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Office-Holders and Political Society in the
Liberty of Durham, 1241–1345 (Part 1)*

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SUMMARY

The principal aim of this article is to offer a list of the major officeholders in the liberty of Durham for the periods 1241–83 and 1311–45. Provisional though such a list must be, its production requires little justification. Few adequate lists of the liberty's officers have been printed since the eighteenth century, and full lists for the period treated here have never been published. The absence of reliable information on the liberty's officeholders has been a significant obstacle to all historians of the medieval north-east, and also for historians interested in medieval English local administration more broadly. Because of its length, the article appears in two parts. The list itself will form part 2. The present publication, part 1, offers an introduction to the list, which describes the distinctive structure of the liberty's administration, and outlines the relationship between that administration and local political society.

INTRODUCTION

THE 'ROYAL LIBERTY' OR 'COUNTY PALATINE' of Durham was one of the most important liberties in late medieval England. Its government was almost entirely the responsibility of its lord, the bishop of Durham. The bishop's writ, not the king's, ran in the liberty, and the bishop, not the king, appointed officials such as sheriffs, coroners, and even justices. As bishop Antony Bek (1283–1311) put the matter in 1293, with a touch of historical exaggeration,

The bishops of Durham from time immemorial had all regalian rights and liberties ... with a chancery, a chancellor issuing writs from this throughout their liberties, their own justices, sheriffs, coroners, and other officers of the crown and peace, who were appointed at the bishop's will since the time of the conquest and without interruption till the present.¹

Historians have differed in their assessments of what the liberty's independence from royal government meant in practice. For Lapsley, the first modern historian of the liberty, Durham was 'governed by its Bishop with almost complete local independence'.² Later generations, in contrast, tended to play down such independence: Constance Fraser, while acknowledging

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that 'the powers of the bishops of Durham were real', insisted that the basis of the liberty's autonomy was 'royal sufferance'.³ Jean Scammell offered a similar assessment, albeit one that placed greater emphasis on the liberty's limitations, an emphasis that was repeated by James Alexander.⁴ Recent verdicts, by Tim Thornton and Christian Liddy, have painted more complex pictures. These have stressed the community of interests that usually united king and bishop, but have also emphasized the real privileges of the liberty in matters such as taxation.⁵

There were areas where the crown might challenge the liberty's privileges — notably in matters relating to war and finance, such as taxation, military service, and the right to lands forfeited for treason. But the crown interfered very little in the day-to-day administration of the liberty. Control of local government was thus a major part of that 'impressive local authority' which all historians recognize the bishops of Durham to have exercised within their liberty.⁶ The structure of this local government had a significant impact on local society, which merits detailed exploration. More broadly, the prosopography of the 'justices, sheriffs, coroners, and other officers' who carried out the bishop's government is clearly central to the study of political society in north-eastern England. It can also contribute to our understanding of the wider relationship between government and society in medieval England. This is because, while local administration elsewhere in medieval England has been intensively studied, attention has all too often focused solely on royal government. The many areas where the crown's officers did not exercise direct jurisdiction have largely been ignored.⁷ Recent research has suggested that county administration moulded the identity of local landed society and acted as a channel for the aspirations and identifications of an emerging gentry class; but whether this was also the case in greater liberties such as Durham remains largely unexplored.⁸

For all the importance of these questions, Durham's administrative elites have received little detailed study, particularly for the thirteenth and fourteenth centuries.⁹ One central problem has been the lack of an adequate catalogue of the liberty's major office-holders. Constance Fraser produced an exemplary list for the episcopate of Antony Bek (1283–1311), but otherwise researchers have largely had to rely on the details of officers given in William Hutchinson's eighteenth-century history of the liberty.¹⁰ Hutchinson's notes, which were mostly derived from lists compiled by earlier local antiquarians, still have some value. But their utility is greatly reduced by his frequent failure to provide adequate references, by his errors in the transmission of names and dates, and — most fundamentally — by the incompleteness of his lists. More recent lists of the liberty's officers, unfortunately, have not succeeded in rectifying all of Hutchinson's deficiencies.¹¹

In these circumstances a new listing of the liberty's office-holders requires no apology, and the principal purpose of this article is to offer this information for the periods from 1241 to 1283, and from 1311 to 1345. This period of coverage is easily justified. As noted above, the years from 1283 to 1311 have already received full treatment; the major office-holders before 1241 can be readily identified from the published volumes of Durham episcopal acts;¹² and the period from 1345 to 1437 will be covered by forthcoming work on landed society in the liberty.¹³ The present list itself will be published in the following issue of *Archaeologia Aeliana*. This introduction provides some context, first, by briefly describing the structure of the liberty's administration; and second, by surveying the kind of men involved in that administration. These introductory sections are intended to highlight the distinctive features of the liberty's government and its impact on local society, and to suggest some directions for future research.

THE STRUCTURE OF THE LIBERTY'S ADMINISTRATION

In contemporary language, the 'royal liberty of Durham' included the 'counties' of Norham and Durham, and the 'wapentake' of Sadberge.¹⁴ The county of Durham and the wapentake of Sadberge together comprised 'the liberty of Durham between Tyne and Tees', or 'the bishopric' — essentially pre-1974 county Durham. The medieval 'county of Durham', in contrast, represented the historic core of the liberty as it existed at the time of the Conquest. By the early fourteenth century, and almost certainly much earlier, it was divided into four wards (Darlington, Chester, Easington, and Stockton), each with its own coroner.¹⁵ The wapentake of Sadberge, on the other hand, was an area of irregular shape which extended north of the Tees towards Barnard Castle to the west, and towards Hartlepool to the east. Much of this area had belonged to the church of Durham in the pre-Conquest period, but at the time of the Conquest it was in the hands of the crown, and was considered to be part of Northumberland, with which it came to have significant tenurial and social links. The wapentake was purchased from Richard I by bishop Hugh Puiset (1153–95) and soon incorporated in the liberty of Durham. By the mid-fourteenth century, it was divided into two wards, east and west, but had only a single coroner.¹⁶

The wapentake and the county of Durham were in many ways distinct administrative units. Each, in theory, was under the jurisdiction of its own sheriff, and in the earlier thirteenth century it is possible that the sheriff of Durham and the sheriff of Sadberge were, in practice as well as in theory, different men. By the 1270s at the latest, however, the same man was holding both offices, even though he might receive separate appointments and commissions for the two areas.¹⁷ Similarly, judicial commissions for the wapentake were organized independently of those for the county, but contained identical personnel. County and wapentake were administratively independent, but they were governed by the same men.

To a certain extent, this was also true of the outlying members of the liberty in Northumberland. Bedlingtonshire, the detached portion of the liberty near Blyth on the Northumbrian coast, was usually included with Chester ward for administrative purposes, and was generally subject to the jurisdiction of the sheriff of Durham.¹⁸ But the county of Norham, on the Scottish border, which included the districts of Norhamshire and Islandshire, had its own coroner and its own sheriff, who was also constable of Norham Castle. In the thirteenth century the sheriff-constables were frequently men with strong links between Tyne and Tees; but by the fourteenth century they were usually gentry with interests in or around Norham 'county', as were the justices appointed to act in the county.¹⁹

The administration of the 'counties' of Durham and Norham, and the wapentake of Sadberge, with their sheriffs and coroners, thus bore some resemblance to the administration of an English county, and the liberty's sheriffs and coroners performed many of the same tasks as their equivalents in royal administration.²⁰ There were, however, some highly important differences. The sheriff of Durham and Sadberge delivered the liberty's gaols at the courts of the county and wapentake over which he presided, and which were comparable to county courts outside the liberty.²¹ These judicial responsibilities, while not without parallel outside the liberty, were nevertheless untypical of the realm as a whole, and bishop Richard Bury (1334–45) found it necessary to regularize the custom by issuing his sheriff with a separate commission of gaol delivery.²² The liberty's sheriffs also performed tasks which fell elsewhere in England, from the thirteenth century, to the crown's escheators: most notably, they took custody of the lands of tenants-in-chief after their deaths, and held inquisitions

concerning their estates and heirs.²³ Similarly, although the liberty's coroners shared many responsibilities with their namesakes elsewhere in the kingdom, several aspects of their office were unique. In addition to the usual 'public' duties, the coroners also helped to administer the bishop's estates. They collected his free rents, were able to discipline his tenants, and had a supervisory role in estate administration.²⁴

Supervising the sheriffs and coroners, in turn, was the steward of the liberty, who had a general responsibility for its secular government. In 1314 the steward had 'keeping of our royal liberty of Durham and Sadberge', with full power to assemble the people of the liberty, to impose and levy taxes (*collectas*), to coerce those acting against the common good, to remove suspected peace-breakers from the liberty, and to command the liberty's inferior officers.²⁵ Some of these powers, in the disturbed circumstances of the 1310s, may have been exceptional, but in 1388 the steward was similarly said to have general power to supervise the government of liberty, and in 1441 he was described as 'governor and ruler of all and every single man and tenant' in the liberty.²⁶ His jurisdiction does not, however, seem to have extended into Northumberland, where his duties were carried out by the sheriff-constables.²⁷

The steward also had an overall responsibility for the bishop's estates, and, as Lapsley said, 'can be compared on a magnified scale to the ordinary manorial steward'.²⁸ He supervised the bishop's hallmote court and detailed references to his management of episcopal properties occur in the receivers' and bailiffs' rolls of the liberty.²⁹ He was therefore responsible for the array of bailiffs, parkers, and foresters who managed the bishop's various estates. Throughout much of the bishopric, the most powerful and important of these lesser officials were undoubtedly the foresters. The bishop's forest occupied a substantial part of the area north and west of the Wear, and was a major source of profit and power. Bishop Bek, for example, claimed rights of wardship over all the tenants in his forest, and imposed large fines on those found hunting there.³⁰ Rights such as these were maintained principally by the bishop's chief forester, who — as revealed by the complaints made against this officer under Bek — could be a very powerful figure in local society.³¹ He supervised several under-foresters, whose numbers seem to have varied:³² the forester of Lanchester ward is the only subordinate position named with any frequency.³³

The liberty's other officers had their equivalents in royal central government, in episcopal chanceries, and in some seigneurial administrations. At the heart of the liberty's administration was the chancery which issued the bishop's writs. Before the mid-fourteenth century a single chancellor dealt with all the business, both secular and ecclesiastical, of the 'royal liberty' as a whole, including its Northumbrian members, and also with business relating to the diocese of Durham. In 1343, when the liberty's administration was reformed by bishop Bury, a secular chancellor assumed responsibility for the liberty, and an ecclesiastical chancellor for the diocese.³⁴ The administration of financial resources was the responsibility of several officers, whose history is not entirely clear. The bishop's treasurer occurs in the 1270s, and the receiver-general of the liberty first seems to be mentioned in the 1300s.³⁵ There were also subordinate receivers associated with the exchequers of Sadberge and Norham.³⁶ By the 1300s the receiver-general was also the constable of Durham castle, and it is likely, in fact, that the offices of constable and treasurer or receiver had been associated from a much earlier date. Many of the thirteenth-century constables seem, at any rate, to have been clerics or administrators rather than knights. By the episcopate of Lewis Beaumont (1317–33), the offices of chancellor, receiver-general, and constable of Durham castle had become united.

In many ways, the essential structure of the liberty's government thus saw relatively little development between around 1200 and 1350. The liberty's secretariat and financial administration were streamlined; the sheriff retained responsibilities which came to be exercised by the crown's escheators outside the liberty; and the government of Northamptonshire became increasingly distinct from that of the liberty between Tyne and Tees. From around the early fourteenth century, however, political and administrative developments outside the liberty did lead to significant changes within it. In response to the demands of war, the crown developed its powers to tax and array its subjects, and similar demands were felt in Durham. From an uncertain date, commissions were appointed to levy taxes and aids from the lay inhabitants of the liberty, and to array those inhabitants for war.³⁷ Almost nothing is known of such commissions before the 1340s, but those then recorded cannot have been the first to be issued. The payments made to the Scots to purchase truces in the 1310s and 1320s had almost certainly been raised, at least in part, by episcopal commissioners. In 1327, for example, there seem to have been collectors for each ward of the liberty.³⁸ The inhabitants of the liberty had also been arrayed for military service from the late thirteenth century onwards, as for example in 1299–1300 — even if requests for such service outside the bounds of the liberty could meet considerable local opposition, as occurred in 1300 and again in 1311.³⁹

The first half of the fourteenth century thus saw a significant increase in the number of commissions issued in the liberty by the bishops of Durham. To go by the fragmentary surviving evidence, this is likely to have led to an equally significant increase in the administrative responsibilities of the liberty's gentry and greater freeholders. The commission of array issued by bishop Bury in 1343, for example, was addressed to no fewer than twenty-two men.⁴⁰ It is unlikely, however, that these developments in the liberty were comparable to the 'explosion of commissions' which has been identified in English county administration at this time.⁴¹ The liberty did not contribute to national taxation, and it was unusual for the bishop to require collective payments from his lay subjects. As we have seen, the 'community of the liberty' also objected on occasion to performing military service outside the liberty. For these reasons, commissions of tax and of array are likely to have been significantly less common than was true in other English counties.

It was in the administration of justice that royal government had its strongest influence in the liberty. Several interests required that the liberty should conform to what has been called a 'royal standard of justice'.⁴² On the one hand, the crown might demand that the liberty conform with 'the law and custom of the realm'; on the other hand, the bishops' subjects would not wish justice to be less authoritative or efficient than it was outside the liberty. There were therefore strong pressures for the liberty's courts to keep pace with developments in royal justice.

In the thirteenth century the liberty's integration with royal justice was most apparent during visitations of the general eyre. The crown's itinerant justices did not enter the liberty, but it was customary for them to deliver the articles of the eyre to the bishop's justices, who would inquire accordingly in the liberty. This probably occurred in 1242, 1256, and 1269, although plea rolls survive only for 1242;⁴³ in 1279, bishop Robert of Holy Island did not receive the articles as was customary, but an eyre was nevertheless held by the bishop's justices.⁴⁴ The evidence suggests that, as Scammell argued, 'an eyre could only be held in Durham when the king's eyre was in the vicinity'.⁴⁵ In other respects, however, the liberty's courts were far from wholly dependent on their royal equivalents. The bishops appointed their own justices to hear a range of pleas, and we must assume that inhabitants of the liberty

usually obtained the original writs which initiated judicial process from the bishop's chancery. Unfortunately, however, relatively little is known about the operation of the bishop's courts, outside of the eyres, in the thirteenth century. The bishop's justices sat at Durham, Sadberge, and in Norham, quite possibly throughout the year. (There is no evidence that they observed the return-days and holidays used by the crown's central courts.) But little is known about the pleas they heard outside times of eyre.

By the early fourteenth century, when documentation becomes rather fuller, this situation had changed somewhat. By the 1310s and 1320s, pleas of assize in the liberty, and the pleading of final concords, had become restricted to certain times of the year — notably early January; the end of February; the period around Easter; late July and early August; and late September and early October. These changes in the judicial calendar, which perhaps took place during Bek's episcopate, reflect the increasing involvement in the liberty's judicial administration of men associated with the royal courts.⁴⁶ To be sure, thirteenth-century bishops had appointed justices who were primarily servants of the crown, but these men were not as important as some earlier historians suggested.⁴⁷ Their appearances were relatively infrequent, and usually associated with the visitation of a royal eyre, as in 1242, 1256, 1269, and 1279. (Only in 1271 was the presence of the royal justice Roger Seaton not associated with an eyre outside the liberty).⁴⁸ On other occasions royal justices played a much less important role in the liberty: for the bulk of the 1260s, for example, the liberty's justices were almost all local knights or administrators.

By the 1310s the situation was very different, and lawyers associated with the royal courts were more often present when civil pleas were heard in the liberty. Some were justices of Kings Bench or Common Pleas, like Lambert Threkingham (justice of Common Pleas 1300–16, and of King's Bench 1316–20), or Richard Aldbrough (justice of Common Pleas 1332–40).⁴⁹ More were serjeants-at-law, with the privilege of pleading in Common Pleas, such as William Deanham (serjeant-at-law from 1309, later king's serjeant and justice of King's Bench), Robert Parving (serjeant from 1329), Thomas Fencotes (from 1339), and Roger Blakiston (from 1339).⁵⁰ Sessions of the liberty's civil courts thus came to be arranged so as to allow the presence of men whose business also lay in the royal courts. The liberty's courts were held during the vacations of the central courts, often at the same time as royal justices were present in the localities on assize circuits.⁵¹

The liberty's other courts were not subject to these constraints. As we have seen above, gaol delivery in the liberty was distinctive. In the early fourteenth century, the sheriff delivered the liberty's gaols (at Durham and Sadberge) at the 'county courts' over which he presided.⁵² Prisoners detained for homicide, however, were delivered by panels of justices which did not, as a rule, include royal justices.⁵³ Nor did commissions of oyer and terminer, issued to 'hear and determine' particular offences. In the fourteenth century, justices of gaol delivery and oyer and terminer were usually local gentry or administrators, and they might hold sessions throughout the year.

Over our period, therefore, the administration of justice in the liberty became increasingly aligned with royal practice. But there remained significant differences. Most notably, as Jean Scammell in particular pointed out, the range of original legal writs available in the liberty was limited. This could be a considerable inconvenience to the inhabitants of the liberty, who lacked the full range of judicial remedies available elsewhere in the kingdom. There were a number of complaints on this subject in the early fourteenth century, and bishop Beaumont noted that 'many people of the liberty' were asking for writs of entry, escheat, ael, besael and

formedon from his chancery, which he was unable to issue.⁵⁴ This situation seems to have been remedied in the 1340s, when writs of entry and formedon became available, bringing the liberty more closely in line with the royal courts.⁵⁵ But the liberty's relation to 'the law and custom of the realm' still had its ambiguities. Historians routinely state, for example, that the liberty was subject to statute law, but it is not clear that this was always the case.⁵⁶ Statutes demanding the annual replacement of sheriffs, for example, do not seem to have operated in the bishopric.⁵⁷ The distinction often drawn between 'the law and custom of the realm of England and of our royal liberty' was not simply an empty formula.⁵⁸

ADMINISTRATION, CAREERISM, AND LOCAL SOCIETY

Many parallels can be drawn between the liberty's government and the administration of English counties. But these parallels should not lead us to neglect differences which were equally, if not more, significant. Perhaps most importantly, appointment to office was at the bishop's pleasure. In some respects, indeed, the bishop's control over local administration was greater than that exercised elsewhere by the crown. Elsewhere in the kingdom — and indeed in most liberties — coroners were elected in the county court or its equivalent. In Durham they were (with one exception) appointed by the bishop — something that was, perhaps, to be expected, given that coroners also served the 'private' interests of bishops.⁵⁹

Furthermore, bishops rarely came under pressure (as the crown did elsewhere in England) to reduce the terms for which they appointed their officials. Often, admittedly, it is difficult to be sure that office in the liberty was held continuously, but it is likely that this was generally the case. Stewards and sheriffs might serve for considerable periods: Alexander Biddick was sheriff between 1261 and 1269, John Malton probably sheriff between 1274 and 1283, and Guichard Charon steward, also between 1274 and 1283. It was not customary for royal sheriffs to hold office for such extended periods, and it became less common in the fourteenth century, when the crown came under parliamentary pressure to replace sheriffs each year. Such annual replacement of sheriffs only became usual at the end of Edward III's reign, but before this the average term of office was only around two years.⁶⁰ In the liberty more extended terms were common, and were especially notable in Norhamshire, where Robert Manners, for example, was sheriff-constable between 1327 and 1345.

As a result there were relatively few opportunities for service in local administration. This continued to be true in the fourteenth century when, as we have seen, the liberty did not witness an 'explosion of commissions' comparable to that which occurred elsewhere in the kingdom. Nor was there any comparable explosion of judicial commissions. Elsewhere in England, commissions of oyer and terminer, issued to 'hear and determine' specific cases, were at their most frequent in the first half of the fourteenth century, and were increasingly staffed by a wide range of local gentry. By the mid-fourteenth century local men appointed on three or fewer occasions accounted for three-quarters of all commissioners.⁶¹ In the bishopric, in contrast, commissions were issued to small groups of justices, buttressed in exceptionally important cases by local magnates.⁶² As was also the case in the fifteenth century, 'gentry participation was slight'.⁶³ The justices were drawn from a small and exclusive body, consisting largely of men who had held or were to hold other senior offices in the palatinate, and who were reappointed to commissions over many years, men like Simon and Roger Esh.⁶⁴

Opportunities for local laymen were also curtailed by the important role played by clergy, from an early date, in the government of the liberty. Clerics supplied almost all the liberty's

chancellors, treasurers, receivers, and constables of Durham castle. These were men like the well-known Walter Merton, chancellor of Durham between 1242 and 1246, or like the less illustrious Peter Brandon, constable of Durham in 1267, and justice in 1260 and 1266, who was rector of Longnewton in the 1260s.⁶⁵ In the later thirteenth century we have Peter Thoresby, master of Kepier hospital,⁶⁶ and in the fourteenth century Robert Brompton, canon of Auckland and Lanchester, and master of Northallerton hospital; Nicholas Gategang, rector of Ryton; Robert Calne, rector of Dinsdale and canon of Norton; and Ralph Holbeach, later master of Peterhouse College, Cambridge.⁶⁷

Other offices were also held by clerics. Richard Bervil, sheriff c. 1255, was rector of Branxton in Northumberland,⁶⁸ and it is possible that Hugh de Monte Alto, forester in the 1270s, should be identified with the later master of Kepier hospital.⁶⁹ More importantly, the major office of steward was frequently held by clergymen. John Romsey, steward under bishops Poore and Farnham, and still a man of importance in episcopal circles under bishop Kirkham, was rector of Easington; Bek's stewards, William of St. Botolph and Peter Mauley, were both senior clergymen.⁷⁰ So were two of Beaumont's stewards, John de Insula and Robert Brompton; so was Thomas Hesswell under Bury; so, later in the fourteenth century, were William Westley, Alan Shotlington, Hugh Westwick and William Basingham under bishop Hatfield.⁷¹ Many of these men, like the liberty's chancellors and treasurers, were also appointed as justices in the bishopric.

Several of these clergy, like Romsey and St. Botolph, were 'outsiders' to the liberty, *familiares* who had moved with bishops from other posts, and a significant proportion of other local office was held also by outsiders. Some were the bishops' servants, retainers, and household men, who tended only to be appointed to relatively insignificant posts such as parkerships: bishop Richard Bury, for example, granted the custody of the park of Stanhope to his servant William Belers.⁷² But John Haldan was a *serviens* of bishop Kirkham, under whom he was sheriff, and John Malton, sheriff 1274–83, was probably a familiar of bishop Robert of Holy Island.⁷³ It is also possible that the Yorkshire men Nicholas Sutton and John Hanby, both sheriffs and justices under bishop Beaumont, were associated with that bishop's household.⁷⁴

Other outsiders were men with connections to royal administration which could help ensure recognition of the liberty's privileges. John Octon, steward of the liberty in 1266, was at the same time sheriff of Yorkshire, a position which enabled him to serve the bishops of Durham by enhancing the privileges of their Yorkshire liberties of Howdenshire and Allertonshire.⁷⁵ Finally — as we shall see in more detail below — offices were also held by men from outside the liberty best described as professional administrators, retained by bishops or attracted by the prospects of episcopal service. For all these reasons, the involvement of local laymen in the administration of the liberty was relatively minimal. Local government was not a partnership between the bishop and local landed society of the kind that developed under the crown in the English counties. Government and administration did not, we may suspect, act as a force for local cohesion, and did not help to channel the aspirations and identities of much of landed society.

For the relatively few men who were involved in the liberty's administration, however, the opportunities could be considerable. Lengthy tenure of office offered considerable local influence, and the sheriffs of Durham and Northumberland also carried greater clout than their fellows outside the liberty because of the other responsibilities their offices entailed. If these men were more heavily burdened than most sheriffs, by the same token they were more powerful locally; and they were also likely to be appointed as justices in the liberty. Finally,

unlike the majority of their equivalents in county administration, Durham's officers were also rewarded with significant annual salaries.⁷⁶ The steward of Durham, by the late fourteenth century, received the substantial sum of £40;⁷⁷ the sheriff of Durham received £10;⁷⁸ the chief forester, by the mid fourteenth century, received 10 marks.⁷⁹ The constable and sheriff of Northamptonshire, in the thirteenth and early fourteenth centuries, could expect 50 marks a year.⁸⁰ Even coroners received wages in kind.⁸¹

It is true that some of these fees did not compare with those available elsewhere: in the liberty of Chester, for example, the justiciar (equivalent to the steward in Durham) received £100 a year, the chamberlain £20, his clerk £10 and — at least on one occasion — the chief forester £53 13s. 4d.⁸² Similarly the sheriff of the lordship and liberty of Glamorgan (again analogous to the steward of the bishopric) had an annual fee of 100 marks in the early fourteenth century.⁸³ But we should not underestimate the rewards of office in Durham, where office-holders were often not otherwise wealthy men. If the lands of Thomas Surtees (d. *ante* 1345) in the liberty were really worth 100 marks, the fee of £40 which he probably received as steward would nevertheless have been a very considerable addition to his income.⁸⁴ The lands of Simon Esh (d. c. 1360) were valued at just over £4 in his inquisition post mortem, rather less than his sheriff's fee of £10 a year.⁸⁵

The rewards of office could also be more substantial than fees alone, since all bishops used other forms of patronage to reward their servants. These included wardships, such as that granted by bishop Farnham (1241–9) to his steward John Romsey, or that granted by bishop Stichill (1260–74) to Robert Burnigill, constable of Durham.⁸⁶ Bishop Kellawe (1311–16) made similar grants to John Evenwood, steward of Evenwood and a favoured episcopal officer, and also to Walter Goswick, constable of Northampton castle.⁸⁷ Officers also tended to receive a significant proportion of episcopal grants of land, which could be substantial and valuable. William Middleton, steward of bishop Kirkham (1249–60), received in fee the manor of Little Haughton, which the bishop had recently repurchased at no little expense; bishop Robert of Holy Island (1274–83) granted the manor of Hardwick-on-Sea to his sheriff John Malton.⁸⁸ It must be admitted that most grants were more modest — the fifty acres of waste granted by Bek to Roger Esh, or the 127 acres granted to Walter Barmpton, were more typical.⁸⁹ Nevertheless, these grants could mean a great deal to the bishop's lesser officers, and still prove useful for those of higher rank.

In addition to the fees and patronage they received from the bishop, his officers also stood to gain from others who sought their advice or goodwill. In the mid-thirteenth century bishop Stichill's steward, Richard Chancellor, was one of the men receiving a pension from Durham Priory; so too was William Middleton, almost certainly to be identified with bishop Kirkham's steward and justice.⁹⁰ In the fourteenth century William Kellawe, bishop Kellawe's chancellor and justice, was retained by Richard fitz Marmaduke, and the sheriff William Walworth received a small annuity from Robert and Alice Oliver in 1331. Even the servants of episcopal servants, like the *garçio* of Roger Esh, bishop Bek's coroner, found themselves in receipt of gifts and gratuities.⁹¹

There were, therefore, considerable opportunities to be found in service in the liberty's administration: as was also true in the liberty of Chester, 'the system offered the individual a chance to make a career'.⁹² This attracted some men who can almost be described as professional administrators. Geoffrey Russell, of Milton in Northamptonshire, who was steward of the liberty between around 1269 and 1274, was also steward of the earl of Cornwall, a royal justice and administrator, and perhaps steward of Peterborough abbey.⁹³ Russell, like many

other administrators from outside the liberty, left relatively little mark on local society. From the late thirteenth century, though, professional or semi-professional lawyers and administrators with roots in Northumberland and Yorkshire came to play an increasingly important part in the liberty's administration, and the proximity of their family interests meant that they were more likely to put down lasting roots in the bishopric. In the late thirteenth century Sir Guichard Charon, of Horton and Stickley in Northumberland, was steward of the liberty under bishop Robert of Holy Island.⁹⁴ In the early fourteenth century William Deanham, a rising Northumbrian lawyer, acted as chancellor of the liberty under Kellawe, and justice under Kellawe and Beaumont.⁹⁵ A contemporary of Deanham's was Adam Bowes, who seems to have originated in Richmondshire. He was retained by Bek, was sheriff of the liberty under Kellawe, and justice until the early 1340s.⁹⁶ In the following generation the outstanding example was John Menevill. He was from a family whose interests had been in the Tyne valley; he was knight of the shire for Northumberland in February 1328, and at some time before 1333 it was suggested that he might be appointed as a keeper of the river Tyne.⁹⁷ But John transferred the principal focus of his ambitions to the liberty, where he was justice between around 1336 and 1353, and sheriff from around 1339 to 1342.⁹⁸

All these men acquired significant interests in the liberty, by purchase, marriage and by episcopal grant. Charon obtained the manors of Beamish and Tanfield, and land in the surrounding area; Bowes acquired the manors of Streatlam and Stainton, and land around Barnard Castle and Durham. Both Deanham and Menevill built up property in the area around Easington. Ultimately most of the families became extinct for the usual reason of failure in the male line. Charon's estates after his death went by marriage to Bertram Monboucher; but the other families survived for at least a couple of generations.⁹⁹ Deanham's estates passed to his son William (d. c. 1350) and grandson Edmund (d. c. 1351).¹⁰⁰ Adam Bowes's son Robert was sheriff in the 1350s, and John Menevill's son William was sheriff in the 1360s; both men were prominent figures in local society, and the Bowes family remained important until well after the medieval period.¹⁰¹

Episcopal service was by no means the only thing which drew these men to the liberty. Guichard Charon may well have acquired Beamish and Tanfield before he entered Robert of Holy Island's service; similarly John Menevill had married the daughter of William Silksworth, obtaining interests around Easington, before 1325.¹⁰² But these men, newly-established as they were, were quick to see the opportunities offered by administration in the liberty, and the rewards of service enabled them to consolidate their position in local society.

What, then, was the role of local men and families in the liberty's administration? It appears, in the thirteenth century, to have been relatively limited. This is partly, it must be admitted, because many officers, both lay and clerical, are obscure figures. Their names suggest that Silvester Darlington (sheriff in the 1240s) and Lawrence Lintz (sheriff c. 1270) were local men; but the landed interests of many other sheriffs are a mystery.¹⁰³ John Haldan (sheriff c. 1260) and John Malton (sheriff c. 1274–83) were both granted land in the liberty, but may have originated outside it.¹⁰⁴ At any rate, the liberty's stewards in the second half of the thirteenth century included only two laymen whose interests were centred in the liberty: Richard Chancellor, lord of Brafferton, and John Gilet of Egglescliff. Chancellor and Gilet were also justices in the liberty, sometimes joined by a handful of other local laymen: Thomas Herrington (probably, in fact, a father and son of the same name), Marmaduke fitz Geoffrey, and Robert Burnigill (if, indeed, the latter was a layman).¹⁰⁵ To judge from the evidence of charter witness-lists, Herrington and fitz Geoffrey were closely associated with successive

bishops of Durham, and it is also likely that all these men could boast some administrative expertise.¹⁰⁶ Herrington was also constable of Norham castle, while Chancellor also served as the steward of Durham priory.¹⁰⁷ John Gilet first comes to light as an attorney in 1236, and acted as bailiff under a royal keeper of the liberty in 1240.¹⁰⁸

It thus seems likely that the key factors in determining appointments within the liberty's secular administration in the thirteenth century were personal connections with bishops, and administrative and legal expertise, rather than landed status. To some extent this was also true in the fourteenth century, when personal service or administrative talent may explain the appointment of some relatively minor men as sheriff, such as Richard Stanley, John Birtley, or William Walworth, burgess of Darlington (d. c. 1353), sheriff for much of Beaumont's episcopate. As we have seen above, 'outsiders' such as Nicholas Sutton and John Hanby also continued to be appointed as sheriffs and justices in the 1320s. Nevertheless, from the early fourteenth century the liberty's gentry did play a more prominent role in local government. An increasing number of stewards were knights from the bishopric. Bishop Kellawe's steward, Sir Richard fitz Marmaduke, held almost all of his lands within the liberty.¹⁰⁹ His immediate successors in the 1320s were both clerics, but Sir Thomas Surtees of Dinsdale was steward under Beaumont and Bury; he was succeeded, under bishop Thomas Hatfield, by Sir Thomas Gray of Heaton. Local gentry also became increasingly important as sheriffs and justices: these were men like Sir Roger and Simon Esh, John Menevill, and Roger and William Blakiston, who all used armorial seals.¹¹⁰

For all this, the social status of the liberty's officers should not be exaggerated: and in this respect, as in others, the liberty's administration remained distinctive in the fourteenth century. Remarkably, only one of the liberty's sheriffs in the first half of the fourteenth century was a knight,¹¹¹ and men like Simon Esh were not that different in status to some of the liberty's estate officials, bailiffs, foresters and coroners. The bulk of these men were drawn from the middling and upper ranks of the liberty's freeholders and several had some claim to gentility. William Brackenbury, Kellawe's forester, was lord of Shipley and Burn Hall, the latter valued at £10 in 1381;¹¹² Robert Kilkenny, bishop Bury's chief forester, was probably the son and heir of Sir William Kilkenny of Stotfold and Stanley (d. *ante* 1340).¹¹³ Perhaps more typical, though, were men like Bernard Thrislington, who took his name from the village near Ferryhill where he quitclaimed lands to Durham Priory in 1309.¹¹⁴ He seems to have had some connection with episcopal administration under Kellawe; under Beaumont he was established as one of the liberty's foresters, and was also bailiff of Darlington in 1327.¹¹⁵ It was partly as a result of such service that he was able to build up a not-inconsiderable collection of lands in the vicinity of Auckland, and his was probably not an untypical career.¹¹⁶ It is paralleled a little later by that of John Thropton, who first comes to notice towards the beginning of Beaumont's episcopate as coroner of Darlington ward, an office which he still held in the 1340s. In 1339–40 he also had a general responsibility for some of the bishop's manors; he was also approver of the borough and mill of Auckland and perhaps the bishop's bailiff there, and he had similar responsibilities at the beginning of Hatfield's episcopate.¹¹⁷ His career seems to have been spent in estate management for successive bishops, and probably enabled him to rise from being a relatively minor landholder in the neighbourhood of Auckland, to leasing the borough and mill.¹¹⁸ The Pollard family of Pollard Hall provides other examples of episcopal estate officers whose service helped them to build up their landed holdings.¹¹⁹

As these examples suggest, the rewards of office could be as important for these local men as for the 'outsiders' examined above. In the thirteenth century, the sheriff and steward John Gilet acquired land throughout the liberty in Thorpe Thewles, Preston-on-Tees, Barmpton and Thorpe Bulmer.¹²⁰ He also purchased, for the sum of forty marks, a third of the advowson and mill of Edmundbyers, which he later granted to Durham Priory.¹²¹ By 1259 at the latest he had assumed knighthood. His descendants were hardly so illustrious, and Gilet's own prominence must have derived very largely from episcopal service and its profits. Again, the sheriff William Walworth, in the 1320s, acquired property in Darlington, Preston-le-Skerne, Great Burdon, Longnewton and elsewhere.¹²² By his death he had accumulated a notable estate, and it is little surprise to find his son assuming arms.¹²³ The most active period of William's purchases coincided with his tenure of office in the liberty, and it is likely that the profits of office enabled the family's transition from freeholders to gentry. Episcopal service, therefore, could contribute significantly to social mobility in the liberty. The bishop's necessary patronage of servants and familiars from outside the liberty did not prevent him from being potentially the most significant patron and employer in the bishopric.

CONCLUSIONS

The government of the liberty differed in important respects from the crown's administration of counties elsewhere in England. The offices available in the liberty, and their responsibilities, were not equivalent to those in shire government. Office in the liberty tended to be held for extended periods, and was rewarded not only by fees but by other forms of episcopal patronage. Many important offices were held by clergymen and other episcopal servants from outside the liberty itself. To put the matter crudely, office-holding was not related to landed status in local society, as was coming to be true elsewhere in England, but to administrative expertise and personal association with the bishops of Durham. In many ways, the model for the liberty's administration was not royal local government, largely carried out by unsalaried amateurs whose relationship to the crown was relatively distant. It was rather seigneurial administration, which was the work of salaried professionals, often with long associations with particular lords.

The impact on political society in the liberty, I have suggested, was twofold. On the one hand, the liberty's administration offered somewhat limited opportunities for lay involvement. In comparison to other counties, the number of laymen holding significant office was relatively small. A list of significant office-holders — sheriffs, MPs, escheators, justices of the peace, arrayers, and taxers — in Warwickshire between 1290 and 1348 includes around 160 laymen.¹²⁴ A roughly equivalent list for Durham — including the liberty's stewards, chancellors, treasurers, sheriffs, justices, and commissioners — between 1283 and 1345 would include about 90 laymen. The implications of this, it must be admitted, are somewhat nebulous. It has been argued that elsewhere in England, in the first half of the fourteenth century, local administration had a significant impact on the identity of the gentry, emerging as a class united by its role in royal service, with identities increasingly focussed around the county, the arena in which this royal service usually took place.¹²⁵ If such arguments are accepted, the emergence of the gentry and the development of gentry identity in Durham, where the involvement of knights and esquires in local administration was much more limited, may have been rather different.

Conversely, for the few that were significantly involved in the liberty's government, the opportunities were considerable. With their long periods of tenure and the rewards and emoluments they could expect, the liberty's principal officeholders stood to substantially increase their wealth, status, and power. The liberty's administration may not have contributed to the emergence of a gentry 'class'; but there can be no doubt that it contributed to the advancement of particular individuals and families, some from within the liberty, many from outside it. Local administration was therefore more closely related to careerism and social mobility than was usually the case elsewhere in the kingdom. It is also likely to have figured more prominently among the aspirations and loyalties of many local families. To be sure, there were alternative focuses of lordship: perhaps most notably, in the thirteenth century, the great Balliol lordship of Barnard Castle, while in the fourteenth century service to the crown outside the liberty became increasingly appealing. But episcopal service in the liberty's government retained powerful attractions.¹²⁶

At present, all these aspects of Durham's distinctiveness require more research into the liberty itself, and into the role of 'amateurs' and 'professionals' in local administration elsewhere. It is hoped that the list to be published in part 2 will provide a stimulus to such research.

NOTES

Abbreviations

DCM	Durham Cathedral Muniments
RPD	Rolls Series 62, London (1873–8)
TNA: PRO	The National Archives: Public Record Office

¹ *Records of Antony Bek, Bishop and Patriarch 1283–1311*, ed. C. M. Fraser, SS 162 (1953), 41.

² G. T. Lapsley, *The County Palatine of Durham*, New York (1900), 1.

³ C. M. Fraser, 'Prerogative and the bishops of Durham 1267–1376', *English Historical Review*, 74 (1959), 467–76 (474–5).

⁴ J. Scammell, 'The origin and limitations of the liberty of Durham', *EHR*, 81 (1966), 449–73; J. W. Alexander, 'The English palatinates and Edward I', *Journal of British Studies*, 22 (1983), 1–22.

⁵ T. Thornton, 'Fifteenth-century Durham and the problem of provincial liberties in England and the wider territories of the English crown', *Transactions of the Royal Historical Society* 6, 11 (2001), 83–100; C. D. Liddy, 'The politics of privilege: Thomas Hatfield and the Palatinate of Durham, 1345–81', in *Fourteenth Century England IV*, ed. J. S. Hamilton (2006), 61–79.

⁶ Alexander, 'Palatinates', 22.

⁷ R. Gorski, *The Fourteenth-Century English Sheriff: English Local Administration in the Later Middle Ages*, Woodbridge (2003), provides a recent example.

⁸ See in particular P. Coss, *The Origins of the English Gentry*, Cambridge (2003). Cheshire has been better served than Durham: D. M. Clayton, *The Administration of the County Palatine of Chester 1442–1485*, Chetham Society 3, 35 (1990), esp. ch. 5; T. Thornton, *Cheshire and the Tudor State 1480–1560*, Woodbridge (2000), ch. 7.

⁹ Lapsley, *County Palatine*, 77–99, provides the only survey. For the fifteenth century, fuller and more reliable commentary is available in R. L. Storey, *Thomas Langley and the Bishopric of Durham 1406–1437*, London (1961), 57–116; A. J. Pollard, *North-Eastern England during the Wars of the Roses*, Oxford (1990), ch. 6.

¹⁰ C. M. Fraser, 'Officers of the bishopric of Durham under Antony Bek, 1283–1311', *AA*⁴, 35 (1957), 22–38; W. Hutchinson, *The History and Antiquities of the County Palatine of Durham*, 3 vols, Newcastle (1785–94), 2nd ed., Durham (1823).

¹¹ C. H. Hunter Blair, 'The sheriffs of the county of Durham', *AA*⁴, 22 (1944), 22–45; *List of Sheriffs for England and Wales*, List and Index Society 9, New York (1963), 42 A–B; K. Emsley and C. M. Fraser, *The Courts of the County Palatine of Durham*, Durham (1984), 95 (a list of the liberty's temporal chancellors).

¹² *English Episcopal Acta 24: Durham 1153–1195*, ed. M. G. Snape, Oxford (2002); *English Episcopal Acta 25: Durham 1196–1237*, ed. M. G. Snape, Oxford (2002). *English Episcopal Acta 29: Durham 1241–83*, ed. P. M. Hoskin, Oxford (2005), was compiled using rather different editorial principles: most notably, episcopal appointments of justices were not included. The volume thus provides a less complete record of the liberty's administration than its predecessors.

¹³ C. D. Liddy, *The Land of the Prince Bishops: The Palatinate of Durham in the Late Middle Ages* (forthcoming).

¹⁴ The bishops' liberties in Yorkshire had a separate origin, privileges, and history: for an outline, see K. Emsley, 'The Yorkshire enclaves of the Bishops of Durham', *Yorkshire Archaeological Journal*, 47 (1975), 103–8.

¹⁵ For the probable early origin of the four wards, see P. D. A. Harvey, 'Boldon Book and the wards between Tyne and Tees', in *Anglo-Norman Durham, 1093–1193*, ed. D. W. Rollason, M. M. Harvey, and M. Prestwich, Woodbridge (1994), 399–405. The *quo warranto* proceedings of 1293 do not mention Stockton, and this has led some historians to suggest that the ward was a later development (*Victoria History of the County of Durham*, ed. W. Page et al. (in progress), III (1928), 191; C. M. Fraser, *A History of Antony Bek, Bishop of Durham 1283–1311*, Oxford (1957), 80). It is more likely that the 1293 record is incomplete or erroneous.

¹⁶ See generally C. M. Fraser and K. Emsley, 'Durham and the wapentake of Sadberge', *Transactions of the Architectural and Archaeological Society of Durham and Northumberland* n. s. 2 (1970), 71–81.

¹⁷ *Pace VCH: Durham*, III, 191. See the list below.

¹⁸ See for example TNA: PRO, DURH 3/2, f. 19v, 48r; DURH 13/221, part 1, mm. 2, 3d; *Bishop Hatfield's Survey*, ed. W. Greenwell, SS 32 (1857), 125–6; DCM, Loc. V. 32, m. 3d; *Registrum Palatinum Dunelmense: The Register of Richard de Kellawe, lord Palatine and bishop of Durham 1311–1316*, ed. T. D. Hardy, 4 vols, RPD, IV, 284. But for exceptions see DURH 3/2, fols 35v–36v, 38r, 58v.

¹⁹ See more fully M. L. Holford, 'War, lordship, and community in the liberty of Northamshire', in *Liberties and Loyalties in Medieval Britain and Ireland*, ed. M. Prestwich (forthcoming).

²⁰ For a summary of the sheriff's work in the liberty see Lapsley, *County Palatine*, 82–6. On the duties of royal sheriffs, see W. A. Morris, 'The sheriff', in *The English Government at Work 1327–36*, ed. J. F. Willard et al., 3 vols, Cambridge, MA (1940–50), II, 41–108.

²¹ See, for example, DCM, Misc. Ch. 2640; Loc. V. 36.

²² A. Musson, *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294–1350*, Woodbridge (1996), 151–2; RPD, IV, 346–7.

²³ For examples of the work of the sheriff/escheator in Durham, see RPD, IV, 282–3, 284–6, 292–3; and for the royal escheators see E. R. Stevenson, 'The escheator', *English Government at Work*, II, 109–67.

²⁴ For a full account, see C. J. Neville, '"The bishop's ministers": the office of coroner in late medieval Durham', *Florilegium*, 18 (2) (2001), 47–60. See also Storey, *Thomas Langley and the Bishopric of Durham*, 62, 69–70; R. H. Britnell, 'Feudal reaction after the Black Death in the Palatinate of Durham', *Past and Present*, 128 (1990), 28–47 (32–3).

²⁵ RPD, II, 686, and a slightly different text of the same commission RPD, IV, 384–5.

²⁶ Lapsley, *County Palatine*, 79 n. 1; Pollard, *North-Eastern England*, 161.

²⁷ Pollard, *North-Eastern England*, 146.

²⁸ Lapsley, *County Palatine*, 78. See also Storey, *Thomas Langley*, 80–1, 101–2; Pollard, *North-Eastern England*, 160–2.

²⁹ DURH 3/12, passim; DCM, Loc. V. 32; *Hatfield's Survey*, ed. Greenwell, 234–5.

³⁰ RPD, IV, 71–2; DCM, 2.5.Pont.3. See generally J. L. Drury, 'Durham Palatinate forest law and administration, especially in Weardale up to 1440', *AA*⁵, 6 (1978), 87–105.

³¹ For these complaints see TNA: PRO, JUST 1/226, passim.

- ³² Bek was accused of increasing the number of his foresters: *RPD*, III, 65–66.
- ³³ See the list below for details. The office is probably identical with the forester or under-forester of Chester ward, who occurs later in the fourteenth century (TNA: PRO, DURH 3/30, m. 10d; 3/202/34).
- ³⁴ *The Register of Thomas Langley, Bishop of Durham 1406–1437*, ed. R. L. Storey, 6 vols, SS 164, 166, 169, 170, 177, 182 (1956–70), I, xiii–iv.
- ³⁵ Fraser, 'Officers of Bek', pp. 25, 27.
- ³⁶ See, for example, *Calendar of Inquisitions Post Mortem*, VI, no. 50; *RPD*, II, 1156–7, 1157–8, 1177.
- ³⁷ The liberty did not enjoy any exemption from clerical taxation.
- ³⁸ On these payments see, generally, C. McNamee, *The Wars of the Bruces: Scotland, England and Ireland, 1306–28*, East Linton (1997), 129–40. For 1327, DCM, Misc. Ch. 4607–10.
- ³⁹ Royal requests for military service from the liberty before 1327 are usefully listed in the digests in *The Parliamentary Writs and Writs of Military Summons*, ed. F. Palgrave, 2 vols in 4, London (1827–34), vol. I and vol. II, part iii, although it is often unclear if these requests were answered. For 1299–1300 see *Records of Bek*, ed. Fraser, no. 63; *Liber quotidianus contrarotulatoris garderobae...1299 & 1300*, London (1787), 243; *Historiae Dunelmensis Scriptores Tres*, ed. J. Raine, SS 9 (1839), 76; and for 1311, DCM, Loc. XXVIII. 14, no. 15.
- ⁴⁰ Comparable royal commissions were usually rather smaller: a commission of 1335 for Northumberland, addressed to 13 men, was unusually large: *Rotuli Scotiae*, ed. D. Macpherson, J. Caley, W. Illingworth, 2 vols., London (1814–19), I, 389.
- ⁴¹ Coss, *Origins of the English Gentry*, 165–201.
- ⁴² Emsley and Fraser, *Courts of the County Palatine of Durham*, 30.
- ⁴³ Printed in 'Two thirteenth-century assize rolls for the county of Durham', ed. K. C. Bayley, in *Miscellanea II*, SS 127 (1916).
- ⁴⁴ *Placita de quo warranto*, London (1818), 604; TNA: PRO, JUST 1/225; D. Crook, *Records of the General Eyre*, London (1982), p. 148. Crown pleas were held: see TNA: PRO, DURH 3/92, m. 16d.
- ⁴⁵ Scammell, 'Origin and limitations', 464. However, for a reference to the bishop's 'justices itinerant' in 1295, see Fraser, 'Officers', 34.
- ⁴⁶ For Bek's justices, see Fraser, 'Officers', 34–38.
- ⁴⁷ See, for example, Lapsley, *County Palatine*, 176; C. M. Fraser and K. Emsley, 'Justice in North East England, 1256–1356', *American Journal of Legal History*, 15 (1971), 163–85 (184–5).
- ⁴⁸ For Seaton, who was in any case in the service of bishop Stichill, see *The Earliest English Law Reports*, ed. P. A. Brand, 2 vols, Selden Society 111–2 (1996), I, cxxv–cxxvi.
- ⁴⁹ J. Sainty, *The Judges of England 1272–1990: A List of Judges of the Superior Courts*, Selden Society, supplementary series 10 (1993), 23, 60, 63.
- ⁵⁰ For these men see the biographical index in J. H. Baker, *The Order of Serjeants at Law*, Selden Society, supplementary series 5 (1984).
- ⁵¹ For details see the list below. For the chronology of the central courts see C. R. Cheney and M. Jones, *A Handbook of Dates for Students of British History*, Cambridge (2000), pp. 98–105 and 112–43; and for the assize circuits, Musson, *Public Order and Law Enforcement*, chapters 4–5.
- ⁵² For the separate gaol at Sadberge see 'Two thirteenth-century assize rolls', nos 68, 448, with R. B. Pugh, *Imprisonment in Medieval England*, Cambridge (1968), 85–6.
- ⁵³ *RPD*, II, 716–7, 1258; III, 238, 240, 341. This distinction makes sense of the evidence presented by Pugh, *Imprisonment*, 295.
- ⁵⁴ Scammell, 'Origin and limitations', 461–2.
- ⁵⁵ The writ of entry became available around Easter 1345 (DCM, 3.3.Sacr.14b). Formedon was pleaded in the bishop's court in 1341 (TNA: PRO, CP 40/333, m. 83d).
- ⁵⁶ For evidence of statutes observed in the liberty, see Fraser, 'Prerogative', 469.
- ⁵⁷ Storey, *Thomas Langley*, 61.
- ⁵⁸ For the phrase see, for example, *RPD*, IV, 345.
- ⁵⁹ The exception was the coroner of Sadberge, held by hereditary serjeanty. Storey, *Thomas Langley*, 62.

⁶⁰ Gorski, *Fourteenth Century Sheriff*, 37–8.

⁶¹ R. W. Kaeuper, 'Law and order in fourteenth-century England: the evidence of special commissions of oyer and terminer', *Speculum*, 54 (1979), 734–84, esp. 753 and n. 76a.

⁶² A good example is *RPD*, IV, 334–7, to which Ralph Neville, Alexander Hilton and the prior of Durham were appointed; later records suggest that none was actually present at proceedings (TNA: PRO, C 260/128/1).

⁶³ Pollard, *North-Eastern England*, 163.

⁶⁴ For the Esh family see M. L. Holford, 'The Esh family: officeholding and landed society in the palatinate of Durham in the earlier fourteenth century', *Northern History*, 43 (2006), 221–39. The development of the commission of the peace in the liberty cannot be properly traced before Hatfield's episcopate: cf. Lapsley, *County Palatine*, 178–9; Emsley and Fraser, *Courts of Durham*, 46–8, and for developments in England, A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century*, Basingstoke (1999), 50–3.

⁶⁵ *Fasti Dunelmenses*, ed. D. S. Boutflower, SS 139 (1926), 18.

⁶⁶ Fraser, 'Officers of Bek', 25–6.

⁶⁷ *Fasti Dunelmenses*, ed. Boutflower, 19, 49, 23; A. B. Emden, *A Biographical Register of the University of Cambridge to 1500*, Cambridge (1963), 309.

⁶⁸ DCM, SHD 1/11; *Acta 1241–83*, ed. Hoskins, no. 66.

⁶⁹ For whom, *Fasti Dunelmenses*, ed. Boutflower, 89.

⁷⁰ *English Episcopal Acta 24: Durham 1153–1195*, ed. Snape, p. 1; Fraser, 'Officers of Bek', 24–5.

⁷¹ For brief biographies see *Fasti Dunelmenses*, ed. Boutflower, 10, 67, 19, 61, 138, 118, 139. For Hatfield's stewards see, inter alia, Hutchinson, *Durham*, I, 381; TNA: PRO, DURH 3/31, m. 10; DURH 3/12, f. 175r; DCM, Reg. Hatfield, fos. 45r, 46v.

⁷² *CPR 1343–5*, 433–4; *RPD*, III, 363.

⁷³ For Haldan, see *Acta 1241–83*, ed. Hoskins, nos 91, 148–9; for Malton, *Durham Annals and Documents of the Thirteenth Century*, ed. F. Barlow, SS 155 (1945), 210n.

⁷⁴ For their local interests, see: *Rotuli Scotiae*, I, 130, 288, 303; *Feet of Fines for the County of York from 1327 to 1347*, ed. W. P. Baildon, Yorkshire Archaeological Society Record Series, 42 (1910), 10, 71–2; and *CPR 1343–5*, 240, 541. Both men witnessed a charter of Beaumont's in 1324 (*CPR 1321–4*, 401), and it may also be significant that land held of the bishop by Nicholas Sutton was later granted to other episcopal servants (*RPD*, III, 330, 365, 376–7).

⁷⁵ *Yorkshire Hundred and Quo Warranto Rolls*, ed. B. English, Yorkshire Archaeological Society Record Series, 151 (1996), 30, 69, 79, 84.

⁷⁶ The details of fees in the receiver's account of 1339/40 are unfortunately damaged (DCM, Loc. V. 32, m. 1), and if there was a section for fees in the account of 1306/7 it has also been lost (*Boldon Buke: A Survey of the Possessions of the See of Durham*, ed. W. Greenwell, SS 25 (1852), pp. xxv–xxxix). The accounts of royal keepers during vacancies of the see provide no sure guide to usual episcopal practice.

⁷⁷ *Hatfield's Survey*, ed. Greenwell, 267.

⁷⁸ TNA: PRO, DURH 20/1; cf. Morris, 'The sheriff', 78.

⁷⁹ The forester's fee is apparently first documented in 1353: DCM, Reg. II, f. 122r.

⁸⁰ R. B. Pugh, 'Ministers' accounts of Northamshire and Islandshire, 1261–2', *Northern History*, 11 (1975), 17–26 (24); TNA: PRO, SC 6/1144/18 (of 1333). In the fifteenth century he received all the issues of the liberty in time of peace, and a further £200 in time of war. A similar arrangement may already have operated in the fourteenth century: Pollard, *North-Eastern England*, 150–1; *RPD*, II, 815–6; *Hatfield's Survey*, ed. Greenwell, 269–70.

⁸¹ Neville, 'The bishop's ministers', 54.

⁸² *Victoria History of the County of Chester*, ed. B. E. Harris et al. (in progress), II (1979), 11, 18, 20, 167; for the last fee see P. H. W. Booth, *The Financial Administration of the Lordship and County of Chester, 1272–1377*, Chetham Society 3, 28 (1981), 136.

⁸³ *Glamorgan County History III: The Middle Ages*, ed. T. B. Pugh, Cardiff (1971), 64.

⁸⁴ The valuation was given to the lands of Nicholas Surtees in the liberty in 1279 (*Three Early Assize Rolls for the County of Northumberland*, ed. W. Page, SS 88 (1891), 354). The inquisition post mortem

of Thomas's son gave a value of only around £17 (TNA: PRO, DURH 3/2, f. 101v–102r). The family's Northumberland lands were worth (it was said in 1279) £21 13s. 4d.

⁸⁵ Holford, 'Esh family', 233.

⁸⁶ 'Two thirteenth-century assize rolls', no. 426; DCM, 1.2.Finc.18.

⁸⁷ RPD, II, 1179–80, 1259–61, 1293.

⁸⁸ *Acta 1241–83*, ed. Hoskins, nos 101, 248.

⁸⁹ *Records of Bek*, ed. Fraser, nos. 22, 41.

⁹⁰ DCM, Cart. Vet, fos. 166v, 175v. Compare the list in *Durham Annals and Documents*, ed. Barlow, 87; and J. R. Maddicott, *Law and Lordship: Royal Justices as Retainers in Thirteenth and Fourteenth Century England*, Past and Present supplement 4, Oxford (1978), 6. Chancellor had been steward of Durham priory around 1259; see, for example, DCM, 1.8.Spec.40.

⁹¹ Durham Record Office, D/Lo/F 333; TNA: PRO, C 260/40/13B; DCM, Enrolled manorial accounts 1299–1303, m. 3d (Wardley).

⁹² G. Barraclough, *The Earldom and County Palatine of Chester*, Oxford (1953), 29.

⁹³ The careers of two Geoffrey Russells, who seem to have been father and son, are difficult to disentangle. See Henry of Pytchley's book of fees, ed. W. T. Mellows, Northamptonshire Record Society, 2 (1927 for 1924), 107–10, esp. 109–10n; *The White Book of Peterborough: the registers of Abbot William of Woodford, 1295–99 and Abbot Godfrey of Crowland, 1299–1321*, ed. S. Raban and C. Trafford, Northamptonshire Record Society, 41 (2001), nos 73, 83, 89, 113; *Ministers' Accounts of the Earldom of Cornwall 1296–7*, ed. L. M. Midgley, 2 vols. Camden Society 3, 66, 68 (1942–45), I, xxxi; C. Moor, *Knights of Edward I*, 5 vols. Harleian Society, 80–84 (1919–32), IV, 157; N. Denholm-Young, *Seigneurial Administration in England*, Oxford (1937), 70n; and E. King, *Peterborough Abbey, 1086–1310: A Study in the Land Market*, Cambridge (1973), 130–1.

⁹⁴ For his career see NCH, 9, 251–8.

⁹⁵ The best account of the family remains J. Hodgson, *A History of Northumberland*, 3 vols. in 7, Newcastle (1820–58), II, ii, 15.

⁹⁶ *Boldon Buke*, ed. Greenwell, pp. xxxv–xxxvi, and the list below.

⁹⁷ *Ancient Petitions Relating to Northumberland*, ed. C. M. Fraser, SS 176 (1961), 245.

⁹⁸ For the limited work he performed in Northumberland at this time, see CPR 1334–8, 280; CPR 1340–3, 320, 327, 328, 452; CPR 1343–5, 412, 496.

⁹⁹ NCH, 9, 259–60.

¹⁰⁰ See n. 95 above.

¹⁰¹ C. M. Newman, *The Bowes of Streatlam, County Durham: The Politics and Religion of a Sixteenth-Century Northern Gentry Family*, Durham County History Society Occasional Papers, Durham (1999).

¹⁰² Tanfield was granted to Charon and Isabel his wife; they were married by 1270 (R. Surtees, *The History and Antiquities of the County Palatine of Durham*, 4 vols., London (1816–40), II, 225; NRO, Waterford charter 38). For Menevill see NCH, VI, 192.

¹⁰³ He held lands in Crawcrook: *Acta 1241–83*, no. 191.

¹⁰⁴ For Malton see *Acta 1241–83*, no. 248. He was also steward of Durham priory: e.g. DCM, 5.3.Elemos.5. For Haldan see *Acta 1241–83*, nos 91, 148–9.

¹⁰⁵ Hoskins, on uncertain authority, describes Burnigill as Stichill's chaplain (*Acta 12141–83*, I)

¹⁰⁶ For the witness-lists see *Acta 1241–83*, passim.

¹⁰⁷ DCM, Misc. Ch. 2136.

¹⁰⁸ 'Two thirteenth-century assize rolls', no. 499; *Close Rolls 1237–42*, 200.

¹⁰⁹ For him see H. S. Offler, 'Murder on Framwellgate Bridge', *AA*⁵, 16 (1988), 193–211.

¹¹⁰ W. Greenwell and C. H. Hunter Blair, *Catalogue of the Seals in the Treasury of the Dean and Chapter of Durham*, 2 vols., Newcastle (1911–21), s. n.

¹¹¹ Holford, 'Esh family', 233.

¹¹² Surtees, *Durham*, IV, I, 19; TNA: PRO, DURH 3/2, f. 15r.

¹¹³ DURH 3/2, f. 22r; VCH: *Durham*, III, 240.

¹¹⁴ DCM, 1.13.Spec.18, 4.12.Spec.11. See also TNA: PRO, JUST 1/226, m. 6d.

¹¹⁵ RPD II, 1279; DCM, Misc. Ch. 1328.

¹¹⁶ For the lands see *Hatfield's Survey*, ed. Greenwell, 47, 49, 50, 58.

¹¹⁷ DCM, Loc. V. 32, mm. 1–2, 6d; *Hatfield's Survey*, ed. Greenwell, 207.

¹¹⁸ For the inquisition post mortem of his son William (TNA: PRO, DURH 3/29, m. 9d), see DURH 3/2, f. 51v.

¹¹⁹ C. D. Liddy, 'Land, legend, and gentility in the Palatinate of Durham: the Pollards of Pollard Hall', in *North-East England in the Later Middle Ages*, ed. C. D. Liddy and R. H. Britnell, Woodbridge (2005), 75–95, esp. 78–86.

¹²⁰ DCM, 1.5.Finc.16–18; *Acta* 1241–83, no. 47; *CPR* 1266–72, 389, 473. For the Gilet interest in Barmpton see DCM, Misc. Ch. 381–2.

¹²¹ *Feodarium Prioratus Dunelmensis*, ed. W. Greenwell, SS 58 (1872), 18on.

¹²² DCM, Misc. Ch. 1564–5; DCM, 1.5.Spec.43a–b, 44, 48, 50; Misc. Ch. 6344*, 5319a–b, 5474a–b, 5371, 318, 322.

¹²³ Greenwell and Blair, *Catalogue of Seals*, no. 2561 and cf. 2559. William himself used an armorial seal in 1334, but it was not his, and its owner cannot be identified (*ibid*, no. 2565).

¹²⁴ Coss, *Origins of the English Gentry*, 274–88.

¹²⁵ Coss, *Origins of the English Gentry*, *passim*.

¹²⁶ These issues are explored in more detail in M. L. Holford and K. J. Stringer, *Liberties and Loyalties: North-East England, c. 1200–1400* (forthcoming, Edinburgh University Press).