MEDIEVAL ROTHLEY:
MANOR, SOKE, AND PARISH

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This is the first of three papers in which I propose to examine aspects of medieval Rothley, Leicestershire, starting with a paper on a thirteenth-century custumal of the soke of Rothley, originally drawn up when it was held by the Templars. This paper will examine the nature and content of the Rothley custumal, a document which survives as a sixteenth-century copy of a thirteenth-century original in the Records Office for Leicester, Leicestershire and Rutland. The different elements within the custumal will be drawn out and conclusions about the dating of the custumal, first examined over a century ago by Clark, will be made.

The second paper will outline the manorial involvement of the Templars not only in their Leicestershire holdings, but will incorporate a wider context. The Templar, and subsequently the Hospitaller Orders, carefully managed this large estate to support their exploits, particularly in the middle east, but the Templar involvement, in the movement of cash and resources throughout Europe in the later thirteenth century, helped to bring about their downfall. Their suppression led to the preservation of a series of public documents which give insights into the manor, soke, and parish of Rothley in the early fourteenth century.

The parish of Rothley will be the focus of the third paper in which the proposition that Rothley was a Hundredal minster will be elucidated. The documentary evidence suggests that Rothley was a parish of considerable importance in the tenth century and this parish might have arisen in association with the formation of the Hundred of Goscote. The settlement of Rothley offers some insights into these proposed origins with the chapels serving to exemplify the extent of the parochial, manorial and soke jurisdiction.

THE CUSTUMAL OF ROTHLEY SOKE:
REVIEW AND ANALYSIS

In 1882 George Clark gave a paper on the manor and soke of Rothley which was ancient demesne, that is, a holding of the king at the time of the Domesday survey. He saw the soke as a place of safety enfranchised by the king for the holding of a court for tenants who held in socage.¹ Clark was not the only worker to notice that Rothley was unusual. Paul Vinogradoff, intrigued by this idea of soke, noticed that Rothley was a manor distinct from its surrounding members and that manor and soke appeared to be separate entities.² He saw sokes generally as comprising of ‘free tenantry dispersed sometimes over a very wide area’, and

noticed that other sokes did the same thing in the surrounding counties of Derbyshire, Nottinghamshire and Lincolnshire.\(^1\) He saw a manor as ‘the economic unit of an estate, and the soke as the jurisdictional union encircling the manor and often consisting of places scattered around it’ which was ‘one of the important results of the different modes by which lords acquired rights of superiority over their dependants.’\(^4\) These ideas pointed to the relationship between a manor and its soke, but did not give a full picture of how a soke functioned, nor how such an institution originated.

Maitland recognised Rothley as a midland manor with many members, and compared it with similar manors in Lincolnshire and Northamptonshire.\(^5\) He saw that although the Domesday vill of Rothley did not appear to be very large its members were scattered over a wide area within the county of Leicestershire and the rent from these members was recorded as a single whole.\(^6\) Maitland believed that the word soke came from the Anglo-Saxon *soce* with a primary meaning of seeking, which may have been connected with the exercise of jurisdiction. Thus *soce* may have been the duty of seeking justice at the lord’s court.\(^7\) This appears to imply that the connections between the soke and the manorial centre at Rothley were those of court jurisdiction and payments of rents, and is a view largely in accord with that of Vinogradoff.

The soke at Domesday consisted of twenty-two members which lay within the county boundary of Leicestershire, most to the east of the river Soar. The farthest flung members, Chadwell and Wycomb, lie to the east beyond Melton and to the south east at Allexton which lies on the county boundary with Rutland.

Clark believed that this soke was possibly a result of a gradual process of acquisition by some great English family. The soke court was held every three weeks, or more often if necessary; fines were defined and limited. He examined a thirteenth-century custumal of the soke and manor and identified a separate inquisition regarding the church at Rothley with its five attached chapels of Grimston, Keyham, Wartnaby, Chadwell and Gaddesby, which raised a large payment compared with the secular rent. The customs of the manor were brief and included reference to the crops of the ‘demesne of the lord king’ (*dominica domini regis*) which amounted to two carucates of land, from which the men of Rothley were to carry the corn into the king’s barns using their own carts on one day in the year. This complex royal holding reviewed briefly by Clark appears to have consisted of three main elements: a manor, a soke and a parish. However, the custumal contains details of these three elements which Clark did not examine in


\(^4\) Ibid., pp. 130–1.


\(^6\) Domesday Leicestershire f. 230 b, c. Throughout the paper this will be referred to as DB followed by the folio number.

\(^7\) Maitland, *Domesday Book and beyond*, p. 84. ‘Soke’ is often seen in conjunction with ‘sake’ which Maitland believed came from the Anglo-Saxon *sacu*, similar to the German *Sache* meaning ‘matter’ or ‘cause’ such as might be presented in court by a lawyer.
any great depth. In this paper, I propose to examine the custumal in some detail, its rationale and organisation, and to reach a more precise conclusion regarding the date of the original.

The thirteenth-century custumal of Rothley, its manor, soke and parish, survives as a sixteenth-century copy in the Record Office for Leicester, Leicestershire and Rutland. It belongs to a deposit known as the Rothley Temple Manuscripts which comprises hundreds of documents once held at Rothley Temple, a hamlet near Rothley village centre. The document purports to have been compiled in the thirteenth century under the lordship of the Templars who held the manor and soke at that time. The sixteenth-century copy includes annotations which must have been added to the original document, and the internal evidence suggests a date of the original of about 1260.\textsuperscript{8} The soke was a large holding extending across much of eastern and south-eastern Leicestershire during the medieval period although by the time of the Templars the twenty-two

\begin{table}
\centering
\begin{tabular}{|l|c|c|c|c|}
\hline
Name of vill & Part of soke at Domesday & Part of soke in 13th century & Chapel of Rothley & Situation in Leicestershire \\
\hline
Rothley & \textit{Caput} vill & \textit{Caput} vill & Mother church & Soar valley \\
Sileby & ✓ & & & Soar valley \\
Seagrave & ✓ & & & Soar valley \\
Grimston & ✓ & ✓ & ✓ & Edge of Saltway \\
Saxelby & ✓ & ✓ & ✓ & Edge of Saltway \\
Wartnaby & ✓ & ✓ & ✓ & Edge of Saltway \\
Wycomb & ✓ & ✓ & ✓ & Edge of Saltway \\
Chadwell & ✓ & ✓ & ✓ & Edge of Saltway \\
Asfordby & ✓ & & & Wreake Valley \\
Frisby on the Wreake & ✓ & & & Wreake Valley \\
Gaddesby & ✓ & ✓ & ✓ & High Leicestershire \\
Barsby & ✓ & ✓ & & High Leicestershire \\
Baggrave & ✓ & ✓ & & High Leicestershire \\
Keyham & ✓ & ✓ & ✓ & High Leicestershire \\
Twyford & ✓ & & & High Leicestershire \\
Tilton & ✓ & ✓ & & High Leicestershire \\
Hatfield & ✓ & & & High Leicestershire \\
Marefield N + S & ✓ & ✓ & & High Leicestershire \\
Somerby & ✓ & ✓ & & High Leicestershire \\
Skeffington & ✓ & ✓ & & High Leicestershire \\
Tugby & ✓ & ✓ & & High Leicestershire \\
Allexton & ✓ & & & High Leicestershire \\
South Croxton & ✓ & & & High Leicestershire \\
\hline
\end{tabular}
\caption{Rothley soke dependencies at Domesday and in the thirteenth century.}
\end{table}

Sources: DB Leicestershire, f. 230 b, c; ROLLR.

\textbf{44'28/867} Custumal of the soke of Rothley.

\footnotesize{\textsuperscript{8} Dating of the custumal is discussed below on page 84.}
dependencies recorded at Domesday were reduced to fourteen villas. The Templars were a military order of knights whose main purpose was to fight in the Middle East in an attempt to regain the Holy Land during the Crusades. To this end they organised their property throughout Europe to raise cash in order to support this venture. Rothley was a lucrative proposition and the revenue from this holding was considerable.

Once installed at Rothley the Templars drew up a custumal of their newly acquired manor and its fourteen remaining soke dependencies at Gaddesby,

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9 The identities of the holdings differ between Domesday and the custumal. These changes will be discussed below.

10 This is further discussed in V. McLoughlin, Medieval Rothley, Leicestershire: manor, soke and parish unpublished PhD, University of Leicester, 2006, Chapter 2.
Barsby, Baggrave, South Croxton, Tilton, South Marefield, North Marefield, Somerby, Grimston, Saxelby, Wartnaby, Chadwell (with Wycomb), and Keyham.\(^{11}\) (fig. 1) The custumal gives detailed information regarding the names of the tenants, the size and value of their tenements, and the customs through which their obligations were laid down and their rights protected. From this custumal social and family relationships and their occupations can be deduced. It was usual for a manorial lord to establish his rights to services and rents within a manor and, as a response to the enquiry the tenants or their reeves would report and record the size of their tenements, the value of their rents, and services to their lord.

The means whereby a manorial lord established his rights, privileges and obligations, and those of the peasants over whom he had jurisdiction, were laid down in a survey of the manor usually known as a custumal.\(^{12}\) Bailey gives as his example a custumal from the manor of Cockerham from the early fourteenth century. Custumals stated the rents owed by each manorial tenant, and included a list of the customs of the manor and how these would be regulated. The custumal of Rothley appears unusual, for neither the tenants nor their tenements were counted as either free or unfree within the soke.\(^{13}\) Whatever terms the Templars used to separate their tenants, those within the soke were not recorded as villeins and so probably enjoyed some measure of freedom.\(^{14}\) A number of soke tenants in the custumal held land \textit{in dominico} (i.e. directly from the lord of the manor) such as Ivo of Rothley who held two virgates, for a payment of 6s and Ralph Clericus in Gaddesby who held half a bovate of land for a payment of 15¾d.\(^{15}\) These pieces of land resemble detached demesne but rents for these properties were little different from the rents paid for other non-demesne land. The customs within the Cockerham rental cited by Bailey were extensive, but he viewed this as normal for the early fourteenth century. The Cockerham customs were in marked contrast to the limited customs of Rothley; the regulations at Rothley more closely resemble a document known later as the ‘Pains and Orders’, which were overseen by the bailiff of Rothley in the sixteenth and seventeenth centuries.\(^{16}\) In his review of

\(^{11}\) South Croxton was not recorded as part of the soke at Domesday.


\(^{13}\) The rental also records some tenants outside the soke who were classed as ‘free servants’ or \textit{liberorum serviencium}. Later in the same folio they were included under \textit{libere familie}, suggesting that this was an early interpretation of a particular villein tenure.

\(^{14}\) This position was to be challenged by the Templars a decade or so later, and a resistance was mounted against them by the tenants. See chapter on ‘Conflicts and Struggles’ in McLoughlin, ‘Medieval Rothley’, University of Leicester, 2006.

\(^{15}\) Other examples can be found elsewhere in the soke: Robert Herward a juror of Baggrave, held a toft \textit{in dominico} for 32½d with an increment of 9½d. William Baldwine of Marefield also held land \textit{in dominico}. Robert son of Geoffrey held land \textit{in dominico}, and so did Clement of Cotthorp. Robert son of Hugo held \textit{in dominico} in Wartnaby, and so did Thomas son of Beatrice in Caldwell. Ralph son of Bartholomew and John his brother held half a bovate of land with a toft and 3 roods \textit{in dominico} in Barsby for a payment of 13½d and an increment of 2¾d.

\(^{16}\) ROLLR 44/28/962 Rothley Temple MSS: Copy of the customs of the soke of Rothley as settled by the inhabitants of 1608. Such an extensive document for customs and their regulation in Rothley in the earlier medieval period may well now be lost.
manorial customs. Bailey noted that many manorial lords were increasingly interested in the exploitation of their demesne land.\(^{17}\) This led ultimately to a separate measure of the demesne known as the ‘extent’. The manorial demesne at Rothley Temple was worked by paid labour and not villein labour services, and so the measurement of the lord’s demesne is relegated to the end of the main body of the custumal, under ‘stipends of servants’.\(^{18}\)

In Cuxham, Oxfordshire, the custumal of 1298 began with a description of the size of the demesne land and followed this with the tenants’ services and payments.\(^ {19} \) The Cuxham holdings of the free tenants with any payments were followed by other dues such as wardship of the heirs and marriage fines.\(^ {20} \)

The rents of the tenants of Geoffrey le Bret of Holkham in circa 1293–4 followed the same pattern as at Cuxham, in which tenants were named and their rents written against their names, under the saint’s feast at which the rents would be paid. Cf. W. Hassall and J. Beauroy, eds., *Lordship and landscape in Norfolk, 1250–1350: The early records of Holkham* (Oxford, 1993), pp. 77–79.

18 ROLLR 44/28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 17. This could suggest that the custumal at Rothley had fossilised into an unusual form at an early date.
20 The rents of the tenants of Geoffrey le Bret of Holkham in circa 1293–4 followed the same pattern as at Cuxham, in which tenants were named and their rents written against their names, under the saint’s feast at which the rents would be paid. Cf. W. Hassall and J. Beauroy, eds., *Lordship and landscape in Norfolk, 1250–1350: The early records of Holkham* (Oxford, 1993), pp. 77–79.
came the named *nativi*, virgate holders, with their obligations of works and services of fruit, seed and grain, and poultry;\(^2\) then the *coterelli* who held a dwelling with no land, but still owed cash and some labour services at named times during the year. The status of the peasantry at Cuxham can be demonstrated by the services due to the lord, and the payments and works which were owed. Another custumal of 1258, a date close to that of the Rothley custumal, was written for the tenants and lands at Croxton Kerrial in north-east Leicestershire.\(^2\) This was set out in five sections beginning with the manorial lord Nicholas de Kerrial and lady Sara of Knipton, followed by 14 free tenants, one of whom was the abbot of the monastery there. In this custumal the peasants (*rusticus*) held land *in dominico* all for money payments; the free cottagers (*cotiaii*) paid in cash; other cottagers held ‘at the will’ of the lord indicating their servile position but also made cash payments, and finally a section which stated that all tenants paid their dues four times a year.\(^3\) Money payments were mentioned for all tenants. The demesnes held by the various tenants-in-chief were quantified and the whole of the land at Croxton Kerrial was described as an escheat of the king (*eschaeta domini regis*) and accounted for 24 carucates of land; the value placed upon the whole was £24.\(^4\) The advowson in the custumal appears to be attached to the seven carucates and one bovate which belonged to the abbot. Those churches associated with the abbey of Croxton Kerrial were described in a separate survey.\(^5\) Thus the custumal for Croxton Kerrial defines both the various responsibilities of multiple chief tenants towards the crown, and the obligations of the sub-tenants who were attached to land in the township.

The custumal for Rothley soke which is very detailed, is sub-divided into five sections: payments from the tenants (both soke and non-soke); payments from the holdings of the church; expenses of the Templars which include the stipends of their own servants and the wages of other workers; the customs and services of the tenants of the soke with brief instructions on how to conduct the soke court; and lastly a glossary.\(^6\) The custumal contains *memoranda* situated after the lists of Rothley and Gaddesby payments, and there is a further *memorandum* after the section on the soke court. The glossary is of some 41 words (perhaps used within the soke court) with their explanations. Appended to the end of the custumal is an additional section (probably from the time of the Hospitallers) which refers to knight’s fees held of both Dalby and Rothley. The whole document contains 21

\(^2\) Some *nativi* owed cash, but their payments in kind had been reduced, thereby suggesting some commutation of the services into cash.

\(^3\) A transcript of this rental can be found in J. Nichols, ed., *The history and antiquities of the county of Leicester* (London, 1795), Vol. II, part I, p. 80, hereafter *Antiquities*.


\(^5\) This is a round figure which may represent an estimated value rather than an accurate payment.

\(^6\) South Croxton was amongst them, of which the abbey at Croxton Kerrial had half the advowson. ROLLR 44’28/867 Rothley Temple MSS: The custumal of Rothley soke. The customs begin on f. 18 obverse and continue on the reverse. The holding of the court begins on the reverse of f. 18, a further *memorandum* is written at the end of this which continues on f. 19. The glossary begins on f. 19 obverse and continues on the reverse of the folio and on to f. 20 obverse. F. 21 obverse contains a list of knights fees held under Dalby and Rothley, and could be from the time of the Hospitallers.
folios written in Latin on both sides; the sixteenth-century copy appears to be in one neat, legible hand, with the exception of the *addendum*.

The rights in Rothley manor and soke which the Templars were granted by the king in 1234 were outlined in the Close Rolls for that year.27 These rights were reiterated within the custumal and included the two carucates in demesne which must have been cultivated for most of the year using wage labour only.28 Paid servants of the Templars may have been drawn from the tenants of the township, and these included a wood ward (*forestario*), a clerk, and a gardener.29 The landholding tenants of Rothley township, whether virgaters or lesser landholders, did not perform weekly labour services in return for their tenements, their only obligation being the annual one-day carting service at harvest for which they would be given their food by the lord. Other tenants of the soke dependencies owed money rent only, with one or two exceptions, and no tenants were recorded as holding their tenements ‘at the will’ of the lord. The services of the tenants to the Templars were thus limited and their rents were fixed.30

The Rothley custumal surveyed the assets of the Templars which included the obligations of the tenants in cash, labour or goods. The status of the tenants and their relative wealth has to be inferred from land holding and services. Beginning with the vill of Rothley, the names of three approved jurors of the township were followed by the tenants arranged in an order which gives some clues to their probable social standing. The first tenant, Stephen of Rothley, was distinguished in the custumal for both ‘holding and defending’ (*tenant et defendit*) his two virgates of land.31 There were twenty-eight entries under Rothley for virgate or part-virgate holders, the virgate being measured at thirty-six acres.32 The most usual rent for a virgate was 3s *per annum*, and there followed a list of twenty-one tenants who held one or two tofts each.33 Rents for these properties varied from 8d

27 *C.C.R. Henry III, 1231–1234* (London, 1905), p. 514. The Templars were granted two carucates of land held in the king’s demesne, plus the assized rents of the tenants, which were worth 118s (£5 18s). They were also granted rights in a wood, a mill, and the produce from a cornfield which the men of Rothley were to gather in and transport the grain to the king’s barn once a year, and the cost of a meal for the men was born by the king himself. The men of Rothley who did this work were the customary tenants. King Henry II is stated to have received 22s from the assarts, which were also held by the men of Rothley. These were all granted to the Templars with full seizin (rights), which had formerly been enjoyed by the king.

28 ROLLR 4428/867 Rothley Temple MSS: The custumal of Rothley soke, f. 17.

29 The word used is *gardianarius*.

30 ROLLR 4428/867 Rothley Temple MSS: The custumal of Rothley soke, f. 18. The customs of the soke were confined to a small section at the end of the rental.

31 This right was granted in about 1200 to all whose tenure was free, and the holder could sell or grant the land without seigniorial interference. See M. Bailey, *The English manor*, p. 28. Stephen of Rothley must therefore have been an individual of some importance. His name (or at least the property connected with his name) was to recur throughout the Rothley Temple documents for the next three hundred years.

32 This was the measurement given for the virgate in a rental of AD 1534. This made the 3s payment for the virgate worth 1d per acre. See ROLLR 4428/887 Rothley Temple MSS: Account roll AD 1533–34.

33 For all those who held their toft(s) *pro*, no other land is mentioned, with two exceptions. This would suggest that these were the cottagers.
to 2s 5d per annum. 34 Only two messuages (houses) without land were included in the Rothley custumal, one belonging to William son of Umfridi for a rent of 8d, and another to John Carpenter for a rent of 3s 6d. 35 A short list of small holders paid between ½d and 3s. These tenants in Rothley give an impression of a three-tier society of landholders, toft holders (cottagers) and small holders. 36 For Rothley there were 84 entries in the custumal, and if all these entries indicated heads of families, this would suggest Rothley was well-populated. Twenty-eight peasants held thirty-one virgates, whereas Domesday accounts for twenty-nine villeins within the vill, indicating little change in the number of virgate tenants in the mid thirteenth-century custumal. 37 Gaddesby records four jurors holding land or tenements whose rents ranged from 3s 5d up to 13s 5½d, following whom there was a short list of six individuals whose payments were a few pence, but they owed no increment. 38 Three tenants who owed cocks as their rent were at the head of the Barsby rental, an unusual place for the lowest of tenants. 39 Most tenements in Barsby were small, although there were some virgate holders. All but two of the tenants held a toft, making twenty-eight tenants with a dwelling plot. Most of the remaining vills followed a similar pattern beginning with the jurors, with the exceptions of Saxelby 40 and Chadwell. 41

The custumal records that most soke tenants paid an addition to their rent of between 8 and 25% twice yearly on 8th September and 25th March. 42 Rothley made a single payment on the feast of St John the Baptist, amounting to £1 13s 4d (perhaps a valuation on their annual services). Thus the rents and occasional services in kind were dealt with by the custumal and summed up at the end.

In Fig. 2 it can be seen that Rothley vill had the highest total number of rent paying tenants, with Gaddesby coming second. However the profile of land holding for the two vills was distinctly different. In Rothley there were 28 virgate

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34 The inconsistencies continued, for then five tenants had property (tenet) another pro, two more tenent, followed by twenty-five pro. The property held tenet attracted a higher rent payment than is generally paid for the land held pro, but not exclusively so.

35 Indeed, his name suggests his occupation. Memoranda following the Rothley list of tenants show that some pieces of land had been purchased by previous preceptors at Rothley Temple. ROLLR 44/28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 3. These preceptors were named as John de Ouseflette, Stephen de Todmershe and John Feversham.

36 It is possible that the tofts were held by peasants who acted as labourers for the landholders.

37 This quantity of land creates a challenge in terms of the total land under the plough, and counted within the township fields. If the Domesday count of five carucates is taken at face value, and a carucate can be reckoned as being four virgates, then clearly there is a large discrepancy. The reference to the five carucates for Rothley in Domesday can be found in Domesday Book f. 230b.

38 The rental for Gaddesby ends with one tenant whose his rent was 2s 6½d for 14 acres of land, with no incremental payment being made.

39 These peasants were paying in kind, rather than cash, and no land or dwelling was ascribed to them. It is difficult to determine how they were incorporated into the social fabric of the township. They probably have been poor, and possibly dependent upon other peasants for their livelihoods. If this was so, then this rental is unlike other rentals which generally begin with the most important people, and end with the poorest. There is no suggestion within the rental that these tenants owed any labour services to the overlord.

40 This part-soke vill effectively comes under Grimston.

41 This was assessed with Wycomb.

42 The Nativity of the Blessed Virgin Mary and the Annunciation.
<table>
<thead>
<tr>
<th>Soke Vill</th>
<th>Virgate holders</th>
<th>Bovate holders</th>
<th>Toft holders</th>
<th>Other holders</th>
<th>Message holders</th>
<th>Assart holders</th>
<th>In dominico</th>
<th>Annual payment for vill</th>
<th>Increments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rothley</td>
<td>28</td>
<td>8</td>
<td>21</td>
<td>13</td>
<td>2</td>
<td>12</td>
<td>1</td>
<td>£7 9s ½d</td>
<td>£1 13s 4d</td>
</tr>
<tr>
<td>Gaddesby</td>
<td>16</td>
<td>25</td>
<td>4</td>
<td>7</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£3 10s</td>
<td>£1 2s 2¾d</td>
</tr>
<tr>
<td>Barsby</td>
<td>4</td>
<td>24</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£3 5s 4¾d</td>
<td>9s 8¾d</td>
</tr>
<tr>
<td>Baggrave</td>
<td>10</td>
<td>16</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£3 5s 5½d</td>
<td>11s 4¾d</td>
</tr>
<tr>
<td>South Croxton</td>
<td>1</td>
<td>6</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£1 0s 7d</td>
<td>3s 6¾d</td>
</tr>
<tr>
<td>Tilton</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£1 13s 9d</td>
<td>3s 10d</td>
</tr>
<tr>
<td>Marefield South</td>
<td>6</td>
<td>11</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£2 0s 3¾d</td>
<td>6s 9d</td>
</tr>
<tr>
<td>Somerby</td>
<td>2</td>
<td>12</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£1 10s 11½d</td>
<td>5s 2¾d</td>
</tr>
<tr>
<td>Marefield North</td>
<td>3</td>
<td>2</td>
<td>10 part carucates</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£2 16s 10d</td>
<td>8s 9¾d</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>+ 1 lb. pepper</td>
<td></td>
</tr>
<tr>
<td>Grimston</td>
<td>2 + 1 glebe</td>
<td>16</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£2 8s 11 ½d</td>
<td>8s 3¾d</td>
</tr>
<tr>
<td>Saxelby</td>
<td>1</td>
<td>7</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>18s 2d</td>
<td>3s</td>
</tr>
<tr>
<td>Wartnaby</td>
<td>6 + 1 glebe</td>
<td>18</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£4 16s 8½d</td>
<td>18s 9d</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>+ 4 others</td>
<td></td>
</tr>
<tr>
<td>Chadwell + Wycomb</td>
<td>4 + 1 glebe</td>
<td>5</td>
<td>20 in acres + 2 no land</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>£3 11s 1d</td>
<td>12s 1d</td>
</tr>
<tr>
<td>Keyham</td>
<td>25 + 18 acres glebe</td>
<td>4</td>
<td>2</td>
<td>1 + 1</td>
<td>1 + 1</td>
<td>12</td>
<td>1</td>
<td>£3 10s 1d</td>
<td>12s ¾d</td>
</tr>
<tr>
<td>Non-soke Vill</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Menton</td>
<td>2</td>
<td>1</td>
<td>20</td>
<td>1</td>
<td>1</td>
<td>1 + 1</td>
<td>12</td>
<td>£5 10s 10½d</td>
<td>2 × increments</td>
</tr>
</tbody>
</table>

Fig. 2. Tenants of the soke of Rothley from the thirteenth-century custumal.

Source: ROLLR 44'28/867 Copy of the custumal of Rothley, including rental of Rothley soke, undated.
(or part-virgate) holders with only 8 bovate (or part-bovate) holders. In Gaddesby the reverse is found with 25 bovate holders and 16 virgate holders. Only one other vill demonstrated a preponderance of virgate holders over bovate holders and that was at Keyham. However, the measurement of virgates in Keyham was somewhat different in that most virgate holders had only fractions of a virgate within their tenements. The increments paid by agreement with the Templars for a release from specified services are also of interest. There is only one payment for Rothley for the whole vill and that amounted to £1 13s 4d. This compares with a total incremental payment from Gaddesby of 22s 2¾d. Fig. 2 shows the tenements held under the Templars for which there was an incremental payment, as indicated in the custumal for the soke. In most instances the number of tenants paying increments exceeded the number of tenements.\(^43\) Of the tenements recorded, not all were assessed in virgates or part virgates,\(^44\) thus increments were paid by tenants whether or not they were virgate holders. Indeed some increments were paid by tenants who were reckoned as holding no land but tofts only.\(^45\)

Other types of service were being made by the tenants of the detached soke dependencies, and these were noted in the custumal. For example in Marefield Adam Feber made a payment of 1s and gave 1lb. pepper; in Saxelby Henry Molendarius made no money payment but gave 1lb. cumin;\(^46\) in Wartnaby Herbert Seagrave made a payment of 15¼d, and gave a pair of white gloves at Easter.\(^47\) Kosminsky believed that such payments as pepper and cumin made by freeholders in the Hundred Rolls were more like money rents because the produce presented as payment had first to be bought.\(^48\) The same could also be said for such services in the custumal. Similar payments existed throughout Leicestershire, and many appear in the *Inquisitions post mortem* for individuals who owed service to a manorial lord, for example Hugh Bussye paid a rent of 26s 8d and 1 lb. cumin to William de Bosco of Evington in 1308 and John de Kyrkeby of Kirby Bellars owed a rent of one sparrow hawk, one rose flower and a money rent in 1290.\(^49\)

The last entry in the custumal was for *Menton*.\(^50\) This vill was not recorded as part of the soke, and it occupied a separate position within the custumal. The tenants of *Menton* generally owed higher rents for their tenements than the

\(^{41}\) This suggests some sharing of the services.

\(^{42}\) The figures for these tenements are in brackets in Fig. 1. In Marefield north 10 tenements were measured in carucates, or parts thereof. One group of tenants in Wartnaby held a carucate of land between them.

\(^{43}\) This suggests that part of the service originally attached to land was retained by tenants who had alienated land to other tenants.

\(^{44}\) ROLLR 44\(^4\)28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 11.

\(^{45}\) Perhaps such a gift had once been a service given to the king or other noble overlord from the dependent vills of the soke.

\(^{46}\) E. A. Kosminsky, *Studies in the agrarian history of England in the thirteenth century* (Oxford, 1956), p. 154. The presence of such payments could suggest that some of the peasants of the soke were more free than others.


\(^{48}\) ROLLR 44\(^4\)28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 15.
tenants of Rothley. For example William Sclewill held a virgate and one toft for a payment of 14s 6d; Robert Horn held two tofts with only one acre of land, but he paid 5s; Allan of Rothley held a virgate of land, but had a half share in a toft for which he paid 11s. Three of the tenants were described as ‘free’ suggesting that the other tenants were not and these were Benedict Forester, Emmota, and John Clericus whose payments were in line with other payments in Menton namely 2s 6d and 5s respectively. Richard Horn held the only messuage for which he paid half a mark (6s 8d) and an entry fine of 20s. Three brothers made a payment of a 1 lb. pepper, but no reason was stated although they held neither land nor dwelling. The payment of increments was mentioned only twice, the first paid by Geoffrey Goion who held a toft for 6s, and an incremental payment made by William of Saxelby for holding a toft for 2s 6d, the increment was to be paid to brother Stephan de Todmersh one of the Templars. Menton was a settlement outside the soke with a distinctly different pattern of holdings from vills in the soke. Land appears to have been at a premium and tofts abounded suggesting that this settlement could have been a town, or part of one.\(^{51}\)

At the end of the custumal is a separate section containing the customs of the soke. The first custom referred to the bailiff of the lord king who was to appoint a reeve from among the tenants of Rothley and the other soke vills.\(^{52}\) Further customs stated that the land within the soke was partible between children of a sokeman after his death. If all were sons, then the sons inherited equally, if all daughters, likewise, but not between sons and daughters. In this case the sons inherited at the expense of the daughters. However, before such inheritance took place the widow could hold the whole property during her lifetime unless she remarried in which case she could keep a third and the sons or daughters would inherit the remaining two thirds.\(^{53}\) If land was given or sold to another within the soke then this was permitted but not if it was to another person from outside the soke. The donation and \textit{seisin} was to be witnessed in full court with payments of 4d to the bailiff, 2d to his clerk and to the first reeve (i.e. of Rothley), and 1d to any other reeve present at the exchange which would be granted through the licence of the bailiff.\(^{54}\) Later court rolls indicate that the payment of entry fines was set at nil for those who belonged to the soke, and those payments limited by

\(^{51}\) Other evidence within the entry for Menton suggests that this might have been a small suburb of the town of Melton. See appendix A in McLoughlin, ‘Medieval Rothley, Leicestershire’ University of Leicester, 2006.

\(^{52}\) There was one exception, that of Stephen of Rothley. Could this exemption be related to the privilege granted by Henry II for one of the Templar tenants to be free from all royal exactions? For further details on this, and other Templar privileges, see H. Nicholson, \textit{The Knights Templar: A new history} (Stroud, 2001), p. 172.

\(^{53}\) This contrasted with the usual feudal dower, which granted the widow the right to hold a third of her former husband’s property while she remained single. On death, remarriage, or entering a convent, the dower returned to the overlord.

\(^{54}\) These customs suggest, and later practice bears testimony, that the overlord had no jurisdiction over land exchanges within the soke.
custom were awarded to the bailiff and reeve.\textsuperscript{55} Entry fines for those who did not belong to the soke could be more akin to entry fines elsewhere.

Finally in the customary came the services: the men of Rothley were to carry the corn of the demesne of the lord king ‘beyond the water’ from the old demesne (that is the 2 carucates of land) to the granary of the lord king when summoned by the bailiff, and the men would be provided with a meal on that day. Furthermore, custom stipulated that the soke court would be held by the bailiff every three weeks or monthly, or more frequently if summoned by the king’s writ, within the soke. The men of Rothley performed a light carting service for the lord once a year, and the final service demanded from the tenants of the soke was that of court attendance. The incremental payment made by named tenants of the soke dependencies thus suggests a commutation of the annual carting still demanded from the men of Rothley.\textsuperscript{56} In the customary the tenants of the soke (\textit{aliquis de soka}) were empowered to elect their own bailiff, and successful complaints brought before the courts would attract amercements restricted to half a mark, but if the complaint failed then no amercement was to be imposed. There were no references to payments of \textit{merchet}, tallage, \textit{chevage} or \textit{heriot}, or other services which were the frequent lot of villeinage, but there is one record of a payment of relief for Peter Neville of Allexton.\textsuperscript{57}

\section*{Tenant Surnames, Occupations and Responsibilities}

Surnames gradually became established in the thirteenth century but were not ubiquitous amongst the Rothley tenantry. Some surnames suggest the origins of some of the 400 tenants recorded in the custumal, but many could have held land in more than one vill, and as surnames were not yet fixed this is difficult to ascertain.\textsuperscript{58} For example, William of Sapcote and Ivo Brun of Mountsorrel lived in Rothley; William of Keyham, Richard of Baggrave and Matilda of Frisby all lived in Gaddesby. Tenants assumed positions of responsibility within the vills, for

\textsuperscript{55} For example, in the court roll for 12th October 1384 an entry fine of 3s was made by John de Wykyngston for half an acre of land in Rothley which he had bought from Nicholas Magson. At the same court session, John Stevenson made a fine of 2d for an acre of land, but he gave nothing to the lord for entry, because he was secretus. ROLLR 44\textsuperscript{2}/869, Rothley Temple MSS: Court Rolls AD 1384–5. In these later rolls, entry fines imposed on newcomers to the soke were made to the overlords, and these more accurately reflected the payments usually made by peasants. Indeed, it was necessary for the new tenant to be recognised by the lord concerning the tenancy of the land, so that the previous soke tenant did not remain liable to the customary payment attached to the holding.

\textsuperscript{56} This commutation is examined in McLoughlin, ‘Medieval Rothley, Leicestershire’, chapter 4.

\textsuperscript{57} ROLLR 44\textsuperscript{2}/867 Rothley Temple MSS: The custumal of Rothley soke, f. 15.

\textsuperscript{58} For example Richard of Baggrave held land in Gaddesby, but was this the same Richard as Richard de Doma, Richard Oseber, Richard de Lond, Richard Carpenter, Richard Clericus, all of whom held land in Baggrave, or was it an entirely different Richard? ROLLR 44\textsuperscript{2}/867 Rothley Temple MSS: The custumal of Rothley soke, ff. 3 – 5.
example all those called ‘prepositus’ (reeve) were also jurors. Some tenements were attached to individuals but others to groups such as the men of Mountsorrel who jointly held a single tenement in Rothley. Three tenants, probably sisters, named as Petronilla, Agnes and Julianna in Keyham, held a tenement jointly and made a single payment for it. Other groups were named but the relationships not stated such as Roger son of Peter, and Walter and Ralph who lived in Wartnaby. Some tenants had no distinguishing surname, such as, widow Matilda in Somerby, Hereward in Marefield North, Alan in Baggrave, Milo in Marefield South, and Mathew in Wartnaby. Perhaps tenants with no surname in one vill held land in another vill using a surname. Some surnames suggest origins outside the soke: for example John of Cossoning and Richard of Glen lived in Barsby; William of Erburg and Richard of Lond’ (London?) lived in Baggrave; Walter of Melton lived in Wartnaby, and William of Oakham lived in Caldwell. Some individuals may have moved into soke vills through intermarriage or property purchase, but continued to be distinguished by the name of the town or vill from which they hailed.

There are names in the custumal which suggest occupations either as part of the name or as an adjunct to it (Fig. 3). For example Walkelin Carpenter in Rothley, Simon Miller, William Forrester, William Clericus also in Rothley, and Robert Molendinarius in Gaddesby.

Rothley had two carpenters, a necessary occupation in a settlement with 84 tenements, each with a building attached which could require the services of a carpenter on a regular basis. Many tenants within the soke would have been engaged in agriculture either directly or indirectly and there is little within Rothley to suggest the emergence of a town economy in the thirteenth century.

**WOMEN IN ROTHLEY SOKE**

Bennet, in her study of the women of Brigstock, Northamptonshire, believed that ‘the history of women in the medieval English countryside is a story of

59 Such were in Baggrave, Tilton, Marefield and Somerby, and there were those nominated clericus (clerk) in Rothley, Gaddesby, (twice), Barsby, Baggrave, Marefield, (three times) Wartnaby, (four times), Chadwell (five times) and Keyham (twice) suggesting men of some education, and the ability to write.

60 In South Croxton, Nicholas de Croxton made a payment on his own behalf and that of his socii (associates). Likewise Richard son of Salomon and his associates made a payment in South Croxton. In Grimston, Matilda Lomb made two separate payments for different holdings. While it is possible that these are mother and daughter, or two cousins, they could also be one and the same person.

61 There were also groups of brothers who held a joint tenement such as Nigel son of Thomas with his two brothers in Rothley; and Geoffrey, Walter and Henry, brothers, in Gaddesby.


63 Nor were tenements confined to local families, for in some townships monks held land such as the abbot of Garendon in Chadwell and the prior of Launde in Tilton. These were perhaps pious bequests made by small landholders anxious to secure their position in the afterlife. Indeed it is highly possible that many bequests to the church could have followed individuals from their own communities who had entered the church.

64 ROLLR 44/28/867 Rothley Temple MSS: The custumal of Rothley soke, ff. 1, 2 and f. 5 respectively.
<table>
<thead>
<tr>
<th>Vill</th>
<th>Tenant name</th>
</tr>
</thead>
</table>
| Rothley | Walkelin Carpenter  
|        | Simon Miller  
|        | Thomas Miller  
|        | Ivo Capellanus  
|        | William Clericus  
|        | John Carpenter  
|        | Ralph Bercario (Shepherd)                                                   |
| Gaddesby | Ralph Clericus  
|         | William Clericus  
|         | Geoffrey Decanus  
|         | Robert Molendarius  
|         | Simon Piscator                                                               |
| Barsby  | Richard Clericus  
|         | Herbert Capellanus                                                          |
| Baggrave | Richard Carpenter  
|         | Richard Clericus  
|         | Henricus Prepositus                                                         |
|         | Walter Molendarius de Waraut                                                |
| Tilton  | Henry Prepositus                                                            |
| Marefield south | Hugo Prepositus  
|          | Gilbert Clericus                                                            |
| Somerby | Simon Prepositus                                                            |
|         | Alicia la Carter                                                            |
| Marefield north | Geoffrey Clericus  
|             | Geoffrey Capellanus                                                         |
|         | Adam Feber                                                                   |
| Grimston | Geoffrey Prepositus                                                         |
|         | Richard Forester                                                            |
| Saxelby | Thomas Molendarius                                                          |
|         | Henry Molendarius                                                           |
| Wartnaby | Thomas Clericus                                                             |
|         | Nicholas Clericus                                                           |
|         | Geoffrey Clericus                                                           |
|         | William Faber                                                                |
|         | Wife of William Clericus                                                    |
|         | Thomas Clericus                                                             |
| Chadwell | John Clericus                                                               |
|         | Geoffrey Clericus                                                           |
|         | Alice widow of William Capellani                                             |
|         | William Clericus                                                            |
| Keyham  | Roger Clericus                                                              |
|         | John Chaplain                                                                |
|         | Geoffrey Faucon (Falconer?)                                                  |

Fig. 3. Townships and tenant names which suggest occupations.

Source: ROLLR 44’28/867 Copy of the custumal of Rothley, including rental of Rothley soke, undated.
ambivalences and contradictions’. Her study examined the manor of Brigstock, where she noted that while social rank shaped the public lives of men, it was poverty which influenced the opportunities of women, particularly those who were of lower status, by encouraging them to seek employment outside the household. Women were generally subject to men, whether fathers, brothers or husbands although wives would have conjugal rights over a portion of their husband’s property once they were widows and such rights were not related to status. How do these views compare with the women of Rothley? Female tenants appeared in the custumal although not in great numbers. For example in Baggrave there was Emma, daughter of Andrew, and Alicia la Carter lived in Somerby. Some were identified as widows, for example Matilda in Marefield South, Agnes in Somerby, Christine in Grimston, Hawisia and Juliana in Keyham.

For the soke as a whole principal female tenants amounted to about 71/4% of total number of tenants (Fig. 4). The customary stated that women can only inherit when they had no brother, for in the case of a surviving brother, he would inherit the whole estate, or brothers would share it between them at the expense of their sisters. However, eventually daughters, in the absence of sons, must have inherited and on becoming mothers could have come to other private arrangements for their own daughters. Once the heiresses became wives, if they married a man of the soke, they maintained favourable widow’s rights over their husband’s property, so any other land they held in their own right might well have been passed on to their daughters. As the average number of women-only holdings amounted to just over 7% of the soke, it is surprising that Barsby and Marefield had no such tenements where we would expect at least one female tenant. This suggests the possibility that some local rules applied which effectively excluded the women from inheriting.

THE MEMORANDA IN THE CUSTUMAL: PROPERTY HELD PRIVATELY BY THE TEMPLARS

The memoranda within the custumal give an indication of land purchases and exchanges which were made between tenants and brothers of the Templar order. These purchases give a clearer picture of the holdings and the obligations of rent and service which were expected of the tenantry. Following the Rothley rents there were five memoranda containing details of private purchases of land, and one of

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66 Ibid., p. 183f.
67 Ibid., p. 186.
68 ROLLR 4428/867 Rothley Temple MSS: The custumal of Rothley soke, ff. 8 and 9.
69 Ibid., ff. 9, 10 and 13.
70 Ibid., f. 18.
71 Although, if both South and North Marefield were put together, then 2 out of 37 tenants were women, and this figure, though small, would bring Marefield more closely into line with other soke settlements.
these is in French. Three of the memorandum refer to brother John Ouseflette, and the fourth tells of an exchange of land over which there was some doubt. A further memorandum follows in French relating how Stephen de Todmershe came to hold 2½ acres of arable land in the fields of Rothley. The last memorandum in this section records a sub-tenancy agreement between the preceptor, brother John Feversham, and William de Burton, for 2½ acres of arable land for a term of nine years.

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72 ROLLR 44’28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 3. This includes a list of the previous owners of the property, to clarify whose hands it had passed through.

73 This brother is said to have purchased land from Stephen Lomb of Rothley. This land had once been held by Stephen son of Thomas in the Willows and his brothers, perhaps as sub-tenants. The third of these memorandum refers to a toft which had once belonged to Reginald son of Reginald, which Stephen had taken from John Ouseflette. How these memorandum relate to the general rental is unclear.

74 In the time of Stephen de Todmershe, sometime preceptor of the Rothley Temple, Thomas Clericus and Alicia his wife had taken a messuage with appurtenances in Rothley. They held it for the term of their lives, and the messuage had, at one time, belonged to William de Bredeshale, preceptor, making annual payments to the Temple at Rothley. This suggests a private arrangement with the Templars, and might involve land which was part of the demesne, for the payments were to be made directly to the overlords. There was no mention of a purchase price or agreement, but it was usual for church authorities to accept gifts of land separated from services, which often remained with the donors.

75 The purchase seems very convoluted, but appears to refer to a rood of land below the windmill towards Wanlip Syk, an area to the south of the settlement. The significance of this land transfer is that it names individuals of the soke who have parted with land in the town fields (not manorial demesne). One family noted in the rental for Rothley and in other soke townships is the Knott family. It is still not clear from the entry whether the purchase of this land gave soke title or was held through a sub-tenancy to the Knott family.
Similar memoranda appear at the end of the entry for Gaddesby. In the first memorandum Simon Piscator gave 6d for an authorisation and release by order of brother D. Thurville, master of the Temple. A second lengthy memorandum tells of payments due from a tenement formerly granted to Leicester Abbey, and which the master of the Templars now wished to reclaim. The memoranda are difficult to place into a framework of land holding within the soke, but they probably reflect purchases made by the Templars within soke territory. It is possible that the Templars by entering into purchases made within the soke were then able to sub-let their tenements at higher rents. Inserted after the instructions for the holding of court, the custumal records further land transactions one of which shows that the preceptor William de Wald has sub-let a tenement to eight tenants, three of whom were named Nailer, Waver (weaver?) and Carpenter suggesting that the preceptor was providing accommodation for workmen while they worked at the preceptory.

Other land, assets and payments recorded in the custumal

Glebeland

Glebeland was included with church holdings in those vills where there was a chapel of Rothley parish, namely Grimston, Wartnaby, Chadwell and Keyham, although at Rothley and Gaddesby glebe was not measured. Land belonging to the church appears thus: at Grimston there was a virgate and 3 acres; at Wartnaby there was a virgate and a toft with appurtenances; at Chadwell there was a toft and 40 acres of land and at Keyham there were 18 acres and a rood of land attached to the chapel. No payments were expected from these tenements.

The survey of the parish

As rectors of the parish of Rothley church and its dependent chapelleries the Templars carried out a separate survey of church income and tithes within the custumal, which followed the redditus forinseci (rents from tenants whose lands fell outside the soke but inside the bailiwick). Values were placed on the church

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76 The messuage in question had appurtenances and an oven (perhaps the couple were the local bakers). The Templars were keen to restore title to the chief claimant, who was the heir Richard of Gaddesby. Richard, in his turn, granted by charter the rents from that property to the Templars. Like the memorandum which follow the Rothley township rental, those of Gaddesby ratified the tenures of the Templar brothers, and particularly that of the preceptor of the Temple in Rothley. No further memorandum follow the entries for other townships within the soke.
77 Nicholson, The Knights Templar, p. 181 ff. The Templars were keen to make money where they could, and the purchase of land which could then be sub-let might have made financial sense.
78 ROLLR 44 28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 18 reverse.
79 This may reflect the difficulty which the Templars were still experiencing in obtaining the rectory of the church of Rothley. See McLoughlin, ‘Medieval Rothley, Leicestershire’, chapter 4.
80 ROLLR 44 28/867 Rothley Temple MSS: The custumal of Rothley soke, f. 15. These are examined in more detail in McLoughlin, ‘Medieval Rothley, Leicestershire’, chapter 7.
and chapels at Rothley, Keyham, Wartnaby, Grimston, Chadwell and Gaddesby, and these were in marks at 14 marks (£9 6s 8d) for Gaddesby, 26 marks for Rothley (£17 6s 8d) and 10 marks each (£6 13s 8d) for the other four. From this income the Templars were bound to maintain the chancels of the church and chapels.81

The redditus forinseci

‘Foreign’ tenants who paid rent to the Templars but did not owe service to Rothley court were named in the redditus forinseci. Some tenants lived in vills which were once attached to the soke such as Peter Nevill who held a tenement in Allexton,82 whose rent was fixed and so were his death duties.83 These ‘foreign’ payments varied in value from 7 marks for a windmill, to 6d from Ralph Makebred. 13d was paid by Ralph de Folville an exceptionally small sum perhaps for land lying in Gaddesby84 and such payments suggest tenements which were at one time in the soke. Another tenement was at Ottokes Hawe where Adam de Essebernh had a mill and was paying a foreign rent to the Templars of 7 marks (£4 13s 4d) which was a considerable sum.85 At Twyford Robert de Martivals made a payment of 26s 8d for a tenement86 and Peter son of Roger paid rent for his tenement in Glen.87 Two virgate tenants appearing under foreign rents were William of the Temple and William Bercario (Shepherd), the first paying 5s and the second 13d, but the location of their land was not recorded. The vill of Walton owed 2s per year, and Geoffrey the Stabler owed 18d for a toft in Leicester. Henry Cornelatch owed 12d,

81 For further details regarding the parish of Rothley soke see McLoughlin, ‘Medieval Rothley, Leicestershire’, chapter 7.
82 A very small part of Allexton had once belonged to the soke, and had become alienated to the family of Neville. They continued to have a connection to the soke through this payment, although they were now free from the obligation of suit of court. Peter Neville owed a rent of 3s and was to pay 1 mark as a relief payment at his death.
83 Another memorandum in this section acted as a reminder that 22s were owed to the abbot of Croxton for the assarts of Mountsorrel and Rothley.
84 The Folville family held Ashby Folville, which was closely associated with Gaddesby and Barsby, Gaddesby contained a plot of land at the drawing up of the tithe map, which was designated as land in Ashby Folville.
85 It is difficult to identify Ottokes Hawe, nor can anything be said about its relationship with the soke of Rothley. Other places in Leicestershire had the name of Hawe namely Haliwell Hawe and Alderman’s Hawe. It is possible that they were the equivalent of ‘hays’ which were small clearings in woodland or waste where deer or other managed animals could be tended. These could be formed out of triangles of land where the boundaries of townships met.
86 At the time of the great survey, Twyford was partly within the soke, and partly held by a manorial lord Robert of Bucy, from Hugh de Grandmesnil. Domesday Book f. 230 c. and f. 232 c. respectively. When Rothley and its soke was granted to the Templars, Twyford was no longer a dependency. However, a tenement belonging to Robert de Martivals still retained a link with the former overlord. Were there any other remaining vestiges of Twyford’s former connections? Nichols tells us that in 1290, Ralph Pipard appealed to King Edward I, on the grounds of regales libertates, royal privileges which were due to him through his connection with Twyford, and its former connection with the crown. Although Twyford was no longer a royal soke dependency, it had carried with it some royal privileges.
87 This could be either Great Glen, or Glenfield.
and William Blundo 12s. All the ‘foreign’ rents were stated to be of the bailiwick of Rothley.\textsuperscript{88}

**Outgoings of the Templars**

The expenses of the Templars included the stipends of the demesne servants for Rothley, Menton and Gaddesby. Their wages were 2s 6d for most servants with the exception of the clerk who was paid 3s 6d, and the chaplain who was paid 10s. Other servants who worked on the land were paid between 2s and 2s 6d each. Various other expenses were payable at Easter: the free servants (*stipendium liberorum servienium*)\textsuperscript{89} received a total of 41s, various other workers and servants were paid a total of 44s 6d, and smiths at Gaddesby and Menton were paid 3s 6d and 8s respectively. A payment of 22s was made to the monks of Croxton (Kerrial). Stipends throw some light on the servants of the Templars such as the chaplain, the wood ward, the clerk, the gardener, the two boys (servants) of the preceptor, the fisherman, the gatherer of barley and corn, the servants of Menton, the cook and the kitchen boy, the servants of Gaddesby, the keeper of the barn, and the gatekeeper. Other expenditure was enumerated in the custumal including the custody of the animals in the forest (probably Charnwood). The total expenses amounted to £23 13s 6d and £23 12s 6d, paid half yearly. Some of the private workforce of the Templars may have lived on the demesne, others may have been from the families of tenants living in Rothley.

**DATING THE CUSTUMAL**

The extent of the church and chapels of Rothley records that the survey had been carried out when the Master Amed Morestall was in office.\textsuperscript{90} The Close roll confirms that Amadeus Morestall was in office in the year 1259 although it is difficult to ascertain how long before or after this date his office continued. Thus the custumal for the soke could have been written at any time between the arrival of the Templars in 1231 and that date. Other internal and external evidence limits the possible date of the custumal. An exemplification of 1377 which was obtained on behalf of the tenants of Rothley recites a case dating back to 1245.\textsuperscript{91} In this document the names of several jurors of Rothley soke were recorded. These names can be compared with the custumal and with the extent for the parish (Fig. 5).

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\textsuperscript{88} This suggests that they had been removed from the soke and now had a direct relationship with the manorial demesne, through the payment of money rent.

\textsuperscript{89} This is a curious term for servants were not usually described as ‘free’. The more usual term would be *liberti tenentes*, free tenants.


<table>
<thead>
<tr>
<th>Name of vill</th>
<th>Reeve in 1245</th>
<th>Churchwarden in circa 1259</th>
<th>Tenants and reeves in custumal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rothley</td>
<td>Not represented</td>
<td>Stephen Page Stanhard de la More Richard son of Nigel Richard Cotton</td>
<td>Stephen Page (tenant)</td>
</tr>
<tr>
<td>South Croxton</td>
<td>Milo de Croxton</td>
<td></td>
<td>Milo de Croxton (tenant)</td>
</tr>
<tr>
<td>Gaddesby</td>
<td>Walter son of Swayne</td>
<td>Richard son of Emma Henry son of Reginald</td>
<td>Walter Sueyn (reeve)</td>
</tr>
<tr>
<td>Barsby Baggrave</td>
<td>Robert the Reeve Robert Hareward</td>
<td></td>
<td>Robert Payn (reeve) Robert Herward (reeve)</td>
</tr>
<tr>
<td>Keyham</td>
<td>William Saber</td>
<td>Roger Thok Simon of Keyham</td>
<td>Simon of Keyham (reeve) Roger of Keyham (reeve)</td>
</tr>
<tr>
<td>Tilton</td>
<td>Henry the reeve</td>
<td></td>
<td>Henry Prepositus (reeve)</td>
</tr>
<tr>
<td>Marefield (south)</td>
<td>Hugh the reeve</td>
<td>Hugh Prepositus (reeve)</td>
<td></td>
</tr>
<tr>
<td>Marefield (north)</td>
<td>Walter Sewar</td>
<td>Walter Seward (tenant)</td>
<td></td>
</tr>
<tr>
<td>Somerby</td>
<td>William the reeve</td>
<td></td>
<td>William de Hascolf (reeve)</td>
</tr>
<tr>
<td>Chadwell</td>
<td>Robert son of Henry</td>
<td>William son of Henry Hugh son of Reginald</td>
<td>Robert son of Henry (tenant)</td>
</tr>
<tr>
<td>Wartnaby</td>
<td>Gilbert son of Mathew</td>
<td>Thomas son of Ralph Roger his brother</td>
<td>William son of Henry (tenant) Thomas Clerk and Roger his brother (tenants)</td>
</tr>
<tr>
<td>Grimston</td>
<td>Geoffrey the reeve</td>
<td>Geoffrey Pun Geoffrey Pigun Mathew Lobyn</td>
<td>Geoffrey prepositus (reeve) Geoffrey Pigun (tenant) Mathew Lomb (tenant)</td>
</tr>
<tr>
<td>(Saxelby)</td>
<td>Ralph de Fraunceys</td>
<td></td>
<td>Ralph Fraunces de Saxelby (tenant)</td>
</tr>
</tbody>
</table>

Fig. 5. Names of reeves and churchwardens 1245 to c.1259.


There is sufficient correlation between the three sets of evidence to show that the custumal could be contemporary. The custumal is probably no later than 1259 and cannot be earlier than 1245 due to the nature of the court case and its outcome which determined that increments should be paid by the tenants of the soke dependencies in exchange for labour service.
SUMMARY

The custumal of Rothley does not begin with the manorial demesne, which is relegated to a later position but begins with Rothley and its tenants. The order of tenants within the Rothley document is unlike that in other rentals or manorial surveys. The five part custumal begins with the names and holdings of the soke and non-soke tenants. Then there are payments of the church and chapels, next the expenses and outgoings of the Templars, then customary services of the soke tenants, with the conducting of the soke court, and finally a glossary of terminology. It is unlike the later rental and extents which were recorded for the manor and soke. At Cuxham, demesne land occupied the prime position followed by the free tenants and their payments. At Croxton Kerrial the land belonging to the manorial lord came first, then the free tenants, followed by the tenants who were deemed to hold land in dominico on the lord’s demesne, then the cottagers who held at the ‘will of the lord’. The custumal of Rothley soke is extensive, for it covered lands both within the soke, and ‘foreign’ lands outside the soke but within the bailiwick, which owed payments to their manorial lords, the Templars. It appears more like a manual for the administration of the manor, soke, and parish than a simple rental or survey. From such a document others could come: a more concise rental, or a reference for use in the court sessions. The custumal of Rothley may well have been used as a working document, for the memoranda contained within it have the appearance of additions which may have been included within the text at different times. What was lacking from the custumal were the details concerning the administration of the farming customs within the manor but these survive in written form from a much later date. Later rentals and surveys were much more concise but this early custumal appears to have maintained a significance within the soke and some tenements continued to be attached to the names of tenants who had been identified in the thirteenth century.

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bovate       half a virgate (about 18 acres in Rothley).

virgate      twenty-six acres in Rothley.

secretus    a court term which appears to mean ‘insider’.