FORTIFIED MANOR HOUSES

by

DANIEL WILLIAMS

The fourteenth-century English poet John Langland, in his *Visions concerning Piers the Ploughman*, described in allegorical imagery a dwelling familiar to his contemporaries:

"So you shall come to a court as clear as sunshine
The moat is of mercy, round that mansion
And the walls are of Wisdom, against Wicked Will
And crenellated with christendom to save mankind
Buttressed with Believe if you would see salvation
The bridge is built of prayer the better to prosper you
The gates hang high on the hinges of charity
But the tower that truth is in is set above the sun." ¹

Religious allegory apart, here is the fortified manor house of the later middle ages, a residence dear to the aspirations of the English landed classes. Their aspirations were embodied in the words of the commons' petition to the parliament of 1371 "that every man throughout England might make fort or fortress, walls and crenellations on towers and battlements at his own free will".² These same sentiments were to be echoed thirty-three years later in the petition of the "parliamentary knights" urged upon Henry IV in 1404.³

On each occasion the reigning monarch gave an evasive and negative reply, for such requests infringed upon one of the most ancient and jealously guarded prerogatives of the crown; the licensing and control of fortification. The laws of the Conqueror prohibited the construction of castles and fortresses without royal licence, imposed restrictions upon the construction of moats *fossatum* and palisades *palicium*.⁴ The *Leges Henrici Primi* confirm and expand this earlier legislation and state that the erection of fortifications without the king's permission "place a man at the king's mercy".⁵ These decrees were strictly enforced by the Norman and Angevin dynasties. Even the hard-pressed Stephen found time to demolish unlicensed strongholds while carefully limiting grants to construct new castles.⁶

During the reign of Henry II the doctrine of national security was stringently applied to fortifications with the king asserting his right to occupy private castles in the interests of peace and stability. Roger of Howden records that in 1176 Henry "took every castle in England into his hand and removing the castellans of the earls and the barons, put in his own custodians".⁷ Some were eventually returned to their owners, many others were not. This policy, continued by his successors, had the ultimate effect of greatly diminishing the number of castles in private hands. The castles of Leicestershire present a good example of this process of erosion. Leicester and Groby castles were demolished at Henry's command in 1176.⁸ Mountsorrel was
razed to the ground at the behest of the regent, William the Marshall in 1217. The following year Sauvey castle was annexed to the crown. The financial difficulties of thirteenth-century kings, the expensive innovations and elaborations of military architecture combined with other more subtle social and political changes to undermine the importance of Leicestershire's castles. By the beginning of the fourteenth century the majority were reduced to being little more than the ruinous landmarks of a former age.

Leicester castle, like others in England, survived as a noble residence with its interior redesigned in the new vogues of domestic architecture. Even in this rôle the older castles had to compete with a more fashionable residence that combined defence with comfort, convenience and light, the fortified manor house. Such dwellings, often built in more pleasant and accessible locations than the austere and exposed castle, make their appearance upon the records from about the last decade of the twelfth century but are to be found in far greater numbers during the century between 1270 and 1370. They became the principal residences not only of the titled aristocracy but also of the newly-emerging quasi-noble class of knights, vavasours and squires, already, by the twelfth century an influential group in the shires and soon to emerge upon the stage of national politics as the Commons in parliament; the imposing fortified halls of an aspiring class.

Defensible farmsteads with moats and palisades, the domus defensabiles of Domesday Book, had long been a feature of the early medieval landscape. Perhaps their origins are to be found in the ancient proverb:

“When the black fleet of Norway is coming and gone

Then build you your houses of lime and of stone”.

The fortified manor houses of the later middle ages were generally more elaborate in structure, design and strength than their more ancient counterparts which continued to exist alongside them, with walls, turrets and gatehouses of stone and lime. In fact, so elaborate a stronghold as to be classed as a fortress which required a royal licence. They could easily fulfil the strategic and military function of a castle should the occasion demand. In 1203, King John granted to Stephen de Longchamp a licence to fortify his manor at Douville as part of the defences of Normandy against the impending French attack. Yet Longchamp’s manor was intrinsically his capital messuage and dwelling house. Throughout John’s reign similar licences were issued sanctioning the construction of private strongholds either described as castles or more frequently as walls and fortifications to strengthen existing halls or houses. In these early licences the designation castle and house seem to have been used synonymously.

One of the earliest licences to have survived was that granted by John as Count of Mortain (sometime between 1189 and 1194) to Richard Vernon enabling him to strengthen firmandi his house at Haddon in Derbyshire with a wall twelve feet high but without crenellations sine kernello. The social status of the recipient was as significant as the nature of the grant itself for Vernon represents the lesser nobility described by the Burton Annalist in 1259 as the Communitas Bacheleriae Angliae, the emerging gentry classes of the thirteenth and fourteenth centuries.
Their origins are to be found in the mounted warriors of the Conqueror's feudal armies. Men of little account socially who dwelt in the castles and halls of their baronial patrons and rendered honourable service as knights. Gradually, during the century after the Conquest—for reasons of expediency—they were settled upon the land and granted manors in return for specific military service, the knight’s fee. This was the first stage in the evolution of the landed classes who emerged as the principal element of the shire community, for the creation of that vibrant and cosmopolitan group was a far more complex and lengthy process. Its catalyst was the decay of the very feudal institutions that had brought the nucleus of the new class into being. The progressive decay of feudal tenure accelerated the free alienation of land which, in turn, paved the way for the entry of other groups into the seigniorial community. At first successful warriors and servants of the crown, later rich merchants and wealthy Franklins each in turn merged with the younger sons and other depressed elements of the titled nobility to form a new social group. All contributed to the strength and vitality of the emerging gentry classes.

The Book of Fees shows that during the twelfth century, despite the entail, land changed hands quite frequently, leading to the process of sub-infeudation, the splitting up of knights’ fees which in turn hastened the decay of feudal tenure. The growing popularity, if that is the right word, of scutage—the commutation of military service to money payment—meant that tenants by knight service need not be knights at all. In 1205 4,000 knights secured exemption from military service by this method. This is not to say that knights no longer fought in the king’s army, rather that they came to do so for cash payment and no longer by virtue of their obligations of feudal tenure. Such developments allowed the deeper, more natural, processes at work within English society to operate without the constraints of feudalism. They permitted men to acquire lands and estates and to move up the social scale. Those who did so, found a corporate identity in the shire community, an institution that was itself ancient at the time of the Norman Conquest. By the latter half of the twelfth century, the shire had become the most important unit of local government centred upon the county court. From its emergence in the twelfth to its prominence in the next two centuries, the shire community of freeholders was a large and wide-ranging social group. An inquiry ordered by Edward I into landownership in England reveals that in the midlands, these freehold suitors of the county court made up about one quarter of the shire population.

The knights, although still the most important element in the local community, were by the end of the thirteenth century no longer the most numerous. Indeed, because of the onerous duties imposed upon them by the crown, or rather the evasion of such duties, their numbers were to decline steadily throughout the later middle ages. Their predominance was slowly encroached upon by a larger group of landowners that by the fourteenth century can be recognized as a gentry class.

A group of this kind is difficult to pin down, for membership entailed a good deal more than the ownership of land and tangible wealth, although
gentility like nobility would be impossible without some measure of worldly riches. There were, nevertheless, more subtle questions of ancestry, breeding, the right to bear arms honourably on horseback in a military age, the privilege of an heraldic crest on your seal in time of peace and on your shield in time of war. A letter sent by the parishioners of Throwley, Kent, to the archdeacon of Canterbury in 1270 distinguishes between those who possess seals and those who do not:

"Hamodus, miles, et Dominus de Trulega, Petrus Dalton, Willelmus et Radulfus de Wilretun, Thomas de Corbais, Symon de H . . . de Tanghe, Parachiani ecclesie de Trulega, et multi alii parochiani, signilla propria non habentes". 25

There was also the question of inheritance and lineage and above all, of life style with perhaps a fortified mansion or hall of suitably impressive proportions to support a gentle quasi-aristocratic way of life. William Worcestre writing in the mid-fifteenth century, described the country seat of Henry Wodhous esquire, in Norfolk as "... the most beautiful manor house of Rey . . . nobly built on a grand scale". 26 Throughout the middle ages considerations of breeding and life style were always of the utmost importance to the landed classes. In 1204, a Somerset landowner, Richard Revel, stressed before the royal justices his gentilitas and asserted that his father and brother were also naturales homines et gentiles de patria. 27 Social qualities were already a defining factor.

The rise of this aspiring class with both social pretensions and political ambitions coincided with the agricultural boom of the thirteenth and early fourteenth centuries. 27 This meant that it was fast becoming a wealthy group and a great deal of this wealth was to be invested in building. 29 Men like William de Sees had both the resources and the pretensions to construct impressive moated stone manor houses like the one he built at Donington-Le-Heath, Leicestershire in modest imitation of his social superiors. 30 The prosperity of the times was implanted upon the English landscape by a middle class, which like other middle classes before or since, sought to emulate the life style of those above them. The commons petition of 1371 shows that by that date this desire had become universal. 31 The “gentry” were imitating the aristocratic fashion for building just as the statute of 1361 tells us they were aping its manner of dress. 32 In precisely the same way, the profits of war and commerce were also channelled into the construction of impressive private strongholds.

The licensing of these strongholds is an indication, though a rough one, of the rise of these landed families, their wealth and their penchant for building. It again reveals the crown’s reactions to such developments amongst the titled nobility as well as the gentry classes. Licences to crenellate or more accurately to fortify began to be issued in small numbers from the reign of King John onwards, 33 the volume increases somewhat after 1260 to reach a peak during the first half of the fourteenth century. 34 The recording of these grants had a rather chequered history in the royal records. They were entered initially upon the charter and liberate rolls. 35 By the reign of Henry III they appear upon the patent rolls. In the fourteenth century some return
to the charter rolls, though most remain as patents. During the following
century they are chiefly to be found in the charter rolls but from about 1470
onwards they reappear upon the patent roll, where they remain under the
early Tudors. The practice of licensing seems to have been discontinued
after about 1533. 36

From the minority of Henry III there is evidence of the crown attempting
to apply a more formalized procedure to what had been hitherto a rather
haphazard process of royal supervision. In 1220, for example, acting upon
information received, a commission of local officials was directed to inspect
the newly-built house of a certain Reginald Marc at Anelegh in Sherwood
Forest to ascertain whether its manner of construction would menace in any
way the peace of the region. 37 A further indication of a better organized
procedure for the supervision of the construction of fortifications was the
introduction of royal grants of murage—permission to construct town
walls—which originate, in a formal sense, from this same period. 38

In his maturity Henry III did not forget the lessons of his youth. During
the era of baronical unrest between 1258 and 1266, the king acted vigorously
to curtail a spate of unlicensed fortification. 39 Indeed his mandate of 1262,
prohibiting Roger de Somery’s illegal strengthening of his dwelling at Dudley
(Staffordshire), contains the most forthright statement of the crown’s pre­
rogative made since the time of Henry I:

“nullus castrum vel fortelicium firmare debeat in regno nostro sine
licencia nostra speciali”. 40

It can be no accident that licences to crenellate begin to be issued in
earnest during a period of considerable civil unrest and crisis. Self defence
was always a crucial factor in the construction of such fortresses. By the
1260’s these grants assume a standardized formula, permitting the licensee
to strengthen firmare, his house domus, his mansion mansus, sometimes his
chamber camera or hall aula but more usually his manor house mansum
manerii, with a moat and a wall of stone and lime with crenellations and
battlements. 41

In the time of Edward I, further attempts were made to tighten up the
procedure relating to such grants. In 1277 a judicial inquiry was held to
determine whether William Belet’s stronghold at Marham was “to the
prejudice and nuisance of the king and country”. 42 The articles of the Office
of Escheator dating from this period, include instructions to enquire into
“castles and embattled houses . . . erected without the king’s licence”. 43
According to the practice of the time, on a successful application for a royal
licence, the king sent a warrant 44 to the chancellor who issued the grant by
Letters Patent under the Great Seal. 45 A fine to the king was normally paid
in addition to the fee of the Seal itself. An annual payment of half a mark
may also have been required by the crown. 46

These rules were rigidly enforced by Edward I. There were no exceptions.
From his own brother Edmund of Lancaster’s fortification of the palace of
the Savoy 47 in the parish of St. Clement Danes Middlesex to the pope’s
nephew strengthening his manor house in Aquitaine, 48 all the English king’s
subjects required a licence to fortify in stone. With such supervision, the
number of licences grew. Between 1189 and 1260 about 15 grants of this kind were issued, between 1260 and 1399 the total exceeded 410. Under the Lancastrian kings the numbers tail off, between 1399 and 1470 just under thirty are recorded. This decline may have been due, in part, to the fact that so many strongholds had already been licensed in perpetuity. In which case no further grant was required even for alterations of so fundamental a nature as those carried out by Ralph Lord Cromwell at Tattershall during the early fifteenth century. It may also reflect a decline in building, though this is doubtful. By far the most likely explanation lies in a considerable relaxation of the rules under the House of Lancaster.

With the restoration of the crown's authority and influence by the latter half of the reign of Edward IV the system of licences to crenellate seems to have been once again more rigorously enforced. Of the eleven recorded grants made during Edward's reign, nine were issued in the thirteen years between 1470 and 1483. There is some evidence to suggest that the crown applied penalties to those fortifying without licence as a means of re-enforcing the system. Even the powerful but entirely loyal Lord William Hastings had to take out a licence for his fortified manors at Ashby-de-la-Zouch, Bagworth and Kirby Muxloe.

In their heyday during the fourteenth century, recorded licences cover a variety of structures from a virtual castle like that at Maxstoke (Warwickshire) to the turret gatehouse of a London merchant's town house or even a crenellated belfrey campanile. A fair proportion was granted to ecclesiastics but by far the largest group was taken out by the secular nobility and the gentry classes. It is significant that these licences to fortify were sought often by the more progressive and ambitious knightly families during the process of their rise to the ranks of the titled nobility. The Percies, the Lovels, the Holands, the Scrops, the Hastings, the De La Poles, and the Stanleys are all examples of dynasties making their way up through the social and political world of late medieval England, a fact that again stresses the importance of lifestyle to consideration of social status.

In terms of the actual numbers of fortified houses in England, the 450 or so recorded licences to crenellate form only the tip of the iceberg. There existed a vast substratum of dwellings with quite imposing defences but not of stone. During the reign of Edward I there were attempts by the crown to licence manors defended by moats, earthworks and wooden palisades as specified in the early Norman statutes. These attempts were soon abandoned probably because their very numbers defied enforcement of the regulations upon such structures. A good example of such a residence is the manor of Hodsock, Nottinghamshire, described in the extent of 1324 as:

"... a certain manor, surrounded on all sides with a moat, within which there are: one hall, three chambers, a pantry, a buttery, a kitchen, a bakehouse, a granary, two barns, one chapel, two stables, one chamber above the bridge (that is a gatehouse) with a portcullis and drawbridge, one malt-kiln, two fishponds ... one dove cote", an extensive and self-contained complex of domestic and farm buildings defended by a moat, a gatehouse and drawbridge, enclosed by a stockade.
It was a modest replica of its more imposing licensed counterpart, yet it was also a functional defensive unit, with accommodation for the resident family and living-in servants who could double up as a garrison should the need arise.

The fortified manor houses of Leicestershire fall into these two categories of strongholds that required licences and those that did not. Examples of the latter are quite numerous and the surviving historical evidence confirms the Hodsock pattern. Archeological evidence for the manor house at Donington-Le-Heath and the moated grange at Ingarsby reveals a similar layout. The 1391 and 1420 extents of Sir Robert Syllvynge's manor at Kirby Bellars describe a truly imposing defensible residence surrounded by a moat with a gatehouse and most probably a wooden palisade consisting of a hall and fourteen chambers, a malt house and an additional structure called “Le Feehous.”

From the surviving steward’s accounts of the Despenser country seat at Beaumanor for the year 1277 it is possible to reconstruct the plan of an equally imposing site with even greater precision. Within a moated enclosure of considerable dimensions, surrounded by either a thick hedge or stockade, stood a hall, a great chamber each of stone with slate roofs; an inner chamber and a knight’s chamber where Sir Hugh Despenser the son slept. There was a gatehouse and adjoining it, a porter’s lodge containing the “Chamber of the Esquires” most likely some kind of guard room where the military retainers of the lord of the manor lived. The moat was crossed by a bridge, perhaps a drawbridge and the remaining buildings within the moated complex consisted of a small wattle grange, stables, a slaughter house, pantry, the “friar’s chamber” and a bakery. In its entirety, providing a fascinating glimpse of the life style of a member of a rising and ambitious dynasty.

The crenellated manors of Leicestershire were also good representations of their kind elsewhere in England. Their history too has a more general significance for their construction falls into two periods; those of the troubled reign of Edward II and those of the relative stability of the latter half of the reign of Edward IV.

In July 1318, Robert de Holand was granted a licence to fortify his manor mansus at Bagworth. The Holands were another rising knightly family so considerations of status and pretention may have been involved. Robert had a considerable penchant for constructing fortifications. In 1308, he had obtained a licence to crenellate his family manor at Up Holand in Lancashire and another in 1311 for his house domus at Melbourn in Derbyshire. But there were other, more pressing, reasons for these fortifications. In general, there seems to have been a correlation between the building of such strongholds and periods of political unrest and rebellion like the reign of Edward II. Indeed, this period, with its endemic political and civil conflict and its marked breakdown of law and order, witnesses one of the highest concentrations of licences taken out during the middle ages.

Robert de Holand’s own stormy career illustrates the dangers and uncertainties of the times. The son of Sir Robert de Holand of Up Holand in Lancashire he became the close favourite of Thomas Earl of Lancaster,
through whose influence he was summoned to parliament by individual writ as Lord Holand in 1314. Shortly before the battle of Boroughbridge, he betrayed his patron and went over to the king. This act of treachery earned him many enemies amongst Lancaster’s more loyal adherents who finally caught and decapitated him in an act of vengeance. Lord Robert was a dangerous and lawless man living in a dangerous and lawless time. It was the wise and instinctive reaction of men of his kind to fortify and secure their dwellings.

A second crenellated manor of the same period, that built by Henry de Beaumont at Whitwick had a rather similar history. Beaumont is described in the licence as a kinsman of the king consanguineus regis. A good deal of royal blood flowed in his veins and he was a man of some influence at court. He played a distinguished rôle in the Scottish War before settling down in Leicestershire to establish a noble dynasty but not at Whitwick. Beaumont’s licence was not his first, he had already fortified his Lincolnshire manor at Falkingham in 1312. As in the case of Robert de Holand these were also sensible and necessary precautions to have taken. Henry de Beaumont may have had friends at court but in Leicestershire he was very much an outsider who had acquired the manor of Whitwick through the influence of his royal relations. Others felt they had better claims. There was a good deal of simmering local hostility. It was a sensible precaution to fortify his new house.

In the event, even the impressive defences the Beaumonts constructed at Whitwick incorporating the existing fortifications of the former Norman castle were to prove inadequate. During the anarchy of the final years of the reign of Edward II their neighbours struck. Sir John Talbot and others, accompanied by a small army, tore through the defences, smashed their way into the manor house and forcibly ejected Henry and his wife. They razed the fortifications and carried away 40 horses, 40 mares, 120 colts and 40 cows, in all, over £1,000's worth of stock. The Beaumonts took the hint; they never returned. Whitwick manor remained in the ruinous state that John Leland found it in the early sixteenth century throughout the rest of the middle ages. The experience of Henry de Beaumont illustrates dramatically the intrinsic need for fortifications in fourteenth-century England.

The fortified manors of the next century, the crenellated residences of Lord William Hastings in Leicestershire have a rather more tranquil history. His impressive keep at Ashby-de-la-Zouch and his magnificent brick fortress at Kirby Muxloe were constructed not so much for protection, but for consideration of ostentation and display, like the great houses of the Tudor period. Their grandeur revealed in no uncertain terms whose influence was paramount in the Leicestershire of the reign of Edward IV. To this end, the lead was stripped from the roof of Belvoir Castle, allowing it to fall into decay and used in the construction of the great tower keep at Ashby. The Lancastrian Rooses had been toppled, the Yorkist Hastings now held sway. Unfortunately, Hastings’ influence at court was more vulnerable than his position in the county. He was executed by Richard of Gloucester in 1483 before his great show piece at Kirby Muxloe was completed.

Even within the county, the court rivalries of the late fifteenth century were apparent. It was no accident that Hastings’ enemy and rival on the
councils of Edward IV, Thomas Grey, Marquis of Dorset, was also building a large fortified house of brick at Groby, within a few miles of Kirby Muxloe. It was to be a disappointing race for Leland tells us that this rival edifice too was never finished. 75

Such considerations offer valuable clues to the motives that drove men of the later middle ages to the considerable expense of fortification. Obviously, as the above examples show, motives and opportunities changed with the times. Others may be added. There were important links between the building of crenellated houses and the events of the Hundred Years War, a glorious and profitable enterprise for the landed classes of England. 76 A licence to crenellate, particularly during the fourteenth century, was frequently granted by the crown as a reward for loyal service, especially in the field. There are examples of such rewards for services rendered in the Scottish campaigns from 1306 onwards, doubtless the same was true of the French wars. 77 As early as 1341 Reginald de Cobham, already a successful captain in Edward III's French campaign, was granted licences to fortify his manors in Surrey and Kent. 78 There are other examples. 79

In fact, the links with the Hundred Years War were often even more direct. Leland, on his journeys throughout England and Wales, makes frequent references to castles, fortresses and embattled houses built out of the profits of war. He describes the manor of Beverstone in Gloucestershire as “a castell et buildid by one of the Barkeleys of spoyle that he wan yn Fraunce”. 80 According to Leland's informants, Sir Roland Lenthall spent the proceeds of ransoming prisoners taken at Agincourt upon the construction of an impressive manor house at Hampton in Herefordshire. 81 The great fortified manor at Caister in Norfolk was built by the famous captain Sir John Fastolf, at a cost of over £7,000. 82 What better investment for the spoils of war than the construction of an embattled stronghold?

The connection between crenellation and commerce is less obvious. Yet there were sound practical reasons why William Servat a London merchant took out a licence to construct a crenellated turret to defend his house and stock within the city in the early-fourteenth century. 83 By the reign of Edward IV, on the other hand, it was as an ostentatious gesture of his success in the world of finance that Sir Thomas Cook built for himself an imposing fortified manor near Romford in Essex. 84 Perhaps he overdid it, for his noble life style caused him to fall victim to the Queen's greedy noble relations in 1468. 85

When all these considerations are taken into account, there remains the most fundamental reason for fortification, a reason so primeval and obvious as to be in danger of being overlooked; 86 that of defence. In 1360, Thomas de Musgrave was licensed to embattle his manor at Harcla in Westmoreland “since it is situated near the Scottish March and has frequently in the past been burnt and destroyed by our enemies the Scots.” 87 The crown appreciated Musgrave's problems. Other licences were granted for similar reasons in the North during the border troubles of the fourteenth century. 88 The reason for William de Topclyve's defences at Shoford, Kent, licenced in 1382 were equally obvious, though in his case somewhat unique. The grant was made because his previous manor house “was flattened by the common
people during their recent insurrection” per communes nuper insurgentes prostratam. 89 This is a reference to the 1381 Peasants Revolt. The landed classes of South East England had been badly shaken. The patent for the construction of Bodiam Castle (Sussex) granted in 1385 stated that as the manor (of Bodiam) was situated near the sea, its fortification was necessary for the defence of the adjoining countryside patriae adjacentes, 90 an obvious reference to the serious French raids upon the south coast during this period. Crenellation was also a defence against coastal pirates as the licence taken out by Thomas Fitz-William in 1459 for his house at Mablethorpe, Lincolnshire, would seem to imply. 91

There were problems of security inland too, for the violence of the medieval countryside was a facet of life that could not be ignored. The violent tenor of life was one of the most important reasons for the construction of fortified manor houses. As the Leicestershire examples show, the seignorial classes built their fortified manors and added moats and palisades to their farmsteads, specifically as a defence against their own kind.

Quarrels, disputes, feuds and vendettas that erupted into spectacular violence were commonplace during the fourteenth and fifteenth centuries, a period when all sections of society were obliged by statute to possess arms to train in their use. 92 The unsatisfactory laws of inheritance and indeed the partiality of their enforcement, combined with the widespread corruption and perversion of the legal processes and the aggressive instincts of the warrior classes, produced an infallible formula for spasmodic violence on a grand scale, like the attack upon the Beaumonts at Whitwick during the reign of Edward II. There are frequent examples of this kind of thing throughout the England of the later middle ages. 93 These incidents were particularly marked during the times of unrest and civil war, though by no means confined to such periods. Disputes leading to armed attack were, of course, aggravated by the widespread practice of indentured retinues. The statute of 1346 against maintenance specifying that, “non shall maintain any quarrels but their own” 94 shows that the authorities were well aware of this added incentive to violent action. The statute ends with the forlorn hope that disputes ought to be settled in courts of Law. 95 In practice, a great many were not a state of affairs that led to the serious and ubiquitous crime of forcible entry described as: “the most dangerous of crimes perpetrated by gangs of armed men often under the leadership of the most prominent knights in the counties who might themselves be sheriffs, custodians of castles, justices of the peace or in collusion with them.” 96 This particular crime has a long, though hardly distinguished, history upon the statute book. First described in the Statute of Westminster of 1275 as “disseisin with robbery and force”, 97 it could either be regarded as an act of felony or of criminal trespass. 98 Measures to deal with this serious breach of the peace were enacted throughout the fourteenth and fifteenth centuries. The Justices of the Peace were granted extraordinary powers of arrest and summary conviction in such cases; the penalties that could be imposed assumed draconian proportions. 99 All, it would seem, to no avail, for the commons’ petition of 1429 describes acts of unlawful entry with force and arms vi et armis as an everyday occurrence. 100
The incidence of such acts of extreme violence directed against persons and property bears out this statement. Such cases took up a significant part of proceedings before the Justices of the Peace. They were often of such a nature as to require the calling of a special commission of Oyer and Terminer or to be referred to chancery itself for judgment. It was a crime for all seasons. In Leicestershire, by no means an exceptional county in this respect, cases for forcible entry occur with some frequency throughout the middle ages. There was a particularly serious incident of this kind in Market Harborough as late as November 1485.

One of the reasons for the lack of effective action against this ever-present menace was the fact that those who perpetrated such crimes were often the very people responsible for their suppression. Take for example, the fifteenth-century Leicestershire knight Sir James Belliers who was at various times escheator for Warwickshire and Leicestershire, a Justice of the Peace for Leicester and Rutland and member of parliament for the shire in 1414. This paragon of civic virtue was in 1406 accused before a special commission of Oyer and Terminer, along with Sir William de Burgh, John Belliers, John Ireland of Harthorn, James Belliers the younger, William Belliers, chaplain, and others, all of the landed gentry class, of forcibly entering the close and house of Robert Walton of Snapeston, of wounding him and of carrying him off and unlawfully imprisoning him. There are other well-documented examples.

In 1312 the unpopular royal favourite, Hugh Despenser, senior, obtained from his patron Edward II the only “blanket” licence ever granted, enabling him to fortify all his manors in England. This was a wise precaution to have taken, for in 1323 local resentment erupted in large-scale armed attacks upon his Leicestershire manors. Their defences were breached and his property and livestock pillaged. The list of those indicted for the crime reads like a fourteenth-century Leicestershire Who's Who. Most of the men of property and standing in the North West of the county were implicated. In 1394, Sir Thomas de Erdyngton complained of a serious assault upon his manor near Barrow-upon-Soar led by his neighbour Sir Hugh de Shirley and other men of quality accompanied by “... 200 men-at-arms, unknown, arrayed for war with hauberks and helmets of iron, bows, arrows, swords, staves and shields.”

All this has echoes throughout the kingdom. Professor B. H. Putnam cites many examples of such cases brought before the Justices of the Peace between 1350 and 1480. The chancery records contain many more such cases, so do the Rolls of Parliament, particularly for the period 1430 to 1480. In Gloucestershire, the Berkeley feud, that had already lasted almost fifty years, reached a crescendo of violence in 1469 at the “battle” of Nibley Green. The whole bitter saga was replete with instances of forcible entry and the violent ejection, or worse, of rival claimants. William Worcester, records the Duke of Norfolk’s forcible entries into the disputed manor of Rey. The authorities were powerless to intervene, “so overawed were the
law of England and King Henry VI: and in this way the realm of England began to fall into ruin". The Paston Letters for the same period give perhaps the most vivid and detailed account of a forcible entry perpetrated against them by their neighbour Lord Moleyns assisted by one thousand retainers:

"arrayed in manner of war with curasses, brigandines, jacks, salets, swords, bows, arrows, large shields, guns, pans with fire and faggots, long crooks to pull down houses, ladders, picks with which to mine the walls and long tree (trunks) with which they broke up gates and doors." If this were not enough, the landed classes were often deeply involved in the more strait-forward criminal activity of brigandage. Middle class respectability is a Victorian concept, not particularly prevalent in medieval England. The Paston Letters describe the activities of a gang of genteel brigands who made their headquarters in the fortified manor of Robert Ledham esquire about the year 1454. Amongst other things, the gang indulged in attacks upon isolated East Anglian farms and manors, terrorizing the entire countryside round about. The rolls of parliament and the legal records for the mid-fifteenth century contain references to this kind of serious crime throughout the realm. Those indicted were mostly drawn from the gentry or knightly classes. Professor Plucknett has drawn attention to "the number of seeming crooks and bandits, returned as knights of the shire to parliament". Professor Bellamy's researches have revealed that the leaders of these criminal bands, common to the later middle ages, were usually drawn from the landed classes. The idea that the outlaws of medieval England were runaway villeins and the like is quite misleading.

Leicestershire had its share of such people. In the late thirteenth century there were the Godberts. Roger and William Godbert were the sons of a Swannington landowner who began their criminal activities during the baronial revolt of 1264-66. They were pardoned in December 1266 on condition of good behaviour but continued their banditry unabated. By the early 1270's the Godbert gang spread a reign of terror throughout Leicestershire and the neighbouring counties of Nottingham and Derby, in the words of the 1272 letter patent, "no religious or other person may pass (through these counties) without being taken by them and spoiled of their goods". Through strenuous efforts directed by the royal council, Robert Godbert was finally taken and brought to justice. Yet, within a few years, his son Geoffrey seems to have been following in his father's footsteps, attacking and robbing even within the town of Leicester itself.

During the early fourteenth century, the county was again troubled by a notorious gang of brigands led by the Folvilles of Ashby Folville. Of the six sons of John de Folville lord of the manor of Ashby Folville who died in 1310, the eldest John, inherited his father's estate and became a pillar of local respectability being appointed in 1329 a keeper of the Peace. The remaining brothers, with no immediate prospects, formed the nucleus of a gang of outlaws who terrorized the Leicestershire countryside for almost a generation led by the terrible Eustace de Folville. They were to be indicted for the whole spectrum of criminal activity, ranging from murder and high-
way robbery to kidnapping, rape and intimidation. They also specialized in armed attack. In 1327, the gang attacked the manor of John Hamelyn at Wymondham. Two years later they were powerful and self-confident enough to descend in force to carry out an audacious attack upon the town of Leicester itself, robbing the Earl of Lancaster of livestock worth £100 and the burgesses of goods and chattels to the value of £200.

In the early fifteenth century there were the criminal activities of the Perwyche's of Lubenham. William Perwyche, lord of the manor of Lubenham was the son of a dubbed knight. He also led a gang of bandits who were active in the south of the county. Their most famous exploit was to ambush Sir James Belliers on his way home from Henry V's parliament of 1413. William and his brigands at times threatened the local countryside, terrorizing even the thriving towns of Market Harborough and Great Bowden.

In the face of these very real dangers, the individual in the middle ages could look for very little help from the authorities. Indeed, the granting of pardons and the crown's need for the services of such warlike men as the Folvilles upon its military campaigns, meant that the chances of such influential bandits being brought to justice were really rather remote. In the case of acts of forcible entry, for revenge, possession or robbery, the only remedy offered was that of self-help. The statute of Winchester of 1285 advised householders to keep arms in their possession to fend off such attacks. Progress in this matter was exceedingly slow, all that a statute of Henry VII could offer was to permit householders to keep crossbows with which to defend themselves.

Under the circumstances, the best form of self-help was for each individual to defend his own. Against the attack described in the Paston Letters, not even the stoutest defences could prevail; against less elaborate assaults and against criminal bands, a moat, a crenellated wall, a gatehouse and turrets, or at the very least, a moat, a wooden palisade and a gatehouse constituted a useful measure of defence. When Sir Thomas Ughtred drew up his plans for the fortification of his manor house at Brandsby, Yorkshire in 1341, his elaborate gatehouse, and drawbridge over the moat, may have been to impress his neighbours with his quasi-noble style of life. Yet his specification for a granary running the whole length of the manor house itself leads one to believe that he was perhaps equally concerned with the more mundane consideration of defending his daily bread.

NOTES
1. Visions from Piers Plowman, Trans. N. Coghill (3rd impression, 1959), 47
2. Rotuli Parliamentorum, Record Commission (1767-77), ii, 307
3. Ibid., iii, 548
4. Norman Institutions, ed. C. H. Haskins (1960), 282, Consuetudines et iusici, cap. 4
5. Leges Henrici Primi, ed. L. J. Dower (Oxford), 1972, c. 10, i; c., 13, i


9. Ibid., ii, 187, 294, 642; iii, i, 15, 16, 17, 24; *Patent Rolls, Henry III* (Public Record Office, 1901-13), 1216-25, 64

10. Ibid., 57, 62, 287, 291; see for example, *Calendar of Patent Rolls* (P.R.O., 1901-13), 1232-47, 69, 100, 478; 1258-66, 82, 164, 597


12. The *Regesta ...* Anglo-Normannorum, contains a licence to crenellate seemingly granted by King Stephen to St. Augustine's Canterbury. The form of the document, however, strongly suggests a forgery of a much later date, probably the early fourteenth century; see above, iii, No. 160 and notes; C.P.R., 1307-1313, 144; *Rotuli Chartarum*, ed. T. D. Hardy (Record Commission, 1837), 70, 806, et passim; *Patent Rolls and C.P.R. Calendar of Charter Rolls* (P.R.O., 1903-27) for the period 1180 to 1485. One of the earliest references to such a dwelling appears in a letter of Richard I dated 50 September 1198 which refers to the *domus fortis* of Burrriz in Anjou, *Chronica ... R. de Housedene*, iv, 58


17. *Historical Manuscripts Commission*, vol. 24, Rutland MSS, iv, 24

18. *Annales Monastici*, ed. H. R. Luard (R.S., 1864), i, 471, Annales de Burton


20. Ibid.

21. A. L. Poole, *Obligations of Society in the XII and XIII Centuries* (Oxford), 1946, 52

22. H. Cam, *Liberties and Communities in Mediaeval England* (Cambridge, 1944), 245 et passim

23. Ibid., *The Hundred and the Hundred Rolls* (1930)


27. *Curia Regis Rolls* (P.R.O., 1926), 5-7 John, 129


29. Ibid., 50


32. *Statutes of the Realm* (1963), 37 Edward III (1363)

33. *Rotuli Chartarum*, 70, 89 V et passim; *Rotuli de liberate ac de misis et praestitis*, ed. T. D. Hardy (Record Commission, 1838), 32, 104 et passim

34. *C.P.R., Henry III, Edward I, II, III; Charter Rolls*

35. See note 33 above


38. Ibid., 169, 238, 239, 323, 387 et passim

39. *Calendar of Close Rolls* (P.R.O., 1903-8), Henry III, 283-4 (1260)

40. Ibid., 129-30 (1262), Roger was eventually granted a licence in 1264, *C.P.R., Henry III, 1258-66, 307*
42. Calendar of Inquisitions Miscellaneous (P.R.O., 1916), i, 239
43. Statutes of the Realm, 4 Edward I, i, 240, 242
44. Calendar of Chancery Warrants, 1244-1329 (1927), 40, 169, 221, 291; see, for example ibid., 169 and C.P.R. 1301-7, 103
45. Ibid.
46. Calendar of Inquisitions, viii, 287
47. P.R.O., Duchy of Lancaster, Royal Charters, dated 21 June 1243, D.L.10/193
48. Rymer, Foederum . . . (The Hague, 1745), t, pt. IV, 48; see also Rôles Gascons, 1307-17, Nos. 1037, 1154, 1155-1175, 1204, 1242
49. Ibid.
50. C.P.R., 1258-1399; Ibid., 1399-1509, Charter Rolls, iii, iv, v, vi
52. C.P.R., 1476-85, 42, 71, 151, 162, 203, 308; Charter Rolls, vi, 242
53. Ibid., 1305, Edward I; 1381-2 Richard II
54. Ibid., 1258-1485; Charter Rolls
55. C.P.R., 1301-7, Edward I, 3 Oct. 1305
56. The Great Chronicle, 204-6, Charter Rolls, vi, 214
57. Ibid.
59. P.R.O., C.64 Patent Rolls, 34 Edward III
60. See for example C.P.R., 32 Edward I to 4 Edward II
61. Ibid., 22 Richard II
62. Charter Rolls, vi, 131-2 and C.P.R., 1367-70
64. Supra.
65. Statutes of the Realm, 20 Edward III, C., iv, v, 1346
66. Ibid.
67. Select cases Before the King’s Council, 1243-1482, Seldon Society (Cambridge, 1918), xxx
100. Statutes of the Realm, iv, 353

101. B. H. Putnam, Proceedings Before the Justices of the Peace, Edward III to Richard III (1938), Introduction xci-xi and numerous indictments in the texts of the proceedings

102. Select cases Before the King’s Council, 116-7; Select Cases in Chancery 1364-1471, Seldon Society (1896), Nos. 36, 48, 49, 50, 59, 66, 67, 79, 80, 81, 91, 94, 102, 107, 115, 134, et passim. C.P.R., 1461-7, 67 and numerous other examples; Curia Regis Rolls, xii, Nos. 1553, 2555 are two early thirteenth-century cases.

103. Putnam, op. cit., 92-3; Chron. Henrici Knighton (R.S., 1895), ii, 120-21, 1364; Village Notes, ii, 5, 27, 156, 195, 324, 329, 355, 402, 402-3, iii, 23, v, 71; Quorndon Records, 107, 11-2, 113-115 are a few random examples of the incidences of this crime


105. See the Patent Rolls of Henry IV and Henry V

106. C.P.R., 1405-8, 230-234 (another member of the gang, Sir Thomas Maureward had also served as a sheriff; J.P. and M.P. for the shire between 1399 and 1414)


108. Ibid., 1321-4, 309

109. Ibid.

110. Chancery Proceedings, 18 Richard II quoted in Quorndon Records, 11-2

111. Putnam, op. cit.

112. See for example Select cases before the King’s Council, 116-7, an Oxfordshire incident of 1481; Rot. Parl., vols. IV, V, VI


114. Ibid.

115. William Woucestre, Itineraries, 253


117. Ibid., 75-78

118. Ibid.


120. The English Government at Work, 1327-1336, ed. J. F. Willard and W. A. Morris (Cambridge Mass., 1940), i, 103


122. C.P.R., 1266-72, 16

123. Ibid., 622

124. Ibid., Close Rolls, 353

125. C.P.R., 1266-72, 622

126. Close Rolls, 1272-79, 291


128. Ibid.

129. Ibid.

130. Ibid.

131. C.P.R., 1413-16, 478, 114; P.R.O. Ancient Indictments K.B.9, 202 m.53, 1413; Farnham, Leicestershire Medieval Pedigrees (Leicester, 1925), 49-51

132. C.P.R., 1413-16, 116

133. Ibid., 478

134. E. L. G. Stones, op. cit., T.L.A.S., xi, 460-4

135. Statutes of the Realm, i, 13, Edward I

136. Ibid., 19. Henry VII