

The violent fields of Welton le Wold, 1202

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Thomas the Smith let down by his Neighbours

Thomas from Welton was sweating. It was late June, but he was not perspiring because it was hot. Thomas the smith was extremely anxious and rather angry. Things were not going to plan and it seriously looked as if he was going to be punished for it.

Earlier in the year, Thomas had been involved in a fight with Henry son of Ralf and he had been heavily defeated. The normal course of action was to take a case of assault before the county sheriff, but Thomas had felt so aggrieved by this event that he had pushed for it to be heard in the royal court when the judges came around to hold the Assizes. He had no wounds that he could show the judge, nor had he been disabled by the violence, so he had called on his fellow members of his Tithing for their support. The Tithing was a group of ten or twelve villeins living as neighbours within a community who were held responsible for the actions of each other. They were also supposed to look after each other's welfare and they were the first to be called on whenever one of them was in trouble. No doubt Thomas had made sure that the other members were the first to hear of his defeat at the hands of Henry son of Ralf and had asked them to examine his bruises.

Thomas had then accused Henry of extreme violence and they were now sitting in Lincoln Castle in the assize court of Hugh Bardulf, one of the senior royal judges, who was getting rather irritated. Normally he had to deal with cases of murder, manslaughter, corrupt officials and major trespass, but he was now being compelled to hear a man, a villein no less, complain that he had been beaten up by a neighbour, though he could not show any scars or signs of injury. He could still work after all. It was one man's word against another and clearly Henry was in court to swear his innocence. In many such cases, the court could demand trial by battle, where the two antagonists were compelled to fight the legal duel until one of them called for mercy. Having been already defeated once before by Henry, Thomas probably did not rate his chances very highly if they were forced to go through this, so he had tried to avoid such a risk by asking his Tithing members to come to the court and give him their evidence in support.

His problems started when six of them failed to turn up and the judge was throwing out fines in all directions. Three of them were 'servants' or retainers of Ralf son of Brien of Welton and he was being held responsible for their failure to appear; he was at risk of being fined or 'amerced'. Then another had run away and again Ralf was being considered responsible. Another possible fine. Two other men, a father and son, were the responsibility of Geoffrey son of John of Welton le Wold. They too had not appeared, so he also was being threatened with a fine. Henry must have been quietly delighted as Thomas' plans rapidly unravelled. The unfortunate smith had insufficient support and could provide no evidence to satisfy the court that he had been a victim of serious assault. He was now regarded as wasting the court's time and was suffering the final humility of being fined for doing so.

Judge Hugh gave a final order and entries were made in the margin of the court's record of the proceedings – *m'ia m'ia m'ia m'ia* Each was an abbreviation for '*in misericordia*', meaning that three men, one of them on two counts, were now at the mercy of the court. The case was dismissed and the others who had been called were acquitted. Thomas left to make the long journey home, no doubt cursing the legal system and above all his neighbours who had let him down so badly. How they ever managed to make their peace with him is unrecorded.

This is my interpretation of a rather complicated case recorded in *The Earliest Lincolnshire Assize Rolls, 1202-09*, edited by Doris Stenton and published in 1926 in the Lincoln Record Series vol. 22,

[entry 622, p.110]. The medieval legal Latin is often curtailed and full of concepts that were clear to the court at the time, but are now difficult to understand. The situation is made further confusing when the accused has his name changed part way through the entry from Henry to William son of Ralf. It is recorded quite clearly that Henry was accused, but it was William son of Ralf who was acquitted.

However, what is really of benefit in exploring the local history of Welton is that all the men involved are named, some 13 in total. Thomas was presumably the village blacksmith, but he is the only one identified by his trade. Most of the others were presumably workers on the land. Some had surnames, while a few were distinguished by the name of their father. Including Thomas, this Tithing consisted of three brothers, Warner, Andrew and Hacun sons of Eda, Nobbe Caibe, Gilbert Menant, John the fair and his son Walter, Osbert Chinel [Kinel] with the familiar name of Obin, and Henry Galgos. [He was the man who had run away.] As only villeins were required to form a Tithing, then the social standing of these men is quite clear. They did not have lands of their own but were granted strips in the open fields and rights of grazing on the common land in exchange for agricultural services to their 'lord'.

Two of these 'lords' had become involved in this affair. Warner, Andrew and Nobbe Caibe were described as '*servientes*' of Ralf son of Brien, while Geoffrey son of John had Walter and his father John the fair under his 'authority'. Presumably, these two 'lords' were freemen, the next step up from the level of villein. They would have rented their lands directly from their respective lords, or possibly the same one, and they would have delegated some of their strips to their villeins.

Ralf's father, Brien [Brian] son of Alan of Welton le Wold, was mentioned in a charter of Conan, Earl of Richmond and Duke of Brittany dated between 1156 and 1158 confirming the gifts of lands by John son of Mengi, Brian son of Alan and Hamelin Croc to Kirkstead Abbey. [*Early Yorkshire Charters, vol. 4, The Honour of Richmond, part I*, W. Farrer and C.T. Clay (eds), 1935, p 34, no. 30B] Geoffrey was the eldest son of the above John of Mengi and the lady Basilia. [*Final Concords*, C.W. Foster (ed), 1920, Lincolnshire Record Series 17, pp 314-5.]

The date shows that Ralf and Geoffrey must have been both middle aged in 1202. The names of their fathers recorded in the charter of Earl Conan above means that they were men of the Gayton manor's outlying estates (known as the Soke) and had the same overlord. At this time the Honour of Richmond was held by King John, so he was their liege lord and they were answerable to the king's steward for their behaviour.

Men of Standing, allegedly

In modern terms these men could be termed as 'upper middle class'. Many of their social equals became merchants, lawyers or officers in a monastic order. They clearly had enough land that they could afford to grant some of it away without suffering any economic damage. On the other hand, they must not be seen as 'gentlemen', because they were quite capable of open aggression and serious violence. The records of these assizes show that Henry aka William had assaulted Thomas, Osbert Kinel had made accusations against Josceum son of Rannulf and a group of unnamed villagers [entry 643, p.114], Henry/William in turn had had his arm broken by Hamo of Welton [entry 648, pp 114-5] and Ralf son of Brien had attacked Geoffrey son of John. According to the indictment [entry 647, p.114], Ralf had come armed and carried out a premeditated assault on Geoffrey on his own land causing two wounds to his head. These he presented against Ralf for the examination and consideration of the court. Ralf came and denied the whole claim word for word. A day was given for a judicial hearing in Westminster in one month's time, after the Feast of St Michael [27 October]. Following the testimony of the coroner and sheriff stating that his recent wounds were very clear when shown to them, Ralf was incarcerated.

Several other local men were accused of being involved in this assault, Henry/William son of Ralf (again), Osbert Kinel, Eudo son of Ralf, Hacon son of Simon, Hugh Askeric and Richard Tumauserd [*entry 647a, p.114*].

What was happening at this time that there was so much violence in Welton? Of the 31 indictments presented before Hugh Bardulf for his judgement during June/July 1202, no less than 7 related to men from Welton. Some of them more than once. These attacks were not just simply one man assaulting another, there were several others involved or at least present when they took place. This almost seems like gang warfare. What was going on?

There is no evidence for any other troubles in the neighbourhood, nor even in the county. There were no other violent groups being brought before the assizes at the time. Personal assaults there were, even murder, but no suggestion of feuding within any other community. England was politically quiet at the start of John's reign from 1199. The only signs of trouble and open hostility occur over the Channel in France. This could not possibly have links to the local history of Welton, or could it?

Are we Englishmen or are we Bretons?

On the surface, feudal obligations were quite a simple issue. A man owed his allegiance to his lord who, in turn, owed his loyalty to his own lord, all the way up to the king. As a result of dynastic marriages and the Norman Conquest, many barons held lands on both sides of the Channel. They often owed service and loyalty to the King of England and the King of France for their various estates, as well as feudal obligations to the separate dukedoms such as Aquitaine, Normandy and Anjou. When there was peace all was well, but when war broke out then it became a very complicated affair. The evidence both local and international of this time has caused me to come to the conclusion that what Welton was probably suffering from was a disturbance of conflicting loyalty and allegiance. This was not just a local issue that was causing the violence, it was in fact part of a cross-Channel upheaval.

In November 1190, just over a year after Richard became king, he named a boy called Arthur as his heir to the throne of England. Clearly Richard did not trust his younger brother, John, to be a good and righteous monarch. Later, this feeling was proved to be quite justified. Instead, the king chose his nephew, the 3½ years old son of his deceased brother, Geoffrey. What Richard was doing was choosing Angevin law, which stated that kingship should descend through the sons [as we have it today] over Norman law which passed the title across to any surviving brothers. Naturally John wanted the Crown. When Richard was dying prematurely from a crossbow wound obtained fighting in France, he decided that 12 year old Arthur was still too young and declared John as his heir.

Many of the freemen of Welton received their lands and owed their allegiance to the Duke of Brittany through the manor of Gayton le Wold. Additionally, he held the Honour of Richmond and several of these men also farmed some of his lands in Yorkshire. In the 1190's this title was held by Constance, daughter of Conan mentioned above and mother of young Arthur. In 1199 she tried to make the dukedom more independent of its Norman masters - it had been over-run by William of Normandy just before he invaded England. Newly crowned King John would have none of this and as a result of a betrayal managed to capture Constance and her son. The men of Brittany rose up in rebellion and through a counter betrayal the pair were rescued. Arthur was taken to the court of Philip of France for safety. John confiscated the family's English estates, amongst them the Honour of Richmond, including Gayton and Welton.

The Christian names of Ralf, Brian, Alan and Conan, appear regularly in this locality; they are all Breton in origin. Furthermore, Geoffrey son of John was later identified as Geoffrey of Brittany [*entry 1306, p. 233*]. This ought to be no surprise, as many of these locally important men of Welton

were of Breton descent, whose predecessors had come to England just after the Conquest. Their ties to their former homeland were still strong, so when the dukedom rebelled against John, they were faced with a dilemma. Do they accept John as their liege lord and king, or ought they to support their former countrymen and swear allegiance to the Duke of Brittany, young Arthur, who had been considered the heir to the English throne for the last 10 years anyway? Other freemen of Welton, not of Breton ancestry, had no choice but to support John and this could have led to massive friction. Quick to carry the club, if not the sword, it is easy to imagine a rapid intensification of violence within the community.

This is only a theory, but it fits the surviving evidence. Unfortunately, the records of the assizes before 1202 do not survive, so it is not known when the assaults began. In contrast, those of 1203 carry no references to further aggression in Welton. If all was calm after late 1202, then this could suggest that these indictments were the revelation of a short-lived hiatus. Interestingly, this adds to the idea that they had been caused by issues of loyalty. In the summer of 1202, Arthur was captured with his Breton generals in a surprise attack by John's forces near Mirebeau, in north-western France. The fighting spirit of Brittany was destroyed and everything calmed down. John had won, especially as far as the people of Welton were concerned, further local infighting had little benefit. The king remained firmly in control as their liege lord until 1212.

Together, these extracts from the assize records form an unusual insight into feelings within our community at the beginning of the 13th century and a very enlightening introduction to some of the named individuals who were living in Welton le Wold at the time.