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The Earliest Known Knights of the Shire: New Light on the Parliament of April 1254

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The arrangements made by Henry III's government in February 1254 for the parliament that was to meet later that year, in April, have traditionally had a central place in constitutional history. Entailing as they did the summoning of two knights from each shire to Westminster, with the intention that the knights should grant an aid to the king on behalf of their shires, they brought taxation and local representation visibly into alignment for the first time. It is true that since Stubbs's day this celebrated episode has receded a little in historiographical prominence. It has been placed in a longer and more evolutionary context, but also one which has paradoxically made its exceptional nature more apparent: knights had occasionally attended assemblies for political reasons since John's day; they had probably even been elected, and even for political purposes, prior to 1254; and in that year they were called to consent, not to a general tax on the whole kingdom, but merely to a levy on the many who were exempt from the military service which the government was simultaneously demanding from the few.¹ Yet despite these qualifications, Stubbs's comment that 'this is an important landmark in the parliamentary history of England' still holds good.² However long the process of evolution, and however limited the levy envisaged (and it was not very limited), there is no denying that what happened in 1254 provides us with our first hard evidence for the crown's request for a money grant from those who would soon become known as the Commons. But until now there has been virtually no complementary evidence about local responses to that request. What follows adds to our small stock of knowledge on this topic by printing and commenting on some newly discovered returns to this famous assembly. Although the returns are later copies rather than originals, they provide us with our first such evidence for any English parliament.

The circumstances in which shire knights were summoned to parliament in 1254 are well known.³ Henry III had departed for Gascony in August 1253, leaving his kingdom

¹ A. B. White, 'Some Early Instances of Concentration of Representatives in England', *American Historical Review*, XIX (1914), 736-50; J. C. Holt, 'The Prehistory of Parliament', in *The English Parliament in the Middle Ages*, ed. R. G. Davies and J. H. Denton (Manchester, 1981), pp. 26-7; J. R. Maddicott, 'An Infinite Multitude of Nobles': Quality, Quantity and Politics in the Pre-Reform Parliaments of Henry III', in *Thirteenth Century England*, VII (forthcoming) (for knightly attendance before 1254 at parliaments where taxation was discussed).

² *Select Charters*, ed. W. Stubbs (9th edn., Oxford, 1913), p. 365.

³ For the political and military background, see esp. J. P. Trabut-Cussac, *L'Administration Anglaise en Gasconne sous Henry III et Edouard I de 1254 à 1307* (Geneva, 1972), pp. xxx-xxxix; J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 119-24; and M. Howell, *Eleanor of Provence. Queenship in Thirteenth-Century England* (Oxford, 1997), pp. 109-12.

in the hands of his queen, Eleanor of Provence, who was to govern as regent with the counsel of Henry's brother, Richard of Cornwall.⁴ By the end of the year Henry was preparing to defend his duchy from attack by Alfonso X, king of Castile, though he was at the same time negotiating for peace with his enemy: a fact clearly well known at home. Desperate for men and money, not just to meet any putative invasion by Alfonso but also to put down Alfonso's allies in Gascony, Henry used Eleanor and Richard to place his needs before a parliament which met on 27 January 1254. They reported its proceedings to him in two letters, one probably written in the first days of February and the second on 14 February.⁵ Henry was offered only limited satisfaction. Four of the prelates had promised their personal military service and the other bishops and abbots money; but they refused to make any firm offers before the muster scheduled for London on 3 May which was to precede a relief expedition. Nor would they commit the lower clergy without their assent. The magnates were more obliging, all of them undertaking to provide military service. But there was clearly deep scepticism about Henry's intentions and veracity, for both groups made their assistance conditional on the threat from Castile materializing. As for 'the other laity' – meaning the non-magnates, in effect the knights and gentry, who were exempt from military service – Eleanor and Richard did not believe that the king would be able to obtain any financial aid from these men unless he ordered the Charters (Magna Carta and the Forest Charter) to be proclaimed in the counties and firmly maintained; for there were many complaints at the failure of sheriffs and other royal bailiffs to observe them. Both clergy and laity were to meet again in parliament at Westminster on 26 April in order to reconsider the king's request for a tax.

There was thus no immediate prospect of Henry's obtaining the resources which he sought. But within the next few weeks Eleanor and Richard put in hand a series of measures intended to give the king all that he wanted. Combining coercion, persuasion and compromise, they should have resulted in the raising of a large army supported by the taxes of those who were to stay at home. On 5 February writs were issued reciting the obligations recently made in parliament and summoning the magnates to come to London in arms on 3 May. In addition, and by an extension of what had been agreed in parliament, the sheriffs were ordered to take security from all tenants-in-chief with £20-worth of land that they too would appear on that day, and to return the names of these men to the queen and council by 22 March. Archbishops and bishops were told to convene the heads of religious houses in their dioceses and to induce them to give generously.⁶ Then, on 14 February, came the writs which have given this episode its constitutional importance. They were sent to the sheriffs and began by reminding them both of the decision accepted by the magnates to muster in London on 3 May and of the sheriffs' duty to distrain the £20 tenants-in-chief

⁴ For the respective positions of Eleanor and Richard, see Howell, *Eleanor of Provence*, p. 112, which corrects some common misapprehensions about the regency.

⁵ [Matthaei Parisiensis] *Chronica Majora*, ed. H. R. Luard (7 vols., Rolls Series, 1872–84), VI, 282–4; *Royal and Other Historical Letters Illustrative of the Reign of Henry III*, ed. W. W. Shirley (2 vols., Rolls Series, 1862–66), II, 101–2. For another account of the parliament, in close agreement with that given by Eleanor and Richard but emphasizing the scepticism of the magnates, see *Chronica Majora*, V, 423–5.

⁶ C[lose] R[olls], 1253–54, pp. 111–12.

to attend the muster, along with the magnates. These directions, already notified in the writs of 5 February, were now augmented and the sheriffs given additional responsibilities. They were to send before the council at Westminster on 26 April, the day fixed for parliament, two knights from each county, chosen by the county 'in place of all and each of the same county (*vice omnium et singulorum . . . comitatus*)'. Together with knights from the other counties, those elected were to decide what sort of aid to offer the king. The sheriffs were to explain the king's needs to the knights and others in the counties and to induce them to grant an appropriate aid, so that the knights could make a positive response at the assembly. To the sheriffs of some counties was assigned an extra task: the immediate collection of the debts owing to the king and the despatch of the proceeds to the exchequer.⁷

Three further measures completed these preparations. Shortly before the writs of 14 February to the sheriffs, others of a parallel sort were dispatched to the archbishops and bishops, ordering them to convene the lower clergy in their dioceses, to persuade them to make a grant, and to send representatives to the forthcoming assembly to tell the council what they were prepared to give. Then, on 25 February, the sheriffs received fresh instructions: they were to approach the knights and serjeants able to bear arms, to address them on the king's danger and his needs, to offer them pay for their military service, and to proclaim that all those wanting to serve should attend the muster on 3 May. Finally, Henry himself wrote home on 3 March to the whole political community, prelates, magnates, knights and clerks. He emphasized the continuing threat from Castile, urged rapid acquiescence in his request for aid, asked those who could not serve personally to give money, and said that he had commanded those governing for him to order the proclamation of Magna Carta in the counties and its firm observance by both sheriffs and magnates.⁸ The king's whole statement, with its general form of address, its tone at once propagandistic and precatory, and its final concession to local interests, in line with the earlier advice from Henry's queen and brother, may well have been intended as a kind of long-distance 'speech', to be read out at the forthcoming meeting of parliament.⁹

Taken together, these orders of February and March 1254 constituted a programme of advanced planning for a military campaign unprecedented in Henry III's reign for its elaborateness and its comprehensive attempt to tap the resources of the whole nation. That programme was determined in and bounded by parliaments; for it was in parliament in January that the initial offers of conditional support had been made and it was at a parliament in April, well timed to bring together the more important of those preparing for the muster a week later, that the offers of the stay-at-homes were to be realized as grants of taxation. Had they been put into operation, these far-reaching plans would have left few of Henry's subjects untouched. That was one reason why those governing

⁷ *Ibid.*, pp. 114–15; *Chronica Majora*, VI, 286–7. The close roll version of the writ is undated, but falls between other writs dated 11 Feb.; Paris's version, sent to the sheriff of Essex and Hertfordshire, is dated 14 Feb., as is the newly discovered version discussed below. The order for the collection of debts is on the close roll version, sent to the sheriff of Beds. and Bucks., but not on the two other versions. The April assembly is twice termed a '*parlementum*' in official sources: *C. R.*, 1253–54, p. 43; *Calendar of Patent Rolls*, 1247–58, p. 370.

⁸ *C. R.*, 1253–54, pp. 115–16, 119; *Chronica Majora*, VI, pp. 287–9; *C. P. R.*, 1247–58, pp. 279–80.

⁹ I am very grateful to this journal's anonymous reader for this suggestion.

for Henry judged it to be so necessary to draw the knights into the consenting assembly. Both their summoning and the attention paid to their grievances by regent, king and council showed that they had become an unignorable interest in politics.

The microcosm of the shire and its inhabitants on which the government's demands impinged provides the setting for our new documents. They are contained in British Library MS Cotton Claudius C. II, most of which, including our texts, consists of transcripts in the fine italic hand of Robert Glover (1544–88), the Elizabethan herald, antiquary and genealogist.¹⁰ Glover's transcripts draw mainly on the records of the chancery and the exchequer, which he was the first to use for historical purposes, and they bear especially on military service and knighthood in the thirteenth and fourteenth centuries. Much of what Glover copied out still survives among the public records: for example, the returns made by the sheriffs in 1256 of all those holding the £15-worth of land which qualified them for knighthood, the originals of which are among the chancery miscellanea.¹¹ But much else that Glover transcribed has now disappeared. Into this category come the returns from 29 counties, covered by 21 shrievalties, to the writs of 5 February 1254 requiring the names of the £20 tenants-in-chief. The long lists of these men, which Glover alone preserves, represent a source for the history of landholding society in Henry's reign that has gone almost wholly unused.¹² But more to our purpose is the inclusion among these returns of others relating to the election of shire knights for two counties, Middlesex and Northumberland, who were to attend the April parliament.

This material, printed in full in the appendix below, may be set out as follows:

1. The writ of 14 February, discussed above, and addressed here to the sheriff of Middlesex, reminding him of the need to distrain the £20 tenants-in-chief to attend the forthcoming muster, and ordering the election of two knights from the county to attend at Westminster on 26 April to consider a tax. The wording of the writ is virtually identical to that on the close roll.
2. A note headed 'Names of the knights' and giving those names: William son of Reyner and John de Tywne.
3. A note stating that similar letters had been sent to other sheriffs throughout England. The wording resembles that of a similar statement on the close roll, following the writ of 14 February, and it was probably the roll which Glover used and paraphrased here.¹³

¹⁰ For Glover, see now Nigel Ramsay's introduction to Robert Glover and Thomas Milles, *The Kings of England Ever Since It Was So Called*, ed. D. Parker (1995). The identification of Glover's hand in the manuscript was first made in *Lancashire Lay Subsidies*. Vol. 1: *Henry III to Edward I*, ed. J. A. C. Vincent (Lancashire and Cheshire Record Soc., XXVII, 1893), p. 28, n. 3. I am very grateful to Dr Ramsay for confirming the identification. The documents are reproduced by permission of the British Library Board.

¹¹ P. R. O., C 47/1/1. But Glover includes returns for Worcestershire and Somerset which are not now extant and omits others for Herefordshire, Wiltshire and Warwickshire which are now in the above file.

¹² Vincent published the return for Lancashire: *Lancashire Lay Subsidies*, p. 28.

¹³ C. R., 1253–54, p. 115. For Glover's use of the close rolls, note, e.g., his transcripts of the summonses for Edward I's first Welsh campaign in B. L., MS Cotton Claudius C. II, f. 47, and compare *Parliamentary Writs*, ed. F. Palgrave (2 vols. in 4, Record Comm., 1827–34), I, 193–6 (from the close roll).

4. A note, presumably interpolated by Glover, to the effect that the sheriff of Middlesex made the following reply to the king.
5. The reply referred to above. Lacking address and valediction, the sheriff's letter states that he can find no knights in Middlesex suitable (*utiles*) to carry through the king's mandate except Sir Roger de la Dune and Sir Roger de Bachewurth. But he cannot induce them to take up office except by the king's special order. He asks that the two knights should be sent such an order to fulfil the king's original mandate or else that he, the sheriff, should be authorised to distrain them to do so. They do not wish to fill that office (*nolunt officium illud facere*), but he cannot find such suitable men.
6. A list of 11 landholders in Middlesex who hold £20-worth of land in chief from the king.

Then, after a further list of £20 tenants-in-chief in Norfolk and Suffolk, comes:

7. Under the heading 'Northumbria', the names of two knights 'elected for the whole county of Northumberland': John de Esselington and John de Letewell.

The interest of these returns does not need stressing. They are the earliest that we have, preceding their successors, the fragmentary returns for the Easter parliament of 1275,¹⁴ by more than 20 years. On no occasion prior to 1275 were the sheriffs asked to return the names of those elected to parliament, though such a requirement soon became a standard one,¹⁵ and in 1254 returns were probably made only because the sheriffs had been directed to supply others listing the names of the £20 tenants-in-chief. Two of those sheriffs may have decided to err on the safe side by sending in the names of the chosen knights – in Middlesex, as an addition to the list of landholders, in Northumberland, for which there is no such list, perhaps as an alternative. It should not be assumed, therefore, that no knights were elected other than in these two counties. Indeed, we know that they were, for a writ of 2 April 1254 directed the sheriff of Essex to substitute another knight for Walter de Bibbworth, 'one of the two knights coming to Westminster fifteen days after Easter', since Walter was keeping the king's forest in his county.¹⁶ Yet although the return of landholders in Essex is present among Glover's transcripts,¹⁷ there is no complementary election return. In this county at least the sheriff had done no more than he was asked to do.

If the returns merely stood in isolation, however, their interest would be mainly antiquarian, as the first of their kind. But in fact they seem to tell an illuminating story. Its unravelling is hampered a little by our having to work from transcripts rather than the originals, for Glover produced a continuous record from his sources, failing to distinguish between different documents or between writs and endorsements, and making no comment on the form or diplomatic of what he had before him. His originals must have disappeared at an early date, since they were unknown to the seventeenth century's two most indefatigable researchers among the records of parliament, William Prynne and William Petyt, neither of whom came across any parliamentary returns before Edward

¹⁴ C. H. Jenkinson, 'The First Parliament of Edward I', *E. H. R.*, XXV (1910), 231–2, 236–42.

¹⁵ Under Edward I, omitted only in October 1275 and in 1290: *ibid.*, p. 231, n. 2.

¹⁶ *C. R.*, 1253–54, p. 42; D. A. Carpenter, 'The Beginnings of Parliament', in his *The Reign of Henry III* (1996), p. 391 and n. 56; below, pp. 123–4.

¹⁷ B.L., MS Cotton Claudius C. II, ff. 30v–31.

I's reign.¹⁸ We may nevertheless use what we have to make some contribution to the history of the 1254 parliament. The record for Middlesex, more substantial than that for Northumberland, provides the larger part of our evidence.

It has two main items: the writ of 14 February, followed by 'the names of the knights', William son of Reyner and John de Tywne; and the sheriff's undated letter stating that another two knights, Roger de la Dune and Roger de Bachewurth, had refused to serve. Now it must be virtually certain that the first pair of names appeared as an endorsement on the original writ which was returned to the regent and council. Hence the placing of the names directly after the writ in Glover's transcript and their preceding the statement that similar writs had been sent to other sheriffs. Writ and names are integral, and during Edward I's reign the practice followed here became normal: the writ for the election was returned to chancery endorsed with the names of those elected.¹⁹ We must conclude that the names of this pair of knights were returned to Westminster as those actually chosen to serve. What then of the two others? The sheriff's letter clearly represents an intermediate stage in the proceedings, after the receipt of the writ but before its endorsed return. The sheriff has approached the two Rogers as the most suitable knights for the county, but they have declined to serve. To judge by the alternative names endorsed on the writs, the sheriff's request for further help in bringing pressure to bear on the recalcitrant pair was to no avail; for Roger de la Dune and Roger de Bachewurth stood aside, and William son of Reyner and John de Tywne were returned.

Here then we seem to have not just one of our two earliest election returns but also our earliest election dispute. At stake was not a place in parliament, as often later, but the avoidance of that place, and the contending parties were not rival claimants but instead the sheriff and his nominees. For it is clear that the two knights originally chosen had indeed been nominated by the sheriff rather than elected by the county court, as the writ required (*quos idem comitatus ad hoc elegerit*). In his letter the sheriff speaks as if he alone has selected them: he cannot find (*invenire non possum*) such suitable men, he says. Nor does the later return say anything about election, as does that for Northumberland; it merely states the names of the chosen two. Had the interval between writ and parliament been any less than it was, we might suspect that the sheriff had lacked the time to invoke the county court and had thus been forced to do its work for himself. But the actual interval of some 70 days, 14 February to 26 April, was much longer than the 40-day period of notice envisaged for central assemblies in Magna Carta, and it should have allowed ample time for the county court, which convened every four weeks, to meet and elect.²⁰

It is much more likely that the sheriff's actions reflected the peculiarities of his county and the decrepitude of its court. The smallest county after Rutland, thirteenth-century Middlesex was already dominated and encroached on by London. With its limited

¹⁸ W. Prynne, *The Second Part of a Brief Register, Kalendar and Survey of the Several Kindes, Formes of Parliamentary Writs* [1659?], pp. 22–3, 39; *Catalogue of the Manuscripts in the Library of the Honourable Society of the Inner Temple*, ed. J. Conway Davies (3 vols., Oxford, 1972), I, 19–20. Petyt made particular use of the chancery records: *ibid.*, p. 29.

¹⁹ E.g., Jenkinson, 'First Parliament of Edward I', p. 236.

²⁰ For the problems posed throughout the thirteenth century by the often inadequate interval between summons and assembly, see Holt, 'Prehistory of Parliament', pp. 5–20, esp. p. 16.

possibilities for rural estates, it had few of those knightly families on whose eligibility for public service local administration was everywhere dependent. In the 1250s the crown's policy of selling exemptions and respites from the expensive and onerous status of knighthood meant that knights generally were in short supply.²¹ But in small counties such as Middlesex the problems posed by that policy were exacerbated. In 1253 there had been too few knights in the county to form a grand assize jury, creating the need to bring in others from neighbouring counties. Other manifestations of the same social deficiency were revealed in the concurrent difficulties found in filling the knightly office of coroner and in the very small number of £20 tenants-in-chief returned in 1254 – excluding earls and heads of religious houses, no more than five, and those mostly non-resident.²² For the county court and for the sheriff the consequences were significant. Meeting on the fringes of London but lacking a fixed venue and entertaining little litigation, the Middlesex county court was already a weak institution.²³ But it is likely to have been more damagingly enfeebled by the paucity of gentry who in other counties provided its leading suitors and contributed to its standing in local affairs. To the court's lack of weight, both legal and social, we may attribute the sheriff's private initiative in approaching those whom he judged best qualified to serve in parliament. And to the scarcity of knights in his county – perhaps aggravated at this particular time by the absence of some with the king in Gascony – was due his report to the regents that Dune and Bachewurth alone were *utiles* for that service.

What can we know about the men whom he nominated? An outline of their careers is not just a minor contribution to the prosopography of parliament but also an essential part of the story. Both were powerful figures in their own localities, and Roger de la Dune especially so. He took his name from his ancestral manor of Down Barns, in Northolt, though he also held an additional hide of land in Ruislip from the abbot of Bec.²⁴ These two estates, both in Middlesex, were not especially large, and Roger's standing in the county probably owed more to his long service in local administration and the courts than to broad acres. Here he was following in the footsteps of his father, another Roger, who had been an assessor of the carucage for Middlesex in 1220 and one of the knights regularly chosen as elector for, and member of, grand assize juries.²⁵ The elder Roger had disappeared and may have been dead by 1228,²⁶ but his son

²¹ S. L. Waugh, 'Reluctant Knights and Jurors: Respites, Exemptions and Public Obligations in the Reign of Henry III', *Speculum*, LVIII (1983), 949, 956–9.

²² *C. R.*, 1251–53, p. 442; *ibid.*, 1253–54, pp. 10, 11, 25 (for knighthood as a qualification for the coronership), 29, 48–9, 58; below, p. 130.

²³ R. C. Palmer, *The County Courts of Medieval England, 1150–1350* (Princeton, 1982), pp. 9, 29, 50.

²⁴ *V[ictoria] C[ounty] H[istory of] Middlesex*, IV, 114, 137; *Select Documents of the English Lands of the Abbey of Bec*, ed. M. Chibnall (Camden 3rd ser., LXXIII, 1951), p. 81.

²⁵ *Book of Fees* (3 vols., 1930–31), II, 1440; *C[uria] R[egis] R[olls]*, XI, 1223–24, no. 2786; XII, 1225–26, nos. 606, 1897.

²⁶ That may be the implication of the king's order of Nov. 1228 to the sheriff of Middlesex to give Honesta, wife of Roger de la Dune, reasonable sustenance from his chattels: *C. R.*, 1227–31, p. 134. But if Roger was dead it is not clear why Honesta is named as his wife rather than his widow, and it is equally likely that he was incapacitated in some way – for example, through imprisonment or lunacy – or perhaps that he had departed on crusade with the large contingent of English knights accompanying Peter des Roches abroad in 1227. Because of these uncertainties there remains a shade of doubt as to whether all the entries concerning Roger de la Dune in the royal records after 1228 refer to the son rather than to the father.

perpetuated the family's administrative record. One of the four knights appointed to oversee the collection of the thirtieth in Middlesex in 1237,²⁷ active like his father on grand assize juries²⁸ and on a variety of assize and other commissions,²⁹ one of the two knights to assess the tallage in Middlesex in 1252,³⁰ and escheator in the following year,³¹ he was indeed senior and versatile enough to be as *utilis* for parliamentary service as the sheriff judged him to be. His frequent appearance as a pledge in legal cases was a mark of his standing with friends and neighbours,³² while he was also linked by marriage with the London aldermanic dynasty of Bucointe, once important but now in decline,³³ with whom and for whom he frequently appeared as a witness to charters for lands in Edgware and Little Stanmore.³⁴

By comparison with Dune, Bachewurth was a lesser if still considerable figure. His family's main estate, from which it took its name, was the Hertfordshire manor of Batchworth, held by knight service from St Albans, but our man also held the manor of Harefield, some three miles away across the county boundary in Middlesex, and for some time the second Hertfordshire manor of North Mimms.³⁵ His father, Geoffrey, probably died in 1235, when Roger's wardship was given to the *curialis*, Waleran Teutonicus.³⁶ Still in Waleran's custody in 1242, he must have come of age shortly afterwards, for in 1244 he was given respite from taking up knighthood.³⁷ His desire to avoid public responsibilities which this concession suggests is confirmed both by the further exemption from service on assizes, juries and recognitions which he secured in 1247³⁸ and by the absence of any record of such service prior to 1258, in either of his two counties. Here he stood in strong contrast to Roger de la Dune. Yet he was not a nonentity, and his public obscurity may have owed as much to his youth – for administrative responsibilities often came only in middle age³⁹ – as to his inclination. At the time of the 1254 parliament he can only have been about 30, and in his later years he was active enough. In his early manhood what evidence there is for his affairs associates him with St Albans. He held property in the town and in the 1250s he was a regular witness

²⁷ C.R., 1234–37, p. 546; *Calendar of Liberate Rolls, 1226–40*, p. 314.

²⁸ C.R.R., XIII, 1227–30, no. 1970; XVI, 1237–42, no. 1045.

²⁹ *Patent Rolls, 1225–32*, pp. 291–2, 513; C.P.R., 1247–58, p. 226.

³⁰ C.R., 1251–53, p. 212.

³¹ *Ibid.*, p. 412; C.P.R., 1247–58, p. 240.

³² C.R.R., XIII, 1227–30, no. 2073; XVI, 1237–42, no. 437; XVII, 1242–43, no. 247; C.R., 1251–53, p. 409.

³³ For the Bucointes, see W. Page, *London: Its Origin and Early Development* (1929), pp. 236–7. The evidence for the marriage connexion is a deed of 1271 which mentions Grace de la Donne, late wife of Henry Bucointe: *Catalogue of J A[n]cient D[e]eds* (6 vols., 1890–1915), I, no. A 1568. Was Grace perhaps Roger's sister?

³⁴ C.A.D., I, no. A 438; II, nos. A 2396, A 2411, A 2583, A 2614, A 2635, A 2570; III, no. A 5879; IV, no. A 6861. Cf. C. F. Baylis, *A Short History of Edgware and the Stanmores in the Middle Ages* (Stanmore, Edgware and Harrow Historical Soc., 1957), pp. 8–10, 15–16.

³⁵ V.C.H. Hertfordshire, II, 252, 380; V.C.H. Middlesex, III, 241; *Calendar of Inquisitions Post Mortem*, IV, no. 48.

³⁶ *Excerpta E Rotulis Finium* (2 vols., 1835–36), I, 289.

³⁷ *Ibid.*, p. 383; C.R., 1242–47, p. 248.

³⁸ C.P.R., 1247–58, p. 1.

³⁹ Cf. N. Saul, *Knights and Esquires. The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981), pp. 56–7.

to grants to the abbey.⁴⁰ But more indicative of his standing was his election by the coparceners of the fee which he shared, under the system of rotational military service which prevailed at St Albans, to serve for them in the royal army for Scotland in 1244 and for Wales in 1257. He was the only tenant to be chosen for both campaigns, and, unlike some of those approached for such service, he was willing to take on the job.⁴¹ However inconspicuous he may have been in Middlesex, he was seen by his fellow St Albans tenants, at two widely separated moments, as the man best fitted to be their representative – as *utilis* for them as for the sheriff in 1254.

The unwillingness of these two knights to attend parliament was evidently thoroughgoing and wholehearted. 'They do not wish to fulfil that office', the sheriff stated bluntly in his letter. We are not told the reasons for their recalcitrance, but we can make a reasonable guess at them. They are unlikely to have been motivated by a general aversion to office-holding (for Dune at least had shown himself to have no such aversion) or by the prospective difficulty and expense of travel to parliament (for Westminster was on their doorstep) or by inadequate notice (for the interval between summons and assembly was more than adequate). It is much more probable that theirs was an act of political resistance. We have already seen that Queen Eleanor and Richard of Cornwall had told the king in early February that he would be unlikely to secure a tax from the bulk of the laity excused military service, whose representatives Dune and Bachewurth were to be in Middlesex, unless he proclaimed the Charters, which were being widely ignored by sheriffs and other royal officials. Throughout the country in the 1240s and early 1250s there was a heavy groundswell of opposition to the corrupt and extortionate government of the counties, as Eleanor and Richard had recognized in their letter.⁴² In addition, Henry's departure for Gascony had occasioned some other more particular impositions. It had been preceded, in the parliament of May 1253, by the granting of a feudal aid at the rate of three marks the fee, nominally for the knighting of the king's eldest son but actually to defray Henry's expenses abroad. Payment was to be made in two instalments, at Michaelmas 1253 and Easter 1254, and so would have been running concurrently with the arrangements for the April parliament.⁴³ Bachewurth, whose manor of Harefield was held in chief from the crown and rated at one and a half fees, would have found himself paying £3, and perhaps more for his other lands, since the aid was often passed on by the greater tenants-in-chief to their sub-tenants.⁴⁴ More certainly disliked were the peace-keeping measures which had preceded Henry's departure. Entailing as they did the reissue of the assize of arms, with new provisions making local communities responsible both for paying for arms for the watch and for meeting the losses of those robbed while travelling through their areas, these were

⁴⁰ *Gesta Abbatum Monasterii Sancti Albani*, ed. H. T. Riley (3 vols., Rolls Ser., 1867–69), I, 473; *Chronica Majora*, VI, 416–17, 421–2, 423–4, 426–7. For Bachewurth's later activities, see, e.g., *Parl. Writs*, I, 219, 390.

⁴¹ *Chronica Majora*, VI, 437, 375. For military service at St Albans and Bachewurth's part in it, see H. M. Chew, *The English Ecclesiastical Tenants-in-Chief and Knight Service* (Oxford, 1932), pp. 124–7.

⁴² *Royal Letters*, II, 102; J. R. Maddicott, 'Magna Carta and the Local Community, 1215–1259', *Past and Present*, No. 102 (1984), pp. 44–6.

⁴³ S. K. Mitchell, *Studies in Taxation under John and Henry III* (New Haven, 1914), pp. 253–4.

⁴⁴ *Book of Fees*, II, 897. Dune held a much smaller amount of land in chief: *ibid.*, I, 474–5.

extremely unpopular.⁴⁵ They were vigorously resisted by the knights of Shropshire, according to Paris, while in Hertfordshire – Bachewurth's county – this new extension of communal liability was being enforced at just this time: in April 1254 four Hertfordshire knights were summoned before the council to provide compensation on behalf of the county community to a traveller robbed of £170.⁴⁶ Though the *order for the proclamation of the Charter*, emphasized in Henry's letter of March 1254, represented a measure of conciliation, it may have done little to mitigate the hostility towards his government provoked by these various grievances.

There was one further category of exaction which also sprang from the circumstances of Henry's absence. In July 1253 a 5000 mark tallage had been imposed on the Jews. It was intended, like the feudal aid, to support the king's Gascon expedition. Unlike the aid, however, it was not a one-off measure but was followed in 1254 by the imposition of a further 10,000 mark tallage, to be paid half at Easter and half at Whitsun. Though the time allowed for payment was exceptionally short, most of the money was raised. This double demand in 1253–54 marked one of the peaks in the long period of intense fiscal pressure on the Jews lasting from 1241 to 1256. For the Jews' debtors, among whom were many of the gentry, the consequences are likely to have been dire: their distraint for immediate repayment, the onward sale of their bonds, often to the rapacious *curiales* in Henry's inner circle, and the eventual transmission of their mortgaged lands to the bonds' purchasers.⁴⁷

But it was probably the explicit prospect of being called upon to grant taxation which worked most immediately to induce a mood of non-cooperation. In the writ of 14 February the regents had directed the sheriffs to expound the king's needs to the knightly representatives and others in the counties and to induce them to grant an aid, so that they would come to parliament primed to make such a grant. This procedure may have been modelled on that devised for the clergy, whom the bishops were to persuade to make parallel grants in their diocesan assemblies;⁴⁸ and it was perhaps intended both to expedite proceedings at Westminster and to divert the burden of exposition and argument away from the regent and council and towards the sheriffs. But the government's methods here were unusual and a clear breach with precedent. Although it had almost certainly long been understood that the summoning of extraordinarily large assemblies, attended by the lesser tenants-in-chief and knights, presaged taxation, such few writs of summons as survive before 1254 make no mention of tax demands even when these were impending.⁴⁹ It was more normal for one of the king's ministers to put his needs to those summoned once they had assembled, as Hubert de Burgh had done in 1225 and William Raleigh in 1237, or for the king himself to do so.⁵⁰ But in 1254 the government had revealed its

⁴⁵ C.R., 1251–53, pp. 492–3; M. R. Powicke, *Military Obligation in Medieval England* (Oxford, 1962), pp. 90–1.

⁴⁶ *Chronica Majora*, VI, 369, 410–11; C. R., 1251–53, p. 127.

⁴⁷ R. C. Stacey, '1240–60: A Watershed in Anglo-Jewish Relations?', *Historical Research*, LXVI (1988), 136–40, 142–4.

⁴⁸ C.R., 1253–54, p. 115; Carpenter, 'Beginnings of Parliament', p. 402.

⁴⁹ C.R., 1237–42, p. 428; A. J. Piper, 'Writs of Summons of 1246, 1247 and 1255', *B.I.H.R.*, XLIX (1976), 286. For the connexion between large assemblies and taxation, see Maddicott, 'An Infinite Multitude of Nobles'.

⁵⁰ *Chronica Majora*, III, 91, 380–1; V, 5–6, 20–1.

hand in advance. If the sheriffs did as they were told, the shire representatives would know precisely what they were letting themselves in for. The procedure was unusual too in another way, for the magnates and £20 tenants-in-chief eligible for military service, and possibly the knights and serjeants called up later with the promise of pay, were exempt from any tax granted. The whole burden of payment was thus laid on the home-based lesser landowners and their inferiors.⁵¹ This division of obligation may have seemed equitable to the government. But, like the introduction of communal liability in compensating victims of robbery, it was a new principle, and one likely to produce a relatively small sum of money which the government might find it necessary to augment.

Nor is it probable that the £20 tenants-in-chief, the complementary class of 'tax-payers', were immune from similar grievances. The demand from the centre that these men should produce pledges and be subject to distraint for their appearance at the muster shows that resistance from this quarter was expected. In at least two counties it seems to have materialized, for the sheriffs of both Oxfordshire and Devonshire reported on their returns that all their counties' £20-men had been distrained by their lands and chattels.⁵² These measures to summon the minor tenants-in-chief for service overseas were unprecedented; and since many of those summoned can have differed only in their tenurial status from other members of the knightly class (for a £20 landed income had become the normal qualification for knighthood),⁵³ there was much room for complaint here. Though in the government's view they fell into different categories, both those who were to pay and those who were to serve had good grounds for objection to what was proposed.

The demands made on the localities via extortionate officials, new laws on peace-keeping, the tallage of the Jews, and present and prospective taxation and military service, thus constituted a very heavy charge, producing an antagonism which set the men of the shires against Henry's government. In that antagonism the knights of Shropshire were at one with the much broader constituency alluded to in the letter from Henry's deputies advising the king to proclaim the Charters. It is probably in some such terms that we should explain the successful defiance of government and sheriff by Sir Roger de la Dune and Sir Roger de Bachewurth, and the sheriff's enforced substitution of others in their place. Yet if Dune and Bachewurth are likely to have been representative in their putative grievances, there was also a local factor, another peculiarity of Middlesex, which explains their success and makes it difficult to generalize from this one example. That factor was the special nature of the Middlesex shrievalty.

It is often said that London and Middlesex formed a single shrievalty under two sheriffs, usually prominent London citizens, and that there was no separate shrievalty of Middlesex.⁵⁴ But in fact until at least 1283 Middlesex was farmed by the two citizen-sheriffs to men who, when they make their rare appearances in the records, are

⁵¹ Above, pp. 110–11.

⁵² B. L., MS Cotton Claudius C. II, ff. 26, 30. The return for Cumberland (f. 29) shows that the government's demand for *securitas* to guarantee attendance (C.R., 1251–53, p. 112) was interpreted as the finding of pledges.

⁵³ Powicke, *Military Obligation*, pp. 73–4.

⁵⁴ The classic statement is J. H. Round, 'The Early Administration of London', in his *Geoffrey de Mandeville* (1892), pp. 347–75.

invariably described as 'sheriffs of Middlesex' and who were more than mere under-sheriffs. Frequently they were city clerks and serjeants, men of little status, who could be attracted by a level of profit from this poor county too low to appeal to the more substantial figures who managed other shires.⁵⁵ The names of these men are recorded only by chance, and one such chance has given us the name of the sheriff active in 1254: among the Hilary term *communia* on the memoranda roll we find a 'William de Oreset, sheriff of Middlesex' acknowledging a debt to a certain Matthew of Ipswich under penalty of distraint on his property 'in Dor'.⁵⁶ William probably came from Orsett in Essex or just possibly from Dorset; but whatever his origins he was relentlessly obscure, for it has been possible to find out nothing at all about him. That was the measure of his social insignificance. Pitted against two such *refusés* as Dune and Bachewurth, both landed knights, it was perhaps not surprising that the sheriff could not get his way. But in another county it might have been a different story.

Those who replaced the two men whom the sheriff had chosen were very different in their standing and interests. William son of Reyner and John de Tywne were men of smaller consequence, at least in Middlesex. Tywne, the lesser of the two, was almost certainly a member of the Tewin family (variously spelt 'Tywingh', 'Tewyng', 'Tywing', 'Tiwing', 'Tywinge' and 'Tywyng'), of Tewin in Hertfordshire, and the son and heir of Godfrey de Tewin. Godfrey held half a knight's fee in Tewin and was probably lord of the manor.⁵⁷ Tewin, north-west of Hertford, was no more than about eight miles from the county boundary with Middlesex, but John appears to have held no land in that county, and most of what can be said about him is a catalogue of similar negatives. There is nothing to show that he was a knight or that he held local office or that he served St Albans, like such other Hertfordshire notables as Bachewurth. His only recorded exploit was the unjust disseisin of a neighbour in Tewin, of which he was found guilty in the Hertfordshire eyre of 1248.⁵⁸ Emerging momentarily from among the minor gentry of his county, he remains almost as obscure as the sheriff who presumably nominated him for parliament.

William son of Reyner had a much more distinguished family background. The fitz Reiners had been prominent in the government and commerce of London in the late twelfth century and remained so until the time of Richard Renger [*sic*], mayor of the city from 1222 to 1227 and again from 1238 until his death in 1239.⁵⁹ Our William was the son of another William, brother of the mayor, who was dead by 1233.⁶⁰ By the time of the second William's maturity the family had declined and largely disengaged itself from the city. William's landed interests lay mainly outside London, to the north-east. His chief residence was probably in Suffolk, at his patrimonial manor of Willisham, near Needham Market. It was in that county that he owed money to the Jews in 1241 and there that he served as one of the four county knights to collect grievances during the

⁵⁵ G. A. Williams, *Medieval London. From Commune to Capital* (1963), pp. 87–8, 234–5; Palmer, *County Courts*, p. 50.

⁵⁶ P.R.O., E 159/27, m. 24d.

⁵⁷ *Book of Fees*, I, 578; C. P. R., 1266–72, p. 535; V. C. H. Hertfordshire, III, 481.

⁵⁸ P.R.O., JUST 1/318, m. 2.

⁵⁹ Page, *London*, pp. 247–8; Williams, *Medieval London*, pp. 50, 57, 73, 329–30.

⁶⁰ C.R.R., XV, 1233–37, no. 844.

first phase of the 1258 reform movement.⁶¹ But he also held an unlocated knight's fee in Essex and between 1237 and 1255 enlarged his Essex holdings considerably by purchase and collusive litigation.⁶² His only holding in Middlesex appears to have been a quarter of a knight's fee in Edmonton, though he also laid claim in 1233 to the unidentified Middlesex manor of 'Austun' (Heston?).⁶³ Although he served as a knight on a Middlesex grand jury panel in 1239, most of his administrative service was in Essex, as a juror, custodian of the honour of Boulogne (there as in other counties), and sheriff from 1246 to 1250.⁶⁴ A representative figure in his knightly status, clutch of estates, and experience in local government, he would have seen Middlesex as the least important of the three counties in which he operated.

It is easy to see why the sheriff should have judged John de Tywne and William son of Reyner as less *utilis* for parliamentary service than Roger de la Dune and Roger de Bachewurth. The former pair were men of little weight in Middlesex, and Tywne, so far as can be seen, of no weight at all. Like Tywne, Bachewurth too had his main holdings in Hertfordshire, but unlike Tywne he also had a manor in Middlesex and some experience, though in the service of St Albans rather than of the crown. William son of Reyner, like Dune, had proved himself in local government, but in that of Essex rather than of the county he came to represent. Just as in the previous year shortage of knights in Middlesex had made it impossible to fill a grand assize panel without looking to neighbouring counties, so too, and largely for the same reasons, the sheriff had been forced to look outside his shire for parliamentary representatives. Yet, as this last comparison suggests, Middlesex was too much *sui generis* to allow large conclusions to be drawn from what seems to have been a little drama of shrieval initiative, knightly defiance and subsequent carpet-bagging. Though the refusals of Dune and Bachewurth to serve may have been grounded on national and political grievances, the small size of Middlesex, the weakness of its county court, the consequent lack of any elective element in their choosing, and the insignificance of the sheriff, all provided more local and particular reasons for their success.

The contrast between Middlesex and Northumberland was not only one of distance from parliament's assembly point (for by an odd chance the two counties for which returns survive were those closest to and furthest from Westminster). If the wording of the Northumberland return can be accepted, the two shire knights, John de Esselington and John de Letewell, were elected on behalf of the whole county, presumably in the county court, and not merely nominated by the sheriff, as was the case in Middlesex. The knights themselves were representative figures in all senses. The senior of the two, John de Esselington, came from a family which had held the manor of Eslington, in the

⁶¹ *Rotuli Litterarum Clausurarum*, ed. T. D. Hardy (2 vols., 1833–44), II, 164b; *Receipt and Issue Rolls for the Twenty-Sixth Year of the Reign of King Henry III, 1241–2*, ed. R. C. Stacey (Pipe Roll Soc., new ser., XLIX, 1992), pp. 11, 54; *C.P.R., 1247–58*, p. 647; W. A. Copinger, *The Manors of Suffolk* (7 vols., 1905–11), II, 376.

⁶² *Book of Fees*, I, 479; *Feet of Fines for Essex*, I, 1182–1272, ed. R. E. G. Kirk (Colchester, 1899–1910), nos. 610, 841, 979, 1183, 1203, 1224.

⁶³ *Book of Fees*, I, 474–5; *C. A. D.*, II, nos. A 2196, A 2198, A 2254; *C.R.R.*, XV, 1233–37, no. 844.

⁶⁴ *C.R.R.*, XVI, 1237–42, nos. 1034, 1045; *C. P. R.*, 1232–47, p. 491; 1247–58, p. 128; *List of Sheriffs* (P.R.O. Lists and Indexes, IX, 1898), p. 43.

valley of the AIn, below the Cheviots and some nine miles east of Alnwick, since at least the 1160s. Its estates had been enlarged by the marriage of John's father, Alan, before 1196, to Beatrice, sister and coheir of William de Framlington, who brought with her the manor of Framlington, some nine miles south-east of Eslington and a few miles east of Rothbury.⁶⁵ At John's death in 1264 these two manors were jointly worth just over £34, and there were other smaller holdings at Great Tosson in Rothbury and, for a time, at Shipley in Eglington.⁶⁶ With a landed income of perhaps £40 a year, John must have been among the wealthiest of the Northumberland gentry.

His public career was commensurate with his landed status. In 1245 and again in 1246 he served on panels of Northumberland knights set up to determine the boundary between England and Scotland;⁶⁷ he was one of four men appointed to report on the state of Bamburgh castle in 1253;⁶⁸ he was a grand assize juror in the Northumberland eyre of 1256,⁶⁹ and he was summoned for military service against the Scots in 1258.⁷⁰ The exemption which he secured in September 1256, at the instance of Alexander III, king of Scotland, from future service on assizes and juries and from local office-holding, including the office of sheriff, was perhaps an indication of an important connexion.⁷¹ But John's more permanent affiliation was with the Northumberland baronial family of Bertram of Mitford, whose tenant he was at Framlington. He joined Roger Bertram III on Henry III's Brittany expedition of 1230,⁷² was named as his knight in a plea of 1241 (our first indication of his knightly status),⁷³ was acting as the steward of Roger Bertram IV about 1252,⁷⁴ and was a frequent witness to Bertram charters, for the last known time in 1257.⁷⁵

John de Letewell was not quite so notable. His family probably came from Letwell in south Yorkshire, on the border with Nottinghamshire, and there is no sign of its presence in Northumberland before John's occurrence as a litigant on the pipe roll for 1241–2.⁷⁶ Perhaps it was marriage which brought him north and gave him a congeries of minor holdings, mainly strung out below the eastern flank of the Cheviots: at Heatherslaw, in the valley of the Till, some eight miles north-west of Wooler, where he may have resided,⁷⁷ at Caistron in Rothbury, at Carrick and Ferny Cleugh in Elsdon, south of Rothbury,⁷⁸ and at Battlesfield Haugh, a summer shieling high in the hills

⁶⁵ W. Percy Hedley, *Northumberland Families* (2 vols., Newcastle-upon-Tyne, 1968–70), II, 262.

⁶⁶ *C.P.R.*, 1258–66, p. 420; *Book of Fees*, II, 1127; *Calendar of Documents Relating to Scotland*, ed. J. Bain (4 vols., Edinburgh, 1881–88), I, no. 1712; *A History of Northumberland* (15 vols., Newcastle-upon-Tyne, 1893–1940), XV, ed. M. H. Dodds, 371.

⁶⁷ *Cal. Doc. Scot.*, I, nos. 1676, 1697.

⁶⁸ *C.P.R.*, 1247–58, p. 234.

⁶⁹ *Three Early Assize Rolls for the County of Northumberland*, ed. W. Page (Surtees Soc., LXXXVIII, 1891), pp. 24–5.

⁷⁰ *C.R.*, 1256–59, p. 291.

⁷¹ *C.P.R.*, 1247–58, p. 497. The connexion with Alexander III may have come via Earl Patrick of Dunbar, from whom Shipley was held: *Cal. Doc. Scot.*, I, no. 1712.

⁷² Hedley, *Northumberland Families*, I, 262; *Patent Rolls, 1225–32*, p. 359.

⁷³ *Northumberland Pleas, 1198–1272*, ed. A. M. Oliver (Newcastle-upon-Tyne, 1922), p. 124.

⁷⁴ *Calendar of Charter Rolls, 1226–57*, pp. 389–90.

⁷⁵ B. L., Campbell Ch. III. 14; *The Chartulary of Brinkburn Priory*, ed. W. Page (Surtees Soc., XC, 1893), p. 38.

⁷⁶ J. Hunter, *South Yorkshire* (2 vols., 1828–31), I, 295–6; B. L., Harley Ch. 48.B. 3; J. Hodgson, *A History of Northumberland* (7 vols., Newcastle-upon-Tyne, 1820–58), part III, vol. III, 197.

⁷⁷ *Assize Rolls for Northumberland*, ed. Page, p. 110; *Northumberland Pleas*, ed. Oliver, no. 513.

⁷⁸ *Book of Fees*, II, 1121, 1128.

some 12 miles north-west of Rothbury.⁷⁹ Scattered around Rothbury as most of these estates were, they lay in the same general area as Esselington's holdings, and at Caistron and Great Tosson, both in Rothbury, the two men's lands marched together. They had occasionally shared in common duties and activities before their joint election to parliament in 1254. Letewell, like Esselington, was on the panel of knights to determine the Anglo-Scottish border in 1245, and both had witnessed one of Roger Bertram IV's charters.⁸⁰ Like Esselington too, Letewell had served on grand assize juries, though in the *curia regis* rather than the eyre, and on some important local commissions.⁸¹ But, unlike Esselington, he was not among the northerners summoned for service against the Scots in 1258, and the tenor of his career, in terms of pedigree, lands and absence of powerful connexions, suggests a figure less well established, if still conspicuous on the Northumberland scene.

Nevertheless both Esselington and Letewell were typical of the prominent and publicly engaged knights active in the counties of thirteenth-century England, and therefore of the sort of men whom we might expect to be elected to parliament. So also was the last knight needed to complete our tally of those whom we know to have been returned to the 1254 parliament; though, like Dune and Bachewurth, he was one who did not serve. As we have already seen, Walter de Bibbworth was elected for Essex but prevented from acting by his duties in the royal forest of Essex.⁸² Bibbworth was perhaps the most interesting of all our knights. About his standing and background there was nothing unusual. Born before 1219, and knighted by 1248,⁸³ he almost certainly resided mainly at his Hertfordshire manor of Bibbesworth, in Kempston, some five miles north-west of Welwyn.⁸⁴ But he also held the manors of South House in Great Waltham, Saling and Latton, all in Essex, and was buried at Little Dunmow, again in Essex.⁸⁵ The two counties jointly provided his local stage. He acted as attorney for the earl of Hereford, a major Essex landholder, in 1235,⁸⁶ served on two grand assize juries in the Hertfordshire eyre of 1248,⁸⁷ and in 1253 was permitted by the king to hunt foxes and cats through the forest of Essex, by a grant which also exempted him from holding the major local offices, including the shrievalty.⁸⁸ He had earlier served abroad, in Gascony, with Nicholas de Molis, a prominent royal household knight, in 1250.⁸⁹ His career thus suggests not only local eminence but also a degree of royal favour and of movement in a larger world than that of the home counties.

⁷⁹ *Chartularium Abbatiae de Novo Monasterio*, ed. J. T. Fowler (Surtees Soc., LXVI, 1878), p. 78; *History of Northumberland*, XV, ed. Dodds, p. 436.

⁸⁰ *Cal. Doc. Scot.*, I, no. 1676; *Chartulary of Brinkburn*, ed. Page, pp. 24–5.

⁸¹ *Northumberland Pleas*, ed. Oliver, nos. 494, 504; *Cal. Doc. Scot.*, I, nos. 1667, 1712.

⁸² *C.R.*, 1253–54, p. 42; above, p. 113.

⁸³ A. C. Baugh, 'The Date of Walter of Bibbesworth's *Traité*', in *Festschrift für Walther Fischer* (Heidelberg, 1959), p. 24; *Sir Christopher Hatton's Book of Seals*, ed. L. C. Loyd and D. M. Stenton (Oxford, 1950), no. 135.

⁸⁴ Baugh, 'Date of Walter of Bibbesworth's *Traité*', p. 78; E. J. Gue, 'The Education and Literary Interests of the English Lay Nobility, c. 1150–1450', University of Oxford D. Phil., 1983, p. 244. I am very grateful to Dr Gardner (as she now is) for allowing me to use her thesis.

⁸⁵ *Book of Fees*, II, 901; *Calendar of Charter Rolls, 1257–1300*, p. 202; Baugh, 'Date of Walter of Bibbesworth's *Traité*', p. 24.

⁸⁶ *C.R.R.*, XV, 1233–37, no. 1323.

⁸⁷ *P.R.O.*, JUST 1/318, mm. 6d, 14.

⁸⁸ *C.P.R.*, 1247–58, p. 187.

⁸⁹ *Ibid.*, p. 58.

But what made Bibbeworthe unique among our group of knights was his career as an author. Between 1240 and 1250 he wrote a *Traité* which was intended to instruct the English-speaking children of a baronial family in French and to provide them with a wide vocabulary of sometimes difficult words. Its intended readership was to be found in the household of Dionysia, daughter and sole heiress of Nicholas de Anstey, of Anstey, Hertfordshire, who took as her second husband the magnate (and widower) Warin de Munchensey (d. 1255). It was for Dionysia's step-children, Warin's son and daughter, as well as for her own son by Warin, that Bibbeworthe wrote. With its vivid descriptions of clothing, diet, the practicalities of farming (threshing, turning corn into flour, the cultivation of flax), the fruits, flowers, birds and beasts of the countryside, the pleasures of fishing, the process of housebuilding and the giving of a great feast, the *Traité* provides an unrivalled and intimate view of the everyday world of the gentry.⁹⁰ It was not Bibbeworthe's only work. He also wrote songs and poems, including one in honour of the Virgin, and, probably about 1270, a better known poem addressed to Henry Lacy, earl of Lincoln, to persuade him to keep his crusading vows.⁹¹ But for his duties as a forester, Bibbeworthe would have been the first M.P. known to have written books and to have had an interest in the education of the young.

Taking together the five men who were originally returned (Dune and Bachewurth for Middlesex, Esselington and Letewell for Northumberland, Bibbeworthe for Essex), and setting aside for the moment those who were second choices (Tywne and William son of Reyner for Middlesex), we see that this small group had more in common than their selection for parliament. All were actual knights, with holdings of some two to four manors,⁹² confined either to a single shire or to neighbouring shires. All save Bachewurth had served on grand assize juries and on various sorts of local commission, judicial and administrative. Most were senior figures, the record of whose activities suggests an age range from mid-thirties to late forties. Three had been called on for military service beyond their shires: Esselington on the Brittany expedition of 1230, Bachewurth in the army of 1244 for Scotland, Bibbeworthe in Gascony in 1250. Three – Bachewurth, Esselington and Bibbeworthe – had secured exemption from assizes and other juries; and Esselington and Bibbeworthe were also exempted from local office-holding. None had served as sheriff. Dune had been the most heavily engaged in local government and was in the minority of those who had received no sort of exemption. His apparent willingness to shoulder office makes his refusal to serve in parliament all the more striking and all the more plausibly to be explained in political terms. Only Esselington had a visible connexion with a member of the baronage, though Bibbeworthe had almost a tutorial relationship with the local Munchensy family and Bachewurth was an active tenant of St Albans. If we bring in the two men whom we originally discounted, we find that William son of Reyner fits rather less easily into the

⁹⁰ The most recent edition of the *Traité* is *Le Tretiz*, ed. W. Rothwell (Anglo-Norman Text Soc., 1990). For comments on the text and the connexion of Bibbeworthe with the Munchensy family, see Baugh, 'Date of Walter of Bibbesworth's *Traité*', pp. 21–3, 28–33, and Gue, 'The Education and Literary Interests', pp. 247–50. For Dionysia and her husbands, see Paul Brand, 'New Light on the Anstey Case', *Essex Archaeology and History*, XV (1983), 68–9.

⁹¹ Gue, 'The Education and Literary Interests', pp. 246, 250–1.

⁹² Letewell's holdings are impossible to assess in terms of manors, but their general extent does not seem to be out of line with those of the other knights.

same pattern – knight, grand assize juror, land in three counties rather than two, no exemption but service instead as sheriff – and that John de Tywne wholly fails to do so. He is not known to have been a knight, his holdings were small, he filled no office and held no commissions. Finally, the serendipitous example of Bibbeworthe points to other possible characteristics of these men which normally lie outside our purview: education, literacy and an assured grasp of the ways and means of rural life.

In general, then, our knights were men firmly rooted in their particular *pays*, intensely local in their activities and landed interests but often with knowledge of more distant parts, well practised in administration, if sometimes reluctantly so, and with a probable aversion to holding office as sheriff. It is, of course, difficult to generalize from so small a sample, particularly when not all those whom it contains actually served in parliament. But if men such as Dune and Esselington were typical in seniority and experience of those returned to parliament, we might expect them to have taken a robustly critical and independent attitude to royal government and its demands. So much is implied by the advice of Henry's queen and brother that the king should secure the observance of the Charters if he wanted a tax grant, and by Dune's proven refusal to serve.

It is particularly unfortunate, therefore, that we know so little of the proceedings in the April parliament to which these returns were made. Almost our only source is Paris, who tells us that the opening of the assembly was held up by the tardy arrival of Richard of Cornwall. Aggravated by the late start, the king's new demands for money to repel the still-expected invasion from Castile, which were received while parliament was in session, produced a hostile response. Yet although the magnates complained that they were so vexed by royal exactions that they could hardly breathe, aid was promised if they could be convinced of the king of Castile's imminent invasion (the same condition as had been imposed in the January parliament). But the truth was revealed to them by Simon de Montfort, who had just returned from the continent. Paris's '*veritas*' is unspecified, but presumably it meant the revelation by Montfort that the king was in fact in no danger. The assembly then broke up, with the nobles retiring in high indignation.⁹³ No tax was forthcoming; the great muster planned for the week after parliament never, so far as we know, took place; and although some nobles subsequently departed for Gascony with the queen in late May⁹⁴ Henry's hopes for both men and money went almost wholly unrealized. Given the magnitude of what had earlier been planned, this was a considerable defeat. Its fulcrum was a parliament which had played a central role in the government's humiliation.

Paris says nothing specifically about the presence of the knights in the April parliament, speaking of it solely as a magnate assembly. It is highly unlikely, however, that they were absent. We now know that elections or nominations had been made in at least three counties; and we know too that the representatives of the lower clergy were present, as had been planned, for we have a record of the strictly conditional grant which they made. The conditions included the proof of Castilian hostility which Paris

⁹³ *Chronica Majora*, V, 440; Maddicott, *Simon de Montfort*, p. 139.

⁹⁴ *Chronica Majora*, V, 447.

speaks of as a demand of the whole assembly.⁹⁵ Yet Paris is as silent on the undoubted presence of the clergy as he is on that of the knights. The complaints at 'royal exactions' which he mentions are much more likely to have emanated from the knights than from any other group, given the variety of local impositions during the king's absence and the government's earlier awareness of the impediment which shrieval oppressions might place in the way of a tax grant from the gentry. If the knights did attend, as it seems safe to assume that they did, they would not only have been caught up in the critique of Henry's government and integrity which Paris describes; they would also have been exposed to Montfort's effective subversion of the king's whole position. The parliament of April 1254 may thus have an unrecognized importance as perhaps the first occasion which brought Montfort and the knights of the shire together, revealing the potential which lay in their support and foreshadowing the more famous parliaments of June 1264 and January 1265.

Though Montfort's intervention was crucial in destroying Henry's case for a tax, and though the insubordination of Dune and Bachewurth suggests that hostility to the government's demands within parliament mirrored that outside, neither factor appears to have done much to determine loyalties during the reform movement which began a few years later. A brief survey of the activities of our handful of knights and M.P.s during that period provides an interesting coda to what we already know of their earlier careers. Some died in or soon after 1258, their allegiances unformed or unknowable. Letewell last appears in the pipe roll for 1258–59, in debt to the exchequer.⁹⁶ William son of Reyner's election in August 1258 as one of the four knights appointed to collect grievances in Suffolk suggests initial reforming sympathies;⁹⁷ but after that we lose all trace of him. Esselington died in 1264. His longstanding lord and patron, Roger Bertram of Mitford, dogged by Jewish debt and under obligation to William de Valence, to whom his debts had been transferred, sided decisively with Montfort. He was captured at Northampton, fought at Lewes, and was summoned to Montfort's parliament of January 1265.⁹⁸ But there is nothing to suggest that Esselington followed him. Bibbeworthy was granted the lands of a rebel after 1265 and was probably a loyalist throughout.⁹⁹ Dune's later career is perhaps the most illuminating. He was one of the four knights chosen to collect grievances in Middlesex in 1258: an indicator, as in Reyner's case, of reforming sympathies, and one consistent with our earlier surmise about his hostility to Henry's government. Yet after Evesham he was among those taking control of a rebel's lands in Essex for the king (assuming the Essex Roger de la Dune to be the same man); the inquisitions into rebel property in his native Middlesex have nothing to say about him; and he certainly survived the war unscathed, witnessing a

⁹⁵ W. E. Lunt, 'The Consent of the English Lower Clergy to Taxation during the Reign of Henry III', in *Persecution and Liberty. Essays in Honor of George Lincoln Burr* (New York, 1931), pp. 142–3; *Councils and Synods*, II, 1205–1313, ed. F. M. Powicke and C. R. Cheney (2 vols., Oxford, 1964), I, 481–3.

⁹⁶ Hodgson, *History of Northumberland*, part III, vol. III, 248.

⁹⁷ *C.P.R.*, 1247–58, p. 647.

⁹⁸ Hedley, *Northumberland Families*, I, 27, 264; *C.R.*, 1256–59, p. 446; *C.P.R.*, 1258–66, p. 359; G.E.C., *The Complete Peerage* (12 vols. in 13, 1910–59), II, 160.

⁹⁹ *Calendar of Inquisitions Miscellaneous*, I, no. 711; *C.P.R.*, 1266–72, pp. 241–2; *Rotuli Selecti*, ed. J. Hunter (1834), pp. 134–5.

charter and serving on a Middlesex jury in the late 1260s, on both occasions in the company of his former partner of 1254, Roger de Bachewurth.¹⁰⁰ The activities of both Bachewurth and Tywne during the reforming period are unknown. Surviving beyond 1265,¹⁰¹ both may simply have kept their heads down. Bachewurth, Tywne and Bibbeworthy, like Dune, are all absent from the very extensive inquisitions into rebel property conducted after Evesham. If any conclusion can be drawn from so small and fragmentary a body of evidence, it is that not all knights were reformers and that not all reformers were Montfortian diehards.

The most patent interest of these newly discovered returns lies in their direct contribution to parliamentary and political history. They point to some contrasting ways in which M.P.s might be selected, provide the earliest examples of some later features of electoral procedure – the writ to the sheriff, its endorsement, and its return to chancery – and bring out the sheriff's leading part in the whole process. In all these ways they extend our knowledge of the conduct of parliamentary elections back by some 20 years beyond its customary starting-point in Edward I's reign. But the returns also bear more narrowly on the problems facing Henry III's government in the 1250s. They have their place in a sequence of measures which was designed to secure financial and military support for the king's needs abroad; but which, as events proved, could be implemented only at a high cost in terms of political support. The peculiarities of Middlesex may help to explain the success of the sheriff's two nominees, Roger de la Dune and Roger de Bachewurth, in their united defiance of his attempts to return them. But their defiance itself is more likely to have been rooted in hostility towards the government and its demands than in any more local or personal considerations. When representatives did come together, as they almost certainly did from Middlesex as from other counties in the subsequent parliament, they and the magnates evidently declined to give Henry what he wanted, so terminating the home government's elaborate schemes for the king's support abroad. Taxation had often been refused in Henry's earlier parliaments, but never after such comprehensive preparations for its granting. If Queen Eleanor and Richard of Cornwall had judged the knights' consent necessary for the tax which they desired, those same knights are likely to have played a part in the tax's rejection. In contributing to a confrontation which had forced the government to back down, their actions suggested a collective vitality not easy to identify at any earlier date. In that sense the parliament of 1254 was in itself a landmark, complementary to that recognized by Stubbs in the summoning of the knights to its fiscal deliberations.

Beyond this external world of constitutional forms and political events, however, the returns can be made to show us some of the underlying energies which made such an outcome possible. The names which they disclose are those of the leaders of the shires. If we can regard them as a sample of the whole, they enable us to see parliament as already an institution which brought together a variety of men: the owner of sheep pastures in the Cheviots with the nephew of a mayor of London, the steward of a Northumbrian baron with a modest Hertfordshire squire. When these men were

¹⁰⁰ *C.P.R.*, 1247–58, p. 648; *Calendar of Inquisitions Miscellaneous*, nos. 658, 806–9; *C.R.*, 1264–68, p. 360; *Abbreuiatio Placitorum* (1811), p. 155.

¹⁰¹ For Tywne, see *C.P.R.*, 1266–72, p. 535.

assembled, it was partly their diversity which made them a force in politics. They represented not just counties but, in a less formal sense, a wide variety of interests and practical expertise. Yet it was also, and not paradoxically, their living under and participating in an administrative system more unified than that of any other European state which contributed to the same end. The procedures of the grand assize, the same from Northumberland to Middlesex, had involved all but one of our knights during the course of their careers; these procedures had no equivalent in France. All without exception were liable to national taxation or to its alternative on this occasion, military service. Governors as well as governed, differing in their regional affiliations, but with a collective outlook shaped by a common background of administrative experience, men such as John de Esselington and William son of Reyner exemplified what were to become some of the enduring strengths of the Commons in parliament. That our returns for the parliament of 1254, and the names which they bear, allow us to perceive these strengths for the first time is a further mark of their value. If Stubbs was not able to make the point, it nevertheless offers another kind of vindication for his view.

Bachewurth, ad quod officium eos inducere non possum nisi per speciale domini regis mandatum. Quare vobis significo pro commodo domini regis specialiter mandare velitis praedictis duobus militibus ad mandatum domini regis praedictum prosequendum et perficiendum, vel mihi mandetis quod¹⁰² eos dstringam ad mandatum domini regis praedictum prosequendum et perficiendum. Quia nolunt officium illud facere, sed in fide qua domino regi teneor tam utiles ad dictum officium invenire non possum.

Comitatus Middelsex

- ff Haec sunt nomina eorum qui tenent de domino rege in capite viginti libratas terrae in comitatu Middelsex.
- ff R. Cantuar' archiepiscopus tenet 20. libratas et plus in capite, scilicet manerium de Herwes.
- ff Comes Hereford' 20. libratas et plus, scilicet manerium de Enefeud.
- ff Willelmus de Say 20. libratas et plus, scilicet manerium de Edelmeton'.
- ff Dominus Johannes de Baillo 20. libratas in villa de Totenham.
- ff Dominus Robertus de Brihus 20. libratas in eadem villa.
- ff Henricus de Hasting' 20. libratas in eadem villa.
- ff Prior Sancti Bartholomei London' unam carucatam terrae in villa de Stanmere.
- ff Comes Oxon' tenet in baronia sua 20. libratas terrae, scilicet manerium de Kensinton'.
- ff Willelmus de Wyndlesore 20. libratas et plus, scilicet manerium de Stanewell.
- ff Episcopus London' tenet maneria de Stebeneth et de Fulinham.
- ff Abbas Westmonasterii tenet Stanes, Lanham', Echelesford, Seperton', Halkeford, Cherdinton', Tudinton',¹⁰³ medietatem de Hanewurth, [f. 24] Bramford, Greneford, Hanewell, Hendone, Padinton', Hampsted, Kuntebrug', Well' in Eye, Chelesh, socam Mohun.

[Norfolk and Suffolk: Names of the £20 tenants-in-chief]

- [f. 24v] Northumbria
 - ff Nomina duorum militum electorum pro toto comitatu Northumbr'.
 - ff Johannes de Esselington
 - ff Johannes de Letewell

¹⁰² MS: *quos*

¹⁰³ MS: *Eudinton*

Appendix: *Returns of Members to the Parliament of 26
April 1254 and Related Documents from B.L., MS Cotton
Claudius C. II.*

The opening writ addressed to the sheriff of Middlesex is virtually identical to that addressed to the sheriff of Bedfordshire and Buckinghamshire, to be found on the close roll (C. R., 1253–54, pp. 114–15). The differences are mainly of single letters and it has not been judged necessary to notice them. Abbreviations have been extended and capitalization modernized.

[f.23] Henricus dei gratia Rex Angliae, Dominus Hiberniae, Dux Normanniae, Aquitaniae et Comes Andegaviae, vicecomiti Middelsex salutem. Cum comites, barones et caeteri magnates regni nostri nobis firmiter promiserunt quod erunt London' a die Pasche proximo futuro in tres septimanas cum equis et armis parati et bene muniti ad tendendum sine ulla dilatione versus Portesmuth' ad transfretandum ad nos in Wasconiam contra regem Castelle, qui terram nostram Wasconiae in manu forti in aestate proximo futura hostiliter est ingressurus. Et tibi mandaverimus quod omnes illos de balliva tua qui tenent viginti libratas terrae de nobis in capite vel de illis qui sunt infra aetatem et in custodia nostra ad idem distringeres: Tibi districte praecipimus quod praeter omnes praedictos venire facias coram consilio nostro apud Westmonasterium in quindena Pasche proximo futuro duos legales et discretos milites de comitatu tuo, quos idem comitatus ad hoc elegerit vice omnium et singulorum eiusdem comitatus ad providendum una cum militibus aliorum comitatum quos ad eundem diem vocari fecimus, quale auxilium nobis in tanta necessitate impendere voluerint, et tu ipse militibus et aliis de comitatu tuo necessitatem nostram et tam urgens negotium nostrum diligenter exponas, et eos ad competens auxilium nobis impendendum efficaciter inducas. Ita quod praedicti duo milites prefato consilio nostro ad praedictum terminum praecise respondere possint super praedicto auxilio pro singulis comitatus praedicti. Testibus A. regina nostra et R. comite Cornubiae fratre nostro apud Windesore 14 die Februarii anno regni nostri 38.

Nomina militum
ff Willielmus filius Reyneri
ff Johannes de Tywne

Consimiles literae diriguntur vicecomitibus aliorum comitatum per totam Angliam.

[f. 23v] Vicecomes predicti comitatus Middelsex fecit huiusmodi responsum brevi domini regis.

Vobis significo quod super hanc formam ad mandatum domini regis prosequendum nullos milites habere possum in comitatu Midd' utiles ad mandatum domini regis perficiendum nisi dominum Rogerum de la Dune et dominum Rogerum de