

*IDEO IN MISERICORDIA*¹

A GLIMPSE OF LIFE IN EARLY 14TH CENTURY CHESHAM AS REVEALED BY ITS MANOR COURT ROLLS

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The transcription of the eight earliest manor court rolls provides the basis for an account of Chesham society in the early fourteenth century. Using an established methodology, material from the rolls has been used to shed light on aspects of that society: power structures, dependence on others, uncertainty avoidance and gender differentiation. The Lord's power was exercised through the manor court and a hierarchy of officials. This arrangement was generally accepted and the court regularly handed down its decisions, but some proved hard to implement. Those seeking rights or permissions were usually prepared to pay for them, but other fines were often unpaid. In general, people acted collectively. They respected and relied on the groups they belonged to – including their tithings and the manor itself – and were reluctant to do anything that made them different from their fellows. The court sought to maintain these groups by overseeing their membership and to reinforce them by ensuring compliance to the customs of the manor. It thus reduced uncertainty about what might, or would, happen, and also emphasised the conservative nature of the society. Part of that conservatism related to the unequal treatment of women, although women may not have been treated as badly as generally supposed. All in all, the people of this deeply conservative community managed to maintain a stable order among themselves and a tolerable if edgy relationship with their absentee Lord.

INTRODUCTION

The study of manorial records is now a mature discipline with its own introductory books and manuals. A work published as long ago as 1937 (Bennett, 1937), is still described as a 'reliable general introduction' in a recently-published manual (Bailey, 2002). Given the maturity of the study of manorial records and, in particular, of manor court records, it would be surprising if a study of Chesham's Manor Court records were to uncover anything fundamentally new. Hence, the present study has two main aims: to determine whether the story contained in the Chesham records is consistent with generally held views about society in the early fourteenth century; and to characterise the society and culture of Chesham so that it can be compared to other places.

This study is based on an analysis of eight membranes, belonging to the Buckinghamshire

Archaeological Society (BAS) and held at the Centre for Buckinghamshire Studies (CBS). They contain the records of eleven courts, as detailed below.

The sequence of records is incomplete but it is reasonable to treat them as a group, because they do provide coverage of the first eight years of Edward II's reign. No existing records precede the first of them. Subsequently, there is a gap of ten years before later records are available for examination. In fact, some membranes from between 1315 and 1325 exist, but are too fragile to handle.

The records are written on vellum in the abbreviated Latin usual in manor court rolls. The headings are often imprecise and can be vague about the area of jurisdiction. Although the earliest five are for the manor of Chesham Higham, the others are simply for Chesham. They are also vague about the sort of a court being held: the usual beginning is an unvarnished: 'Court of Heiham' or 'Chesham.

TABLE 1 Membranes and records examined.

<i>CBS code</i>	<i>Double-sided?</i>	<i>No. of courts</i>	<i>Dates of courts</i>
D/BASM 18/1	No	1	3 February 1308
D/BASM 18/2	No	1	24 February 1308
D/BASM 18/3	No	1	Date missing, but between February and October 1308
D/BASM 18/4	No	1	12 October 1308
D/BASM 18/5	Yes	2	4 January 1309; 6 March 1309
D/BASM 18/6	Yes	2	27 June 1312; 26 September 1312
D/BASM 18/7	Yes	2	13 April 1314; later in 1314
D/BASM 18/8	Yes	1	8 May 1315

Court held there . . . ', although one of the later rolls (CBS, D/BASM/18/8) is headed: 'Court and view of Frankpledge'. In any case, the business enacted seems to be a mixture of matters to be expected at a Court Leet and others that are not. Chesham was not unusual in its haphazard ways (Horrox and Ormrod 2006, 97). There is vagueness too in other respects; one court is merely dated as 'the first court after the Feast of St Michael' (CBS, D/BASM/18/7).

A cursory examination of the presentments shows that rather more than 30% are concerned with trespass, usually with animals, and just over 20% with breaking the assize. Since it is unclear what 15% or so deal with, it follows that less than a third of the cases deal explicitly with anything else. On this basis, we might conclude that the main concerns are drink and working with or attending to animals. While this would be a gross over-simplification, it may carry a grain of truth.

MEDIEVAL CHESHAM

To provide a context for the results of interrogating the court rolls, this section gives a brief account of what is known of Medieval Chesham. It is closely based on that given by Julian Hunt (Hunt, 1997).

Domesday Book records five estates in Chesham, with a total value of fifteen hides. The largest, at eight-and-a-half hides, had been given by William the Conqueror to Hugh of Bolbec. This estate descended to the Earls of Oxford and became the manor of Chesham Higham. In 1257, the Earls obtained a charter to hold a weekly market and a fair. Subsequently, they gained the right to hold the view of frankpledge. They gave

their right to appoint a priest at Chesham to the Abbey of Woburn. It is likely that the mill of their manor was Lord's Mill, whose mill-race can still be seen. The Earls of Oxford are referred to by their title in the early court rolls.

The second largest estate, at four hides, had been given by Queen Edith to one Alfsi after William's arrival, and in 1086 he held it from the King. This estate descended to the Sifrewasts, and became the manor of Chesham Bury – although not known by that name until long after Chesham Higham had acquired its name. The Sifrewasts gave their right to appoint a priest to the Abbey of St Mary de Pre at Leicester. They also gave their mill, probably Canons' Mill, to Missenden Abbey. Members of the Sifrewast family also feature in the early rolls, though the spelling varies markedly; the most extreme variant is Cyphrewast. It is worth noting that Sifrewasts appeared in the court of Chesham Higham, where they were always referred to with respect.

The other estates were small. William gave one, of one-and-a-half hides, to his half-brother, Bishop Odo. This passed to the Bois family and, in time, became the parish of Chesham Bois. The remaining two estates were both worth half a hide – one held by Thurston Mantel and the other by one Roger from Bishop Odo. Julian Hunt suggests that they could correspond to Latimer and Chenies (Hunt 1997, xi).

At some time after 1086, sub-manors were created by awards of land. These included the Grove, which was subservient to Chesham Higham, as was the holding of the Le Broc family at Hundridge. Members of the Le Broc family also feature in the rolls, although their name is usually

given as 'du Broc' or 'de Broc'. They showed a chronic reluctance to come to the court, and were often summoned to appear.

METHOD OF ANALYSIS

This investigation is based on an approach proposed by Hofstede (Hofstede, 1991) for analysing societies in general. As Salem and Gratz point out (Salem and Gratz, 1997), Hofstede identifies four aspects of the values that inform and determine a society's culture:

- a) The extent to which power and authority are imposed and accepted. This is revealed in the ways that members accept, expect, or reject existing stratified social roles and relationships.
- b) Levels of dependence between individuals. At one extreme, all members of the society form a single cohesive group in which everyone relies on everyone else for protection and support. At the other, all the members are self-reliant.
- c) The extent of the measures individuals take to reduce or avoid uncertainty.
- d) Avoidance of uncertainty corresponds directly to the threat caused by uncertainty. Hence such responses also measure the extent to which individuals feel threatened by unknown or uncertain situations.
- e) The degree to which individuals are treated differently according to their gender. This is indicated by the adoption of distinct and different roles by men and women.

While these characteristics are not susceptible to precise quantification, it is still possible to say whether they are present to a large or small degree. While investigation does not permit a comprehensive description of the society concerned, such characteristics do provide a basis for an understanding of some of a society's most important features and also facilitate comparison with others. Salem and Gratz (Salem and Gratz, 1997) give some vivid examples of both characterisation and comparison.

Of course, a manor court, like any other court, was a means of asserting power. Primarily, it was an institution that enabled the Lord to impress his authority on the occupants of his manor. Yet it was also a vehicle for conserving the culture of the society in which it operated. Thus its decisions

were often made – as stated explicitly in the Chesham records – 'according to the custom of the manor'. Of course, acting in this way, it also served to avoid uncertainty. Decisions were not made at random, but in accordance with past experience and were hence largely predictable. Courts also tend to act against those who flout accepted norms – when, for example, they display too much individualism by acting in ways considered anti-social. Whether consciously or not, when punishing such actions, the court discouraged individualism and reasserted the collective values of the community. Whether a court treats men and women equally is governed by the custom of the society of which it is part, and this can be assessed through the court's record.

None of this is new. It is not surprising that a court, as an institution of a society, should reflect that society's culture and values. But it is still exciting to discover that seemingly obscure records can give real insight into the culture and values of fourteenth-century Chesham.

THE ANALYSIS

This section uses evidence from the manor court rolls to assess the degree to which each of Hofstede's four characteristics was present in fourteenth-century Chesham. A clear and simple account will not emerge, essentially because the society was complex. Nevertheless, analysis on these lines should allow the construction of a fairly nuanced account and even reveal some truths about Chesham society.

Power and Authority

Although the court's attention is focussed on the manor itself, it clearly has ambitions to assert its authority more widely. Thus, the court tried to exert its authority over Walter Langton, Bishop of Lichfield, but described in the records as the Bishop of Chester² (CBS, D/BASM/18/7). Langton had been Edward I's Treasurer of the Exchequer, and although imprisoned early in the reign of Edward II, was briefly Treasurer again in 1312 (Raban, 2000; Hicks 1991, 33–5). Unsurprisingly Langton did not respond to the Court's summons. He was then distrained, but there is no evidence that this had any effect. On the face of it, the Lord of a rural manor in the Chilterns had little chance of imposing his power on someone so important as Langton

– although he had reason to feel aggrieved, as Langton's shepherd was grazing a hundred sheep on his land (CBS, D/BASM/18/8). However, the Lord of the Manor was the Earl of Oxford, also a powerful figure, and it may be that there was more to this attempt than the court records reveal.

Turning to affairs within the manor, the rolls reveal how the Lord used the court to assert his power. Issues involved included: entry to and exit from the Lord's fief; marriage; consequences of a death; holding of land; grazing of animals (via 'trespass'); and milling. In each case, the court controlled the proceedings and usually managed to extract money from some of those involved. It also punished people 'for not coming to the Court', indicating both an aspiration to overall power within the manor and failure to achieve it.

Belonging. Entry to and exit from the manor (or, more accurately for the following examples, the Lord's fiefdom (*feodum domini* or *feodum Comite*)) was strictly controlled. This is illustrated by the following presentments. Simon de Mountagu was distrained to show how he entered the Lord's domain (CBS, D/BASM/18/8). Stephen Partrych, Alan Bagshett and William of Asschleye were all distrained because they removed themselves and their chattels from the Lord's domain at Christmas 1314. Nor had they paid their chevage, the fee for leaving or residing outside the manor (CBS, D/BASM/18/8).

Marriage. Marriage in the manor required the Lord's permission, and provided him with an opportunity to extract money. Accordingly, John Faber senior came to the court to pay a fine of twelve pence to allow 'Isolda, his daughter, to marry Walter Picote' (CBS, D/BASM/18/5), while Walter Morwyne paid the same amount to take Beatrice la Coliere as his wife (CBS, D/BASM/18/6).

Death. An individual's death required a decision on any land they held. The court dealt with this, and levied a fee accordingly. After the death of Chrispine Whiting 'who held from the Lord one croft ... [and] four acres of land with a herriot, according to the custom of the Manor, of one hen (*ovis matrix*) annually', Richard le Newman and his wife Emma came to court and, after the usual formalities, were allowed to take over Whiting's holding on the payment of a gersum of six pence (CBS, D/BASM/18/8). Following the death of Roger of Holdene, the court recorded that 'it is ordered to return to the hand of the Lord the part of

a meadow once that of Roger of Holdene' (CBS, D/BASM/18/6). At the next court, the order was renewed, and the Bailiff then testified that he had 'sold the crop of the said meadow for sixteen pence'. He was required to answer for the profits from the meadow 'after Michaelmas' (CBS, D/BASM/18/6).

Land. All transfers of land-holdings took place through the court and could be lucrative. Emma Reyneres came 'in open court and surrendered into the hand of the Lord one acre of land'. This land was 'for the use of Robert Partrych' and he paid eighteen pence for entry into it as well as going through the usual formalities (CBS, D/BASM/18/8). Similarly, Robert de Hawkeserche 'surrender[ed] into the hand of the Lord six acres of land at Botteleye' for 'the use of Walter le Webbe'. Walter paid two shillings to enter it and agreed an annual rent of two pence, with half to be paid 'at the feast of the Birth of Saint John and the other half at the Feast of Saint Thomas the Apostle' (CBS, D/BASM/18/8).

The transfer of land after the death of the holder could also be lucrative. Thus after the death of Richard of Penerslade – who held ten acres of land from the Lord – his widow, Chrispine, came to the court and, after establishing her right, paid two shillings and three pence 'to have and to hold' the land (CBS, D/BASM/18/6). Similarly, John of Astwyke paid forty pence after the death of his father to take up his inheritance of the twenty-four acres of land (CBS, D/BASM/18/8).

Trespass. As already noted, numerous presentments involved trespass. The complaint of trespass (*transgressionis*) could cover a range of minor misdemeanours (Carpenter 2003, 480), but as far as trespass with animals was concerned, it is generally understood that any fine was essentially a fee for the grazing of the animals (Bailey 2002, 177). One cluster of presentments (CBS, D/BASM/18/8) is typical and records that a number of people had been placed in mercy for, variously, grazing their cows, pigs or sheep in the Lord's pasture, cornfields or woods. Johanna Mayn, however, had let her pigs get into the Monks' Grange.

Milling. In the usual fashion, the Lord of the Manor provided a mill for his tenants, insisting that all use it to the exclusion of any other. Presentments show that not all tenants accepted this monopoly. William Pynkyn was placed in mercy 'for not milling at the Lord's mill' (CBS, D/BASM/18/1), and Maria le Reue was placed in

mercy 'because she milled her corn at another mill to the Lord's damage' (CBS, D/BASM/18/3). At a later court, John Martyn 'acknowledged that he withheld a bushel of corn and half a bushel of flour from the decenna mill' (CBS, D/BASM/18/7). Even the miller, Gilbert, was in trouble: he was distrained for 'defaming the mill and milling' (CBS, D/BASM/18/3).

Individualism or Collectivism

This society seems to have been disposed to work in groups, the most notable being the manor itself and the tithings. The court certainly reinforced the value of belonging to groups and could make things difficult for non-members. It controlled entry, including entrance to a tithing for boys who had come of age, and exit from them. It must have been very clear who belonged and who did not. Hence the court was well placed to shape and control the life and behaviour of everyone under its jurisdiction.

A strong communal spirit is also indicated in the general readiness of people to stand pledge for each other before the court. There is no obvious pattern in the relationship between pledgers and pledges. It appears that someone who happened to be in court when a pledge was needed was generally willing to act in that capacity.

There are also glimpses of the court's desire to reinforce cohesion in its clear disapproval of anyone manipulating the market or trying to profiteer. Similarly, a reluctance to stand out as an individual is evident when what might be called 'communal service providers', such as the rent collectors or the ale tasters, were appointed. Most sought to avoid appointment. They often got out of the job quite quickly, and, while in office, tended to be casual, not to say lax, in fulfilment of their duties.

Groupings. We have seen that the manor contained a clearly defined group of people, that membership brought both benefits and disadvantages and that entry and exit was closely controlled. To the examples given above, we can add those of Robert of Somerton who was distrained for 'remov[ing] himself from the Manor' (CBS, D/BASM/18/6) and John Faber who was distrained 'to show how he gained entry to the Manor' (CBS, D/BASM/18/6).

Within the manor, tithings formed close-knit sub-groups similar to that of the manor itself. Thus,

in adjacent presentments, Augustin Kanut and William of Cobbemere, both 'aged twelve years and grown', were 'admitted by the Lord' to the decenna 'just as' their fathers had been (CBS, D/BASM/18/7). John the Glover was fined two pence for removing his son John from the tithing (CBS, D/BASM/18/3). William of Bellindene, 'who is in the decenna', gave the Lord six pence so as to be 'annually out of the decenna' (CBS, D/BASM/18/7).

Community spirit. The court proceedings reveal community spirit in that more or less anyone present seems to have been willing to stand pledge for anyone else when required. At one court, John Friday stood pledge for those involved in presentments immediately before and immediately after the one in which he appeared for trespass. These are the only times he is mentioned in the record of the proceedings of this court (although his excuse for not coming to the court was presented in the essoins!³) (CBS, D/BASM/18/6). Often when a number of people were in court for the same offence, they stood pledge for each other. When John Cobbemere, John Dod, Radulphus Cakebred, Radulphus Bagshet and Roger le Gariere were all in court for 'damage in the Lord's pasture', John Dod stood pledge for John Cobbemere, and vice versa; Radulphus Bagshet stood pledge for Radulphus Cakebred, and vice versa; and John Dod stood pledge for Roger le Gariere (CBS, D/BASM/18/7). Many similar examples could be cited.

The Market. Any sense of community would be reflected in the way the market operated: was it regulated to operate fairly, or could rogue traders get away with manipulating it? The case of William le Taylour, placed in mercy for twelve pence for forstalling the market (*forstallar*) and later coming to the market with his corn to 'the damage ... of the market' (CBS, D/BASM/18/8), shows an aspiration to ensure fair treatment for all.

Keeping your head down. The court ratified election to certain offices, including those of rent collector and ale taster. Thus, William le Whyte 'was elected to collect rents in place of Alan Gambon' (CBS, D/BASM/18/3), and 'all the Capital Pledges elected Walter Broun in place of John Partrich as ale taster at Botteleye and la Leye' (CBS, D/BASM/18/6). But individuals were reluctant to take these offices or to hold them any longer than they had to. When John of Cobbemere 'gave the Lord six geese to be removed from the office of

rent collector', Richard le Reue was elected in his place, but he managed to get out of it, and finally Richard Whytinge was elected (CBS, D/BASM/18/7). Similarly, 'John Partrych the rent collector at Asschleye [gave] the Lord [twelve pence] to be removed from the office for one year' and, although not present in the court, John Somerton was elected in his place (CBS, D/BASM/18/8). Alexander Friday 'who was the lord's rent collector at Bottleside [gave] the lord two shillings to be removed from that office for the next two years' (CBS, D/BASM/18/6). Office holders were lax in the fulfilment of their duties, as witness the placing in mercy for nine pence of 'Augustine Clement, Walter Broun and John of Cobbemere, ale tasters, [because they] did not fulfil their duties' (CBS, D/BASM/18/7). Exactly the same thing happened to them at the next court (CBS, D/BASM/18/7).

Uncertainty Reduction

Although the Court was primarily an instrument of power, it also sought to maintain stability and to preserve established custom. In other words, it tried to reduce uncertainty. It proceeded with rather fixed expectations, and the records give a strong sense that the scribe is trying to fit each presentment into one of the well-established pigeon-holes. This was not always possible and presentments not matching normal categories tend to be recorded in long-winded, and sometimes rambling, detail. Established ways were maintained by insistence on time-honoured hereditary mechanisms and reliance on the tithing as a means of social self-control. The court also expressed the community's hostility to 'outsiders', both to those from outside the community and to the few from within it who had offended general sensibilities in some way. This all expresses resistance to change and a desire to reduce uncertainty.

Formal process. The court records are riddled with formulaic phrases. They are used in conveying the substance of presentments, and in expressing and explaining decisions. The many presentments involving debt are described as '*in placito debiti*', even though all must have differed in their details. Similarly all cases of trespass are given the same label of '*in placito transgressionis*' yet must have been different in various ways. Decisions are frequently made 'according to the custom of the Manor' (*secundum consuetudinem manerii*). The conclusion drawn from the court's reasoning is

very often 'therefore in mercy' (*ideo in misericordia*), while many judgements are accompanied by formal requirements, such as the pledging of loyalty (*Et fecit fidelitas*). All these formulae speak of embedded and unchanging ways designed to avoid uncertainty in the way the court went about its business.

Established ways. The court not only used the formulaic phrase 'according to the custom of the Manor', but also tried to ensure the continuation of customary practices. In other words, it did nothing unexpected or, at least, implicitly claimed not to. The court also enforced other long-established practices prevalent in wider society. These included upholding traditional hereditary customs and ensuring that the tithings carried out their duties.

To illustrate, after the death of John of Prestemere, Margery, his daughter and heir, came to the court to claim the half-tenement her father had held as her inheritance. After establishing that she really was her father's heir, Margery was granted her inheritance and she gave the Lord half a mark as gersum (CBS, D/BASM/18/6). The court then placed a condition on the transfer, as described below. A claim of inheritance could be clinched if the claimant could show that he or she was the 'next heir' (*heres propinquior*) and old enough to inherit (*plene etatis*). This is illustrated in the case of Matilda, wife of Hugo Gromat. After the death of her father, Thomas Wymound, Matilda proved that she met both criteria, and her claim to her father's holdings was upheld in straightforward fashion (CBS, D/BASM/18/7).

There are hints that the court found it necessary to keep watch on the tithings to ensure they fulfilled their roles. A good example comes from a later court, where the heads of eight tithings are placed in mercy for not maintaining the membership. The record of one presentment typically relates that 'John atte Dene [the head of his tithing] is in mercy because he does not have Walter atte Chaumbre in his decenna' (CBS, D/BASM/18/12).

Outsiders. Those outside the manor seem to have been virtually invisible. Any newcomer had to be formally enrolled. Enrolment resulted in a change of status from outsider to member of the manor. Stephen of London is a case in point. He was 'entered into the Lord's domain (*feodum*) according to the statutory terms', and paid six pence for the privilege (CBS, D/BASM/18/1).

The court dealt with people within the manor

who managed to antagonise society. John Chapman, for example, was attached ⁴ (*attachiatus*) ‘for many new little pieces (*pecias*)’ and for ‘other minute things’ (CBS, D/BASM/18/7). He seems to have been an irritant; perhaps he really was a chapman who had antagonised alewives by trying to sell them things they did not want. Whatever his occupation, he clearly overstepped the limits of the society, and the court duly came down on him.

Gender Roles

In this section, it is taken for granted that there was an imbalance in gender roles. Rather than seeking to demonstrate imbalance, it examines presentments featuring women who seem rather less downtrodden than might have been expected in the fourteenth century.

A woman could hold land or property in her own right. She could inherit a holding on the death of her husband, but there were other ways of acquiring one. There is at least one case where the female inheritor was clearly not a widow. It is also clear that a husband and wife could hold land jointly and equally.

In some matters, the court treated men and women in the same way. When a woman borrowed money and failed to repay, she was presented for debt exactly as if she had been a man. When women brewed and broke the assize of ale their treatment was identical to that of men who did the same.

A woman could enter or leave the Lord’s fief in just the same way as a man could: gender was not an issue. A woman could put a man in her place in court. This might seem to be an example of female weakness, but it could represent female empowerment. A woman could choose to be represented by a man, just as a man involved in a case could put another man in his place. There is also an example of a woman paying scutage, exemption from knight’s service, although this needs more explanation than the evidence of the rolls can provide.

Having and Holding. Chrispine, widow of Richard of Penerslade, came to the court and formally requested permission ‘to have and to hold’ the ten acres of land her late husband had held until her son, also named Richard, came of age. Her request was granted, whereupon she paid a fine of two shillings and three pence (CBS, D/BASM/18/6). So Chrispine could hold land – in

fact a large plot – but only until her son was old enough to take it over. Matilda, widow of Robert Morynges, was placed in mercy for threepence because she had ‘ploughed up part of three boundaries between her [land and that of her neighbours]’ (CBS, D/BASM/18/6). This suggests not only that Matilda had acquired the land when widowed, but also that she worked it herself. After the death of Chrispine Whiting, as related above, Richard Newman and his wife Emma took over the croft and four acres of land she had held (CBS, D/BASM/18/8). This shows both that Chrispine Whiting had held land and property, and that a husband and wife, jointly, could hold land and property. The case of Margery, daughter of John of Prestemere has also been related above (CBS, D/BASM/18/6). She acquired half of a tenement as ‘nearest heir’, not as a widow. However, the condition placed on her inheritance was that the (already divided) tenement be further divided in two parts with one to be given to Agneta, widow of John (and presumably Margery’s mother). So here the court acted to ensure that the widow was looked after.

Owing and Brewing. Adam atte Hyde complained about Christine Pudifat in a plea of debt, and she was placed in mercy *sine die* for twelve pence. She had borrowed money, had not repaid it, and was treated by the court just as a man would have been in the same situation (CBS, D/BASM/18/7). The treatment of men and women caught brewing against the assize was also identical. At one court (CBS, D/BASM/18/7), after Alan Gamboun was placed in mercy for ‘brew[ing] and sell[ing] against the assize’, twenty-four others were also placed in mercy for the same thing (*pro eodem*). All are named: nine women and fifteen men. The women included Matilda la Kanut, who may have been the mother of Augustin Kanut who was admitted to the tithing at the same court. The men included the appropriately named William Godale. At the following court (CBS, D/BASM/18/7), twenty-two individuals were presented for ‘br[eaking] the assize of ale’. This time, nineteen were women, but only ten are referred to by their own names. The remainder are referred to as the ‘wife of’ someone. Incidentally, Matilda was present again, although her name was given as ‘Matilda le Canut’, and there was also a Godale, but his first name was Adam.

Other small things concerning equality. The account of one presentment records that ‘Margery

Garlec put in her place John the Mareshal and Roger Hikebid in a plea of debt against Robert Hauckeserd (CBS, D/BASM/18/5). Thus Margery, and presumably any other woman, had the right to find someone to represent her. In fact, she had two representatives, both men. So, in this respect, women had the same right to make use of a representative as did men. Sad to relate, Margery was not present at the following court when she was required (CBS, D/BASM/18/5).

At another court (CBS, D/BASM/18/8), eight named individuals and all the tenants in the manor with documentation to prove their right to their tenancy are distrained to appear at the next court 'for scutage'. One of the named individuals was a woman, Beatrice Tokevyle. This suggests that women were taxed equally, even in the unlikely matter of paying for relief from knight service.

SUMMARY AND CONCLUSIONS

It should come as no surprise that analyses of power and authority and of uncertainty reduction suggests that society in Chesham in the early fourteenth century was deeply conservative. But the court rolls also reveal a society with a strong sense of community. The absentee Lord, Robert de Vere, Earl of Oxford, who tried to keep a tight rein on the community through his court and local representatives, seems to have driven its members together rather than to have divided them. They had no desire to collect rents from their fellows or to reveal that they were brewing ale. It seems unlikely that they would have informed on each other about anything else. Hence, the Lord's attempts to exert his authority often came to naught. Fines were often left unpaid and people were placed in mercy for the same thing by successive courts. This suggests that, in some respects at least, the court was ineffective. In other words, although the people of the manor submitted to the forms of power exerted on them, they did not always yield to its demands. There was a good deal of going through the motions.

In these circumstances it is no wonder that the community was hostile to outsiders. To become part of it new comers generally had to go through some formal joining procedure unless they were actually marrying into it.

There are also signs, not least in the references to animals, corn and ale, that the community was

self-sufficient within its subsistence economy. In addition, there is no sign of violent crime in the court records, although it would be rash to infer from this that everything was peaceful.

Examination of gender roles shows that the inequality of women was not as marked as the legal ideal would have had it. (To be sure, there certainly was inequality.) Some women were quite powerful actors in their own right, though others probably managed to assert themselves through their husbands.

Again, although the Lord of the Manor tried to extract money from almost every presentment his court handled – land transfers, trespasses or anything else – fines and other payments were rarely paid unless the transaction was important to the potential payer. Perhaps, rather warily, the Lord and the members of the manor were playing a kind of game through the court. There is, however, a sense of old structures wearing out. Either passage of time or a major shock to the system might cause it to break down altogether. And, rather more than thirty years into the future, just such a shock was looming in the form of the Black Death.

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NOTES.

1. The literal translation is 'therefore in mercy'. This is commonly recorded as the conclusion to a presentment.
2. Walter Langton was the Bishop of the see of

Lichfield. The seat of the see moved from Lichfield to Chester in 1075; it moved from there to Coventry in 1102. While the seat was at Chester, the Bishop was referred to in some places as the Bishop of Chester. This form of reference seems to have remained in use in Chesham long after the seat had moved from Chester. The abbreviated Latin form used to represent 'Bishop of Chester' was '*Epi Cestr*'. It may be that those producing the court records enjoyed an in-joke based on the fact that *Cestr* was an abbreviation not only of the Latin name of Chester (*Cestria*) but also of one of the names of Chesham (*Cestreham*).

3. The excuses for not appearing at the court. They were the first of the court's items of business to be recorded.
4. An offender's belongings were attached to ensure his future attendance or compliance.