Chapter I. Barons and Baronies

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CHAPTER I

BARONS AND BARONIES

From the point of view of the historian the English feudal barony presents two closely interrelated yet quite different aspects. It was a feudal subdivision of the realm with important political, military, and social functions, and it supported the baron. The first of these two aspects of the barony has been extensively studied. To speak in very general terms the majority of writers on English mediaeval history have tended to consider the barony primarily as an impediment to the development of a strong central government. Even Mr. Round to whom we owe so much of our knowledge of the barony in the eleventh, twelfth, and thirteenth centuries clearly had this rather limited view. This tendency of historians to concentrate their attention on the development of the central government has done much to illuminate the origins of English political institutions, but it has also seriously distorted our view of the government of mediaeval England. Not until the appearance of Mr. Stenton’s *The first century of English feudalism* was the subject exposed in broader terms.¹ He pointed out the vital part played by the baron and his fief in English government. As Stenton’s study stops at 1166, much work remains to be done before the history of the barony as an intrinsic part of the English feudal monarchy can be finally written. One can only hope that the task so well commenced by Mr. Stenton will soon be carried to complete fruition.

The second aspect of the history of the feudal baronies of England—the account of their development from the point of view of the barons themselves—has been almost entirely neglected. While several writers, notably Mr. Ault, Miss Chew, and Mr. Denholm-Young, have dealt with various phases of the subject, no one has attempted a general survey.² It might

² W. O. Ault, *Private jurisdiction in England* (New Haven, 1923); *Court rolls of the abbey of Ramsey and of the honor of Clare* (New Haven, 1928);
be argued that any such attempt would be premature until many more detailed studies have appeared, but I am inclined to agree with M. Bloch that there is much to be said for a broad preliminary survey even if many of its conclusions must be tentative. Such studies can often furnish scholars with a common method of approach to the subject and may indicate fruitful fields for further research.

The history of the utilization of the baronies by their lords should be of great interest to the student of the Middle Ages. It is a vital element in the economic history of the upper class. As such it is a necessary foundation for the study of the political and constitutional history of the period. In so far as the baronial policy toward the king and his administration was governed by economic self-interest, the explanation of that policy must be sought in the economic history of the baronies. Finally any information that can be accumulated about what a baron sought to obtain from his fief will be of assistance to the scholar who is interested in the social history of the feudal class.

Men have always sought to utilize the resources at their disposal so as to satisfy their desires to the greatest possible extent. Hence the historian who traces the policy of an individual or a group is forced to construct an hypothesis in respect to basic motives. Even if it serves no other end than to point out to the reader that it is an hypothesis, I wish to state the assumptions as to baronial motives which will underlie my discussion. The first point that requires consideration in this connection is the matter of individual tastes. The biographer may speculate about the personal eccentricities of his subject, but the student of a group must assume that they do not exist. Suppose for instance that a baron clears two hundred acres of his demesne woods. Although it is perfectly possible that his motive was to improve the view from his chamber window, the historian must assume that he wanted more arable land. When

a royal favorite who has obtained the privilege of marrying an heiress exchanges his fiancée for another, we cannot consider the possibility that the second was more charming but must conclude that he believed her fief more valuable. Only when a personal taste can be conclusively shown to be a general trait of the feudal class—such as the love of hunting—can it be used as one of our hypothetical motives.

Individual eccentricities must be banned from consideration because there is no effective method of dealing with them. Various other motives can be ruled out on the ground that they are not pertinent. Obviously a baron was interested in food, clothing, and shelter, but as he was a member of the highest economic group of his day, he was assured of these necessities. No barony was so lacking in resources that it could not supply its lord with plain food, home-made clothes, and a castle of earth and wood. In addition the baron was assured of ample resources for the satisfaction of the desires that were common to the feudal class. He could afford to buy the best military equipment known to his day. He had woods to hunt in and meadows for hawking. Perhaps most important of all he could provide for the salvation of his soul by gifts to the church. In short the baron could live—and live as a gentleman.

If the above reasoning is sound, the motives governing baronial policy must be sought in the desire for luxurious living, power, prestige, and outstanding services to the church. It is, of course, impossible to classify these motives definitely. A man may want a fine silk robe because he likes the feel of silk or to impress his associates. He may want the right to hang thieves because he loves power or to increase his local prestige. From what is known of the interest of the feudal class in honor and glory one might with some justice conclude that a baron’s dominant motive was the desire for prestige in this world or the next. But this problem does not concern me. I am simply assuming that a baron’s policy in regard to the utilization of his fief was dictated by one of these desires.

My purpose then is to trace the methods by which the feudal barons of England sought to draw from their fiefs the resources needed to satisfy the desires mentioned above. The period to be covered extends from the Norman Conquest to about the
middle of the fourteenth century. By 1350 the feudalism that had been introduced by the victorious Norman duke had ceased to exist in any real sense. Although the barons of the fourteenth century wore armor and lived in castles, there was little that was feudal in their position. Their relations with their tenants by knight service were purely financial. Homage itself had become merely an occasion for collecting relief. The men who fought for them and administered their households and estates were hired retainers. The relation between the baron and the crown had become equally non-feudal. The title of baron no longer meant possession of a certain fief, but marked a man who received a summons to Parliament as a baron. Few if any royal taxes were collected or assessed on a feudal basis. As far as the crown was concerned the baron was simply a great landholder who had certain dignities and privileges because he sat in Parliament as a baron.

One more introductory question remains to be considered—the meaning of baron and barony. The content and use of these terms at various times have been the subject of extended scholarly discussion. It would be pleasant to be able to say categorically that a baron was a man who held a barony, but this was not always true. Mr. Stenton has pointed out that in the Norman period the word baron designated a social and political status, and this usage continued into Angevin times. A man might be a baron because he held a barony or because he was a man of importance for some other reason. Thus the lord of a barony was a baron, but a baron might hold a fief that his contemporaries would not describe as a barony. King John announced that he had taken Geoffrey Wac under his protection *tanquam dominicum baronem nostrum.* Geoffrey held a fief of one knight's fee in chief—far too small to be called a barony. While the term demesne baron is obviously intended to distinguish him from the great lords whom John called his *capitales barones*, the king was clearly applying the term baron to Geoffrey. But as cases of this sort seem to have been rare, they cause little confusion. The real difficulty begins

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5 Rotuli chartarum (ed. T. D. Hardy, Record commission), p. 170b.
6 Rotuli litterarum clausarum (ed. T. D. Hardy, Record commission), I, 85b.
with the appearance of barons by writ of summons to Parliament. The men so honored might or might not hold fiefs which contemporary usage called baronies. Moreover the holder of a barony was not necessarily summoned to Parliament as a baron.

The history of the term barony in England is extremely complicated. Stenton has suggested that in the Norman period any fief that was held for the service of five knights or more was considered a barony.\(^7\) Certainly in the eleventh and early twelfth centuries the more important tenants \textit{in capite} of the crown called their chief vassals barons.\(^8\) A passage in the \textit{Leges Henrici} indicates that this practice was recognized by the royal government.\(^9\) But by the end of the twelfth century official usage restricted the term barony to fiefs held in chief from the crown.\(^10\) The only exception seems to have been in favor of the major vassals of the palatine lords such as the bishop of Durham and the earls of Chester and Pembroke.\(^11\) An interesting case is that of the Shropshire tenants-in-chief whose predecessors had been vassals of Robert de Bellême. The \textit{Dialogue of the exchequer} and \textit{Magna Carta} both distinguish carefully between the king's tenants \textit{de corone} and those who held of him as mesne tenants of an escheated barony.\(^12\) The latter were not considered barons. Yet the feeling that the major tenants of a palatine lord were barons seems to have moved the compiler of the Shropshire returns to the inquest of knights' fees of 1212 to designate as barons such men as Robert Corbet and Hugh Pantulf.\(^13\) Fourteen years later the royal government officially declared that Hugh Pantulf held of the escheated fief

\(^7\) \textit{English feudalism}, p. 95.
\(^8\) See evidence collected by Stenton, \textit{ibid}, pp. 85-93. I should like to add to his cases the references in \textit{Exon Domesday} to the barons of the count of Mortain. \textit{Domesday book (Record commission)}, IV, 66.
\(^9\) \textit{Leges Henrici}, c. 7. 7 in F. Liebermann, \textit{Die Gesetze der Angelsachsen} (Halle, 1903).
\(^12\) \textit{Dialogus de scaccario}, pp. 134-135; \textit{Magna carta}, c. 43.
\(^13\) \textit{Book of fees (Rolls series)}, I, 144.
of Robert de Bellême and was not obliged to pay relief as a baron. 14

Miss Reid has discussed in detail the nature of tenure by barony in the thirteenth century. Two features distinguished a barony from other fiefs. *Magna carta* set the relief for a barony at £100 no matter how many knights' fees it contained. Other fiefs paid at the rate of £5 per fee. Then a barony had a recognized chief seat, a *caput*, which could not be alienated, granted in dower, or divided among co-heirs. 15 To Bracton the possession of a *caput* was the distinguishing mark of a barony. 16 Yet as late as 1214 two mesne lords were claiming that the *caputs* of their fiefs were inalienable. 17

In the light of the confusion in contemporary usage of baron and barony, it seems essential to adopt an arbitrary terminology for the purposes of this study. I shall confine the use of barony to fiefs held in chief of the crown. The baron will be the lord of a barony. When it is necessary to speak of similar estates not held *in capite*, I shall use the expressions mesne baron and mesne barony. The men summoned to Parliament as barons will be called Parliamentary barons.

Finally before embarking on a detailed examination of the history of the English feudal baronies it seems pertinent to give some idea of what they consisted of at the beginning of our period. When Duke William of Normandy conquered England, he kept some land in his own hands, left the church most of its extensive possessions, and distributed the rest in lay fiefs. *Domesday Book* supplies much information about these fiefs. It gives us the name of each estate held, the county and usually the hundred in which it lay, the number of hides at which it was assessed for danegeld, various details about the land and its inhabitants, and an estimate of its annual value. Mr. Corbett believes that some 170 of the fiefs held in chief of the crown described in *Domesday* were large enough to be called

14 *Roi. claus.*, II, 111.
16 Bracton, *De legibus et consuetudinibus Angliae* (ed. George E. Woodbine), II, 269.
17 *Curia regis rolls* (*Rolls series*), VII, 138-139.
baronies. On the basis of the information furnished by *Domesday* these baronies can be described geographically in terms of number of estates, fiscally in terms of hides, agriculturally in terms of plow teams, and economically in terms of annual value. For our purposes here the first and last seem most useful. The question of what *Domesday* valuations actually represented will be discussed later in connection with baronial revenues. Here they will be used as by Mr. Corbett for purely comparative purposes.

Let us then glance at the extent, geographical distribution, and annual value of some Domesday baronies. The largest and richest of the fiefs granted by the Conqueror went to his half-brother, the count of Mortain, who received some 793 estates worth over £2,500 a year. He was practically the only tenant-in-chief in Cornwall, and he was one of the three largest landholders in Buckinghamshire, Devonshire, Dorsetshire, Northamptonshire, Somersetshire, Sussex, and Yorkshire. In the first rank of those outside William’s family came Earl Roger de Montgomery who received 544 estates worth about £1,750 a year. Earl Roger was master of Shropshire where lay 350 of his estates, was the largest landholder in Sussex, and held scattered lands in ten other shires. Count Alan of Brittany held 442 estates. The bulk of these were in Yorkshire, but he was the greatest landholder in Cambridgeshire and Lincolnshire and an important one in Norfolk and Suffolk. Below these mighty lords who were dominant figures in many counties came a group of men who were important in single regions. Baldwin of Exeter had 4 estates in Somerset and 162 in Devon where he was by far the largest tenant-in-chief. His lands were valued at £321 a year. Walter Giffard with 44 estates in Buckinghamshire was the chief landholder in that

18 *Cambridge medieval history*, V, 508.
19 This estimate of the value of the count of Mortain’s fief is based on Corbett’s statement that the lands given to him and the bishop of Bayeux totaled £5,050. *Ibid.*
21 Except for the valuations noted above the statistics in this paragraph are mine. The estates were counted and the values added up, but as exactness in this case seemed unimportant, I did not do it very carefully. It would be unsafe to use the figures for a less general purpose.
shire. In addition he had 6 estates in Oxfordshire, 2 in Cam-
bridgeshire, 1 in Huntingdonshire, 7 in Bedfordshire, 1 in
Berkshire, and 10 in Norfolk. The value of his lands came to
£375. Then there were barons of importance whose fiefs were
too scattered to give them a dominant position in any one
shire. Walscin de Douay held 32 estates in Somerset, 24 in
Devon, and 2 each in Wilts, Dorset, and Essex. Their total
value was £210. Ernulf de Hesding had 17 estates in Wilts, 7
in Gloucester, and 15 scattered in eight other shires with a total
value of £268. Roger de Ivry held 22 estates in Oxfordshire
and 17 in five other counties with a total valuation of £259.
Alured of Marlborough had 18 in Wiltshire, 8 in Hereford-
shire, 2 each in Somersetshire and Hampshire, and 1 in Surrey.
They were worth £182. Finally let us glance at two small
baronies. Gilbert de Breteville possessed 7 estates in Wiltshire
and 6 each in Berkshire and Hampshire. Their total value
came to £64. Robert d'Aumale held 15 estates in Devon worth
£26 a year—a very small barony later to be subordinated to the
great fief of Plympton.

While a barony can best be visualized in geographical terms,
this mode of description is essentially misleading. In reality it
consisted of a mass of varied rights over lands and men. The
baron had manorial demesne lands—arable, meadow, pasture,
waste, and woods—to exploit as he saw fit. He was entitled
to the rents in money, kind, and service paid by the inhabitants
of his fief. He could erect mills and fisheries and levy tolls.
Through his manorial courts he enforced the economic regula-
tions which bound the inhabitants of his lands. As a franchise
holder he wielded more or less extensive police powers over his
people. But the baron could not use the gross surplus produc-
tivity of his fief to satisfy his personal desires. In return for
the rights granted him by the crown he owed various feudal
services. Moreover except in the case of the palatinates the
king did not grant the baron all the perquisites which came
from his fief. Certain rights over lands and men were retained
by the royal government and its agents. Hence the barony was
burdened with feudal services and with various non-feudal pub-
lic obligations. It was the net revenue after these obligations
were performed that was at the disposal of the baron.
Any adequate account of how the barons of England exploited their fiefs must take into account the complex factors mentioned in the last paragraph. I shall first consider the means employed by the barons to perform or avoid the feudal and non-feudal obligations imposed on them and their fiefs. Then I shall examine the nature and size of their revenues. Lest this outline seem too simple and too purely economic in its viewpoint let me point out that I am not using the word revenue in the sense of money return. The satisfaction received by the baron from holding a rare franchise was just as much a part of his revenue as the actual profits which came from its exercise. I am interested in how the barons used their fiefs to satisfy their desires. Sometimes a profit in money was the intermediary between a right and its enjoyment by the baron—very often it was not.