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## Royal bailiffs and peasant communities in Western Gascony during the reign of Henry III (1216-1272)

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“Like cows in the meadow”. This is how the delegates of the rural parishes of the Entre-deux-Mers region described the king’s bailiffs (seneschals and provosts) in the report of a survey made in 1237 in Bordeaux<sup>2</sup>. For them, bailiffs were lumbering creatures with an insatiable appetite, unpredictable or even dangerous. Indeed, the first decades of the 13<sup>th</sup> century saw an important change in the organization of local power in both countryside and towns within the domain of the king of England/duke of Aquitaine in Gascony. The progressive introduction of ducal provosts disrupted the role of mediation, traditionally performed by the local elites, a group of notables generally called in our text the “worthy men” or “good men” (*probi homines*, “prud’hommes”). I’d like to describe this change here, and how it was sharply felt in the villages.

This change is the least well-known effect of the process of reinforcement of sovereign powers seen from the middle of the 12<sup>th</sup> century onwards; and discernable from the 13<sup>th</sup> century as part of the “medieval genesis of the modern state”<sup>3</sup>. Normally, we assess the consequences of an increase in state administration during the 13<sup>th</sup> century as being detrimental to noble or communal liberties, without considering its effects on the organization of peasant communities. It is true that they were considered not to have great weight in the political game, so there was no reason to be interested in them. But this is no longer the case today. The studies of Benoît Cursente, Roland Viader, and Hélène Couderc-Barraud have demonstrated the collective strength of the peasant communities of the Western Pyrenees and Southern Gascony during the 12<sup>th</sup> and 13<sup>th</sup> century<sup>4</sup>. They were strong enough to resist their lords for a long time, or force them to accept compromises. My works on western Gascony confirm these views<sup>5</sup>. Thus, there are no longer any reasons to ignore the rural communities in a study concerning the effects of king-duke’s policy on local societies.

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<sup>1</sup> For assistance in the translation of this paper, I am indebted to Guilhem Pépin.

<sup>2</sup> *De redditibus domni regis vel de gagiis que extorquunt, nam continue super miseris agricolis ut eque vel vacce in prato*, Petit cartulaire de La Sauve-Majeure, Bibliothèque municipale de Bordeaux, ms 770, p. 126-135, here p. 131 (latin version unpublished, ongoing edition). See also “Coutumes et privilèges de l’Entre-deux-Mers”, Delpit, J. ed. *Archives Historiques du département de la Gironde*, t. III, (Bordeaux, 1861-1862), p. 101-127 (edition of gascon version).

<sup>3</sup> Genet, J.-P., *La genèse de l’État moderne. Culture et société politique en Angleterre* (Paris, 2003).

<sup>4</sup> Cursente, B., *Des maisons et des hommes, La Gascogne médiévale (XI<sup>e</sup>-XV<sup>e</sup> siècle)* (Toulouse, 1998) ; Viader, R., *L’Andorre du IX<sup>e</sup> au XIV<sup>e</sup> siècle. Montagne, féodalité et communautés* (Toulouse, 2003) ; Viader, R. “Maisons et communautés dans les sociétés montagnardes. Le temps juridique (XIII<sup>e</sup>-XV<sup>e</sup> siècle)”, In *Actes des congrès de la Société des historiens médiévistes de l’enseignement supérieur public*, 34<sup>e</sup> congrès, (Chambéry, 2003), p. 263-291 ; Couderc-Barraud, H. *La violence, l’ordre et la paix. Résoudre les conflits en Gascogne du XI<sup>e</sup> au début du XIII<sup>e</sup> siècle* (Toulouse, 2008) ; Id, “Humbles et violence légale : quelques cas gascons XII<sup>e</sup>-début XIII<sup>e</sup> siècle”, In, *La violence et le judiciaire. Discours, perceptions, pratiques*, dir. A. Follain, B. Lemesle, M. Nassiet (Rennes, 2008), p. 31-46 ; Id, « Résistances anti-seigneuriales en Gascogne : pactes et affrontements (XII<sup>e</sup>-début du XIII<sup>e</sup> siècle), in Brunet, S., Brunel, G., dir. *Haro sur le seigneur. Les luttes antiseigneuriales dans l’Europe médiévale et moderne. Actes des XXIX<sup>e</sup> journées internationales d’Histoire de Flaran 5-6 octobre 2007* (Toulouse, 2009), p. 111-123.

<sup>5</sup> Boutouille, F., “Pouvoirs et protagonistes territoriaux dans le domaine ducal gascon : l’Entre-deux-Mers bordelais d’après l’enquête de 1236-1237”, in *Les pouvoirs territoriaux en Italie centrale et dans le sud de la France. Hiérarchies, institutions et langages (XIII<sup>e</sup>-XIV<sup>e</sup> siècle) : études comparées*, dir. A. Zorzi et G. Castelnovo, Mélanges de l’Ecole Française de Rome. Moyen Âge, 123/2 – 2011, p. 361-381; Boutouille, F.,

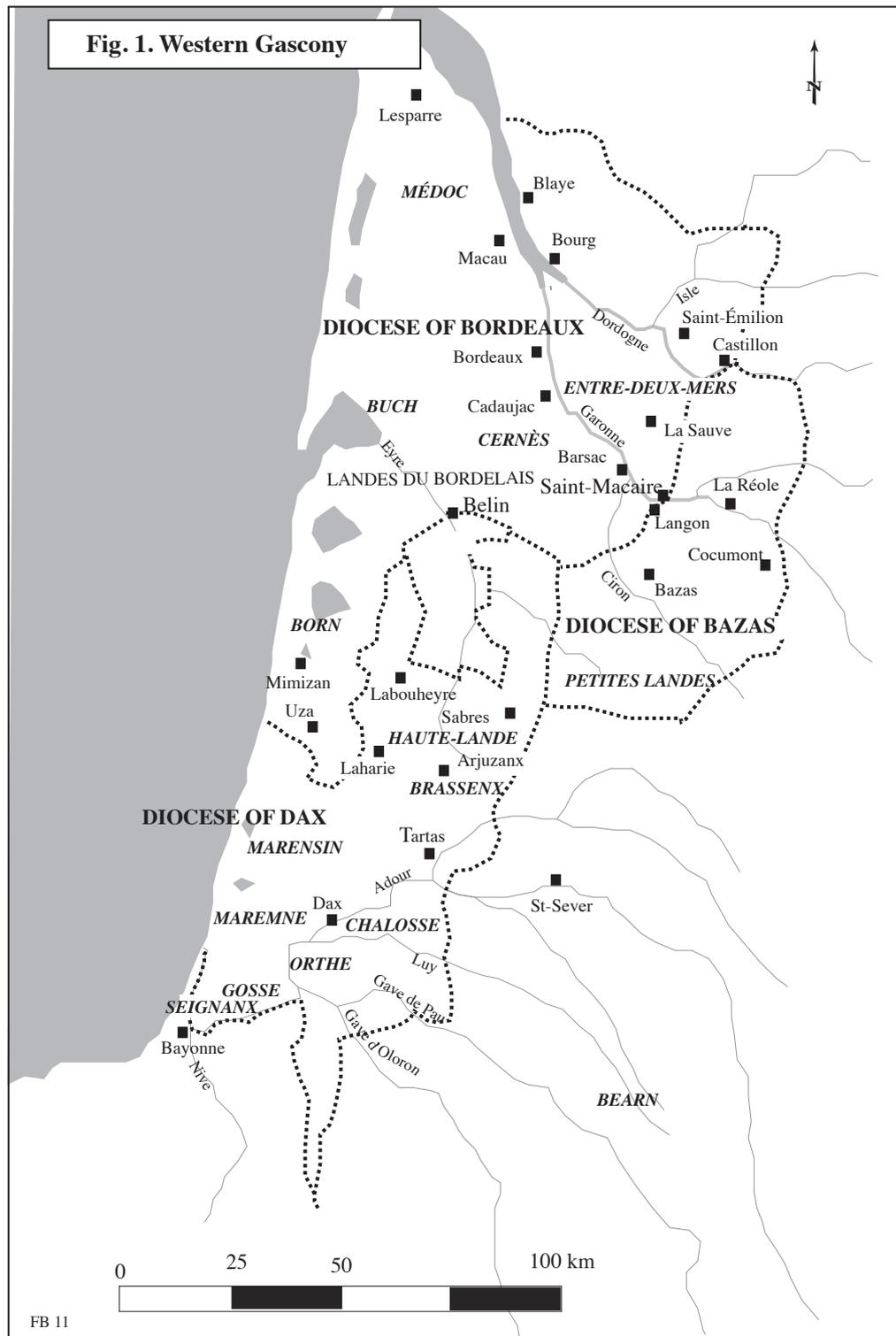
Western Gascony formed the remainder of the continental possessions of the Angevin dynasty, as King John and Henry III successively lost, between 1202 and 1224, Normandy, Anjou, Touraine, Maine and Poitou. Bordelais and Bazadais were partially and provisionally conquered by the French in 1224, before being recovered by Richard of Cornwall in 1225. After that, the extent of Angevin Gascony remained roughly stable for decades and encompassed the dioceses of Bordeaux, Bazas, Dax, with parts in the dioceses of Bayonne and Aire-sur-l'Adour. King- duke's power was exerted from some of the towns dominating this territory, such as Bordeaux, Saint-Émilion, La Réole, Dax and Bayonne<sup>6</sup>. The network of castles, of which many were ducal, was differently localised: many in the east of the region, less and less numerous towards the west, and many regions were still without any castles in the first half of the 13<sup>th</sup> century. This area, where the settlements were scattered or semi-scattered, constituted the ducal domain - that is, the regions where the king-duke was the only lord, where the peasants considered themselves as "francs", and where provosts were installed little by little. In the Bordelais, the ducal domain was significant in the western parts of the Entre-deux-Mers (with about thirty parishes), in Cernès (with about fifteen parishes) and in Born (with about six parishes)<sup>7</sup>. This domain was also substantial in Bazadais, to the south of the city of Bazas (with about fifteen parishes); and in the region of Dax, with some other groups of parishes in the Upper Landes, but also more in the south, in Marensin, Gosse and Seignanx (fig. 1).

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"L'enquête de 1236-1237", in *Quand gouverner c'est enquêter. Les pratiques politiques de l'enquête princière. Occident, XIII<sup>e</sup>-XV<sup>e</sup> siècles*, Pécout, T. ed. (Paris, 2010), p. 117-131.

<sup>6</sup> Trabut-Cussac, J.-P., *L'administration anglaise en Gascogne : sous Henry III et Edouard I de 1254 à 1307* (Genève, 1972), p. XI-XL.

<sup>7</sup> Boutouille, F., *Le duc et la société. Pouvoirs et groupes sociaux dans la Gascogne bordelaise au XII<sup>e</sup> siècle*, (Bordeaux, 2007), p. 56-68.



The information we have about the social organization of the countryside of the ducal domain, and of the changes that took place there, comes essentially from two types of source. On the one hand, we have orders of all kinds issued by the English chancery, enrolled on the Patent Rolls, Close Rolls, Fine Rolls, and finally Gascon Rolls, in which a relatively small

number of entries were addressed to the communities of inhabitants, to their worthy men (*probi homines*) or the provosts. Our second source of information is local custom. Beside the customs granted to the urban or castral communities of the ducal domain, some rural customs existed, such as those of Maremne and Marensin, that are known in later versions<sup>8</sup>.

The most interesting are those of the Entre-deux-Mers, confirmed in 1237, a premature event for the Bordelais. These customs were recorded in the report of an inquiry, undertaken in February 1237 by Henry III, following a complaint, made the previous year by the clergy of the diocese and the inhabitants of the Entre-deux-Mers, against the king-duke's bailiffs, accused of abuses of power and unlawful levies of taxes<sup>9</sup>. The report of this inquiry, preserved in the smaller cartulary of La Sauve-Majeure, included the depositions of 120 representatives of the parishes of the ducal Entre-deux-Mers. Because it details the customs, rights and duties of the inhabitants of this rural region, as well as the exactions of the bailiffs on them, this report provides a first-hand account, allowing us to understand the effects of administrative pressure on the peasantry of the ducal domain in the 13<sup>th</sup> century.

We shall examine the evidence concerning these worthy men (*probi homines*) of the country in two stages. First, by describing their traditional role within the communities of inhabitants. Secondly, by tracing the emergence of new local officials and trying to establish the practices of which they were accused.

### **The traditional mediation of the rural elites**

The collective actions of the worthy men (*probi homines*) were essentially exerted in two directions: towards their own neighbours, and towards the king-duke, for whom they were mediators.

#### ***Within the communities***

In the first case, we can see two types of responsibilities. The first one is about their management of the collective resources of the terrain. Although we do not have evidence for the restriction of access to communal lands (called *padouens*), two surviving cases reveal some constraints. At Cadaujac in the Bordelais, according to an agreement made between the chapter of the cathedral of Bordeaux and the worthy men of the place (1252), or in the customs of the small castral village of Cocumont in Bazadais (1255), the worthy men are capable of exercising control over these territories, by accepting new users or the conversion of an old *padouen* in vineyard<sup>10</sup>. It reminds us of what did the "casalers" or "pages" of Béarn, studied by Benoît Cursente, who formed a kind of association of property owners, exercising a quasi-monopoly over the use of grazing land.

The control of these collective means of production, which they exploited profitably - though paying *servicium* to the lord - supported the local predominance of these leading families (of peasants) to the detriment of their neighbours, of second rank, or of their own sub-tenants. And yet these areas represented an important issue, because the king-duke

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<sup>8</sup> D'Olce ed., "Matériaux pour servir à l'histoire des Landes. Statut de la vicomté de Maremne", *Bulletin de la société de Borda*, 1882-1883

<sup>9</sup> See n. 1.

<sup>10</sup> *Archives historiques de la Gironde*, t. 23, 1883, n°V, p. 7-10 and Bémont, C., ed., *Rôles Gascons (1254-1255)*, supplément au tome I, Documents inédits de l'histoire de France (Paris, 1896), (abbreviated RG sup.), n. 4392.

opened them up, for financial reasons, to foreign herds. It is particularly striking in the region of Dax and to the south of the Bordelais, where the moors were open to the herds of the hospital of Roncevaux, or to the Bearnais, in return for payment of a right called “*guidonage*” (1242-1253)<sup>11</sup>.

Another customary function lay in the organization of a mechanism of self-defence, the public clamour (the equivalent of the English ‘hue and cry’) called *Biafora*. This was an appeal that launched a collective mobilisation in arms, well attested in the sources of the period for example in the *fors* (customs) of Béarn, and not limited to Gascony<sup>12</sup>. This cry obliged the members of the community to go out with weapons to chase suspects caught in the act. In the customs of the Entre-Deux-Mers, the cry was made in cases of “assault or plunder committed by criminals”. Thus, according to these customs, the worthy men have to punish those men refusing to join in the hue and cry, by setting the rate of fine themselves. In effect they supervised the functioning of this collective and customary right.

### *Mediation of the ducal dominium*

In relation to the king-duke, the worthy men served as mediators of ducal demands. This function concerns three areas: taxation, lodgings and provisions (*hébergement*s) and military service.

The worthy men were, first, in charge of levying the direct tax, which is usually called the “*queste*” or “*quête*”, a tax not to be confused, when levied on free men, with the “*queste*” levied on the “*questaux*” - the local name for the serfs - who had a much lower status. Some confusion has led historians to underestimate this form of taxation in works on public finances. This omission is noticeable in the works of Jean-Paul Trabut-Cussac on extraordinary taxation (*recettes extraordinaires*) in ducal Aquitaine around the middle of the 13<sup>th</sup> century<sup>13</sup>. These *quêtes*, similar to “*tailles*”, were levied between Michaelmas and the feast of All Saints, and their sum was fixed (at forty pounds in Entre-deux-Mers, twenty pounds for the free men in Bazadais)<sup>14</sup>. It is possible to see an interesting evolution of the role of the worthy men in relation to this *quête*. First, they shared out among each parochial community the sum to be paid. This work of tax assessment had to take into account the wealth of each person, as appears more fully in an agreement of 1255 between the abbot of

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<sup>11</sup> Francisque-Michel ed, *Rôles Gascons (1242-1254)*, t.1 (Paris 1885) (abbreviated in RG), n.552, n.2095, Bémont, C., RG sup., Rôle de lettres patentes, n.67 ; Cavailles, H., *Transhumance pyrénéenne et la circulation des troupeaux dans les plaines de Gascogne* (Paris [1931], 2003).

<sup>12</sup> Ourliac P., Gilles, M., ed., *Les fors anciens de Béarn* (Paris, 1990), p. 238-240 (For général de Béarn), p. 325 (For de Morlaas) ; Prétou, P., *Crime et justice en Gascogne à la fin du Moyen Âge : 1360-1526* (Rennes, 2010) ; Prétou, P. “Clameur contre fureur : cris et tyrannie à la fin du Moyen Âge” in Foronda, F., Sère, B. et Barralis, C. ed., *Violences souveraines au Moyen Âge. Travaux d'une école historique* (Paris, 2010), p. 271-282.

<sup>13</sup> Trabut-Cussac, J.-P., *L'administration anglaise*, p. 309-326.

<sup>14</sup> Petit cartulaire de La Sauve-Majeure, Bibliothèque municipale de Bordeaux, ms 770, p. 128 (§II-2) *Agricole debent questam XL<sup>a</sup> librarum domno regi a festo sancti Michaelis usque ad festum Omnium Sanctorum (...)* II-4 *Predictam XL<sup>a</sup> librarum questam debent soli homines domni regis et illi qui tenent allodium domni regis, secundum quantitatem qua tenent, nisi illud allodium debeat exercitum, qui liberet eum ab huius prestatione. Debetur autem a festo sancti Michaelis usque ad festum Omnium Sanctorum sine pena seu gadio. Sed a festo Omnium Sanctorum deberetur pena seu gadium V solidos a qualibet parrochia non solvent;* Bémont, Ch., ed., *Recueil d'actes relatifs à l'administration des rois d'Angleterre en Guyenne au XIII<sup>e</sup> siècle (Recogniciones feodorum in Aquitania)*, (Paris,1914), (abbreviated in RF) n. 244, 245, 246, 247, 248, 249, 250, 251, 338.

Sainte-Croix of Bordeaux and his worthy men of Macau in Médoc, or in the customs of the ducal castral *bourg* of Labouheyre in the Landes<sup>15</sup>. In reality, this distribution supposed to be egalitarian was quite limited, as in Macau each hearth had to pay a bushel of wheat whatever is its wealth. The role of the worthy men in this levy had two consequences, illuminated by the later customs of Marenne in the region of Dax: the delegates of the neighbours who had not succeeded in collecting the expected sum were threatened with the seizure of their bodies, and were forced to accommodate the lord's officials<sup>16</sup>. To avoid this sanction, they were allowed to take guarantees on the goods of those neighbours who had not paid their share of the *quête*.

The texts of the 1270s, like the *Recognitiones feodorum* of 1274 (a great inquiry ordered by Edward I), and the sources concerning the lands of the Entre-deux-Mers situated in the Bordelais, reveal the appearance of a system by quota lot, as the sum of the *quête* is pre-determined for each parish and farm<sup>17</sup>. This latter system was more convenient for the tax assessors, because it involved less internal arbitration. The first system put the tax assessors in an awkward position towards their neighbours, above all in a context of rural exodus. In fact, since 1214, the worthy men of the Entre-deux-Mers complained to the king-duke about the consequences of an exodus of the inhabitants of their region, who settled in towns or migrated to Spain: it automatically increased the weight of the taxation on those remaining behind<sup>18</sup>. At the same moment, this weight also increased because of a rise in the volume of the bailiffs' demands, themselves becoming more and more numerous. We can add to these structural causes some more temporary factors, such as the famine of 1235, well documented in our sources and mentioned several times in the report of the inquiry of 1237<sup>19</sup>. The fiscal effects of this famine can surely explain the complaint of the worthy men to the king-duke the following year.

Inevitably, we may wonder what interest the king-duke found in this taxation. Considering orders justifying the levy of some *quêtes*, it was designed to meet an occasional need (e.g. aid in order to fortify a town or to compensate a king's creditor)<sup>20</sup>. For the ducal finances, the result was insignificant. Besides, the direct tax was not a directly accountable revenue, unlike the farming-out (*afferme*) system which was largely in use to collect indirect taxes. We can assess the sum of the royal *quêtes* at a maximum of 80 to 100 pounds, a very modest result compared to the 30,000 to 40,000 pounds yielded by the great custom levied in

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<sup>15</sup> Drouyn, L. ed., "Second cartulaire de l'abbaye Sainte-Croix de Bordeaux", *Archives Historiques du département de la Gironde*, t. 27 (Bordeaux, 1892), p.159-292, n. 268 ; Marquette, J.-B., "Les coutumes de Labouheyre (Herbafauere)", in *Un pays dans sa langue. Le gascon dans l'ensemble d'oc. Actes du colloque de Sabres, sous la présidence de Pierre Bec, 9, 10 octobre 2004*, Travaux et colloques scientifiques, n°5, Parc naturel régional des Landes de Gascogne (Sabres, 2006), p. 107-140.

<sup>16</sup> Dolce ed. "Matériaux pour servir à l'histoire des Landes...", n. 7-13.

<sup>17</sup> Drouyn, L.ed., "Second cartulaire de Sainte-Croix", n.163, n.217, p. 208.

<sup>18</sup> Hardy, Th. D., ed., *Rotuli litterarum patentium in turri Londinensi asservati*, Londres, vol. I, pars I, 1201-1226 (London, 1835), p. 112b.

<sup>19</sup> Brutails, J.A., ed. *Le cartulaire de l'église collégiale de Saint-Seurin de Bordeaux* (Bordeaux, 1897), n. 215, Géraud, H. ed., *Chronique latine de Guillaume de Nangis de 1113 à 1300 : avec les continuations de 1300 à 1368* (Paris, 1843), p. 145.

<sup>20</sup> *Calendar of the Patent rolls of the reign of Henri III preserved in the Public Record Office*, Public record Office, 1216-1225 (London, 1901), p.467 (1224) ; *RG*, n° 485 (1242),

the port of Bordeaux<sup>21</sup>. It appears to be among the lesser revenues, such as the small custom of Bordeaux on which the farm varied between 200 and 300 pounds.

We can find another point of interest in these *quêtes*, in which the worthy men were the mediators. Anthropology shows us that seigneurial rent was used to sustain the power of lords, and the social networks which helped to maintain their status. The land was considered less as a source of wealth, or a means of personal enrichment, than as a factor in the formation and maintenance of their clientele of dependants. This explains the importance of arrears and the seigneurial acts of remission that ultimately reinforced this dependency. The *quête* had also above all the function of binding the local elites to the king-duke. Similarly, they used it to reinforce their supremacy. Whatever fiscal practices were adopted – tax by distribution, tax by quota, determined by hearth or balanced by the principle of ‘the strong supporting the weak’), the possibilities of the local authorities was great enough to let them conclude agreements, impose fines and pronounce seizures.

The worthy men played the same role as the tax assessors in the rights of lodging and provision (*hébergement*s) known in Gascon as *aubergades*. This ancient duty is described in the cartulary of the counts of Bigorre as the main obligation of the inhabitants of the county towards their count<sup>22</sup>. However, it is not as well documented in the writs of the English chancery as the levies of the *quête*, because this latter was directly requested by the king’s officials, the seneschal and the provosts. On the other hand, the customs of the Entre-deux-Mers clearly allocate to the “*probi homines albergatores*” the task of distributing these rights of lodging and provision when one requested them, “between several villages and between each peasant” (*per bonos homines terre albergatores dimidientur, per multas villas et per singulos agricolas*).

### ***Military mediation***

The military role of the worthy men of the region is documented in summonses to the host, addressed to them, to join the king-duke’s army in 1230 (*Probi homines* of the Entre-deux-mers and free men of the Bazadais), 1242 (*Probi homines* of Gosse and Marensin), 1243 (*Probi homines* of the Entre-deux-Mers), and 1253 (those of the Marensin, Maremne, Gosse, Seignanx and Labenne)<sup>23</sup>. But the peasant contingents which they were in charge of levying were not the only ‘popular’ elements of the Anglo-Gascon army, because the king-duke also summoned the urban militias, with the idea of converting the towns’ participation into taxes commuting their service.

The best source for the organization of peasant military service on the domain lies in the customs of the Entre-deux-Mers. We find there that the duty of *exercitus* is owed by the allodial owners not compelled to pay the *quête* of 40 pounds; that the “king’s peasants” are only summoned by the king-duke or the seneschal, and solely to take part in a siege, on the sole condition that the siege has already begun and not at the beginning of a campaign; and that this service is limited to what “rough men without arms know and can do”, that is the

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<sup>21</sup> Trabut-Cussac, J.P., *L’administration*, p. 309-326.

<sup>22</sup> Ravier, J., Cursente B., eds., *Le cartulaire de Bigorre (XI<sup>e</sup>-XIII<sup>e</sup> siècle)*, (Paris, 2005).

<sup>23</sup> *Close rolls of the reign of Henry III preserved in the Public Record Office, 1227-1231*, (London, 1902), p. 422 (1230); RG, n.169 (1242), n.1637 (1243), n. 2219, 3569 (1253).

digging of trenches or the making of earthworks<sup>24</sup>. Beside this general rule, a more reduced group of parishes and hamlets had to send one soldier to the ducal host, without any limitation of duration, according to a system recalling the old principle of the « *aidants et partants* » in Carolingian time by which a group of tenants appointed one of their number to go to the host while the others provided his equipment<sup>25</sup>. Elsewhere, in Cernès or among the free men of Bazadais, the military service of the peasants is also regulated, but what we see in the *Recognitiones feodorum* of 1274 is not as specific as in Entre-deux-Mers, and is relatively ambiguous<sup>26</sup>. Thus in Cernès, in the *prévôté* of Barsac, the *exercitus* of free men consisted essentially in military aid to the provost, and appears more as a police service of one day per year in the *prévôté*.

As for the role of the worthy men to whom this summons to the host was regularly sent, the documentation generally remains silent. We do not know how they transmitted these orders rapidly to their parishioners. However, according to the new customs of la Réole (1255), which were quite specific on this point, they were to have the command of the troops<sup>27</sup>. Furthermore, the order to levy a hundred crossbowmen in the Gosse and Marensin suggests that the worthy men of the region south of Dax were required to inspect the equipment of these specialists, of whom they were probably a part<sup>28</sup>. They supervised this unchanging ritual common to all armies around the world: the inspection of weapons, which confirms the dominant position of those exercising this function.

### **Seneschal and provosts in the first half of the 13<sup>th</sup> century**

The provosts and seneschals, with whom the worthy men had to deal, represent the wheels of an administrative apparatus which clearly begins to become more and more important in the 13<sup>th</sup> century. In Aquitaine, this evolution is known essentially from the second half of the 13<sup>th</sup> century, thanks to the works of Jean-Paul Trabut-Cussac who dissected the workings of this apparatus, and highlighted the role of these new administrators. Nevertheless, he does not describe in detail the decades pre-dating the great administrative reforms of Prince Edward (the future Edward I), during which the functioning of this administration was “empirical”, and his approach to the local agents follows the king-duke’s actions through the chancery sources. But to measure the effects of this process correctly, before the administrative reforms of Prince Edward, one must take into account the point of

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<sup>24</sup> Petit cartulaire de La Sauve-Majeure, Bibliothèque municipale de Bordeaux, ms 770, p. 128, (§II-1) *Milites faciunt sibi homagium et de certis rebus quas ab ipso tenent faciunt sibi exercitum vel unius militis vel duorum vel scutarii et cum armis determinatis et certis prout de antiqua consuetudine determinatum est et certum. Quicumque tenet res que debent exercitum vel unius militis vel duorum nisi privilegio tueatur secundum partem quam tenet facit partem expensarum ei qui facit exercitum domno regi. Et scitur quis debet facere propter huius exercitum libere sine qualibet exactione domni regis vel ballivi sui debent tenere milites, et alii qui habent terram exercitus, homines et omnes alias res suas.*

<sup>25</sup> RF, n. 592.

<sup>26</sup> RF, n. 620, 623-628, 636-640, 657-663, 675-678. En Bazadais, RF, n.244-251, n.338.

<sup>27</sup> Malherbe, M., *Les institutions municipales de la ville de La Réole, des origines à la révolution française*, thèse de doctorat, s.d. Jaubert P., (Université de Bordeaux I, 1975), art. 64, p. 763 *que en cada gueyta aya baneyra. E fo establitz que en cada gueyta aya baneyra, et quant ost sailhira de la bila que cascun anga am sa baneyra ; e les cosselh deven eslegir IIII prodomes de cada gueyta qui governin leyaument lo poble cascun de lor baneyra, et aquetz qui seran de jus cada baneyra so deven governar et far lo comandament dequetz que lo cosselh aur aelegitz per los governar per tal maneyra que negun ne parti de sa baneyra sans conget dequetz que an lo goern de lor ; et si negun homes s'en parte per anar en autre part sens conget, dare bingt s. que passare la pena que lo cosselh lo carquare.*

<sup>28</sup> RG, n.169.

view of the persons they administered, and of the traditional elites who strongly resented this innovation. This point of view “from the bottom up” is provided by the account of the inquiry of 1237.

### *The seneschal*

When we read the account of the inquiry, it is obvious that the seneschal is the central character. Henry de Trumbleville is the most frequently-named person and the greater part of the complaints concentrated upon him. He personally represented the king-duke Henry III, to the point of thinking that he himself was the king-duke, or tried to make it seem so, if we can believe the depositions recorded in the report<sup>29</sup>. It is true that in the absence of a distant king-duke, the seneschal was the person to whom the inhabitants took the oath of loyalty and obedience.

Even though it existed from the 1180s onwards, the function of seneschal took on a new dimension after 1224 as, before this date, the same official could be seneschal of both Poitou and Gascony<sup>30</sup>. As the wages of the seneschal were not really changed before the ordinances of Prince Edward in 1259, the loss of Poitou in 1224 also probably meant a loss of income for the seneschal.

With the notable exception of the archbishop of Bordeaux, Guilhem-Amanieu, seneschal in 1217 and 1218, the seneschals of Gascony during the reign of Henry III were knights, mainly chosen among Poitevin, Anglo-Norman or English families<sup>31</sup>. They were appointed at pleasure by the king, and were frequently re-appointed. Thus, Henry de Trumbleville, issuing from a Norman family, and who had an uncle who was sheriff of Northamptonshire in 1223, became seneschal of Gascony three times (in 1227-1231, 1234-1236, and 1238-1241).

When Henry de Trumbleville became, and was again appointed, seneschal, the earnings of this office were still, as expressed by J.-P. Trabut-Cussac, “arbitrary”. The seneschal was paid by the king-duke on an unclear basis, in a random manner, notably with the assistance of rent allowances. Before 1259, and the setting-up of a fixed income (4,000 pounds *bordelaises* annually), we can tell from the writs of *liberate*, issued some years after the end of each period of office, that the king-duke took a long time to reimburse expenses incurred by his officials in the execution of their duties at their own expense. And yet, the seneschal needed substantial revenues to live in style and exercise his numerous duties: military, judicial, feudal or policing functions. In 1236-1237, Henry de Trumbleville was assisted by a sub-seneschal, an office that was apparently the object of the inhabitants’ anger, as it was non-customary. This is why this office does not appear in the Chancery rolls before 1253. During this period of administrative trial and error, the sub-seneschal was a second-in-command, in charge of maintaining the continuity of the seneschal’s authority during his absences. He was appointed and paid by the seneschal himself.

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<sup>29</sup> Boutouille, F., “Il est un meilleur roi que le roi d’Angleterre”. Note sur la diffusion et la fonction d’une rumeur dans la paysannerie du Bordelais au XIII<sup>e</sup> siècle”, in *La rumeur au Moyen Âge. Du mépris à la manipulation, V<sup>e</sup>-XV<sup>e</sup> siècle*, dir. M. Billoré et M. Soria, (Rennes, 2011), p. 279-291.

<sup>30</sup> Boutouille, F., *Le duc*, p. 249-252.

<sup>31</sup> Lists in Shirley, W.-W., éd., *Royal and other historical letters illustrative of the reign of Henri III*, t. I, (1216-1235), (London, 1862), appendix IV (1216-1272), p. 399-400, and Trabut-Cussac, J.-P., *L’administration anglaise*, p.372- 376.

## *The provosts*

The king-duke's provosts represented the level of administrators closest to the inhabitants. During the 13<sup>th</sup> century, the number of *prévôtés* increased significantly<sup>32</sup>. In the Bordelais, we move from one *prévôté* to a dozen between 1200 and 1274: Bordeaux (end of the 11<sup>th</sup> century), the Entre-deux-Mers (1206-1222), Belin (1220 and 1221), Barsac (1243), Saint-Émilion (1253), the Ombrière in Bordeaux (1253), Benauges (1254), Rions (1254), Saint-Macaire (1254), Castillon (1255, united then with the *prévôté* of Saint-Émilion), Born (1274) et Camparian (1287). The same phenomenon is apparent in Bazadais, where we move from one *prévôté* at the end of the 12<sup>th</sup> century to 9 in 1274 : Bazas or of Bazadais (1243), Langon (1243), Gensac (1254), Gironde (1254), Blaignac (1254), Meilhan (1254) and Pellegrue (1274). Many of these provosts, installed in former seigneurial castles, were sometimes assimilated to the constables or keepers of those castles that the king-duke appointed at the time of a seizure (Rions, Langon, Gensac, Gironde). On the other hand, in the rural areas of the king-duke's domain, or those not centred around a castle (Entre-deux-Mers, Barsac, Gosse, Maremne, Camparian), as in the jurisdiction of the new towns, the introduction of a provost was more clearly resented. The effect was the same in towns governed by municipalities where the king-duke imposed a provost, such as Saint-Émilion or La Réole.

The modes of recruitment of the provosts are poorly documented before 1242. Before the middle of the century, they were appointed by the king-duke or the seneschal for an unknown duration. Changes were frequent: the inquiry in Entre-deux-Mers mentioned no less than 7 provosts for one seneschal. The farming-out system was later brought into general use, after 1254, on the initiative of Prince Edward, through direct grant or sale by auction to the highest bidder. The recruitment of provosts offered a good position to the local Gascon nobility, following the tradition of seigneurial 'enfeoffed provosts', and to burgesses. Englishmen were in a minority and clerks were totally absent.

The functions of the provosts were quite wide enough to interfere with the areas of competence of the local elites. It was the duty of the seneschal and provosts to convey summonses to the king-duke's host. A statement in the inquiry of 1237 shows that they themselves took the initiative in summoning the host, quite regularly, month by month, at the beginning of a campaign and, "above all at the harvests and the grape-harvest", in order to obtain exemptions. They also exploited the ambiguity of mobilization following the cry "*Biafora*" [see above], since they used it to convene the host and force those exempted from service to pay a fine, under the pretext that there was no exemption made in the case of hue and cry. All these sums seem to have been set unilaterally by the bailiffs, although in principle the worthy men were to be associated in the decision concerning the amount of the fine.

The depositions of the inquiry also denounce the repeated levy of *hébergement*s [rights of lodging and provision] claimed by the provosts and the seneschal. This feeling was also shared by the clergy of the region since, at the same time, one of the canons of the synod of Bordeaux (1234) condemned these increasingly frequent *hébergements*<sup>33</sup>. Visibly, the seneschal, the sub-seneschal, the provosts and the sergeants asked for lodging "as often as they wanted it", without respecting the customs and the commitment of the seneschal, made

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<sup>32</sup> Trabut-Cussac J.-P., *L'administration anglaise*, p.194-210, appendix p. 341-370.

<sup>33</sup> Pontal, O. ed., *Les statuts synodaux français du XIII<sup>e</sup> siècle*. t. II . *Les statuts de 1230 à 1260 : précédés de l'historique du synode diocésain depuis ses origines* (Paris, 1983) § 119, p. 96-98.

after payment, not to request any others during the year. When estimated in numbers of cavalrymen, the scale of the burden of these *hébergementements* reveals sharp differences: the provosts were escorted by 7 to 10 men with their mounts, while those of the seneschal frequently included about a hundred, reaching up to 200 in the parish of Saint-Loubès in Entre-deux-Mers which was not- one can be specific here - the maximum claimed by a lord of the region in this period (i.e. 300+120 in Castillon)<sup>34</sup>.

When they were not converted into money or commuted, the *hébergementements* involved the provision of victuals or meals, taken from the inhabitants, who were obliged to offer poultry, wine, and cereals for the horses. So, in the parish of Saint-Loubès, the seneschal required it to kill four pigs and seventy hens. On other occasions, the bailiffs caught in nets the free-range poultry that wandered loose in the villages and hamlets, in clusters of 80 to 200, so often that the peasants asserted that they were not able to keep them any more. It appears that, on these occasions, this was to meet the needs of the royal court, expressed by writs of 1253 and 1254, in which the king-duke requested his provosts to catch, in their jurisdictions, hundreds of rabbits, cranes, game and fowls<sup>35</sup>.

The frequency of these *hébergementements* put the worthy men into an unfavourable position in two ways. First, it was difficult for them to organize, as they were obliged to do, the distribution of this burden over the households of a parish; then, because the bailiffs by-passed them by dispensing with their customary mediation, to demand the *hébergementements* directly from the peasants. They were the chosen targets of the bailiffs' violence, like the priests to whom the synod of 1234 gave the order not to meet the demands of *hébergementement*. The inquiry tells us how three priests had died, while three others were maimed following beatings by the bailiffs, and how these same bailiffs caused the death of, or injured for life, two worthy men (*albergatores*) of one parish in the Entre-deux-Mers.

## Conclusion

In the Gascon regions of the first half of the 13<sup>th</sup> century, the customary mediation of traditional elites was undermined by the introduction of an increasing number of provosts. The empirical nature of the king-duke's administration made matters worse, given the absence of a method of payment which relieved the ducal agents from the necessity of living by imposing levies directly on the inhabitants. The worthy men were by-passed in their functions as assessors of the ducal *hébergementements*, or as persons in charge of the levying of the parish militias. However, they did not remain passive. It is possible to distinguish four levels of reaction.

Twice, in 1214 and 1236, the worthy men of the Entre-deux-Mers obtained the concession that the king-duke would compel those inhabitants who had left the region to return home, so as not to make their role of assessors more complex<sup>36</sup>. In November 1236,

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<sup>34</sup> *Notum sit omnibus hominibus quod P. vicecomes de Castilion depredavit domum Hospitalis que est a Castilion (...) Post jurandum fecit duas aubergadas unam de CCCC homines cum equitibus suis et garciferis et aliam de C et XX cum equitibus*, Archives départementales Haute-Garonne, H Malte 2854, f. 22 v. (1213-1227).

<sup>35</sup> RG, n. 2871, 3715, 3716, 3717, 3648, 3649 (1253).

<sup>36</sup> *Rex omnibus ballivis et fidelibus suis. Sciatis quod concessimus probis hominibus nostris de terra vocatur Inter duo Maria quod habeant omnes libertates et liberas consuetudines quod habuerunt temporibus H. regis patris nostri et R. fratris nostri. Et volumus quod omnes homines qui terras habuerunt in predicta terra et eas reliquerunt nisi ad eas redierit infra instante Pentecostes anno scilicet regni nostri XVI omnino sint inde abjudicati et nobis et heredibus nostris remaneat in perpetuum. Et ideo vobis mandamus quod ista firmiter*

they joined the complaint of the Bordelais clergy before the king-duke to denounce the exactions of the bailiffs. In February 1237, at the time of the enquiry following this double complaint, they obtained confirmation of customs acknowledging their mediation, as well as their franchises limiting ducal levies. Finally, on the occasion of this enquiry, they presented to the investigators a whole scheme of more or less mythical stories, devised to legitimize their place within rural society. Notably, they developed the idea that their franchises had been granted to their ancestors by Charlemagne himself.

This range of reactions shows that the peasant elites did not remain entirely passive during this period of upheaval. And that, as David Carpenter recently showed with peasants supporting Montfortians during the civil war, that the politicization of peasantry could be strong<sup>37</sup>. In Gascony, without attempting an open revolt, they clearly intended to continue to play a traditional role that the Church had already reduced during the Gregorian reform by removing from the communities and the sacerdotal families the control of local churches. The issue remained the same: in defending their function of mediation, the worthy men also defended the prestige and social domination it gave to those exercising it.

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*observari faciatis. Et ut hujus rei (...). Teste me ipso apud Subterana, XXXI die marcii, anno regni nostri XV<sup>o</sup> ;* Hardy éd. 1835, p. 112b.

<sup>37</sup> Carpenter, D., "English Peasant in Politics 1258-1267", in Id., *The Reign of Henry III* (Londres, 1996), p. 309-348.