weeks, appears during this period to have been held in Basford, where Eland resided. Tenants of the Honour of Peverel were, in theory at least, bound to appear at its sessions: J. T. Godfrey, *A History of the Parish and Church of Lenton in the County of Nottinghamshire* (London, 1904), pp 386-390; John Palmer, and after his death his wife Alice, were responsible for the construction of the first stone bridge across the Trent at Nottingham in the early fourteenth-century: Harrison, *Medieval Bridges*, p. 115.

²⁶ Furnivall may have resided in Yorkshire where the family were based; *Notts, IPM, 1321-1350*, p. 50-2.

Multon (d. 1349) and his cousin, Sir Philip Caltoft (d. 1361). Neither appears to have held any other land within either the Bingham area or elsewhere within the county.²⁷ In contrast, Sir Richard Bingham, and his son Sir William held the manor of Bingham of the Honour of Peverel, which was the core of their holdings, but also held at various times during the period 1327-1387, land in Radcliffe-on-Trent, Hickling and Keeton, Aslocton, Rolleston, Kelham and Clipston, Car Colston, Colwick and Sibthorpe as well as land within Sherwood forest and Nottingham.²⁸ It should also be noted that the land listed above represents all land that has been identified as being held by father and son, and that the *IPM* for Sir Richard Bingham in 1387 lists, apart from the manor of Bingham, only an assart in Sherwood, a messuage in Nottingham, a messuage and 2 bovates in Sibthorpe and half an acre in Colwick. This suggests that for whatever reason, the fortunes of families such as the Bingham could fluctuate.²⁹ Sir William and Sir Richard Bingham were, however, unusual in this respect. Far more representative of knighted gentry landholding in the Bingham area were Sir Robert Jorce (d. 1375), who held the manor of Burton Joyce as well as land in Gedling of Sir Adam Everingham, and Sir Reginald de Aslocton, who held the manor of Aslocton.³⁰ This level of landholding of a single manor, often with additional land held in adjacent manors, is typical of most knighted families who resided within the Bingham area, and is similar to the situation that G. G. Astil found in fourteenth-century Leicestershire and by

²⁷ This assessment is based upon the *IPMs* for both individuals. Since the purpose of an *IPM*, conducted by the escheator, was primarily to establish the extent and nature of any land held by tenants-in-chief of the crown, they rarely detail other landholding. It therefore remains a possibility that Caltoft and Multon held other land which was not required to be recorded at the inquisition.

²⁸ *Notts, IPM, 1321-1350*, pp. 20-1; *Notts, IPM, 1350-1436*, pp. 57, 103-4.

²⁹ The close rolls record that in 1350, Sir William Bingham owed a debt of £30 to William de Whatton, parson of Northbury church in the diocese of Coventry. The debt is recorded as having been paid: *CCR, 1349-1354*, p. 228.

³⁰ *Notts, IPM, 1350-1436*, pp. 68-9; Folds, *Thurgarton Priory*, p. 675.

Simon Payling for fifteenth-century Nottinghamshire.³¹ Not all gentry landholding in the Bingham area was by those who appear to have been resident there. The Lincolnshire knight, Sir Geoffrey Lutterell of Irnham (d. 1345) and his son Sir Andrew Lutterell, held the manor of West Bridgford and Gamston of Lord Tiptoft, as well as land in the adjacent manor of Bassingfield of Lord Edmund Pierrepont.³² Sir Philip Somerville held land worth £10 rent in Shelford, Gedling, Stoke Bardolph, and Burton Joyce of Lord Adam Everingham.³³ The manor of Gunthorpe was held of the earl of Lancaster of the honour of Leicester by Sir Peter Montford.³⁴ Landholding by those resident outside of the Bingham area was not restricted to individuals from other counties. Within Nottinghamshire, Sir Thomas Furnivall, who held two manors in central Nottinghamshire, also held land in Shelford.³⁵

Perhaps the most striking observation concerning landholding by titled nobles and gentry in the Bingham area is just how few manors were seemingly held by just one family. Only Langar, Colston Basset, Burton Jorce, Scarrington and Saxondale of lay landholders seem to fall into this category.³⁶ In addition, Thurgarton priory held the manors of Cropwell Butler of the duchy of Lancaster, and Owthorpe.³⁷ The manor of Radcliffe-on-Trent provides a good illustration of how landholding in most manors in the Bingham area was highly fragmented in nature. The Nottingham burgess, William of

³¹ Astil, 'Medieval Gentry', pp. 6-7; Payling, *Political Society*, p. 64.

³² *Notts, IPM, 1321-1350*, pp. 92-3. Sir Geoffrey Lutterell is perhaps best known for the *Lutterell Psalter*.

³³ *Notts, IPM, 1350-1436*, p. 13.

³⁴ *Notts, IPM, 1321-1350*, p. 72.

³⁵ *Ibid.*, pp. 50-2. The manors were Worksop and Grassthorpe, held of queen Philippa of the honour of Tickhill.

³⁶ For Langar, see p. 659 above; Sir Hugh Meynill held Colston Basset: *Notts, IPM, 1350-1436*, p. 12; Sir Robert Jorce held Burton Joyce: see n. 28 above; Sir Thomas Furnivall held Saxondale of the prior of Shelford: *Notts, IPM, 1350-1436*, p. 40.

³⁷ *Notts, IPM, 1350-1436*, p. 22.

Nottingham, for example, held until his death in 1327 land in Bingham of both Sir Richard Bingham, who held the manor, but also of Lord Richard Grey.³⁸

Another landholder was Sir Walter Goushill (d. 1326) and his son Thomas, who held land of Lambert de Trikingham, who held it of Lord William Deincourt.³⁹ And the *IPM* for Lord William Deincourt held in 1364, details that Sir Richard Willoughby also held land in Radcliffe worth 100s. of Lord Deincourt for one knight's fee.⁴⁰

5.2.3 Lesser Gentry and Peasant Landholding

Landholding in the Bingham area by those beneath the ranks of the knighted gentry, or those who can reasonably be assumed to be of broadly equivalent status, presents a considerable problem in terms of identification. In the vast majority of cases, the absence of any clear evidence means that it is impossible to determine whether an individual can be described as belonging to the ranks of the lesser, or parish gentry, or richer peasants. As *IPMs* were held upon the death of tenants-in-chief, it is not surprising that there are far fewer examples of individuals whose social status is unclear. Although the reliability of information contained within *IPMs* needs to be considered, one such example within the Bingham area was that held for Matilda, the widow of William, son of Hugh of Garthorpe, who held on her death in 1337, 65 acres, 12 acres of meadow, and 14s. 7d. rent in Wiverton, Tithby and Barnstone of the honour of

³⁸ *Notts, IPM, 1321-1350*, p. 20-1.

³⁹ *Ibid.*, pp. 19-21.

⁴⁰ *Notts, IPM, 1350-1436*, p

Peverel.⁴¹ Unfortunately, no other evidence that may help to shed light on the status of William and Matilda of Garthorpe exists. If they were richer peasants, then the size of their landholding would suggest that despite regional variations, this would amount to an above-average level of holding.⁴² Another example is that of William of Cotgrave (d. 1351), who held of the honour of Peverel land in Wiverton, and his brother Henry (d. 1354), son of Robert of Wiverton. Upon William of Cotgrave's death in 1351, he is described as holding in Wiverton a messuage, 18 acres of arable and 6 acres of meadows and 8s rent, and two cottages of Sir Hugh Meynill in Colston Basset. His brother Henry is detailed as being his heir. Three years later on Henry's death, his presumably inherited holdings of the honour of Peverel in Wiverton appear to have been increased to twenty-eight acres of land and meadows, an admittedly modest increase of just four acres. In addition, holdings from Sir Hugh Meynill were now recorded as entailing twenty-four acres of land and meadow in Wiverton and Colston Basset.⁴³ Whether or not Henry, who is detailed as being seventeen years old upon the death of his brother in 1351, managed to significantly increase his holdings of Sir Hugh Meynill is not known, but perhaps more likely this is an example of the need to treat official documents with a degree of caution.

In addition to evidence gained from *IPMs*, the Middleton title deeds reveal evidence of landholding by the lesser gentry and peasants within the Bingham area. The Middleton deeds record the acquisition of property by the

⁴¹ For the reliability of *IPMs*, see Hunnisett, 'Reliability of Inquisitions'; *Notts, IPM, 1321-1350*, pp. 81, 87.

⁴² Schofield, *Peasant and Community*, pp. 22-6. It is perhaps impossible to talk of an average level of peasant landholding given wide regional variations, but clearly 65 acres and 12 acres of meadow could be classed as substantial.

⁴³ For William of Cotgrave see *Notts, IPM, 1321-1350*, pp. 118-9; For Henry of Cotgrave see: *Notts, IPM, 1350-1436*, p. 12.

Willoughby family from the late thirteenth century onwards.⁴⁴ The principal areas of their holdings are outside the Bingham area, but a total of eighteen deeds record property transactions in villis within this area. In a deed dated 7 September 1337 John Passeys, son of John Passeys granted to Sir Richard Willoughby land in Gedling, which was held by two 'serfs'.⁴⁵ The following year, John Passeys granted to Sir Richard Willoughby his manor of Sutton Passeys with all tenements, rents, lands and meadows.⁴⁶ And five years later William Passeys, the son of John Passeys, released all claims to land held by his (late) father in Sutton Passeys, Lenton and Gedling.⁴⁷ There is no evidence that John Passeys was ever knighted, and yet the patent rolls, which record his loss of land in Sutton Passeys dating back to 1319, describe him as having been a tenant-in-chief, holding land of the honour of Peverel.⁴⁸ It would seem that John Passeys was a member of the lesser gentry, who for whatever reason released his remaining landholdings to Sir Richard Willoughby.⁴⁹ Six of the deeds record property transactions of small, and occasionally very small, amounts of land between peasants. In 1337 for example, Adam Goodfellow of Shelford leased to Henry Young of Newton, half an acre of land for four harvests.⁵⁰ And in 1348 Robert the smith of Owthorpe leased a messuage for

⁴⁴ For a more detailed discussion on the Middleton collection, see chapter four, pp. 159-165.

⁴⁵ Mi D 1042.

⁴⁶ Mi D 1046 of 3 July 1338. The 1332 lay subsidy records detail a John Passeys as being the second largest contributor after John Collyer (E 179/159/5). Interesting, there is no record of a John Passeys in the lay subsidy of 1327-8 (E 179/154/4).

⁴⁷ Mi D 1054 of 30 June 1343.

⁴⁸ *CPR, 1317-1321*, p. 350 and *CPR, 1327-1330*, p. 308. Both entries record pardons to individuals for illegally acquiring land from John Passeys. Neither entry describes Passeys as holding the manor of Sutton Passeys.

⁴⁹ Although falling outside of the Bingham area, the Middleton deeds contain another example of a manorial lord, William Hogh, who was probably of lesser gentry status, releasing his manor of Barnby to Sir Richard Willoughby: Mi D 22/2 of 25 June 1336.

⁵⁰ Mi D 877 of 12 February 1337. It is possible that Henry Young may be identical to Henry Young of Newton, who was charged in a 1330 assize hearing with attempting to seize the tenement of Richard le Vanasour in Shelford: Just I/1400 m. 182. A Henry Young is also

an annual rent of 18*d.* to Idonia de Stanton of Owthorpe, which he held of the prior of Langley.⁵¹ The deeds also illustrate that Nottingham burgesses acquired rural land in the Bingham area. Two deeds dated to 1332 record William Amyas of Nottingham acquiring land in Carlton and Gedling.⁵²

Although the evidence relating to landholding in the Bingham area is far from comprehensive, the picture that emerges points towards predominately fragmented manorial landholding. Not only did the titled nobility, and richer gentry families such as the Willoughbys hold manors within the area, they also held land of varying amounts within other manors. The same was true of some gentry families such as the Bingham. Yet alongside what could be highly complex patterns of landholding within manors, were others which appear to have been held entirely by one family. The Middleton deeds also suggest a strong level of engagement in the land market by the lesser gentry or richer peasantry, as well as property acquisition by Nottingham burgesses. It is impossible to say with any certainty why this pattern of landholding existed within the Bingham area, but it is likely to reflect long term patterns of landholding and the fortunes of individual families from the Norman conquest onwards; those who were able to undoubtedly sought to maintain and extend their holdings, whereas those who had to release land found a ready market for their property. Bearing in mind that landholding was in a state of almost constant change due to differing family fortunes and survivability, the

recorded in 1329 as holding, with the prior of Shelford, a 6th part of one knight's fee in Newton: *Notts, IPM, 1321-1350*, p. 39.

⁵¹ Mi D 289 of 1 July 1348.

⁵² Mi D 244 of 8 April 1332 and Mi D 898 of 30 June 1332. William Amyas was mayor of Nottingham in 1343: Mi D 88 of 22 December 1343. The Middleton collection records extensive property acquisition by Amyas outside of Nottingham, principally in villis to the west of the town.

complexity of landholding in the Bingham area is perhaps no more than a reflection of this reality.

5.3 Lordship in the Bingham Area

Lordship was fundamental to the governance and stability of the realm. As far as the Bingham area is concerned the nature of lordship, and by whom it was exercised, raises a number of important questions. Even though there appears to have been no resident magnate within Nottinghamshire, extensive landholding by members of the titled nobility, some of whom were resident within the Bingham area, ensured that there was a hierarchical structure of lordship that ran from manorial lords to the titled nobility and upwards to the king.⁵³ However, even within the small geographical area of this case-study, magnate landholding existed. In addition to the duchy of Lancaster, both the earls of Richmond and Buchan held land within the Bingham area. W. M. Ormrod has rightly pointed out that it was entirely natural for individuals to seek the 'good lordship' of the king or magnate by being a member of their affinity.⁵⁴ But in an area where there was a strong presence of the titled nobility, was it they who fulfilled for the gentry the role of providing 'good lordship' or did non-resident magnates like the dukes of Lancaster still provide the natural focus for both lesser nobles and gentry alike?

The only clear evidence to be found is in the form of office-holding and retaining by magnates. There is no extant evidence that the earls of Richmond or Buchan retained any of the titled nobility or gentry, who were either resident

⁵³ See chapter four, pp. 169-72.

⁵⁴ Ormrod, *Political Life*, p. 52.

or who held land within the Bingham area. However, Sir Adam Everingham of Laxton is known to have been retained by the duchy of Lancaster throughout this period, as was Sir Hugh Meynell, who held land in Wiverton and Colston Basset.⁵⁵ Yet what, if anything, does this prove? Everingham, like the other families of the titled nobility who held land in the Bingham area, possessed land elsewhere in the county and beyond. Simon Walker has demonstrated in his study of John of Gaunt's Lancastrian affinity that even the most powerful of magnates were limited in what they could achieve in terms of influencing local politics.⁵⁶ Everingham could have been retained for any number of reasons other than to exert an influence on local society on behalf of the earls and dukes of Lancaster. Within the Bingham area a large number of individuals of varying ranks within society held land of Everingham, including one resident knight, Sir Robert Jorce, and Sir Philip Somervill of Staffordshire.⁵⁷ There is no evidence that Jorce was retained by Everingham, or indeed, that any other members of the gentry who held land within the Bingham area of the titled nobility had formal links with those of whom they held land. This does not of course mean that Everingham's association with the duchy, which it is surely reasonable to assume was widely known, may not have had a subtle

⁵⁵ Maddicott, *Thomas of Lancaster*, p. 45; Walker, *Lancastrian Affinity*, p. 119: The Meynells were almost certainly a Derbyshire gentry family. Fowler details a John Meynell as bringing men from Derbyshire for the duke of Lancaster's expedition to Aquitaine in 1345: Fowler, *King's Lieutenant*, p. 222: In her study of the gentry of Derbyshire in the fifteenth-century, Susan Wright identifies the Meynells as coming from that county: Wright, *Derbyshire Gentry*, p. 42: Although there is no evidence that they were retained by the duchy of Lancaster at an earlier date, the following members of the titled nobility who held land in the Bingham area were retained by John of Gaunt: Sir John Deincourt (1382-92), Sir Edmund Pierrepont (1368): Walker, *Lancastrian Affinity*, pp. 262-291.

⁵⁶ Walker, *Lancastrian Affinity*, pp. 235-261. Walker shows that Gaunt was able to get his own men elected or appointed to the key positions of local government (sheriff, knight of the shire and commissioners of the peace) in Nottinghamshire which was sufficient to give him 'an appreciable and consistent influence over' the county p. 241.

⁵⁷ Sir Robert Jorce held 20 acres in Gedling of Everingham. He held the manor of Burton Joyce of Lord William Deincourt: *IPM, Notts, 1350-1436*, pp. 68-9; Sir Philip de Sommervill appears to have been resident in Staffordshire. He was regularly appointed to commissions of *oyer and terminer* throughout the 1320s and 1330s: *CPR, 1334-1338*, p. 138.

effect on other lesser noble and gentry families both within and beyond the Bingham area. Or that those who were retained were 'employed' to influence local politics in an overt manner.

One of the most striking observations is that titled noble families such as the Everinghams, Deincourts, Pierreponds, and Tiptofts, who represent the principal landholding families within the Bingham area, all seem to have a number of factors in common. All, at varying times, took part in military service for the crown.⁵⁸ In terms of their involvement in the administration of the county, all acted as commissioners of the peace. And in addition, the Everinghams and Pierreponds served as commissioners of array. This does not equate to a lack of involvement in the politics of the Bingham area, but rather that their involvement was geographically broader, and also closer to the crown than that of most resident gentry. The relationship between these families and that of the gentry resident in the Bingham area is much harder to identify. Simon Payling found that in fifteenth-century Nottinghamshire, although the gentry élite were appointed by the nobility to a variety of administrative functions, they (the gentry élite) saw themselves as being the leaders of 'political society [and] were recognised as such by both the crown and their social superiors'.⁵⁹

As far as the Bingham area is concerned, there is no evidence that this situation also existed during the period of this study. Not only do those knights resident within the Bingham area appear to have possessed a modest level of landholdings in comparison to the county élite that Payling identified for the fifteenth-century, but there is equally no evidence that they constituted the

⁵⁸ For references for Lord Everingham and Lord Tiptoft, see Ayton, *Knights and Warhorses*; for Lord Deincourt see Ayton and Preston, *Battle of Crécy*.

⁵⁹ Payling, *Political Society*, p. 100.

leaders of society. Given both the number of, and the high level of landholding by, the titled nobility, it would seem more likely that it was they, and not the gentry who competed for the control of the Bingham area. Within the Bingham area, individuals who held eleven of the sixteen manors were appointed by the crown, or were elected at the county court, to hold one or more of the offices of local government (see Appendix A). Seven of these were to hold only a single office throughout the entire period of this survey. This is not to diminish the importance of the office itself, or of what it may have meant to the holder, but rather to suggest that its impact on communities must have been considerably less than the lordship which was exercised within every manor in the Bingham area.

Involvement in the politics of any geographical area embraced more than just the landholding élites. Evidence of those who were almost certainly beneath the rank of these landholding élites is largely limited to their involvement in aspects of government.⁶⁰ Nevertheless, the lesser gentry and wealthier peasants did play an integral role in politics.⁶¹ The richest source for their involvement in governance can be found from those who served as jurors for a range of inquisitions, but in particular for *IPMs*. However, it is important to point out that acting as a juror for *IPMs* was only one of a number of requirements that could be made upon those summoned by the crown to serve in this capacity; an individual could be required to serve in addition as a juror at manorial, coroners, ecclesiastical, assize, eyre, and *oyer and terminer* courts.

⁶⁰ Due to the virtual absence of manorial records for Nottinghamshire during the period of this study, it has not proved possible to identify vill and manorial office holders.

⁶¹ For the involvement of peasants in politics, and especially in their role as jurors, see: R. B. Goheen, 'Peasant Politics? Village Community and the Crown in Fifteenth-Century England', *The American Historical Review*, xcvi (1991), 42-62; C. Dyer, 'The Political Life of the Fifteenth-Century English Village', in L. Clark and M. C. Carpenter (eds.), *The Fifteenth-century. Political Culture in Late Medieval Britain* (Woodbridge, 2004), 135-158.

The evidence from the Bingham area supports the view that most of those who undertook this role were either lesser gentry or wealthier peasants.⁶² There is some evidence that serving as a juror may have been undertaken by members of the same family. In Carlton, for example, William and Richard Basage served as jurors on twenty-three occasions between them between 1323 and 1348.⁶³ Both Richard and William Basage can also be found witnessing two deeds in 1333, one which saw Sir Richard Willoughby lease to Roger Duket of Carlton, half of the manor of Carlton.⁶⁴ An analysis of those who served as jurors from villis in the Bingham area supports the view that they almost certainly constituted the village élite.⁶⁵ In the vill of Whatton, for example, two of those identified as having served as jurors appear to be identical with two of the richer contributors to the 1327-8 lay subsidy of a twentieth.⁶⁶ One the most interesting aspects of jurors within the Bingham area are the variations in the number of individuals recorded for each vill. This in part can be explained by differing populations, but also illustrates that the amount of land held by individuals as tenants-in-chief - and thus requiring an *IPM* to be held upon

⁶² The best recent survey on *IPMs* is the introduction by Carpenter, for *Calendar of Inquisitions Post Mortem*, 1-5 Henry VI 1422-1427 (Woodbridge, 2003); See also Schofield, *Peasant and Community*, pp. 177-8. Schofield suggests that jurors were 'typically freemen, and must therefore have included wealthier peasants; there is some indication that villeins might serve as jurors. Goheen discusses the problem of differentiating between richer peasant and 'falling' gentry, arguing that contemporaries might describe 'a man as a yeoman one day, a gentleman the next': Goheen, 'Peasant Politics?', pp. 44-5.

⁶³ *Notts, IPM, 1321-1350*.

⁶⁴ Mi D 246 of 4 April 1333, Mi D 243 of 15 January 1333. Roger Duket, who died in 1347, held a bailiwick in fee for proving and levying the king's debts in the county of Nottinghamshire and Derbyshire by commission of the sheriff in default of other bailiffs: *Notts, IPM, 1321-1350*, p. 110. Robert Basage, son of Richard Basage was the defendant in a long running plea of trespass in the king's bench against Thomas of Edwalton: KB 27/289 (1332-3) and KB 27/254 (1358-9).

⁶⁵ Goheen, 'Peasant Politics?', pp. 50-1; Dyer, 'Political Life'; Carpenter, *Calendar of Inquisitions*, 'Introduction', p. x.

⁶⁶ Robert Burton of Whatton served as a juror for an *IPM* in 1354 (*Notts, IPM, 1350-1436*, p. 13), and a Robert Burton of Whatton is recorded as the fifth largest contributor for the lay subsidy for Whatton in 1327-8 (E 179/159/4); John Marshal of Whatton was a juror twice in 1342 (*Notts, IPM, 1321-1350*, pp. 90-1, 175.) and may well be related to William Marshal of Whatton, who was the fourth largest contributor to the lay subsidy (*Ibid.*).

death - varied considerably. Two jurors from Bingham and a single juror from Holm Pierrepont can be contrasted with seven from nearby Shelford. This was probably because Bingham and Holm Pierrepont were held by just two families, whereas the manor of Shelford comprised multiple landholders, and therefore there was a greater need for an inquisition upon death.

Due to the fact that most landholding within the Bingham area consisted of land held in more than one location, the vast majority of *IPMs* meant that jurors, often over a wide geographical area, were required to travel to attend inquests.⁶⁷ Typical in this respect is the inquest held in 1345 in Nottingham upon the death of Sir Geoffrey Lutterell.⁶⁸ Lutterell held the manor of Gamston and (West) Bridgford from Sir John Tiptoft, and 6 bovates (approximately 90 acres) in adjacent Bassingfield of Sir Edmund Pierrepont. All of the twelve jurors however came from the east or south of Lutterell's holdings. None came from either Gamston or Bassingfield, or even from Wilford or Sneinton, the nearest manors to Gamston. In this particular instance, it may be that this seemingly unusual juror selection reflected the administrative practice of the escheator or his staff, who may have only selected jurors from the Bingham wapentake. In general, jurors appear to have been selected by the escheator from villis relevant to the land in question. Nevertheless, when we add individuals such as William de Whatton, and Robert of Colston Bassett, who travelled to the county court in Nottingham in 1328 to act as a mainpernors for the election to parliament of Peter Foun and Sir Robert Ingram, there is clear evidence of a body of individuals who

⁶⁷ Goheen makes the point that those summoned by the crown to act as jurors could refuse to attend, and exercised a deliberate choice based upon their position within a village or town, and whether or not acting as a juror would enhance their status: Goheen, 'Peasant Politics?', pp. 50-1.

⁶⁸ *Notts, IPM, 1321-1350*, pp. 92-3.

travelled throughout the area, presumably associated with each other and, just as importantly, associated with officials of gentry status or above, to play a vitally important part in the administrative and legal functions of the county.⁶⁹

5.4 Horizontal Ties

Associations between members of the gentry could take a variety of forms.

Hunting and hawking were two of the most popular leisure activities of the landed élite in the Middle Ages and undoubtedly occurred within the Bingham area.⁷⁰ Evidence of the popularity of hunting can be gained from the significant number of royal and private parks throughout the whole of Nottinghamshire, but particularly north of the Trent within the royal forest of Sherwood.⁷¹ Two parks used for hunting at Radcliffe-on-Trent and Langar have been identified within the Bingham area.⁷² The park at Langar belonged to Sir Robert Tiptoft, and is described as being 20 acres in size, whereas that at Radcliffe-on-Trent, which was held from Sir Richard Bingham by the Nottingham burgess Henry of Nottingham, was only 3 acres.⁷³ What is interesting about the park at

⁶⁹ C 219/5. In this instance there is no obvious connection between the mainpernors and those elected as knights of the shire. However, in elections for the Salisbury parliament of 16 October 1328, Sir Philip Caltoft, who jointly held the manor of East Bridgford, had as one of his mainpernors, Richard son of William of East Bridgford.

⁷⁰ For the importance of hunting and hawking to gentry society, see: Saul, *Scenes from Provincial Life*, pp. 187-192; Woolgar, *Great Households*, esp. ch. 4, 8, 9; J. Birrell, 'Deer and Deer Farming in Medieval England', *Agricultural History Review*, xxxii (1992), 112-126 and 'Peasant Deer Poaching in Medieval Forests', in J. Hatcher and R. Britnall (eds.), *Progress and Problems in Medieval England* (Cambridge, 1996); L. Cantour, *The English Medieval Landscape* (London, 1982).

⁷¹ D. Crook, 'The Development of Private Parks in Medieval Nottinghamshire', *Thoroton Society*, cvi (2002), 73-79. One of the private parks Crook identified was that of Lord Adam Everingham, who had a park at his manor of Laxton: p.73.

⁷² *Notts, IPM, 1321-1350*, pp. 26-7 (Langar); *Ibid.*, pp. 20-1 (Radcliffe-on-Trent).

⁷³ The average size of parks was between 100-200 acres: M. Prestwich, *Plantagenet England 1225-1360* (Oxford, 2004), p. 11; Clearly the three acre park at Radcliffe-on-Trent was not

Radcliffe-on-Trent is that it surely indicates that Henry of Nottingham took part in rural sports. C. E. Moreton has argued against the view expressed by some historians that there was a social gulf between the upper and lesser gentry.⁷⁴ If Moreton is correct, then it is surely probable that a seemingly wealthy Nottingham burgess such as Henry may well have taken part in this rural activity, and given the number of Nottingham burgesses who acquired rural landholdings, he may well have not been the only one. Indeed, the Middleton deeds alone record that between 1327-1359, no less than twenty-five different individuals who are described as being 'of Nottingham' acquired, or already held land outside of Nottingham. Since this must represent only a small percentage of the total level of rural landholding by burgesses, it would seem inconceivable that social interaction between rural and urban élites did not take place, especially as rural landholders such as Sir Richard Willoughby, also held land within Nottingham.⁷⁵

Horizontal associations, be they informal social and leisure contacts, or formal, such as marriage or the witnessing of deeds, clearly existed and played a significant part in the governance and stability of society within the Bingham area. Although evidence of informal ties is limited, more evidence has survived in relation to formal contacts between lesser noble and gentry families within the Bingham area. While this evidence lacks the subtle nuances of attitudes and behaviour that must have played a significant part in relationships, they do at

used for hunting within, but Saul describes how animals could be driven into an enclosure for slaughter: Saul, *Scenes from Provincial Life*, p.188.

⁷⁴ C. E. Moreton, 'A Social Gulf? The Upper and Lesser Gentry of Later Medieval England', *Journal of Medieval History*, xvii (1991), 255-262.

⁷⁵ For example, in 1351 Sir Richard Willoughby acquired property in Nottingham: Mi D 771 of 25 April 1351.

least point towards the importance of such horizontal ties and what light they can shed upon the functioning of society.

5.4.1 Marriage⁷⁶

According to Christine Carpenter, marriage could be for a wide variety of aims, which tended to be 'hard headed gambles'.⁷⁷ In most cases, the purpose of marriage revolved around land: either the acquisition of further estates or the preservation of existing ones. The evidence gained from a number of fourteenth and fifteenth-century gentry-based county studies suggests that patterns of marriage broadly reflected the level of landholding by the parties in question. Carpenter for example found that in fifteenth-century Warwickshire, the larger and geographically more diverse estates were, the more likely it was that a marriage would take place with one of the parties being out of county.⁷⁸ For most members of the gentry, marriage was usually arranged between other gentry families within the same county.⁷⁹

Within the Bingham area, evidence of two marriages by the only resident member of the titled nobility, the Pierreponts of Holm Pierrepont, illustrates that a degree of caution is required when assessing the relative status

⁷⁶ Evidence of marriage in fourteenth-century Nottinghamshire between gentry and titled noble families is drawn largely from Payling, *Political Society*; see also Waugh, *Lordship of England*, pp. 52-63, 207-220; S. Sheridan Walker (ed.), *Wife and Widow in Medieval England* (Michigan, 1994).

⁷⁷ Carpenter, *Locality and Polity*, p. 110.

⁷⁸ Ibid., pp. 99-100. The same was also true of those who travelled more widely.

⁷⁹ Astil found that of 82 marriages in fourteenth-century Leicestershire where he was sure of the status of both parties, 80 were between gentry families, and of these, 62 were contracted between parties who held land within the county: Astil, 'Medieval Gentry', pp. 91-2; This situation seems to have changed in Leicestershire in the fifteenth-century, where Acheson found that only 53% of Leicestershire males, and 59% of gentry daughters married within the county. However, 82% of those who married outside of the county did so to someone from a neighbouring county: Acheson, *Gentry Community*, pp. 155-7; Saul found that in fourteenth-century Sussex, most gentry marriages were local: Saul, *Scenes from Provincial Life*, pp. 180-1.

of individuals. It is, however, debatable if the Pierreponts were considered as being part of the titled nobility, and therefore whether these two marriages should be seen as constituting ties between families of markedly differing status. For, although Sir Robert Pierrepont (d. 1334) did receive two personal writs to attend parliament, his son and heir Sir Edmund (d. 1370) does not appear to have been similarly favoured, and the family were not to become part of the emerging peerage during the fourteenth and fifteenth-centuries.⁸⁰ Sir Robert Pierrepont's first marriage was to the daughter of Sir John Heriz, and his second to a daughter of Sir John Annesley, both resident Nottinghamshire gentry families whose lands in the county were predominantly north of the Bingham area.⁸¹ There is little doubt, as the *IPM* held on the death of Sir Robert Pierrepont in 1334 reveals, that the Pierreponts were one of the county's principal landholders.⁸² This, as Payling has shown, was a position the family was to maintain, and were able to increase during the fifteenth-century.⁸³ However, David Crook, writing on Sir Robert Pierrepont's mother Annora in the late thirteenth century, describes Sir John Heriz, whose daughter was to marry Annora's son, Sir Robert, as being a knight of similar status to the Pierreponts.⁸⁴ Crook also reveals that when Annora married again after the death of her first husband, Sir Henry Pierrepont, since she held the manor of Holm Pierrepont of the earl of Lancaster, her marriage had to be approved by

⁸⁰ Sir Robert Pierrepont was summoned to parliament in 1327 and 1333: *Report for the Lords Committee Touching the Dignity of a Peer of the Realm*, vol. iv, pp. 373-4; For Sir Robert Pierrepont's holdings at his death in 1334, see: *Notts, IPM, 1321-1350*, pp. 59-61; Payling has identified the Pierreponts as one of the 'greater gentry' of Lancastrian Nottinghamshire, but does not include them among the ranks of the titled nobility.

⁸¹ Payling, *Political Society*, p. 238.

⁸² *Notts, IPM, 1321-1350*, pp. 59-61.

⁸³ Payling, *Political Society*, pp. 21-2. The Pierreponts are not recorded in *The Complete Peerage* as being part of the peerage for this period.

⁸⁴ D. Crook, 'The Widowhood of Annora de Pierrepont of Holm Pierrepont Nottingham, 1290-1297', *Nottingham Medieval Studies*, xlv (2005), 64-79.

the earl, who may have imposed her second husband upon her as he also held land of the earl of Lancaster.⁸⁵ Although this example falls outside the time frame of this study, it does illustrate that the real distinctions of authority and status were probably not between families such as the Pierreponts and their knighted gentry neighbours, but between these families and magnates such as the earls and dukes of Lancaster.

Marriage is not the only relationship that needs to be considered when looking at horizontal ties. As far as the Bingham area is concerned, there is also, in the case of the Bingham of Bingham and Willoughbys of Willoughby-on-the-Wolds, an example of kinship ties between two branches of the same family, and the possible impact this may have had on their activities. Both families were descended from Ralph Bugge (d.1248), a wealthy Nottingham wool merchant.⁸⁶ Two of his sons, Ralph and Richard Bugge were settled within, or acquired land in Bingham and Willoughby-on-the-Wolds respectively.⁸⁷ During the period of this study, Sir William Bingham (d. c1348) and Sir Richard II Willoughby (d. 1325) were cousins, and their sons, Sir Richard Bingham (d. 1388) and Sir Richard III Willoughby (d. 1362) were second cousins. There is no evidence of any legal disputes between the Bingham and Willoughbys and this suggests amicable relations, influenced by family ties, but does not of course guarantee it. Carpenter suggests that one of the reasons for marriage between neighbouring gentry families was the range

⁸⁵ *Ibid.*, p. 67.

⁸⁶ A. A. Wortley, *A History of Bingham* (Oxford, 1954), p. 50.

⁸⁷ The manor of Bingham was purchased from earl Robert Ferrers in c.1260-5: M. Bloom, 'The Careers of Sir Richard II de Willoughby and Sir Richard III de Willoughby, Chief Justice of the King's Bench (1338-1340), and the Rise of the Willoughbys of Nottinghamshire', D.Phil. thesis (Oxford, 1985), p. 9.

of mutual benefits of friendship and political association that could result.⁸⁸

Although there is no evidence that during the period of this study the Bingham and Willoughbys were connected by marriage, it may be that ties of kinship worked in much the same fashion.⁸⁹ Bingham is one of the few manors within the Middleton area where Sir Richard II Willoughby or Sir Richard III Willoughby do not appear to have sought to acquire land. Whether this was due to favourable family considerations, or simply a lack of opportunity is unclear, but it must remain a possibility that this tie of kinship protected Sir Richard and William Bingham from the attention of their richer and more powerful cousins, especially at a time when Sir Richard Willoughby was acquiring considerable land within the Middleton area. Although family ties did not of course preclude hostile activities, evidence that cousins could seemingly co-operate over property may be found in the case of the manor of East Bridgford, where Sir Philip Caltoft and his cousin Sir John Multon were for a period of time during this study, joint lords of the manor.⁹⁰

5.5 Witnesses

Further evidence that horizontal ties played an important part in politics can be found from a range of inquisitions and deeds. A good example is a writ dated 3 March 1335 to establish the proof of age of James, the son and heir of Nicholas

⁸⁸ Carpenter, *Locality and Polity*, p. 106.

⁸⁹ It is possible that a Sir Richard Bingham (d. 1476) who married the widow of Sir Hugh Willoughby, may have been directly descended from the Bingham of Bingham of this survey: Carpenter, *Locality and Polity*, pp. 168-9.

⁹⁰ Sir Philip Caltoft served as a knight of the shire in 1328 and 1329 as well as a commissioner of array in 1337 and a verderer of Sherwood forest. In contrast, Sir John Multon seems to have held no local office.

Audley, held at Kneesall in mid-Nottinghamshire.⁹¹ The *IPM* which must have been held for Nicholas Audley has not survived, and therefore the extent of land in question is unknown. Although Kneesall is outside the Bingham area, clear evidence that horizontal ties could exist over a wide geographical distance can be found from the list of the twelve jurors, summoned by the escheator, who testified that James Audley was of age. The first four jurors listed are all belted knights. The statement by the first named juror, Sir John Nevill, recalled that James Audley's cousin was the banneret James Lord Audley, who together with Lord John Cromwell and Agnes Musters 'lifted him (James Audley) from the sacred font' at his baptism.⁹² The second named juror was Sir Richard Whatton, who held in the Bingham area the manor of Scarrington of Lord Ros, as well as land in Wiverton, and who served as a justice of *oyer and terminer*. Whatton's statement recalled that his wife was buried at the same church in Kneesall. The statements of the other knights, Sir John Annesley and Sir Thomas Beckering, both contain a connection with Kneesall. With the exception of Sir John Nevill, who does not seem to have held any office in Nottinghamshire, Annesley, Beckering and Whatton all had held, or were to go on to hold, high office in the county. In addition, Annesley, Beckering and Nevill all held land in or close to Kneesall. Two other witnesses were also from villis in the Bingham area, but appear to have been either lesser gentry or richer peasants in status: Richard Ingram of Gedling and

⁹¹ *Notts, IPM, 1321-1350*, pp. 67-9.

⁹² *Ibid.*; Sir James Audley was a prominent soldier throughout this period. The writ merely refers to John Cromwell, but this is almost certainly John Lord Cromwell, steward of Edward II's royal household: Payling, *Political Society*, p. 95; Agnes Musters may have been related to Sir John Musters, who held a variety of local offices between 1334 and 1351, including that of sheriff in 1344. However, Carpenter observes that in the fifteenth-century, there appears to have been very few witnesses of any status for the inquisition of proof of age, of even those of magnate status: Carpenter, *IPM*, 'introduction', p x.

William Basage of Carlton. Basage is almost certainly identical with a William Basage of Carlton, who served as a juror on eight *IPMs*, and who, with Richard Ingram, also witnessed five title deeds contained within the Middleton collection.⁹³ Ingram's statement refers to his recovery of land in Kneesall, but in the case of Basage there is no stated connection.

It is of course entirely possible that if sufficient individuals of knightly status had been available to act as jurors, Basage, Ingram, and the six remaining jurors who were not of knightly status, may not have been required to act in this capacity. But with the youngest juror recorded as being forty-two, and with an average age of fifty, it may well have been difficult to find the required twelve men of what may have been considered an appropriate status who could testify on a matter such as this. Nevertheless, Basage and Ingram did act as jurors in this example, and Basage also served as a juror at *IPMs*. Both were called upon to witness title deeds. Whatever the finer details of the relationship between men such as Basage and Ingram and their 'social superiors', they, and many others of presumably similar status were summoned to become involved in important aspects of politics in the community. This very involvement surely suggests that though, in general, horizontal ties were governed by status; there were occasions when necessity and legal requirements dictated otherwise.

In a proof of age for Elizabeth, daughter and heir of Sir Thomas Heriz of Gonalldson, held in 1353, only one of the jurors, Sir John Annesley, was of

⁹³ Mi D 245 of 29 September 1332; Mi D 898 of 30 June 1332; Mi D 898/1 of 15 May 1333; Mi D 242 of 4 April 1333; and Mi D 243 of 15 January 1333. All of the deeds relate to property within the Bingham area.

knightly status.⁹⁴ Annesley reveals in his statement that he was Elizabeth's godfather. Given that the principal landholdings of both families were some twelve miles apart, and the probable importance of the role of godfather, it seems highly likely that this was more than just an undertaking of neighbours, and may well reveal a closer relationship between the Annesleys and Heriz.⁹⁵ The remaining jurors all appear to be either lesser gentry or richer peasants. John, son of Andrew Rolleston says that he had been Sir Thomas Heriz's bailiff when Elizabeth had been born in 1338, while Roger Duffield and John, son of Richard Smith testified that they had been jurors attending a coroner's court. Another witness, Alexander Gonalson, who had been disqualified as a verderer for Sherwood forest on no fewer than four occasions, and was the subject of a petition of complaint from the people of Nottingham resulting from his role as verderer, confirms that he was steward to Sir Thomas Heriz, and held a court of the manor on the day Elizabeth had been born.⁹⁶

The possible extent of horizontal ties that must have existed both within and beyond the Bingham area can also be found in Middleton deeds. One of the knights who acted as a juror for both James Audley and Elizabeth Heriz's proof of age, Sir John Annesley, whose principal landholding was the manor of

⁹⁴ *Notts, IPM, 1350-1436*, pp. 8-9. Sir John Annesley was, prior to c.1330-1333, the king's bailiff of the honour of Peverel: SC 8/88/4366 of c.1330-1333.

⁹⁵ It may be just a coincidence that Lord Robert Pierrepont's two marriages were to daughters of Sir John Annesley and Sir John Heriz: see n. 79 above. It must remain a possibility that because of these marriages, the two families may have had a closer relationship. It should be noted however that Sir Robert Pierrepont was acquitted in 1330 of murdering his second wife, Cecily: Crook, 'Petition from the Prisoners', 1-25, pp. 7-8.

⁹⁶ Alexander Gonalson was disqualified as a verderer in 1330, 1337 and twice in 1340: *CCR, 1327-1330*, p. 298; *CCR, 1334-1337*, p. 54; *CCR, 1339-1341*, pp. 348, 395; SC 8/65/3220 of 1337. In a writ dated 1347, Gonalson's status as a landholder can be confirmed as he is granted permission to build a windmill on land held of the king within Sherwood forest: *Notts, IPM, 1321-1350*, pp. 157-8. He was also pardoned of outlawry in 1342 for a range of oppressions, extortions and trespasses, during which he 'was minister of John Bret, late sheriff of Nottingham': *CPR, 1340-1343*, p. 470. The reliability of witness statements needs to be carefully considered. In these examples it is likely that there can be considered essentially accurate: See Carpenter, *IPM*, 'introduction', pp. 18-20.

Annesley in central-eastern Nottinghamshire, also acted as a witness in a title deed for Sir Richard II Willoughby dated 23 May 1328.⁹⁷ Sir John Annesley, and another juror for James Audley's proof of age, Sir Thomas de Beckering, also served together as commissioners for the collection of the 1342 wool subsidy, and Sir John Annesley and Sir William Bingham were commissioners for the lay subsidy on four occasions between 1344 and 1347. Within the Bingham area, two resident knights and near neighbours Sir William Bingham and Sir Robert Jorce are recorded as serving with the king overseas in 1337.⁹⁸ It is not difficult to find examples of individuals who were related through marriage, had worked (or fought) together, or undertaken to act as witnesses for deeds. But there must have been a degree of pragmatism involved in horizontal contacts as within the Bingham area the 'pool' of lesser noble and gentry families was limited in number. As we have seen individuals were prepared to travel across, and even beyond county boundaries, but factors such as personal attitudes and availability resulting from such factors as military service must have effected connections.

One final example of horizontal ties illustrates that these could be broader in their nature than those based on status alone. It also shows that although urban political society had its own administrative and social structures, co-operation between rural and urban political societies did occur. In an indenture enrolled on the patent rolls in May 1349, the prior of Shelford

⁹⁷ Mi D 80/7; The deed relates to the acquisition of property by Sir Richard Willoughby in Beeston. It is not known if Sir John Annesley also held land within or adjacent to Beeston.

⁹⁸ *CPR, 1334-1338*, p. 524. Sir Robert Jorce held the manor of Burton Joyce north of the Trent, some 4 miles from Sir William Bingham who held the manor of Bingham. The use of the river Trent as a division for military service did not come into effect until 1346. From that date, those resident north of the Trent were excused service overseas as they were required for the defence of the north of England against Scottish attacks: Ayton and Preston, *Battle of Crécy*, p. 15.

granted to John Woodhouse, chaplain of Newark church the right to celebrate the souls of Alan Fleming of Newark and his family, Master Simon Beckingham and Robert Caldewell in exchange for 5 marks and their manors of Saxondale and North Muskham.⁹⁹ What is of particular interest is that the witnesses include four knights as well as burgesses of Newark. The presence of one of the knights, Sir William Bingham, could be explained as his manor of Bingham abuts that of Saxondale, yet Sir Geoffrey Staunton's landholdings appear to have been confined to the area around his manor of Staunton in the Vale of Belvoir on the border with Leicestershire.¹⁰⁰ Clearly care must be taken not to read too much into what after all was legal document entailing the transfer of land. Nevertheless, it does illustrate that prominent members of the community were willing to assist a request by urban merchants in a spiritual matter.

5.6 Law and Order

5.6.1 Populations and Crime Rates

Based upon the figures of those who were taxed for the 1377 poll tax, Bingham appears to have been the largest vill in the wapentake that bears its name.¹⁰¹ It

⁹⁹ *CPR, 1348-1350*, p. 289.

¹⁰⁰ For land held by Sir Geoffrey Staunton, see: *Notts, IPM, 1350-1436*, pp. 64-5; Another of the four knights, Sir John Vaux, was sheriff and escheator at the time of this indenture. It is likely that he is listed in his official capacity. Vaux is recorded as having died in office. His successor, Walter Montgomery was appointed in October 1349, which suggests that he died sometime between May and October 1349, quite possibly as a result of the Black Death which reached Nottinghamshire through Newark in that year. It has not proved possible to discover what if any land the remaining knight, Sir William Thorpe, held in this area.

¹⁰¹ C. C. Fenwicke, *The Poll Taxes of 1377, 1379, and 1381* (Oxford, 2001), pp. 272-282: For problems with estimating population from taxation records, see R. E. Glasscock, *The Lay Subsidy of 1334* (Oxford, 1975), 'introduction', pp. xiii-xxxii; A direct comparison with the lay

is also the only vill within this area for which evidence of resident merchants is available.¹⁰² Other vills that fall within the area of this study which seem to have been roughly comparable in size to Bingham are Radcliffe-on-Trent, Car Colston, Shelford, Cotgrave, and Burton Joyce. Based upon all types of extant legal records, there are twelve cases of criminal activity which can be said to relate to Bingham. These range from homicide to debt, and include two cases of assault against residents of Bingham which took place outside of the vill. In comparison, Radcliffe-on-Trent, situated some three miles west of Bingham, and with roughly comparable population, has eight references to similar crimes. Quite clearly these are not likely to have been the only crimes committed in, by or against individuals from these vills, but they do suggest, perhaps not surprisingly, an approximate correlation between population and crime rate.

5.6.2 Violent and Serious Crimes

Although there is evidence of four cases of violent crime connected with Bingham, only two of these occurred within the vill. One, the assault on a juror at an *oyer and terminer* in 1332 hearing has already been mentioned.¹⁰³

The other was a pardon granted to Hugh Bene in 1355 for causing the death of

subsidy of 1327-8 has not proved possible due to damage to the original document. Broadly speaking, despite different methods of assessment between 1327-8 and the poll tax, the ratios between both methods remain roughly the same. The most notable exception is Holme Pierrepont, which in 1327-8 had 8 individuals listed as paying the subsidy, yet the 1377 poll tax lists 170.

¹⁰² CCR, 1346-1349, pp. 75-6. The sheriff was instructed to attach three named merchants for contempt: Richard Fox of Bingham and William de Thurgarton and William de Roderham of Nottingham.

¹⁰³ See chapter three, p. 132.

John Burdon in self-defence.¹⁰⁴ The remaining two cases which occurred in 1327 and 1353, are both alleged *vi et armis* involving physical assault and theft of property against Sir William Bingham, who held the manor of Bingham.¹⁰⁵ The 1327 assault took place at the vill of Aslocton, approximately two miles to the west of Bingham, and involved just one individual, Peter Thacnam, who is described as being of Aslocton. This assault may have been as a result of a personal grudge, but given that the alleged assailant came from the vill where the assault took place, it is unlikely to have been a simple robbery. The 1353 assault is said to have taken place at Elston, some five miles north of Bingham, and names twenty-six individuals as having taken part in the assault upon Sir William Bingham and his property. However, only three of these are listed as being from Elston, including the brother of the parson of Elston. Another is named as being from Syerston, a nearby vill. Unusually, none of the others are identified with a location. Adam, son of Geoffrey White, may be the son of the Geoffrey White of Elston, who testified in a writ of proof of age in 1333.¹⁰⁶ In this writ, Geoffrey Wright referred to his loss of an oast-house, which suggests that he may have been a relatively substantial small-holder in the area.¹⁰⁷ There is no evidence from *IPMs* that Sir William held land in either location, but it is possible that the 1353 attack may have been connected to Sir William's role as a commissioner of subsidy, which he held on five occasions between 1344 and 1348, or perhaps more likely, when he served as a peace commissioner in 1351, which was in addition tasked with pursuing the ordinance of labourers

¹⁰⁴ *CPR, 1354-1358*, p. 268.

¹⁰⁵ KB 27/270 m.11 and KB 27/371 m. 11.

¹⁰⁶ *Notts, IPM, 1321-1350*, pp. 54-7.

¹⁰⁷ *Ibid.*, pp. 55-6. White blamed his maid for the loss of the oast-house.

and servants.¹⁰⁸ The findings of this commission have not survived, but it must remain a possibility, that as a local landholder, Sir William may have suffered as a result of the measures introduced by the Ordinance of Labourers following the Black Death.

Although the number of extant cases of violent crime in Radcliffe-on-Trent is less than those for Bingham, there is some evidence to suggest that this may not represent the true picture. In 1341, Thomas, son of Thomas of Radcliffe was accused by Sir Thomas de Goushill of sheltering criminals against him.¹⁰⁹ It is likely that this was the same Thomas son of Thomas who was ordered to be arrested by the crown in July 1327, as being a member of the Folville gang.¹¹⁰ One other individual named in the 1327 instruction to the sheriff, Thomas Basely of Radcliffe-on-Trent, also appears on the 1341 plea as providing surety for Thomas. And in 1346, John son of Thomas son of Hugo of Radcliffe brought a plea of *vi et armis* entailing physical assault against Thomas and William Basely of Radcliffe which was said to have taken place at Radcliffe.¹¹¹ Although the Folville gang had by this time disbanded, it seems that at least one of its former members may still have been engaged in violent activities. In addition, a 1355 case of homicide committed by Thomas son of John de Radcliffe (on-Trent) on John son of Edmund de Radcliff at Radcliffe-on-Trent, suggests at first sight that Radcliffe-on-Trent may have been a more

¹⁰⁸ CPR, 1350-1354, p 87-92. Sir William was added to the commission on 12 February 1352.

¹⁰⁹ CP 40/321 m. 83; Sir Thomas Goushill held the manor of Hoveringham, which is situated on the north bank of the Trent. A possible relation, Hugh de Goushill was the parson of the church of Radcliffe-on-Trent: *Notts, IPM, 1321-1350*, pp. 154-5. Sir Thomas's son and heir Sir Nicholas Goushill, had a long and illustrious military career: see A. Ayton, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III* (Woodbridge, 1994), p. 236 n. 191.

¹¹⁰ CCR, 1327-1330, p. 154; Another individual named as being a member of the Folville gang was Robert Jorce of Gedling, which is situated on the north of the Trent, some 2 miles north of Radcliffe-on-Trent. Jorce, who held the manor of Burton Joyce served as a knight of the shire, coroner and verderer was clearly not adversely affected by this charge.

¹¹¹ KB 27/346 m. 70 and KB 27/348 m. 10 d.

violent vill than Bingham.¹¹² Two of these crimes were committed by members of the Folville gang, but it may well have been the case that Radcliffe-on-Trent was just unfortunate that these individuals came from the vill.

By focusing upon violent crime it is possible, as Saul warns, that we may reach the conclusion that vills such as Bingham and Radcliffe-on-Trent were ones afflicted by a high level of violence.¹¹³ Even allowing for large gaps in the legal records, the number of recorded violent crimes being committed was remarkably few when looked at over a period of thirty-three years.¹¹⁴ Cases of violent crime constitute only a small percentage of the total extant evidence of criminal behaviour for Bingham and surrounding vills, whose inhabitants seem to have been far more preoccupied by property disputes than committing acts of violence against each other. This is certainly not to ignore or downplay violent crime, only that it may not have been as all pervasive as some historians suggest.

5.6.3 The Trent and Crime

Evidence that the river Trent acted as a barrier to violent crime - at least on a local level - can be suggested by the lack of any cases where the individuals involved came from both sides of the river. Typical in this respect is the alleged assault in 1331 on Geoffrey son of Hugo of Hoveringham by John Bate of Lowdham and Roger Bate of Gunthorpe, which took place at Burton

¹¹² Just 3/133 m. 10 d.

¹¹³ Saul, 'Conflict and Consensus' pp. 38-58, esp. p. 39.

¹¹⁴ From his study of extant French legal sources for the vill of Creisy-la-Forêt in Normandy, which span most of the fourteenth and fifteenth centuries, Finch found a low level of homicide and very little evidence of violence resulting from feuding. Most violence was spontaneous, motivated by grudges and slights, and petty in nature: Finch, 'Nature of Violence', 249-268, esp. p.267.

Joyce.¹¹⁵ Hoveringham, Burton Joyce and Gunthorpe are villis located on the north bank of the Trent. In the case of Burton Joyce and Gunthorpe, the villis of Shelford and East Bridgford, which are directly opposite on the south bank, are only separated from each other by the width of the river, yet in this case at least, and despite the existence of a ferry at Shelford during this period, all of those involved came from the north of the river.¹¹⁶ A significant factor in deterring cross-river crime may well have been the potentially dangerous nature of the Trent itself. From an analysis of the Nottinghamshire coroners' rolls for the period 1485-1558, Keith Challis has suggested that the 'river presented a substantial hazard to the population of medieval Nottinghamshire'.¹¹⁷ This hazard was mainly in the form of accidental drowning.¹¹⁸ Through a combination of flooding, an unstable river bed which made fording dangerous, the often poor handling of ferries, and the reported cases of damage to the bridges across the Trent may well have restricted contact between those from opposite sides of the river which could lead to crimes of violence. However, since the overwhelming majority of violent or serious crimes in this area seem to have been committed within, or close to villis by and upon individuals from the same area, it is perhaps not surprising that a physical barrier such as a river should severely limit the opportunity for individuals from either side of the river to become involved in such activity.¹¹⁹

¹¹⁵ KB 27/283 m.

¹¹⁶ The ferry at Shelford is described in an *IPM* held in 1363 as being worth 40*d* a year: *Notts, IPM, 1350-1436*, pp. 55-6.

¹¹⁷ Challis, 'River Trent', p.121.

¹¹⁸ Challis estimates that there were on average between 2-3 deaths a year, a figure which probably under represents the true figure. This rate increased when flooding occurred: Challis, 'River Trent', pp. 115-6.

¹¹⁹ These findings mirror those found by Barbara Hanawalt: Hanawalt, *Crime and Conflict*, pp. 64-113.

5.7 Conclusion

This micro-study of the Bingham area within south Nottinghamshire has sought to undertake a more detailed analysis of a number of important aspects of politics. Although any geographical area will by definition be 'unique', the Bingham area does typify patterns of settlement and landholding within south Nottinghamshire. The clear advantage of adopting a focused approach is in the detail it can provide. But this very focus can, if not placed with the broader geographical and political context of this thesis, lead to the justifiable criticism that it has downplayed the central role of the crown in the governance of the localities.¹²⁰ What then has this study revealed, and what if anything does it add to the overall understanding of the relationship between the centre and the locality?

The more detailed picture of landholding within the Bingham provided by this case-study has confirmed the complex nature of landholding that existed across the Middleton area. This suggests, but does not confirm, that the communities in this area were probably not dominated by either a magnate, such as the earls and dukes of Lancaster - the largest 'private' landholder in the Bingham area - or by members of the titled nobility. Indeed, the diverse nature of landholding by the titled nobility and religious institutions suggests that no individual family exercised lordship to the same degree as has been identified for other parts of England during the later Middle Ages.¹²¹ This case-study has also suggested that for the period covered by this thesis, bastard feudal affinities may not have been a significant factor within the Bingham area, a

¹²⁰ For comments and references, see: Castor, *The King, the Crown*, p. 7.

¹²¹ See Carpenter, 'Beauchamp Affinity', 514-32; Cherry, 'Courtenay Earls of Devon', 71-97.

finding which, though qualified by the limited nature of extant sources, supports the broader findings for both the county of Nottinghamshire and the Middleton area. This is not to suggest that magnates or members of the titled nobility did not exercise lordship. It may very well be that it was not necessary for them at this point in the fourteenth-century formally to retain members of the gentry in order to exert a direct or subtle influence when required. In any event it would be surprising if, through their wealth and status, families such as the Pierrepoints or the Everinghams did not act as the focal points of society.

The view expressed explicitly or implicitly by some historians that involvement in politics in the late Middle Ages was largely, or effectively, confined to the lay and ecclesiastical élite is surely not only incorrect, but misleading in terms of our understanding of the governance of provincial society. This study has shown that those engaged in politics clearly embraced more than just the lay and ecclesiastical élites. Numerically, the lesser gentry and richer peasantry far outnumbered their social superiors in terms of their direct involvement in politics. Each vill in the Bingham area had a number of men who undertook a variety of roles required of them by the crown. This clearly does not place them on a par with the titled nobility and gentry families in terms of authority, landholding, status, and in most cases wealth, but it does demonstrate that their contribution towards, and involvement in, the governance of the Bingham area, and by extension the whole of Nottinghamshire, was essential. Yet it is also vital to keep in mind the key role played by the crown in the governance of the localities. The Bingham area contained within it members of the gentry who undertook roles in local government, such as Sir William Bingham who served as a chief taxpayer on five

occasions between 1344 and 1348. Yet Sir William's appointment was made by the crown, as in indeed were most of the important positions of local government. That the crown may have taken into account such factors as willingness, competence, and local acceptance in making its appointments does not detract from the key issue that it is clear evidence of the direct involvement and control by the centre over the locality.

A similar observation can be made in relation to law and order.

Evidence from the Bingham area reinforces the broader findings of this thesis that serious crimes of violence may not have occurred with such frequency, or have been as geographically as widespread as some historians have suggested. But the findings shed little additional light upon the important issues related to the development of the legal system in the fourteenth-century. This is largely due to the geographical area chosen for this case-study: it did not include the most important venue for communication between the centre and the locality, the county court. The county court was still the venue for communities to elect parliamentary representatives and in most instances formalise petitions to the crown. It was also the principal means by which the crown could communicate with the localities. This case-study has reinforced findings made over a broader geographical area in a number of important areas. It does suggest that without reference to the wider structures of government, and the pivotal role played by the crown, their value is limited to providing a partial snap-shot of a given area.

CONCLUSION

Who governed Nottinghamshire in the mid fourteenth-century? In one sense the answer is quite straightforward, and in the context of our understanding of governance in the localities, unremarkable: Nottinghamshire was governed in the name of the king through a combination of feudal lordship exercised by manorial tenants-in-chief, and by the office-holders of local government, the structure of which extended from the vill, wapentake and borough up to the most senior of the crown's officials in the shire, the sheriff. In addition, the crown appointed commissioners to fulfil a wide range of duties including the arraying of men for military service, collecting lay subsidies, and implementing the king's law through a variety of judicial courts and commissions. The most important positions of local government, regardless of whether they were appointed by the crown or elected at the county court, were predominantly occupied by the same tenants-in-chief who governed in the king's name. In this respect, Nottinghamshire appears to have differed little from the evidence derived from other county studies.

Yet this is not the complete picture, and neither do these broad observations constitute the principal findings of this thesis. It would be an exaggeration to state that the study of provincial societies in the fourteenth-century has been a neglected area of research. Nigel Saul's pioneering study of the gentry of fourteenth-century Gloucestershire, followed by his work on Sussex during the same century, led the way in the field of provincial scholarship.¹ And yet in over twenty years since Saul's first publication, his

¹ Saul, *Knights and Esquires*, and by the same author, *Scenes From a Provincial Life*.

works remain the only substantial studies of provincial societies which engage in the period of time addressed by this study.² By selecting as its time-frame the first thirty-three years of the reign of Edward III, this thesis makes an important and much needed contribution to our understanding of the key issues relating to this period, and by extension, it goes some way to redressing the imbalance between provincial studies in the fourteenth and fifteenth centuries.

As significant as Saul's and all other studies of provincial societies have been, it is the contention of this thesis that in one crucial respect, almost all previous county (or regional) studies have presented an incomplete picture of the governance of their chosen geographical areas.³ With a focus upon the lay and ecclesiastical landholding élite, they have undoubtedly reflected the hierarchical structure of society in the late Middle Ages, but in doing so have omitted the vital role played in the governance of those societies by those 'gentlemen' who were to emerge and be defined by historians as the lesser gentry, and wealthier peasantry. Despite the restrictions of sources, this thesis has clearly demonstrated that not only were the lesser gentry and wealthier peasantry who held local office fulfilling a vital role, but that numerically they far outnumbered those who held the more senior positions of local office within the county. In the joint shrievalty of Nottinghamshire and Derbyshire, the sheriff and under-sheriff were supported on a 'daily basis' by at least 150

² In addition to Saul's published works, there have been two studies which address specific counties throughout the whole of the fourteenth-century, but these are intentionally limited in their scope and the detail they provide: Naughton, *Gentry of Bedfordshire*; J. Ward, *The Essex Gentry and the County Community in the Fourteenth-century* (The Essex Records Office, 1991); in addition, Bennett's study of Cheshire and Lancashire has as its time-frame, the period 1375-1425: Bennett, *Community, Class and Careerism*; Astil addresses Leicestershire gentry society for the period 1350-1399; 'The Medieval Society'.

³ The exception is Bennett who does address the lesser gentry and peasantry: Bennett *Community, Class and Careerism*, pp. 41-52, 90-107.

constables, whose primary role was policing.⁴ It is of course acknowledged that sources can present a considerable problem, particularly in relation to identifying the name and status of individuals. But as this thesis has shown, sources such as *IPMs* and title deeds do provide sufficient detail to illustrate how widely involved in the governance of Nottinghamshire those beneath the county's gentry élite were. Nottinghamshire was still a society structured according to the feudal hierarchy. The leading offices of local government were still dominated by the gentry, most of whom were knighted, and those appointed by the crown to local office overwhelmingly reflected this situation. But the direct involvement in politics by the lesser gentry and wealthy peasantry contributed directly to maintaining social stability throughout the county, and it is highly unlikely that effective governance could have occurred without them.

In common with previous county or regional gentry-based studies, this thesis has addressed the administrative structures and personnel of local government as defined by the boundaries of Nottinghamshire. Christine Carpenter has suggested that the only reason for using the shire as the basis for study is because of the convenience of the records of central government.⁵ This is a valid view when considering the range of activities that were completely unaffected by administrative borders, but such a view is in danger of underestimating the significance of the formal structures and offices of local government as a means by which the crown exercised control in the localities, and through which those in the localities could communicate with the crown.

⁴ See chapter 1, p. 32.

⁵ Carpenter, *Locality and Polity*, p. 10.

A key consideration of this thesis has been to identify and assess the level and nature of the crown's involvement in provincial society. Helen Castor's comments that some county studies have ignored or downplayed the role of the crown has served as a useful reminder, but in truth, the evidence from Nottinghamshire clearly demonstrates that the crown was a fundamental factor in local governance.⁶ The relationship between the crown and Nottinghamshire was not only a two-way channel of communication, but varied in the forms it took and who were involved. Parliament played an increasingly significant role in this relationship. In Nottinghamshire, the importance of the office of MP appears to have been sufficiently attractive to the county's gentry élite as most of those elected to this office were belted knights. But parliament was also where the king's subjects could submit petitions which, as this thesis has shown, addressed a wide range of issues, and were from a broad spectrum of Nottinghamshire society. A 'commons' petition complaining that Agnes, the widow of John Sutton, who held the manor of Averham near Newark was illegally charging people to use the king's highway, is a prime example of how a channel of communication existed directly to the crown, and that this was not restricted to the governing élite.⁷

In fact, it is almost inconceivable how provincial society could be viewed as being in any sense remote from the crown. The almost constant movement of individuals to Westminster to attend law courts, submit petitions, and to see the king's ministers, officials and servants, coupled with the periodic visits by Edward III to Nottinghamshire, further facilitated this two-

⁶ Castor, *King, The Crown*, p. 7.

⁷ SC 8/8/374 of 1324-5.

way communication between centre and locality. The growth in the scope of the king's law and measures taken by the crown to make it as inclusive as possible meant that individuals, some of whom can clearly be identified as being of lesser gentry and peasant status, travelled from Nottinghamshire to the court of the common pleas in Westminster. There is also evidence of those from Nottinghamshire who were engaged in direct service to the crown. Sir Richard II Willoughby and his son Sir Richard III Willoughby, justice and chief justice of the King's Bench respectively, acquired through successful careers as 'men of law' the wealth and status which enabled them to join the county's gentry élite. The Willoughbys may have been unique in terms of the scale of their wealth, but as 'men-of-law' they were certainly not the only ones from Nottinghamshire to achieve success by service to the crown; within the Middleton area alone there is evidence of no fewer than four attorneys who worked in the King's Bench.⁸

This two-way channel of communication between Nottinghamshire and the crown should not be mistaken for a relationship of 'equals'; Edward III was the divinely appointed ruler, but the evidence from Nottinghamshire suggests that one of the principal reasons for his successful reign was his ability to both use and learn from these channels of communication with the provinces. In contrast to the turmoil and disturbances that marked the reigns of his predecessor Edward II, and successor, Richard II, Edward III enjoyed remarkable domestic stability. Two examples from Nottinghamshire of corruption by crown officials in the locality were both acted upon by the crown before 1340 even though they probably contributed towards the 1340-1

⁸ See chapter four, n. 102.

crisis.⁹ This suggests that, if Edward III did take his eye off the domestic scene, the machinery of central government was still responding to complaints from the localities.

The question of law and order is another area where this thesis differs from historical orthodoxy. That violent crimes took place within Nottinghamshire during the period of this study is not contested. Indeed, J. G. Bellamy's study has demonstrated that violent crime in the later Middle Ages was almost certainly far more widespread than today.¹⁰ Although a clear caveat must be inserted regarding the fragmented nature of legal records, the evidence of violent criminal activity from the Middleton area suggests that such criminal activity may have been neither quite as frequent nor as widespread as Bellamy and Hanawalt have suggested. Many of the sixty or so vills contained within the Middleton area do not contain a single reference to criminal activity for the whole of this period, and one of the larger vills, Bingham, has extant evidence of only twelve cases, not all of which were violent crimes.¹¹ Indeed, the evidence for Nottinghamshire points towards a society which seems to have had a remarkable degree of stability; channels of communication from the locality to the centre in the form of petitions do contain complaints of specific criminal activity, but the vast majority of these relate to disputes over property, a ratio which is also mirrored in extant legal records. Even when petitions do refer to violent criminal activity, these are both infrequent in number and localised in nature.

⁹ See chapter 1, pp. 23-7; chapter 2, pp. 79-3.

¹⁰ Bellamy, *Crime and Public Order*; Hanawalt, *Crime and Conflict*; for an alternative interpretation of levels of violent crime, see Finch, 'The Nature of Violence', 249-68.

¹¹ See chapter 5, pp. 236-9.

The debate concerning the bastard feudal practice of retaining by the nobility, and whether or not this inevitably led to violence and intimidation, and the corruption of the judicial system and local government, has also been addressed by this thesis. In one sense, as Carpenter has said, bastard feudalism was the logical successor to feudalism, the importance of which lay primarily in its social function of binding the ruling élite of society together'.¹² Quite clearly magnates and the titled nobility did retain members of the gentry, and historians have identified throughout the later Middle Ages examples of the negative practices detailed above. But it is also hard not to feel that this debate is still being defined to some extent by the interpretation of the 'founder' of bastard feudalism and those historians who shared his views.¹³ The negative aspects ascribed to bastard feudalism occurred within English society both before its development from feudalism and long after it had ceased to exist.¹⁴ In other words, violence and corruption were not the sole preserve of bastard feudalism.

The evidence for Nottinghamshire points towards a minimal level of retaining by the nobility. This may be a reflection of the absence within the county of any resident magnate, and perhaps even more significantly, the limited extent of magnate landholding within the county. The largest magnate landholding within Nottinghamshire was that by the earls/dukes of Lancaster, and it is with them that our only evidence of retaining can be found. Yet the only case of possible bastard feudal corruption is far from clear-cut. Sir

¹² C. Carpenter, 'The Beauchamp Affinity: A Study of Bastard Feudalism at Work', *EHR*, xcvi (1980), 514-32, esp. 512.

¹³ For the origins of bastard feudalism, see K. B. McFarlane, 'Bastard Feudalism', in *England in the Fifteenth-century: Collected Essays* (Oxford, 1981), pp. 23-43; M. Hicks, *Bastard Feudalism*, (London, 1995), pp. 1-42.

¹⁴ Hicks suggests that the bastard feudal structure of society ceased in 1650: Hicks, *Bastard Feudalism*, pp. 202-17.

Thomas Bekering who was found guilty of corruption when serving as sheriff, and pardoned in 1347, is recorded as having been retained by Thomas earl of Lancaster in 1322.¹⁵ Yet there is no evidence that he was retained by Henry Grosmont, earl of Lancaster whose intercession brought about his pardon.

Whether or not Bekering was still a duchy retainer is not known; it may be that Grosmont took pity on him, but in any event, even if Bekering was retained by the duchy of Lancaster this did not prevent his trial and imprisonment, though it may have lessened his sentence.

This does not of course mean that other, more subtle ties did not exist which were just as powerful in terms of what these could achieve.

Unfortunately, by their very nature such ties are largely elusive, and must be surmised. Two deeds of enfeoffment to use dated to 1355 for Sir Richard Willoughby were witnessed by a number of fellow members of the gentry, the vast majority of whom were neighbours of Sir Richard. In addition Reginald Lord Grey of Wilton, a powerful member of the titled nobility, also witnessed the deeds. Grey's presence is difficult to explain; he does not appear to have resided or held land locally, or even within Nottinghamshire and Leicestershire. The key factor was that his daughter Maud was married to Sir Richard III Willoughby.¹⁶ Similar ties through marriage, friendship or office-holding were undoubtedly of fundamental importance in the structure of provincial societies. And it is surely these ties, rather than those of a 'county community' which are the key to understanding local politics. That a 'county community' may have existed in Nottinghamshire during this period cannot be completely discarded. It is quite conceivable that a small number of

¹⁵ See chapter 1, p. 26.

¹⁶ See chapter 4, pp. 181-83.

individuals may have thought in terms of the county, but the evidence of this thesis does not support the view that this was a widely held outlook. It is hard to envisage how the son of an Oxford jeweller, John Oxenford, could be elected as an MP for the county at a county court where all or even a majority of the county's knighted élite were present. And yet at the heart of the 'county community' debate is the belief that the county court was the institutional hub of the county. There is, I believe, too much focus placed upon the bastard feudal affinity, and far too little upon the complex network of relationships such as those illustrated by Sir Richard Willoughby's enfeoffment deeds. This is not to deny that bastard feudalism was not a reality; as Hick suggests it was 'a means of pursuing interests and prosecuting quarrels, not the cause'.¹⁷ But the affinity was not omnipotent; even the greatest of magnates, John of Gaunt, duke of Lancaster was restrained by just how many individuals he could retain. As far as Nottinghamshire is concerned, it was the titled nobility - resident and 'regional' - who provided the apex of lordship in a county without a resident magnate. This lordship quite probably did entail retaining the local gentry, the evidence of which has not survived. This thesis has demonstrated that Nottinghamshire was governed through a combination of lordship and local government, both undertaken in the name of the king. Edward III is widely regarded by both historians and contemporaries to have been one of the most successful monarchs of the later Middle Ages. This was largely based upon military success in wars against Scotland and France, but Edward III was also able to gain and maintain the support of his leading subjects. If evidence of bastard feudal abuse is limited as far as

¹⁷ Hicks, *Bastard Feudalism*, p. 221.

Nottinghamshire is concerned, it is perhaps more likely that this was due to the authority and respect that Edward III had and he was able to use to largely successfully govern England during this period. It is no coincidence that the very abuses attributed to bastard feudalism occur during the reigns of kings such as Richard II and Henry VI, who are considered to have lacked the necessary qualities required of a successful king. This thesis has shown that those involved in the governance of Nottinghamshire were from a much broader section of society than is usually acknowledged. It has also demonstrated that far from being a remote, self-governing 'island', Nottinghamshire was closely connected in a two-way channel of communication between crown and locality over the governance of the county. But perhaps above all it illustrates just how central the role of the monarch was to the stability and cohesive governance of the realm.

Appendix A.1

Sheriffs for Nottinghamshire and Derbyshire: 1323-1362

Year of appointment	Name
1323	Henry de Faucomberge (accounts from Easter 1323)
20/10/1324	Ralph de Braylesford (apparently did not act)
16/2/1327	Robert de Ingram (accounts from Xmas, 1326)
16/11/1328	Thomas de Longvillers (accounts from Xmas, 1328)
11/11/1329	Edmund de Cressy
3/1/1330	John Bret
15/1/1331	Robert Jorce
9/2/1333	John Bret
10/1/1334	Robert Ingram (apparently did not act)
24/2/1334	John de Oxenford (apparently did not act)
8/3/1334	Roger Deincourt (to run from Easter, 1334)
4/7/1334	John de Oxenford
10/6/1335	Thomas de Bckeryng
24/3/1336	John de Oxenford
25/3/1339	Giles de Meynill, or Meygnyll
15/1/1341	Hugh de Hercy (accounts from Xmas 1340)
19/11/1341	Nicholas de Langeford (accounts from Xmas, 1341)
28/1/1344	John de Musters (accounts from Xmas, 1343)
4/11/1344	Gervase de Clifton (accounts from Xmas, 1344)
4/2/1346	Thomas de Bykeryng (accounts from Xmas, 1345)
18/11/1346	John de Vaus (accounts from Xmas, 1346. He died before 1 October 1349.
1/10/1349	Walter de MontgGomery (did not act)
28/10/1349	John Waleys
10/11/1354	Walter de Montgomery (accounts from 28/12/1354)
10/11/1355	John de Grescle (office delivered to him on 23/11 1355)
21/11/1355	Roger Michel (accounts from Xmas, 1355)
25/11/1356	Richard de Grey of Landeford (accounts from Xmas, 1356)
20/11/1357	Roger Michel (accounts from Xmas, 1357)
3/12/1358	John de Greseley (accounts from Xmas, 1358)
1/10/1359	Henry de Brailesford (accounts from 23/11/ 1359)
20/12/1360	Robert de Morton (accounts from Xmas, 1360)
23/11/1361	Roger de Belers (accounts from Xmas, 1361)
20/11/1362	Richard de Bingham (accounts from Xmas, 1362)

Source: Lists and Indexes (PRO): *Sheriffs for England and Wales*, 9 (1898).

Appendix A.1

Coroners

Writs contained in the close rolls for the election of a coroner:

	Name	Reason
28/2/1327	Roger de Sancta Andrea	dead
11/8/1327	Robert Jorce	reinstate: With King in Scotland
18/1/1331	Oliver Serleby	Dead
20/11/1331	Richard Dodde	no land in county
20/11/1331	Laurence Bere	no land in county
4/11/1339	Laurence Bere	insufficiently qual.
7/4/1347	John Power	insufficiently qual.
20/6/1348	William Daubenay of Claworth	insufficiently qual.
20/2/1360	William Colston:	insufficiently qual.

Source: *CCR, 1327-1360.*

Appendix A.2

Commissions of Array

Year	Arrayers	
22/2/1333	William, son of William & Robert Pierrepont	Defence against Scots
7/3/1333	as above	Defence against Scots
20/3/1333	Appointment of Adam Everyngham of Laxton and Robert Jorce as commissioners of array replacing William son of of William and Robert Pierrepont 'who are unable to act'	
6/3/1335	Thomas Longvillers Edmund Cressy	John Mounteny
13/10/1334	Adam Everyngham of Laxton John Greseleye	John fitz William Sheriff: John Oxenford John Musters
26/1/1335	Appt. of Thomas Longvillers, John Mounteny, Edmund Cressy, to see that knights and others are duly furnished with arms for defence of the realm	
25/8/1337	John Shoreditch Philip Caltoft John Bret	Thomas Lungvillers John Oxenford Sheriff: John Oxenford
10/2/1360	Geoffrey Stz and his fellows, Sheriff: Henry Brailsford	
10/7/1360	Thomas Newmarche, Kn. William Cressy John Lanum to pay: Richard Grey, Kn. & William Wakebridge arrayers	Sir Thomas Nevil Sheriff: Henry Brailsford

Source: CPR, 1327-1364

Appendix A.2

Commissions of the Peace and Commissions of Labourers

Commissions of the Peace

8/3/1327	Richard Grey Ralph Crophull	20/8/1328	Richard Grey Richard Willoughby Ralph Crophull
26/11/1328	William Ros William Kyme Ralph Basset William Clynton	18/5/1329	Nicholas Cantilupo John Mounteny Edmund Cressy Robert Jorce of Burton
16/2/1331	John Mounteny Thomas Longvillers	21/3/1332	William Ros William la Zouche of Haringworth John Verdon Geoffrey Rydell Peter Fitz Waryn John Cranesle
21/3/1332	Richard Grey John Darcy 'le Neveu' Robert Pierrepont Thomas Longvillers William Gotham		
20/8/1332	Richrd Willoughby is associated		
16/9/1332	Ralph Nevil and Geoffrey le Scrope are associated		
8/2/1350	William Deincourt Adam de Everyngham Geoffrey de Staunton Thomas de Newmarche Richard de Greye of Landeford William de Eland Hugh Martel of Chillewell		

Joint Commission of the Peace and Commission of Labourers

15/3/1351	William Deincourt Geoffrey de Staunton Richard de Grey of Landford William Trussebut William de Skippewith John de Moubray John Power Hugh Martel of Chilwell William de Bingham (added)
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Appendix A.2

Commissions of Labourers

Sheriff to pay the following on the commission of Labourers:

- 12/7/1351

Geoffrey Staunton - king's justice in the county
Richard Grey of Landford
William Trussebutt
John Power
Hugh Martel of Chilwell
William Wakebridge
William Skipwith justice of assize and gaol delivery
- 29/1/1354

John Bozoun is associated with William Deincourt
Geoffrey de Staunton
Richard Grey of Landford
William Trussebut
William de Skipwyth
John Moubray
John Power
Hugh Martel of Chilwell
William de Wakebridge

Commission of the Peace

- 2/7/1354

William Deincourt
Henry Grene
Geoffrey de Staunton
Richard de Grey of Landford
John Bozoun
William de Skipwyth
William de Wakebridge

Commission of Labourers

- 2/7/1354

John Bozoun
William Deincourt
Richard de Grey
John Power
Geoffrey de Staunton
William de Wakebridge

Commission of the Peace

- 26/1/1355

William Deincourt
Henry Grene
Geoffrey de Stuanton
John Lyseus
John Bozon
William de Skipwyth
William de Wakebridge
John Power

Commission of Labourers

- 26/1/1355

John Bozoun
William Deincourt
Richard de Grey
John Lysens
John de Moubray
John Power
William de Skipwith
Geoffrey de Staunton
William Trussebut
William de Wakebridge

Commission of Labourers

- 1/8/1355

William de Deincourt
Geoffrey de Staunton

Appendix A.2

Commissions of Peace and Labourers

Commission of Labourers

20/12/1355 Richard de Grey
Geoffrey de Staunton
William de Wakebridge

Commission of Labourers

15/4/1356 John Bozoun
Richard de Grey
John Power
Geoffrey de Staunton
William de Wakebrigge
William de Fincheden
the 'younger'

Commission of the Peace

7/7/1356 William Deincourt
Henry Grene
Geoffrey de Staunton
John Liseus
Richard Grey of Landford
John Bozon
William de Skipwith
William de Wakebridge
John Power
10.2.1356 Henry de Beek is associated

Commission of Labourers

5/2/1357 William de Bathelay
John Bozoun
John de Lanum
Thomas Newmarche
Geoffrey de Staunton

Commission of the Peace

5/10/1357 William Deincourt
Genry Frene
Geoffrey de Staunton
Thomas de Newmarche
William de Skypwith
Roger de Hopwell
William de Wakebridge
10/11/1357 John Bozoun replaced Thomas Newmarche

Commission of the Peace

1/5/1358 William Deincourt
Henry Grene
Geoffrey de Staunton
John Bozoun
Richard de Grey of Landford
William de Skipwyth
William de Wakebridge
Roger de Hopwell

Appendix A.2

Commissions of the Peace and Labourers

Commission of the Peace

20/8/1359 William de Batheley is replaced by William Wakebridge
 Henry Grene
 John Busoun
 William Skipwith
 John de Lanum
 26/6/1360 Association of John Musters

Commission of the Peace

15/12/1361 William Deincourt
 Adam de Everyngham of Laxton
 Geoffrey de Staunton
 Sampson de Strauley
 John Power
 William de Wakebridge
 Roger de Hopwell

Sources: *CPR, 1327-1360.*

Appendix A.3

Office-Holders: Sherwood Forest

Keepers of the Forest:

Year	Beyond Trent	This side Trent
17/6/1327		John Cromwell
30/7/1328	William la Zouche	
12/5/1329	John Cromwell	
7/10/1329	John Cromwell	
23/11/1331	Ralph Nevill	
24/7/1331	Robert Ufford	
25/7/1331		Ralph Nevill
22/3/1337	Ralph Nevill	
14/2/1339	Ralph Nevill	
12/5/1342	Ralph Nevill	Bartholomew Burgherssh
10/5/1343	Ralph Nevill	
1/7/1364	Ralph Nevill	
26/4/1380	William Latimer	
7/8/1383	William Nevill	
12/5/1385	William Nevill	

Source: CCR, 1327-1360.

Keepers of Sherwood Forest:

7/9/1330	John Cromwell	
30/5/1337	Robert Maule	Chief forester
14/2/1339	Thomas Longvilers	
17/5/1348	Thomas Longvilers	
30/5/1349	Robert Maule	Chief forester
16/3/1355	Robert Maule	Steward of Sherwood
20/5/1368	Robert Morton	

Source: CCR, 1327-1360.

Justices in Eyre of the Forest:

2/3/1334	Ralph Nevill Peter Middleton	Richard Aldeburgh
14/7/1334	Thomas Longviliers Ralph Nevill	Peter Middleton Richard Aldeburgh
2/3/1335	Richard Aldeburgh	
1/10/1335	William Basset	deceased
2/3/1335	Richard Aldeburgh	
2/10/1336	Ralph Nevill William Basset	Richard Aldeburgh
22/3/1337	Ralph Nevill William Basset	Richard Aldeburgh

15/11/1338	Ralph Nevill William Basset	Richard Aldeburgh
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Appendix A.3

Justices in Eyre of the Forest cont.

4/9/1339	Ralph Nevill William Basset	Richard Aldeburgh
20/20/1368	William Latimer	

Source: CPR, 1327-1360.

Office-Holders: Sherwood Forest

Verderers: /Writ to the sheriff to order an election

20/2/1327	John Beythewater of Edenestowe	Too old
28/7/1328	Robert Jorce	Insufficiently qualified
1328	John Bevercotes	No lands in the forest
7/9/1330	Alexander Gonalston	Insufficiently qualified
15/11/1331	Robert Pierrepont, Kn.	Does not live in forest
15/10/1331	John Bret	Stealing venison
24/7/1331	John Annesle	wasted forest
9/3/1331	Ralph Burton	Deceased
12/7/1335	William Bevercotes	Deceased
12/4/1337	Alexander Gonalston	Insufficiently qualified
3/2/1338	Philip Caltoft	Deceased
14/6/1339	Robert Hull of Clipston	Dead
6/11/1339	John Bret	Dead
1/2/1340	Alexander Gonalston	Insufficiently qualified
9/5/1340	Alexander Gonalston	Insufficiently qualified
27/1/1341	Adam Cruce	Sick & feeble
18/2/1341	Robert Jorce	Dead
6/7/1348	Roger Deincourt	broken by age
16/3/1350	Alan Stuffyn	Deceased
15/10/1356	Ralph Cromwell	Dead
17/2/1358	William Eland	Too aged
15/5/1362	Roger Hopwell	Dead
15/5/1362	Richard Pensax	Dead

Source: CCR, 1327-1360.

Miscellaneous References:

14/4/1339	Robert Mauley	Keeper of the Hay of Bestwood (Sherwood)
24/10/1339	Robert Maule - king's yeoman	wages from Clipston: replacing Robert Hull
27/1/1363	Roger Maule	repairing king's lodge

at Bestwood

Appendix A.4

Commissions to Chief Taxers and other subsidies

Date	Commission to:
5/10/1327	Appt of collectors of 1/20 of movables granted by parliament for defence against the Scots to: Ralph Crophull John Bick
25/6/1332	Appointment of Roger Baukewell, Robert Russel and John Clay to assess a tallage for the king to wit a 1/14 on movables and 1/9 on rents
19/9/1332	Commission of 1/15 and 1/10 John Bolingbroke John Power
28/3/1333	For the collection of wool John de Bolyngbroke John Byk
24/6/1335	Appt of Thomas Lungvillers and John Mounteny to levy £40 in co. Notts, Newark excepted, for relief of 20 hobelers
7/4/1336	Commission of 1/10 & 1/15 Thomas de Longvillers John de Mounteny
16/12/1336	Commission of 1/10 & 1/15 Thomas de Longvillers John de Mounteny
26/7/1337	To raise sacks of wool in co Derby & Notts: William Amyas Roger Botale Robert Beghton Robert Stuffyn
15/9/1337	Grant by Nottinghamshire: defence of the land Thomas de Longvillers Hugh de Hercy John de Monteny
8/10/1337	Commission of 1/10 & 1/15 John de Monteny

16/12/1337 Richard de Sutton of Averam
Thomas Lungvillers
John Mounteny

Appendix A.4

Commissions to Chief Taxers and other subsidies

18/4/1339	Commission of 1/10 & 1/15 Peter de Wykes John de Mounteneye Richard de Sutton - deceased
20/4/1342	Granting of 30,000 wool sacks to the king Nicholas de Langeford, Sheriff John de Annesleye, kn. Thomas de Bekeryng Roger de Bothale Henry Mous
1/10/1344	Commission of 1/10 & 1/15: 1st year of 2 William de Bingham, kn. John de Annesleye, kn. money to be placed in Thurgerton priory
2/8/1345	Commission of 1/10 & 1/15: 2nd year of 2 William de Bingham, kn. John de Annesleye, kn.
5/10/1346	Commission of 1/10 & 1/15: 1st year of 2 William de Bingham, kn. John de Aunesleye, kn.
1/11/1346	Commission to the sheriff to raise money for the Black Prince becoming a knight Hugh de Hercy, sheriff John Clay (poss. sub-sheriff) William de Grey of Sandiacre, sheriff of Derby Robert Fouche
3/8/1347	Commission to collect wool sacks Geoffrey de Staunton, kn. William Fourneux Adam de Crouche Geoffrey Poutrell John de Boughton Richard de Hertil
25/8/1347	Commission of 1/10 & 1/15: 2nd year of 2 William de Bingham, kn. John de Annesleye, kn.
20/7/1348	Commission of 1/10 & 1/15: 1st year of 3

William de Bingham, kn.
John de Leek

Appendix A.4

Commissions to Chief Taxers and other subsidies

16/7/1349	Commission of 1/10 & 1/15: 2nd year of 3 Thomas de Newmarche Edmund de Cressy Thomas de Nevill
26/9/1349	John Musters replaces Thomas de Nevill
6/12/1349	William de Eland and Richard de Stranleye are associated
20/7/1350	Commission of 1/10 & 1/15: 3rd year of 3 Thomas de Newmarche Edmund Cressy John Musters William de Eland Richard de Strelley Hugh Clay
20/1/1351	John de Retford is associated to hasten the matter
25/2/1352	Commission of 1/10 & 1/15: 1st year of 3 Thomas de Novo Mercato, kn. John de Sancto Andrea, kn. Robert Whatton
26/1/1353	Commission of 1/10 & 1/15: 2nd year of 3 Thomas Neumarche Hugh del Clay of Blyth John Wirsop
26/1/1354	Commission of 1/10 & 1/15: 3rd year of 3 Thomas de Neumarche Hugh del Clay of Blyth John Wirsop
1/8/1357	Commission of 1/10 & 1/15 Thomas de Novo Mercato William de Gray of Sandiacre Robert Russel

Source: CCR, 1327-1360.

Appendix B

Selective Lesser Noble and Gentry Families Mentioned in Text

Sir John Annesley

Held land in Annesley, Annesley Woodhouse and Kirkby Woodhouse of Sir Roger Bellers. Served as commissioner of subsidy on five occasions between 1342 and 1347

Established a chantry c.1360s (*Notts IPM, 1350-1436*, p. 51.)

John Bek

Served as knight of the shire (MP) in 1330 and 1332

Sir Thomas Bekering (d. 1351-2)

Sheriff in 1335 and 1346 and MP in 1336 and 1351. Commissioner of subsidy in 1342. Found guilty of corruption as sheriff. Pardoned after intercession of duke of Lancaster. Held the manor of Tuxford of Sir Adam Everyingham of the king.

Bellers

A powerful Leicestershire family with landholding in Nottinghamshire.

Sir Roger Belers (d. 1326) was a baron of the exchequer murdered by the Folville gang (Bellamy, *Crime and Public Order*, p. 74). The family held the manor of Bunny Sir Roger's eldest son, Sir Roger (d. 1380), also acquired the manors of Gonalson & Widmerpool of the honour of Peverel, but released claims to these at some time prior to his death in favour of Robert Swillington (*Notts, IPM, 1350-1436*, pp. 84-5).

Sir William Bingham

Held manor of Bingham. Served as commissioner of subsidy on five occasions between 1344 and 1348, and as a commissioner of the peace in 1351

Sir Richard Bingham (d. 1387)

Son and heir of Sir William. Held Bingham. Sheriff in 1362 and MP in 1363.

Sir John Bozoun

Justice who served on six commissions of the peace between 1354 and 1358 and four of labourers between 1354 and 1357. MP in 1357 and 1358

Sir John Brett (d. c. 1339)

Sheriff in 1330 and 1331 and MP 1332-1335. Also elected as verderer. May have held land in Newton of Thomas Bardolph (*Notts, IPM, 1321-1350*, pp. 38-9).

Sir Philip Caltoft (d. c1338)

Jointly held manor of East Bridgford with his cousin, Sir Thomas Multon. MP in 1328 and 1329 and commissioner of array in 1337. Verderer.

Sir Gervase Clifton (d. 1389)

Held manor of Clifton. Sheriff in 1344 and MP in 1348. Verderer. Extensive military service.

Cromwell

The family held the manors of Cromwell and Lambley in central Nottinghamshire.

John Cromwell (d. 1335) was a steward of Edward II and summoned to parliament until his death. Ralph Cromwell (older brother to John) was married to a daughter of Sir Roger I Bellers. Together with Sir Roger II Beller, paid the fine for the notorious sheriff, John Oxenford.

Appendix B

Selective Lesser Noble and Gentry Families Mentioned in Text

Deincourts

A powerful baronial family with extensive landholdings throughout the east Midlands. Sir William Deincourt served as a commissioner of the peace eleven times between 1350 and 1364 and three times on commissions of labourers.

William Eland

Made constable of Nottingham castle in 1330 for role in 1330 coup against Roger Mortimer. Also given baliwick of honour of Peverel. MP on five occasions between 1331 and 1338. Commissioner of labourers in 1349 and 1350. Verderer. Described in 1324 as a man-at-arms and in 1334 as the king's yeoman. (*CPR, 1330-1334*, p. 344).

Sir Adam Everyingham of Laxton (d. 1341)

Held manor of Laxton as well as estates in Yorkshire. Commissioner of the peace on six occasions between 1350 and 1369. Retained by the duchy of Lancaster. Son and heir, Sir Adam Everingham.

Sir Peter Foun

Held land in Markham. MP on five occasions between 1327 and 1330. Local justice.

Sir Thomas Furnivall

Powerful baronial family based in Yorkshire. Held manors of Worksop and Saxondale in Nottinghamshire

Sir Thomas Goushill

Held land in Radcliffe-on-Trent

Richard Lord Grey of Landford

Sheriff in 1356 and 1371 and MP on eight occasions between 1352 and 1372. Commissioners of the peace between 1350 and 1358 and of labourers between 1354 and 1356.

Sir Robert Ingram

Sheriff in 1327 and 1334, and MP on four occasions between 1325 and 1338. No evidence of landholding as a tenant-in-chief in county.

Sir Robert Jorce of Burton Joyce (d. 1369)

Sheriff in 1331 and MP on six occasions between 1306 and 1340. Military service with king in Scotland. Coroner in 1327. Held manor of Burton Joyce

Sir Thomas Longvillers (d. 1349)

Retained by earl Thomas of Lancaster. Sheriff 1328, MP in 1319 and commission of subsidy in 1336-7. Keeper of Sherwood forest between 1339-1348. A justice in eyre of the forest. Held 1/3 part of manor of Tuxford and extensive land mainly in central and north Nottinghamshire.

Hugo Martel

Local attorney. Served as commissioner of the peace in 1350, 1351 and 1354. Frequently found serving as attorney in Middleton deeds, especially for Sir Richard II and Sir Richard III Willoughby.

Appendix B**Selective Lesser Noble and Gentry Families Mentioned in Text****Sir Thomas Newmarche**

MP in 1346 and commissioner of the peace in 1350 and 1357. Served as commissioner of subsidy on six occasions between 1349 and 1357

John Oxenford

Sheriff 1334 and 1336 and MP five times between 1332 and 1338. Held small amount of land in Owthorpe of his wife. Son-in-law of Sir John Shoreditch, diplomat. Eventually found guilty of corruption and left county. Possible 'model' for sheriff of Nottingham in Robin Hood tales.

Pierrepoints of Holme Pierrepoint

Sir Robert (d. 1334) received two summons to parliament. Family held manor of Holme Pierrepoint of earls/dukes of Lancaster. Son Sir Edmund (d. 1370)

Sir Geoffrey Lutterell (d. 1345), Sir Andrew Lutterell (d. 1390)

Family based in Lincolnshire, but held manor of Gamston and West Bridgford of Lord Robert Tiptoft. Perhaps best known today for psalter bearing family name

Thomas of Ratcliffe-on-Soar

Under-sheriff involved in possible case of corruption (SC 8/69/3401). Later became a justice of assize.

Ros of Helmsley

A powerful baronial family based predominantly in Yorkshire and Leicestershire. Held the manors of Worksop, Orston and Sutton-on-Trent in Nottinghamshire.

William Skippewith (d. 1409)

Local justice. Held land in South Clifton of the bishop of Lincoln. Served on ten commissions of peace and labourers between 1351 and 1359.

Sir Geoffrey Staunton (d. 1370)

Held manor of Staunton-on-the-Wolds of Lord Ros of Helmsley, and the manor of Heilston of the honour of Tickhill. MP on three occasions between 1341 and 1344. Commissioner of the peace and labourers on 15 times between 1350 and 1364.

Sir Richard Strelley

Held land in Strelley and Chilwell. Warden of Westwood Forest, and MP on eight occasions between 1332 and 1338. Commissioner of subsidy in 1349 and 1350.

William Wakebridge

Local justice. MP on four occasions between 1352 and 1362. Commissioner of peace and labourers 12 times between 1354 and 1368. Justice of *oyer and terminer* and assize. Attacked by gang after session in Nottingham in 1356 (see chapter 3, pp. 22-3).

Appendix B

Selective Lesser Noble and Gentry Families Mentioned in Text

Sir Richard II (d. 1325) and Sir Richard III (d. 1362) Willoughby of Willoughby-on-the-Wolds

Justice and chief justice of the king's bench respectively. Held manor of Willoughby-on-the-Wolds and acquired substantial property predominantly in south Nottinghamshire during this period. Sat as justices of assize and gaol delivery and held commissions of *oyer and terminer* in the county. The title deeds of the family (the Middleton collection) constitute a major source for this thesis.

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Appendix C

Selective Landholding in the Bingham area, 1327-1360

Vill

Bingham

Sir Williamd Bingham of honour of Peverel

Sir Richard Bingham (d. 1388) held of John duke of Kent of honour of Tutbury

Radcliffe-on-Trent

William Lord Deincourt of honour of Peverel

Richard Lord Grey of Codnor of honour of Peverel

Sir Walter Goushill of Lord Deincourt

Sir Richard Willoughby of Lord Deincourt

Henry of Nottingham of Sir Richard Bingham, of Richard Lord Grey of Codnor

Saxondale

Sir Thomas Furnivall

Prior of Shelford of Sir Thomas Furnivall (one knight's fee worth 40 marks)

Shelford

Sir Adam Everingham - barony of Shelford

Sir Edmund Pierrepont (one knight's fee)

Sir Richard Strelley (1/8th knight's fee)

Sir Philip Sommerville of Sir Adam Everyingham (for tenants of Sommerville, see *IPM, Notts, 1321-1350*, pp. 151-2)

Manor held by Sir Thomas Bardolph of Sir Adam Everyingham

Carlton and Gedling

Sir Adam Everingham

Sir Phjilip Sommmerville of Sir Adam Everyingham

Sir Robert Joyce of Sir Adam Everyingham

Roger Duket of Nottingham, Bailiff errant, of Sir Adam Everyingham

Roger Duket of Carlton leases one half of the manor from Sir Richard Willoughby which had been held by Sir Robert Jorce (Mi D 246 of 4 April 1333)

Gunthorpe

Sir Peter Montford of the earls/dukes of Lancaster of honour of Leicester

East Bridgford

Sir John Caltoft and Sir Thomas Multon of queen Philippa of honour of Tickhill

Scarrington

Sir Richard Whatton of William Lord Ros of Hamelock

Aslocton

Sir Reginald Aslocton of honour of Peverel

The occasional complexity of landholding can be illustrated by the example of Alice, widow of Geoffrey the clerk, who held land in Aslocton of Thomas Sibthorpe, chancery clerk, who held it of Sir Geoffrey le Scroop. Alice also held land of Sir William Bingham, who held it of the earl of Richmond, who held it of John duke of Brittany.

Appendix C

Selective Landholding in the Bingham area

Vill

Langar

Sir John Tiptoft of honour of Peverel

Ralph the clerk of Langar, local attorney and king's clerk of Sir John Tiptoft

Wiverton

John le Knight (d. c1349) of honour of Peverel

Sir John Bret of honour of Peverel

Sir Philip Sommerville

Alice, widow of John Palmer of Nottingham of honour of Peverel

Aukar de Frechvill held a moiety of a knight's fee worth 50s. Of Sir William Deincourt

Priory of Thurgarton

Sir Richard de Whatton of honour of Peverel

Whatton

Sir Thomas Newmarche

Cotgrave

Prior of Lenton of Sir Richard Willoughby

Abbot of Winehead (Lincolnshire)

Holme Pierrepont

Pierreponts of Holme Pierrepont of the earls/dukes of Lancaster

Gamston and (West) Bridgford

Sir Geoffrey Lutterel of Lord John Tiptoft

Owthorpe

Thurgarton priory of honour of Peverel

John Oxenford held land in Owthorpe

Saxondale

Prior of Shelford of Sir Thomas Furnival

Cropwell Butler

Thurgarton priory of duke of Lancaster

Sir Richard Willoughby

Bassingfield

Sir Geoffrey Lutterel of Sir Edmund Pierrepont

Stoke Bardolph

Sir Thomas Bardolph of Sir Adam Everyingham

Appendix D

Lesser Gentry and Peasant in the Bingham area.

Selective evidence of involvement in governance

Vill	IPM Juror	Misc.
Aslocton		
William Saunfaill	1342	Mainpernor 1330 & possible sub-sheriff
John Saunfaill	1354	
John of Scarrington		Bailiff for Aslocton defendants, 1330-1.
Whatton		
Henry son of Richard	1342-5	
John Marshal	1342	
Robert Burton	1354	
Walter of Whatton	1338	
Thomas of Whatton	1336	
William of Whatton		Mainpernor for Peter Foun, 1328 election
Bingham		
Ralph Bingham	1334	
Car Colston		
Robert son of Ralph	1342	
Carlton & Gedling		
a) Carlton		
Thomas son of Simon	1354	
William Basage	1329	Property dispute see KB 27/289, 354
Richard Basage 1	1329-48	Witness title deeds
Richard Paulyn 2	1336	Witness title deeds
Robert Ursell	1348	
John Paulyn	1348	
Richard Halam	1329	Bailiff for Carlton & Gedling defendants
b) Gedling		
John Brown	1329	
William Ploughman	1329-36	

Henry son of Simon	1329	
Robert le Mogher	1329	
Henry Simmeson		Verderer in Sherwwod Forest, 1330
Henry of Whatton	1336	
William of Gedling	1336	

Appendix D

Lesser Gentry and Peasants in the Bingham area

Vill	IPM Juror	Misc.
Colston Bassett		
John son of Baldwin	1342	
William son of Robert	1342	
Richard Colston	1328	
William of Colston	1353	
Thomas of Colston	1353	
Robert of Colston		Mainpernor for Robert Ingram, 1328 election

Cropwell (Bishop/Butler)

Reginald of Cropwell	1328
William of Cropwell	1324-1337
Robert of Cropwell	1326

Burton Joyce

Robert Palmer	1330-44	
John of Burstal	1330-44	Regarder, Sherwood Forest, 1347

Radcliffe on Trent

William Frend	1328-42
William Prestbrocher	1345
Thomas son of Leonard	1354

Notes

Those identified as jurors for IPMs represent only a small percentage of the total jurors detailed. Most jurors are not described as being from a particular vill.

- 1 Richard Basage witnessed a total of five deeds in the Middleton collection between 1332-1340.
- 2 Richard Paulyn witnessed one deed in the Middleton collection in 1340.

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CP 40	Court of Common Pleas, <i>De Banco</i> Rolls.
E 179	King's Remembrancer, Subsidy Rolls.
Just 1	Assize Rolls.
Just 3	Gaol Delivery Rolls.
KB 27	Court of King's Bench: Pleas and Crown Sides: Corum Rege files.
SC 8	Special Collections: Ancient Petitions.

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