

Gentry Perceptions of Violence in Fourteenth-Century England

Rhian Elizabeth McLaughlin

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Abstract

This thesis is an examination of gentry perceptions of violence in fourteenth-century England. It is intended to demonstrate the potential for advancing studies of this nature by combining literary and legal evidence. It is also the aim of this thesis to advance understanding of late-medieval gentry violence by moving beyond focusing on one geographical area, and instead engaging in comparison of different counties, namely Hampshire, Nottinghamshire and Cumberland. This enables an assessment of the impact of different local pressures on gentry perceptions of violence. Ultimately this investigation shows that there was little variety in terms of gentry perceptions of violence nationwide, despite differing local circumstances.

Part One of the thesis begins with an introduction to elite society and the balance of power in fourteenth-century Hampshire, Nottinghamshire and Cumberland. It demonstrates that these counties were sufficiently different to enable a meaningful consideration of how far local circumstances affected gentry perceptions of violence. The service engaged in by the sample gentry is then considered. This consideration shows that the sample gentry did not develop a clear preference for military or administrative service and provides a basis for investigation of the impact of different forms of service on perceptions of violence. Part Two commences with the use of legal evidence to provide a range of potential motivations for gentry violence. This is then combined with literary evidence to show that gentry perceptions of violence were affected by motivation, victim, the level of violence, and any impact the violence had on them. The thesis concludes by showing that the gentry did not regard violence as something which was likely to hinder their careers, or a direct affront to the crown. Nonetheless, they did wish for violence to be limited and justified in order to preserve stability.

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Author's Declaration

I declare that, except where explicit reference has been made to the contribution of others, this thesis is the result of my own work and has not been submitted for any other degree at the University of York or any other institution.

Chapter One: Introduction

The gentry of late-medieval England have been a focus for historical study for a number of decades. Many studies have taken a county-focused or regional approach, which has deepened understanding of gentry communities in particular areas.¹ Others have instead considered particular elements of gentry identity or culture nationwide.² This thesis will combine elements of both approaches by investigating an aspect of gentry society, namely violence, but with the geographical foci of Hampshire, Nottinghamshire and Cumberland. A range of research questions will be addressed. This thesis will consider the motivations for gentry violence from the available evidence, and the extent to which these motivations have been viewed as justifiable by other members of the gentry. The extent to which limits appear to have been placed on the use of violence to render it acceptable in the gentry consciousness will be investigated, as will the nature of these limiting factors. Finally, this thesis will consider the extent to which the gentry appear to have viewed the use of violence as problematic and risky, or were comfortable that engaging in violent crime was unlikely to hinder their progress in society.

These investigations do not immediately appear to necessitate a county-focused approach; instead the connected issues could be studied more generally across England. However, this could leave any conclusions open to criticism that they were too generalised and did not take into account the potential for variety between counties or the context of different local pressures, such as warfare in the Borders.³ As will be shown in this chapter, context has been identified as having vital importance when considering violence.⁴ This thesis will deal with the issue of context by investigating gentry perceptions of violence in

¹ For instance, a number of studies of late-medieval gentry in particular counties have been produced: E. Acheson, *A Gentry Community: Leicestershire in the Fifteenth Century c.1422-c.1485* (Cambridge, 1992); M. J. Bennett, *Community, Class and Careerism: Cheshire and Lancashire in the Age of Sir Gawain and the Green Knight* (Cambridge, 1983); C. Carpenter, *Locality and Polity: a Study of Warwickshire Landed Society 1401-1499* (Cambridge, 1992); S. J. Payling, *Political Society in Lancastrian England: The Greater Gentry of Nottinghamshire* (Oxford, 1991); A. J. Pollard, 'The Richmondshire Community of Gentry during the Wars of the Roses', in C. D. Ross (ed.), *Patronage, Pedigree and Power in Late Medieval England* (Gloucester, 1979), pp. 37-59; S. Wright, *The Derbyshire Gentry in the Fifteenth Century* (Chesterfield, 1983); N. Saul, *Knights and Esquires: the Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981); N. Saul, *Scenes from Provincial Life: Knightly Families in Sussex, 1280-1400* (Oxford, 1986); J. Mackman, 'The Lincolnshire Gentry and the Wars of the Roses' (University of York PhD Thesis, 2000); E. Noble, *The World of the Stonors: a Gentry Society* (Woodbridge, 2009).

² For examples of this approach see the articles in R. Radulescu and A. Truelove (eds.), *Gentry Culture in Late-Medieval England* (Manchester, 2005).

³ L. Stone, 'Interpersonal Violence in English Society 1300-1980', *Past and Present*, 101 (1983), p. 30.

⁴ L. Martines, 'Introduction: the Historical Approach to Violence', in L. Martines (ed.), *Violence and Civil Disorder in Italian Cities 1200-1500* (Berkeley, 1972), p. 12.

three counties, namely Hampshire, Nottinghamshire and Cumberland, and identifying the level of variety between gentry perceptions of violence in each county. These counties have been selected because they offer diversity in terms of external pressure and internal social structures. This diversity will be introduced later in this chapter and discussed in greater detail in Chapters Two and Three. Whilst this thesis is intended to demonstrate the seemingly counter-intuitive principle that geographical influences had little impact on gentry perceptions of violence nationwide, it is necessary to prove this through the use of specific county studies.

Consideration of these topics necessitates deep thought concerning evidence and methodology. Important issues surrounding the extent to which investigating gentry perceptions of violence encourages the use of a varied methodology and a range of evidence, including literature and legal records, rather than relying on one source of information and approaching it from one perspective, need to be highlighted. The evidence itself presents difficulties which must be dealt with through careful consideration of the approach to be taken. Both methodology and evidence will be addressed later in this chapter, but first a thorough introduction to issues connected to the study of violence must be provided.⁵ It will highlight the need for a careful and considered approach. This will be followed by an introduction to the context in which the violence to be studied took place, namely fourteenth-century England, and more specifically Hampshire, Nottinghamshire and Cumberland.⁶ Subsequently, this chapter will turn to methodology.

Theories of Violence

This section will consider the issues of theory which play a crucial role in historical studies of violence. As the section progresses, the factors of legitimisation and motivation, hierarchy and authority, law and morality, and culture and context, will be considered in terms of their connection to violence. First, however, the difficulty of defining what constitutes the ‘highly contested category’ of violence must be confronted.⁷ The typical assumption that violence is a physical process neglects the important potential inclusion of a variety of other activities, such as abusive language or damage to property. The complication of conflicting interpretations of activity as violent or non-violent, according to the influences upon the interpreter, adds further complexity. As Maddern has identified in her study of

⁵ For a discussion of methodology and evidence see below, pp. 29-36.

⁶ For an introduction to the context see below, pp. 14-29.

⁷ W. Miller, *Humiliation and Other Essays on Honor, Social Discomfort, and Violence* (London, 1993), p. 7.

violence in late-medieval East Anglia, the definition of violence is dependent on the beholder and subject to a variety of alternative interpretations, in common with other ambiguous terms such as culture.⁸ The debate surrounding the relationship between cruelty and violence is an exemplary point for this concept. Cruelty ranges from being regarded as extreme violence to being perceived as distinct from the spectrum of violence due to its 'sense of disproportionality' and absence of social benefits.⁹ This range indicates the potential for alternate viewpoints developing when investigating violence. Different viewpoints must be considered and addressed. Thus the theories surrounding violence must be investigated before progressing to considering the context of the wider thesis.

The motivation and legitimisation of violence has interested many scholars. Asch's conclusion that individuals consider the repercussions carefully before attacking authority can be more widely applied to the use of violence in general.¹⁰ Whilst some violence, such as drunken brawls, admittedly appears less considered, an underlying motivation or justification can often be identified. This has led scholarly opinion to progress to the conclusion that violence is rarely devoid of meaning.¹¹ Even if a justification is unconvincing to the observer, it is nevertheless possible that the perpetrator felt that their violence was justifiable. With the developing idea that violence has had significant social purposes in some societies, as epitomised in Maddern's study of licit and illicit violence, comes the difficulty of deciding how to classify violent activity in these terms.¹² The claims of Miller and Riches that the accusation of violence is a tool of delegitimation in conflicts are mirrored in Baraz's analysis of cruelty.¹³ This literature demonstrates that whilst violence can have a positive role, it more commonly has negative connotations, particularly from the victim's perspective. The idea that aggressors are likely to view their behaviour as completion of a righteous duty contrasts with this to highlight the variety of alternative perceptions of a single violent event. The potential for the same violent action being regarded as legitimate or illegitimate due to the justifications given and the perspective of

⁸ P. C. Maddern, *Violence and Social Order: East Anglia, 1422-1442* (Oxford, 1992), p. 9; S. Carroll, 'Introduction', in S. Carroll (ed.), *Cultures of Violence: Interpersonal Violence in Historical Perspective* (Basingstoke, 2007), p. 83.

⁹ D. Baraz, 'Violence or Cruelty? An Intercultural Perspective', in O. Falk, M. D. Meyerson and D. Thiery (eds.), *'A Great Effusion of Blood'? Interpreting Medieval Violence* (Toronto, 2004), p. 183; Miller, *Humiliation and Other Essays*, p. 70.

¹⁰ T. Jacoby, *Understanding Conflict and Violence: Theoretical and Interdisciplinary Approaches* (Oxford, 2008), p. 87.

¹¹ B. Schmidt and I. Schröder, 'Introduction: Violent Imaginaries and Violent Practices', in B. Schmidt and I. Schröder (eds.), *Anthropology of Violence and Conflict* (London, 2001), p. 3; Carroll, 'Introduction', p. 2.

¹² J. C. Wood, 'Conceptualizing Cultures of Violence and Cultural Change', in Carroll (ed.), *Cultures of Violence*, p. 87; R. W. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford, 1999), p. 118; Maddern, *Violence and Social Order*, p. 72.

¹³ Miller, *Humiliation and Other Essays*, pp. 77 and 57; D. Riches, 'The Phenomenon of Violence', in D. Riches (ed.), *The Anthropology of Violence* (Oxford, 1986), p. 11; Baraz, 'Violence or Cruelty?', p. 181.

the reporter, as highlighted in Palmer's study on Irish beheadings and McKim's study of Scottish national heroes, is a vital issue to address in a thesis on perceptions of violence.¹⁴ Whilst this thesis focuses on one social group, namely the gentry, it is entirely possible that different members of the gentry had different views on specific instances of violence.

The crucial role of motivations in the process of justification presents an ideal opportunity to identify the values of the perpetrator.¹⁵ In the context of medieval Iceland, Miller has identified the pragmatic reasoning behind violent revenge, which was permitted in some situations by the law.¹⁶ In this society violence was licit if motivated by a recognised injury and carried out within recognised guidelines, demonstrating that the use of violence was not necessarily outside of the socially acceptable means of interaction. However, a problem is highlighted when remembering the issue of perception. It is unlikely that the victim of the violent retribution would agree that the violence was justified, as this would mean acknowledging that they had committed an illicit action which inspired righteous retaliation. The historian must therefore attempt to identify the predominant value system by critically assessing the reaction of observers to violence, despite conflict being difficult to define as 'either functional or dysfunctional'.¹⁷ Some violence initially appears straightforward to dismiss as illegitimate, such as the violent seizure of land considered in Villalon's study of Castile.¹⁸ However, the crucial nature of land possession to status, and therefore survival, in the society being investigated, and the self-identification of the aggressor as entitled to this land, warns against the quick application of anachronistic moral values or consideration from a single perspective.

The relationship between authority, hierarchy and violence is similarly complex. Whilst Arendt has questioned the extent to which violence produces power, violence has been used in a variety of societies to show status or assert power.¹⁹ This has led to a desire for monopoly over the use of violence by authority figures.²⁰ Korpiola's identification of the concurrent development of peace legislation and enhanced royal prestige in medieval Sweden exemplifies this argument.²¹ The idea that in a civilised modern society the state

¹⁴ P. Palmer, 'At the Sign of the Head: the Currency of Beheading in Early Modern Ireland', in Carroll (ed.), *Cultures of Violence*, p. 135; A. McKim, 'Scottish National Heroes and the Limits of Violence', in Falk, Meyerson and Thiery (eds.), *A Great Effusion of Blood*, p. 135.

¹⁵ Baraz, 'Violence or Cruelty?', p. 180.

¹⁶ W. Miller, 'In Defense of Revenge', in B. A. Hanawalt and D. Wallace (eds.), *Medieval Crime and Social Control* (Minneapolis, 1999), p. 72.

¹⁷ Jacoby, *Understanding Conflict and Violence*, p. 51.

¹⁸ L. J. A. Villalon, 'Deudo and the Roots of Feudal Violence in Late Medieval Castile', in D. Kagay and L. J. A. Villalon (eds.), *The Final Argument: the Imprint of Violence on Society in Medieval and Early Modern Europe* (Woodbridge, 1998), p. 72.

¹⁹ H. Arendt, *On Violence* (New York, 1970).

²⁰ Schmidt and Schröder, 'Introduction: Violent Imaginaries', p. 3.

²¹ M. Korpiola, "'The People of Sweden Shall Have Peace'", in A. Musson (ed.), *Expectations of the Law in the Middle Ages* (Rochester, 2001), pp. 35-51.

will have a monopoly on violence has led to the condemnation of societies in which violence is regularly used by those other than the central authority as uncivilised and disorderly.²² However, this demonstrates one problem arising from imposing anachronistic social structures, as in pre-modern societies the right to use violence was associated with elite status, rather than just crown authority. This allowed for a wider range of legitimate violence. Miller has considered the hierarchical legitimisation of violence amongst elites and even suggested that violence carried out in accordance with a contemporary social order could be regarded as non-violent.²³ This is open to debate as again the issue of alternate perceptions means that it is unlikely that the victims would have subscribed to this viewpoint. However, it does raise the issue of legitimisation through status, which is highly relevant in the following study of violence due to the focus on gentry. It also highlights that violence can be viewed as an orderly force rather than solely disorderly.²⁴

Sharpe has claimed that high levels of litigation in early modern England did not indicate a hostile society, whilst Clanchy has suggested that legal developments produced a problematic decline from the earlier belief that love was more powerful than the law.²⁵ The relationship between law, morality and violent behaviour is a topic of rising interest amongst scholars of a range of historical periods. The task of deciding how law or morality influences perceptions of violence is challenging when considering the complexity of identifying frequently disguised motives.²⁶ Clanchy's ideas connect to the possibility that legal developments influenced perceptions of legitimate violence by suggesting to people that violence previously perceived as licit was in fact not acceptable. Conversely it could also be argued that these developments encouraged greater violence under the guise of administering the law or in response to legal failure. Whilst negotiation is not necessarily fairer than adjudication, there is generally a greater sense of inclusivity in this method, which could again suggest that the law provoked violence in terms of people reacting angrily against perceived impositions enacted by a coercive force.²⁷ The law can be regarded as a

²² E. Jephcott (trans.) and E. Dunning, J. Goudsblom and S. Mennell (eds.), *The Civilizing Process. Sociogenetic and Psychogenetic Investigations by Norbert Elias* (Oxford, 2000), p. 268; S. Mennell, *Norbert Elias: Civilization and the Human Self-Image* (Oxford, 1989), p. 67.

²³ Miller, *Humiliation and Other Essays*, p. 74.

²⁴ P. Stewart and A. Strathern, *Violence: Theory and Ethnography* (London, 2002), p. 1.

²⁵ J. A. Sharpe, "'Such Disagreement Betwyx Neighbours': Litigation and Human Relations in Early Modern England", in J. Bossy (ed.), *Disputes and Settlements: Law and Human Relations in the West* (Cambridge, 1983), pp. 167-87; M. T. Clanchy, 'Law and Love in the Middle Ages', in Bossy (ed.), *Disputes and Settlements*, pp. 47-9.

²⁶ Schmidt and Schröder, 'Introduction: Violent Imaginaries', p. 20.

²⁷ S. Roberts, 'The Study of Dispute: Anthropological Perspectives', in Bossy (ed.), *Disputes and Settlements*, p. 19.

force for both encouraging and limiting violence, as will be shown to particularly be the case in late-medieval England.²⁸

Finally, the relationship between culture, identity and violence must be considered in this thesis. The idea that identity can be formed by using violence against the ‘other’ has been widely accepted, as it provides an opportunity for self-identification through the medium of defining the opposite and demonstrating this identification in a performative manner.²⁹ The violence itself is not the important element. Rather, the importance is placed on demonstrating the intention to inflict damage, as in the eleventh-century Norse duels considered by Falk.³⁰ Identification through opposition is not the only way in which scholarship has linked violence and identity. It has also been suggested that violence can be used to form identity through creating an image of authority, which connects to concepts of authority and violence being connected. Violence needs an audience to be socially effective as a means of the performance of authority or legitimacy rather than simply being focused on the physical result.³¹ Hill’s study of the change in perceptions of Wiglaf’s identity after his use of violence in *Beowulf*, namely that he became perceived as more noble, demonstrates this potential effect.³²

The role of culture and context in defining licit violence and motivating the use of violence to form identity is a vital consideration. If placed in a situation in which identity and status was crucial to livelihood, and the means of defending this was the use of violence, it would perhaps be revealing to see how quickly perceptions of the legitimacy of violence would be affected.³³ The cultural influences acting on perpetrators of violence must be taken into account in order to assess potential perceptions of this activity. It should also be remembered that in the majority of societies there are ‘competing cultures of violence’ which would influence how individuals use and perceive violence, rather than one culture universally applied to all.³⁴ Whilst these theoretical discussions are highly relevant to and necessary for this study of historical violence, an understanding of the cultural and historical

²⁸ This idea recurs through the thesis, but for some areas of further discussion see below, pp. 22-3, 177-8 and 224-5.

²⁹ G. Bowman, ‘The Violence in Identity’, in Schmidt and Schröder (eds.), *Anthropology of Violence*, p. 42; Jacoby, *Understanding Conflict and Violence*, p. 51. Zemon Davis has also identified the performative potential of violence, in this instance as a means of symbolically cleansing a community, in N. Zemon Davis, ‘The Rites of Violence’, in N. Zemon Davis (ed.), *Society and Culture in Early Modern France* (Stanford, 1975). Beik has also identified the performative use of violence to embarrass victims by rioters in W. Beik, ‘The Violence of the French Crowd from Charivari to Revolution’, *Past and Present*, 197 (2007), p. 77.

³⁰ O. Falk, ‘Bystanders and Hearsayers First: Reassessing the Role of the Audience in Duelling’, in Falk, Meyerson and Thiery (eds.), *A Great Effusion of Blood*, p. 102.

³¹ Schmidt and Schröder, ‘Introduction: Violent Imaginaries’, p. 6.

³² J. Hill, ‘Violence and the Making of Wiglaf’, in Falk, Meyerson and Thiery (eds.), *A Great Effusion of Blood*, pp. 19-33.

³³ K. Jones, ‘Interpersonal Violence in Kent, 1460-1560’, *Archaeologia Cantiana*, 122 (2002), p. 37.

³⁴ Carroll, ‘Introduction’, p. 90.

context is crucial for the thesis to be undertaken. Context is necessary not only to understand the reasons for and reactions to engagement in violent activity but also to assist with identification of what constituted violence in a particular society. This identification is a highly subjective matter.³⁵ The importance of culture in defining the boundaries of legitimate and illegitimate violence and the appropriate practitioners and governors of this violent activity means that context cannot be neglected in a study of perceptions of violence.³⁶ This chapter will therefore progress to an introduction of the context of gentry society in fourteenth-century England.

Violence in Context: Gentry Society in Fourteenth Century England

The issues related to violence which have been highlighted must now be considered in the context of fourteenth-century England. This will necessitate discussion of late-medieval concepts of licit and illicit violence, the impact of the developing legal system and the hierarchical nature of late-medieval society, the influence of chivalry, the effects of war, and the core-periphery paradigm. When considering these influences it becomes apparent that violence and its control were central issues for contemporaries.³⁷ Violence was more than simply a physical action in late-medieval England.³⁸ It could be an expression of dissent, a demonstration of status, or a tool for upholding stability in society if used by the correct people in the right manner. Falk's claim that perceptions of violence have changed over time is partially justified, as the concept of corrective violence is largely outdated in western society, and the level of violence perpetrated by medieval knights is now frequently condemned as 'atrocious'.³⁹ Some elements do however remain, such as varied definitions of licit violence, and the recognition of levels of malice in violence.⁴⁰ One of the main concerns of this thesis is identifying ways in which violence could be categorised as licit or illicit by the late-medieval gentry. To understand this a broad awareness of the society in which they operated, and the pressures potentially influencing their use of and perceptions of violence, must be obtained.

³⁵ J. Fletcher, *Violence and Civilisation: an Introduction to the Work of Norbert Elias* (Cambridge, 1997), p. 47.

³⁶ Wood, 'Conceptualizing Cultures of Violence', p. 85.

³⁷ R. W. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), p. viii.

³⁸ H. Skoda, *Medieval Violence: Physical Brutality in Northern France, 1270-1330* (Oxford, 2013), p. 2.

³⁹ O. Falk, M. D. Meyerson and D. Thiery, 'Introduction', in Falk, Meyerson and Thiery (eds.), '*A Great Effusion of Blood*', p. 5; Fletcher, *Violence and Civilisation*, p. 17.

⁴⁰ Maddern, *Violence and Social Order*, pp. 22, 42-3 and 92.

Whilst Hanawalt has identified a reluctance to be perceived as criminal, there are numerous accusations of the use of illicit force in late-medieval legal records.⁴¹ However, many cases could have involved false accusations, as claiming that crimes were committed with force and arms, *vi et armis*, was a means of accessing higher courts.⁴² Furthermore, it is important to note at this stage that it was quite possible for those being accused of engaging in violent crime to define their actions as licit, and therefore to avoid regarding themselves as criminals. For instance, the opportunity for elite individuals to justify their behaviour as carrying out legal and social duties, with the idea that the right to use violence was a mark of status and office, provided an opportunity to manipulate ideas of legitimacy.⁴³ It could though be validly postulated that the extent to which confusion was genuine is debatable. The 1381 legislation dictating that damages could only be claimed in violent seizure of land if it could be proved that the attacker had no right to the land is indicative of the way in which the law aided the development of the idea of righteous, or at least licit, violence, despite also aiming to control it.⁴⁴ This legislation demonstrates the acceptance that violence could be used without punishment if the perpetrator could show that they had a right to claim whatever benefits were brought to them through their use of violence. The law did not aim to ban violence, but to ‘direct and mould acceptable forms’.⁴⁵ It is therefore demonstrably important throughout this thesis to avoid the assumption that violence was always viewed as a negative force.

The use of violence within the legal system, along with legislation legitimising some violence, must have influenced perceptions of violence as a potentially positive force.⁴⁶ However, it is not necessarily the case that officially sanctioned violence was approved of. For instance, Green has argued that the use of spectacular punishment in the developing legal system was locally resented.⁴⁷ Croft’s study of the performative violence used against the royal justices at Ash in 1300 is indicative of the concept of violence as a legitimate tool for expressing displeasure with legal interventions.⁴⁸ Musson and Stones’s consideration of

⁴¹ B. A. Hanawalt, *Crime and Conflict in English Communities, 1300-1348* (Cambridge, MA., 1979), p. 221.

⁴² Maddern, *Violence and Social Order*, pp. 4-6 and 22; Kaeuper, *War, Justice and Public Order*, p. 264; R. A. Griffiths, *The Reign of King Henry VI: the Exercise of Royal Authority 1422-1461* (London, 1981), p. 128; Saul, *Scenes from Provincial Life*, p. 81.

⁴³ Maddern, *Violence and Social Order*, p. 71; R. W. Kaeuper, ‘Introduction’, in R. W. Kaeuper (ed.), *Violence in Medieval Society* (Woodbridge, 2000), p. x.

⁴⁴ A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), pp. 124-5.

⁴⁵ Skoda, *Medieval Violence*, p. 32.

⁴⁶ Maddern, *Violence and Social Order*, p. 69.

⁴⁷ Kaeuper, *Chivalry and Violence*, p. 193; R. F. Green, ‘Violence in the Early Robin Hood Poems’, in Falk, Meyerson and Thiery (eds.), *A Great Effusion of Blood*, pp. 273-4.

⁴⁸ J. Croft, ‘An Assault on the Royal Justices at Ash and the Making of the Sandwich Customal’, *Archaeologia Cantiana*, 117 (1997), pp. 13-36. This idea of violence as communicative mirrors J.

violence and outlaw activity being perceived as alternative methods of justice to the legal system highlight a similar justification for violence when used to criticise and challenge a resented order.⁴⁹ The failure of the legal system to prevent violent crime, as shown in studies of criminal gentry, also appears to have provoked resentment against central authority rather than the perpetrators.⁵⁰ These studies have provided evidence of support for the criminal gangs and potentially an alternative system of justice. Despite its aim of suppressing violence, the law frequently provoked or provided justification for violent behaviour.⁵¹ It must consequently be included in a study of violence during this period. The development of the legal system is also particularly relevant to a study of the gentry.

In the fourteenth century the legal system evolved to give a greater role to the gentry and therefore incorporate a greater proportion of local society, producing a highly complex system in comparison to other contemporary states.⁵² Whilst the idea that legal responsibility increased integrity is overly hopeful, it has been suggested that it led to a new level of respect and mutual support between king and elites.⁵³ This could lead to the assumption that extra-legal violence decreased as perceptions of the legitimacy of violence became more rigidly defined in legal terms, in contrast with the argument that this development provoked violent opposition. However, the opportunities for gentry to avoid punishment mean that the legal system should not be overemphasised as a tool for discouraging and preventing violent crime, particularly when considering the opportunities offered to the gentry to pursue violence under the pretence of legal activity.⁵⁴ The elite use of peace commissions as weapons and their tendency to take opportunities to exploit the law, with reputation and status being an important factor in judicial decisions, also decreased potential for the legal system to limit gentry use of violence.⁵⁵ Hanawalt has identified the regular involvement of members of the elite in 'fur-collar crime', often with limited repercussions due to their

Black-Michaud's analysis of feud as a communicative entity in J. Black-Michaud, *Cohesive Force: Feud in the Mediterranean and the Middle East* (Oxford, 1975), p. 208.

⁴⁹ A. Musson, *Medieval Law in Context: the Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt* (Manchester, 2001), p. 250; E. L. G. Stones, 'The Folvilles of Ashby-Folville, Leicestershire, and Their Associates in Crime, 1326-1347', *TRHS*, 5th series, 7 (1957), p. 135.

⁵⁰ J. G. Bellamy, 'The Cotereel Gang: An Anatomy of a Band of Fourteenth-Century Criminals', *EHR*, 79 (1964), pp. 702, 711-2 and 714-7; Stones, 'The Folvilles', pp. 121, 127 and 130-3.

⁵¹ Maddern, *Violence and Social Order*, p. 16; T. Dean, *Crime in Medieval Europe 1200-1500* (Harlow, 2001), p. 31.

⁵² A. Harding, *The Law Courts of Medieval England* (London, 1973), p. 92; A. L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), p. 101.

⁵³ W. M. Ormrod, *The Reign of Edward III* (Stroud, 2000), p. 160.

⁵⁴ Maddern, *Violence and Social Order*, p. 74.

⁵⁵ Harding, *The Law Courts*, p. 94; Griffiths, *The Reign of King Henry VI*, p. 129; B. W. McLane, 'Juror Attitudes Toward Local Disorder: the Evidence of the 1328 Trailbaston Proceedings', in J. S. Cockburn and T. A. Green (eds.), *Twelve Good Men and True: the Criminal Trial Jury in England, 1200-1800* (Princeton, 1988), p. 52.

status.⁵⁶ Chism has suggested that the law replaced the sword as elite contemporaries used law instead of violence, but it is perhaps more persuasive to argue that it was used in tandem with violence when this approach seemed advantageous.⁵⁷

In his review of Powell's study on criminal justice under Henry V, McCune stresses the importance of mercy in contemporary perceptions of justice and highlights the need to consider the issues surrounding legal developments.⁵⁸ The theory that discontent was caused by conflict between old mores and coercive law has been a topic of debate, with Clanchy pioneering the argument that increased recourse to legal authority potentially increased disorder since love declined as a method of dispute resolution.⁵⁹ Musson concurred with this line of thought by identifying the perception of law as a propaganda weapon for the crown and a cause of disorder due to a move away from traditional morality, with Heirbaut complaining that medieval society had too much law.⁶⁰ Green has undermined such claims by suggesting that the new scheme of justice developing in England neither removed nor replaced the traditional attitudes concerning liability for the use of violence.⁶¹ McLane mirrored this approach by arguing that legal developments did not prevent judicial decisions from being influenced by traditional morality systems as fairness was used to assess the legitimacy of violence.⁶² Green's identification of the frequency with which harsh laws were mitigated in legal practice is another example of this theme in the historiography.⁶³

It is apparent that the development of the legal system had the potential to both encourage and discourage violence. This dichotomy will be recognised in this thesis, which will devote considerable thought to the extent to which gentry perceptions and use of violence were affected by their involvement in the legal system. The law could have been viewed critically or positively, dependent on the situation of the observer. This issue of the situation of the observer is of paramount importance, not only for the discussion of the

⁵⁶ B. A. Hanawalt, 'Fur-Collar Crime: the Pattern of Crime among the Fourteenth-Century English Nobility', *Journal of Social History*, 8 (1975), pp. 1-17.

⁵⁷ C. Chism, 'Robin Hood: Thinking Globally, Acting Locally in the Fifteenth-Century Ballads', in E. Steiner and C. Barrington (eds.), *The Letter of the Law: Legal Practice and Literary Production in Medieval England* (Ithaca, N.Y., 2002), pp. 15 and 22.

⁵⁸ E. Powell, *Kingship, Law and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989); P. McCune, 'Justice, Mercy and Late Medieval Governance: Review Article', *Michigan Law Review*, 89 (1991), pp. 1671-8.

⁵⁹ Kaeuper, *War, Justice and Public Order*, p. 182; M. T. Clanchy, 'Law, Government and Society in Medieval England', *History*, 59 (1974), p. 78; Clanchy, 'Law and Love', p. 61.

⁶⁰ Musson, *Medieval Law in Context*, p. 28; D. Heirbaut, 'Rules for Solving Conflicts of Law in the Middle Ages: Part of the Solution, Part of the Problem', in A. Musson (ed.), *Boundaries of the Law: Geography, Gender and Jurisdiction in Medieval and Early Modern Europe* (Aldershot, 2005), p. 118.

⁶¹ T. A. Green, *Verdict According to Conscience: Perspectives on the English Criminal Trial Jury, 1200-1800* (Chicago, 1985), p. 32.

⁶² McLane, 'Juror Attitudes', p. 59. Murray's acknowledgement of the level of mercy in legal cases concerning suicide supports this – A. Murray, *Suicide in the Middle Ages: Volume II - The Curse on Self-Murder* (Oxford, 1998), p. 463.

⁶³ Green, *Verdict According to Conscience*, p. 98.

potential impact of the legal system on perceptions of violence, but for any consideration of perceptions of and uses of violence. A particularly significant element of this is the issue of status. The connections between issues of hierarchy and authority and the legitimisation of violence are extremely relevant in a study of perceptions of violence amongst the gentry, and will therefore be introduced now.

There is a conflict between rebel violence against the legal system being perceived as legitimate and the claim that violence was viewed as a licit force when used to maintain the status quo, perhaps even to the extent that it was no longer regarded as violence.⁶⁴ This conflict shows the perennial challenge for the student of perceptions of violence. For those in the lower levels of society, hierarchical justification of violence was reversed to render licit violence which was used to threaten the perceived corrupt governing elites. However, for the gentry and their superiors, violence was firmly related to hierarchies of power. Whilst individuals may have felt justified in attacking their equals and even superiors in pursuit of land they considered themselves entitled to, the majority regarded violence outside of that which was hierarchically legitimate as a 'last resort'.⁶⁵ Bellamy has suggested that criminal bands reflected the gentry desire to achieve or regain status and power through any methods, but it must be recognised that the majority were keen to ensure that their activities were recognised as acceptable by their peers.⁶⁶ They therefore carefully considered their actions before engaging in violence outside of the legal or hierarchical system.

Late-medieval England was a status-conscious society. The fourteenth century saw challenges to the existing social order, such as the Peasants' Revolt of 1381, which led to efforts by the upper levels of society to protect and justify the prevailing social order.⁶⁷ Whilst Harding has suggested that resentment of the legal system was not class-based but dependent on which side of the law individuals were, and the law has been presented as impressively available to a wide social spectrum, the image of a universally fair and popular system should not be naïvely accepted.⁶⁸ The gentry could generally expect the legal system to favour them over their social inferiors, and whilst they encouraged the crown to take a conciliatory approach to the peasant rebels, gentry were aided by the crown in controlling wages after the Black Death and limiting the decline of serfdom.⁶⁹ They were evidently not wishing to encourage a move towards equality. The evidence of hostility towards the

⁶⁴ Ibid., pp. 12 and 103; Miller, *Humiliation and Other Essays*, p.74.

⁶⁵ Maddern, *Violence and Social Order*, p. 171.

⁶⁶ J. G. Bellamy, *Crime and Public Order in England in the Later Middle Ages* (London, 1973), p. 88.

⁶⁷ R. H. Hilton, 'Ideology and Social Order in Late Medieval England', in R. H. Hilton, *Class Conflict and the Crisis of Feudalism* (London, 1990), p. 179.

⁶⁸ Harding, *The Law Courts*, p. 91; Musson and Ormrod, *The Evolution of English Justice*, p. 191.

⁶⁹ Saul, *Scenes from Provincial Life*, p. 80; Musson and Ormrod, *The Evolution of English Justice*, p. 99; E. B. Fryde, *Peasants and Landlords in Later Medieval England* (Stroud, 1996), pp. 29 and 134; C. Dyer, 'The Social and Economic Background to the Rural Revolt of 1381', in R. H. Hilton and T. H. Aston (eds.), *The English Rising of 1381* (Cambridge, 1984), p. 25.

hierarchical system of law and order in sources such as the Robin Hood rhymes and the peasant rebels' targeting of gentry with legal authority suggests a resentment amongst some groups towards a system which was perceived as being strongly influenced by social hierarchies.⁷⁰ Status therefore would have had a profound effect on perceptions of the legitimacy of violence.

Whilst there are opportunities for studies of perceptions of violence throughout the social spectrum, the gentry offer the opportunity for an illuminating investigation, particularly in relation to status. The gentry and their use of violence have been topics of rising interest over recent decades as part of an examination of bastard feudalism, despite the problematic nature of identifying this social group.⁷¹ Considerations of gentry violence have been important within studies of bastard feudalism from the coinage of the term by Plummer in 1885, as he claimed that this social development led to the violent personal armies of the nobility disrupting order.⁷² McFarlane criticised this interpretation, claiming that maintenance and local disorders were not greater in the fifteenth century and blaming weak kingship for contemporary conflict, with later historians concurring that bastard feudalism was able to exploit precarious leadership from the crown.⁷³ This has inspired scholarship debating the extent to which bastard feudalism caused disorder. Bean concurs with McFarlane's dismissal of the conception of large retinues causing society to become excessively violent, and uses records of indenture to suggest that large retinues were uncommon.⁷⁴ However, he acknowledges the problems caused by retainers using the protection of a powerful patron to commit violent crimes with immunity.⁷⁵ Hicks also accepts the disruptive side of this social order but supports McFarlane's more positive portrayal by identifying cohesive properties and suggesting that contemporary complaints should be treated with a level of scepticism.⁷⁶ His identification of the lack of references to physical injuries in accounts of supposedly violent crime strengthens his argument, suggesting that armed bands sought to overawe rather than to fight.⁷⁷

⁷⁰ Chism, 'Robin Hood: Thinking Globally, Acting Locally', pp. 14 and 18; 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* (Stamford, 1996), pp. 156-9; Dyer, 'The Social and Economic Background', p. 14.

⁷¹ K. B. McFarlane, *The Nobility of Later Medieval England* (Oxford, 1973), p. xvii; J. M. W. Bean, *From Lord to Patron: Lordship in Late Medieval England* (Manchester, 1989), pp. 173, 200, 226 and 245-265; Saul, *Knights and Esquires*, p. 104; R. Gorski, 'Lordship, Gentility and Local Administration in Berkshire, 1350-1400', *Southern History*, 22 (2000), p. 22.

⁷² P. R. Coss, 'Bastard Feudalism Revised', *Past and Present*, 125 (1989), p. 27.

⁷³ McFarlane, *The Nobility of Later Medieval England*, p. xvii; D. Carpenter and D. Crouch, 'Bastard Feudalism Revised', *Past and Present*, 131 (1991), p. 172.

⁷⁴ Bean, *From Lord to Patron*, pp. 173, 226 and 245-65.

⁷⁵ *Ibid.*, p. 200.

⁷⁶ M. A. Hicks, *Bastard Feudalism* (London, 1995), pp. 2, 15 and 197.

⁷⁷ *Ibid.*, pp. 117-8 and 197.

The historians considered thus far have formed a general consensus that the level of violence should not be exaggerated and that it was not bastard feudalism itself that caused problems but abuses within that framework. Coss differs in claiming that bastard feudalism was ‘a response to the resurrection of public authority’ as the nobility violently competed for power.⁷⁸ He argues that this flawed social system enabled the elite to use violent lawlessness for their own ends. Coss’ opinion is supported by some histories of the late-medieval North of England, with the northern gentry being criticised for contributing to disorder through their devotion to their immediate lord rather than the king.⁷⁹ Taking Northumberland as an example, there is evidence both to support and undermine the theory that loyalty to local authority figures overtook loyalty to the king. The extent of gentry support for the Middleton rebellion, in which a northern household knight of Edward II, Gilbert Middleton, kidnapped a group including the new bishop of Durham and engaged in disorderly activity before his eventual execution, varies between sources, indicating diverse opinions.⁸⁰ King has stressed that Henry IV successfully exerted his authority by working with local authority figures.⁸¹ However, the over-protestation in the northern chronicler Hardyng’s fifteenth-century claim that the Northumbrians were the king’s ‘trewe legemen’ should not be neglected.⁸² The numerous pardons for followers of Henry Percy after his involvement in rebellions against Henry IV in 1403, 1405 and 1408 demonstrate rebellious elements in local gentry society under the leadership of a great lord in late-medieval England.⁸³

Whilst there is evidence to support these lines of argument, Saul’s conclusion that it is ‘naïve’ to claim that gentry violence was mainly the consequence of bastard feudalism, and therefore purely driven by a need to please social superiors, is persuasive.⁸⁴ The lack of uniformity in the extent of magnate rule across different counties in late-medieval England discourages any blanket application of a theory on the effects of bastard feudalism on society.⁸⁵ In contrast to Coss’ largely negative portrayal of the effects of bastard feudalism in relation to violence, Saul has claimed that Sussex was relatively peaceful in the late Middle

⁷⁸ Coss, ‘Bastard Feudalism’, p. 54.

⁷⁹ R. Storey, ‘The Wardens of the Marches of England towards Scotland, 1377-1489’, *EHR*, 72 (1957), p. 599; A. J. Pollard, ‘The Characteristics of the Fifteenth-Century North’, in J. Appleby and P. Dalton (eds.), *Government, Religion and Society in Northern England 1000-1700* (Stroud, 1996), pp. 131-43; R. Storey, *Thomas Langley and the Bishopric of Durham: 1406-1437* (London, 1961); R. Storey, *The End of the House of Lancaster* (Gloucester, 1999).

⁸⁰ A. Tuck, ‘Northumbrian Society in the Fourteenth Century’, *Northern History*, 6 (1971), pp. 31 and 182; A. MacDonald, ‘John Hardyng, Northumbrian Identity and the Scots’, in R. Britnell and C. Liddy (eds.), *North-East England in the Later Middle Ages* (Woodbridge, 2005), pp. 40-1.

⁸¹ A. King, ‘“They Have the Hertes of the People by North”: Northumberland, the Percies and Henry IV, 1399-1408’, in D. Biggs and G. Dodd (eds.), *Henry IV: the Establishment of the Regime, 1399-1406* (Woodbridge, 2003), pp. 145 and 157.

⁸² H. Ellis (ed.), *The Chronicle of John Hardyng* (London, 1812), p. 380; MacDonald, ‘John Hardyng’, pp. 40-1.

⁸³ *CPR 1401-05*, p. 262; *CPR 1405-08*, p. 427; *CPR 1408-13*, p. 30.

⁸⁴ Saul, *Knights and Esquires*, p. 104.

⁸⁵ Carpenter and Crouch, ‘Bastard Feudalism Revised’, p. 184.

Ages due to effective ‘magnate management’.⁸⁶ Whilst Carpenter has suggested that violent crime was frequently related to personal grievances or motivations, challenging the idea that violence could be averted by ‘magnate management’, she has also strikingly observed the frequency of violence between men of similar political allegiances. Carpenter highlights the need to challenge the tendency to claim that the majority of violence in this period stemmed from bastard feudal ties.⁸⁷ Evidently there is a range of competing opinions on bastard feudalism and its effect on local society.

Denying the continuing considerable influence wielded by great lords in advancing the careers of their retainers is ‘unrealistic’.⁸⁸ However, arguing that the initiative was constantly with the barons entails a leap into ‘the realm of fantasy’.⁸⁹ Bean has identified the knightly victory in the power struggle with the baronial elites after the introduction of the office of justice of the peace, along with the widespread confidence in criticising abuses of power by magnates amongst the gentry.⁹⁰ These observations do not suggest the existence of a group comprehensively controlled by their social superiors; rather they support the historiographical development towards identifying the late-medieval gentry in England as being a substantially independent group.⁹¹ Gentry were able to manipulate the system of hierarchical ties by owing loyalty to numerous lords and thereby preventing dependence on one lord.⁹² Despite this, bastard feudalism still meant that the developing system of royal justice administered by gentry representatives was prey to oppressive corruption, due both to a still-considerable level of magnate influence and gentry confidence in magnate protection when abusing their power.⁹³ In fact, it has been argued that the extension of power to the gentry offered the magnates a greater opportunity to pervert the judicial system.⁹⁴ Ultimately it is most persuasive to conclude that the gentry had pressures imposed upon them as a result of bastard feudalism, but were also able to act on their own initiative and benefit from the social structure, unlike those lowest in the hierarchy.⁹⁵ Lordly ties were certainly important in the lives of some of the late-medieval English gentry as a means of gaining status or forming identity, so they must be considered in this study, but it will be recognised

⁸⁶ Saul, *Scenes from Provincial Life*, p. 73.

⁸⁷ Carpenter, *Locality and Polity*, p. 429.

⁸⁸ K. B. McFarlane, ‘Parliament and “Bastard Feudalism”’, in K. B. McFarlane, *England in the Fifteenth Century: Collected Essays* (London, 1981), pp. 4 and 21.

⁸⁹ McFarlane, ‘Parliament and “Bastard Feudalism”’, pp. 4 and 21.

⁹⁰ Bean, *From Lord to Patron*, pp. 201-2.

⁹¹ Saul, *Knights and Esquires*, pp. 164-7.

⁹² Carpenter and Crouch, ‘Bastard Feudalism Revised’, p. 189.

⁹³ P. R. Coss, ‘Bastard Feudalism Revised: Reply’, *Past and Present*, 131 (1991), p. 192.

⁹⁴ Carpenter and Crouch, ‘Bastard Feudalism Revised’, p. 180.

⁹⁵ *Ibid.*, p. 189.

throughout that they should by no means be assumed to be the main motivation for gentry violence, despite the strong connection between violence, status and identity.⁹⁶

Historians have begun to reach the conclusion that the gentry were engaged in ‘fashioning an identity for themselves’ during the late Middle Ages.⁹⁷ Maddern has identified the variety of meanings for gentility amongst contemporaries and the many different elements involved in achieving and demonstrating this status, such as land ownership, office-holding and wealth.⁹⁸ A particularly important element in defining the gentry in late-medieval society is mentality.⁹⁹ The gentry were quick to create a social division beneath them in the hierarchical order, and were keen to promote their elite identity.¹⁰⁰ The imagery of knighthood was inevitably highly militaristic, with symbols such as the warhorse being popular.¹⁰¹ Ayton and Price have made a strong case for battle prowess not being completely passed from mounted men-at-arms to common infantrymen by the mid-fourteenth century, although Ayton has acknowledged that war no longer had the distinctive potential to allow the minor aristocrat to define himself as standing apart from the lower orders.¹⁰² The extent to which the desire to embrace the militaristic trappings of elite identity and reinforce status had a considerable effect on gentry perceptions of the legitimacy of violence must be considered, as the pressures on perpetrators to use violence are a vital consideration in a study of violence.¹⁰³

The use of violence to demonstrate authority in spectacular punishment could be seen as encouraging the gentry to view violence as a means for them to show their local dominance and authority.¹⁰⁴ As discussed above the gentry also demonstrated authority through involvement in legal and local administration, but even though the crown attempted to use the courts to promote their control over violence, the gentry viewed the law as a tool to be used alongside violence in their own demonstration of authority.¹⁰⁵ This will be an important point as the thesis progresses, as the sample gentry will often appear as both

⁹⁶ Skoda, *Medieval Violence*, p. 232.

⁹⁷ P. J. P. Goldberg, *Medieval England: A Social History, 1250-1550* (London, 2004), p. 115.

⁹⁸ P. C. Maddern, ‘Gentility’, in Radulescu and Truelove (eds.), *Gentry Culture*, pp. 18-34.

⁹⁹ Gorski, ‘Lordship, Gentility and Local Administration’, p. 22.

¹⁰⁰ A. Harding, ‘The Revolt against the Justices’, in Hilton and Aston (eds.), *The English Rising of 1381*, pp. 165-93.

¹⁰¹ A. Ayton, *Knights and Warhorses: Military Service and the English Aristocracy under Edward III* (Woodbridge, 1994), pp. 27 and 251.

¹⁰² A. Ayton, ‘Knights, Esquires and Military Service: the Evidence of the Armorial Cases before the Court of Chivalry’, in A. Ayton and J. Price (eds.), *The Medieval Military Revolution: State, Society and Military Change in Medieval and Early Modern Europe* (London, 1995), p. 82; A. Ayton and J. Price, ‘Introduction: the Military Revolution from a Medieval Perspective’, in Ayton and Price (eds.), *The Medieval Military Revolution*, p. 9.

¹⁰³ Carroll, ‘Introduction’, p. 21.

¹⁰⁴ Palmer, ‘At the Sign of the Head’, p. 131; E. Salisbury, ‘Violence and the Sacred City: London, Gower, and the Rising of 1381’, in Falk, Meyerson and Thierry (eds.), *A Great Effusion of Blood*, p. 93.

¹⁰⁵ Maddern, *Violence and Social Order*, pp. 66 and 116.

administrators and violent breakers of the law. However, the common gentry practice of carrying weapons but not using them has been identified by Maddern, in contrast with Cockburn's claim that carrying weapons led to more homicides.¹⁰⁶ This suggests that whilst the gentry wished to present an elite image of having the right and potential to engage in violence, they also recognised the benefits of a stable society. This concept was argued by Carpenter.¹⁰⁷ Her study also concurs with others in identifying the rising importance of administrative service to the gentry's sense of self-identity.

Goldberg has argued that a more stable and bureaucratic society meant that the military elements of the aristocratic identity became less useful.¹⁰⁸ It should be remembered though that Ayton has claimed that the elite took on additional functions rather than being demilitarised.¹⁰⁹ Desire for political power still provoked violent competition. This may not have been a desired outcome, but was often a necessary action to preserve or advance status. This in turn shows that violence was not the only means of showing status for contemporaries, but was still connected to status in the gentry ethos, and was a means of defending other signifiers of status such as land.¹¹⁰ Whilst many may have favoured a stable society, the right to use violence in certain situations was still regarded as an element of elite status. Hierarchy must therefore be borne in mind in a study of gentry perceptions of the legitimacy of violence, whilst as Jones stressed also making sure not to neglect inter-class violence.¹¹¹ This argument is particularly applicable as the majority of the cases involving the gentry being studied in this thesis reveal intra-gentry violence, most likely due to a lack of evidence concerning violence against individuals of lower status, rather than this violence not taking place. These issues of status and violence are also connected to the influence of culture on perceptions of violence.

Instructions from Edward III's administration given shortly after Edward II's supposed abdication, which told his subjects to pursue legal conflict resolution rather than engaging in violent disputes, reflect the tension provoked by elite determination to preserve what they viewed as their right to violently solve problems.¹¹² There is ongoing debate concerning the role of chivalric culture in controlling or encouraging violence amongst the

¹⁰⁶ Ibid., p. 20; J. S. Cockburn, 'Patterns of Violence in English Society: Homicide in Kent 1560-1985', *Past and Present*, 130 (1991), p. 83.

¹⁰⁷ Carpenter, *Locality and Polity*, pp. 379-80 and 396.

¹⁰⁸ Goldberg, *Medieval England*, p. 115.

¹⁰⁹ Ayton, 'Knights, Esquires and Military Service', p. 81.

¹¹⁰ Ibid., pp. 65, 87-8, 362-3 and 429; Saul, *Scenes from Provincial Life*; Musson and Ormrod, *The Evolution of English Justice*, p. 191; M. H. Keen, *Origins of the English Gentleman: Heraldry, Chivalry and Gentility in Medieval England, c. 1300-c. 1500* (Stroud, 2002), p. 22.

¹¹¹ Maddern, *Violence and Social Order*, p. 93; Jones, 'Interpersonal Violence in Kent', p. 34.

¹¹² Kaeuper, *Chivalry and Violence*, pp. 93-8, 107, 110 and 130; Kaeuper, *War, Justice and Public Order*, pp. 2 and 194. A similar tension and level of crown difficulty has been identified by Firnhaber-Baker in J. Firnhaber-Baker, 'Seigneurial War and Royal Power in Later Medieval Southern France', *Past and Present*, 208 (2010), pp. 75-6.

elites, as a concept ‘nourished on aggressive impulses’ would inevitably not seek to eliminate violence, and played a key role in emphasising the connection between elite status and violence.¹¹³ Chivalric events such as tournaments could be incredibly violent, potentially encouraging this violence to spill over into everyday life or alternatively limiting such violence to a specified time and place.¹¹⁴ Calls for reform and concern with excessive behaviour amongst knights in chivalric literature contrast with the praise of violent prowess.¹¹⁵ The presence of this debate within chivalric literature suggests that it was a genuine cause for concern, despite Elias’ claim that the adventures of literary knights replaced the excitement now lacking in a civilised society where aggression had been lessened.¹¹⁶ Coss has argued that knighthood was a martial identity as the knights of fourteenth-century England confirmed their status through military experience.¹¹⁷ However, it should not be assumed that chivalry was an entirely negative force, as whilst it did not pacify gentry, it had the potential to encourage some level of virtue in terms of limiting what could be considered righteous violence.¹¹⁸ The desire to appear virtuous could potentially therefore have meant that gentry wished to avoid unrighteous violence.

The emphasis on violent prowess above land and lineage in chivalric literature, and potentially the knightly identity, has been considered as a motivating factor for the gentry to engage in violence.¹¹⁹ However, if this was not perceived as illegitimate violence it does not undermine the potential gentry desire to avoid illicit violence. Keen’s study of the use of heraldry has demonstrated the use of military insignia as status symbols, strengthening the argument that violence was viewed as crucial to their identity by gentry engaging in ‘essentially bellicose’ chivalry.¹²⁰ This was epitomised in Kaeuper’s study; however, it does not prove that there was a widespread desire to use violence in reality, only to show capability in this competitive arena.¹²¹ Whilst Barber’s observation, that late-medieval knighting ceremonies explicitly expressed the belief that knights should fight for their kingdom, highlights the importance of violence in knightly identity, the significance of more practical elements such as land ownership and local maintenance of order as symbols of

¹¹³ Kaeuper, *Chivalry and Violence*, p. 2; R. W. Kaeuper, ‘Chivalry and the Civilising Process’, in Kaeuper (ed.), *Violence in Medieval Society*, p. 34; C. Taylor, *Chivalry and the Ideals of Knighthood in France during the Hundred Years War* (Cambridge, 2013), p. 54.

¹¹⁴ J. Vale, ‘Violence and the Tournament’, in Kaeuper (ed.), *Violence in Medieval Society*, p. 145.

¹¹⁵ Kaeuper, *Chivalry and Violence*, pp. 22-8, 30-6 and 145.

¹¹⁶ Jephcott (trans.), Dunning, Goudsblom and Mennell (eds.), *The Civilizing Process*, p. 375; Mennell, *Norbert Elias*, p. 58.

¹¹⁷ P. R. Coss, *The Knight in Medieval England, 1000-1400* (Stroud, 1993), pp. 100 and 108.

¹¹⁸ M. H. Keen, *Chivalry* (New Haven, 2005), p. 178.

¹¹⁹ Kaeuper, *Chivalry and Violence*, pp. 130-8.

¹²⁰ Keen, *Origins of the English Gentleman*, p. 162; M. H. Keen, ‘War, Peace and Chivalry’, in M. H. Keen (ed.), *Nobles, Knights and Men-at-Arms in the Middle Ages* (London, 1996), p. 18.

¹²¹ Kaeuper, *Chivalry and Violence*, p. 143.

status should not be forgotten.¹²² It has been suggested that Edward III gained support due to the emphasis placed on chivalry and warfare during his reign, in contrast with Edward II's unpopular anti-chivalric bias.¹²³ However, the fact that crown interest in chivalry could encourage knightly support should not be taken to mean that in reality chivalry was a constant influence on gentry perceptions of violence. Instead, further study in this area should be pursued, considering incidents of gentry violence in comparison with literary ideals, as will be done in Chapter Six of this thesis.¹²⁴

The consideration of chivalry has highlighted another contextual factor which could have influenced gentry perceptions of violence, namely military activity. The effect of war on violence is an important issue to be considered in a study of the fourteenth century. It is particularly relevant to a study of the gentry and violence due to the social obligation amongst knights to engage in military service, as identified by Coss.¹²⁵ Kaeuper has identified that war had negative effects on the administration and development of law.¹²⁶ This combines with claims such as Summerson's assertion that morality was negatively affected in Cumberland due to war, to suggest that contemporaries would become more open to the use of violence in times of hostility.¹²⁷ Prestwich has continued this line of argument to suggest that a rise in violent disorder was provoked by war due to the militarisation of society encouraging violence.¹²⁸ Whilst the law did not recognise enemy attacks as an excuse for crime, it seems reasonable to suggest that the difficulties inherent to a nation engaging in war, particularly in contested zones, could have affected behaviour.¹²⁹ Neville's argument that the harsh wartime conditions faced in the Borders affected jury decisions is relevant to this consideration, as this suggests that the local elite were more tolerant of those engaging in violent theft as cross-border raids had left them in economic hardship.¹³⁰ However, this line of thought must not be blindly accepted, as the 'neurosis' concerning law and order in frontier zones at times of war suggests that the local officials, often members of

¹²² R. W. Barber, *The Knight and Chivalry* (Woodbridge, 2000), p. 334; Musson and Ormrod, *The Evolution of English Justice*, p. 117.

¹²³ W. M. Ormrod, 'The Domestic Response to the Hundred Years War', in A. Curry and M. Hughes (eds.), *Arms, Armies and Fortifications in the Hundred Years War* (Woodbridge, 1994), p. 98; M. R. Powicke, *Military Obligation in Medieval England: a Study in Liberty and Duty* (Oxford, 1962), pp. 134 and 170-1.

¹²⁴ See below, pp. 191-200.

¹²⁵ Coss, *The Knight in Medieval England*, p. 104.

¹²⁶ Kaeuper, *War, Justice and Public Order*, pp. 132-3.

¹²⁷ H. R. Summerson, *Medieval Carlisle: the City and the Borders from the Late Eleventh to the Mid-Sixteenth Century*, vol. 1 (Kendal, 1993), p. 272.

¹²⁸ M. Prestwich, 'The Enterprise of War', in R. Horrox and W. M. Ormrod (eds.), *A Social History of England, 1200-1500* (Cambridge, 2006), pp. 74 and 88-9.

¹²⁹ D. Kagay and L. J. A. Villalon, 'Introduction', in Kagay and Villalon (eds.), *The Final Argument*, p. xix.

¹³⁰ C. J. Neville, 'War, Women and Crime in the Northern English Border Lands in the Later Middle Ages', in Kagay and Villalon (eds.), *The Final Argument*, p. 165.

the elite, would have been intent on maintaining stability and would therefore have frowned on illegitimate violence which threatened order.¹³¹ Summerson's case study of a murder in Cumberland suggests a society focused on law, despite the pressures of war.¹³²

War produced an opportunity to make a statement regarding the legitimacy of different levels of violence in society. Strickland's study of anti-Scottish propaganda in the *Lanercost Chronicle*, which aimed to demonise the enemy by accusing the Scots of engaging in cruel violence, is indicative of this.¹³³ Whilst the main aim of this propaganda was to demonise the enemy, it could still have indicated a subconscious division between the extremely violent activity of enemy soldiers and the level of violence acceptable within a society, suggesting that contemporaries would have wished to maintain this division. Furthermore, the idea that involvement in warfare demonstrated a widespread elite desire to engage in violence can be challenged by considering Ormrod's identification of the more persuasive motivation of financial advancement, along with Summerson's analysis of the resentment of military responsibilities in the North.¹³⁴ Admittedly, Kaeuper's claim that difficulties were caused by tension between the royal desire to control violence and the need to appease knights in royal service suggests that the permitting of violence in war could have led to resentment of attempts to limit it in peace.¹³⁵ Knights needed to be trained for warfare through tournaments, but there were considerable concerns with the potential for the violence of tournaments to spread into everyday life.¹³⁶ The observation that the 'masculine and martial culture' was sustained by the wars of the period also suggests a potentially problematic impact of war in relation to the excessive use of violence.¹³⁷ However, the continued importance of military service amongst the elite must be considered in tandem with the growing importance of administrative service.¹³⁸ The influence of both of these aspects over the motivations of the gentry to use violence is an important issue to address. The gentry role in maintaining law and order is an important challenge to claims that war provoked widespread elite encouragement of violent disorder. Nevertheless, this is still a

¹³¹ Musson and Ormrod, *The Evolution of English Justice*, p. 79.

¹³² H. R. Summerson, 'Murder at Hutton-In-The-Forest: a Study in the Government of Thirteenth-Century Cumberland', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 91 (1991), p. 67.

¹³³ M. Strickland, 'A Law of Arms or a Law of Treason? Conduct in War in Edward I's Campaigns in Scotland, 1296-1307', in Kaeuper (ed.), *Violence in Medieval Society*, p. 43.

¹³⁴ Ormrod, 'The Domestic Response', p. 94; Ormrod, *The Reign of Edward III*, p. 151; Summerson, *Medieval Carlisle*, vol. 1, p. 196.

¹³⁵ Kaeuper, *Chivalry and Violence*, pp. 93-8; Kaeuper, *War, Justice and Public Order*, pp. 192, 5 and 267-8.

¹³⁶ Vale, 'Violence and the Tournament', p. 158.

¹³⁷ Goldberg, *Medieval England*, p. 118.

¹³⁸ J. Ward, 'Sir John de Coggeshale: an Essex Knight of the Fourteenth Century', *Essex Archaeology and History*, 22 (1991), p. 62.

particularly important issue to consider, especially when assessing the potential for gentry in counties with contrasting experiences of warfare to perceive violence differently.

To conclude this discussion, the idea that counties may have varied in terms of law and order and perceptions of violence will be introduced. Powell supports the idea of regional lords, particularly in the Marches, causing problems of law and order in their defence of their liberties. He also accuses the medieval gentry of exploiting lawlessness in areas remote from central authority.¹³⁹ This argument that peripheral areas were more disorderly is challenged in King's study of Northumberland.¹⁴⁰ Whilst it should be acknowledged that it was harder to administer justice and prevent crime in peripheral areas, and that the extent of military involvement varied between counties, it will be suggested that this should not automatically be assumed to mean that the local gentry had different views of what constituted legitimate violence.¹⁴¹ The king and the local elites were 'interdependent' in maintaining order, and it would suit the majority of the gentry to maintain stability; thus, the potential to get away with greater violence does not necessarily mean that this opportunity would have been taken.¹⁴² This undermines Prevenier's claim that 'private violence was endemic' in this period.¹⁴³ Royal criticism of the failure of local men to defend Southampton from raiders as they were ordered during Edward II's reign could be used to support the idea that frontier zones were disorderly, but this fails to consider the nationwide disorder inherent to this reign.¹⁴⁴ The attempts by Edward III to introduce order into localities in the Midlands which were troubled by criminality suggests that the inhabitants of these areas were not constantly free to behave as they wished throughout the period.¹⁴⁵ Similarly, whilst the continued illegal trade with Scotland suggests that the men of Cumberland were dismissive of central influence, the visit of Edward I in 1307 and Edward II's speedy response when he deemed the northerner Andrew Harclay guilty of treason suggests that the crown still had strength in peripheral areas.¹⁴⁶

¹³⁹ Powell, *Kingship, Law and Society*, p. 274.

¹⁴⁰ A. King, 'Bandits, Robbers and *Schavaldours*: War and Disorder in Northumberland in the Reign of Edward II', in R. Britnell, R. Frame, and M. Prestwich (eds.), *Thirteenth-Century England IX* (Woodbridge, 2003), pp. 115-29; A. King, 'War, Politics, and Landed Society in Northumberland, c. 1296- c.1408' (University of Durham PhD Thesis, 2001).

¹⁴¹ Ayton, 'Knights, Esquires and Military Service', p. 85.

¹⁴² Ward, 'Sir John de Coggeshale', p. 65.

¹⁴³ W. Prevenier, 'Violence against Women in a Medieval Metropolis: Paris Around 1400', in B. S. Bachrach and D. Nicholas (eds.), *Law, Custom and the Social Fabric in Medieval Europe: Essays in Honour of Bryce Lyon* (Kalamazoo, 1990), p. 265.

¹⁴⁴ M. Hughes, 'The Fourteenth-Century French Raids on Hampshire and the Isle of Wight', in Curry and Hughes (eds.), *Arms, Armies and Fortifications*, pp. 123-5.

¹⁴⁵ *Ibid.*, pp. 126-7.

¹⁴⁶ Summerson, *Medieval Carlisle*, vol. 1, pp. 205-11, 227-30 and 256. For more information on Andrew Harclay see below, p. 46.

Summerson's identification of the shift towards local lords having more influence in Cumberland is indicative of problems faced in the Borders.¹⁴⁷ However, this problem was not distinct to the peripheries of the kingdom as regional lords throughout the country began to desire a level of independence. Ormrod and Green have identified the portrayal of local crime as regional resistance to sporadic central intervention in outlaw ballads which were read nationwide.¹⁴⁸ This highlights the desire of local elites for the responsibility of controlling local violence. The tendency to ignore this evidence is perhaps understandable when considering Pollard's identification of the contemporary presentation of the North as the chaotic area of the kingdom, but his stressing of the fiction involved in this depiction should not be forgotten.¹⁴⁹ There is evidently potential to disagree with the claim that the tendency to violence was greater in areas distanced from authority.¹⁵⁰ Problems in maintaining law and order were experienced throughout the kingdom, suggesting that the opportunity to resort to violence was available everywhere. Furthermore, it could potentially be argued that as peripheral areas were more frequently exposed to foreign attack, the local elite would be more focused on maintaining order, and therefore limiting and controlling the use of violence within their own communities, in order to focus on external threats.

The connection between geography and gentry perceptions of the value of military service is particularly relevant to this thesis, since it is interested in the effect of geography on gentry perceptions of violence. The three counties selected for study, namely Cumberland, Nottinghamshire and Hampshire, have been selected for comparison as they were deemed to be sufficiently different to allow for meaningful conclusions, and their geographical positions permit comparison of areas at considerably different distances from crown authority. The difference in terms of the spread of authority in each county will be addressed in Chapter Two, and so will not be repeated here, but a brief introduction to their different experiences of war in the fourteenth century will now be given, whilst greater detail of individual campaigns will be provided in Chapter Three.¹⁵¹

The gentry of Cumberland faced conflict with Scotland on their frontiers throughout the period, as despite several truces and the interest of the crown largely switching to France after the start of the Hundred Years War in 1337, Scottish raids continued for the majority of the century.¹⁵² The Hampshire gentry were pressured by the fear of French attacks from

¹⁴⁷ *Ibid.*, vol. 1, p. 318.

¹⁴⁸ W. M. Ormrod, 'Law in the Landscape: Criminality, Outlawry and Regional Identity in Late Medieval England', in Musson (ed.), *Boundaries of the Law*, pp. 7-20; Green, 'Violence in the Early Robin Hood Poems', p. 276.

¹⁴⁹ Pollard, 'The Characteristics of the Fifteenth-Century North', p. 139.

¹⁵⁰ Wood, 'Conceptualizing Cultures of Violence', p. 90.

¹⁵¹ For Chapter Two see below, pp. 38-75. For introductions to individual campaigns in Chapter Three see pp. 83-5, 93-5 and 104-5.

¹⁵² N. B. Lewis, 'The Recruitment and Organization of a Contract Army, May to November 1337', *BIHR*, 37 (1964), p. 1.

1337 until Richard II secured a truce with France in 1389, so this would suggest that they were more heavily involved with war with France from the mid-fourteenth century.¹⁵³ In contrast, the gentry inhabiting the Borders were involved in war with Scotland at the start of the century and then were mainly concerned with defence.¹⁵⁴ This has led to the idea that two military communities emerged through the fourteenth century as the northern elite fought in Scotland and then defended the Borders whilst the southern elite served on the southern coast and in France.¹⁵⁵ Whilst the gentry of Nottinghamshire were included within the northern elite for recruitment purposes, and faced pressure in terms of service and providing supplies, they did not face war in their own county.¹⁵⁶ The extent to which these different experiences of war affected engagement in military service will be considered in Chapter Three. The potential for these differences to affect perceptions and use of violence will also be addressed in Part Two of the thesis, as part of the continuing argument that there was little variety in these topics nationwide. However, sufficient context has now been provided to identify the range of factors acting on gentry perceptions of violence in fourteenth-century England and to highlight the overwhelming theme of ambivalence.¹⁵⁷ The methodology involved in attempting to tackle this ambivalence will now be introduced.

Methodology and Evidence

The previous discussion has highlighted the opportunity for further study to better understand contemporary perceptions of violence within this thesis, as there are a considerable number of influential factors to be considered. The historians mentioned have addressed many of the issues and contextual elements discussed, but a study uniting all of these themes in context to focus specifically on gentry perceptions of violence in fourteenth-century England will more fully illuminate these issues. It will also be useful for wider studies of late-medieval history with a range of foci, as violence was connected to a variety of issues in contemporary society. As already mentioned, a comparative approach considering gentry society in counties distanced from royal authority and in core areas, and those under direct threat of warfare and comparatively safer counties, will be useful for addressing many of the debates considered in this chapter relating to late-medieval

¹⁵³ For more detail on the involvement of the gentry of Hampshire, Nottinghamshire and Cumberland in warfare in the fourteenth century see Chapter Three below, pp. 76-117.

¹⁵⁴ See below, pp. 76-117.

¹⁵⁵ M. L. Honeywell, 'Chivalry as Community and Culture: the Military Elite of Late Thirteenth- and Fourteenth-Century England' (University of York PhD Thesis, 2006), p. 76.

¹⁵⁶ Ormrod, 'The Domestic Response', pp. 85-6.

¹⁵⁷ Skoda, *Medieval Violence*, p. 242.

perceptions of the legitimacy of violence. A variety of sources will be used to enable a consideration of perceptions of violence both in ideology and reality in these counties. These sources will include legal records and literature.

Part One of the thesis will use a wide body of governmental records from fourteenth-century England to introduce gentry society in Hampshire, Nottinghamshire and Cumberland, and consider what was valued by the gentry for protecting or advancing their position. The records to be used will now be briefly introduced before progressing to description of their utility to this thesis. Records of service as sheriffs and escheators will provide one way of identifying the gentry in these counties, as well as revealing the extent to which gentry held these positions regularly.¹⁵⁸ The Patent Rolls will be used to identify the gentry who were employed on legal commissions, such as commissions of *oyer* and *terminer* and commissions of the peace, or on commissions to investigate local concerns, such as repairs to defences, or to collect taxes.¹⁵⁹ The Fine Rolls will provide similar evidence, as whilst they mainly record fines paid to the crown for specified benefits, they do also record some commissions in common with the Patent Rolls.¹⁶⁰ Sheriffs' returns to parliamentary elections in the county courts will combine with these other sources to elicit a broad picture of the types of administrative service the gentry of Hampshire, Nottinghamshire and Cumberland engaged in.¹⁶¹ In addition to this, an appreciation of the landholding engaged in by the elite of these three counties will be gained by using the Inquisitions Post Mortem, which record the land held by individuals after their death and to whom this land would have been given.¹⁶² The collection of documents relating to Scotland, as calendared by Bain, will also be used where they provide evidence of land-holding or local service in Cumberland.¹⁶³

It is not solely records of administrative service and landholding which will be used in this part of the thesis. Records of military service will also play a vital role. For the later part of the period, 'The Soldier in Later Medieval England Database' website will be of great value for providing evidence of where members of the gentry in the sample counties are recorded as serving or intending to serve.¹⁶⁴ The evidence contained in this database is from the Muster Rolls, along with the Treaty Rolls, Gascon Rolls and Scottish Rolls from

¹⁵⁸ A. Hughes, *List of Sheriffs for England and Wales, from the Earliest Times to AD 1831*, List and Index Society, 9 (New York, 1963); A. C. Wood, *List of Escheators for England and Wales, from the Earliest Times to AD 1831*, List and Index Society, 72 (London, 1971).

¹⁵⁹ *Calendar of the Patent Rolls Preserved in the Public Record Office*, 53 vols. (London, 1891-1971).

¹⁶⁰ *Calendar of the Fine Rolls Preserved in the Public Record Office, 1232-1509*, 22 vols. (London, 1911-63).

¹⁶¹ *Members of Parliament*, 2 vols. (London, 1878).

¹⁶² *Calendar of Inquisitions Post Mortem and Other Analogous Documents Preserved in the Public Record Office*, 26 vols. (London, 1904-2010).

¹⁶³ J. Bain (ed.), *Calendar of Documents Relating to Scotland Preserved in the Public Record Office*, London, 4 vols. (London, 1881-8).

¹⁶⁴ Information on soldiers has been taken from the AHRC-funded 'The Soldier in Later Medieval England Database', www.medievalsoldier.org accessed 30/06/13.

1369 onwards, so it covers a range of campaigns. It must be acknowledged that only the Muster Rolls contain records of actual service, whereas the other rolls record an intention to serve and do not necessarily mean that the individual went on the campaign. However, this is still a useful source to demonstrate the military service the gentry at least intended to carry out or thought would be of benefit to claim to engage in. In order to gain evidence of the earlier part of the fourteenth century the lists of gentry being ordered to answer a military summons as recorded by Palgrave will be used, as will some secondary studies which have investigated military service in the fourteenth century.¹⁶⁵ For instance, Honeywell has carried out a study of the military elite taking part in the early-fourteenth century Scottish campaigns, using *The Song of Caerlaverock*, the Falkirk Roll, the Stirling Roll and records detailing claims made by the elite for horses lost whilst on campaign, amongst other sources.¹⁶⁶ Bain's calendar of documents relating to Scotland will be used again to provide detail of gentry serving militarily in Scotland and the Borders.¹⁶⁷ Wrottesley's study of crown documents relating to the Crécy-Calais campaign, including letters of protection, wardrobe accounts and writs of exoneration, will also be used, despite there being some difficulties with these sources, which will be discussed later in this thesis.¹⁶⁸ Finally, Ayton's study of surrounding campaigns will be considered in order to build up a picture of military service.¹⁶⁹

The introduction of the gentry and their interests in Part One will be divided into two chapters, Chapter Two and Chapter Three, which will make use of the evidence which has just been introduced. Chapter Two will put an emphasis on the evidence of landholding and local service to assess the nature of elite society in fourteenth-century Hampshire, Nottinghamshire and Cumberland, and the balance of local power. In order to introduce those who may have held influence over the gentry, and to expand the picture of gentry society which can be gained from the primary evidence, some biographical sources will be used to provide further information. The work of Roskell, Clarke and Rawcliffe on members of the House of Commons and the work of Cokayne on the peerage will be particularly

¹⁶⁵ F. Palgrave (ed.), *The Parliamentary Writs and Writs of Military Summons*, 2 vols. (London, 1827-34). Studies such as Simpkin's consideration of landed elite involvement in the wars of Edward I and Edward II will be useful in this investigation: D. Simpkin, 'Total War in the Middle Ages? The Contribution of English Landed Society to the Wars of Edward I and Edward II', in A. R. Bell, A. Curry, A. Chapman, A. King and D. Simpkin (eds.), *The Soldier Experience in the Fourteenth Century* (Woodbridge, 2011), pp. 61-94.

¹⁶⁶ Honeywell, 'Chivalry as Community and Culture'.

¹⁶⁷ See above, p. 30.

¹⁶⁸ G. Wrottesley, *Crecey and Calais from the Public Records* (London, 1898). For a discussion of the issues with this evidence see below, p. 95.

¹⁶⁹ A. Ayton, 'The English Army at Crécy', in A. Ayton and P. P. Bart (eds.), *The Battle of Crécy, 1346* (Woodbridge, 2005), p. 161.

useful in this respect, amongst others.¹⁷⁰ This assessment is necessary to extrapolate knowledge of local conditions which will be instrumental when considering issues such as the influence of upwards ties on gentry perceptions of the legitimacy of violence.¹⁷¹ Chapter Three will combine the evidence used in Chapter Two with the evidence of military service discussed above in order to place a greater focus on gentry service in the fourteenth century. This chapter will engage in the debate surrounding the extent to which military or administrative service was of greater importance to late-medieval gentry, and consider whether this changed over the period.¹⁷² It is important that service is considered in depth in this thesis both due to its importance as a means of forming gentry identity, but also due to the potential for different types of service to affect gentry perceptions of violence.¹⁷³ The latter point will be considered in Part Two of the thesis.

Part Two of the thesis will use the sample gentry societies introduced in Part One as the basis to examine gentry perceptions of violence. Whilst new evidence will be used as part of this investigation, some of the same evidence will be used to do this as was initially used to identify the gentry and discuss their service. The Patent Rolls will be used in a different way as they will now provide evidence of members of gentry society in Hampshire, Nottinghamshire and Cumberland who are named as the accused in legal commissions investigating accusations of violent crime. It may seem counter-intuitive that some of the same evidential material is being used to identify gentry who were engaging in crime as well as gentry who were part of the system attempting to punish this crime, but this juxtaposition is symptomatic of a wider issue confronting those investigating the gentry and their values. Whilst the gentry came to play a leading role in legal administration, they still also saw themselves as the rightful users of violence in legitimate situations. This could be seen as a significant potential conflict of interest. Alternatively, this could be a slightly anachronistic approach to take. If the gentry viewed violence as something which could be legitimate, surely their use of violence in serving the law did not appear as directly contradictory to them?

¹⁷⁰ G. E. Cokayne, *The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom: Extant, Extinct or Dormant*, rev. ed., 14 vols. (London, 1910-98); J. S. Roskell, L. Clark and C. Rawcliffe, *The House of Commons 1386-1421*, 4 vols. (Stroud, 1993).

¹⁷¹ Hammer has stressed the importance of such considerations in studies of violence in C. I. Hammer Jr., 'Patterns of Homicide in a Medieval University Town: Fourteenth-Century Oxford', *Past and Present*, 78 (1978), p. 19.

¹⁷² The debate will be introduced in detail in the introduction to Chapter Three: see below, pp. 76-83.

¹⁷³ It must be acknowledged that the investigation into military service could have been carried out in greater depth, in terms of use of unpublished records, but the aim of this thesis is not to provide a comprehensive coverage of the involvement of the sample gentry in warfare. Instead, it aims to produce a general picture of the extent to which the sample gentry continued to engage in warfare throughout the period in order to make larger points concerning the potential impact of military service on gentry perceptions of violence. The evidence used to do this suffices for this purpose within the confines of this thesis.

The factors which could have enabled violence to be regarded by the gentry as being either legitimate or illegitimate will be one of the foci of Part Two of this thesis. This will be combined with another focus of assessing the extent to which the gentry regarded violence as a dangerous risk or a positive tool for advancement, and what affected this perception. In order to investigate these ideas, other legal records will be used alongside the Patent Rolls. Petitions made to the crown in the hope that a legal commission would be issued in response, held in The National Archives series ‘Ancient Petitions’ (SC 8), could provide greater details regarding the cases referred to in the Patent Rolls.¹⁷⁴ They could also give evidence of complaints which do not have any surviving evidence of a commission being issued in response to them. Records from courts which would then carry out these commissions will also be used to attempt to gain further information about the accusation, and any defendant’s response or judgement. The National Archives series ‘Court of King’s Bench: Plea and Crown Side: Corum Rege Rolls’ (KB 27), and The National Archives series ‘Court of King’s Bench: Crown Side: Indictments Files *Oyer* and *Terminer* Files and Information Files’ (KB 9), will be used to provide details of legal cases and indictments.¹⁷⁵ In addition, samples from The National Archives series ‘Justices in Eyre, of Assize, of *Oyer* and *Terminer*, and of the Peace, etc.: Roles and Files’ (JUST 1), which contains records of itinerant justices, will also be used.¹⁷⁶ How these samples have been selected and how they will be used will be described in detail in Chapter Four, which will explain the methodology of Part Two of the thesis in greater depth.¹⁷⁷

It is important to note, however, that the legal records alone would not provide sufficient evidence to tackle the research questions of this thesis adequately. The incomplete and erratic survival of the sources makes it difficult to follow an accusation through to a completed case. This limits the potential for quantitative studies, such as the frequency with which gentry were able to avoid punishment for violent crime. This thesis is instead focused on making qualitative assessments, but such assessments are still difficult to make when reliant on legal evidence alone, as it is limited in terms of detail and opinions. Green has identified the difficulty of discovering evidence within the ‘laconic formulas’ of the legal

¹⁷⁴ For more information on petitions see G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the Late Middle Ages* (Oxford, 2007); G. Dodd, A. Musson and W. M. Ormrod (eds.), *Medieval Petitions: Grace and Grievance* (Woodbridge, 2009). Fraser’s collections of petitions relating to the Border counties were also consulted to provide examples of petitions from Cumberland and neighbouring counties: C. M. Fraser (ed.), *Ancient Petitions Relating to Northumberland* (Durham, 1966) and C.M. Fraser (ed.), *Northern Petitions Illustrative of Life in Berwick, Cumbria and Durham in the Fourteenth Century* (Durham, 1982).

¹⁷⁵ For more information on the court of King’s Bench see the introduction to each volume of G. O. Sayles (ed.), *Select Cases in the Court of King’s Bench*, Selden Society vols. 55, 57-8, 74, 76, 82 and 88 (London, 1936-71).

¹⁷⁶ For more information on the operation of the fourteenth century legal system and the itinerant courts see Musson and Ormrod, *The Evolution of English Justice*, pp. 12-73.

¹⁷⁷ See below, pp. 121-6 and 130-1.

records and bemoaned the lack of detail in records of gaol delivery and coroners' rolls, with Justice agreeing that 'taciturn records' can only be 'squeezed' so far.¹⁷⁸ McLane has similarly complained of a lack of detail regarding motives for offences in legal records, which is a particularly relevant issue for this thesis, as the extent to which motivations for violence could affect gentry perceptions of this activity is to be investigated.¹⁷⁹ Green has acknowledged that some records he encountered were less formulaic but still pose methodological problems as inquests were often quick and one-sided, detail recording was erratic and malice was often involved in the accusation.¹⁸⁰

Historians studying medieval violence in legal records have become aware that the evidence must be used carefully, as violence was often 'alleged fictitiously'.¹⁸¹ Zemon Davis has addressed the issue of the role of men of law in creating pardon tales, and the discussion of the use of stock formulas as discussed above highlights the extent to which legal records could be regarded as works of fiction.¹⁸² Claims of violence were often made to secure personal advantage and were designed to elicit the desired response.¹⁸³ For example, a Newcastle King's Bench case from 1310 recording a complaint of assault reflects the importance of the formulaic claim that violence was committed with force and arms, *vi et armis*, which is inserted later in the text despite the verbose list of accusations, including beating, wounding, inflicting injury and causing damage.¹⁸⁴ Maddern has used evidence of this nature to challenge the claim for a high level of violence nationwide, concurring that many cases accusing assault were devoid of violence, as this accusation was a device for getting cases involving crimes such as non-violent thefts into higher courts.¹⁸⁵ The threat of violence was more common than the actual use of violence throughout the country, so claims of violence should be carefully considered.¹⁸⁶ The question of malice can be equally applied to the range of legal records to be used in this thesis. This does not however render the evidence from such records as invalid for examination in this study, as this is not a quantitative investigation seeking to assess levels of violence. A more relevant problem,

¹⁷⁸ Green, *Verdict According to Conscience*, pp. 29 and 35; P. Strohm, *Theory and the Premodern Text* (Minneapolis, 2000), p. 105.

¹⁷⁹ McLane, 'Juror Attitudes', p. 39.

¹⁸⁰ Green, *Verdict According to Conscience*, p. 37.

¹⁸¹ Maddern, *Violence and Social Order*, p. 135.

¹⁸² N. Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford, 1987), p. 17. Despite being focused on nineteenth-century sources, Monkkonen's reminder to be aware of the process through which legal records are created is highly relevant here: E. Monkkonen, 'Systematic Criminal Justice History: Some Suggestions', *The Journal of Interdisciplinary History*, 9 (1979), p. 455.

¹⁸³ King, 'Bandits, Robbers and *Schavaldours*', p. 115.

¹⁸⁴ TNA, KB 27/203, r. 18. All references to original sources are to TNA documents unless otherwise stated.

¹⁸⁵ Maddern, *Violence and Social Order*, pp. 4-6 and 22; Kaeuper, *War, Justice and Public Order*, p. 264; Griffiths, *The Reign of King Henry VI*, p. 128; Saul, *Scenes from Provincial Life*, p. 81.

¹⁸⁶ Hicks, *Bastard Feudalism*, p. 197.

however, is that of obtaining sufficient evidence to engage with the questions posed by this thesis when faced with limited legal records.

Part Two of this thesis will aim to compensate for the lack of detail in legal records with the use of fourteenth-century literature.¹⁸⁷ Literary texts have traditionally been dismissed by historians due to bias or artifice, but scholars have begun to accept that texts can be useful despite their fictional nature. Literature demonstrates the ‘imaginative structures’ within which contemporaries acted and expected to be judged and has an ‘inadvertent accuracy’.¹⁸⁸ Benson’s claim that it is ‘as vain to look in the pages of Malory for the Pastons’ England as it is to search the Pastons’ letters for Malory’s world’ is severely undermined by Harriss’ identification of the same themes in supposedly disparate genres of source texts.¹⁸⁹ Despite this, there is still a tendency to revere ‘documentary sources’, and regard them with less suspicion. This has been criticised by Prescott and Strohm on account of the ‘fictive elements’ in legal records, such as the potential for false claims as identified above.¹⁹⁰ Ultimately, for the purposes of this study, as already identified, the research aims do not necessitate the rejection of any evidence with a fictional nature. Instead it is more appropriate to agree that as literature is designed for an audience, it seems highly likely that the author would have the values of this intended audience in mind when creating characters and scenarios, to ensure that they are admired or condemned when they are intended to be. Thus, to an extent, the values of the gentry concerning violence can be drawn out from consideration of the literature they encountered. It seems illogical to suggest that an audience would read or listen to literature which largely contained values it did not share.

This literature tends to provide far more detail concerning potential motivations for and perceptions of violence amongst the gentry than the frequently formulaic legal records. However, literature likely to have been read or heard by the gentry must be used to ensure that the values identified in the literature can be reasonably applied to the gentry. A range of outlaw literature will be used, as these texts provide extensive descriptions of the use of violence by those who are intended to be admired or disliked by the audience. The specific outlaw literature to be used, and the justification for attributing a gentry audience for this literature, will be addressed in depth in the methodological introduction to Part Two of the thesis, Chapter Four, since literature will not be used as evidence in Part One.¹⁹¹ It is not

¹⁸⁷ The combination of literature and legal evidence to consider violence, although in this case popular violence, has been used in Skoda, *Medieval Violence*.

¹⁸⁸ P. Strohm, *Hochon’s Arrow: the Social Imagination of Fourteenth-Century Texts* (Princeton, 1992), p. 4; Strohm, *Theory*, p. 105.

¹⁸⁹ L. D. Benson, *Malory’s Morte Darthur* (Cambridge, MA., 1976), p. 200; G. L. Harriss, ‘Introduction: the Exemplar of Kingship’, in G. L. Harriss (ed.), *Henry V: the Practice of Kingship* (Oxford, 1985), pp. 10-11.

¹⁹⁰ A. Prescott, ‘Writing about Rebellion: Using the Records of the Peasants’ Revolt of 1381’, *History Workshop Journal*, 45 (1998), pp. 1-27; Strohm, *Hochon’s Arrow*, pp. 5-6.

¹⁹¹ See below, pp. 126-31.

solely outlaw literature which will be used, as Part Two of the thesis will also consider the presentation of violence in a sample of chivalric literature, such as the *Stanzaic Morte Arthur*.¹⁹² This can be expected to give some indication of the perceptions and values of the target audience, namely the elite.¹⁹³ The relevance of chivalric literature as evidence for elite values and opinions has been considered at length by historians such as Taylor.¹⁹⁴ Taylor uses them as at least a partial basis for studies of the late-medieval elite despite acknowledging that they are not ‘simple mirrors’ to their world, but this too will be discussed and justified as evidence in Chapter Four.¹⁹⁵ Finally, this evidence will be supplemented with references to violence in chronicles, such as the *Lanercost Chronicle*.¹⁹⁶ Whilst the tendency for chronicles to focus on ‘the unusual and the spectacular’ has led to some criticism of them as sources, their limited use in this thesis will add to the discussion of perceptions of violence, as will be explained in Chapter Four.¹⁹⁷

The evidence introduced here will be used in Part Two of the thesis, both in combination and individually, to investigate the issues concerning gentry perceptions of violence which were raised at the start of this chapter. Chapter Five will focus on the legal records and attempt to identify the different potential motivations for gentry violence in fourteenth-century England. It will begin to draw out some potential perceptions of these motivations, but it will be in Chapter Six, where the literary sources will become the main focus, that factors which could render violence legitimate or illegitimate in the eyes of the gentry will be able to be addressed more confidently. Chapter Seven will make use of both of these types of sources as well as drawing on the research of Part One of the thesis. It will consider the extent to which the gentry viewed violence as a dangerous risk, and an affront to crown authority, or were more comfortable with engaging in violence despite their frequent role as enforcers of the law, thereby addressing this complex issue directly. The aims and contents of these chapters will be explained in greater detail in Chapter Four, where the methodology for Part Two of the thesis will be introduced. The aims of the thesis in general and the historiographical context in which it operates have now been introduced

¹⁹² L. D. Benson (ed.), *King Arthur's Death* (Exeter, 1986).

¹⁹³ Kaeuper, *Chivalry and Violence*, pp. 30-3; E. Kennedy, ‘The Knight as Reader of Arthurian Romance’, in J. P. Carley and M. R. Shichterman (eds.), *Culture and the King: the Social Implications of the Arthurian Legend* (Albany, 1994), pp. 70-90.

¹⁹⁴ Taylor, *Chivalry and the Ideals of Knighthood*, p. 8; L. D. Benson (ed.), *Chivalric Literature: Essays on Relations between Literature and Life in the Later Middle Ages* (Kamalazoo, 1980); Kaeuper, *Chivalry and Violence*; A. Classen (ed.), *Violence in Medieval Courtly Literature: a Casebook* (New York, 2004); R. Radulsecu, *The Gentry Context for Malory's Morte D'Arthur* (Woodbridge, 2003).

¹⁹⁵ Taylor, *Chivalry and the Ideals of Knighthood*, p. 8.

¹⁹⁶ H. E. Maxwell (trans. and ed.), *The Chronicle of Lanercost*, 2 vols. (Cribyn, 2001).

¹⁹⁷ A. Finch, ‘The Nature of Violence in the Middle Ages: An Alternative Perspective’, *Historical Research*, 70 (1997), p. 243.

in adequate depth to enable progression to Chapter Two, which will introduce political society in fourteenth-century Hampshire, Nottinghamshire and Cumberland.

Chapter Two: Landed Society and Crown Authority

When undertaking a study of gentry perceptions of violence in Cumberland, Nottinghamshire and Hampshire in the fourteenth century, it is necessary to introduce the context in which the gentry operated. This chapter will provide a summary of the nature of landed society in each county in turn, by introducing the leading nobles, barons and gentry.¹ This will indicate where authority was held. Each section will then progress to a consideration of the relations between landed society and the crown and potential struggles for authority in the relevant county. The themes examined in individual sections will then be analysed together to conclude the chapter, enabling identification of the different circumstances faced by gentry societies in Cumberland, Nottinghamshire and Hampshire in the fourteenth century. It is vital that the research needed for this chapter is carried out as without such information it would not be possible to investigate one of the key questions of the thesis, namely the extent to which gentry perceptions of violence were altered by local circumstances. For this to be assessed, the nature of the counties under consideration, purposefully selected for their geographical spread throughout the kingdom and varying exposure to the wars of the period, must be described.

This task will entail answering several research questions. The first question to be addressed will be the issue of who held authority in each county. This will indicate those who were likely to have had influence over the gentry to be studied, which will be used later in considering if noble and baronial influence encouraged violent gentry behaviour. It will also reveal the extent to which the leading gentry were able to take on a prominent role in their societies. In the absence of a strong noble and baronial presence it could be possible that the gentry were at the apex of society and that the gentry therefore possessed a level of independence. This could either lead to disorder as they were not controlled from above; or order, as they were left to maintain the stability of their own society without being disrupted by loyalty to lords involved in conflicts. Stability could also be undermined by gentry

¹ At this point it should be acknowledged that whilst a comparison of perceptions of violence amongst urban gentry and rural, or county, gentry, would be both worthwhile and interesting, there is unfortunately neither time nor space to carry this out in this thesis. The focus will therefore largely remain on rural gentry in this thesis, but it is hoped that future investigations can bring in urban gentry for a thorough comparison. It should also be noted that this thesis will largely avoid investigating liberties, despite them being an interesting topic for further study, as their different system of administration and balance of power would overcomplicate the discussion in a thesis of this size. For an introduction to the liberties of the North-East, and an indication of why comparing gentry violence in liberties with the results from this thesis, particularly those from Cumberland, may be interesting to investigate the impact of a separation from crown authority on gentry perceptions of violence, see M. L. Holford and K. J. Stringer, *Border Liberties and Loyalties: North-East England, c. 1200-c. 1400* (Edinburgh, 2010).

competing for influence, or aided by gentry forming a community of service.² Relations between landed society and crown authority will then be related to the extent to which there was an authority struggle between landed society and the crown and the level to which the crown attempted to and was able to exert royal authority. In comparing the three county sections it is then intended to address the extent to which landed society in Cumberland, Nottinghamshire and Hampshire faced different pressures and operated in distinct contexts. By doing so, the larger investigation into gentry perceptions of violence can proceed in the second section of this thesis.

Cumberland

Apart from the brief use of the earldom of Carlisle in Edward II's reign, which will be discussed at a later stage, there were no resident nobles in Cumberland in the fourteenth century.³ Thus instead of beginning with an introduction of noble society this section will start by highlighting the opportunity to gain influence in the county through service as a March warden. This opportunity was available for regional nobles, such as the Percy family of Northumberland, as well as local barons and gentry.⁴ The crown recognised both the need for and dangers of noble and baronial service in the Borders as wardens became crucial crown representatives, but the potential for these powerful figures to become rivals to crown authority must have been a concern.⁵ Edward II divided the office of warden and keeper

² The issue of community has been debated at length by historians, with Bennett arguing that a community of service developed in the North-West, admittedly inconsistently, in the late-medieval period: Bennett, *Community, Class and Careerism*; M. J. Bennett, 'A County Community: Social Cohesion Among the Cheshire Gentry, 1400-25', *Northern History*, 8 (1973), pp. 24-44. Carpenter and Pollard have taken the opposing view, identifying more competition than community: Carpenter, *Locality and Polity*; C. Carpenter, 'Gentry and Community in Medieval England', *Journal of British Studies*, 33 (1994), pp. 340-80; C. Carpenter, 'The Beauchamp Affinity: a Study of Bastard Feudalism at Work', *EHR*, 95 (180), pp. 514-32; Pollard, 'The Richmondshire Community of Gentry', pp. 37-59. Harriss and Virgoe have argued for a complex and informal political web in localities which varied according to local circumstances and the presence of aristocratic retinues: G. L. Harriss, 'The Dimensions of Politics', in R. H. Britnell and A. J. Pollard (eds.), *The McFarlane Legacy: Studies in Late-Medieval Politics and Society* (Gloucester, 1995), pp. 2-4; R. Virgoe, 'Aspects of the County Community in the 15th Century', in M. A. Hicks (ed.), *Profit, Piety and the Professions in Later Medieval England* (Gloucester, 1990), p. 4. Arvanigian and King have argued that a community of sorts developed in the Borders due to military service: M. Arvanigian, 'A County Community or the Politics of the Nation? Border Service and Baronial Influence in the Palatinate of Durham, 1377-1413', *Historical Research*, 82 (2009), p. 45; A. King, 'Scaling the Ladder: the Rise and Rise of the Grays of Heaton, c. 1296-c. 1415', in Britnell and Liddy (eds.), *North-East England*, pp. 57-73.

³ For more information on the earl of Carlisle, Andrew Harclay, see below, p. 45.

⁴ Storey, *The End of the House of Lancaster*, p. 117; A. Goodman, *The Loyal Conspiracy: the Lords Appellant under Richard II* (London, 1971), p. 166.

⁵ C. J. Neville, 'Keeping the Peace on the Northern Marches in the Later Middle Ages', *EHR*, 109 (1994), p. 5.

from 1323 to prevent dominance by one individual.⁶ However, northern elites continued to pose a threat, as revealed by the involvement of northern lords such as Henry Percy in the downfall of Edward II and his followers.⁷ Edward III attempted to use Thomas Earl of Warwick as a 'supervisor' of the wardens and Richard II engaged in a similar policy through his use of John of Gaunt as the northern representative of the crown.⁸ However, the success of these crown initiatives was limited, as several families, such as the Nevilles and Lucys, secured a position at the top of northern society.⁹ Walker has identified northern gentry being retained by the crown and simultaneously joining northern retinues, which suggests that adherence to northern lords did not mean rebellion.¹⁰ However, it must be stressed that the wardens were recognised as the individuals capable of responding to local needs and their power rose as a result of this, creating a unique situation.¹¹ It is important therefore that the families holding this influence are described in order to show how the regional and local peerage potentially influenced gentry behaviour.

The Nevilles, lords of Raby in Durham and later earls of Westmorland, were not based in Cumberland but in Durham and Yorkshire.¹² Nevertheless, they should still be introduced as a source of noble authority in Cumberland, as they were very influential in the North. The family served the crown in administration, particularly as wardens, and militarily.¹³ Under Edward III military and administrative service allowed the Neville family to become one of the most important northern families.¹⁴ Close crown connections continued after Edward III's reign through John Neville being retained by John of Gaunt and his son Ralph being retained by Richard II.¹⁵ The family's continued and increasing power is reflected in Ralph being created earl of Westmorland in 1389.¹⁶ Like the Percies, the Nevilles had a considerable formal and informal following by the time that Gaunt was

⁶ C. J. Neville, *Violence, Custom and Law: the Anglo-Scottish Border Lands in the Later Middle Ages* (Edinburgh, 1998), p. 22.

⁷ Henry Percy co-led the force to which Hugh Despenser the elder surrendered. As Hugh was one of Edward II's favourites, this was a crucial blow. For more information on this event see A. Tuck, *Crown and Nobility: England, 1272-1461* (Oxford, 1999), p. 74. For more information on Hugh Despenser and his family see below, pp. 67-8.

⁸ Neville, *Violence, Custom and Law*, p. 52; Tuck, *Crown and Nobility*, p. 214.

⁹ Neville, *Violence, Custom and Law*, pp. 58, 67, 69-70 and 78.

¹⁰ S. Walker, *The Lancastrian Affinity 1361-1399* (Oxford, 1990), pp. 125-6.

¹¹ Storey, 'The Wardens of the Marches', pp. 593-615.

¹² C. Given-Wilson, *The English Nobility in the Late Middle Ages: the Fourteenth-Century Political Community* (London; New York, 1987), p. 105.

¹³ C. R. Young, *The Making of the Neville Family 1166-1400* (Woodbridge, 1996), pp. 95, 100 and 102-4.

¹⁴ *Ibid.*, pp. 112-24.

¹⁵ C. Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England 1360-1413* (New Haven; London, 1986), pp. 73, 148, 133, 153 and 283; Walker, *The Lancastrian Affinity*, pp. 68 and 276.

¹⁶ Given-Wilson, *The Royal Household*, pp. 24 and 285; Walker, *The Lancastrian Affinity*, p. 276

appointed as March lieutenant in 1381.¹⁷ The crown's problem of needing to employ northern lords whilst also limiting their power is reflected in attempts to alternate between families in selecting wardens and other officials.¹⁸ Despite these efforts, by the end of the century Richard II faced a powerful Lancastrian party in the North which included the Nevilles, Greystokes and Roos.¹⁹

The Lucy barony was another important source of authority in fourteenth-century Cumberland. The family served the crown in a range of roles including sheriff of Westmorland and Cumberland and keeper of Carlisle.²⁰ The Lucys held extensive land in Northumberland and Cumberland, mainly of the king, and leased land to a variety of baronial and gentry families in crown service, such as the Dacres, the Lowthers, and the Mulcastres.²¹ Anthony Lucy was a banneret of Edward II in 1321, although he did not fight at Boroughbridge.²² He was involved in the arrest of Andrew Harclay, who will be considered later in this section since his career reveals some of the tensions within Cumberland aristocratic society.²³ This led to significant rewards, including the castle and honour of Cockermouth and becoming the chief crown official in the Western Marches.²⁴ Anthony's son and heir Thomas followed his father's example through serving administratively in the Borders and militarily in the Borders and France.²⁵ His second marriage to a cousin of Edward III reflects the close relationship between the crown and the Lucy family and highlights the fact that some holders of the position of warden were continuously loyal.²⁶ Thomas' heir Anthony continued the family tradition of serving as warden.²⁷ As has been shown, the Lucy family held considerable power in the North, but this was combined with strong connections to the crown.

The Multon family was based at Egremont in Cumberland in the thirteenth century.²⁸ They gained the lordship of Gilsland through marriage at the start of the fourteenth century.²⁹ The Multons were tenants of the Cliffords, again showing connections

¹⁷ Arvanigian, 'A County Community', pp. 45-8.

¹⁸ *Ibid.*, p. 52; Walker, *The Lancastrian Affinity*, pp. 17 and 277; Goodman, *The Loyal Conspiracy*, p. 48.

¹⁹ M. Arvanigian, 'Henry IV, the Northern Nobility and the Consolidation of the Regime', in Dodd and Biggs (eds.), *Henry IV*, p. 119.

²⁰ Cokayne, *The Complete Peerage*, vol. 8, p. 250.

²¹ *CIPM*, IV, pp. 218-20 and 253; *CIPM*, V, p. 69; *CIPM*, XII, pp. 207-13. For more information on the Dacres see below, pp. 42-3. For more information on the Lowthers see below, p. 45. For more information on the Mulcastres see below, pp. 45-6.

²² Cokayne, *The Complete Peerage*, vol. 8, p. 250.

²³ *Ibid.*, vol. 8, p. 250. For more information on Andrew Harclay see below, p. 46.

²⁴ Cokayne, *The Complete Peerage*, vol. 8, pp. 250-1; *CIPM*, XII, pp. 207-13.

²⁵ Cokayne, *The Complete Peerage*, vol. 8, p. 252; *CIPM*, XII, pp. 15-21 and 207-13.

²⁶ Cokayne, *The Complete Peerage*, vol. 8, p. 253.

²⁷ *Ibid.*, vol. 8, p. 253.

²⁸ *Ibid.*, vol. 8, p. 253.

²⁹ Cokayne, *The Complete Peerage*, vol. 9, pp. 405-6; E. Searle, 'Housed in Abbeys: the Dacres of Cumberland and Sussex Part I: the Early Dacres and Lanercost Priory', *Huntington Library*

between different social levels through landholding.³⁰ The Multons also reveal the instability of relationships between the baronial elite of Cumberland and the crown: on the one hand Thomas Multon was married before Edward I and his son was engaged to Piers Gaveston's daughter in 1317, with Edward II providing a bond; yet on the other hand Thomas joined the earl of Lancaster's league of northern barons.³¹ Only Thomas' natural death before the battle of Boroughbridge protected his estate from confiscation.³² His son was able to retain the family's position in Edward II's reign despite this rebellion and held extensive lands in Cumberland and Lincolnshire, which he leased to others.³³ His descendants, including John Multon of Egremont, continued to protect this inheritance and provide a source of authority in Cumberland.³⁴

The Dacres were an important baronial family of Cumberland and Lancashire involved in border administration and relied on by the crown from the start of the century.³⁵ The Dacres were connected to other powerful northern families through landholding as they held land of the Cliffords, Greystokes, Lucys and Multons, some of which they leased to local gentry, and held Dacre and Naworth Castle in Cumberland of the crown from the early-fourteenth century.³⁶ The baronial conflict with Edward II caused friction between the family and the crown. Ralph and William Dacre had to be pardoned for the death of Piers Gaveston, the notorious favourite of Edward II, although Ralph Dacre was permitted to keep Carlisle Castle in 1318.³⁷ Relations between the Dacre family and other elites were also not always amicable; for example, the Dacres and Cliffords were involved in a dispute concerning Margaret Multon, Ralph's eventual wife from 1317.³⁸ Ralph was probably assisted in gaining his wife by Henry Earl of Lancaster, showing a continued Lancastrian

Quarterly, 57 (1994), p. 158; *CIPM*, IV, pp. 111-2 and 183; *CIPM*, V, p. 365; *CIPM*, VI, pp. 49 and 198-201; *CIPM*, VII, pp. 429-37; *CIPM*, VIII, p. 219.

³⁰ *CIPM*, IV, p. 183; *CIPM*, V, pp. 252-3 and 302. For more information on the Clifford family see below, p. 43.

³¹ C. M. Fraser, 'Four Cumberland Widows in the 14th Century', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 64 (1964), p. 132.

³² *Ibid.*, p. 132.

³³ *CIPM*, VI, pp. 198-201.

³⁴ *CIPM*, VII, pp. 429-37.

³⁵ *CIPM*, VI, p. 362; Searle, 'Housed in Abbeys: the Dacres of Cumberland', p. 163.

³⁶ Searle, 'Housed in Abbeys: the Dacres of Cumberland', p. 156; *CIPM*, V, p. 302; *CIPM*, VI, pp. 90-1, 144, 199, 305-6 and 417; *CIPM*, VIII, pp. 167-9; *CIPM*, IV, p. 219; *CIPM*, XI, pp. 44-6 and 252-7; *CIPM*, XIV, pp. 117-9; *CIPM*, XVII, pp. 515-7. For more information on the Greystokes see below, p. 44.

³⁷ Searle, 'Housed in Abbeys: the Dacres of Cumberland', pp. 158 and 160; Cokayne, *The Complete Peerage*, vol. 4, p. 1. For more information on Piers Gaveston see J. S. Hamilton, *Piers Gaveston, Earl of Cornwall, 1307-1312: Politics and Patronage in the Reign of Edward II* (Detroit, 1988) and P. Chaplais, *Piers Gaveston: Edward II's Adoptive Brother* (Oxford, 1994).

³⁸ Cokayne, *The Complete Peerage*, vol 4, pp. 2-3. For more information on this dispute see Searle, 'Housed in Abbeys: the Dacres of Cumberland', pp. 161-2. The Dacres and Cliffords also engaged in hostility concerning land in Cumberland, such as Naworth Castle, and this will be discussed within this thesis due to the involvement of gentry in the violent encounters. For more information on this see below, pp. 137-8.

adherence in the family.³⁹ Potential benefits of this connection included Ralph being allowed to crenellate Naworth Castle in 1335.⁴⁰ The family continued to serve as March wardens and preserve Lancastrian connections through being retained by John of Gaunt and accompanying him abroad.⁴¹

The baronial Clifford family, who were based in Westmorland and later Lancashire, were extremely important in the North throughout the fourteenth century and held the manor of Skelton in Cumberland.⁴² Their importance is shown in their holding of a variety of roles, which included hereditary sheriff of Westmorland along with leading positions in the Borders such as wardens and military captains.⁴³ Robert Clifford served the crown extensively. His interests in Cumberland were strengthened when Edward I, who visited his trusted lieutenant at Brougham Castle, granted him the manor of Skelton in the early-fourteenth century.⁴⁴ He did however have to obtain a pardon for conflict with Gaveston.⁴⁵ Whilst his son Roger rebelled and was executed after Boroughbridge, Roger's brother, Robert, was restored to the family titles and extended his family's influence through leasing land to Thomas Multon and marrying his son, Robert, to a daughter of Ralph Neville.⁴⁶ His other son Roger continued to hold a range of positions which included serving as governor of Carlisle, March warden and a household banneret in 1377.⁴⁷ Despite his extensive crown service and that of his son, Thomas, and grandson, William, who served as chamber knights of Richard II, Roger did not take arms to support Richard in 1387.⁴⁸ This further emphasises the continued theme of varied support of the crown, and the tendency of elite families to hedge their bets.

³⁹ Searle, 'Housed in Abbeys: the Dacres of Cumberland', pp. 161-2; Cokayne, *The Complete Peerage*, vol. 4, pp. 2-3.

⁴⁰ Cokayne, *The Complete Peerage*, vol. 4, p. 2; Searle, 'Housed in Abbeys: the Dacres of Cumberland', p. 163; *CIPM*, XI, pp. 44-6.

⁴¹ Cokayne, *The Complete Peerage*, vol. 4, pp. 5-7; Walker, *The Lancastrian Affinity*, p. 268; *CIPM*, XVII, pp. 515-17.

⁴² *CIPM*, V, pp. 59-60, 184, 217, 252, 300-7 and 341; *CIPM* VI, p. 1; *CIPM*, VII, pp. 29-30 and 41-2; *CIPM*, XI, pp. 244-50; *CIPM*, XVI, pp. 320-8.

⁴³ Cokayne, *The Complete Peerage*, vol. 3, pp. 290-1.

⁴⁴ Maxwell (trans. and ed.), *The Chronicle of Lanercost*, vol. 2, p. 170; Cokayne, *The Complete Peerage*, vol. 3, p. 291; H. R. Summerson, M. Trueman and S. Harrison, *Brougham Castle, Cumbria. A Survey and Documentary History* (Kendal, 1998), pp. 13-5.

⁴⁵ Cokayne, *The Complete Peerage*, vol. 3, pp. 290-1.

⁴⁶ Cokayne, *The Complete Peerage*, vol. 3, pp. 291-2; *CIPM*, V, pp. 252 and 300-7; *CIPM*, VI, p. 1; *CIPM*, VII, pp. 41-2; Neville, *Violence, Custom and Law*, p. 48; Summerson, Trueman and Harrison, *Brougham Castle*, p. 16.

⁴⁷ Cokayne, *The Complete Peerage*, vol. 3, p. 292. For more detail about the career of Roger Clifford, fifth baron Clifford, see H. R. Summerson, 'Clifford, Roger, fifth Baron Clifford (1333-1389)', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/5660?docPos=1> accessed 18/09/2013.

⁴⁸ Goodman, *The Loyal Conspiracy*, pp. 9, 51-2 and 135; Given-Wilson, *The Royal Household*, pp. 282 and 284; N. Saul, *Richard II* (New Haven; London, 1997), p. 123.

The Greystokes were a baronial family based at the manor of Greystoke in Cumberland.⁴⁹ They were active throughout the fourteenth century and held land nationwide, which included land in the North leased from the Lucys and to the Dacres.⁵⁰ National landholding did not prevent the Greystokes from ensuring that they retained influence and connections in Cumberland, as demonstrated by William Greystoke's marriage to the daughter of Anthony Lucy.⁵¹ William's son Ralph's late-fourteenth-century career demonstrates the importance to the family of crown service and powerful patronage as he served in Gaunt's retinue in the Marches, was warden of the Marches on numerous occasions, and was justice, steward and keeper of the lordship of Annandale for three years from 1376.⁵² Yet again, this family reflects the potential for powerful baronial families to achieve extensive office-holding and thereby strengthen their position in the county, but also highlights the value of crown support in extending authority.

Some other noble and baronial sources of authority merit being mentioned. The Umfraville earls of Angus gained land in Cumberland through marriage in Edward III's reign.⁵³ The influence of the Yorkshire nobility can be seen in the involvement of the Mowbray family, lords of Burton and the Isle of Axholme and later earls of Nottingham, in Cumberland.⁵⁴ The Lancashire-based baronial Harington family originated from Harington in Cumberland and held land in Westmorland of Robert Clifford.⁵⁵ The family had conflict with Edward II but later served the crown and John of Gaunt.⁵⁶ William Windsor was a peer based in Westmorland who was connected to the crown through retaining and service in Cumberland and Westmorland, although the rest of his family was not summoned to parliament.⁵⁷ The Yorkshire-based Stapleton family also held some territory in Cumberland,

⁴⁹ *CIPM*, IV, pp. 219 and 245-6; *CIPM*, VI, pp. 303-9; *CIPM*, X, pp. 420-7; *CIPM*, XIV, pp. 29-34.

⁵⁰ *CIPM*, IV, pp. 219, 245-6, 253 and 273; *CIPM*, VI, pp. 303-9; *CIPM*, X, pp. 420-7; *CIPM*, XIV, pp. 29-34.

⁵¹ Cokayne, *The Complete Peerage*, vol. 6, p. 193.

⁵² *CIPM*, XIV, pp. 29-34; Walker, *The Lancastrian Affinity*, p. 17; Cokayne, *The Complete Peerage*, vol. 6, p. 195.

⁵³ M. L. Holford and K. J. Stringer, 'Conclusions and Wider Perspectives', in Holford and Stringer, *Border Liberties*, p. 424; *CIPM*, V, pp. 14, 283 and 316; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 687; *CPR 1317-21*, p. 25; *CIPM*, VI, pp. 379-82; *CIPM*, XII, pp. 236-7; J. S. Hamilton, 'A Reassessment of the Loyalty of the Household Knights of Edward II', in W. M. Ormrod (ed.), *Fourteenth Century England VII* (Woodbridge, 2012), p. 97; *CIPM*, IX, pp. 285 and 335-40; *CIPM*, XV, pp. 176-80.

⁵⁴ Cokayne, *The Complete Peerage*, vol. 9, pp. 179 and 378-85; Hamilton, 'A Reassessment', p. 95; Walker, *The Lancastrian Affinity*, p. 275; *CIPM* IV, pp. 7, 14, 26, 46, 63, 85, 173, 187 and 279.

⁵⁵ *CIPM*, V, p. 302; *CIPM*, XI, pp. 30-1; *CIPM*, X, p. 3; Cokayne, *The Complete Peerage*, vol. 6, p. 315.

⁵⁶ Cokayne, *The Complete Peerage*, vol. 6, p. 315; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, pp. 305-7; I. Grimble, *The Harington Family* (London, 1957), p. 24.

⁵⁷ Cokayne, *The Complete Peerage*, vol. 12.2, pp. 877-8; Given-Wilson, *The Royal Household*, pp. 280-1 and 286; For more information on the colourful career of Baron Windsor, such as his marriage to Alice Perrers, Edward III's mistress, see P. Connolly, 'Windsor, William, Baron Windsor (1322x8-1384), administrator', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/29727> accessed 01/06/12.

including the manor of Edenhale from marriage in the mid-fourteenth century.⁵⁸ These families reveal that sources of authority aside from the crown existed for the gentry of Cumberland that were not based in the county itself. It must now be highlighted that some landed gentry families were also able to obtain a level of influence in their own right in the county.

The Lowther family were an important local family based at Lowther Castle in Penrith, Cumberland.⁵⁹ They held extensive land throughout the North and regularly served as MPs.⁶⁰ The family held land of baronial families such as the Cliffords and Haringtons in vertical connections.⁶¹ Local influence and status was increased through marriage into the baronial Lucy family.⁶² A marital connection to the gentry Tilliol family was also valued, which shows the potential for gentry to become leading figures.⁶³ The Tilliol family was important enough for Robert Tilliol to use his own retinue to violate the border truce of 1357, although he was supported in this by the baronial Lucy family.⁶⁴ Whilst he did not receive a summons to parliament, Robert's son Peter was the lord of Scaleby, and he held a range of important positions.⁶⁵ Peter also had crown support as Richard II made a grant to him in 1385 when the Scots ransomed him.⁶⁶ Another gentry family with crown connections were the Mulcastres, who held land in Cumberland directly of the king, and who also demonstrate the difficulties of cross-border connections as John Mulcastre's niece lost her inheritance due to living in Scotland in the early-fourteenth century.⁶⁷ The family also profited from cross-border land forfeiture, however, as William Mulcastre gained land in Cumberland which was forfeited by Scots, so it should not be assumed that the gentry of Cumberland were always disadvantaged by their position.⁶⁸ In common with other leading gentry, they leased some of their land to lesser gentry, which demonstrates that the gentry

⁵⁸ Cokayne, *The Complete Peerage*, vol. 12.1 pp. 262-5 and 333; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 463; *CIPM*, IV, pp. 232 and 278; *CIPM*, V, pp. 278-9; *CIPM*, VIII, pp. 299-300; *CIPM*, XI, p. 333; *CIPM*, XV, p. 112.

⁵⁹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 639.

⁶⁰ *Ibid.*, vol. 3, p. 639; *CIPM*, V, p. 305; *CIPM*, VI, p. 4; *CIPM*, XII, p. 421; *CIPM*, XVI, p. 149.

⁶¹ *CIPM*, VI, p. 4.

⁶² C. M. Lowther Bouch, 'The Origin and Early Pedigree of the Lowther Family', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 48 (1949), p. 120.

⁶³ Lowther Bouch, 'The Origin and Early Pedigree of the Lowther Family', pp. 120-1.

⁶⁴ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 613; Neville, *Violence, Custom and Law*, p. 47.

⁶⁵ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 615.

⁶⁶ *Ibid.*, p. 615.

⁶⁷ *CIPM*, IV, pp. 74-5 and 87; *CIPM*, VI, p. 88; *CIPM*, XVI, p. 276. Families in Scotland and England suffered from land losses due to holding lands on both sides of the border. These cross-border families are a complex issue as their identity in terms of loyalty to Scotland or England is often hard to ascertain, as many of their decisions relating to allegiance may have been more based on retaining land than on a clear acceptance of English or Scottish nationality: I. A. McInnes, 'Who's Afraid of the Big Bad Bruce? Balliol Scots and 'English Scots' During the Second Scottish War of Independence', in Bell, Curry, Chapman, King and Simpkin (eds.), *The Soldier Experience*, pp. 129-43.

⁶⁸ For a more detailed discussion of the Mulcastre family's land losses and gains in relation to cross-border land forfeiture see below, pp. 92-3.

were not solely tied to their social superiors through landholding.⁶⁹ These families indicate the potential for leading gentry to hold considerable influence despite a strong baronial presence in the county.

The career of Andrew Harclay provides a striking example of a member of the gentry rising not only into the peerage, but to the upper level of the peerage - the nobility. Andrew served Edward I and Edward II in Scotland militarily and in Cumberland as a warden, sheriff and MP.⁷⁰ The rewards for this service become apparent when considering his selection as a household knight of Edward II and keeper of the West March after successfully defending Carlisle against a major Scottish siege in 1315.⁷¹ Thus far his rise cannot be viewed as unusual, as he was still within the upper level of gentry society. However, he was promoted to the peerage in 1321 and even more strikingly was created earl of Carlisle in 1322 after his victory at Boroughbridge.⁷² Claims of the 'apparent unpopularity' of Harclay could be a result of resentment of this unparalleled rise through crown service, as well as due to accusations of corruption.⁷³ This reveals the tension in the northern aristocracy concerning resentment of men rising through crown favour. It could be argued that Harclay also demonstrates that whilst the crown could help the gentry in rising socially in Cumberland, the same gentry had the potential to defy crown authority. Indeed, Harclay was accused of engaging in treacherous negotiations with the Scots by Edward II.⁷⁴ However, he claimed that he was acting for the king, and it is entirely possible that this was the case and Edward simply did not wish to accept the terms of the truce Andrew had negotiated. Edward II was able to exert his strength and have Harclay executed in 1323, so whilst this case highlights the benefits of crown patronage for the elite of Cumberland, it also demonstrates the tensions this could provoke and the danger of this patronage being withdrawn.⁷⁵

The crown faced the difficulty of imposing authority in a county whose society and system of law and order was heavily influenced by proximity to Scotland and war, and was dominated by local elites who engaged in forbidden self-help.⁷⁶ Local magnates were

⁶⁹ *CIPM*, IV, pp. 212 and 253.

⁷⁰ Cokayne, *The Complete Peerage*, vol. 6, p. 31.

⁷¹ Fraser, 'Four Cumberland Widows', p. 133; Hamilton, 'A Reassessment', p. 93.

⁷² Cokayne, *The Complete Peerage*, vol. 6, p. 31; Tuck, *Crown and Nobility*, p. 79.

⁷³ Summerson, *Medieval Carlisle*, vol. 1, pp. 233-4; T. F. Tout, 'The Tactics of the Battles of Boroughbridge and Morlaix', *EHR*, 19 (1904), pp. 712-3; Neville, *Violence, Custom and Law*, p. 18.

⁷⁴ M. Strickland, "'All Brought to Nought and Thy State Undone": Treason, Disinvestiture and the Disgracing of Arms under Edward II', in P. R. Coss and C. Tyerman (eds.), *Soldiers, Nobles and Gentlemen: Essays in Honour of Maurice Keen* (Woodbridge, 2009), p. 279.

⁷⁵ *Ibid.*, p. 279.

⁷⁶ Neville, *Violence, Custom and Law*, pp. ix, 15-6 and 40; C. J. Neville, 'Remembering the Legal Past: Anglo-Scottish Border Law and Practice in the Later Middle Ages', in Britnell and Liddy (eds.), *North-East England*, p. 43; C. J. Neville, 'Scottish Influences on the Medieval Laws of the Anglo-Scottish Marches', *SHR*, 81 (2002), pp. 163, 173 and 176; Neville, 'Keeping the Peace', p. 8.

ensured a considerable level of prominence due to their capacity to uphold order. This was chiefly required since the region was largely left to govern itself until Richard II attempted to enforce his authority.⁷⁷ Despite Edward I holding parliament in Carlisle in 1307 and Edward II being proclaimed as king in Carlisle, general failure to deal with cross-border crime and Edward II's neglect resulted in tribute payments to Scotland, free-roaming Scots in northern England and resentment of the crown.⁷⁸ Resentment and rejection of royal intervention is certainly reflected in the continuance of trade with Scotland and purchases of immunity despite crown opposition.⁷⁹ Edward II used household knights who mainly lived locally to provide leadership in the Marches and ensure manning levels.⁸⁰ He retained 27 men between 1315 and 1318 with considerable interests in the North in an attempt to improve his northern status.⁸¹ The knight John Castre, who was retained by Edward from 1311, was a sheriff and commissioner of array in Cumberland and keeper of Carlisle from 1316 to 1318, during which time he had more than seventy men at his disposal.⁸² Another royal knight, Thomas Richmond, was very active on the Western March with a considerable retinue.⁸³

Despite this, Edward II's neglect was still resented by many. Prominent northern lords such as Henry Percy fought against his followers to cause his downfall in league with Isabella and Mortimer, as already highlighted.⁸⁴ Nonetheless, Isabella and Mortimer did not prove more popular as the Treaty of Northampton of 1328 left many northern lords dissatisfied after losing lands.⁸⁵ It should be noted though, that lawlessness in Cumberland was not constant and should not be comparatively exaggerated, as Edward II's reign and the interim saw widespread rebellion and upheaval throughout the country.⁸⁶ Edward III made more positive steps towards appeasing the North by restoring lords to their English lands,

⁷⁷ Arvanigian, 'A County Community', pp. 42 and 45.

⁷⁸ Neville, *Violence, Custom and Law*, pp. 191 and 205-11; Maxwell (trans. and ed.), *The Chronicle of Lanercost*, vol. 2, p. 183; Summerson, *Medieval Carlisle*, vol. 1, pp. 211-5 and 218-9; C. McNamee, 'Buying off Robert Bruce: an Account of Monies Paid to the Scots by Cumberland Communities in 1313-14', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 92 (1992), p. 83; Tuck, *Crown and Nobility*, pp. 52 and 65; Neville, 'Keeping the Peace', p. 7.

⁷⁹ Summerson, *Medieval Carlisle*, vol. 1, p. 227; Tuck, *Crown and Nobility*, p. 72.

⁸⁰ A. Tebbit, 'Household Knights and Military Service under the Direction of Edward II', in G. Dodd and A. Musson (eds.), *The Reign of Edward II: New Perspectives* (York, 2006), pp. 77-8.

⁸¹ *Ibid.*, p. 78.

⁸² Tebbit, 'Household Knights', p. 80; Hamilton, 'A Reassessment', p. 90.

⁸³ Tebbit, 'Household Knights', p. 80; Hamilton, 'A Reassessment', p. 95.

⁸⁴ Tuck, *Crown and Nobility*, p. 74; Hamilton, 'A Reassessment', pp. 71-2 and 93.

⁸⁵ Tuck, *Crown and Nobility*, pp. 98-9.

⁸⁶ King, 'Bandits, Robbers and *Schavaldours*', pp. 115-29; King, 'War, Politics, and Landed Society'; Storey, 'The Wardens of the Marches', p. 599; Pollard, 'The Characteristics of the Fifteenth-Century North', pp. 131-43; Storey, *Thomas Langley*; Storey, *The End of the House of Lancaster*; A. King (trans. and ed.), *Sir Thomas Gray's Scalacronica* (Woodbridge, 2005), p. 85; Summerson, *Medieval Carlisle*, vol. 1, p. 374.

confirming Carlisle's franchises and extending its privileges.⁸⁷ This may have been encouraged by the presence of northern lords such as Henry Percy and Thomas Wake of Liddell supporting Henry Earl of Lancaster, an important figure in Edward III's inner circle in the regency council.⁸⁸ However, Edward III still had to face unruly subjects who carried out forbidden raids into Scotland, as in 1368.⁸⁹ Despite Richard II and John of Gaunt retaining northerners and Richard using Gaunt to extend his influence, Richard alienated leading northerners by attempting to limit their independence and aiding his favourites, such as his retainers Richard Redman and John Skelton.⁹⁰

The crown also had to deal with ecclesiastical leaders in the North. Anthony Bek, Bishop of Durham, reflects the delicate nature of the relationship between the crown and northern bishops. Initially Edward I relied on Bek as an important representative in the North, whom he used in defence administration and granted land in Cumberland, but their relationship soured.⁹¹ Bek was deprived of his see by Edward I as a result of a dispute concerning Durham's liberties, and was not restored until Edward II came to the throne.⁹² John Halton, Bishop of Carlisle, also served Edward I as the custodian of Carlisle Castle and Edward II as a negotiator.⁹³ However, he experienced a low level of cooperation from Roger Clifford, who was serving as a warden, and abandoned his diocese for over two years.⁹⁴ In 1343, before the appointment of Bishop Kirkby of Carlisle as a conservator and a keeper of Carlisle Castle, the commons complained about his absence from his see.⁹⁵ He was ordered to be present for defence again in 1344.⁹⁶

The see of York should also be mentioned as Carlisle and Durham were suffragans of York, although York and Durham were frequently involved in disputes which became so serious that Edward III intervened in 1375.⁹⁷ The Archbishop of York at this time,

⁸⁷ Tuck, *Crown and Nobility*, p. 103; Summerson, *Medieval Carlisle*, vol. 1, p. 296; H. R. Summerson, 'Responses to War: Carlisle and the West March in the Later Fourteenth Century', in A. Goodman and A. Tuck (eds.), *War and Border Societies in the Middle Ages* (London; New York, 1992), p. 156.

⁸⁸ K. Fowler, *The King's Lieutenant: Henry of Grosmont, First Duke of Lancaster 1310-1361* (New York, 1969), p. 25.

⁸⁹ Summerson, 'Responses to War', p. 156.

⁹⁰ Neville, *Violence, Custom and Law*, pp. 65 and 67-8; Given-Wilson, *The Royal Household*, p. 285; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 183-4 and 377; Arvanigian, 'A County Community', p. 47.

⁹¹ C. M. Fraser, *A History of Anthony Bek 1283-1311* (Oxford, 1957), pp. 25, 89-90 and 188.

⁹² Tuck, *Crown and Nobility*, p. 51.

⁹³ M. J. Kennedy, 'John Halton, Bishop of Carlisle, 1292-1324', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 73 (1973), pp. 101, 105 and 107-9.

⁹⁴ *Ibid.*, pp. 101-9.

⁹⁵ Neville, *Violence, Custom and Law*, pp. 32-3.

⁹⁶ *Ibid.*, pp. 32-3.

⁹⁷ R. B. Dobson, 'The Northern Province in the Later Middle Ages', *Northern History*, 42 (2005), p. 53; R. N. Swanson, 'Sede Vacante Administration in the Medieval Diocese of Carlisle: the Accounts of the Vacancy of December 1395 to March 1396', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 90 (1990), pp. 183 and 188; R. B. Dobson,

Alexander Neville, a younger son of Ralph Neville, second Lord of Raby, is typical of a series of aristocratic ecclesiastical appointments during the end of Edward III's reign.⁹⁸ His selection is also illustrative of a more general pattern of archbishops being strongly connected to the crown throughout the century. They often served the crown administratively both before and during their period in office, but also had connections to northern lords.⁹⁹ This brief introduction suggests both a crown interest in using ecclesiastical figures as administrators in the North but also the difficulties connected to their use.

What has emerged in this discussion is a society influenced by a range of influential individuals and families. Whilst Cumberland was lacking a strong base of resident nobles, there was an array of regional lords and Cumberland-based baronial families which largely dominated society through the use of important offices such as March wardens. These individuals were closely bound by familial connections and mutual interests.¹⁰⁰ The crown needed to defend the West March as it was vulnerable, but although great lordships were uncommon in the area, local lords carried the threat of becoming dangerously powerful. Unfortunately these lords were needed to protect the county.¹⁰¹ The crown sought to extend its influence through using ecclesiastical figures, but as identified this also posed difficulties. Nevertheless, in the fourteenth century the crown was still the greatest individual power in Cumberland due to crown control of Carlisle and Inglewood forest, and retained important local figures.¹⁰² Cumberland should therefore not be viewed as free of crown control and constantly rebellious. Furthermore, whilst the baronial families were influential over gentry in the county, it was through crown service or membership of a crown retinue that some members of the gentry were able to gain considerable power in their own right. Thus, as Summerson has identified, these gentry would also look to the crown for protection and patronage.¹⁰³

'The Authority of the Bishop in Late Medieval England: the case of Archbishop Alexander Neville of York, 1374-88', in B. Vogler (ed.), *Miscellanea Historiae Ecclesiasticae VIII* (Louvain, 1987), p. 185.

⁹⁸ Dobson, 'The Authority of the Bishop', p. 189. For more information on Ralph Neville see above, pp. 40-1, and below, p. 101.

⁹⁹ Dobson, 'The Authority of the Bishop', p. 189.

¹⁰⁰ Summerson, 'Responses to War', p. 164.

¹⁰¹ *Ibid.*, p. 165.

¹⁰² *Ibid.*, p. 165.

¹⁰³ *Ibid.*, p. 167.

Nottinghamshire

When introducing the landed society of Nottinghamshire it should immediately be highlighted that the county was devoid of a resident magnate presence for the majority of the fourteenth century.¹⁰⁴ However, there were resident members of the baronage and nobles who lived elsewhere but had interests in Nottinghamshire, so vertical ties of lordship were not entirely absent.¹⁰⁵ Payling has argued that the more powerful gentry filled the role of the nobility in terms of lordship in the fifteenth century, and for the fourteenth century this argument has considerable relevance.¹⁰⁶ A small group of non-baronial landholders rivalled the wealth and influence of barons with Nottinghamshire interests, and whilst they shared authority it is likely that they held a considerable level of independence.¹⁰⁷ This situation offered considerable opportunities for wealthy gentry families to extend their power, particularly through marriage and acquisition of land.¹⁰⁸ Whilst Russell found a lack of evidence for landholders formally retaining their tenants in mid-fourteenth century Nottinghamshire, informal ties of marriage and landholding were present and important.¹⁰⁹ Russell has argued that governance in Nottinghamshire was based on a variety of ties, both horizontal and vertical, formal and informal.¹¹⁰ Some of these connections and the individuals and families making them will now be introduced, progressing from nobles, to barons, to leading gentry.

One source of hierarchical authority in Nottinghamshire which must be considered is the earldom and later duchy of Lancaster, the main magnate presence in Nottinghamshire.¹¹¹ Whilst not based in the county, the earldom and duchy of Lancaster were influential throughout the Midlands.¹¹² County borders, particularly in the Midlands, were frequently transcended by political affiliations, so it is relevant to consider sources of

¹⁰⁴ G. L. Harriss, 'Political Society and the Growth of Government in Late Medieval England', *Past and Present*, 138 (1993), p. 53; Given-Wilson, *The English Nobility*, pp. 79-82; P. D. Russell, 'Politics and Society in Nottinghamshire, 1327-1360' (University of Nottingham PhD Thesis, 2007), pp. 9-10 and 172.

¹⁰⁵ Russell, 'Politics and Society in Nottinghamshire', pp. 10 and 84-5.

¹⁰⁶ Payling, *Political Society in Lancastrian England*, pp. 19-62. Simpkin has argued that Nottinghamshire was 'gentry-orientated rather than magnate-orientated' in the fourteenth century: Simpkin, 'Total War in the Middle Ages?', p. 68.

¹⁰⁷ *Ibid.*, pp. 4 and 218-9; Russell, 'Politics and Society in Nottinghamshire', pp. 23, 47 and 177-8.

¹⁰⁸ Russell, 'Politics and Society in Nottinghamshire', p. 253.

¹⁰⁹ *Ibid.*, p. 221.

¹¹⁰ *Ibid.*, pp. 184, 215 and 227.

¹¹¹ *Ibid.*, pp. 9-10 and 172.

¹¹² Lancastrian interests were stronger in the neighbouring county of Leicestershire, although relations with the locals varied throughout the century. For more information on this see J. S. Bothwell, 'Making the Lancastrian Capital at Leicester: the Battle of Boroughbridge, Civic Diplomacy and Seigneurial Building Projects in Fourteenth-Century England', *JMH*, 38 (2012), pp. 335-57.

authority based outside of Nottinghamshire.¹¹³ The holders of this title and their relationship with the crown must be considered, as this would have affected members of the Nottinghamshire elite who adhered to them. Despite Simpkin rightly stressing that Thomas Earl of Lancaster did not dominate Nottinghamshire, Thomas did own considerable lands in Bassetlaw, Nottinghamshire, and elsewhere in the county, so his influence would have been felt in the locality to some extent.¹¹⁴ Thomas had a good relationship with Edward I and appears to have initially been close to Edward II, but later became his greatest rival.¹¹⁵ He took his troops away from crown service in 1319 at Berwick and entered into open rebellion until his defeat and execution after the battle of Boroughbridge.¹¹⁶ Thomas' Midlands castles were near Nottinghamshire and therefore surrounding the royal castle at Nottingham, which was the main crown fortress in the Midlands. Therefore attempts to strengthen Nottingham Castle's defences in 1312 and 1322 reflect a crown concern that Lancastrian influence was strong enough in the area for an attack to be launched.¹¹⁷ It should also be noted that members of the Deincourt and Everingham baronial families and the gentry Pierrepoint family, who all enjoyed a level of influence in Nottinghamshire, supported Thomas' 'pseudo-parliament' of 1321.¹¹⁸ Adam Everingham also served in his retinue in Scotland in 1319.¹¹⁹ This demonstrates the strength of the earldom in the Midlands and the potential for Lancastrian conflict with the crown to affect landed society in Nottinghamshire.

The threat to the crown diminished as the century progressed since Henry Earl of Lancaster and Earl of Leicester from 1324, had a strong relationship with Edward III.¹²⁰ Henry's son, Henry of Grosmont, extended this position of being closely connected to the crown after helping Edward III seize power in 1330 and being created earl of Derby in 1337 and duke of Lancaster in 1351.¹²¹ Henry of Grosmont maintained many of his predecessors' connections, such as Thomas Earl of Lancaster's retainer Thomas Bekering, who was pardoned for corruption in 1347 at the request of Henry of Grosmont.¹²² The strength of the Lancastrians in the area was continued throughout the century as they maintained such

¹¹³ P. Bradford, 'The Obscure Lives of Obscure Men?' The Parliamentary Knights of the Shires in the Early Fourteenth Century', in Ormrod (ed.), *Fourteenth Century England VII*, p. 111.

¹¹⁴ Simpkin, 'Total War in the Middle Ages?', p. 68. See also J. R. Maddicott, *Thomas of Lancaster 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), pp. 10-11.

¹¹⁵ A. Goodman, *John of Gaunt: the Exercise of Princely Power in Fourteenth-Century Europe* (Harlow, 1992), p. 280.

¹¹⁶ Maddicott, *Thomas of Lancaster*, pp. 119 and 248-9.

¹¹⁷ C. Drage, *Nottingham Castle: A Place Full Royal* (Nottingham, 1989), p. 50; H. M. Colvin, *The History of the King's Works*, vol. 2 (London, 1963), p. 755.

¹¹⁸ Maddicott, *Thomas of Lancaster*, pp. 268-9 and 274-5. For an introduction to the Deincourts see below, pp. 54-5. For an introduction to the Everinghams see below, p. 53. For an introduction to the Pierrepoints see below, p. 58.

¹¹⁹ Simpkin, 'Total War in the Middle Ages?', p. 34. For more information on Adam Everingham see below, p. 53.

¹²⁰ Cokayne, *The Complete Peerage*, vol. 7, pp. 396-8.

¹²¹ *Ibid.*, pp. 401-10; Fowler, *The King's Lieutenant*, pp. 25-6, 28, and 173.

¹²² Russell, 'Politics and Society in Nottinghamshire', pp. 25-6.

connections and could intervene in local society, although evidence of Lancastrian retainers being protected whilst committing crime is limited. It should also be noted that Lancastrian retaining was limited in the area. Furthermore, Grosmont's public career was largely focused on the French war, so he was often absent.¹²³ The next duke of Lancaster, John of Gaunt, continued to serve the crown loyally, both under his father Edward III and under Richard II. Richard II distrusted him at some points, with tension rising in the 1380s. Gaunt did have a considerable group of Midlands retainers, including nobles such as John Mowbray, barons such as John Deincourt, and gentry such as Edmund Pierrepont with strong interests in Nottinghamshire, but he did not dominate Nottinghamshire through retaining.¹²⁴ His return to favour with Richard II in the parliament of 1397 also suggests that Lancastrian influence in Nottinghamshire created a more positive connection to the crown after Edward II's reign.¹²⁵

Apart from the earldom and duchy of Lancaster, magnate influence in Nottinghamshire was limited. Despite this, John Mowbray Lord Segrave (d. 1383) was created earl of Nottingham in 1377.¹²⁶ John originated from a Yorkshire (Thirsk) and Lincolnshire (Axholme) based noble family which served the crown extensively and had a considerable Midlands presence.¹²⁷ John's great-grandfather, John Mowbray (d. 1322), was retained by Edward II as a banneret.¹²⁸ Whilst he joined the Lancastrian rebellion, John's grandfather was restored by Edward III and went on to marry the Henry of Grosmont's sister, Joan.¹²⁹ John's father further extended the family's interests through marriage to the heiress to the Nottinghamshire Segrave barony, and the next two generations were raised to the peerage.¹³⁰ John's brother, Thomas Mowbray (d. 1399), was licensed to hunt in royal forests and made earl of Nottingham from 1382, earl marshal from 1385 and duke of Norfolk from 1397.¹³¹ However, it must be highlighted that Thomas did defect to the

¹²³ Fowler, *The King's Lieutenant*, pp. 15 and 214-5.

¹²⁴ Russell, 'Politics and Society in Nottinghamshire', p. 8; Goodman, *John of Gaunt*, pp. 78-88 and 327-30; Walker, *The Lancastrian Affinity*, pp. 262-84. For more information on John Deincourt see below, pp. 54-5. For more information on Edmund Pierrepont see below, p. 58.

¹²⁵ Cokayne, *The Complete Peerage*, vol. 7, pp. 410-6; Goodman, *John of Gaunt*, p. 158.

¹²⁶ Cokayne, *The Complete Peerage*, vol. 9, p. 384.

¹²⁷ *Ibid.*, vol. 9, pp. 376-85; Given-Wilson, *The English Nobility*, p. 47; Goodman, *John of Gaunt*, p. 280.

¹²⁸ Hamilton, 'A Reassessment', pp. 379-83; Cokayne, *The Complete Peerage*, vol. 9, p. 384.

¹²⁹ R. E. Archer, 'Parliamentary Restoration: John Mowbray and the Dukedom of Norfolk in 1425', in R. E. Archer and S. Walker (eds.), *Rulers and Ruled in Late Medieval England: Essays Presented to Gerald Harriss* (London, 1995), p. 100; Fowler, *The King's Lieutenant*, p. 216; Hamilton, 'A Reassessment', pp. 379-83; Cokayne, *The Complete Peerage*, vol. 9, pp. 384 and 605-10.

¹³⁰ For more information on Mowbray see R. E. Archer, 'Mowbray, John (I), Second Lord Mowbray (1286-1322)', *ODNB*, <http://www.oxforddnb.com/view/article/19450?docPos=3> accessed 18/09/2013.

¹³¹ Cokayne, *The Complete Peerage*, vol. 9, p. 781; Archer, 'Parliamentary Restoration', pp. 99-101; Goodman, *The Loyal Conspiracy*, p. 9.

Appellants, although he returned to Richard's side in the 1390s.¹³² Despite his father being retained by John of Gaunt, Thomas had strained relations with Gaunt.¹³³ This demonstrates that by the end of the century the Mowbray family were a powerful Midlands presence with connections to the crown and John of Gaunt, although their loyalty could be uncertain. Whilst they had national interests and were based elsewhere, their influence must still be considered in a study of landed society in Nottinghamshire.

The noble presence in Nottinghamshire has been largely addressed above, and so this discussion will progress to the baronial families with interests in the county. The Everingham family was based at Laxton in Nottinghamshire.¹³⁴ Adam Everingham (d. 1341), a parliamentary peer from 1309, held Laxton of the crown and the manor of North Leverton in Nottinghamshire of the archbishopric of York.¹³⁵ This demonstrates a crown connection but also the involvement of ecclesiastical leaders in landholding. The crown connection is further visible in Adam's service as Edward II's banneret and knight.¹³⁶ However, Adam was also retained by Thomas Earl of Lancaster, and served in his retinue in Scotland as identified above, so it must be recognised that Nottinghamshire barons had loyalties to major magnates in the area alongside crown connections.¹³⁷ His son, Adam Everingham (d. 1387), extended the family's land in Nottinghamshire, with lands including the barony of Shelford, and served the crown extensively abroad.¹³⁸ He continued to uphold Lancastrian traditions as Henry of Grosmont's treasurer of Bergerac, but this was not in opposition to his crown connections due to Grosmont's alignment with the crown, as discussed earlier.¹³⁹ Such considerable landholding and important connections earned the Everinghams a leading position in county society, but they were not alone. Another baronial family based in the Midlands which must be considered is the Deincourt family, which will shortly be introduced.

However, at this point it would be expedient to explain that the province of York contained Nottinghamshire and other Midlands counties in the northern metropolitan jurisdiction, so clerical taxes for this area were supposed to be reserved for the defence of the North.¹⁴⁰ This is similar to the identification of Nottinghamshire as a northern county in

¹³² Saul, *Richard II*, pp. 122-3; Walker, *The Lancastrian Affinity*, p. 275; Tuck, *Crown and Nobility*, p. 204.

¹³³ Saul, *Richard II*, pp. 122-3; Walker, *The Lancastrian Affinity*, p. 275; Tuck, *Crown and Nobility*, p. 204; Goodman, *John of Gaunt*, p. 102.

¹³⁴ Cokayne, *The Complete Peerage*, vol. 5, pp. 187-8.

¹³⁵ *CIPM*, VIII, pp. 226-7.

¹³⁶ Hamilton, 'A Reassessment', p. 65.

¹³⁷ Cokayne, *The Complete Peerage*, vol. 5, pp. 187-8; Russell, 'Politics and Society in Nottinghamshire', p. 86. See above, p. 51.

¹³⁸ Cokayne, *The Complete Peerage*, vol. 5, pp. 189-90; Russell, 'Politics and Society in Nottinghamshire', p. 86.

¹³⁹ Fowler, *The King's Lieutenant*, p. 177.

¹⁴⁰ Dobson, 'The Northern Province', p. 53.

secular administration, due to its position north of the Trent, when taxes were being raised and arrays were being carried out for border defence.¹⁴¹ Archbishops of York were used extensively by the crown throughout the fourteenth century, as identified in the Cumberland section, with William Melton and John Thoresby being used by the crown in positions such as treasurer.¹⁴² Thus, it is important to observe that landed society may have been influenced by the archbishopric of York. William Greenfield was chancellor before becoming archbishop of York in 1304 and served as a regent of the realm after Edward I's death, which highlights the influence of the archbishopric and connections to the crown.¹⁴³ Archbishops still faced restrictions to their power though, as Alexander Neville, who was introduced in the previous section, was banished in 1388 after a series of complaints regarding his corruption and mistreatment of his subjects.¹⁴⁴ The archbishopric of York was a source of authority in the North, but this study is focused on the landed society of Nottinghamshire, so it will now return to introducing baronial families in this county and the region.

Sir Edmund Deincourt (d. 1327) held considerable land across the Midlands, including Blankney and Branston, Lincolnshire, Holmesfield and Elmton, Derbyshire, and Granby, Nottinghamshire.¹⁴⁵ He was promoted to the baronage in 1299.¹⁴⁶ Edmund and his heirs engaged in royal service in Scotland and France and were a considerable source of noble authority in the Midlands.¹⁴⁷ Edmund's grandson, William Deincourt (d. 1364), a leading member of Nottinghamshire's elite, was heavily involved in fighting for Edward III.¹⁴⁸ He even took his own retinue to war in 1337.¹⁴⁹ The possession of his own retinue indicates the considerable influence held by the Deincourt barony over the lesser elite of Nottinghamshire and other Midlands counties. Members of wealthy gentry families, such as the Leek, Bingham and Willoughby families, held land of William, again demonstrating his local power.¹⁵⁰ William's grandson, John Deincourt (d. 1406), who was retained by John of Gaunt from 1382 to 1392, brought the family's focus more exclusively into Nottinghamshire

¹⁴¹ G. L. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), pp. 348-54.

¹⁴² R. B. Dobson, 'The Political Role of the Archbishops of York during the Reign of Edward I', in P. R. Coss and S. D. Lloyd (eds.), *Thirteenth Century England III* (Woodbridge, 1991), pp. 48 and 62. For the discussion in the Cumberland section see above, pp. 47-8.

¹⁴³ *Ibid.*, p. 51.

¹⁴⁴ *Ibid.*, pp. 181-2. See above, pp. 48-9.

¹⁴⁵ Cokayne, *The Complete Peerage*, vol. 4, p. 118.

¹⁴⁶ *Ibid.*, vol. 4, p. 118.

¹⁴⁷ *Ibid.*, vol. 4, pp. 115-25.

¹⁴⁸ Russell, 'Politics and Society in Nottinghamshire', p. 99.

¹⁴⁹ *Ibid.*, p. 99.

¹⁵⁰ *CIPM*, XI, pp. 443-5. For more information on the Binghamms see below, p. 56. For more information on the Willoughbys see below, pp. 56-7. For more information on the Leeks see below, p. 57.

and Derbyshire.¹⁵¹ He focused on Granby and Elmton, but it has been demonstrated that the family's influence in Nottinghamshire was significant throughout the century.¹⁵²

The Ros and Grey families were non-resident barons who held land and influence in fourteenth-century Nottinghamshire. The Ros family of Helmsley in Yorkshire was a family of parliamentary peers who held office in Nottinghamshire alongside their land.¹⁵³ They had magnate and crown connections throughout the century, with members being retained as bannerets and knights of Edward II and many members being retained by John of Gaunt.¹⁵⁴ A combination of connections to the crown and Gaunt can be seen in Thomas Lord Ros' position as a senior retainer of John of Gaunt combined with receiving a considerable royal annuity.¹⁵⁵ Thomas had his own retinue which included a range of Midlands knights, highlighting the regional nature of noble influence.¹⁵⁶ The branches of the Grey family based in Codnor and Sandiacre in Derbyshire held a similar level of regional influence, although their focus was strongest in Derbyshire as the Codnor branch were the only resident peers there.¹⁵⁷ The Sandiacre branch held the manor of Hickling on Nottinghamshire's southern border but also held land in Derbyshire of the Codnor branch of the family.¹⁵⁸ The Sandiacre Greys had a strong connection to the crown as retainers of Edward II and Edward III, and Richard Lord Grey of Codnor held land in Nottinghamshire directly of the king and fought in Ireland with Richard II in 1394.¹⁵⁹

The baronial Darcy family provide another example of a family with regional influence. They were based in Lincolnshire in the fourteenth century but held considerable influence in Nottinghamshire.¹⁶⁰ The family had strong connections to the crown as retainers of Edward II and Edward III.¹⁶¹ For instance, John Darcy, a banneret and steward of the royal household who became one of Edward III's most trusted advisors, was the lord of Knaith in Lincolnshire.¹⁶² He carried out extensive crown service, both administrative and military, and was sheriff of Nottinghamshire and Derbyshire in 1319, MP for

¹⁵¹ Cokayne, *The Complete Peerage*, vol. 4, pp. 124-5.

¹⁵² *Ibid.*, vol. 4, pp. 124-5; Walker, *The Lancastrian Affinity*, p. 268.

¹⁵³ Russell, 'Politics and Society in Nottinghamshire', p. 85; Walker, *The Lancastrian Affinity*, pp. 26-7; C. McNamee, 'Ros, William de, Forst Lord Ros (c.1255-1316)', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/24079?docPos=1> accessed 01/06/12.

¹⁵⁴ Hamilton, 'A Reassessment', p. 69; Walker, *The Lancastrian Affinity*, pp. 279-80.

¹⁵⁵ Walker, *The Lancastrian Affinity*, pp. 27, 105 and 280.

¹⁵⁶ *Ibid.*, p. 109.

¹⁵⁷ *Ibid.*, p. 211; P. Ibbotson, 'Medieval Shipley: the Making of an Estate', *East Midland Historian*, 1/2 (1991-2), p. 23; Wright, *The Derbyshire Gentry*, p. 62.

¹⁵⁸ *CIPM*, VII, pp. 163-4; *CIPM*, V, pp. 129-30.

¹⁵⁹ Hamilton, 'A Reassessment', p. 66; C. Shenton, 'The English Court and the Restoration of Royal Prestige 1327-1345' (University of Oxford DPhil Thesis, 1995), p. 253; Given-Wilson, *The Royal Household*, p. 190; *CIPM*, VII, pp. 468-9.

¹⁶⁰ Cokayne, *The Complete Peerage*, vol. 4, pp. 50-2.

¹⁶¹ Hamilton, 'A Reassessment', p. 64; Shenton, 'The English Court', p. 259.

¹⁶² Shenton, 'The English Court', p. 253.

Nottinghamshire in 1320 and constable of Nottingham Castle from 1343 to 1344.¹⁶³ This indicates the involvement of barons with considerable connections to the crown in Nottinghamshire landed society, to counteract the early hostility to the crown from Thomas of Lancaster. However, like the Ros and Grey families, the Darcy family had interests ranging across a variety of counties. The Cressy family also had interests throughout the Midlands but were heavily involved in the governance of Nottinghamshire and Derbyshire.¹⁶⁴ They held land in Nottinghamshire of John of Gaunt in the late-fourteenth century.¹⁶⁵ Thus, their influence is important enough to warrant inclusion in a consideration of potential sources of authority over the gentry of Nottinghamshire. There were, however, other social groups holding considerable influence. Members of the leading gentry were able to take a leading role and some members of this group shall now be introduced.

The rise of the Willoughbys of Wollaton, from the purchase of land in Willoughby-on-the-Wolds to a leading role in elite society, highlights the opportunities for ambitious gentry in Nottinghamshire. The family extended landholding in Willoughby but also branched out into Bingham, forming the knightly Bingham family. Richard Willoughby, a prolific office-holder, brought the family into the more substantial county gentry, as did his son Richard's marriage to the Morteyn heiress in 1310.¹⁶⁶ The family was able to use their service in legal administration to become a powerful legal dynasty. The younger Richard was captured by the Folvilles and Coterels in 1332 and dismissed from the office of chief justice of the King's Bench in 1340, but his earlier possession of this role and candidacy for kidnap indicates his considerable status and the potential for legal service to give the gentry power and influence.¹⁶⁷ He made considerable land purchases to make the Willoughbys the wealthiest non-baronial family holding lands in south Nottinghamshire, which perhaps explains the later raising of the family to the parliamentary peerage.¹⁶⁸ John Willoughby (d. 1372), third Lord Willoughby, was part of another branch of the family which was based at Eresby, Lincolnshire.¹⁶⁹ He held influence across the Midlands and was heavily involved in royal and Lancastrian service in France.¹⁷⁰ This shows a growth in influence on a national

¹⁶³ Shenton, 'The English Court', p. 253.

¹⁶⁴ Cokayne, *The Complete Peerage*, vol. 3, pp. 528-31.

¹⁶⁵ *CIPM*, XV, pp. 378-9.

¹⁶⁶ Payling, *Political Society in Lancastrian England*, p. 33; M.R. Bloom, 'The Careers of Sir Richard II de Willoughby and Sir Richard III de Willoughby, Chief Justice of the King's Bench (1338-40) and the Rise of the Willoughbys of Nottinghamshire' (University of Oxford DPhil Thesis, 1985), pp. 50-64.

¹⁶⁷ Bloom, 'Willoughbys of Nottinghamshire', pp. 129-34 and 183; J. R. Maddicott, *Law and Lordship: Royal Justices and Retainers in Thirteenth and Fourteenth-Century England* (Oxford, 1978), p. 43. For more on this episode see D. Crook, 'The Disgrace of Sir Richard de Willoughby, Chief Justice of King's Bench', *NMS*, 48 (2004), pp. 15-36.

¹⁶⁸ Payling, *Political Society in Lancastrian England*, p. 34.

¹⁶⁹ Cokayne, *The Complete Peerage*, vol. 12.2, pp. 659-60.

¹⁷⁰ *Ibid.*, vol. 12.2, pp. 659-60.

scale, and again the royal and Lancastrian connections of powerful members of the Nottinghamshire elite. There is little evidence of his local influence being more considerable than the influence of members of the other branch of the family, however, which suggests that in Nottinghamshire society there was little tangible difference between the lesser baronage and the greater gentry.

The Chaworth family provide another example of substantial Nottinghamshire landowners who had achieved a considerable position by the end of the thirteenth century.¹⁷¹ This gentry family extended their influence in Nottinghamshire through the fourteenth century by using marriage and land acquisition to increase their power and local standing. This enabled them to shift their focus from their Leicestershire manor of Medbourne to their south Nottinghamshire estate focused on Wiverton as the fourteenth century progressed.¹⁷² Payling has identified their position at the apex of Nottinghamshire gentry society by the end of the fourteenth century, whilst also highlighting that they were one of the wealthiest gentry families in England.¹⁷³ The Chaworths thus also provide a significant example of the lack of resident nobles allowing the most powerful members of the Nottinghamshire gentry to achieve considerable status and wealth in their county and fill the positions of authority left vacant by their superiors. In so doing, such members of the gentry could enjoy a similar level of influence to baronial figures in the county.

The Leeks of Cotham, who were based at West Leake in south-east Nottinghamshire since the reign of King John, similarly rose to prominence in Nottinghamshire in the mid-fourteenth century through profitable marriages and crown service. The Leeks were important both in Nottinghamshire and nationwide through their crown connections. Sir Simon Leek (d. c.1382) married Margaret, the daughter and heiress of Sir John Vaux of Cotham near Newark and improved his family's status further in Nottinghamshire to make the Leeks a leading local gentry family.¹⁷⁴ This shows similarities to the Strelley family, another important Nottinghamshire gentry family. The Strelleys had been established at Strelley and Chilwell in Nottinghamshire from Henry I's reign and they extended their power, although in this instance on a regional rather than countywide scale, through Robert Strelley's (d. 1302) marriage to the heiress of William Vavasour of Shipley in Derbyshire.¹⁷⁵ This marriage also brought land in Mapperley, on the border between Nottinghamshire and Derbyshire.¹⁷⁶

¹⁷¹ Payling, *Political Society in Lancastrian England*, p. 25; S. J. Payling, 'Chaworth [de Cadurcis] family (per. c. 1160-c.1521)', gentry', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/52780?docPos=6> accessed 21/09/13.

¹⁷² Payling, *Political Society in Lancastrian England*, pp. 25-7.

¹⁷³ *Ibid.*, p. 25.

¹⁷⁴ *Ibid.*, p. 44.

¹⁷⁵ *Ibid.*, p. 20.

¹⁷⁶ *Ibid.*, p. 20; Ibbotson, 'Medieval Shipley', pp. 25 and 31.

Several other gentry families used marriage and land ownership to achieve a leading role in Nottinghamshire society. The Markham family of Markham, Nottinghamshire, was relatively obscure until the rise of John Markham from the late 1380s. His successful legal career combined with land purchases and marriages to increase the family's social standing amongst the Nottinghamshire gentry by the end of the fourteenth century.¹⁷⁷ The Pierrepont family were a stronger gentry influence in the early-fourteenth century, as they became major Nottinghamshire landholders in the thirteenth century with the marriage of Henry Pierrepont (d. 1300) to the heiress of Sir Michael Manvers of Holme Pierrepont.¹⁷⁸ Henry and his son Robert (d. 1334) acquired further land in the county which enabled them to take a leading role in gentry society.¹⁷⁹ The Pierrepont family demonstrates the possibility for gentry in Nottinghamshire to achieve influential noble connections as Edmund Pierrepont was retained by John of Gaunt in 1368, and went abroad with him five times between 1367 and 1373, along with members of the Willoughby family mentioned above.¹⁸⁰

The leading gentry families introduced so far were joined by other gentry families at the highest levels of Nottinghamshire political society. The Cromwells were amongst the greater Nottinghamshire knights in the early-fourteenth century and generally equal to their Strelley, Pierrepont, Clifton and Chaworth neighbours.¹⁸¹ However, Ralph Cromwell's marriage to the Bernak heiress led to a parliamentary summons in 1375, which again shows the possibility for Nottinghamshire gentry families to rise socially in the fourteenth century and join the peerage.¹⁸² At this point it is important to further highlight that many families were content to remain as leading gentry; they held the same local influence as families in the ranks of the baronage in Nottinghamshire. This raises the significant point that, whilst Given-Wilson has identified the peerage emerging as a distinct group by the second half of the fourteenth century, in the localities the differences on the boundaries between the two groups could be less significant.¹⁸³ The Nottinghamshire-based Annesley family were also active throughout the century but became particularly influential as leading gentry in the late-fourteenth century.¹⁸⁴ Members were retained by John of Gaunt and Richard II, again showing the power enjoyed by Nottinghamshire gentry without needing to join the baronage.¹⁸⁵

¹⁷⁷ Payling, *Political Society in Lancastrian England*, pp. 39-40.

¹⁷⁸ *Ibid.*, p. 21. For more on the heiress, Annora, and her role in protecting the inheritance of her son Robert after Henry's death, see D. Crook, 'The Widowhood of Annora de Pierrepont of Holme Pierrepont, Nottinghamshire, 1290-1297', *NMS*, 49 (2005), pp. 64-79.

¹⁷⁹ Payling, *Political Society in Lancastrian England*, p. 21.

¹⁸⁰ Walker, *The Lancastrian Affinity*, p. 277.

¹⁸¹ Payling, *Political Society in Lancastrian England*, p. 11.

¹⁸² *Ibid.*, p. 11.

¹⁸³ Given-Wilson, *The English Nobility*, p. 1.

¹⁸⁴ Given-Wilson, *The Royal Household*, p. 283.

¹⁸⁵ *Ibid.*, p. 283; Walker, *The Lancastrian Affinity*, p. 262.

Finally, two gentry families who were not resident in Nottinghamshire but were based in the area should be mentioned. The Cliftons of Lancashire and Nevilles of Yorkshire were ancient Midlands families who held considerable influence and land in the region.¹⁸⁶ The Cliftons and Nevilles extended their Nottinghamshire influence through marriage and land acquisition, such as Gervase Clifton (d.1323) acquiring land in south-east Nottinghamshire.¹⁸⁷ This discussion of members of the elite with strong interests in Nottinghamshire has indicated that the leading gentry felt the influence of the earldom and duchy of Lancaster, several regional nobles, and resident and regional barons, but had a considerable degree of independence. The connections between this society and the crown have been considered in part through the identification of crown retaining. However, the connections between the crown and Nottinghamshire, along with the extent to which the crown was challenged in attempts to intervene in law and order, should be highlighted.

Nottinghamshire was an important site for the crown from the late-thirteenth century. Edward I invested in the royal castle of Nottingham and the crown had a presence through the royal forest of Sherwood, the estates of the honour of Tickhill, the royal soke of Mansfield and the royal borough of Nottingham, amongst other landholdings.¹⁸⁸ Edward II continued to regard Nottinghamshire as important, as evidenced by his early stay at Nottingham Castle and extension work on the castle.¹⁸⁹ He stayed at Clipstone Palace and in Sherwood Forest for the longest time of any king in over a century due to his need to be based in the North at various points in his reign.¹⁹⁰ However, his relationship with the county was complicated by his conflict with the earl of Lancaster. Edward sought to counteract the threat to his authority by using household knights in important Midlands castles and retaining northerners.¹⁹¹ However, the success of these efforts was limited, as Russell has argued that anti-government sympathies inspired by resentment of Edward's officials were

¹⁸⁶ Walker, *The Lancastrian Affinity*, p. 267; Payling, *Political Society in Lancastrian England*, pp. 22-5.

¹⁸⁷ Payling, *Political Society in Lancastrian England*, pp. 20 and 29-30.

¹⁸⁸ D. Crook, 'The Anatomy of a Knightly Homicide in Rural Nottinghamshire, 1295', *NMS*, 57 (2013), p. 69; D. Crook, 'The Community of Mansfield from Domesday Book to the Reign of Edward III', *Transactions of the Thoroton Society of Nottinghamshire*, 88 (1984), p. 31; A. Cameron, 'William de Amyas and the Community of Nottingham, 1308-50', *Transactions of the Thoroton Society of Nottinghamshire*, 75 (1972), p. 68; Drage, *Nottingham Castle*, p. 49. For more on the royal forests of Nottinghamshire see D. Crook, 'Sherwood and Sherwood Forest', *NMS*, 55 (2011), pp. 105-24; D. Crook, 'The Early Keepers of Sherwood Forest', *Transactions of the Thoroton Society of Nottinghamshire*, 84 (1981 for 1980), pp. 14-20.

¹⁸⁹ Cameron, 'William de Amyas', p. 68.

¹⁹⁰ D. Crook, 'King and Lord: the Monarch and his Demesne Tenants in Central Nottinghamshire, 1163-1363', in A. Jobson (ed.), *English Government in the Thirteenth Century* (Woodbridge, 2004), p. 137.

¹⁹¹ M. Prestwich, 'English Castles in the Reign of Edward II', *JMH*, 8 (1982), pp. 168-70; Hamilton, 'A Reassessment', p. 50; Tebbit, 'Household Knights', p. 85.

long-lasting.¹⁹² Furthermore, Cameron has claimed that Edward was resented outside of his 'royalist outpost' of Nottingham Castle.¹⁹³ Edward III had better relations with his magnates and paid more attention to the suitability of local officials, using local gentry as keepers of Nottingham Castle.¹⁹⁴ Nevertheless, provincial elites still resented crown intervention.¹⁹⁵ Despite this, Edward maintained his presence through considerable landholding, keeping the royal land held by previous kings, and made twenty-one visits to Nottingham in the early part of his reign.¹⁹⁶ Admittedly, the only visit to Nottingham after 1345 was in 1363, as the culmination of a royal progress through the Midlands, but this decrease in visits was most probably due to focusing on war with France in the South.¹⁹⁷ The argument that Richard II wanted to make York his centre of government has been challenged by Saul's claim that Nottingham was visited more frequently and was more heavily involved in the political life of the realm.¹⁹⁸ It is certain that Richard II resumed regular crown visits to Nottingham Castle.¹⁹⁹ He staffed it with his own knights, and granted it to Queen Anne in 1382, with a council convening there in 1388 and parliament meeting there in 1397.²⁰⁰ He retained a number of Nottinghamshire knights, including some already indicated, which is not surprising when considering that he felt most secure in the Midlands.²⁰¹

This outline of crown involvement in Nottinghamshire indicates that whilst there was variety over time, Nottinghamshire was an important area. It has also highlighted some resentment of crown intervention amongst the local elite, who had conflicting views with the crown on law and order; this was in common with elite societies nationwide.²⁰² Nottinghamshire was popularly regarded as a disorderly area in contemporary culture as a location in the Robin Hood tradition, and gentry criminal gangs, including the Folvilles and

¹⁹² Russell, 'Politics and Society in Nottinghamshire', pp. 85-6; Maddicott, *Thomas of Lancaster*, pp. 8-39.

¹⁹³ Cameron, 'William de Amyas', p. 68.

¹⁹⁴ Fowler, *The King's Lieutenant*, p. 219; Russell, 'Politics and Society in Nottinghamshire', pp. 12-3, 16 and 65; Shenton, 'The English Court', pp. 82-3 and 253; Cameron, 'William de Amyas', p. 75; Ormrod, *The Reign of Edward III*, p. 159.

¹⁹⁵ Ormrod, 'Law in the Landscape', pp. 9-10.

¹⁹⁶ Russell, 'Politics and Society in Nottinghamshire', pp. 53 and 202; Crook, 'The Community of Mansfield', pp. 31 and 33; Ormrod, *The Reign of Edward III*, p. 193; D. Crook, 'The Development of Private Parks in Medieval Nottinghamshire', *Thoroton Society*, 106 (2002), pp. 73-9; W. M. Ormrod, *Edward III* (New Haven, 2011), pp. 609-31. For a discussion of Edward III's interactions with some of his tenants in Nottinghamshire see D. Crook, 'King and Lord', pp. 138-9.

¹⁹⁷ Ormrod, *Edward III*, pp. 461 and 609-31.

¹⁹⁸ N. Saul, 'Richard II and the City of York', in S. Rees Jones (ed.), *The Government of Medieval York: Essays in Commemoration of the 1396 Royal Charter* (York, 1997), p. 6.

¹⁹⁹ Given-Wilson, *The Royal Household*, pp. 35 and 169-70.

²⁰⁰ *Ibid.*, pp. 35 and 169-70; Drage, *Nottingham Castle*, pp. 54-5; Colvin, *The History of the King's Works*, p. 764.

²⁰¹ Given-Wilson, *The Royal Household*, p. 285; Walker, *The Lancastrian Affinity*, p. 106; Saul, *Richard II*, p. 172.

²⁰² Ormrod, 'Law in the Landscape', p. 17.

Coterels, were active in the area.²⁰³ It has been argued that the Robin Hood tradition allowed northerners to express resistance to crown intervention, potentially idealising gentry criminals.²⁰⁴ The Coterel gang captured Richard Willoughby in 1332 in Leicestershire, as mentioned earlier, and the Folville gang murdered the unpopular baron of the exchequer, Sir Roger Bellers, in 1326.²⁰⁵ Other pertinent claims include James Coterel securing an acquittal for murder by bringing his retinue to court and Queen Philippa's men being assaulted in Nottinghamshire in 1352.²⁰⁶ These claims combine to suggest a lawless society with little respect for crown authority. Bellamy claims that criminal gangs were feared and grudgingly admired, as indicated by the prior of Lenton warning James Coterel about the arrival of a keeper of the peace in Nottinghamshire.²⁰⁷ This supports the view that local gentry resented crown attempts to dominate the governance of local society. Edward III sought to restore stability by targeting the criminal gangs active in the Midlands with a series of orders from 1330 to 1340 which empowered constables to arrest notorious suspected trespassers.²⁰⁸ However, problems of criminality continued through the century, with Walker suggesting that the presence of the King's Bench in Nottingham in 1392 and 1396 could be seen as a reproach to Gaunt for failing to maintain order, with gentry still engaging in crime.²⁰⁹

In the foregoing introduction of fourteenth-century Nottinghamshire a picture has emerged of a county without a resident noble presence. The leading gentry families played a crucial role, both in landholding and in governance. The archbishopric of York held some influence through landholding, but it is still to the lower social levels that attention must be paid when seeking the leaders of society. There was a level of noble influence in the county, since the earldom and duchy of Lancaster was dominant in the region and some resident barons were present to provide lordship, but powerful gentry were crucial as their status rivalled baronial power. In late-medieval England the gentry prospered where the magnates were in low numbers.²¹⁰ The gentry elite were connected to their social superiors, informally and formally, but were also connected to their equals through marriage and landholding. Furthermore, whilst little evidence exists of them engaging in formal retaining of their inferiors, it is likely that they provided leadership. This elite society had varied relations with the crown, which consistently sought to be influential in local society despite an elite desire for independence. This sometimes provoked, or at least allowed, disorder and crime.

²⁰³ Bellamy, 'The Coterel Gang', pp. 698-717; Stones, 'The Folvilles', pp. 117-36; A. J. Pollard, *Imagining Robin Hood* (London; New York, 2004), p. 4.

²⁰⁴ Chism, 'Robin Hood: Thinking Globally, Acting Locally', p. 37.

²⁰⁵ Bellamy, *Crime and Public Order*, pp. 71 and 74. For more information on Richard Willoughby see above, p. 56, and below, p. 89.

²⁰⁶ *CPR, 1350-4*, p. 274.

²⁰⁷ Bellamy, *Crime and Public Order*, pp. 82 and 84.

²⁰⁸ Drage, *Nottingham Castle*, p. 51.

²⁰⁹ Walker, *The Lancastrian Affinity*, p. 227.

²¹⁰ Given-Wilson, *The English Nobility*, p. 82.

Hampshire

Whilst there have been a variety of studies dealing with elements of the history of Hampshire, such as the 1381 rising in the locality, the bishopric of Winchester, and the military pressures of war with France, there has been little consideration of local landed society in its own right.²¹¹ This section will address this deficit by introducing landed society in Hampshire whilst also considering the relationship between the members of this society and the crown. Hampshire is different from the other counties being considered, as whilst Cumberland and Nottinghamshire had powerful ecclesiastical leaders, these leaders did not dominate society and landholding to the same extent as the bishopric of Winchester.

The bishopric of Winchester, the wealthiest bishopric in England, held one of the largest and richest estates in the country. It extended beyond Hampshire and Surrey to five other southern counties and the Isle of Wight.²¹² This wealthy bishopric was the major source of local lordship in Hampshire and some bishops were amongst the richest and most powerful lords in the county.²¹³ The bishop of Winchester at the start of the fourteenth century, John of Pontoise, was a ‘conspicuous spender’.²¹⁴ Immediately John indicates the active involvement of the bishopric with secular society as he granted his French lands to

²¹¹ R. J. Faith, ‘The “Great Rumour” of 1377 and Peasant Ideology’, in Hilton and Aston (eds.), *The English Rising of 1381*, pp. 43-73; H. Helmut, ‘The Rising of 1381 in Winchester’, *EHR*, 125 (2010), pp. 112-31; D. G. Watts, ‘Peasant Discontent on the Manors of Titchfield Abbey, 1245-1405’, *Proceedings of the Hampshire Field Club and Archaeological Society*, 39 (1983), pp. 121-35; N. M. Fryde, ‘John Stratford, Bishop of Winchester, and the Crown, 1323-1330’, *BIHR*, 44 (1971), pp. 153-61; M. Page, ‘William Wykeham and the Management of the Winchester Estate, 1386-1404’, in W. M. Ormrod (ed.), *Fourteenth Century England III* (Woodbridge, 2004), pp. 99-119; P. Partner, ‘William of Wykeham and the Historians’, in R. Custance (ed.), *Winchester College: Sixth-Centenary Essays* (Oxford, 1982), pp. 1-36; B. M. S. Campbell, ‘A Unique Estate and a Unique Source: the Winchester Pipe Rolls in Perspective’, in R. Britnell (ed.), *The Winchester Pipe Rolls and Medieval English Society* (Woodbridge, 2003), pp. 21-43; J. Langdon, J. Walker and J. R. Falconer, ‘Boom and Bust: Building Investment on the Bishop of Winchester’s Estate in the Early Fourteenth Century’, in Britnell (ed.), *The Winchester Pipe Rolls*, pp. 139-55; J. D. Mullan, ‘The Transfer of Customary Land on the Estates of the Bishop of Winchester between the Black Death and the Plague of 1361’, in Britnell (ed.), *The Winchester Pipe Rolls*, pp. 81-107; Hughes, ‘The Fourteenth-Century French Raids’, pp. 121-43; J. R. Kenyon, ‘Coastal Artillery Fortification in England in the Late Fourteenth and Early Fifteenth Centuries’, in Curry and Hughes (eds.), *Arms, Armies and Fortifications*, pp. 145-9.

²¹² T. W. Mayberry, *Estate Records of the Bishops of Winchester in the Hampshire Record Office* (Winchester, 1988), p. 4; J. C. Dickinson, *An Ecclesiastical History of England: the Later Middle Ages* (London, 1979), p. 47; M. Page (ed.), *The Pipe Roll of the Bishopric of Winchester, 1301-2*, Hampshire Record Series, vol. 14 (Winchester, 1996), p. ix; Page, ‘William Wykeham’, p. 99.

²¹³ Page, *The Pipe Roll of the Bishopric of Winchester*, p. ix; Page, ‘William Wykeham’, p. 99.

²¹⁴ M. Page, ‘Challenging Custom: the Auditors of the Bishopric of Winchester, c. 1300-c. 1310’, in M. Prestwich, R. H. Britnell and R. Frame (eds.), *Thirteenth Century England VI* (Woodbridge, 1997), p. 45.

Hugh Despenser the elder in 1304 and made him an executor of his will.²¹⁵ John Stratford, Bishop of Winchester from 1323, interceded with the crown on behalf of local men, such as when he gained permission from the crown for five local men, including Robert Popham, to be excused from taking arms as knights in 1324.²¹⁶

Adam of Orleton, John Stratford's successor, had more of a hostile relationship with Edward II. Prior to his appointment Orleton served as a diplomat under Edward II but was implicated in rebellion in 1321 and never regained Edward's trust.²¹⁷ He was appointed as treasurer when Edward III came to power in 1327 but within two months he retired and resumed his diplomatic work, rarely being present at home until 1330.²¹⁸ He was appointed to the bishopric of Winchester by the pope in 1333 ahead of Edward's choice, Simon Montague, the younger brother of the earl of Salisbury.²¹⁹ Edward and his chancellor, Stratford, reacted against this as Stratford tried to make Orleton a scapegoat for Edward II's demise.²²⁰ Orleton's selection was appealed unsuccessfully in 1334, which shows the extent to which Edward III valued involvement in elections to this powerful bishopric, but also that the crown was not always able to dictate ecclesiastical policy.²²¹ In 1334 Edward III accepted this, restored the temporalities of the bishopric and allowed Orleton to return to diplomatic work.²²² Orleton's involvement in diplomacy should not be taken to mean that he was largely absent from the area, however, as he retired from diplomacy in 1336 and spent considerable time at Farnham Castle, in Hampshire, and was active in county society.²²³ For instance, Orleton was included in wills of important local laymen, and was determined to protect the rights of his see against the king and other ecclesiastical leaders.²²⁴ This shows that whilst the bishopric of Winchester could be a powerful ally for the crown in the South, it could also be a challenge to crown authority.

William Edington is a good example of a bishop of Winchester with strong crown connections. Before serving as bishop of Winchester he was a king's clerk and during his

²¹⁵ M. Lawrence, 'Rise of a Royal Favourite: the Early Career of Hugh Despenser the Elder', in Dodd and Musson (eds.), *The Reign of Edward II*, p. 214. For more information on Hugh Despenser see below, pp. 67-8.

²¹⁶ *CPR, 1324-7*, p. 22. For more information on Robert Popham see below, p. 70.

²¹⁷ R. M. Haines, *The Church and Politics in Fourteenth-Century England: the Career of Adam Orleton c. 1275-1345* (Cambridge, 1978), p. 26.

²¹⁸ G. A. Usher, 'The Career of a Political Bishop: Adam de Orleton (c. 1279-1345)', *TRHS*, 5th series, 22 (1972), p. 43.

²¹⁹ Haines, *The Church and Politics*, pp. 61-81. For more information on the Montague family see below, p. 65.

²²⁰ R. M. Haines, 'Looking Back in Anger: A Politically Inspired Appeal against John XXII's Translation of Adam Orleton to Winchester (1334)', *EHR*, 116 (2001), p. 390.

²²¹ Haines, 'Looking Back in Anger', pp. 392-3.

²²² Haines, *The Church and Politics*, pp. 62-3.

²²³ *Ibid.*, pp. 40 and 64-5.

²²⁴ *Ibid.*, pp. 79-80.

tenure he served as treasurer and chancellor.²²⁵ Edington was prominent in Edward III's council and one of the longest serving members of this group; thus his connection to the crown is crucial in considering relations between the crown and the bishopric. It is important to note that Edington became bishop of Winchester at Edward III's request in 1345, despite the monks electing another candidate.²²⁶ This implies that, although he had strong crown connections, he may have been less popular in his locality. There is an absence of evidence of cordiality as Edington ignored the preferences of his monks when electing a prior in 1362 and only made irregular visits to the cathedral.²²⁷ Edington, as the equivalent of crown authority in the locality, was able to enforce his decisions against opposition, just as Edward III was able to select Edington despite opposition. This does not mean that such actions would avoid encouraging resentment, although it seems more likely that this resentment would have been strongest amongst the monks whose preferences were ignored, rather than necessarily spreading out to the local gentry. This episode also provides a contrast with Edward III's failure to ensure that Orleton was permanently removed earlier in the reign, suggesting an ongoing tension and negotiation in terms of how far the crown was able or permitted to intervene in the appointment and administration of the bishopric of Winchester.

William Wykeham was another bishop of Winchester who came from a background of crown service. Wykeham had humble origins but rose into royal circles due to forging connections to William Edington and John Foxley, the son of the constable of the royal castle of Windsor.²²⁸ His position as overseer of the reconstruction of Windsor Castle firmly established Wykeham as a crown servant and he progressed into Edward III's inner circle before being appointed as bishop of Winchester in 1366.²²⁹ He continued to combine royal and religious service as chancellor from 1367 until 1371, when he was replaced due to pressure on the king.²³⁰ He still retained his position in the king's inner circle and played an active role in political society apart from a period as a political outcast from 1376 to 1377 when his earlier ally John of Gaunt turned on him.²³¹ Wykeham attempted to tread the middle ground in the early years of Richard II's reign as his councillor, and was generally well regarded, being reappointed as chancellor in 1389.²³² Despite this extensive involvement in national politics, it appears that Wykeham played an active role in his diocese.²³³ The wealth of the bishopric of Winchester is demonstrated by Wykeham's

²²⁵ *CPR, 1343-5*, p. 405; Fowler, *The King's Lieutenant*, p. 192.

²²⁶ D. S. F. Hockey (ed.), *The Register of William Edington Bishop of Winchester 1346-1366 Part 1* (Winchester, 1986), p. vii.

²²⁷ Hockey, *The Register of William Edington*, p. vii.

²²⁸ V. Davis, *William Wykeham: A Life* (London, 2007), pp. 14-6.

²²⁹ *Ibid.*, pp. 21-52.

²³⁰ *Ibid.*, pp. 38 and 53-70.

²³¹ *Ibid.*, pp. 38 and 53-70.

²³² *Ibid.*, pp. 71-89.

²³³ *Ibid.*, pp. 116-7.

extensive landholding. At the start of his episcopate Wykeham held 28 manors and five boroughs in Hampshire and gained more as the years progressed, with abundant land elsewhere.²³⁴ His income was only surpassed by major secular powers, such as the duchy of Lancaster, and he was a major lender to the exchequer.²³⁵ This shows his value to the crown. This value allowed him to have considerable involvement in crown business and provided the opportunity for the crown and bishopric to share influence in the locality. They also shared this influence with a range of regional nobles.

The Montagues are a crucially important family to introduce in a study of the southern nobility with influence in Hampshire. The Montagues were established in Somerset by 1086 but they began to play a national role from the early-fourteenth century.²³⁶ Their national landholding included the castle of Twynham in Hampshire.²³⁷ William Montague was close to Edward II as his household steward from 1316 to 1318, captain of the king's knights and seneschal of Gascony.²³⁸ However, his son William played a key role in the 1330 coup.²³⁹ William carried out little local service as he was engaged in diplomatic and military service abroad, but his importance to the crown is demonstrated by Edward III raising his family to the nobility by making him earl of Salisbury in 1337 and marshal of England in 1338.²⁴⁰ Gransden undermines the claims that Edward III raped William's wife in 1342 as anti-English propaganda, and his family's continued service to the crown supports this analysis.²⁴¹ The family continued this crown connection by serving Richard II and their interests became stronger in Hampshire, Hertfordshire and Gloucestershire as the century progressed.²⁴² This increases their relevance to a study of sources of authority in the county which were strongly connected to the crown.

The earls of Surrey were another important source of lordship in the South. John Warenne Earl of Surrey (d. 1347), was married to Edward I's granddaughter in 1306, which highlights his importance as a crown connection.²⁴³ He served Edward I extensively but fought against Gaveston and refused to fight at Bannockburn, which suggests a weaker connection to Edward II.²⁴⁴ On the contrary, he did fight against Thomas Earl of Lancaster,

²³⁴ Page, 'William Wykeham', p. 103.

²³⁵ Ibid., p. 109; C. Given-Wilson, 'Wealth and Credit, Public and Private: the Earls of Arundel 1306-1397', *EHR*, 106 (1991), p. 10.

²³⁶ R. Douch, 'The Career, Lands and Family of William Montague, Earl of Salisbury, 1301-44', *BIHR*, 24 (1951), p. 85.

²³⁷ Ibid., p. 85; *CIPM*, VI, pp. 140-4; *CIPM*, VIII, pp. 386-90; *CIPM*, X, pp. 146-9; *CIPM*, XVI, pp. 337-41.

²³⁸ Cokayne, *The Complete Peerage*, vol. 9, pp. 80-2.

²³⁹ Ibid., vol. 9, pp. 80-2; Douch, 'The Career, Lands and Family of William Montague', pp. 85-6.

²⁴⁰ Douch, 'The Career, Lands and Family of William Montague', p. 86.

²⁴¹ A. Gransden, 'The Alleged Rape by Edward III of the Countess of Salisbury', *EHR*, 87 (1972), pp. 333-44.

²⁴² Given-Wilson, *The Royal Household*, pp. 283 and 285.

²⁴³ Cokayne, *The Complete Peerage*, vol. 12.1, pp. 508-11.

²⁴⁴ Ibid., vol. 12.1, pp. 508-9.

admittedly in a private dispute.²⁴⁵ In 1321 he was pardoned for offences against the Despensers and was present at Lancaster's condemnation, furthering his return to crown adherence.²⁴⁶ He served in Scotland and France and was a joint principal guardian of the realm in 1338, which highlights the fact that he must have been regarded by Edward III as a trusted representative.²⁴⁷ In the same year he was overseer of array in Hampshire, Surrey and other southern counties and joint custodian of the Hampshire coastline; thus he was considerably involved in Hampshire society.²⁴⁸ This and other roles in the region highlight his importance as a potential source of authority in Hampshire, despite his not being resident in the county. His nephew, Richard FitzAlan (d. 1376) Earl of Arundel, succeeded him as earl of Surrey.²⁴⁹ However, some of the lands held by the earldom of Surrey had reverted to the crown for Edward III's son Edmund of Langley after John's death, and some went to the earl of Salisbury after Joan, John's widow, died in 1361, so this was not as significant as could be assumed.²⁵⁰

The FitzAlans, who were the earls of Arundel, were based at Arundel Castle in Sussex and were connected to the Warenne family through the marriage of Edmund FitzAlan (d. 1326).²⁵¹ Edmund enjoyed Edward I's patronage due to military service in Scotland and officiated at Edward II's coronation as chief butler, due to this being the hereditary role of the earldom of Arundel, but he became opposed to the king and Piers Gaveston, in common with many nobles of the period.²⁵² In 1321 he changed sides and married his son to Hugh Despenser's daughter, henceforth adhering to the king.²⁵³ He was beheaded by Roger Mortimer in 1326 and Edmund Earl of Kent (d. 1330) took the castle and honour of Arundel, but Edmund was beheaded in 1330.²⁵⁴ Edmund FitzAlan's son Richard (d. 1376) was restored and he rose to become possibly the richest man in England and a dominant local and national force which was consistently loyal to the crown.²⁵⁵ He later succeeded to the Warenne title, as mentioned above, and became earl of Surrey in 1361.²⁵⁶ Richard was also retained as a bachelor of Edward III in 1366.²⁵⁷ John of Gaunt borrowed at

²⁴⁵ *Ibid.*, vol. 12.1, pp. 508-9.

²⁴⁶ *Ibid.*, vol. 12.1, p. 509.

²⁴⁷ *Ibid.*, vol. 12.1, p. 510.

²⁴⁸ *Ibid.*, vol. 12.1, pp. 510-1.

²⁴⁹ *Ibid.*, vol. 12.1, p. 512.

²⁵⁰ *Ibid.*, vol. 12.1, p. 512; B. P. Wolffe, *The Royal Demesne in English History: the Crown Estate in the Governance of the Realm from the Conquest to 1509* (London, 1971), pp. 59-60, 238, 240 and 242-3.

²⁵¹ *Ibid.*, pp. 241-2; Goodman, *The Loyal Conspiracy*, p. 35.

²⁵² Cokayne, *The Complete Peerage*, vol. 1, p. 242.

²⁵³ *Ibid.*, vol. 1, p. 242.

²⁵⁴ *Ibid.*, vol. 1, p. 242; Given-Wilson, 'Wealth and Credit', p. 2.

²⁵⁵ Cokayne, *The Complete Peerage*, vol. 1, pp. 242-3; Given-Wilson, 'Wealth and Credit', pp. 1 and 14.

²⁵⁶ Cokayne, *The Complete Peerage*, vol. 1, p. 243.

²⁵⁷ Given-Wilson, *The Royal Household*, p. 281.

least 11,000 marks from Richard between 1372 and 1374 and Richard made considerable loans to the crown.²⁵⁸ His son Richard (d. 1397), who was probably the wealthiest magnate of his day, bore the crown at Richard II's coronation and became admiral of all England by 1386.²⁵⁹ Richard was the governor of Brest in 1388 but became an outspoken Lord Appellant.²⁶⁰ Despite being pardoned in 1394 he was beheaded in 1397.²⁶¹ Whilst the family was not based in Hampshire, its local influence is demonstrated by two Hampshire men taking out pardons for following Arundel, of whom they held land.²⁶²

The Despenser family were based in Lincolnshire and Leicestershire from the thirteenth century, but they notoriously rose to national prominence in the fourteenth century as favourites of Edward II.²⁶³ Sir Hugh Despenser the elder (d. 1326) served in France and Scotland under Edward I and held extensive lands.²⁶⁴ Hugh was made constable of Odiham Castle in 1294, served Edward I in important administrative and military roles and became a favourite of Edward II, with whom he sided against the barons.²⁶⁵ He was excluded from truces between Edward II and the earl of Lancaster and was exiled in 1321, along with his son, Hugh Despenser the younger, after baronial accusations of numerous misdeeds.²⁶⁶ The younger Hugh had also become a royal favourite after becoming chamberlain to Edward II in 1318.²⁶⁷ He became extremely unpopular amongst the barons due to his violent acquisition of considerable land and close relationship to the crown, and the exile lasted less than a year as Edward II refused to maintain it.²⁶⁸ Edward II's patronage continued thereafter as Hugh Despenser the elder was made earl of Winchester in 1322, possibly due to his ancestral lands in Wiltshire bordering Hampshire and the challenge this implied to Thomas

²⁵⁸ Given-Wilson, 'Wealth and Credit', pp. 6 and 10.

²⁵⁹ Cokayne, *The Complete Peerage*, vol. 1, pp. 244-5; Given-Wilson, 'Wealth and Credit', p. 15.

²⁶⁰ Given-Wilson, 'Wealth and Credit', p. 15; Goodman, *The Loyal Conspiracy*, p. 23.

²⁶¹ Cokayne, *The Complete Peerage*, vol. 1, p. 244.

²⁶² Goodman, *The Loyal Conspiracy*, p. 38.

²⁶³ Cokayne, *The Complete Peerage*, vol. 4, pp. 259-62. For more extensive discussions of the careers of Hugh Despenser the elder and Hugh Despenser the younger see N. Fryde, *The Tyranny and Fall of Edward II, 1321-1326* (Cambridge, 1979); N. Saul, 'The Despensers and the Downfall of Edward II', *EHR*, 99 (1984), pp. 1-33; S. Waugh, 'For King, Country, and Patron: the Despensers and Local Administration, 1321-22', *Journal of British Studies*, 22 (1983), pp. 23-58; Lawrence, 'Rise of a Royal Favourite', pp. 205-19; J. S. Hamilton, 'Despenser, Hugh, the Elder, Earl of Winchester (1261-1326), administrator and courtier', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/7553?docPos=5> accessed 09/06/14; J. S. Hamilton, 'Despenser, Hugh, the Younger, First Lord Despenser (d. 1326)', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/7554?docPos=6> accessed 09/06/14.

²⁶⁴ Cokayne, *The Complete Peerage*, vol. 4, p. 262.

²⁶⁵ *Ibid.*, vol. 4, pp. 262-3.

²⁶⁶ *Ibid.*, vol. 4, pp. 263-5.

²⁶⁷ *Ibid.*, vol. 4, pp. 263-5.

²⁶⁸ *Ibid.*, vol. 4, pp. 263-5; D. Westerhof, 'Deconstructing Identities on the Scaffold: the Execution of Hugh Despenser the Younger, 1326', *JMH*, 33 (2007), p. 88; G. A. Holmes, 'A Protest against the Despensers, 1326', *Speculum*, 30 (1955), p. 210.

of Lancaster's landholding.²⁶⁹ Despite father and son gaining further prosperity after this they were eventually hanged in 1326 after being defeated whilst fighting for Edward II against the barons.²⁷⁰ The younger Hugh's son Hugh (d. 1348) also fought on the side of Edward II but avoided execution and became involved in military and administrative service under Edward III.²⁷¹ He was summoned to councils and parliament from 1338 and married the daughter of William Montague Earl of Salisbury.²⁷² The continued influence of the Despensers is demonstrated by their extensive landholding, which included the manor of Ashley in Hampshire.²⁷³

The noble families introduced held land in a variety of southern counties, but they all held considerable influence in Hampshire. They were not the only source of authority for the local gentry, as there was a range of baronial families with interests in Hampshire. An example is provided by the St John family of Basingstoke in Hampshire, and their continuation in the form of the Poynings family.²⁷⁴ John de St John (d. 1329), served in Scotland and abroad and held a range of positions including banneret from 1303, keeper of the peace for Hampshire in 1316 and commissioner for the defence of the Hampshire coast.²⁷⁵ His son and grandson were not summoned to parliament, but served the king in Hampshire, Scotland and abroad.²⁷⁶ His granddaughter Isabel married Luke Poynings (d. 1376), who inherited the St John title in 1348, was summoned to parliament from 1367 and held a number of local appointments and commissions in Hampshire.²⁷⁷ His son Thomas Poynings, Lord St John (d. 1428), was active in array commissions in Hampshire and Sussex.²⁷⁸ He was a knight by 1381 and probably served in the duke of Lancaster's march across France in 1373.²⁷⁹ These families indicate not only the influence held by baronial families in Hampshire, but also the opportunity to maintain or hold power without a parliamentary summons, since the St Johns remained influential despite rejoining the gentry.

The baronial Cobham family of Cobham in Kent rose to become an important family in the administration of England from 1200 to 1400.²⁸⁰ Cobham landholding was centred in Kent but it extended through the South.²⁸¹ By the mid-fourteenth century there

²⁶⁹ Cokayne, *The Complete Peerage*, vol. 4, pp. 265-6 and 267-71; M. Lawrence, 'Edward II and the Earldom of Winchester', *Historical Research*, 81 (2008), pp. 732 and 737-8.

²⁷⁰ Cokayne, *The Complete Peerage*, vol. 4, pp. 265-6 and 267-71.

²⁷¹ Cokayne, *The Complete Peerage*, vol. 4, pp. 271-4.

²⁷² Cokayne, *The Complete Peerage*, vol. 4, pp. 271-4.

²⁷³ *CIPM*, IX, pp. 328-42; *CIPM*, XIV, pp. 214-27.

²⁷⁴ Cokayne, *The Complete Peerage*, vol. 12.1, pp. 316-7.

²⁷⁵ *Ibid.*, vol. 12.1, pp. 325-6; Hamilton, 'A Reassessment', p. 97.

²⁷⁶ Cokayne, *The Complete Peerage*, vol. 11, pp. 326-7.

²⁷⁷ *Ibid.*, vol. 11, pp. 327-8.

²⁷⁸ *Ibid.*, vol. 11, pp. 328-9.

²⁷⁹ *Ibid.*, vol. 11, pp. 328-9.

²⁸⁰ T. May, 'The Cobham Family in the Administration of England, 1200-1400', *Archaeologia Cantiana*, 82 (1967), pp. 1-31.

²⁸¹ *Ibid.*, pp. 1-31.

were family branches in Surrey, Wiltshire and Devon.²⁸² The family's extensive influence in the South renders them worthy of inclusion in this section. Henry Cobham (d. 1339) was a baron of the exchequer and was summoned to parliament from 1313.²⁸³ He was constable of Dover Castle and warden of the Cinque Ports, adhering to Edward II against the rebellious barons.²⁸⁴ His son John (d. 1355) continued to be a key crown adherent with a range of important roles, including banneret, as well as serving locally.²⁸⁵ John's son John (d. 1408), served extensively in France, was made a banneret in 1370, and was a statesman.²⁸⁶ He was a Lord Appellant in 1388 and was banished to Jersey in 1397, which contrasts sharply with his earlier career as a crown adherent and his family's tradition of loyalty.²⁸⁷ For the majority of the period though the Cobhams can be identified as crown adherents with considerable influence over the southern gentry.

The baronial Camoys family were lords of Trotton in Sussex.²⁸⁸ Ralph Camoys (d. 1336) served in France and Scotland and was summoned to parliament from 1313 as a lord.²⁸⁹ Ralph was a client of Hugh Despenser the younger who arrested contrarians and served as a keeper of the peace.²⁹⁰ He was also constable of Windsor Castle from 1319-23, although his loyalty was unreliable at times as he had to be pardoned for his adherence to the rebellion against Edward II.²⁹¹ His son Thomas (d. 1372) fought on the rebel side at Boroughbridge and at Crécy, which indicates a continued difficult relationship with Edward II. Thomas was succeeded by his nephew Thomas (d. 1421) who was a banneret summoned to parliament from 1383, which shows a return to crown favour.²⁹² This family and the others discussed thus far reveal that the crown had a considerable level of noble and baronial support in the southern counties, but also that they faced significant opposition and this loyalty was not unwavering. To conclude this discussion of landed society important members of the local gentry should be highlighted, as whilst regional nobles and barons had considerable influence in Hampshire, they were often resident in other counties, which potentially allowed some members of the gentry to take more of a leading role.

²⁸² *CIPM*, VI, pp. 151 and 436-9; *CIPM*, VII, pp. 313-4 and 493-4; *CIPM*, XI, pp. 40-4 and 198-9; N. Saul, *Death, Art, and Memory in Medieval England: the Cobham Family and their Monuments, 1300-1500* (Oxford, 2001), p. 6.

²⁸³ Cokayne, *The Complete Peerage*, vol. 3, p. 343.

²⁸⁴ *Ibid.*, vol. 3, p. 343.

²⁸⁵ *Ibid.*, vol. 3, p. 344.

²⁸⁶ *Ibid.*, vol. 3, pp. 344-5.

²⁸⁷ *Ibid.*, vol. 3, p. 344; Goodman, *The Loyal Conspiracy*, pp. 42 and 47.

²⁸⁸ N. Saul, 'Chivalry and Art: the Camoys Family and the Wall Paintings in Trotton Church', in Coss and Tyerman (eds.), *Soldiers, Nobles and Gentlemen*, p. 97; *CIPM*, XIII, pp. 150-1.

²⁸⁹ Cokayne, *The Complete Peerage*, vol. 3, pp. 506-7.

²⁹⁰ Waugh, 'For King, Country, and Patron', p. 35.

²⁹¹ Cokayne, *The Complete Peerage*, vol. 3, p. 507.

²⁹² Cokayne, *The Complete Peerage*, vol. 3, pp. 507-8.

The Brocas family illustrate the possibility for gentry to command considerable power in Hampshire, without joining the baronage, if they had crown support. The family originated in Berkshire and held land throughout the southern counties and France, but Bernard Brocas eventually came to reside chiefly in Beaupaire in Hampshire.²⁹³ The Brocas family had a range of royal responsibilities, with Bernard Brocas serving as clerk to Edward III, and his brother John Brocas serving in France in the first half of the fourteenth century.²⁹⁴ Bernard's son, also named Bernard, was a household knight and bachelor of Edward III in 1364 and Richard II in 1378.²⁹⁵ The younger Bernard's son, again named Bernard, led a mustering of forces in 1388 and was retained for life by Richard II in 1389, showing the continuation of a strong crown connection.²⁹⁶ Numerous grants of land to the family demonstrate crown support for the Brocas family in exchange for service.²⁹⁷ The family was also involved in local administration as MPs for Hampshire, with both of the later Bernards serving as MPs for the county, and were sufficiently interested in Hampshire by the end of the period to show their wealth by founding a chantry in the locality in the late-fourteenth century.²⁹⁸ The involvement of the middle Bernard with William Wykeham, as Bernard was present at Wykeham's creation as bishop and was appointed as chief parker to Wykeham in 1377, also highlights the involvement of leading members of the local gentry at the forefront of local society.²⁹⁹

The Popham family was another gentry family with extensive involvement in local service. Robert Popham served on a range of legal commissions, was an MP, and served as sheriff of Hampshire in the first half of the fourteenth century.³⁰⁰ His probable grandson Philip Popham was also heavily involved in local administration. He similarly served as sheriff and MP on a variety of occasions from 1369 to 1384.³⁰¹ Philip undertook military service in Ireland and it appears that he gained land overseas as he had to nominate attorneys for Irish property when he was in England in 1367.³⁰² Philip's brother Henry Popham, who similarly served as sheriff and MP, also spent time in Ireland, in the party of William

²⁹³ H. R. Summerson, 'Brocas, Sir Bernard', *ODNB*, <http://www.oxforddnb.com/view/article/3465?docPos=1on> accessed 25/06/12; *CIPM*, XIII, p. 128; *CIPM*, XV, pp. 3-6.

²⁹⁴ *CPR*, 1327-30, p. 340; *CPR*, 1348-50, p. 526; *CPR*, 1340-3, p. 297.

²⁹⁵ Given-Wilson, *The Royal Household*, pp. 281 and 284; Goodman, *The Loyal Conspiracy*, p. 131.

²⁹⁶ Given-Wilson, *The Royal Household*, pp. 281 and 284; Goodman, *The Loyal Conspiracy*, p. 131.

²⁹⁷ *CPR*, 1361-4, p. 309.

²⁹⁸ *Members of Parliament*, vol. 1 (London, 1878), pp. 183-251; K. A. Hanna (ed.), *The Cartularies of Southwick Priory Part I*, Hampshire Record Series, vol. 9 (Southampton, 1988), p. xvii.

²⁹⁹ Davis, *William Wykeham*, p. 123.

³⁰⁰ *CPR*, 1334-8, p. 145; *Members of Parliament*, vol. 1, pp. 90-137; Hughes, *List of Sheriffs*.

³⁰¹ Hughes, *List of Sheriffs*; *Members of Parliament*, vol. 1, pp. 183-224.

³⁰² *CPR*, 1364-7, pp. 259 and 352.

Windsor, Baron Windsor.³⁰³ The Borhunte family had a presence in Southwick in Hampshire as royal agents until the middle of the fourteenth century and the Brun family held southern land including the manors of Fordingbridge, Rowenore and Titchfield in Hampshire.³⁰⁴ Finally, the Bellaney family held land in several southern counties, with their main property at Belney in Hampshire, and played an active role in local society.³⁰⁵ For instance, Baldwin Bellaney served as MP for Hampshire and was involved in administering and prosecuting legal cases in the early-fourteenth century.³⁰⁶

The foregoing discussion of landed elite with interests in Hampshire has revealed a society with numerous connections to the crown, whose centre was located close to the county. The involvement of the crown should therefore be introduced in its own right. Despite Keene's claim that Winchester's connection with the crown had largely been ruptured by 1300, Hampshire was important to the crown due to French attacks on the southern coast from the mid-fourteenth century. This was reflected in the active crown effort to repair defences.³⁰⁷ Even before this point the value of Hampshire is apparent in Edward II's appointment of his household steward to be constable of Winchester and retaining of local men.³⁰⁸ Edward III's trusted adviser, Henry Earl of Lancaster, served as warden of the coasts of Somerset, Dorset, Hampshire and Wiltshire.³⁰⁹ This further demonstrates the crown's emphasis on creating a strong presence in the South. Richard II also engaged in considerable retaining in Hampshire.³¹⁰

It should be recognised though that a strong crown presence did not mean an absence of opposition to the crown or of a level of disorder. Hampshire did not have the same notoriety as Nottinghamshire and the Borders but should not be idealised as a county. It also faced some disorder, such as the disruption of the countryside in Orleton's bishopric.³¹¹ It was also one of the counties troubled by the peasant movement of 1377, known as the 'Great Rumour', which demonstrates disorder below the landed members of society and may have provoked the gentry and nobility to engage in violence to preserve the

³⁰³ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 215-48; *CPR, 1361-4*, p. 441; Given-Wilson, *The Royal Household*, pp. 280-6. William Windsor has been introduced already: see above, p. 44.

³⁰⁴ Hanna, *The Cartularies of Southwick*, pp. xix-xx; *CIPM*, X, pp. 209-10.

³⁰⁵ Hanna, *The Cartularies of Southwick*, p. xxi.

³⁰⁶ *Members of Parliament*, vol. 1, pp. 14-23; *CPR, 1301-07*, pp. 15-17 and 193; *CPR, 1317-21*, p. 179.

³⁰⁷ D. Keene, *Survey of Medieval Winchester* (Oxford, 1985), pp. 86 and 100-5; A. D. Saunders, 'The Defences of Southampton in the Later Middle Ages', in L. A. Burgess (ed.), *The Southampton Terriers of 1454* (London, 1976), p. 21.

³⁰⁸ Tebbit, 'Household Knights', p. 85; Hamilton, 'A Reassessment', p. 96.

³⁰⁹ Fowler, *The King's Lieutenant*, p. 214.

³¹⁰ Given-Wilson, *The Royal Household*, pp. 280-6.

³¹¹ J. S. Furley, *Town Life in the Fourteenth Century* (Winchester, 1946), pp. 92-8; Haines, *The Church and Politics*, p. 65.

status quo.³¹² The great revolt of 1381 also happened mainly in the South.³¹³ In this case a potential level of discontent amongst those holding responsibility is revealed in the participation of several rebels above the expected social level in the Winchester rising of 1381, such as an ex-mayor, although there is an absence of major local gentry being involved.³¹⁴

The importance of the bishopric of Winchester as a major landholder and source of authority in the county has been highlighted. As discussed, the relationships of different bishops with the crown varied, as at some stages they provided a strong link with the crown to influence the local baronage and gentry and at others they challenged this authority. A variety of nobles with influence in Hampshire have been identified and it has been shown that whilst many were not resident, their influence was still considerable. Baronial families also took a considerable role in local society; like the southern nobility they provided a mixture of loyalty to the crown and challenges to central authority. Finally, it has been shown that the gentry were still able to hold a considerable role in Hampshire landed society despite there being a strong base of noble and baronial power in Hampshire and the surrounding counties. All of these social groups were affected by the strong presence of the crown in the locality, with the results not necessarily being positive.

Comparative Conclusion

Thus far landed society and the relationship between this society and the crown have been introduced for the three counties which form the basis of this thesis. Societies with a variety of characteristics and complex balances of power and authority have emerged. In order for the results of this investigation to be used in the wider thesis, they must now be compared so that the differences and similarities between Cumberland, Nottinghamshire and Hampshire can be revealed. This will provide part of the evidence needed for one of the main research questions, namely the extent to which local circumstances affected gentry perceptions of violence, to be considered in the second section of this thesis. Comparisons will now be made in relation to the level of noble influence, the level of baronial influence and the opportunity for the gentry to take a leading role despite baronial presence, the level of crown influence and responses to this in each county, and the role of ecclesiastical leaders in society.

³¹² Faith, 'The "Great Rumour" of 1377', pp. 43-74.

³¹³ Saul, *Richard II*, pp. 56-82.

³¹⁴ Helmut, 'The Rising of 1381 in Winchester', p. 123.

Initially, similarities can be drawn between Cumberland, Nottinghamshire and Hampshire in relation to the level of noble influence in the counties. All three counties have been shown to have been lacking in terms of resident nobility. However, they did vary in terms of the extent to which regional nobles played a leading role in county society. The incredibly powerful regional lords of the north of England, such as the Percy, Neville and Clifford families, must be highlighted at this stage. Whilst they were mainly resident in the counties surrounding Cumberland, it has been demonstrated that their influence was felt throughout the region due to extensive landholding and office holding. Nottinghamshire contrasts with Cumberland to an extent, as whilst it too was affected by regional nobles who held land locally, the region was dominated by one particularly powerful noble family, namely the earldom and duchy of Lancaster. Lancastrian interests were stronger in other Midlands counties, but they were still sufficiently strong to be the dominant noble force in Nottinghamshire. Hampshire has more in common with Cumberland in this respect, as a range of regional nobles had interests in the county so it is likely that they took a leading role, although in terms of local influence none rivalled the bishopric of Winchester.

Despite Cumberland being heavily influenced by the regional nobility, leading baronial families were able to achieve extensive local power through possession of important offices such as warden of the Marches. Some of the landed gentry were able to enjoy similar status to baronial families through crown patronage and holding of local offices. However, it is clear that baronial influence in Cumberland was strong and that gentry who rose extensively were not common and relied on a strong crown connection to maintain this power securely. This again provides a contrast with Nottinghamshire, a county in which a considerable proportion of the baronial families with strong interests in the county were equal to, if not surpassed by, members of the leading landed gentry in terms of wealth. It should be stressed that baronial influence was not wholly absent in the county and was felt by some members of the gentry; nevertheless, the lines between the social levels were more considerably blurred in Nottinghamshire, where the gentry were the dominant force in office-holding and horizontal ties were equally as important as vertical ties. In Hampshire, as in the other two counties, the gentry were able to play a role in landed society, but baronial and noble influence was strong in the locality.

In terms of crown influence an immediate contrast can be drawn concerning geographical proximity to the crown. The crown relocated its effective centre of power on several occasions as it moved north at times of conflict with Scotland and in order to flee from conflict with the nobility in the reigns of Edward II and Richard II. As a result, the different counties generally contrasted in terms of the extent to which the crown could directly make its presence felt. Cumberland was at a considerable distance from the centre of crown authority and this allowed local lords to become dangerously powerful. The crown

needed them to govern the North so it had to allow them to hold considerable authority. The crown was still the most powerful figure in Cumberland in terms of landholding, however, so the situation should not be over-dramatised. Nonetheless, this still provides a striking contrast with Hampshire. As Hampshire bordered the centre of crown authority it was far easier for the crown to make its influence felt in the locality and a range of members of the inner circle of the crown retinue were based in the region. This created a strong crown presence, despite there inevitably being a level of desire for independence amongst the local elite and upheaval during periods of unrest. Nottinghamshire is a mid-point between Hampshire and Cumberland, as whilst it is north of the Trent, it is much further south than Cumberland. The royal castle at Nottingham provided an opportunity for the crown to impose its authority, which was embraced particularly by Richard II when his reign was troubled. The local elite had a varied relationship with the crown as although there was a strong desire for a level of independence, crown service was a recognised route to power.

Finally, the role of ecclesiastical authorities in Cumberland, Nottinghamshire and Hampshire highlights another way in which the counties varied in relation to the holders of local authority. Ecclesiastical leaders played a role in all three counties. The archbishop of York provided a focal point for the inhabitants of Cumberland and Nottinghamshire as they were within the province of the archbishopric, which held land in both counties. However, the role of the archbishopric was less influential than that held by the leaders of secular society, and the more local ecclesiastical authorities of the bishops of Carlisle and Durham were more influential than the archbishopric of York. The local ecclesiastical leaders were still overshadowed by secular authorities. The leading ecclesiastical authority in Hampshire, the bishopric of Winchester, was strikingly different to the archbishopric of York in terms of its influence over the county. It was the greatest landholder in Hampshire and was a vital source of lordship and holder of influence. The interactions between the crown and the bishopric of Winchester varied over the century, but at many points the bishopric served as a leading crown representative in the county.

As has been demonstrated, the counties of Cumberland, Nottinghamshire and Hampshire shared certain characteristics. However, there were also important variations in terms of the holders of influence and authority in local society. There are also clear differences in terms of the extent to which they were able to exercise this authority over the gentry. The relationships of each county with the crown varied both over time within each county and between counties, as has been shown in this section. Now that these differences have been identified, the contrasts between the three sample counties can be considered in the second section of this thesis in relation to violent gentry behaviour and how varied circumstances potentially influenced this. In terms of concluding this chapter, it is now sufficiently understood what context the gentry in each county were acting in regarding the

nature of landed society and crown influence in the locality. The experience of and impact of service for gentry nationwide must now be addressed in the following chapter. This will enable a complete context for the instances of gentry violence to be investigated in the second section of this thesis to be gained.

Chapter Three: Gentry Service

The identity of the gentry of late-medieval England has attracted a considerable degree of historical investigation and debate.¹ Whilst historians have argued concerning the fluidity of late-medieval society, they have largely agreed that those at the highest levels wished to preserve their distinct identity, along with the hierarchy that they viewed as being crucial to order.² In a study of any element of gentry society and social status, the topic of service must be addressed. This topic was intricately linked to the hierarchy which was so highly valued. The idea of service as a social norm, both in military and administrative contexts, was a crucial element in the formation and maintenance of the identity fashioned for themselves by the gentry through the Middle Ages.³ Service was also a means of gaining the land which was vital to social standing.⁴ This chapter will address the debate concerning the balance of military and administrative service amongst the fourteenth-century gentry by considering the careers of members of leading gentry families as the century progressed. In order to gain a picture of the whole century and assess development, the chapter will be divided into three sections. They will deal with the early-, mid- and late-fourteenth century, each of which saw major military campaigns.

Whilst a range of historians have produced arguments supporting either side of this debate, the work of Palmer and Ayton allows for a clear comparison between the schools of thought. Palmer has argued that the gentry became more involved in administration and the

¹ For some examples of the debate concerning gentry identity see N. Saul, 'Conflict and Consensus in English Local Society', in J. Taylor and W. Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Gloucester, 1990), p. 40; J. R. Lander, 'The Significance of the County in English Government', in P. Fleming, A. Gross and J. R. Lander (eds.), *Regionalism and Revision: the Crown and its Provinces in England 1200-1650* (London, 1998), pp. 20 and 26; Noble, *The World of the Stonors*, p. 36; P. R. Coss, 'Hilton, Lordship and the Culture of the Gentry', in C. Dyer, P. R. Coss and C. Wickham (eds.), *Rodney Hilton's Middle Ages: An Exploration of Historical Themes* (Oxford, 2007), p. 39; P. R. Coss, *The Origins of the English Gentry* (Cambridge, 2003), p. 239.

² M. H. Keen, 'Heraldry and Hierarchy: Esquires and Gentlemen', in J. Denton (ed.), *Orders and Hierarchies in Late Medieval and Renaissance Europe* (Basingstoke, 1999), p. 96; Saul, *Scenes from Provincial Life*, p. 66; Hicks, *Bastard Feudalism*, pp. 5-6; Coss, *The Origins of the English Gentry*, p. 161; S. H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (Basingstoke, 1995), p. 197; Noble, *The World of the Stonors*, p. 18; S. H. Rigby, 'English Society in the Later Middle Ages: Deference, Ambition and Conflict', in P. Brown (ed.), *A Companion to Medieval English Literature and Culture c.1350-c.1500* (Oxford, 2007), p. 33; Goldberg, *Medieval England*, p. 3; A. J. Pollard, *Late Medieval England 1399-1509* (Harlow, 2000), pp. 185-6.

³ Goldberg, *Medieval England*, p. 115; Gorski, 'Lordship, Gentility and Local Administration', p. 29; Coss, *The Knight in Medieval England*, p. 114.

⁴ Musson and Ormrod, *The Evolution of English Justice*, p. 117; Wright, *The Derbyshire Gentry*, p. 25; C. E. Moreton, *The Townshends and their World* (Oxford, 1992), p. 115; McFarlane, *The Nobility of Later Medieval England*, pp. 52-3; R. H. Britnell, 'The Pastons and their Norfolk', *The Agricultural History Review*, 36 (1998), p. 143; Hicks, *Bastard Feudalism*, p. 109; Saul, *Scenes from Provincial Life*, p. 98; Noble, *The World of the Stonors*, p. 67; Villalon, 'Deudo and the Roots of Feudal Violence', p. 72.

law, for instance as justices of the peace from the mid-fourteenth century, as they sought to reinforce the status quo after outbreaks of famine and plague and the Peasants' Revolt. This, Palmer has claimed, led to knights becoming gentry.⁵ Their interest turned from military service and gave them a more civilian identity. Ayton, however, has made the contrasting claim that the wars of the fourteenth century against Scotland and France led to the elite becoming remilitarised.⁶

Palmer has claimed that the Black Death was a contributing factor in the development from knight to gentry, as the elite began to use the law to resolve conflict, as opposed to violence, and regard office-holding as important.⁷ Historians have debated the effects of the Black Death and later epidemics, but it certainly affected elite society nationwide. In particular, it threatened the hierarchy by offering a decreased workforce the opportunity to fight for better rights.⁸ The gentry responded to this threat by exploiting their dominant position in the legal system to oppress the ambitious lower orders and established themselves as the justices of the peace, who enforced labour legislation with crown support.⁹ The determination with which the gentry fought to become the leaders of peace and labour commissions in the mid-fourteenth century indicates the growing importance being placed on involvement in the legal system.¹⁰ The Black Death also highlights another reason for the

⁵ R. C. Palmer, *English Law in the Age of the Black Death 1348-1381: A Transformation of Governance and Law* (London, 1993), p. 54.

⁶ A. Ayton, 'English Armies in the Fourteenth Century', in Curry and Hughes (eds.), *Arms, Armies and Fortifications*, p. 28.

⁷ Palmer, *English Law in the Age of the Black Death*, pp. 213, 252 and 294; R. Horrox (ed. and trans.), *The Black Death* (Manchester, 1994), p. 239; Fryde, *Peasants and Landlords*, pp. 29-30; Harding 'The Revolt against the Justices', p. 165; Keen, *Origins of the English Gentleman*, p. 22.

⁸ Horrox (ed. and trans.), *The Black Death*, pp. 3, 233, 236 and 242; J. M. W. Bean, 'The Black Death: the Crisis and its Social and Economic Consequences', in D. Williman (ed.), *The Black Death: the Impact of the Fourteenth Century Plague* (Binghamton, 1982), pp. 23-38; M. Postan, *The Medieval Economy and Society: An Economic History of Britain in the Middle Ages* (Harmondsworth, 1975), pp. 40-4 and 238-9; A. E. Nash, 'The Mortality Pattern of the Wiltshire Lords of the Manor, 1242-1377', *Southern History*, 2 (1980), p. 40; Rigby, 'English Society in the Later Middle Ages', pp. 29 and 33; B. Dodds, 'Durham Priory Tithes and the Black Death between Tyne and Tees', *Northern History*, 39 (2002), pp. 15 and 17; A. Tuck, 'War and Society in the Medieval North', *Northern History*, 21 (1985), pp. 38 and 42; H. Barnes, 'Visitations of the Plague in Cumberland and Westmorland', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, 11 (1890), pp. 161 and 163-5; I. Kershaw, 'The Great Famine and Agrarian Crisis in England 1315-22', *Past and Present*, 59 (1973), pp. 3-50; P. J. P. Goldberg, 'Mortality and Economic Change in the Diocese of York, 1390-1514', *Northern History*, 24 (1988), p. 48.

⁹ Powell, *Kingship, Law and Society*, pp. 16 and 56; Horrox (ed. and trans.), *The Black Death*, p. 240; Palmer, *English Law in the Age of the Black Death*, pp. 1, 15-17, 23, 54 and 56; B. H. Putnam, *The Enforcement of the Statute of Labourers During the First Decade After the Black Death 1349-1359* (New York, 1908), p. 221; Fryde, *Peasants and Landlords*, p. 29.

¹⁰ Ormrod, *The Reign of Edward III*, p. 159; Powell, *Kingship, Law and Society*, pp. 15-16; Summerson, 'Murder at Hutton-In-The-Forest', p. 67; Hicks, *Bastard Feudalism*, p. 184; L. Clark, 'Magnates and their Affinities in the Parliaments of 1386-1421', in Britnell and Pollard (eds.), *The McFarlane Legacy*, p. 144; Noble, *The World of the Stonors*, p. 6; Bean, *From Lord to Patron*, pp. 201-2; R. W. Kaeuper, 'Law and Order in Fourteenth-Century England: the Evidence of Special Commissions of Oyer and Terminer', *Speculum*, 54 (1979), p. 743; Keen, *Origins of the English Gentleman*, p. 163; Harding, *The Law Courts of Medieval England*, p. 92; A. Verduyn, 'The

gentry becoming more interested in legal administration, in that it offered them an opportunity for gain. Not only were they able to use their position to protect themselves as landlords, but for a certain time they were able to take a share of the profits from labour law commissions.¹¹ The peasant rebellions of the period saw a continued interest amongst the gentry in rectifying problems with law rather than force, as the gentry encouraged the crown to take a conciliatory approach.¹² The fact that the landlords murdered during the revolts usually served administratively also indicates a strong connection in the popular mind between elite power and this type of service.¹³

The fourteenth century saw the development of a legal system which attempted to replace traditional dispute resolution, with varied success.¹⁴ Edward I's reign saw the gentry given new opportunities to be involved in this emerging system, such as serving on commissions of *oyer* and *terminer*.¹⁵ Whilst also frequently engaging in crime, the gentry took a considerable role in administering the law.¹⁶ This has led historians to claim that the elite became less warlike and more interested in office-holding.¹⁷ Even Ayton has acknowledged that war no longer permitted a clear distinction between social levels, and it has been argued that, as bureaucracy increased, the military identity decreased in utility for the elite.¹⁸ It has been claimed that service was only intermittent for the elite, as the gentry became administrators rather than soldiers and local office-holding became a more important prestige symbol.¹⁹ This idea has been developed to suggest that regional legal employment

Commons and the Early Justices of the Peace under Edward III', in Fleming, Gross and Lander (eds.), *Regionalism and Revision*, p. 101; Harding, 'The Revolt against the Justices', p. 168; Saul, 'Conflict and Consensus', pp. 51-2.

¹¹ Ormrod, 'The Politics of Pestilence', p. 156.

¹² Musson, *Medieval Law in Context*, p. 243; Faith, 'The "Great Rumour" of 1377', p. 43; M. Mate, 'Labour and Labour Services on the Estates of Canterbury Cathedral Priory in the Fourteenth Century', *Southern History*, 7 (1985), pp. 64-5; Musson and Ormrod, *The Evolution of English Justice*, p. 99; Fryde, *Peasants and Landlords*, p. 128; A. Tuck, 'Nobles, Commons and the Great Revolt of 1381', in Hilton and Aston (eds.), *The English Rising of 1381*, pp. 200-1; R. B. Dobson, 'The Risings in York, Beverley and Scarborough, 1380-1381', in Hilton and Aston (eds.), *The English Rising of 1381*, pp. 112-42.

¹³ Dyer, 'The Social and Economic Background', p. 14.

¹⁴ Green, *Verdict According to Conscience*, p. 32; Clanchy, 'Law and Love', pp. 47-9; Musson, *Medieval Law in Context*, p. 124; McLane, 'Juror Attitudes', pp. 57-8; Powell, *Kingship, Law and Society*, p. 9.

¹⁵ Kaeuper, 'Law and Order in Fourteenth-Century England', p. 743. For more on governmental developments during the reign of Edward I see C. Burt, *Edward I and the Governance of England, 1272-1307* (Cambridge, 2013); J. R. Maddicott, 'Edward I and the Lessons of Baronial Reform', in P. R. Coss and S. D. Lloyd (eds.), *Thirteenth Century England I* (Woodbridge, 1986), pp. 1-30.

¹⁶ Wright, *The Derbyshire Gentry*, p. 119; Kaeuper, *War, Justice and Public Order*, p. viii; R. H. Hilton, *A Medieval Society: the West Midlands at the End of the Thirteenth Century* (London, 1966), pp. 252-3; Harriss, *King, Parliament and Public Finance*, pp. 354-5; Harding, *The Law Courts*, p. 94; Chism, 'Robin Hood: Thinking Globally, Acting Locally', pp. 15 and 22.

¹⁷ Barber, *The Knight and Chivalry*, p. 41; Gorski, 'Lordship, Gentility and Local Administration', p. 35.

¹⁸ Ayton, 'Knights, Esquires and Military Service', p. 82; Goldberg, *Medieval England*, p. 115.

¹⁹ C. Given-Wilson, 'The King and the Gentry in Fourteenth-Century England', *TRHS*, 5th series, 37 (1987), p. 89; Saul, *Knights and Esquires*, pp. 52-3; Coss, *The Origins of the English Gentry*, pp. 180

was a means of proving merit to the crown for appointment to further positions of authority.²⁰ Serving as an MP also appears to have been increasingly attractive to the gentry from the mid-fourteenth century.²¹ Bradford has identified that poor attendance at parliament was rare.²² He argues that any non-attendance was primarily due to difficulties attending multiple parliaments when they were too frequent, or a desire to avoid involvement in national politics at points of crisis, rather than reluctance to serve in general.²³ He has also highlighted the fact that MPs were often men of ‘significant means and position’ within their county.²⁴ Honeywell has supported Bradford’s claim that involvement in parliament became desirable by demonstrating the enthusiasm of the gentry to secure their own election to parliament despite already serving as sheriffs, until laws were made to prevent this duality in the mid-fourteenth century.²⁵ Edwards has also argued for the popularity of parliamentary service.²⁶ The studies of these historians have demonstrated that administrative service came to play an important role in gentry identity. However, it is still a matter of debate as to how far administrative service replaced military service in the fourteenth century, as other historians claim that the elite of fourteenth-century England maintained a military identity.

Ayton has presented the idea that the Edwardian gentry were militarised to a considerable extent, which contrasts sharply with the preceding argument.²⁷ Historians have stressed the continued focus on warfare amongst the elite due to war with France and Scotland, and used evidence of concern with chivalry to suggest that it would have encouraged the elite to desire a martial identity despite diversifying elite functions.²⁸ Coss

and 184; Noble, *The World of the Stonors*, p. 129; J. L. Leland, ‘The Oxford Trial of 1400: Royal Politics and the County Gentry’, in J. L. Gillespie (ed.), *The Age of Richard II* (Stroud; New York, 1997), p. 183.

²⁰ Musson and Ormrod, *The Evolution of English Justice*, p. 191.

²¹ Honeywell, ‘Chivalry as Community and Culture’, p. 97.

²² P. Bradford, ‘Parliament and Political Culture in Early Fourteenth Century England’ (University of York PhD Thesis, 2007), p. 105.

²³ *Ibid.*, p. 105.

²⁴ *Ibid.*, p. 111.

²⁵ Honeywell, ‘Chivalry as Community and Culture’, p. 96.

²⁶ J. G. Edwards, ‘The Personnel of the Commons in Parliament under Edward I and Edward II’, in E. B. Fryde and E. Miller (eds.), *Historical Studies of the English Parliament Volume I Origins of 1399* (Cambridge, 1970), p. 67.

²⁷ A. Ayton, ‘Armies and Military Communities in Fourteenth-Century England’, in Coss and Tyerman (eds.), *Soldiers, Nobles and Gentlemen*, p. 221.

²⁸ Coss, *The Knight in Medieval England*, pp. 108, 111-13 and 127; Prestwich, ‘The Enterprise of War’, p. 74; Hicks, *Bastard Feudalism*, p. 185; Keen, *Chivalry*, pp. 177 and 252; Kaeuper, *Chivalry and Violence*, pp. 2, 30-6, 107, 110 and 140; Bean, *From Lord to Patron*, p. 79; Ayton, ‘Knights, Esquires and Military Service’, p. 81; M. H. Keen, ‘Chivalry’, in Radulescu and Truelove (eds.), *Gentry Culture*, p. 45; N. Saul, *For Honour and Fame. Chivalry in England, 1066-1500* (London, 2011), p. 158; M. Bennett, ‘*Sir Gawain and the Green Knight* and the Literary Achievement of the North-West Midlands: the Historical Background’, *JMH*, 5 (1979), p. 71; Kaeuper, ‘Chivalry and the Civilising Process’, p. 34; Ayton, *Knights and Warhorses*, p. 27; Keen, ‘War, Peace and Chivalry’, p. 18; R. B. Dobson, ‘The Medieval Origins of the Robin Hood Legend: a Reassessment’, *Northern History*, 7 (1972), p. 21; Vale, ‘Violence and the Tournament’, p. 158; Kaeuper, *War, Justice and Public Order*, p. 185; Goldberg, *Medieval England*, p. 118.

has claimed that the interest in chivalry reinforced knighthood's martial characteristics and military service 'confirmed, if it did not confer, status'.²⁹ Gentry participation in the wars of the fourteenth century was considerable, which lends weight to claims that elites regarded military service as their main function.³⁰ Ayton has supported Coss by arguing that few gentry families escaped military service.³¹ He has gone on to claim that such service was normally regular.³² King has supported Ayton's theory by claiming that frequent service in Scotland, and then France from the mid-fourteenth century as the Hundred Years War began, alongside defence of the Borders and the southern coast, led to a 'common martial purpose' being created nationwide.³³ Coss has identified a connection between the sense that military service was an elite duty and gentry ideas of status, knighthood and chivalry.³⁴ For instance, later knighting ceremonies included a prayer that the knight would serve militarily, and the emergent gentry was 'impregnated' with such knightly values.³⁵ This combination of chivalric interests and military service has led historians such as Ayton and Honeywell to identify the development of a martial elite which used militaristic and chivalric imagery, for instance on tombs, to proclaim its military identity.³⁶

Historians have also considered the impact of changing circumstances through the fourteenth century, such as changes in military strategy and crown relations with the elite, on the importance of military service for the gentry. Ayton has acknowledged the move away from the use of the aristocratic destrier, the finest and strongest warhorse, to mounted men-at-arms who dismounted to fight.³⁷ However, instead of using this as evidence of a fall in elite interest in warfare, he claims that the elite were still keen to use warhorses in their imagery and were expected to demonstrate military prowess.³⁸ Ayton also claims that the rise of the mounted archer at the expense of the infantry meant that service in war could still be

²⁹ Coss, *The Knight in Medieval England*, pp. 100, 108 and 111.

³⁰ Ormrod, *The Reign of Edward III*, pp. 149 and 151. Spencer has challenged this claim for a high level of gentry involvement in military service in his study of Edward I's Scottish campaigns, but it will be demonstrated that for the counties being studied in this thesis many members of the gentry did serve militarily: A. Spencer, 'A Warlike People? Gentry Enthusiasm for Edward I's Scottish Campaigns, 1296-1307', in Bell, Curry, Chapman, King and Simpkin (eds.), *The Soldier Experience*, p. 106.

³¹ Ayton, 'Armies and Military Communities', pp. 221-2.

³² *Ibid.*, pp. 221-2; Coss, *The Knight in Medieval England*, p. 104.

³³ A. King, 'The Anglo-Scottish Marches and the Perception of 'the North' in Fifteenth-Century England', *Northern History*, 49 (2012), p. 46.

³⁴ Coss, *The Knight in Medieval England*, p. 104.

³⁵ Barber, *The Knight and Chivalry*, p. 334; Coss, *The Knight in Medieval England*, p. 127.

³⁶ Ayton, 'Armies and Military Communities', p. 216; Honeywell, 'Chivalry as Community and Culture', p. 233; Coss, *The Knight in Medieval England*, p. 99.

³⁷ Ayton and Price, 'Introduction', pp. 27 and 32.

³⁸ Ayton and Price, 'Introduction', p. 9; Ayton, *Knights and Warhorses*, pp. 27 and 32; Ayton, 'English Armies in the Fourteenth Century', p. 22; Ayton, 'The English Army at Crécy', p. 224; M. Prestwich, 'Cavalry Service in Early Fourteenth-Century England', in J. Gillingham and J. C. Holt (eds.), *War and Government in the Middle Ages: Essays in Honour of J. O. Prestwich* (Woodbridge, 1984), p. 147.

used as a mark of status.³⁹ There may have been a ‘gulf’ in terms of structure and tactics between the armies used under Edward I and the armies of Edward III, but historians have made a persuasive case that this did not stop the gentry from regarding military connections as a way of demonstrating their elite status.⁴⁰ Furthermore, it has been argued that individuals and families laid the foundations of a tradition of regular military service under Edward I and Edward II, which continued under Edward III.⁴¹ The development of contract armies, instead of reliance on feudal levies, also helped to encourage the creation of military communities, as contract armies of paid aristocratic retainers tended to engage in repeat service together.⁴² Richard II’s use of the feudal levy in 1385, which may have been due to the need for a particularly large army or the less attractive nature of service in Scotland rather than France, was the first use of such practice for almost sixty years.⁴³ The networks of military leaders and their retainers transcended county and regional boundaries, encouraging gentry to engage in military service outside of their local area.⁴⁴

It has been suggested that the aristocracy were more willing to serve militarily under Edward III, the ‘military monarch *par excellence*’ who reinvigorated knighthood, than his predecessor.⁴⁵ This supports an idea of remilitarisation in the second half of the fourteenth century. This is strengthened by Ayton’s discovery that, at the time of Edward III’s first French campaign in July 1338, there were around three or four times fewer men engaged in local administration than accompanying Edward from this social group.⁴⁶ However, Honeywell has highlighted the use of the aristocracy who performed regular military service and their recruitment networks by Edward I, as well as his grandson Edward III, to meet their considerable need for manpower.⁴⁷ The royal household had a strong military identity from the reign of Edward I, and was ‘the hub of the military machine’ in his campaigns and those of his grandson.⁴⁸ It provided a considerable force which was increased by the retainers of the magnates.⁴⁹ The gentry of the early-fourteenth century would also have been heavily involved in military service under the strong influence of Edward I. Despite Edward II’s failure at Bannockburn, and Prestwich’s claim that under Edward II the sense of a common

³⁹ Ayton, ‘English Armies in the Fourteenth Century’, p. 33.

⁴⁰ Ayton, ‘Knights, Esquires and Military Service’, p. 82.

⁴¹ Ayton, ‘Armies and Military Communities’, p. 238.

⁴² Ayton and Price, ‘Introduction’, p. 13; Ayton, ‘Armies and Military Communities’, p. 219.

⁴³ Lewis, ‘The Recruitment and Organization of a Contract Army’, pp. 5 and 14; N. B. Lewis, ‘The Last Medieval Summons of the English Feudal Levy, 13 June 1385’, *EHR*, 73 (1958), pp. 1 and 5; N. B. Lewis with commentary by J. J. N. Palmer, ‘The Feudal Summons of 1385’, *EHR*, 100 (1985), pp. 734-5; Tuck, ‘War and Society in the Medieval North’, p. 47.

⁴⁴ Ayton, ‘Armies and Military Communities’, p. 226.

⁴⁵ Fowler, *The King’s Lieutenant*, pp. 214 and 219; Powicke, *Military Obligation*, pp. 170-1.

⁴⁶ Ayton, ‘Armies and Military Communities’, p. 222.

⁴⁷ Honeywell, ‘Chivalry as Community and Culture’, p. 46.

⁴⁸ M. Prestwich, *The Three Edwards: War and State in England 1272-1377* (London, 2003), p. 57;

Spencer, ‘A Warlike People?’, p. 103.

⁴⁹ Prestwich, *The Three Edwards*, p. 57; Spencer, ‘A Warlike People?’, p. 103

purpose against the Scots fell apart, the reigns of the three Edwards have been portrayed as the 'high water mark of chivalric knighthood' in late-medieval England.⁵⁰

The connection between geography and gentry perceptions of the value of military service is particularly relevant to this thesis, which is interested in the effect of geography on gentry perceptions of violence. Cumberland, Nottinghamshire and Hampshire illustrate the variety of experience of war in fourteenth-century England. As highlighted in Chapter One, the gentry of Cumberland regularly had to defend themselves from Scottish raids throughout the century.⁵¹ In contrast, the Hampshire gentry were victim to French attacks from 1337 until Richard II secured a truce with France in 1389, so they faced enhanced pressures of defending their land between these dates.⁵² It was also observed that Nottinghamshire gentry did not face the same pressure of needing to defend their county against enemy attacks, but were still expected to supply troops and supplies for the defence of the Borders due to their position north of the Trent.⁵³ The extent to which these varied situations affected the participation of the gentry in each county in military service will be assessed in this chapter.

This summary of the historiography surrounding the issues of gentry administrative and military service in the fourteenth century indicates that both Palmer and Ayton's arguments have merit. This is the reason for most historians acknowledging that both forms of service were important for the fourteenth-century gentry. Even Ayton, who argues strongly against the theory of demilitarisation of the gentry, has acknowledged a 'diversification of functions' for the gentry of late-medieval England.⁵⁴ As has been shown though, historians have varied in terms of how they perceive the division of importance between military and administrative service. Several historians have taken a nuanced approach when considering gentry service by suggesting that the gentry prioritised administrative or military service at different stages in their lives; they engaged in warfare during their youth and then took up local office after their martial career had ended.⁵⁵ This chapter will address this theory, along with the others raised in the introduction, by analysing the administrative and military careers of a selection of the prominent individuals and gentry families in Hampshire, Nottinghamshire and Cumberland throughout the century.

To fully analyse the careers of a comprehensive list of leading gentry for the whole fourteenth century is not within the scope of a thesis chapter, nor is it possible with the

⁵⁰ Coss, *The Knight in Medieval England*, p. 100; Benson, *Malory's Morte Darthur*, p. 141; Saul, 'Chivalry and Art', pp. 97 and 111; Coss, *The Origins of the English Gentry*, p. 139; Saul, *For Honour and Fame*, pp. 75, 93, 103 and 112; Powicke, *Military Obligation*, pp. 134 and 170-1; Barber, *The Knight and Chivalry*, p. 172; Prestwich, 'Cavalry Service in Early Fourteenth-Century England', p. 153.

⁵¹ See above, pp. 25-6 and 28-9.

⁵² Hughes, 'The Fourteenth-Century French Raids', pp. 140-3.

⁵³ Simpkin, 'Total War in the Middle Ages?', p. 68.

⁵⁴ Ayton, 'Knights, Esquires and Military Service', p. 81.

⁵⁵ Ward, 'Sir John de Coggeshale', p. 62; Saul, *Knights and Esquires*, p. 56.

limited nature of evidence available. Ayton has identified the latter issue with regards to the Crécy campaign.⁵⁶ The chapter will therefore be divided into sections focusing on the early-, mid- and late-fourteenth centuries and the military campaigns joined by the gentry at these times. The chapter will begin with Edward I's campaigns against Scotland in the early-fourteenth century, progress to the conflict with France and Scotland in the mid-fourteenth century, and conclude with the military ventures at the end of the fourteenth century, such as Richard II's 1385 campaign into Scotland.⁵⁷ The geographical spread of these campaigns allows for an analysis of participation in different venues by the gentry of each county. Furthermore, the spread of dates means that development over time can be considered. Connections will also be drawn between the sections in order to discover the extent to which families in Hampshire, Nottinghamshire and Cumberland maintained traditions of military and administrative service in different locations as the fourteenth century progressed. This will reveal the nature and importance of gentry service in each county. By revealing what was important to the gentry, and how they formed their identity, it will be possible to identify what may have motivated them to engage in violence and what values may have affected their perceptions of violence.

The Early-Fourteenth Century

Edward I led a number of campaigns into Scotland in the thirteenth and early-fourteenth centuries. In 1295 the Scots had formed an alliance with the French and Edward had responded by removing the Scottish king, John Balliol.⁵⁸ However, the Scots remained rebellious, and by 1298 English rule over Scotland was limited to several isolated garrisons.⁵⁹ A campaign to subdue rebellion was clearly needed at the opening of the fourteenth century. Despite some setbacks, the 1300-1 campaign resulted in the capture of Caerlaverock Castle and the capture of Bothwell Castle, with Robert the Bruce, the leader of the Scottish rebellion, surrendering in 1301.⁶⁰ The Scots rebelled again in 1303 but by 1304 the English army was able to capture Stirling Castle and force a Scottish surrender.⁶¹ This

⁵⁶ Ayton, 'The English Army at Crécy', p. 254.

⁵⁷ M. Prestwich provides an introduction to the early and mid-fourteenth century campaigns in Prestwich, *The Three Edwards*; Ayton, 'Knights, Esquires and Military Service', p. 83.

⁵⁸ For more detail on these events see M. Morris, *A Great and Terrible King: Edward I and the Forging of Britain* (London, 2008), pp. 284-5.

⁵⁹ *Ibid.*, p. 314.

⁶⁰ Morris, *A Great and Terrible King*, pp. 325-336; Prestwich, *The Three Edwards*, p. xvi.

⁶¹ Morris, *A Great and Terrible King*, pp. 338-42.

enabled Edward to settle Scotland politically and administratively in 1305.⁶² In 1306 the Scots rebelled yet again, however, and Robert the Bruce was enthroned as the Scottish king.⁶³ As such, whilst this section takes the early campaigns as its starting-point for considering gentry participation, it will consider the continued military involvement of the gentry in this area in the early-fourteenth century.

Of the 87 bannerets mentioned in the *Song of Caerlaverock*, which was a record of Edward's 1300 campaign in Dumfries and Galloway, only 23 served for pay.⁶⁴ Most of these were royal household knights, showing that Edward I was maintaining earlier traditions of levying troops.⁶⁵ Honeywell has carried out a study of the military elite taking part in the early-fourteenth century Scottish campaigns, as discussed above.⁶⁶ This study has identified the leading members of Edward's campaign. 15 of the men in Honeywell's sample served militarily in 1296, 74 in 1298, 101 in 1300, 27 in 1303-4 and 14 in 1314.⁶⁷ Whilst this shows variety even in a short period, there were men who served several times and developed a role for themselves as a military core for Edward I's army. These men were not all northern men like Robert Clifford, but also southern lords such as Maurice Berkeley.⁶⁸ It will therefore be pertinent to identify if the gentry of Hampshire followed the example of their social superiors.

Edward I used Round Tables to create an image of Arthurian kingship and, as identified in the introduction, his was a reign infused with the themes of chivalry and military knighthood.⁶⁹ It is hence likely that the elite of this society would have been encouraged to follow his interests. Edward's instruction in 1300 to those who held land of him in chief to come or send men to Carlisle for military service indicates that a grant of land through royal favour came with an expectation to give further service in return during this period.⁷⁰ This supports the idea that emphasis was placed on repeated elite military service by the crown at the opening of the fourteenth century. However, there is also evidence that administrative service was valued during the period, as highlighted in the introduction to this chapter.⁷¹ Honeywell's 1300 sample consists mainly of peers rather than gentry, and so does not constitute proof regarding the latter group.⁷² Nonetheless, it does reveal a combination of administrative and military service by elite individuals, as 74 out of

⁶² Prestwich, *The Three Edwards*, p. xvi.

⁶³ *Ibid.*, p. xvi; Morris, *A Great and Terrible King*, pp. 354-5.

⁶⁴ Honeywell, 'Chivalry as Community and Culture', p. 48.

⁶⁵ *Ibid.*, p. 48; Powicke, *Military Obligation*, pp. 132-3.

⁶⁶ See above, p. 31.

⁶⁷ Honeywell, 'Chivalry as Community and Culture', p. 53.

⁶⁸ *Ibid.*, p. 83.

⁶⁹ *Ibid.*, pp. 178-81. Edward III's chivalric interests have already been introduced: see above, pp. 24-5.

⁷⁰ *PW*, vol. 1, p. 328.

⁷¹ See above, pp. 76-9.

⁷² Honeywell, 'Chivalry as Community and Culture', p. 93.

101 men who served militarily were summoned to parliament and four were elected knights of the shire.⁷³ However, he also claims that very few individuals in the sample were appointed to judicial commissions, and when they were it was to commissions of *oyer* and *terminer*.⁷⁴ The focus will now turn to the gentry of Hampshire, Nottinghamshire and Cumberland to consider their service.

Hampshire

There is certainly evidence to demonstrate that leading members of the peerage and the gentry of Hampshire were involved in military service in the Scottish Borders at the opening of the fourteenth century. Baronial families such as the St Johns sent fathers and sons with retinues to join the campaign.⁷⁵ A writ of military summons from 1301 personally summoned a considerable number of the Hampshire elite, both barons and gentry, to serve in Scotland.⁷⁶ In addition, other summonses from the neighbouring years named individuals from, or with a strong connection to, the county.⁷⁷ The aim is not to produce a comprehensive study of these men, but it will consider select examples of individuals and families to illuminate points related to the issues in the introduction. This will indicate the involvement of the local gentry in military and administrative service at the start of the fourteenth century, and more specifically in military service in an arena at a distance from their own county.

The Roches family lend veracity to the idea that gentry families from Hampshire developed traditions of military service and served together. John Roches was summoned to Carlisle for military service in 1301, along with his son Thomas.⁷⁸ However, sons did not just follow their fathers into warfare. A tradition of administrative service also appears to have been developing within some families. William Russell served in the Borders three times between 1301 and 1309, whilst intermittently serving on legal commissions and representing Hampshire as an MP in 1307.⁷⁹ His son Theobald was also MP for Hampshire, serving on two occasions, in 1331 and 1334, showing the continuation of parliamentary

⁷³ Honeywell, 'Chivalry as Community and Culture', p. 93.

⁷⁴ *Ibid.*, p. 103.

⁷⁵ *Ibid.*, pp. 250-1; *PW*, vol. 1, pp. 323-4, 327 and 348 and vol. 2, p. 738.

⁷⁶ *PW*, vol. 1, p. 350.

⁷⁷ *Ibid.*, vol. 1, p. 350.

⁷⁸ *Ibid.*, vol. 1, pp. 348 and 350.

⁷⁹ *Ibid.*, vol. 1, pp. 25, 350 and 377 and vol. 2, pp. 25 and 382; *CPR, 1307-13*, p. 250; *Members of Parliament*, vol. 1 (London, 1878), p. 28.

service in the family.⁸⁰ The Warbelton family paints a similar picture. Thomas Warbelton followed his military service in the Borders in 1301 by becoming sheriff of Hampshire three times from 1303 and MP twice from 1307.⁸¹ Thomas's son John followed his example by serving as MP for Hampshire four times from 1321, being commissioned to survey ships to be sent to Portsmouth in 1326 and serving on a peace commission in 1329.⁸²

In order to consider the theory that administrative service followed retirement from military ventures, the first individual to be considered, John Roches, is again a useful example. John followed his military service in 1301 with service as MP for Hampshire on three occasions from 1320.⁸³ However, he was also summoned to serve in Gascony under the earl of Surrey in 1325, thereby challenging the idea that men would not alternate between types of employment.⁸⁴ John Scures is similar as he returned from the Borders in 1301 to serve as MP three times from 1309, but then served in Scotland in 1314 before serving as sheriff and on legal commissions.⁸⁵ James Norton's career demonstrates a similar pattern.⁸⁶ However, there are also numerous examples of men who did not return to military service after leaving involvement in warfare to take part in local administration. For instance, Peter Evercy was summoned to serve in war in 1301 and was subsequently MP for Hampshire three times from 1312.⁸⁷ He does not appear in later expeditions to Scotland such as the campaign of 1314. John Duyn provides another example of this pattern as he was summoned to serve in the Borders in 1301 and was then MP for Hampshire in 1319 and 1328.⁸⁸

There were also Hampshire gentry summoned to the Borders in 1301 who do not appear to have followed this service with involvement in local officialdom. John le Bottler, Walter Romsey, John Daundly and Robert Harnhull provide examples of men who can either be found sporadically or not at all in records of local service, but were deemed worthy of a personal summons to serve militarily.⁸⁹ Ralph Gorges followed service in 1300 with involvement in the campaign of 1304, and received military summonses until 1323.⁹⁰ He is not however recorded as having held important offices in Hampshire. Henry Sturmy does not appear to have been heavily involved in local society after his service in 1301 and 1309,

⁸⁰ *Members of Parliament*, vol. 1, pp. 95 and 105.

⁸¹ *Ibid.*, vol. 1, pp. 28 and 44; *PW*, vol. 1, p. 350; Hughes, *List of Sheriffs*.

⁸² *Members of Parliament*, vol. 1, pp. 63, 77, 82 and 84; *CPR*, 1324-7, p. 310; *CPR*, 1327-30, p. 430.

⁸³ *Members of Parliament*, vol. 1, pp. 61 and 68.

⁸⁴ *PW*, vol. 2, p. 701.

⁸⁵ *Ibid.*, vol. 1, p. 350 and vol. 2, p. 428; *Members of Parliament*, vol. 1, pp. 31, 47 and 65; *CPR*, 1321-4, pp. 213 and 309; *CPR*, 1334-8, p. 442.

⁸⁶ *PW*, vol. 1, p. 350 and vol. 2, p. 428; Hughes, *List of Sheriffs*; *CPR*, 1313-7, pp. 248, 482 and 700; *CPR*, 1317-21, p. 95; *CPR*, 1321-4, p. 213; *Members of Parliament*, vol. 1, p. 23.

⁸⁷ *PW*, vol. 1, p. 350; *Members of Parliament*, vol. 1, pp. 42, 56 and 68.

⁸⁸ *PW*, vol. 1, p. 350; *Members of Parliament*, vol. 1, p. 58 and 86.

⁸⁹ *PW*, vol. 1, p. 350.

⁹⁰ Honeywell, 'Chivalry as Community and Culture', p. 247; *PW*, vol. 2, p. 627.

although it will be shown that his family came to take a leading role in administration in later years.⁹¹ Conversely, other families were heavily involved in local administration, but were not summoned to join their gentry colleagues in the Borders.

The Pophams are a clear example of a family with a tradition of serving as MPs for Hampshire. Six family members fulfilled this role from 1304 to the end of the century, with several serving multiple times.⁹² None of their members were included in the summons to join the military campaign of 1300-1, so it could have been possible to take a leading role without engaging in military service at this stage. However, Robert Popham was summoned to serve in Gascony under the earl of Surrey in 1325, so not all family members avoided warfare.⁹³ The Worting family were associated with Basingstoke in Hampshire since the reign of Edward I, and played an important role in the town's affairs.⁹⁴ They are also missing from the summons. The MPs for Hampshire from 1299 to 1301, Hugh Estcote and Baldwin Bellauney, and the sheriff of Hampshire from 1301 to 1302, John Gerberge, are also missing from the summons.⁹⁵ This either indicates the recognition that service in both spheres at the same time was impossible, or a conscious decision to choose a solely administrative career.

What has emerged in this section is that whilst some gentry families developed traditions of service and some individuals followed military service with administration, there was no set pattern in terms of service for all of the gentry of early-fourteenth-century Hampshire. It has also been identified that at this stage the gentry of Hampshire were often serving militarily in areas of the country at a considerable distance from their primary residences. It will now be considered if a similar situation existed in Nottinghamshire.

Nottinghamshire

The evidence provided by military summonses indicates that the gentry of Nottinghamshire also travelled to the Scottish Borders to undertake military service. A summons to serve in 1301 individually names elite members of Nottinghamshire and Derbyshire societies.⁹⁶ This indicates that whilst the gentry of Nottinghamshire were not directly troubled by war on the frontiers of their county, they were expected to take a role in

⁹¹ *PW*, vol. 1, p. 350 and vol. 2, p. 381.

⁹² *Members of Parliament*, vol.1, pp. 20, 90, 110, 118, 137, 151, 154, 183, 185, 189, 200, 215, 224, 226, 232, 235, 240, 248 and 253; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 113 and 115.

⁹³ *PW*, vol. 2, p. 701.

⁹⁴ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 904.

⁹⁵ *Members of Parliament*, vol. 1, pp. 11, 14, 17, 20 and 23; Hughes, *List of Sheriffs*.

⁹⁶ *PW*, vol. 1, p. 355.

war with Scotland. A considerable number of the noble families connected to Nottinghamshire served in Edward I's campaigns at the end of the thirteenth and start of the fourteenth centuries, such as the earls of Lancaster and the Segraves.⁹⁷ These men would have taken retinues on campaigns, and these were likely to include members of the Midlands elite. One example is provided by Thomas Earl of Lancaster retaining Sir Thomas Lovel, a Leicestershire-based baron, in the early-fourteenth century.⁹⁸ Other northern lords also took members of the elite to war. For instance, John Cromwell of Nottinghamshire was a knight in Robert Clifford's retinue and served militarily from 1298.⁹⁹

The Clifton family reveals the potential for members of the same family to put different emphases on military and administrative service, and immediately challenges the idea that members of the same family focused on the same type of service. Gervase Clifton carried out military service in 1301, whereas his son Gervase focused on local administration, serving as MP for Nottinghamshire from 1314 to 1315.¹⁰⁰ However, this does not mean an absence of evidence of family traditions of service in the analysis of the Nottinghamshire gentry, as in some cases family members served concurrently and successively in warfare. Theobald Verdon and his son, also named Theobald, were summoned on three occasions between 1299 and 1303 with their own retinues.¹⁰¹ This demonstrates repeated military service as a family, although they also served individually in later years.¹⁰² Robert and Philip Strelley both served in Scotland in 1301, again demonstrating a family tradition of service.¹⁰³ Another familial connection can be seen in the summons for Thomas le Ragged and his son Richard to serve together in Scotland in 1301.¹⁰⁴

The Deincourt family also reveals the existence of a concept of a shared family military identity for some of the elite. Edmund Deincourt, who had served with a retinue in 1300, was instructed to serve at Carlisle in 1301.¹⁰⁵ However, he was also given the option to send his son, John, who had also served in 1300, instead.¹⁰⁶ Edmund's career appears to have continued as he led a retinue in Scotland in 1303.¹⁰⁷ It was not solely in terms of military

⁹⁷ *Ibid.*, vol. 1, pp. 181-3, 322-4, 327 and 348 and vol. 2, pp. 381 and 697; Honeywell, 'Chivalry as Community and Culture', pp. 69, 248 and 251; Maddicott, *Thomas of Lancaster*, p. 4.

⁹⁸ M. Jones and S. Walker (eds.), 'Private Indentures for Life Service in Peace and War 1278-1476', *Camden Miscellany* 32, Camden Society, 5th series, vol. 3 (London, 1994), pp. 56-7.

⁹⁹ Honeywell, 'Chivalry as Community and Culture', p. 245; *PW*, vol. 2, p. 714.

¹⁰⁰ *PW*, vol. 1, p. 355; *Members of Parliament*, vol. 1, p. 49.

¹⁰¹ *PW*, vol. 1, pp. 324, 327 and 366.

¹⁰² *Ibid.*, vol. 2, pp. 380 and 466.

¹⁰³ *Ibid.*, vol. 1, pp. 355 and vol. 2, p. 477. The exact familial connection between these men could not be determined, but they were summoned together.

¹⁰⁴ *Ibid.*, vol. 1, p. 355.

¹⁰⁵ *Ibid.*, vol. 1, pp. 327 and 357; Honeywell, 'Chivalry as Community and Culture', p. 245.

¹⁰⁶ *Ibid.*, vol. 1, pp. 327 and 357; Honeywell, 'Chivalry as Community and Culture', p. 245.

¹⁰⁷ Simpkin, 'Total War in the Middle Ages?', p. 84.

service that gentry families in early-fourteenth-century Nottinghamshire developed traditions of service though; some families had successive members focusing on officialdom and legal service as a means of creating power. The Willoughby family provides a good example of this as they used practice of the law and office-holding to secure a position amongst the Nottinghamshire elite.¹⁰⁸ Richard Willoughby the younger advanced this as an MP in 1323 and a justice of the King's Bench until 1340, which demonstrates continuation and advancement of service within a family.¹⁰⁹

In terms of a potential pattern in the progression of the careers of individuals, there is a high level of variety. John Deincourt became an MP in 1320 after his military career had ended and Walter Goushill, of Hoveringham, Nottinghamshire, followed military service in 1301 by serving as an MP in 1307.¹¹⁰ These and other men provide examples of administrative service becoming a means of employment after a military career had concluded. However, other men alternated different types of service, suggesting a greater level of variety. Richard Furneaux provides just one example of the numerous local gentry who began his career in warfare and later returned to military service, having been involved in local administration in between. Furneaux was sheriff in 1300 and followed this by serving militarily in the Borders in 1301.¹¹¹ He then returned to administrative service as a military purveyor in 1306 for Nottinghamshire and Derbyshire.¹¹² This inverts the model of military service being the first type of service for the gentry to engage in. It also highlights the importance of a combination of service for members of the local gentry, rather than men forging solely military or administrative careers.

However, there were a number of gentry members who are recorded as having been involved in military service but took either no part or had minimal involvement in local administration. John Langford, William Montgomery and Peter Chatton were summoned personally to serve in Scotland in 1301 with their retinues.¹¹³ Despite being sufficiently important to take a retinue or receive a personal summons to serve militarily, these men did not seek to involve themselves in administrative service in the locality either before, during or after their engagement in warfare. There are also examples of individuals who took the alternative approach by avoiding military service, preferring to focus on local employment. Lawrence Chaworth served as MP for Nottinghamshire twice between 1312 and 1316 and on commissions of *oyer* and *terminer* in 1314 and 1326.¹¹⁴ John Annesley served on his first

¹⁰⁸ *Members of Parliament*, vol. 1, pp. 55 and 70. For more on the Willoughbys see above, pp. 56-7.

¹⁰⁹ *Political Society in Lancastrian England*, p. 34; *Members of Parliament*, vol. 1, p. 70. For more on the Willoughbys see above, pp. 56-7.

¹¹⁰ *Members of Parliament*, vol. 1, pp. 28, 33 and 35; *PW*, vol. 1, p. 355.

¹¹¹ *PW*, vol. 1, p. 355.

¹¹² *Ibid.*, vol. 1, p. 409.

¹¹³ *Ibid.*, vol. 1, p. 355.

¹¹⁴ *Members of Parliament*, vol. 1, pp. 42 and 53; *CPR, 1313-7*, p. 241; *CPR, 1324-7*, p. 289.

commission of *oyer* and *terminer* in 1313 and his first election to parliament was in 1321.¹¹⁵ Robert Ingram was sheriff for the first time from 1322 and followed his first appointment as an MP in 1325 with involvement in a commission of *oyer* and *terminer* in 1330.¹¹⁶ These men were not summoned to serve in the early-fourteenth-century campaigns, but played a leading role in local society.

This consideration of Nottinghamshire gentry service at the start of the fourteenth century has provided evidence for several models of behaviour. Both military and administrative service were important potential methods of gaining and maintaining status for the gentry of this county. There was a high level of variety at this stage in terms of which type of service individuals and families focused on. Some gentry did follow military service with administration, and many families formed their own traditions of service. Others went in different directions and focused exclusively on either military or administrative service, like William Chaworth, who served as MP from 1299-1301 and again in 1309.¹¹⁷ The gentry of Cumberland will now be considered before the mid-fourteenth century is analysed.

Cumberland

Honeywell has identified the growing prominence in the Borders of men who served on the 1300-1 campaign, including both men who already owned land locally, such as Robert Clifford, and men who were new to the area.¹¹⁸ It is therefore apparent that there were opportunities for the local gentry to advance themselves through military service in this arena. Robert Clifford was granted land including Skelton manor in Cumberland after serving in the 1300 campaign and was warden of the West March on numerous occasions.¹¹⁹ Other members of the leading northern elite also strengthened their position in Northumberland and Cumberland through serving as March wardens, such as John Huddleston and Thomas Multon of Egremont.¹²⁰ The desire to advance their family could therefore have led to many of the local gentry involving themselves in military service, like the elite examples given above. They could also have been encouraged to serve in the early-fourteenth century by membership in the retinues of military leaders such as Henry Percy,

¹¹⁵ *Members of Parliament*, vol. 1, pp. 63 and 76; *CPR, 1313-7*, p. 74.

¹¹⁶ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 71, 74, 84 and 86; *CPR, 1327-30*, p. 563.

¹¹⁷ *Members of Parliament*, vol. 1, pp. 11, 14, 31.

¹¹⁸ Honeywell, 'Chivalry as Community and Culture', p. 77.

¹¹⁹ *Ibid.*, pp. 78-9.

¹²⁰ *Ibid.*, p. 79.

Thomas Multon, John Greystoke and Robert Clifford.¹²¹ For instance, Hugh Lowther and Nicholas Vipont joined the 1300 campaign as Robert Clifford's tenants, and Robert also led Cumberland gentry on the 1307 campaign.¹²²

Hugh Lowther, who held Newton Reigny and other land in Cumberland, provides an example of gentry who took part in early campaigns against Scotland also being involved in administrative service in Cumberland.¹²³ Hugh followed this service by becoming the punisher of absentee foot soldiers in 1307 and then achieving election as MP for Cumberland in 1323 and 1324 and appointment as sheriff of Cumberland in 1325.¹²⁴ Robert Leyburn also shows that members of the leading gentry followed military service with administration, as he was MP for Cumberland in 1313, 1319 and 1321.¹²⁵ Sir John Huddleston (d. 1316) followed his service from 1298 to 1300 with service on a range of legal and administrative commissions, such as a commission of array in 1303.¹²⁶ This again indicates a tendency to serve in local society after having served as a soldier. However, others alternated their service, as in Nottinghamshire. For instance, Robert Tilliol ended the thirteenth century with military service in Scotland in 1298.¹²⁷ He then began the fourteenth century by engaging in service as an MP in 1300-1 and 1314-15 and joining an *oyer* and *terminer* commission in 1312.¹²⁸ He was also summoned for military service against the Scots in 1314 and was charged to defend his demesnes in the Marches in 1309 and 1315. This also shows how he varied the type of service in which he engaged throughout his career.¹²⁹ Andrew Harclay, who was discussed in Chapter Two, also combined administrative and military service throughout his career to attract crown attention in his rise to power.¹³⁰ For example, he was MP for Cumberland in 1312 and was involved in fighting against the Scots and the defeat of Thomas of Lancaster before being created earl of Carlisle.¹³¹

However, not all families and individuals appear to have engaged in such varied careers. The Skelton family, for instance, seems to have focused on administration and developed a family tradition of engaging in this employment. Adam Skelton was MP for

¹²¹ *PW*, vol. 1, pp. 323-4, 327 and 348; Honeywell, 'Chivalry as Community and Culture', pp. 63-4, 245 and 250.

¹²² Honeywell, 'Chivalry as Community and Culture', pp. 63-4. Cumberland gentry such as John Thirlwall were led by Robert Clifford in 1307: *CDS*, II, p. 512.

¹²³ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 639.

¹²⁴ *Members of Parliament*, vol. 1, p. 69; Hughes, *List of Sheriffs*; *PW*, vol. 1, p. 379.

¹²⁵ *Members of Parliament*, vol. 1, pp. 43, 57 and 62.

¹²⁶ *PW*, vol. 1, pp. 323-4 and 371-3; Honeywell, 'Chivalry as Community and Culture', p. 248.

¹²⁷ *CDS*, II, p. 268.

¹²⁸ *Members of Parliament*, vol. 1, pp. 13 and 48; *CPR, 1307-13*, p. 541.

¹²⁹ *PW*, vol. 2, pp. 392, 429 and 440.

¹³⁰ For an introduction to Andrew Harclay see above, p. 46.

¹³¹ *Members of Parliament*, vol. 1, p. 37.

Cumberland in 1318, but his service on a range of legal commissions began in 1317.¹³² His presence on a commission to enforce the truce in 1323 indicates that even the careers of gentry choosing to focus on administration in Cumberland were sometimes affected by the conflict.¹³³ His brother John served three times as an MP, and followed his first appointment in 1316 with a commission to keep the truce in 1325 and a peace commission in 1329.¹³⁴ Another individual who appears to have focused on administration highlights a point that should be remembered when assessing the activity of the gentry of Cumberland. Henry Malton followed his first of three elections as an MP in 1311 by being appointed to enquire into corruption of crown officials in 1311, joining a commission of gaol delivery in 1320 and serving as sheriff from 1323.¹³⁵ Whilst he was not summoned for military service in Scotland, he was instructed to defend his March demesnes in 1309 and took six men to defend Carlisle in 1314.¹³⁶ This demonstrates the need for the gentry of Cumberland to defend their land; it also suggests that it was possible that those who did not serve on Scottish campaigns in the early-fourteenth century did still engage in military activity by defending themselves and their county from raiders. Unfortunately this is only rarely recorded.

Henry Malton is also interesting, as he had to be pardoned for adhering to the Scots in 1327.¹³⁷ This highlights the problem for the local gentry in terms of serving in the English army in the early-fourteenth century, as they were potentially fighting their neighbours and associates - or even family. The Mulcastre family brilliantly demonstrates the problems faced by gentry with cross-border connections. As identified above, John Mulcastre held considerable land in the county which ought to have passed to his niece Alice after his death.¹³⁸ However, Alice was judged to have forfeited this land by the crown as she was resident in Scotland at the opening of the fourteenth century.¹³⁹ Nonetheless, it should be noted that the family did not always suffer losses due to cross-border landholding, as William Mulcastre profited from the losses of Scottish elites who forfeited land in Cumberland. For instance, in 1300 he was granted the manor of Boulton in Allerdale through Scottish forfeiture.¹⁴⁰ Ultimately, any resentment the family may have felt against central authority due to their land losses does not appear to have led the family to reject the

¹³² *Members of Parliament*, vol. 1, p. 54; *CPR, 1313-7*, p. 685; *CPR, 1317-21*, p. 171; *CPR, 1321-4*, pp. 55, 422 and 429.

¹³³ *CPR, 1321-4*, p. 292.

¹³⁴ *CPR, 1324-7*, p. 116; *CPR, 1327-30*, p. 430; *Members of Parliament*, vol. 1, pp. 53, 71 and 85.

¹³⁵ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 35, 48 and 64; *CPR, 1307-13*, p. 328; *CPR, 1317-21*, p. 542.

¹³⁶ *PW*, vol. 2, p. 392; *CDS*, III, pp. 76-7.

¹³⁷ *CPR, 1327-30*, p. 37.

¹³⁸ *CIPM*, IV, pp. 74-5 and 87.

¹³⁹ *CIPM*, IV, pp. 74-5 and 87.

¹⁴⁰ *CDS*, II, p. 291.

administrative system, as members such as William Mulcastre played a role in this system. William served as MP in 1309 and 1311, although he was engaged in crown service before this point as sheriff in 1304 and served on a commission of *oyer* and *terminer* in 1305.¹⁴¹ Service as an MP brought further opportunities as he served as a commissioner of array in 1316.¹⁴² The fact that this appointment followed an investigation in 1314 into levies William had made for truces with Scotland without crown permission indicates the possibility for the gentry of fourteenth-century England to be accused of crime with no impact on their careers, which will be relevant in Part Two of the thesis.¹⁴³

The idea that the gentry of Cumberland placed a high value on administrative service at the start of the fourteenth century despite being in a frontier zone is supported by the examples considered in this sub-section. There are also numerous other examples of repeated service, both military and administrative, amongst the elite. Regular service has emerged as a means of showing worth and performing service to the lord or the crown and thereby advancing socially, despite involvement in military activity being sometimes less visible in the records when defensive. As with the other counties a level of variety in terms of when the gentry performed different types of service or which they focused on has been identified. This chapter will now progress to considering the mid-fourteenth century to see how these patterns were altered or developed as the century progressed.

The Mid-Fourteenth Century

The mid-fourteenth century also offered considerable opportunities for the gentry to be involved in warfare. From 1337 crown attention was largely transferred to warfare with France due to the start of the Hundred Years War.¹⁴⁴ This period saw the major Crécy-Calais campaign take place.¹⁴⁵ Edward III's 1346 expedition relieved the current earl of Lancaster, Henry of Grosmont, who fought elsewhere in France in the mid-fourteenth century.¹⁴⁶ However, after the siege had been lifted, Edward took Caen before a resounding English victory in the battle of Crécy.¹⁴⁷ Edward then engaged in a lengthy siege of Calais, which

¹⁴¹ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 30 and 35; *CPR, 1301-07*, p. 407.

¹⁴² *CPR, 1313-7*, p. 460.

¹⁴³ *CPR, 1313-7*, p. 240.

¹⁴⁴ J. Campbell, 'England, Scotland and the Hundred Years War in the Fourteenth Century', in C. J. Rogers (ed.), *The Wars of Edward III: Sources and Interpretations* (Woodbridge, 2010), p. 210.

¹⁴⁵ Lewis, 'The Recruitment and Organization of a Contract Army', p. 1.

¹⁴⁶ Prestwich, *The Three Edwards*, pp. 155-6. For more information on Henry of Grosmont see above, pp. 51-2.

¹⁴⁷ W. M. Ormrod, *Edward III* (New Haven, 2011), pp. 273-82.

surrendered when the French army coming to aid it was withdrawn in 1347.¹⁴⁸ Whilst the later years of Edward's involvement in France have been described as a 'sad anti-climax', the gain of this strong French base and repopulation with English settlers was a much-celebrated victory.¹⁴⁹ Edward has been identified as reinvigorating knighthood by giving knights a greater role in war and achieving inspiring victories in the early years of the Hundred Years War, but this period is also interesting as he encouraged his knights to take a leading role in administration.¹⁵⁰ As highlighted by Palmer, the gentry were becoming more involved in local administration during these decades, with peace commissions being particularly sought after.¹⁵¹ Nonetheless, it must be stressed that the wars of Edward III were still viewed as an opportunity for advancement by a considerable proportion of gentry society, despite involvement in administrative and judicial service offering another potential way to gain access to crown favour.¹⁵²

Edward III has been presented as causing the rise of the professional soldier through promoting men from lower social levels.¹⁵³ However, he did not give non-aristocratic men the most important jobs, and his changes were not as revolutionary as may be assumed; Edward I had already used men of lower social status as military leaders.¹⁵⁴ The royal household still supplied considerable contingents and the magnate retinues were still vital.¹⁵⁵ These retinues often provided the emerging mounted archers, and whilst military contracts were more common in the Hundred Years War, none were used for the Crécy-Calais campaign.¹⁵⁶ Instead the force was largely raised and financed by the royal household as in Edward I's reign.¹⁵⁷ Despite a change in tactics to fighting on foot, the elite still played a leading role in fighting.¹⁵⁸ Ayton has claimed that captains took a 'core group' of men from the Scottish to the French wars.¹⁵⁹ Service in France was particularly attractive as it offered greater opportunities for financial gain than service in Scotland, although it must be acknowledged that there was still a need for military service in Scotland and the Borders.¹⁶⁰

¹⁴⁸ Ormrod, *Edward III*, pp. 285-92.

¹⁴⁹ Prestwich, *The Three Edwards*, pp. 158-62.

¹⁵⁰ Powicke, *Military Obligation*, pp. 170-1.

¹⁵¹ Ormrod, 'The Politics of Pestilence', p. 158; Ormrod, *The Reign of Edward III*, p. 159; Keen, *Origins of the English Gentleman*, p. 22; Palmer, *English Law in the Age of the Black Death*, p. 54.

¹⁵² Ormrod, *The Reign of Edward III*, pp. 151 and 160.

¹⁵³ Prestwich, *The Three Edwards*, p. 170; A. Ayton, 'English Armies in the Fourteenth Century', in Rogers (ed.), *The Wars of Edward III*, p. 312.

¹⁵⁴ Ayton, 'English Armies', pp. 304-6; Prestwich, *The Three Edwards*, p. 170.

¹⁵⁵ H. J. Hewitt, 'The Organisation of War', in Rogers (ed.), *The Wars of Edward III*, p. 289;

Prestwich, *The Three Edwards*, pp. 170-3.

¹⁵⁶ Ayton, 'English Armies', pp. 307-9; Prestwich, *The Three Edwards*, pp. 170-3.

¹⁵⁷ Ayton, 'English Armies', pp. 307-9; Prestwich, *The Three Edwards*, pp. 170-3.

¹⁵⁸ Ayton and Price, 'Introduction', p. 9.

¹⁵⁹ Ayton, 'The English Army at Crécy', p. 228.

¹⁶⁰ Lewis, 'The Recruitment and Organization of a Contract Army', p. 14; Ormrod, 'The Domestic Response', p. 94. The greater attraction of war in France may go some way to explaining the frequency of Nottinghamshire gentry serving in France rather than focusing on Scotland, despite

The important victory against the Scots at Neville's Cross in 1346 indicates that warfare was ongoing in the Borders.¹⁶¹ This explains what will be shown to be a lower level of participation in warfare with France during this period amongst the gentry of Cumberland than the gentry of Hampshire and Nottinghamshire.

As in the previous section, gaining a complete picture of gentry service would be a considerable challenge, but in this section Wrottesley's study of crown documents relating to the Crécy-Calais campaign will be used along with Ayton's study of surrounding campaigns to build up a picture of military service by members of the gentry of Hampshire, Nottinghamshire and Cumberland in the mid-fourteenth century. At the same time, their involvement in judicial service and local office holding will be assessed to reveal the extent to which the gentry of each county continued to value both military and administrative service, and to identify any family traditions of service. There are difficulties with Wrottesley's sources, since letters of protection indicate an intention to serve rather than actual involvement, and the wardrobe accounts of Wetwang could contain errors.¹⁶² Nevertheless, Wrottesley's inclusion of other sources such as writs of exoneration granted after service means that his work still provides valuable information.

Hampshire

Whilst the men of Hampshire were expected to play a role in defending their coastline from French attacks, leading members of the gentry were still involved in military service in France during the mid-fourteenth century. This indicates that the gentry of this county still valued service abroad for the crown highly, as they were willing to undertake such service despite facing attacks on their own land. The St John family, who were introduced in the previous chapter, demonstrate a continued dedication to military service by a family within the elite of Hampshire through the early- and mid-fourteenth century. They were well represented at Crécy, and gentry families followed suit.¹⁶³

The Brocas family is an excellent example of how important military service could be for the gentry of Hampshire at this time. They played a considerable role overseas and thereby rose to prominence in their own county through crown favour. John Brocas was a knight in the king's division at Crécy and was paid for continued service throughout the

technically being northern gentry: Simpkin, 'Total War in the Middle Ages?', p. 75. Spencer has also identified the greater pull of profit in France than in Scotland: Spencer, 'A Warlike People?', p. 106.

¹⁶¹ Prestwich, *The Three Edwards*, p. xvii.

¹⁶² Ayton, 'The English Army at Crécy', p. 161.

¹⁶³ Wrottesley, *Crecey and Calais*, pp. 32-3 and 281; Ayton, *Knights and Warhorses*, p. 267.

campaign, as was his brother Oliver.¹⁶⁴ John's consistent military identity and crown connection is demonstrated by his membership of the royal households of Edward II and III, as well as his being assigned Windsor Castle to hold.¹⁶⁵ He had also served in Brittany in 1342 along with his retinue, and he took a retinue to Normandy in 1346.¹⁶⁶ This shows that he had considerable influence, as he was able to ensure that other men would follow him abroad to serve the crown, but also indicates the continued expectation that household knights would provide further manpower in military campaigns from their own retinues.

John's son, Bernard, provides an example of a son following the career path of his father in terms of military involvement. He went with his father on the Crécy campaign, claiming that he was first armed on 'the seashore at La Hougue', and also maintained a strong relationship with the crown.¹⁶⁷ However, Bernard's career shows that he was aware of the importance of both military and administrative service, as he was heavily involved in local administration during his lifetime. Bernard was MP for Hampshire from 1369 to 1395 and served on a range of legal commissions in southern counties including Hampshire from 1367 to 1388.¹⁶⁸ His role as a justice of the peace for Hampshire from 1380 indicates the importance of this role, as he had already established himself as a leading member of the local gentry through military and administrative service before gaining this role.¹⁶⁹ He served the crown in a variety of ways besides fighting in France (for instance he was master of the king's buckhounds from 1361); but he was also careful to forge a close connection to the other considerable source of authority in the county of Hampshire, the bishopric of Winchester.¹⁷⁰ He was chief parker of William Wykeham's estates from 1377.¹⁷¹ Bernard's ability and desire to maintain close relationships with secular and religious figureheads and his success in gaining authority of his own is demonstrated by the service discussed already. He was also appointed as chamberlain to Queen Anne from 1387 to 1394.¹⁷²

The Brocas family demonstrate the involvement of the gentry of Hampshire in military and administrative endeavours to gain both influence in local society and a connection to the crown. The Hampton family provide another example of involvement in crown service overseas, with both Roger and John Hampton fighting in the Crécy campaign

¹⁶⁴ Wrottesley, *Crecey and Calais*, pp. 35 and 206-7.

¹⁶⁵ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 359.

¹⁶⁶ Ayton, *Knights and Warhorses*, pp. 247 and 257.

¹⁶⁷ A. Ayton, 'The English Army and the Normandy Campaign of 1346', in D. Bates and A. Curry (eds.), *England and Normandy in the Middle Ages* (London, 1994), p. 256.

¹⁶⁸ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 359.

¹⁶⁹ *Ibid.*, vol. 2, p. 359.

¹⁷⁰ *Ibid.*, vol. 2, p. 359.

¹⁷¹ *Ibid.*, vol. 2, p. 359.

¹⁷² *Ibid.*, vol. 2, p. 359.

in the king's household.¹⁷³ This again highlights the important role of the household in providing soldiers, as well as administrators. John also brought his own retinue to war, as John Brocas did, providing one knight, two esquires and three archers for the campaign to fight in the king's division at Crécy.¹⁷⁴ Roger continued to serve in a military capacity and to maintain his crown connection by serving in the royal household on the 1359-60 campaign with a retinue including one archer, losing one horse.¹⁷⁵ John, however, is not recorded as serving on this campaign. He was MP for Hampshire four times from 1335 to 1339, so he had a background of administrative service before serving in France.¹⁷⁶ This highlights the combination of service common to many of the fourteenth-century gentry.

There are numerous other examples of families with members who combined military and administrative service, such as the Palton, Hoo and Gorges families.¹⁷⁷ However, not all men combined a variety of employment, as there are numerous examples of Hampshire gentry who served overseas but do not appear in the records of administrative or judicial service. Roger Husee, John Boclone and Andrew Peverel received writs of exoneration for military service, but do not appear to have served as administrators in their locality.¹⁷⁸ Ralph Camoys and Robert Bury were knights in the king's division at Crécy but showed no sign of embracing participation in local office-holding.¹⁷⁹ This indicates that, whilst a combination of service was valued by many families and individuals, it was still possible for members of the gentry to focus solely on a military career.

Conversely, there are also examples of men who were able to shun military service but take a leading role as a member of the local gentry involved in administration and office-holding. Whilst John Sturmy took two knights and two esquires to fight on the third Breton expedition of 1342, Henry Sturmy focused on local service in Hampshire.¹⁸⁰ Henry indicates the desire to serve repeatedly as an MP as he served five times from 1344 to 1360.¹⁸¹ This is understandable when considering that he followed his first election with service as sheriff and escheator, suggesting that election to parliament could lead to further appointments.¹⁸² He also followed this election to parliament with service on a commission of *oyer* and *terminer* in 1350 and of the peace in 1354, which demonstrates both local influence and

¹⁷³ Wrottesley, *Crecey and Calais*, pp. 85 and 214. Again, unfortunately, the exact familial relationship of these men could not be identified.

¹⁷⁴ *Ibid.*, pp. 200 and 235.

¹⁷⁵ Honeywell, 'Chivalry as Community and Culture', p. 261.

¹⁷⁶ *Members of Parliament*, vol. 1, pp. 110, 120, 123 and 127.

¹⁷⁷ Wrottesley, *Crecey and Calais*, pp. 36 and 38-9; Hughes, *List of Sheriffs*.

¹⁷⁸ Wrottesley, *Crecey and Calais*, pp. 85 and 128.

¹⁷⁹ *Ibid.*, pp. 36 and 39.

¹⁸⁰ Ayton, *Knights and Warhorses*, p. 264.

¹⁸¹ *Members of Parliament*, vol. 1, pp. 139, 142, 156, 160 and 164.

¹⁸² Hughes, *List of Sheriffs*; Wood, *List of Escheators*.

crown favour being achieved without taking part in warfare.¹⁸³ Similarly, Robert Popham followed the first of four elections to parliament in 1329 with service in a range of offices, including as sheriff in 1340-1 and on commissions of *oyer* and *terminer* and of the peace in the 1330s and 1340s.¹⁸⁴ He was also appointed to hold Winchester Castle from 1340, which indicates his status in the area as sheriff.¹⁸⁵

Thomas Norton also served as an MP for Hampshire more than once from 1339, and he followed this election with service on a commission of *oyer* and *terminer* in 1346.¹⁸⁶ However, it should also be noted that before election to parliament Thomas was assigned to a commission of array and of the peace in 1338, so at this point neither a lack of parliamentary service nor failure to fight overseas held him back from achieving influential positions.¹⁸⁷ Thomas and the other gentry considered in this section have shown that the gentry used a variety of service to form their identity and increase their status. Military service remained important for many and administrative service was not embraced by all. The majority, however, seem to have decided that a combination of both forms of service was to be desired for gentry seeking to protect or enhance their position, and there was a level of variety in terms of when they carried out different sorts of service in their careers.

Nottinghamshire

Whilst the year 1337 has been presented as a turning-point for the crown in terms of France replacing Scotland as the main focus of warfare, for many of the elite of Nottinghamshire importance was still placed on service in both areas.¹⁸⁸ Lancastrian involvement in both venues indicates the general tone of participation by those based in the Midlands. Henry of Lancaster took 100 men on the 1336 campaign into Scotland but also lost 216 horses on the Reims campaign of 1359-60, serving on a variety of campaigns in between.¹⁸⁹ In between this he also took his retinue to serve in France. As a further example, Adam Everingham was exonerated from service in the Crécy campaign for serving in the retinue of Henry of Lancaster elsewhere in France.¹⁹⁰ Whilst local men served under a range

¹⁸³ *CPR, 1354-8*, p. 122.

¹⁸⁴ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 90, 110, 118 and 137; *CPR, 1334-8*, pp. 145 and 369; *CPR, 1330-4*, p. 137; *CPR, 1345-8*, p. 306; *CPR, 1348-50*, p. 237.

¹⁸⁵ *CPR, 1338-40*, p. 508.

¹⁸⁶ *Members of Parliament*, vol. 1, pp. 129 and 131; *CPR, 1345-8*, p. 97.

¹⁸⁷ *CPR, 1338-40*, p. 140.

¹⁸⁸ See above, pp. 28-9.

¹⁸⁹ Ayton, *Knights and Warhorses*, pp. 257 and 265; Honeywell, 'Chivalry as Community and Culture', p. 263.

¹⁹⁰ Wrottesley, *Crecey and Calais*, p. 147.

of leaders in France, as John Folville was in the Prince of Wales' division at Crécy whilst John Furneaux the younger and elder served under the earls of Northampton and Arundel, some of the Nottinghamshire gentry, such as Adam, served militarily in a Lancastrian retinue.¹⁹¹ The Segrave barony was also represented in Scotland and France in the mid-fourteenth century, again with their own retinues.¹⁹²

A range of knights based in Nottinghamshire, such as Robert Paveley and Hugh Hastings, took part in military service in the mid-fourteenth century.¹⁹³ John Deincourt took his retinue to fight in Normandy in 1346 and was a knight in the royal household at Crécy.¹⁹⁴ Many others, such as William Thorpe and Robert Markaunt, received writs of exoneration for serving the crown in France.¹⁹⁵ This demonstrates the continued interest of the gentry of Nottinghamshire in engaging in warfare, despite a change in venue from Scotland to France for many of their periods of service. One reason for this interest continued to be the potential to gain influence and crown attention. However, some gentry were also motivated by the possibility to gain pardons. For instance, members of the Folville family received pardons for their criminal activity after serving in the campaign.¹⁹⁶ However, there are also numerous examples of families who did not embrace participation in warfare and instead chose to devote their careers to service on judicial commissions and in local officialdom. Some of these families will now be introduced to demonstrate the level of variety.

The Leek family of Leake and Cotham in Nottinghamshire provide a clear example of the importance of administrative service to many gentry families in this county from the mid- to late-fourteenth century. John Leek served as a tax collector from 1345 and avoided involvement in the French campaign.¹⁹⁷ His son Simon followed and extended this example as he served as an MP for Nottinghamshire ten times from 1363 to 1382.¹⁹⁸ Simon was also sheriff of Nottinghamshire on two occasions from 1363 and served on a variety of legal commissions from 1366 and peace commissions from 1368.¹⁹⁹ The career of Geoffrey Staunton reveals strong similarities to the career of Simon Leek, as he served on administrative commissions and was selected as MP for Nottinghamshire in 1341, 1343 and 1344.²⁰⁰ Geoffrey's career also mirrors Simon's as he was not appointed to his first commission of the peace until 1342, which was a year after he was first elected to

¹⁹¹ *Ibid.*, pp. 31 and 34.

¹⁹² Ayton, *Knights and Warhorses*, p. 257; Wrottesley, *Crecey and Calais*, p. 31.

¹⁹³ Wrottesley, *Crecey and Calais*, pp. 280-1.

¹⁹⁴ Ayton, 'The English Army at Crécy', p. 247; Wrottesley, *Crecey and Calais*, pp. 36 and 206.

¹⁹⁵ Wrottesley, *Crecey and Calais*, pp. 106 and 139.

¹⁹⁶ *Ibid.*, p. 239.

¹⁹⁷ *CPR, 1348-50*, p. 235.

¹⁹⁸ *Members of Parliament*, vol. 1, pp. 170, 175, 177, 180, 189, 191, 194, 198, 208 and 213.

¹⁹⁹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 583; *CPR, 1364-7*, p. 286; *CPR, 1367-70*, p. 191.

²⁰⁰ *CPR, 1338-40*, p. 135; *Members of Parliament*, vol. 1, pp. 135, 137 and 139.

parliament.²⁰¹ Geoffrey is also not present in the records of service in warfare, which suggests that military service was not essential since being an MP could lead to involvement in judicial service, and the power this brought. This also shows a lack of continuation of service, as the Staunton family was active in military service in the early-fourteenth century, with Ralph Staunton serving in Scotland in 1303 and 1306, and Robert Staunton serving in Wales in 1294-5, in Flanders in 1297, and in Scotland eight times from 1296 to 1319.²⁰²

Lawrence Chaworth served as MP for Nottinghamshire twice from 1312 to 1316.²⁰³ Lawrence again indicates that service as an MP often meant progression to service on judicial commissions, as he was appointed to commissions of *oyer* and *terminer* in 1314 and 1326.²⁰⁴ Other members of the family managed to achieve selection to engage in this service without serving as an MP, however, as Thomas Chaworth was assigned to a commission of the peace in 1342 and to enforce the labour legislation in 1355.²⁰⁵ The Chaworth family also serves as a reminder that military and administrative service were still frequently combined within families in Nottinghamshire. Thomas Chaworth the younger was a knight in the king's division at Crécy.²⁰⁶ The Cressy family of Oldcoates, Nottinghamshire, also demonstrates this as Edmund Cressy was involved in crown service, such as being appointed to a commission of *oyer* and *terminer* in 1334.²⁰⁷ However, his brother Hugh did not engage in administrative service but fought at Crécy and died at Calais.²⁰⁸ It is clear that even within the same family varied importance could be placed on military and administrative service, and that a variety of service was the norm for some. William Trussebut extends this idea by demonstrating the potential for gentry to combine different types of service, as he fought at Crécy before he was MP for Nottinghamshire in 1348.²⁰⁹

Ultimately, this section demonstrates that, as in Hampshire, there was a variety of service being carried out by the gentry of Nottinghamshire in the mid-fourteenth century. Many members of the local elite joined the crown in switching their attention to military service in France, whilst others became more interested in cementing their family within the administration of law and order in Nottinghamshire. Other families and individuals engaged in a combination of service to protect and improve their status as the century progressed, thereby demonstrating the continued importance of war and officialdom for the gentry of Nottinghamshire. The extent to which the different types of service were engaged in largely

²⁰¹ *CPR, 1340-3*, p. 554; *CPR, 1343-5*, p. 274; *CPR, 1348-50*, p. 516; *CPR, 1354-8*, p. 121.

²⁰² Simpkin, 'Total War in the Middle Ages?', p. 85.

²⁰³ *Members of Parliament*, vol. 1, pp. 42 and 53.

²⁰⁴ *CPR, 1313-7*, p. 241; *CPR, 1324-7*, p. 289.

²⁰⁵ *CPR, 1340-3*, p. 554; *CPR, 1354-8*, p. 294.

²⁰⁶ Wrottesley, *Crecey and Calais*, p. 39.

²⁰⁷ *CPR, 1334-8*, p. 63.

²⁰⁸ Wrottesley, *Crecey and Calais*, pp. 32 and 136.

²⁰⁹ *Ibid.*, p. 34; *Members of Parliament*, vol. 1, p. 146.

varied from family to family and from man to man, despite some families maintaining traditions of service. It will now be investigated if the gentry of Cumberland behaved similarly.

Cumberland

Scotland still posed considerable problems and was a cause for concern in the mid-fourteenth century, particularly for those living in the Borders. Many of the leading elite, such as Henry Percy, Ralph Neville and Ralph Dacre, were involved in the Scottish campaign of 1336 with their retinues.²¹⁰ However, when the crown began campaigning in France they did not all follow this lead. Henry Percy alone took a retinue on the Reims campaign of 1359-60 and served both at Crécy under the earl of Arundel and at Calais in his father's retinue.²¹¹ Involvement of the gentry of Cumberland in France in the mid-fourteenth century appears limited. Men such as Richard and Miles Stapleton and Henry Haverington, who fought at Crécy, were rare, but this does not mean that the gentry of Cumberland had abandoned military service.²¹² They were needed to defend the Borders against the Scots due to attacks continuing throughout the century, as despite the Battle of Neville's Cross in 1346 ending in an important English victory and the capture of the Scottish king, Scottish raids did not cease.

This need for military service in the Borders did not mean, however, that the gentry of Cumberland regarded administrative service as being less important than the gentry of Nottinghamshire and Hampshire did. In fact, there are many examples of families who had lands to defend in the Borders but still devoted considerable time to local administration. The Lowther family were based at Lowther Castle near Penrith, but they had a tradition of serving in parliament for Cumberland as well as Westmorland since they held considerable land in Cumberland, including Newton Reigny.²¹³ Hugh Lowther followed service as an MP from 1341 with service as sheriff and escheator from 1351 and involvement in a range of legal commissions from 1341, such as an investigation of illegal trading with Scotland in 1344.²¹⁴ In carrying out this service he was following the example of his ancestors, but also demonstrating the continued importance of involvement in local officialdom for the gentry

²¹⁰ Ayton, *Knights and Warhorses*, p. 257.

²¹¹ *Ibid.*, p. 265; Honeywell, 'Chivalry as Community and Culture', p. 265.

²¹² Wrottesley, *Crecey and Calais*, pp. 34, 36, 37, 205 and 268.

²¹³ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 639.

²¹⁴ Hughes, *List of Sheriffs*; Wood, *List of Escheators; Members of Parliament*, vol. 1, pp. 134 and 138; *CPR, 1340-3*, p. 363; *CPR, 1343-5*, p. 280.

of Cumberland. His example demonstrates the potential for the conflict in the Borders to provide opportunities for extra administrative service as well as military demands. Other families demonstrate a similar pattern to the Lowthers.

The Tilliol family were landowners of note in the North-West of England, but they were also involved in considerable administrative service from the opening of the fourteenth century.²¹⁵ Peter Tilliol was elected to parliament eleven times up to 1347 and followed his first election in 1322 with service as sheriff in 1327 and a range of legal and administrative commissions including *oyer* and *terminer*, gaol delivery and array.²¹⁶ He also engaged in administrative service specific to the situation in the Borders as he had to raise 100 men from Cumberland to serve in Scotland in 1337 and was commissioned to investigate illegal trading with the Scots in 1344.²¹⁷ His son Robert's first of six elections to parliament in 1351 was similarly followed by other service, as sheriff three times from 1356 to 1366, escheator in 1356 and as a member of commissions of *oyer* and *terminer* in 1358 and of the peace in 1362.²¹⁸ These men demonstrate that war with Scotland did not prevent the gentry from wanting to engage in repeated administrative service, but also that it produced extra opportunities to engage in this service due to several truces. Thomas Skelton, who served as an MP in 1337-8, also shows that the gentry of Cumberland mirrored gentry elsewhere in becoming involved in administering legislation to respond to national crises.²¹⁹ He was commissioned to enforce labour legislation in 1355.²²⁰

Hugh Moresby was granted some of the lands of the deceased Andrew Harclay by the crown in 1324, long before his first election to parliament in 1334.²²¹ This demonstrates that whilst service in parliament was important for the families discussed already, it was possible to gain crown favour without it. However, Hugh did follow election to parliament with considerably more service, on the same commission as Peter Tilliol to raise troops in 1337, as sheriff and escheator in 1341, as an investigator of those illegally aiding the Scots in 1342 and as a commissioner of *oyer* and *terminer* in 1344.²²² This is strikingly similar to the career of Richard Denton, a member of an important gentry family whose interests were

²¹⁵ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 615; *Members of Parliament*, vol. 1, pp. 13 and 48; *CPR, 1307-13*, p. 541.

²¹⁶ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 64, 80, 85, 91, 100, 106, 114, 124, 130, 134 and 143; *CPR, 1340-3*, pp. 322 and 363; *CPR, 1343-5*, p. 293; *CPR, 1334-8*, p. 137; *CPR, 1324-7*, p. 53; *CPR, 1348-50*, p. 80. This Peter Tilliol is the grandfather of the Peter Tilliol discussed in Chapter Two and later in this chapter: see above, p. 45, and below, p. 112.

²¹⁷ *CPR, 1343-5*, p. 280; *CDS, III*, p. 226.

²¹⁸ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 150, 159, 161, 166, 169 and 174; *CPR, 1358-61*, p. 76; *CPR, 1361-4*, p. 291; Wood, *List of Escheators*.

²¹⁹ *Members of Parliament*, vol. 1, p. 119.

²²⁰ *CPR, 1354-8*, p. 294.

²²¹ *Members of Parliament*, vol. 1, pp. 104 and 116; *CPR, 1327-30*, p. 391.

²²² *CDS, III*, p. 226; Hughes, *List of Sheriffs; CPR, 1340-3*, p. 544; *CPR, 1343-5*, p. 277; Wood, *List of Escheators*.

centred in Carlisle.²²³ He was also granted some of Andrew Harclay's land in 1323, despite the bulk of his administrative service, including fourteen periods as an MP, two as a sheriff and one as an escheator, as well as serving as a peace commissioner, occurring after this.²²⁴ Hugh Moresby was one of the peace commissioners assaulted and prevented from carrying out his work by Robert Mulcastre in 1344, which demonstrates that administrative service brought dangers as well as benefits.²²⁵ Nonetheless, this danger did not prevent his son Christopher from following Hugh's example and serving as an MP three times from 1360 to 1366 and sheriff in 1360, as well as levying taxes in 1360.²²⁶

This section has demonstrated that despite facing repeated Scottish attacks and being near to major battles such as the Battle of Neville's Cross in 1346, many members of the gentry of Cumberland still had a considerable involvement in local administration and judicial service in the mid-fourteenth century. Whilst repeated service as an MP could also indicate that no other members of the community were willing to carry out this service, the considerable number of different names involved in at least some form of administrative service from the sample indicates that non-military service was viewed as a worthwhile venture by many. It is correct that the numbers of Cumberland gentry present in French campaigns of the mid-fourteenth century were limited. However, this was primarily due to the fact that they were still facing the demands of defending their county, rather than a move away from regarding military service as part of their identity. Unfortunately the evidence of gentry service in the Battle of Neville's Cross is limited, and as such it cannot be proved that the gentry of Cumberland were well-represented.²²⁷ It is, however, highly likely that many were involved in warfare in Scotland, but also that many served defensively in the Borders instead of serving in France or Scotland. The fact that Peter Tilliol and Hugh Moresby were instructed not to take men needed to defend Carlisle when raising troops to fight in Scotland highlights the importance of defensive responsibilities in the Borders.²²⁸ The final campaign in this chapter will now be considered to reveal the nature of gentry service in Hampshire, Nottinghamshire and Cumberland in the late-fourteenth century.

²²³ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 770.

²²⁴ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 71, 94-5, 98, 100, 102, 106, 114, 116, 136, 148, 150, 153 and 157; *CPR, 1321-4*, pp. 125 and 263; *CPR, 1327-30*, pp. 88 and 430; *CPR, 1330-4*, pp. 132 and 292; *CPR, 1343-5*, p. 492; Wood, *List of Escheators*.

²²⁵ *CPR, 1343-5*, p. 387. Robert Mulcastre was a member of the gentry Mulcastre family. For more information on this family see above, pp. 45-6 and 92-3. For more information on Robert and the other accusations made against him see below, pp. 143, 159 and 209.

²²⁶ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 163, 172 and 177; *CPR, 1358-61*, p. 347.

²²⁷ Whilst Prestwich identifies some manuscript sources for military service in Scotland at this time, he also acknowledges that the gentry are often absent in such records: M. Prestwich, 'The English at the Battle of Neville's Cross', in D. Rollason and M. Prestwich (eds.), *The Battle of Neville's Cross 1346* (Stamford, 1998), p. 5.

²²⁸ *CDS*, III, p. 226.

The Late-Fourteenth Century

Despite Richard II being frequently criticised for his greater interest in making peace than war, it has been argued that the gentry were still eagerly engaging in warfare in this period as a means of social advancement.²²⁹ The main campaign to be focused on in relation to gentry service is Richard II's campaign of 1385 into Scotland. In 1385 Richard issued a feudal summons, the first summons of its kind since 1327, in order to combat a Franco-Scottish enemy in Scotland.²³⁰ The arrival of the considerable French force in Scotland in 1385 meant that Richard needed to assemble men to launch his own offensive.²³¹ Richard II's army was, in fact, too big to be entirely feudal and its make-up has provoked considerable debate, particularly concerning his decision to issue the feudal summons.²³² It now seems likely that Richard's force was a large indentured contract army, so the feudal summons was really a political gesture to compel tenants-in-chief to act as involuntary contractors.²³³ In any case, the Scottish expedition was a way for Richard to restore crown repute and show his military credentials, and the gentry formed a significant part of the army.²³⁴ As such, this is a useful campaign to assess gentry service.

To return to the 1385 campaign, Richard gathered his army at Newcastle in July, and in early August his forces entered Scotland to begin the campaign.²³⁵ The campaign began successfully for the English, as Melrose and Newbottle were ravaged and Richard's men briefly took Edinburgh.²³⁶ However, the Scots would not be brought to battle and internal division in the English army meant that little further progress was made.²³⁷ By the end of August the campaign was over and the army returned to Newcastle, having achieved little

²²⁹ A. Ayton, 'Military Service and the Dynamics of Recruitment in Fourteenth-Century England', in Bell, Curry, Chapman, King and Simpkin (eds.), *The Soldier Experience*, pp. 58-9. Arvanigian has identified the continued possibility for gentry in the Northern Borders to achieve greater status through military service in the reign of Richard II: Arvanigian, 'A County Community', pp. 41-2. Richard's general desire to avoid warfare was one of the key sources of conflict between the king and his magnates, but they were still able to enforce certain campaigns, such as the 1377-8 campaign in France to go ahead: Goodman, *The Loyal Conspiracy*, pp. 9-10; A. Curry, 'Richard II and the War with France', in G. Dodd (ed.), *The Reign of Richard II* (Stroud, 2002), pp. 39-41. Bell has claimed that the 1377-8 campaign should be attributed to the Appellants: A. R. Bell, *War and the Soldier in the Fourteenth Century* (Woodbridge, 2004), pp. 34-9.

²³⁰ Lewis, 'The Last Medieval Summons of the English Feudal Levy', p. 1.

²³¹ M. H. Keen, 'Richard II's Ordinances of War of 1385', in Archer and Walker (eds.), *Rulers and Ruled*, p. 33.

²³² Lewis, 'The Last Medieval Summons of the English Feudal Levy', p. 5; Lewis with Palmer, 'The Feudal Summons of 1385', p. 745.

²³³ Keen, 'Richard II's Ordinances of War of 1385', p. 34; Lewis with Palmer, 'The Feudal Summons of 1385', pp. 729 and 735.

²³⁴ Lewis, 'The Last Medieval Summons of the English Feudal Levy', p. 11.

²³⁵ Keen, 'Richard II's Ordinances of War of 1385', p. 33.

²³⁶ *Ibid.*, p. 33.

²³⁷ *Ibid.*, p. 33.

lasting success.²³⁸ It should be noted that whilst this campaign was short, it was not known that it would be so short at the start, and French attacks were still feared on the southern coast, so it will be interesting to discover the extent to which the gentry of Hampshire were involved in the campaign, given their considerable pressures and interests elsewhere. It will also be considered how far the gentry of Nottinghamshire were involved in warfare in the North or if they tended to serve elsewhere.

It will also be investigated whether administrative service remained important or increased in importance for the gentry of Hampshire, Nottinghamshire and Cumberland in the late-fourteenth century. This was a time of considerable unrest; the Peasants' Revolt of 1381 provoked fear amongst the elite as their social inferiors reacted angrily to elite use of the law to undermine the potential for change offered by plague and famine.²³⁹ The royal government assisted landlords in keeping down labour wages through legislation and enforcement, and used the gentry to preserve the peace and prosecute those involved in disorder.²⁴⁰ This suggests that the gentry would be increasingly keen to be involved in the system of law and order at this time. This section will therefore consider gentry involvement in both administration and warfare in the late-fourteenth century, in order to assess the extent to which the gentry balanced and valued these two forms of service, beginning with Hampshire.

Hampshire

It could be assumed that the Hampshire gentry had turned away from military service in the late-fourteenth century, as they are largely absent from the records of Richard II's campaign of 1385. The Worting family of Basingstoke appear to have avoided military service in the late-fourteenth century.²⁴¹ For instance, Thomas Worting served as MP four times from 1381 and on a peace commission in 1389, but is absent from records of military service.²⁴² Henry Popham seems to have had a similar preference for administrative service. Whilst he took out letters of protection to serve in Ireland in 1363, his presence is much more evident in the records of administration, and he does not appear in the records of the 1385 campaign.²⁴³ Henry was MP for Hampshire seven times from 1382 to 1404 before

²³⁸ *Ibid.*, p. 33.

²³⁹ Fryde, *Peasants and Landlords*, pp. 113-34.

²⁴⁰ *Ibid.*, p. 29.

²⁴¹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 904.

²⁴² *Ibid.*, vol. 4, p. 904.

²⁴³ *Ibid.*, vol. 4, p. 114.

serving as sheriff and a peace commissioner.²⁴⁴ He was also commissioned to suppress rebellion in 1381.²⁴⁵ This service allowed him to forge a close relationship with William Wykeham and to his fellow gentry, as he served as a feoffee for his fellow MP, William Sturmy, in 1390.²⁴⁶

Henry's son John carried out similar administrative service to his father and secured John of Gaunt as a patron.²⁴⁷ However, he did serve as the constable of Southampton Castle, and this raises an important clarification.²⁴⁸ Whilst the gentry of Hampshire rarely appear in records of service in the North, this is probably due to the fact that landholders on the southern coast were enjoined to defend against the French, as Richard II had not yet formed the truce of 1389.²⁴⁹ Despite the evidence being suggestive, it should therefore not be assumed that the gentry of Hampshire had forsaken military service in the late-fourteenth century.²⁵⁰ The Brocas family has already been discussed in the previous section, so it will not be repeated in detail here. However, it will be mentioned that whilst Bernard had established himself as an important local administrator, he still served in a naval expedition in 1377-8.²⁵¹ Furthermore, William Brocas was part of the standing force in the Scottish Marches in 1389-90, coinciding with the 1389 truce with France.²⁵² This demonstrates a desire to be involved in military service in the North if possible. In any case, this family shows a combination of military and administrative service, as do many others, including the Norton family. Ralph Norton's first appointment to parliament in 1377 coincided with selection as sheriff and involvement in several legal commissions.²⁵³ However, Ralph defended the coast before this in 1371, showing a combination of service and highlighting the military responsibilities of landholders in the area.²⁵⁴

William Sturmy provides a similar example as he served in France from 1380 to 1381 and on a naval expedition in 1388 with the earl of Devon, before becoming a diplomat for Richard II.²⁵⁵ He also served as MP in several southern counties, including Hampshire, and served on a range of legal commissions before joining Henry IV's council in 1401 - thus

²⁴⁴ *Ibid.*, vol. 4, pp. 113-4.

²⁴⁵ *Ibid.*, vol. 4, pp. 113-4.

²⁴⁶ *Ibid.*, vol. 4, pp. 114-5.

²⁴⁷ *Ibid.*, vol. 4, p. 115.

²⁴⁸ *Ibid.*, vol. 4, p. 115.

²⁴⁹ Hughes, 'The Fourteenth-Century French Raids', pp. 140-3.

²⁵⁰ Simpkin has stressed the need to remember that an absence of evidence of service does not necessarily mean an absence of service: Simpkin, 'Total War in the Middle Ages?', p. 64.

²⁵¹ E101/36/25 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁵² E101/41/17 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁵³ *Members of Parliament*, vol. 1, pp. 198 and 202; Hughes, *List of Sheriffs; CPR, 1377-81*, pp. 42 and 50; *CPR, 1381-5*, p. 84; Bell, *War and the Soldier*, pp. 34-9.

²⁵⁴ E101/31/11 no. 2 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁵⁵ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 521-2.

combining military and administrative service.²⁵⁶ This is similar to John Sandys, of East Cholderton and Sherborne ‘Coudray’, Hampshire, who served the Black Prince and Thomas of Woodstock in France and on the sea before being appointed as an MP for Hampshire eight times from 1381.²⁵⁷ This was after abducting the widowed Joan Bridges and thereby gaining land in Hampshire.²⁵⁸ He served on commissions from 1377 to 1395 and was ordered to put down rebellion in Hampshire in 1381 and 1382, as well as serving as justice of the peace for Hampshire from 1384.²⁵⁹ He was also deputy marshal of the court of chivalry in 1394.²⁶⁰ This is a striking indication of the importance of office-holding and military service, as it allowed an outsider to the county to rise to prominence. Admittedly, this factor operated in conjunction with marriage and landholding.

Along with other families such as the Estcotes, who served militarily on the coast and in France, this demonstrates the importance of military and administrative service to many of the gentry of Hampshire in the late-fourteenth century.²⁶¹ Examples of leading gentry engaging in military service in France or on the coast abound in the records. John Hampton, MP for Hampshire in 1394 and associate of William Wykeham, served on various military ventures.²⁶² He served on six naval expeditions between 1374 and 1388 and joined an expedition to France from 1380 to 1381.²⁶³ The St John family contributed various members to take part in naval and French expeditions in the late-fourteenth century despite being established as a leading family in local society.²⁶⁴ Having said that, they no longer received personal summons to parliament and so were not part of the baronage. Other family names appearing in the military records include Roches, Russell, Scures, Trussel and Palton.²⁶⁵ These and others demonstrate that the gentry of Hampshire were still frequently involved in military ventures, albeit generally in specific areas, in the late-fourteenth century.

²⁵⁶ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 520-1.

²⁵⁷ *Ibid.*, vol. 4, pp. 301-2.

²⁵⁸ *Ibid.*, vol. 4, pp. 301-2.

²⁵⁹ *Ibid.*, vol. 4, p. 301.

²⁶⁰ *Ibid.*, vol. 4, p. 301.

²⁶¹ *Members of Parliament*, vol. 1, pp. 11, 14, 17, 20, 28, 33, 44 and 131; Hughes, *List of Sheriffs; CPR, 1301-07*, p. 203; *CPR, 1313-7*, p. 585; E101/29/29 no. 3 m. 3 and E101/50/28 m.2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁶² Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 281.

²⁶³ E101/33/15 m. 2, E101/36/25 m. 1, E101/36/39 m. 3, E101/39/9 m. 4, E101/40/33 m. 8, E101/40/34 m. 23 and E101/41/5 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁶⁴ E101/32/26 mm. 1-2, E101/32/38 m. 1, E101/36/32 m. 3, E101/37/2 m. 1, E101/40/33 mm. 1 and 8 and E101/40/34 mm. 21 and 23, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁶⁵ For instance, E101/36/39 m. 9d, E101/32/36 m. 5, E101/33/13 no. 2 m. 2, E101/41/5 m. 14, E101/32/1 m. 3, E101/32/38, m. 2, E101/31/32 m. 4d and E101/32/26 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

This section has demonstrated that the gentry of Hampshire did not play a significant role in Richard II's campaign in Scotland in 1385. However, it has also been shown that this should not be taken to indicate a lack of interest in being involved in military ventures at this time. Indeed, members of many leading gentry families took part in naval and French expeditions within the Hundred Years War, and were involved in defending the coast. This section has also demonstrated that the local gentry continued to play a leading role in local administration, including service as MPs, sheriffs or peace commissioners, despite still facing the pressure of war on their coastal border. It will now be considered whether the gentry of Nottinghamshire also showed a combination of administrative and military employments, and whether they played a more considerable role in the Scottish campaign or remained focused on France.

Nottinghamshire

As they were based north of the Trent, it could be expected that the gentry of Nottinghamshire would provide a substantial number of examples of men who served with Richard II in 1385 in Scotland.²⁶⁶ However, this section will begin by demonstrating the significant families and individuals who not only shunned involvement in this campaign, but also avoided military service altogether in the late-fourteenth century. John Gateford of Gateford, Nottinghamshire, embraced administrative service whilst avoiding warfare. John was an MP on five occasions and followed his first term, in 1373, with service as a peace commissioner from 1378, sheriff from 1385 and escheator from 1388.²⁶⁷ Thomas Hercy of Grove, Nottinghamshire, Sampson Strelley and Hugh Newmarch are just several other examples of the many individuals who followed this course.²⁶⁸ However, there are also numerous families from Nottinghamshire engaging in a combination of service in the period, and some of these examples will now be introduced.

The Leek family produced individuals who served the county in a variety of ways in the late-fourteenth century. Simon Leek was one member who was involved in considerable administrative service, as he served as an MP on ten occasions between 1363 and 1382 and

²⁶⁶ Simpkin, 'Total War in the Middle Ages', p. 68.

²⁶⁷ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 164.

²⁶⁸ *Ibid.*, vol. 3, pp. 347-9; Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 180, 204, 210 and 215; *CPR, 1377-81*, p. 580; *CPR, 1381-5*, p. 244; *CPR, 1374-7*, p. 498; Wood, *List of Escheators*.

on a variety of legal commissions.²⁶⁹ He was also sheriff of Nottinghamshire and Derbyshire in 1363 and 1382.²⁷⁰ This suggests that either there was a shortage of men willing to fill offices in these years, or that those offices were particularly desirable, meaning that he was able to use his position as sheriff to secure election. Simon's son John's career supports the idea that family service encouraged the next generation to follow this example, as he served in a range of roles, including sheriff, MP and peace commissioner.²⁷¹ In terms of military service, John's brother William served on a naval expedition in 1374 and John served in Ireland in 1376 and possibly again in 1380.²⁷² This demonstrates that members of the family carried out a range of service in the late-fourteenth century, therefore suggesting that both aspects of service remained important. However, the Leek family also demonstrates that the gentry were not always eager to be involved in military service, as William was enlisted again to serve in Calais in 1388 but refused to leave England.²⁷³ Other families, such as the Chaworths and the Stauntons, provide similar examples. The Stauntons also included family members serving together in Ireland from 1389 to 1392.²⁷⁴

Thomas Rempston provides an example of a member of the gentry who served Richard II in the Borders as part of the standing force in the West March from 1384.²⁷⁵ Thomas also again demonstrates the combination of administrative and military service, as he followed his first period of six as an MP in 1381 by serving as sheriff in 1393.²⁷⁶ He was also involved in a range of legal commissions from 1394 and was selected to serve the crown in peace negotiations with France.²⁷⁷ This highlights his international activity continuing after his Scottish service. This is also shown by his service with Gaunt in Spain, and crusading ventures in Lithuania with Bolingbroke in 1390.²⁷⁸ The fact that his release was secured by John of Gaunt after being captured by the Polish king in 1392 indicates the possibility for extensive service to create connections between the elite.²⁷⁹ William Neville, of Rolleston, Nottinghamshire, also served Richard in Scotland. He brought four esquires

²⁶⁹ *Members of Parliament*, vol. 1, pp. 170, 175, 177, 180, 189, 191, 194, 198, 208 and 213; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 583; *CPR, 1364-7*, p. 286; *CPR, 1367-70*, p. 191.

²⁷⁰ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 583.

²⁷¹ *Ibid.*, vol. 3, pp. 583-4.

²⁷² *Ibid.*, vol. 3, p. 583; E101/33/13 no. 2 m. 2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁷³ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 586.

²⁷⁴ *CPR, 1385-9*, p. 176; Hughes, *List of Sheriffs; CPR, 1370-4*, p. 338; *CPR, 1377-81*, pp. 44 and 299; Wood, *List of Escheators*; E101/41/18 m. 10, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁷⁵ E101/39/38 m. 3, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁷⁶ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 189.

²⁷⁷ *Ibid.*, vol. 4, p. 189.

²⁷⁸ *Ibid.*, vol. 4, pp. 189-90.

²⁷⁹ *Ibid.*, vol. 4, pp. 189-90.

and six archers on the campaign in 1385.²⁸⁰ Before this he went overseas in 1371 and campaigned with Gaunt as a member of his retinue in Scotland and Normandy.²⁸¹ He also combined military and administrative service as he was an MP from 1378 and served on a range of legal commissions from 1381.²⁸² Other examples include John Annesley, the famous victor of a judicial duel in 1380 and consequent knight of the king's body who joined the 1385 campaign after service in France.²⁸³ These men also demonstrate the continued tendency of the gentry of Nottinghamshire to serve in a variety of locations, as well as a continued connection between the military elite of Nottinghamshire and the Lancastrians, in the form of Gaunt.

The preceding paragraph has demonstrated the involvement of members of the gentry of Nottinghamshire in a variety of arenas of war whilst also engaging in administrative service in their careers, but it must also be acknowledged that other local gentry served solely in a military capacity. Robert Goushill fought in the Marches and in Scotland in the late-fourteenth century, but avoided being involved in local officialdom.²⁸⁴ John Burton served at sea in 1385, but also avoided administration.²⁸⁵ Baldwin Malet and his brother John served extensively in France and at sea in the 1370s and 1380s but they too shunned officialdom in Nottinghamshire.²⁸⁶ The Oxenford and Cherleton families had members who served at sea in the late-fourteenth century.²⁸⁷ The reoccurrence of families with more than one member selecting to serve militarily but not administratively in the late-fourteenth century suggests that some gentry families in Nottinghamshire still maintained a tradition of concentrating on military ventures. Other examples of this tradition include the Bereford family, with three members serving in France in the late-fourteenth century.²⁸⁸

This study of gentry service in late-fourteenth century Nottinghamshire has demonstrated that different leading families embraced a range of balances of service. Some focused on administration and some focused on warfare, whilst many took part in both. It is also striking that the patterns of familial traditions of service identified in the earlier stages of this chapter are still evident in the latter part of the fourteenth century. Many members of

²⁸⁰ *Ibid.*, vol. 3, pp. 593 and 825.

²⁸¹ *Ibid.*, vol. 3, p. 824.

²⁸² *Ibid.*, vol. 3, p. 824; *Members of Parliament*, vol. 1, p. 173.

²⁸³ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 1, pp. 38-40.

²⁸⁴ E101/41/17 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁸⁵ E101/40/39 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁸⁶ E101/30/25 mm. 1-2, E101/31/15 m. 1, E101/32/20 m. 1, E101/34/4 m. 1, E101/34/5 m. 2, E101/36/39 m. 12d, E101/40/26 m. 2, E101/41/5 m. 11 and E101/42/14 m. 5, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁸⁷ E101/36/32 m. 4, E101/40/33 m. 20d, E101/40/34 m. 9, E101/31/37, m. 1 and E101/36/39 m. 9d, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁸⁸ E101/29/24 m. 1, E101/34/5 m. 3, E101/39/7 no. 3 m. 1 and E101/42/14 m. 2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

the Nottinghamshire gentry were involved in Richard II's Scottish campaign of 1385, but they were also often involved in service in France, Ireland, or a variety of locations. This demonstrates the tendency of the gentry in this area to travel to take part in military activity, rather than limiting themselves to the warfare closest to their locality. It will now be considered whether the gentry of Cumberland were heavily involved in this campaign and in military service in general in the late-fourteenth century, and how this was balanced with their administrative duties.

Cumberland

It would be reasonable to expect that the gentry of Cumberland would have been heavily involved in the 1385 campaign due to their proximity to Scotland, and that they would focus on military service at this unsettled time in their locality. Hostilities continued after the 1385 campaign, with a Scottish victory at Otterburn in 1388 and harrying for the remainder of the century.²⁸⁹ However, this section will demonstrate that there was still some variety in terms of the service that the local gentry chose to engage in. For instance, the Lowther family are an excellent example of a family involved in administrative and military service in the late-fourteenth century. William Lowther followed election to parliament from 1393 with service as an escheator and sheriff and involvement in a range of legal commissions.²⁹⁰ His brother Robert was MP for Cumberland from 1391, was appointed to peace commissions in Cumberland from 1397 and later served as sheriff and escheator.²⁹¹ However, several members of the family also served militarily in their careers. Robert and William's father, John, served in a naval expedition in 1372 and in the standing force in Ireland from 1395 to 1397.²⁹² Whilst John did not serve in the 1385 campaign, despite his base being in the Borders, this may have been due to him having a defensive role; he was retained by Roger Clifford in 1379, and may have been given defensive orders if this relationship was still in place.²⁹³ By contrast, William was a captain in a Scottish expedition in 1400.²⁹⁴ As such, members of the same family can be seen engaging in defensive and aggressive military service.

²⁸⁹ Arvanigian, 'A County Community', p. 46; A. Grant, 'The Otterburn War From the Scottish Point of View', in Tuck and Goodman (eds.), *War and Border Societies*, pp. 47-9.

²⁹⁰ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 641.

²⁹¹ *Ibid.*, vol. 3, p. 639.

²⁹² E101/32/20 m. 2 and E101/41/39 m. 2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁹³ Jones and Walker (eds.), 'Private Indentures for Life Service', pp. 97-8.

²⁹⁴ *Ibid.*, pp. 97-8.

The Skelton family of Stainton and Orton, Cumberland, show striking similarities to the Lowther family. They demonstrate varied service in a range of locations. Clement Skelton served as an MP five times from 1378 to 1395 and on a range of legal commissions.²⁹⁵ He also served as the deputy keeper of Carlisle during the 1385 campaign, which demonstrates varied employment.²⁹⁶ Some other members of the family did not serve in this campaign, but instead served in France, Ireland and on the sea in the late-fourteenth century.²⁹⁷ John Thirlwall served in Gaunt's retinue on campaigns in France and was retained in 1375 by Henry Percy in the garrison of Roxburgh Castle.²⁹⁸ He followed his role defending Carlisle as the deputy keeper of Carlisle Castle in the 1385 campaign with service as an MP in 1386, providing another example of combined service, this time in close conjunction.²⁹⁹

The Tilliol family demonstrate that different members of the same family could engage in different forms of employment, and to varied extents. Peter Tilliol, of Scaleby, Cumberland, was MP thirteen times from 1378 to 1426, justice of the peace five times from 1380, and sheriff and escheator on several occasions after he became an MP.³⁰⁰ He was also ransomed after being captured when fighting the Scots in 1385 and 1388, as well as serving in Ireland in 1399.³⁰¹ In 1388, Peter was able to use his influence to gain a crown pardon for a local thief, which indicated the extent to which he was able to use extensive service to receive crown favour.³⁰² However, it must be highlighted that Peter's brother, Geoffrey Tilliol, of Torpenhow and Embleton, Cumberland, was able to gain local influence despite only serving as collector of pontage at Carlisle from 1389 to 1393 and as an MP once in 1393.³⁰³ He was married to Alice, daughter of the influential John Ireby, and this connection enhanced his position.³⁰⁴ Having said this, it is noteworthy that his familial connections also strengthened his position, so his status was to some extent founded on the administrative service of others. Other individuals engaged in a combination of service. John Denton repeatedly served in parliament and fought in France and overseas and Amand Monceaux fought in the Borders and overseas before serving administratively in Cumberland, being

²⁹⁵ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, p. 376.

²⁹⁶ *Ibid.*, vol. 4, p. 376.

²⁹⁷ E101/30/25 m. 1-3, E101/31/17 m. 1, E101/31/31 m. 4 and E101/36/39 m. 5, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

²⁹⁸ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 583-4.

²⁹⁹ *Ibid.*, vol. 4, pp. 583-4.

³⁰⁰ *Ibid.*, vol. 4, pp. 614-5.

³⁰¹ *Ibid.*, vol. 4, p. 616.

³⁰² *Ibid.*, vol. 4, p. 615.

³⁰³ *Ibid.*, vol. 4, pp. 613-4.

³⁰⁴ *Ibid.*, vol. 4, pp. 613-4; For more information about John Ireby see below, p. 113.

made keeper of the West March in 1371 and taking command of Carlisle Castle in 1385.³⁰⁵ The career of Richard Bewley of Thistlethwaite, Cumberland, provides another example as he helped to guard Carlisle in 1385 and served as an MP in the following October.³⁰⁶

Whilst the men thus far discussed all engaged in varied service, there were also those who focused on administrative service, even in the frontier zone of Cumberland. William Stapleton, of Edenhall, Cumberland, came from a family of large-scale landowners and served as MP for the first of five times in 1390.³⁰⁷ He later became justice of the peace from 1397 and sheriff and escheator in the early-fifteenth century.³⁰⁸ William Leigh, of Isel and Blindcrake, Cumberland, followed the first of four periods as an MP in 1399 with service as sheriff in 1399 and justice of the peace from 1410.³⁰⁹ John Ireby, of High Ireby and Embleton, Cumberland, became justice of the peace from 1385 and sheriff from 1388 after his first election of three as an MP in 1384.³¹⁰ These men do not appear to have served in the 1385 campaign, or indeed at all militarily in the late-fourteenth century. The proviso must however be reiterated that they could have played a defensive role. The apparently solely administrative careers of these and other men, such as members of the Culwen family, Thomas Sands, John Derwentwater and William Threlkeld, indicate that even for those with considerable landholdings, administrative service was an important part of gentry identity.³¹¹

The Borders nevertheless offered considerable opportunities for gentry to concentrate their careers on military ventures, as demonstrated by many of the gentry discussed previously and the following examples. Many of the local gentry were involved in defending Carlisle and the Borders during Richard II's 1385 campaign. Robert Parvyng was a man-at-arms in the Carlisle garrison from 1383 to 1384.³¹² The Lucy family was also frequently involved in the defence of the Borders in the late-fourteenth century, as were the Dacres and the Clifford family, which also contributed members to serve in Ireland.³¹³ These and other families demonstrate that many gentry families in Cumberland still maintained traditions of serving militarily, frequently in the Borders but also overseas. Members of the

³⁰⁵ *Ibid.*, vol. 3, pp. 756-8; *Members of Parliament*, vol. 1, pp. 179, 188, 195 and 208; Hughes, *List of Sheriffs*; *CPR, 1374-7*, pp. 229 and 323; *CPR, 1381-5*, p. 261; E101/39/7 no. 1 m. 2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

³⁰⁶ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 225.

³⁰⁷ *Ibid.*, vol. 4, p. 463.

³⁰⁸ *Ibid.*, vol. 4, p. 463.

³⁰⁹ *Ibid.*, vol. 3, p. 589.

³¹⁰ *Ibid.*, vol. 3, pp. 480-1.

³¹¹ *Ibid.*, vol. 2, pp. 779-80 and vol. 4, pp. 300; *CPR, 1354-8*, p. 294; *CPR, 1361-4*, p. 65; *CPR, 1370-4*, p. 169; *CPR, 1377-81*, p. 359; *CPR, 1385-9*, pp. 81 and 475; *CPR, 1374-7*, pp. 229 and 325-6; Hughes, *List of Sheriffs*; *Members of Parliament*, vol. 1, pp. 186, 190, 193, 203 and 208; Wood, *List of Escheators*.

³¹² E199/7/11 m. 7, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

³¹³ E101/41/17 mm. 1-2, E101/39/11 m. 4, E101/41/17 m. 2, E101/31/25 m. 2, E101/41/17 m. 2 and E101/41/39 mm. 5 and 10, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

Forster family served in the Scottish Marches on several occasions in the late-fourteenth century.³¹⁴ However, they also served in France and on the sea instead of remaining in the Borders to serve in local administration.³¹⁵

This final section has demonstrated that the gentry of Cumberland were frequently involved in military service in the Borders. It also shows that many members of the local elite served in Richard II's campaign of 1385, either by attacking Scotland or defending the Borders. A considerable number of men in local gentry society also took part in warfare elsewhere, however, such as in France and Ireland. This is in common with the gentry of Nottinghamshire. However, it has also been shown that some important gentry families in the locality were not involved in defending the Borders or fighting elsewhere, but instead focused their careers of service on administration. Finally, as in the other counties, a considerable number of individuals combined different forms of service, providing themselves with an identity incorporating martial elements and officialdom. Now that an account of the service carried out by the gentry of Hampshire, Nottinghamshire and Cumberland as the fourteenth century progressed has been provided, a comparative conclusion will consider any developments in gentry service in the three counties over the century.

Conclusion

This chapter has demonstrated that the gentry of Hampshire, Nottinghamshire and Cumberland engaged in a range of service during the fourteenth century, both administrative and military. The gentry of each area had the opportunity to take part in a variety of campaigns, with this chapter focusing on early-fourteenth-century conflict with France, the Crécy-Calais campaign and the 1385 campaign in Scotland. The extent to which they chose to take part in these campaigns, and how they balanced this with the level of administrative service they participated in, varied from county to county, from family to family, and even from individual to individual. However, as has been identified through this chapter, some families did appear to develop traditions of service within the time frames set for each section. This conclusion will therefore consider the separate sections of the chapter together

³¹⁴ BL_Cotton_Roll_XIII.8 mm. 4-5 and E101/41/17 m. 2, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

³¹⁵ E101/31/32 mm. 3-4, E101/32/26 m. 3, E101/36/29 m. 2, E101/37/29 m. 1, E101/39/7 no. 1 mm. 2-3 and no. 4 mm. 1-2 and E101/40/39 m. 1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013.

in order to identify these patterns and assess their strength and development over time in each county.

At the start of the fourteenth century the gentry of Hampshire were engaging in a range of occupations. The Roches family was represented in both Scotland and France, but John Roches also served in local administration. Other men such as John Scures and James Norton alternated different types of service. Some men, such as Henry Sturmy, Robert Harnhull and Theobald Gorges chose to take part in the Scottish campaign but then shunned involvement in local administration. However, there were also a considerable number of examples of men who solely served in an administrative capacity, such as Hugh Estcote and members of the Worting family. There were also families with members who focused on different types of service, such as the Russell and Popham families. This variety was also present in the mid-fourteenth century, despite the conflict now affecting the coast of Hampshire. For example, members of the Popham, Brocas, Palton and Hampton families continued or began to play a considerable role in both areas of service. The Sturmy and Gorges families continued to produce fighters, but also entered into administration. This demonstrates a development within these families to take up new administrative opportunities. In contrast, it also highlights the continued importance of military service for some, although not all, as the Norton family now only served administratively. Some families retained their traditions of service in the final part of the fourteenth century, for instance the Worting family continued to serve locally. Similarly, the Brocas, Sturmy, Hampton, Popham and Norton families combined different forms of service, although the Pophams began to focus more on administration. However, others either expanded or narrowed their careers. The Estcote family began to engage in military service, whereas members of the Palton, Scures, Roches and Russell families are found only in the records of military service at this point.

The gentry of Nottinghamshire also demonstrated a considerable level of variety from the start of the fourteenth century between the service different families chose to engage in. The Verdon, Strelley, Sampson, Annesley, Ingram and Chatton families are just some examples of the families which appear to have focused on military service, whilst the Willoughby family and others focused on administration. However, as with Hampshire, there were also those who combined the two, such as John Deincourt, Walter Goushill and Richard Furneaux. There were also families with members with different interests, such as the Darcy, Clifton and Chaworth families. Again, the mid-fourteenth century saw some families continue traditions of service and others expand or specify their employment. There were those who solely fought, such as John Burton, John Furneaux, and John Deincourt; in the case of the latter two this was a move away from a combination of service. There were also those who solely served administratively, such as the Leek and Staunton families. The

Darcy, Chaworth and Clifton families continued to have members engaging in diverse careers, with the Cressy family also emerging as fighters and administrators. However, by the late-fourteenth century the Cressy and Strelley families had ceased to engage in military service, whereas the Leek and Staunton families had begun to participate in warfare and the Annesley family had started to enter local administration. Others, such as the Chaworth, Darcy and Burton families maintained their tradition of combined service.

Finally, the gentry of Cumberland have, like the gentry of Nottinghamshire and Hampshire, demonstrated both change and continuity. Above all they have demonstrated a variety of patterns of service. Despite facing war on their frontier, some of the local gentry, such as the Skelton and Mulcastre families, did not serve militarily. However, a striking number of men, such as Hugh Lowther, Robert Leyburn, Robert Tilliol and Henry Malton, engaged in both defensive and offensive military ventures, although they also played a role in local officialdom. Members of the same families also demonstrated a level of variety. For instance, whilst John Lucy avoided military service, Anthony Lucy fought as well as participating in local administration. The mid-fourteenth century evidence suggested that there had been considerable changes in terms of gentry service, as whilst Richard Stapleton and some others served in the Crécy-Calais campaign, it appears that members of other leading families, such as the Lowther, Tilliol, Skelton, Moresby and Denton families, were only employed as local officials in the mid-fourteenth century. However, as identified in the section focusing on these decades, there was still a considerable need for the gentry of Cumberland to remain in the North and defend the Borders. They also took part in battles such as the Battle of Neville's Cross, so negligible evidence of participation in France does not mean that the local gentry had adopted purely civilian lifestyles. This is illuminated in a return to the expected variety of service by the late-fourteenth century. Members of the Lowther, Tilliol, and Monceaux families both fought and administered, whilst the Parvyng, Forster, Lucy, Denton and Dacre families, amongst others, were represented militarily in the Borders and elsewhere. However, some families, such as the Skeltons and Stapletons, continued or began to serve in a solely administrative capacity, despite being close to the arena of warfare for the 1385 campaign.

This chapter has demonstrated that, despite the debate surrounding the development of gentry service in the fourteenth century, there was a considerable level of variety throughout the century for the counties being studied in this thesis.³¹⁶ Some families specialised in warfare or administration, and this was either maintained or expanded by their descendants as the century progressed. Other families preferred to combine a martial identity

³¹⁶ This fits with the varied engagement with military service identified by Simpkin in his consideration of the gentry of Nottinghamshire and Cambridgeshire in the early-fourteenth century: Simpkin, 'Total War in the Middle Ages?', p. 72.

with local officialdom consistently. There is a level of variety between the counties in some part of the century. For instance, the gentry of Cumberland were less represented in the Crécy-Calais campaign but more present in the campaign of 1385. However, like the gentry of Hampshire, who are less evident in the campaign of 1385, this can be explained by a need to be present to defend their locality at these times, so it does not necessarily indicate a move away from martial service. It instead could indicate a change in focus from aggressive military service to defensive military service as necessity dictated. What can be concluded is that, whilst there were increasing opportunities for the gentry to be involved in administration by the second half of the fourteenth century, the involvement of gentry in local service was not a new phenomenon. Furthermore, a considerable number of gentry individuals continued to engage in warfare throughout the century, or even became more involved as the century progressed, so it is not accurate to suggest that the gentry did not still possess a martial identity to some extent. The gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland placed a high value on service, and this chapter has demonstrated that for many this service could be both military and administrative.

Chapter Four: Progression to a Study of Perceptions of Violence

Chapters Two and Three introduced the societies which will provide sample gentry for an investigation into gentry perceptions of violence in fourteenth-century England. Chapter Two introduced the elite in fourteenth-century Hampshire, Nottinghamshire and Cumberland. It went on to consider the relationship between members of this society, the crown and other potential figures of influence, such as leading figures in other counties and ecclesiastical officials. It was expected that these counties would have had very different societies, due to the considerable distance between them and the different circumstances they faced. In particular, Cumberland and Hampshire faced war with Scotland and France respectively, whilst Nottinghamshire avoided direct enemy attacks. An immediate contrast in terms of crown influence could be inferred due to the variation in geographical distance from the centre of crown authority in the South. The level of crown authority was shown to have varied throughout the century, as both Edward II and Richard II moved their centre of power north at points in their reign. Nevertheless, the distance between the most regular centre of crown authority, in the South, and Cumberland allowed northern lords to become considerably influential. However, the crown was still the most significant landholder in the area, so whilst there was a desire for some independence in the locality, this should not be taken to mean that the crown had little influence. Hampshire's geographical position made it easier for the crown to exert its authority and a number of men retained by the crown were based in the region. Nottingham Castle provided a base for crown authority in Nottinghamshire, although this was a less regular presence than in the South. It must be highlighted though that the gentry in these counties also valued their independence. It should not therefore be assumed that more southerly counties embraced crown authority while northern counties rejected it. Still, it was more of a challenge for the crown to exert authority in localities at a considerable distance from Westminster, so the gentry were likely to feel more autonomous from crown influence.

The variation of the level of influence held by ecclesiastical authorities was discussed. Hampshire was heavily influenced by the bishopric of Winchester. In contrast, the northern ecclesiastical centres such as York, Durham and Carlisle were less influential than secular authorities over the gentry in Nottinghamshire and Cumberland. The consideration of secular elites similarly raised some contrasts, yet also some similarities. Hampshire, Nottinghamshire and Cumberland all lacked nobles who were resident in the county, although the extent to which regional nobles could be seen to hold considerable influence in each county varied. Cumberland elite society was influenced by a number of extremely powerful regional lords, such as the Percy, Clifford and Neville families. This influence

arose due to their land-holding and service as local officials, whereas in terms of regional noble influence Nottinghamshire was dominated by one family. The earldom and duchy of Lancaster was stronger in other midlands counties, but it was still influential enough to be the leading noble family in Nottinghamshire. In contrast, Hampshire was found to be more similar to Cumberland, with a range of regional nobles holding considerable interests in the county. It also had a leading influence however, namely the bishopric of Winchester. When the chapter progressed to considering baronial families some variety was seen in terms of how distinct these families were from leading gentry in each county. In addition variety was evident in how far it was possible or indeed necessary for the gentry to join this group. In Cumberland, leading baronial families were able to enjoy considerable power through possession of offices in the Borders. Whilst some gentry were able to rise to this level through crown favour and similar office-holding, this could not be achieved without continued crown support. This contrasts with Nottinghamshire, where there was a much less clear distinction between baronial families and leading gentry in terms of wealth and office-holding. Hampshire gentry trod the middle ground as they were able to enjoy considerable status whilst baronial families were still largely distinct.

Chapter Two then introduced some of the leading gentry families in each county. These gentry had different external pressures, such as war, acting upon them, and were at disparate geographical positions in the country. Whilst their counties do share some characteristics in terms of the social structure of their societies, and the sources of local influence, important variations were also shown. This knowledge is extremely useful in terms of answering one of the crucial research questions of this thesis, namely the extent to which geographical setting had an impact on gentry perceptions of violence. The differences between these counties are significant enough for them to provide sample societies for the second section of the thesis. The perceptions of violence held by the gentry within these societies will be assessed using the methodology to be explained in this introductory chapter, and regular comparison of these results will allow for the level of variety between counties to be demonstrated. One of the central arguments of this thesis is that there was little variety between gentry perceptions of violence in different counties, despite the gentry facing a variety of different pressures and influences. This proposal will be demonstrated through the analysis to follow.

The conclusions reached in Chapter Three point towards different local circumstances having little tangible effect on gentry values. It was shown that the gentry of these diverse counties appeared to have had very similar ideas regarding their service careers, despite facing different pressures and opportunities. As discussed in Chapter Three, there is continuing debate concerning the extent to which the gentry of fourteenth-century England were beginning to abandon military service and focus instead on administrative

service, or still placed a high value on military service. However, the evidence gathered regarding the service careers of the gentry of Hampshire, Nottinghamshire and Cumberland suggested that this debate has little relevance in relation to gentry in these counties and their service aspirations. Indeed, the gentry in these localities engaged in a variety of administrative and military service throughout the fourteenth century. Certain families developed traditions of serving administratively or militarily. However, many more appear to have had no particular intention of focusing on one type of service, but rather took the opportunities offered to them in either genre. The gentry of all three counties had the opportunity to engage in military service throughout the century, although of course their geographical position affected the extent to which they were able to, or indeed were expected to, take these opportunities.

Ultimately, the picture observed throughout the century in all three counties was one of variety. At the start of the fourteenth century the gentry of Hampshire provided examples of men who served solely administratively, only served in war, or combined a variety of service. This group also included men who engaged in the same type of service as their family members, as well as men who served administratively whilst their family members engaged in military service, or vice versa. This variety was maintained into the mid-fourteenth century and beyond. Consideration of the late-fourteenth century still indicated that the gentry of Hampshire had no unified plan in terms of what service to engage in. Nor did they all embrace a family plan of service. Some families specialised in a particular branch of service, whereas some did not. Some men followed the example of their families, whilst others did not. The evidence for Nottinghamshire led to the same conclusion. Throughout the century it was clear that some of the gentry of Nottinghamshire engaged in military service, some served administratively, and some did both. There was nothing to indicate the rise of one type of service at the expense of the other. As some families turned towards focusing on administrative service, others abandoned this and only appear in records of military service. Other families continued to show a variety of service, as did many individuals. The same conclusion was reached regarding the gentry of Cumberland. The gentry of this county also demonstrated a variety of patterns of service, either specialised or diverse, both within families and by individuals, throughout the century. It was also recognised that defensive military service was not always visible in the records, and so it was not always the case that not appearing in the records meant that gentry did not engage in military service.

This analysis is useful for the progression of the second section of this thesis in several ways. Firstly, it indicates the extent to which geographical differences did not have a considerable impact on gentry decision-making when choosing service to engage in. Whilst their opportunities varied to some extent, the key point is that the gentry often appear to have

been more focused on taking the opportunities offered to them, rather than having a set plan. They may have been influenced by family traditions and their personal circumstances, but this is more relevant to a consideration of the individual rather than the gentry as a social group. This conclusion will be seen to tie in neatly with theories advanced in the second section of this thesis, as it will be argued that the gentry of each county regarded it as legitimate to engage in violence when the circumstances could be justified and the opportunity offered potential for benefit with limited risk. This again puts the emphasis on individual circumstances and opportunities, as was the case when considering gentry service in fourteenth-century England. This in turn indicates that gentry perceptions of violence will also be similar between counties. Furthermore, Chapter Three will connect directly to the focus of Chapter Seven, as to a considerable extent Chapter Seven will be concerned with considering the extent to which gentry engaging in service were concerned that violence could put their careers at risk. A secondary line of enquiry will be whether this varied between those engaging in military service and those serving administratively.

The remainder of this chapter will discuss the evidence required to carry out the assessment of gentry perceptions of violence, of which the first section of this thesis has formed the base. Chapter One highlighted the need for a combination of evidence to be used when investigating gentry violence in fourteenth-century England, particularly when considering gentry perceptions of this violence.¹ Whilst it may seem obvious for this section of the thesis to rely upon legal and paralegal records, such as Patent Rolls, Ancient Petitions, records from the court of King's Bench and records of other itinerant justices, the impossibility of making a meaningful contribution to consideration of gentry perceptions of violence with this methodology alone has been highlighted in Chapter One.² Fundamentally, the legal records provide only limited information, with historians such as Green and McLane stressing their formulaic and laconic nature.³ This is a particularly relevant issue for Chapter Five, which will focus on motivations for gentry violence, and how these motivations may have been perceived, as limited detail will make this difficult. It should be highlighted that the legal records will provide valuable evidence of the crimes potentially engaged in by the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland, and in some cases will give an indication of potential motivations. However, as argued here and in Chapter One it makes sense to look elsewhere to produce a fuller picture of the gentry and their values concerning violence.

The methodology for the second section of this thesis will therefore also make use of literary evidence. The criticisms of the use of literature as a source in historical enquiry

¹ See above, pp. 33-6.

² See above, pp. 33-6.

³ Green, *Verdict According to Conscience*, pp. 29 and 35; Strohm, *Theory*, p. 105; McLane, 'Juror Attitudes', p. 39.

were summarised in Chapter One.⁴ The main issue surrounding the use of literature is the premise that a source must be factual in order to be relied upon to provide evidence for historical studies. However, this is too definite a distinction to make. As argued in Chapter One, literature was produced for an audience.⁵ The author would therefore design the characters and events to evoke certain responses from this audience. For instance, heroic characters would behave in a manner which the author would expect to make the audience approve of them, whilst villainous characters would engage in activity which would be expected to be met with disapproval. From this evidence the historian can surely expect to identify the behaviour which would have been approved of, or disapproved of, by the audience. Of course, this behaviour may have been exaggerated for the purposes of entertainment, but it is still likely that the literature will indicate the values held by the audience to a lesser extent at the core of these exaggerations. Furthermore, as identified in Chapter One, legal records should not be regarded as necessarily factual, as they too may have been invented or exaggerated for the purposes of punishing enemies or getting a case into a particular court by adding an accusation of violence.⁶ The absence of fiction should not be necessary for a source to be useful. Ultimately, both types of sources can be identified as having some level of fiction, but this does not prevent them from providing valuable evidence about the society in which they were constructed. What is most sensible is to use the sources in tandem, to gain the information from both. This approach also potentially allows them to provide corroboration for each other, as Strohm and Kaeuper have suggested.⁷

Therefore, these types of evidence will both be used in the second section of this thesis, along with the evidence gained from Chapters Two and Three. Before indicating how this will be used specifically in terms of chapter division and focus, a point must be raised in reference to how the legal evidence was gathered and its scope. This will be followed by an introduction to the specific literature to be used. Whilst their survival is incomplete, the legal records of fourteenth-century England are still vast, and a thesis combining such evidence with literature could not hope to cover all of this. Indeed, it is not necessary to do so in a thesis of this nature, since the focus is not on providing quantitative values for the number of gentry accused of violent crime in each county throughout the century. Instead, the emphasis is on gentry perceptions of violence, thus sample cases and the activity of sample gentry can be used to give an indication of general perceptions. The entirety of the Patent Rolls for the

⁴ See above, p. 35.

⁵ See above, pp. 35-6.

⁶ See above, pp. 15 and 34.

⁷ Strohm, *Theory*, p. 109; R. W. Kaeuper, 'Debating Law, Justice and Constitutionalism', in R. W. Kaeuper (ed.) with P. Dingman and P. Sposato, *Law, Governance and Justice: New Views on Medieval Constitutionalism* (Leiden, 2013), p. 4.

century have been searched for references to the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland, as have the Ancient Petitions, which were introduced in Chapter One.⁸ Records in the JUST 1 series of the National Archives of itinerant justices who held sessions in any of the sample counties were searched for crimes within the county, and crimes involving the gentry of each county in neighbouring counties (see Table 1).⁹ In terms of the records from the court of King's Bench in the KB 27 series, which are the plea rolls, a sample had to be taken.¹⁰ This sample consisted of records from two terms per decade, for the entirety of the fourteenth century, and these were reviewed for references to gentry from the sample counties (see Table 2). Five rolls were also used from the KB 9 series, which are indictments, as they contained cases related to the sample counties (see Table 3).¹¹ A concentrated effort was made to ensure that the King's Bench sessions selected were held at a variety of geographical locations in order to gain the most comprehensive coverage possible.

Table 1: JUST 1

Record	Date of session	County of gentry mentioned
JUST 1/792	1322-1324	Hampshire
JUST 1/1421	1335-1336	Hampshire
JUST 1/686	1329-1330	Nottinghamshire
JUST 1/1405	1356-1357	Nottinghamshire

⁸ For an introduction to SC 8 see above, p. 33.

⁹ Unfortunately no JUST 1 evidence could be found which included the sample gentry of Cumberland, and it is acknowledged that there is not a wide chronological spread in terms of JUST 1 evidence, but this has been compensated by evidence of Cumberland gentry in other legal records. For an introduction to JUST 1 see above, p. 33.

¹⁰ For an introduction to KB 27 see above, p. 33.

¹¹ Again, no KB 9 evidence could be found which included the sample gentry of Cumberland, but there were sufficient references to the gentry of Cumberland in other legal records to prevent this from being a serious problem. For an introduction to KB 9 see above, p. 33.

Table 2: KB 27

Record	Date of session	Location of session
KB 27/162	1300 Michaelmas	York
KB 27/182	1305 Michaelmas	Westminster
KB 27/203	1311 Hilary	Newcastle upon Tyne
KB 27/230	1317 Michaelmas	Westminster
KB 27/260	1325 Easter	Westminster, Guildford, Winchester and Southampton
KB 27/270	1327 Michaelmas	York
KB 27/282	1330 Michaelmas	Westminster
KB 27/305	1336 Trinity	Northampton and Nottingham
KB 27/330	1342 Michaelmas	Westminster
KB 27/356	1348 Michaelmas	York
KB 27/373	1353 Michaelmas	Westminster and Kingston upon Thames
KB 27/385	1356 Michaelmas	Westminster
KB 27/408	1362 Michaelmas	York
KB 27/435	1369 Michaelmas	Westminster
KB 27/459	1375 Michaelmas	Lincoln
KB 27/466	1377 Trinity	Winchester
KB 27/479	1380 Michaelmas	Westminster and Northampton
KB 27/498	1385 Michaelmas	Westminster
KB 27/528	1393 Easter	York
KB 27/539	1396 Hilary	Nottingham

Table 3: KB 9

Record	Date of session	County of gentry mentioned
KB 9/163/1	1344	Hampshire
KB 9/107	1377	Hampshire
KB 9/167	1385	Nottinghamshire
KB 9/108	1393	Hampshire
KB 9/171	1392-3	Hampshire

This methodology means that some crimes involving the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland will have been missed. However, the use of the Patent Rolls should have ensured collation of the majority, and as identified above, complete coverage is not necessary for this thesis. At this point it should also be highlighted that, whilst this thesis focuses on violent crime, or at least crime which has been claimed by the victim to include violence, the gentry of late-medieval England did not solely engage in crime of a violent nature. Indeed, Hanawalt has identified the variety of crimes open to the late-medieval elite.¹² For instance, Gorski and Maddicott have discussed the problem of gentry being given positions of local authority and then being accused of the crime of corruption, which was a frequent motif in late-medieval society.¹³ William Mulcastre, who was sheriff of Cumberland in 1304, a commissioner of *oyer* and *terminer* in 1305, MP for Cumberland in 1309 and 1311, and a commissioner of array in 1316, provides an example of accusations of corruption from the sample gentry.¹⁴ In 1314 an investigation was launched into the amount of money that William and others had levied in Cumberland to make a truce with Scottish cross-border raiders without crown permission.¹⁵ As his career continued after this accusation, it would be interesting to compare this and other such cases with the impact of accusations of violent crime on the careers of the sample gentry, but unfortunately this is beyond the scope of this thesis. It should also be acknowledged that, as identified in Chapter One, many of the crimes which appear violent in the legal records were

¹² Hanawalt, 'Fur-Collar Crime', pp. 1-17.

¹³ R. Gorski, 'Justice and Injustice? England's Local Officials in the Later Middle Ages', in J. C. Appleby and P. Dalton (eds.), *Outlaws in Medieval and Early Modern England* (Farnham, 2009), pp. 66-8; J. R. Maddicott, 'The Birth and Setting of the Ballads of Robin Hood', *EHR*, 93 (1978), pp. 276-99.

¹⁴ William and his family have already been introduced in this thesis: see above, pp. 44 and 92-3. Hughes, *List of Sheriffs; Members of Parliament*, vol. 1 (London, 1878), pp. 30 and 35; *CPR, 1301-07*, p. 407; *CPR, 1313-7*, p. 460.

¹⁵ *CPR, 1313-7*, p. 240.

not necessarily violent in reality, as this was a device for accessing certain courts.¹⁶ It is not, however, within the remit of this thesis, or the realms of possibility, to assess the veracity of accusations. As such, the cases must be taken at face value, but it is worth remembering this before assuming that all gentry criminality involved violence.

Now that the legal records have been introduced, the literature to be included in this thesis must be set out. The Robin Hood rhymes can be used within this study, despite Robin being identified as a 'gode yeman'.¹⁷ The precise meaning of the term yeoman is a matter of some confusion. Almond and Pollard have identified a range of possible meanings for this social classification which could be used to describe profession or to indicate a social level between, and possibly incorporating, the lesser gentry and the wealthy peasantry, but have also reached the conclusion that such an ambiguous figure had the potential to appeal to wide audiences.¹⁸ An elite audience has convincingly been suggested by Holt and Ohlgren. Holt has argued for the potential for the rhymes to be read in gentry halls, and Ohlgren has identified ownership of a manuscript of *Robin Hood and the Potter* by an individual hoping to rise socially.¹⁹ Of course, this is by no means an undisputed view, and the variation in literary style between the tales may suggest that they were designed for different audiences. However, for the purposes of this study there is enough evidence to suggest that the gentry were at least part of the intended audience of the rhymes.²⁰ It seems counter-intuitive to suggest that an audience would read or listen to literature which largely contained values they did not share. Whilst the earliest copy of the *Gest of Robyn Hode* was printed in the sixteenth century, it was likely to have been based on earlier Robin Hood tales and

¹⁶ Saul, *Scenes from Provincial Life*, pp. 79-81.

¹⁷ R. B. Dobson and J. Taylor (eds.), *Rymes of Robyn Hood: An Introduction to the English Outlaw* (Gloucester, 1989), p. 79.

¹⁸ R. Almond and A. J. Pollard, 'The Yeomanry of Robin Hood and social terminology in fifteenth-century England', *Past and Present*, 170 (2001), pp. 52-77.

¹⁹ J. C. Holt, 'The Origins and Audience of the Ballads of Robin Hood', *Past and Present*, 18 (1960), pp. 94-100; J. C. Holt, *Robin Hood* (London, 1982), pp. 109-27; T. H. Ohlgren, 'Richard Call, the Pastons, and the Manuscript Context of Robin Hood and the Potter (Cambridge, University Library Ee.4.35.1)', *NMS*, 45 (2001), p. 215.

²⁰ A range of literature debates the nature of the audience of the Robin Hood rhymes: Holt, 'The Origins and Audience', pp. 89-110; Holt, *Robin Hood*, pp. 105-54; R. H. Hilton, 'The Origins of Robin Hood', *Past and Present*, 14 (1958), pp. 30-44; D. C. Fowler, *A Literary History of the Popular Ballad* (Durham N.C., 1968), pp. 79 and 83; Ohlgren, 'Richard Call', pp. 210-28; Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 35; P. R. Coss, 'Aspects of Cultural Diffusion in Medieval England: the Early Romances, Local Society and Robin Hood', *Past and Present*, 108 (1985), p. 73; M. H. Keen, 'Robin Hood – peasant or gentleman?', *Past and Present*, 19 (1961), pp. 7-15; M. H. Keen, *The Outlaws of Medieval England* (London, 2000), pp. xiii-xxi; Pollard, *Imagining Robin Hood*, pp. 8-10; Almond and Pollard, 'The Yeomanry of Robin Hood', pp. 75-7; D. C. Fowler, 'Rymes of Robyn Hood', in S. Knight (ed.), *Robin Hood: an Anthology of Scholarship and Criticism* (Cambridge, 1999), pp. 59-76; C. Richmond, 'An Outlaw and Some Peasants: the Possible Significance of Robin Hood', *NMS*, 37 (1993), pp. 90-101; Maddicott, 'The Birth and Setting', pp. 292-3; A. J. Pollard, 'Political Ideology in the Early Studies of Robin Hood', in Appleby and Dalton (eds.), *Outlaws in Medieval and Early Modern England*, p. 117.

traditions.²¹ There are numerous earlier references to Robin and his men, such as the use of their names in legal records or military wage lists, and many historians have argued for a fourteenth-century date of composition.²² The same can be said for *Robin Hood and the Monk*, which exists in a manuscript from around 1450, and *Robin Hood and the Potter*, which exists in a manuscript from around 1500.²³ Whilst *Robin Hood and Guy of Gisborne* is much more difficult to date, the archaic style and similarities to the other rhymes strongly suggests that a version of this tale was present in late-medieval England.²⁴

The heroes of *Adam Bell, Clim of the Clough and William of Cloudesley* will also be used as examples of violent literary characters which the fourteenth-century gentry would potentially have admired. Whilst evidence exists that their poetical accounts circulated from the 1530s, they were well-known before this and the heroes' ultimate reconciliation with the legal system must have appealed to an audience largely involved in this legal administration.²⁵ *The Tale of Gamelyn*, which in its current form originates from the fourteenth century and has survived due to its inclusion in one version of *The Canterbury Tales*, shows similarities to other outlaw tales.²⁶ The tale demonstrates a similar moral stance regarding violence to the tales introduced thus far.²⁷ This suggests that whilst it had the potential to appeal to a wide audience, at least part of this group was likely to be gentry. Kaeuper has argued convincingly for an audience amongst the lesser elite.²⁸ The *Outlaw's Song of Trailbaston*, which survives in a manuscript from c. 1341 and is composed in the elite Norman-French, seems by its content to have been composed near the end of Edward

²¹ T. H. Ohlgren (trans. and ed.), 'A Gest of Robyn Hode', in T. H. Ohlgren (ed.), *Medieval Outlaws: Ten Tales in Modern English* (Stroud, 1998), p. 216.

²² J. C. Holt, 'Hood, Robin (*supp. Fl.* late 12th – 13th cent.)', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/13676?docPos=16> accessed 24/07/14; A. Ayton, 'Military Service and the Development of the Robin Hood Legend in the Fourteenth Century', *NMS*, 36 (1992), pp. 126-47; J. Bellamy, *Robin Hood: an Historical Enquiry* (Bloomington, 1985); D. Crook, 'Some Further Evidence Concerning the Dating of the Origins of the Legend of Robin Hood', *EHR*, 99 (1984), pp. 530-4; D. Crook, 'The Sheriff of Nottingham and Robin Hood: the Genesis of the Legend?', in P. R. Coss and S. D. Lloyd (eds.), *Thirteenth Century England II* (Woodbridge, 1988), pp. 59-68; Maddicott, 'The Birth and Setting', pp. 276-99; Taylor and Dobson, 'The Medieval Origins', pp. 1-30; J. M. Luxford, 'An English Chronicle Entry on Robin Hood', *JMH*, 35 (2009), pp. 70-6; T. H. Ohlgren, 'General Introduction', in Ohlgren (ed.), *Medieval Outlaws*, pp. xx-xxii; T. Hahn (trans. and ed.), 'Adam Bell, Clim of the Clough and William of Cloudesley', in Ohlgren (ed.), *Medieval Outlaws*, p. 239; Richmond, 'An Outlaw and Some Peasants', p. 90.

²³ Ohlgren (trans. and ed.), 'A Gest of Robyn Hode', p. 216.

²⁴ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 140.

²⁵ Ohlgren, 'General Introduction', pp. xx-xxii; Hahn (trans. and ed.), 'Adam Bell', pp. 239-45.

²⁶ Ohlgren, 'General Introduction', pp. xx-xxi; S. Knight (trans. and ed.), 'The Tale of Gamelyn', in Ohlgren (ed.), *Medieval Outlaws*, p. 168; Keen, *The Outlaws*, p. 78; Holt, *Robin Hood*, p. 71.

²⁷ Ohlgren, 'General Introduction', pp. xx-xxi; Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 168-9.

²⁸ R. W. Kaeuper, 'An Historian's Reading of "The Tale of Gamelyn"', *Medium Aevum*, 52 (1983), p. 54.

I's reign.²⁹ It will be used as further evidence. The mid-fourteenth-century manuscript containing the story of *Fouke Fitz Waryn* will also be used, as Holt has identified similar ideas and style in this text to the Robin Hood rhymes.³⁰ This in turn suggests a similar audience. *The Deeds of Hereward* survives as an addition to a collection of thirteenth-century legal documents and *Eustache the Monk* exists in a thirteenth-century manuscript.³¹ They will be used to supplement other evidence as the striking similarities in many of the presentations of violence in these sources with the fourteenth-century material suggest maintenance of many attitudes to violence.³² The similarities in style and content between the outlaw tales also suggest a similar audience for these stories, thus justifying their inclusion in a study of gentry perceptions.

It is not solely outlaw literature which will be used though, as this chapter will also consider the presentation of violence in chivalric literature from the fourteenth century. This can be expected to give some indication of the perceptions and values of the target audience, namely the elite.³³ The relevance of chivalric literature as evidence for elite values and opinions has been considered at length, with chivalric literature being used as a source in studies of the late-medieval elite.³⁴ They acknowledge that it should by no means be assumed that the elite modelled themselves in all ways on literary chivalric heroes in reality. However, the literature does still provide evidence for what the elite would have viewed as admirable or unacceptable behaviour through the presentation of the heroes and villains. The *Stanzaic Morte Arthur* exists in a late-fifteenth-century manuscript and the *Alliterative Morte Arthure* exists in a mid-fifteenth-century manuscript, but they are estimated to date to a century earlier.³⁵ As such, they can be used to provide evidence of the use of violence

²⁹ Ohlgren, 'General Introduction', p. xviii; C. Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', in Ohlgren (ed.), *Medieval Outlaws*, p. 99.

³⁰ Ohlgren, 'General Introduction', p. xix; T. E. Kelly (trans. and ed.), 'Fouke Fitz Waryn', in Ohlgren (ed.), *Medieval Outlaws*, pp. 106-7; Holt, 'The Origins and Audience', pp. 102-3.

³¹ Ohlgren, 'General Introduction', pp. xvii-xviii; M. Swanton (trans. and ed.), 'The Deeds of Hereward', in Ohlgren (ed.), *Medieval Outlaws*, pp. 13-14; T. E. Kelly (trans. and ed.), 'Eustache the Monk', in Ohlgren (ed.), *Medieval Outlaws*, p. 61.

³² Holt, 'The Audience and Origins', pp. 102-3; P. Dalton, 'Hereward "the Wake": His Companions and Enemies', in Appleby and Dalton (eds.), *Outlaws*, p. 36.

³³ Benson (ed.), *Chivalric Literature*.

³⁴ Taylor, *Chivalry and the Ideals of Knighthood*; Kaeuper, *Chivalry and Violence*, pp. 30-3; Kennedy, 'The Knight as Reader of Arthurian Romance', pp. 70-90; Classen (ed.), *Violence in Medieval Courtly Literature*; Radulescu, *The Gentry Context*; M. H. Keen, 'Chivalry', in Radulescu and Truelove (eds.), *Gentry Culture*, p. 45; R. Radulescu, 'Literature', in Radulescu and Truelove (eds.), *Gentry Culture*, pp. 104 and 108.

³⁵ Benson (ed.), *King Arthur's Death*, p. xii. For a more detailed introduction to these texts see Benson (ed.), *King Arthur's Death*, p. xi-xviii. The exact dating of the *Alliterative Morte Arthure* has been debated for decades, with most recent scholars placing it in the late-fourteenth century. For the progression of this debate see G. Neilson, 'Morte Arthure and the War of Brittany', *Notes and Queries*, 10 (1902), p. 161; G. Neilson, 'Huchown's Morte Arthure and the Annals of 1327-1364', *The Antiquary*, 38 (1902), pp. 229-32; W. Matthews, *The Tragedy of Arthur: A Study of the Alliterative "Morte Arthure"* (Berkeley, 1960), p. 192; G. R. Keiser, 'Edward III and the Alliterative Morte Arthure', *Speculum*, 48 (1973), pp. 37-51; J. Barnie, *War in Medieval English Society: Social*

which would be expected to gain admiration or criticism for a chivalric hero in the fourteenth century. The authors of these works are unknown, but this does not prejudice the argument that they can provide evidence of elite values in relation to chivalry, since they are self-evidently chivalric texts. An elite audience has convincingly been argued for these texts by DeMarco.³⁶ This literature will also demonstrate striking similarities to the presentation of violence in the outlaw literature. Such similarities again justify the use of both types of evidence, as the presentation of parallel values in both types of literature appears to suggest a similar target audience, at least in part.

Finally, this evidence will be supplemented with references to violence in chronicles, although their use will be limited. Historians have considered the value of chronicles as historical evidence at length, and careful thought has been engaged in deciding which chronicle evidence to include in this thesis.³⁷ Chronicle references tend to deal with violence on a large scale in relation to war or rebellion.³⁸ They have not proved particularly useful for the purpose of this investigation, but several references from fourteenth-century chronicles such as Walsingham's *St Alban's Chronicle*, the *Lanercost Chronicle*, and the *Scalacronica* will be used when they are directly relevant to the line of argument extrapolated from the other evidence.³⁹ The *Scalacronica* was written by Thomas Gray, a knight of Northumberland.⁴⁰ Thomas began writing this chronicle in 1355 whilst he was imprisoned in Edinburgh after being captured whilst fighting against the Scots, and it ends in 1363.⁴¹ His chronicle is therefore very useful as it reflects the views of a member of the fourteenth-century elite who was involved in warfare with Scotland, in common with many of the sample gentry, as shown in Chapter Three.⁴² Whilst the *Lanercost Chronicle* is likely monastic, and so does not offer the same perspective as Thomas Gray's work, it does still provide useful evidence of the situation in the Borders during the fourteenth century and

Values and the Hundred Years War, 1337-99 (Ithaca, N.Y., 1974), pp. 147-50; L. D. Benson, 'The Date of the Alliterative *Morte Arthure*', in J. B. Bessinger Jr. and R. R. Raymo (eds.), *Medieval Studies in Honor of Lillian Herlands Harnstein* (New York, 1976), pp. 19-40; K. H. Göller, 'Reality versus Romance: A Reassessment of the Alliterative *Morte Arthure*', in K. H. Göller (ed.), *The "Alliterative Morte Arthure": A Reassessment of the Poem* (Woodbridge, 1981), pp. 15-29.

³⁶ P. DeMarco, 'An Arthur for the Ricardian Age: Crown, Nobility and the Alliterative *Morte Arthure*', *Speculum*, 80 (2005), p. 468.

³⁷ C. Given-Wilson, *Chronicles: the Writing of History in Medieval England* (London; New York, 2004); M. T. Clanchy, *From Memory to Written Record, England 1066-1307*, 2nd ed. (Oxford, 1993); A. Gransden, *Historical Writing in England II, c. 1307 to the Early Sixteenth Century* (London, 1982); J. Taylor, *English Historical Literature in the Fourteenth Century* (Oxford, 1987).

³⁸ Finch, 'The Nature of Violence', p. 243.

³⁹ Maxwell (trans. and ed.), *The Chronicle of Lanercost*; King (trans. and ed.), *Sir Thomas Gray's Scalacronica*; J. Taylor, W. R. Childs, and L. Watkiss (trans. and eds.), *The St Albans Chronicle: the Chronica Maiora of Thomas Walsingham*, 2 vols. (Oxford, 2002-11).

⁴⁰ King (trans. and ed.), *Sir Thomas Gray's Scalacronica*, pp. xvi-xliv.

⁴¹ *Ibid.*, pp. xvi-xvii.

⁴² See above, pp. 76-117.

survives in a manuscript dated to the second half of the fourteenth century.⁴³ In fact, this different perspective could allow for an interesting comparison of the potential differences in perceptions of violence between the secular elite and authors with an ecclesiastical background. King has identified different attitudes in Gray's *Scalacronica* and the *Lanercost Chronicle* regarding Scottish raids.⁴⁴ Relevant chronicle evidence from Nottinghamshire and Hampshire is largely absent, but the *Chronica Maiora* will be used occasionally to provide a southern perspective. The *Chronica Maiora* is similarly from an ecclesiastical environment, as it was composed at St Albans from the 1370s to the 1420s.⁴⁵ The section of the chronicle up to the 1390s, which is the section used as evidence in this thesis, has convincingly been shown to have been authored by Thomas Walsingham in the late-fourteenth century.⁴⁶ Walsingham often received the information contained in his chronicle from visiting elite members of the laity, including gentry, so it seems likely that his work reflects views and ideas of those outside of the monastic environment as well.⁴⁷

It now remains to briefly indicate how this evidence will be used in different ways to aid investigation into gentry perceptions of violence in Chapters Five, Six and Seven. Chapter Five will focus solely on legal evidence and investigate what such evidence can contribute to a study of motivations for gentry violence. It will also consider how these motivations may have been perceived by other gentry. Whilst this will allow for some conclusions to be drawn, the limitations in terms of evidence available will be highlighted before this is remedied as far as possible in Chapter Six. Chapter Six will bring in literary evidence to supplement the discussion of possible perceptions of motivations for gentry violence. It will also widen discussion to consider gentry perceptions of the legitimacy of committing violent crime against different victims. Furthermore, it will address the issue of gentry concern with violent excess being combined with praise for military prowess, along with the connection between violence and status. Chapter Seven will then bring in the evidence for the careers of members of gentry society in fourteenth-century Hampshire, Nottinghamshire and Cumberland identified in Chapter Three. This will be combined with

⁴³ The authorship and date of composition of the *Lanercost Chronicle* have been a topic of debate, but it is certainly from a northern ecclesiastical environment, and most likely was at least in part produced in Lanercost. As stated above, it survives in a manuscript dated to the second half of the fourteenth century, so the sections covering the first half of the fourteenth century cannot have been written at a considerable temporal distance. For more on this discussion see J. Wilson, 'Authorship of the Chronicle of Lanercost', in Maxwell (trans. and ed.), *The Chronicle of Lanercost*, pp. ix-xxxi; A. G. Little, 'The Authorship of the Lanercost Chronicle', *EHR*, 31 (1916), pp. 269-79; A. G. Little, 'The Authorship of the Lanercost Chronicle', *EHR*, 32 (1917), pp. 48-9.

⁴⁴ A. King, 'Englishmen, Scots and Marchers: National and Local Identities in Thomas Gray's *Scalacronica*', *Northern History*, 36 (2000), p. 231.

⁴⁵ Taylor, Childs and Watkiss (trans. and eds.), *The St Albans Chronicle*, vol. 1, pp. xviii-xliv.

⁴⁶ *Ibid.*, vol. 1, pp. xxvii-xxviii and xxxv. For an introduction to Thomas Walsingham see *Ibid.*, vol. 1, pp. xviii-xxvii. For an introduction to the manuscript history of the chronicle see *Ibid.*, vol. 1, pp. xxvii-xxxiii.

⁴⁷ *Ibid.*, vol. 1, pp. lxxi-cxvii.

both the legal and literary evidence from the previous two chapters. This is in order to focus on a different element of gentry perceptions of violence: namely, the extent to which gentry would have viewed violence as a risky venture in terms of career continuation, or if they instead viewed violence as another tool in disputes which would not have been viewed harshly by their peers or the crown, if used legitimately. This will also allow for discussion of the reasons for gentry frequently appearing as both law-breakers and law-makers in the records of fourteenth-century England, and of the extent to which violence was viewed by the gentry as an affront to the crown. Throughout, the level of variety between counties will be assessed to continue the argument for gentry having similar perceptions of violence nationwide, despite facing different circumstances.

Chapter Five: Gentry Motivations for Violence: the Legal Evidence

Now the sample societies and methodology have been sufficiently introduced, this chapter will focus on what circumstances motivated gentry to engage in violent crime. The crimes identified will be considered thematically, as three divisions have emerged in the compilation of crimes carried out by the sample gentry. The first section will discuss accusations of a combination of violence and theft of land or goods with no other distinguishing factors. The second section will address crimes involving abduction, *raptus*, or imprisonment. Crimes committed against crown officials will comprise the topic of the third section. The idea that the gentry tended to use violence when they either feared material loss or saw the potential to gain materially through the use of aggression will be considered. In addition, an assessment of the other potential motivations for violence will be considered, such as the impact of noble influence.¹ Throughout, it will be apparent that identifying clear motivations for individual crimes is a complex venture due to the nature of the records. It will however be possible to identify motivations which may have lain behind gentry violence in fourteenth-century England. Furthermore, this discussion of motivations will also allow for an investigation into the extent to which local circumstances had a meaningful impact on gentry violence.

Saul's study of a close-knit gentry community in Sussex reveals a high level of peaceful dispute resolution.² In contrast, Sposato's study of disputes has led him to argue that Staffordshire shows a gentry society willing to tolerate and even respect violence used against legal officials in a 'volatile county'.³ The north-south paradigm has also been used to suggest that northerners would be more prone to engaging in violence and be less concerned about justifying their actions. The reasoning for this perception is that crown authority was generally at a considerable distance, as identified in Chapter One.⁴ The idea that gentry at a considerable distance from the centre of crown authority were more spirited in their defence of local authority and rejection of central interventions, has also been debated. This could mean that they were more prone to, and accepting of, the use of violence against crown officials. The gentry of Cumberland and Hampshire also faced war on their frontiers during the fourteenth century, so it could be suggested that this would affect their use and perceptions of violence, either by encouraging them to run riot, or by causing a neurosis

¹ Noble influence is here understood in the context of bastard feudalism, which is introduced above, pp. 20-3.

² Saul, *Scenes from Provincial Life*, p. 77.

³ P. W. Sposato, 'A Local Feud in the Midst of National Conflict: the Swynnerton-Staffords of Sandon Feud, Staffordshire, 1304-34', *Staffordshire Studies*, 19 (2008), pp. 16 and 24.

⁴ See above, pp. 27-8.

regarding public order.⁵ However, as will be demonstrated in this chapter, the gentry of Hampshire, Nottinghamshire and Cumberland appear to have engaged in violent crime with similar potential motivations throughout the fourteenth century. Whilst the crimes will be analysed thematically rather than geographically, there will be a comparison in the conclusion to the chapter to highlight the similarities.

The aim of this thesis is not to identify the frequency of violent crime in each county. In any case, this would be an impossible task. The records survive inconsistently, and even if they were to survive, the records would only show the cases which the gentry either tried or succeeded in bringing to court. Furthermore, the court records are frequently formulaic; stock phrases such as the claim that a crime took place with force and arms, *vi et armis*, were a device for getting a case into the higher court.⁶ As already identified, the phrase does not definitely mean that a violent crime took place. There is also an even more fundamental issue in defining violence itself. As was identified in Chapter One, individuals may judge the same action to be violent or non-violent, often depending on how it affects them.⁷ For the purposes of this study, cases which involve interpersonal violence have been focused on in order to make the volume of information manageable when engaging in analysis. It should be acknowledged that actions such as the breaking of houses could also be identified as violence. Such actions have been considered in this thesis where it has been claimed that they were combined with interpersonal violence. This thesis will not attempt to decide when a case involved 'real' violence, as this is an impossible and unhelpful task. Instead, it is more fruitful to consider the details of accusations in order to identify what the contemporary gentry viewed as typical or understandable motivations for violent crime. It is unlikely that they would have made an accusation if they thought that the nature of the allegation had no credibility.

This chapter will now progress to an analysis of a range of the cases of interpersonal violence involving the gentry of Hampshire, Nottinghamshire and Cumberland across the fourteenth century, thematically arranged. It will be demonstrated that despite the focus in legal records not being on identifying the reasons behind the crime, there are still a range of potential motivations being indicated.⁸ Many can be at least potentially shown to be connected to material gain. This may be in the form of goods, land, or another means of gaining financially, such as marriage to a wealthy widow, or a desire for social advancement. There will also be cases which will indicate noble influence potentially leading to gentry violence. It could be argued that this too is connected to a desire for

⁵ See above, pp. 28-9.

⁶ See above, p. 15.

⁷ Miller, *Humiliation and Other Essays*, p. 7; Maddern, *Violence and Social Order*, p. 9. See above, pp. 10-1.

⁸ Finch, 'The Nature of Violence', p. 262.

prosperity, through attempting to gain or maintain noble favour. This supports the idea that the gentry viewed violence as something they could use to defend or advance their wealth and position in certain situations. However, it will also be demonstrated that the gentry used this alongside the legal system. It will also be acknowledged that the material gain could be opportunistic, rather than the motivation for many of the instances of violence, and that the legal records do not provide the evidence to disprove this.

Gentry Violence, Land and Theft

The extent to which land was of vital importance for the gentry of late-medieval England has been discussed by a range of historians, with Carpenter identifying an increasingly close connection between land and status.⁹ Many have reached a consensus that land was vitally important for the gentry of fourteenth-century England, despite acknowledging that other elements such as culture, administrative service and military participation were also often important in forging and demonstrating gentry identity.¹⁰ Land has been described as the most secure base for ensuring lasting political influence and wealth.¹¹ It was regarded as being worth fighting for, either physically or through litigation.¹² Country estates brought power in terms of financial gain and lordship over land and men, which demonstrates the importance of land for the gentry in both social and economic terms.¹³ Land was given as a reward for service and was carefully protected by gentry families who worked hard to ensure that they were able to pass their land to their heirs and maintain the status of the family.¹⁴ This status could be measured in land. Villalon has even gone so far as to suggest that for the late-medieval European gentry land was more important than kinship.¹⁵ The importance in gentry society of increasing prestige through securing

⁹ Carpenter, *Locality and Polity*, pp. 93-4.

¹⁰ Wright, *The Derbyshire Gentry*, p. 25; Moreton, *The Townshends and their World*, p. 115; McFarlane, *The Nobility of Later Medieval England*, pp. 52-3; Britnell, 'The Pastons and their Norfolk', p. 143; Radulescu and Truelove (eds.), *Gentry Culture*, pp. 1-4; Coss, *The Origins of the English Gentry*, pp. 9-11; Summerson, 'Murder at Hutton-In-The-Forest', p. 67; Hicks, *Bastard Feudalism*, p. 184; Clark, 'Magnates and their Affinities', p. 144; Bean, *From Lord to Patron*, pp. 201-2; Kaeuper, 'Law and Order in Fourteenth-Century England', p. 743; Keen, *Origins of the English Gentleman*, p. 163; Verduyn, 'The Commons and the Early Justices of the Peace', p. 101; Harding, 'The Revolt against the Justices', p. 168; Saul, 'Conflict and Consensus', pp. 51-2; Harding, *The Law Courts*, p. 92.

¹¹ Hicks, *Bastard Feudalism*, p. 109.

¹² Saul, *Scenes from Provincial Life*, p. 98.

¹³ *Ibid.*, p. 98; Noble, *The World of the Stonors*, p. 67.

¹⁴ Musson and Ormrod, *The Evolution of English Justice*, p. 117.

¹⁵ Villalon, 'Deudo and the Roots of Feudal Violence', p. 72.

marriage to a wealthy heiress again indicates the importance of land and wealth for the gentry.¹⁶

Fortified manors are a good indicator of the connection between landholding and gentry status.¹⁷ The crown involved itself in control of crenellation, which demonstrates a desire to regulate the ability of the gentry and baronage to give themselves chivalric status symbols through the creation of fortified homes.¹⁸ Fortified buildings were intended to encourage admiration. Although they did sometimes have a defensive role in private warfare, their value was often symbolic and designed to demonstrate the status and fame of a family.¹⁹ It is revealing that the two such dwellings built in east Sussex in Saul's study period, namely Scotney Castle and Bodiam Castle, were constructed by the successful careerists and younger sons Roger Ashburnham and Edward Dallingridge respectively.²⁰ This indicates the potential for fortified buildings to aid in expression of local status and position. Whilst these homes provide good examples of a desire to show both military status and wealth, any land and material goods were tools for the gentry to show their status in a clear way, not just those with a military character. In a society which many have identified as being progressively fluid, the elite were highly concerned with protecting and demonstrating their status.²¹ The possession of land and wealth offered a tangible way to do this. Furthermore, it appears that members of the gentry were willing to use a range of tools in their pursuit of this material gain and expression of their status, including the legal system and violence.

A range of crimes involving the gentry of Hampshire, Nottinghamshire and Cumberland will now be analysed in order to produce a picture of the circumstances in which gentry felt motivated to use violence whilst gaining or protecting goods, money or land. It will be demonstrated that the gentry engaged in violent crime which resulted in material benefits, and engaged in this violence both against their gentry opponents and their opponents' servants. Crimes combining the initial violent attack and theft with intimidation to retain property or indeed a position of power will be investigated. This will enable

¹⁶ Pollard, 'The Richmondshire Community of Gentry', p. 47; S. J. Payling, 'The Politics of Family: Late Medieval Marriage Contracts', in Britnell and Pollard (eds.), *The McFarlane Legacy*, p. 22; K. Dockray, 'Why Did Fifteenth-Century English Gentry Marry?', in M. Jones (ed.), *Gentry and Lesser Nobility in Late Medieval Europe* (Gloucester, 1986), p. 76.

¹⁷ The classification of buildings as castles is part of an ongoing debate, thus the term fortified will be used in this thesis unless a building is specifically referred to as a castle when being named in the medieval record. For a discussion of this debate see A. Wheatley, *The Idea of the Castle in Medieval England* (York, 2004), pp. 19-43.

¹⁸ Kaeuper, *War, Justice and Public Order*, p. 225.

¹⁹ Saul, *For Honour and Fame*, p. 261.

²⁰ Saul, *Scenes from Provincial Life*, pp. 67-9.

²¹ Keen, 'Heraldry and Hierarchy', p. 96; Saul, *Scenes from Provincial Life*, p. 66; Hicks, *Bastard Feudalism*, pp. 5-6; Coss, *The Origins of the English Gentry*, p. 161; Rigby, 'English Society in the Later Middle Ages', p. 33; Goldberg, *Medieval England*, p. 3; Pollard, *Late Medieval England*, pp. 185-6; Lander, 'The Significance of the County', p. 26; Noble, *The World of the Stonors*, p. 36.

consideration of the extent to which it would be persuasive to argue that the gentry were often motivated by a desire to achieve long-term dominance in their locality, rather than simply making an isolated material gain. The motivation of decreasing enemies' status through exposing them to violent theft, and gaining prosperity through carrying out violence within the bastard feudal model, will also be addressed. The exploitation of pressures and opportunities in their locality, and the extent to which this motivated and influenced gentry use of violence, will also briefly be considered.

Leading members of gentry society often fell victim to violent robbery by other members of the gentry. On 25 October 1386, a commission was issued in response to the complaint of Hugh Newmarch that Robert Whatton and others had assaulted him and his men and servants at Whatton, Nottinghamshire, robbing him of animals and goods.²² Whilst Hugh's service as sheriff, which appears to have been the most influential position he held during his career, was eight years before the crime took place, it is still striking that the perpetrators would assault an individual who had held more significant administrative influence than they had. The apparent leader of the group, Robert Whatton, certainly did not reach Hugh's level in terms of local service. In fact, he only appears in one taxation commission of 1382 and held no other local offices.²³ It could be argued that the gentry involved were motivated to engage in this activity due to a desire to profit financially, although it could also be the case that the theft was motivated by a personal grievance. The manor of Whatton passed from the Whatton family to the Newmarch branch of the family in the late-thirteenth century, and ownership appears to have passed between the two branches at various points in the century.²⁴ It is thus entirely possible that Robert wished to reassert the dominance of his branch of the family by attacking his enemy and taking goods and animals from the manor. This crime would therefore be motivated by both material gain and a desire to express dominance in the locality. It could also be argued that Robert may not have viewed his activity as theft, if he felt that he had the right to the land. Nonetheless, the main point to emphasise here is that whether the theft was the main point of the crime or not, a connection between gentry violence and the motivation of desire for gain or advancement, either materially or in terms of local standing, can already be seen.

Robert Whatton brought a band with him to attack Hugh Newmarch, and this is a recurring image in accusations of gentry violence. The impression is often given that gentry engaged in violent activity as part of a criminal gang involving familial connections, which

²² *CPR, 1385-9*, p. 262. Hugh Newmarch, who held the manor of Whatton, Nottinghamshire, was sheriff of Nottinghamshire and Derbyshire in 1378 and escheator of Nottinghamshire and Derbyshire in 1379: J. Throsby, *Thoroton's History of Nottinghamshire*, vol. 1 (1790), <http://www.british-history.ac.uk/report.aspx?compid=75989> accessed 23/06/13, p. 267; Hughes, *List of Sheriffs*; Wood, *List of Escheators*.

²³ *CFR, 1377-83*, pp. 335-7.

²⁴ Throsby, *Thoroton's History*, vol. 1, pp. 265-7.

suggests a more organised, as opposed to opportunistic, approach. This mirrors the activity of criminal gangs such as the Folvilles and Coterels in other counties.²⁵ For instance, a considerable gang of northern gentry, including Hugh Lowther, his son, John, and brothers Robert and William, were accused of committing violent robbery against William Whitelaw of Penrith, Cumberland, in 1376.²⁶ This crime has a similar tone to that of Robert Whatton, as the Lowther family held Lowther Castle in Penrith.²⁷ This could also therefore demonstrate the use of violence in local competitions to achieve dominance in the area and enhanced prosperity. It was likely to have been due to their already considerable local status that the Lowthers felt able to engage in such activity without excessive concern about punishment. Members of the family engaged in violent theft from the start of the fourteenth century, suggesting a continued attitude towards violent crime.²⁸ This did not prevent their rise in power and inclusion in local administration, so it was unlikely that their motivation to gain financially was tempered by fear of repercussions.

Even in apparently isolated criminal ventures, there are still often references which produce an image of a gang including violent gentry coming to raid their victims. One example is Roger Clifford's complaint in 1375 that Hugh and John Dacre and others came armed to rob several of his manors and the castle of Naworth, in Brampton, Cumberland.²⁹ The repetition of his claim in 1376 suggests that, despite being a powerful individual, he had been unable to achieve a resolution with crown support.³⁰ These baronial families had been involved in disputes before, and it seems that they were constantly struggling to assert their dominance in the area.³¹ The attack on Naworth Castle is particularly important; part of the conflict between the families was based on Ralph Dacre abducting the heiress of Thomas Multon of Gilsland from the Clifford family in order to marry her in 1317.³² Their marriage had been agreed before Thomas' death, but the Clifford family had hoped to prevent this and

²⁵ The Coterel gang was a fourteenth-century criminal gang based in the midlands of England. For more information see Bellamy, 'The Coterel Gang', pp. 698-717. For more information on the Folvilles, another fourteenth-century gang based in the Midlands, see Stones, 'The Folvilles', pp. 117-36.

²⁶ *CPR, 1374-7*, p. 326. For an introduction to the Lowther family see above, p. 45.

²⁷ See above, p. 136.

²⁸ For instance, in 1316 a commission was issued to enquire into the complaint of the prior of Warter, Yorkshire, that he had been assaulted and robbed by Hugh and John Lowther: *CPR, 1313-7*, p. 427. This case also highlights the ability of the gentry to enter other counties to engage in violent crime, which allowed them an even greater chance of avoiding punishment due to the difficulty of pursuing criminals across county boundaries.

²⁹ *CPR, 1374-7*, p. 225. For more information on Roger Clifford, fifth baron Clifford, see above, p. 43. For more information on the baronial Dacre family see above, pp. 42-3.

³⁰ *CPR, 1374-7*, p. 229.

³¹ For more on earlier Dacre-Clifford hostilities see Searle, 'Housed in Abbeys: the Dacres of Cumberland', pp. 161-2.

³² This conflict is referred to in Chapter Two: see above, pp. 42-3.

secure her inheritance, including the then manor of Naworth, for their own family.³³ Thus, as identified in Chapter Two, Naworth Castle was actually a Dacre possession, which the Cliffords had somehow taken and was now a contested possession between the families.³⁴ The motivation of the Dacres can therefore be identified as reclaiming their land, as well as demonstrating their ability to overcome a powerful rival. It may seem that a crime led by the baronial Dacre family is irrelevant to this thesis. However, this case has been mentioned as an example on the basis that Richard Bewley, a member of the Cumberland gentry, was a member of the gang being led.³⁵ This highlights a key difficulty in terms of identifying the motivations behind gentry violence, as it could be the case that Richard Bewley was motivated to join this violent gang due to a connection to Hugh or John Dacre, rather than a direct focus on financial gain. Unfortunately no such connection can be established, but it is interesting to note the potential for gentry to be led into violent activity by baronial influence. Nonetheless, it could still be argued that Richard was still ultimately motivated by a desire for advancement, be this financial or social. He would surely have hoped to gain by a connection to the Dacre family.

There are numerous other examples of fathers and sons or lords and servants being accused of violent crime. This suggests that the influence of leading gentry, as well as the baronial pressure or encouragement suggested above, may have led or encouraged their followers or family members to engage in violent crime. The 1357 case, concerning a complaint by Richard Higham that Thomas Lovett and his son, Richard, came with William Amyas and Nicholas Crophill to insult, beat and rob him, demonstrates this continued trend.³⁶ Whilst this case involves members of urban society, and is therefore outside of the remit of this investigation, it does still suggest similarities between urban and rural violence.³⁷ However, this line of discussion and the previous examples should not lead to the assumption that all, or even most, gentry criminals were motivated to engage in violence due to membership of a gang or family ties. Gentry may have felt more secure in terms of carrying out violent crime with noble support, or indeed may have felt that they had to

³³ For more detail on this conflict and the individuals involved see Searle, 'Housed in Abbeys', pp. 160-3 and above, pp. 42-3. For an introduction to the Multon family see above, pp. 41-2.

³⁴ For an introduction to the Clifford family and their land ownership in Cumberland see above, p. 43.

³⁵ For an introduction to the career of Richard Bewley see above, p. 113.

³⁶ JUST 1/1405, rots. 124 and 127. William Amyas had already died of the Black Death by 1357, so it is unclear when the alleged crime took place, but it had certainly taken some time for the case to be heard.

³⁷ William Amyas was a leading member of political and commercial society in Nottingham, who served as mayor on four occasions between 1316 and 1334. For more on his colourful career, involving robbery of crown purveyors, see Cameron, 'William de Amyas', pp. 68-78. Nicholas Crophill, whose family played a leading role in Nottingham society, also served as mayor of Nottingham in 1348-9: W. H. Stevenson (ed.), *Records of the Borough of Nottingham*, vol. 1 (London; Nottingham, 1882), p. 424. Thomas Lovett could unfortunately not be traced, but has been mentioned here due to his engagement in violent crime with his son. Richard Higham, who possibly had some connection to Higham, Derbyshire, could also not be traced.

engage in this crime in order to prevent noble displeasure or due to familial pressure. Nonetheless, there is still a focus on maintenance or advancement of position and profit, if not necessarily directly material. It must also be highlighted that not all cases involve a large group of gentry or family members acting together. In fact, sometimes individuals claimed to have been violently robbed by their own family members.

A commission of 2 May 1320 records Henry Sturmy the elder's complaint that his wife Matilda, and son, Henry Sturmy the younger, assaulted him and broke and took goods from his houses at Elvetham, Hampshire, and Burbage, Wiltshire.³⁸ There are a range of potential motivations behind this attack, which involved members of an influential family that by the end of the century had a close connection to the crown.³⁹ Matilda could have become involved with a new partner and therefore sought to intimidate Henry into leaving his property and thereby take a share of his wealth. Unfortunately she does not appear again in the records, so there is no way of assessing this. It could be the case that Henry the younger was attempting to take a share of the wealth of Henry the elder as he felt entitled to it. However, as Henry's eldest son and heir, he would have inherited this anyway. Perhaps there had been a familial dispute which spilled over into violence and theft. There are certainly other cases involving the sample gentry which involve violent attacks within a family.⁴⁰ However, these cases are rare. More strikingly, Henry the elder and younger appear again at a later date attacking and robbing another member of the gentry together, in a case which appears to be motivated by a combination of material gain and overcoming rivals as the dominant force in the locality.⁴¹ Thus, if there had been a dispute, it was not long-lasting as the men were working together to engage in violent crime soon after. This demonstrates members of the fourteenth-century gentry being comfortable using both violence and the law when attempting to gain or reclaim goods or land. It also indicates that for this family at least, the use of violence in a dispute did not create an insurmountable barrier to peaceful

³⁸ *CPR 1317-21*, p. 483.

³⁹ Henry Sturmy the elder had fought in the Borders at the start of the fourteenth century, whilst his son put more of a focus on administrative service in Hampshire in the mid-fourteenth century. For more information on the careers of Henry the elder and Henry the younger see above, pp. 86-7 and 97-8. William Sturmy, Henry the younger's grandson, rose to prominence under Richard II. For more on William's career see above, pp. 106-7.

⁴⁰ For instance, two cases in the King's Bench Trinity session of 1377 record interfamilial violence in Hampshire. Henry Harold of Wherwell, Hampshire, was accused of killing his wife and fleeing without his goods, which were seized by the abbess of Wherwell, suggesting a crime of passion: KB 27/466, rot. 9. Edward atte Dene was accused of killing his brother William in a knife-fight, without any mention of theft, which again indicates a familial dispute: KB 27/466, rot. 19.

⁴¹ On 1 March 1334 both men were the accused in another commission, along with Henry the younger's son, Geoffrey, and other members of the family, assaulting and robbing Richard Bilkemore: *CPR, 1330-4*, p. 572. This was part of a long-running dispute between Bilkemore, who later served as steward to the Black Prince, and the elder Sturmy, as Bilkemore regularly complained that he was being kept out his land in Severnake Forest, Wiltshire, by Sturmy, who served as warden of Severnake Forest: SC 8/11/541; SC 8/63/3118; C. Brudenell-Bruce, 'The Wardens of Severnake Forest', *Wiltshire Archaeological and Natural History Magazine*, 51 (1946-7), pp. 271-339.

interactions at a later point. Nor did it prevent them from playing an active role in gentry society.⁴² This in turn could indicate that a lack of fear of repercussions was another motivating force for gentry violence.

The idea that the gentry were motivated to engage in violent crimes when they felt that the chance of repercussions was low has already been touched on, but there are other examples which provide greater support.⁴³ As can be seen in some of the preceding cases, gentry often committed crimes in neighbouring counties to avoid justice; it was difficult to follow criminals across wide geographical distances. A complaint from the mid-fourteenth century refers to the lack of fear of the law amongst criminals in the Borders who could flee to Scotland, and gentry activity suggests that this complaint was valid.⁴⁴ This was not a problem isolated to the Borders, as cases of gentry from Hampshire and Nottinghamshire committing violent crime in other counties appear regularly in the records.⁴⁵ This increases the perception that gentry could have been motivated to engage in violence by the knowledge that the chance of repercussions was low. However, as already identified, widespread disruption would not help the gentry to protect their position, particularly in their role as administrators of the law. As such, it is unlikely that they would encourage a society in which they and their peers were frequently engaging in violent crime purely because they could do so without punishment. Instead, it seems likely that there must have been another

⁴² As identified in n. 39 above, the Sturmy family grew in prominence as the century progressed. The violent crimes they were accused of did nothing to hinder this.

⁴³ These examples will focus on the lack of fear due to the low chance of being pursued across counties, but it must also be acknowledged that the frequent exchanging of pardons for military service meant that the gentry were given more reason to feel that they could flout the law. For more information on the frequency of pardons in late-medieval England see H. Lacey, *The Royal Pardon: Access to Mercy in Fourteenth-Century England* (York, 2009), pp. 100-6. For a more detailed discussion of pardons see below, pp. 217-8.

⁴⁴ Isabel Cleator's complaint, from around 1338 to 1343, about her abduction by Adam Culwen, son of Sir Gilbert Culwen of Workington, Cumberland, and others, makes reference to the lack of fear for the law demonstrated by violent criminals who were able to exploit their border status and flee into Scotland after their crime: SC 8/39/1937 – This petition is published in Fraser (ed.), *Northern Petitions*, pp. 99-100. Isabel was the widow of Richard Cleator, of Ellenborough, Cumberland. For further discussion of this case and the potential motivations behind it see below pp. 149-50.

⁴⁵ For instance a commission of 1316 records the accusation that Robert Russell and others robbed Richard Airmyn, at Greatford, Lincolnshire, and assaulted his servants: *CPR, 1313-7*, p. 588. Robert Russell served on a range of legal commissions in Nottinghamshire, such as commissions of *oyer* and *terminer* in 1315 and 1319: *CPR, 1313-7*, p. 419 and *CPR, 1317-21*, p. 372. For an introduction to the career of Richard Airmyn, which included considerable administrative service to the crown, see R. M. Haines, 'Airmyn [Ayreminne], Richard (c. 1290-1340), *administrator*', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/943?docPos=1> accessed 20/04/14. Another commission of 1320 records the claim that John Roches and other members of the Hampshire gentry went to Midhurst, Sussex, to rob and assault the servants of Joan, widow of John Bohun, Lord of Midhurst: *CPR 1317-21*, p. 560. For more information on John Roches see above, pp. 85-6. The mid-fourteenth-century violent raid by members of the Chaworth family on the park of John Grey of Codnor, Derbyshire, also provides an example of this: *CPR, 1348-50*, p. 312; For more information on the Chaworth family see above, p. 57. For more information on John Grey, third Baron Grey of Codnor, see S. Walker, 'Grey, John, third Baron Grey of Codnor (1305x11?-1392), soldier', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/11545?docPos=1> accessed 20/03/13.

motivation rather than simply limited fear of punishment which encouraged the gentry to challenge order by engaging in violence. Such motivations may include the desire for advancement, in terms of finance or status, as already discussed.

The cases discussed thus far have indicated the potential for violence to have been motivated by a desire for land or goods, but have also highlighted that theft could be opportunistic. The crimes could instead have been motivated by a long-standing grievance or a desire to assert dominance in the locality, which is still related to profit albeit in a less visibly material sense. Violent seizure of land could be viewed as likely to be a more premeditated crime than theft of goods after an assault. Cases involving land being violently taken from powerful individuals by gentry occurred throughout the century. For instance, around 1398, Robert Harrington, who was the lord of Aldingham, requested remedy in such a case. He held the manor of Millom, Cumberland because of the minority of Richard son of John Huddleston.⁴⁶ Local gentry had occupied it, after forcibly entering, expelling his servants, destroying goods worth £200 and taking his tenants' rents.⁴⁷ The chancellor was instructed to make a commission to enquire into this matter.⁴⁸ A later commission in the same year was requested naming Richard Huddleston and James Harrington amongst the accused.⁴⁹ This case reveals the complex nature of land disputes as Richard Huddleston was the minor whose land was being held by Robert Harrington. This suggests either a fear that he would not be given the land he felt entitled to when coming of age, or that the other members of the group were attempting to take the property under the pretence of helping him to gain his inheritance. The inclusion of James Harrington in the group of attackers supports the idea of a complex dispute, perhaps involving him wishing to take over the wardship from his kinsman Robert and thereby take possession of the property.⁵⁰ This would fit with the developing theme of gentry being motivated by a desire for profit, be this financial or in terms of status.

As well as engaging in violent crime to take possession of manors, there are multiple cases of gentry forcibly taking tenements held by other gentry. This meant not only increased land, but also a further increase in wealth. This is because they were likely to have extorted money from the tenants of the tenements, unless they had chased them away in

⁴⁶ The baronial Harrington family made Aldingham in Lancashire their main seat, but originated from Cumberland and still held land there. For more information about the baronial Harrington family see R. Horrox, 'Harrington family (*per c.* 1300-1512), magnates', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/54525?docPos=7> accessed 21/09/13. The Huddlestons were a knightly family based at Millom in Cumberland, with earlier members serving militarily and as March wardens. For more information about the Huddleston family see above, pp. 90-1.

⁴⁷ SC 8/214/10668; *CPR, 1381-5*, p. 257; *CPR, 1396-9*, p. 310.

⁴⁸ *CPR, 1396-9*, p. 507.

⁴⁹ SC 8/214/10669.

⁵⁰ James Harrington could not be decisively traced, but this suggests that he was a lesser member of the Harrington family, who perhaps hoped to increase his standing by ousting his baronial relative.

order to house their own men in the tenements. For instance, in 1325, William Seld of Stanswood, Hampshire, his brother, Robert Seld of Southampton, Hampshire, and others were accused of having violently taken tenements from John Fleming of Southampton and John's son Henry in Stanswood.⁵¹ Their possession of the tenements would bring increased status, either in the form of being able to house and therefore attract more followers, or in terms of increased wealth from rent. However, it must also be stressed that theft of tenements, particularly combined with intimidation of the tenants into submitting to a new lord, would bring profit in another sense. This would be through increased status in the locality, as making opponents appear too weak to be able to defend and keep their tenements and tenants would lessen their status in the area. This in turn would allow the attacker to be able to present themselves as a strong alternative and achieve dominance in the locality. The Selds do not appear in records of administration and do not appear to have owned land elsewhere, whereas John Fleming also held forest land in Sussex and served on a commission of *oyer* and *terminer* in 1313.⁵² This adds further weight to the idea that this crime was an attempt by a lesser family to supplant gentry with greater influence in their locality through violent seizure of their tenements, rather than simply opportunistic theft after an assault. It again demonstrates the use of violence by the gentry when they hoped to advance themselves, both materially and in terms of local status.

This case seems localised, but there are other examples of land seizure which give more of an indication of the influence of national politics. A petition of 1324 records John Swyforth's complaint that he was intimidated by Robert Kelm, who wanted John's land in Swyforth, Nottinghamshire.⁵³ This case provides an example of Despenser adherents using their connections after the defeat of Thomas Earl of Lancaster in 1322 to profit in their localities.⁵⁴ It also again shows gentry being motivated by material profit. Robert instructed John to give him the land in Swyforth, but John refused. John complained that Robert then alleged in court that John was an adherent of John Mowbray Lord Segrave, when the Despensers were exiled, and used letters of the Despensers and a writ to have John arrested

⁵¹ KB 27/260, rot. 18. Whilst Southampton is admittedly an urban location, the village of Stanswood is a sufficiently rural location for this crime to be considered in this study.

⁵² CPR, 1313-7, pp. 29-30 and 55.

⁵³ SC 8/15/741; CPR, 1321-4, pp. 85 and 249. Robert Kelm has been identified as a Lincolnshire adherent of the Despensers by Saul: Saul, 'The Despensers and the Downfall of Edward II', p. 11. However, McHardy has more convincingly identified him as a Nottinghamshire Despenser adherent who went on to serve in chancery and as a moneylender in Edward III's reign. McHardy has also identified Kelm owning property worth well over 100 marks in Nottinghamshire by 1327 and suggested that he was also known as Robert Touk of Kelm, which is a diminutive form of Kelham, a village near Newark, Nottinghamshire: A. K. McHardy, 'Paying for the Wedding: Edward III as a Fundraiser', in J. S. Hamilton (ed.), *Fourteenth Century England IV* (Woodbridge, 2006), pp. 48-50.

⁵⁴ For more information about Thomas Earl of Lancaster, see p. 51. For more information about the Despensers see above, pp. 67-8.

and imprisoned.⁵⁵ John Mowbray had been a banneret of Edward II, but he joined the Lancastrian rebellion and died at the Battle of Boroughbridge in 1322.⁵⁶ As such, this connection would have placed John Swyforth in a precarious position. Robert then violently expelled John's servants from the land and took possession, whilst simultaneously preventing John from being released through the use of false accusations and writs. John claimed that he was under threat of death or perpetual imprisonment, but still requested his land back and was instructed to sue at the common law.⁵⁷ This case not only demonstrates gentry combining manipulation of law and violence as tools to gain land, but also adds an interesting dimension in terms of the elite connections of gentry either bringing them advantages or disadvantages in conflict. John was exposed to abuse due to the accusation that he was part of Mowbray's party, whilst Robert felt secure in his use of violence, legal manipulation and intimidation due to his connection to the Despensers. The motivation for Robert's actions was likely to have been the land itself, but the security in his connections must have encouraged him to engage in his violent crime and intimidation.

Intimidation is a recurring theme in many of the cases gathered as research for this section of the chapter. For instance, a commission of 1330 records the complaint of Henry Malton and his wife Margaret.⁵⁸ They alleged that they were being kept away from their land in Cumberland by Robert Mulcastre, who took their corn and prevented them with force from using the land to make profit.⁵⁹ These and other cases emphasise the fact that when gentry felt that the benefits of gaining and holding land were high enough, they were willing to engage in violent crime and intimidation against leading members of their local society. A complaint by Ralph Dacre of assault and the continued occupation of his land, as recorded in a commission of 1373, also demonstrates gentry attacking a leading figure in their locality.⁶⁰ In this instance it seems that they were influenced by lordly conflict and the potential to gain

⁵⁵ Waugh, 'For King, Country, and Patron', pp. 30 and 37; Fryde, *The Tyranny and Fall*, pp. 106-18; Holmes, 'A Protest against the Despensers, 1326', pp. 207-12.

⁵⁶ Membership of John Mowbray's party would have been damaging at this time as Mowbray had been executed for joining Thomas Earl of Lancaster in rebellion against Edward II, largely due to Mowbray's land conflicts with the Despensers. For more information about the conflict between the Despensers and Mowbray see J. C. Davies, 'The Despenser War in Glamorgan', *TRHS*, 3rd series, 9 (1915), pp. 21-64. For more information about John Mowbray see above, p. 52.

⁵⁷ This effectively meant that John had little chance of regaining his land, as an instruction to sue at the common law was a means of avoiding giving a positive endorsement to petitions: S. J. Harris, 'Taking Your Chances: Petitioning in the Last Years of Edward II and the First Years of Edward III', in Ormrod, Dodd and Musson (eds.), *Medieval Petitions*, p. 176.

⁵⁸ Henry Malton was a leading member of Cumberland gentry society who served as an MP multiple times and on a range of legal commissions: *Members of Parliament*, vol. 1 (London, 1878), pp. 35, 48, 64, 138, 152 and potentially 166, although this may be his son; *CPR, 1307-13*, pp. 328 and 521; *CPR, 1313-7*, pp. 62, 143 and 685; *CPR, 1317-21*, pp. 465 and 542; *CPR, 1321-4*, p. 384.

⁵⁹ *CPR, 1330-34*, p. 59. For more information on the Mulcastre family see above, pp. 45-6 and 92-3. For more information on Robert Mulcastre, a member of this gentry family who was accused of several violent crimes but also able to engage in administrative service as an MP, see below, pp. 159-60 and 209.

⁶⁰ For more information on the baronial Dacre family see above, pp. 42-3.

favour from leading elites.⁶¹ Ralph complained that Nicholas Harrington led a band of gentry numbering 300 men, including Thomas Whittrigg and William Culwen, who broke his houses at Beaumont, Cumberland.⁶² They assaulted his men and servants, broke his tenants' houses, killed some of their animals and attacked and intimidated them so that they relinquished their tenements. Nicholas Harrington was part of a junior branch of the Harringtons of Aldingham, which was based at Farleton and Hornby in Lancashire, but also had involvement in Cumberland society.⁶³ Nicholas led the same band of gentry in an attack on lands in Beaumont belonging to John Deuyas the elder, Lord of Mellor, Lancashire, as recorded in an attached commission.⁶⁴

The aggressor, Nicholas, and both victims therefore held land in Lancashire and Cumberland. This suggests that the attacks were part of a larger power struggle between these elites which spanned both counties, rather than being opportunistic theft. This also indicates that Nicholas was attempting to supplant his rivals in Cumberland. Nicholas' ultimate involvement in the murder of Ralph in his bed, with the help of Ralph's brother, Hugh, supports the idea of ongoing conflict, and possibly a more personal focus than solely a desire for property.⁶⁵ The focus in this study, however, is on what motivated the gentry to assist Nicholas in his violent activity. Unlike in the case of the Despenser adherent Robert Kelm, it does not appear that William or Thomas were to gain the land they had helped to oust the victims from. However, this should not lead to the assumption that they were forced to assist Nicholas due to his higher social status. It is far more likely, considering the preoccupation with profit and advancement identified thus far amongst the gentry, that they hoped this criminal service would enable them to gain the favour of Nicholas and thereby enhance their own status. It may be that they had already been retained by Nicholas, but this unfortunately could not be discovered. In any case, it is likely that the gentry involved engaged in this violent activity in order to maintain or enhance a connection to Nicholas. Furthermore, the commission also mentions theft of property from the houses, which would have provided material benefits for the gentry, and they could have hoped that Nicholas would have rewarded them with some of the tenements to hold.

The use of besiegement by violent gentry criminals is an interesting juxtaposition to the previously discussed crimes, since the victims were being kept in, rather than out of, their land. There are examples of gentry in Hampshire, Nottinghamshire and Cumberland besieging their victims in their residences to prevent them from leaving and conducting

⁶¹ *CPR, 1370-4*, p. 311.

⁶² William Culwen was the grandson of Gilbert Culwen of Workington, Cumberland, who is mentioned above, n. 44. Sir Thomas Whittrigg of Branthwaite and Little Bampton, Cumberland, was MP for Cumberland in 1379: *Members of Parliament*, vol. 1, p. 202.

⁶³ Horrox, 'Harrington Family'.

⁶⁴ *CPR, 1370-4*, p. 311.

⁶⁵ Horrox, 'Harrington Family'.

business in the county. For instance, a commission was issued on 10 December 1327 concerning the complaint of Robert Thorpe, of Thorpe, Nottinghamshire, that Richard Whatton and his son, Robert, led a group of gentry which broke his houses and held him at Thorpe until he promised money to Richard and let them take his goods.⁶⁶ Thomas Whittrigg made a similar complaint in Cumberland in 1373.⁶⁷ An interesting point to note here is that Thomas has already been mentioned in this section, as part of the gang which violently robbed Ralph Dacre in 1373.⁶⁸ As in the case of the Sturmy family, this shows that the gentry both used and complained about violence, depending on whether they were the victim whose position or possessions were under threat or the perpetrator who stood to gain.⁶⁹ Both crimes involved violent besiegement combined with theft or extortion, which again highlights the importance of material gain. The besiegement could have been used to allow the criminals to engage in prolonged theft. In a larger sense, it could also have been part of an attempt to change the balance of power in the locality, as the besieged victim not only appeared weaker, but was also weakened by their inability to leave their property and engage in business or rent collection. The comparative status of the aggressor is thereby advanced, thus highlighting that the profit motivating the gentry was not necessarily solely material.

This section has taken a range of accusations of violence made against the gentry of Hampshire, Nottinghamshire and Cumberland as case studies. These case studies were used in an attempt to identify what motivated members of gentry society to engage in violence combined with material gain in the fourteenth century. Whilst it will always be possible to consider more cases, a number of regular elements have emerged when considering those selected. This is sufficient to make some preliminary conclusions. In a section focused on the combination of theft and assault it seems obvious that one of the most convincing motivations to be indicated by the evidence is material gain. Indeed, it does seem that members of gentry society were motivated by this financial incentive to commit assault in all three counties. However, other cases have suggested the existence of different motivations. Some cases have indicated the impact of national politics and lordly conflict on

⁶⁶ *CPR, 1327-30*, p. 220. A later Robert Whatton has already been introduced: see above, p. 136. It is unclear where these Whattons were based, but Richard carried out considerable administrative service on legal commissions in Nottinghamshire before this crime: *CPR, 1313-7*, p. 692; *CPR, 1317-21*, pp. 89-90, 175, 177, 281, 299, 302, 307, 549 and 607; *CPR, 1321-4*, pp. 149, 161, 257, 313, 318 and 381; *CPR, 1324-7*, pp. 226, 284 and 288. Both men were pardoned for various trespasses in Nottinghamshire, which may have included this case, in 1332: *CPR, 1330-4*, p. 262.

⁶⁷ On 14 March 1373, a commission was issued in response to Thomas Whittrigg's complaint that John Dalston, of Dalston, Cumberland, and others broke his close and houses at Whittrige, Cumberland, assaulted him, besieged him, robbed him and assaulted his men and servants: *CPR, 1370-4*, p. 310. Thomas has been introduced above, n. 62. John Dalston was a member of the Cumberland elite based in Dalston who was one of the men commissioned to guard Carlisle during Richard II's 1385 campaign into Scotland: *CPR, 1385-9*, p. 10.

⁶⁸ For more information on the Dacre assault see above, pp. 143-4.

⁶⁹ For more information on the Sturmy case see above, pp. 139-40.

gentry violence, and suggested that the gentry were engaging in violent crime due to their allegiances to those of higher social status, or in an attempt to forge such allegiances. However, this in many ways complements the financial motivation already discussed, as material gain and the forging of elite connections are both means of the gentry strengthening or defending their position in their locality. More evidence of lordly influence over gentry violence could be seen in Cumberland and Nottinghamshire. This does not necessarily mean a different base motivation acting on the local gentry to the gentry of Hampshire, as the overriding theme is still self-advancement and profit, whether noble influence is involved or not.

The aim of belittling an enemy and making them appear weak, which has also been identified as a potential motivation in this section, similarly ties in to the theme of a desire for increased status. In comparison to a weakened opponent, the gentry were likely to have hoped that they would appear stronger, and thereby attract followers or discourage rivals from attacking them. Finally, whilst some cases have suggested the potential of an element of personal antagonism, it has been shown that this was always combined as a possible motivation with enhanced status, advancement through violent service or material gain. The gentry were well aware of the importance of stability for the maintenance of their position, hence a low level of evidence for crime being motivated by anger alone. Nevertheless, they did recognise the utility of violence as a means of gaining materially or advancing themselves in some situations. Whilst the lack of clear detail in the legal records concerning motivations means that a definite motive cannot be assigned to cases, this section has demonstrated that a desire for advancement, be this financial or in terms of status, can convincingly be connected to many cases.

Accusations of *Raptus* and Abduction

This section will focus on the crime of *raptus*. The term *raptus*, and its use, have been debated extensively by historians. It has been used to indicate several crimes, rather than solely the sexual assault indicated by the use of the word rape in modern society.⁷⁰ As

⁷⁰ There is a range of literature dealing with the complex terminology of *raptus* with useful examples including C. Saunders, *Rape and Ravishment in the Literature of Medieval England* (Woodbridge, 2001); C. Dunn, 'The Language of Ravishment in Medieval England', *Speculum*, 86 (2011), pp. 79-116; B. A. Hanawalt, 'Whose Story Was This? Rape Narratives in Medieval English Courts', in B. A. Hanawalt (ed.), *'Of Good and Ill Repute': Gender and Social Control in Medieval England* (Oxford, 1998), pp. 124-41; F. Pollock and F. W. Maitland, *The History of English Law Before the Time of Edward I*, 2nd edition (Cambridge, 1968), pp. 490-1; J. B. Post, 'Ravishment of Women and the Statutes of Westminster', in J. H. Baker, *Legal Records and the Historian: Papers Presented to the*

historians have identified, *raptus* was used in cases in which sexual assault was accused, but also in instances of abduction with no reference to sexual activity.⁷¹ Despite a division being made in some legislation between rape and ravishment, which was taken to mean abduction without sexual assault, this is not clear in the legal records themselves. In the legal records, *raptus* continued to mean both rape and ravishment, and even in the legislation the lines are often blurred.⁷² Furthermore, it has been convincingly argued that cases of abduction or rape were not necessarily genuine, but instead were sometimes a method of dealing with undesirable elopement; those convicted of *raptus* were sometimes ordered to marry their victims.⁷³ This could be a way of finding a means of the victim being provided for, but it could also be a way of saving face if the victim had in fact chosen to run away with the perpetrator without her guardian's permission. Ultimately the frequency of accusations of *raptus* indicates that this was a crime which took place on some occasions, even if individual accusations may be false. It is unlikely that people would have made false accusations of crimes which did not occur in reality, as this would have rendered their claim less convincing. Furthermore, it is not the focus of this thesis to assess the frequency or veracity of violent crime, so cases do not have to be rejected from inclusion due to questionable reliability.⁷⁴ Nonetheless, as will be seen in the following section, the veracity and meaning of accusations of *raptus* have an important impact on the potential motivations. This in turn makes assessing definitive motivations extremely difficult.

As indicated above, the term *raptus* can cover a range of crimes, and was committed against a wide spectrum of individuals. This section will be organised according to this

Cambridge Legal History Conference 1975 (London, 1978), pp. 150-64; R. Kittel, 'Rape in Thirteenth-Century England: A Study of the Common-Law Courts', in D. K. Weisberg (ed.), *Women and the Law: the Social Historical Perspective*, vol. 2 (Cambridge, M. A., 1982), pp. 101-16; S. S. Walker, 'Common Law Juries and Feudal Marriage Customs in Medieval England: the Pleas of Ravishment', *University of Illinois Law Review*, 3 (1984), pp. 705-18; S. S. Walker, 'Punishing Convicted Ravishers: Statutory Strictures and Actual Practice in Thirteenth- and Fourteenth Century England', *JMH*, 13 (1987), pp. 237-50; S. S. Walker, 'Wrongdoing and Compensation: the Pleas of Wardship in Thirteenth- and Fourteenth-Century England', *Journal of Legal History*, 32 (1988), pp. 267-309; A. Musson, 'Crossing Boundaries: Attitudes to Rape in Late Medieval England', in Musson (ed.), *Boundaries of the Law*, pp. 84-101; J. A. Brundage, *Law, Sex and Christian Society in Medieval Europe* (Chicago; London, 1987), p. 48.

⁷¹ Musson, 'Crossing Boundaries', pp. 91-2; Brundage, *Law, Sex and Christian Society*, p. 48.

⁷² Walker, 'Common Law Juries', pp. 705-18; Walker, 'Punishing Convicted Ravishers', pp. 237-50; Walker, 'Wrongdoing and Compensation', pp. 267-309; Musson, 'Crossing Boundaries', p. 91.

⁷³ Dunn, 'The Language of Ravishment', pp. 79-116; Pollock and Maitland, *The History of English Law*, vol. 2, p. 491; Post, 'Ravishment of Women', pp. 152-3; J. B. Post, 'Sir Thomas West and the Statute of Rapes, 1382', *BIHR*, 53 (1980), pp. 24-5; Walker, 'Punishing Convicted Ravishers', pp. 237-9 and 245-6.

⁷⁴ It should be acknowledged at this point that if a *raptus* case was focused on abduction rather than sexual assault, it is entirely possible that even if it was genuine there may have been no use of violence against the victim, but instead against the husband or guardian from whom the victim was taken. At this stage this specification is not important, but it will become relevant at a later stage when gentry perceptions of the legitimacy of attacks against women and children are considered. This will be undertaken below, pp. 181-3.

variety. Abduction of male adult gentry will be considered first, followed by abduction or rape of female gentry. The final crime to be considered will be abduction of minors. It will be shown to be effectively impossible to decisively attach a particular motivation to crimes of this nature with the evidence available in the legal records. Nonetheless, it will also be shown that many cases again suggest some element of material gain or social advancement as a potential motivation. This may at first appear surprising, as rape and abduction appear to be crimes more motivated by emotion than the arguably more practical crime of theft. This view does not take account of the financial gains which could have been made through the enforced marriage of an abducted widow, or the advantages of abducting a minor who was heir to a fortune and taking control of their marriage.⁷⁵ Furthermore, by taking the marriage from those who previously held it, the aggressor was belittling them and lessening their status in the locality, as with the examples in the previous section of gentry taking tenements from opponents. Not only were the guardians or husbands losing the financial benefits of the marriage or inheritance of the victim, but they were also being shown to be incapable of protecting their resources. This does not apply to the abduction of adult males, as they were not being taken from a guardian, so the potential motivation behind cases of this nature will now be considered.

Cases such as the abduction of Albert Furneaux and his son Eustace by Richard Richmond, as recorded in 1317, suggest a financial motivation. Richard robbed both men and took tenements from them in Nottinghamshire, and it seems likely that he intended extorting a ransom.⁷⁶ Albert and Eustace were part of the Furneaux family of Carlton in Lindrick, Nottinghamshire, whereas Richard Richmond could not be otherwise traced in the county.⁷⁷ This could be an example of a newcomer hoping to advance his status in the locality by profiting financially and demonstrating his ability to abduct local gentry. However, the fact that the court records refer to not being able to catch Richard due to him moving from county to county indicates that this was more of an opportunistic theft by a roving criminal, rather than an attempt to establish himself in Nottinghamshire. Another

⁷⁵ W. M. Ormrod, 'Needy Knights and Wealthy Widows: the Encounters of John Cornewall and Lettice Kirriel, 1378-1382', in R. F. Yeager and T. Takamiya (eds.), *The Medieval Python: the Purposive and Provocative Work of Terry Jones* (Basingstoke, 2012), pp. 137-49; N. J. Menuge, 'Reading Constructed Narratives: An Orphaned Medieval Heiress and the Legal Case as Literature,' in J. Wogan-Browne, R. Voaden, A. Diamond, A. Hutchison, C. M. Meale and L. Johnson (eds.), *Medieval Women: Texts and Contexts in Late Medieval Britain: Essays for Felicity Riddle* (Turnhout, 2000), pp. 115-29; Musson, 'Crossing Boundaries', pp. 92 and 100; P. J. P. Goldberg, *Communal Discord, Child Abduction, and Rape in the Later Middle Ages* (Basingstoke, 2008), p. 23. The opportunity for considerable advancement through marriage to a wealth widow or ownership of a marriage can be seen in Edward III's use of such marriages and grants to help establish his followers in the early years of his reign: J. S. Bothwell, "'Escheat With Heir": Guardianship, Upward Mobility, and Political Reconciliation in the Reign of Edward III', *Canadian Journal of History*, 35 (2000), pp. 241-74.

⁷⁶ KB 27/230, rot. 130.

⁷⁷ Throsby, *Thoroton's History*, vol. 1, pp. 408-14.

early-fourteenth-century example of male abduction is provided by the complaint of Roger Sutton, and his cousin William, in a petition of 1323.⁷⁸ They complained that they were attacked at Collingham, Nottinghamshire, by Richard White, his brother Robert, and others, who proceeded to rob, abduct and imprison them until they paid a ransom.⁷⁹ However, in this instance the leaders of the group of aggressors were local gentry, as the White family were based at Collingham and Tuxford, Nottinghamshire. Their theft and ransom could have been an opportunistic use of their strength in the locality to profit financially. Roger and William do not appear in records as having any significant influence in Nottinghamshire, so this would support such a conclusion. It may be argued that Roger and William's employment made them a target of the White family if they wished to make a political point concerning rejection of crown authority, but this is difficult to substantiate.⁸⁰ Ultimately the most convincing possible motivation indicated in the evidence is opportunistic financial profit.

Whilst the examples considered of adult male abduction have not been extensive, this reflects the low level of cases involving the sample gentry being accused of these crimes. There are similarly low levels of accusations of women being abducted. Nonetheless, a selection will be considered in relation to motivations, as well as to highlight the difficulties surrounding the evidence. Isabel Cleator's petition of 1338-43, about the need for the gentry who abducted her from her manor of Ellenborough, Cumberland, to be brought to justice, places a striking emphasis on the necessity of the crown acting to defend female honour.⁸¹ This suggests that she felt that her feminine identity would be an additional motivation for the crown as it made the crime particularly heinous, and the crown did indeed state that it did not wish for her attackers to be pardoned. Isabel complained that she had been abducted by Adam Culwen and others and held at Hayes Castle, Cumberland, until she was rescued by Anthony Lucy.⁸² As a wealthy widow, Isabel offered the potential for considerable financial gain through marriage, and it seems likely that had she not been rescued she would have been forced to marry one of the criminals; her passionate petition complaining about the abduction, and her positive response to being rescued by Anthony Lucy, renders the possibility that she was complicit in her abduction unlikely. It could be

⁷⁸ Roger and William Sutton were clerks of chancery in Edward II's reign.

⁷⁹ SC 8/187/9326. A commission of *oyer and terminer* was issued in response to this complaint on 28 April 1323: *CPR, 1321-4*, pp. 314-5.

⁸⁰ The issue of gentry potentially being motivated to attack crown officials as a political rejection of crown authority is complex and difficult to firmly identify in the records, and will be discussed further below, pp. 157-9.

⁸¹ SC 8/39/1937 – This petition is published in Fraser (ed.), *Northern Petitions*, pp. 99-100. Isabel Cleator was the widow of Richard Cleator, who held the manor of Ellenborough, Cumberland.

⁸² As mentioned in the earlier reference to this case (see above, n. 44), Adam Culwen was the son of Sir Gilbert Culwen of Workington, Cumberland. For an introduction to Anthony Lucy, who was at this stage serving as March warden, see above, p. 41.

argued that she was pressured by her family into making a false claim after eloping with Adam Culwen against their wishes, but the lack of a specific reference to a sexual assault taking place makes this seem less likely, as the family would surely wish to profit from any transgressions.⁸³ Financial motivations, and the possibility for social advancement in the locality through marriage to a landed widow, appear convincing motivations to assign. This case seems relatively clear-cut, but as the discussion of the difficulties investigating *raptus* cases in the introduction to this section highlights, this is rarely the case.⁸⁴

In many cases any attempt to make a distinction between rape and abduction is severely hindered by the complexities of terminology. For instance, a case of Michaelmas 1317 concerning the *raptus* of Johanna, wife of Edward Wynton of Otterbourne, Hampshire, shows the specific use of the verb *rapuere* when discussing the crime committed against his wife.⁸⁵ However, Edward's goods are referred to as being abducted, or stolen, with the specific use of the verb, *abducere*.⁸⁶ This could initially suggest an attempt by the complainant to make it clear that he is accusing the attackers of sexual assault, rather than of simply taking away his wife and his goods. However, as commented above, historians have identified that *rapuere* is used to mean rape, meaning sexual assault, and ravishment, meaning abduction.⁸⁷ Whilst it could be the case that Edward has selected words carefully in order to stress additional sexual assault against his wife, rather than solely abduction, there is no way to prove this. It is therefore rendered unclear specifically what Edward is complaining of. This mirrors the specific use of language in the case of Michaelmas 1305 concerning the wife and goods of Edmund Clopham of Clopham, Hampshire. Edmund's case records the use of *rapuere* and *abducere* in relation to the crime committed against his wife Agnes, whilst his goods were just referred to as having been taken with the use of *abducere*.⁸⁸ Whilst this careful use of language suggests that the complainants were trying to make specific points, it cannot be assumed that this was to indicate sexual assault.

The obvious answer in terms of motivation, if the cases did involve sexual assault, is uncontrolled sexual desire, but there are also other possibilities. In both of these cases the potential sexual assault was accompanied by theft. This does not disprove the rape being solely motivated by sexual desire, but as has already been identified, it was rare that the gentry would engage in violent crime without an expectation of receiving a lasting benefit from it. Sexual assault may have been an expression of the greater power of the criminal in

⁸³ Dunn, 'The Language of Ravishment', pp. 79-116; Pollock and Maitland, *The History of English Law*, vol. 2, p. 491; Post, 'Ravishment of Women', pp. 152-3; Post, 'Sir John West and the Statute of Rapes, 1382', pp. 24-5; Walker, 'Punishing Convicted Ravishers', pp. 237-9 and 245-6.

⁸⁴ See above, pp. 146-8.

⁸⁵ KB 27/230, rot. 154d.

⁸⁶ KB 27/230, rot. 154d.

⁸⁷ See above, pp. 146-7.

⁸⁸ KB 27/230, rot. 154d; KB 27/182, rot. 9.

relation to the husband. As the theft increased the wealth of the criminal and increased their appearance of power at the expense of the victim, so too could sexual assault against the wife have expressed an enhanced power at the expense of a loss of masculinity for the husband. This possible motivation could also have applied if the wife was merely taken away rather than raped, as the ability to take away the wife of a member of elite society against her will demonstrated the strength of the perpetrator in contrast with the weakness of the individual whose wife has been taken. It should also be highlighted that no indication is given in the legal records if the wives had returned to their husbands. It could of course be the case that the wives had gone willingly, and had no wish to return, thus indicating that their abduction was not based on financial motivations, with the accompanying thefts being merely opportunistic.

Edmund Clopham does not appear in the records of administrative or military service, but his ownership of land in Clopham, Hampshire, could have made him and his wife targets for gentry seeking to make gains. Indeed, those involved in the assault could not be traced in the records of administrative service. One of the perpetrators, Richard Cury the elder, does not appear elsewhere, but his son, Richard Cury the younger, appears in a commission of 1312 as one of the men accused of violently preventing the mayor of Winchester and his ministers from carrying out their duties.⁸⁹ Potentially then the Cury family were members of the lesser urban gentry, and Richard Cury the elder hoped to expand his interests into rural society by showing himself to be more powerful than Edmund Clopham, since he was able to take his goods and his wife. However, this veers into the realm of conjecture, as it is equally possible that Edmund's wife wished to elope with one of the men, and the theft was opportunistic, or that both crimes were opportunistic. It is apparent that the Cury family were not adverse to violent crime. The case of Edward Wynton reveals a similar lack of detail, although there is a mystery in the fact that one of the accused was Simon Greenhull, a member of the gentry Greenhull family of Pailton, Warwickshire.⁹⁰ Could this have been a case of a member of the gentry travelling a considerable distance with the aim of engaging in conflict with an enemy? This is possible, although with no records of service for either man there can be no explanation of how they may have known each other. It seems more likely that this was either an opportunistic crime with no long-term aims by a member of the gentry far from their area of influence, or an

⁸⁹ *CPR, 1307-13*, p. 534.

⁹⁰ Whilst this then cannot be regarded as a crime being committed by a member of the sample gentry, as the other men could not be identified as Hampshire gentry, it is still worthwhile to be considered in this section to demonstrate the potential for gentry from other counties to cause problems of violent crime in the sample counties. Furthermore, it could be that Simon Greenhull intended establishing himself in Hampshire gentry society through this crime, thus making it relevant to the larger discussion.

attempt by what appears to be a junior member of a gentry family to establish himself in a different area.

This frustrating range of options and lack of pertinent detail demonstrates that the assessment of the motivations behind gentry abduction of women is extremely difficult. However, as in the case of Isabel Cleator, there are some examples involving the gentry being considered in this thesis which provide a clearer motivation.⁹¹ One such case will be used to conclude this discussion before progressing to investigating the abduction of minors. A record from the court of King's Bench in 1385 lists the numerous attacks made on Annore, the widow of John Wyville, in Smallbrook on the Isle of Wight.⁹² The men involved in the different attacks varied, but Annore was regularly forcibly evicted from her tenements and robbed.⁹³ The men were willing to use violent crime to gain financially at the expense of Annore, and it seems that this was the aim of the attacks, rather than the theft being opportunistic in an assault connected to personal antagonism towards Annore. No evidence of prior conflict could be found between the parties. The financial motivations may not have been the only focus, however, as the perpetrators could have wished to establish themselves in the area by intimidating Annore into relinquishing her lands after repeated assaults. As such, these crimes could also have been connected to a desire for increased status in the locality. One of the crime accounts includes John Woodcock, who is explicitly referred to as the king's sergeant at arms, in the men who were yet again ejecting Annore and taking her goods and tenements. It highlights the fact that John claimed to have the king's commission to do this, but showed no warrant.⁹⁴

Perhaps emboldened by their success and the potential for John Woodcock's position to give their activity an air of legitimacy, the gang then progressed to the crime of abduction. They took Annore and four of her men, claiming that they were arresting them. It should be highlighted that it may be the case that the gentry were following crown instructions, but abuse of power seems far more likely, particularly with the failure to show a warrant and the repetitive harassment and theft. It is unknown how long Annore was held

⁹¹ See above, pp. 149-50.

⁹² KB 9/167, rots. 20 and 21; John Wyville of Smallbrook was a king's clerk who served on a commission of *oyer and terminer* in 1365: *CPR, 1345-8*, p. 151 and *CPR, 1364-7*, p. 142.

⁹³ Thomas Russell appears as one of the accused. Whilst he could not be definitively identified, it is entirely possible that he is a descendent of Robert Russell. For more information about Robert Russell see above, n. 45.

⁹⁴ This demonstrates the complex nature of the relationship between the gentry and the law, as whilst they were often charged with the responsibility of administering it, they were also frequently willing to distort it to their own uses. For more discussion of gentry engaging in crime despite serving as officials see Chapter Seven below, pp. 203-32, and for discussion of this case in relation to the involvement of a crown official see below, pp. 213-4. It appears that John Woodcock was granted this position of authority as a reward for serving militarily under the Black Prince, as recorded in a commission of 1384: *CPR, 1381-5*, p. 410.

for, but details are given in the records concerning John Penkton, one of Annore's men.⁹⁵ John was kept for three days in the crown's castle at Carisbrooke, Isle of Wight, until he paid a ransom. Again, the use of Carisbrooke should not be assumed to mean that the crown endorsed this activity, and that Annore's complaints were unfounded; it is more likely that those garrisoning this castle were willing to engage in corruption in the same way as John Woodcock. The abduction and ransom, the repeated evictions and the seizure of Annore's lands and goods combine to highlight the financial and status-based motivations that appear to have played a considerable role in the campaign against Annore and her men. Whilst there is no mention of Annore being ransomed herself, the abduction was likely to have been another means of intimidating her into abandoning her lands, from which the aggressors would thereby profit.

This brief discussion of a few examples has indicated the wide variety of potential motivations for abduction of females by the gentry. It has also highlighted the complicated and limited nature of the evidence. Nonetheless, the advancement of status and material gain recur again as convincing potential motivations. The abduction of minors is another example of a form of abduction which can be connected to these motivations in some instances. Members of the late-medieval elite frequently served as guardians for young men and women whose parents had died. This brought them profit through the ability to arrange the marriage of their charge, as well as through their enjoyment of any property which the minor could not take possession of until they came of age.⁹⁶ These individuals sometimes behaved unscrupulously when given this responsibility, by taking some or all of the inheritance, or forcing the wards to marry into their family. The situation also often drew unwanted attention from other grasping gentry.⁹⁷ It was permitted for the guardian to take some profit from the inheritance while the minor was in their care, but this was within the limit of ensuring that enough remained to sustain the heir.⁹⁸ There are regular complaints from the fourteenth century referring to members of the gentry abducting minors from their guardians. Tellingly, they often refer to the ownership of the marriage of the abducted minor. This highlights the importance placed on the potentially highly lucrative process of arranging a marriage. The fact that gentry were willing to engage in abduction to gain this demonstrates the extent to which they were prepared to commit crime in order to enjoy

⁹⁵ Unfortunately no detail could be found concerning John Penkton.

⁹⁶ Goldberg, *Communal Discord*, pp. 162-4; Musson, 'Crossing Boundaries', pp. 92 and 100; Menuge, 'Reading Constructed Narratives', pp. 115-29; N. J. Menuge, 'Female Wards and Marriage in Romance and Law', in K. J. Lewis, N. J. Menuge, and K. M. Phillips (eds.), *Young Medieval Women* (Stroud, 1999), pp. 153-71; S. M. Butler, 'Maintenance Agreements and Male Responsibility in Late Medieval England', in Musson (ed.), *Boundaries of the Law*, pp. 67-83.

⁹⁷ The episode involving Robert Harrington and his ward Richard Huddleston may be an example of this: see above, p. 141.

⁹⁸ Bothwell, "Escheat With Heir", p. 243.

financial gains or to connect their family to an heir through a forced marriage. Controlling the inheritance of a wealthy neighbour would also enhance status in the locality, so crime relating to the abduction of heirs could also be related to a desire to lessen the status of the guardian or improve the local position of the perpetrator.⁹⁹ Examples of complaints about this crime can be found across the country and ranging through the fourteenth century. Several cases relating to the sample counties will now be considered.

On 18 July 1315, a commission of *oyer* and *terminer* was granted to investigate the complaint by Joan, the widow of Alan Fraunceys of Beckingham, Nottinghamshire, that an elite group including John Darcy, of the baronial Darcy family, and William Gotham, a member of the Nottinghamshire gentry, had forcibly entered her house and abducted her son Thomas, Alan's heir.¹⁰⁰ No prior conflict could be established as having existed between the parties involved in this case, so it seems unlikely, though admittedly not impossible, that this crime was motivated by a prior personal grievance. Could this then be another instance of abduction which was likely to have been connected to advancement of status or material profit? As identified above, guardianship of heirs and heiresses, and possession of their marriages, was potentially very lucrative; they could be forced or encouraged to marry within the guardian's family so that their inheritance, both lands and wealth, remained within the family. It is clear that Joan was aware of the potential for other members of the Nottinghamshire elite to identify the profit they could make from the marriage of the heir to Alan Fraunceys from her request for simple protection for her and Alan's three children, which was granted on 20 June 1315.¹⁰¹ This was less than a month before the commission was issued concerning Thomas' abduction. Unfortunately it could not be discovered who Thomas eventually married, or if he was returned to his family, but it seems entirely likely that the motivation for this case was to profit from Thomas' marriage. The Fraunceys family appear to have been minor gentry, so it seems unlikely that the baronial Darcy family would have wished to marry into this family. They may perhaps have wished to ensure that it was their associates who held land in their locality, and so could have hoped to marry Thomas to one of their retainers' relatives. Whilst a connection of this sort could not be found between John Darcy and William Gotham, this would explain William's involvement in the abduction. Of course, his involvement could also be explained as a means of earning the favour, or avoiding the displeasure, of John Darcy, but this too would be a means of protecting or advancing his position in local society. As such, this case could still be viewed

⁹⁹ *Ibid.*, p. 250.

¹⁰⁰ *CPR, 1313-7*, p. 409. For more information on the baronial Darcy family see above, pp. 55-6, and for more information on the career of John lord Darcy of Knaith, see pp. 55-6. William Gotham was a member of the Gotham family of Gotham, Nottinghamshire, who carried out local service such as serving on a commission of *oyer* and *terminer* in 1328: *CPR, 1327-30*, p. 285.

¹⁰¹ *CPR, 1313-7*, p. 301.

as an example of gentry being motivated to engage in violent crime by a desire to advance or protect position or status.

Another case of abduction, this time referred to in a commission dating to 2 October 1337, provides even greater evidence for the argument that the connection between violence and financial gain or social advancement in the gentry mentality was strong.¹⁰² The knight John Compton, of the Isle of Wight, complained that a group of men, including the knight John Kingston and Robert Wyville, not only took his goods, charters and muniments, but also took his eldest son, and therefore heir, John, away from his manor of Compton, Isle of Wight, and married him against his will. John Kingston held the manor of Kingston, Hampshire, and commanded the militia in Kingston and Shorwell.¹⁰³ He already held some influence in the locality, as did Robert Wyville, who held the manor of Smallbrook, and was an ancestor of John Wyville mentioned above.¹⁰⁴ Unfortunately the identity of the bride is not given, but it could be that the bride was a relative of one of the perpetrators. They would therefore profit both from arranging the marriage and from the inheritance. This could also be an attempt by both men to undermine a rival to their power in the locality by demonstrating their ability to take away his heir and thereby the family inheritance. However, the fact that the elder John was still alive, so this was not a case of an heir being taken away from a widow, but instead a knight who was more capable of retaliation, indicates another possible explanation for this case. Perhaps the younger John had eloped with the assistance of these men to marry a bride his father did not deem suitable, and the elder John had therefore issued this accusation in an attempt to reverse the situation and regain control. The possibility of *raptus* being falsely accused by disgruntled families has been highlighted already in this section.¹⁰⁵ It could still be the case that these men had assisted the eloping couple in the hope that they would profit thereby, as the marriage could have involved one of their relatives. From the striking number of cases involving gentry engaging in violence and profiting financially or in terms of status, this seems entirely possible, but there is also nothing to prove that this was not a case of local gentry assisting a young couple against an overbearing father.

As with the other cases in this section, identifying a conclusive motivation for those accused of the crimes discussed has been difficult or impossible. When what was being accused, or the outcome of the cases, cannot be ascertained, identifying the potential motivations behind such crimes involves some level of conjecture, albeit with the context of the crimes being used to inform this investigation. Even for the episodes which seemed to be

¹⁰² *CPR, 1334-8*, p. 576.

¹⁰³ W. Page (ed.), *A History of the County of Hampshire*, vol. 5 (1912), <http://www.british-history.ac.uk/report.aspx?compid=42085> accessed 30/06/13, pp. 249-51.

¹⁰⁴ See above, p. 152.

¹⁰⁵ See above, p. 147.

more clear-cut, such as the cases of Isabel Cleator and Annore Wyville, there is still ample room to argue that other motivations to the one which seems most likely could have been acting on the aggressors. Nonetheless, there is some evidence to indicate that, yet again, gentry violence could have been motivated by either a desire for material gain or an attempt to increase position and status in the locality. Whilst the likelihood of a more personal motivation appears stronger in some cases of this nature than in episodes of straightforward theft, all of the cases have the potential for gentry to have been motivated by a desire for advancement, be this financial or status-based. However, this must always be balanced out with the potential for other motivations. The following section will also demonstrate the difficulty of identifying the motivations behind gentry violence, but this time with a focus on crime committed against officials.

Disruption of Crown or Ecclesiastical Officials

The final section of this chapter will now consider the use of violence by the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland to prevent officials from carrying out their duties. In this context, ‘officials’ means either representatives of the crown or ecclesiastical leaders. The conflict between central authority and local elites in the later Middle Ages has been discussed at length by historians.¹⁰⁶ This has revealed a complex relationship, as whilst the gentry came to be the leaders of crown administration in the localities through the fourteenth century, they were also prone to resenting the intrusion of central authority into matters they felt they should be left to adjudicate. The position of violence in this complex situation has also been discussed by historians, who have highlighted that, as with the maintenance of local order, the gentry felt that they were entitled to use violence when they felt it was legitimate.¹⁰⁷ The gentry resented the crown’s attempts to gain a monopoly over the control and use of violence in late-medieval England. The crown also had to balance these attempts with a need for military training and elite support.¹⁰⁸ Resentment of ecclesiastical officials has also been identified as a rising theme in late-medieval literature.¹⁰⁹ The literature of late-medieval England contains numerous

¹⁰⁶ See above, pp. 23-4 and 27-8.

¹⁰⁷ See above, pp. 12, 15 and 23-4.

¹⁰⁸ Kaeuper, *Chivalry and Violence*, pp. 93-8; Kaeuper, *War, Justice and Public Order*, pp. 192-5 and 267-8.

¹⁰⁹ For instance, for a discussion of the anti-clericalism in the late-medieval Robin Hood rhymes, see Holt, ‘The Origins and Audience’, pp. 218-9.

examples of violent reactions to interference by central authority figures, which are often presented as corrupt, and abuse of ecclesiastical authorities, which are presented similarly.¹¹⁰

Chapter Six will consider this literature and how the violence in it relates to the gentry violence considered in the legal sources used in this chapter. This section will therefore focus on considering the references to violence being used against figures of authority in legal and paralegal records. It may first appear that the cases were solely motivated by resentment of these figures or a desire to express their weakness in the localities. However, it could also be the case that the motivation of financial gain, or fear of material loss, was an element which motivated gentry decisions to attack officials. For instance, tax collectors could have been attacked due to their representation of resented central taxes, but they could also simply have been identified as good potential victims due to carrying taxes they had collected. Court cases could have been disrupted due to the gentry running them being seen by other gentry as corrupt representatives of an interfering central authority, but could also have been disturbed as the gentry feared that a judgement may be made against them in the court which could have led to punishment. Furthermore, the attacks on gentry officials could also have been motivated by resentment of the individual, with the fact that he was an official irrelevant, or making the opportunity to belittle him more attractive as he could be shown as too weak to perform his duties. A variety of cases will now be considered, beginning with assault on crown officials. Next disruption of court cases will be considered, followed by violent crimes against ecclesiastical authorities to conclude.

A commission of 1352 records John Colby's complaint that, when heading to collect the tenth and fifteenth in Westmorland, he was stopped and assaulted at Brough, Cumberland, by Roger Leyburn, Roger's son Robert and others.¹¹¹ He alleged that they imprisoned him until he paid a 60s. fine and gave them both the collections and his own money, which reveals a willingness amongst the gentry to abduct crown servants for financial gain.¹¹² It could be argued that these crimes were more motivated by resentment of tax collection than a desire for profit. However, it is rare that a case can be found involving the sample gentry attacking a crown official without robbing them. This excludes officials engaging in legal service. This suggests that desire for profit was at least part of the motivation for gentry attacking crown officials. Furthermore it is unlikely that this was a case of resentment of officialdom or the crown in general since Robert's father, also named Robert, who will be mentioned in the next example, and Roger, the younger Robert's son,

¹¹⁰ Examples of this will be used below in Chapter Six, pp. 167-202.

¹¹¹ Disappointingly John Colby could not be convincingly identified carrying out other crown service, so it cannot be definitively argued whether he was based in the local area or not, but it is possible that he was part of the Colby family, of Colby, Westmorland.

¹¹² *CPR 1350-4*, p. 273.

engaged in service of their own.¹¹³ It is possible that the Leyburns wished to demonstrate their strength in the locality by assaulting and robbing John, so the primary motive could be local status, with the material gain not being the main focus. Selecting one of these motivations cannot be convincingly justified. However, it appears highly likely that these are the most prominent motivating factors, as opposed to an attempt to make a political statement. A commission of 3 November 1335 gives a similar impression as it records Henry son of Hugh's complaint that cattle impounded for trespass in Teesdale, Yorkshire, were freed by Peter Tilliol, Robert Leyburn, and others. They also hunted in his lands and assaulted his men and servants.¹¹⁴ Robert's involvement in local administration and Peter's extensive service career suggest again that the motivation of general resentment of officialdom or the crown is not convincing here. This case could be related to specific resentment of the impounding of the cattle, but the theft of Henry's own animals suggests that the motivation could also have been desire for goods. This desire could potentially have been combined with a wish to belittle Henry in the locality and thereby enhance the status of the perpetrators.

The cases discussed thus far have demonstrated potential material and status-based motivations for crimes against crown officials. This indicates that such crimes should not immediately be assumed to have been motivated by resentment of administrative officials or the crown. The focus will now turn to disruption of court cases, to see if similar results are discovered. Isabella, widow of William Clinton, complained in relation to her attempt to sue James Coterele for the murder of her husband. She alleged that he came to the court armed and with over four hundred men, with the maintenance of Simon Bereford, and was acquitted due to fear of his men inflicting violence.¹¹⁵ This case demonstrates the tenuous authority held by local representatives of crown justice, as whilst the crown pledged to investigate the crime, the perpetrators must have felt fairly confident that they could avoid punishment for their actions. James Coterele may have been particularly confident in his

¹¹³ The elder Robert, of Musgrave, Cumberland, served three times as an MP for Cumberland in the early-fourteenth century, which followed military service in the royal household: *Members of Parliament*, vol. 1, pp. 43, 57 and 62; *PW*, pp. 323-4 and 327. Roger Leyburn served on a commission of *oyer* and *terminer* in 1368: *CPR, 1367-70*, p. 198.

¹¹⁴ *CPR, 1334-8*, p. 216. Unfortunately the familial affinity of Henry son of Hugh could not be identified. Robert Leyburn is the elder Robert mentioned in the previous example. For an introduction to the gentry Tilliol family see above, p. 45.

¹¹⁵ SC 8/257/12808. Unfortunately little biographical detail could be obtained concerning William and Isabella Clinton, but Isabella's decision to attempt to sue James Coterele before justices in eyre in Nottingham, and the accusation that her husband was murdered by James, a member of the Midlands-based Coterele gang, combine to indicate that the couple had some involvement or influence in this locality. Whilst petitions were not made solely by the elite, the elite did form the majority of petitioners in the fourteenth century, thus it is likely that William and Isabella were members of the elite, and the difficulty identifying biographical information about them indicates that they were unlikely to be members of the higher elite, thus it has been deemed reasonable to use this case in this thesis. William should certainly not be confused with William Clinton, Earl of Huntingdon, who lived until 1354. For more information on the Coterele gang see above, p. 137.

ability to overpower crown authority, due to his membership of the Coterel gang and the support of Simon Bereford. Bereford had strong connections to Roger Mortimer Earl of March, whose relationship with Queen Isabella and dramatic rise and fall has been well documented.¹¹⁶ McKisack has argued that Bereford even represented Mortimer on the regency counsel before Edward III gained the throne.¹¹⁷ Isabella Clinton's petition has been tentatively dated to 1330, and the crime must have been committed before November 1330, when Bereford was executed after Mortimer's downfall.¹¹⁸ To return to the issue of what motivated this activity, in this instance James decided to use the threat of violence and intimidation with the motivation of avoiding punishment for committing murder. Bereford's support is more a source of encouragement for Coterel that he would succeed in this activity, rather than a motivation in itself, as his focus would surely be on avoiding punishment. In this case we therefore see an alternative motivation to financial gain or making a political statement, namely avoidance of justice. This case is about ensuring that he did not face punishment, although potentially whilst also highlighting his local power by showing that he had Bereford's assistance and was able to avoid punishment.

The disruption of John Derwentwater's tourn at Carlisle Castle in 1378 appears to have had a similar motivation. John claimed that he was assaulted by men led by Richard Salkeld for his refusal to release John Rouclyf on mainprise, so the attackers were using violence to prevent John Rouclyf from facing punishment.¹¹⁹ However, this could be more focused on personal power struggles. As lord of Addingham, Richard Salkeld perhaps felt that he should be the authority figure in the locality, and therefore violently freed John Derwentwater's prisoner in order to emphasise his greater power and undermine his opponent. This lack of clarity is common. For instance, a commission of 1 July 1344 refers to Robert Mulcastre leading others in attacking justices of *oyer* and *terminer* at Carlisle and preventing them from carrying out their work, which could have been motivated by a desire to disrupt a court case Robert feared would cause him problems.¹²⁰ However, the record does not refer to a specific case connected to Robert which may have been the focus of the attack.

¹¹⁶ For a thorough discussion of the career of Roger Mortimer see P. R. Dryburgh, 'The Career of Roger Mortimer, First Earl of March (c. 1287-1330)' (University of Bristol PhD Thesis, 2002). Roger's career is also summarised in R. R. Davies, 'Mortimer, Roger (V), First Earl of March (1287-1330), *Regent, Soldier, and Magnate*', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/19354?docPos=2> accessed 01/07/14.

¹¹⁷ M. McKisack, *The Fourteenth Century, 1307-1399* (Oxford, 1959), p. 96.

¹¹⁸ Dryburgh, 'The Career of Roger Mortimer', p. 145.

¹¹⁹ SC 8/108/5375. A commission of *oyer* and *terminer* was issued in response to this petition in 1326: *CPR, 1374-7*, p. 325; John Derwentwater had an extensive career of service in Cumberland including sheriff on four occasions from 1373 to 1380, escheator twice from 1378 to 1383, and MP in 1379 and 1387: Hughes, *List of Sheriffs*; Wood, *List of Escheators*; *Members of Parliament*, vol. 1, pp. 202 and 231. John Rouclyf could not be identified, but Richard Salkeld, who will appear again in this section, was part of the gentry Salkeld family, who held varied land in Cumberland, including the manor of Corby, with Richard being lord of Addingham, Cumberland.

¹²⁰ *CPR, 1343-5*, p. 387.

This could mean that here we have an example of gentry using violence to express discontent with the legal system in general. As already identified though, the gentry also frequently used employment by the crown to assist in imposing central authority as part of their status and identity formation.¹²¹ Robert himself served as an MP for Cumberland in 1325 and on tax commissions in 1344, 1345 and 1346.¹²² Thus it is unlikely that he carried out this attack to make a political statement against officials in general. Instead, it seems more likely that he stood to lose out if a judgement went against him in the court session, and so decided to prevent the judgement from taking place. This unfortunately cannot be proven. It could also be the case that he had a personal conflict with one or some of the officials and chose to challenge their authority in this public arena, but no evidence exists to support this theory.

The final part of this section will consider cases in which ecclesiastical officials were violently disrupted while attempting to carry out their work. Petitions from archbishops of York and the bishop of Carlisle in the early-fourteenth century complained that churches in Nottinghamshire and Cumberland were being occupied and the local ecclesiastical authorities were being violently prevented from entering to give services. William Greenfield, Archbishop of York, made a complaint in 1309 referring to the church of North Collingham, Nottinghamshire, William Melton, Archbishop of York, made a complaint in 1331 referring to the church of Wilford, Nottinghamshire, and John Kirkby, Bishop of Carlisle, made a complaint in 1338 referring to the church of Kirkland, Cumberland.¹²³ Unfortunately they do not record the perpetrators, so they cannot be used as examples of gentry attacking ecclesiastical officials. However, there are a few examples in which the gentry focused on in this thesis were identified as perpetrators, so two will now be briefly considered. One example is provided by the vicar of Addingham, Thomas Ormside, and his petition of *c.* 1374 about Richard Salkeld preventing him and his servants from approaching their vicarage in Cumberland.¹²⁴ There is no mention of theft, and it would be odd if this was not referred to in the complaint if it had occurred. Could this then be a case of resentment of ecclesiastical authorities spilling over into gentry violence? Perhaps this could be the explanation, although another motivation seems more likely.

The identification of Richard as a renowned troublemaker suggests the possibility of a man who engaged in intimidation against a range of victims to increase his local power. This is the same Richard Salkeld, Lord of Addingham, who was earlier referred to as one of

¹²¹ For example see above, pp. 22 and 76-9.

¹²² *Members of Parliament*, vol. 1, p. 73; *CFR*, 1337-47, pp. 393, 435 and 483.

¹²³ For William Greenfield's complaint see SC 8/237/11814. For William Melton's complaint see SC 8/196/9799. For John Kirkby's complaint see SC 8/235/11704.

¹²⁴ SC 8/216/10766.

the men disrupting John Derwentwater's tourn.¹²⁵ Richard also appears in a commission of 1374 being granted bail for a trespass of vert and venison in Inglewood Forest, so the accusation of him being a troublemaker seems well-founded.¹²⁶ That Thomas was based in Addingham suggests that it was not his ecclesiastical position which had motivated Richard to attack him and prevent him from carrying out his duties, but instead that this was a powerful statement of Richard's position as lord of Addingham. The material benefits of his crimes may also have formed a partial motivation. However, the regular nature of these crimes, and frequent targeting of authority figures, with Inglewood Forest being a royal forest, suggests an individual focused on violently cementing and expressing his local dominance.

There is also no mention of theft in a commission of 1 December 1395 concerned with the complaint by the abbot of Shap, Cumberland, about a group of men including Roland Vaux and Hugh Salkeld the elder. The abbot alleged that Roland and others were threatening his life and those of his canons, tenants and servants and burning their houses.¹²⁷ When considering the contemporary literary criticism of ecclesiastical authorities and the evidence of such individuals engaging in crime and corruption in the sample counties during the fourteenth century, it initially appears that this case could be related to resentment of crown officials.¹²⁸ However, a closer inspection undermines this argument. In fact, it emerges that Hugh Salkeld had been working to establish himself as a leading landowner in Shap. He was engaged in a war of attrition with the abbot of Shap to enhance his dominance in the locality and make further financial gains.¹²⁹ Whilst orders were given for Salkeld's arrest and punishment, this does not appear to have happened.¹³⁰ He appeared on a jury of gaol delivery in 1396, so he was certainly not regarded as a man who was violently opposed to administration in general.¹³¹ Instead, his activity appears to have been motivated by a desire for material gain and advancement of his position within local power struggles.

¹²⁵ For details of this crime see above, p. 159.

¹²⁶ *CCR, 1374-7*, p. 34.

¹²⁷ *CPR, 1391-6*, p. 654. For a discussion of the career of Roland Vaux of Triermain and Tercrosset, Cumberland, see Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 708-9. For a discussion of the career of Hugh Salkeld of Rosgill, Westmorland, see Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 289-91. Whilst Hugh was a kinsman of the Richard Salkeld mentioned earlier, the Salkelds of Corby were rarely involved with the other branch of the family at Rosgill: Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 289-91.

¹²⁸ One such example is the case of 1317 in which William English complained that when he was collecting supplies for the crown, such as hay, he was assaulted and robbed by the prior of Monk Sherborne, Hampshire, and others, who took the hay and tore up the king's letters. The prior avoided his summons to court by hiding in the liberty of Basingstoke, and whilst the crown ordered that he be brought out, it is not known if this was successful: KB 27/230 rot. 150d.

¹²⁹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 289-91.

¹³⁰ *Ibid.*, vol. 4, pp. 289-91.

¹³¹ *Ibid.*, vol. 4, pp. 289-91.

Similarly, Roland Vaux engaged in both local service and regular criminality.¹³² This was his only crime against ecclesiastical officials, as his more regular form of criminal employment appears to have been cross-border raids into Scotland, which were focused on material gain. It seems unlikely that the motivation behind his assault at Shap was more focused on resentment of ecclesiastical officials. Instead it seems probable that he simply saw another opportunity to advance himself through crime, which he was clearly not adverse to, but in this instance through gaining the favour of Hugh Salkeld.

This section has again demonstrated the potential for material gain or power struggles to be a factor in motivating gentry violence, this time in the form of crimes against secular or ecclesiastical officials. Some motives could not be clearly identified, and some cases suggest at least an element of resentment of officials. However, a considerable proportion of cases reveal at least a partial motivation of increased wealth or status, or the aim of avoiding punishment. This ties in with the results discovered in the analysis in the previous two sections. It must be noted that the examples used in this section are from Cumberland and Nottinghamshire, as few examples could be found involving the sample gentry of Hampshire.¹³³ This should not be taken to necessarily mean considerable differences between the counties in terms of how they regarded the legitimacy of attacks on crown officials. Qualitative assessment does not work in this instance, as it is entirely possible that records of similar events in Hampshire have just not survived. Furthermore, it could simply be the case that the gentry of Hampshire felt less able to attack crown officials, perhaps due to their proximity to crown authority. This would suggest that such attacks would have a greater risk of repercussions. As the conclusion to this chapter will indicate, gentry violence was tailored to the circumstances of the locality in terms of practical details, but not in terms of more general motivations and the gentry tendency to maximise opportunities.

¹³² *Ibid.*, vol. 4, pp. 708-9.

¹³³ In fact, the only example found involving Hampshire gentry attacking officials of any kind was a case of Henry Sturmy the elder and younger attacking John Sturmy, constable of Marlborough Castle, and robbing him, as recorded in a commission on 25 August 1329: *CPR, 1327-30*, p. 435. The Sturmy family has already been discussed in relation to violent conflict: see above, pp. 139-40. The exact familial connection between these men could not be established, but it is possible that this episode was motivated by a familial dispute or a power struggle between different branches of the Sturmy family, rather than being motivated by the financial gain of the robbery. The involvement of the younger Henry in administrative service certainly negates the idea that they were making a political point against crown administration.

Conclusion

In this chapter a wide range of cases of violence has been considered, and this has enabled several conclusions to be drawn. The predominant focus of this chapter has been to assess the motivations behind the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland engaging in violence against their peers, as far as is possible with the limited detail provided in legal records. As has been demonstrated, whilst there was a level of variety, many cases involved at least some element of material gain, or enhanced or protected status in the locality. Not only has this been discovered through consideration of cases involving theft of goods or land, but it has also been potentially identified in cases involving abduction. This latter identification is far less confident and more open to being challenged by the existence of other potential motivations. It has also been difficult to conclusively identify the motivations behind disruption of officials; whilst a financial or status-based element is apparent in some cases, others give no clear indication of what the gentry involved intended to gain by disrupting or attacking the officials. Those attacking court sessions could have been aiming to avoid a judgement which would affect them negatively, which could result in a financial punishment, imprisonment or spectacular punishment. It was also suggested that the actions could have been a political statement of resentment of central interference, and the connections to this in literature will be discussed in the next chapter. It was, however, generally found in these cases that local power struggles were a more convincing potential motivation.

When considering these cases together, there does seem to be a strong sense that material gain was an important motivation for some gentry violence. This is persuasive when considering the importance of prosperity and status for the gentry of fourteenth-century England.¹³⁴ However, it must be acknowledged that the evidence provided in the legal records does not equal conclusive proof for this interpretation; the theft may have been opportunistic, which would indicate another motivation. These other potential motivations were shown to include personal conflict, although this was often connected to status, resentment of officials and avoidance of punishment. It is hoped that the use of literary evidence in Chapter Six will allow for this discussion to be extended, as the motivations behind instances of gentry violence are often stated in literature, rather than being absent or possibly obscured. Whilst it will still be impossible to identify the motivations behind all gentry violence, the literature will assist in a consideration of what gentry perceptions of different motivations were. What still needs to be addressed directly in this chapter is the

¹³⁴ See above, pp. 18-9 and 22-3.

extent to which motivations for gentry violence varied between the three counties. It has been identified that similar examples can be found in each county, although admittedly less in the final section. Several cases will now be used to elucidate the point that, whilst the gentry of Hampshire, Nottinghamshire and Cumberland faced different opportunities, their use of violence is ultimately similar in that they took advantage of these opportunities and appear to have had similar motivations.

Different areas of England were exposed to different pressures, such as conflict in the Borders or French naval attacks, and offered different opportunities for crime, such as raiding ships. Nevertheless, the gentry of each county were crucially willing to exploit situations to enact violent crimes with similar potential motivations nationwide. Several cases assist in demonstrating this point. The records provide details of the gentry of Hampshire exploiting their coastal location to violently raid merchant ships. This immediately provides evidence for the gentry tailoring their criminal activity to their landscape and suggests that their motivations may have been affected by their differing local opportunities to engage in crime. However, it is possible to demonstrate that financial gain or advancement in the locality remained as two of the likely motivations for gentry violence despite varied circumstances, which is the important point for this discussion. A commission from 3 January 1324 records the violent assault on and robbery of trading ships belonging to Nicholas Domici, a Spanish merchant, by a group including Hampshire gentry.¹³⁵ It is unlikely that the gentry would have embarked on this crime without the desire to profit financially or demonstrate their strength in the area providing at least part of their motivation. So, we have Hampshire gentry engaging in violent crime to gain goods and exploiting their coastal location to carry out this crime against a foreign merchant.

Strikingly, the exploitation of local opportunities was not exclusive to the South. For instance, Isabel Cleator's complaint, which has already been discussed in this chapter, makes reference to the lack of fear for the law demonstrated by violent criminals who were able to exploit their ability to flee into Scotland after their crime.¹³⁶ This combines with other northern complaints of violent robbers fleeing across borders, such as into the liberty of Tynedale, to give the impression that the violent crime of the gentry had distinct characteristics according to the pressures and opportunities offered by the location.¹³⁷ The

¹³⁵ *CPR, 1321-4*, pp. 335 and 386; *Members of Parliament*, vol. 1, pp. 28, 95 and 105; *CPR, 1313-7*, pp. 55, 622 and 625. The group included Henry Fleming. Members of the gentry Fleming family have been introduced already: see above, p. 142.

¹³⁶ For a more detailed discussion of this case see above, pp. 149-50.

¹³⁷ SC 8/162/8082 provides one example of the commons of Cumberland complaining about criminals damaging and stealing from their land in 1343 but then escaping punishment as they resided in the liberty of Tynedale. This petition is also published in Fraser (ed.), *Northern Petitions*, pp. 100-1. Tynedale was the most considerable 'secular' liberty in the North-East of England and was controlled by the Scots until the late-thirteenth century: K. J. Stringer, 'Tynedale: Power, Society and Identities, c. 1200-c. 1296', in Holford and Stringer, *Border Liberties*, p. 231. The influence of the crown in the

focus of this chapter is on the motivations, or aims, of gentry violence though, and so it must be considered again if this was affected by locality. To use the two cases already mentioned as examples, it again becomes persuasive to argue that material gain was a crucial factor in motivating this violent activity. It appears most likely that Isabel's abductors desired possession of her manor, potentially through an enforced marriage. This was a crime most probably motivated by a desire for financial gain or advanced status. In the case of criminals fleeing to the liberty of Tyndale after robbing the people of Cumberland, the at least partial material motivation is clear.¹³⁸ The conclusion can therefore be drawn that the gentry of Hampshire and Cumberland were similar in that they exploited opportunities to engage in violent activity with the same likely material or status-based motivations.

The gentry of Nottinghamshire also engaged in crimes which provide evidence for this theory. Whilst they were not living in a frontier zone at any point in the fourteenth century, unlike the gentry of Hampshire and Cumberland, members of local gentry society were still able to make use of the effects of war to engage in violent crime. This again appears to have at least been partially motivated by desire for profit. For instance, a commission of 8 February 1368 records that when Gilbert Umfraville Earl of Angus went to the Borders to treat regarding breaches of the truce between England and Scotland, a group of Nottinghamshire gentry violently attacked his park at Skellingthorpe, Lincolnshire, and forcibly held it for illegal hunting.¹³⁹ Whilst there was no claim that the gentry still held the manor, there was a clear intention to gain possession of it for at least some period of time. The hunting and taking away of deer again shows members of the gentry gaining materially through the use of violent crime when an opportunity presented itself. This crime could also have been an attempt to undermine Gilbert's influence in the Nottinghamshire area, as he had a stronger presence in the Scottish Borders.¹⁴⁰ The intention may have been to thereby create the opportunity for the perpetrators to advance their own position in the locality. Whilst Nottinghamshire did not face war on its frontier, the resident gentry were still offered

county varied through the fourteenth century. It regularly suffered from criminality and its inhabitants caused disturbances in neighbouring areas throughout the fourteenth century. For greater detail see K. J. Stringer, 'Tyndale: A Community in Transition, 1296-c. 1400', in Holford and Stringer, *Border Liberties*, pp. 291-358.

¹³⁸ This could admittedly also be related to rivalry between the two communities, but this too could relate to financial competition or power struggles.

¹³⁹ *CPR, 1367-70*, p. 135. The group included several members of the Everingham family which was based at Laxton and Roke, such as Hugh, son of Adam Everingham, who served on a range of commissions in the mid- to late-fourteenth century, such as a commission of the peace in 1344: *CPR, 1343-5*, pp. 274, 394; *CPR, 1348-50*, p. 516. The MP for Nottinghamshire in 1376 and 1379 and escheator of Nottinghamshire and Derbyshire in 1375, John Beckingham, was also one of the accused: *Members of Parliament*, vol. 1, pp. 196 and 202; Wood, *List of Escheators*. For an introduction to Gilbert Umfraville, see F. Watson, 'Umfraville, Gilbert de, seventh Earl of Angus (1244-1307), baron', *ODNB*,

<http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/27988/27989?back=,27988> accessed 01/07/14: a summary of the career of the Gilbert mentioned here is included in this article.

¹⁴⁰ See above, p. 44.

opportunities to gain through violence due to the effects of war. The contemporary concern with manors being attacked whilst the owner was absent due to military service reflects that this was an issue caused by opportunistic gentry nationwide.¹⁴¹ This crime occurring in Nottinghamshire indicates that it was not solely frontier societies which were troubled with violence of this kind.

Ultimately, this chapter has considered the motivations behind the use of violence by the fourteenth-century gentry in Hampshire, Nottinghamshire and Cumberland, through the use of legal evidence. It has discovered the difficulty in using this evidence to assess motivations conclusively. There is a considerable amount of evidence to suggest that material motivations, or a desire to maintain or advance status, were often at least partial motivations for gentry violence. However, there is generally nothing in the records to prove that the material gain involved in some crimes was not the product of an opportunistic theft during a violent assault motivated by another factor, such as a personal grievance. When considering the importance of financial prosperity, land-holding and status to the fourteenth-century gentry, and the desire for a stable society in which violent disorder was not a regular threat, material or status-based gain seems a more convincing motivation than emotional conflict in general. However, the evidence available in this chapter cannot confirm this interpretation conclusively. It is important to recognise the lack of evidence for a high level of variety between the three counties in terms of likely potential motivations; this suggests that whilst the gentry of Hampshire, Nottinghamshire and Cumberland faced diverse pressures, this did not significantly affect what motivated them to engage in violent activity.

¹⁴¹ Spencer, 'A Warlike People?', p. 107.

Chapter Six: Gentry Perceptions of Violence: the Literary Evidence

Chapter Five used legal records to identify the range of factors which could have motivated the gentry to engage in violence. Whilst clear motivations for specific crimes were often difficult to extrapolate, due to the formulaic nature of the sources, a range of potential motivations for gentry violence in fourteenth-century Hampshire, Nottinghamshire and Cumberland was discovered. The first section of this chapter will include a range of literary sources to further this investigation. This will provide detail for a consideration of gentry perceptions of the range of motivations identified. This chapter will also widen the scope of investigation to include an assessment of gentry perceptions of the legitimacy of different victims of violence. The previous chapter hinted at the possibility of certain groups, such as women, being regarded as less appropriate to be selected as victims of violence.¹ Literature offers far more evidence for this discussion than the sources examined in Chapter Five. This consideration will form the second section of the chapter. The final section of the chapter will address the extent to which the gentry viewed it to be necessary and important to classify levels and frequency of violence as acceptable or excessive. It will investigate the difficulty of balancing this with the role of violence in both the chivalric ethos and the formation of identity and status amongst the gentry.

It must be acknowledged again that the use of literature in historical investigations has been criticised. Historians have argued that fiction should not be used to provide evidence for reality.² However, as argued in Chapter Four, this argument fails to acknowledge the necessity for authors to reflect contemporary values when fashioning characters and events to appeal to, or be resented by, their readers.³ It was also highlighted in Chapter One that evidence which has traditionally been deemed more ‘historical’, or ‘trustworthy’, can often also be deemed to be fictional. For example, in court records of crimes it is entirely possible that the parties involved were not giving a true account of events, but were instead trying to fulfil a legal formula to achieve particular outcomes.⁴ This leads to the argument that if literature is to be rejected for being fictitious, legal records would have to be similarly undermined. This would render any investigation of violence in late-medieval England very difficult. Of course, the likelihood of exaggeration designed to entertain or present an ideal in literature must be remembered, as it will be in this chapter.

¹ See above, pp. 149-50.

² For a summary of the historiographical criticism of literature as evidence in historical study see above, pp. 35-6.

³ For discussion of this point see above, p. 122.

⁴ For a discussion of the fictitious elements of legal records, see above, pp. 15 and 34-5.

Nevertheless, literature is still a highly valuable source of evidence, as will now be demonstrated.

Motivations for Violence

The first section in this chapter will consider many of the same ideas which emerged in Chapter Five; it will also focus on motivations for violence. However, due to the difference in sources, this section will concentrate more on potential gentry perceptions of these different motivations. It will therefore move on from the work of Chapter Five. The section will progress through a series of possible motivations and the evidence for how they may be perceived. It will predominately consider episodes of violence in the literary evidence but will also make connections to similarities or differences in cases discovered in legal records. This analysis will begin with material and status-based motivations, which appeared considerable in the previous chapter. It will then progress to a consideration of the extent to which the gentry could have been motivated by personal grievances and how this would have been perceived, the potential role of noble influence on gentry violence and thoughts regarding this. Finally, the idea that gentry were motivated to engage in violence due to resentment of central authority, and the extent to which this would have been accepted by their peers, will be investigated. Throughout it will also be highlighted that the gentry were not necessarily motivated by one factor, and that a combination of factors may have affected the way their activity was perceived by their peers.

The previous chapter suggested that desire for financial gain or the advancement of status was a considerable potential motivation for gentry engaging in violence. It could be argued that some of the cases in which gentry were accused of violence in combination with theft had the accusation of assault falsely added in order to bring the case into the higher court. However, the frequency of this combination suggests that the gentry at least thought that it was a credible crime, and would have had opinions on its legitimacy.⁵ It should also be recognised that although the majority of the cases provide no detail in terms of any other motivations for the crime, this does not mean that the gentry were solely acting out of financial interests. For instance, the financial motivations could have been interwoven with a desire for social advancement. The increased prosperity and demonstration of the ability to use violence may have enhanced the perpetrators' status in their locality. In fact, as acknowledged in Chapter Five, the financial gain could have been opportunistic, with the

⁵ For the potential use of false accusations of violence to access certain courts see above, p. 15.

crime actually having been motivated by another factor. Nonetheless, the frequency of cases which appear to have been at least partially motivated by a desire for material gain or social advancement in Chapter Five indicates that this is a motivation the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland would have been familiar with and that they would have had perceptions of this motivation.

Some evidence from outlaw literature supports the idea of violence being used for financial and social advancement. Despite the king wanting to punish them for their criminal activities, Adam Bell and his associates are pardoned by the king after his queen requests this leniency as the present he has promised to her.⁶ This in itself cannot be seen as an example of violence necessarily having been a means of gaining crown favour, as this is likely to have been more related to contemporary ideals of queenly intercession.⁷ It would therefore not be proof that the audience would have identified violence as something which would have been appreciated by the crown. A clearer indication of the potential for a connection existing in the mind of the author, and therefore most probably the mind of the audience, between violence, and the possibility for social and therefore financial advancement, is the king's change to admiring the outlaws. The king is devastated when news arrives from Carlisle of the vast array of his officials and deer that have been killed by the outlaws, as he has already said that he will pardon them and so cannot punish them for their violent crimes.⁸ This appears to indicate that the crown does not tolerate violence willingly, although it could also be a veiled criticism of the frequency of pardons being issued in the fourteenth century in exchange for military service.⁹ However, whilst violent crime alienates the king in this instance, a demonstration of the ability to skilfully use violence wins the king round. The outlaws endear themselves to the king by showing their archery skills, and he gives them positions in his court. He even makes William chief ranger of the North.¹⁰ This could be further mockery of the widespread use of pardons, which would suggest that the gentry audience would have disapproved of violent theft being excused and violence being used as a means of social advancement. However, it must be remembered that the gentry were common recipients of such pardons, as will be shown in

⁶ Hahn (trans. and ed.), 'Adam Bell', pp. 250-1.

⁷ For an introduction to the concept of queenly intercession see L. B. St John, *Three Medieval Queens: Queenship and the Crown in Fourteenth-Century England* (New York, 2012), pp. 33-64; J. C. Parsons, 'The Queen's Intercession in Thirteenth-Century England', in J. Carpenter and S. MacLean (eds.), *Power of the Weak: Studies on Medieval Women* (Urbana, 1995), pp. 147-77; L. L. Huneycutt, 'Intercession and the High Medieval Queen: the Esther Topos', in Carpenter and MacLean (eds.), *Power of the Weak*, pp. 126-46.

⁸ Hahn (trans. and ed.), 'Adam Bell', p. 251.

⁹ The frequency of pardons for violent crime in exchange for military service was mentioned above, p. 99. For more detail on this issue see Lacey, *The Royal Pardon*, pp. 100-6 and below, pp. 216-7.

¹⁰ Hahn (trans. and ed.), 'Adam Bell', p. 253.

Chapter Seven.¹¹ It is therefore more likely to reflect that the gentry accepted the reality of violence bringing wealth or status in certain situations, but were also concerned with ensuring that this did not threaten general stability.

The idea that the gentry would have viewed violence as a legitimate means of financial or social advancement in certain situations is also supported by *Robin Hood and Guy of Gisborne*. The sheriff of Nottingham is bemused when Robin Hood does not want payment for killing Guy of Gisborne, whom the sheriff believes is Robin. The sheriff believes that Robin is Guy, as Robin earlier disguised himself and mutilated Guy's severed head in order to use it as his own head, and so he would be entitled to a knight's fee for killing an outlaw.¹² It is not solely representatives of the crown who indicate that violent prowess is expected to be rewarded in literary sources. In *Robin Hood and the Potter*, Robin invites the potter to become one of his men after being impressed by the potter defeating him in combat.¹³ This is not purely a literary trope, as members of the fourteenth-century elite received both financial rewards and positions of authority for demonstrating the ability to engage in conflict successfully. Andrew Harclay was made earl of Carlisle after he successfully fought against Thomas Earl of Lancaster, who had rebelled against Edward II, resulting in Thomas' execution.¹⁴ Similarly, Anthony Lucy, Richard Denton and Hugh Moresby gained land after seizing Harclay when Edward II had accused him of making an illegal treaty with the Scots.¹⁵ However, the actions of both Harclay, and his captors in the latter example, could easily be identified as legitimate since they were justified by crown orders. This indicates why they were met with no moral judgement in the *Lanercost Chronicle*, despite the ecclesiastical author appearing to have had a propensity for criticising violence which was tolerated in lay chronicles.¹⁶ Similarly, the king only approves of Adam Bell's later violent prowess as it is carried out under his authority in the archery display. His actions are thereby legitimised in a similar way for the audience.

Many cases involving the sample gentry and the characters of literary tales combining violence and some form of advancement are less easy to define as such. It must

¹¹ For examples of the sample gentry receiving pardons for violent crime see below, pp. 218 and 223-4. Lacey has argued that Adam Bell's violence was only ultimately accepted by the crown due to the corruption of the officials he killed, but there is no confirmation of this in the text, which only provides Adam's archery as the reason for the king's change of mood: Lacey, *The Royal Pardon*, pp. 42-3.

¹² Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 145.

¹³ *Ibid.*, p. 127.

¹⁴ For an introduction to Andrew Harclay and his rise and fall see above, p. 46. For an introduction to Thomas Earl of Lancaster see above, p. 51.

¹⁵ For an introduction to Anthony Lucy see above, p. 41. For an introduction to Richard Denton see above, pp. 102-3. For an introduction to Hugh Moresby, see above, p. 102.

¹⁶ Maxwell (trans. and ed.), *The Chronicle of Lanercost*, vol. 2, pp. 231-5 and 246. The tendency of the *Lanercost Chronicle* to judge violence more severely than lay texts has been highlighted above, pp. 128-9.

therefore be considered how such cases would have been perceived. It has been argued that the economic difficulties faced by the gentry in the fourteenth century, such as the financial losses incurred by members of the Cumberland gentry during Scottish raids, led to them being more prone to use and tolerate violent crime as a means of financial or social advancement. Others have suggested that this had less of an impact in rural communities.¹⁷ Summerson has considered this idea in relation to a particular region, namely the North-West, and argued that issues such as royal inertia and the many crises faced by the gentry led them to find ways to pursue their interests which were not necessarily acceptable to the expanding central authority.¹⁸ This is supported by complaints of being violently ousted from land by members of the elite such as John Fleming. John claimed that his tenements were violently taken by other members of the gentry, as discussed in Chapter Five.¹⁹ The gentry perpetrators in these crimes must have justified their actions to themselves, but this does not mean that their actions would have been consistently regarded as legitimate by their peers, as excessive crime would challenge local stability. Nonetheless, gentry criminal gangs, such as the Folvilles and Coterels, engaged in a range of crimes, including abduction, violent theft and murder, yet still had a level of support amongst their peers as evidenced by the fact that they were protected and maintained by a range of people.²⁰ The importance of this should not be exaggerated, as it appears that they were transformed into resembling the outlaw heroes of literature. Their activities were given the veil of being a perceived reaction against the developing legal system, with an example being a reference to natural justice as 'Folville's Law' by the moralist William Langland.²¹ Whilst this may have been far from their true motivation, the relevance to this discussion is that there was a need to assign them additional motives in order to legitimise their activity. This suggests that, whilst the motivation of financial or social advancement was a reality in gentry violence, it was not automatically deemed legitimate enough to be assigned to heroic characters.

Gain and advancement are not the only elements of material or status-based motivations for violence though. Gentry could also have engaged in violence in order to protect or recover land or goods they already owned or regarded as belonging to them. This idea can be seen in Gamelyn beginning a violent feud with his brother, who stole Gamelyn's inheritance.²² To use violence in response to unlawful seizure of land appears to be a legitimate action for the author, and to some extent his audience; Gamelyn receives no criticism despite using escalating violence, and although he does have other motives, such as

¹⁷ Hanawalt, *Crime and Conflict*, p. 260.

¹⁸ Summerson, *Medieval Carlisle*, vol. 1, p. 228.

¹⁹ For a discussion of John's case see above, p. 142.

²⁰ Bellamy, 'The Coterel Gang', pp. 698-717; Stones, 'The Folvilles', pp. 117-36.

²¹ King, 'Bandits, Robbers and *Schavaldours*', p. 129.

²² Knight (trans. and ed.), 'The Tale of Gamelyn', p. 173.

reacting to corrupt justice, as will be considered later in this section, it is not surprising that reclaiming unlawfully seized land would have been accepted by gentry readers, considering the importance of land in gentry society.²³ The crucial point to remember is that perspectives of the crime would have depended on the impact on or position of the observer. Thus, what one member of the gentry may have viewed as lawful land reclamation, another could have viewed as violent theft. For instance, to return to the legal records, the violent seizure of Naworth Castle by the Dacre family in the late-fourteenth century was clearly viewed as illegitimate by the complainant, Roger Clifford. However, the land had belonged to the Dacres after Ralph Dacre married the Multon heiress in the early-fourteenth century, having had to abduct her from the Cliffords, who had tried to illegally prevent the said marriage.²⁴ It is therefore likely that the Dacres saw themselves as the justified and wronged party.

Ultimately, the addition of literature to a discussion of violence potentially motivated by a desire for land or local status has enabled it to be confirmed that material or social gain, or defence of property, was a motivation for violence in the gentry consciousness. The extent to which this was viewed as legitimate was nevertheless dependent on a variety of factors. This section will now progress to considering another controversial motivation for violence, namely personal conflict and anger. Chapter Five revealed limited evidence of violent gentry crimes being motivated by personal grievances or emotion in fourteenth-century England. Even supposedly emotion-driven crimes such as *raptus* were demonstrated to potentially be instead related to wealth and social advancement. This does not mean that such a motivation did not exist for the sample gentry, rather that the legal documents were more focused on more material elements of the crimes. It should be highlighted that a low level of crimes being committed due to personal conflict alone makes sense, as the gentry had a vested interest in a stable society; their peers engaging in violence whenever they felt offended would not maintain this stability. The concern with excess in knightly society, in which participants felt they had the right to use violence whenever they wished in conflict, supports the idea that the gentry would generally not have looked favourably on those engaging in violence without a reason beyond being offended or angered, such as a desire for land.²⁵ This does not mean, however, that they would have been prepared to judge their own actions in the same way. Skoda has identified the often contradictory treatment of emotion as a motivation for violent activity in the medieval period. She highlights that emotional anger was associated with extremity and disorder, but

²³ Wright, *The Derbyshire Gentry*, p. 25; Moreton, *The Townshends and their World*, p. 115; McFarlane, *The Nobility of Later Medieval England*, pp. 52-3; Britnell, 'The Pastons and their Norfolk', p. 143; Hicks, *Bastard Feudalism*, p. 109; Saul, *Scenes from Provincial Life*, p. 98; Noble, *The World of the Stonors*, p. 67; Musson and Ormrod, *The Evolution of English Justice*, p. 117; Villalon, 'Deudo and the Roots of Feudal Violence', p. 72.

²⁴ For a more detailed discussion of this case and the parties involved see above, pp. 42-3 and 137-8.

²⁵ For this discussion see below, pp. 191-200.

secular legislation increasingly considered rage as an element which made violent activity less threatening, since it suggested less forethought.²⁶

Justice and criminality were viewed subjectively by the elite, who were less willing to identify themselves as disorderly.²⁷ They were protected by their own legal system, so they may have felt that their personal conflicts could be justified as motivation for engaging in violence, whilst judging others.²⁸ Personal grievance may have been combined with other motivations. Furthermore, the elite of fourteenth-century England were keen to highlight that they still had a military identity despite some diversification of function, and the ability to use violence was a means of confirming this identity, and therefore status.²⁹ As such, violence could potentially have been viewed as a legitimate means of responding to insults. The extent to which this led to the gentry either approving of their violent peers, and seeking to emulate their behaviour by responding violently when angered, or being concerned with excess, will be considered in the final section of this chapter.³⁰ For now the focus will return to evidence of emotion motivating violent crime in literature. There is some evidence of anger potentially playing a role in the *Stanzaic Morte Arthur*; the knights refuse to leave their enemies alive for ransom, which initially appears illegitimate.³¹ Mercy and magnanimity were highly praised elements of the knightly ethos, but this competed with vengeance and righteous anger, which were also associated with knights in chivalric literature.³² However, Taylor has identified that the law of arms was ‘fluid and instable’ when it came to ransom, as it was recognised that violence towards prisoners could lead to repercussions.³³ Many contemporaries nevertheless regarded the execution of prisoners who could prove to be dangerous when released as a valid action.³⁴ The lack of criticism

²⁶ Skoda, *Medieval Violence*, pp. 235-6. Smail has also considered the varied perceptions of anger in connection to violence in late-medieval society, and he suggests that this was further complicated by distinctions being made between anger and hatred: D. L. Smail, ‘Hatred as a Social Institution on Late-Medieval Society’, *Speculum*, 76 (2001), pp. 90-126.

²⁷ Saul, ‘Conflict and Consensus’, p. 43.

²⁸ M. Bush, ‘The Risings of the Commons in England, 1381-1549’, in Denton (ed.), *Orders and Hierarchies*, p. 116; Ormrod, ‘The Politics of Pestilence’, p. 158.

²⁹ Coss, *The Knight in Medieval England*, p. 108; Schmidt and Schröder, ‘Introduction: Violent Imaginaries’, p. 3; Kaeuper, *Chivalry and Violence*, pp. 130-8 and 143; Keen, *Origins of the English Gentleman*, p. 162.

³⁰ See below, pp. 191-200.

³¹ Benson (ed.), *King Arthur’s Death*, p. 3.

³² Taylor, *Chivalry and the Ideals of Knighthood*, pp. 178-9.

³³ *Ibid.*, pp. 187.

³⁴ *Ibid.*, pp. 191-216. For a recent monograph which deals with the topic of ransom in the late-medieval period see R. Ambühl, *Prisoners of War in the Hundred Years War: Ransom Culture in the Late Middle Ages* (Cambridge, 2013). There is also the possibility that this brutal treatment of prisoners could be an attempt to bring realism into the text, as it has been identified that ransoms were not always treated well: R. Ambühl, ‘The English Reversal of Fortunes in the 1370s and the Experience of Prisoners of War’, in Bell, Curry, Chapman, King and Simpkin (eds.), *The Soldier Experience*, pp. 195 and 199. However, this seems unlikely as this would present the knights in a more critical light, and they are the heroes at this stage. Mistreatment or execution of hostages undoubtedly occurred in the fourteenth century, but this was certainly not the action of an idealistic

concerning the knights in this episode suggests an indication that they are not motivated by their anger, but are instead making a sensible tactical decision to not leave dangerous enemies alive. This episode could also have been an attempt to make the common contrast in chivalric literature between true knights, who made prudent decisions despite the costs, and mercenary or robber knights, who were more motivated by profit.³⁵ In any case, it appears that though anger may have played a role in the knights' violent activity, this was excused through the practical motivations for not ransoming their victims.

Elsewhere in his tale Hereward the Wake faces difficulties after engaging in violence due to his proud and headstrong nature.³⁶ This suggests a lack of gentry support for violence motivated by emotion and pride, but Hereward is not criticised for his decision to attack a jester who has been insulting him without realising he is present.³⁷ Hereward listens to the jester for a while, but ultimately is unable to withhold his anger, and strikes him through with his sword.³⁸ He then goes on to kill some of the audience members. Whilst this may seem to make his crime even less acceptable, it in fact could explain why Hereward is able to avoid overt criticism for attacking the jester. Hereward's victims are all Normans, to whom he is opposed due to their murder of his brother and seizure of his lands.³⁹ This could be an ethnically-motivated crime, as Hereward is a Saxon and therefore opposed to all Normans in the setting of the tale, not just those who have directly injured him.⁴⁰ Nonetheless, his victims have themselves committed violent crime and theft in the eyes of Hereward, which appears enough to make them deserving victims for the author and the audience. This seems particularly appropriate when considering the role of violence as a punishment in the legal system.⁴¹ As before though, it is important to notice that the initial motivation, anger after being mocked, is combined with these other factors. This is likely to be in order to make it legitimate enough to be accepted by the audience without damaging the reputation of the character and being deemed excessive.

literary knight unless it could be justified in another way, as it has in this text as the knights have wisely chosen not to accept the ransom. Bell provides an example of a knight attempting to claim absence from a campaign to avoid accusations of executing hostages: A. R. Bell, 'The Soldier, "Hadde He Riden, No Man Ferre"', in Bell, Curry, Chapman, King and Simpkin (eds.), *The Soldier Experience*, pp. 214-5.

³⁵ Taylor, *Chivalry and the Ideals of Knighthood*, p. 222.

³⁶ See below, pp. 195-6.

³⁷ Swanton (trans. and ed.), 'The Deeds of Hereward', pp. 20-1.

³⁸ *Ibid.*, p. 36.

³⁹ *Ibid.*, pp. 34-6.

⁴⁰ This is due to resentment of the Norman invasion, as the tale is set after this event. The effect of the nationality of the victim on perceptions of violence is an interesting topic worth of further study, but the confines of this thesis mean that it cannot be considered here, both due to space and the limited evidence for violence against foreigners involving the gentry of Hampshire, Nottinghamshire and Cumberland in the fourteenth century outside of war.

⁴¹ See above, pp. 15-6 and 22-3.

Ultimately, the limited evidence for this motivation on its own in literature and the legal records indicates that it would not have been widely regarded as a legitimate or likely sole motivation for violence. This could also have been the case for the motivation of lordly influence.⁴² There were some examples in the previous chapter of crimes which could be identified as potentially being connected to the influence of lordship, such as the complaint of John Swyforth in 1324 that his property in Nottinghamshire had been violently seized by Robert Kelm. Robert was assisted in his continued possession of the property by his connection to the Despensers, and a range of petitions mention the maintenance of the elder Despenser assisting violent land seizure in Hampshire.⁴³ This reflects the possibility for national politics to have affected the interactions of local gentry. It must also be highlighted that a desire for profit, either financial or in terms of gaining noble favour, could have motivated the gentry in cases of this nature, rather than a blind acceptance of noble instructions. As has already been identified, the gentry had a growing level of independence in the fourteenth-century, and it seems unlikely that they would have carried out violence under lordly instructions without expecting benefits for themselves.⁴⁴ Cases with a clear connection to lordly influence were in the minority. However, the unreliable nature of surviving evidence dictates that this should not be taken to mean conclusively that the sample gentry were not motivated by some degree to engage in violent crime due to lordly influence or protection.

There is little clear evidence in the literature being examined in this chapter for the phenomenon of violence motivated by lordship being discussed or referred to as something the gentry would regard as a challenge to the crown. However, two brief potential examples will be highlighted. The sheriff's claim that Robin Hood's ally in the *Gest*, Sir Richard atte Lee, is maintaining the outlaws as he wishes to be the 'Lord of the North' and set the king's influence at 'nought', suggests that this was a contemporary concern to some extent.⁴⁵ This was especially the case since it is clear that the sheriff correctly suspects that this will deeply trouble the king. Robin appears to be retained by the king in the *Gest*, as he goes to work for him, but also appears to retain the king himself, as he provides him with the clothing of Robin's men.⁴⁶ This could have been intended as a mockery of the actions of contemporary

⁴² For a discussion of bastard feudalism, namely lords gathering violent armies or retainers, and the historiography which has debated this topic, see above, pp. 19-22.

⁴³ For more details of the Swyforth case see above, pp. 142-3. For other cases involving the elder Despenser, see SC 8/42/2054; SC8/50/2492; SC8/58/2871. The Despensers have been introduced earlier in this thesis: see above pp. 67-8.

⁴⁴ See above, pp. 21-2.

⁴⁵ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 102. Some attempt has been made to identify possible figures upon whom the character of Sir Richard atte Lee may have been based, but there is little to make the conclusions convincing, so this thesis has accepted him as a knightly literary figure: Bellamy, *Robin Hood: an Historical Enquiry*, pp. 73-109.

⁴⁶ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 109.

lords, or a more serious comment on the potential danger to the crown. It is apparent that violence motivated by lordly influence would have been a cause of some concern for the majority of the gentry as well as the crown, as they too wished to avoid disorder. The development of powerful lords who used their retainers to commit violent crime would surely have undermined this order.⁴⁷ The specific reference to Richard wishing to become ‘Lord of the North’ certainly draws parallels to the rise of powerful families such as the Percies and Nevilles in the north of England.⁴⁸ However, as identified in the discussion of bastard feudalism earlier in this thesis, there is significant evidence to suggest that the gentry held a considerable level of independence.⁴⁹ Thus, the idea that the sample gentry were pressured into violent action by powerful lords should not be exaggerated.

Whilst some undoubtedly felt more comfortable engaging in violent crime due to powerful connections, they would also have had to consider the potential for their enemies to have their own support from those of a higher social level. It in fact makes sense for these connections to be regarded as an encouragement to engage in violence which was motivated by other factors. There seems to have been little advantage to the gentry in engaging in violence purely because they could, with no other benefits. Ultimately it is most persuasive to conclude that some members of the gentry had pressures on them due to lordly influence, but were also able to act on their own initiative and benefit from the social structure, unlike those lowest in the social spectrum. Thus magnate influence alone cannot serve as the main factor in motivating gentry violence; whilst it offered the gentry a level of protection, and may have put some pressure on them, they were largely motivated by their own interests.⁵⁰ The legal cases of violence potentially connected to bastard feudalism often show the perpetrators gaining land or money. As such their connections and support perhaps encouraged their activity, but their motivation could have been financial or status-based. In terms of gentry perceptions of violence motivated by lordly ties, there is not enough evidence to reach a meaningful conclusion. Nevertheless, the fact that Robin and Richard appear to be more motivated by other factors probably reflects the gentry view that this alone would not have regularly motivated gentry to engage in violence, unless they saw an opportunity to profit. It would also presumably have been viewed as illegitimate to only be

⁴⁷ Bean, *From Lord to Patron*, p. 200.

⁴⁸ The discussion of authority figures in the North in Chapter Two highlighted the concern of the crown with the ability of the northern elite to gather large retainers and considerable loyalty in their localities, which it had to balance with the need for these individuals to assist the crown in administering and defending the north. For more information about this issue see above, pp. 39-40. King’s article highlights the tension in terms of loyalty for the northern gentry between powerful local nobles and the crown in the late-medieval period particularly well: King, “‘They Have the Hertes of the People by North’”, pp. 139-60.

⁴⁹ See above, pp. 21-2.

⁵⁰ Coss, ‘Bastard Feudalism Revised: Reply’, p. 189; Coss, *The Origins of the English Gentry*, p. 252.

motivated by lordly influence, as Robin was intended to be an admirable character. His connection to Sir Richard atte Lee is not the sole motivation behind his violent activity.

The final issue to be considered in this section is the idea that gentry criminals could have been motivated by a desire to oppose central or corrupt authority. Outlaw literature abounds with references to corrupt officials, which suggests that there was mounting tension in the fourteenth century in terms of perceptions of administration of justice. This should not be assumed to be a new development. For instance, one of Hereward's companions, 'The Heron', earned his name due to forcing the hangmen who mocked him by calling him 'heron' to release their innocent victims and killing some of their enemies.⁵¹ It should be noted that whilst his violence is in part an emotional reaction to an insult, it is given greater justification by the reference to the assistance of innocent victims. This highlights that his violence is directed against the corrupt legal system. This idea was continued in the fourteenth-century sources. Gamelyn hangs the corrupt judges and juror, who have been bribed by his brother, the sheriff, whom he also hangs.⁵² Similarly, the outlaw of the *Outlaw's Song of Trailbaston* complains of the bribery and corruption of officials before threatening violence against them.⁵³ The focus in many of these sources on the manipulation and corruption of the law by its administrators suggests that the flawed legal system was an important issue for contemporaries.⁵⁴ Whilst *The Tale of Gamelyn* concludes with the king resolving the problems, the local judicial system is shown to be a corrupt failure before this.⁵⁵ The frequency of this theme suggests that it could be an issue which would have motivated a violent reaction in reality.

It is not solely corruption which may have motivated violence against the legal system. Green has suggested that the brutal treatment of members of the judicial system in the Robin Hood rhymes and the *Tale of Gamelyn* reflects contemporary issues with spectacular punishment.⁵⁶ There are frequent references to violent punishment, such as the sheriff's fear of being hanged after losing Robin, Little John being threatened with execution, and William of Cloudesley being almost hanged.⁵⁷ Adam Bell killing the officials who were going to hang William suggests that the idea of violence being met with violence would have appealed to the audience.⁵⁸ Historians such as Clanchy have suggested that there was mounting discontent with a system which seemed to have lost the older values of mercy

⁵¹ Swanton (trans. and ed.), 'The Deeds of Hereward', p. 40.

⁵² Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 184-5.

⁵³ Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', p. 103.

⁵⁴ Chism, 'Robin Hood: Thinking Globally, Acting Locally', pp. 18 and 22.

⁵⁵ Kaeuper, 'Debating Law, Justice and Constitutionalism', p. 12.

⁵⁶ Green, 'Violence in the Early Robin Hood Poems', pp. 273-4 and 276-7.

⁵⁷ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 121 and 142; Knight (trans. and ed.), 'The Tale of Gamelyn', p. 287; Hahn (trans. and ed.), 'Adam Bell', pp. 246-7.

⁵⁸ Hahn (trans. and ed.), 'Adam Bell', p. 248.

and instead seemed harsh, cold and brutal.⁵⁹ The idea that contemporaries believed that there was too much law in society is undermined to an extent, as the gentry who engaged in the legal system presumably approved of it as a means of dispute resolution.⁶⁰ This does not mean that the legal system always escaped criticism. Musson and Stones' identification of the use of violence by outlaws to create an alternative justice supports this idea.⁶¹ Beyond this, the failure of the legal system to prevent violent crime despite using spectacular punishment appears to have provoked resentment of the administration rather than the perpetrators, due to their perceived motive of rebelling against a failing system.⁶² The outlaw of *The Outlaw's Song of Trailbaston* threatening to decapitate incompetent jurors certainly suggests frustration with the system.⁶³ Despite its aim of suppressing violence, the law was capable of provoking or providing justification for violent crime for some.⁶⁴

However, the gentry who are the focus of this study played a considerable role in local legal administration, and were regular users of this system.⁶⁵ It seems unlikely that, though they might have had some grievances with the system, they would have supported it being completely replaced by violence. This would remove a considerable means by which they could have increased their status both locally and by forging crown connections. Also, the criticism of corruption must be considered with scepticism, as it was at least partially gentry use of peace commissions as weapons, and their tendency to exploit the law, which decreased respect for the legal system.⁶⁶ Chism has suggested that the law replaced the sword for the gentry, but it is perhaps more persuasive to argue that law was used in tandem with violence by the gentry, or corrupted to suit their interests.⁶⁷ This capability of the gentry to use the legal system maliciously is reflected by the outlaw in *The Outlaw's Song of Trailbaston's* complaint that he has been indicted by 'lying mouths' and Gamelyn's elder brother falsely indicting him after becoming sheriff.⁶⁸ This did not, however, turn Gamelyn against the system, and he is made chief forester for the crown after executing the corrupt

⁵⁹ Kaeuper, *War, Justice and Public Order*, p. 182; Clanchy, 'Law, Government and Society', p. 78; Clanchy, 'Law and Love', p. 61; Musson, *Medieval Law in Context*, p. 28.

⁶⁰ Heirbaut, 'Rules for Solving Conflicts of Law', p. 118.

⁶¹ Musson, *Medieval Law in Context*, p. 250; Stones, 'The Folvilles', p. 135.

⁶² Bellamy, 'The Coterel Gang', pp. 702, 711-2 and 714-7; Stones, 'The Folvilles', pp. 121, 127 and 130-3.

⁶³ Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', p. 103.

⁶⁴ Maddern, *Violence and Social Order*, p. 16.

⁶⁵ The involvement of the sample gentry in administrative service was discussed in Chapter Three: See above, pp. 76-117.

⁶⁶ Harding, *The Law Courts*, p. 94; Griffiths, *The Reign of Henry VI*, p. 129; Wright, *The Derbyshire Gentry*, p. 119.

⁶⁷ Chism, 'Robin Hood: Thinking Globally, Acting Locally' pp. 15 and 22.

⁶⁸ Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', p. 103; Knight (trans. and ed.), 'The Tale of Gamelyn', p. 183.

officials who abused him.⁶⁹ This combination of complaint and violence against the law with involvement in the legal system was symptomatic of the gentry engagement with and perceptions of the combination of law and violence in the fourteenth century. It is highly unlikely that the sample gentry who were assaulted whilst carrying out administrative service would have viewed the crimes as legitimate, but the literary heroes of the gentry still engaged in assault against officials.⁷⁰ The gentry also engaged in violence against officials in reality, but as already discussed this was not likely to have been motivated by resentment of administration or corruption.⁷¹

The answer to why the spectacle of literary heroes attacking officials was accepted by the gentry audience could be ascertained by considering the instances of violence against officials as being used as a literary symbol for a gentry grievance. Ormrod and Green have argued that local crime was presented as regional resistance to sporadic central intervention in outlaw ballads, with Pollard and Holt making similar claims.⁷² The gentry resented crown attempts to increase royal influence in the localities and were concerned regarding the crown's use of local administrators as figures for condemnation.⁷³ Royal visitations were sporadic and the crown relied on these rural elites, which resented any attempt to increase crown intervention and crown reluctance to confirm elite power in the localities.⁷⁴ Musson has identified the difficulty of balancing the sense that those with local knowledge were best placed to serve on local assize circuits with the problems of ensuring due process.⁷⁵ This highlights another potential reason for the gentry resenting crown intervention, as it may have limited their ability to manipulate the law to their own purposes. This in turn explains why they approved of the violence used against officials in literature as symbolism, whilst they would have perceived violence used by gentry against officials in reality more sceptically. One exception would be where they were in danger of suffering losses through the actions of the officials who were being attacked.

⁶⁹ Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 185-6. A chief forester would be in charge of royal forests. For more information on royal forests see above, pp. 49 and 59, where royal forests in the counties being investigated in this thesis are mentioned.

⁷⁰ For examples of cases of violence against crown officials involving the sample gentry see above, pp. 156-60. Kaeuper has suggested that outlaw heroes would become villains in the petitions and legal documents: Kaeuper, 'An Historian's Reading of "The Tale of Gamelyn"', p. 58.

⁷¹ For examples of the sample gentry attacking officials see above, pp. 156-60.

⁷² Ormrod, 'Law in the Landscape', pp. 7-20; Green, 'Violence in the Early Robin Hood Poems', p. 276; Pollard, 'Political Ideology in the Early Stories of Robin Hood', p. 112.

⁷³ W. M. Ormrod, 'Parliamentary Scrutiny of Royal Ministers and Courtiers in Fourteenth-Century England: the Disgrace of Sir John Atte Lee (1368)', in Kaeuper (ed.) with Dingman and Sposato, *Law, Governance and Justice*, p. 169; S. Waugh, 'Success and Failure of the Medieval Constitution in 1341', in Kaeuper (ed.) with Dingman and Sposato, *Law, Governance and Justice*, p. 125.

⁷⁴ Ormrod, 'Law in the Landscape', pp. 7-9; Ormrod, 'Parliamentary Scrutiny', p. 163.

⁷⁵ A. Musson, 'Centre and Locality: Perceptions of the Assize Justices in Late Medieval England', in Kaeuper (ed.) with Dingman and Sposato, *Law, Governance and Justice*, pp. 211-41.

This section has revealed a range of motivations existing for gentry violence, including and advancing beyond those considered in the previous chapter. Further evidence has suggested that the gentry may have been motivated to commit violent acts due to a desire for financial or social advancement, anger or pride, lordly influence or resentment of the legal system. However, it has also been shown that the extent to which these motivations could convincingly be shown to have been influential enough to motivate gentry to engage in violence varied, and many were combined with other motivations. It has been demonstrated that the motivation for violence would have been likely to affect the perception of the crime amongst the gentry, as offence alone was not largely approved of as a motivation. In contrast, the use of violence to reclaim land where the legal system had failed could have been viewed more tolerantly. The fact that the gentry would have perceived motivations differently depending on their involvement in the violent incident was highlighted. It has also been demonstrated that there is some variation in the treatment of motivations in literature and the likely perceptions of them by gentry if they occurred in reality, as literary violence could be symbolic. However, it has been shown that literature as a general rule is a valuable source of evidence of gentry perceptions of different motivations for violence, when used in combination with legal records. This chapter will now progress to considering if this theory can also be applied to gentry perceptions of different victims of violent crime.

Victims of Violence

The topic of perceptions of the legitimacy of different victims of violence was briefly mentioned in Chapter Five. This was mainly connected to the possibility that female complainants in legal records may have hoped that crimes against them would have been viewed more harshly than violence against men.⁷⁶ The addition of literary evidence will allow for this topic to be considered in much greater depth. The late medieval period has been described as the golden age of chivalry, particularly in the reign of Edward III. The gentry were eager to maintain a knightly and military image despite some diversification of function and concern with excess, the latter of which will be considered in the final section.⁷⁷

⁷⁶ See above, p. 149.

⁷⁷ Benson, *Malory's Morte Darthur*, p. 141; Saul, 'Chivalry and Art', pp. 97 and 111; Coss, *The Origins of the English Gentry*, p. 139; Coss, *The Knight in Medieval England*, pp. 108, 111-13 and 127; Prestwich, 'The Enterprise of War', p. 74; Hicks, *Bastard Feudalism*, p. 185; Keen, *Chivalry*, p. 252; Kaeuper, *Chivalry and Violence*, pp. 2, 30-6 and 140; Bean, *From Lord to Patron*, p. 79; Ayton, 'Knights, Esquires and Military Service', p. 81; Keen, 'Chivalry', p. 45; Saul, *For Honour and Fame*,

It has been claimed that the influence of chivalry transformed ‘the rude warrior into an idealistic figure’.⁷⁸ The extent to which this had an influence on the presentation of the legitimacy of victims in literature read by the gentry, both of an explicitly chivalric nature and of different genres, will be considered. In addition, an attempt will be made to consider how far the gentry’s perception of the legitimacy of violence would have been affected by the identity of the victim. This will be done by considering several issues, namely the extent to which women and children were viewed as illegitimate victims, the idea that the social status of the victim was an important issue, and the idea that the legitimacy of the victim could be affected by both their behaviour and circumstances.

There are numerous examples in the literature considered which provide evidence for gentry perceptions of the legitimacy of violence being affected by the victim. One such example is provided by the giant in the *Alliterative Morte Arthure*. The giant is constructed as a particularly villainous and difficult character for Arthur to kill.⁷⁹ An emphasis is placed on the giant being a monster who has committed grievous deeds. Strikingly, the author chooses to highlight the victims selected by the giant as the elements which make his deeds particularly horrific, namely a duchess and unnamed children.⁸⁰ Arthur is outraged by the giant’s decision to direct his violence against these victims, and he goes on to behead the giant after calling him a foul freak.⁸¹ The specific use of the insult ‘freak’ appears to be an attempt to emphasise the position of the giant outside of normality. This would delineate him as an ‘other’, who both uses violence outside the bounds imposed by society and is a legitimate victim of violence.⁸² The contrast between Arthur and the giant’s perceptions of the legitimacy of female and infant victims is used to emphatically demonstrate that Arthur is the figure to be admired, whereas the giant’s actions have sealed his fate as an evil creature to be defeated. The chivalric ethos within literature clearly identified women, and children, as inappropriate victims of violence; the trope of an individual particularly disgusted by violence against women is regularly used in chivalric literature to highlight the praiseworthy characters. One example is Gawain, in the early stages of the *Stanzaic Morte Arthure*.⁸³ This image is not solely limited to literature which can be explicitly deemed to be chivalric, however.

p. 158; Bennett, ‘*Sir Gawain and the Green Knight*’, p. 34. For a discussion of concern with knightly excess see below, pp. 191-200.

⁷⁸ Barber, *The Knight and Chivalry*, p. 67.

⁷⁹ Benson (ed.), *King Arthur’s Death*, pp. 140-50.

⁸⁰ *Ibid.*, pp. 140-50.

⁸¹ *Ibid.*, pp. 140-50.

⁸² For an interesting discussion of violence and ‘the other’ in medieval society, in this case in relation to religious persecution, see A. Bale, *Feeling Persecuted: Christians, Jews and Images of Violence in the Middle Ages* (London, 2010). For more detail on the idea of the ‘other’ being defined in relation to violence see above, p. 13.

⁸³ Benson (ed.), *King Arthur’s Death*, p. 53.

The heroes in a range of outlaw literature are also regularly shown to be concerned with selection of legitimate victims, and women do not appear to be included in this group. It could be argued that this selection of victims was intended as a parody of chivalric values, and indeed elements of the Robin Hood rhymes have been presented as such.⁸⁴ However, despite some flaws, the outlaws are intended to be admirable, so it seems likely that their choice of victims would be careful. Taking Robin Hood as an example, it quickly becomes clear that Robin's selection of victims is used as one of the main elements in redeeming his identity from a callous criminal into an honourable outlaw. The author stresses that 'Robyn loved Oure dere Lady' in the *Gest*, and his dedication to the Virgin Mary appears in other rhymes in the series, such as when Mary assists him in defeating Guy of Gisborne in *Robin Hood and Guy of Gisborne*.⁸⁵ The *Gest* highlights the fact that Robin's love for Mary leads him to refuse to harm any company which included women.⁸⁶ This concern with not harming, and indeed protecting, women is not new to the fourteenth century. For example, Hereward is outraged to hear that his brother was executed due to killing men who had 'dishonourably abused', which appears to mean raped, a lady.⁸⁷ Hereward believes that committing assault against a woman is so grievous a crime that the perpetrators are entirely deserving of their fate, and it seems likely that the author expects the audience to have a similar opinion.

The literature considered indicates that selecting women or children as victims was likely to undermine, or at least challenge, the legitimacy of violence amongst the gentry. It must be considered, though, to what extent the gentry maintained their subscription to the ideal of avoiding violence against women and children in their own lives. As demonstrated in the previous chapter, accusations of violent crime involving the *raptus* of women and children were by no means unheard of in fourteenth-century England. The violence which was claimed to have been used against victims who have already been introduced, such as Annore Wyville, the victim of numerous assaults, thefts and abduction in the late-fourteenth century in Hampshire, and Isabel Cleator, the victim of abduction in mid-fourteenth century Cumberland, demonstrates this.⁸⁸ These accounts could also highlight that the failure to strictly uphold chivalric mores occurred nationwide. The question of how far other gentry would have viewed the perpetrators critically is difficult to decisively answer. Annore stressed that she was violently dragged out of her house by her arms. This could be an example of a clerk encouraging extra detail in a formulaic case to make it more credible, or

⁸⁴ D. Gray, 'The Robin Hood Poems', in Knight (ed.), *Robin Hood: an Anthology*, p. 34.

⁸⁵ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 79 and 144.

⁸⁶ *Ibid.*, p. 79.

⁸⁷ Swanton (trans. and ed.), 'The Deeds of Hereward', p. 35.

⁸⁸ For the details of Annore Wyville's case see above, pp. 152-3. For the details of Isabel Cleator's case see above, pp. 149-50.

it could be that Annore hoped to elicit sympathy by highlighting the rough treatment of a female. Isabel more explicitly requests that the crown assist her ‘for the honour of women’, which indicates that she expected that her gender would have an impact on perceptions of her case. The use of such rhetoric in petitions by well-informed women is not unknown.⁸⁹

Unfortunately the result of Annore’s case is unknown. The crown appears to have taken Isabel’s complaint seriously, as it refused pardons for the perpetrators and Isabel was rescued by Anthony Lucy, sheriff of Cumberland.⁹⁰ However, it must not be assumed that Anthony would have viewed the case as anything other than a theft to be corrected, as rape or abduction were often viewed as theft of property, namely the potential for the victim to be married.⁹¹ Similarly, whilst the crown responded favourably to Isabel’s complaint, there are numerous examples of the crown pardoning similar crimes if they were committed by certain people, such as members of the royal household or men who had made powerful contacts through military service.⁹² The legal system demonstrably suffered from a considerable gap between theory and practice.⁹³ A primary issue was the fact that the crown faced dual pressures; it had to uphold its claim to defend the helpless, but it needed the support of the elite who engaged in these crimes. The potential engagement of the elite in these crimes indicates that whilst they were critical of violence against women in literature, if they deemed it necessary many could still have been willing to assault women in reality, with the knowledge that they would not necessarily be condemned for this behaviour.

However, this argument entails a considerable degree of assumption. Whilst women and children were identified as the victims in the legal records, it is not necessarily the case that they were victims of violent assault. Apart from Annore’s case, there is no clear and direct claim of violence being committed against women and children, as the *raptus* cases could have been abductions rather than sexual assaults. The violence involved in such cases, if any violence was involved, was surely more likely to have been directed against the guardians or husbands from whom the children and women were taken, as there was no benefit to be gained from harming a potentially valuable abduction victim. Of course, the

⁸⁹ The potential construction of womanly victimhood in Lettice Kirriel’s petition following her fourteenth-century abduction provides an example. For more on this see Ormrod, ‘Needy Knights and Wealthy Widows’, pp. 137-49; Dodd, *Justice and Grace*, pp. 302-16.

⁹⁰ See above, pp. 149-50.

⁹¹ P. Orr, ‘Men’s Theory and Women’s Reality: Rape Prosecutions in the English Royal Courts of Justice, 1194-1222’, in L. O. Purdon and C. L. Vitto (eds.), *The Rusted Hauberk: Feudal Ideals of Order and Their Decline* (Gainesville, 1994), p. 140.

⁹² High-born ladies such as Elizabeth de Burgh and Alice de Lacy saw their abductors pardoned due to their royal connections, and Lettice Kirriel’s abductor secured a pardon due to his military connections. For more on this see Ormrod, ‘Needy Knights and Wealthy Widows’, pp. 137-49; J. Enoch Powell and K. Wallis, *The House of Lords in the Middle Ages* (London, 1968), pp. 319-21; F. A. Underhill, *For Her Good Estate: the Life of Elizabeth de Burgh* (New York, 1999), pp. 15-17; L. E. Mitchell, *Portraits of Medieval Women: Family, Marriage and Politics in England, 1225-1350* (Basingstoke, 2003), pp. 117-21.

⁹³ Orr, ‘Men’s Theory and Women’s Reality’, p. 122.

cases considered involving the abduction of women could have been sexual assaults, and Annore's case could have been genuine, and just one example of violence against women amongst others missing from the records, but there is nothing to prove this. The practical nature of gentry use of violence indicates that they were unlikely to have been held back from engaging in violence against illegitimate victims if it was necessary or offered sufficient benefits, but it should not be assumed that in reality the gentry were devoid of any concept of violence against women and children being less legitimate. The decision to emphasise the unsuitability of women and children as victims in literature read by the gentry suggests that the audience would be responsive to these ideas to a certain extent. This is supported by the evidence of female complainants potentially hoping to evoke sympathy due to their gender. It appears that this activity would not have been viewed as a means of demonstrating status or gaining local prestige, but was unlikely to have always been avoided if necessity or profit demanded it.

The connection between violence and status is an important consideration in a study of perceptions of violence in fourteenth-century England. The importance to the elite of the maintenance of the hierarchy existing in late-medieval society has been a recurring theme in this thesis thus far.⁹⁴ It becomes relevant again in considering how the gentry would have judged the appropriateness of different victims. Woods' consideration of 'competing cultures of violence' in societies suggests that the hierarchical model should not be viewed in isolation, as this neglects inter-class violence.⁹⁵ The majority of the cases of violence from legal records considered in this thesis demonstrate gentry engaging in violence against other members of gentry society, but it is still relevant to consider how the gentry would have perceived those whose crimes did not fit into this pattern. In fact, the appearance of the majority of the gentry considered in intra-gentry violence could suggest a concern with avoiding violence against higher or lower social levels. In the examples used in Chapter Five, in which gentry assaulted their social superiors, they did this in groups led by individuals who were of similar status to the victim.⁹⁶ This potentially undermines the extent to which the crime would have been viewed as anti-hierarchical. The general lack of evidence for crime against lower social levels is far more likely to be a product of the limited ability for lower social levels to succeed when using the legal system rather than an absence of violence having been carried out against social inferiors.⁹⁷ This should therefore not be used to suggest that the gentry were consciously avoiding the use of violence against lower

⁹⁴ Goldberg, *Medieval England*, p. 3.

⁹⁵ Wood, 'Conceptualizing Cultures of Violence', p. 90; Jones, 'Interpersonal Violence in Kent', p. 34.

⁹⁶ For examples of crimes in which the sample gentry attacked victims of a higher social status see above, pp. 137-8 and 143-4.

⁹⁷ Musson and Ormrod, *The Evolution of English Justice*, p. 133; Maddern, *Violence and Social Order*, p. 93.

social levels. It must now be considered what literary evidence can contribute to this discussion.

The Robin Hood rhymes provide an excellent example of the preoccupation in late-medieval culture with social status and hierarchy. Whilst Robin's precise social status as a yeoman is unclear, but likely to have been between the lesser elite and the lower social levels, it has been convincingly argued that part of the audience for these tales would have been comprised of the gentry, as explained earlier.⁹⁸ There is potentially some parody involved, but Robin embodies many of the elements of the chivalric hero, thus suggesting that he would have been expected to appeal to an elite audience as an admirable hero.⁹⁹ His choice of victims may at first seem strange in this case. Robin's apparent lack of respect for authority and the contemporary system of hierarchy is suggested by the fact that his victims are largely authority figures, secular or ecclesiastical.¹⁰⁰ This does not fit in with the desire of the elite to maintain the status quo, as he is an outlaw and most likely sub-elite. He also instructs his men to select barons, knights or squires as their victims.¹⁰¹ However, this instruction to focus on harming the elite is undermined by the fact that Robin instructs his men to avoid harming members of the upper social levels who have been good fellows.¹⁰² His men claim to attack the authority figures due to their corruption or evil natures, which will be considered later in this section.¹⁰³

Furthermore, it must be recognised that many of the outlaws in the tales being considered were of knightly descent.¹⁰⁴ As such, their assaults on the gentry who tended to hold local positions of authority were not anti-hierarchical in terms of social standing. Even outlaws like Robin, who are only on the fringes of the lesser elite at most, behave in many ways like chivalric knights, and thus their attacks on those of gentry status would potentially be less jarring against the hierarchy. It is admittedly also possible that Robin's adoption of chivalric values would have made his anti-hierarchical violence more threatening, as he could have been viewed as attempting to take the violent authority of his social superiors, but the fact that he is intended to be admired by the audience suggests that this is less likely to have been the aim of the author. Anti-hierarchical violence in the form of assault against officials was by no means illegitimate in outlaw rhymes, but this should not be taken to mean that the gentry audience would have generally admired violence against social

⁹⁸ For discussion of the audience of the Robin Hood rhymes see above, p. 126. For a discussion of Robin's social status see above, p. 126.

⁹⁹ Gray, 'The Robin Hood Poems', p. 34; Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 79.

¹⁰⁰ Dobson and J. Taylor (eds.), *Rymes of Robyn Hood*, p. 80.

¹⁰¹ *Ibid.*, p. 79.

¹⁰² *Ibid.*, p. 80.

¹⁰³ See below, pp. 188-90.

¹⁰⁴ Gamelyn is a prime example of an outlaw hero who was of knightly descent, as are Eustache and Fouke Fitz Waryn: Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 172-3; Kelly (trans. and ed.), 'Eustache the Monk', p. 61; Kelly (trans. and ed.), 'Fouke Fitz Waryn', pp. 107-8.

superiors. Many of the gentry engaging in violence against officials in the sample societies served as officials themselves at other times. They therefore would not necessarily have regarded this violence as anti-hierarchical, particularly in the cases of the outlaws of knightly descent.¹⁰⁵ It is also striking that in all of the literary cases, even involving those who are of the same social status as the officials they attack, there is an emphasis on providing justifications for the assaults, such as accusations of corruption, rather than the assaults being based on the officials being members of the elite.¹⁰⁶ In fact, the outlaws largely preserve the hierarchy in relation to their thoughts on violence, as can be seen more explicitly in other sections of the rhymes.

Little John and Robin Hood do experience some friction in their relationship. John is by no means a timid follower, as demonstrated in his refusal to carry Robin's bow.¹⁰⁷ However, at the most important points, John's clear awareness of the effect of social status on the legitimacy of violence comes to the fore. For instance, despite being justifiably frustrated by Robin after a betting conflict, John does not attack Robin and explicitly states that this is due to Robin being his master.¹⁰⁸ This attitude is strikingly mirrored in the chivalric figure of Lancelot, which suggests that it was a widely held ideal in the elite ethos.¹⁰⁹ This is sensible, as the gentry would have been keen to maintain the status quo and protect their privileged position. It is thus understandable that they would have disapproved of violence regularly being used against higher social levels. This is similar to likely gentry perceptions of violence against officials. The lack of evidence of the sample gentry being accused of having used violence against victims of higher social levels, unless accompanied by accomplices of the same social level as the victims, suggests that the gentry largely subscribed to the idea that violence against social superiors was to be avoided.¹¹⁰ This admittedly may have been due to a more pragmatic reason than the desire to copy a literary figure, such as the danger of the more powerful figure responding in kind. This is supported by gentry joining their social superiors in attacking other superior figures.¹¹¹ However, as mentioned before, the maintenance of the hierarchy was important for stability for the gentry, so it is likely that they would have disapproved of their peers engaging in anti-hierarchical violence on a regular basis.

¹⁰⁵ Robert Mulcastre provides an example of the sample gentry engaging in violence against officials but also serving as officials themselves: see above, pp. 159-60.

¹⁰⁶ The effect of factors such as corruption on the legitimacy of different victims is discussed above, pp. 182-91, and is further discussed below, pp. 199-200.

¹⁰⁷ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 116.

¹⁰⁸ *Ibid.*, p. 116.

¹⁰⁹ Lancelot's focus on not assaulting his king will be discussed below, pp. 187-8.

¹¹⁰ For examples of the gentry attacking those of a higher social level with elite leadership see above, pp. 137-8 and 143-4.

¹¹¹ See above, pp. 137-8 and 143-4.

The literature also gives the impression that violence against the crown was viewed harshly. For instance, Robin Hood is always quick to state his loyalty to and love for his king; the corrupt agents of the crown are presented as his real target. However, it could be argued that this loyalty is not particularly convincing; Much and Little John outwit the king in *Robin Hood and the Monk* and Robin disobeys the king's instructions to remain with him after being pardoned and kills his deer in the *Gest*.¹¹² Furthermore, it could be suggested that violent crime was regarded as an attack on royal authority even when not used against the king. The king was traditionally the embodiment of justice and law, and so any action contravening the law could have been viewed as an attack on the crown.¹¹³ Whilst this idea remained in an ideological sense, the extent to which it was truly believed by the gentry sincerely enough that they would have regarded themselves as attacking the crown when engaging in violent crime is another matter.¹¹⁴ Certainly, it appears that the established tradition of the king as law personified had been divorced from reality to some extent, despite remaining as an ideology, as it seems hard to believe that the gentry felt that they were attacking the crown when engaging in violent crime, and were therefore tolerant of violence against the crown.¹¹⁵ Instead, the temperamental loyalty of the outlaws is more likely to be a symbolic presentation of local resentment of crown intervention, rather than evidence that violence being used against the crown, or indeed officials, was widely acceptable.¹¹⁶ The idea that the gentry would have disapproved of violence against the crown is more explicitly stated in chivalric literature, perhaps due to the more limited elite audience of this literature. The outlaw ballads could also have appealed to those lower down the social scale.¹¹⁷ Lancelot's dedication to avoiding the use of violence against King Arthur in the *Stanzaic Morte Arthur* is striking in its exaggerated nature. Even when Arthur is physically attacking Lancelot during battle, Lancelot refuses to raise his hand against his lord, and instead of taking the opportunity to defeat Arthur when he is unhorsed, Lancelot laments the demise of the king who knighted him.¹¹⁸ Whilst this behaviour is exaggerated, as the 'superman hero' is not always credible in reality, it is explicitly held up as an example of

¹¹² Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 105, 111 and 120.

¹¹³ The contemporary idea that justice stemmed from the king has been widely acknowledged by historians, with Musson and Ormrod identifying that justice was 'perceived to reside in the person of the king': Musson and Ormrod, *The Evolution of English Justice*, pp. 162-3.

¹¹⁴ The likelihood of gentry viewing violence as an action against the crown will be discussed in further detail below, pp. 222-9.

¹¹⁵ Musson and Ormrod, *The Evolution of English Justice*, pp. 162-3.

¹¹⁶ See above, pp. 27-8.

¹¹⁷ For discussion of the audience of the outlaw ballads see above, pp. 126-8.

¹¹⁸ Benson (ed.), *King Arthur's Death*, pp. 60-1.

Lancelot's courtesy.¹¹⁹ This was a desired knightly characteristic which would have been intended to be an example of good elite behaviour to admire, if not copy.

This discussion has shown that the literature may initially appear to challenge the idea that anti-hierarchical violence was less likely to be acceptable to the gentry of fourteenth-century England. However it in fact contains many elements which suggest that in general the gentry would have been disinclined to support anti-hierarchical violence unless it could be legitimised by other factors. Unfortunately, the lack of evidence of the sample gentry engaging in violence against their social inferiors does not prove that they felt similarly about violence directed down the social levels; as indicated earlier, the limited success available for lower social levels within the legal system operated by the elites would be a more credible explanation for this lack of evidence.¹²⁰ Nonetheless, the literature does suggest that violence directed down the social scale was not an activity to be engaged in by chivalric or heroic characters. For instance, Robin Hood is emphatic when instructing his men not to attack husbandmen or yeomen.¹²¹ Whilst he is admittedly identified as a yeoman, his status is vague and his character is decidedly more chivalric and elite. Thus it seems likely that he was intended to be a figure of admiration for the gentry audience, and therefore they were intended to identify with him rather than regard him as an inferior. In reality, it seems unlikely that gentry would have been prevented from engaging in violence against their inferiors by this ideology, particularly bearing in mind the limited danger of reprisal. It was nevertheless unlikely again that their peers would have accorded them particular regard for engaging in these activities. Little more can be said in this respect, but there remains a considerable potential impact on gentry perceptions of the legitimacy of victims of violence. This has only been considered in passing thus far, namely the influence of circumstances and the behaviour of the victim.

As has already been identified, the heroes of several outlaw ballads engaged in violence that may seem to undermine the elite concern with maintaining the hierarchical balance of power in fourteenth-century England. However, they manage to do this without becoming anti-heroes for their gentry audience. The justification of attacks on officials through accusations of corruption is an important issue to consider. Requests such as the 1319 petition from the people of Hampshire asking to make complaints about their ex-sheriff, James Norton, indicate that the reliability and accountability of officials were contemporary concerns.¹²² Robin Hood's instructions to his gang of outlaws on whom they are permitted to select as victims at first appear to be dictated by the social status of the

¹¹⁹ E. Archibald, 'Questioning Arthurian Ideals', in E. Archibald and A. Putter (eds.), *The Cambridge Companion to the Arthurian Legend* (Cambridge, 2009), pp. 149-50.

¹²⁰ See above, p. 23.

¹²¹ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 80.

¹²² SC 8/140/6975.

victim.¹²³ However, there are extra qualifications which he instructs his men to consider, as they are to avoid any individual who has been a *gode felawe*, regardless of social status, as identified above.¹²⁴ The behaviour of the victim appears therefore to override any issues of social status, at least for Robin and his men. Robin's opponents are criticised by both Robin and his gang, and even in some cases their own followers, as the prior criticises the abbot who is exploiting the hardship of Robin's colleague, Sir Richard atte Lee.¹²⁵ Robin also tests his victims before he forces them to hand over money, as he permits them to keep all or some of their money if they tell the truth. Strikingly, the knight and king pass the test, whereas ecclesiastical officials fail; thus honesty is the deciding factor rather than social position.¹²⁶ The dishonesty appears to have legitimised their victimhood by lessening their status in the eyes of the outlaws and the audience.

The outlaw in the *Outlaw's Song of Trailbaston* highlights that he approves of judges who he believes do not discriminate against those accused of crime due to social status.¹²⁷ He suggests that he wishes to kill other judges, implying that they are part of the corruption he complains of.¹²⁸ In the *Gest*, the outlaws only kill the sheriff after he has broken his oath to leave Robin Hood and his men alone, claiming that no man could trust him while he lived.¹²⁹ Of course, it is the sheriff's job to pursue these men, so the morality of the justification is dubious, but the importance appears to be placed on giving a justification, rather than defending this justification. It must also be highlighted that the gentry would have been unlikely to widely accept corruption as justification for violence in reality, as they were targets for criticism in relation to acting corruptly as officials. They would have viewed violence against their corrupt peers as a threat; this has been explained as literary symbolism above.¹³⁰ The important point is that a justification of some form was necessary to prevent condemnation of anti-hierarchical violence used by heroic characters in late-medieval literature, even when this violence was related to a metaphorical point regarding crown intervention. Strikingly though, despite the author of the tale of Fouke Fitz Waryn stressing the villainous nature of King John, by presenting him as a spoilt child and then highlighting that as an adult he would be willing to take any women by force, Fouke only uses violence

¹²³ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 79-80.

¹²⁴ *Ibid.*, pp. 79-80.

¹²⁵ *Ibid.*, pp. 85-6.

¹²⁶ *Ibid.*, pp. 81-2 and 96-7 – in the second reference an abbot fails the test. Similar tests are used by Eustache the monk: Kelly (trans. and ed.), 'Eustache the Monk', pp. 78-9 and 89-90. Fouke Fitz Waryn also selects victims based on honesty at some points: Kelly (trans. and ed.), 'Fouke Fitz Waryn', p. 134.

¹²⁷ Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', p. 103.

¹²⁸ *Ibid.*, p. 103.

¹²⁹ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 93 and 100.

¹³⁰ See above, p. 187.

directly against him as a child.¹³¹ Even when John breaks his oath to Fouke in a strikingly similar situation to that faced by the sheriff in the *Gest*, as both men are tricked into coming into the forest by the offer of a hart to hunt, Fouke refrains from killing him and the two are ultimately reconciled.¹³² Whilst justification was a powerful tool in avoiding the charge of illegitimacy being applied to an act of violence by the gentry, there were limits to this in relation to the crown.

The use of violence against women and children appears far less frequently in the literature. However, there are rare instances of this, most strikingly in the case of the young page who is killed by Little John and Much in *Robin Hood and the Monk*.¹³³ The page is killed at the same time as a monk, who can be justified as a victim due to the corruption of ecclesiastical officials being highlighted throughout the rhymes, but there is no such justification for the death of the page. Strikingly, the smallness of the page is emphasised in the brief account of his death, which evokes sympathy. However, the outlaws are clearly not meant to be vilified for this activity, as the author offers an alternative justification; the page has to die as the outlaws fear that he would report their actions and lead to them being unable to free Robin from punishment. This brings in another justification which must also have appealed to the gentry audience, namely the idea of necessity. This idea can also be seen in Robin's murder of Guy of Gisborne, who has come to capture or kill Robin, although this is coupled with vilification of Guy.¹³⁴ Again, the limited nature of the legal evidence means that there are no accounts of the gentry claiming that they acted violently out of self-defence in the sample societies, but it is convincing to suggest that the gentry who otherwise may appear to have committed illegitimate violence may still have felt their behaviour was necessary, and therefore justified. For instance, the abduction of a wealthy widow may have been viewed as necessary by a member of the gentry who was struggling financially and saw no other prospects, in order to protect or raise his status and therefore avoid falling down the social spectrum. The importance of social status to the gentry supports this. The extent to which their peers would have accepted this justification is less clear.

This section has considered the possible impact of the victim on gentry perceptions of the legitimacy of violent crime, and reached several conclusions. The literature suggests a level of importance being placed on the sex, age and social status of the victim. This indicates that selection of an illegitimate victim could mean that a violent crime was condemned in the eyes of gentry observers. However, in the vast majority of the texts, it

¹³¹ Kelly (trans. and ed.), 'Fouke Fitz Waryn', pp. 130-2 and 142.

¹³² *Ibid.*, pp. 155-6 and 163-4.

¹³³ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 119.

¹³⁴ *Ibid.*, pp. 143-4. The use of violence to avoid capture is a common justification in outlaw literature, such as in Hereward's murder of guards who attempt to shackle him: Swanton (trans. and ed.), 'The Deeds of Hereward', p. 49.

emerges that it was possible to avoid condemnation and find a means of justifying violence against women, children and officials. The behaviour of the victim appears to have been viewed as crucial by the authors, and therefore probably by their audiences, in determining their legitimacy as victims. Even if the victim offered no particular fault and their age, gender or status deemed them to be an illegitimate victim within the knightly ethos, there was still an opportunity for the perpetrator to justify their actions by claiming that they were a necessity. Whilst the justification of corruption was identified to have been more metaphorical than realistic for the gentry, it still highlights a general knowledge amongst the gentry that victims could be justified despite being otherwise illegitimate. It seems likely that whilst the gentry wished to be viewed as chivalric figures, and therefore avoid criticism for using violence against illegitimate victims, they were also realists. Such ideals would not prevent them from engaging in violent activity if they felt it was justified and could present it as necessary, whoever the victim, despite being aware that this may not bring them praise.

Violent Excess, Chivalry and Restraint

The final section of this chapter will consider the extent to which gentry were concerned with levels of violence and violent excess in the fourteenth century. The fourteenth century was a period of great upheaval. The Black Death, a series of agricultural failures, war with France and Scotland and the Peasants' Revolt were all potential influences on gentry values in relation to violence.¹³⁵ It has been claimed that this background of disturbance and unease led to an undermining of moral codes and the potential restraints placed on behaviour such as religion and social standards.¹³⁶ However, it could also be argued that this lack of stability led to the gentry being more focused on ensuring that law and order was maintained and protected within their societies. Their growing involvement in

¹³⁵ For an introduction to the Black Death and its impact in late-medieval England see the collection of articles in Ormrod and Lindley (eds), *The Black Death*. The impact of famine on medieval English society has continued to be of historiographical interest in recent years: C. Platt, 'Archaeology and the 'Agrarian Crisis' in England, 1315-1322', *Medieval Archaeology*, 56 (2012), pp. 292-8; P. Slavin, 'Market Failure During the Great Famine in England and Wales (1315-1317)', *Past and Present*, 222 (2014), pp. 9-49; J. Healey, 'Land, Population and Famine in the English Uplands: a Westmorland Case Study, c. 1370-1650', *Agricultural History Review*, 59 (2011), pp. 151-75; D. Antoine and S. Hillson, 'Famine, the Black Death, and Health in Fourteenth-Century London', *Archaeology International*, 8 (2004), pp. 26-8; J. Aberth, *From the Brink of the Apocalypse: Confronting Famine, War, Plague, and Death in the Middle Ages* (London, 2001). For an introduction to the Peasants' Revolt and its impact on late-medieval English society see the articles in Hilton and Aston (eds.), *The English Rising of 1381*. For an introduction to the impact of war with France and Scotland on Hampshire, Nottinghamshire and Cumberland see above, pp. 28-9.

¹³⁶ Summerson, *Medieval Carlisle*, vol. 1, p. 272.

and use of the legal system could be used to support this idea, despite debate concerning the extent to which the gentry respected these developments or continued to view violence as a legitimate alternative.¹³⁷ This ambiguity is reflected in the fact that whilst the gentry came to take a considerable role in local legal administration in the fourteenth century, they were also frequently involved in criminality and violence, as will be discussed in Chapter Seven.¹³⁸ Ambiguity is also applicable to the phenomenon of chivalry in the fourteenth century, as it encouraged the use of violence as a means of gaining praise and status, yet also demonstrated the need for restraint and the dangers of excessive violence.¹³⁹

To consider the role of the chivalric ethos in affecting gentry perceptions of violence, the extent to which the martial element of gentry identity remained strong must be assessed, as chivalry was in many ways a martial entity. This has been discussed already in this thesis, and so will not be repeated at length.¹⁴⁰ Ultimately, whilst some of the gentry adopted more civilian identities, many others still valued military service highly. The majority still used military imagery, such as armoured figures on tomb brasses and effigies, even if they did not engage in warfare.¹⁴¹ There was often involvement in military service by literary protagonists, such as the outlaw of *The Outlaw's Song of Trailbaston* claiming to have served in Scotland and abroad as a means of highlighting his good service to the crown and Hereward being praised for bravely leading an army into Zeeland.¹⁴² This highlights the idea that military service was still often an integral part of identity formation. Whilst crown enthusiasm for war and chivalry varied over the century, elite interest in projecting a chivalric and military identity, whatever the reality of diversification of roles, remained strong.¹⁴³ What must be considered is the influence this had on gentry violence. It should not be assumed that the administrative element of the gentry identity encouraged a desire to minimise violence, whereas the chivalric and military elements encouraged a tolerant perception of widespread violence. This is far too simplistic. The potential for the legal

¹³⁷ Saul, 'Conflict and Consensus', p. 42.

¹³⁸ For a thorough discussion of the involvement of the sample gentry in both administrative service and violent law-breaking see below, pp. 206-16.

¹³⁹ For a discussion of the role of chivalry in both encouraging and discouraging violence see above, pp. 191-200. Taylor has emphasised the inconsistency in chivalric texts' portrayals of violence and knighthood: Taylor, *Chivalry and the Ideals of Knighthood*, p. 1.

¹⁴⁰ The extent to which the gentry retained a military identity in the fourteenth century was considered in Chapter Three: see above, pp. 76-117.

¹⁴¹ Saul, 'Chivalry and Art', p. 111; Saul, *For Honour and Fame*, p. 239; Maddern, *Violence and Social Order*, p. 20.

¹⁴² Swanton (trans. and ed.), 'The Deeds of Hereward', pp. 32-3; Revard (trans. and ed.), 'The Outlaw's Song of Trailbaston', p. 103.

¹⁴³ Saul, *For Honour and Fame*, pp. 93 and 112; Coss, *The Knight in Medieval England*, pp. 108, 111-13 and 127; Prestwich, 'The Enterprise of War', p. 74; Hicks, *Bastard Feudalism*, p. 185; Keen, *Chivalry*, p. 252; Kaeuper, *Chivalry and Violence*, pp. 2, 30-6 and 140; Bean, *From Lord to Patron*, p. 79; Ayton, 'Knights, Esquires and Military Service', p. 81; Keen, 'Chivalry', p. 45; Saul, *For Honour and Fame*, p. 158; Bennett, 'Sir Gawain and the Green Knight', p. 71; Kaeuper, 'Chivalry and the Civilising Process', p. 34.

system to encourage violent activity, both as part of, and a reaction to, its administration, has already been highlighted.¹⁴⁴ Similarly, whilst chivalry and warfare tend to be presented in a negative light, as it has been claimed that knights caused disorder with their unrestricted use of violence, chivalric literature offers some potentially limiting factors, such as identification of unsuitable victims and concern with excess.¹⁴⁵

There is ongoing debate concerning the role of chivalry in controlling or encouraging violence amongst the elites. A concept ‘nourished on aggressive impulses’ would inevitably not seek to eliminate violence.¹⁴⁶ Chivalric events such as tournaments could be incredibly violent, potentially either encouraging this violence to spill over into everyday life or limiting it to a specified time and place.¹⁴⁷ Chivalric literature is full of praise for military prowess and uses it as a means of highlighting the status and magnificence of the admirable characters.¹⁴⁸ For instance, the fact that Arthur was so mighty that none could stand against him and his ability to violently take many kingdoms is stressed in the *Stanzaic Morte Arthur*.¹⁴⁹ Arthur’s knights also demonstrate the high regard for those with violent prowess in chivalric literature, as Lancelot is glorified by defeating so many that he is temporarily blinded with blood.¹⁵⁰ His love for another knight, Ector, is increased after Ector is able to wound him in a tournament.¹⁵¹ Gawain is praised extensively for his chivalric characteristics, including his military prowess, when he dies in the *Alliterative Morte Arthur*.¹⁵² Chronicle sources also highlight episodes of violence and chivalric encounters, such as in Walsingham’s discussion of the duel between John Annesley and Thomas Catterton, demonstrating that Walsingham knew that chivalric encounters were of contemporary interest, despite having an ecclesiastical background.¹⁵³

This is not limited to the explicitly chivalric sources and chronicles; the outlaw rhymes also demonstrate that violent prowess was a common characteristic of individuals

¹⁴⁴ See above, pp. 15-7 and 177-9.

¹⁴⁵ Kaeuper, *Chivalry and Violence*, pp. 93-8; Kaeuper, *War, Justice and Public Order*, pp. 5, 192 and 267-8; Vale, ‘Violence and the Tournament’, p. 158; Barber, *The Knight and Chivalry*, p. 246.

¹⁴⁶ Kaeuper, *Chivalry and Violence*, p. 2; Kaeuper, ‘Chivalry and the Civilising Process’, p. 34.

¹⁴⁷ Vale, ‘Violence and the Tournament’, p. 145.

¹⁴⁸ Kaeuper, *Chivalry and Violence*, pp. 130-8; Kaeuper, ‘Chivalry and the Civilising Process’, p. 25.

¹⁴⁹ Benson (ed.), *King Arthur’s Death*, pp. 86 and 116.

¹⁵⁰ *Ibid.*, p. 11.

¹⁵¹ *Ibid.*, p. 17.

¹⁵² *Ibid.*, p. 225.

¹⁵³ Taylor, Childs and Watkiss (trans. and eds.), *The St Albans Chronicle*, vol. 1, pp. 357-65. John Annesley, Lord of Annesley, Nottinghamshire, became entitled to part of the Chandos inheritance through his wife Isabel, which included a share in the barony of St Sauveur. St Sauveur had been surrendered to the French by its then commander, Thomas Catterton, so John sued Thomas with the accusation of selling the castle of St Sauveur to the French and was eventually granted the right to a judicial duel, despite this initially being against the wishes of John of Gaunt, probably in 1379, which he won. This led to financial rewards. For full details of this case see J. G. Bellamy, ‘Sir John de Annesley and the Chandos Inheritance’, *NMS*, 10 (1966), pp. 94-105.

intended to be admired by their audience.¹⁵⁴ Little John (in disguise) is employed by the sheriff after impressing him with his archery, which was recognised as a desirable characteristic.¹⁵⁵ Gamelyn joins the outlaws and is made their master after they hear of his impressive deeds, which include violent victories over his opponents.¹⁵⁶ He earlier defeats a champion as he wants to show his strength and to help a franklin recover his two sons.¹⁵⁷ Robin Hood and his men recognise the king immediately after he demonstrates that he has the power to almost knock Robin over with one blow, which reinforces the idea that violent strength and status were connected.¹⁵⁸ This also highlights the important connection between masculinity, status and violent prowess in contemporary thought.¹⁵⁹ The tendency of violent prowess to be praised in literature which was either chivalric, or had chivalric elements, immediately suggests that chivalry could have affected gentry perceptions of violence. This may have encouraged engagement in violence as a means of demonstrating martial identity, status and masculinity. This therefore could have made the gentry less intolerant of the use of violence, as it has been claimed that the elite assessed their rights and culture through chivalric literature.¹⁶⁰ The perception of violent prowess as a source of honour and power certainly suggests that fourteenth-century England would have been a highly dangerous and violent environment. Responding to any conflict with violence could have been a means of demonstrating chivalric status.¹⁶¹ However, it should not be argued that these sources praise military prowess and chivalric violence without highlighting some of the potential dangers of this activity.

Whilst Gamelyn's display of strength makes his brother promise to return his possessions, he does so treacherously, forcing Gamelyn to engage in greater violence.¹⁶² Whilst it could be claimed that this is just reinforcing the eventual ability of violence to resolve the issue, it could also have been an attempt to warn the reader that violence had the tendency to lead to more violence, and greater risks. Sir Richard atte Lee also highlights the dangers inherent to chivalric society. Richard loses his fortune after having to pay to save his son who killed a knight and squire during a joust.¹⁶³ His son's display of violent prowess ruins his family. These undertones of the dangers of violence suggest that, whilst the gentry wished to promote a chivalric identity, they would have considered the repercussions

¹⁵⁴ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 100, 117 and 144.

¹⁵⁵ *Ibid.*, pp. 89-90.

¹⁵⁶ Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 181-3.

¹⁵⁷ *Ibid.*, pp. 175-6.

¹⁵⁸ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 108.

¹⁵⁹ Taylor, *Chivalry and the Ideals of Knighthood*, pp. 54, 72 and 131; Skoda, *Medieval Violence*, pp. 24, 111, 146-9, 194 and 232; Kaeuper, *Chivalry and Violence*, pp. 215-24.

¹⁶⁰ R. W. Kaeuper and M. Bohna, 'War and Chivalry', in Brown (ed.), *A Companion to Medieval English Literature and Culture*, p. 273.

¹⁶¹ *Ibid.*, p. 274.

¹⁶² Knight (trans. and ed.), 'The Tale of Gamelyn', pp. 174-5.

¹⁶³ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 82.

carefully before engaging in violence. They would not have approved of others engaging in violence which may have led to further disorder. It must also be highlighted that the ethos of chivalry emphasised the importance of restraint. Of course, the perception of the need for restraint when using violence, and the capacity to show restraint, must have varied between individuals. It is still striking that literature attempted to encourage this, in terms of both the use of violence, and the choice of victims.¹⁶⁴ Whilst the gentry wished to present a chivalric image of having the right and potential to engage in violence, they also recognised the benefits of a stable society.¹⁶⁵ It seems convincing to suggest that, whilst the gentry wished to promote their own martial prowess and their right to engage in violence, as mentality was an integral part of the gentry identity, in truth they preferred to demonstrate this through imagery and style of living rather than actual violence.¹⁶⁶ When they decided that it was legitimate for themselves or their peers to engage in violence, it would surely have been the best or only option in a situation.

It has been suggested that literature highlighting the dangers of violence shows that the gentry were less likely to tolerate widespread violence. It could also in contrast suggest a concern with an existing elite overuse of violence. The chivalric value of not attacking one's master prevents Little John from attacking Robin Hood after Robin refuses to pay him when losing a bet.¹⁶⁷ However, the panic of the townspeople when they believe that Robin and his men have killed the king suggests a background sense that the violent lifestyles of some elites could cause disorder, despite the fear turning to amusement when the truth is realised.¹⁶⁸ This was not a new concern in literature concerning the exploits of outlaw heroes, as the tale of Hereward the Wake reveals a conscious concern with the problems Hereward's violence causes.¹⁶⁹ Hereward fights with anyone he deems to be a rival in military prowess or bravery, which demonstrates a keen sense to be seen as the leading chivalric figure in his community.¹⁷⁰ The author stresses that this causes considerable strife, and leads to Hereward's parents resenting Hereward because they have to physically defend him against their friends and neighbours.¹⁷¹ Ultimately Hereward's father throws him out of his home.¹⁷² What is striking here is that Hereward is not directly condemned for this behaviour. Instead there is simply an ambivalent record of the problems caused by his behaviour; this could demonstrate a desire to discourage the reader from emulating

¹⁶⁴ Fletcher, *Violence and Civilization*, p. 29; Keen, *Chivalry*, p. 178.

¹⁶⁵ Carpenter, *Locality and Polity*, pp. 379-80 and 396.

¹⁶⁶ Keen, *Chivalry*, p. 153; Gorski, 'Lordship, Gentility and Local Administration', p. 22.

¹⁶⁷ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 116.

¹⁶⁸ *Ibid.*, p. 110.

¹⁶⁹ Swanton (trans. and ed.), 'The Deeds of Hereward', p. 20.

¹⁷⁰ *Ibid.*, p. 20.

¹⁷¹ *Ibid.*, p. 20.

¹⁷² *Ibid.*, p. 20.

Hereward's behaviour in reality despite admiring his violent prowess, or a reference to the problems being caused in contemporary society by gentry behaving in this way, without outright condemnation. Either way, it seems unlikely that the gentry would wish for their peers to emulate Hereward's behaviour.

Chivalric literature demonstrates similar concerns. Initially the warlike nature of Arthur and his knights seems positive, as they are eager to respond bravely to Emperor Lucius' threats in the *Alliterative Morte Arthur*.¹⁷³ However, as the story progresses, the danger of mindlessly responding to issues with violence becomes apparent. Arthur's war causes extensive damage and it is presented as a sin for Christians to continue killing in the *Stanzaic Morte Arthur*.¹⁷⁴ Arthur laments that the war ever happened, as he is so impressed by Lancelot's noble refusal to attack him.¹⁷⁵ Lancelot stands out as the character that makes careful judgements about when it is right to use violence. It could be argued that he is intended to show the benefits of chivalry in contrast with the other characters, who demonstrate what was to be feared if chivalry was devoid of restraint. Gawain stands out in this instance as an example of the concern amongst the elite that chivalry without restraint could cause considerable problems and was to be avoided. Whilst Lancelot strikes Gawain once to avoid death, and refuses to kill him as he loves him and Gawain is Arthur's nephew, Gawain continues to insult Lancelot and thwarts the truce attempts, thereby sealing Arthur's downfall.¹⁷⁶ Similarly, in the *Alliterative Morte Arthur*, Arthur's downfall comes after he is so devastated by Gawain's death that he refuses to leave a battle he cannot win.¹⁷⁷ Evidently, Lancelot is the knight intended to meet the approval of an elite audience, although it must be recognised that the treatment of characters such as Gawain still retains a level of ambiguity, as he is praised for his military prowess many times. As Saul identifies in his consideration of *Sir Gawain and the Green Knight*, the ambivalence in the literature corresponds to 'the ambivalence at the heart of chivalry itself.'¹⁷⁸

Chronicle accounts of violence in war also highlight the danger of excessive or thoughtless violence. Failed battles due to foolish reactions to insults or cockiness are criticised in Walsingham's *Chronica Maiora* and the *Scalacronica*.¹⁷⁹ Calls for reform and concern with excessive behaviour amongst knights in chivalric literature could have

¹⁷³ Benson (ed.), *King Arthur's Death*, pp. 118 and 123-8.

¹⁷⁴ *Ibid.*, p. 72.

¹⁷⁵ *Ibid.*, p. 61.

¹⁷⁶ *Ibid.*, pp. 74-5, 78-9 and 82-4.

¹⁷⁷ *Ibid.*, pp. 226-30.

¹⁷⁸ Saul, *For Honour and Fame*, p. 158.

¹⁷⁹ The *Scalacronica* criticises the deaths which resulted in an ill-thought out response to enemy taunts in the Scottish Borders: King (trans. and ed.), *Sir Thomas Gray's Scalacronica*, p. 127. Walsingham criticises the Northumbrians' cockiness when fighting the Scots in the Borders: Taylor, Childs and Watkiss (trans. and eds.), *The St Albans Chronicle*, vol. 1, p. 233.

encouraged less violence, unless this was overshadowed by the praise of violent prowess.¹⁸⁰ The presence of this debate within the literature suggests that it was a cause for concern, despite Elias' claim that the literature replaced the excitement now lacking in civilised society, where aggression had been lessened.¹⁸¹ However, whilst the gentry wished to present a chivalric image of having the right and potential to engage in violence, they also recognised the benefits of a stable society, as argued by Carpenter.¹⁸² For instance, the gentry encouraged a conciliatory approach to those involved in the Peasants' Revolt rather than encouraging the crown to enact widespread capital punishment, which could have provoked further rebellious activity. Whilst the decrease in serfdom after 1381 was potentially exaggerated and the crown assisted the gentry to maintain their advantage by keeping wages low, so a conciliatory approach did not put the gentry at great risk of disadvantage, this peaceful response to disorder, in an attempt to restore stability, is striking.¹⁸³ The gentry saw the importance of stability, particularly in areas under threat from enemy attack, in which maintaining order internally was essential.¹⁸⁴ This suggests that they would have been keen to ensure that those who tried to form a chivalric identity by engaging in regular violence with few legitimising elements would have been viewed harshly by their peers. Instead, the chivalric characteristic of restraint would surely have been the favoured selection in terms of gentry use of violence.

This is also supported by the use of accusations of extreme or excessive violence as a means of delegitimisation. The relationship between cruelty and violence is an exemplary point for this concept. Cruelty has progressed from being regarded as extreme violence to being perceived as distinct from the spectrum of violence, due to the lack of beneficial results it produces and the degree to which it is a disproportionate response to the situation.¹⁸⁵ Accusations of cruel violence were a means of criticising an opponent and making them appear unjustified and savage, thus suggesting that the gentry would have been opposed to the use of violence which could be defined as cruel.¹⁸⁶ Strickland's study of anti-Scottish propaganda in the *Lanercost Chronicle*, which aimed to demonise the enemy by

¹⁸⁰ Kaeuper, *Chivalry and Violence*, pp. 22-8, 30-6 and 145.

¹⁸¹ Jephcott (trans.) and Dunning, Goudsblom and Mennell (eds.), *The Civilizing Process*, p. 375; Mennell, *Norbert Elias*, p. 58.

¹⁸² Carpenter, *Locality and Polity*, pp. 379-80 and 396.

¹⁸³ Keen, 'Heraldry and Hierarchy', p. 96; Saul, *Scenes from Provincial Life*, pp. 66 and 80; Hicks, *Bastard Feudalism*, pp. 5-6; Coss, *The Origins of the English Gentry*, p. 161; Rigby, *English Society in the Later Middle Ages*, p. 197; Rigby, 'English Society in the Later Middle Ages', p. 33; Noble, *The World of the Stonors*, p. 18; Goldberg, *Medieval England*, p. 3; Pollard, *Late Medieval England*, pp. 185-6; Musson and Ormrod, *The Evolution of English Justice*, p. 99; Fryde, *Peasants and Landlords*, pp. 29 and 134; Dyer, 'The Social and Economic Background', p. 25.

¹⁸⁴ Musson and Ormrod, *The Evolution of English Justice*, p. 79.

¹⁸⁵ D. Baraz, 'Violence or Cruelty?', p. 183; Miller, *Humiliation and Other Essays*, p. 70.

¹⁸⁶ For more information on cruelty as a concept see above, p. 10.

accusing the Scots of engaging in cruel violence, is indicative of this.¹⁸⁷ The claim in the *Scalacronica* that Hugh Cressingham, the king's treasurer, was skinned by the Scots, who made his skin into thongs, demonstrates the use of extreme and unnecessary violence to vilify an opponent.¹⁸⁸ Whilst the main aim of this propaganda was to demonise the enemy, it could still have indicated a subconscious division between the extremely violent activity of enemy soldiers and the level of violence acceptable within a society, suggesting that contemporaries would have wished to maintain this division.¹⁸⁹ It is also striking that both chronicles criticise extreme violence used by the enemy, whilst the *Scalacronica* is not as critical of general enemy raiding as the *Lanercost Chronicle*.¹⁹⁰ This is likely due to the *Scalacronica*'s author, Thomas Gray, being a knight engaging in military service and the *Lanercost Chronicle* having ecclesiastical origins.¹⁹¹ Evidently, even gentry who encountered violence regularly in warfare were aware that excessive or cruel violence could be deemed illegitimate, even if they were prone to identifying this only when it offered an opportunity to criticise their enemies.

This is not to say that the literary heroes never carried out violence which was incongruent with the ideology of chivalry. Robin Hood's brutal disfigurement and taunting of Guy of Gisborne's corpse, as he decapitates him and mutilates his face, is mirrored by Little John's jokes after murdering the porter, displaying 'cynical brutality'.¹⁹² The merciless killing of the monk's page by the outlaws in *Robin Hood and the Monk* is also jolting.¹⁹³ In *Robin Hood and Guy of Gisborne*, John kills the sheriff by splitting his heart with an arrow as he flees, with cold brutality.¹⁹⁴ There is a clear lack of sportsmanship, or chivalry, in this latter assault, and all show a clear level of ruthless violence with a lack of mercy or restraint.¹⁹⁵ It is difficult to see initially how these characters avoid being delegitimised by their activity, but it is nonetheless still clear that the author expects that his audience will continue to support the heroes. The fact that Robin is assisted in his fight with Guy by the Virgin Mary provides an example of this.¹⁹⁶ This expectation could be explained by the potential for the same violent action to be regarded as legitimate or illegitimate dependent upon the justifications given and the perspective of the reporter. Palmer's study of Irish beheadings and McKim's study of Scottish national heroes highlight the possibility for

¹⁸⁷ Strickland, 'A Law of Arms', p. 43.

¹⁸⁸ King (trans. and ed.), *Sir Thomas Gray's Scalacronica*, p. 41.

¹⁸⁹ Strickland, 'A Law of Arms', p. 50.

¹⁹⁰ See above, p. 29.

¹⁹¹ For more information on the origins of these chronicles see above, pp. 129-30.

¹⁹² Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 121 and 144; Green, 'Violence in the Early Robin Hood Poems', pp. 268 and 271.

¹⁹³ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 119.

¹⁹⁴ *Ibid.*, p. 145.

¹⁹⁵ Green, 'Violence in the Early Robin Hood Poems', pp. 268-9.

¹⁹⁶ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, p. 144.

violent activity to be deemed legitimate and illegitimate by different audiences which respond differently to justifications.¹⁹⁷

The strength of this suggestion grows when considering that the authors are generally careful to justify cruel or extreme violence, either by highlighting the villainy of the victims or by stressing the morality of the motivations. For instance, Robin and his men's cruel violence is still given a chivalric element, as it is generally targeted against characters who are criticised throughout, like the sheriff.¹⁹⁸ The violence against the page can be better explained as being due to a realistic need to avoid complications.¹⁹⁹ Robin accuses Guy of having been a traitor throughout his life after killing him, and claims his life needed to end.²⁰⁰ Guy seems to brag that he has 'done many a curst turne' and he has reportedly harmed many men with his weapons.²⁰¹ Justification of violence is a common and important theme.²⁰² Not only this, but extreme violence is also potentially justified by the idea that it is being used symbolically. As identified earlier, it could be possible that excessive violence was used to symbolise rejection of crown intervention or spectacular punishment.²⁰³ These different means of justifying extreme violence and the importance placed on justification suggest that this violence would need to be legitimised to have been approved of by the gentry and to prevent the heroes from becoming villains. This also strongly suggests that the gentry would not have approved of extreme violence being used in their own societies unless it was carefully and persuasively justified.

This section has considered the potential impact of chivalric and martial culture on gentry perceptions of violence, restraint and excess. Chivalry had the potential to encourage violent disorder and make the gentry more tolerant of violence if they saw violence as something they had the right to use whenever they faced conflict. It also presented violence as a source of pride or status, as literary characters were praised for violent prowess and were often quick to turn to violence. However, it was also identified that the stress placed on restraint in chivalric literature, with Lancelot providing an excellent example, and the disastrous results of unthinking or excessive use of violence, suggested either a positive influence for chivalry in encouraging the gentry to view violence as something that should be limited, or a concern amongst the elite that their peers were not controlling their violence

¹⁹⁷ Palmer, 'At the Sign of the Head', p. 135; McKim, 'Scottish National Heroes', p. 135.

¹⁹⁸ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 100, 117 and 145.

¹⁹⁹ *Ibid.*, p. 119.

²⁰⁰ *Ibid.*, p. 144.

²⁰¹ *Ibid.*, pp. 141 and 144.

²⁰² Other examples include the outlaw Eustache forcing a youth to hang himself, but only because he has to die to prevent him treacherously betraying Eustache to his enemies: Kelly (trans. and ed.), 'Eustache the Monk', p. 75. Gamelyn breaks the neck of the porter, but this is due to the porter barring the door against him: Knight (trans. and ed.), 'The Tale of Gamelyn', p. 177.

²⁰³ Green, 'Violence in the Early Robin Hood Poems', p. 276. For more information on metaphorical violence in the literature being considered see above, pp. 28, 179 and 189.

efficiently. This would indicate that those members of the gentry not engaging in this violence would have viewed their violent peers critically. The use of cruel or excessive violence as a means of criticism supports the idea that the gentry were keen to limit violence, as does the need for the use of extreme violence by literary heroes to be carefully justified. A desire to appear chivalric would not necessarily have affected the use of violence by the gentry, but the values of the chivalric ethos and their use in literature do provide an interesting insight into the way in which the gentry would have viewed the violence of their peers as appropriate to their social level, or as something to be avoided or limited.

Conclusion

This chapter has investigated a range of literary evidence, whilst also drawing connections with ideas formed through investigation of legal evidence in Chapter Five. This consideration has enabled the value of combining different types of evidence to be demonstrated. The legal and literary evidence support and supplement each other, and allow for each to be viewed in different lights. Legal evidence can show what the sample gentry were doing in terms of accusing or being accused of violent crime, but literary evidence offers more detail on what they might have thought about these accusations or the activity of others. This must always be placed in context to avoid exaggeration being accepted as reality. The combination of these forms of evidence has allowed several conclusions to be drawn within each section of this chapter. They have provided information concerning gentry perceptions of motivations for violence, the extent to which the victim of a violent attack could have affected gentry perceptions of this use of violence, and the contemporary issues surrounding the balance between the role of violence in chivalric and elite identity and the desire for stability amongst the gentry.

The first section highlighted the range of motivations existing for gentry violence in the fourteenth century, with literary evidence allowing much deeper consideration. The evidence suggests that gentry may have been motivated to commit violent acts due to a desire for financial or social advancement, being offended, pride, lordly influence or resentment of central authority expanding into the local area. However, it has also been identified that the gentry were unlikely to view these motivations with a similar level of approval. Some were more likely than others, and they may often have been combined with other motivations to give a veneer of legitimacy to violent activity. The motivation for violence would have affected the perception of the crime amongst the gentry to a certain extent. For example, offence alone was not a praiseworthy motivation, whereas the use of

violence to reclaim land which was falsely taken could have been considered more favourably, provided that the perceiver concurred that the land had been taken illegitimately and violence would have been more successful than use of the legal system. The point that the gentry would have perceived motivations differently depending on their involvement in the violent incident is clear. It has also been shown that there was some variation in the treatment of motivations in literature, and the likely existence of and perceptions of those motivations by gentry in reality, as literary violence could have been symbolic. For instance, resentment of officials may be a motivation in literature, but it was argued that gentry would have been less likely to be motivated by this alone and to approve of it in reality. They were frequently the officials under threat of attack. However, literature is generally a valuable source of evidence for gentry perceptions of different motivations for violence, when used in combination with legal records.

The next section addressed the potential impact of the victim's identity in determining how legitimate gentry would have perceived an act of violence to be. The consideration of literary evidence alongside some select cases from the previous chapter allowed several conclusions to be drawn. The literature indicates that a significant level of importance was placed on the victim's identity. Gender, age and status were factors. The literature also suggests that the selection of a victim deemed inappropriate in the elite ethos would mean delegitimisation. However, in the vast majority of the texts it becomes clear that delegitimisation could be avoided if a way was found to justify the individuals as being deserving of assault despite their status, gender or age. The morality and activity of the victim appear to have been viewed as crucial in determining their legitimacy as victims. Even if the victim offered no particular fault through their behaviour, there was still an opportunity for the actions to be justified if the perpetrator claimed that they were a necessity. The gentry wished to be viewed as highly moral figures and admired chivalric heroes, so violence against inappropriate victims would be unlikely to bring praise or pride. There is little clear evidence of assaults against these victims being carried out by the sample gentry of Hampshire, Nottinghamshire and Cumberland. Nevertheless, such ideals would not prevent gentry from engaging in violent activity if they felt it was justified and could present it as necessary or just to avoid condemnation, thus it should not be assumed that violence was never used against illegitimate victims.

The final section focused on gentry concerns with violent excess and restraint, which could not be addressed in depth in Chapter Five, since legal records provide only limited evidence for this topic. Despite the diversification of the function of the gentry in the fourteenth century, they still wished to promote a martial and chivalric image as a mark of their status. The potential impact of this wish on gentry perceptions of violence and its legitimacy as a tool in conflict was considered. It was identified that the potential impact

was ambiguous, as chivalry praised extreme violent prowess whilst also highlighting the dangers of violent conflict and stressing the importance of restraint. Whilst it was clear that the gentry admired violent heroes and regarded violence as their right as part of their status, it seems that they would still have valued restraint as a means of protecting stability in their societies. This would indicate that gentry not engaging in regular or extreme violence would have viewed their peers who did engage in this activity critically. The use of extreme violence as a means of delegitimation supports the idea that the gentry wished for violence to be limited, as does the need for the use of extreme violence by characters to be justified by authors. Ultimately the values of the chivalric ethos and their use in literature have provided an interesting insight into the way in which the gentry viewed the violence of their peers as appropriate to their social level, or as something to be avoided or limited.

The conclusions drawn in these three sections have covered a range of topics within the theme of gentry perceptions of violence. The benefit of combining different forms of evidence has also been demonstrated, as this chapter works in tandem with the previous chapter to provide a wide-ranging consideration of gentry violence and gentry perceptions of violence in fourteenth-century England. This chapter has also highlighted the key difficulty in assessing perceptions of an entire social group, namely that it must be remembered that individuals will have their own perceptions of an event. This perception will be dependent upon their involvement in the activity and how the activity affects them or their associates. Nonetheless, despite this limitation, as demonstrated above it has been possible to identify a number of views and values concerning violence which seem to have been a common theme amongst the gentry of fourteenth-century England, at least to a certain extent. This thesis will now progress to considering what the careers of gentry involved in violence can reveal about how they were perceived within society, to add another element to this consideration of gentry perceptions of violence.

Chapter Seven: Gentry Perceptions of Violence: Law-Breaking and Public Authority

Thus far this investigation of gentry perceptions of violence has focused on considering particular instances of violence, whether recorded in the legal records or in literary sources. This chapter will take a different approach by making use of the evidence from Chapters Five and Six, but also making a connection to Chapter Three. In Chapter Three the service and careers of the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland were discussed. It may seem strange to combine consideration of gentry service with an investigation of gentry perceptions of violence, but, as already identified, the gentry were both enforcers and breakers of the law. Both elements of their identity need to be considered together in order to gain as full a picture of their attitudes towards violence, crime and the law as possible within the confines of this thesis. The boundaries between legal violence and illicit violent crime were vague in nature. This allowed, or even encouraged, some members of the gentry to justify violent activity as the carrying out of legal or social duties, or an appropriate response to conflict as befitted their status and office.¹ These unclear boundaries and the idea that violence could be an acceptable action for the gentry within the law were discussed earlier in this thesis.² This concept of legal violence and the use of violence to enforce the law and punish law-breaking can reasonably be expected to have impacted on gentry perceptions of the legitimacy of violence.³ The idea that violence could be legal would surely have encouraged the gentry to see the use of violence, if it could be justified, as no barrier to advancement and approval in both local society and crown service.

Despite the potential fear of facing violent punishment within the legal system, it appears likely that the gentry were confident that they would be unlikely to suffer this in most situations, as will be shown in this chapter.⁴ The opportunities to avoid punishment meant that the legal system should not be overemphasised as a tool for discouraging gentry from engaging in violent crime or encouraging them to view violence as a more dangerous course of action. This is the case particularly when considering the opportunities offered to pursue violence under the pretence of legal activity.⁵ The expanding role of the gentry in legal administration could also have increased or decreased the extent to which the gentry

¹ Maddern, *Violence and Social Order*, p. 71; Kaeuper, 'Introduction', p. x.

² For an introduction to this issue see above, pp. 12-3, 15-8 and 22-3.

³ Maddern, *Violence and Social Order*, p. 69.

⁴ For discussion of the potential impact of the use of spectacular punishment see above, pp. 15-6, 22-3 and 177-8.

⁵ Maddern, *Violence and Social Order*, p. 74.

viewed violence as a good tool to use in their disputes.⁶ The gentry's role in the legal system may have led to the gentry limiting their actions in disputes to the use of the legal system. Alternatively, it could have provided them with a new tool to use alongside violence in disputes and an opportunity to give their violent activity a greater air of legitimacy.⁷ The use of peace commissions and accusations of violent crime as weapons in ongoing gentry disputes, and the evidence of gentry taking opportunities to exploit the legal system, support the idea that the expansion of the legal system and the involvement of the gentry within this did not necessarily make them less inclined to engage in violence.⁸

The role of the gentry as enforcers of the law did not necessarily lead to them taking a more negative view of violence, although as shown it could have affected their perceptions of the extent to which using violence within disputes was a dangerous course of action. The main aim of this chapter will be to use evidence of the careers of gentry, including those who appear in records of violent crime and those who do not, in order to assess the extent to which violent activity hindered the progression of their service careers. This can then be used to provide evidence of how far the gentry were likely to have regarded violent crime as something which would hinder their career progression and threaten their position in society, or as something which would have no impact or perhaps even advance them in society. As is the case elsewhere in this thesis, the difficulty of identifying a unified gentry perspective on the dangers of using violence which can be applied universally will be remembered. The importance of individual circumstances and opportunities must be recognised. Part of this larger consideration will involve investigation of whether or not the type of service engaged in by the gentry had an impact on their decision to use violence and their perception of how far violent activity was a dangerous risk.

The debate surrounding the extent to which the gentry were militarised or placed a higher value on administrative service in the fourteenth century was introduced in Chapter Three.⁹ Consideration of the service patterns of the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland demonstrated that, whilst some gentry may have had a preference for different types of service and some families may have had traditions of service, in general the gentry took the best opportunity offered to them to engage in service. A clear preference for one type of service could not be universally identified. What remains to be considered is the extent to which different service could have left the gentry more or less inclined to engage in violence, as well as the extent to which violent activity could have been seen as a barrier to particular types of service. The centrality of violence in knighthood

⁶ Harding, *The Law Courts*, p. 92; Brown, *The Governance of Late Medieval England*, p. 101.

⁷ Ormrod, *The Reign of Edward III*, p. 160.

⁸ Harding, *The Law Courts*, p. 94; Griffiths, *The Reign of King Henry VI*, p. 129; McLane, 'Juror Attitudes', p. 52.

⁹ For a discussion of the militarisation debate see above, pp. 76-83.

and military service could lead to the argument that gentry engaged in this form of service were more inclined to be violent.¹⁰ Furthermore, the granting of pardons in exchange for military service could suggest that gentry were less likely to believe that this behaviour would limit the potential for them to be employed in further service of this kind than gentry in administrative service.¹¹ However, as discussed already, administrative service could have made the gentry feel more secure in their use of violence, and facing the realities of war could also have made the gentry less inclined to tolerate violence within their own society.¹² This issue needs therefore to be considered in depth in this chapter through analysis of the careers of sample gentry.

The chapter will be divided into three sections. The first section will focus on the potential impact of violence on the careers of gentry engaging in administrative service. In turn it will then consider the extent to which these members of the gentry would have viewed violent activity as something which could hinder their careers, have no effect on their employment, or even advance their careers. At points this section will consider service as an MP distinctly from other administrative service, such as serving as sheriff or escheator, or serving on commissions, in order to assess whether violence was more of a hindrance to employment in particular positions. The decision was made to consider MPs separately since they were not selected centrally, like sheriffs, escheators and those serving on legal commissions. Whilst Bradford has acknowledged that the process of election is unclear, it does appear that the sheriff, and the county court, had some role in selecting the men who would be returned by the sheriff as MPs. The sheriff was required to summon the county court to make a selection.¹³ The election of MPs within the county allows for consideration of the extent to which local society was more or less likely to allow violent gentry to serve administratively in the locality than the crown was to employ them in administrative service. It will be investigated thereby whether local gentry were more or less tolerant of violence than the crown. The second section will embellish this discussion by incorporating evidence of gentry who served militarily and received pardons for military service. This will enable

¹⁰ See above, pp. 24-7.

¹¹ Barber, *The Knight and Chivalry*, p. 334; Musson and Ormrod, *The Evolution of English Justice*, p. 117; Prestwich, 'The Enterprise of War', pp. 88-9 and 74; Kaeuper, *Chivalry and Violence*, pp. 93-8; Kaeuper, *War, Justice and Public Order*, pp. 5, 192 and 267-8; Vale, 'Violence and the Tournament', p. 158; Goldberg, *Medieval England*, p. 118; Ayton, *Knights and Warhorses*, pp. 27 and 251; Carroll, 'Introduction', p. 21. The issue of pardons will be discussed in greater detail below, pp. 216-7.

¹² For a discussion of the potential for the legal system to encourage gentry to feel secure when using violence see above, pp. 15-6 and 22-3. For a discussion of the potential for facing the realities of war making the gentry more likely to be concerned with maintaining order in their societies see above, pp. 25-6.

¹³ Bradford, 'Parliament and Political Culture', p. 107. The 1320 complaint of the Lancashire community that the sheriff had simply sent two of his associates to parliament rather than allowing them an input in selection of the MPs reflects that the local community may not have always been allowed their say, but it was expected that at least the local elite would have some influence over who was selected as MPs: *Ibid.*, pp. 110-1.

discussion of the idea that serving militarily led to gentry having different perceptions of violence to those serving administratively, as well as consideration of the extent to which violence would have been regarded by the gentry as more or less of a barrier to different types of careers.

The final section will have a slightly different focus, as it will consider the extent to which gentry viewed violence as an affront to the law, and to the crown. It will also attempt to offer some explanations for why the gentry may have viewed violence as a legitimate action for them to engage in despite carrying out legal service, in which they may have been charged with catching or convicting others engaging in violence. The methodology of considering gentry careers of service will still be used. This will be combined with literary depictions of perceptions of violence which connect to the topic of violence being used against the law and the crown, as well as any literature which provides evidence for violence being regarded as a help or hindrance for careers. This section will be followed by a conclusion which will draw together the theories advanced in the chapter, to highlight the main arguments made. This will conclude the consideration of gentry perceptions of violence begun in Chapter Four, and therefore lead to Chapter Eight. Chapter Eight will consider the thesis as a whole and identify the answers provided to the research questions and problems identified in Chapter One, as well as offering ideas for how these discoveries contribute to other areas of study and how they may be further studied.

Violent Crime and Administrative Service

This section will consider the varied effects of the use of violence on gentry careers in administrative service. It will draw conclusions thereby concerning the extent to which gentry would have viewed being accused of violent crime as a potential barrier to further service. A range of different patterns of service and violence will be considered. This will begin with those who served as MPs for at least part of their service careers, before being accused of violent crime and then not being recorded as carrying out further administrative service of any kind. As discussed above, this may indicate perceptions in the locality of their behaviour, due to the different means of selecting MPs to other officials.¹⁴ From a modern perspective this would be the expected result, as those accused of breaking the law with violence seem ineligible to be employed in local administration. However, as the chapter progresses it will become clear that many gentry were able to secure administrative service

¹⁴ For more detail about this see above, p. 205.

despite having been accused of violent crime. This reflects the theory introduced above that the gentry of fourteenth-century England did not necessarily view violence as the antithesis of the law or as something which would ostracise them from society.¹⁵ However, there are examples which indicate that some gentry did not continue serving after being accused of violent crime, and these must be considered first. Before commencing this discussion, it must be acknowledged that some records may not have survived. However, enough evidence exists to be sure that the gentry to be considered first in this chapter did not achieve significant administrative careers after being accused of violent crime.

Examples of gentry not being employed as administrative servants in the locality after being accused of violent crime exist throughout the fourteenth century for Hampshire, Nottinghamshire and Cumberland. Walter Goushill, of Hoveringham, Nottinghamshire was MP for Nottinghamshire in 1307.¹⁶ He had also served militarily in 1301, but does not appear in military service records again.¹⁷ Walter was pardoned for the death of Robert le Palmer, as recorded in a commission of 19 April 1327, and he does not appear in the records after this for carrying out any form of administrative service in Hampshire.¹⁸ It could be argued that Walter's service was by no means extensive before 1327, with just one period of service as an MP, and so perhaps he simply chose not to take the opportunity of further service. In this case it makes sense to compare Walter's situation with a man who served considerably more times in his locality in the early-fourteenth century. Thomas Warblington, of Warblington, Hampshire, followed his military service in the Borders in 1301 by becoming sheriff of Hampshire three times from 1303 and representing Hampshire twice in parliament in 1307 and 1313.¹⁹ Thomas was amongst the accused in a commission issued on 23 August 1320. Joan, widow of John Bohun, Lord of Midhurst in Sussex, complained that men broke her manor of Cowdray by Midhurst, Sussex, took goods, broke and hunted in her park and assaulted her servants.²⁰ After this he too does not appear again in the records of administrative service. Thomas had served extensively before this, leading to the possibility that this accusation had led to him not being offered further opportunities in this area. This is despite his crime being committed in another county, which may undermine the idea that gentry could commit crimes in other counties with few repercussions. This argument is more related to repercussions in the form of punishment within the legal system however, which Thomas does appear to have avoided. It could be argued that his selection of a more elite

¹⁵ See above, pp. 15-7.

¹⁶ *Members of Parliament*, vol. 1, p. 28.

¹⁷ *PW*, vol. 1, p. 355.

¹⁸ *CPR, 1327-30*, p. 57. Robert le Palmer could unfortunately not be identified, although he does not appear to have been a member of the local gentry.

¹⁹ *PW*, vol. 1, p. 350; *Members of Parliament*, vol. 1, pp. 28 and 44; Hughes, *List of Sheriffs*.

²⁰ *CPR, 1317-21*, p. 539.

victim played a role in limiting his career, although it will be shown below that others were not affected in this way.²¹

Of course, it could be the case that both men had simply retired from service, as both accusations came a considerable length of time after their last recorded engagement in local officialdom. A member of the Cumberland gentry who has already been introduced, Robert Leyburn, had a career which is similar to this.²² His last of three periods serving as an MP was in 1321, and his service in the royal household and warfare came before this.²³ After a considerable space of time, he was named as one of the men accused of freeing impounded cattle in Teesdale, Yorkshire, as well as committing assault and other crimes in a commission issued on 3 November 1335.²⁴ He again does not appear in the records of service after this, and so the same conclusions can be drawn from his career, with the same criticisms. Other examples show a much smaller lapse of time between the service and the accusation of violent crime. For instance, John Fraunk was MP for Hampshire on 6 October 1363.²⁵ Only a year after this, he was one of the accused in a commission of 25 April 1364 in which William Edington, Bishop of Winchester, complained that men abducted Joan, daughter and heir of Philip Daundely, whose marriage belonged to him.²⁶ Unfortunately, as with the other crimes, the results of the case are unknown. Nevertheless, John is absent from the records of service after this. These examples by no means prove that violence was a barrier to a career in service, but they do suggest at least the potential for gentry to view violence as something which may end a career if deemed illegitimate. The careers of these gentry give the impression that violence could preclude further service, be this through crown selection or election to parliament by the local elite.

However, as identified, this evidence is by no means convincing. As will now be shown, there were a considerable number of men who continued their careers after being accused of violent crime. It could be the case that continued service as an MP indicates approval amongst the local elite, by whom the candidate was primarily selected, whilst continued crown service, as a sheriff, escheator, or on commissions, indicates crown

²¹ For an example of gentry continuing their service careers after attacking members of the higher elite, see below, pp. 210-1.

²² For a more detailed introduction to Robert see above, p. 91.

²³ *Members of Parliament*, vol. 1, pp. 43, 57 and 62; *PW*, vol. 1, pp. 323-4 and 327.

²⁴ *CPR, 1334-8*, p. 216. This crime is discussed in detail in Chapter Five: see above, pp. 157-8.

²⁵ *Members of Parliament*, vol. 1, p. 173.

²⁶ *CPR, 1361-4*, p. 538. For an introduction to William Edington see above, pp. 63-4. John Fraunk only appears once in the records of service before his crime, and does not appear elsewhere, so he is unlikely to have been a leading member of the gentry, whereas Philip Daundeley was a knight, so it is possible that John hoped to increase his local standing through possession of Philip's heir's marriage. For an introduction to the value of marriages see above, p. 148. Again, John's lack of service afterwards could be used as an argument that anti-hierarchical violence was punished more harshly in terms of career continuation, but the fact that other examples in this discussion have shown violence being used against social equals by individuals who have acquired no further service suggests that this idea is not necessarily borne out by the evidence.

approval, but not necessarily acceptance in local society. It is important therefore to consider the extent to which those who had earlier served as MPs were able to continue to secure employment either as an MP or in administrative service to the crown. There are examples of gentry who were accused of violence after serving as MPs, and then went on to serve administratively again. However, this was not as MPs. For instance, Robert Mulcastre served as MP for Cumberland in 1325.²⁷ He was accused, in a commission of 2 December 1330, of violently preventing Henry and Margaret Malton from entering their land by occupying and using it.²⁸ He was also accused, in a commission of 1 July 1344, of disrupting a legal session in Carlisle by attacking the justices and preventing them from carrying out their work.²⁹ Despite these accusations, Robert went on to serve on tax commissions in 1344, 1345 and 1346, although he did not serve again as an MP.³⁰ Perhaps Robert was viewed too critically in local society to serve again as an MP after assaulting his fellow gentry, particularly when they were engaged in service. Despite this, he was still able to secure crown favour.

Hugh Hercy, of Grove, Nottinghamshire, had a career which contrasts with this. Hugh served as MP for Nottinghamshire in 1304-5, 1311 and 1316.³¹ He was amongst the accused in a commission of 18 September 1314 by John Corbrigg, parson of the church of Grove. John complained that his houses at Grove, Nottinghamshire, were broken, his trees were felled and taken with other goods, his horses were driven away and he and his men and servants were assaulted.³² However, Hugh went on to serve on a commission of array after this in 1316, so again he was not barred from crown service.³³ Neither did it prevent him from serving as an MP after this accusation, as one of his periods of service as an MP came after the accusation. Similarly, Peter Tilliol was one of the other accused men in the commission of 1335 involving Robert Leyburn above.³⁴ He served as MP eleven times from 1327 to 1347-8, thus demonstrating that accusations of violent crime did not mean a lack of access to elections to parliament.³⁵ Peter also carried out other administrative service before and after the accusation, as he served as sheriff in 1327 and on a range of commissions, including gaol delivery and array, and was commissioned to investigate illegal trading with

²⁷ *Members of Parliament*, vol. 1, p. 73. For more detail on the administrative career of Robert Mulcastre see above, pp. 159-60.

²⁸ *CPR, 1330-4*, p. 59. This crime and the parties involved, who were part of Cumberland gentry society, have been discussed above, p. 144.

²⁹ *CPR, 1343-5*, p. 387. This case has been discussed above, pp. 159-60.

³⁰ *CFR, 1337-47*, pp. 393, 435 and 483.

³¹ *Members of Parliament*, vol. 1, pp. 19, 35 and 53.

³² *CPR, 1313-7*, p. 232.

³³ *Ibid.*, p. 460.

³⁴ See above, p. 208.

³⁵ *CPR, 1334-8*, p. 216; *Members of Parliament*, vol. 1, pp. 64, 80, 85, 91, 100, 106, 114, 124, 130, 134 and 143. Peter Tilliol and his family have been introduced above, p. 103.

the Scots in 1344.³⁶ Clearly Peter was not barred from either type of administrative service due to this accusation of violent crime. Theobald Russell was MP for Hampshire, serving on two occasions, in 1331 and 1334, despite being accused of breaking John Langford's manor and chase at Chale in the Isle of Wight, burning his houses and goods, taking trees and goods and assaulting his servants in a commission of 1333.³⁷ The careers of these men provide convincing evidence for the argument that violence, if viewed as legitimate, was not a barrier to the ambitions of men who had already served administratively, either as MPs or as crown officials. This suggests that those who do not appear in the records of legal service after being accused of violent crime perhaps chose to avoid further service, were not offered it for other reasons, or engaged in violence deemed illegitimate.

What must now be considered is the possibility for those accused of violent crime to enter into administrative service, if they had not served in this way before. This will allow for an assessment of the extent to which gentry who had served before may have felt that their violence would have been less likely to prevent them from gaining service afterwards than those who had never served in the locality before. A brief investigation of the gentry of fourteenth century Hampshire, Nottinghamshire and Cumberland makes it clear that violent crime did not necessarily mean that the accused could not be elected as an MP after the claim, even if they had never served administratively before. John Roches was MP for Hampshire in 1320, 1331-2 and 1337 and served on a range of commissions.³⁸ He surrounded this engagement in local administration with military service in Scotland in 1301, and Gascony in 1325.³⁹ John was amongst those accused alongside Thomas Warblington of breaking the manor belonging to Joan Bohun, in a commission of 1320 which has already been introduced.⁴⁰ So, although he had served militarily before being accused of violent crime, it was not until after this accusation that he was elected to parliament. It should also be highlighted that this undermines any sense that Thomas Warblington was prevented from further service due to violently robbing Joan Bohun and thereby attacking his social superior as she was the widow of Baron Midhurst; she was also John Roches' social superior as he was a member of the gentry, and he was able to serve

³⁶ Hughes, *List of Sheriffs*; *CPR, 1324-7*, p. 53; *CPR, 1334-8*, p. 137; *CPR, 1340-3*, pp. 322 and 363; *CPR, 1343-5*, pp. 280 and 293; *CPR, 1348-50*, p. 80.

³⁷ *Members of Parliament*, vol. 1, pp. 95 and 105; *CPR, 1330-4*, p. 439. Theobald was a member of the Russell family, which was a gentry family from Hampshire and has been introduced above: see above, p. 85-6 and 140. John Langford was another member of the Hampshire gentry. He carried out extensive service which included serving militarily in 1329 with Edmund Earl of Kent, being keeper of the Isle of Wight in 1335, being commissioned to enquire into breaches of the Statute of Northampton in 1337, and serving as constable of Carisbrooke Castle in 1339: *CPR, 1327-30*, p. 397; *CPR, 1334-8*, pp. 163 and 510; *CPR, 1338-40*, p. 212.

³⁸ *Members of Parliament*, vol. 1, pp. 61, 68 and 97. John Roches has already been introduced already in this thesis: see above, pp. 85-6.

³⁹ *PW*, vol. 1, pp. 348 and 350 and vol. 2, p. 701.

⁴⁰ *CPR, 1317-21*, p. 539. For more details about this case and the parties involved see above, p. 207.

administratively after being accused of this crime.⁴¹ John was a member of the early-fourteenth century Hampshire gentry, but there are numerous examples of men from both Nottinghamshire and Cumberland who achieved election to parliament after being accused of violent crime, as well as examples from Hampshire from the latter half of the fourteenth century.

Sir Robert Markaunt, of Hinton Markaunt, Hampshire, provides an example for the late-fourteenth century in Hampshire. He served as MP for Hampshire in 1357-8 and 1360-1, despite being accused of breaking and robbing the Sussex knight Nicholas Viler's park of Treyford, Sussex, and assaulting his men and servants in a commission of 1344.⁴² He had not engaged in administrative service before. Military service in France came between being accused of this crime and serving administratively, so whilst there is no evidence of a pardon, it could be argued that this service was a redeeming factor.⁴³ However, as is evident from consideration of other cases, redemption through military service was by no means a prerequisite for administrative service. To turn to early-fourteenth-century Nottinghamshire, William Gotham, of Gotham, Nottinghamshire, was MP for Nottinghamshire in 1326-7 and served on a commission of *oyer* and *terminer* in 1328.⁴⁴ Before this he was recorded in a commission of 18 July 1315 as one of the men accused of forcibly entering the house of Joan, widow of Alan Fraunceys of Beckingham, and abducting her son Thomas, Alan's heir.⁴⁵ This did not prevent him from later serving as an MP. This pattern continued in Nottinghamshire in the second half of the fourteenth century. For instance, Thomas Neville of Rolleston was MP for Nottinghamshire in 1363.⁴⁶ This was despite being one of the men accused of breaking the close and houses of Edmund Pierrepont at Coddington, Nottinghamshire, driving away animals and assaulting his men and servants in a commission of 11 March 1355.⁴⁷

There were also numerous gentry in Cumberland who served as MPs in the fourteenth century after being accused of violence, who had not served administratively before. Richard Salkeld's service as MP for Cumberland in 1382 followed a petition of c.1374 in which Richard was accused of preventing Thomas Ormside, vicar of Addingham, and his servants from approaching their vicarage due to threats.⁴⁸ Richard was ordered to

⁴¹ Joan was the widow of John Bohun, Lord of Midhurst, Sussex, as identified above, p. 207.

⁴² *CPR, 1343-5*, p. 278; *Members of Parliament*, vol. 1, pp. 162 and 167.

⁴³ See above, p. 99. For a discussion of military pardons for violent crime see below, pp. 217-8.

⁴⁴ *Members of Parliament*, vol. 1, pp. 76 and 125; *CPR, 1327-30*, p. 285.

⁴⁵ *CPR, 1313-7*, p. 409. This case and the parties involved are discussed in detail above, pp. 154-5.

⁴⁶ *Members of Parliament*, vol. 1, p. 173. Thomas' son William engaged in considerable military service and was a leading member of gentry society in Nottinghamshire: see above, pp. 109-10.

⁴⁷ *CPR, 1354-8*, p. 232. Edmund Pierrepont, a prominent Nottinghamshire-based gentry retainer of John of Gaunt, has been introduced above, p. 58.

⁴⁸ *Members of Parliament*, vol. 1, p. 210; SC 8/216/10766. For more details about this case and the parties involved, including Richard Salkeld, Lord of Addingham, see above, pp. 160-2.

find surety of peace for him, his brothers and his men, on pain of a £200 fine to the crown, but this had no lasting impact on his ability to serve in the locality. As has already been identified in this thesis, Richard was also bailed for illegal hunting in 1374 and accused of violently freeing a prisoner from the sheriff of Cumberland, John Derwentwater, as recorded in 1378.⁴⁹ This provides a clear indication of crime not necessarily barring gentry from service in parliament. A commission of 12 July 1376 records William Whitelaw of Penrith's complaint that Robert Lowther and others assaulted him and took his goods at Penrith, Cumberland.⁵⁰ Robert Lowther was MP for Cumberland from 1391, was appointed to peace commissions in Cumberland from 1397 and later served as sheriff and escheator, thus providing a striking example that he was able to secure employment both in parliament and as a crown servant after the accusation.⁵¹ The careers of these men show that violence would not have been viewed by the gentry as something which would necessarily prevent them from serving in parliament.

Some of the men discussed thus far provide examples of gentry not just serving in parliament, but also engaging in crown service after being accused of violent crime. This suggests that violence would not affect crown service either. For instance, as mentioned, Robert Lowther's career was not limited to serving as an MP after being accused of violence. He was also employed as sheriff and escheator of Cumberland, as well as being appointed to peace commissions.⁵² As shown above, John Roches and Hugh Hercy also enjoyed careers which demonstrate that this was possible in Hampshire and Nottinghamshire, as well as Cumberland.⁵³ A member of the Cumberland gentry, Hugh Moresby, followed election to parliament in 1334 and 1337 with considerably more service.⁵⁴ He was sheriff and escheator in 1341, an investigator of those illegally aiding the Scots in 1342 and a commissioner of *oyer* and *terminer* in 1344.⁵⁵ Hugh was one of the men accused of breaking and robbing the mill and close of the abbot of St Mary's York at Culgaith, Yorkshire, and assaulting William Garth, his servant, in a commission of 5 March 1328.⁵⁶ Despite not serving administratively before this, Hugh had been one of the men

⁴⁹ These cases and the parties involved are discussed in greater detail above, pp. 159-61.

⁵⁰ This case was discussed in detail above, p. 137. The Lowther family, including Robert, has been introduced in greater detail above, pp. 45 and 212. They held Lowther Castle in Penrith, and appear to have been local rivals of William Whitelaw.

⁵¹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 639.

⁵² See above, p. 212.

⁵³ See above, pp. 209 and 221.

⁵⁴ *Members of Parliament*, vol. 1, pp. 104 and 116.

⁵⁵ Hughes, *List of Sheriffs*; Wood, *List of Escheators*; *CPR, 1340-3*, p. 544; *CPR, 1343-5*, p. 277.

⁵⁶ *CPR, 1327-30*, p. 289. Unfortunately this commission is too early to be assigned to Thomas Multon, Abbot of York from 1332 to 1359, as Maddicott has made an interesting argument for Thomas being a potential candidate as the inspiration for the character of the abbot of York in the *Gest* due to his corrupt activity. Whilst Maddicott acknowledges that the case is by no means completely convincing, it does indicate the parallels to outlaw literature in reality and suggests that gentry attacking ecclesiastical officials may have believed that they could give their behaviour a

granted land by the crown for demonstrating military prowess by defeating and capturing Andrew Harclay, so it could be posited that he viewed violence as a means of advancing himself rather than as a dangerous risk.⁵⁷ The fact that he was able to enjoy an extensive career of administrative service after this accusation of violent crime offers greater evidence for the argument that he was likely to view violence as a means of advancement, rather than as a barrier.

The Cumberland-based knight John Huddleston followed military service from 1298 to 1300 with more administrative service on a commission of array in 1303.⁵⁸ Strikingly, in between engaging in these two types of service, John was awarded a pardon for homicides and other crimes due to his military service in Scotland.⁵⁹ He was then free to engage in administrative service. The impact of pardons on gentry perceptions of the extent to which violence was a risk will be discussed in the second section of this chapter.⁶⁰ However, John's career, and the careers of the other gentry who were employed in crown service after being accused of violence, indicate the potential reasons for gentry feeling able to engage in violent crime with few risks. William Lowther followed election to parliament for Cumberland from 1393 with service as an escheator and sheriff and involvement in a range of commissions, as well as serving militarily in the Borders.⁶¹ He provides further evidence for this idea, having engaged in this service despite having been accused of assaulting and robbing William Whitelaw in 1376 with other members of his family, in a crime discussed already.⁶² The foregoing discussion has strongly suggested that many gentry were able to engage in administrative service of any kind despite being accused of violent crime, and independent of whether or not the accused had served before their accusation, throughout the fourteenth century, in Hampshire, Nottinghamshire and Cumberland. What is noticeably absent from the discussion thus far though, is the potential for gentry to feel able to engage in violence whilst actively in the process of serving administratively. Evidence for this is more limited, but it will now be considered.

The case of Annore Wyville, widow of John Wyville, as recorded in 1385, has been discussed in detail in Chapter Five.⁶³ The details will not be fully repeated here, but a brief summary will be provided. Annore claimed that she was regularly attacked by a group of

vener of justification due to its similarity to the actions of outlaw heroes: Maddicott, 'The Birth and Setting', pp. 282-6.

⁵⁷ *CPR, 1327-30*, p. 391.

⁵⁸ *PW*, vol. 1, pp. 323-4 and 371-3; Honeywell, 'Chivalry as Community and Culture', p. 248; *CPR, 1301-07*, p. 132. John Huddleston has been introduced above, p. 213.

⁵⁹ *CPR, 1301-07*, p. 225.

⁶⁰ See below, pp. 217-8.

⁶¹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 641. For an introduction to the Lowther family see above, p. 45.

⁶² For a discussion of this case and the parties involved see above, p. 137.

⁶³ KB 9/167, rots. 20 and 21. For full details of the case and the individuals involved see above, pp. 152-3.

gentry who robbed her and threw her out of her manor at Smallbrook, on the Isle of Wight. The names of the accused vary between the accusations, but John Woodcock, a member of the Hampshire gentry who was one of the king's sergeants at arms at the time, was involved when the group abducted Annore and some of her men and extorted money from them.⁶⁴ Annore stresses in her complaint that the accused 'did not have a commission' to remove her from her manor. This appears to be an attempt to highlight the fact that this activity was not being carried out within the legal system, as it seems that John Woodcock may have been attempting to use his position as a means of legitimising his violent activity. This indicates that the gentry not only often viewed violence as something which would not bar them from service, but also as something they could use with few risks when engaged in service. The fact that John appears again in crown service, this time as groom of the counting-house in 1397, provides further evidence for the idea that the gentry did not regard engaging in violent crime whilst carrying out service as something which would irreparably damage their eligibility for further service.⁶⁵ It must however be acknowledged that there was a considerable gap between the periods of service. This could suggest a period of disfavour, but it is more likely to simply reflect an absence of opportunity, if the continued careers of other gentry accused of violent crime are taken as evidence.

Another example of a member of the gentry having been accused of violence whilst actively engaged in service comes from Nottinghamshire, and provides even more persuasive evidence for the argument that gentry would not have viewed all violence as being a risk which would definitely threaten their career. Simon Leek served as an MP for Nottinghamshire ten times from 1363 to 1382.⁶⁶ He was also sheriff of Nottinghamshire in 1363-4 and 1382-3 and served on a variety of commissions from 1366, such as peace commissions from 1368.⁶⁷ Simon was one of the accused in a commission of 8 July 1364, which explicitly refers to him serving as sheriff of Nottinghamshire at the time the crime was claimed to have happened. The prior of the Hospital of St John of Jerusalem in Nottingham complained that men had carried away his goods at Swinderby, Lincolnshire, assaulted his bondsmen and servants in Lincolnshire and Nottinghamshire, leaving some with broken limbs, and chased them out of his lands so they dared not come back for tilling.⁶⁸ This did not prevent Simon from continuing a career of extensive service. His next appointment to parliament after the accusation in 1364 was in 1364-5, and commissions

⁶⁴ John Woodcock is introduced above, p. 152.

⁶⁵ *CPR, 1396-9*, p. 224.

⁶⁶ *Members of Parliament*, vol. 1, pp. 170, 175, 177, 180, 189, 191, 194, 198, 208 and 213. Simon was a member of the gentry Leek family of Leake and Cotham in Nottinghamshire. This family, including Simon, are introduced above, p. 57.

⁶⁷ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 583; *CPR, 1364-7*, p. 286; *CPR, 1367-70*, p. 191.

⁶⁸ *CPR, 1361-4*, pp. 546-7.

followed in the next few years. This undermines the idea that a period of absence from service was enforced after violent crime. That he was able to serve as sheriff again, albeit eighteen years after the commission, strongly suggests that the gentry would not have been overly concerned with the effects of violent crime on their careers if they felt secure that it could be excused or justified.

The careers of these two men, and indeed most of the gentry discussed thus far in this section, strongly suggest that the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland had good reason to believe that engaging in violence was not likely to be a hindrance in attempts to forge a career in administrative service. However, there are examples, as discussed at the beginning of this section, of gentry who may have had their prospects of advancement through administrative service destroyed due to accusations of violent crime. Admittedly, these are not conclusive, and are considerably outnumbered by gentry who were able to continue serving after having been accused of violent crime. Nevertheless, this should not lead to the conclusion that the gentry were always devoid of fear of repercussions. As has already been shown in this thesis, the gentry were critical of what they deemed to be excessive violence, and were keen to maintain a stable society. A society in which individuals constantly feared violent attack does not suggest consistency, despite the gentry perception of violence as sometimes being a positive action. Furthermore, there are numerous examples of gentry who engaged in administrative careers in their locality but did not engage in violent crime, suggesting that these gentry either feared violent repercussions or felt that their violence would have damaged their administrative careers if not deemed legitimate. Accusations against them could of course be missing from the records, but it seems unfair to claim that this applies in all, or even the majority, of these cases. Examples from Hampshire, Nottinghamshire and Cumberland are common throughout the fourteenth century.

For instance, Peter Evercy was summoned to serve in war in 1301 and was MP for Hampshire three times from 1312, but does not appear in any records of violent crime.⁶⁹ Despite others engaging in violence and still being able to serve several times as an MP, as shown in this section, it appears that Peter still decided to avoid engaging in violence. This could indicate that he feared that he would not similarly avoid his career being hindered, or could be more to do with a fear of repercussions from his peers and a desire to preserve stability. The importance of stability for the gentry has been identified previously.⁷⁰ To provide a Nottinghamshire example, Lawrence Chaworth served as MP for Nottinghamshire

⁶⁹ *PW*, vol. 1, p. 350; *Members of Parliament*, vol. 1, pp. 42, 56 and 68.

⁷⁰ For an indication of the importance of stability for the gentry see above, pp. 25-7. Peter Evercy held land in Somerset, including the manor of Brympton, and Hampshire, including the manor of Standon on the Isle of Wight.

twice from 1312 to 1316 and on commissions of *oyer* and *terminer* in 1314 and 1326.⁷¹ He too is absent from records of violent crime. Moving further north, William Mulcastre served as MP in 1309 and 1311, and before this he served as sheriff in 1304 and on a commission of *oyer* and *terminer* in 1305 for Cumberland.⁷² He also served as a commissioner of array in 1316, despite not appearing in the records of accusations of violent crime.⁷³ Ultimately, whilst the gentry may not have deemed violence as an unbreakable barrier to administrative service, they were still likely to have acknowledged that it carried a level of risk and was not a tool to be used excessively. It should not be assumed that the gentry thoughtlessly engaged in violence at all times with no sense that this could have caused problems, despite it not appearing to have regularly impeded service careers. There were other potential repercussions, after all, such as reciprocal violence from the victims.

This section has considered a range of possibilities for the potential impact of violent crime on gentry careers in administrative service, and the effects this may have had on gentry perceptions of violence. The overall impression reached is that there is limited evidence to suggest individual careers being cut short due to violent crime. However, this could also have been due to other reasons, such as retirement, or a lack of desire for further involvement in administrative service. There are considerably more examples of gentry continuing to serve in their localities after having been accused of violent crime. It was suggested that there may have been some variety between election to parliament and other crown service, as the crown and the local gentry may have had differing views on the eligibility of those accused of violent crime to serve administratively. It was demonstrated that gentry accused of violence were frequently able to remain active in both fields. It was also shown that gentry who had not served administratively before being accused of violent crime were able to enter into this form of service afterwards. This indicates that it was not just those who had already established themselves as administrative servants who were able to avoid exclusion. Even those accused of violent criminality whilst engaging in administrative service were shown to be able to avoid their careers ending. It must be highlighted that this section should not be taken to mean that the gentry viewed violence as universally acceptable; indeed many gentry chose to avoid engaging in violent crime. It does however strongly suggest that the gentry were not likely to have viewed violence as something which would necessarily have hindered their careers in administrative service, even if it may have brought other repercussions from their victims.

⁷¹ *Members of Parliament*, vol. 1, pp. 42 and 53; *CPR, 1313-7*, p. 241; *CPR, 1324-7*, p. 289. For an introduction to the gentry Chaworth family, who held Wiverton, Nottinghamshire, see above, p. 57.

⁷² Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 30 and 35; *CPR, 1301-07*, p. 407.

William Mulcastre and the Mulcastre family are introduced above, pp. 46-7 and 93-4.

⁷³ *CPR, 1313-7*, p. 460.

Violence, Pardons and Service

The extensive granting of pardons to violent criminals, often in return for military service, is a common theme in discussions of fourteenth-century criminality. As Lacey has identified, there were around 40,000 letters patent of pardon recorded on the patent rolls from the accession of Edward I to Richard II's deposition.⁷⁴ Opinions have varied concerning the extent to which pardons were viewed critically as a symptom of the deterioration of law and order in a country at war, or if they were viewed more tolerantly, with mercy still having a place in the minds of contemporaries as an appropriate part of maintaining order.⁷⁵ The evidence for opinions often appears contradictory. The Commons criticised the use of military pardons in the middle of Edward III's reign, yet requested that several comprehensive pardons be issued from the 1360s onwards.⁷⁶ Comprehensive, or 'general pardons', were negotiated in parliament after being introduced in the latter half of the reign of Edward III. They were available to those who chose to pay for them before the deadline.⁷⁷ Perhaps the role of the Commons in negotiating these general pardons, which were comprehensive amnesties, meant they were viewed more favourably than military pardons given out by the crown as a reward for service in warfare.⁷⁸ The considerable number of the gentry who received military pardons were however unlikely to resent this process when it favoured them. It is undeniable that pardons were sometimes granted for violent crime due to a need for military service. What is relevant for this study is an investigation into the extent that this attitude towards pardoning violent crime, along with the necessity of violent activity during warfare, led to gentry who engaged in violent activity having different attitudes concerning the use of violent crime. The extent to which they regarded violence as something which could have affected their careers differently from gentry engaging in administrative careers is also a pertinent issue. The assumption could be made that gentry engaging in military service were more prone to violence, and would have felt less at risk of damaging their prospects when doing so. However, it has already been shown that many of the gentry of fourteenth-century Hampshire, Nottinghamshire and

⁷⁴ Lacey, *The Royal Pardon*, p. 1.

⁷⁵ *Ibid.*, pp. 5-8; Musson and Ormrod, *The Evolution of English Justice*, pp. 161-93; A. Musson, *Public Order and Law Enforcement: the Local Administration of Criminal Justice, 1294-1350* (Woodbridge, 1996), pp. 189-201.

⁷⁶ Lacey, *The Royal Pardon*, p. 180. Different types of pardons included individual pardons, which were petitioned for by individuals, group pardons (including political amnesties, military service pardons and remissions of debts), which increased during the fourteenth century, and general pardons, which emerged in the latter half of the reign of Edward III. For more detail about this see Lacey, *The Royal Pardon*.

⁷⁷ *Ibid.*, p. 2. For a thorough explanation of the difference between individual pardons, and general and group (including military) pardons, see *Ibid.*, pp. 85-8.

⁷⁸ *Ibid.*, pp. 2 and 177.

Cumberland were able to combine an administrative career with being accused of engaging in violence. This immediately challenges the idea that gentry focusing on administrative service were more likely to avoid violence as a dangerous risk. This must be considered in greater depth if this point is to be proven conclusively.

Firstly, it should be demonstrated that members of the gentry societies being studied in this thesis were able to obtain pardons in exchange for military service. For instance, the pardon of Richard Brun of Bowness, Cumberland, for the death of Ranulph Stapeleye and subsequent outlawry, avoided due to his agreement to stay serving in Scotland, was recorded on 26 October 1298.⁷⁹ Immediately it must be highlighted that Richard later served administratively, as he was MP for Cumberland in 1307 and had commissions such as a commission of *oyer* and *terminer* to investigate riotous behaviour in Cumberland in 1312.⁸⁰ This indicates the need to be careful before drawing a clear distinction between soldiers and administrative servants, as many gentry fulfilled both roles, despite often also engaging in violent crime. This mirrors baronial engagement in violence, military service and administrative service, again undermining a clear distinction. For instance, John Darcy was a leading figure in local administration, including service as MP for Nottinghamshire in 1320 and sheriff of Derbyshire and Nottinghamshire from 1319 to 1322.⁸¹ John also represented his family at Crécy.⁸² Despite being accused of the abduction of the heir of Alan Fraunceys of Beckingham in 1315, in a case which has been discussed at length above, he should by no means be simplified as a violent elite soldier to be contrasted with peaceful elites carrying out administrative service.⁸³ In fact he engaged in both types of employment. Elites engaging in both types of service were capable of either engaging in or avoiding violent crime, so the stereotype of violent soldiers is not helpful.

Indeed, it should be stressed that there are numerous examples of gentry who engaged exclusively in military service but were not accused of violent crime. The brothers John and Baldwin Malet served extensively in France and at sea in the 1370s and 1380s, but they shunned officialdom in Nottinghamshire.⁸⁴ They do not appear in records of violent crime. A host of other men appear in records of military service in France but do not feature in either records of administrative service or accusations of violent crime as the accused. To provide some southern examples, Roger and John Hampton both fought in the Crécy campaign in the king's household.⁸⁵ Roger continued to serve in a military capacity and to

⁷⁹ *CPR, 1292-1301*, p. 368.

⁸⁰ *Members of Parliament*, vol. 1, p. 27; *CPR, 1307-13*, p. 541.

⁸¹ *Members of Parliament*, vol. 1, p. 60; Hughes, *List of Sheriffs*. The baronial Darcy family, including John Darcy, has been introduced above: see above, pp. 55-6.

⁸² Wrottesley, *Crecey and Calais*, pp. 39 and 210.

⁸³ This crime and the parties involved have been discussed at length above: see above, pp. 154-5.

⁸⁴ See above, p. 111.

⁸⁵ Wrottesley, *Crecey and Calais*, pp. 85 and 214.

maintain his crown connection by serving in the royal household on the 1359-60 campaign with a retinue including one archer and losing one horse.⁸⁶ He does not appear in records of violent crime. Neither does his brother John, who did turn to administrative service in Hampshire.⁸⁷ Many of the gentry who engaged in military service against the Scots, either in Scotland or the Borders, show a similar picture. Robert Goushill fought with his brother Nicholas in the Borders and in Scotland in the late-fourteenth and early-fifteenth centuries, but they avoided being involved in local officialdom in Nottinghamshire and do not appear in records of violent crime.⁸⁸ The stereotype of the violent criminal gentry shaped by their focus on military service does not hold up here.

However, this should not lead to the assumption that gentry who engaged solely in military service were less inclined to engage in violent crime, or viewed it as more of a risk. There were also a considerable number of gentry who engaged exclusively in military service and were accused of attacking other members of the gentry in the fourteenth century. For instance, Ralph Gorges, who held the manor of Knighton in the Isle of Wight, followed service in 1300 with involvement in the campaign of 1304.⁸⁹ He received military summons until 1323, but he does not appear in the records of administrative service in Hampshire.⁹⁰ He was one of the accused in a commission of 2 March 1309 in which Robert Haustede the younger complained that men violently entered the manor of Gatcombe in the Isle of Wight, which he held due to Baldwin Lisle's heir's minority, wrecked the doors and took goods, hay and animals.⁹¹ The discussion thus far in this section highlights that no generalisations can be made about the tendency of gentry who solely served militarily to engage in violence. As ever, it appears to be more about the individuals and the circumstances or opportunities they faced. A considerable level of variety can be seen concerning gentry engaging or not engaging in violence in cases involving gentry serving administratively, gentry serving in warfare, and gentry engaging in both types of service.

Several examples demonstrate that some gentry, who did not serve in warfare and were solely active in administration, nevertheless engaged in violence. This again undermines the assumption that gentry avoiding military service would have been more prone to avoid violence, and regard engaging in violent activity as too risky or illegitimate. Many of the careers discussed in the first section of this chapter provide evidence for gentry

⁸⁶ Honeywell, 'Chivalry as Community and Culture', p. 261.

⁸⁷ For the details of John's administrative service see above, pp. 97 and 107.

⁸⁸ E101/41/17 m. 1 and E101/42/40 m.1, from the AHRC-funded database www.medievalsoldier.org accessed 01/06/2013. Robert and Nicholas were members of the gentry Goushill family based at Hoveringham, Nottinghamshire.

⁸⁹ Honeywell, 'Chivalry as Community and Culture', p. 247.

⁹⁰ *Ibid.*, p. 247; *PW*, vol. 2, p. 627.

⁹¹ *CPR, 1307-13*, p. 104. Roger Haustede the younger was a member of the Hampshire gentry who was knighted as a household knight of Edward II in 1317: Hamilton, 'A Reassessment', p. 51.

who only served administratively and yet engaged in violence. For example, John Warblington followed violent crime with administrative service as an MP four times in the 1320s in Hampshire.⁹² To provide a Nottinghamshire example, Philip Caltoft, of Wiverton, Nottinghamshire, who does not appear in military records, was MP for Nottinghamshire in 1328-9 and was recorded as being delivered from Lincoln prison after being held for murder in a commission of 22 May 1332.⁹³ This pattern can also be seen amongst members of the Cumberland gentry, such as William Culwen, who served in parliament in 1379-80 for Cumberland.⁹⁴ William was also sheriff of Cumberland in 1397 and served on a commission to arrest certain men in 1397, but he is not recorded as joining military campaigns.⁹⁵ Again, William appears as one of the accused in commissions issued in 1373, which have already been mentioned in Chapter Five, concerning the breaking of Ralph Dacre and John Deuyas' houses at Beaumont, Cumberland, and assault against Ralph's men, servants and tenants, amongst other crimes.⁹⁶ Evidently it is not appropriate to make generalisations about either gentry solely engaging in military or administrative service.

As this section has progressed it has become clear that the decision of gentry to engage in violence, and their perceptions of the legitimacy or danger of this, was not visibly affected by the service in which they engaged. This has been demonstrated by considering the careers of gentry who engaged solely in military service, and those who served only in an administrative capacity, explicitly showing that both groups contained gentry who engaged in violent crime, and gentry who do not appear in records of violent criminality. Furthermore, some members of the gentry who engaged in a mixture of service appear as the accused in records of violent crime, whilst others do not. This is true throughout the century in Cumberland, Nottinghamshire and Hampshire. For instance, Richard Beaulieu of Thistlethwaite, Cumberland, helped to guard Carlisle in 1385 and served as an MP in the following October.⁹⁷ Before this he was accused of being part of a group which attacked and robbed a range of properties held by Roger Clifford, including Naworth Castle, as recorded in 1376.⁹⁸ Moving to Nottinghamshire, Thomas Chaworth was assigned to a commission of the peace in 1342 and to enforce the labour legislation in 1355, and was also a knight in the

⁹² *Members of Parliament*, vol. 1, p. 63, 77, 82 and 84. John was another of the accused in the case of violent theft from Joan Bohun, which is discussed above, p. 207.

⁹³ *Members of Parliament*, vol. 1, p. 88; *CPR, 1330-4*, p. 299.

⁹⁴ *Members of Parliament*, vol. 1, p. 203.

⁹⁵ Hughes, *List of Sheriffs; CPR, 1396-9*, p. 310. William Culwen, who was introduced above, was the grandson of Gilbert Culwen of Workington, Cumberland: see above, p. 140.

⁹⁶ *CPR, 1370-4*, pp. 311-2. These cases and the parties involved have been discussed in detail above: see above, pp. 143-4.

⁹⁷ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 225.

⁹⁸ *CPR, 1374-7*, p. 229. The attacks on the properties of Roger Clifford have been considered at length above: see above, pp. 137-8.

king's division at Crécy.⁹⁹ Thomas was also one of the accused when John Grey of Codnor complained that his park at Codnor, Derbyshire, was broken and hunted in and his men and servants were assaulted in a commission of 20 July 1349.¹⁰⁰ Finally, to provide a southern example, John Roches was shown to have engaged in both administrative and military service during his career, such as MP for Hampshire in 1320, 1331-2 and 1337 and serving in the Borders in 1301 and in Gascony in 1325. This was despite being one of the group accused of committing violent damage and theft against Joan Bohun and her servants as discussed earlier.¹⁰¹

Similarly, there are numerous examples of gentry in Hampshire, Nottinghamshire and Cumberland who engaged in a mixture of service and do not appear to have been accused of violent crimes. Robert Tilliol's career in the late-thirteenth and early-fourteenth century demonstrates a high level of variety in terms of the service he carried out.¹⁰² He ended the thirteenth century with military service in Scotland, and then switched to administrative service as an MP and on *oyer* and *terminer* commissions in the early-fourteenth century.¹⁰³ However, he was also summoned to fight against the Scots in 1314 and ordered to defend his demesnes in the Borders several times in this period. He does not appear in the legal records as the accused.¹⁰⁴ To provide a later example, Amand Monceaux fought in the Borders and overseas in the mid-fourteenth century and then served administratively in Cumberland.¹⁰⁵ He was later made keeper of the West March in 1371 and took command of Carlisle Castle in 1385.¹⁰⁶ He was MP for Cumberland five times from 1376-7 to 1389-90, and is again absent from the legal records as one accused of violence.¹⁰⁷ In Nottinghamshire, Richard Furneaux was sheriff in 1300 and followed this by serving militarily in the Borders in 1301.¹⁰⁸ He then returned to administrative service as a military purveyor in 1306 for Nottinghamshire and Derbyshire.¹⁰⁹ He does not appear in the records of violent crime surveyed, and neither does William Neville of Rolleston, Nottinghamshire. William went overseas in 1371 and campaigned with Gaunt as a member of his retinue in Scotland and Normandy.¹¹⁰ He also combined military and administrative service, as he was

⁹⁹ Wrottesley, *Crecy and Calais*, p. 39; *CPR*, 1340-3, p. 554; *CPR*, 1354-8, p. 294. For more information about Thomas Chaworth see above, p. 100.

¹⁰⁰ *CPR*, 1348-50, p. 312. For more information on John Grey, third Baron Grey of Codnor, see S. Walker, 'Grey, John, third Baron Grey of Codnor (1305x11?-1392), Soldier', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/11545?docPos=1> accessed 20/03/13.

¹⁰¹ See above, pp. 207-8.

¹⁰² Robert Tilliol's career has already been introduced in detail: see above, pp. 45 and 91.

¹⁰³ See above, p. 91.

¹⁰⁴ See above, p. 91.

¹⁰⁵ Hughes, *List of Sheriffs*; *CPR*, 1374-7, pp. 229 and 323; *CPR*, 1381-5, p. 261.

¹⁰⁶ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, pp. 756-8.

¹⁰⁷ *Members of Parliament*, vol. 1, pp. 179, 188, 195, 208 and 237.

¹⁰⁸ *PW*, vol. 1, p. 355; Hughes, *List of Sheriffs*.

¹⁰⁹ *PW*, vol. 1, p. 409.

¹¹⁰ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, p. 824.

an MP from 1378 and served on a range of commissions from 1381.¹¹¹ William then returned to military service with Richard II in Scotland, as he brought four esquires and six archers on the campaign in 1385.¹¹²

Finally, there are also Hampshire-based gentry who fulfil these criteria throughout the century. Robert Popham followed the first of his four elections to parliament in 1329 with service in a range of offices, including sheriff in 1340-1 and commissioner of *oyer* and *terminer* and of the peace in the 1330s and 1340s.¹¹³ He was also appointed to hold Winchester Castle from 1340.¹¹⁴ Robert does not appear to have been accused of violent crime, and nor does Henry Popham. Henry spent time fighting in Ireland in the party of William Windsor in the 1360s and 1370s.¹¹⁵ After this service, he was MP for Hampshire seven times from 1382 to 1404 before serving as sheriff and a peace commissioner, as well as being commissioned to suppress rebellion in 1381.¹¹⁶ Despite the tendency to assume that those who engaged in service which entailed violent warfare would have been more open to the use of violence and less concerned that it would damage their careers, the evidence does not support this premise. Throughout the fourteenth century, in Hampshire, Nottinghamshire and Cumberland, gentry engaging in military service, administrative service, or a combination of both, chose to carry out or avoid violent crime as they deemed necessary or safe, rather than being guided by their experiences of service. Chapter Three indicated that gentry tended to engage in service when their circumstances offered the opportunity, rather than always actively deciding to focus on one type of service exclusively.¹¹⁷ It seems that their decision of whether or not to carry out assaults was similarly based on circumstances and opportunities, and the extent to which it could have been deemed legitimate, rather than having been overly affected by their careers of service. Violent crime did not necessarily mean an end to being able to carry out either type of service.

¹¹¹ *Ibid.*, vol. 3, p. 824; *Members of Parliament*, vol. 1, p. 173.

¹¹² Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 3, pp. 593 and 825.

¹¹³ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 90, 110, 118 and 137; *CPR, 1330-4*, p. 137; *CPR, 1334-8*, pp. 145 and 369; *CPR, 1345-8*, p. 306; *CPR, 1348-50*, p. 237.

¹¹⁴ *CPR, 1338-40*, p. 508.

¹¹⁵ See above, pp. 71-2.

¹¹⁶ Hughes, *List of Sheriffs; Members of Parliament*, vol. 1, pp. 215-48; *CPR, 1361-4*, p. 441; Given-Wilson, *The Royal Household*, pp. 280-6; Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 4, pp. 113-4.

¹¹⁷ For more details see above, pp. 114-7.

Violence: Against the Law and Against the Crown?

As has been shown, a considerable number of the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland engaged in service and were accused of carrying out violent crimes. The fact that many continued serving despite these accusations indicates that the use of violence should not be immediately identified as something which would have led to gentry becoming isolated in society, or not being offered career opportunities. However, there was concern with limiting the level of violence in society and avoiding dangerous repercussions. This could have followed the use of violence in disputes, which suggests a greater level of complexity in terms of how the gentry perceived violence as a beneficial tool, something to avoid or a tool to only use when absolutely necessary. Whilst the gentry wished to present a chivalric image of having the right and potential to engage in violence, they also recognised the benefits of a stable society.¹¹⁸ This section of the chapter will engage with the contradictory values and ideas of the gentry, and attempt to elicit the reasons the gentry may have found to regard some violence as justified, despite having pressures acting upon them which encouraged the punishment of violent crime and the limiting of illicit violence. It will also consider the extent to which the gentry subscribed to the idea that violence was both an affront to the law and to the crown. This section will continue to use the careers of individual gentry and records of their crimes as examples, but will also bring in literary evidence to allow for potential gentry perceptions of violence to be considered in greater depth.

The discussion will begin with the consideration that the gentry viewed violence as something which could be a positive, or at least not negative, activity, due to the crown's stance concerning the use of violence. The difficulty of balancing a need for order with the need to please the elite and ensure that the elite were trained for the warfare of the fourteenth century led to the crown both discouraging and tolerating violence as deemed fit.¹¹⁹ This must at least partially explain the gentry's tendency to criticise excessive violence and disapprove of their violent peers disrupting order, but also to deem their own use of violence as legitimate when they felt that it was necessary. Violence was not in itself a reason to be excluded from society or disapproved of; rather, the circumstances of the violence would deem it legitimate or illegitimate. These could easily be viewed subjectively. The abundance of gentry who engaged in violence but avoided any disruption of their career is testament to this premise, as are the numerous examples of gentry pardoned by the crown for violent crime. The Cumberland-based knight John Castre provides further evidence to contradict the

¹¹⁸ Carpenter, *Locality and Polity*, pp. 379-80 and 396.

¹¹⁹ This has been discussed already in this thesis: see above, pp. 12, 15, 23 and 26.

idea that the gentry would have viewed violence as something which would have led to their being excluded from crown favour. Not only was John pardoned for the death of John Salghild at Kirkoswald, Cumberland, in 1306, but he was also able to earn the favour of Edward II.¹²⁰ John was retained by Edward II from 1311, as well as serving as a sheriff and commissioner of array in Cumberland and keeper of Carlisle from 1316 to 1318.¹²¹ During this time he had more than seventy men at his disposal. Like many of the gentry considered thus far, he had no reason to think that violence, as long as it could be deemed legitimate, was an obstacle to considerable advancement.

Another element likely to have reinforced this perception amongst the gentry was the use of violence within the legal system, as referred to already in this thesis.¹²² It seems likely that if violence could be used as a legitimate tool within the legal system, the gentry could also have felt justified in using it in their own disputes as an equal alternative to the legal system.¹²³ Two records from early-fourteenth-century Cumberland provide evidence for the use of violence as legal punishment. A petition of 1302 refers to the beheading of an escaped prisoner by John St John's bailiff and gaoler, and a petition of 1305 refers to another escaped prisoner having been beheaded by the keeper of the gaol of Cockermouth, Cumberland.¹²⁴ Both of these petitions request pardon for the initial escape, and there is no indication that the beheading was exceptional. However, there is also evidence for dissatisfaction with the increase of spectacular punishment, which could challenge this idea. Green's identification of potential criticism of violence in the legal system in outlaw literature could suggest that the gentry would not have been in favour of this element of the law.¹²⁵ Nonetheless, even if this was the case it does not mean that they would therefore have thought less favourably of their own violence, since this did not need to affect their strong belief in their own right to use arms.¹²⁶ It has been argued that violence was potentially seen as a form of justice to replace the legal system, but for the gentry who gained employment in the legal system it is more likely that it was simply an alternative to use when circumstances dictated.¹²⁷ The use of violence within the legal system in effect offered further justification for their own use of violence.

Violence within the legal system could have led to the gentry viewing their use of violence in their own disputes as justifiable and less of a potential barrier to advancement

¹²⁰ *CPR, 1301-07*, p. 469.

¹²¹ Tebbit, 'Household Knights', p. 80; Hamilton, 'A Reassessment', p. 90.

¹²² See above, pp. 15-6 and 22-3.

¹²³ Maddern, *Violence and Social Order*, p. 69.

¹²⁴ SC 8/80/3976 – This petition is published in Fraser (ed.), *Northern Petitions*, pp. 124-5; SC 8/265/13246.

¹²⁵ Green, 'Violence in the Early Robin Hood Poems', pp. 273-4.

¹²⁶ Kaeuper, *Chivalry and Violence*, p. 193.

¹²⁷ Musson, *Medieval Law in Context*, p. 250; Stones, 'The Folvilles', pp. 121, 127, 130-3 and 135; Bellamy, 'The Coterel Gang', pp. 702, 711-2 and 714-7.

and crown favour. It could also be the case that violence was viewed by the gentry as a means of advancing themselves and gaining further or greater service. Whilst there is evidence discussed earlier in this chapter of gentry who only gained employment in crown service or as an MP after engaging in violence, to draw a definite link between this use of violence and advancement is to enter the realm of conjecture.¹²⁸ However, there are examples in literature, which have been discussed in Chapter Six, which at least indicate the potential for gentry to have viewed violence as something which could have brought them opportunities for service despite having been earlier threatened with violence within the legal system for their use of illegal violence.¹²⁹ For instance, the outlaws of the Robin Hood rhymes are regularly under threat of spectacular punishment for their violent and criminal activity, yet they are frequently able to escape their fate and then find favour or profit after engaging in violence.¹³⁰ In the *Gest of Robyn Hode*, the king takes Robin into his service after being impressed by a range of attributes, including Robin's prowess at archery, despite being aware that Robin has killed the sheriff.¹³¹ Adam Bell and his associates are similarly taken into crown service after impressing the king with archery, despite him earlier wishing to execute them for their violent crimes.¹³² Whilst this does not prove that gentry would have believed that all violence would earn them crown favour, it does at least provide further evidence for the idea that gentry did not view violence as incompatible with service or crown favour, if it could be justified.

This contrasts sharply with the idea that violence was an affront to the crown. The idea of the 'king's peace' originated in Anglo-Saxon law, and was still present in the fourteenth century.¹³³ Crimes were identified as having been committed against this peace, so legal terminology indicates that violent crime was an action against the crown. Whilst in an ideological sense the king was still the embodiment of law and justice, this does not indicate that the gentry would have viewed all violent crime as an action against the

¹²⁸ See above, pp. 210-3.

¹²⁹ For in-depth discussion of some of the following examples, see above, pp. 169-70 and 177.

¹³⁰ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 142-4.

¹³¹ *Ibid.*, pp. 104-5 and 107-10.

¹³² Hahn (trans. and ed.), 'Adam Bell', pp. 250-3.

¹³³ For further discussion of the development of the term 'the king's peace', which continued to be used in legal records in the fourteenth century despite appearing more formulaic than meaningful at this stage, see B. R. O'Brien, *God's Peace and King's Peace: the Laws of Edward the Confessor* (Philadelphia, 1999), and J. K. Weber, 'The King's Peace: a Comparative Study', *Journal of Legal History*, 10 (1989), pp. 135-60. Harding has identified the king's peace originating as an Anglo-Saxon concept which was believed to protect messengers of the king and gradually developed into an element of crown embodiment of justice, but identified that by the thirteenth century public order was regarded as a combination of crown protection and individual initiative in bringing cases. He acknowledges that crown officials were officially the keepers of the king's peace, and thus technically violent crime was an attack on this peace and implicitly the crown, but the numerous examples of the sample gentry engaging in violent crime whilst also serving the crown indicates that this was purely theoretical, and not accepted as reality in the late-medieval period: Harding, *The Law Courts*, pp. 14, 18, 93 and 116.

crown.¹³⁴ Despite the use of phrases such as crimes being committed ‘against the king’s peace’ in accusations, it appears that this was more a formulaic repetition of ideas formed much earlier. Earlier discussions in this thesis have shown that the gentry viewed violence against the crown as transgressive, but they engaged in violent crime, so they could not have viewed this as being against the crown.¹³⁵ In reality, a clear distinction was drawn in the minds of the gentry between their use of violence in their individual disputes, and violence designed as aggression towards the crown. It could be argued that violence against crown officials, which has been identified in both the literary sources and the legal records, could be regarded as violence against the crown, and therefore a very dangerous action in terms of inviting the displeasure of the crown and losing opportunities for advancement. However, the cases of gentry who attacked crown officials despite having careers in administrative service challenge this argument.¹³⁶ The important distinction drawn between attacking the crown and attacking royal officials in literature further demonstrates that it is tenuous to argue that the gentry would have been keen to avoid violence for the primary reason of being afraid that their peers would have regarded them as rebels against the crown. For instance, Robin Hood and his men kill and wound various individuals in crown service, such as the sheriff of Nottingham in two rhymes.¹³⁷ In contrast, the only time Robin physically strikes the king is when the king instructs him to as part of a game.¹³⁸ In the *Stanzaic Mort Arthur*, Lancelot’s refusal to attack King Arthur seems excessive, given the level of provocation he faces and indeed the necessity to defend himself.¹³⁹ Again, however, it makes an important point about perceptions of violence. This evidence certainly suggests that violent crime, even against crown officials, was not viewed as rebellion against the crown in reality.

This mention of violence against administrative and crown officials also offers another potential reason for gentry both engaging in violence and serving administratively. If those representing the legal system could still be assaulted by their peers, it is reasonable to postulate that they perhaps would not have regarded the legal system as the most effective route of protecting themselves, or triumphing in disputes. A wide range of the sample gentry who are recorded as having engaged in service in this thesis were victims of violent crime,

¹³⁴ Musson and Ormrod, *The Evolution of English Justice*, pp. 162-3. Musson and Powell have considered the complexity of the extent to which the king was viewed as embodying justice, as he was also bound by the law and by the fourteenth century was expected to delegate a considerable amount of legal authority to his officials: A. Musson and E. Powell (eds.), *Crime, Law and Society in the Later Middle Ages* (Manchester, 2009), pp. 13-8.

¹³⁵ Musson and Ormrod, *The Evolution of English Justice*, p. 163.

¹³⁶ For examples of cases in which the sample gentry were accused of attacking crown officials see above, pp. 156-70.

¹³⁷ Dobson and Taylor (eds.), *Rymes of Robyn Hood*, pp. 104, 108-10 and 145.

¹³⁸ *Ibid.*, p. 110.

¹³⁹ Benson (ed.), *King Arthur’s Death*, pp. 60-1.

as well as having been accused of violent activity. For instance, Thomas Whittrigg served on a commission to investigate the prior of Wetheral, Cumberland, taking crown animals from the forest of Inglewood in 1366 and was MP for Cumberland in 1379.¹⁴⁰ Despite this continued engagement in crown service, Thomas was accused of breaking the close and houses of John Deuyas the elder at Beaumont, Cumberland, assaulting him and stealing his property in 1373.¹⁴¹ He was also one of the accused in the 1373 commission, which has been considered above, concerning Ralph Dacre's complaint about attacks on and robbery of his property in Cumberland.¹⁴² This may seem odd behaviour from one who appears to have valued administrative service, particularly on commissions. However, as already identified, the gentry did not see violence necessarily as an obstruction to their careers. Furthermore, it could have been the case that Thomas was motivated to engage in violent crime as he claimed to have been a victim of violent assault. He complained that he was the victim of violent assault, robbery and besiegement at his manor of Whittrigge, Cumberland in 1373.¹⁴³ This may have led him to view violence as something which was necessary in gentry disputes, or more likely to achieve his aims than legal action, without the repercussion of ending his career. Of course, it could be the case that these accusations are false, but there is no way of assessing this.

However, not all gentry who claimed to be victims of violent assault then chose to engage in this activity themselves. Despite John Langford's manor at Chale on the Isle of Wight, Hampshire, being broken and robbed and his servants assaulted, as he complained in a commission of 30 October 1333, he does not appear to have engaged in violent crime himself, as he is absent from the records of accusations.¹⁴⁴ Another commission in relation to this crime was issued on 6 June 1333 which added in accusations of breaking John's close at Chale, burning the houses and property there, cutting down his trees and stealing them along with other goods.¹⁴⁵ It does not appear that the accused were punished by the legal system for their violent criminal activity, which could be assumed to have frustrated John. This could have encouraged him to seek other means of retaliation, namely violence. However, as stated above, there is no evidence that he did respond with violence, and he instead appears to have peacefully continued his service career with no further interaction with the parties

¹⁴⁰ *Members of Parliament*, p. 202; *CPR, 1364-7*, p. 359. For an introduction to Thomas Whittrigg see above, p. 144.

¹⁴¹ *CPR, 1370-4*, pp. 311-2. This case and the parties involved have been discussed in detail above, p. 145.

¹⁴² *CPR, 1370-4*, p. 311. For more detail on this case and the participants involved see above, pp. 143-4.

¹⁴³ *CPR, 1370-4*, p. 310. This case and the parties involved have been introduced in detail in Chapter Five: see above, p. 145.

¹⁴⁴ *CPR, 1330-4*, p. 439. This case and the parties involved have been discussed above, p. 210.

¹⁴⁵ *CPR, 1330-4*, p. 450.

involved.¹⁴⁶ Whilst it is possible that the evidence of violent retaliation may simply be missing from the records, there is no way of proving this. Another example is provided by Hugh Lowther, who followed service as an MP in 1341 and 1344 with service as sheriff and escheator from 1351 and involvement in a range of commissions, such as an investigation of illegal trading with Scotland in 1344.¹⁴⁷ A commission of 14 February 1346 records Hugh's complaint that Thomas Musgrave and others forcibly took money and a record from him at Appleby, Westmorland, which showed that Thomas was bound to him in 200 marks.¹⁴⁸ Despite this, Hugh does not appear in records of accusations of violent assault. Hugh's apparent decision may be based on Thomas' baronial status, as he may have felt incapable of retaliating against a social superior with violence, for fear that he would be criticised and would face greater repercussions. This could also be a desire to avoid further disorder unrelated to the social position of the aggressor.

Even some members of the gentry who claimed to have been victims of violent crime whilst actively engaged in service are not recorded as having engaged in violent crime. This suggests that their experiences did not necessarily lead to them being more prone to engaging in violence. Richard Denton, who was an indirect victim of violent crime, carried out extensive service as an MP from 1324, and then went on to further crown service, including serving as constable of Carlisle Castle, sheriff on two occasions and escheator once as well as serving as a peace commissioner.¹⁴⁹ He was also granted some of Andrew Harclay's land after he helped to defeat Andrew and capture him in 1323, which could have encouraged a connection to form in his mind between violence deemed to be legitimate and advancement.¹⁵⁰ Whilst Richard was serving as constable of Carlisle Castle and sheriff of Cumberland, some Scots who had come to treat with him concerning

¹⁴⁶ John's extensive career involved important positions of service. These included serving militarily in 1329 with Edmund Earl of Kent, being keeper of the Isle of Wight in 1335, being commissioned to enquire into breaches of the Statute of Northampton in 1337, and serving as constable of Carisbrooke Castle in 1339: see above, p. 210.

¹⁴⁷ Hughes, *List of Sheriffs; Lists of Escheators; Members of Parliament*, vol. 1, pp. 134 and 138; *CPR, 1340-3*, p. 363; *CPR, 1343-5*, p. 280. The Lowther family have been introduced: see above, p. 45. Hugh Lowther's career has been introduced: see above, pp. 101-2. This Hugh Lowther is not to be confused with his son, also named Hugh, who was accused of violent crime as discussed above, p. 137.

¹⁴⁸ *CPR, 1345-8*, p. 101. Thomas Lord Musgrave, of Musgrave, Westmorland, was a leading figure in Westmorland, Cumberland and Lancashire. For further details about his life and career see R. R. Baxter, 'Musgrave, Thomas, Lord Musgrave (b. in or before 1307, d. c. 1385), Soldier', *ODNB*, <http://www.oxforddnb.com.ezproxy.york.ac.uk/view/article/19665?docPos=9> accessed 12/17/2014.

¹⁴⁹ Roskell, Clark and Rawcliffe, *The House of Commons*, vol. 2, p. 770; Hughes, *List of Sheriffs; Wood, List of Escheators; Members of Parliament*, vol. 1, pp. 71, 94-5, 98, 100, 102, 106, 114, 116, 136, 148, 150, 153 and 157; *CPR, 1321-4*, pp. 125 and 263; *CPR, 1327-30*, pp. 88 and 430; *CPR, 1330-4*, pp. 132 and 292; *CPR, 1343-5*, p. 492. Richard Denton is introduced within the study of gentry service in Chapter Three: see above, p. 103. The possibility for him forming a mental connection between violence and advancement or gain was suggested in Chapter Six: see above, p. 170.

¹⁵⁰ Maxwell (trans. and ed.), *The Chronicle of Lanercost*, vol. 2, p. 246.

safeguarding of the March were taken with force from Carlisle by William Stapleton, of Edenhall, Cumberland, and others, in 1350. The aggressors would only release the captives to Richard if he agreed to return them at William's request.¹⁵¹ As is already known, active engagement in crown service was no defence from violent crime. What is more noteworthy is that despite Richard having reasons to view violence as a potentially legitimate action which could bring benefits, and being inconvenienced by the violent crime of others, he still turned to legal action in an attempt to resolve the issue, by requesting a commission.¹⁵² The accused, William Stapleton, later served as MP for Cumberland in 1366, 1370-1 and 1376 and carried out other service including a commission of the peace issued in 1376.¹⁵³ This again suggests that both men would not have regarded violence as something which would definitely have led to their delegitimation. The fact that one appears to not have engaged in violent crime despite this highlights the importance of circumstances and the individual.

Despite a range of pressures encouraging or discouraging the gentry from engaging in violence, in general it was regarded as something which could be used legitimately in some circumstances but which was not necessarily the course of action they wished to take. The gentry did not perceive violence as something which would have been viewed as an action directly against the crown, unless of course the violence was directly used to harm the king. Even violence against those serving locally, who were the representatives of the crown in the counties, does not appear to have been regarded as an attack on the crown. References to rebellious violence and attacks on the crown's peace should be regarded simply as the use of formulaic legal terms, rather than as a true representation of gentry perceptions of violence. The factors which played a role in encouraging the gentry to view violence as something which could be used legitimately, if in the appropriate circumstances and not too regularly, were discussed in this section. The use of violence in the legal system made it easier for the gentry to present their own use of violence in disputes as a legitimate action. Whilst there is no conclusive evidence to suggest that the gentry may have thought that their violence outside of the law would have brought them crown and local favour, the advancement of literary heroes after engaging in violent crime indicates that they may have considered this.

This could be irony within the literature, designed to criticise the contemporary use of pardons to excuse violent criminals. As such, it does not necessarily indicate that the gentry approved of this. The literature may be highlighting their disapproval of the ability of their peers who disturbed local peace to avoid punishment, albeit in a comical fashion. However, it could also be a case of the gentry identifying themselves in their outlaw heroes,

¹⁵¹ *CPR, 1348-50*, p. 588.

¹⁵² *CPR, 1348-50*, p. 588.

¹⁵³ *Members of Parliament*, vol. 1, pp. 177, 184 and 193; *CPR, 1374-7*, p. 323.

and thereby attempting to legitimise their combination of violence and service. Perhaps the gentry were amused by the contradictions within their own activity and enjoyed viewing their heroes behaving similarly. In any case, the advancement of violent criminals in literature does indicate widespread gentry knowledge that violent crime generally would not have hindered their career progression, whether they approved of this or not. Being victims of violent crime was suggested as something which could have made the gentry more prone to resorting to violence in their disputes. Instead, it was shown that some victims did not appear in the records of violent crime, so this was not necessarily true for all gentry. Ultimately, this section has shown that whilst gentry engagement in both service and violence seems contradictory from a modern standpoint, the perception of violence as a potentially positive force and the circumstances faced by the gentry of late-medieval England makes this phenomenon far more understandable.

Conclusion

This chapter has focused on one of the most contradictory elements of the gentry of fourteenth-century England, namely their combination of service to the crown with engagement in violent criminal activity. The first section focused mainly on administrative service, and considered the potential impact that being accused of violent crime could have had on the careers of gentry wishing to engage in administrative service. The overwhelming impression was that for the vast majority of those accused of violent crime, this had little effect on their potential to be offered further opportunities to serve in their locality. Even the examples provided of gentry who did not serve administratively after having been accused of engaging in violent crime could be explained by retirement, or the individual not wishing to engage in service any longer. They are not necessarily examples of a lack of further offers of employment following accusations of violence. This section also considered the potential for gentry to be able to continue in crown service but no longer be elected to parliament, or vice versa, if either the local elite or the crown viewed violent crime less leniently. It was shown that many gentry were able to engage in both types of administrative service after being involved in violent crime, which suggests a lack of diversity in this respect. It was also demonstrated that violent crime would not necessarily have been viewed by the gentry as a barrier to serving administratively for the first time. Nor would they have a reason to think that being accused of violent crime whilst actively engaged in service would mean a lack of future opportunities; examples were provided of gentry who did this and were able to continue serving. Nonetheless, it should still be stressed that this does not mean that the

gentry all viewed violence as something to be engaged in whatever the circumstances. Many of the gentry of Hampshire, Nottinghamshire and Cumberland do not appear to have been accused of violent crime, so individual circumstances appear highly important.

The next section incorporated gentry engaging in military service, in order to assess the extent to which there may have been a greater tendency to view violent crime as less of a risk amongst gentry focusing on military service than gentry who solely served administratively. Whilst it was acknowledged that there was good reason to think that this may be the case, as the fourteenth century saw many pardons issued for violent crime in exchange for military service, the evidence provided by the careers of the gentry of Hampshire, Nottinghamshire and Cumberland suggested that the assumption was not valid. A range of gentry both accused and not accused of engaging in violent crime were found amongst those engaging in solely military service, solely in administrative service and those combining both forms of service. As with the previous section, this analysis was true throughout the century in Hampshire, Nottinghamshire and Cumberland. The lack of variety temporally and geographically indicates that, similar to the patterns of gentry deciding to engage in service when they were offered a beneficial opportunity as considered in Chapter Three, gentry chose to engage in violent crime when they felt it was necessary and could be deemed appropriate, with as low a risk of violent repercussions as possible. Their location or careers had little impact on forming this perception of violence as something to be used when appropriate and without a high level of risk to their careers, whilst still being aware that it carried other risks and should be used carefully. These risks were more likely to have been returned violence than damage to career progression. This indicates why so many of the gentry both in this study and throughout the fourteenth century so often engaged in service and were accused of violent crime.

The final section focused on the extent to which the gentry of fourteenth-century England would have viewed violence as an attack on the crown. It also considered why so many still carried out violent crime if they believed this at all, and if they were engaged in serving the crown. It was ultimately decided that the gentry did not regard all violence as something which was directed against the crown, and that they could see a clear division between violence which was being used to harm the king and violence being used against others. This even applied to those who were representing the king as crown officials in the locality. This provides a clear example of certain legal terminology being devoid of meaning in reality but still being necessary in accusations, which shows striking similarities to the earlier consideration of *vi et armis*.¹⁵⁴ Consideration progressed to extrapolating the potential reasons for the gentry having regarded violence as something they could engage in when

¹⁵⁴ For a discussion of the formulaic phrase *vi et armis*, with force and arms, see above, p. 15.

justified, without excessive fear of their career and reputations being damaged or being identified as rebels against the crown. The exchange of pardons after violent crime for military service immediately stood out as something which could have influenced the gentry to regard violence as something which was not extremely risky, or offensive to the crown. This could not be the sole explanation though, as gentry who did not engage in military service also appear not to have been particularly concerned that the use of violence would end their potential for social advancement.

Elements such as the use of violence in the legal system both encouraged the gentry to view violence as a positive force and offered them the opportunity to give their own violence an air of legitimacy. The potential for gentry to have regarded violence not just as a danger, but as something which may have advanced their career, was suggested due to the employment of literary heroes by the crown after they engaged in violent crime. It was however acknowledged that this was less directly obvious in reality and must have been weighed up with the potential for violent repercussions by the gentry, as well as acknowledging that the literature may be ironic. Gentry who were and were not victims of violent crime were found to have engaged in violence themselves, so being a victim was not necessarily something which would have made them regard violence as something they should engage in. There were many elements which could have encouraged the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland to have viewed violence as something they could potentially use without being regarded as illegitimate or damaging their careers. To conclude the chapter as a whole, the most important element must surely be the fact that so many of the gentry were able to engage in violent crime and maintain careers involving administrative service, military service, or both. That many still chose not to commit violent crime indicates that, despite this, the gentry were still concerned with only engaging in violence when it could be justified and when the benefits outweighed the risks of repercussions, as well as maintaining stability and order. Ultimately, violence was still viewed as a legitimate tool to use in certain situations, and was by no means abandoned as a viable activity by those engaging in service. However, the correct situations needed to be carefully assessed.

Chapter Eight: Conclusion

This thesis has considered a range of issues and made use of a wide variety of evidence. This has enabled a number of conclusions to emerge concerning gentry perceptions of violence in fourteenth-century England, and how these perceptions can be best investigated. These conclusions will now be summarised, along with any limitations.¹ One of the most important elements of this thesis is the combination of literature and legal records to investigate gentry violence. Legal records have been shown to indicate different potential motivations for gentry violence in Chapter Five. These include a desire for goods or lands, the aim of enhancing local standing or decreasing the local standing of an enemy, avoiding punishment in court cases and expressing resentment of crown authority. It has also been highlighted that there was the potential for gentry violence in the sample counties to have been motivated by more emotive factors, such as sexual desire in potential rape cases and anger in violent thefts. However, the extent to which these motivations are indicated in the evidence varies dramatically. For instance, there is no mention of anger or sexual desire in the legal records that make accusations of violence. It has been acknowledged that this does not prove an absence of anger or sexual desire as motivations for gentry violence. Instead, it is likely that the complainant was focused on regaining their lost goods and land, and so had little interest in assigning a more emotional and less material motivation to the attacker. It has also been identified that the motivation of resentment of crown authority is less convincing when applied to the gentry, as many of those engaging in violence against officials carried out service in their own careers. It therefore seems unlikely that they engaged in violence against officials due to any resentment of their authority.

Ultimately, whilst Chapter Five identified a range of potential motivations for gentry violence, it is often difficult or impossible to convincingly identify the definite motivation in individual cases. Nonetheless, it has been identified that gentry violence often appears to have been motivated to at least some extent by a desire for profit, either financial or status-based. Thefts could have been motivated by anger and resentment against the victim, but they were more likely to have been focused on the material gain or the potential to make the victim look weaker, and thereby achieve a more dominant position in the locality. Rapes and abductions could have been emotionally motivated, but they could also have been designed to bring some form of profit. This could be through profiting from the marriage of the victim, or again by comparatively increasing local standing through demonstrating the

¹ The conclusions reached in Chapters Two and Three were summarised in Chapter Four and used to provide a base for Part Two of the thesis, so they will only be referenced here when they are particularly relevant to the conclusions for Part Two of the thesis and for answering the overall research questions of the thesis.

strength to take the victim against the wishes of their husband, parent or guardian. Finally, assaults on crown officials could have been motivated by resentment of the specific officials under attack, due to personal conflict, rather than fear in relation to the results of a court case they were hearing or resentment of officialdom. However, it could instead have been a means of showing power in the locality through the ability to violently disrupt official proceedings and inconvenience officials, avoiding loss through a court judgement which the attack may have been designed to prevent, or making a financial gain through the robbery of tax officials. Even in cases in which the gentry appear to have been led by their social superiors when engaging in violent crime, the strong possibility that this was motivated by a desire for advancement, in terms of the rewards of serving social superiors, has been identified. The legal records offer no confirmation of the motivations for individual cases, but the gentry highly valued status and desired stability to preserve their position; in this scenario violence carefully planned to enhance their position, rather than violence motivated by anger and passion, seems more likely in the cases considered.

The addition of literature to the legal records in Chapter Six demonstrated that the combination of these forms of evidence allows for a far more in-depth investigation of gentry violence. Literature was initially used to also consider motivations, and has been found to provide evidence for the same range of potential motivations, including anger or pride and resentment of corruption. However, the analysis quickly progressed to considering perceptions of these motivations. This reveals the value of literary evidence. The legal and literary evidence support and supplement each other. Legal evidence demonstrates what the sample gentry were doing in terms of accusing or being accused of violent crime, but literary evidence offers more detail on what the gentry might have thought about these accusations or the activity of others. It has been shown to be difficult to assess gentry perceptions of violence from legal records in this thesis, although some provide an indication of how the complainants may have hoped their fellow gentry would perceive the violence they claimed to have experienced. For instance, Isabel Cleator's emphasis on her gender, when making her complaint of *raptus*, suggests that she hoped that this would encourage her peers to view the crime against her more critically.² Nonetheless, literature provides far greater evidence of gentry perceptions of violence. Literature indicates that the gentry were unlikely to view all motivations with a similar level of approval. The combination of several motivations for literary heroes indicates that the gentry regarded the motivation for violence as something which could render this violence as licit or illicit. Problematic motivations needed to be combined with justifications which were more widely accepted by the gentry. For instance, anger was not a praiseworthy motivation on its own, but violent reclamation of land which

² See above, pp. 149-50.

was falsely taken could be considered more favourably. Limitations to this theory have been identified, such as the need for the gentry judging the violence to agree that the land had been taken illegitimately, and that violence was the best way to resolve the situation ahead of the legal system. It has also been shown that the treatment of motivations in literature, and the likely existence of and perceptions of those motivations by gentry in reality, could vary, as literary violence could be symbolic. For instance, resentment of officials and corruption may have been a motivation in literature, but gentry were less likely to be motivated by this and to approve of it in reality. They were frequently the officials under threat of attack and engaging in corrupt behaviour.

Chapter Six also moved beyond motivations to consider the impact of other factors on gentry perceptions of the legitimacy of violence. The literary evidence strongly indicates that the gender, age and social status of the victim had an impact on the extent to which they were deemed to be a legitimate victim of violence by the gentry. It appears from this evidence that the gentry were likely to regard violence as less legitimate if it was directed against women or children, or against those of a higher social status. However, it was entirely possible for literary heroes to avoid being condemned for their use of violence, even if it was directed against victims who appeared illegitimate. The behaviour of the victim was of crucial importance in deeming the extent to which the violence used against them was viewed critically by the gentry. It was also possible for literary characters to engage in violence against seemingly illegitimate victims without condemnation, even if the victim had done nothing to provoke this action. This is because there was still potential for the actions to be justified, if the perpetrator claimed that they were a necessity. Furthermore, it must be remembered, as it has been throughout this thesis, that conclusions based on literary evidence need careful consideration before accepting them with no limitations. The literature demonstrates gentry perceptions of violence when it was committed by fictional characters, and in no way impacted on themselves. The extent to which this could be seen to relate to gentry perceptions of their own use of violence and the violence of their peers has therefore also had to be addressed in this thesis.

The violence carried out by the gentry of Hampshire, Nottinghamshire and Cumberland in the fourteenth century does not all clearly fit into the framework of legitimacy indicated in the literature. However, some of the evidence for a vast divergence between perceptions of violence in literature and reality can be undermined. For instance, the accusations of violence against women and children in *raptus* cases could indicate that the gentry did not view violence against these victims more critically than other violence, despite such activity being criticised in literature. Nonetheless, the evidence for this theory is undermined by the fact that violence may not have been a part of these cases at all, and if it was the violence was often more likely to be directed at those wishing to keep possession of

the victim, who were often male adults. Similarly, whilst some of the sample gentry were involved in violent crime against their social superiors, this was generally as part of a gang led by another social superior, and so not a straightforward case of anti-hierarchical violence. It is important to stress that there is some level of exaggeration in the literary texts, as it seems unlikely that all of the gentry who committed violent theft were carefully selecting their victims in relation to a moral system such as that of Robin Hood and his men.³ Nonetheless, the gentry wished to be viewed as moral and chivalric, so violence against inappropriate victims was unlikely to bring praise or pride. These ideals may not have strictly prevented the gentry from engaging in violent crime if they felt that it was worth the potential gains they could make, or was needed to avoid losses, but it appears that they were likely to have been aware that they faced the risk of being criticised by their peers. Here then, one of the critical points discovered through a combination of literary and legal evidence is revealed. The important element for both the literary heroes and the gentry themselves was that a way was found to present their violence as justified. Of course, the victim was unlikely to regard the violence as licit, but the gentry were aware that they could avoid condemnation in their locality, even if their violence transgressed some of the boundaries demonstrated in the literature they read, if they were able to find a means of justifying their violence to their peers. This did not mean that violence against women or children would bring the aggressors praise amongst their peers, but they would avoid delegitimisation.

An important limitation has to be added to this. Whilst it has emerged that the gentry regarded the justification of violence as something which was malleable, it was also emphatically necessary. The gentry identity still retained a considerable martial and chivalric element, which was strongly connected to status, but they were also practical, and valued stability highly as a means of protecting their position. Concern with excess in literature, and the need to justify violence, even if this justification could be skewed and would not have been accepted by the victim, demonstrates that the gentry also regarded violence as something which needed to be carefully controlled. Those who regularly engaged in extreme violence, with no potential means of justification, were unlikely to have been regarded favourably by their peers. The use of extreme violence as a means of delegitimisation supports the idea that the gentry wished for violence to be limited, as does the need for justification of extreme violence used by literary heroes. In Chapter Seven an assessment was made of the extent to which this acceptance of justified violence in combination with a desire to limit disorder led to violence being something which impacted on the careers of gentry in Hampshire, Nottinghamshire and Cumberland. As the service engaged in by the

³ See above, p. 182, 185 and 188-9.

gentry of Hampshire, Nottinghamshire and Cumberland in the fourteenth century had been assessed in Chapter Three, it has been possible to consider the extent to which violence was regarded by gentry as something which could hinder their careers in different types of service, namely military or administrative. There are limits to this assessment, as identified earlier in this thesis, but enough of a picture of the careers of individual gentry has been obtained in order to make some conclusions.⁴

Overall the evidence considered in Chapter Seven shows that accusations of violent crime rarely had an impact on gentry service. Examples of gentry not carrying out further service after being accused of violence are rare and can be explained by retirement, and many gentry were able to engage in service for the first time after being accused of violent crime. Little variation has been found between the ability of gentry to engage in crown service or to be elected to parliament after committing violent crime. Those who served in parliament were selected in the locality, so this indicates that the gentry of Hampshire, Nottinghamshire and Cumberland were neither more nor less inclined to condemn those who engaged in violence than the crown appears to have been. This is interesting when considering the potential for literature enjoyed by the gentry to include criticism of pardons, as identified in Chapter Six, as they did not take the opportunity to punish violent crime more harshly in their own localities.⁵ This is probably due to the fact that the gentry were the most likely individuals to engage in the crimes they had the opportunity to punish. It has also been shown that there is little clear difference between the impact of accusations of violent crime on the careers of gentry who served militarily or gentry who served administratively. This indicates that gentry did not generally regard violent crime as something which would hinder their careers, no matter what form of service they engaged in. Gentry chose to engage in violent crime when they felt it was necessary and could be deemed appropriate.

This does not, however, mean that the gentry always chose to engage in violence as part of their conflicts. It must be emphasised that the gentry largely carefully considered any potential repercussions when engaging in violence, as the fact that they were unlikely to lose career opportunities does not mean that they were free of other repercussions, such as violent retaliation. Many of the gentry considered do not appear in the records of violent crime, and some of these gentry were victims of crime. It should therefore by no means be assumed that the gentry of late-medieval England were violent individuals who responded to any situation with violence, despite regarding violence as something which could be justified and would not damage their careers. However, many did choose to engage in violence, and Chapter Seven considered why this was. The legal records initially suggest that violence was something which was regarded by the gentry as a direct attack on the crown, due to the

⁴ See above, p. 33.

⁵ See above, pp. 169-70.

tradition of the king as the embodiment of peace and law. This can be quickly dismissed though, as legal phrases such as ‘against the king’s peace’ have been found to be more likely to have been formulaic than a representation of a genuine belief that violent crime was always an assault on the crown. The sample gentry were certainly able to differentiate between a direct attack on the crown and their own use of violence; to suggest that they would all have engaged in the violence they did if they regarded it as treasonous is erroneous. This differentiation was also made when attacking crown officials, as they were not regarded as embodying the crown by the gentry attacking them. Several factors could have made the gentry comfortable with the idea of violence as a legitimate tool which would not offend the crown. The exchange of pardons for military service after violent crime was likely to have encouraged this perception of violence, as was the use of violence within the legal system. Violence within the legal system offered the gentry the opportunity to give their own violence an air of legitimacy. The potential perception of violence as something which would advance gentry careers has been shown to be more tenuous, as the evidence for this was more based in literature than reality, but it does tie in with advancement or gain being a potential motivation for gentry violence.

Ultimately, this thesis has shown that the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland regarded violence as something which they had the right to use as part of the elite. It was a tool in disputes which was unlikely to hinder their careers and could be justified to ensure that they were not ostracised from society. This justification was important though, as the gentry by no means regarded violence as something which should be used without limitations. Gentry were very much aware of the potential for their use of violence to be criticised. Despite being aware that this criticism could be avoided through careful justification to prevent exclusion from society, they knew that certain uses of violence, against illegitimate victims or with problematic motivations, would not bring them praise. Nor would excessive violence which threatened the stability the gentry valued so highly. These conclusions apply to Hampshire, Nottinghamshire and Cumberland equally. Chapter Two has demonstrated that despite some similarities, there were considerable differences between Hampshire, Nottinghamshire and Cumberland, in terms of the structure of society, balance of power and relationship with the centre of crown authority. This means that if local circumstances affected gentry violence, the gentry of these counties would be shown to have developed different perceptions of violence. The different experiences of war faced by the counties in the fourteenth century also support this. Nonetheless, as Chapter Three has shown a lack of meaningful variety between the gentry of these three counties in terms of service, so too has Part Two of the thesis shown a distinct lack of variety in terms of motivations for and perceptions of violence. Gentry from the three counties had similar potential motivations for violence and often seem most likely to have been motivated by a

desire for some form of profit. Living in counties with different power structures had no impact on the base motivations of violent gentry activity. Similarly, the perceptions gleaned from the legal records, and the literature, which was likely to have been read nationwide, show little variety. The gentry of all three counties regarded violence as something which was their right, but also as something which needed to be justified and limited. This was regardless of whether they were living in a county being disrupted by direct warfare or not, or were near to the centre of crown authority or not. The careers of gentry from all three counties also demonstrate that they were similarly unlikely to regard violence as a potential hindrance to their opportunities for service, or as an assault on the crown.

As has been shown, this thesis has produced a range of conclusions around the central issue of gentry perceptions of violence. However, there are certainly ample opportunities to extend this in a variety of ways. For instance, this thesis has used Hampshire, Nottinghamshire and Cumberland in the fourteenth century as a means of arguing that gentry perceptions of violence were not altered by local circumstances. Instead, it has been demonstrated that these perceptions were similar nationwide. It would be interesting to discover if this conclusion could be applied to a wider geographical spread, by assessing the extent to which the lesser elite in different countries developed different perceptions of violence. Studies have been carried out which consider violence in countries other than England in the late-medieval period.⁶ Such studies indicate the potential for comparable studies to be made between England and other countries. This discussion also connects with the second opportunity to extend this investigation, namely through comparing gentry perceptions of violence in late-medieval England with perceptions held by other social levels in this country and time period. Some studies have already considered the use of violence by social levels other than the gentry in England, but there is greater scope for such investigations to be carried out and then compared to further assess the impact of status on perceptions of violence.⁷ Thirdly, as already suggested in this thesis, a comparison between the conclusions reached here about the rural gentry with evidence concerning the urban gentry would be a worthwhile pursuit.⁸ This would enable consideration of the extent to which urban gentry regarded violence differently from rural gentry, and indeed would

⁶ For example, Skoda has considered violence, albeit popular rather than elite, in medieval France: Skoda, *Medieval Violence*. To provide another example, Taylor's study of chivalry and knighthood in France devoted considerable thought to elite violence: Taylor, *Chivalry and the Ideals of Knighthood*.

⁷ For examples of studies which consider non-elite violence in England see S. Cohn, *Popular Protest in Late Medieval English Towns* (Cambridge, 2013); D. G. Watts, 'Popular Disorder in Southern England, 1250-1450', in B. Stapleton (ed.), *Conflict and Community in Southern England: Essays in the Social History of Rural and Urban Labour from Medieval to Modern Times* (New York, 1992), pp. 1-15; Faith, 'The "Great Rumour" of 1377', pp. 43-73.

⁸ Several cases involving urban gentry violence and demonstrating interesting similarities to cases of rural gentry violence were identified in this thesis. For more information about these cases see above, pp. 138-9, 142 and 151-2.

contribute to a larger investigation of how far these groups were distinct. Finally, there is also the opportunity to look beyond the late-medieval period and consider the development of perceptions of violence over time. Whilst there are studies of violence which take a considerably wide chronological approach, these are more focused on the use of violence and quantitative investigations.⁹ There is therefore scope to expand this by comparing perceptions of violence in different time periods, and considering any changes in the extent to which violence could be regarded as licit.

To conclude this thesis, however, it is necessary to return to the research aims and confirm that they have been reached. The first issue raised to be investigated in this thesis was what motivated gentry violence and the evidence from which to research this, as well as the extent to which different motivations were viewed as justifiable by the gentry. As identified above, this thesis has identified a wide range of potential motivations for violence, using both literary and legal evidence. Whilst specific motivations for individual cases are difficult to confirm with the available evidence, many cases can be shown to include some element of financial gain or advancement in local society. The inclusion of literary evidence allows greater consideration of the extent to which gentry viewed different motivations as justified. As already discussed, it has been argued that the gentry regarded motivations as something which could render violence more or less licit. For instance, anger was an illegitimate motivation alone, but combined with reclamation of stolen land it could be justified. It has been demonstrated that it is necessary to use both types of evidence in an investigation of this nature, in order to avoid misunderstanding symbolic literary motivations, but also to ensure that enough detail can be obtained to carry out a meaningful investigation. It has also been highlighted that despite gentry sharing many general views on violence, their perception of specific violent events was affected by the impact these events had on them. This thesis was also intended to investigate the extent to which limits were placed on the use of violence to render it acceptable in the gentry consciousness, and to identify these limiting factors. As stated above, the use of literary evidence allows for the identification that limits were placed on the extent to which violence was praised or approved of, including the age, status and gender of the victim and the extremity of the violence. However, these limiting factors could be transgressed without the perpetrator being condemned, if he found a means of justification, such as the victim behaving badly or the attack being a necessity. So, these limiting factors were not strong enough to condemn the gentry if they acted against them, but they would have prevented the violence being approved of or praised, despite it being excused.

⁹ Cockburn's work provides an example of this approach: Cockburn, 'Patterns of Violence in English Society', pp. 70-106.

Another primary focus of this thesis was to consider the extent to which the gentry of fourteenth-century England regarded violence as something which had the potential to limit their careers and was a risky and dangerous venture. As has been concluded above, the use of violence was highly unlikely to have been viewed by the gentry as something which would hinder their careers. There are very few examples of gentry who were accused of engaging in violent crime and then did not appear again, or at all, in records of service. There is a lack of variety in terms of the effects of violence on careers in military or administrative service, and between results for the three sample counties. However, this does not mean that the gentry of Hampshire, Nottinghamshire and Cumberland regarded violence as something which was devoid of risks or danger. That many of the sample gentry are absent from the records of violent crime suggests that many felt that the use of violence was too risky, as they could have faced violent repercussions. The emphasis on restraint in literature read by the gentry supports this. Violence may have been unlikely to hinder their careers if they could justify it, but it did bring the risk of retaliation and disorder. Finally, this thesis set out to show a low level of variety in terms of gentry perceptions of violence nationwide. As argued above, very similar results have been found in relation to each topic considered amongst the gentry of Hampshire, Nottinghamshire and Cumberland. The motivations for, perceptions of, and concerns with violence have not been found to have been meaningfully affected by different pressures acting on their localities. Ultimately, the gentry of fourteenth-century Hampshire, Nottinghamshire and Cumberland were united in their perceptions of violence; it was something they had the right to use when necessary to advance or protect themselves, with little risk of career implications, though they needed to justify this use of violence and take care to avoid delegitimisation and disorder. Violence was regarded as a tool by the fourteenth-century gentry, but this tool had to be used carefully, for the right job, and by the correct individuals.

Abbreviations

- CCR* *Calendar of the Close Rolls Preserved in the Public Record Office, 1272-1509*, 47 vols. (London, 1869-1963)
- CDS* J. Bain (ed.), *Calendar of Documents Relating to Scotland Preserved in the Public Record Office, London*, 4 vols. (London, 1881-8)
- CFR* *Calendar of the Fine Rolls Preserved in the Public Record Office, 1272-1509*, 22 vols. (London, 1911-63)
- CIPM* *Calendar of Inquisitions Post Mortem and Other Analogous Documents Preserved in the Public Record Office*, 26 vols. (London, 1904-2010)
- CPR* *Calendar of the Patent Rolls Preserved in the Public Record Office, 1232-1509*, 53 vols. (London, 1891-1971)
- BIHR* *Bulletin of the Institute of Historical Research*
- EHR* *English Historical Review*
- JMH* *Journal of Medieval History*
- NMS* *Nottingham Medieval Studies*
- ODNB* *Oxford Dictionary of National Biography* (Oxford, 2004),
<http://www.oxforddnb.com>
- PW* F. Palgrave (ed.), *The Parliamentary Writs and Writs of Military Summons*, 2 vols. (London, 1827-34)
- SHR* *Scottish Historical Review*
- TNA* *The National Archives, Kew*
- TRHS* *Transactions of the Royal Historical Society*

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JUST 1 Justices in Eyre, of Assize, of Oyer and Terminer, and of the Peace, etc: Rolls and Files

KB 9 Court of King's Bench: Crown Side: Indictments Files, Oyer and Terminer Files and Informations Files

KB 27 Court of King's Bench: Plea and Crown Sides: Coram Rege Rolls

SC 8 Ancient Petitions

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