

Part II

**RECORDS AND THE
PRACTICE OF POWER**

PROTECTING THE MAUDUIT PATRIMONY

SUITS AND DISPUTES IN THIRTEENTH-CENTURY RUTLAND

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ABSTRACT This article examines how several members of the Maudit family fought to preserve and sought to enlarge their patrimony at the expense of the richer peasantry in the small Midlands county of Rutland, as well as the complications that could arise as a result of such efforts. The Maudit men examined here were all chamberlains of the Exchequer; but this office alone did not shield them from the complicated business arrangements characteristic of rural society in twelfth- and thirteenth-century England. The richer peasantry, in fact, were more than capable of frustrating Maudit designs with respect to the consolidation and growth of the family's landed patrimony. Consequently, this article suggests that to focus exclusively on lordly encroachment on peasant holdings in order to illustrate how local lordships were constructed is to tell only half the story; it is also to privilege the purpose and the format of the documents—the charter, the final concord and the quitclaim—over the social dynamics that made their use necessary in the first place.

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“Dignitas residentium ad scaccarium
in pluribus consistit.”¹

Introduction

To be appointed to the chamberlainship of the Exchequer was no small honour in twelfth- and thirteenth-century England, yet, as the history of the Mauduit family shows, the holding of the office alone did not make for plain sailing in the choppy political waters of the Angevin and Plantagenet realms.² The Mauduits, chamberlains of the Exchequer from 1131 (and possibly earlier) to 1268, were a determined bunch, and well they needed to be, for at various times, in various ways, several prominent members of the family—each most often identified as *domini regis camerarius* in the charters that record their activities—ran into difficulties as they went about their business.³ This article examines how the Mauduits fought to preserve and sought to enlarge their patrimony at the expense of the richer peasantry in the small Midlands county of Rutland, as well as the complications that could arise as a result of such efforts. The picture that emerges before us reveals, amongst other things, that first-hand knowledge of the ins and outs of the workings, let alone the “burden and conscience” of government,

1 *Dialogus de Scaccario / The Course of the Exchequer*, by Richard Fitz Nigel, ed. Johnson, 43, rendered thus by Johnson: “The privileges of those who sit at the Exchequer are manifold.” Cf. *Dialogus de Scaccario*, ed. Amt and Church. In this more recent edition of the text, the editors (71) prefer: “The privileges of those sitting at the exchequer include many things.” Two points require further comment here. First, while “dignitas” may imply privilege, it is just as commonly understood to connote eminence and to indicate elevated “rank” or “honour,” which calls perhaps for a word in English that captures these multivalent meanings. Second, “in pluribus consistit” demands more forthright engagement with its intended meaning than is provided by “are manifold” and “include many things.” For if it is understood as a kind of shorthand for the many tasks, responsibilities, and privileges that the role encompasses, something of its inherent capaciousness should be reflected in the translation. For these reasons, I propose: “the office of those sitting at the Exchequer is wide-ranging in scope.” I thank a particularly insightful peer reviewer for pressing me on this matter, and Graham Barrett for his wise counsel on the same. For guidance, see Hudson, “Administration, Family, and Perceptions of the Past,” 75–98.

2 The best starting point here is Karn, “Nigel, Bishop of Ely,” 299–314; see also Kemp, “Exchequer and Bench in the Later Twelfth Century,” 559–73.

3 Although it is not the intention of this article to discuss the circumstances that led to several members of the Mauduit family losing royal favour, at least for a time, at various moments throughout the twelfth and thirteenth centuries, their misadventures have been expertly discussed by Mason, “Mauduits and their Chamberlainship of the Exchequer,” 1–23.

counted for little when pursuing richer peasants through the courts or fending off the unwelcome intrusions of distant kin.⁴ Thus, by revealing the tensions and dynamics underpinning the Mauduit operation in Rutland, we gain new perspective on the local stresses and strains that afflicted holders of important offices at court, putting their achievements, and also their failures, in context.

What little we can say with any certainty about the Mauduits we owe to Emma Mason, who traced the family's activities in a series of excellent publications focused on the "steady consolidation of their interests, by manipulation of the bureaucratic machine and prudent marriage alliances."⁵ The prosopographical and institutional insights offered in these articles are important, and they provide an extremely useful starting point; nonetheless, here I wish to focus on the social and economic underpinnings of the Mauduits' activities in order to illuminate the material aspect of their power and the stability of its foundations. Animating this article, therefore, is the question of what Mauduit dealings in Rutland tell us about the local dimension of the construction of the family's authority, and by extension the strategies that even seemingly well-positioned office-holding families might adopt to shore up the local foundations of their power, particularly when dealing with richer tenants and peasant proprietors, inhabitants of the village world of the medieval Midlands long associated with a tradition of freedom stretching back to the Danelaw peasantry.⁶

4 Catto, "Burden and Conscience of Government," 83–99. For the workings of government in the period studied here, I have found the following texts particularly useful: Warren, *Governance of Norman and Angevin England*; and Mason, "Administration and Government," 135–64. See also the excellent contributions in two recent collections that have informed my thinking here: Jobson, ed., *English Government in the Thirteenth Century*; and Crook and Wilkinson, eds., *Growth of Royal Government*.

5 Mason, "Mauduits and their Chamberlainship"; Mason, "Lords and Peasants in Medieval England," 236–41; Mauduits also appear in Mason, "Resources of the Earldom of Warwick," 67–76. For the quoted text, see Mason, "Mauduits and their Chamberlainship," 1.

6 Although the Mauduits did not orchestrate political drama in quite the same way as the Bigods, the emphasis placed by Marc Morris on the landed underpinnings of Bigod power has served as an inspiration: Morris, *Bigod Earls of Norfolk*. On free peasants, see Stenton, "Free Peasantry of the Northern Danelaw," 73–185; accessed here in later reprint, *Free Peasantry of the Northern Danelaw*; Hadley, *Northern Danelaw*. The best guide to the agricultural structures of the region is Raftis, "East Midlands," 189–202.

The Mauduits' transactions in Rutland are primarily attested in charters collected in the fourteenth-century Beauchamp Cartulary, so named because in 1268 the Beauchamp family succeeded to the earldom of Warwick, previously the possession (albeit briefly) of the fifth William Mauduit (1220–1268), who became the eighth earl in 1263.⁷ In total more than 100 charters pertaining to the Mauduit family's landholdings survive, but the bulk of these estates lay outside Rutland, and the family's early holdings in the first few decades after the Conquest were concentrated in Hampshire.⁸ In about 1131, additional lands, privileges, and exemptions came into the possession of the Mauduits when Henry I granted the Buckinghamshire estate at Hanslope to the second William Mauduit (d. 1157/58).⁹ This estate had belonged to a certain Michael of Hanslope, who had acquired land in the southern fringe of Rutland in the first decade of the twelfth century, and this is how the Mauduit interest in the East Midlands took root, these Rutland lands coming into the family's possession on Michael of Hanslope's death.¹⁰

Amongst his Rutland holdings, Michael of Hanslope's possessions in Barrowden, close to the Northamptonshire border, were a sought-after prize on account of their once having been royal demesne; two charters attest to the restoration of the settlement and its soke to William Mauduit (II) in the turbulent middle decades of the twelfth century.¹¹ Other Mauduit holdings in the time of the second William were located across the county border in Northamptonshire, and included for a time the constablership of Rocking-

7 We can be sure that the seventh earl, John du Plessis, died in the spring of 1263, as is clear from the *Calendar of Patent Rolls, 1258–1266*, ed. Lyte, 261–85. William Mauduit rendered homage to Henry III and was acknowledged as the eighth earl of Warwick on April 4, 1263, for which, see *Calendar of the Fine Rolls (47 Henry III)*, no. 353. The fifth William Mauduit is also addressed as the earl of Warwick in several Beauchamp charters: BC 262; BC 265; BC 266; BC 267; BC 268; BC 269. On (this) William Mauduit's career, see Mason, "Mauduit, William, eighth earl of Warwick"; and, for the charters and the compilation of the cartulary, *Beauchamp Cartulary*, ed. Mason; charters cited hereafter as BC 1; BC 2; BC 3, etc.

8 The fullest discussion of the family's early holdings is *Beauchamp Cartulary*, ed. Mason, xxvi–xxvii.

9 BC 164 (1131).

10 BC 165 (1103). In this charter Queen Matilda (wife of Henry I) granted her lands in Rutland (at Barrowden, North Luffenham, Seaton, and Thorpe-by-Water) to Michael of Hanslope.

11 BC 166 (1141); BC 167 (1153). The status of Barrowden is mysterious; it is not described as a manor in the Mauduit charters but is recorded thus in an inquisition post mortem held in 1268 on the death of the fifth William Mauduit: *Calendar of Inquisitions Post Mortem*, vol. 1, *Henry III*, ed. Sharp, 208–17.

ham castle, which the family held until 1204.¹² Evidently a well-connected *curialis*, this William (II) made the most of his role as a royal official, winning exemptions from Henry I from tolls, passage-money, and customs of other kinds (“*theoloneo et passagio, et omni alia consuetudine*”). Henry I also awarded the second William Mauduit pasturage in the royal forests, a privilege formerly enjoyed by Michael of Hanslope (“*sicut Michael de Hameslapa umquam melius habuit in vita sua*”).¹³ In turn, Henry II allowed the same William to hold his lands quit of various burdensome responsibilities, save for the need to deal with very grave offences (“*habet terram terras et tenuras suas quiete de shiris et hundredis, et de placitis et de querelis, excepto murdro et latrocinio*”).¹⁴

From the strategic stronghold at Rockingham on the edge of the Welland Valley, the third William Mauduit (d. 1194) was twice appointed to the office of sheriff of Rutland between 1179 and 1190.¹⁵ This William clearly had designs on rising in the world, and his marriage to Isabel de St Liz, daughter of the earl of Huntingdon, brought with it modest estates in Northamptonshire and Leicestershire, although the fact that Mauduit ownership of these lands ended with the St Liz line in 1184 is a reminder of the limits to their power.¹⁶ This notwithstanding, the foothold that the family had established in the Midlands by the second half of the twelfth century was real enough, and it was bolstered by the family’s scattered holdings in Westminster and Normandy, which are also documented at least in part in the Beauchamp Cartulary.¹⁷

The second Robert Mauduit (d. 1222) worked assiduously to promote his interests at the seat of government, showing an ambition and a willingness to call in favours and pull strings in and around Westminster that

12 BC 175 (1154–58), a writ of Henry II conferring the constablership of Rockingham on the second William Mauduit.

13 BC 170 (1121–33); BC 171 (1131–33).

14 BC 172 (1154–58).

15 Mason, “Mauduits and their Chamberlainship,” 5, suggests that this appointment was made because the Mauduits were relatively minor tenants-in-chief and therefore more amenable to royal mandate.

16 BC 167 (1153) describes where these landed interests lay. This charter, a grant bestowed by the future Henry II, shows us that Portchester castle was also held by the Mauduits in the twelfth century. Note that the best account of the political misadventures and successes of various Mauduits is to be found in Mason, “Mauduits and their Chamberlainship.”

17 Landed interest in France is attested in BC 160 (1131–57). In Westminster, the Mauduit interest can be seen in charters BC 183 to BC 203.

simultaneously displayed his political acumen and underlined his predicament: his family were well-connected political functionaries but perhaps no more than that. Their efforts to enlarge their patrimony by means of piecemeal expansion—wheeling and dealing in several counties, falling in and out of favour with social superiors and inferiors, even borrowing money as need dictated—highlight that the Mauduits were not one of the great land-owning families of the kingdom, and that their political influence in matters of national importance was negligible.¹⁸ In other words, even though the Mauduits were a family of more than local consequence in several different localities, for most of the twelfth and thirteenth centuries they achieved no more than “a continuous, if unobtrusive, place at the centre of the expanding royal bureaucracy.”¹⁹

Indeed, no matter how proactive the family was at court—and the evidence suggests that the Mauduits kept themselves busy, buying, investing, and networking at an impressive rate—they ran into difficulties with people from all stations in life, and did not always have their way, as the charters make plain. Other kinds of evidence add to this picture, court roll entries and feet of fines underlining the considerable room that there remained in twelfth- and thirteenth-century Rutland society for peasants to contest what they perceived to be encroachments on their interests—and contest them they did. How, then, did an important family of royal officials, who were nonetheless not to be counted amongst the kingdom’s great landowners, assert their local dominance and protect, preserve, and add to their patrimony in an area that lay well to the north of the family’s original holdings in southern England? This article investigates that question by focusing on a handful of examples of Mauduit engagement with (mostly) small-scale proprietors: it will treat the activities of the second Robert Mauduit, active in Rutland from the late twelfth century to his death in 1222, and also discuss in brief some of the Rutland transactions of the fourth William Mauduit (d. 1257) and the fifth William Mauduit (d. 1268). By so doing, it aims to illuminate the dynamic that characterized interaction between socially ambitious families and a peasant class clearly willing to stand up to the machinations of the former, even if not always successfully.²⁰ What this says about the con-

18 Both the third William Mauduit and his grandson the fourth William Mauduit found themselves in financial difficulties, as Mason explains in “Mauduits and their Chamberlainship,” 5, 15.

19 Mason, “Mauduits and their Chamberlainship,” 1.

20 On peasant landholding, my thinking has been informed by too many works to

struction of patrimony, and the role played by the richer peasantry in that process, are questions to which I will return in the conclusion.

Constructing Lordship in Rutland: Robert Mauduit (II)

The determination of the second Robert Mauduit to increase his holdings at the expense of the peasantry is well attested in the primary sources, although in certain crucial particulars Robert's activities represent a break from the strategies pursued by his forebears. His father William (III) had focused his proprietorial activities in Rutland at Barrowden, close to the family's sometime stronghold at Rockingham castle in the upper Welland valley. Robert, however, soon set about adding to his family estates in the county by making inroads slightly further north, in North Luffenham and South Luffenham, where he made a number of small acquisitions from peasant neighbours in these villages in the years around 1200.²¹ Transactions captured in the charters are above all notable for their modest dimensions and the rather claustrophobic social worlds in which they took place, the same villagers appearing time and again either as witnesses, often alongside their brothers or fathers, or as parties directly involved in the deal being committed to writing.²² Proof of the local origins of most of the men with whom Robert dealt is also provided by witness lists in which men are enumerated by way of reference to their village.²³ It is plausible—indeed, one can readily imagine—that Robert would have gathered together the (not so) great and good of the village in order to “announce” his deals, seeing these discrete items of business as opportunities to develop patron–client relations with village leaders.

These were, after all, times of expanding cultivation and population growth, and land that could be put to the plough was worth having, even if

mention here, but crucial to my conception of peasants and their connection to the land in English contexts is Schofield, *Peasant and Community*, Part I.

21 BC 219–29 inclusive.

22 Amongst the witnesses, for example, we see Thomas Hotot in BC 219, BC 220, BC 222, BC 223, BC 227, BC 228, and BC 229. For the density of family relationships represented amongst the witnesses, note that “Hugone filio Simonis,” who appears as witness in BC 219, BC 220, BC 222, BC 227, and BC 228, is followed in the witness list by “Reginaldo fratre eius” in BC 228, and “Reginaldo filio Simonis” (and thus Hugo's brother) in BC 222.

23 Thus we see, for example, “Ricardo de Luffeham” (BC 220) and “Eustachio de Piltona” (BC 229), this latter a reference to the village of Pilton, two miles to the west of the Luffenhams.

that meant disrupting the social equilibrium of the village community.²⁴ Yet lords of modest means and political status, such as Robert, did not make all the running: villagers, too, had to make a choice—to acquiesce, however willingly or unwillingly, or to contest lordly encroachments. Sometimes stable connections were forged, making it possible for different members of the same family to do business with Robert; witness Randulf the smith, who granted Robert half a bovate and half a toft in South Luffenham, three silver marks changing hands to seal the deal.²⁵ Shortly afterward, Randulf's son Hugo gave Robert two acres of land, split into several smaller parcels dotted throughout the village, at an annual rent of 1d.²⁶ Although the village smith fulfilled a vital role for the community, the signs are that he and his son owned strikingly modest holdings in South Luffenham: in Randulf's charter, for instance, he describes his grant to Robert as “totam terram quem habui in Luthluffenham [sic] infra villam et extra.” If “totam terram” refers to the half a bovate and toft identified in the charter, then Robert Mauduit, a chamberlain of the Exchequer no less, sought to acquire land that could be ploughed by a single ox in perhaps half a season, plus a modest homestead.

Something of the true dimension of Robert's status as a landowner can be seen in the stature of the local participants recorded in these documents. Both Randulf's charter and that of his son Hugo were witnessed by a ragtag bunch of local clergy and leading inhabitants of the village, “none of them men of more than local standing.”²⁷ Significant court officers and allies from the judicial bench, that is, figures of demonstrably extra-regional stature—whom we might expect to see in Rutland given Robert's readiness to use his contacts elsewhere—are absent from the Rutland charters. Location can also offer some clues with respect to the legal framing of such activity: the events recorded in Randulf's charter took place “coram hundredo de Brekneden (Barrowden),” the hundred court clearly retaining local relevance in this part of Rutland, in stark contrast to its fate in much of the rest of the country, where the jurisdictional landscape was tilting in favour of lords.²⁸

24 Broadberry, Campbell, and van Leeuwen, “English Medieval Population.” Schofield, *Peasants and Historians*, discusses the issue of growth.

25 BC 219: “Pro hac autem donation et concessione dedit michi prenomiatus Robertus tres marcas argenti in recognitione eorum juris”; BC 224: “Reddendo inde annuatim j denarium ad festum sancti Michaelis.”

26 BC 224.

27 Mason, *Beauchamp Cartulary*, xxxv.

28 Karn, *Kings, Lords, and Courts*, whose findings can be usefully contextualized by setting them against developments of the pre-Conquest period as explored by Faith,

A particular mechanism favoured by Robert in the furtherance of the expansion of his estates was the quitclaim, sometimes deployed to his advantage in cases concerning trifling amounts of land. For example, Hugo son of Hamo quit his claim to half a toft in South Luffenham in about 1200, while another Hugh, this one the son of Asti, quit his claim to a third of an acre in the same village at about the same time, further evidence that Robert was engaged in a concerted effort to take possession of the good-quality arable for which the area is renowned.²⁹ These legal instruments were ideally suited to Robert's wish to add to his holdings by obtaining land from the peasantry in piecemeal fashion. Their advantages were manifold: for a start, they obviated the need for more complex (and expensive) legal wranglings, yet were more than adequate tools for the conveyancing of land given the straightforward items of business they tended to record. Furthermore, what we might call the dispositive section of these documents was tailored to recognize in the most unambiguous terms possible that the parties quitclaiming—in these instances, to Robert Mauduit's advantage—were actively renouncing their rights to the contested holdings.³⁰ In short, the purpose of the quitclaim was to draw a line under the activities it recorded, rendering earlier charters obsolete.

Final concords, the “feet” of which came to be retained by the court from 1195, performed much the same task, adding an air of incontestability to Robert's claims to title. A particularly interesting example shows that Robert was even willing to take a Rutland tenant to court at Westminster (“*Hec est finalis concordia facta in curia domini regis apud Westm*”) to settle a dispute over 71s. worth of land in North Luffenham.³¹ One could argue that this case ended up at Westminster because of the unusually high value of the land at stake, but it is equally possible that Robert wished to draw the matter to a close, definitively and once and for all, away from the prying eyes of locals in North Luffenham who may not have been amenable to his actions. He certainly went to great lengths to make his claim unassailable; the char-

English Peasantry. Note that Barrowden, here “Breknedden,” appears as “Berchedone” in Domesday Book, <https://opendomesday.org/place/SK9400/barrowden/>, accessed November 15, 2023.

29 BC 220; BC 223.

30 Consider this fine example (BC 229): “*relaxavi et quietum clamavi Roberto Mauduit, domini regis camerario, totum jus meum et totum clamium quod habui in terra.*”

31 BC 225.

ter tells us that his tenant, William de Chauz, was compelled to hand over all charters he owned pertaining to the land.³²

Other cases recorded as fines saw Robert bring insignificant suits before King John himself. Two cases were heard at Chester on May 17, 1211, both concerning seemingly trivial amounts of land many miles to the south in North Luffenham.³³ Quite why Robert thought such affairs worthy of the king's time is hard to say. We may surmise that he had grasped the importance of trying to make effective use of the connections he had forged as a leading bureaucrat, and if this meant petitioning the king directly for small wins, then so be it.³⁴ The connections Robert enjoyed with the king and his officials, exemplified by his own office at the Exchequer—reference to which was more often than not included in charters, even those recording modest deals with peasants—perhaps went some way to compensating for his relative lack of influence as a political figure. And in any case, for the asset-stripping of the Luffenhams to continue apace so that Robert could shore up the local foundations of his power, no opportunity to augment his landed resources could be spurned.

Itinerant judicial courts operating in the shires offered just such an opportunity, not only to Robert but to all free individuals subject to the king's justice and the Common Law. Accordingly, it is important to note that ordinary people—free tenants and small proprietors—could and did seek justice at the circuit courts. Mundane business matters involving modest people litter the fine records that document the consecution of itinerant justice in Rutland in the thirteenth century. On June 6, 1219, in Ketton in the southeast of the county, a certain William son of Bernard remitted and quitclaimed for himself and his heirs to William Gardinarius, surrendering a single virgate of land in Exton, situated in the county's north.³⁵ Another Rutland case took place at Oakham on August 2, 1247, when Thomas de Reppele remitted and quitclaimed to John Luvet, on this occasion transferring two bovates of land.³⁶ Similarly, justices itinerant overseeing affairs at

32 BC 225: "Et predictus W[alterus r]eddet preonominato Roberto omnes cartas quas inde habet, sive de rege sive de aliis signoragiis."

33 *Medieval Property Transactions*, ed. Wells-Furby: abstracts nos. 30 (half a bovate and half a toft) and 31 (half a bovate and one eighth of a bovate).

34 Interestingly, Robert had fallen foul of the king by 1215 in the wake of the baronial revolt, and some of his estates in the southern home counties were confiscated: *Rotuli Litterarum Clausarum*, 1:237.

35 Wells-Furby, *Medieval Property Transactions*, no. 37.

36 Wells-Furby, *Medieval Property Transactions*, no. 62.

Oakham in 1271 settled a dispute between Richard Skerhware and Simon Humfrey and his wife Alice, the quarrel on this occasion focusing on one toft in South Luffenham.³⁷

These examples are of much more than merely anecdotal value because they show us that individuals of very varying means appear in the feet of fines. This is also true of the social composition of the cast of characters documented in the Rutland charters, as we have seen. In general terms, then, we are left with the impression of a society which was, in the round, relatively unencumbered by classically “feudal” institutions; lordship in Rutland, insofar as we can detect it, seems to have been rather light touch in reach and character around 1200, and the intensely manorialized settlements of other parts of the country are nowhere to be seen. When one considers that the county lacked powerful churches and monasteries with which aspiring parvenus like the Mauduits might form alliances, we can see why there was significant space for free tenants and peasant proprietors to tend to their own concerns. But why go to the trouble of resolving matters at the eyre court? In reply to this question, we can speculate that fines were of particular use to ambitious strivers with designs on social advancement, whatever their status or rank. Charters were all well and good, but their contestability meant that as legal safeguards they were hardly watertight. Fines, on the other hand, pronounced an end to the arrangement—literally, a final concord—in documents which ended up in the royal chancery. Viewed in this light, we can see how working at the Exchequer, understanding legal procedures, and being well-connected provided several Mauduit men, including Robert, with the tools needed to go about their business despite their lack of political weight and serious landed resources. In this context, it is perhaps no surprise that a certain adroitness in the selection and use of legal instruments characterized Robert’s dealings.

Even so, rural cultivators in thirteenth-century Rutland were not easily cowed, and some seem to have had few qualms about contesting Robert’s attempts to expand his patrimony at their expense. The *Curia Regis Rolls* illustrate the difficulties Robert encountered when taking on a certain Agnes Bacon, in a case that saw the litigants engaged in a tortuous dispute lasting from 1210 to 1212. Their disagreement concerned the rights to half a bovate and one fourteenth of a bovate in North Luffenham.³⁸ Their respective moti-

37 Wells-Furby, *Medieval Property Transactions*, no. 111.

38 *Curia Regis Rolls*, vol. 6 (11–14 John), 77, 94, 131, 165, 314. Once again, one is struck by the very modest dimensions of the contested land: “dimidia bovata terre et quarta decima parte j. terre.”

vations are not made plain, but if Robert sought to consolidate his existing holdings by accumulating farmland from peasant owners and tenants, then he was in this instance to be disappointed. Agnes Bacon was not deterred by Robert's greater experience and knowledge of legal procedure. Eventually, in fact, she saw off Robert's claim, the roll informing us that the final concord was such that "Robert recognized that that land was hers [Miss Bacon's] by right, and he remitted his claim."³⁹ The loss of this lawsuit, contested with a denizen of the village world of no apparent status or means, presumably caused Robert considerable embarrassment. To add insult to injury, Robert was ordered to render a palfrey to the Crown "pro licencia concordandi."⁴⁰

Clearly, substantial peasants could not only defend their interests against lordly encroachment, but do so at the royal court, and win. Even when they did not win, they could make life difficult for officials, as did the peasants who wrangled with Robert Mauduit in 1206–08 over just three bovates of land, the suit only ending with Robert's restoration of the land (except for three acres which he retained) and the imposition of annual rent.⁴¹ The notion that these accounts describe an elaborate fiction cooked up to provide a context in which Robert's interests could be vouchsafed at court is not a convincing one: for a start, why choose such an expensive, time-consuming, and convoluted way of bringing about this end? A reflection of Robert's actual power (or of his lack of genuine coercive power) is the fact that these peasants, customary tenants who owed labour service, were sued in the royal court rather than in the hundred-court at Wrandike, sometimes thought to have been coterminous, and certainly later associated, with Barrowden, where we know the Mauduits to have held landed interests.⁴² Perhaps Robert's many professional colleagues at Westminster provided assistance and goodwill that he could not expect to receive in Rutland, where a spirited peasantry may well have looked upon his encroachments with suspicion. Whatever the case may be, it must say something of the Rutland peasantry's condition that petty disputes over land ended up at the king's bench.

39 *Curia Regis Rolls*, vol. 6 (11–14 John), 314: "Et est concordia talis quod Robertus recongnoscit ei terram illam ut ius suum et remittit ei clamium suum."

40 *Curia Regis Rolls*, vol. 6 (11–14 John), 314.

41 *Curia Regis Rolls*, vol. 4 (7–8 John), 64, 127, 159, 202, 298.

42 "Wrandike hundred," in *History of the County of Rutland*, 2:169, <https://www.british-history.ac.uk/vch/rutland/vol2/p169>, accessed November 15, 2023.

Enjoying the favour of the king was no small matter. Admittedly, the king intervened infrequently in areas marginal to his concerns, such as Rutland, where the absence of major ecclesiastical centres and leading magnate families was pronounced. But when and where he did, we can assume that his office holders, with their detailed knowledge and practical experience of the king's courts, may have sometimes engineered just such an intervention to their advantage. When, for example, four men were reported to have been killed in Robert Mauduit's mother's house, those punished included not only the murderer himself, who was hanged, but all those who had taken matters into their own hands when imposing the death sentence.⁴³ These men, crown officials and knights of the shire ("coronatores et quidam milites de comitatu"), owed suit to the shire court and were amerced by King John on the grounds that he himself had not mandated that the murderer be executed. Amongst these locally powerful men to have earned the displeasure of the king was the holder of the manor of Empingham, Ralph de Normanville, a local bigwig of similar stature to Robert Mauduit, yet an individual who played no apparent role in the Mauduit network.⁴⁴ We cannot say for certain that Robert Mauduit meddled in these affairs, playing on his close relations with the king to damage a local rival, but this kind of petty politicking rings true, and it is striking that Robert's mother's house is rather enigmatically given as the place where the events unfolded. Strikingly, Ralph's son, also Ralph, was listed as a pledge in 1222 for the payment of the fourth William Mauduit's relief.⁴⁵ Such were the many and varied obstacles that stood in the second Robert Mauduit's way as he looked to consolidate his grip on landed assets in Rutland.

1222–1268: The Mauduits, the Richer Rutland Peasantry, and the Earldom of Warwick

Although the Mauduit interest in Rutland was concentrated in the Welland Valley, from the early thirteenth century the family came to acquire lands in Greetham and Cottesmore, which lie in the northeast of the county. These lands possibly came into the Mauduits' possession via the earls of Warwick, whose longstanding interest in the vicinity is testified from the early twelfth century.⁴⁶

⁴³ *Curia Regis Rolls*, vol. 6 (11–14 John), 10.

⁴⁴ "Parishes: Empingham," in *History of the County of Rutland*, 2:242–50, <https://www.british-history.ac.uk/vch/rutland/vol2/pp242-250>, accessed November 15, 2023.

⁴⁵ *Excerpta e Rotulis Finium*, 1:87.

⁴⁶ *Cartulary of St Mary's Collegiate Church, Warwick*, ed. Fonge.

How the transfer of these lands—from the Warwick earls to the Mauduits—was effected is not certain, but important dealings between the families can be identified during the reign of King John. In about 1200, Waleran, fourth earl of Warwick, gave Greetham and half of Cottesmore to his son, also Waleran, to hold as a knight's fee (“per servitium feodi unius militis”).⁴⁷ Waleran junior soon ran into financial difficulties, however, and it is plausible that the assistance we know him to have received from the second Robert Mauduit saw land in Greetham and Cottesmore transferred to the Mauduits to cancel the debt.⁴⁸ Furthermore, the younger Waleran's sister Alice married the fourth William Mauduit, and an entry in the Book of Fees notes that the latter was by 1236 a tenant of the earldom of Warwick.⁴⁹ These family connections provide a context in which the developing Mauduit interest in Greetham and Cottesmore begins to make sense, and the family's newfound interest in Cottesmore in the time of the second Robert Mauduit is indeed attested by an unrelated charter from about 1220, in which Robert granted a river meadow “in Kutesmor” to John Le Brun of Cosgrove.⁵⁰

These same family connections with the earls of Warwick must have appealed to the socially mobile and status-conscious instincts of the second Robert Mauduit and his son, the fourth William Mauduit—instincts we have seen at work in our discussion of their efforts to corral the richer peasantry and engineer favourable marriage alliances. But the first half of the thirteenth century was in some sense not a propitious moment to be forging links with the once-powerful earls of Warwick, whose national standing, as David Crouch has persuasively shown, was already by about 1200 much reduced when compared with the prestige and influence that the family had enjoyed in its post-Conquest heyday.⁵¹ Although still significant landowners, certainly when compared with the upstart Mauduits, the Warwick earls had nevertheless seen their influence and power steadily disintegrate: Thomas, the sixth earl of Warwick (d. 1242), counted “no more than three knights” in his retinue, and when his sister the Countess Margery (d. 1253) succeeded to the earldom, it provided her with “neither following nor means to raise its dignity.”⁵²

47 BC 287.

48 *Beauchamp Cartulary*, ed. Mason, xxxix.

49 *Liber Feodorum*, ed. Lyte, 1:506.

50 BC 218.

51 Crouch, “Local Influence of the Earls of Warwick,” 1–22.

52 Crouch, “Local Influence of the Earls of Warwick,” 11, 13; by contrast, Mason, “Resources of the Earldom of Warwick,” rather underplays this decline.

Matters came to a head in 1248, when Countess Margery and her second husband and royal favourite John de Plessis (d. 1263) attempted to recover Greetham and half of Cottesmore from the fourth William Mauduit and his wife Alice, the latter of whom was Margery's paternal aunt.⁵³ The countess's challenge was unsuccessful, but the fact that these families were willing to risk the fallout that such a dispute would provoke must say something about the Warwick line's reduced status as well as the tenacity with which the Mauduits were prepared to defend their interest. It may also suggest that the countess and her husband—wrongly, as it turned out—considered the Mauduits to be an easy target, given their relative lack of landed resources. This was an impression that Countess Margery and John de Plessis may have formed in an earlier dispute, sometime before December 1246, when obliging Alice and her husband William Mauduit to acknowledge that John would hold for life lands pertaining to the Warwick earldom.⁵⁴ The charter that records this agreement (*conventio*) hints at tensions between the two couples which were laid bare in February 1247, and at the king's bench no less (“in curia domini regis apud Westm”), when John as plaintiff or—perhaps better—complainant (*querentem*) had his claim to the earldom of Warwick recognized. Importantly, the settlement makes clear that John's claim was to continue to be recognized even if Countess Margery should predecease him.⁵⁵ These earlier disputes provide a context for the difficulties William and Alice encountered in 1248, when as noted above they had to defend their claim to lands in Cottesmore. Although this challenge was resolved in the Mauduits' favour, the experience seems to have spurred them into action, and efforts were made to shore up their presence in the northern fringe of Rutland. Once again, however, the Mauduits did not have everything their own way, although the problems they faced in the 1250s did not come from disgruntled kin but rather more modest individuals.

On September 30, 1253, Adam Champeneys and his wife Matilda acknowledged in a final concord that land they farmed in Cottesmore, amounting to a messuage, three bovates, and six acres of meadow, belonged to Alice Mauduit, wife of the fourth William Mauduit. Adam and Matilda, appearing before the itinerant justices at Oakham, were then offered the land back in tenancy at an annual rent of six pence, to be paid in two instal-

53 Recorded in the Surrey eyre roll of 1248, The National Archives, JUST 1/871, m. 4. On John de Plessis, see the sagacious animadversions of Vincent, “John de Plessis”.

54 BC 249.

55 BC 250.

ments.⁵⁶ What seems at first glance an innocuous enough record of a single modest transaction was in fact rather more important, since William and Alice seem to have orchestrated the deal with the double intention of imposing a rent on Adam and Matilda, and then using their newfound leverage to oblige them to renounce any claim they had to lands formerly held by William Champeneys, Matilda's brother.⁵⁷ Yet Matilda and Adam, it would seem, did not give up their interest in Cottesmore without a fight. On April 8, 1257, they were obliged to quit their claim to a toft, twelve and a half acres of land, and a tenement that the late William Champeneys had held in Cottesmore.⁵⁸ In short, for some four years or so, they seem to have challenged or at least in part defied the stipulations decreed in the final concord of 1253. The matter may have come to a head in 1257 because the fourth William Mauduit, with whom the 1253 agreement was made, died early in that year; the 1257 quitclaim was in fact settled in favour of the fifth William Mauduit (the eighth earl of Warwick from 1263), who may well have been reviewing his holdings shortly after his father's death.

And what of Adam and Matilda? To determine their status is difficult. They should probably be counted amongst the richer members of village society, but Cottesmore was hardly a large settlement, and it may well be a case of their being big fish in a small pond. This notwithstanding, they evidently enjoyed the protection of the Common Law and appear to have belonged to that class of relatively prosperous free tenants who may also have been small-scale proprietors in their own right. In sum, these were people of local stature, willing and able to contest their interests with the Mauduits, who, perhaps growing impatient with Adam and Matilda's intransigence, decided upon the use of the quitclaim, an ordinary charter likely not offering the assurances the Mauduits sought. At this stage it would make sense to think that Adam and Matilda relented—but they did not. On October 13, 1257, the suit was heard again, on this occasion before royal justices at Westminster, at considerable inconvenience and expense to all parties.⁵⁹ It took the form of a final concord recording the surrender of Adam and Matilda's lands to the fifth William Mauduit in terms which are amusingly comprehensive (and shot through with exasperation on the plaintiff's part),

56 BC 246.

57 "terris et tenementis cum pertinenciis que fuerunt Willelmi le Chaumpeneys fratris ipsius Matilde."

58 BC 256.

59 BC 257.

the agreement being described as a “recognitio, redditione, remissione, quietaclamatio, fine et concordia.” Here at last the matter was put to bed, all for the princely sum of “quatuor marcas argenti.” William Mauduit (V) acquired other modest holdings from villagers in Rutland during his life, but his attention would turn to the more westerly heartlands of the Warwick earldom from 1263, where no doubt much to his relief he could leave behind his travails with the litigious and lively peasantry of Rutland.⁶⁰

Conclusion

What can we say about well-connected local families of influence, and their relations with the richer peasantry, by way of conclusion? First, let us turn to the caveats, which stem from the methodological difficulties supposed by the evidence and its uneven distribution. To generalize on the basis of a regional case study such as this is always a fraught endeavour; local conditions appear to have differed greatly from one region to the next, and our understanding of that difference is itself a reflection of the patchiness of the documentary record. Other studies have shown that relations between locally significant families and the richer peasantry did not always take the form they did in the Beauchamp charters, and the small-scale landed politics of thirteenth-century Rutland cannot offer a failsafe model for subsequent enquiry.⁶¹ That being said, there is clear lasting value in sketching rural sociologies which foreground the ambition of lesser lords and the agency of non-elite individuals in the shaping of the countryside, because investigations of this kind necessarily expose the shifting patterns of ownership that characterized the countryside’s development.⁶² More important still, and often missed, is the fact that studies such as this in aggregate illuminate not just the extent of lordly power, but the limits of that power and the role that non-elites played in drawing those limits. By examining the legal processes and social interventions that the Mauduits orchestrated in Rutland, we gain a more nuanced understanding of how people of different social status and economic means managed their competing interests on the ground. What emerges is a picture of the difficulties and challenges that building one’s patrimony supposed, even for a family as well connected at court as the Mauduits.

⁶⁰ BC 253; BC 254; BC 255.

⁶¹ Schofield, *Peasants and Historians*.

⁶² Cf. Coss, *Foundations of Gentry Life*.

Ultimately, all the experience and expertise that the Mauduits acquired at the Exchequer counted for little on the ground, away from Westminster, in the somewhat rougher and readier environs of East Midlands village society. All of this underlines a more important realization: namely, that we should not expect the literate and numerate governmental functionaries of twelfth- and thirteenth-century England necessarily to possess skills that prepared them for the very different challenges posed by local society. The skills needed to flourish at the Exchequer clearly did not correspond as a matter of course with those required to gain and maintain local dominance: thus, what we might call “Exchequer expertise” and “local expertise” are best understood as surprisingly compartmentalized fields of practical knowledge, each dependent on specialist practices, as well as a certain immersion in a very particular habitus. In essence, the Mauduits were technocrats; they were not shapers, nor constitutive, of the social networks of their tenants, nor the richer peasantry as a whole. As such, they found that a firm grasp of auditing, raising tax, and sundry treasury procedures left villagers unmoved.

A second key point underscored in this study is that to focus exclusively on lordly encroachment on peasant holdings in order to illustrate how local lordships were constructed is to tell only half the story. It is also to privilege the purpose and the format of the documents—the charter, the final concord, and the quitclaim—over the social dynamics that made their use necessary in the first place. At the very least, we can say that by contesting the limits of local lordly encroachments, non-elite individuals in thirteenth-century Rutland actively shaped the contours and tensile strength of lordly arrangements. As the sources that tell us of the redoubtable Agnes Bacon and the persistent Adam and Matilda Champeneys make plain, some of the more substantial villagers did not fear the Mauduits, nor hesitate to claim what they believed to be their due. Admittedly, seen from one perspective, the Mauduits’ efforts paid off, for the fifth William Mauduit’s ascent to the earldom of Warwick in 1263 saw him inherit a coveted prize. But if we consider this moment to represent rightful reward for the steady if unspectacular work of generations of Mauduit men in the national service, as per Mason’s otherwise excellent investigations of the family, we risk smoothing over the frantic, somewhat desperate, and occasionally underhand methods that characterized Mauduit scheming. If we look at these methods in fine detail, as I have done here, we see that the arguably heavy-handed but undoubtedly persistent genius of the Mauduit line was to show relentless determination, to seize every opportunity, and to chase the odd lost cause, notwithstanding the considerable opposition the family faced from what was by the standards of twelfth- and thirteenth-century England a spir-

ited local peasantry, elements of which were more than capable of defending their interests. All things considered, it hardly seems fair that the name “Maudit” should probably derive from the uncharitable sobriquet “Maledoctus,” for there is little sign, for all their missteps, that the Mauduits were unlettered bumpkins, nor that they were unprepared to devote their considerable energies to the preservation and expansion of their patrimony by whatever means they could.⁶³

63 The surname is discussed in White, “Financial Administration,” 61.

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