

A CUDDINGTON INCIDENT FROM THE BUCKINGHAMSHIRE EYRE OF 1247

Among the most influential of Henry II's legal innovations was his decision to send justices to make regular circuits of the shires. At centres in each shire convenient for the local population, they were to hold courts which would bring royal justice out to the districts of the realm, rather than requiring litigants to travel to the king's court. These circuits became known as 'eyres' (journeys), and the system of justices on eyre lasted for over a hundred years before it began to be replaced by the holding of assizes towards the end of the thirteenth century. The justices on eyre were commissioned to do three things. First, they heard Pleas of the Crown. These were in the form of a report from juries appointed in every hundred and large vill and dealt with suspected criminal activity, unexplained deaths, and anything which threatened the king's peace. Secondly, they heard civil pleas, especially disputes over possession of land. Thirdly, the justices might be required to receive from the juries answers to questions which had been sent in advance on issues such as abuse of power by royal officials.

Eyres generated a wealth of information, and Buckinghamshire is well-served by its eyre records: they survive for 1195 (included with Bedfordshire), 1227, 1232, 1241, 1247, 1262, 1272 and 1286. The Eyre Rolls for 1195, 1227 and 1286 have been published, the latter two by the Buckinghamshire Record Society in editions which have added a great deal to our understanding of the county and its life in the thirteenth century.¹ Lesley Boatwright's edition of the 1286 Eyre in particular has a significant amount of interpretative material which illuminates the eyre record and county society as a whole.

As well as giving a broad picture of society, the eyre can also be illuminating if we take a single entry and explore its narrative in detail. Every entry tells part of a story. Some individuals mentioned in the eyre rolls are known from other sources and from those sources we can on occasion fill out some details of the story. By following the people involved in particular cases, and by opening up

their world as far as we can, we can see something of the nature of society and its people in the thirteenth century. This study attempts to explore the story behind an entry from the Buckinghamshire Eyre of 1247. The entry is the first item presented as a Plea of the Crown by the jury from the Hundred of Stone.

Escape.

Value 10s 3d.

Fine

John Sageman was appealed by William le Teler of Burford, 'approver', as a companion of thieves. He was captured by a certain Geoffrey of *Hadenham*, 'farmer' of the Prior of Rochester, and was imprisoned at *Hedenham* and there he was held for one month. And further, from there he escaped. Therefore, judgement is given against him for that escape. And the jury says on their oath that they suspect the same John of many thefts. The value of his goods is 10s 3d. For which the sheriff will answer. And he was in the frankpledge of William le Akerman in *Cudinton*. Therefore [the members of the frankpledge are] subject to a fine.²

The starting-point of this narrative was William le Teler and his accusation that John Sageman was an associate of thieves. William le Teler is described as an 'approver' (*probator*), that is a convicted felon who agreed to name a number of other criminals, conventionally six, in order to avoid execution. However, the 'approver' did not escape justice altogether: he was supposed to be returned to prison to await an opportunity for judicial combat with the men whom he had denounced.³

Can we say anything specific about William le

Teler? Was he perhaps the William le Teler who was captured and detained with two others at Gloucester by the sheriff of Gloucestershire in 1244 for the murder of Maurice of Bevington? This William le Teler, with two fellow-accused, obtained a writ *de odio et athia* ('of spite and malice') which declared that the accusation against them had been made by reason of personal animosity. On that basis in December 1244 the king ordered, by a further writ sent to the sheriff of Gloucester, that all three should be bailed at the next assizes. The three then needed to find twelve 'upright and lawful men' to vouch for them, which they were able to do.⁴ Then, at the Gloucestershire Eyre of 1248 William le Teler and Henry le Messer were recorded under Pleas of the Crown in Berkley Hundred (in which Bevington is situated) as paying 20s for an unidentified trespass, by the pledge of Alexander Weneloc and Henry fitz Thomas of Langreche.⁵

Coincidences always arouse suspicion, and two men of identical name both accused of crimes at similar times present us with a coincidence. However, the William le Teler involved in the Cuddington episode of 1247 is specifically described as 'of Burford', whereas the William le Teler involved in the Gloucestershire incidents seems to have belonged to the Berkley area: his wife, Dulcia, held two acres at Ham (Glos.).⁶ So there is nothing certain at present to connect the Gloucestershire references to the William le Teler mentioned in the Buckinghamshire Eyre.

It is more likely that the man who turned informant before the 1247 Eyre was the William le Teler captured in 1251 and subsequently detained in Oxford prison for the murder of Henry of Cotes (?Cotes/Coton in Churchover, Warks.), of Felicia, Henry's wife, and of Gilbert, Henry's son. Two family members were also accused of these murders along with William, Thomas le Teler and Laurence le Teler (though Laurence's name has been crossed out of the record). Again, a writ enabled the men to be bailed. This writ came to Oxford from the sheriff of Warwickshire, suggesting that the crime had been committed in that county.⁷ William's family may have had Warwickshire connections: a William, son of Roger le Teler of Warwick, took sanctuary with a companion in the church of St. Lawrence Jewry in 1255/6 and then abjured the realm after confessing that he was a thief and a cut-purse.⁸ In 1261 Ralph

le Teler was among a group of men and women suspected of murder, and bailed from prison in Warwick by a writ from the sheriff of Leicestershire.⁹

We do not know where William le Teler was when he turned 'approver' or why he was in trouble. But it was clearly before his 1251 imprisonment in Oxford. In order to escape execution on this occasion he named other criminals he knew, and among them John Sageman in Cuddington.

How did William le Teler of Burford come to know John Sageman of Cuddington? It may have been through family contacts. The Oxfordshire Eyre of 1247 records the arrest for homicide of Roger, son of Robert le Teler, who was apparently living in Moreton near Thame. Like William, Roger le Teler also escaped the penalty of the law. In Roger's case the jury of the Hundred of Thame declared that they did not suspect him of being responsible for the death.¹⁰ Roger was in the 'tithing' of Nicholas Iring. A William De Eryng and a Roger Yrring (or Urring) are recorded in Haddenham or Cuddington in 1243.¹¹ So it may be that the Iring family provided the bridge between William le Teler and John Sageman.

However his contacts operated, William le Teler had associations which brought him, from his home in Burford, in touch with John Sageman in Cuddington. Some criminals in the thirteenth century evidently ranged well beyond their immediate neighbourhood. The family connections which we can posit around William le Teler are too tenuous to enable us to draw any definite conclusions, but they suggest that, for crime as for other mediaeval social activities, family members created a wide network of contacts.

John Sageman is less well-documented than William le Teler. In fact, we know nothing of him beyond the entry in this Eyre Roll. This entry tells us that he was an inhabitant of Cuddington, in the 'frankpledge' of William le Akerman. The 'frankpledge' was the equivalent of the 'tithing' in other villages, a grouping of about ten adults, all of whom were collectively held responsible for the criminal acts of any of their members. It was an attempt to use bonds of neighbourhood and family (members of frankpledges were often related) and considerations of self-interest in the cause of deterring crime. John Sageman's example, along with many hundreds of others, demonstrates that the system did not always work, though no doubt it

often had a deterrent effect.

The choice of the names ‘frankpledge’ or ‘tithing’ for these groups seems quite arbitrary. Though it was a ‘frankpledge’ in Cuddington, these groupings were consistently called ‘tithings’ in Haddenham, despite the fact that the two villages were part of a single manor.¹²

The members of the Hundred Jury claimed that they suspected John Sageman of other thefts. They offered no proof of their suspicions but John Sageman’s reputation was poor enough to ensure that the jury members did not challenge William le Teler’s accusation. In fact, they were prepared to go further. William le Teler had accused John Sageman of being an associate of thieves, but the jury suspected him of being a prolific thief in his own right. If the jury was correct in its belief that John Sageman had been following a life of crime, he had not done very well by it. His property was assessed at 10s 3d. This represented something like two months’ wages for a skilled workman. He was not a pauper, but was far from being wealthy.

For an instance of a wealthy individual, we would have to consider John Sageman’s captor, Geoffrey of Haddenham. The Eyre Roll describes him as the ‘farmer’ (*firmarius*) of the Prior of Rochester. The Cathedral Priory of Rochester had held the manor of Haddenham and Cuddington since the late eleventh century, and the Prior, representing his Priory, was regarded as the lord of the manor. If the lord of a manor did not want to take the economic risk of direct management of his estate, he could lease his manor to a ‘farmer’ who would manage the business of the manor in return for a fixed payment to the lord, keeping any profit for himself. However, there is some evidence that the Priory moved to more direct exploitation of its manorial assets in Haddenham around 1200, doing away with fixed rents and abandoning ‘farming’ of the manor.¹³ The Priory leased out some properties in the first half of the thirteenth century, but only seems to have moved to back to leasing on a large scale from the 1260’s onwards.¹⁴

In 1255 a Geoffrey of Haddenham is described as the Priory’s ‘seneschal’.¹⁵ So it seems possible that the Eyre Roll was less than exact in its description, and that his role was more that of a bailiff or steward working for the Priory, rather than strictly a ‘farmer’. But equally, the scribe of the Eyre Roll may have been well-informed, and this statement could be evidence that the Priory had moved back

to ‘farming’ its most distant manor for a fixed sum.

If Geoffrey had been merely the Priory’s seneschal or its ‘farmer’, he would have been a significant figure, but he was more than that. He was a major landholder in his own right. In the late eleventh century the Bishop of Rochester had removed four hides of land in Haddenham from the control of the Priory in order to form a fee on which he could place one of the knights he was obliged to maintain for the king. The fee was soon split into two unequal parts, and in the mid-thirteenth century Geoffrey held the larger of these portions, three hides in total, from the Bishop. His father, Richard, had held this land in 1218, and Geoffrey had succeeded him by 1235.¹⁶ This fee not only made him the wealthiest landholder in the village of Haddenham, but it also gave him a wider status. Because he held a knight’s fee (or the larger part of it) he was able to serve as a knight of the shire and was certainly one of the most prominent inhabitants of the Hundred of Stone. Geoffrey and his family did not confine their interests to Buckinghamshire: the archives of Rochester Cathedral Priory contain records of four purchases of land which Geoffrey of Haddenham made in Darent, one of the Priory’s Kentish manors.¹⁷

Rather confusingly, Geoffrey’s heir was also called Geoffrey. This second Geoffrey is sometimes distinguished from his father by being called ‘Geoffrey the Young’. This younger Geoffrey seems to have succeeded his father by the time of the 1247 Eyre, because a ‘Geoffrey the Young’ was one of the two knights in the Hundred who elected the jury. Although the Roll does not say so specifically it must be almost certain that this is the son of Geoffrey son of Richard of Haddenham.¹⁸ In order to be a knight of the shire, Geoffrey the Young must have succeeded his father by 1247. References to ‘Geoffrey of Haddenham’ continue after 1247, for instance as one of the 12 jurors of the Hundred of Stone for the Hundred Rolls enquiry in 1255,¹⁹ but probably this was the younger Geoffrey when he no longer needed to be distinguished from his late father. By the time of the 1262 eyre, the younger Geoffrey himself had died, leaving a widow, Joanna, and a daughter, Agnes.²⁰

The incident with John Sageman happened at some point between the previous eyre, in 1242, and the eyre of 1247. If it had been Geoffrey the Young who had made the arrest, we might expect the eyre record to give him that name, as it does in its list of

the Hundred jury. Since it says that 'Geoffrey of Haddenham' arrested John Sageman it seems most likely that the arrest had been made some time previously by the older Geoffrey.

Part of the manorial buildings which Geoffrey managed for the Priory was, it would seem, a lock-up for offenders. Once he was informed of the accusation against John Sageman, probably on receipt of a writ from the sheriff, and since Cuddington formed part of the Priory's manor, Geoffrey and his men took John Sageman from Cuddington to the manorial buildings in Haddenham and detained him there. Geoffrey may have had the advantage of surprise. Many suspected felons made use of churches where they could take sanctuary from the law for forty days, as we have noted that William le Teler of Warwick did in St Lawrence Jewry. Cuddington certainly had a church in the 1240's, quite recently rebuilt in stone,²¹ but John Sageman did not take sanctuary there, so perhaps he had no warning of the impending arrest.

The fact that royal justice had to rely on Geoffrey to execute its writ, and on the Priory's manorial gaol to detain a suspected felon, was not at all unusual. Many large landholders were expected to maintain royal justice using the tools of their own manorial system of discipline. Eyre rolls have numerous examples of felons detained in this way – and escaping. In their detailed attention to keeping the king's peace and to accounting for unexplained deaths, the eyre rolls are testimony to the ambition of the Crown in exercising control over communities. Their frequent narratives of suspected felons evading justice bear equal testimony to the mismatch between aims and means. In individual communities the Crown could only work by co-opting people's self-interest, through tithings or frankpledges, and by enlisting local elites to work for it, as in Geoffrey of Haddenham's arrest of John Sageman.

Local initiative could, however, go too far. The same jury which gave the justices the narrative of John Sageman also related how a man named Nicholas of Bristol (*Bristowe*) had been apprehended for theft at Great Kimble. The crime had taken place in the part of the village which was held by Simon de Montfort, Earl of Leicester, and the Earl's court at Kimble had judged Nicholas, then had hanged him there in the village. Since Nicholas was caught in the act (*cum manu opere*)

the Earl's court was exercising the pre-Conquest right of *infangthief*, which allowed lords to try criminals on their own estates. The jurors did not question the verdict or the Earl's theoretical right to administer his own justice, but pointed out that 'there had never before been a gallows there' and because of their observation judgement was given against the Earl's court for its action at Great Kimble.²² As royal justice extended its reach, the scope for private courts was increasingly restricted and regulated, perhaps especially in the case of such powerful subjects as Simon de Montfort.

Rochester Priory claimed the right of *infangthief* in their manor of Haddenham and Cuddington. They based their claim on a supposed charter of William II, recording his gift of the manor in 1088/9, with the consent of Lanfranc, Archbishop of Canterbury, the previous tenant.²³ However the monks of Rochester Cathedral Priory were remarkably inventive in creating and expanding documents which they thought would help defend their rights. This supposed charter of William II is a case in point. There is a more contemporary record of William II's grant which says nothing specific about *infangthief* or any of the other rights the Priory claimed to exercise in Haddenham and Cuddington.²⁴ All that the earlier version says is that the monks are to hold the manor 'by perpetual right, as the Archbishop held it from my father and from me without dispute to this day'.²⁵ The most thorough study undertaken into Rochester's charters has concluded that the longer version of William II's Haddenham donation is spurious. It 'was clearly written later than c.1150, and commands no confidence whatever'.²⁶ The monks, though, were not trying to create a total fabrication when they composed the longer charter. They presumably reasoned that the earlier charter, when it mentioned that they were to hold the manor 'as the Archbishop held it', implied that the Archbishop had possessed all the rights one would expect him to have, such as *infangthief*. They were merely spelling out in detail what they thought had been implied in the unhelpfully vague words of the earlier charter.

When the sheriff turned to Geoffrey to assist in apprehending John Sageman, was he relying on the fact that the Priory claimed the right of *infangthief* in Haddenham and Cuddington and so its officers were experienced in making arrests? Or was the sheriff turning to the community of the vill for

assistance? Each vill as a community had the responsibility to maintain law among its inhabitants, so was Geoffrey acting as the head man of the vill? Was this a top-down policing action, undertaken by the representative of the lord of the manor? Or was it a bottom-up action, undertaken by the inhabitants of the vill, directed by its leading resident?

It seems most likely that the first alternative is the true one: Geoffrey of Haddenham was acting as the representative of the Priory, not as the representative of the people. This can be appreciated if we compare John Sageman's case with an incident from four decades later. At the 1286 eyre, the jury of the Hundred of Stone reported that

'William le Lokiere²⁷ was captured on suspicion of theft by the vill of *Edenham*. And by the said vill he was being led towards the prison of the lord king at *Aylesbyry*, when he escaped from the custody of the said vill. Therefore that vill is responsible for the escape ... His goods were worth 18d, for which the sheriff is responsible. It is not known of what tithing he was because he was a vagabond.²⁸

William le Lokiere illustrates what happened when the vill itself took action. This was, apparently, the vill's own initiative, not action delegated from the sheriff, and the vill was held responsible for William's escape: it had to pay the surprisingly large fine of 100s.²⁹ By contrast, in 1247 the vill is not mentioned, Geoffrey of Haddenham is specifically described as the *firmarius* of the Prior, and he was personally liable for the escape. In arresting and detaining John Sageman, Geoffrey was doing on behalf of the crown what he and his predecessors had no doubt done before as part of their manorial duties.

Geoffrey's example indicates the ways in which manorial systems and knightly or gentry figures were already integral to the policing of royal justice as well as to its administration in the mid-thirteenth century.

The shortcomings of the policing apparatus of royal justice were quickly made apparent in John Sageman's case. After a month detained in Haddenham he made his escape and, apparently, managed to disappear. Perhaps he had help from sympathetic neighbours or family. Perhaps there was a chance – a danger to some people – that he

might himself turn 'approver' and implicate others. In any event he had no motive to remain and stand trial. In the court system of the day the roles of judge and jury were very different from modern systems of justice. The jury was not called to court to listen to evidence and weigh it impartially, but to give the justices the benefit of local knowledge and opinion on the cases before them. The justices, when they arrived, were normally guided by the jury's view of the case. They made the assumption that, as the people best informed about local circumstances, the jury was best placed to know what had happened. So once he became aware that the neighbourhood strongly suspected him of several thefts John Sageman would have known that any jury would pronounce him guilty and that he could realistically expect his detention to end on the gallows. It is perhaps only surprising that it took him a month to find a way out of what is likely to have been a fairly makeshift prison.

The system had failed to bring a suspected felon to trial and could not therefore punish him. But the legal system had an important secondary purpose alongside its primary aim of punishing offenders: to raise revenue for the Crown. This Cuddington case could still perfectly well fulfil the secondary purpose of the system.

The scribe of the roll emphasised the importance of this secondary purpose by making a note or memorandum of three things in the margin: 'Escape. Value 10s 3d. Fine'. These three items were each sources of revenue and represented the unfinished business of this affair for which the sheriff would have to account.

First, Geoffrey would have to be punished for his failing, or for his father's failing, to prevent the escape. Unless, that is, his status would allow him to avoid paying any fine levied on him. Next, the confiscated goods of John Sageman were forfeited to the Crown. As we have seen, these only amounted to 10s 3d, but this money would join a stream of other confiscations and fines which together would bring a good sum to the royal exchequer. Lesley Boatwright has calculated that nearly forty years later the total sum raised from the 1286 Eyre in Buckinghamshire was at least £1,261 16s. 3d.³⁰ Lastly, the fine levied on the frankpledge of William le Akerman. The Eyre Roll does not specify what this amounted to, but even if the fine was as low as a mark (13s 4d) or half a mark (6s 8d), it was no doubt a challenge for fami-

lies already living on the edge of subsistence. It was after all a punishment for their failure to maintain discipline among themselves and was intended to cause them difficulties.

The window which this eyre roll entry opens is a narrow one and the world it reveals is small in scale. Yet it allows us to say something about the individuals concerned in the story of John Sageman's arrest and escape, and it gives a glimpse of the networks which upheld law and of those which sustained crime in thirteenth-century Buckinghamshire. It well illustrates Lesley Boatwright's observation that, 'Any eyre roll sheds light on its social and economic setting, as well as the development of the common law'.³¹

William Strange

NOTES

1. F.W.Maitland (ed.), *Three Rolls of the King's Court in the reign of King Richard the First, A.D. 1194–1195*, (Wyman & Sons: London, 1891; Publications of the Pipe Roll Society, vol. 14), pp.119–148; J.G.Jenkins (ed.), *Calendar of the roll of the justices on eyre, 1227*, (Buckinghamshire Record Society: [Aylesbury], 1945; Buckinghamshire Record Society Branch, publications, 6); Lesley Boatwright (ed.), *The Buckinghamshire eyre of 1286* (Buckinghamshire Record Society: Aylesbury, 2006; Buckinghamshire Record Society Series, 34).
2. The National Archives, JUST1/56 m.43 front.
3. F.Pollock and F.W.Maitland, *The history of English law before the time of Edward I*, (Cambridge University Press: Cambridge, 1895), ii, p.633.
4. *Close rolls of the reign of Henry III preserved in the Public Record Office A.D.1242–1247*, p.273.
5. The National Archives JUST1/274 m.8 dorse.
6. *Curia Regis Rolls XVIII, 27 to 30 Henry III (1243–1245)*, (Boydell/PRO: London, 1999), p.230.
7. *Close rolls of the reign of Henry III preserved in the Public Record Office A.D.1247–1251*, p.423.
8. M.Weinbaum (ed.), *The London Eyre of 1276* (Leicester University Library: Leicester, 1976; London Record Society, vol.12), No.65.
9. *Close rolls of the reign of Henry III preserved in the Public Record Office, A.D.1259–1261*, p.341.
10. The National Archives JUST1/700 m.3v
11. *Curia Regis Rolls XVII, 26–27 Henry III*, p.28.
12. See: the tithing of Robert (?)Abnard in 1262 (The National Archives NA JUST1/617), the tithings of Adam Copping, Richard le Blund, and Hugh de la Freine (Nash) in 1272 (The National Archives JUST1/60 m.27r.).
13. W.A.Strange, *Haddenham and Cuddington: The early history of two Buckinghamshire villages*, (Buckinghamshire Archaeological Society: [Aylesbury], 2007; Buckinghamshire Papers, no.11), p.13.
14. Anne Oakley, 'Rochester Priory, 1185–1540', in Nigel Yates and Paula Welsby (eds.). *Faith and Fabric: A History of Rochester Cathedral 604–1994*, (Boydell Press: Woodbridge, 1996), p.40.
15. William Illingworth (ed.), *Rotuli Hundredorum temp. Hen. III. & Edw. I. in Turr' Lond' et in curia receptæ Scaccarii Westm. Asservati*, 2 vols. (Record Commission: London, 1812, 1818), i, p.31.
16. D.M.Smith (ed.), *Acta of Hugh of Wells*, (Boydell Press: Lincoln(?), 2000; The Publications of the Lincoln Record Society, vol.88), p.45–6; H.C.Maxwell Lyte (ed.), *Liber feodorum : the book of fees, commonly called Testa de Nevill*, 3 vols. (HMSO: London, 1920–1931), i, p.462 & 468
17. Centre for Kentish Studies (Strood), DRc/T119, DRc/T131, DRc/T136. These have been assigned dates of around 1250 or around 1270. It is likely that the later documents, if not all of them, refer to Geoffrey the Young.
18. The National Archives JUST1/56 m.47 front
19. Illingworth, *Rotuli Hundredorum*, i, p.31.
20. The National Archives JUST1/57 m.5 front. & m.11 front. (Bucks Eyre Roll 1262), JUST1/617 (Estreat Roll of the Bucks Eyre, 1262).
21. Strange, *Haddenham and Cuddington*, p.25.
22. The National Archives, JUST1/56 m.43 front.
23. The charter exists as a single sheet (British Library, Lord Frederick Campbell, Charter VII.1) and incorporated into a cartulary (British Library, Cotton Domitian X, fos.107–8); edited in John Thorpe (ed.), *Registrum Roffense: or a collection of antient records, charters and instruments of ... the diocese and cathedral*

- church of Rochester*, (London: T.Longman etc., 1769), p.382–3;
24. Peter Sawyer (ed.), *Textus Roffensis: Rochester Cathedral Library Manuscript A.3.5, Part II*, (Copenhagen: Rosenkilde & Bagger, 1962), p.212r-213r.
25. Sawyer (ed.), *Textus Roffensis*, p.212v.
26. Martin Brett, 'Forgery at Rochester', in *Monumenta Germaniae Historica: Schriften*, vol.33, Part 4, *Fälschungen im Mittelalter*, (Hahnsche Buchhandlung: Hannover, 1988), p.403.
27. 'Lokiere' is written as 'Koliere', but a Robert le Lokiere is mentioned in a previous Haddenham entry, and William's name is given as 'Lokiere' elsewhere in the roll: Boatwright, *Eyre of 1286*, p.467.
28. The National Archives JUST1/63 m.43 dorse. This text is from a part of the eyre record not edited by Boatwright.
29. Boatwright, *Eyre of 1286*, p.467.
30. Boatwright (ed.), *Eyre of 1286*, p.55.
31. Boatwright (ed.), *Eyre of 1286*, p.1.