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# Bruno von Rappoltstein

## Power Relationships in Later Medieval Alsace

Geoffrey Carter

M.A. Thesis

Durham University 2007



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*The tomb of an unnamed  
Rappoltstein knight  
(Bibliothèque Nationale de France)*



# Bruno von Rappoltstein

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## Abstract

This thesis uses three key episodes from the career of the fourteenth-century Alsatian nobleman, Bruno von Rappoltstein (c.1335-1398) to paint an image of noble power and aristocratic self-consciousness in a border region between Francophone and German speaking spheres of influence in one of the traditional heartlands of the Holy Roman Empire.

Bruno von Rappoltstein came to prominence in the second half of the fourteenth century. This was a period of significant change in the wake of the Black Death. Bruno was an inveterate feuder and became involved in a series of disputes which occupied most of his adult life and which brought him into conflict with a range of powerful authorities. The manner in which Bruno conducted himself in the face of threats and pressure from the city of Strassburg, the Empire, Richard II of England, the Pope and other greater lords and the ways in which a number of these sought to use the circumstances to further their own agendas provides an insight into the realities of political power within the Empire at that time.

Bruno's mentality and his sense of personal and dynastic identity are explored. His inability to adapt behaviour that was acceptable within his own domain to his dealings with greater authorities is shown to have been a leading cause of his ultimate failure which left his heirs with substantial debts and which may be seen as the beginning of a process leading to the family coming increasingly under Habsburg control over the following century.

The thesis also considers the extent to which Bruno was manipulated in his feuding by more powerful princes in the context of recent scholarship (most notably that of Dr. Hillay Zmora) which suggests that such manipulation was an important factor in princely state-building. Dr. Zmora's thesis is based on a study of noble feuding in Franconia in the sixteenth century. This thesis finds nothing to contradict Zmora's views but raises a question as to the extent to which they are necessarily valid outside of the period and region of his research.

An appendix to the thesis details the career of the English knight, Sir John Harlestone, who played a central role in one of Bruno's disputes and who is an interesting figure in his own right.

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My thanks are also due to a number of academic historians worldwide with whom I have been in contact by email and via specialist mailing lists. They have been unfailingly helpful in answering my questions. Similarly I must thank the staff at the British Library where I have spent many happy hours reading the only copy in this country of the Rappoltstein family archive.

Finally, I would never have completed this work without the love and support of my partner, Jane, who has shared her life with a belligerent late medieval Alsatian nobleman for far too long.

## **Abbreviations**

CCR	Calendar of the Close Rolls
CPR	Calendar of the Patent Rolls
CIPM	Calendar of Inquisitions Post Mortem
RU	Rappoltsteinisches Urkundenbuch
SU	Urkunden und Akten der Stadt Strassburg

## **Linguistic Note**

Any study of medieval Alsace is forced to confront the issue of language, especially as it relates to the names of people and places. Alsace has always been a mixed language community by virtue of its geography. In this dissertation I have followed the convention preferred by many scholars (writing in English) of using the form of name that would have been used by an individual for him / herself or by the inhabitants of a place during the later medieval period, allowing for the inevitable orthographical variations. Thus, I have preferred the German form 'Strassburg' to the modern French form 'Strasbourg'. Similarly I have used the German form 'Bruno von Rappoltstein' in place of the French 'Brun de Ribeaupierre'. The exception to this is that I have not changed the names of people or places where they appear within a direct quotation.

## Frontispiece

The image on the cover page of this dissertation is taken from the online image library of the Bibliothèque Nationale de France. No detail is given beyond the bare description that it is the tomb cover of a Rappoltstein knight. The records of the library indicate that the image was deposited in 1858 and is thus most probably an engraving. It is known from contemporary sources that Bruno von Rappoltstein was buried in the building known as the 'hospital' in Rappoltsweiler – 'und leit begraben im Spital bey seinem wib'.<sup>1</sup> While this building is preserved and may be visited in modern Ribeauvillé, the Rappoltstein family tombs were destroyed at the time of the French Revolution and the whereabouts of any surviving fragments is unknown.<sup>2</sup> The armour depicted on the tomb cover includes full plate covering for the legs and arms and a bassinet-style helm which together suggest the later medieval period. The following piece from the Metropolitan Museum of Art in New York might almost have been written to describe the image,

By the fourteenth century, the improved crossbow was able to pierce shields and mail armor. To counter this, knights first wore a poncho-like coat with small rectangular plates riveted to it, while articulated plate armor was developed for the legs, arms, and hands. The small, square, convex shield of the time (the targe) was eventually relegated to use in tournaments, since improved body armor made it unnecessary. A new form of helmet joined the all-encompassing great helm and the wide-brimmed chapel-de-fer (war hat). This was the more streamlined, close-fitting bascinet, with a curtain of mail (camail) from chin to shoulders, which frequently had a movable visor. By the late 1300s, solid breastplates first appeared to protect the chest as part of the

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<sup>1</sup> Julius Rathgeber, *Die Herrschaft Rappoltstein. Beiträge zur Geschichtskunde des Ober-Elsasses* (Strassburg: Freidrich Wolff, 1874), pp. 28-29 and 33-34. The quotation is from a lost Latin chronicle (*Chronicon Alsatie*) attributed to Herman Peter von Andlau and written whilst he was in Colmar. The chronicle was completed after Andlau's death in 1500 and Rathgeber suggests it was finished by one of his retainers. Two extracts of a German translation survive. The first extract shows that the chronicle was in the tradition of universal chronicles beginning with an account of the Creation. The second extract (reproduced by Rathgeber) is from a section concerning the history of the Rappoltstein family (*Varia Rappolteinensia*). Andlau was a native of Alsace, a Humanist and an important figure in the foundation of the University of Basel. His biographical details may be found at Claudio Soliva, *Historisches Lexicon der Schweiz: Peter von Andlau* ([cited]; available from <http://www.hls-dhs-dss.ch/textes/d/D12467.php>).

<sup>2</sup> Paul-André Bechler, *Les Couloirs du Temps de Ribeauvillé* (Ingersheim: BECHYPSOFT, 2005), p. 34.

short, tight-fitting coat of plates called a brigandine, while smaller plates covered the abdomen, hips, and back.<sup>3</sup>

The figure is resting its head on a tournament helm which bears a bearded human figure as a crest. The use of human figures for crests was a popular feature of late medieval German heraldry.<sup>4</sup> In the case of the Rappoltstein family, the crest appears to have been in use for a long time and to have continued well beyond Bruno's lifetime. See Figure 6 below for an early representation of the crest. In a recent article, Helmut Nickel suggest that the crest used by the family varied in the early years and that different crests were used to identify particular family members.<sup>5</sup>

There can be no way of knowing the subject of this image. The prime candidates would appear to be either Bruno von Rappoltstein or his eldest son, Smassmann, who outshone his father in almost every way. Smassmann died in 1451 but the site of his burial is not recorded.

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<sup>3</sup> This extract accompanied an illustration of armour on exhibition. Unfortunately the piece was transient and is no longer to be found on the museum's web site.

<sup>4</sup> Stephen Slater, *The Illustrated Book of Heraldry* (London: Hermes House, 2002), p. 59.

<sup>5</sup> Helmut Nickel, 'A Theory about the Early History of the Cloisters Apocalypse,' *Metropolitan Museum Journal* 6 (1972): p. 67.

## Introduction

The region of Alsace is perhaps best known to English-speaking readers as one half of that composite entity 'Alsace-Lorraine' which figures so often in modern history from 1870 to 1945 as a constant bone of contention between France and Germany. Little has been written in English of the earlier history of Alsace in general and of the medieval period in particular. Such works as exist tend to concentrate on the pre-Reformation and Reformation periods when Strassburg, the principal city of Alsace, was first an important centre of Humanism, home to such important figures of that era as Sebastian Brandt and Jakob Wimpfeling and the birthplace of Gutenberg, and second an early adherent to the new church of Martin Luther. Even in these cases, historians have preferred to focus on Strassburg rather than the wider region of Alsace. The one recent exception is Tom Scott's book *Regional identity and economic change : the Upper Rhine, 1450-1600* which is concerned primarily with economic history.<sup>6</sup> There is nothing of substance available in English which deals in any detail with Alsace prior to the fifteenth century.

When considering the modern historiography of Alsace in other languages one finds that the majority of works are of French origin. Perhaps inevitably these works tend to devote less energy to the period prior to the seventeenth century when Alsace was first incorporated into France by Louis XIV. The medieval period is frequently treated in less depth and the work tends again to concentrate on a small number of key issues as in the English historiography.

There would seem to be no substantial treatment of Alsace in the period prior to the fifteenth century in either French or German.

The purpose of this dissertation is to redress this situation in some small way by examining the life and times of one of the leading nobles of late fourteenth-century Alsace, Bruno von Rappoltstein. By a consideration of Bruno's known life which occupies almost exactly the second half of that century and his role as head of one of

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<sup>6</sup> Tom Scott, *Regional Identity and Economic Change : the Upper Rhine, 1450-1600* (Oxford: Clarendon Press, 1997), p. 11.

the oldest and most important families of the regional nobility, it is possible to draw out a number of themes which are of interest in the context of the wider history of the Empire at that time.<sup>7</sup>

First will be a consideration of Bruno's sense of his own identity and the extent to which he may have seen himself as something more than just the senior member of an 'old' family. Within this context will be an examination of Bruno's relationships with other centres and figures of power, ranging from his complex dealing with the local city of Strassburg through to his involvement with more powerful princes and 'states'. Such was the nature of Bruno's constant series of disputes that he came into contact with a wide range of powerful forces and it is his manner of dealing with these which is of interest in terms of what it may reveal about the nature of power relationships at this time. Finally, it is interesting to consider Bruno as an exponent of the 'feud' in the later medieval Empire and to examine this in the context of recent research. Overall, a picture thus emerges of how a locally powerful noble fits into the wider social and political landscape of the period.

The chosen means of illustrating these themes is to consider in some detail a series of incidents from Bruno's life by way of three case studies. These incidents are interconnected and, taken together, form the backdrop to the last thirty years of Bruno's life. They shaped his destiny and that of his family and had a significant impact on events within the wider region.

From a consideration of these incidents it may be possible to draw some conclusions as to how Bruno perceived himself and his family and to discuss the impact of this on his relationships with those of significance with whom he had to live and deal on a daily basis. This in turn may throw some small light on the nature of elite life in this period of the Empire's history.

Finally, it is interesting to consider Bruno's subsequent reputation as a leading exponent of the feud in the context of the recent work on that topic by Hillay Zmora.

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<sup>7</sup> Bruno is first mentioned in the archive in 1344 and his death occurred in 1398. Both events are referenced in more detail within the body of this dissertation.

Zmora's book *State and nobility in early modern Germany : the knightly feud in Franconia, 1440-1567* has taken scholarship in this area forward by seeking to analyse and understand the motivation of feuders and the role played by the feud in the process of state-building in the late medieval Empire.<sup>8</sup> Given that Bruno, if he is mentioned at all, most frequently appears in the historiography by reference to his feuding activities, it is of interest to examine the extent to which Zmora's core thesis can be shown to apply in a different region and at an earlier time.

As mentioned above, there is something of a dearth of modern secondary literature available in any language which covers the matters under consideration in this dissertation. If this is true of Alsace in general, it is even more the case with the Rappoltstein family in particular. Of such scholarship as relates to the events of Bruno's life, much is contained in obscure French regional history journals of the nineteenth century which are sometimes referenced (often not very precisely) in other works of the same period and which have proved impossible to locate easily. Of other, more modern scholarship, most is again concerned with a later period in the family's history. Some of these works do include consideration of the fourteenth century by way of introduction and context but none of them extends beyond a general and relatively superficial analysis of the period.<sup>9</sup>

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<sup>8</sup> Hillay Zmora, *State and Nobility in Early Modern Germany : the Knightly Feud in Franconia, 1440-1567* (Cambridge: Cambridge University Press, 1997).

<sup>9</sup> There is only a handful of publications that touch upon the matters in hand. They are: Rudolf Brieger, *Die Herrschaft Rappoltstein. Ihre Entstehung und Entwicklung, [Beiträge zur Landes- und Volkeskunde von Elsass-Lothringen. Hft. 31.]* (Strassburg, 1907), Ursula Huggle, *Für unser' Müh' und Arbeit nit ein Korn : dörflicher Alltag im 16. Jahrhundert : Eschbach bei Staufien unter der Herrschaft Rappoltstein : Dorfordnungen im Anhang, Themen der Landeskunde ; 7* (Buhl/Baden: Konkordia, 1996), Benoît Jordan, *La Noblesse d'Alsace entre la Gloire et la Vertu : les Sires de Ribeaupierre, 1451-1585, Collection "Recherches et documents" ; 44* (Strasbourg: Editions Societe savante d'Alsace : Diffusion, Libr. Oberlin, 1991), Frédéric Auguste Ortlieb, 'Histoire de la Réformation dans la ci-devant Seigneurie de Ribeaupierre : Précédée d'une Notice Historique sur cette Seigneurie avant le Seizième Siècle : Thèse' (Strasbourg, 1842), Rathgeber, *Die Herrschaft Rappoltstein*, Louis Süß, *Geschichte der Reformation in der Herrschaft Rappoltstein* (Zabern i. E.: A Fuchs, 1914). Each of these works has been consulted but has proved of limited value. Potentially the most promising is Brieger's study of the development of the Rappoltstein lordship. However, he is concerned with *Herrschaft* in the sense of its physical assets and his study comprises a detailed consideration of the territories and rights of the lordship with little or nothing concerning the people. In his introduction (Ibid p. 13) he is clear that his only concern is to investigate the question of the family's relationship to the *Reich* and the *Landgrafschaft*. This does nonetheless provide some interesting insights into the status of the family and their view of themselves and is discussed at the relevant points below. One modern work is missing from this list. There exists today in Cologne a Catholic Student Society which was founded in the nineteenth century in Strassburg and which takes its name from the Rappoltstein family - *KDSrV Rappoltstein Straßburg zu Köln*. Although it has no special association with the Rappoltstein family per se other than having purloined the name at its foundation, the society has recently celebrated its

In the absence of a substantial secondary literature it has been necessary to work extensively from primary sources. Chief amongst these is the nineteenth century collection in five volumes of the Rappoltstein family archives and other documents related to the family by Karl Albrecht under the title of *Rappoltsteinisches Urkundenbuch*.<sup>10</sup>

Two other primary sources have provided some further useful information. First is the contemporary city chronicle of Strassburg written by a member of the chapter of St Thomas in Strassburg, Jakob Twinger von Königshofen and published in a scholarly edition in the nineteenth century which has been more recently republished in facsimile.<sup>11</sup>

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hundredth anniversary with the publication of a *Festschrift*. Within this publication is a detailed chronicle of the Rappoltstein family from its earliest origins to the modern day. This chronicle has also been made available via the society's website. Although not strictly a work of professional historical scholarship, the information has been carefully assembled and is fully referenced to a professional standard. This publication does not pretend to go much beyond an assembly of chronological data and a brief summary of some of the published literature but, as such, has proved invaluable as a pathfinder. The author, Dr. Fritz Ortwein, has additionally been helpful in my direct email exchanges with him on specific points. This publication, Friedrich J. Ortwein, "Chronik Rappoltstein," (Cologne: 2005), may be found at <http://www.afv-asgovia.de/RapHerren1/index.html>.

<sup>10</sup> Karl Friedrich Hermann Albrecht, *Rappoltsteinisches Urkundenbuch*, 5 vols. (Colmar: 1891). Within this work Albrecht has collected a range of documents and documentary fragments which are presented in the original medieval languages (German, French and Latin) with the normal scholarly apparatus concerning manuscript variations etc. The documents are presented chronologically and each is sequentially numbered within its own volume. Such documents are referenced by volume and number throughout this dissertation which follows the practice of historians who have written about the family. Apart from occasional footnotes related mainly to dating issues and a brief rubric summarising the content in very general terms at the head of some documents, there is no commentary. The *Rappoltsteinisches Urkundenbuch*, of which there is only one copy in this country held at the British Library, has been the principal source for the case studies of Bruno's life.

<sup>11</sup> Jakob Twinger von Königshofen, *Die Chroniken der Oberrheinischen Städte : Strassburg*, ed. C Hegel, 2 vols. (Göttingen: Vandenhoeck u. Ruprecht, 1961). Twinger was born in 1346 which makes him a close but slightly younger contemporary of Bruno. He was ordained priest in 1382 and in 1395 he became a canon of the chapter of St Thomas in Strassburg. He remained in this position until his death in 1420. In the clerical hierarchy of Strassburg at this time, the chapter of the cathedral was reserved exclusively for members of the great families of the German landed nobility while the chapter of St Thomas was populated largely with the sons of the Strassburg urban nobility and was the second-ranking religious institution in the city. Little is known of the detail of Twinger's life but it is clear from contemporary records that by the time of his death he was a well-regarded member of the clerical community. His memorial can still be seen in the church today. During his time at St Thomas he was entrusted with the care of the archives. He was both Apostolic and imperial notary and his name appears in a number of documents in various capacities. In addition to his vernacular chronicle, Twinger was the author of a number of Latin works. It is clear from the tone of Twinger's chronicle that he wrote primarily as a man of Strassburg or, at least, that his intended audience was a group within that city that would wish to have its local history written with Strassburg as hero. As to the identity of that group, Twinger states in the introduction to his chronicle that he has chosen to write in German so that his work would be accessible to *die kluogen legen* and not just to *gelerte pfaffen*. He further makes it clear that this audience's interest is primarily in *nuwen dingen* rather than more

Finally, the published medieval archive of the city of Strassburg has provided further useful material.<sup>12</sup> This selection of documents was similarly collected and published in a scholarly edition during the nineteenth century in a similar manner to the Rappoltstein archives.

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ancient matters. This, however, is all within the context of the larger chronicle which follows the tradition of universal chronicles which attempt to summarise the history of mankind from the Creation. (For a discussion of the typology of medieval monastic chronicles see Steven Vanderputten, 'Typology of Medieval Historiography Reconsidered: a Social Re-interpretation of Monastic Annals, Chronicles and Gesta,' *Historical Social Research*, 26, no. 4 (2001).) The chronicle also includes a summary of the lives of the popes, emperors and bishops of Strassburg, derived from a range of well-known medieval sources. In describing these in the context of the recent history of Strassburg and Alsace he is forcefully outspoken in his defence of the city's freedoms whenever they are threatened by outside forces, whether religious or secular. popes, bishops, emperors and nobles are all criticized at various points. Given that the chapter of St Thomas in Strassburg at this time was drawn extensively from the families of the local urban governing classes and was thus viewed more favourably by the city authorities than the cathedral chapter which was associated with the landed nobility, it may be reasonable to suppose that Twinger's vernacular historical writings were directed primarily to that audience, irrespective of the detail of his own origins. While it is not especially likely that he would have known Bruno personally, he may well have been acquainted with Bruno's older brother Hugo who was, for much of the period under consideration, the provost of the cathedral chapter. He would, almost certainly, have known some of the main characters in the key events surrounding Bruno's disputes with the city of Strassburg which he describes in considerable detail. His perspective on these, albeit clearly partisan, are an important addition to the picture revealed in the documents of the Rappoltstein archive. In addition to the information given by Hegel in his introduction to Twinger's chronicle, the current state of knowledge of Twinger's life is summarised in Klaus Kirchert, *Städtische Geschichtsschreibung und Schulliteratur. Rezeptionsgeschichtliche Studien zum Werk von Fritsche Cloesener und Jakob Twinger von Königshofen*, vol. 12, *Wissensliteratur in Mittelalter* (Wiesbaden: Dr Ludwig Reichert Verlag, 1993), pp. 1-19. See also Kurt Ruh, Wolfgang Stammer, and Karl Langosch, *Die Deutsche Literatur des Mittelalters : Verfasserlexikon*, 2., völlig neu bearbeitete Aufl. / ed. (Berlin: De Gruyter, 1978), ix, col 1183

<sup>12</sup> Johannes Fritz, *Urkundenbuch der Stadt Strassburg. Bd.6, bearb. von J. Fritz* (Strassburg: 1899).

## Chapter I Alsace - Early History to 1262 <sup>13</sup>

When Ulrich VII von Rappoltstein died in 1377 his youngest brother Bruno found himself, perhaps unexpectedly, in sole control of the principal lordships of one of the leading noble families in the Alsace region of the Empire. <sup>14</sup> Bruno's father, Johannes III, had fathered nine children by his wife Countess Elisabeth von Geroldseck Lahr, of which five were boys. Three sons had found important ecclesiastical positions in the cathedral chapters of Basel and Strassburg, leaving Johannes V to hold the primary lordships of Rappoltstein and the youngest, Bruno, to pursue a life which involved service at the court of Philip the Bold (duke of Burgundy 1363-1404), participation in tournaments and military service (with Philip) against the English. <sup>15</sup>

With the death of Johannes V in 1368, his brother Ulrich VII had given up his position in the cathedral chapter of Strassburg and had returned to the secular life. The family lordships were then partitioned between Ulrich VII and Bruno. <sup>16</sup> When Ulrich VII died in 1377 Bruno was probably between thirty-five and forty-five years of age (the date of his birth is unrecorded but there is some evidence for his age – this is discussed briefly below), another brother had died and his last surviving brother Hugo held the important position of *Domprobst*, head of the cathedral chapter, in Strassburg: a powerful office that he would have been unlikely to renounce to become involved in the management of the family estates when an experienced alternative

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<sup>13</sup> The following sections relating to the history of Alsace make substantial use of: Philippe Dollinger, *Histoire de l'Alsace, Univers de la France et des pays francophones. histoire des provinces* ([Toulouse]: Privat, 2001), Chapters 3-5, Rodolphe Reuss, *Histoire d'Alsace*, Nouvelle éd. rev., cor. et augm. ed., *Vieilles provinces de France*. (Paris: Boivin & cie, 1920). For a detailed study of the early medieval history of Alsace see Hans J. Hummer, *Politics and Power in Early Medieval Europe: Alsace and the Frankish realm, 600-1000*, *Cambridge studies in medieval life and thought. 4th ser.* ; 65. (Cambridge: Cambridge University Press, 2005).

<sup>14</sup> In common with many others, the Rappoltstein family made frequent re-use of forenames. In the literature relating to the family it is common practice in to refer to holders of one or more of the Rappoltstein lordships by a combination of the forename and a designatory number. I have followed this convention. Where a forename is borne for the first or only time in this way (as is the case with Bruno von Rappoltstein) many authors omit the numeric designator. Again, I have followed this convention. Members of the family who did not hold family lordships are referred to simply by their forenames.

<sup>15</sup> The structure of the Rappoltstein family lordships is extremely complex with various partitions and reunifications prior to the partition of 1368. The most comprehensive study of the structure and development of the Rappoltstein lordships remains Brieger, *Die Herrschaft Rappoltstein*. Later authors have disputed specific points of detail but none has attempted a similarly comprehensive study on the scale of Brieger's work.

<sup>16</sup> Albrecht, *RU*, 2, No. 54.

was available.<sup>17</sup> It is at this point that Bruno begins a series of feuds and quarrels which were to be the defining features of the next thirty years of his life until his death in 1400 and which form the core of this discussion.

To gain some understanding of Bruno's behaviour during this period and to consider this in the broader context of feuding in later medieval Germany it is necessary to look in some detail at the history of Alsace and the place within that history occupied by the Rappoltstein dynasty.

I have split this background into two sections. The period to 1262 comprises the early history of Alsace and the origins of the Rappoltstein family within the region up to the period of Interregnum following the demise of the Hohenstaufen dynasty and the battle of Hausbergen which saw the city of Strassburg remove itself from the overlordship of its bishop. The second period from 1262 to 1362 traces the century prior to the death of Johannes III von Rappoltstein, Bruno's father, and provides a sense of the immediate world into which Bruno was born and the circumstances of Bruno's formative years.

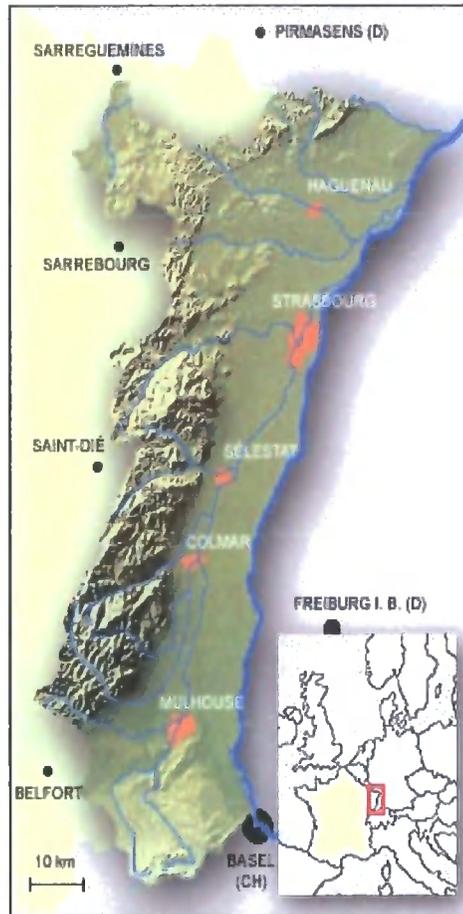
According to Twinger, the province of Alsace owed its origin to settlement by three peoples: first, those of Trier whose origins he traces back to the founders of Babylon; second, the Romans and other Italians and finally, the Franks whose forefathers, Twinger recounts, were the descendants of Troy. It was not uncommon for chroniclers to seek to trace the ancestry of their region back to the great heroes and peoples of the ancient world and while there is some substance to his view, the reality is rather more prosaic.

Bounded on two sides by the dominating natural features of the Rhine and the Black Forest mountains to the east and the Vosges mountains to the west, Alsace has found itself a border region for most of its history with a topography that does not naturally connect it to the greater territories that lie to the east and the west, as shown in Figure 1. It has not always been clear whether Alsace was the border of the German-

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<sup>17</sup> Ibid., 2, Stammtafel pp 694 - 695.

speaking territories with the French-speaking or *vice versa*. This ambiguity has remained to the present day.



**Figure 1 The Topography of Alsace<sup>18</sup>**

Alsace was conquered by Julius Caesar in the middle of the first century BC and remained a part of the Roman empire for the next six centuries. Following the withdrawal of the Romans, the region was subject to invasion and settlement by the Alemanni, a Germanic tribe, in the fifth century who in turn were conquered and subjected to the control of the Frankish king, Clovis. It was subsequent to the conversion of Clovis in 498 that orthodox Christianity first came to Alsace.

During the period of Frankish rule the inhabitants and territory were first described respectively as *Alsacii* and *Alsatia*.

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<sup>18</sup> Société Alsacienne d'Entomologie – The map may be found at:  
<http://claude.schott.free.fr/images/alsace.jpg>

The period following the death of Charlemagne in 814 saw a lengthy struggle between his grandsons for control of the imperial territories. Alsace suffered directly from the ravages of this civil war and was the site of an important battle between the rival parties near Sigolsheim in 833. In 841, in the aftermath of the battle of Fontanet, Strassburg was the venue for the agreement that was to lead to the Treaty of Verdun in 843.<sup>19</sup> Under the agreed terms of the treaty, Alsace fell within Lotharingia, part of a narrow middle strip of imperial territories granted to one of Charlemagne's grandsons, Lothar. When Lothar's son died without a legitimate heir, a second division in 870 under the Treaty of Meerssen placed Alsace in the hands of Louis the German where it was organised as two counties, frequently referred to as *Nordgau* (in the north) and *Sundgau* (in the south).

In 925, during the reign of the first Saxon king of Germany, Henry the Fowler, Alsace became a part of the Duchy of Swabia at the time of the incorporation of the Duchy of Lorraine into the German-speaking territories. This largely removed from Alsace the immediate threat of attempted invasion from the west. Despite some half-hearted attempts to reclaim the territory by the last of the French-speaking Carolingians, Alsace remained a German-speaking territory and subsequently a part of the Holy Roman Empire from this point until control passed to the French in the seventeenth century.

The dukes of Swabia styled themselves additionally as the dukes of Alsace, a practice continued intermittently until the fall of the Hohenstaufen dynasty.

During the eleventh century Alsace remained partitioned into the two great counties created during the Frankish era. The landgraves, holders of the ruling office associated with these counties were unable to exercise complete authority within their territories which were composed of many smaller lordships, each of which had its own established privileges. At the beginning of the twelfth century the Frankish counties of *Nordgau* and *Sundgau* were replaced by the landgraviates of Upper and

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<sup>19</sup> The record of this agreement, known as the "Oath of Strassburg", is one of the oldest known written examples of both French and German.

Lower Alsace, each with its own regional court.<sup>20</sup> This division also marked the border between the dioceses of Basel and Strassburg and has remained until the present day.

It appears that this reorganisation under Lothar III (1125-38) was intended to reaffirm the authority of the counts as a means to counterbalance the growing power of the neighbouring Hohenstaufen dukes of Swabia. In Upper Alsace the title of Landgrave was held by the counts of Habsburg from the beginning of the twelfth century while in Lower Alsace the title passed through several hands and was eventually held by the counts of Öttingen until they sold most of their rights and possessions in the title to the bishops of Strassburg in 1359. In neither case, however, did it prove possible to establish unified political control comparable to the neighbouring lordships of Lorraine and the Palatine. Even at this early stage, Dollinger comments 'l'Alsace était vouée à un morcellement territorial croissant'.<sup>21</sup>

With the coming of the Hohenstaufen dynasty Alsace was constituted as a single imperial province and alongside the landgraviates, the rights of the king within the province were administered by provincial governors, sometimes generally in respect of the whole province, sometimes separately for Upper and Lower Alsace and sometimes with a more specific jurisdiction as in the case of the governors of Hagenau and Kaisersberg.<sup>22</sup> The thirteenth century was a period of great activity in the construction of castles in Alsace and generally. Dollinger estimates that some five hundred were built by the Alsatian nobility in this period thus reinforcing the fractured nature of local territorial control. In several cases groups of castles were constructed close together, often as a result of the successive partitions of noble

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<sup>20</sup> The designation 'Upper' and 'Lower' relates to the topography of the region – Upper Alsace equates to the former *Sundgau* and Lower Alsace to the former *Nordgau*.

<sup>21</sup> Dollinger, *Histoire de l'Alsace*, p. 87.

<sup>22</sup> For more detailed background to this period see Benjamin Arnold, *German Knighthood, 1050-1300* (Oxford: Clarendon Press, 1985). and Karl Bosl, *Die Reichsministerialität der Salier und Staufer : ein Beitrag zur Geschichte des hochmittelalterlichen deutschen Volkes, Staates und Reiches, Monumenta Germaniae Historica. Schriften ; Bd. 10.* (Stuttgart: Hiersemann, 1950). and Hartmut Boockmann, *Stauferzeit und spätes Mittelalter : Deutschland 1125-1517*, 2. Aufl. ed., *Das Reich und die Deutschen.* (Berlin: Siedler, 1993).

estates. The Rappoltstein family is a good example of this with three castles being built at different points on the same hillside as shown in Figure 2.<sup>23</sup>



**Figure 2 The Three Rappoltstein Castles**

Of equal significance was the development of towns throughout Alsace. At the start of the twelfth century there existed just one town, Strassburg. By the first half of the thirteenth century this number had risen to forty. A further twenty eight towns were created in the second half of the century following the demise of the Hohenstaufen, by which time Alsace had become one of the most urbanised regions of the Empire.<sup>24</sup>

This is shown quite clearly in Figure 3.

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<sup>23</sup> The naming of the three castles has changed over the years. The labels in Figure 2 give the present names. The detailed topography (as given in Ortwein, "Chronik Rappoltstein," p. 637.) is: 'Die nördliche, auf der Bergspitze gelegene Burg ist Hoh-Rappoltstein (642 Meter über NN), genannt bis zum Bau der Ulrichsburg: Rappoltstein, danach auch Altenkastel, Alter Kasten, Hohen-Rappoltstein, Oberes Schloß, Hohe Veste Rappoltstein. Die mittlere, Giersberg (528 Meter über NN), wurde bezeichnet als: Stên, Burg Stein, der Stein, Klein-Rappoltstein. Die südliche, die Ulrichsburg (530 Meter über NN), wurde genannt: Schloß Rappoltstein, Groß-Rappoltstein, Niederburg, Unterschloß, Große Veste Rappoltstein.' The image has been sourced from the online version of the Chronik.

<sup>24</sup> Dollinger, *Histoire de l'Alsace*, p. 111-112.



Figure 3 Urban Density in the Alsace Region<sup>25</sup>

The concentration of urban settlements in the Alsace region contrasts with the much more widespread distribution of towns in the neighbouring areas. Du Boulay describes the south and west of late medieval Germany as covered 'by a fairly large number of substantial towns of the second rank which ... were within four to five

<sup>25</sup> Based on the map appearing in Scott, *Regional Identity*, p. 80.

hours' ride of each other'.<sup>26</sup> This just serves to point up the very different picture in Alsace at that time. The greater concentration of settlements (as shown in Figure 3 above) in very close proximity and frequently under the control of different lords, created a fertile ground for disputes, such as that between the Rappoltsteins and the Giersbergs.

At some point in the first half of the thirteenth century the Rappoltsteins had constructed a second castle overlooking the settlement at Rappoltswiler for their own occupation. Originally referred to simply as *der Stein*, it is today known as the Giersberg – see Figure 2.<sup>27</sup> During the same period the Rappoltsteins had acquired as a fief from the bishop of Basel, a village in the nearby Munster valley (some twelve miles to the southwest of Rappoltswiler) and had commenced the building of a new fortress there. The Giersbergs, a family of imperial *ministeriales*, held a fortress overlooking the same village and were unhappy at the arrival of the Rappoltsteins whom they considered a threat. Following a period of feuding which extended over several years, during which the Giersberg family fragmented into a number of weakened branches, the more powerful Rappoltsteins were able to obtain a settlement that enabled them to purchase the original family castle of the Giersbergs in the Munster valley in exchange for the primary branch of the Giersbergs receiving *der Stein* as a fief from the Rappoltsteins. The Giersbergs were thus now situated between the two main Rappoltstein castles at Rappoltswiler. Peace was not maintained for very long and violent disputes between the two families continued until the castle at Rappoltswiler finally reverted to the Rappoltsteins in 1422.<sup>28</sup>

This rapid urban development within Alsace was driven by two factors: first, a desire on the part of the local population to live in a protected area from where they could carry on their trade and commerce and, second, the encouragement of the nobility, from the sovereign downwards, who saw the growth of towns as a means to increase both their power and their revenues and who encouraged their growth by the granting

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<sup>26</sup> F.R.H. Du Boulay, *Germany in the Later Middle Ages* (London: Athlone, 1983), p. 118 citing, C. T Smith, *An Historical Geography of Western Europe before 1800* (1967).

<sup>27</sup> Albrecht, *RU*, 1, No. 6.

<sup>28</sup> Guy Trendel, *La Région de Ribeauvillé : Saint-Ulrich, Haut-Ribeaupierre, Girsberg, Reichenstein, Bilstein-Aubure et Ribeauvillé, Découvrir les châteaux forts des Vosges ; fasc. 7* (Sarreguemines: Pierron, 2001), pp. 42-44.

of various privileges. This growth in urban development was not unique to Alsace. It has been estimated that the number of towns in Germany as a whole increased tenfold during the thirteenth century.<sup>29</sup>

While many of these new towns were of very limited size in terms of population, their defining feature was the possession of defensive walls and fortifications. It is the permission to create a stone wall that is most often seen in the foundation statutes of the Alsatian towns and it is this defensive function that best explains the creation of so many towns very close together but under the jurisdiction of different lords. As the towns grew in size and prosperity the desire of the population for an increasing measure of autonomy developed commensurately. Those towns originally promoted by and dependent directly on the emperor (*Reichsstädte*) were able to make greater progress than those which remained under the control of a local lord, (*Landstädte*). The exception was Strassburg which had remained the most important urban centre of the region.

During the eleventh and twelfth centuries the city of Strassburg was firmly under the control of its bishop. In this period of conflict between pope and emperor the city generally gave its support to the emperor and was rewarded by the grant of various immunities and prerogatives. Over the following forty years the city continued to gain an increasing measure of independence which was unwelcome to its bishops.

Alongside the growing ambitions of the urban patriciate, the bishops had to contend with another constraint on the power – that of the chapter of the cathedral of Strassburg. In the tenth century the chapter had been fully under the bishops' control but by the middle of the thirteenth century the nature of the chapter had changed from that of a monastic community to a powerful body which recruited its membership more and more exclusively from the ranks of the higher nobility and which delegated most of its day-to-day spiritual functions to canons of less illustrious birth. The role of the chapter in diocesan affairs grew over time to the point where it was able to limit certain episcopal acts without its consent and to impose conditions prior to the election of new bishops. Politically the chapter was strong enough to take a position

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<sup>29</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 115.

in support of the papacy, contrary to that of the bishops, in the Investiture Crisis and to support the town of Strassburg in its disputes with the bishops throughout the first half of the thirteenth century. Over time the chapter became increasingly exclusive in terms of whom it would admit to membership. In later times Erasmus would write that the cathedral chapter at Strassburg was so exclusive that not even Jesus himself would have been considered noble enough for admission.<sup>30</sup>

Despite these issues the fall of the Hohenstaufen appeared to provide the bishops of Strassburg with an ideal opportunity to create an ecclesiastical principality in Alsace. By this time the bishops were already the richest and most powerful lords in the region. It is estimated that some two hundred villages were episcopal fiefs and there was hardly a noble family in Lower Alsace that did not hold property from the bishop.<sup>31</sup> To increase this power base further, the Hohenstaufen possessions in Alsace were appropriated by the bishops and it was at this time, in the absence of a viable imperial authority, that they adorned themselves with the title of Landgrave of the whole of Alsace and were recognised as such, at least within Lower Alsace.

However, they lacked the material resources to consolidate this position and to build a fiefdom to compare with those of Trier, Mainz or Cologne. This period was fertile ground for both the ambitions of the local nobility and the aspirations towards independence of the urban communities, assisting further the dislocation of Alsace into a mass of ecclesiastical and secular lordships which persisted throughout the medieval period. This dislocation of the region is important to the following discussion of the life of Bruno von Rappoltstein. Figure 4 clearly illustrates the point. Although this map is drawn at the end of the medieval period, the position throughout the preceding period would not have been significantly different with the main exception that those areas marked as *Territories autrichiens* (the Habsburg possessions) would not have been as extensive for the earlier part of period. Of the wider south-west of the Empire during the Middle Ages, Benjamin Arnold has said,

There were five bishoprics in the south-west, Strassburg, Basel, Constance, Augsburg and Chur. There were about forty comital dynasties; nearly fifty imperial towns defending their independence upon the last shreds of the royal

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<sup>30</sup>For a brief overview of the “closed shop” nature of German cathedral chapters see Zmora, *State and Nobility*, pp. 81-82.

<sup>31</sup>Dollinger, *Histoire de l'Alsace*, p. 95.

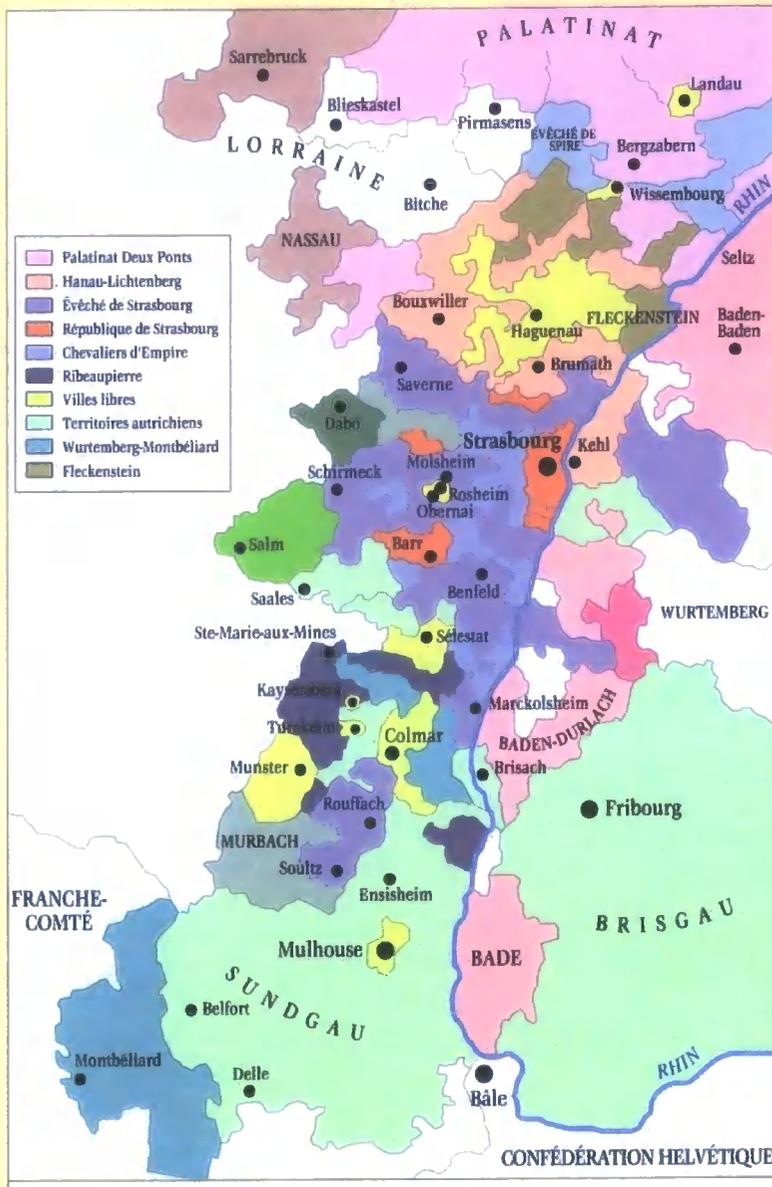
fisc; and over fifty substantial monasteries as well as numerous imperial *ministeriales* with their own castles and fiefs. All of these landowners were establishing viable territorial autonomy in the thirteenth and fourteenth centuries.<sup>32</sup>

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<sup>32</sup> Benjamin Arnold, *Princes and Territories in Medieval Germany* (Cambridge: Cambridge University Press, 1991), p 272.

### La mosaïque territoriale

A la fin du Moyen Age est installée la mosaïque qui n'évoluera plus que très peu jusqu'en 1789. L'Alsace est morcelée en une quarantaine d'entités politiques de quatre types : les principautés ecclésiastiques (évêché de Strasbourg et de Spire, abbaye de Murbach), les principautés laïques (Habsbourg, Hanau-Lichtenberg, Wurtemberg, Palatinat, Ribeaupierre, Fleckenstein), les onze villes libres, les possessions des chevaliers d'Empire, d'un à une demi-douzaine de villages.



L'Alsace avant 1648.

Figure 4 Alsace at the end of the Middle Ages<sup>33</sup>

Thus, by the middle of the thirteenth century a pattern of multiple small lordships lacking an overarching territorial prince and a growing number of urban settlements seeking some measure of independence had been established in Alsace. This pattern

<sup>33</sup>Bernard Vogler, *Histoire de l'Alsace* (Rennes: Editions Ouest-France, 2002), p. 19.

was reinforced in the years immediately preceding Bruno's birth, contributing, as will be seen, in no small measure to his self-view and the manner in which he related to those with whom he later came into conflict.

## Chapter II Alsace - Later History (1262 – 1362)<sup>34</sup>

In his introduction to the later medieval period of Alsatian history, Dollinger writes ‘En regard des siècles lumineux des Hohenstaufen, la fin du moyen âge apparaît pour l’Alsace, ainsi d’ailleurs que pour toute l’Europe, comme une période de catastrophes et de misères.’<sup>35</sup> He goes on to give a conventional list of the woes of the period – epidemic illness, depopulation of the countryside, massacres of the Jews, urban revolution, invasions from external forces and the ‘rule of the fist’. Another historian of the region, Lucien Sittler, describes this period as ‘une période de troubles et désordres’ and goes on to say, “Les puissances locales agissaient à leur guise ; les seigneurs-brigands ... commettaient de nombreux méfaits, et le pays était abandonné aux violences et aux pillages”<sup>36</sup> Of Germany as a whole, James Bryce wrote in his classic study of the Empire, “Every floodgate of anarchy was opened: prelates and barons extended their domains by war: robber-knights infested the highways and rivers: the misery of the weak, the tyranny and violence of the strong, were such as had not been seen for centuries.”<sup>37</sup>

Recent studies of this period question the extent to which this view is supportable. This is an issue which will be considered in more detail below in the context of violence and feuding and, in any event, it should be contrasted with the more positive developments in terms of the growth of commercial activity, the spread of a more democratic mode of local government within the major urban areas and a number of significant cultural achievements, most notably the construction of the gothic cathedral of Strassburg. It is clear, nonetheless, that this was a challenging time in which to have been born and would be expected to have produced individuals who would be conditioned by the world in which they lived.

It is during this period that a number of themes arise which are directly relevant to Bruno’s various disputes. The rise of Strassburg and its relationship with the bishops

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<sup>34</sup> The sources for the general history in this section are the same as for the previous chapter.

<sup>35</sup> Dollinger, *Histoire de l’Alsace*, p. 133.

<sup>36</sup> Lucien Sittler, *L’Alsace, Terre d’Histoire* (Colmar: Editions Alsatia, 1984), p. 77.

<sup>37</sup> James Bryce, *The Holy Roman Empire* (London: MacMillan, 1904), p. 214.

of Strassburg; the development of the city government of Strassburg and the city's rather inward-looking and self-centred world view.

In general terms, the demise of the Hohenstaufen, who had spent much time in the region, led to Alsace being largely ignored by future German rulers who visited only rarely and thus exercised little direct influence in the region with the exception of successive emperors granting further privileges to Strassburg and to the various imperial towns of Alsace. The exception to this was the Habsburg Rudolf I (king of the Romans 1273-1291) whose family originated in the region and who held the office of landgraves of Upper Alsace. Rudolf took a prominent role in stemming the ambitions of the bishops of Strassburg and, as will be seen below, had a direct and sometimes difficult relationship with the Rappoltsteins.

The growing ambition of the bishops of Strassburg, their appropriation of much of the Hohenstaufen property within the region and their continued attempts to forge an ecclesiastical principality of Alsace following the end of the Hohenstaufen dynasty inevitably brought conflict with the leaders of other important noble families within the region, most notably the Habsburgs under the leadership of Rudolf who had also acquired properties in Lower Alsace by marriage. Similarly opposed to such an extension of the bishops' power were the towns, especially those imperial towns (which had valuable privileges to defend and which were now protected by their recently-built walls), the city of Strassburg and the cathedral chapter in Strassburg. In 1246 bishop Heinrich von Stahleck seized and demolished two imperial castles. His successor, Walther von Geroldseck, proved even more aggressive and the conflict spread to all parts of Alsace. Towns and castles were besieged, taken and re-taken with Rudolf of Habsburg leading the opposition to the bishops' attempts to establish a dominant hold over the region.

It was inevitable that this tension between the bishops and the factions opposing them would finally be resolved on the battlefield. In 1260 civil war broke out between the bishop and the *Constofler* of Strassburg.<sup>38</sup> The bishop attempted to gain the support

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<sup>38</sup> *Constofler* (sometimes *Constoffler*) was the local term for the urban patriciate of Strassburg, deriving from their membership of private drinking clubs known as *Constofel*.

of the city burghers but failed to win them over. They joined with the *Constofler* and the bishop was defeated by their combined forces at the battle of Hausbergen in 1262. This defeat marked the end of the bishop's political authority over the city of Strassburg and as a part of the settlement he was required to leave the city and reside in his castle at Dachstein, some ten miles to the west, maintaining only administrative offices within the city gates. This custom of non-residence of the bishop of Strassburg was to continue until 1681 when Catholicism was restored to the city by Louis XIV and after the settlement of 1263 the relationship between the bishop and the city was to remain strained.

The bishopric remained the largest and the most important lordship in the region but there was no longer the possibility of the bishops exercising any form of political control in Alsace generally. Sources of conflict between the bishops and the city of Strassburg continued to mirror larger disputes between the Empire and the papacy. The removal of the bishops as overlords of the city of Strassburg was mirrored elsewhere within Alsace as the larger towns sought to increase their independence. The developments within Strassburg are, however, of particular interest in that they have a direct bearing on the later feuding activities of Bruno von Rappoltstein. In particular the stance taken by the city when it became embroiled in the dispute which is the subject of case study 2 below and the subsequent dogged pursuit of Bruno by the city authorities described below in case study 3, need to be understood against the background of the way in which the city had developed in the preceding century. It thus worthwhile to describe this development briefly here.

Much has been written about the history of medieval Strassburg, most notably perhaps by the early twentieth century scholar, Rodolphe Reuss. More recently the American scholar Miriam Usher Chrisman has written extensively on this topic and it is from her various publications that I have largely derived this summary.<sup>39</sup>

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<sup>39</sup> The works in question are Miriam Usher Chrisman, *Lay Culture, Learned Culture. Books and Social Change in Strasbourg 1480 - 1599* (New Haven and London: Yale University Press, 1982), pp. 14-27, Miriam Usher Chrisman, *Strasbourg and the Reform. A Study in the Process of Change* (New Haven and London: Yale University Press, 1967), Introduction: pp. xxiii-xxx. The most comprehensive English study of the evolving political structure of Strassburg is Thomas A. Brady, *Ruling Class, Regime and Reformation at Strasbourg 1520-1555* (Leiden: Brill, 1978).

The new-found political independence of the city did not bring peace. Having taken power from the bishop, the *Constofler* showed little inclination to share it with the burghers who had supported them. They grew increasingly arrogant and autocratic and sought to associate themselves with the local landed nobility (which would have included the Rappoltstein family), thus distancing themselves from their urban origins and from the burghers whom they considered to be inferior in all aspects.

This attitude brought inevitable conflict with the powerful city guilds which had a tradition of maintaining their own administrative and judicial structures. The burghers had no wish to be subjected to new centralized city courts and accused the *Constofler* of abusing their position for their own aggrandizement. In 1332 the burghers seized control of the city government and a new structure was created which gave effective political control to the guilds but which permitted the *Constofler* to play a reduced role primarily concerned with the city's external relationships.

It was now the turn of the leaders of the burghers to abuse their political power for selfish ends. In 1349 some younger elements of the *Constofler* families exploited the general climate of uncertainty caused by the arrival in the city of the Black Death to rouse the wider membership of the guilds against the three main city officials, who were deposed. As a result, the *Constofler* regained a degree of political status in the city and the remainder of the fourteenth century saw political office fluctuating between the two groups until matters were finally settled in 1422 with the Treaty of Speyer. Having said that, the overall political ascendancy of the burghers during this period was never seriously undermined.

In the other major urban settlements, the imperial cities of Alsace, there were developments in local government that were more or less analogous to those of Strassburg with control of the cities passing into the hands of the guilds following struggles between factions based upon the urban nobility and the guild-based urban patriciate.

Over the same period, many smaller communities rose to the status of town, joining those that had enjoyed such elevation many years previously, including those towns such as Colmar and Schlettstadt which had been designated as imperial by earlier

emperors and kings. The majority of these newly created towns were of little importance. Reuss sums it up thus, 'bientôt L'Alsace fut remplie de ce qu'on pourrait appeler des embryons de cites, dotées tout au moins d'un mur d'enceinte, d'un marche, d'un statut municipal.'<sup>40</sup> A few were able to move towards a measure of independence but the majority remained as small towns under the control of their territorial lord. Others declined back to no more than village status.

The larger towns of Alsace continued to grow and to receive further imperial privileges. Politically, the imperial cities remained of greater importance than those under the control of local lords. Unlike their counterparts in Switzerland or Italy however they showed little interest in asserting their influence by policies of territorial growth. Of more concern to the city authorities than territorial expansion was the fear that an emperor, short of cash, might pledge them by way of mortgage to a territorial prince with a consequent loss of independence and privilege. This concern was one cause of creation of a number of town leagues for mutual defence, most notably the league that has been subsequently labelled as the Decapole, founded in 1354, nominally under the auspices of the emperor Charles IV.<sup>41</sup> Strassburg itself remained outside of such leagues. The Decapole was to prove a lasting and stabilising feature of the Alsatian political landscape but never attempted to exert a wider political influence in the relationships between the emperor, the city of Strassburg and the local dynasties. This is reflected below in case studies 2 and 3.

Economically, the first half of the fourteenth century was a period of growth in Alsace. The geographical position of Strassburg and technological developments in barge-building were the drivers of this growth which centred around trans-shipment of goods between the rivers Ill and Rhine as a part of the trade route between Italy and northern Europe. Of the local goods exported from Alsace to other parts of Europe in this period, the most important was wine.<sup>42</sup> Wine was produced throughout the region and exported through four major centres, Guebwiller, Colmar, Schlettstadt and Strassburg plus Cologne where major contracts were negotiated. It is estimated that

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<sup>40</sup> Reuss, *Histoire d'Alsace*, p. 36.

<sup>41</sup> Dollinger, *Histoire de l'Alsace*, p. 144.

<sup>42</sup> For a detailed study of viticulture in the region in this period, see Tom Scott, 'Medieval Viticulture in the German-speaking Lands,' *German History* 20 (2002).

the total wine production of Alsace in the fourteenth century was of the order of one million hectolitres per annum. The quality of the wine was considered to be of the highest order and it is known that Alsatian wine was drunk as far afield as England, Russia and Scandinavia. There is some evidence of the export of wheat and barley but artisan-produced manufactured goods were sold mainly within the local markets.<sup>43</sup>

The conflict between Strassburg and its bishop had, as mentioned above, attracted the support of Rudolf of Habsburg on the side of the city authorities. When Rudolf succeeded as duke of Habsburg in 1250 he maintained a policy of strengthening the family's holdings in the Upper Rhine region. This process involved conflict with the bishops of both Basel and Strassburg in order to appropriate parts of the Hohenstaufen patrimony that had been lost upon the extinction of that line. He fought, and won, a number of local wars with the cadet branch of the family, the Habsburg-Laufenburgs and he was active in purchasing fiefs from impoverished neighbours.<sup>44</sup> Thus the election of Rudolf as king of the Romans in 1273 may initially have appeared threatening to the local nobility but as Rudolf's attentions were soon to be directed much more to the east, such fears proved groundless and Rudolf remained popular in Alsace.<sup>45</sup>

Without doubt, the most significant event of this period was the arrival of the Black Death in Alsace during 1349. In his chronicle, Twinger refers to it thus, "von disem sterbotte sturbent uf 16 tausent menschen zuo Strosburg, und starb men doch nüt also vaste zuo Strosburg also anderswo." Twinger's estimate of sixteen thousand deaths may be an exaggeration based on public rumour at the time, given that the estimated population of Strassburg prior to the outbreak was of the order of twenty thousand but it is clear from his accounts that the plague had a substantial impact in Strassburg and the surrounding areas, albeit perhaps to a lesser extent than in other parts of Europe. This initial outbreak was followed by further sporadic epidemics in 1358, 1365 and 1381.<sup>46</sup>

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<sup>43</sup> For a detailed analysis of the economic activity within the region, see Scott, *Regional Identity*.

<sup>44</sup> The weakened position of the Habsburg-Laufenburg family is at the heart of case study 1 below.

<sup>45</sup> For more detail on the role of Rudolf see Oswald Redlich, *Rudolf von Habsburg. Das deutsche Reich nach dem Untergange des alten Kaisertums* (Innsbruck, 1903).

<sup>46</sup> Dollinger, *Histoire de l'Alsace*, p. 135.

The impact of the Black Death had a lasting impact on the rural economy of Alsace. There is evidence of a substantial decline in the number of villages in the region. In some cases it would appear that small villages were completely wiped out. In others, there is evidence of the survivors within one village moving to a neighbouring village whilst continuing to cultivate their existing land. Dollinger cites a number of other causes of this desertion of villages but concludes that the Black Death and succeeding epidemics were the principal cause. A further phenomenon of the period, by no means confined to Alsace, was the fall in cereal prices which remained at a low level from the middle of the fourteenth century to the middle of the fifteenth century. Different lords reacted in different ways to these problems but in Alsace it was most notably by forcing peasants off the land which could then be given over to the more profitable (because less labour-intensive) cultivation of vines for wine-making.

The question of the consequences of these events for the German nobility has been a matter of much discussion and debate and views have changed over time. This has been summarised recently by Tom Scott.<sup>47</sup> The prevailing view for many years was that of a nobility fallen upon hard times by a combination of declining rural population and low grain prices and thus, 'forced to resort to brigandage to keep themselves and their families afloat, or else they hid behind threadbare notions of honour to launch feuds against other nobles, or more often towns, to rectify alleged slights and injustices, but in reality to hold them to ransom.'<sup>48</sup> This picture of 'robber barons' is still to be found in many works on late medieval Germany. Scott examines more recent scholarship and discredits this view as simplistic. Following a detailed analysis of the arguments based on the latest research he writes, 'What emerges from this analysis is a much more complex and less clear-cut image of the German nobility in the wake of the late medieval demographic and agrarian crisis.' Citing the research of Regina Görner, he concludes, 'there was no general impoverishment or loss of political function' as regards the late medieval west German nobility.<sup>49</sup> Scott then examines this view in the context of noble feuding, an issue which is considered in

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<sup>47</sup> Tom Scott, *Society and Economy in Germany, 1300-1600, European studies series* (Basingstoke: Palgrave, 2002), pp. 153-160.

<sup>48</sup> *Ibid.*, p.157.

<sup>49</sup> *Ibid.*, p. 164. Scott cites Regina Goerner, *Raubritter : Untersuchungen zur Lage des spätmittelalterlichen Niederadels, besonders im suedlichen Westfalen* (Muenster: Aschendorffsche Verlagsbuchhandlung, 1987).

more detail below. Suffice perhaps, at this stage, to record that both Dollinger and Reuss refer to the constant feuding of the Alsatian nobility as a feature of this period, and tend towards the established “robber knight” view but both decline to write at any great length on this topic, claiming it to be of little interest.

### Chapter III The First Rappoltsteins

Turning now to the Rappoltstein family, the following sections should be read in the context of the detailed genealogy contained in Appendix 1.

The earliest reference to the settlement known in present times as Ribeauvillé and in the medieval period as Rappoltsweiler occurs in the eighth century as Ratbaldouilare.<sup>50</sup> The origins of the Rappoltsteins themselves are, however, obscure and of limited interest except as far as they contribute to the subsequent perception of the family's standing within the region.

In the late medieval period, the family appears to have presented itself as directly descended from the Ursini, Italian dukes of Spoleto exiled as a consequence of their support for the emperor against the pope and compensated with the grant of substantial lands in Swabia where one branch constructed the castle of Urslingen and in Alsace, with another branch taking the title of Herr von Rappoltstein in place of that of duke of Spoleto. This version is most notably contained in the *De Nobilitate et Rusticitate Dialogus* written in the mid fifteenth century Felix von Malleolus von Zürich (known more generally as 'Hemmerlin').<sup>51</sup> Different writers have placed this story in different periods but this genealogy has been treated as dubious by historians due to a lack of any supporting evidence and certain inconsistencies of dates. To the family, however, this link appears to have been of some importance in their view and presentation of themselves. There is evidence that Maximilian II, grandson of Bruno, visited Italy towards the end of the fifteenth century, telling the inhabitants of Spoleto that he was of direct descent from their former dukes, and that this genealogy was repeated at the beginning of the sixteenth century by William II.<sup>52</sup>

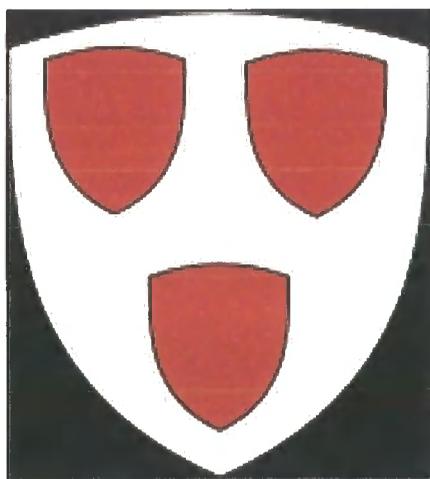
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<sup>50</sup> Albrecht, *RU*, 1, Nos. 1ff.

<sup>51</sup> A digitised copy of the full text of this work is to be found at <http://diglib.hab.de/inkunabeln/139-quod-2f-1/start.htm>. This copy is held in the collection of the Herzog Albert Bibliothek, Wolfenbüttel. The specific section detailing the origins of the Rappoltstein family is to be found at Image ID 110 within the digitised document.

<sup>52</sup> Albrecht, *RU*, 1, XII. Albrecht expresses the view that the link to the dukes of Spoleto probably arises through the younger line and their connection to the von Urslingen family.

A few sparse references to the family exist for the period from the late tenth century to the end of the twelfth century. The majority of these arise in antiquarian writings from the late medieval and early modern periods and are not supported by surviving primary evidence. The consensus, supported by the two main authorities, Karl Albrecht and Rudolf Brieger, however is that the original family died out in the male line towards the end of the twelfth century with the demise of three Rappoltstein brothers in the Second Crusade. According to family legend the commemoration of the death of these three brothers is the basis for the Rappoltstein armorial of three red inescutcheons on a white background (*argent, three inescutcheons gules*) shown in Figure 5 although the earliest depiction of this armorial is not found until almost a century later on the seal of Anselm II (1277 – 1311).



**Figure 5 The Rappoltstein Armorial**

It was during the time of the older line that reference first appears (in 1084) to a castle overlooking the village of Rappoltsweiler.<sup>53</sup> Although there is no information concerning the building of the first castle, it is clear from what evidence survives that it was an imperial possession at the end of the eleventh century. It has been suggested that the castle may have been constructed and then extended as a counter to the castle-building in the *Nordgau* of the Eguisheim-Dabo family who were supporters of the

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<sup>53</sup> Ibid., 1, Nos. 6-8. There is some debate amongst writers as to which of the two main Rappoltstein castles (known today as Hoh Rappoltstein and Ulrichsburg – see Figure 2 above) is the older. Albrecht, in his introduction the *Rappoltsteinisches Urkundenbuch*, is firmly of the view that Ulrichsburg is the older (Ibid., 1, Einleitung XIII) but other writers disagree and the commanding position of Hoh Rappoltstein with its panoramic view across the plains of Alsace and its dominance of the entrance to the Strengbach valley through the Vosges mountains towards France, would appear to have been a more likely strategic site for a first castle.

papacy.<sup>54</sup> In 1084 the castle and the village of Rappoltsweiler were given by the emperor to the bishop of Basel but taken back into imperial possession again in 1114 before being returned to the bishop in 1162 by the Hohenstaufen emperor, Frederick I.<sup>55</sup> There is no clear information surviving as to when or how the Rappoltstein family came into possession of the castle and village, but from the end of the twelfth century these possessions were held by the family as a fief from the bishops of Basel.

It was with the marriage of Emma von Rappoltstein, sister of the three deceased brothers, to Egenolf von Urslingen that the younger line of the family commenced.<sup>56</sup> It is only at this point that a clear connection with the Urslingen family can be demonstrated and it is this connection that appears to have been embroidered in later times to boost the noble origins of the Rappoltstein dynasty.

In the four generations from this point to the fall of the Hohenstaufen, the Rappoltsteins were not prolific in the production of children and there is little surviving detail of their activities. Some indication of the standing of the family can nonetheless be gleaned from these few references. Egenolf's son Heinrich I is mentioned as a member of the cathedral chapter of Strassburg in 1185 and in 1186 Egenolf and his son, Ulrich I, are recorded as acting as witnesses to a document sealed by emperor Frederick I.<sup>57</sup> Ulrich I is later mentioned as acting as witness for the emperor Heinrich VI (king of the Romans 1169-1197, emperor from 1191) in 1193<sup>58</sup>. In 1219 Anselm I is recorded as having entered into a military alliance with Duke Theobald of Lotharingia<sup>59</sup> and in 1241 there is reference to Ulrich II pronouncing the sentence of death in respect of a local malefactor.<sup>60</sup> This latter item is of some importance in that it indicates that Ulrich II had, in at least a part of the Rappoltstein lordship as it was constituted at that time, the power of *hohe Gerichtsbarkeit*, the highest judicial authority which permitted him to impose capital sentences. This in turn suggests that he may have possessed some degree of territorial sovereignty, in that area at least, which is a significant indicator of the family's status.

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<sup>54</sup> Trendel, *La Région de Ribeauvillé*, pp. 4-6 and 12-15.

<sup>55</sup> Albrecht, *RU*, 1, Nos. 7 and 24.

<sup>56</sup> *Ibid.*, 1, Stammtafel pp. 706-707.

<sup>57</sup> *Ibid.*, 1, No. 43.

<sup>58</sup> *Ibid.*, 1, No. 48.

<sup>59</sup> *Ibid.*, 1, No. 51.

<sup>60</sup> *Ibid.*, 1, No. 75.

Brieger considers this aspect in some detail in his study of the lordship. This is considered in more detail below. The first record of the descendants of Egenolf specifically styling themselves as lords of Rappoltstein occurs in 1219 – ‘Ego, Anselmus dominus de Rabapierre et frater meus Enguelos’.<sup>61</sup>

Despite the paucity of surviving Rappoltstein family documents from this period and any uncertainty about their origins, it is nonetheless clear that by the mid thirteenth century the Rappoltstein family was already long established in the region and was firmly seen by itself and others as an important member of the *Uradel*, old nobility, of Alsace.

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<sup>61</sup> Ibid., 1, No. 50.

## Chapter IV The Later Rappoltsteins

This section deals with the Rappoltstein family in the period immediately preceding Bruno's birth. These are events that would have taken place during his grandparents' and parents' lifetimes and represent the stories that he would have grown up with and the directly formative experiences that will have shaped Bruno's early years. As such, they are vital to an understanding of Bruno as a person and as background to his own life and exploits as detailed below.

It is under the rule of Rudolf of Habsburg, following his election as king of the Romans in 1273, that evidence first appears of the Rappoltsteins as office-holders with Ulrich (probably IV but possibly III) mentioned as a regional judge in Alsace towards the end of the 1270s.<sup>62</sup> In 1280 Rudolf installed Ulrich IV and his brothers Anselm II and Heinrich IV with the royal office of *castrensis* at Kaisersberg as a part of an extended reorganisation of imperial fortresses held by loyal vassals.<sup>63</sup> The Rappoltsteins had, in fact, held the castle at Kaisersberg, which is close to Rappoltsweiler, earlier in the thirteenth century, but had sold this to Heinrich VII in 1227.<sup>64</sup> In the following year Rudolf visited the brothers and stayed in their castle.<sup>65</sup>

Rudolf's relationship with the family was, however, not to remain on such a friendly basis. Anselm II was noted for his aggressive nature. In 1287 he launched an assault against Duke Frederick II of Lorraine with whose family the Rappoltsteins had been associated for many years. He occupied the castle at St Hippolyte and burnt it down. He then drove deeper into Lorraine and is credited with the burning of some 120 villages. He was involved in further disputes with the town of Colmar and the lord of Horbourg<sup>66</sup>

In 1281 Rudolf was obliged to step in and resolve a family dispute arising from Anselm's refusal to partition the Rappoltstein estate with his brother (whom he

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<sup>62</sup> Redlich, *Rudolf von Habsburg*, p. 574.

<sup>63</sup> *Ibid.*, p. 475.

<sup>64</sup> Albrecht, *RU*, 1, No. 63.

<sup>65</sup> Trendel, *La Région de Ribeauvillé*, p. 17.

<sup>66</sup> *Ibid.*

expelled from his castle), his nephew and a female cousin. Rudolf ordered Anselm to proceed with the partition but he continued to refuse, with the result that Rudolf turned to military action against him and laid siege to Gross Rappoltstein. After three days, Rudolf's provost abandoned the siege in the absence of promised support from the citizens of Colmar and Kaisersberg. Attempts to negotiate a settlement between Anselm and his various enemies (including the lord of Horbourg) failed and Anselm proceeded to lay waste to Horbourg's lands. Rudolf now took charge of matters directly and laid siege to Gross Rappoltstein personally. Whilst in his camp, Rudolf was subject to an assassination attempt which he survived but which led to his departure from the area, leaving his forces to ensure that Anselm was cut off from all sources of supply. Anselm was thus forced to make peace which was concluded in 1288 at Colmar in the presence of Rudolf, the bishop of Strassburg, and representatives of the major noble families and towns of Alsace.<sup>67</sup> The involvement of such a distinguished group in the settlement speaks, in itself, of the importance of the family within the region.

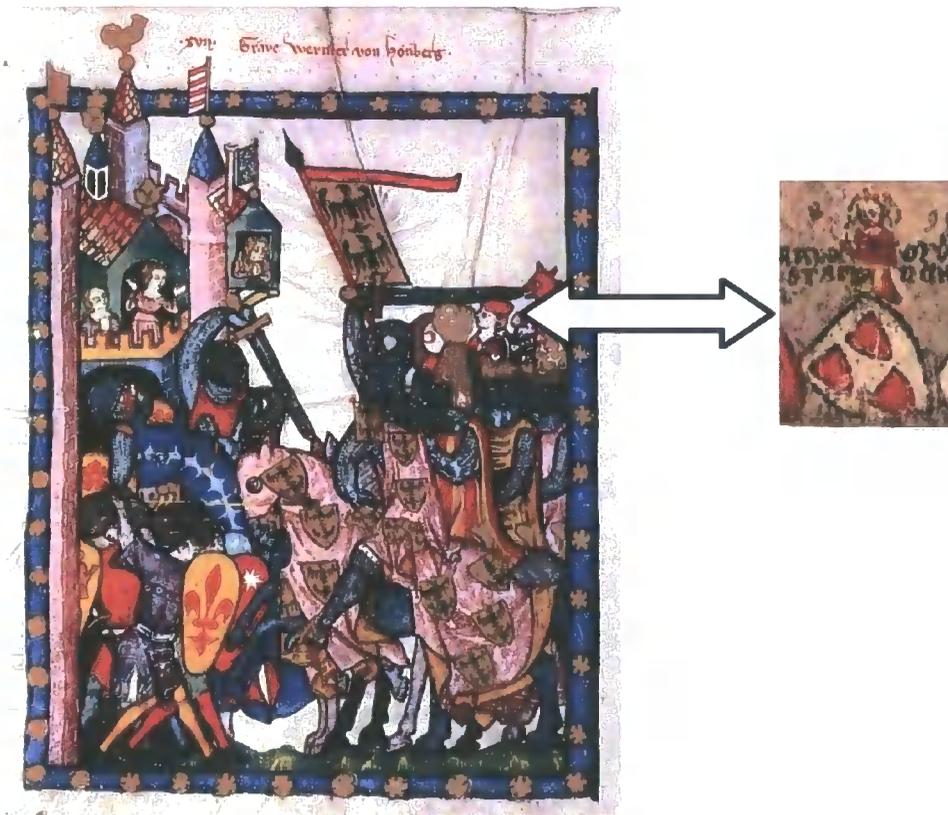
The peace agreed at Colmar did not, however, put an end to Anselm's military adventures. In 1293 he became party to the succession conflict between Rudolf's son Albert I and Adolf von Nassau. A supporter of Albert, Anselm seized the imperial town of Colmar. In response, Adolf pillaged the Rappoltstein lands, laid siege to both Colmar (where Anselm had taken refuge) and Rappoltsweiler, and blockaded the Rappoltstein castles. After seven weeks of siege, the citizens of Colmar turned on Anselm, captured him and delivered him to Adolf. Anselm was imprisoned and his lands were declared forfeit to Adolf. In 1296 he was released and the lands were restored, subject to the partition that had been the cause of the earlier dispute.<sup>68</sup> Following the victory of Albert I and the death of Adolf at the battle of Göllheim in 1298, the Rappoltsteins appear to have re-established their close ties to the new king who visited Rappoltsweiler in 1300 and whose wife, Elizabeth, stayed with the family

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<sup>67</sup> Ibid., pp. 17-18 citing Adam Walther Strobel and L. Heinrich Engelhardt, *Vaterlaendische Geschichte des Elsasses von der fruehesten Zeit bis zur Revolution 1789, nach Quellen bearbeitet von A. W. S., ... fortgesetzt, von der Revolution 1789 bis 1815, von L. H. Engelhardt. Zweite Ausgabe* (6 Thle. Strassburg, 1851), pp. 88-91.

<sup>68</sup> Trendel, *La Région de Ribeauvillé*, pp. 18-19 citing Strobel and Engelhardt, *Vaterlaendische Geschichte des Elsasses*, pp. 101-111 and Auguste Scherlen, *Perles d'Alsace* (1926 - 1934), p. 424.

in May 1302.<sup>69</sup> In 1311, both Anselm II and his brother Heinrich IV were in the entourage of the Swiss *Minnesänger* Count Werner von Homberg as a part of the expedition to Italy launched by the new king of the Romans, Heinrich VII, to secure his coronation as emperor. The participation is recorded in one of the miniatures of the *Manessische Handschrift*, the great compilation of Middle High German verse produced circa 1300. The miniature in question, reproduced in Figure 6, depicts Count Werner on this expedition and was added at a later date by the so-called, Master of the Third Addition, probably in the decade between 1320 and 1330.



**Figure 6 The Rappoltstein Crest**

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<sup>69</sup> Trendel, *La Région de Ribeauvillé*, p. 19.

The third knight in the back row of the group following Count Werner has been identified as a Rappoltstein by the crest.<sup>70</sup> The participation of the two brothers is a further indication that the family was, once again, in good standing with the Empire and of their significance.

From the beginning of the fourteenth century the family archive becomes more extensive. Two documents indicate something of the standing of the Rappoltsteins at this point. A list of Anselm II's vassals compiled around 1300 lists thirty men (sometimes indicating that brothers and other family members are also to be included), while a similar list for his son Johannes II compiled a few years later lists fifty five men on a similar basis.<sup>71</sup> Further indications of the growing strength and importance of the family within the region are illustrated by a large number of surviving documents reproduced in the family archive.<sup>72</sup>

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<sup>70</sup> Nickel, 'Cloisters Apocalypse,' pp. 59-72. The article is concerned with the early history of the manuscript known as the 'Cloisters Apocalypse'. In constructing his argument, the author refers to the illustration in Figure 6. It would appear that he has identified the Rappoltstein knight by the crest and by cross-reference to the *Züricher Wappenrolle* which is also shown for comparison. (See Thomas Woodcock and John Martin Robinson, *The Oxford Guide To Heraldry* (Oxford: Oxford University Press, 1988), p. 78.) The crest may also be clearly seen as the knight's pillow in the Frontispiece.

<sup>71</sup> Albrecht, *RU*, 1, No. 466 A & B.

<sup>72</sup> *Ibid.* The principal examples are :

2, No. 536 1343 - Johannes III, Ulrich V and Johannes II enter into an alliance with the towns of Colmar and Selestat against anyone except the emperor and the empire.

2, No. 559 1344 - Duke Rudolf of Lorraine acknowledges a debt of 509 Tours pounds ('kleine schwarze Tourer Pfund') to Ulrich V and Johannes III. 72

2, No. 610 1349 - Johannes III and his sons Johannes V and Ulrich VII are party to an agreement between the city of Strassburg, the bishop of Strassburg and the major of noble families of Alsace by which these agree to support the city if it is attacked on account of its treatment of the city's Jews.

2, No. 627 1351 - The bishop of Metz acknowledges a debt of 600 Tours pounds to Johannes III.

2, No. 635 1351 - Johannes III pledges support to the bishop of Metz in his war against the duke of Lorraine and others. He engages to provide 30 knights and squires (to include his son Ulrich VII) together with a company of 100 cavalry and 1,000 foot soldiers. Details of wages and payments as indemnity against losses are included.

2, No. 641 1351 - Johannes II is present at Ensisheim with the bishops of Strassburg and Basel and the duke of Württemberg to witness a transaction between Duke Albrecht II of Austria and the abbot of the convent of Niedermünster. No witnesses beyond these four are mentioned.

2, No. 648 1352 - Johannes II and his sons, Johannes V and Ulrich VII are party to a 5-year alliance for the maintenance of order. Other parties include the bishop of Strassburg, the city of Strassburg and the most important towns of Alsace.

2, No. 656 1352 - Rudolf II *Pfalzgraf bei Rhein* and duke of Bavaria appoints Hugo von Hohenberg, imperial *Landvogt* in Alsace and Johannes II, on behalf of the Empire, to arbitrate in a dispute between the imperial town of Colmar and certain individuals who have been expelled from the town.

2, No. 674 1353 - In the presence of Charles IV, king of the Romans, at Hagenau, Johannes II, together with the bishops of Strassburg and Basel, the *Landgraf* of Lower Alsace, the lords of the major noble families of Alsace, the cities of Strassburg and Basel and representatives of the imperial towns of Alsace form an alliance for three years to preserve peace in the region.

There are several other examples mainly involving the witnessing of important documents, frequently for the Habsburg Rudolf IV (duke of Austria 1358-65).

A further indication of the standing of the family can be derived from the marriages that were concluded by the Rappoltstein sons and daughters. These have been analysed by the French historian Benoît Jordan.<sup>73</sup> Although mainly concerned with a later period, Jordan summarizes the marriages of the earlier Rappoltsteins. Of the male marriages he concludes, 'les sires de Ribeaupierre prennent femme dans le milieu comtal des 'freien Herren'. L'absence de ce titre dans leur désignation ne semble pas avoir posé de problème'. He notes that the majority of these marriages are within the local circle of nobility with the exception of Bruno and his brother Ulrich VII. Bruno's first wife was the daughter of a Burgundian family while Ulrich VII's bride originated in Donaueschingen. The marriages of the girls of this period appears similarly confined to the local titled nobility. As mentioned in the quotation above, the lack of a title did not seem to have diminished the perception of the family either in the eyes of their peers or in their own. Benoit quotes a (possibly apocryphal) family saying that reads:

Ich mag nicht Graf noch Herzog sein  
Ich bin der Herr von Rappolstein<sup>74</sup>

In material terms, by the middle of the fourteenth century, the Rappoltstein family domain had increased to the point where they were the second largest holder of property in Upper Alsace with only the Habsburgs having greater possessions.<sup>75</sup>

Culturally, the family has also left a mark from this period with the so-called Alsatian Parzival, a slightly extended version of Wolfram von Eschenbach's Arthurian masterpiece which has been described as 'One of the most beautiful of all Middle

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<sup>73</sup> Jordan, *La Noblesse d'Alsace*, Chapter II.

<sup>74</sup> Ibid., p. 127. There is little information on the origins of this supposed 'motto'. A similar phrase is said to have been used by the French de Coucy family: 'Roi je non suis, ne prince ne duc ne comte aussi; je suis le sire de Coucy'. This derives from Andre Du Chesne, *Histoire genealogique des Maisons de Guines, d'Ardres, de Gand, et de Coucy, et de quelques autres Familles, qui y ont esté alliés* (Paris, 1631), p. 205. If the story is true at all it seems likely that this an idea borrowed from elsewhere, quite possibly after the medieval period given the comments earlier regarding 'constructed' genealogy.

<sup>75</sup> Jordan, *La Noblesse d'Alsace*, p. 68.

High German manuscripts' and which was produced at the Rappoltstein castle of Ulrichsburg between 1331 and 1336.<sup>76</sup> Interestingly, Heller comments that the manuscript found its way 'at an undetermined time' to the renowned library of the Prince of Fürstenberg at Donaueschingen. It seems likely that this may, in fact, have been connected in some way with the marriage of Herzlaude von Fürstenberg to Ulrich VII mentioned above.

At this point, Bruno begins to appear in the archive as an active member of the family and it is an appropriate moment to take stock and to attempt to summarise the world into which he had entered.

There is no recorded date for Bruno's birth. His mother, countess Elisabeth von Geroldseck-Lahr, died in February 1341.<sup>77</sup> The first recorded mention of Bruno is in a document of 1344 in which Bruno's father Johannes II, his two brothers Johannes IV and Ulrich VII and Bruno himself agree on matters relating to the partition of the family estate upon the death of Johannes II.<sup>78</sup> In this document Bruno is referred to by the diminutive form 'Brunlîn' and is stated to be 'vnder sinen jaren'. The age of majority at this time was largely a matter of custom and practice with regional variations and there is no evidence of what was customary within the Rappoltstein family. In a document of 1349 Bruno is no longer indicated by the diminutive form and is party to a property transaction alongside his father and brothers, Ulrich VII and Johannes V, indicating that he was of an age to enter contractual arrangements.<sup>79</sup> In contrast, a document of 1359 names Bruno as standing as guarantor for 2,400 silver marks on behalf of the counts of Württemberg, in which case he must by then have come of age but the document refers to him as 'Brunlin'.<sup>80</sup> Such references to him in the diminutive form have ceased in documents of the early 1360s. Taking an age of majority of 14 (which was not uncommon for European nobles), it is reasonable to

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<sup>76</sup> Edmund Kurt Heller, 'The Story of the Sorcerer's Serpent: A Puzzling Mediaeval Folk Tale,' *Speculum* 15, no. 3 (1940).

<sup>77</sup> Albrecht, *RU*, 2, No. 518.

<sup>78</sup> *Ibid.*, 2, No. 551.

<sup>79</sup> *Ibid.*, 2, No. 612.

<sup>80</sup> *Ibid.*, 2, No. 725.

place Bruno's birth towards the mid-1330s, recognising that this could be wrong by several years each way.<sup>81</sup>

Amongst the few historians who have written at any length about the Rappoltstein family in the fourteenth century, it is generally held that this period represented a peak for the family. The troubles that had arisen in the lifetime of Anselm II towards the end of the thirteenth century had been forgotten; the family was long-established *Uradel* within the region; members of the family had held important offices, both secular and ecclesiastical and participated in the high politics of the region, comfortable in the presence of kings, bishops and great magnates alike; good marriages had been made with families of equal or better standing; the family estates had continued to grow and the family castles at Rappoltsweiler and elsewhere had been extended and improved.

All of this, however, stood in the shadows of the well-documented troubles of the early fourteenth century in Europe. Difficult weather conditions and a growing population had brought famine which was followed by the Black Death.

On the dating suggested above, Bruno would have been in his early teens by the time of arrival of the Black Death in Alsace. There is nothing in the archive that refers to the plague having impacted directly upon the Rappoltstein family or their estates but it is unlikely that it passed them by entirely and impossible to imagine that the young Bruno was unaware of what was happening. One of his elder brothers, Heinrich VII, was a member of the chapter of Strassburg cathedral at the time, and as noted above, the family was party to an agreement to support the city of Strassburg in the event of action following the persecution of its Jewish population. Tales of the strange flagellant penitents seen in the city in the aftermath of the plague would probably have reached Rappoltsweiler soon enough.<sup>82</sup> The impact of such a disaster upon a

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<sup>81</sup> For a discussion of the age of majority in medieval Germany, see Thilo Offergeld, *Reges Pueri : das Königtum Minderjähriger im frühen Mittelalter* (Hannover: Hahnsche Buchhandlung, 2001), pp. 11-21. Offergeld is unable to form any firm conclusions in the absence of clear evidence – the age of majority might have fallen anywhere from 12 to 21 years of age. The topic is also covered, from the British viewpoint, in Nicholas Orme, *Medieval Children* (New Haven ; London: Yale University Press, 2001).

<sup>82</sup> For a contemporary account of the flagellants in Strassburg see Königshofen, *Strassburg*, Vol. 9, pp. 764-768.

young boy can barely be imagined. On the one hand he would have grown up fully conscious of the importance of his family and personal position while on the other hand he would have been only too aware of the ephemeral nature of human existence. There was no shortage of those who would interpret such disasters as a precursor of God's final judgement. How much these experiences, on top of the loss of his mother while still a small child, would condition his behaviour in later years, is impossible to estimate but it difficult to imagine that these experiences did not have an impact at some level.

From this overview of the world into which Bruno von Rappoltstein emerged towards the middle of the fourteenth century, it is time to consider Bruno's life in greater detail and to consider, in particular, his pattern of aggressive and violent behaviour in the context of the current scholarship in this area of late medieval German historiography.

## Chapter V The Case Studies

The three case studies that follow have been chosen for a number of reasons. First, each throws some light on Bruno's life and personality in the context of the themes outlined above in the Introduction. Second, each is a long-running affair stretching over several years and is well documented in the Twinger chronicle and the Rappoltstein family archive. Third, each dispute draws in a broad range of other actors and thus serves to illuminate the nature of Bruno's external relationships. Taken together, these episodes cover the majority of Bruno's adult lifetime.

Each case study raises issues that are relevant to several or all of the themes to be considered. For that reason they are set out in a largely narrative form with limited or no discussion of how they relate to the themes. The material from each case study will then be called upon in the succeeding chapters which discuss the themes one by one.

These cases are not the only instances of Bruno's feuds and disputes but limitations of space prevent the inclusion of others, none of which would do more than reinforce the conclusions which may be drawn.<sup>83</sup>

As mentioned in passing above, those historians who have chosen to refer to Bruno at all tend to do so in the context of his feuds or military prowess. Rathgeber introduces his brief comments with, 'Gegen Ende des vierzehnten Jahrhunderts begegnen wir Herrn Bruno von Rappoltstein, dessen Ansehen so gross war, dass Koenig Karl V von Frankreich ein Buendniss mit ihm schloss um die „Englaender“ zu bekaempfen.'<sup>84</sup> His reference to 'ein Buendniss', is perhaps rather overstating the matter which will be mentioned in more detail in case study 2 below. Ortlieb goes

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<sup>83</sup> Bruno was involved at an early age in a dispute with the city of Colmar together with his father and two of his brothers. The matter was settled by arbitration of the bishop of Strassburg in 1356. See Albrecht, *RU*, 1, No. 698. Twinger refers to a dispute with the city of Strassburg concerning Bruno's alleged sheltering of a wanted man. See Albrecht, *RU*, 2, No. 108. Following the death of his brother Ulrich VII in 1377 and the inheritance of part of the lordship by his niece, Bruno became involved in a bitter dispute with Herzlaude's husband, Heinrich III von Saarwerden over the inherited property. See Albrecht, *RU*, 2, No. 240. Subsequently, Bruno began a long-running feud with Hans von Lupfen, Herzlaude's second husband, over the same part of the lordship that had passed out of direct family control. The matter was not settled until after Bruno's death. See Albrecht, *RU*, 2, No. 646.

<sup>84</sup> Rathgeber, *Die Herrschaft Rappoltstein*, p. 4.

further, saying 'Brunon conclut, en 1386, avec le roi de France Charles VI, un traite contre le roi d'Angleterre. C'est dans cette guerre qu'il se couvrit de gloire en combattant sous le drapeau français.'<sup>85</sup> He cites no evidence to support his claim for Bruno's 'glorious' combat under the French flag and none has come to light in the research for this dissertation. Bruno's sole involvement in the Hundred Years' War appears to consist of being captured and ransomed some years later in 1369 / 70 as discussed below in case study 2.

Little is known of Bruno's early life from his first mention in the archive in 1344 to the commencement of the first case study in 1372. As mentioned above, there is no evidence for the date of his birth. His marriage to Jeanne de Blamont, Dame de Magnières (referred to in German documents as Johanna von Blankenberg) is known but a variety of dates are given in the secondary sources without any clear evidence to support them. Bruno was Jeanne's second husband, following the death of her first, Henri III de Faucogney, Vicomte de Versoul at Poitiers in 1356.<sup>86</sup> The marriage cannot thus have occurred before this date (which renders most of the dates given in secondary sources incorrect) and may have been much later given evidence that the first of their three (all female) children was not born until 1369.<sup>87</sup> The earlier estimation for Bruno's birth (mid 1330s) would thus suggest that he married somewhere between the end of his twenties and the end of his thirties. As noted above, Jeanne de Blamont was the daughter of a French noble family from the County of Burgundy. Blamont itself is situated only some sixty miles from Bruno's seat at Hoh Rappoltstein, while Magnières is closer still at only some forty miles distant. As Benoit Jordan has pointed out, marriage into a French family appears to represent a change of policy by the Rappoltstein family but in the absence of any evidence, it is impossible to know if this was deliberate or simply a matter of circumstances due, perhaps, to a lack of other suitable candidates.<sup>88</sup>

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<sup>85</sup> Ortlieb, 'Histoire de la Réformation', p. 11.

<sup>86</sup> It has proved impossible to find a reliable reference for this fact which is reported on the web site describing the remains of the family's castle. The marriage is between Bruno and Jeanne is documented in the archive (see below) but this first marriage, while plausible, cannot be considered as firm. It is of relevance in estimating Bruno's age below.

<sup>87</sup> Albrecht, *RU*, 2, Stammtafel p. 694.

<sup>88</sup> Jordan, *La Noblesse d'Alsace*, p. 38.

One consideration may have been Bruno's position as the youngest of five brothers. At the time of his marriage Bruno's expectations would still have been limited and certainly his bride brought a number of properties to Bruno.<sup>89</sup> It is these properties that are at the heart of the incidents which set off the feud with Sir John Harlestone, discussed below in case study 2.

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<sup>89</sup> Albrecht, *RU*, 2, Nos. 102 and 103. In these lengthy documents Bruno and his sister-in-law, Margaretha von Blankenberg, list the properties that they hold jointly as undivided fiefs of the king of France.

### Case Study 1: Bruno and Count Rudolf IV von Habsburg-Laufenburg

In 1372 Ulrich VII von Rappoltstein entered into an agreement with Count Rudolf IV von Habsburg-Laufenburg for the betrothal of Ulrich's daughter, Herzlaude, to Rudolf's son, Johann IV. The agreement is recorded in a document dated 9 December 1372 which sets out the detail of the betrothal contract entered into by Count Rudolf.

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The Habsburg-Laufenburgs were a subsidiary branch of the Habsburg dynasty arising from the partition of the family possessions in 1232 between the brothers, Albrecht IV and Rudolf III with the latter becoming the founder (as Rudolf I) of the new branch. The Habsburg-Laufenburg possessions centred on Laufenburg itself which is close the Habsburg family heartland in present-day Switzerland (see Figure 7).



Figure 7 Laufenburg

<sup>90</sup> Ibid., 2, No. 105.

The Habsburg-Laufenburgs proved unable ever to develop their side of the family into anything more than a local lordship. By the middle of the fourteenth century the family was growing increasingly impoverished and was forced to sell much of its possessions, primarily to the main branch of the family. The family's core lordship of Laufenburg was sold to Leopold III of Austria in 1386 and received back as a fief. Within little more than twenty years from this date, the Habsburg-Laufenburg branch of the family would be extinct with the estates reverting to the main Habsburg line.

Little has been written in detail about the Habsburg-Laufenburgs with the exception of a doctoral thesis in the University of Zürich by Christoph Brunner and a brief entry in the online edition of the *Historisches Lexikon der Schweiz*, from which most of this background information has been sourced.<sup>91</sup>

Friendly contact between the Rappoltsteins and the Habsburg-Laufenburgs had certainly existed for some time but the motive for the proposed marriage appears to have been primarily political and financial as might be expected at this time.<sup>92</sup> The contract referred to above required that Rudolf IV settle his son and new daughter-in-law with the castle of Herznach (which is close to Laufenburg) and ten thousand guilders. In addition, a further one thousand guilders would be paid to Herzlaude 'ze einer rechten morgen gabe' on the morning following consummation of the relationship.

For the Habsburg-Laufenburgs the attraction of the marriage is clear to see. By 1372 there were just two young male heirs, Johann IV and his cousin Johann III, and thus the marriage of these to suitable brides with the prospect of producing much-needed male children would seem to have been a priority. However, by the middle of the fourteenth century the family was in financial difficulties. Aside from comment in the secondary sources previously cited, this emerges unambiguously from the betrothal settlement. While the castle of Herznach itself appears to have been available to be

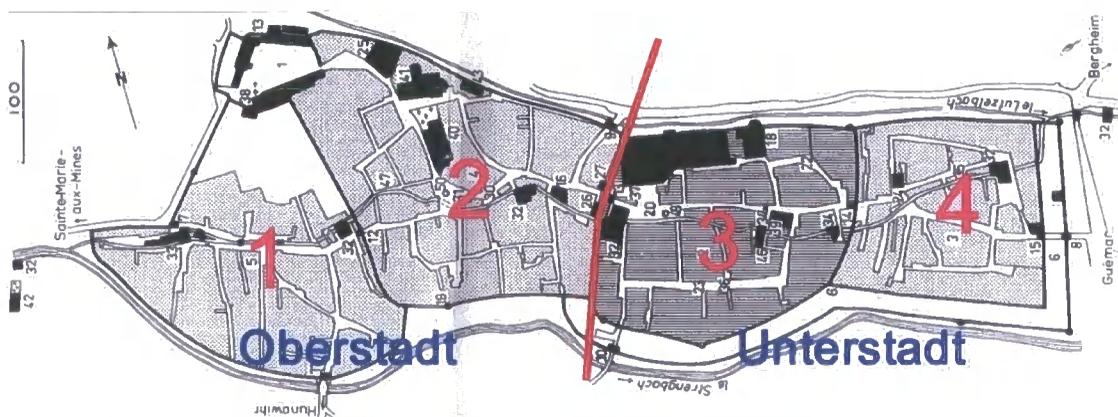
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<sup>91</sup> Christoph H Brunner, *Zur Geschichte der Grafen von Habsburg-Laufenburg. Aspekte einer süddeutschen Dynastie im späten Mittelalter* (Samedan: Hango Rellstab, 1969), Peter Hersche, *Historisches Lexikon der Schweiz :Die Linie Habsburg-Laufenburg* ([cited]); available from <http://www.hls-dhs-dss.ch/>.

<sup>92</sup> Brunner, *Zur Geschichte der Grafen von Habsburg-Laufenburg*, p. 121 Brunner refers to an incident involving Bruno's father who had described Johann IV's uncle as a "Verwandte".

assigned to the couple, the ten thousand guilders (which Brunner considered a 'hohe Summe') was another matter.<sup>93</sup> The document proposed assignment of a debt owed by the bishop of Constance amounting to 6,500 guilders with the balance to come from other, undefined, sources. The majority of the document is, in fact, concerned with arrangements for the security of the cash element of the settlement which include, *in extremis*, the surrender of Rudolf and five of his associates as hostages against payment of the due amount. Ulrich evidently had some doubts as to the ability of Rudolf to fulfil his promises. The settlement included a provision that Rudolf should be able to require of Ulrich (or if he has died, Bruno) 'die vorgenannten Herczclavden vnserm svune ze gebende vnd zuo legende' at any time after he had produced evidence of the ten thousand guilders being available, but this seems not to have occurred for a number of years and its eventual timing is, of itself, interesting for reasons explained below.

By way of a counterweight to the substantial proposed settlement, which was a potentially serious burden on what was left of the family fortune, the opportunity existed for the acquisition of new territory by means of the proposed marriage. Herzlaude was the sole child of Ulrich VII and, at the time of the betrothal, stood to inherit the principal Rappoltstein castle, Ulrichsburg, the castle of Hohenack and one half of the town of Rappoltweiler plus a number of smaller interests. For the manner in which the town of Rappoltweiler was divided, see Figure 8.



**Figure 8 Medieval Rappoltweiler.**<sup>94</sup>

<sup>93</sup> *Ibid.*, p. 121. For Gregory XI see J. N. D. Kelly, *The Oxford Dictionary of Popes* (Oxford: Oxford University Press, 1988, 1986), pp. 225-227.

<sup>94</sup> The town of Rappoltweiler was divided into the *Oberstadt* and the *Unterstadt*. Each of these was further sub-divided into two parts. Each quarter had its own walls and gates. Control of the town or parts thereof varied over time – see the genealogy in Appendix 1. The map is an amended version of

Herzlaude's position as heiress stemmed from the concerns of her father and her uncle, Bruno, that there might be no male heirs to the Rappoltstein lordship. By 1371 Bruno's first marriage had produced two girls who, alongside Herzlaude, were the sole children in the direct line and Hugo, Ulrich VII and Bruno's sole surviving brother, was unlikely to add to their number (legitimately at least) given his position as provost of the Strassburg cathedral chapter. In 1371 the family's principal territorial lord, the bishop of Basel, agreed that inheritance might pass through the female line in the absence of male heirs and this was confirmed in 1372 by Pope Gregory XI (1370-78) in Avignon, with the proviso that any subsequent male children would have their rightful precedence.<sup>95</sup> Thus, there was a possibility of new possessions which would have extended the interests of the Habsburg-Laufenburgs beyond their homeland and brought much-needed new wealth to the family.

The settlement mentions nothing as regards a dowry from the Rappoltstein side and no mention of this appears in any other surviving document. It is possible that the potential inheritance itself was sufficient or that the need for heirs was so pressing that this could be waived. Ulrich's first wife had died in 1363 and his second marriage (in 1364) was childless after seven years and was to remain so.

It is not clear what would have transpired had Ulrich fathered more children, especially boys, in the light of the proviso made by Pope Gregory XI, as mentioned above. This may be a further reason why nothing more was heard of this arrangement for some time after the date of the contract. Of course, it might also be the case that the ages of the betrothed couple had some bearing on this. There is nothing to indicate the age of either Johann or Herzlaude in 1372. Herzlaude's mother died in 1363 and is first mentioned in 1353. Her daughter could thus have been anywhere from nine to nineteen at the time of the betrothal. As for Johann IV, Brunner refers to him as 'unmündig' and also as 'den ungefährlichen dreizehnjährigen' without making

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that appearing in Francois J. Himly, *Atlas des Villes Médiévales d'Alsace, Federation des societes d'histoire et d'archeologie d'Alsace: Publications ; 6* (Strasbourg: Federation des societes d'histoire et d'archeologie d'Alsace, 1970), p. 99.

<sup>95</sup> Albrecht, *RU*, 2, No. 98.

clear the basis for his view. His youth and / or a possible mismatch in ages may have some bearing on what was to follow.<sup>96</sup>

The attraction of the marriage for the Rappoltsteins is less easily understood. There are no further surviving documents relating to the betrothal and, in particular, no record of any contract or other agreement entered into by Ulrich VII or, following his death, Bruno. As mentioned above, there had been some prior relationship between the two families but without further source material it is impossible to know why this match would have been considered suitable for the potential heiress of a large part of the Rappoltstein possessions at a time when the weakness of the Habsburg-Laufenburgs must have been apparent. It is possible that the opportunity to ally the family to a part of the Habsburg dynasty appealed to Ulrich VII but it seems equally likely that he would have been aware of the weaknesses of that branch.

The next reference to the proposed marriage occurs in two documents. The first, dated is a retrospective justification in the voice of Bruno for his actions in respect of the proposed marriage.<sup>97</sup> The second document, undated, is a third-party account of the same matters and is different both stylistically and linguistically.<sup>98</sup> This account is written in a narrative style which suggests that it may be an extract from an unknown chronicle which is supported by signs that it may be the work of a cleric. The quotations in this chapter are taken from these two documents unless otherwise referenced.

At one point within the body of the document the author writes 'dann babst Gregorius seinen stuel vndt hoff von Auinion wider nach Rohm in dißem jahr verlegt hatt' and at another in reference to a sum of money '(so zu derselbigen zeitt nicht klein war)'. At the end of the preserved section he writes 'wie hiernach folgen wirdt.' These, and other, stylistic elements are suggestive of the narrative style of a chronicle. Further, the fact that the author feels it necessary to point out that a particular sum of money was a substantial amount 'zu derselbigen zeitt' is an indication that this document

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<sup>96</sup> Brunner, *Zur Geschichte der Grafen von Habsburg-Laufenburg*, pp.121-122.

<sup>97</sup> Albrecht, *RU*, 2, No. 157a. The document is dated by the editor of the Rappoltsteinisches Urkundenbuch as 'nach 1378 Juli 4'.

<sup>98</sup> *Ibid.*, 2, No. 157b.

may well date from some time after the date of the events that it describes. The continuation of the story, as promised by the closing words quoted above is unfortunately lost.

The evidence for a possible clerical author is twofold. First, at one point he uses a Latin phrase, '*propter defectum naturalem*' when describing the alleged sexual failings of Johannes von Habsburg-Laufenburg (which will be described below) and second, he is reluctant to describe in any detail the more salacious elements of the story while Bruno is quite explicit to the point of crudeness. This author passes over one such section with the words '(allhie zu melden ohnötig)' and generally omits sexually related detail where Bruno provides it with a degree of relish!

As to content, the two sources are largely but not completely the same in their description of the key events and the sequence of these. There are two main points of difference. Both documents refer to the death of Ulrich VII. Bruno's account makes no mention of the cause whereas the other account specifically relates his death to the events under discussion. Thus, Bruno simply says 'do wart min bruder selige siech, vndt do er sterben wollte zu Straßburg' whereas the second author says (referring to the events surrounding Herzlaude) 'dann ihn dißes sehr bekümmerte vndy daruber kranckh worden'. This may of course just be adornment by the second author. However, at a later point when describing Herzlaude's subsequent marriage to Count Heinrich III von Saarwerden, the second author includes more detail than is to be found in Bruno's account. It is possible that there are other lost sources for this incident but it is also probable that the second author had knowledge of Bruno's account since he writes 'wie sich wohlERMELTTER herr Bruno in einem schreiben gegen graff Rudolffen entschuldiget.'

The sequence of events as related by both Bruno and the second author, are as follows.

In 1372 Count Rudolf had exercised his right under the betrothal agreement to send for Herzlaude, indicating that he had been able to demonstrate the availability of the various elements of the settlement previously agreed. Herzlaude duly fulfilled her obligation and the two then shared a bed (prior to marriage) 'wol vf ein halb jor'

without the relationship being consummated. At the end of this period Johannes 'wolt ir ir ehre habe genummen uf ungebuerlich wyse' which caused Herzlaude to flee his bed and to return to her father.<sup>99</sup>

Having returned home, Ulrich VII forbade her to return to Johannes and, at this point, he became ill and was taken to Strassburg, at his own request, to die. On his deathbed, Ulrich VII told his brother Hugo that Herzlaude was not to return to Johannes or ever again share a bed with him unless the latter had proved that he was a man. If this were to prove impossible, then Ulrich VII wished her to marry the count of Saarwerden instead. Bruno was not present during these discussions since, in his own words 'do getoerste ich nicht gen Straßburg inkommen.' On the same point, the second author comments 'Vndt aber dazumahlen herr Bruno mitt der statt nicht wohl standt.'

Following Ulrich VII's death, Count Rudolf von Habsburg-Laufenburg accompanied by a number of his supporters arrived in Rappoltweiler to demand that Herzlaude be

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<sup>99</sup> The practice of a "trial marriage" involving a sexual relationship prior to marriage appears to have been a widespread custom in certain areas, notwithstanding its clear conflict with the canon law of the period. In Havelock Ellis, *Studies in the Psychology of Sex*, 2 vols. (New York: Random House, 1937), the author writes extensively on this topic pp. 379ff. Citing Dr Ehrhard "*Auch Ein Wort zur Ehereform*", *Geschlecht und Gesellschaft*, Jahrgang I, Heft 10, he quotes „... the primitive custom of trial-marriage which, in the Middle Ages, was still practised even in the best circles". The British Library holds a copy of an eighteenth century pamphlet which takes the episode of Herzlaude and her betrothed as its central example: Friedrich Christoph Jonathan Fischer, *Über die Probenächte der teutschen Bauermädchen* (Berlin, 1780). In summary, Fischer states that the custom of trial marriage was mainly confined to Swabia and especially the Black Forest. The practice is described as being the final stage of a process of courtship which had defined rules and which was not considered a sign of immorality. If the liaison resulted in pregnancy then the marriage would proceed but if the union was unproductive then the marriage might be abandoned. If pregnancy did not result and the couple decided to terminate the relationship it was not held to be detrimental to the girl's reputation and a new suitor could begin the process again. Too many repeated cycles of the process would, however, begin to raise questions! On the suitor's part, it was considered unacceptable to terminate the relationship if the girl were to become pregnant. Fischer cites the same document(s) as are reproduced in the Rappoltstein archive as his prime example. He also cites the relationship of emperor Friedrich III (king of the Romans 1440-93, emperor from 1452) and Eleanor of Portugal as a further example together with those of a number of other princes and nobles. Pope Pius II (1458-64) is cited as having stated that trial marriages were a common practice amongst the German nobility. In conclusion, Fischer traces the practice back to early medieval times and refers to similar customs in Africa and New Zealand by reference to Captain Cook. He ends by claiming that traces of the practice is to be found in most societies and that it is a fundamental ancient custom of humanity. (In modern times there is a well-known Bavarian *Lustspiel* entitled 'Die Probenacht' by Julius Pohl which is still performed. Although set in the first half of the twentieth century it invokes the old practice of trial marriage as the central feature of the comedy.) The overall import is to suggest that fertility was more important than virginity at the point of marriage. Certainly, this was a key concern to both the Rappoltstein and the Habsburg-Laufenburg families. For Pius II see Kelly, *The Oxford Dictionary of Popes*, pp. 247-249.

returned to Johannes and that the marriage be completed. At this point, of course, Herzlaude's inheritance has become secure and it can be assumed that Count Rudolf was thus now very keen to resolve the matter. Bruno and Hugo explained that this was not possible and repeated Ulrich VII's deathbed wishes in the matter. They offered to fetch 'zweintzig oder drißig frouwen (wenne eine etwenne einer mag vndt der andere nüt)' and if Johannes were able to demonstrate that he could consummate a relationship then they would deliver both their niece and her inheritance. Rudolf refused the offer and it was agreed that the parties would meet at Nuremberg with a view to resolving the matter. Bruno describes how he expressed his wish that, whatever the outcome, the 'gross frundtschaft' between the two families would continue.

At the meeting Bruno describes how he and Hugo again expressed their wish that, whatever the outcome, the friendship between the two families would continue. This wish, whether genuinely meant or not, was not to be fulfilled. Bruno again offered a 'test' of Johannes' ability to consummate the relationship. For this test he suggested summoning one hundred women 'sollten wuer sie joch Koelle holen' and if Johannes proved himself with just one of these then they would deliver Herzlaude and her inheritance. Count Rudolf again refused on the grounds that Johannes did not wish to be unfaithful. The matter was unresolved and it was decided that the matter would now be referred to the bishop's court in Basel. The bishop, as mentioned above, was the superior lord in respect of a significant part of the Rappoltstein estates.

Despite his agreement to this referral, Count Rudolf did everything he could to delay the proceedings. When the hearing did eventually take place, Count Rudolf expressed himself unwilling to have the matter heard and proposed that the whole issue should now be referred to the pope in Rome. Having done this he promptly left 'das er jagen sollt.' At this point, Bruno comments 'Do weiß menglich wohl, daß in disen loeffen mir noch miner mummen nuet fueglich was gen Rom ze farende, wenne wuer gefangen vndt erstochen werent, ob wuer dar oder dannen werent kommen.' The basis for this fear is never explained in either account.

With matters still unresolved, Hugo von Rappoltstein was approached by Count Egen von Freyburg, one of Count Rudolf's supporters and a witness to the betrothal

agreement, with the suggestion that he might marry Herzlaude. Bruno was brought into the discussions which included Count Egen's assurance that he could resolve the matter with Count Rudolf in three or four weeks. Nothing appears to have come of this and the matter is not mentioned further.

In the meantime, Count Rudolf had set in train further attempts to prove his son's virility. Johannes was given into the care of Heinrich von Sachsen in Strassburg, 'der der beste meister ist, den man finden kan', for a series of radical treatments which included, ointments, plasters, baths and the suspension of a lead weight 'wol funfzig pfundt schwer' from the non-performing part of Johannes' anatomy. None of this however served to overcome the problem and demonstrate that Johannes could perform sexually.

While this was taking place, the matter was resolved by the marriage of Herzlaude to the alternative suggested by her father on his deathbed, Count Heinrich von Saarwerden, brother of the archbishop of Cologne and cousin to the archbishop of Trier. Bruno's account passes over this in a few words. The second author however gives more detail of the negotiations surrounding the marriage as mentioned above. In both accounts however there is mention of the payment of a sum of twelve thousand guilders to Bruno by the two archbishops and the bridegroom's father.

The second author recites in a few sentences that it was suggested that Bruno had 'sold' Herzlaude and that Bruno denied this. Bruno's own account, as might be expected, goes into much more detail and characterises his document as a rebuttal of these accusations. Bruno makes it clear that the twelve thousand guilders were by way of a loan to him and to Herzlaude to permit them to redeem debts for which his property and the property comprising Herzlaude's inheritance had been pledged. He points out that the loan would have to be repaid and emphasises that if he had wanted to sell his lordship he would not have done so even for one hundred thousand guilders and indeed, he would have much preferred to have held the whole of the Rappoltstein estates himself.

With this denial, the two accounts come to an end. The second author, probably writing some time later as suggested above and adopting a point of view which is

clearly favourable to Bruno, recalls how Count Rudolf was not prepared to let matters rest and that he proceeded to take action against Bruno 'secretly' and, ultimately, without being able to prove any wrongdoing on Bruno's part.

The action taken by Count Rudolf (which can hardly be considered as secret) comprised a suit in the imperial courts that resulted in Bruno being placed under the imperial bann in February 1379.<sup>100</sup> Bruno sought to have this sentence overturned and was successful in persuading Wenzel of Brabant, the uncle of King Wenzel, to agree to this in June 1380.<sup>101</sup> Count Rudolf however was not prepared to let the matter rest and in October 1382, Primissel, duke of Teschen ruled that the original verdict should stand and that the subsequent ruling of Wenzel of Brabant was of no effect.<sup>102</sup> Bruno was once again under the imperial bann. As will be discussed below, the practical effect of this punishment is difficult to discern and, as will also be seen, this was not to be the only sentence of outlawry that would be passed on Bruno.<sup>103</sup> The fact of these sentences is listed in a table of entries from the imperial *Achtbuch* compiled by Friedrich Battenberg in his modern study of the imperial bann.<sup>104</sup> There is no record in the *Achtbuch* of Bruno being released from this second sentence nor, perhaps more interestingly, of his being placed in the *Aberacht*, the second and definitive stage of outlawry which might be invoked if the convicted person had not resolved the matter to the court's satisfaction with a year and a day.<sup>105</sup> Julius Rathgeber quotes from a translated fragment of the previously mentioned lost Latin chronicle by the Peter von Andlau 'disser brun ... ist gestorben in ach', which may be a confirmation of this but may also relate to the further sentence of outlawry which

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<sup>100</sup> Albrecht, *RU*, 2, No. 164.

<sup>101</sup> *Ibid.*, 2, No. 184.

<sup>102</sup> *Ibid.*, 2, No. 215.

<sup>103</sup> Bruno's further sentence will be considered in case study 2. The impact of this is discussed in the consideration of Bruno's relationship with the empire.

<sup>104</sup> Friedrich Battenberg, *Reichsacht und Anleite im Spätmittelalter : ein Beitrag zur Geschichte der höchsten königlichen Gerichtsbarkeit im Alten Reich, besonders im 14. und 15. Jahrhundert, Quellen und Forschungen zur höchsten Gerichtsbarkeit im alten Reich ; Bd. 18* (Köln: Böhlau, 1986), pp. 567-568. In compiling what he considers to be a complete list of known *Acht* processes Battenberg has used a wide variety of manuscript and archive sources. These are described at length at pp. 540ff. Much of the data in this book is referenced back to his previous study: Friedrich Battenberg, *Das Hofgerichtssiegel der Deutschen Kaiser und Könige 1235-1451* (Köln, Wien: Böhlau Verlag, 1979). The original source for many of the entries in the list can only be found by cross-reference to pp. 209-287 in the second work.

<sup>105</sup> The imposition and effects of both the *Acht* and the *Aberacht* are considered in greater detail below when discussing Bruno's relationship with the Empire.

will be considered in the second case study below.<sup>106</sup> Certainly, Battenberg considers that the writing up of proceedings in the *Achtbuch* was far more than a simple bureaucratic exercise. He suggests that the process might have been linked, in the medieval mind, with the Book of Life at the Last Judgement and that the addition or removal of a name would have been of great concern to both the original complainant and the accused.<sup>107</sup> As late as 1388 Wenzel refers to Bruno as being under both *Acht* and *Aberacht* as a result (*inter alia*) of the complaint by Count Rudolf and given that this matter was still unresolved shortly before Bruno's death, as described below, it may well be true that he died while still under sentence of outlawry.<sup>108</sup>

There is no evidence that Count Rudolf sought to act against Bruno in any tangible way following these proceedings. The placing of an individual in the *Acht* gave the complainant a free hand to pursue a feud against him and, Battenberg suggests, was a principal motivation for having the *Acht* pronounced.<sup>109</sup> Writing after Count Rudolf's death, Bruno complains that he was obliged to follow him 'gen Prag, gen Lützelburg, gen Franchenfurth undt um andt um' at a cost of ten thousand guilders as a result of the court action and Brunner suggests that the proceedings would have cost Count Rudolf at least as much.<sup>110</sup> Given the time and cost involved it seems unlikely that Count Rudolf would have failed to press home his advantage. The most likely cause of his inaction is a lack of resources, given the family's financial problems as mentioned above, and possibly ill health. Count Rudolf died in 1383. The unfortunate Johann IV continued to pester Bruno but there is no evidence that he posed any real threat or took any tangible action against him. The matter was still an issue between the parties in 1396 shortly before Bruno's death. In a letter dated October 1, 1396 Count Hans (as Johann IV von Habsburg-Laufenburg styles himself) wrote to confirm peace with Bruno, but only until the following *Fastnacht*, March 11 1397. This is the last reference to this matter in the archive prior to Bruno's death in 1398.

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<sup>106</sup> Rathgeber, *Die Herrschaft Rappoltstein*, p. 33.

<sup>107</sup> Battenberg, *Reichsacht und Anleite*, p. 273.

<sup>108</sup> Albrecht, *RU*, 2, No.303.

<sup>109</sup> Battenberg, *Reichsacht und Anleite*, p. 372ff.

<sup>110</sup> Brunner, *Zur Geschichte der Grafen von Habsburg-Laufenburg*, p. 122.

Johann IV was never able to find a wife of suitable status. Eventually he married a low-born wife who was raised to the nobility by Wenzel in her own right at Johann IV's request. Brunner suggests that his inability to make a better match may have been due to the parlous financial state of the family but the earlier episode, which must have been common knowledge within the region at least, may have played a part. When Johan IV died in 1408 the Habsburg-Laufenburg line came to an end.<sup>111</sup> As a postscript, it is ironic that Bruno's son Ulrich VIII von Rappoltstein married a female Habsburg-Laufenburg. It is suggested that this may have been a daughter of Johannes IV but this is unclear and it may have been the daughter of his cousin.<sup>112</sup>

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<sup>111</sup> Ibid., p 123.

<sup>112</sup> Ibid., p. 122. See also Albrecht, *RU*, 2, No. 157 Note 1.

## *Case Study 2: Bruno and Sir John Harlestone*

On 19 June 1369 Philip the Bold, duke of Burgundy, married Margaret, daughter of the count of Flanders, in Ghent. Present at the wedding and the subsequent tournament was Bruno, together with fifty followers. This, and Bruno's involvement in the subsequent events of that year, are recorded in a memorandum.<sup>113</sup> Carl Albrecht suggests that this memorandum was compiled directly from Bruno's personal record of the events and places it within the sequence of documents from 1369 in the family archive.<sup>114</sup> However, since the document concludes with a reference to events that took place in the 1380s, it is clear that it was written many years after the events to which it refers. The purpose of the document is unclear but, given its later dating, it may well have formed a part of Bruno's subsequent attempt to justify the actions that are described below when the consequences began to escalate to dangerous levels. This is not to suggest that the memorandum is necessarily an inaccurate record of what occurred as many of the details correspond closely to the account of the same events given in Froissart's chronicle but the document is clearly written to show Bruno in the best light as a young knight performing 'sehr mannlich undt dapffer' in the tournament and as an active combatant in the Hundred Years War.<sup>115</sup>

The summer of 1369 saw the failure of the extended truce between England and France that had followed the Treaty of Brétigny in 1360. A dispute arose from the Black Prince's attempts to raise cash by imposing new taxes in his territory of Aquitaine. An appeal was ultimately made to the French king, Charles V, by certain

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<sup>113</sup> Albrecht, *RU*, 2, No. 63. Although the memorandum is written in the first person and in the vernacular, there is no evidence that Bruno was literate and even if he were, it is highly unlikely that he would have written such a document himself. Indeed, there is specific evidence that Bruno could not read. During the course of a dispute with his brother-in-law, Heinrich von Saarwerden, in 1384, it is recorded that the two men confronted each other in the streets of Rappoltweiler. Bruno states that his brother-in-law 'vorderte er an mich, daß ich einen brief, den er dazumal wolte, solte hören lesen; ...' See Albrecht, *RU*, 2, No. 240. It would have been uncommon at that time for a noble such as Bruno to be literate. Reading and writing were seen as separate skills, and literacy referred to the ability of some to read while leaving the mechanical chore of writing to a scribe. It is also the case that literacy often related specifically to the ability to read Latin as opposed to the vernacular. It is difficult, of course, to imagine how anyone could write without being able to read.

<sup>114</sup> Albrecht, *RU*, 2, No. 63 Note 1.

<sup>115</sup> Jean Froissart and J. M. B. C. Kervyn de Lettenhove, *Chroniques, Oeuvres de Froissart* (Bruxelles: Devaux, 1871), VII, 438.

nobles who were unwilling to pay and when Charles V agreed to hear the appeals and thus exercise sovereignty within Aquitaine, Edward III resumed use of the title 'king of France' by way of retaliation.<sup>116</sup> The stage was set for a new round of conflict.

The wedding of Philip the Bold had itself caused friction between England and France. Philip's bride, widowed at the age of twelve upon the death of Philip of Rouvres, was heiress to the five counties of Flanders, Burgundy, Artois, Nevers and Rethel. In 1362 Edward III had sought to obtain her for his son Edmund Langley, Earl of Cambridge. The prospect of having one of Edward III's sons ruling a large area on the north-eastern borders of France did not appeal to Charles V, given that he already had the Black Prince in a similar position on his south-western frontiers. In 1364 a marriage treaty was concluded between Edward III and Margaret's parents but the marriage required a papal dispensation as it was within the forbidden four degrees of consanguinity. Pope Urban V, a Frenchman, refused his consent in January 1365 in line with the wishes of Charles V. In 1367 the pope issued a dispensation permitting Philip the Bold to marry any of his relatives within the third or fourth degrees of consanguinity, thereby permitting exactly what he had denied to Edmund Langley. Philip the Bold had emerged as the French candidate for Margaret's hand in 1365, strongly backed by his brother Charles V.<sup>117</sup> The conclusion of the marriage represented, in Vaughan's words 'a step in the recovery of her [France's] position in Europe as a whole' and thus a substantial setback to the English cause.<sup>118</sup>

The wedding was a lavish affair characterised by Philip's 'generosity and magnificence'.<sup>119</sup> Bruno's memorandum explains that after the wedding celebrations, he accompanied Philip to Paris to attend the French king, Charles V. On 15 July he departed with the king and Philip to Normandy where a fleet was in preparation at Harfleur for an attack on England. It would appear that Bruno expected to be a part of

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<sup>116</sup> Christopher Allmand, *The Hundred Years War : England and France at War, c.1300-c.1450* (Cambridge: Cambridge University Press, 1988), pp. 21-22. There are numerous general and specific works that cover the Hundred Years War. The most comprehensive account of the period up to 1369 is to be found in the two volumes so far published of Jonathan Sumption's study: Jonathan Sumption, *The Hundred Years War*, vol. I Trial By Battle (London: Faber, 1990), Jonathan Sumption, *The Hundred Years War*, vol. II Trial By Fire (London: Faber, 1999).

<sup>117</sup> Richard Vaughan, *Philip the Bold : the Formation of the Burgundian State*, New ed. ed. (Woodbridge: Boydell Press, 2002), pp. 4-6.

<sup>118</sup> *Ibid.*, p. 7.

<sup>119</sup> *Ibid.*, p. 6.

this expedition which was to be led by Philip. The plan was interrupted by news of the landing of John of Gaunt, duke of Lancaster at Calais in early August and the latter's devastation of the surrounding countryside. Philip and his forces were despatched to deal with this incursion and, after a period of stand-off near Tournehem-sur-la-Hem, some ten miles southeast of Calais, which included an example of what Vaughan describes as 'those futile and unrealistic, though chivalrous, negotiations which characterize the annals of feudal warfare' Philip (who was not renowned as a military commander) withdrew some fifty miles to the southeast and sent a company of knights, including Bruno, to occupy the town of Abbeville.<sup>120</sup> Upon learning of Philip's withdrawal Lancaster departed towards Harfleur with the intention of burning the assembled French fleet. Having failed to achieve this, Lancaster retraced his steps and in an engagement close to Abbeville (probably during the month of September) he captured Hugo de Châtillon, the French Master of the Artillery and a number of his company, including Bruno. The prisoners were taken to Calais where Bruno was held for several months awaiting payment of his ransom. In the final sentence of the memorandum (written as noted above many years later) the author complains 'undt stehen heern Brunen nuch uff den heüttigen tag wegen des königs in Franckreich gemeltenn zugs halber inn die 8000 franckhen seiner besoldung aus'. A concern for money (or more often complaint at the lack of it) is a recurrent theme in Bruno's life.

It is not clear how and why Bruno came to be in the service of Philip the Bold. As mentioned above, Bruno had married Jeanne de Blamont, Dame de Magnières some time between 1356 and 1369. As a part of this marriage he had acquired properties in France and specifically in areas under Burgundian control.<sup>121</sup> It seems likely, recognising the absence of tangible evidence of any prior such relationship on the part of the Rappoltstein family, that the link between Bruno and the Burgundian court had its origins in this marriage.

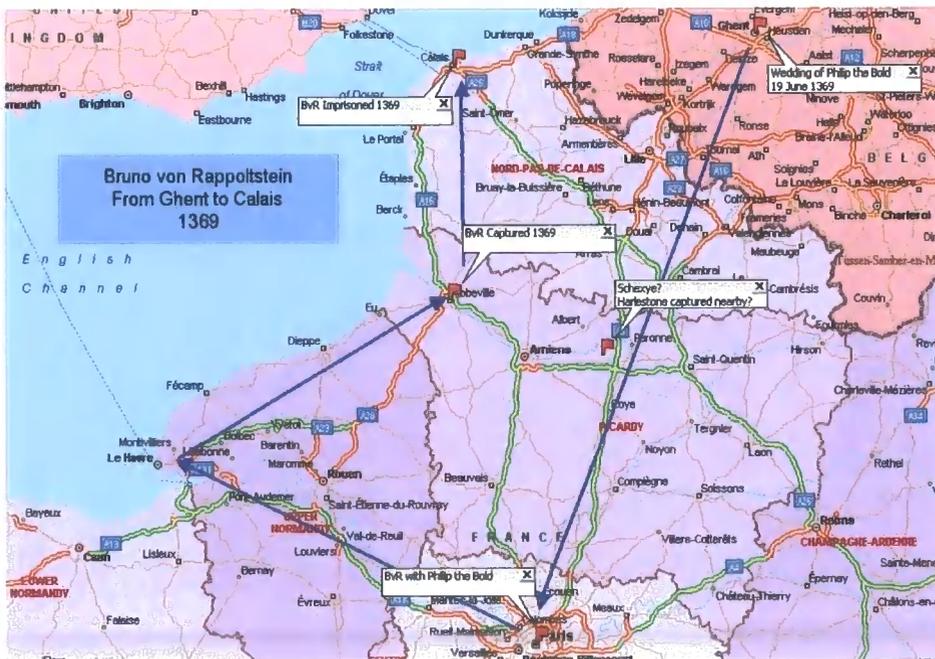
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<sup>120</sup> Ibid., p. 8.

<sup>121</sup> Albrecht, *RU*, 2, No. 246. This document is by way of a memorandum prepared by Bruno to justify his actions in the capture of Sir John Harlestone. It is most probably addressed to the city authorities in Strassburg. To avoid unnecessary footnotes, this document may be taken as the source of the description of Harlestone's capture unless otherwise noted.

It was during his adventure in France that Bruno appears to have first encountered the English knight, Sir John Harlestone.<sup>122</sup> In Bruno's later account, he describes an initial encounter with Harlestone as having taken place at this time. He explains that he had captured Harlestone but was forced to release him because Harlestone's men had taken 160 prisoners (some of whom belonged to Bruno's wife) in the town of *Schexyë* and had threatened to kill them if Harlestone were not released. In these circumstances Bruno felt he had no choice but to comply. The two parted on bad terms and Bruno states in his memorandum 'vnd ist [er] auch vor vndt seitmahlen allgewenn mein offen feindt gewesen, wiewohl ich wieder den könig vonn Engellandt nie gewesen bin.' Bruno's claim not to have opposed the English king may have been true in the narrow sense that the incident most likely occurred whilst he was *en route* to visit the French king in Paris, having not previously fought for the French and at a point before the resumption of hostilities in the Hundred Years War, but his main point appears to be that there was no reason for Harlestone to have a prior grudge against him.

Bruno's route, following the marriage of Philip the Bold in Ghent, is shown in blue in Figure 9.



**Figure 9 Bruno's Route in 1369**

<sup>122</sup> Sir John Harlestone is an interesting character. A detailed biographical note is to be found in Appendix 2. The background provided in this appendix provides an explanation of why Harlestone's capture by Bruno developed into a major diplomatic incident.

Locating the town of Schexÿe would be of assistance in considering the logistics of Bruno's claims. There are a number of potential sites in modern France. The most promising candidate is the village of Chuignes which is situated close to the route from Ghent to Paris and marked on the map as the possible site of Bruno's capture. It must be admitted, however, that there is no firm evidence to confirm the identity of this village as medieval 'Schexÿe', but its location is persuasive. Despite Bruno's suggestion that Harlestone had some pre-existing animosity towards him, it seems more likely that this was a chance encounter with a party of English knights engaged in foraging for supplies or, quite possibly, in general looting and destruction. Bruno makes the point specifically that the kings of England and France were still at peace and that Harlestone was acting as 'ein gesellschaft man'. Either way, Harlestone was not prepared to accept his capture in any chivalrous manner and his alleged behaviour reflects perhaps the reality of such small-scale skirmishes as opposed to what might be expected in the course of a more formal engagement. If indeed, Harlestone was engaged in less than chivalrous activities on his own behalf, this might account for his failure to accept his capture.<sup>123</sup>

Following this encounter 'in denneselbenn zeiten', as Bruno puts it, Harlestone allegedly attacked several of Bruno's French properties. The exact timing is unclear but Bruno states that at that time 'dir köninge von Franckhreich vnd Engellandt friedt vnd friedtliche stallung miteinander hatten.' A formal state of war between England and France did not begin until the French confiscation of Aquitaine in November 1369 and thus the attacks most likely took place between the end of June and November, possibly while Bruno was incarcerated in Calais. Bruno's accusations are very detailed. He names six villages as having suffered from Harlestone's attentions. These are, 'Runtinÿ'; 'Buscheÿ' and 'Buschen' in Burgundy; 'Humbescort'; 'Vrvil vff der Marnen' and 'Ruffier' in Champagne. He claims that a total of more than twenty men were murdered and details the method of their demise 'erschlugent, ertranckelnt vnnndt ann die baum hängent.' He also mentions one more fortunate man who merely had his teeth knocked out! He accuses Harlestone and his companions of

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<sup>123</sup> There is evidence that he was active in this way within Champagne but at a slightly later date. For details of this and a more general consideration of Harlestone's alleged activities as a *routier*, see Appendix 2.



himself and the second is a document given by his sister-in-law after the death of his wife.<sup>124</sup> The suggested locations are, again, tentative but are certainly plausible within the terms in which they are defined in the documents and their general grouping. Bruno's seat at Hoh Rappoltstein in Alsace is also shown on the map. It appears, from the maps, that Harlestone was prepared to travel a considerable distance to seek out properties held by Bruno. If the locations are at all accurate it suggests that these attacks were not just coincidence in the course of normal raiding and looting. The distances covered suggest that Harlestone had information permitting him to seek out specific properties, indicating that the attacks were personal.

At this point, the archive is silent. There is no indication of any action by Bruno at the time. No mention is made of Sir John Harlestone in the Rappoltstein archive for many years but other sources record him as being appointed captain of Guisnes in 1370.<sup>125</sup> Over the following decade Harlestone appears regularly in the sources and his military career flourished.

In 1384, a full fifteen years after their initial encounter, the paths of Bruno and Harlestone were to cross again.<sup>126</sup> In the early part of this year, Harlestone began a pilgrimage to Loreto via Rome which Fowler cites as an example of someone seeking absolution for past sins against the church.<sup>127</sup> Such a journey was in compliance with a papal bull of 16 November 1366 which specified pilgrimage to Rome as one of the acceptable penances.<sup>128</sup> Harlestone's destination and intention is confirmed by a letter from Pope Urban VI to the city of Strassburg which was sent as a part of the later efforts made to secure his freedom, as described below.<sup>129</sup> By the time of this

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<sup>124</sup> Albrecht, *RU*, 2, Nos. 102 and 103.

<sup>125</sup> Anthony Goodman, *The Loyal Conspiracy: the Lords Appellant under Richard II* (London: Routledge & Kegan Paul, 1971), p. 99.

<sup>126</sup> The dating of this can be inferred from a letter written in 1384 by Harlestone regarding his ransom. See Albrecht, *RU*, 12, No. 234. This date is accepted by Perroy in Edouard Perroy, *The Diplomatic Correspondence of Richard II* (London: The Camden Society, 1933), p. 196. Twinger sets the date as 1388 but this is clearly wrong as is indicated by the editor in his notes. See Königshofen, *Strassburg*, 9, p. 680. Twinger's dates continue to be wrong but not always by the same margin, despite the events being contemporary.

<sup>127</sup> Kenneth Alan Fowler, *Medieval Mercenaries* (Oxford: Blackwell, 2001), p. 146.

<sup>128</sup> *Ibid.*, p. 145. See also Diana Webb, *Medieval European Pilgrimage, c.700-c.1500* (Basingstoke: Palgrave, 2002), p. 50.

<sup>129</sup> Albrecht, *RU*, 2, No. 230. The letter from Urban is not specific in describing Harlestone's journey as a pilgrimage. He simply states that he was en route to the Roman *curia* "*pro certis suis negociis expediendis*". Fowler as cited above is clear that this was a pilgrimage and Perroy (Perroy, *Richard II*,

journey, Harlestone was possibly in his late forties and may have begun to consider the fate of his soul. As Fowler suggests (writing specifically about Harlestone), 'it is probable that it was only the more successful of the mercenaries, those who had good reason to safeguard their profits and were concerned about their position and advancement in society, who sought papal absolution'. Failure to do so would have left Harlestone excommunicated under a series of measures pronounced by Pope Urban VI in an attempt to stem the activities of the *routiers*.<sup>130</sup>

In the course of his journey he passed through Alsace under the protection of a safe-conduct issued by Primissel, duke of Teschen in the name of Wenzel for his passage through the territory of the Empire. This is attested in a number of letters subsequently written for the same purpose as that of Urban referred to above.<sup>131</sup> In addition Harlestone would have enjoyed the usual protections of the Church which applied to all pilgrims.<sup>132</sup> However, as Keen points out, status as a pilgrim would not have been enough in itself to guarantee security and the possession of a written safe-conduct was essential.<sup>133</sup>

The choice of a route via Alsace would appear reasonable for Harlestone who would not perhaps have wished to run the risk of travelling through France, given his previous military involvement in that area. The principal pilgrim route to Rome at this time was the *Via Francigena*. A map of this route is shown in Figure 11.<sup>134</sup>

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p. 196.) states a similar view. Urban's letter has a number of statements that conflict with other sources. He tells that Harlestone was with "*octo suis sociis*" whereas other accounts mention only three others. The source of his knowledge (presumably a letter from Richard II) has not survived.

<sup>130</sup> Fowler, *Medieval Mercenaries*, p. 146.

<sup>131</sup> Richard II wrote to the Wenzel, the dukes of Lorraine and Luxembourg and the city of Strassburg on this matter. In each case he refers to Harlestone as having been "*sub salvo conductu ducis tessinensis*" or the equivalent. He also wrote to the duke of Teschen himself using the phrase "*litteris vestris de salvo conducto*". The letters are reproduced in Perroy, *Richard II*, pp. 28-31.

<sup>132</sup> Every criminal code included penalties for the molestation of pilgrims and from 1303 such offenders were included in the annual bull *In Coena Domini* which anathematized such behaviour. Despite this, medieval pilgrimage was a dangerous business. These issues are covered in Jonathan Sumption, *Pilgrimage: an Image of Mediaeval Religion* (London: Faber, 1975), p. 177ff. and Webb, *Medieval European Pilgrimage*, pp. 38-40.

<sup>133</sup> Maurice Hugh Keen, *The Laws of War in the Late Middle Ages, [Studies in Political History.]* (pp. xi. 291. Routledge & Kegan Paul: London; University of Toronto Press: Toronto, 1965), pp. 196-197.

<sup>134</sup> Webb, *Medieval European Pilgrimage*, p. 132. Webb's description of pilgrimage routes from England to Rome confirms that travelling south along the Rhine would not have been unusual.



**Figure 11 The Via Francigena**

Travelling through the territory of the Empire (with which Richard II had allied himself in 1381 following his marriage to Anne of Bohemia, the half-sister of Wenzel, Harlestone would have been obliged to travel through the heart of Bruno's territory between Strassburg and Basel, as shown in Figure 11. In July 1384 Harlestone added his seal (together with those of three companions) to a letter agreeing the terms of his ransom.<sup>135</sup> Although preserved in German, it is likely that this is a transcription of a Latin original which has been lost. Such deeds or charters of ransom follow a conventional pattern according to Keen. Either in a single or sometimes two deeds, the prisoner would undertake to be a good prisoner; renounce any right to dispute his captor's right to a ransom and invoke 'savage anathemas' against himself in the event of failing in his obligations.<sup>136</sup> There would also be clear provisions relating to the amount of the ransom and the date of payments and, often, details of the conditions of captivity. The document sealed by Harlestone has only two of these elements – the sum and terms of payment and a lengthy list of the dreadful consequences that should befall him if the terms are not met. There is no

<sup>135</sup> Albrecht, *RU*, 2, No. 234.

<sup>136</sup> Keen, *The Laws of War*, pp. 167-168.

formal oath binding Harlestone to his captor and no agreement to waive any rights to dispute the ransom demand itself. There is nothing mentioned in the letter as regards the release of the captives. Keen mentions that captives were often released temporarily in order to raise the ransom sum but it seems unlikely that Bruno would have contemplated such an idea given the somewhat dubious nature of his right to hold Harlestone at all.

From the captor's viewpoint, whatever the rights and wrongs of his imprisonment, he would appear to have had no choice but to seal the deed. Harlestone was a long way from his home and his supporters, incarcerated in a formidable castle atop a steep hill (see Figure 12) with little or no hope of freedom other than by accepting whatever terms Bruno might propose. Hoh Rappoltstein was hardly a palace and Richard Barber relates that the Germans had a bad reputation regarding the treatment of prisoners, quoting Froissart's view that the Germans would shackle their prisoners and hold them in prison to obtain a better ransom.<sup>137</sup>



**Figure 12 Hoh Rappoltstein**

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<sup>137</sup> Richard Barber, *The Knight and Chivalry*, Rev. ed. ed. (Woodbridge: Boydell Press, 1995), p. 242.

These terms demanded by Bruno were quite onerous. In return for the freedom of Harlestone and his three companions (a priest and two squires) Bruno required payment of thirty thousand gold francs 'schwehr genung von deß königs vonn Franckreich gewichte', twenty 'gekrönter Engelescher tucher' together with twenty swords and twenty daggers. Given that the companions (of whom nothing further is known) were of limited value as hostages, one must assume that the bulk of this demand was made on the basis of Harlestone himself. The letter further required that an instalment of six thousand francs be paid before October 1 1384. In the absence of a comprehensive modern study of ransoms, it is generally accepted by most writers that ransoms were expected to be reasonably within the means of the captive to pay and should not ruin him.<sup>138</sup> An often quoted figure is that the amount should be equivalent to a year's income. There is no evidence that Harlestone was an especially rich man and Bruno's demands seem excessive, but this was not in itself unusual.<sup>139</sup> One may assume that he had in mind the sums which he considered he had lost in Harlestone's attacks of 1369 plus the ransom which Bruno had paid to secure his release from captivity in Calais. The demands for equipment seem opportunistic but were not unusual.<sup>140</sup>

No detail survives as regards how the money for the first instalment of the ransom was raised and by whom, but later correspondence indicates that the six thousand francs were duly paid.<sup>141</sup> Harlestone's close relationship with Thomas of Woodstock, his recent service to Richard II in the wake of the Peasants' Revolt and his general good standing and reputation as a loyal soldier over many years (See Appendix I) may have assisted in this regard but there is no record of this. It has been suggested that this initial payment was to have secured Harlestone's freedom and that Bruno reneged on this after receipt of the money, demanding a greater advance.<sup>142</sup> As mentioned

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<sup>138</sup> Ibid.

<sup>139</sup> There seems to have been no hard and fast rule as to what was a reasonable ransom. Keen indicates that it was based on a rough and ready assessment of what the captor thought he could get and what he thought the captive could pay and concludes that 'the resulting demand was nearly always excessive'. Keen, *The Laws of War*, pp. 158-159. In the case in question, Bruno is unlikely to have had any clear idea of Harlestone's resources and most likely therefore sought to regain his estimate of his own earlier losses as a starting point.

<sup>140</sup> Ibid., p. 168.

<sup>141</sup> Albrecht, *RU*, 2, No. 230. Urban's letter to Strassburg mentions this point.

<sup>142</sup> Guy Trendel, 'L'Affaire de Brunon de Ribaupierre,' *Recherches Medievales* 60 / 61 (1999): pp. 3-20.

above, there is nothing in the surviving deed of ransom which could be construed as a promise to release Harlestone after the first payment and there would appear to be no other surviving documents on this matter.

Harlestone seems to have accepted his captivity. He was first held at Hoh Rappoltstein but subsequently moved to Burgundy. In February 1387 Harlestone gave a letter (preserved in French) agreeing to remain as Bruno's prisoner whilst in the custody of Guy de Pontaillier, the Marshall of Burgundy and further promised to return to custody within eight days if anyone were to free him.<sup>143</sup> The letter makes mention of the fact that Harlestone had previously undertaken a pilgrimage to the shrine of Our Lady of Nazareth with Pontaillier 'au temps, que pais et concorde estoient entre les roys de France et d'Angleterre' which probably refers to the truce between 1360 and 1369. The two were bound by an oath of that time to assist each other and Harlestone had sought Pontaillier's help in 'lui extraire des mains dicelli messires Brun', presumably in the hope of securing more comfortable lodgings during his captivity. As mentioned above, the Germans had a poor reputation in terms of their treatment of captives and all of the various letters written by Richard II on Harlestone's behalf refer to the harsh regime of his imprisonment, although it has to be accepted that this may simply have been a conventional device to increase the impact of the appeals.

The relationship between Harlestone and Guy de Pontaillier is unclear but their joint pilgrimage suggests friendship. The latter was Marshall of Burgundy from 1364 to 1392. Alongside the Duchy and County of Burgundy, Philip the Bold's territory encompassed the 'terres de Champagne' (usually seen as a dependency of the Duchy).<sup>144</sup> Some of Bruno's possessions may have fallen within this area. Bruno's service with Philip the Bold against the English has been discussed previously. Little can be said about this web of interconnection in the absence of source material, other than to reflect that the personal relationships forged between knights sometimes transcend the simple divide between warring factions and thus there may be

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<sup>143</sup> Albrecht, *RU*, 2, No. 277.

<sup>144</sup> Vaughan, *Philip the Bold*, p. 114.

dimensions to the antipathy between Harlestone and Bruno that arose in ways that are unlikely ever to become clear.

Bruno's connections with Burgundy and Harlestone's friendship with de Pontaillier may have played their part in Bruno's agreement to release Harlestone from Hoh Rappoltstein but other factors may also have been at work.

In June 1385 Richard II of England wrote to the city authorities in Strassburg to seek their assistance in obtaining Harlestone's release.<sup>145</sup> In his letter he pointed out that Bruno was a citizen of Strassburg and it was on this basis that he requested the intervention of the authorities. Bruno had, in fact, been granted status as an *Ausbürger* in October 1383.<sup>146</sup> Richard also points out in the same letter that Harlestone could not have been guilty of the depredations alleged by Bruno since, at the time, he was 'in partibus ultramarinis contra inimicos crucis Christ'. Some writers have seen this as suggesting that Harlestone had visited the Holy Land but there is no other evidence to support this and it is more likely to refer to the journey made with Guy de Pontaillier or, quite possibly, to be a complete invention.

According to the Strassburg chronicler, Twinger, Bruno was summoned to appear before the council and to justify his capture of Harlestone.<sup>147</sup> It is in this context that his written statement of justification mentioned previously was most likely composed. The matter was left in abeyance at this point.

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<sup>145</sup> Albrecht, *RU*, 2, No. 245.

<sup>146</sup> *Ibid.*, 2, No. 226. There is no direct translation of *Ausbürger*. The term relates to the practice of cities whereby "external citizenship" was granted to members of the local nobility. This arrangement was considered to have advantages to both sides. For the city, it gained access to the support of the noble and his resources in case of need in times of war or dispute. It also provided the local city patriciate with closer links to the nobility, to whose ranks they often aspired. For the noble (who would usually maintain a property within the city) came similar support and the other benefits of citizenship. For a brief overview see Eberhard Isenmann, *Die deutsche Stadt im Spätmittelalter, 1250-1500 : Stadtgestalt, Recht, Stadtre Regiment, Kirche, Gesellschaft, Wirtschaft* (Stuttgart: E. Ulmer, 1988), pp. 98-99.

<sup>147</sup> The following section draws on Twinger's chronicle and the direct quotes are taken from here unless otherwise referenced. The relevant section of the chronicle may be found at : Königshofen, *Strassburg*, 9, pp. 680-682.

Further letters from Richard were then received by the authorities, not all of which have survived.<sup>148</sup> Eventually the authorities wrote back to Richard explaining that the matters giving rise to Bruno's capture of Harlestone predated his citizenship and that the citizenship agreement between Bruno and the city expressly excluded their becoming involved in such disputes which, accordingly, was nothing to do with them! The chronicler notes that several respected persons suggested that pressure should be brought to bear on Bruno in case their failure to act were to cause problems for the city in the future. Others treated this view with contempt, commenting that 'es mueste ein lang swert sin das von Engelant untze gen Strosburg reichte.'

In the absence of any practical help from the authorities in Strassburg, Richard turned to others. He wrote a series of letters to his brother-in-law, Wenzel, king of the Romans, Pope Urban VI, Primissel duke of Teschen and the Dukes of Lorraine and Luxemburg. In each case Richard asked for intervention to help secure the release of Harlestone.<sup>149</sup> At this point, the pressure began to build for Bruno and his response was dramatic.

In September 1386 Bruno swore perpetual allegiance to Charles VI of France.<sup>150</sup> In return for eight thousand francs Bruno pledged to hold his castles open to the king and to support him in his war against the king of England and the latter's allies, including specifically the king of the Romans. The only exclusions from Bruno's obligations were the duke of Burgundy, the duke of Austria (to whom Bruno had pledged allegiance for three years in April 1384), The duke of Lorraine, the bishops of Basel and Strassburg and the city of Strassburg.<sup>151</sup> Bruno undertook to capture any English subjects or possessions that he could and also not to free any English prisoners without the prior approval of the king. In a further document of 1388, Charles VI instructed Bruno to capture any Englishman travelling without a safe-conduct issued by Charles or in his name.<sup>152</sup> Thus, Bruno appears to have re-entered the Hundred Years' War and transformed Harlestone into a prisoner of war. The implications of

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<sup>148</sup> Perroy reproduces one further letter in Perroy, *Richard II*, p. 30. Königshofen however seems clear that there were several letters.

<sup>149</sup> *Ibid.*, pp. 28-31.

<sup>150</sup> Albrecht, *RU*, 2, No. 263.

<sup>151</sup> *Ibid.*, 2, No. 233.

<sup>152</sup> *Ibid.*, 2, No. 289.

Bruno's action in the context of his position as a subject of the Empire will be considered later. For the moment, it should however be recorded that at the time of entering this agreement, Bruno was still in the *Acht* as a result of the dispute with the Habsburg-Laufenburg family and that this new allegiance may have been at the root of his decision to send Harlestone to Burgundy.

Harlestone remained in Burgundy for the duration of his captivity. A further letter dated 10 March 1388 restates his obligation as Bruno's prisoner whilst moving to a new location in Burgundy. For Bruno, who apparently chose not to publicise his French connection, the pressure continued. Letters were written to the Strassburg city authorities by Wenzel, Pope Urban VI and the dukes of Lorraine, Luxemburg and Teschen, all of whom requested the city to use its influence with its errant citizen. Wenzel wrote additionally to all towns in the *Landvogtei* of Alsace to order them to press Bruno to release his captive.<sup>153</sup>

Wenzel wrote to Bruno himself in February 1387.<sup>154</sup> He refers to letters and ambassadors that he has previously sent to Bruno requiring him to release Harlestone or to present himself before the princes of the Empire to justify the captivity and to the fact that neither of these things has happened. This letter suggests that Wenzel is running out of patience with Bruno but it had no effect. In December 1387 Bruno received a further letter from the king of France instructing him to imprison all English soldiers and their supporters unless they held letters of safe-conduct.<sup>155</sup> Matters dragged on and eventually Wenzel ran out of patience and Bruno was placed in the *Acht*, again, in 1388. In a letter to the cities of Strassburg, Colmar, Schlettstadt, Hagenau and all other imperial Cities in Alsace, dated 27 August 1388, Wenzel demands that rights of citizenship be withheld from all of Bruno's subjects because

der obgenante von Roppolsteine vnd all die sinen in vnsern vnd des heiligen Riches ohte sind vnd vor ouch frefreliche vil jore in ohte vnd aber ohte gewesen sint vnd noch sint von clage wegen des edeln grofe Ruodolfes von

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<sup>153</sup> Ibid., 2, Nos. 273, 274, 275 and 278.

<sup>154</sup> Ibid., 2, No. 276.

<sup>155</sup> Ibid., 2, No. 248.

Habesburg seligen vnd Heinrich Wiskle von wegen der hoherbornen fürstin frowe Anne, künigin zuo Engelant etc.<sup>156</sup>

Similar letters were addressed to other towns and cities with instructions to resume control of properties granted to Bruno and his subjects.

Eventually the pressure had the desired effect. The release of Harlestone is not documented directly but can be implied from other sources. A document dated by Albrecht to early 1392 refers both to Harlestone as released and Bruno as free of the *Acht*.<sup>157</sup> In fact, it would seem that Harlestone had been released rather earlier as he was paid the arrears of his pension in England in December 1389.<sup>158</sup>

This was not, however, to be the end of the matter. Bruno's next great feud – with the city of Strassburg – was taking shape.

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<sup>156</sup> *Ibid.*, 2, No. 330.

<sup>157</sup> *Ibid.*, 2, No. 337.

<sup>158</sup> Perroy, *Richard II*, p. 197.

### *Case Study 3: Bruno and the City of Strassburg*

While there is no evidence of general hostility between the Rappoltstein family and the city authorities of Strassburg, Bruno's relationship with the authorities had been volatile over a long period of time prior to the events discussed above. In 1362 Bruno had joined in alliance with the city to defend against the incursions of the 'English'. The surviving evidence suggests, however, that Bruno and his brother Ulrich were short-lived members of the alliance without indicating any possible reasons for this.<sup>159</sup> As noted above, at the time of the death of his brother Ulrich in 1377 Bruno was banned from entry into the city although the reason for this is again unclear. In his own words, Bruno noted 'do getoerste ich nicht gen Strassburg inkommen.'<sup>160</sup> The family archive contains a number of documents which suggest that there were further disputes but also periods of co-operation between Bruno and the city.<sup>161</sup> None of these disputes had prevented Bruno from obtaining his status as an *Ausbürger* of the city. This, of itself, gives some indication of the volatile relationship that existed between the city patriciates and the local nobility.

Following the unwillingness or inability of the city authorities to effect the release of Sir John Harlestone as discussed previously, they were to discover that Richard II of England did indeed 'have a long sword', diplomatically if not physically. If the authorities believed that they could stand aloof from that dispute on the basis that it was 'none of their concern' then they would appear to have been guilty of a damaging combination of arrogance, naivety and stupidity. None of the city's many established privileges and freedoms was able to protect it from the political manoeuvring of its enemies who saw an opportunity to profit from this matter.

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<sup>159</sup> Albrecht, *RU*, 1, No. 744 Note 1.

<sup>160</sup> *Ibid.*, 2, No. 157a.

<sup>161</sup> *Ibid.*, 2, No. 108. In this document Bruno denies an accusation from the city authorities that he had given shelter to Johannes Erbe 'in minen vestinen zue Welschem lande:' when the latter was sought by the city in respect of an attack on its possession, Herlisheim. It is possible that this dispute had led to Bruno being banned from the city but there is no record of this. Other documents note the involvement of Bruno as an arbitrator in settling various local disputes.

On the basis of a complaint in the name of Anne of Bohemia, Richard II's wife and half-sister to King Wenzel, the city was placed under the imperial bann in 1389 in somewhat dubious circumstances.<sup>162</sup> The city authorities claimed that they had been sentenced outside of their own territories and may well have had some justification, given that they had received a number of imperial privileges which should have safeguarded them from this danger.<sup>163</sup>

What followed from this was a war of opportunism. Although Bruno was party to this, it was not his feud and the details are not relevant here. Suffice to say that the prime mover was the bishop of Strassburg, Friedrich von Blankenheim, who may have seen an opportunity to re-establish some measure of control over the city as well as a potentially highly profitable exercise. He enlisted the support of various princes and nobles with the promise of financial gain and with the connivance of Wenzel's *Landvogt*, if not with that of Wenzel himself, an army was mustered to attack Strassburg. After a deal of negotiation and some indecisive military action in which the surrounding peasantry were, as usual, the main losers, the matter was settled by the payment of a substantial sum by the city to the imperial purse and the city was released from the *Acht*. During the course of these negotiations a number of participants had submitted accounts for "reparations", including one from Bruno for the sum of thirty thousand florins.<sup>164</sup> In the end, a payment of thirty two thousand florins to Wenzel was enough to see the lifting of the bann with the city being left to negotiate separately with the other parties. The bishop of Strassburg was left in a particularly difficult position. His supporters had gained nothing and expended substantial sums which he was in no position to reimburse. Some of these took recompense by attacking the bishop's properties on their way home and shortly after the conclusion of hostilities, bishop Friedrich persuaded the pope to permit him to exchange sees with the bishop of Utrecht.<sup>165</sup> His successor (whose election itself required a further bout of hostilities) was finally obliged to make a settlement with the city.

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<sup>162</sup> There is evidence that the proceedings against the city were in breach of the proper practice both as regards the location of the hearings and the manner in which they were conducted. See Fritz, *SU*, No. 687. and also Trendel, 'Brunon de Ribeaupierre,' p. 10.

<sup>163</sup> Battenberg, *Reichsacht und Anleite*, p. 85 and Note 381.

<sup>164</sup> Trendel, 'Brunon de Ribeaupierre,' p. 14.

<sup>165</sup> Königshofen, *Strassburg*, 9, pp. 695-696.

One small point of interest in this affair which relates directly to Bruno is that it provides a rare, possibly unique, account of his involvement in direct military action. In an assault on the Rhine bridge, Twinger (in one redaction) writes of a captain of artillery 'der schoß in die brucke mit her Burnen von Roppilsteins büssen, der hette do duo mole die groeste von der man im Eilsas wuste zuo sagende.' The text does not mention that Bruno took part in the action himself but clearly he was an early adopter of new military technology and quite probably would have been on hand to oversee the deployment of his artillery.

The settlement of the war did not led to a settlement of the animosity between Bruno and the city of Strassburg. The feud between the two, described as such by the city itself, continued until Bruno' death.<sup>166</sup>

The city authorities appear to have accepted a settlement with the king, their mendacious bishop and those magnates who had supported him as representing the best available outcome to a quarrel which they could not hope to win. The payment of a substantial 'gift' to the royal exchequer, a bribe by any other name, to secure release from the *Acht* appears to have been considered a normal transaction. Indeed, in one letter of instruction to their ambassadors at an early point during the negotiations, the city authorities made it clear that payment should be made to settle the matter if at all possible.<sup>167</sup> The total disruption of the city's commercial activities and the suspension of its privileges were far too costly to be allowed to continue. Bruno was an entirely different case.

As has been discussed above, the relationship between Bruno and the city had been less than harmonious from time to time over many years. It is clear from numerous documents in the city archives and from the tone of Twinger's comments that the city authorities blamed Bruno entirely for the imposition of the *Acht* and for the subsequent war with the bishop and his supporters. It does not seem to have occurred to them that their own attitude towards the various requests made by Wenzel and others in the matter of Sir John Harlestone's imprisonment was at least partly the

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<sup>166</sup> See Fritz, *SU*, No. 1151.

<sup>167</sup> *Ibid.*, No. 602.

cause of their misfortune. In addition, there were other outstanding grievances towards Bruno which required settlement. In particular there were sums of money lent to the Rappoltstein family several years previously which remained unpaid and there was the matter of the town of Gemar which Bruno had seized from the city in 1392.<sup>168</sup> Previously in 1391 he had also retaken control of a part of the town of Ribeauvillé which he had pledged to the city and promised not to enter. At the time, the city had responded by banning Bruno from entry into the city for two years.<sup>169</sup>

For his part, Bruno maintained his own long list of grievances against the city. In his first statement demanding reparations, Bruno makes a point of recording that the city had sent two officials to him at the start of the Harlestone affair and that these had made it clear that they wanted nothing to do with this matter since it pre-dated the adoption of Bruno as an *Ausbürger*. It would seem that Bruno was attempting to state, for the record, that it was not his fault that the city fell into the *Acht*. His other demands concern themselves with claims that the city had taken various actions which had given rise to expenses which he would not otherwise have incurred or which had involved violence against Bruno himself and his people, including the unjustified beheading of one of his men.<sup>170</sup> By way of response the city confined itself to a complaint that Bruno had broken his oaths by retaking both the town of Gemar and a part of the town of Rappoltsweiler which he had pledged on account of sums borrowed from citizens of Strassburg. The point is also made that the city had, in fact, attempted to intervene in the matter of Harlestone's capture.<sup>171</sup>

By September 1394 matters had not been resolved and the city began preparations for war with Bruno. In a letter dated 8 September 1394, the city wrote to Count Heinrich von Saarwerden (the husband of Bruno's niece Herzlaude) to inform him that they 'herr Brunen von Rappoltsten und die sinen meinent zü schedigen umb das unrecht, das er und die sinen uns, unsern burgen and den unsern getan hant.' They made it

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<sup>168</sup> Albrecht, *RU*, 2, No. 345.

<sup>169</sup> The city's complaints are repeated in several documents during the course of the feud. See *Ibid.*, 2, No. 445. as an example which details the complaints regarding Gemar and Rappoltsweiler. The matter is mentioned in more detail below.

<sup>170</sup> Fritz, *SU*, No. 742.

<sup>171</sup> *Ibid.*, No. 743.

clear in the letter that they had no wish to damage Saarwerden's property and had given instructions that this should be avoided.<sup>172</sup>

This was followed next day by a formal declaration of hostilities addressed to Bruno.<sup>173</sup> Six days later a meeting took place between the two sides but nothing was resolved. On 19 September 1394, Bruno's supporters sent their declarations of enmity to the city.<sup>174</sup> It is clear from various references that negotiations continued but not all of these are documented in the archives. In February 1395 a meeting was arranged at Hagenau (the seat of the *Landvogt*). The representatives of the city were present but Bruno was absent, sending in his place three representatives who suggested that a final settlement could not be reached without Bruno himself. In a telling intervention 'hat der Landvogt ausgeführt unter Beistimmung des anwesenden Heinrich von Saarwerden und anderer, dass es viel günstiger sei indirect mit Bruno zu handeln'. The report omits the detail of the discussions but subsequent events show that no settlement was reached.<sup>175</sup>

Discussions, truces, threats of action and further complaints by both sides continued with nothing being resolved. In April 1395 Wenzel wrote to the imperial cities of Alsace and Swabia requesting them to write to the authorities in Strassburg and to instruct them not to attack or damage Bruno's castles and possessions.<sup>176</sup> Finally in October 1395 a comprehensive settlement was pronounced by Duke Leopold of Austria.<sup>177</sup> In this document Leopold appears largely to declare that those issues which are documented should be settled according to pre-existing agreements and dismisses claims which rely on the verbal assertion of the parties. Bruno clearly did not find this to his satisfaction and ignored it.

Further negotiations ensued during the following months. In April 1396 Wenzel ruled that matters should be resolved by the arbitration of the archbishop of Mainz and directed all parties to attend the meetings which the archbishop had called. Wenzel

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<sup>172</sup> Ibid., No. 884.

<sup>173</sup> Ibid., No. 886.

<sup>174</sup> Ibid., Nos. 888 and 891.

<sup>175</sup> Ibid., No. 915.

<sup>176</sup> Ibid., No. 922.

<sup>177</sup> Ibid., No. 994.

also mentions that he had communicated this decision verbally to Bruno.<sup>178</sup> There is no evidence of Bruno having travelled to Prague (from where the document was issued) but very shortly thereafter in May 1396 Wenzel granted Bruno the right to mint his own silver coins.<sup>179</sup> This was swiftly followed by the grant of further privileges. In June 1396 Wenzel decreed that, in respect of property held of the Empire, Bruno could only be called to appear before the courts of the *Landvogt* in Alsace or the Empire itself. Further, on the same day, Wenzel decreed that no-one should be permitted to summon Bruno, his people or his possessions before any court other than that situated in the area in which they were situated. At the same time he declared that all previous decisions made in other courts were voided. It would thus appear that Bruno stood favourably in the king's view at that time.

In early August, Bruno and his supporters met with the representatives of Strassburg under the auspices of three representatives of Duke Leopold of Austria. At this meeting, each party again set out in great detail their various grievances against the other and answers were given. The memorandum recording this meeting is lengthy.<sup>180</sup>

On Bruno's side he repeated many of the complaints which were made at previous gatherings. First, however, he accused the city of having broken the peace between them agreed at Hagenau and of having acted generally in bad faith. This was followed by detailed complaints concern property rights and, in particular, the disputed possessions of Gemar and part of Rappoltsweiler. He also complained that the city has damaged and repossessed properties that belonged to him within the city. There were accusations of violence against people under his protection and attempted violence against Bruno himself, because of which he had to expend large sums improving his castle defences and strengthening his garrisons. Finally, he claimed that the city failed to attend a meeting which had been decreed as a part of the Hagenau settlement and that, for this reason, all of the city's claims against him are null and void.

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<sup>178</sup> Albrecht, *RU*, 2, No. 450.

<sup>179</sup> *Ibid.*, 2, No. 451.

<sup>180</sup> *Ibid.*, 2, No. 464.

The city rejected each of Bruno's points. Their defence, in simplified terms, comprised either the fact that Bruno was in debt to citizens and Strassburg and had breached agreements, so it was reasonable for them to take the actions of which he complained, or that the matter was nothing to do with them. Against Bruno's final attempt to have all of their complaints struck down, the city simply replied that they had attended the meeting, to which Bruno countered that this had never happened. The city also rejected claims it they had breached the previous peace accord and stated that it was Bruno who had done this. There is a sense of two parties arguing from fixed positions with no wish to reach a compromise.

In its response, the city again stated its grievance over Bruno's illegal repossession of a part of Rappoltsweiler. In reply, Bruno gave more detail than previously recorded. For Rappoltsweiler he claims that while he was in the *Acht*, the city had planned to take Rappoltsweiler and his prisoner, Sir John Harlestone, and pass both over the Wenzel. Having received no reply in response to his questioning on that rumour he felt he had to assume that it was true. This view was reinforced when the city's forces appeared outside the gates of Rappoltsweiler in his absence. They were not admitted but given that the city itself was in the *Acht* at the time and thus outside of the law, Bruno felt that he was justified in retaking possession of the whole of the town.

A similar degree of detail is provided in Bruno's response to the, now familiar, complaint that he had repossessed the town of Gemar which was pledged to a citizen of Strassburg. Bruno accepted that the pledge was made but complained that the citizen, Heinrich von Mulnheim, had used Gemar as a base from which to attack Bruno and his people and that Mulnheim intended to kill or capture Bruno if at all possible. In the circumstances Bruno felt justified in putting a stop to this, after several warnings, by retaking Gemar.

The city repeated its accusation that Bruno, as an *Ausbürger*, had failed in his duty to them and had, in fact, damaged the city through 'mordt, brant und raub'. There is nothing by way of specific incident put forward to support this general complaint. Bruno rejected this, making the point that he had only attacked them in open warfare and that this had happened after the city had been placed in the *Acht*, at which point the king had declared all agreements relating to *Ausbürger* to be void.

There were numerous further complaints against Bruno of greater or lesser weight – including the accusation that he ‘einer armen frauwen ... vier tonnen hering genoomen habe.’

There is no record of any agreement or decision having been reached in Freiburg. In October, a letter from the city to Philip the Bold, duke of Burgundy describes the visit of an ambassador from both the duke and his brother, the French king. This ambassador appears to have been sent with a view to brokering a peace following complaint by Bruno to both the king and the duke.<sup>181</sup> Within the letter is an indication that the matter had again been referred to Leopold IV of Austria as Bruno’s feudal overlord. Notwithstanding this, the city had decided to take direct military action by laying siege to the town of Gemar. A substantial force equipped with artillery was put into the field but Bruno’s garrison stood firm using the arquebusses mentioned previously to kill a number of the Strassburg soldiers. The siege lasted some 20 days without any impact and was then abandoned.<sup>182</sup>

For Strassburg, matters began to take a turn for the worse when news was received from a number of sources that the duke of Lorraine was raising forces to invade Alsace in support of Bruno.<sup>183</sup> In the interim Leopold IV of Austria had pronounced a final settlement which was ruinous to Bruno.<sup>184</sup> Under the terms of this agreement, Bruno was required to pay twenty one thousand guilders to the city. Bruno received nothing for his counterclaims. Leopold himself along with Bruno’s brother-in-law, the count of Saarwerden and others stood as guarantors and Bruno was forced to pledge a substantial part of his property in return. The final settlement account was agreed on 26 December 1396.<sup>185</sup> Various writers have given widely varying figures for the total of Bruno’s indebtedness at the time of his death but none of these is supported. In the absence of evidence an accurate figure is impossible to calculate. All are agreed however that it was substantial. Bruno was clearly left short of money

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<sup>181</sup> Fritz, *SU*, No. 1151.

<sup>182</sup> Trendel, 'Brunon de Ribeaupierre,' pp. 17-18. There is a list of the city’s expenses incurred in this campaign: see Fritz, *SU*, No. 1213.

<sup>183</sup> Fritz, *SU*, Nos. 1190, 1191, 1192 and 1193.

<sup>184</sup> Albrecht, *RU*, 2, Nos. 566 and 567.

<sup>185</sup> Fritz, *SU*, No. 1214.

and there is evidence of fresh borrowing in the early months of 1398.<sup>186</sup> The pledging of most of his dynastic assets to the Habsburgs must have been a bitter blow to Bruno. Within eighteen months he was dead.<sup>187</sup>

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<sup>186</sup> Albrecht, *RU*, 2, No. 607. Bruno was also seeking to enforce various rights to raise cash. See Albrecht, *RU*, 2, No. 598.

<sup>187</sup> Albrecht, *RU*, 2, No. 612. The suggested date for his death is 14 May 1398.

## Chapter VI Bruno's Sense of Identity

Consider Bruno von Rappoltstein in 1377. The recent death of his brother Ulrich VI had left him in sole effective control of the Rappoltstein lordships, at least while his niece, Herzlaude, remained unmarried. This was to be the pivotal point in his life and in the fortunes of the family, which were now in his hands.

To pose the question of how Bruno might have perceived himself at this point as an individual and as the leading secular figure in his family is, inevitably, fraught with danger. It has long been a matter of debate to what extent, if at all, the historian is in a position to form any understanding of what might have been in the mind of individuals who lived in the past. Keith Jenkins rejects the notion out-of-hand thus, 'I think people in the past were very different to us in the meanings they gave to their world, and that any reading on to them of a constancy of human nature type, of whatever kind, is without foundation.'<sup>188</sup> This is not the place for a discussion of the post-modernist approach to writing history. Jenkin's arguments against 'empathy' are logical and persuasive.<sup>189</sup> Too much has changed. A modern historian can hardly be expected to begin to grasp what it was to be alive in the latter part of the fourteenth century or to understand, in any real sense, the mind-set which would have governed Bruno's opinions and actions.<sup>190</sup> This was a time in western Europe when supernatural explanations were accepted for anything which could not otherwise be understood; a time when God was the fundamental causative agent in all human life. The Black Death in particular was seen as God at work in the world with

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<sup>188</sup> Keith Jenkins, *Rethinking History, Routledge Classics* (Oxford: Routledge, 2003), p. 56.

<sup>189</sup> *Ibid.*, pp. 47-57. In this section, Jenkins sets out in detail his reasons for rejecting empathy as a possibility for the modern historian. The debate arising from the post-modern approach to history continues and has sometimes appeared to move beyond the language of scholarly debate. An opposing view to that put forward by Jenkins may be found in Arthur Marwick, *The New Nature of History : Knowledge, Evidence, Language* (Basingstoke: Palgrave, 2001). and also in Richard J. Evans, *In Defence of History* (London: Granta, 2001). Another view from the post-modern standpoint is to be found in Alun Munslow, *The New History* (Harlow: Longman, 2003). For a consideration of a post-modern approach specifically to medieval history see Gabrielle M. Spiegel, *The Past as Text : the Theory and Practice of Medieval Historiography, Parallax. Re-visions of culture and society* (Baltimore, London: Johns Hopkins University Press, 1997).

<sup>190</sup> Others would say that this is exactly what historians do!

an inevitable sense of millenarianism one of its consequences.<sup>191</sup> Even the language is a problem. It is tempting to translate late Middle High German words by reference to their modern equivalent where the orthography is similar. This can sometimes lead to a false understanding as meanings change over time.<sup>192</sup> Notwithstanding these reservations, it is possible to say something about this matter while accepting that it is only what Jenkins would call 'a tentative understanding'.<sup>193</sup>

Aged about forty years (on the basis of the estimation of his birth date as discussed above), Bruno found himself in a position that he may never have anticipated. His early years had been marked with a series of difficult episodes. His mother had died while he was still a very small child (in 1341) and his father had followed while he was still in his teens in 1362. As the youngest of nine children, by 1377 he had lost three of his four brothers. Three of his sisters were in convents. Nothing is known of the fourth although she was known to be still alive in 1377.<sup>194</sup> He had grown up at a time when economic conditions had been more difficult than for previous generations, although as Scott suggests, the impact of these may have been less disastrous in Alsace than in other parts of Europe.<sup>195</sup> He had survived the Black Death which had visited Alsace and taken its toll on the population of Strassburg if not on the region around Rappoltsweiler itself but he would have been well aware of its impact, not least by virtue of his elder brother Hugo being *Domprobst* of the Strassburg cathedral. He had seen his native lands ravaged by 'English' mercenaries temporarily disengaged from the conflict between England and France and his family had been party to at least one defence treaty at that time. Subsequently Bruno had become directly involved in that conflict, resulting in an extended and expensive captivity in Calais, and an unsatisfactory military encounter which led indirectly to serious losses

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<sup>191</sup> There are numerous studies of the Black Death and its impact at every level of European society. For general background see Norman F. Cantor, *In the Wake of the Plague: the Black Death and the World it Made* (London: Pocket, 2002). and Colin Platt, *King Death: the Black Death and its Aftermath in Late Medieval England* (London: UCL Press, 1996). For a range of source material see Rosemary Horrox, *The Black Death* (Manchester; New York: Manchester University Press, 1994).

<sup>192</sup> The online version of dictionary begun by Jakob and Wilhelm Grimm in the nineteenth century (but only completed in 1960) is an invaluable resource in the area. This may be found at <http://germazope.uni-trier.de/Projects/DWB>

<sup>193</sup> For useful background to German society in the medieval period see Christopher R Friedrichs, 'German Social Structure 1300-1600,' in *Germany. A New Social and Economic History*, ed. Scribner Bob (London: Arnold, 1997).

<sup>194</sup> See Appendix 1 for the full genealogy

<sup>195</sup> Scott, *Regional Identity*, p. 287.

in his French estates and the later episode with Sir John Harlestone. From a dynastic viewpoint, his marriage to Johanna von Blankenberg had produced two daughters while Ulrich VII had left a single daughter as his only heir. His sole remaining brother, Hugo, was unpromising as a solution to the problem of succession. To complete Bruno's problems, his wife Johanna died in 1377.

At this point, it might be tempting to divert into the realms of psychohistory or psychobiography and to seek some explanation for Bruno's later behaviour in the traumas of his childhood. There is no surviving evidence of his childhood years but lack of real evidence has not always been seen as a bar to such analyses from Freud's (in)famous essay on Leonardo da Vinci onwards. Given the earlier comments on 'empathy' and the lack of detail concerning episodes in Bruno's early life, however, it is sufficient to note that while these early experiences were hardly likely to have been untypical and it is probably impossible to draw any relevant value from such analyses, Bruno would at least have had a deep sense of the transience of human life in this world.

By way of a 'tentative understanding' however, it may be judged that Bruno's view of himself would have been closely tied to his sense of dynastic identity. Continuity with the past and the provision of heirs to carry forward the family name and fortunes were central to the identity of a medieval noble, standing first and foremost alongside the duty to preserve and increase the family's assets and to protect the family's dependants.

In the case of the Rappoltsteins, it has already been noted that they had a strong sense of dynastic identity. By 1377, as has been shown, the family was well established as *Uradel* and the leading noble family in the region outside of the bishops of Strassburg and the Habsburgs. The lack of male heirs would have been a major issue. As Ortwein notes

Die Herren von Rappoltstein waren bis Anfang der siebziger Jahre des 14. Jahrhunderts ohne männliche Erben ... Um die Erbfolge zu sichern, bitten Ulrich VII. und Bruno I. ihren Lehnsherrn, den Bischof von Basel, ihnen die weibliche Erbfolge zu gestatten. Am 17.6.1371 kommt Bischof Johannes dieser Bitte nach. Am 7.5.1372

bestätigt Papst Gregor XI. von Avignon aus diese Genehmigung mit der Maßgabe, daß, sobald Söhne geboren werden, diese in die Erbfolge eintreten.<sup>196</sup>

Gaining this permission for succession through the female line would have been a time-consuming and expensive process but the alternative, the possible extinction of the dynasty, would have been a disaster greater to contemplate than all other problems. It is this issue which is at the heart of case study 1.

As has been shown, the Habsburg-Laufenburg family was in a similar position in terms of male heirs. In their case, the branch of the family was relatively young and it is known that they were short of money. At all times they must have feared being subsumed back into the main branch of the Habsburg family which was consistently growing in power and influence. An alliance with the Rappoltsteins would have appeared attractive at every level. For both Bruno and his brother, the possibility that the chosen Habsburg-Laufenburg husband for Herzlaude was incapable of fathering children would have been a cause for grave concern. Following Ulrich VII's death, Bruno (and his brother Hugo) appear to have tried to be as accommodating as possible. They were at pains to state their wish to remain on good terms with the Habsburg-Laufenburgs and to proceed with the wedding if the alleged problem could be cured. The subsequent decision to switch the marriage to the count of Saarwerden would seem to have been a sensible, indeed necessary, option. Unfortunately, the only surviving accounts of this episode are written from the Rappoltstein viewpoint and would be expected to have supported their case. It is clear from even these accounts that there had been accusations that Bruno had 'sold' his niece to a more important family which offered better prospects and an opportunity to redeem outstanding debts at a time when the Rappoltsteins themselves appear to have been short of money. Indeed, it remains unclear exactly what advantage the family had perceived in the proposed original match. The suggestion that Herzlaude's original betrothed had subsequently fathered children is not clearly supported and the fact that he wed a woman of lower status would tend to support a view that his affliction was at least well known in noble circles, if not genuine.

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<sup>196</sup> Ortwein, "Chronik Rappoltstein," p. A133.

What is clear from this episode is that the dynastic needs of the family took precedence. As Bruno stated himself, he would have preferred to have kept the whole of the Rappoltstein lordships intact and under direct family control. The decision to seek permission for the estates to pass via the female line indicate that this was seen as preferable to the alternative of the family dying out and the estates reverting to their feudal lords. Thus, in the absence of male heirs in 1377 and with Bruno no longer married, finding a suitable husband for Herzlaude was a priority. The Saarwerdens were a considerably better prospect than an impoverished cadet branch of the Habsburgs and Bruno was prepared to face the consequences of taking that option. The family came first.

The importance of the Rappoltstein family at this time has been established. In his detailed picture of the properties and rights of the Rappoltsteins, Brieger states,

Nach unten hin war die Herrschaft dort, wo sie die bannherrschaft oder gar die Hochgerichtsbarkeit besass, fest abgeschlossen; gleichviel unter welchem Rechtstitel die Rappoltsteiner diese Gerechtsame innehalten – ob als Reichslehen oder als anderes Lehen-, alle ihre Untertanen standen in strengem Pflicht- und Abhängigkeitsverhältnis.<sup>197</sup>

Thus, Bruno held in his hands, quite literally, the power of life and death within his own domain.

Beyond his obvious sense of family identity, it can be asked if Bruno would have felt any sense of regional or 'German' identity. In the first case, the geographic and economic circumstances of Alsace have shown that it was a natural region. Its 'buffer-zone' position between the French and German speaking descendants of Charlemagne would only have tended to encourage the development of a sense of community and identity. Tom Scott points to this. Following an analysis of the public peace treaties of the fourteenth century he writes 'I would suggest that the treaties do reflect a sense of regional identity on the Upper Rhine in the later Middle Ages, an awareness of mutual needs and interests which was bounded by a sense of

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<sup>197</sup> Brieger, *Die Herrschaft Rappoltstein*, p. 69.

place.’<sup>198</sup> The involvement of the Rappoltstein family in supporting these mutual needs has been illustrated by participation in a variety of treaties for local defence and for the maintenance of peace and good order. Bruno had been brought up in these traditions which would have been of importance to him as a part of the definition of his family and personal status. But as Scot points out ‘a sense of *Landschaft* might extend beyond the valley to embrace both the Ajoie and the territories lying in and beyond the Burgundian Gate.’<sup>199</sup> In Bruno’s case, perhaps far more than is evident in earlier or contemporary family members, there had been a wider dimension to his experiences. As discussed above, Bruno had married the daughter of a Burgundian family before 1362 and had acquired a number of properties on the other side of the Burgundian Gate. Quite possibly as a result of this, he had been drawn into service with Philip the Bold of Burgundy and had seen action (if only briefly) in the French cause against the English. After Bruno’s death, this connection would grow stronger. His eldest son, Smassmann, served Philip the Bold as *Mundschenk* at the Burgundian court as a young man.<sup>200</sup> He progressed to become *Landvogt* of the Habsburg Outer Austrian lands and was eventually engaged to Philip the Bold’s daughter, Katherine of Burgundy, the widow of Duke Leopold IV of Austria.<sup>201</sup> The family connection was thus far from trivial. As will be discussed below when considering Bruno’s relationship with the Empire, Bruno maintained his relationship with the Valois to the extent of entering into service with Philip’s nephew, Charles VI of France in 1386. Against this background, it has to be said that there is little evidence of Bruno playing any significant role in regional matters, other than in the context of his disputes with Strassburg. Of course, for most, if not all, of the second half of his life, he was nominally an outlaw in the empire!

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<sup>198</sup> Scott, *Regional Identity*, pp. 39-40. Scott writes specifically about Alsace and the Upper Rhine but from his point of view as an economic historian. The question of a German identity in the pre-modern period is the subject of a vast literature. A discussion of this is not entirely relevant here as Bruno shows no sign of a ‘German’ perspective in any of his actions.

<sup>199</sup> *Ibid.*, p. 40. The Burgundian Gate is a geological term referring to the gap between the Vosges and the Jura mountain ranges. See Figure 1 – the town of Belfort sits in this gap.

<sup>200</sup> Rathgeber, *Die Herrschaft Rappoltstein*, p. 4.

<sup>201</sup> *Ibid.* Some writers suggest that this marriage took place – see Ortwein’s genealogy in Appendix 1 as an example. However both Armstrong and Calmette are clear that the marriage was blocked by Philip and that Smassman was bought off. See C. A. J. Armstrong, *England, France and Burgundy in the Fifteenth Century* (London: Hambledon, 1983), pp. 312-13. and Joseph Calmette, *The Golden Age of Burgundy: the Magnificent Dukes and their Courts* (London: Phoenix, 2001, 1962), p. 138. Vaughan is silent on the matter. For a definition of “Outer Austria” see Scott, *Regional Identity*, pp. 56-58.

The same can be said to be true in terms of any evidence of Bruno showing any sense of national or 'German' identity. In a recent article, Len Scales discusses the question of late medieval German identity and the stereotypical view of the German people as warlike and 'furious'.<sup>202</sup> There is a great deal about Bruno's character that would fit him to the prevailing stereotype as described in that article. He conformed to the view held by some of the Germans as guilty of 'reckless impulsiveness, which drove the Germans not only to plunder others, but also themselves.'<sup>203</sup> He certainly had an 'innate love of quarrels'.<sup>204</sup> But there is little to demonstrate that Bruno thought or operated in any 'German' dimension. His concerns were exclusively primarily local and overwhelmingly dynastic. Indeed, his relationship with the Empire, considered in more detail below, was at all times ambiguous.

Little is known of Bruno as an individual. There is just the single, telling, comment (mentioned in case study 3) during the negotiations to settle the dispute with the city of Strassburg, that it might be better to deal with Bruno indirectly. Taken with the indirect evidence of his behaviour throughout the episodes described above, it may be concluded that he was a difficult person, someone not easily deflected from pursuit of what he considered to be his or his family's rights. His willingness to defy arbitration decisions which did not suit him and, indeed, effectively to defy the imposition of the imperial bann, points to a stubbornness of mind which was not always to his advantage. His predominant sense of himself seems to have been 'Ich bin der Herr von Rappoltstein' as stated in the supposed family motto. This encapsulates a sense of pride in his heritage, his determination to protect and enhance the family's position and a strong sense of his own power within his territories which, as has been seen, were second only in compass to those of the Habsburgs in Upper Alsace. It also embodies the hubris which would seem to be Bruno's weakness and at the seat of his many troubles. An early indication of this may be drawn from his own description of his performance at the tournaments accompanying the marriage of Philip the Bold. He was in the most illustrious company of European nobility at that gathering but

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<sup>202</sup> LE Scales, 'Germen Militiae: War and German Identity in the Later Middle Ages,' *Past and Present*, no. 180 (2003). For a recent view of German statehood in the medieval period see also LE Scales, 'Late Medieval Germany: an under-States Nation?,' in *Power and the Nation in European History*, ed. Len Scales and Oliver Zimmer (Cambridge: Cambridge University Press, 2005).

<sup>203</sup> Scales, 'Germen Militiae,' p. 75.

<sup>204</sup> *Ibid.*: p. 67., citing Alexander of Roes, *Noticia Seculi*

from the memorandum of his involvement discussed above he quite clearly considered himself to have been one of the stars in that particular firmament. As powerful as he may have felt himself to be, or indeed, may have been within his own domains, the future events of his life would demonstrate the limitations of that power when pitted against individuals and entities of real power.

In summary, Bruno was a Rappoltstein, which for him seemed more than sufficient. He was a survivor in an uncertain world who was concerned to maintain and further the fortunes of the family. It is perhaps unfortunate that his personal character was such that he achieved almost exactly the opposite of what he must have intended. He most assuredly did 'plunder himself' as well as others.

## Chapter VII Bruno's Relationship with Kings and Princes

For the head of a locally important but more generally insignificant lordship in a far-flung corner of the Empire, Bruno seems to have had a disproportionately large amount of involvement with kings and princes. Using the information from the case studies, it is interesting to examine the nature of these relationships and to examine what these can reveal about power relationships at the end of the fourteenth century.

There are four relationships that bear scrutiny: The Empire, France, Burgundy and Austria.

### The Empire

Bruno grew up under the imperial rule of Charles IV who was succeeded by his son, Wenzel as king of the Romans, in 1378. Wenzel was deposed in 1400 and his reign thus coincided almost exactly with the period of Bruno's life presently under consideration.

Charles IV had moved the centre of power in the Empire to his native Bohemia with Prague at its centre.<sup>205</sup> In 1365 it was an agreement between Charles IV and Pope Urban V (1362-70) that had led indirectly to the ravaging of Alsace by the free companies under Arnaud de Cervole, the Archpriest.<sup>206</sup> When the companies were refused permission to cross the Rhine by the bridge at Strassburg, Charles IV (who was in the area at the time) was obliged under local pressure to summon support and to use his forces to shepherd the companies back towards French territory, albeit without the military engagement that the citizens of Strassburg urged upon him. It was also suggested at the time that Charles IV had used the companies to repay the city of Strassburg for detaining him within the city against his will during a dispute

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<sup>205</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 39. For general background on Charles IV and Wenzel see also Peter Moraw, *Von Offener Verfassung Zu Gestalteter Verdichtung. Das Reich im späten Mittelalter* (Frankfurt am Main: Verlag Ullstein GmbH, 1989), pp. 240-259. The whole book provides useful background to the period and the issues relevant to this dissertation. Further background summarising the trends in modern research (at the time of publication) can be found in Karl-Friedrich Krieger, *König, Reich und Reichsreform im Spätmittelalter*, ed. Lothar Gall, *Enzyklopädie Deutscher Geschichte* (München: R Oldenbourg Verlag, 1992).

<sup>206</sup> For Urban V see Kelly, *The Oxford Dictionary of Popes*, pp. 223-225.

over the acceptance of external citizens, a practice which he had forbidden in his Golden Bull of 1356.<sup>207</sup> As Twinger records 'und geschach groesser schade zuo Elsas von des keyser's volke und von den fründen, denne von den vigenden was geschehen.', to the effect that 'und wart korn türe, das ein viertel bi ein pfunt galt.'<sup>208</sup> Ten years after the first invasion, a second invasion led by the French nobleman Enguerrand de Courcy seeking to establish a domain in Alsace, was repelled by the local forces of Strassburg and Alsace with no help from the emperor.<sup>209</sup> Charles IV was thus no great friend to Strassburg and Alsace. Indeed, his concern with the politics of Bohemia left him little time to involve himself in German matters to any great extent. His Golden Bull and promotion of the *Landfrieden* in the latter part of his reign served to place day-to-day power increasingly in local hands. Du Boulay summarises his reign thus, 'The hallmark of Charles IV's reign is the dynastic aggrandisement of the Luxemburg family. All else appears subordinate.'<sup>210</sup>

If anything, Wenzel showed even less interest in Alsace. There is no evidence of his spending time in the area or visiting Strassburg during his reign.<sup>211</sup> He was again primarily concerned with dynastic issues in his native Bohemia, arising from his father's legacy. Taken with his reportedly dissolute and drunken lifestyle, the German parts of the Empire were left largely to their own devices under the loose direction of his appointed officials. Very few historians have had a good word to say for Wenzel. Du Boulay considers that he was faced with nine problems and resolved none of them.<sup>212</sup> Offler is a little kinder but only as regards the early part of the reign.<sup>213</sup> It is of little surprise that the administration of the Empire appears to have especially chaotic during this period. By way of an example, the Strassburg city authorities sent ambassadors to Wenzel during negotiations to have the city removed from the *Acht*. After their arrival in Prague, they were kept waiting for several weeks

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<sup>207</sup> Dollinger, *Histoire de l'Alsace*, p. 141.

<sup>208</sup> Königshofen, *Strassburg*, 9, p 489.

<sup>209</sup> Dollinger, *Histoire de l'Alsace*, p. 141.

<sup>210</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 37.

<sup>211</sup> See Wenzel's itinerary in Ivan Hlaváček, *Das Urkunden- und Kanzleiwesen des böhmischen und römischen Königs Wenzel (IV) 1376-1419*, *Schriften der Monumenta Germaniae historica* (Stuttgart: Anton Hiersemann, 1970), pp. 396-431.

<sup>212</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 45.

<sup>213</sup> HS Offler, 'Aspects of Government in the Late Medieval Empire,' in *Europe in the Late Middle Ages*, ed. JR Hale, JRL Highfield, and B Smalley (London: Faber and Faber, 1965), p. 229.

without seeing the king and eventually returned home.<sup>214</sup> The extent to which imperial authority was ineffective is further apparent when considering the relationship between Bruno and the Empire which emerges from the case studies above.

The relationship between the Rappoltstein family and the Empire had been of varying quality as indicated above. Anselm II, in particular, had at different times been a stalwart supporter of the Empire and the subject of a siege conducted personally by emperor Rudolf I. During the first half of the fourteenth century the family appears to have remained in good standing with the Empire, as evidenced by references in the archive previously shown. Bruno's father, Johannes II, seems to have presided over a period of stability in the family's fortunes and to have been a respected member of the local noble community.

From the outset of his life, Bruno seems to have had a wider perspective. As has been seen above and as Jordan notes, 'Celui-ci [Bruno] se tourne alors vers la Lorraine et la Bourgogne; il épouse une dame de Blamont, se montre plus intéressé par les pays d'outre-Vosges, alors en plein tumulte, que par les régions germaniques.' At this point in its development the family did not stand in a direct relationship with the king / emperor. Brieger, in his study of the Rappoltstein lordships, devotes a chapter to this aspect. From this it is clear that during Bruno's lifetime, the Rappoltsteins were subject to the authority of the *Landgrafschaft* of Upper Alsace which was in the hands of Habsburg Austria, notwithstanding certain specific privileges granted by Wenzel to Bruno. It is only after Bruno's death that the family is mentioned as being in a direct relationship with the king / emperor as *reichsfrei* and *reichsständisch*.<sup>215</sup> It is perhaps for this reason that the final arbitration in the dispute with Strassburg comes from Duke Leopold IV of Austria. However, Brieger concedes that the question of the Rappoltsteins' position in respect of their various relationships to superior authorities is unclear and based upon a very limited number of sources. The family held a bewildering collection of lands and rights from numerous parties and even he, in a very detailed study, excuses himself from setting all of them down.<sup>216</sup> This knot of

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<sup>214</sup> Königshofen, *Strassburg*, 9, p 682.

<sup>215</sup> Brieger, *Die Herrschaft Rappoltstein*, p. 69.

<sup>216</sup> *Ibid.*, pp. 66-67.

relationships, rights and jurisdictions can only have been a source of confusion and may well have played its part in the complexity of Bruno's relationships with those to whom he was, at least nominally, subject.

The most immediately striking aspect of Bruno's own relationship with the Empire is in the matter of the *Acht*. As has been seen above, Bruno was first placed under the *Acht* in 1379 on the basis of a complaint by Count Rudolf von Habsburg-Laufenburg. The entries in the imperial *Achtbuch*, reproduced by Battenberg in his study of the *Acht* record a series of such entries.<sup>217</sup> This is in line with the sequence of events as described by Bruno.

The first interesting point to arise from this is that Bruno was able to take his case to a separate court and have himself removed from the *Achtbuch*. No details of the process have survived. As has been seen, this was not the only occasion when Bruno sought an alternative arbiter in a case where the verdict was not to his liking. This aspect will be considered further below.

On this occasion however, as we have seen, his accuser was then able to have this acquittal overturned and Bruno's name appears twice in the *Achtbuch* in 1382. In the second case against Bruno, arising from his capture of Sir John Harlestone there is just the one entry against his name, in 1388, on the complaint of Wenzel's sister, Anne, Queen Consort of Richard II of England.<sup>218</sup> In neither case is there any entry against his name to indicate that he had been placed in the *Aberacht*, or ever released from either of the original *Acht* pronouncements. As mentioned above, Battenberg has stressed the importance of entries in the *Achtbuch*, both in respect of the original sentence and its subsequent removal and it is thus puzzling that such entries do not appear. The documentary evidence cited previously suggests that Bruno was released from the sentence in respect of his capture of Sir John Harlestone. There is also clear evidence previously cited that Bruno had been placed in the *Aberacht* – the extended sentence which could follow the simple *Acht* after a period of one year and one day.

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<sup>217</sup> Battenberg, *Reichsacht und Anleite*, p. 567.

<sup>218</sup> *Ibid.*, p. 571.

What is both interesting and, at first sight, puzzling is that Bruno's status (or absence of it) as an outlaw does not seem to have impeded him in his day-to-day life or in the enjoyment of his position as lord in his own domain. Nor does it appear to have prevented him from conducting his normal business or from receiving fresh privileges from Wenzel himself. Yet, from 1379 possibly until his death in 1399 he was under sentence of outlawry, the consequences of which were apparently extreme.

To understand this and to set it within the context of Bruno's relationship with the Empire, it is necessary to understand the nature of the *Acht* and *Aberacht* in the later medieval Empire.

The *Acht* is defined by Poetsch thus: 'Unter Reichsacht versteht man das Setzen einer Person ausserhalb des Schutzes der Rechtsordnung mit Wirkung für das ganze Reichsgebiet;' <sup>219</sup> The origins of the penalty lie in the notion of *Friedlosigkeit* developed by the Germanic tribes. In effect, the person subjected to the penalty was no longer within the 'peace' of the king and thus not subject to his protection. Worse still, that person was to be considered not merely as an "outlaw" but as an enemy. Poetsch suggests that the imperial sentence of outlawry, *die Reichsacht*, first came into use during the second half of the twelfth century. <sup>220</sup> As a punishment it was potentially the threatened sentence for a wide range of offences and for disobedience of a variety of orders from the king. Non-appearance before the king himself or his courts, both for criminal and civil cases, was a common usage. <sup>221</sup>

The *Acht* itself came in two stages. In the later Middle Ages the initial, or simple *Acht* was primarily a device to persuade the offender to submit himself to the courts. The second stage, the *Aberacht*, was a far more serious punishment. Poetsch considers this first phase to have been 'nur eine Minderung des Rechtsschutzes, die erst nach Ablauf einer gewissen Zeit durch Verhängen der Oberacht (Aberacht) die volle Friedlosigkeit nach sich zog.' <sup>222</sup> In his view, the simple *Acht* had originally led to the full consequences of outlawry but by the later Middle Ages this had reduced to

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<sup>219</sup> Joseph Poetsch, *Die Reichsacht im Mittelalter und besonders in der neueren Zeit* (Breslau: Verlag von M & H Marcus, 1911), p. 2.

<sup>220</sup> *Ibid.*, p. 4.

<sup>221</sup> *Ibid.*, p. 18ff.

<sup>222</sup> *Ibid.*, p. 45.

a more limited restriction with the full force of the sentence only falling on the person concerned with the pronouncement of the *Aberacht* which could be invoked if the *Acht* had persisted for at least a year and a day. In certain very serious cases however he suggests that the full force could be brought to bear immediately and also in cases where the *Acht* had been rescinded against an oath to appear before a court and where that oath was not kept.

The simple *Acht*, according to Poetsch, had the following consequences. The 'outlaw' could not stand as representative for another in any court; any complaint that he brought to court could be ignored but he would have to answer complaints against him; he was unable to exercise any judicial powers that had been granted to him and he could be neither judge nor witness in any court proceedings. His disposition of any property was invalid and no-one was bound by any oath made to him. Although the outlaw was outside of the king's peace, this was limited. He could be captured and brought before the courts at any time by anyone. If he resisted arrest he could be wounded or even killed, but in the latter case the court was to be informed immediately and the body delivered to it.<sup>223</sup> The point of this was to make it clear that anyone subject to the *Acht* would be brought before the courts, under compulsion if necessary, both for the benefit of the original complainant and in the interests of public order. In addition to the implications of the sentence for his legal powers, it was forbidden for anyone to give any support to the outlaw or to have anything to do with him. This would have acted to exclude him from any religious ceremonies, irrespective of whether the *Acht* had been accompanied (as was often the case) by a sentence of excommunication. At this stage, the desired outcome was that the outlaw had little choice but to flee or to submit to the courts. In practice however, the effects of this aspect of the *Acht* were weakened by the numerous privileges granted to various nobles and cities permitting them to give shelter to persons subject to the *Acht*.

If the matter persisted long enough for the pronouncement of the *Aberacht*, the position of the offender worsened immeasurably. At this point he became a 'non-person' in the eyes of the law. Poetsch summarizes: 'Er verlor seine sämtliche Würden, Ehren,

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<sup>223</sup> *Ibid.*, pp. 156-157.

Vorrechte, seine Freiheit, seine Familienrechte. Seine Frau wurde zur Witwe, seine Kinder zu Waisen.<sup>224</sup> Any property held by fief reverted to the superior lord and other goods were to be confiscated for the benefit of the king. Beyond this, he could be killed by anyone at any time and, indeed, it was the duty of others to execute this sentence. Poetsch points to examples of such killings in the central Middle Ages but suggests that they were infrequent and that by the later Middle Ages such killings apparently never happened. He also suggests that the authorities much preferred to have the offender captured and delivered for the dispensing of justice via the courts, making the point that the consequences were the same whether the origin of the sentence was criminal or civil.

Originally the *Acht*, and certainly the *Aberacht*, was a permanent state, incapable of being removed once pronounced but by the later Middle Ages both the *Acht* and the *Aberacht* were frequently removed upon the satisfaction of the necessary conditions. These conditions were dependent on the original cause of the sentence. In certain cases the payment of an *Achtschatz* was sufficient. This was the case for the city of Strassburg as discussed above. In both cases the outlaw was fully restored to his position prior to the sentence although Poetsch points to a degree of ambiguity as to whether a person released from the *Aberacht* was able to reclaim property lost.<sup>225</sup>

In summary, by the time of Bruno's first encounter with the penalty, the simple *Acht* was principally used as a means to bring a disobedient subject to heel in front of the courts. Only with the imposition of the *Aberacht* did this process become a real punishment with serious consequences.

The enforcement of both the *Acht* and the *Aberacht* had also changed by the later Middle Ages. Poetsch summarises the position thus,

Es leuchtet ein, daß die Reichsacht mit ihren gewaltigen Folgen bei tatkräftiger Ausführung derselben das allerwirksamste Zwangsmittel, die furchtbarste Strafe sein musste. Bis zum Ende des 14. Jahrhunderts scheint sie

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<sup>224</sup> Ibid., p. 158.

<sup>225</sup> Ibid., p. 240ff.



auch tatsächlich sehr gefürchtet gewesen zu sein. Im 15. Jahrhundert sank sie aber praktisch nahezu zur Bedeutungslosigkeit herab.<sup>226</sup>

and goes on to suggest that this is evidenced by the lack of entries evidencing release from the *Acht* and *Aberacht*. No-one thought it necessary because the penalty was itself never enforced. It is suggested that this lack of effect sprang from the weakness of the king and his lack of means to enforce a penalty which was the job of the imperial authorities to enforce. This, in turn, is traced back to the diminution of imperial power arising from the disposal of imperial property in earlier reigns. Thus, despite the many letters sent by the king to princes, nobles and cities requiring them to enforce the provisions of the *Acht* against the offender, in practice it was left to the original complainant to do what he could to enforce the sentence.

In his modern consideration of the same issues, Friedrich Battenberg, has some points worth adding and some areas where he questions the received position as represented by Poetsch. Battenberg's approach is from a specific viewpoint in terms of examining the use of the *Acht* and *Aberacht* in the context of the decline of feudal relationships in the later Middle Ages and as a mechanism for the stabilisation of imperial power. His research does however add certain elements worth considering here in a general overview of the *Acht*.

Battenberg makes the point that the issue of the sentence of the *Acht* served to give legal sanction to the prosecution of a feud against the outlaw. This greatly enhanced the chance of the complainant being able to enforce his claim, given the weaknesses mentioned above.<sup>227</sup> In the case of the *Aberacht*, he stresses that the pronouncement was not an automatic process upon elapse of the term of one year and one day, but required a further application by the complainant and a further invitation to the outlaw.<sup>228</sup>

Battenberg challenges the view that the *Acht* itself was intended as a form of lesser punishment. He believes that the pronouncement meant exactly what it said and that full *Friedlosigkeit* was the immediate consequence and that the difference between

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<sup>226</sup> Ibid., p 187.

<sup>227</sup> Battenberg, *Reichsacht und Anleite*, p. 263.

<sup>228</sup> Ibid., p. 287.

this and the *Aberacht* was a matter of the extent to which the remedies were pursued. He also spends some time in trying to overcome the paradox of what was said and what was done at a theoretical level.<sup>229</sup> As a part of this discussion he points out that multiple, concurrent sentences ‘und damit gleichsam Friedlossetzungen von bereits Friedlosen, waren deshalb durchaus möglich und im späten Mittelalter vielfach üblich.’<sup>230</sup> This, of course, was Bruno’s situation. Within his views concerning the operation of the *Acht* and the *Aberacht*, Battenberg makes the point that for a brief period, from the reign of Charles IV to that of Sigismund (king of the Romans 1410-1437, emperor from 1433), and thus covering the whole of Bruno’s lifetime, there was indeed a clear and stated difference of effect between the two. As he says, ‘Die Formulare liessen erkennen, dass erst mit der Aberachtverkündigung ein Entzug der Freiheiten und Privilegien des Ächters verbunden war; vorher konnte dieser sich, obwohl er der Theorie nach als voll recht- und friedlos anzusehen war, seiner Privilegialen Vorrechte noch bedienen.’<sup>231</sup> Overall, by the late Middle Ages and prior to their subsequent amalgamation in 1495, there seems to have been little practical difference between the two sentences. Battenberg states that the purpose of the *Aberacht* itself was no more than that of the *Acht* – to bring the outlaw to the court for settlement of the original complaint.

Against this background it is not surprising that Bruno’s life seemed to pass largely unaffected by his status as an outlaw. Although there is no record of his being pronounced as in the *Aberacht*, it is certain that this must have occurred as evidenced by a number of documents including the letter from Wenzel of August 1388 previously quoted. This may be contrasted however with a further letter from Wenzel dated June 1389 and addressed to the city authorities in Colmar. In this letter, Wenzel begins ‘Lieben getreuen, wann nu ze disen zeiten Brün von Rapoltstein in vnser vnd des heiligen Richs achte vnd swere vngenade ist, ...’ In this case there is no mention of the *Aberacht*. At this point, Harlestone was probably still in captivity and there is nothing in the *Achtbuch* to indicate a change in Bruno’s status. It is thus reasonable to assume that he was still under two separate sentences of the *Acht* and at

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<sup>229</sup> Ibid., p. 349ff, p. 411ff.

<sup>230</sup> Ibid., p. 413.

<sup>231</sup> Ibid., p. 428.

least one of the *Aberacht*, most likely in respect of the long-running dispute with the Habsburg-Laufenburgs.

As mentioned above, there is indirect evidence that Bruno was eventually released from the sentence arising from the capture of Sir John Harlestone but no such evidence regarding the sentence arising from the Habsburg-Laufenburg complaint. Andlau stated 'disser brun ... ist gestorben in ach'. The enmity between the two families has been shown to have continued for many years albeit with little or no practical impact and the fact that Johann IV von Laufenburg was still agreeing only to a temporary truce between them in 1396 suggests that the complaint was unresolved and that Bruno most likely did die while still in both the *Acht* and the *Aberacht*.<sup>232</sup>

The lack of any substantial impact of the *Acht* and *Aberacht* on Bruno's day-to-day life is evidenced throughout the archive by the many references to Bruno carrying on with business as usual. There are numerous documents preserved in the archive that show Bruno dealing with property in a normal manner but more striking are the examples of new properties and rights being granted to Bruno. On 31 March 1392, Wenzel granted Bruno and his sons 'das obgenante schultheisambpt vnd helbes vngelt zuo Slecztat ...' as an imperial fief and referred to Bruno in the conventional manner as 'vunsern vnd des Riches lieben getruwen'.<sup>233</sup> This document follows closely on the indirect notification of Bruno's release from the *Acht* in respect of the Harlestone affair and is the reason why Karl Albrecht dated the letter containing this information as '1392 vor März 31'. On the following day Bruno was granted the right to a new toll on certain goods, in return for the fact that Bruno 'sich mit allen seinen slossen vnd vesten vns czu hulff verbunden hat'. Such grants continued up to the end of Bruno's life, notwithstanding his intransigence in the settlement of the dispute with the city of Strassburg (in which Wenzel had attempted to mediate) and the apparent fact that Bruno was still under sentence of *Acht* and *Aberacht* in respect of the Habsburg-Laufenburg complaint. In May 1396 Bruno was granted the right that 'er

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<sup>232</sup> Albrecht, *RU*, 2, No. 466.

<sup>233</sup> *Ibid.*, 2, No. 339.

ein siberein pfenynng muncze in seinem lande slahen solle'.<sup>234</sup> A few weeks later, in June, Bruno received

diese besondere gnade ... das in von sulcher guter wegen, die er von vns vnd dem Reiche zulehen hat, yemande anlangen oder anteidigen wolte, so is vnser meynung vnd wollen, das er von derselben guter wegen vor nyemand zu dem rechten gesteen solle, dann allein vor vnserm lantvogt zu Elsassen vnd vnsern vnd des reiches mannen doselbist...<sup>235</sup>

and on the same day he was granted the right another 'besondere gnade'

das in [Bruno], die lute, vndersessen vnd guter, die zu der herschaft gen Oberrn vnd Nydern Rapolstein gehoren, fur dhein lantgerichte noch sust fur dhein ander gerichte nyemande laden oder furheischen noch vber sie vrteylen solle in dheyneis dann allein fur die gerichte, dorynne sie gesessen vnd wohnhaftig sein ...<sup>236</sup>

Finally, it is noteworthy that a month later in June 1396 during the latter stages of Bruno's dispute with the city of Strassburg when war appeared to be about to break out, Wenzel wrote to his *Landvogt* and to all cities belonging to the *Landvogtei* instructing them to defend and protect Bruno against any attack that might be made on him by the city of Strassburg and its prime supporter, the duke of Austria.<sup>237</sup>

There is no evidence to suggest that anyone seriously attempted to apprehend Bruno in order to bring him before the courts by force. In his document of 1378, discussed in detail above, concerning the dispute over the marriage of his niece, Herzlaude, Bruno refused to travel to Rome on the grounds that he would most likely be captured and killed *en route*. This would have been before the first sentence of the *Acht* however. This should however be contrasted with Bruno's report during a dispute with Heinrich von Saarwerden in 1384 which arose from the marriage of Herzlaude, that he made a number of journeys in the course of his dispute with the Habsburg-Laufenburgs 'gen Prag, gen Lützelburg, gen Franckenfürth vnd vmb vnd vmb'.<sup>238</sup> There is no suggestion that he was in any way molested during the course of these

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<sup>234</sup> Ibid., 2, No. 450. There is no evidence that Bruno ever exercised this right, probably because he lacked the wherewithal to do so. It was only subsequent to his death that silver was discovered and a mining industry established on Rappoltstein land. The grant itself is, however, a sign of the standing of the family.

<sup>235</sup> Ibid., 2, No. 453.

<sup>236</sup> Ibid., 2, No. 454.

<sup>237</sup> Ibid., 2, No. 458. Although given at Prague, the document bears the inscription "Per dominum Primislaum ducem Teschinensem, Walchnico de Wytenmule". This was the same duke of Teschen whose safe-conduct had been carried by Sir John Harlestone at the time of his capture by Bruno!

<sup>238</sup> Ibid., 2, No. 240.

journeys but it is unclear whether they were made before or after the first sentence of the *Acht*.

Much later, during the course of his dispute with the city of Strassburg, Bruno complained of physical attacks made or threatened against him. It is impossible to know whether these complaints had any merit or whether they were conventional or indeed fictitious accusations but at no time is it suggested that these were made on the grounds of Bruno being an outlaw and with a view to bringing him to justice. It would seem that these (if they happened at all) were simply a manifestation of the then current feud.

Bruno does not appear to have travelled widely during the main period of his outlawry but the absence of evidence reveals very little in an archive which is inevitably incomplete. Clearly, there were circumstances in which a sentence of the *Acht* led to direct physical confrontation. Twinger reports that the first sign that the city of Strassburg had been placed in the *Acht* was the capture of its citizens travelling for purposes of trade.<sup>239</sup> Given the later circumstances of a plot between the bishop of Strassburg, the *Landvogt* and a group of nobles to exploit the city's status in order to extract cash from the authorities it is possible that the imprisonment of the city's merchants was orchestrated rather than evidence of normal practice.

Finally, there is no evidence that Bruno was in any way ostracised or shunned by anyone. When the plot against the city of Strassburg was being hatched Bruno was present as one of the initial conspirators.<sup>240</sup> Again, it is the case that he was at that time released from the sentence in respect of the Harlestone affair but not necessarily from that relating the Habsburg-Laufenburg complaint.

Overall, it seems clear that outlawry had little practical impact on Bruno. It is evident in this case that the decline of the *Acht* and *Aberacht* as feared punishments was already under way during the reign of Wenzel, quite probably due to his lack of any real means of enforcement other than through the offices of the local justice system

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<sup>239</sup> Königshofen, *Strassburg*, 9, 682.

<sup>240</sup> Albrecht, *RU*, 2, No. 346.

and the generally chaotic nature of imperial administration during the latter part of his rule. If the impact of the sentence was negligible and the dire threats contained in imperial letters towards those who did not follow the king's instructions to enforce the sentence were ignored, it is hardly surprising that it became a matter of derision.

This lack of imperial authority is reinforced by reference to Wenzel's attempt to become engaged in the settlement of the long-running feud between Bruno and the city of Strassburg. Wenzel's first involvement came in 1396, as mentioned above. Having taken the matter into his own hands, Wenzel deputed the archbishop of Mainz to arbitrate. Despite various attempts to conclude matters the initiative simply appeared to fizzle out with no conclusion. It was at this point that the city of Strassburg once again referred matters back to the duke of Austria as Bruno's feudal overlord.

Overall, Bruno seems to have had such relationship with the Empire as suited him. His status as an outlaw for most of his adult life appears to have had no practical impact on his day-to-day affairs and he was clearly happy to ignore the imperial authorities and even Wenzel himself as and when matters did not suit him. This did not prevent him from acquiring significant new imperial privileges from time to time. Perhaps it was primarily a case of pragmatic politics on both sides in the context of the wider complexities of relationships between the king, the nobility and the cities. Perhaps also it was symptomatic of that wider malaise that would see the deposition of Wenzel from his position as king of the Romans very shortly after Bruno's death.

By way of a brief postscript, matters changed significantly during the lifetime of Bruno's son, Smassman. It was under the latter's rule that the Rappoltstein family became much more directly concerned in the affairs of the Empire and in the wider politics of the region generally.<sup>241</sup>

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<sup>241</sup> Benoit Jordan's book - Jordan, *La Noblesse d'Alsace*. – derived from his doctoral thesis, is primarily concerned with the later history of the family and deals fully with this change of status.

## France, Burgundy and Austria

The details of Bruno's involvement with France, Burgundy and Austria have been detailed above in the case studies. At first glance it is far from clear how these matters were inter-related and why Bruno became bound up in them but when seen in the context of the complexities of the latter part of the fourteenth century, things become clearer.

There is nothing to suggest any special relationship between the Rappoltstein family and the French monarchy prior to Bruno. Nor is there anything to link Bruno with France apart from his brief appearance as a participant in the Hundred Years War. The only comment that Bruno has to make about his early experience as a combatant is the comment in a note which must have been written after 1384 'vndt stehen herrn Brunen noch vff den heüttigen tag wegen des königs in Franckhreich gemelkten zugs halber inn die 8000 francken seiner besoldung aus.'<sup>242</sup> Money, as ever with Bruno, is a problem.

It is thus something of a surprise to read the document of September 1386 in which Bruno accepted eight thousand gold francs to become the vassal of Charles VI of France – albeit with payment spread over a number of instalments. This was not a case of dual or multiple vassalage based on property or other rights. Such things were far from uncommon and normally the documents would make clear the hierarchy of obligations involved with action against existing overlords excluded.<sup>243</sup> The Rappoltsteins held fiefs from a variety of greater lords in this way as has been shown by Brieger.

In Bruno's case, as noted in case study 2, he agrees to hold his castles open to the king of France and excludes only the Dukes of Burgundy, Lorraine and Austria, the city of Strassburg, and the bishops of Basel and Strassburg. He quite specifically allies

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<sup>242</sup> Albrecht, *RU*, 2, No. 63.

<sup>243</sup> For a discussion of dual vassalage on the borders between France and Germany see Kurt-Ulrich Jäschke, 'Reichsgrenzen und Vasallitäten – zur Einordnung des französisch-deutschen Grenzraums im Mittelalter,' *Jahrbuch für westdeutsche Landesgeschichte* 22 (1996): pp. 113-178.

himself with France against Wenzel and the English. The language of the letter from Charles VI is significant:

Et pour ce le dit chevalier nous a fait foy et hommage et en est devenu nostre homme et nous apromis et jure tenir et acomplir, ce qui s'ensuit:  
Premièrement, que lui et ses successeurs perpetuelement seront noz hommes et vassaulx et aussi de noz successeurs perpetuelement roys de France, et que il et ses successeurs serviront nous et noz diz successeurs en tous faiz de guerre contre le roy d'Angleterre et sez alliez, contre le roi des Romains, se mestier estoit, et qui'l aveinst que nous eussions guerre contre lui, et contre touz autres qui peuent viure et mourir, se requis en est, excepte ... [the exclusions are listed here].<sup>244</sup>

This is not a short-term involvement. Bruno pledged both himself and his heirs to perpetual support of the French king in war against England, The Empire and their allies. Further, it makes clear that Bruno *was* the subject of the king of the Romans and that he is aware of the fact that France is at war with the Empire. For the relatively small sum of eight thousand gold francs, this was a very significant commitment which Bruno is unlikely to have made without some contemplation of the possible consequences. It is hardly surprising that he chose to keep this matter secret!

This was a difficult time for Bruno. He was under sentence of outlawry over the Habsburg-Laufenburg matter which had, as he claims, cost him a considerable sum in travelling costs alone and although not yet sentenced similarly over the Harlestone matter, he was under considerable pressure on all fronts from some of the most powerful figures in Europe. He was also engaged in a dispute with his new brother-in-law relating to the inheritance of his niece Herzlaude and had lost control of the largest Rappoltstein castle, Gross Rappoltstein and of half of the town of Rappoltweiler, quite possibly permanently if the dispute went against him. This was certainly a low point in his fortunes.

It is tempting in these circumstances to suggest that money was at the root of the problem. Given that the king of France was himself unable or unwilling to find the

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<sup>244</sup> Albrecht, *RU*, 2, No. 263.

cash in one lump sum, this may not be a complete explanation.<sup>245</sup> It is perhaps more likely that Bruno was seeking a safety-net if things were to escalate much further. This is certainly the view taken by Trendel.<sup>246</sup> For Trendel this is the complete answer and he suggests that this alliance had been initiated by Bruno. Certainly, Bruno would have had in mind that it was less than one hundred years since his predecessor had been besieged by the king in person. While Wenzel may have been a less threatening figure than Rudolf I of Habsburg, the pressure from all sides politically and religiously must have concerned Bruno greatly. He was clearly going to get no help from the city of Strassburg which was trying its best to distance itself from the whole matter and he had received threats from both Wenzel and the pope. He may well have believed that both his life and his soul were in danger at the same time as his hold on the family inheritance was faltering and, as usual he was short of cash. In these circumstances Bruno may well have felt that an alliance with France might leave him with a way out given his holdings of property to the west of the Vosges or provide him with a powerful ally in the event of serious hostilities. What is less apparent is why the king of France would be interested in recruiting Bruno. But this agreement was not really about France. It was entirely about Burgundy.

Charles VI had succeeded to the throne of France in 1380 at the age of eleven years.<sup>247</sup> Following initial jostling for power amongst his three uncles, from 1382 the government of France was effectively under the control of Philip the Bold of Burgundy until Charles VI took control of his own affairs in 1388. This control was largely regained after 1392 when Charles VI displayed the first signs of a recurrent madness that was to be a feature of the rest of his life. At the time of Bruno's agreement with Charles VI in 1386, Philip was firmly in control. That Philip had an interest in Alsace is without doubt. Vaughan writes 'In the last two decades of the fourteenth century the European political context was favourable for the emergence of a new power, and by far the most propitious area for this was along the boundary

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<sup>245</sup> Ibid., 2, No. 290. This document sets out the deferred payment terms of the sum originally promised to Bruno.

<sup>246</sup> Trendel, 'Brunon de Ribeaupierre,' p. 7.

<sup>247</sup> For what follows by way of context, I have drawn upon: Robert J Knecht, *The Valois. Kings of France 1328 -1589* (London and New York: Hambledon & London, 2004), Chapter 3 The Marmousets., Vaughan, *Philip the Bold*, Chapter 3 The First Peer of France & Chapter 5 The European Scene. and Daniel Waley and Peter Denley, *Later Medieval Europe* (Harlow: Longman, 2001), Part III, Chapter 9 Burgundy, The Great Duchy of the West.

between the kingdom of France and the Holy Roman Empire, ...<sup>248</sup> A substantial part of Philip's territory, the County of Burgundy (in which Bruno held some of his possessions) lay within the boundaries of the Empire and he was, in effect, a buffer zone between the powerful monarchy of France and an Empire whose ruler had little control over what happened on its western borders and no army with which to support its diplomacy.

Evidence of his interest is shown by the first marriage alliance sought by Philip for his children with the Habsburg duke of Austria, Leopold III, in 1377. At this time, the Habsburg dominions had been partitioned between Leopold III and his brother, Albert III who both styled themselves as 'duke of Austria'. In practice Leopold controlled Tirol, Carinthia and the Swiss territories with Albert controlling the remainder. This made Leopold a neighbour of Philip with substantial interests in Alsace, as previously outlined, and hereditary possession of the position as *Landgraf* of Upper Alsace. By marrying his daughter Margaret and Leopold's son and namesake. Philip negotiated a marriage contract which would bring substantial interests in the county of Ferrette and Upper Alsace thus extending his influence in Alsace and reducing the problem of conflicts along his borders in this area.<sup>249</sup> In practice, matters were complicated by other considerations on Philip's part, which led him to request that Margaret be replaced by her sister Catherine, and subsequently by the death of Leopold III on the field at Sempach fighting against the Swiss in July 1386 just a few weeks before the agreed date of the marriage. The marriage was eventually concluded in 1387 but related issues arising from the payment of the dowry and the settlement of property dragged on into the reign of Philip's son, John the Fearless. Nonetheless Philip had secured a foothold in Alsace and made a Habsburg ally at no great financial cost.<sup>250</sup>

Finally, on top of everything else, at the time of the agreement with Bruno, Philip was engaged in the preparations for an invasion of England and, according to Vaughan who accepts the view of Froissart, he was probably the author of them. Philip desired peace with England in order to minimise disruption to the trading interests of Flanders and was prepared to negotiate it or to enforce it. These plans were eventually to come

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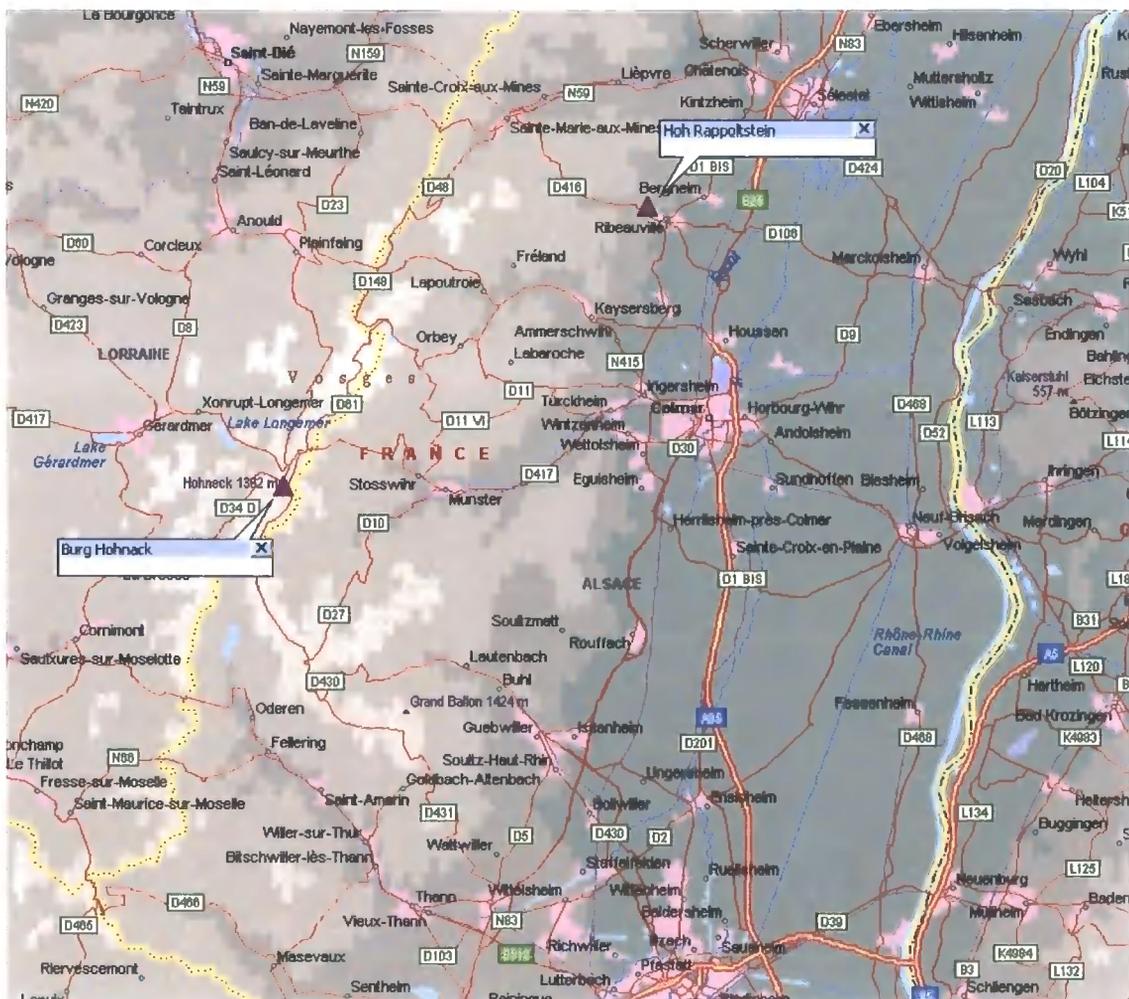
<sup>248</sup> Vaughan, *Philip the Bold*, p. 79.

<sup>249</sup> *Ibid.*, p. 84.

<sup>250</sup> *Ibid.*, p. 85.

to nothing but in 1386 they were very much alive. An invasion of England would likely have led to conflict with the Empire as Wenzel had been allied to Richard II of England since the latter's marriage to his half-sister Anne in January 1382.

As a potential vassal of France, Bruno would have certainly been attractive to Philip. With strongholds (the three castles at Rappoltweiler and Burg Hohnack) securing two important routes through the Vosges mountains (see Figure 13) and a lordship which, as shown, was second only in importance to the Habsburgs in Upper Alsace, effective control of the Rappoltstein family would have added even more to Philip's influence in Alsace and might have proved very useful in the event of an armed conflict with the empire following an invasion of England.<sup>251</sup>



**Figure 13 Routes Through the Vosges Mountains**

<sup>251</sup> The threat of an invasion of England by France had been a factor for some time. For the background to this and to the surrounding diplomacy see Nigel Saul, *Richard II* (New Haven, Conn. ; London: Yale University Press, 1997), Chapter 7., Vaughan, *Philip the Bold*, pp. 47-51. By the end of 1386 Richard was in some political difficulty at home. For a detailed account of this period see Goodman, *The Loyal Conspiracy*.

In addition, the treaty between Bruno and Charles VI was signed in September, three months after the death of Leopold III. As already shown, the Rappoltsteins did not stand in direct relationship to the Empire at this time; they were subject to the *Landgrafschaft* of Leopold III. Thus, at a time of inevitable uncertainty following the defeat at Sempach, the opportunity to secure the allegiance of a major Alsatian noble family, thereby detaching them from the Habsburgs, would certainly have been attractive.

How the alliance arose is also open to debate. Trendel seems to be sure that this would have been at Bruno's instigation.<sup>252</sup> Presumably he sees this to have been an act of desperation in the face of mounting odds in the Harlestone affair. Given the points made above, it is worth considering an alternative. There is no direct evidence to indicate which party instigated the matter. Nor is there any evidence of the nature of Bruno's contact with the Burgundian court after his service with Philip in 1369. However, there is evidence that such contact had existed at a senior level relatively recently.

During the Harlestone affair it was noted that Bruno sent the English knight away from Hoh Rappoltstein into the custody of Guy de Pontaillier, Marshall of Burgundy. Aside from his title it is evident that de Pontaillier was a trusted aide of Philip the Bold, having been given charge of the 1377 negotiations for the marriage alliance with Leopold III of Austria.<sup>253</sup> The transfer of Harlestone to Burgundy and to de Pontaillier in particular suggests that contact had been maintained by Bruno. De Pontaillier was of an age with Bruno (he was born in 1348) and it is entirely possible that the two had met and served together in 1369. Thus, it may well be the case that the suggestion of an alliance had come from Burgundy via de Pontaillier rather than from Bruno. This would have fitted very well with a range of Philip's interests and there is an abundance of evidence to suggest that the Burgundian were skilled diplomats.

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<sup>252</sup> Trendel, 'Brunon de Ribeaupierre,' p. 7.

<sup>253</sup> Vaughan, *Philip the Bold*, p. 83.

The threatened invasion of England by the French came to nothing and little more is heard of Bruno's relationship with France or Burgundy until the time of Bruno's feud with the city of Strassburg some ten years later. At the point at which all-out war with Strassburg appeared inevitable the king of France sent his chamberlain to the city in order to broker a peace. By this time, Charles VI of France had been seized by bouts of madness and Philip the Bold was again largely in control of the French government. This intervention appears to have been at Bruno's direct request following his intransigence in the face of Wenzel's proffered solution and the knowledge that Strassburg had placed the matter before Leopold IV, duke of Austria and son-in-law to Philip. The city authorities were keen to establish their version of the facts in a letter which was addressed to Philip rather than to Charles VI. They recognized that Bruno had a good relationship with both France and Burgundy by closing with the words 'Doch hofften sie, [Strassburg – writing in the third person], dass sich beide [Burgundy and France] lediglich nach Recht und Gerechtigkeit und nicht parteiisch für Bruno entscheiden würden.'<sup>254</sup> The practical outcome of this intervention may be reflected in the support which was forthcoming from the duke of Lorraine. Matters were overtaken however by the settlement pronounced by Leopold IV which finally seems to have broken Bruno's resistance.

The close relationship which seemingly existed between Bruno, France and Burgundy could be said to have been mirrored in his early relationship with the Habsburgs. In 1384 Bruno notified 'daz ich dez durchluhtigen fürsten mins genedigen herren hertzog Lupoldes ..., diener worden bin, ...' and pledged his support against all enemies of the duke with the exception of anyone to whom he already owed allegiance and of the city of Strassburg.<sup>255</sup> The agreement was for three years and while there is nothing in the archive to indicate that this was repeated, the later references by the city of Strassburg as having referred the dispute with Bruno to the duke's son, Leopold IV, because the latter was Bruno's superior lord, suggests that the arrangement may have continued or been made permanent in due course.

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<sup>254</sup> Fritz, *SU*, No. 1151. The language in the source is modern and is noted to be from a Latin original. The editor suggests that the letter may not have been sent as it has many corrections in the original although it also bears traces of seals.

<sup>255</sup> Albrecht, *RU*, 2, No. 233. At this point, the duke of Austria in question was Leopold III.

With the death of Leopold III at Sempach, the question of succession within the Habsburg family became complex. From 1396 however, Leopold IV had taken control of the areas previously controlled by his father, as outlined above. Leopold IV was twenty five years old at that time.

There is little in the archive to indicate any detail of the relationship that Bruno had with Leopold IV. It is known however that the Habsburgs' previously cordial relationship with Wenzel deteriorated in 1388 when Albrecht III suspected that Wenzel was seeking to place his own man into the see of Passau, the diocese in which part of Austria was situated. This came on top of a dispute between Leopold III and Wenzel concerning the Swabian League and the Swiss Confederation in 1385.<sup>256</sup> Given Wenzel's support for Bruno in his dispute with the city of Strassburg, it is perhaps thus unsurprising to find Leopold IV acting in support of Strassburg. In the space of two days in June 1396, both made their positions clear. On 14 June Wenzel wrote to his *Landvogt* and all towns subject to the authority of the *Landvogt* to instruct them to defend Bruno against attack from the city of Strassburg.<sup>257</sup> The next day, Leopold IV's *Landvogt* wrote to Strassburg in his master's name to promise support for the city at a forthcoming meeting to resolve the dispute.<sup>258</sup>

As outlined above, the final settlement pronounced by Leopold IV was substantially in favour of the city of Strassburg and left Bruno with no choice but to pledge the heart of his lordship to Leopold IV who stood as guarantor for the payments due to the city.

With what has been surmised regarding the intentions of Burgundy, it is reasonable to suggest that the Habsburgs were not unaware of the issues and the attractions of control over the Rappoltstein lordships. Leopold IV was, after all, married to the daughter of Philip the Bold. The Habsburgs would be well served both in consolidating their own position in Alsace and in removing a possible increase in the

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<sup>256</sup> For background on the Habsburgs in this period I have referred primarily to Karl-Friedrich Krieger, *Die Habsburger im Mittelalter* (Stuttgart: Kohlhammer, 1994).

<sup>257</sup> Albrecht, *RU*, 2, No. 458.

<sup>258</sup> *Ibid.*, 2, No. 459.

power of Burgundy by bringing the Rappoltsteins within their ambit. In due course, over the course of the next century, this is exactly what they did.<sup>259</sup>

In all his dealing with the greater lords and princes described above, it would appear that Bruno was no more than a small pawn in a wider game. There is no evidence that Bruno had been manipulated into creating the various disputes which led to his difficulties but it is clear that others saw an opportunity arising from these to exploit his rather rash and aggressive nature to suit their wider ends.

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<sup>259</sup> See Süß, *Rappoltstein*, pp. 2-3. Süß (following Brieger) points to the family status as *Reichsfreiherrn* prior to the sixteenth century and the exercise of *superioritas territorialis*. He describes the Rappoltsteins as the most powerful of the Habsburg vassals (for a part of their territories) after the bishops of Strassburg and the abbots of Murbach. Presumably he is only speaking of Alsace or the Habsburg home territories but this is not made clear. He then goes on to suggest that the Habsburgs worked over a long period to remove the family's *reichsfrei* status and to bring them fully under control as vassals.

## Chapter VIII Bruno's Relationship with Strassburg

By the middle of the fourteenth century the city of Strassburg had largely completed the evolution of its internal government in a manner broadly equivalent, if not always as violent, as would be the case with many of the larger towns and city of later medieval Germany. Control of the city had passed from the bishop in the late thirteenth century into the hands of an urban patriciate derived from the *ministeriales* who had provided the administrative support for the bishops. In due course, this control had been seized by the merchant class of guildsmen and had eventually settled into a complex form of shared power between them and the remaining members of the patriciate. With some minor modifications this structure would serve the city for many years.<sup>260</sup> Thus, by this point the city was to a large extent an independent entity buttressed by the many privileges that it had been granted, most notably under the imperial rule of the Hohenstaufen and the first of the Habsburgs. As previously discussed, Strassburg derived its merchant wealth primarily from its geographic location and its control of the northernmost bridge across the Rhine, which made it an important trans-shipment centre. This, together with its limited territorial ambitions, appear to have created a rather self-centred society. Given its attitude when greater powers sought its assistance in freeing Sir John Harlestone, it would appear to have been rather self-important, and possibly naive, in believing that it could simply ignore the matter and expect no consequences. The internal governmental structures developed by the city give some indication of the culture of the ruling class after the removal of the patricians in 1332. These comprised a series of committees and a complex bureaucratic framework dedicated to a fine degree of control over life in the city.<sup>261</sup> By the end of the fourteenth century this culture of bureaucracy was already well-developed. Unlike, perhaps, the situation in the city states of medieval Italy, at no point did any of these committees seek to take overall control.

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<sup>260</sup> See Chapter II above.

<sup>261</sup> Chrisman, *Lay Culture, Learned Culture*, p. 14. Chrisman details the committee structure. Once created, committees were never disbanded even if their original purpose became obsolete. Neither were they renamed; thus for example the Council of XXI actually included all members of the Council of XV and the Council of XIII, neither of which necessarily had at all times the number of members suggested by the name.

Thus, the city seems to have been more inward-looking than expansionist, concerned primarily with the prosperity of its citizens (or at least those of them who had a political voice) and the maintenance of its status and privileges. As mentioned above, the city stood outside of the Decapole league of Alsatian imperial cities, perhaps having less concern, as a free city, that the king might seek to pledge his rights to some great prince to raise money.

The city's relationship with the local lesser nobility in general appears to have been relatively uneventful in terms of any major conflicts. Twinger's chronicle provides numerous examples of conflict in which the city participated but nothing, beyond the dispute with Bruno, that suggests similar problems with the other local nobility of Alsace.

Prior to Bruno's rise to control of the main Rappoltstein lordships the Rappoltstein family itself appears to have enjoyed a harmonious relationship with the city authorities. As previously shown, the authorities had shown no indication of wishing to build a wider power-base or to seek to control the region of Lower Alsace in competition with its bishops or the local nobility. The family had an established place within the chapter of Strassburg cathedral and while the chapter would have felt itself to be above involvement in local politics, it shared with the city a generally suspicious relationship with the bishop and Bruno's brother, Hugo, would certainly have been well-known, as provost of the cathedral, in the city. In 1365 the family had joined with the city in league against the ravages of the 'English' under The Archpriest even if this support appears to have been short-lived.<sup>262</sup> Various documents in the archive testify to a working relationship in dealing with matters of local and regional interest.

It is only with Bruno that the relationship seems to have encountered difficulties, but these were intermittent and interspersed with moments when the relationship was seemingly cordial. There are documents showing Bruno acting in concert with the city in the settlement of disputes and others indicating disputes between the two with Bruno having been banned from the city at various times. Inevitably, these documents show only a fragment of the detail of the relationship but it had clearly

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<sup>262</sup> See Chapter III above.

never broken down irretrievably prior to 1383 when Bruno was granted his status as an *Ausbürger*. Given that such disputes between the family and the city do not seem to be a feature of the archives in earlier times, and in the light of everything else, it is reasonable to imagine that Bruno's personality may have been at the root of many of the issues between the two.

The breakdown of the relationship from that point has been documented above.<sup>263</sup> The city authorities were in no doubt that it was Bruno's fault that they had been dragged into the Harlestone matter. Twinger can be taken as speaking with the voice of the city authorities in his account of the affair and he leaves no doubt that the blame lies with Bruno. It is arguable that this is a little unfair and that the city's problems were due to its poor handling of the diplomatic issues. This does not however excuse Bruno from his active participation in the subsequent opportunistic 'war' against the city waged under the leadership of its bishop solely as a means of financial gain. Given Bruno's poor standing with the city by this time and the fact that his estate was in substantial (overdue) debt to various citizens of Strassburg, it is reasonable to believe that his motive in taking a part in this war was solely for what he might gain from it. The outcome was, of course, that none of the participants received any gain, let alone the recovery of their costs, with the exception of Wenzel who was paid to release the city from the *Acht*. Bruno was left not only out-of-pocket but with a relationship that was by now completely destroyed.

It appears that the city authorities recognised that they would not get very far in pursuing their former bishop or any of the greater nobles who had conspired against them. With Bruno, it was different. The city seemed unwilling to forgive him for his actions against them because he was their citizen and had sworn not to act against them. For the city authorities the breaking of this oath was not a matter that could be dropped. In addition, the recovery of monies owed by the Rappoltstein family and of the costs incurred in the course of the dispute were clearly of great importance. The archives suggest a sense of both outrage and weariness as the matter dragged on without any real prospect of a settlement until the final intervention of Leopold IV of Austria. Ultimately, it was not the strength of the city that proved too much for

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<sup>263</sup> See Chapter II and III above.

Bruno. The archives suggest that he was content to continue to dispute matters indefinitely. Even the commencement of armed conflict with the city laying siege to Gemar does not seem to have been a deciding factor. Quite why this intervention proved decisive when so many earlier attempts to end the matter had failed will be considered below.

## Chapter IX Bruno von Rappoltstein – Knight or Pawn?

In previous chapters consideration has been given to Bruno's various power relationships. This final chapter will take a broader view and consider the extent to which Bruno was acting under his own motivation or whether he was being manipulated by others. In 1997 Hillay Zmora suggested a view of feuding, based on an analysis of fifteenth century Franconia, which proposed the thesis that much of the feuding activity was in fact controlled (directly or indirectly) by princes seeking to draw the lesser nobility into their orbits as a part of the construction of their own states. Taking Zmora's methodology as a starting point, Bruno's various feuds will be considered to examine whether he fits into the pattern that Zmora claims to have detected.

Almost every serious work of scholarship which concerns itself with feuding in later medieval Germany includes the following quotation from Werner Rolevinck, writing some time in the later fifteenth century:

they [the German nobility] are of great bodily power, of active disposition, and naturally benevolent ... It is only in times of need that they are violent ... Unfortunate poverty teaches them many evils... You cannot look at these handsome squires without shedding a tear, struggling daily for little food and clothing, risking the gallows in order to overcome hunger<sup>264</sup>

Zmora labels this as the *locus classicus* for every student of the knightly feud, and it is a view that has dominated modern historiography of this period until recent times. This view of the robber barons has found its way into the wider public consciousness both through a multitude of school and university textbooks and such dramatic works as the young Goethe's romantic drama, *Götz von Berlichingen mit der eisernen Hand*.<sup>265</sup> It has survived until the present day and still finds expression in recent works of general history such as Philippe Dollinger's *Histoire d'Alsace* as noted above. Similarly, Robin du Boulay writes in a book still used in UK undergraduate teaching:

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<sup>264</sup> This translation is taken from Zmora, *State and Nobility*, p. 3. Zmora cites the printed edition of Werner Rolevinck, *De Westphalorum sive Antiquorum Saxonum Situ, Moribus, Virtutibus, et Paudibus Libri III* (Cologne: 1602), pp. 190-191.

<sup>265</sup> For another romantic account see Heinrich von Kleist's *Michael Kohlhaas* (1810).

The disappearance of the Hohenstaufen, the Interregnum, and the rivalry of Habsburg, Wittelsbach and Luxemburg left many areas unsubjected, or not yet subjected, to higher nobility, with the consequences that there were innumerable occasions for dispute and many men able to eke a living by taking sides. This is where the *Raubritter* had their heartlands, where they lived in their country castles or fortified houses, sometimes in conditions of poverty.<sup>266</sup>

It is striking how similar is this description to that given above by Rolevinck nearly 400 years earlier.

Zmora provide a review of these long held views, which may be summarized as follows:<sup>267</sup>

Rolevinck's much-quoted analysis was followed in the nineteenth century by the coining of the term *Raubritter* itself by Friedrich Gottschalk at the start of that century and its uncritical adoption in the historiography of the time. In the early part of the twentieth century the German economic historian, Wilhelm Abel, produced a study which has formed the basis for later scholars who adhere to the theory of a late medieval agrarian crisis in Germany as the cause of the feuding activities of nobles driven to desperate acts by the reduction in their circumstances.<sup>268</sup> More recently Werner Rösener, has championed the view that the nobility were badly hit by the demographic decline of the late middle ages and competition with town patriciates and thus were forced to operate in a grey area between feud and robbery – what Zmora describes as 'the classic robber-knighthood thesis'.<sup>269</sup>

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<sup>266</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 73.

<sup>267</sup> Zmora, *State and Nobility*, pp. 1-11.

<sup>268</sup> Wilhelm Abel, *Agricultural Fluctuations in Europe: from the Thirteenth to the Twentieth Centuries*, trans. Olive Ordish (London: 1980). It is noteworthy that this book, first published in 1935, was considered current enough to be translated into English for the first time in 1980.

<sup>269</sup> Zmora refers to :Werner Rösener, 'Zur Problematik des spätmittelalterlichen Raubrittertums,' in *Festschrift für Berent Schweineköper zu seinem siebzigste Geburtstag*, ed. Helmut Maurer and Hans Patze (Sigmaringen: 1982). The arguments are repeated more recently in English in : W. Rösener, 'The Agrarian Economy 1300 - 1600,' in *Germany. A New Social and Economic History*, ed. Bob Scribner (London: Arnold, 1996).

The break with this received view of the later medieval German nobility came with Otto Brunner's seminal work, *Land und Herrschaft*, first published in 1939.<sup>270</sup> Brunner argued that the feud had to be understood in the context of a period in history which could not be analysed by reference to modern notions of 'state', 'society' and 'economy'. In his view the feud was a lawful practice, carried out in accordance within an accepted set of rules. In the absence of a state the feud was both 'Right' and 'Might', the accepted and acceptable means of upholding one's rights. The nobility was the only group with the power and means to prosecute feuds and those who were bound to them received their protection and safeguard in this way. Thus, for Brunner the feud was an essential part of the nobility's role within the *Land* and not the result of some external force, economic or otherwise.

For modern historians, Brunner's view of the feud is no longer considered adequate. Rösener, in the works mentioned above, has argued that the feud was little more than a rationalization of what was, in reality, illegitimate violence. Zmora points to numerous late medieval measures to control or outlaw feuding indicating that the contemporary view of feuding was not generally in line with Brunner's analysis and writes, 'Indeed, there was generally a strong movement to criminalise the feud'.<sup>271</sup>

For Zmora, in accepting that feuding was not the means of pursuing 'Right', his interest lies in what drove the nobility in later medieval Germany to feud. It is in this area that he has opened up a new strand of analysis. Basing his work on a detailed study of the feud in Franconia in the period 1440 to 1567, Zmora has developed a rationale for feuding which ties it closely to the state-building of local Princes. At the start of his work, he writes,

the feud both resulted from, and helped to shape, an interplay between princely state building and social stratification among the aristocracy. ... This interplay was probably already at work before 1440. But it is then that the links become apparent in the extant documentation.<sup>272</sup>

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<sup>270</sup> Otto Brunner, *Land und Herrschaft : Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter*, 4., veränderte Aufl. ed. (Wien: R. M. Rohrer, 1959).

<sup>271</sup> Zmora, *State and Nobility*, p. 8.

<sup>272</sup> *Ibid.*, Preface xi. The literature, especially in German, surrounding the 'Raubritter' and the 'Fehde' is enormous. Zmora gives a comprehensive bibliography. For an overview which is contemporary with Zmora's book, see Kurt Andermann, ed., 'Raubritter' oder 'Rechtschaffener vom Adel'? *Aspekte von Politik, Friede und Recht im späten Mittelalter, Oberrheinische Studien* (Sigmaringen: Jan

Since the intention, for part of this study, is to consider whether his views have any resonances in a very different imperial territory and in the period immediately preceding 1440, it is necessary to look in some detail at Zmora's arguments and conclusions.

Zmora's starting point is to dismiss out of hand Rösener's view that the late medieval German nobility were the victims of an agrarian crisis. He brings three arguments to bear.

First, he challenges the factual evidence put forward by Rösener, suggesting that feudal rents in western Germany were predominantly paid in kind, not cash, which protected the nobility against currency devaluation and inflation and that the economic studies, upon which Rösener has based his view of the economic sufferings of the nobility, are inconclusive. Second, he challenges the theoretical basis of Rösener's work on the grounds that it is too narrowly focused and ignores whole areas of noble activity. Finally, he challenges Rösener's methodology, suggesting that it stops at the point of asking those questions which might invalidate its basic premises. As mentioned above, Tom Scott is similarly unconvinced that there was an agrarian crisis which can be linked to noble violence and feuding.

Having thus disposed of the robber-knighthood thesis, Zmora substitutes a new thesis which links knightly violence to the more complex interactions between nobles and princes. Using a carefully expounded methodology (which will be discussed below), Zmora suggests that the key to understanding the knightly feud is 'proximity to princes'. To quote from his conclusions,

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Thorbecke Verlag, 1997). This collection of essays tackles a number of the central issues. In particular the editor's opening chapter, Kurt Andermann, 'Raubritter - Raubfürsten - Raubbürger? Kritik eines untauglichen Begriffs,' in *'Raubritter' oder 'Rechtschaffener vom Adel'? Aspekte von Politik, Friede und Recht im späten Mittelalter*, ed. Kurt Andermann (Sigmaringen: Jan Thorbecke Verlag, 1997), pp. 7-29. discusses the usefulness of the term '*Raubritter*' in some detail in the context of late medieval feuding.

This dissertation is not itself concerned with the merits of the views expressed by historians in this area. Its concern is to measure Bruno's life against Zmora's thesis, which, for this purpose, is thus described rather than analyzed.

Feuds turned upon lordship as a central constituent of noble status on the one hand and of princely rule on the other. ... Those nobles who came into possession of important lordships were in a favourable position. They had higher chances than those who did not of installing themselves around the person of a prince; of being invested with offices; of striking advantageous marriage alliances. They made up the elite. State-building thus exerted massive social pressure on the nobility, so much that it cut not only into the class as a whole, but into individual families as well. It touched off a violent contention over lordship.

This is the essence of his argument. Nobles were feuding in order to ensure that they became members of this elite as the nobility itself became more stratified while princes encouraged, manipulated and sometimes sponsored, the feud as a way of bringing nobles into their own sphere of influence and thus increasing their ability to create states at the expense of their own rivals. Beyond this, Zmora concludes that the use of the feud by princes and nobles was a form of organised crime, a 'protection racket', which produced its own need for protection and thus lordship.

Fundamental to Zmora's case is his contention that feuding was essentially a practice of high status nobility – very far-removed from the *Raubritter* driven to violence by poverty. To show this, he has undertaken a prosopographic analysis of the Franconian nobility for his period of study, using this data to consider the feuds of that period and to show that by far the largest proportion of feuders (some three-quarters) were 'rich and powerful nobles drawn from prominent families' with the resources needed to prosecute the feud and to defend against the inevitable reprisals.<sup>273</sup> Spoils gained were, thus, a means of financing feuds rather than the aim of the feud itself.

The detailed justification of Zmora's methodology need not be repeated here. Its value here is to establish whether an individual noble was of high or low status.<sup>274</sup> To do this Zmora uses a series of individual parameters as his primary guide plus a number of family parameters by way of a secondary or control classification.

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<sup>273</sup> Scott, *Society and Economy in Germany*, p. 164.

<sup>274</sup> Zmora, *State and Nobility*, Chapters 3 and 4.

The individual parameters are:

1. the holding of high offices in princely administration
2. financial transactions with princes as either a creditor or a guarantor or both
3. the quality of individual matrimonial alliances<sup>275</sup>

The family parameters are:

1. the status of the individual nobleman's father
2. family access to membership of cathedral chapters
3. continuity of the family line

Zmora's view suggests that the use of the feud was confined primarily to high-status, powerful individual nobles whose goal was to establish themselves as a part of a new elite in competition with other nobles, sometimes from within their own families.

This new elite would be close to a successful territorial prince who would, in his turn, use the feud as a means to draw nobles into his nascent state in competition with other territorial princes.

Zmora's study is confined to Franconia, centred on Nuremberg, in the fifteenth and sixteenth centuries. Zmora suggests that these processes may have begun earlier. The question to consider now, is whether this can be shown to be true in Alsace in the latter part of the fourteenth century by consideration of the feuding activities of Bruno von Rappoltstein and, if not, to consider what alternative suggestions might be put forward by way of explanation of Bruno's activities.

Before turning to Bruno's feuding, it is necessary to confirm that both he and the Rappoltstein family conform to the parameters established by Zmora, as outlined above, and thus that Bruno is of comparable status to those considered by Zmora. To take these in order:

## 1 Individual Parameters

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<sup>275</sup> Ibid., p. 38.

- a) *The holding of high office in princely administration.* There is no evidence of Bruno holding such office.
- b) *Financial transactions with princes as either a creditor or a guarantor or both.* There is evidence of Bruno acting as guarantor for the counts of Württemberg. There is no other evidence of this nature in the family archive.
- c) *The quality of individual matrimonial alliances.* Bruno married twice. His first wife was Johanna von Landenberg, Frau von Mangers, the daughter of a Burgundian noble family. Following her death, Bruno married Agnes von Grandson, daughter of a Swiss noble family.

## 2 Family Parameters

- a) *The status of the individual nobleman's father.* Bruno's father, Johannes II, was certainly a figure of some status within the region. He married twice, both times into branches of the von Geroldseck family. He commanded a substantial number of vassals. The documents from the family archive indicate without doubt that Johannes II was recognised as a leading figure in the political life of the region during the first part of the fourteenth century.
- b) *Family access to membership of cathedral chapters.* Membership of cathedral chapters appears to have been a feature of the Rappoltstein family over a lengthy period. Heinrich I is mentioned in 1185 as a member of the Strassburg chapter; Hermann III was similarly a member in 1381 as was Ulrich V in 1338; Ulrich VI was a member first of St Die and subsequently Strassburg. Two of Bruno's brothers were members at Strassburg (Heinrich VIII and Hugo), with the latter rising to the position of chapter Provost.
- c) *Continuity of the family line.* The Rappoltstein family continued throughout the later middle ages. The direct male line finally came to an end with the death of Johann Jakob in 1673.

Overall, the family parameters are perhaps more closely aligned to Zmora than the individual parameters. However, the lack of office holding may simply reflect the lesser opportunities that existed in fourteenth century Alsace when compared to fifteenth century Franconia. With no-one having succeeded in establishing princely jurisdiction over the territory the main offices were either imperial or in the service of the bishops of Strassburg. There is no evidence of any close relationship between the Rappoltstein family and the bishops. Indeed, given the history of conflict between the bishops and the Strassburg cathedral chapter, where various members of the family had held office and where Bruno's brother was *Domprobst*, it seems unlikely that the Rappoltstein family would have been supporters of the bishop. Such imperial offices as were available in Alsace were held within families on an hereditary basis and it was not until the lordship of Bruno's son Smassman that closer relationships developed with the imperial family.

Similarly, the absence of regional princes would seem to reduce the opportunities for involvement in financial transactions with them. As the youngest of five sons, it is not surprising that Bruno does not appear to have been involved in such transactions in his younger days. In his later years, Bruno may well have been unable to afford such transactions as a result of the partition of the family estates, the economic impact of the Black Death and his own activities. Certainly, there is some evidence that he was short of money.

In summary, the evidence that is available suggests that the Rappoltstein family as a whole were a part of the highest rank of Alsatian nobility in the fourteenth century and that Bruno himself would have been considered a leading, high-status noble by both his peers and his betters. If the purpose of Zmora's prosopographical analysis is, in his own words, 'merely to identify the social lineaments of the feuders' then, given the differences of period and region, Bruno von Rappoltstein satisfies his criteria well enough.<sup>276</sup>

Before turning to the specifics of Bruno's life, it is worth considering briefly the extent to which feuding and violence were a normal part of life in later fourteenth

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<sup>276</sup> Ibid., p. 68.

century Alsace. And, indeed, if the region was any more or less violent than other parts of the Empire.

Both Reuss and Dollinger refer to the period as one of constant feuding but each declines to say much more than this. Reuss dismisses the whole area with the words 'Quant aux querelles incessantes que les représentants de l'anarchie féodale amorçaient, puis terminaient entre eux, pour les recommencer ensuite à nouveaux frais, sous l'impulsion d'appétits momentanés ou d'un besoin de vengeance, ce sont des manifestations de la seule force brutale, du Faustrecht, dont le détail serait ici sans intérêt.'<sup>277</sup> Dollinger is no more interested in the violence of this period, devoting no more than a sentence to the topic except to mention Bruno's feud with Harlestone. Beyond this it is difficult to find sufficient evidence to form a view as to whether Alsace was a particularly violent area. Certainly, there are many instances of violence catalogued in Twinger's chronicle but these are inevitably selective and concentrate almost exclusively on disputes that involved the city of Strassburg directly. The archives of that city also record violent episodes but these say little of the surrounding region. Many of the episodes thus described are accounts of feuds or relate to judicial punishments. There is nothing in the general literature which suggests that Alsace was more or less violent than its surrounding areas.

The fourteenth century generally is seen to have been a violent era. Michael E Goodrich writes: 'Bribery, violence and corruption were common means of settling disputes. ... The noble class and the rural peasantry seem to have shared a particular penchant for violent behaviour... The employment of violence as a means of dealing with conflict, however petty, had become a widely learned cultural trait.'<sup>278</sup> Speaking specifically of the feud, Du Boulay comments 'Private war was a more frequent and natural condition in those numerous parts of Germany which were politically fragmented.'<sup>279</sup> As described above, fragmentation was the condition of Alsace in the later Middle Ages.

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<sup>277</sup> Reuss, *Histoire d'Alsace*, p. 39.

<sup>278</sup> Michael E Goodrich, *Violence and Miracle in the Fourteenth Century* (Chicago: The University of Chicago Press, 1995), pp. 42-43.

<sup>279</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 73. See also F.R.H. Du Boulay, 'Law Enforcement in Medieval Germany,' *History* 63, no. 209 (1978).

In addition, the growing strength of the towns in this period led to increased conflict between towns and nobles and between towns themselves. Du Boulay suggests that this was a factor in the increase in public disorder.<sup>280</sup> On top of all of this was the inability of Wenzel to continue the work of his father in maintaining some semblance of law and order by means of the *Landfriede*, the Public Peace.

The use of the *Landfriede* under Charles IV was as much about achieving wider political aims as about reducing disorder but the whole process crumbled under Wenzel whose distractions on account of his kingship of Bohemia and personal failings led him to play little active part in promoting peace within the wider Empire, in contrast to his father.

In Alsace, Wenzel renewed his father's *Landfriede* in 1383 but by his seeming lack of appreciation of the politics of the region 'hat er nicht nur jeder weiteren Einungspolitik im Elsass selbst den Riegel vorgeschoben, sondern unbewusst auch die Intensivierung der städtischen Bündnisbestrebungen im Elsass und am Rhein gefördert.'<sup>281</sup> In 1389, the comprehensive general Peace of Eger which sought to stamp out every kind of disorder was much more the work of the regional princes than the king. Du Boulay notes that 'it did not now exclude collaboration against the king, whose passivity was complete.'<sup>282</sup>

In 1393 and 1395, Wenzel promulgated two further regional *Landfrieden* in respect of Alsace. In reality however neither Wenzel nor his local representative, the *Landvogt*, played any substantial role in these treaties. In both cases the *Landfrieden* were essentially the work of the regional nobility, church and towns. Interestingly, Angermeier links the *Landfriede* of 1393 directly to the outcome of the disputes surrounding Bruno von Rappoltstein.<sup>283</sup>

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<sup>280</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 44.

<sup>281</sup> Heinz Angermeier, *Königtum und Landfriede im deutschen Spätmittelalter* (München: Beck, 1966), p. 267.

<sup>282</sup> Du Boulay, *Germany in the Later Middle Ages*, p. 81.

<sup>283</sup> Angermeier, *Königtum und Landfriede*, pp. 312-313.

Finally, it can be noted here that, under Wenzel, even the serious punishment of *Reichsacht*, the imperial bann or outlawry, had little impact, as will be seen below when it is considered in the context of Bruno von Rappoltstein.

Thus, it is clear that Alsace in the latter part of the fourteenth century was subject to feuds, disputes and violence at all levels. It is difficult to establish that it was an especially violent area except in the general sense that it was one of those politically fragmented regions with little or no direct control by the king or a regional prince in which violence and disorder may, as a consequence, have been a more frequent occurrence.

It is against this background that consideration can now be given of the extent to which Bruno fits the pattern suggested by Zmora.

There is very little that has emerged directly concerning Bruno's character. The archive reveals a single comment that Duke Leopold IV of Austria considered that Bruno was easier to deal with in his absence. His reputation, however, when he is described by historians from his own times onward, is that he was a prime example of the feuding nobleman. Indeed, this appears to be all that he is remembered for apart from having been placed under the *Acht* and died leaving substantial debts.

It is inevitable that the picture that emerges of Bruno from the surviving record is partial. There is no record of his family life, his relationship with his wives and children or his treatment of his feudal dependants. Such clues as exist are fleeting, such as reference in a document given close to the end of his life, after the settlement with Strassburg, in which he makes provision for his illegitimate daughter Susan on her marriage.<sup>284</sup> Nothing further is known of this child but the document reveals something of Bruno but only at a time when his general demeanour suggests that age and the stress of the previous years had taken its toll.

With all of the caveats that must be made, it seems likely that Bruno was an aggressive and difficult character. Nothing is known of his intelligence. The fact that he appears

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<sup>284</sup> Albrecht, *RU*, 2, No. 606.

to have been unable to read speaks nothing to that question. He does not appear to have been a man of great subtlety and it may well be the case that he was not especially bright. The fact that, as the youngest son, he seems to have been set for a military career rather than as a man of the church may give some clue as to his natural abilities and disposition from an early age.

In each of the three detailed case studies presented above, it appears that Bruno himself was the instigator or, at least, the perpetrator of the deeds that led to the dispute. The feud with the Habsburg-Laufenburg family over the marriage of Herzlaude may be felt to have been a genuine case of concern and a wish to fulfil his dead brother's wishes. And, of course, he was supported by his older brother Hugo in this matter. The suggestion that Bruno 'sold' Herzlaude has to remain a possibility, however much he protested against this accusation. The lengthy dispute over Harlestone was quite clearly initiated by Bruno's action in capturing him while the latter was on a pilgrimage and exacerbated by his refusal to give up his prisoner and his apparent breaking of his word over Harlestone's release following payment of the first part of the ransom. The alleged root of the feud dating back to the time of Bruno's service with Philip the Bold may have been seen by Bruno himself as justification enough but it is his handling of the diplomatic storm arising from the capture that brought down the wrath of his peers and betters. The war with Strassburg would seem to have arisen from a combination of Bruno's unwillingness or inability to repay long overdue loans and to reach any sort of compromise with the city which felt that he had betrayed it in various ways – not least by joining the bishop in his opportunistic war. In the latter two cases it would be difficult to portray Bruno as the injured party and in the first case there is a suspicion that he may, at the least, have manipulated the situation to bring about a better match for his niece.

One striking feature of Bruno's feuds is the absence of serious or sustained violence. Despite the success of the count of Habsburg-Laufenburg in having Bruno placed in the *Acht*, there is no evidence that the family ever attempted to prosecute their claim by force. Given that family's parlous state at the end of fourteenth century it may be that they simply lacked the means for this.

The Harlestone matter involves force and violence on Harlestone's part if Bruno is to be believed and from what else is known of Harlestone, it is certainly the case that he was a man of violence. Even at the time of the first encounter it would appear that Bruno gave in to demands to release Harlestone. The latter's capture many years later is unlikely to have required much in the way of force if he was travelling as a pilgrim at the time. The remainder of that feud was played out in quasi-legal processes rather than on the battlefield.

In his last great feud with the city of Strassburg there are accusations of violence against Bruno but it is unclear as to whether these can be believed or whether they should be read as formulaic. Bruno's involvement with his gunners perhaps suggests a love of the latest toys more than a military nature.

Thus, overall the picture is of a man who is secure in the heritage and glories of his family; a man who is master of his domain and an important figure within his region; a man who is conscious of his personal and dynastic identity and who sees himself as superior to the non-noble merchant rulers of Strassburg. It is also a picture of a man who is impulsive and probably a bully; a man perhaps so used to his position within his own boundaries that he feels no reason to behave any differently when dealing with individuals and bodies of much greater power and authority.

Throughout the period covered by the case studies Bruno seems shows no great fear of Wenzel or his *Acht*. Although Bruno claims to have spent large sums of money in fighting the sentence in respect of Herzlaude (but he claims to have spent large sums of money on many other things too and is not a reliable witness to his own actions), he does appear to have been able to carry on regardless of the *Acht* or the *Aberacht*. He is quite content to take privileges from Wenzel but at the same time to enter into a treaty promising to support the Empire's potentially most powerful enemy. As to Wenzel's attempts to mediate between Bruno and Strassburg, Bruno simply appears to ignore any decision that does not suit him.

Similarly, Bruno is clearly not the least afraid of the city of Strassburg. He is not the least persuaded by them to release Harlestone and he is happy to join others in declaring war on the city. Even when the war is over the dispute between the two of

them continues and Bruno shows no sign of being intimidated. The presence of the city's armies outside the walls of Gemar is dealt with by the use of Bruno's artillery and eventually it is the city that is the more worried by the arrival of mediators from France and Burgundy and news of an impending invasion by the duke of Lorraine, in support of Bruno.

But, of course, Bruno did in fact concede in the latter two of the three case studies. In the first case study the matter clearly remained open for many years, as evidenced by the truce referred to in case study 1. In the second case study Harlestone was released and there is no record of anything beyond the first part of the ransom ever having been paid. Nor is there any mention that the release was approved by Charles VI of France but this might be taken as read given that Harlestone was in custody in Burgundy and would appear to have been released from there. In the third case study Bruno is finally brought to account and is obliged to do the very thing that must have been the most difficult for him: he pledged the greater part of the the family estate against non-payment of his debts to Strassburg.

In seeking the reasons for his capitulation, the archive is of little help. The evidence for the release of Harlestone is all indirect. There is one document in the family archive and the reappearance of Harlestone in the English archives to confirm that he had in fact been released. There is no surviving evidence of the nature of the dealings that produced this change of heart in Bruno. Previous commentators have taken the view that the pressures from so many different directions finally forced his hand. This may be the case but it does seem to be out of character. It is possible that further money changed hands. It is possible that the release was instigated by Burgundy at a time of truce with England. It is possible that of the various threats against him. Bruno was concerned that his sentence of *Acht* might be followed by Papal excommunication. Of these, the most likely explanation is that the release was in some way connected to the various truce negotiations held at the instigation of Philip the Bold between 1387 and 1393.<sup>285</sup> If this is the case then it is less a case of Bruno buckling under the pressure than playing a role on a bigger stage, at least in his own

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<sup>285</sup> Vaughan, *Philip the Bold*, p. 50.

eyes. Given the treacherous nature of his recent treaty with France, it is unsurprising that there seems to be little written evidence of this matter.

Bruno's final capitulation is altogether different. By the time of Leopold IV's final ruling in 1396, Bruno would have been close to sixty years old. Given that he was within two year's of his death, it is possible that he was in poor health although there is no evidence to confirm this. Certainly, he is likely to have been wearied by his constant struggles with authority over the best part of twenty years and his thoughts may well have been turning towards his death and his legacy. Until the final settlement Bruno had continued to defy all attempts to settle matters with the result that the city of Strassburg seems to have lost patience with him by sending its army to retake the disputed town of Gemar. While this attack failed Bruno may have anticipated others. Against this, however, was the threatened and very real prospect of the duke of Lorraine coming to Bruno's aid with his armies. Alternatively, it may have been the involvement of Leopold IV, Bruno's feudal overlord as Landvogt of Upper Alsace which tipped the balance. Leopold had previously shown himself to be ready to support the city of Strassburg against Bruno. Once again, there is no definitive evidence to indicate what brought Bruno to concede. What is very noticeable however is the change of tone in Bruno's various communications after the settlement with Strassburg. The tone of defiance is gone. The giving of the major parts of his estates by way of pledge to Leopold IV and others to cover the sureties that they had given to Strassburg for the payment of Bruno's debts, would seem to have been the act that finally broke his resistance. If he was not in poor health before this, it may well have been this which led to his death so soon thereafter.

What is not documented in any surviving archive is the extent to which Bruno was put under pressure to settle. His sons might well have feared (correctly) that their inheritance was at risk.<sup>286</sup> As the next generation of Rappoltsteins they would most certainly have inherited their father's sense of the importance of their family identity and the need to preserve and expand the family's possessions. Bruno's eldest son, Smassmann, would in due course prove a redoubtable feuder in his own right in

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<sup>286</sup> Fritz, *SU*, No. 1632. This document records the receipt of two thousand *guildin* from Bruno's son Ulrich as a payment towards Bruno's debts. This payment was made very shortly after Bruno's death.

defence of his rights and interests although he would also find himself drawn more closely into the orbit of the Leopoldine Habsburgs, probably as a direct result of his father's failings. In these circumstances it is quite possible that there was a feeling of 'enough is enough' within the younger generation of the family.

In summary, it is clear that, for most of his life, Bruno was never afraid of those who might have expected to exercise power and jurisdiction over him. At the end he was forced, for whatever reasons, to bow under the weight of the repercussions of his past actions. Only at the very end did this defiance seem to have left him.

In Chapter V some detailed consideration was given to the recent work of Hillyar Zmora and his thesis that feuding was, in essence, a part of the process of princely state-building. It should be noted at this point that Zmora's work has passed entirely unchallenged. Writing in 2000, Klaus Graf has raised questions which do not seek to contradict Zmora's views but which suggest that further research is needed in this field to cover a number of wider issues and a wider temporal and geographic spread. One of his questions concerns the extent to which the strands that Zmora has identified can be seen in different places or at different times.<sup>287</sup> The examination of Bruno's life in that context may make a small contribution to that process.

In the first of the case studies there is no evidence of any external involvement. Bruno appears to be acting solely in what he considers to be the best interests of the family and probably of himself. Irrespective of the purity of his motives he does not appear to have been the subject of pressure or manipulation from other, more powerful lords.

The second case study is a little different. The root of the matter, Bruno's earlier encounter with Harlestone and the seemingly opportunistic capture of his prey, appears to be the result of Bruno's sense of grievance and his impulsive and aggressive nature. The opportunity to turn a profit was also doubtless in his mind. There is no evidence that his capture of Harlestone was stimulated by anyone else. It

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<sup>287</sup> See the online version of Graf's paper: Klaus Graf, *Gewalt und Adel - Überlegungen zur Fehde* (2000 [cited]); available from <http://hsozkult.geschichte.hu-berlin.de/beitrag/essays/grkl0500.htm>.

remains possible, of course, that someone had informed him in advance of Harlestone's presence in the region. His most likely route, as shown above, would have taken him through Burgundian territory under the protection of his safe-conduct and his pilgrim status and thus it is possible that Bruno was forewarned of an opportunity to gain vengeance on his old enemy. The warning may even have come from an old comrade who had fought in the same actions in 1369. This, however, strays into the realm of conspiracy theory. It is doubtful that anyone passing on such a warning would have been able to predict the events that followed.

Once the matter had escalated it is a different story. As discussed, it seems clear that the Burgundians recognised an opportunity to gain a foothold in Alsace by taking advantage of Bruno's increasing difficulties with the Empire. There is nothing to suggest that Bruno was manipulated or encouraged to take any particular course of action but simply that the Burgundians were alert to the opportunity that had arisen and knew Bruno sufficiently well to turn this to their possible advantage.

As the matter turned into a war against Strassburg, there is again no evidence that Bruno was brought into the matter for any other reason than that he was a potentially useful local ally with access to the latest military technology. No-one, from the bishop of Strassburg down, appears to have sought to bring Bruno under their control. This does seem to have changed, however, as the matter evolved over the following three years. Wenzel's involvement seems peripheral and ineffective. Burgundy, through the medium of France, was still interested as is evidenced by the fact that the city authorities felt it necessary to write to Philip the Bold requesting that he should not take Bruno's side in a partisan manner if the matter came to him for arbitration.

Similarly, the willingness of the duke of Lorraine to invade Alsace in support of Bruno should perhaps be taken as another instance of opportunistic intervention as much as a gesture of support for a family with whom the Duchy had maintained broadly good relations over a number of years.

Finally, of course, the ultimate winner in the whole affair was Leopold IV of Austria. Having made clear his support of Strassburg, he was finally able to bring Bruno to heel in a way that left him with substantial power over the Rappoltstein family estates.

This would prove to be only the first step in the process of mediatisation which led, ultimately, to the Rappoltstein lands and titles passing into the hands of the Habsburgs during the seventeenth century.

In terms of Zmora's thesis, it must be said that there is no real evidence to support a view that Bruno's feuding was an intentional aspect of princely state-building within Alsace. At the end of the fourteenth century, as described above, Alsace remained a fragmented territory and would continue in this way for some years to come. It is however equally the case that various princes had an interest in Alsace. Given its strategic importance, Alsace was a territory worth controlling. Burgundy, France, Lorraine and Austria (or at least the part under the control of Leopold IV) were all aware of the opportunity that Bruno's actions had presented to them and each tried, with more or less success, to exploit this.

This study does nothing to contradict Zmora's thesis and might be seen as a small sign of the beginnings of the processes he claims to see in Franconia during the next century. It is, thus, more in line with the views of Graf, that further work is needed to be able to appreciate the larger picture.

## Appendix 1 The Rappoltstein Genealogy

The early genealogy of the Rappoltstein family is complex. The best representation is to be found in the recently published *Chronik Rappoltstein*.<sup>288</sup> The relevant section is reproduced here. Two points should be noted.

First, on page A145, Ortwein represents Bruno's father as 'Johannes II d. Ä.' And his uncle as 'Johannes III d.J.'. Albrecht in his *RU Stammtafel* rather confusingly labels them as 'Johannes<sup>2</sup>' and 'Johannes<sup>3</sup>' respectively. I suspect that Ortwein had intended to label the both as 'Johannes III' as the designations as to their respective seniority otherwise make no sense. I have followed Albrecht's numbering within the body of this dissertation (as Bruno's uncle is not an important figure) but have preferred to reproduce Ortwein's genealogy as it is the more recent and complete of the two.

Second, there is one small point to record concerning Bruno's children. Albrecht credits him with seven children, all legitimate. Ortwein agrees that there were three daughters by his first marriage and four legitimate children by his second. He adds, however, a reference to 'Ulrich der Bastard' as an illegitimate son by an unknown mother. The source of this reference is not given. Both authors omit any reference to 'Susan', an illegitimate daughter who is specifically mentioned in the archive at the end of Bruno's life. Albrecht apparently found this document after most of volume 2 (which includes the *Stammtafel*) had been typeset and it actually appears completely out of sequence at the end of the volume. It is likely that Ortwein simply did not see it.

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<sup>288</sup> Ortwein, "Chronik Rappoltstein," pp. A142-A147.

## Stammfolge der Herren von Rappoltstein von den Anfängen bis 2000 (Auswahl)

### Das Rappolsteiner Wappen durch die Jahrhunderte

				
Anselm II. (1283-1311)	Zürcher Wappenrolle um 1340	Maximilian II. Smassmann (1456-1517)	Egenolf IV. (1548-1585)	Waldeck-Pyrmont

### Ältere Linie

A <b>NN von Rappoltstein</b>	
∞ Bilitrud † um 1022	
1 Sohn	<u>REINBOLD I.</u> (s. B)
B <b>REINBOLD I. von Rappoltstein</b> , erw. 1022-1038	
∞ NN	
? Kinder	...
<i>Zwischengeneration fehlt</i>	
C <b>ADELBERT I. von Rappoltstein</b>	
∞ Adelheid † 1156 Kloster Beinwyl; Tv Notger, Graf zu Froburg (?), Hochmann des Baseler Stiftes	
3 Kinder	<u>ADELBERT II.</u> (s. D)
	Reinhard I. erw. 1141-1156, † 17.2.1157(?), Domprobst in Straßburg
	Kuno von Rappoltstein, Kreuzritter, † 1148 im 2. Kreuzzug (?)
D <b>ADELBERT II. von Rappoltstein</b> † 1147 (?)	
∞ NN	
4 Kinder	Reinbold II., † 1148 im 2. Kreuzzug (?); (erw. 1156)
	Bertholf, † 1148 im 2. Kreuzzug (?) (erw. 1156)
	Reinhard II., † 1148 im 2. Kreuzzug (?) (erw. 1156) wohl

EMMA (Hemma) (s. 1.1)

### Jüngere Linie

#### 1. Generation

1 EMMA Herrin von Rappoltstein † >1147

∞ um 1156 Egenolf (I.) Herr von Urslingen, Schultheiß von Piacenza, Herr zu Rappoltstein; erw. 1162-1188, † 1188; Sv Konrad I. von Schwaben zu Urslingen; Bv Konrad II. Herzog von Spoleto

3 Kinder Heinrich I. Herr von Urslingen und Rappoltstein; erw. 1185, Domherr in Straßburg

ULRICH I. (s. 2.1)

Tochter NN ∞ Anselm, Vogt von Straßburg

#### 2. Generation

1 ULRICH I. Herr von Urslingen und Herr zu Rappoltstein, erw. 1186-1193, † 1193

∞ Guta (?)

2 Kinder EGENOLF II. (s. 3.1)

ANSELM I., Herr zu Rappoltstein, erw. 1219-1236

#### 3. Generation

EGENOLF II. Herr zu Rappoltstein, erw. 1219-1221, † 1221

∞ NN

2 Kinder SOHN NN (s. 4.1)

ULRICH II. (s. 4.2)

#### 4. Generation

SOHN NN Herr zu Rappoltstein, † >1249

1 Sohn HEINRICH II. (s. 5.1)

ULRICH II. Herr zu Rappoltstein, erw. 1227-1259, † >1262

∞ Richenza Gräfin von Neuenburg (?) erw. 1262

4 Kinder Elisabeth I., erw. 1258; ∞ Walter von Hunenburg, erw. 1244-1288; Schultheiß in Straßburg

ULRICH III. (s. 5.2)

HEINRICH III. (s. 5.3)

Tochter, erw. 1281; ∞ Ludwig von Blumenberg

#### 5. Generation

1	<b>HEINRICH II. Herr zu Rappoltstein, † 1242</b>
	∞ Loretta von Blieskastel am Hofe der Grafen von Lunéville † 09.1269; Tv Heinrich von Blieskastel; [sie: ∞2 Heinrich IV. Graf von (Ober-) Salm ? 1292] (kinderlos)
2	<b>ULRICH III. d.Ä. Herr zu Rappoltstein, erw. 1260-1283, † 11.4.1283</b>
	∞1 NN
	∞2 1267 Regina N; * um1244
3 Kinder	Johannes I., erw. 1262-1267, † 1268
	Veronika; ∞ Hugo Graf von Montfort-Tettngang † 1309
	Bertha, erw. 1262-1292, ∞ Heinrich Sigbert Graf von Wörth, Landgraf vom Unter-Elsaß; † 1278
3	<b>HEINRICH III. Herr zu Rappoltstein, erw. 1249-1272, † 1279</b>
	∞ Anna (?) Gräfin von Froburg; tritt 1279 in das Kloster Paradies (bei Schaffhausen) ein
6 Kinder	<u>ULRICH IV.</u> (s. 6.1)
	<u>ANSELM II.</u> (s. 6.2)
	Hermann I., erw. 1277-1283, † 283
	<u>HEINRICH IV.</u> (s. 6.3)
	Anna, Ordensfrau zu Unterlinden (Colmar)
	Hermann II. (seit 1288), Herr zu Hohenack, erw. 1288-1291
<b>Generation</b>	
	<b>ULRICH IV. Herr zu Rappoltstein, erw. 1273-1283, † 1283</b>
	∞ Adelheid I. von Hohen-Geroldseck † 1300; Tv Hermann Graf von Geroldseck in Lahr
1 Sohn	<b>HEINRICH V. Herr zu Hohenack, erw. 1288-1328, † 1351;</b> ∞1 Elisabeth von Usenberg; * 6.4.1322; Tv Rudolf III. von Usenberg Herr zu Kürnberg und Kenzingen; ∞2 Adelheid III. von Geroldseck-Lahr, † 1346; Tv Simon II. von Geroldseck in Groß-Geroldseck (kinderlos); ∞3 >1246 Suse von Staufenberg [sie ∞2 Ritter Konrad Snewelin]
	<b>ANSELM II. (seit 1283) Herr zu Hohen-Rappoltstein, (seit 1298) Herr zu Groß-Rappoltstein (Ulrichsburg und Giersberg) und der Oberstadt, erw. 1277-1311, † 1311 gefallen vor Brescia (?)</b>
	∞ Elise Gräfin von Wörth † 1298; Tv Sigbert Graf von Wörth
6 Kinder	Anselm III., erw. 1298
	Heinrich VI., erw. 1298
	<b>ULRICH V., (seit 1341) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Oberstadt; vorher (1338) Domherr in Straßburg; erw. 1298-1341, † 1351</b>

	JOHANNES II. d.Ä. (s. 7.1)
	Egenolf III., erw. 1298-1310
	Lucia, erw. 1315-1332; ∞ Burchard II. von Horburg; begütert mit einem Hof in der Oberstadt
	∞2 Gertrud von Rappoltstein (kinderlos)
	∞3 Bertha von Rappoltstein (s. 5.2 ident.) (kinderlos)
3	HEINRICH IV. (seit 1288) Herr zu Hohen-Rappoltstein und der Unterstadt † 1313
	∞ 1293 Susanna von Geroldseck am Wasichin; Tv Burchard III. von Geroldseck am Wasichin
7 Kinder	JOHANNES III. d.J. (s. 7.2)
	HEINRICH VII. (seit 1313) Herr zu Hohen-Rappoltstein und der Unterstadt (gemeinsam mit Johannes III.); erw. 1313-1316, † 1318
	Hermann III., 1318 Domherr in Straßburg
	Ulrich VI., erw. 1313-1333; Komtur des St. Johannes-Ordens zu Dorlisheim, Domherr zu St. Dié und Straßburg
	Kunigunde I., erw. 1313; ∞ 1320/22 Wilhelm II. Graf von Monfort-Tettnang † 1352
	Susanne I., erw. 1313-1351; ∞ Walter IV. von Geroldseck-Lahr, erw. 1299-1354, † 1355; [für ihn 2. Ehe]
	Sophia I., 1333 Äbtissin im Kloster Andlau
<b>7. Generation</b>	
	JOHANNES II. d.Ä. (seit 1311) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Oberstadt, (seit 1351) Herr zu Hohenack, † 1362
	∞ I Elisabeth von Geroldseck-Lahr † 17.2.1341; Tv Walter IV. von Geroldseck-Lahr
9 Kinder	JOHANNES IV., (seit 1338) Herr zu Hohen-Rappoltstein und der Unterstadt (seit 1351) Herr zu Hohenack (gemeinsam mit Ulrich VII. und Bruno I. bis zu seinem Tod); † 1368
	Heinrich VIII., erw. 1330-1355; Domherr in Straßburg
	ULRICH VII. (s. 8.1)
	BRUNO I. (s. 8.2)
	Hugo, erw. 1329-1363, † 1386; Domprobst in Straßburg
	Elisabeth II., tritt 1340 als Klosterfrau in das Kloster Unterlinden (Colmar) ein
	Sophia II., erw. 1349; Klosterfrau zu Alspach
	Elsa (Elisabeth III.), erw. 1362-1397, Äbtissin zu Erstein
	Adelheid, † vor 1388
	∞2 NN von Geroldseck am Wasichin, Tv Hugo von Geroldseck am Wasichin (kinderlos)
	JOHANNES III. d.J. (seit 1313) Herr zu Hohen-Rappoltstein und der Unterstadt (gemeinsam mit Heinrich VII. bis 1318), erw. 1298-1336, † 1335

	∞ Elisabeth von Geroldseck-Lahr
3 Kinder	Katharina I., erw. 1337-1340, † 1353; ∞ Sigmund von Hattstadt, erw. 1325-1370, † 1372
	ANSELM IV. (seit 1335) Herr zu Hohen-Rappoltstein und der Unterstadt, erw. 1336-1338, † 1341
	JOHANNES V. (seit 1335) Herr zu Hohen-Rappoltstein und der Unterstadt, erw. 1336-1338, † 1341
<b>8. Generation</b>	
1	ULRICH VII. (seit 1348) Herr zu Hohen-Rappoltstein und der Unterstadt (seit 1351) Herr zu Hohenack (gemeinsam mit Johannes IV und Bruno I. bis 1368) und (seit 1368) Herr zu Giersberg; vorher (1344) Domherr in Basel, (1347) Domherr in Straßburg, erw. 1335-1377, † 1377
	∞1 1353 Herzlaude (Lowdeline) Gräfin von Fürstenberg-Haslach, erw. 1353-1363, † 1363; Tv Gottfried Graf von Fürstenberg
1 Kind	HERZLAUDE (seit 1397) Herrin von Groß-Rappoltstein (Ulrichsburg) und Hohenack, erw. 1372-1400, † 1400; ∞1 Heinrich III. Graf von Saarwerden, (seit 1377) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Oberstadt; erw. 1378-1397, † 1397 (kinderlos); ∞2 Johann Graf von Lupfen, (seit 1400) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Oberstadt (bis 1419), Herr zu Hohenack (bis 1436); Landgraf von Stühlingen † 1436 (kinderlos)
	∞2 1364 Margarethe Herzogin von Lothringen † 1374 (kinderlos); Tv Friedrich IV. Herzog von Lothringen
	∞3 1376 Kunigunde von Geroldseck, erw. 1376-1398 2 1379 Rudolf von Ochsenstein †∞(kinderlos); Tv Friedrich von Geroldseck; [sie: 1400]
2	BRUNO I. (seit Volljährigkeit ca. 1350) Herr zu Hohen-Rappoltstein und der Unterstadt, (seit 1351) Herr zu Hohenack (gemeinsam mit Johannes IV und Ulrich VII. bis 1368); (von 1362-1377) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Oberstadt; erw. 1344-1398, † 15.5.1398
	∞1 vor 1362 Johanna von Blankenberg, Frau von Magnières, erw. 1351-1377; Tv Emich von Blankenberg in Denuvre; [sie: ∞1 Heinrich von Fausigny]
3 Kinder	Isabella, erw. 1369-1409; ∞ 20.3.1377 Wilhelm von Vergy in Pont-sur-Saône-Montenot † 1396
	Blancheflor, erw. 1371-1425; ∞1 20.1.1371 Burchard II. von Finstingen und Schönecken, erw. 1377-1389; ∞2 Dietrich Beyer von Boppard, Herr zu Château-Bréhain
	Johanna I., erw. 1377-1416; ∞1 Volmar von Geroldseck am Wasichin in Groß-Geroldseck, erw. 1378-1384, † 1390; ∞2 Egon II. Graf von Habsburg-Kyburg † 1414
	∞2 um 1381 Agnes von Grandson, erw. 1363-1397
5 Kinder	MAXIMIN SMASSMANN I. (s. 9.1)
	Johann VI., erw. 1392-1399; "im Rhein ertrunken", † 1399
	ULRICH VIII. (seit 1398) Herr zu Rappoltstein (gemeinsam mit Maximin I. Smassmann bis 1419), (seit 1419) Herr zu Groß-Rappoltstein (Ulrichsburg) und des Erbhofes in der Unterstadt ); erw. 1392-1431, † (gefallen) 2.7.1431; ∞ NN Gräfin von Habsburg-Laufenburg
	Elsa, erw. 1397-1415; ∞ Hans Ulrich vom Huse von Isenheim, erw. 1388-1434

	Adelheid (?), erw. 1415
Mutter unbekannt	
1 Sohn	Ulrich 'der Bastard', Kirchherr von Reichenweiher; ∞ Barbel Brunin
<b>9. Generation</b>	
	<b>MAXIMIN I. SMASSMANN</b> * ca. 1382; (seit 1398) Herr zu Rappoltstein (gemeinsam mit Ulrich VIII. bis 1419), (seit 1419) Herr zu Groß-Rappoltstein (Ulrichsburg) und der Ober- und der Unterstadt, (seit 1431) Herr zu Rappoltstein, sowie (seit 1437) Herr zu Hohenack; erw. 1390-1451, † 25.2.1451
	∞1 NN Gräfin von Habsburg-Laufenburg † 1414; Tv Johann II. Graf von Habsburg-Laufenburg und Verena Gräfin von Neuenburg
2 Kinder	Amalie ∞ 1412 Claus Krietheim
	Magdalena, erw. 1431; Klosterfrau zu Alspach
	∞2 1415 Katharina von Burgund, Herzogin von Österreich; * 5.1378, † 24.1.1425; Tv Philipp König von Frankreich, Herzog von Burgund; [sie: ∞1 1393 Leopold IV. Herzog von Österreich und der Steiermark † 1411] (kinderlos)
	∞3 1434 Else Wetzels, ab 1434 Else von der Dicke und Spesburg † 1451; Tv Hannemann, Edelknecht
10 Kinder	<b>KASPAR</b> (s. 10.1) (unehelich, 1434 legitimiert)
	<b>WILHELM I.</b> (s. 10.2) (unehelich, 1434 legitimiert)
	Stephanie I., erw. 1434-1475, ab 1446 Klosterfrau in Unterlinden (Colmar) (unehelich, 1434 legitimiert)
	Beatrix I., erw. 1434-1475, ab 1446 Klosterfrau in Unterlinden (Colmar) (unehelich, 1434 legitimiert)
	Emichen, erw. 1434, † jungem Alter (unehelich, 1434 legitimiert)
	Verena I., erw. 1434-1492; † 1492 (unehelich, 1434 legitimiert)
	<b>MAXIMIN SMASSMANN II.</b> um 1437; (seit 1456) Herr zu Rappoltstein und Hohenack (gemeinsam mit Wilhelm I., Bruno II. und Wilhelm II.) und (seit 1484) Herr zu Geroldseck am Wasichin; Rat Seiner Römisch-Katholischen Majestät; † 31.8.1517 (unehelich, 1434 legitimiert)
	Ursula, erw. 1451-1480, ab 1453 Klosterfrau zu Alspach
	Helena I., erw. 1451-1480, ab 1453 Klosterfrau zu Alspach
	Afra, erw. 1451-1480, ab 1453 Klosterfrau zu Alspach
<b>10. Generation</b>	
	<b>KASPAR</b> * ca. 1426; (seit 1451) Herr zu Rappoltstein und Hohenack (gemeinsam mit Wilhelm I. und Smassmann II.); erw. 1434-1456; † >6.11.1456 während der Pilgerfahrt nach Santiago de Compostella
	∞ 1452 Imagina Gräfin von Leiningen † 1468 Rixingen; Tv Rudolf Graf von Leiningen und Rixingen
1 Sohn	<b>BRUNO II.</b> * ca. 1453; (seit 1469) Herr zu Rappoltstein und Hohenack und seit ca. 1485 Herr zu Geroldseck am Wasichin; (gemeinsam mit Wilhelm I. und Smassmann II.), erw. 1457-1513, † 12.3.1513; (ehe- und kinderlos)
	<b>WILHELM I.</b> * ca. 1427; (seit 1451) Herr zu Rappoltstein und Hohenack (gemeinsam mit Kaspar, nach dessen Tod 1451 mit Bruno II. und Smassmann II.); und (seit 1484) Herr zu Geroldseck am Wasichin; † 20.6.1507

## Appendix 2 Sir John Harlestone – Biographical Note

‘... a most remarkable and eminent man in his time.’<sup>289</sup>

Sir John Harlestone is a something of an enigma. His presence throughout the second half of the fourteenth century is akin to that of a minor character in one of Shakespeare’s historical dramas. He seems always to be there in the background, sword at the ready, while the great lords take centre stage. From time to time he emerges from the crowd briefly to occupy centre stage then withdraws. The efforts made on his behalf by so many significant figures to secure his release from captivity at the hands of Bruno von Rappoltstein indicate that he was a man of some consequence. Yet, for all that, he has left relatively little trace in the archives. To gain some understanding of why Harlestone’s release from Bruno’s dungeons engaged the interest of Richard II of England, Wenzel, king of the Romans, Pope Urban VI (1378-89) and many others of high rank, this appendix summarises what little is known of this English knight.<sup>290</sup>

The evidence for Harlestone’s origins is sparse. There is unsupported genealogical data that suggests Harlestone was born in Essex in 1327 in the manor of Wanton. If this is correct it connects him to a well-documented Essex Harleston family albeit in a manner which cannot be divined unambiguously from the available sources. The position is far from clear but given the facts of his later life, an Essex family

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<sup>289</sup> Francis Blomefield and Charles Parkin, *An Essay Towards a Topographical History of the County of Norfolk, etc* (London: William Miller, 1805), iii, p. 111 Note.

<sup>290</sup> For Urban VI see Kelly, *The Oxford Dictionary of Popes*, pp. 227-228.

connection for Sir John Harlestone seems plausible. Both Ward<sup>291</sup> and Given-Wilson<sup>292</sup> treat him as an Essex man.<sup>293</sup>

Harlestone first appears in the royal archive in the middle of the fourteenth century. The initial mention is as witness to a deed in January 1342<sup>294</sup> Little further is heard of him until he receives two commissions to arrest various individuals in 1347.<sup>295</sup> There is no evidence that Harlestone fought at Crecy or Poitiers or that he engaged in any military activity at this time. His duties for a number of years appear to have been confined to the further witnessing of deeds and the occasional arrest of felons. These years of service were however the foundation for a more prominent future role. As Vale writes, 'The chamber provided its own career structure for the able and ambitious, often from well-born families: men rose from valet, or yeoman, to knight through their service there.'<sup>296</sup>

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<sup>291</sup> Jennifer C Ward, *The Essex Gentry and the County Community in the Fourteenth Century*, *Studies in Essex history* ; 2 (Essex Record Office, 1991), p. 9. Ward includes Harlestone in a table of 'Essex Gentry on Commissions of Array 1377 – 1392'.

<sup>292</sup> Chris Given-Wilson, *The Royal Household and the King's Affinity : Service, Politics, and Finance in England, 1360-1413* (New Haven ; London: Yale University Press, 1986), p. 283. Given-Wilson includes Harlestone in a table of 'Knights of the chamber and lay officers of the household' under Richard II and indicates his area of 'Local Interests' as Essex.

<sup>293</sup> I am grateful for assistance received from Mr Paul Reed in connection with the Essex Harlestone family. Mr Reed, Fellow of the American Society of Genealogists, has researched the medieval origins of the family in connection with his article, *The English Origins of John Harlestone, Colonial Immigrant to South Carolina*, (*The Genealogist*, Fall 1988). There is a substantial amount of genealogical data on various medieval Harlestone families at <http://www.familysearch.org/>. Some of this data has been provided by Mr Reed. Other data has been compiled anonymously without supporting detail of its source, including the entry relating to the birth of 'John de Harlestone' at Wantons Manor, Essex circa 1327 and that of 'Sir John Herloveston' circa 1300.

<sup>294</sup> CCR, 1341 - 1343, 470.

<sup>295</sup> *Ibid.*, 1345 - 1348, 313 & 316.

<sup>296</sup> M. G. A. Vale, *The Princely Court : Medieval Courts and Culture in North-West Europe* (Oxford ; New York: Oxford University Press, 2001), p. 61. A comprehensive picture of the role and duties of the esquires and knights of the royal court under Edward III, Richard II and Henry IV is given in Given-Wilson, *The Royal Household and the King's Affinity : Service, Politics, and Finance in England, 1360-1413*, p. 167 - 174 & p. 204 - 212. On pages 201 & 202 Given-Wilson charts the career of Sir George Felbridge which shows some remarkable parallels with that of Sir John Harlestone, including his longevity and service across three reigns and his association with Thomas of Woodstock, duke of Gloucester. Felbridge was, however, more of a diplomat than a soldier and, unlike Harlestone, suffered through his association with Gloucester at the end of Richard's reign.

The first mention of Harlestone as a soldier occurs in 1359 when he was credited with the capture of Flavigny-sur-Ozerain, some thirty miles north-west of Dijon. The French considered Flavigny sufficiently secure to have stored a substantial quantity of provisions within the town; enough, Froissart says, to feed Edward III's army for a month.<sup>297</sup> The town itself was almost immediately handed back to the French during the negotiations leading to the Treat of Brétigny but Harlestone's role in capturing a substantial quantity of desperately needed supplies and such a valuable fortress is unlikely to have passed the notice of the king and his senior commanders.<sup>298</sup>

Following his success at Flavigny, Harlestone's official military career appears to have stagnated during the years of truce between England and France but it is clear that he did not spend the whole of his time in England. There is only one mention of his name in the royal archive in this period, relating to his appointment of attorneys while 'going beyond the seas by the king's licence' in July 1366.<sup>299</sup> This entry, together with the absence of any record of duties at court during the whole of the 1360s suggests that Harlestone may have been abroad for a substantial part of this time. The question of what activities he might have been engaged in during this period is considered below.

With the resumption of hostilities between England and France in 1369, Harlestone was appointed to his first significant post as Captain of Guines in July 1370 and held this post until at least November 1376. For part of 1379 he was Captain of

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<sup>297</sup> Froissart and Kervyn de Lettenhove, *Chroniques*, VI, 256.

<sup>298</sup> Thomas Gray, *Scalacronica. The Reigns of Edward I, Edward II and Edward III*, tr. Herbert Maxwell (Glasgow: 1907), p. 148 - 159.

<sup>299</sup> CPR, Edward III 1364 - 1367, 291.

Cherbourg.<sup>300</sup> The progression from Guines to Cherbourg was a natural concomitant of successful service. Given-Wilson writes, 'Castles in occupied France ... were generally entrusted to men of proven military ability' and points to Cherbourg as being one of those castles that would normally be held by one of the king's chamber knights. Of Guines he says, 'Numerous other castles in Aquitaine and in the marches around Calais, such as Fronsac, Guines and Oye, were held by the king's knights (these lesser castles were rarely held by chamber knights).'<sup>301</sup>

It is during the decade following 1369 that Harlestone appears regularly in the chronicles of that period. Froissart mentions him on several occasions.<sup>302</sup> In most cases he is named only in passing but in others he is central to the matter. The best known of these episodes is, perhaps, the capture of the French knight, William de Bordes, in the vicinity of Cherbourg in July 1379. During this engagement Froissart describes Harlestone in combat: 'D'autre part, messires Jehans Harleston, capitaine de Chierbourg, se combatoit bien et vaillaument, une hache en sa main, pié avant l'autre, et bien y besoignoit, car il avoit à dure partie affaire et durs combatans.'<sup>303</sup>

Harlestone appears to have profited substantially from the capture of William de Bordes. The prisoner was handed over to Richard II in return for which Harlestone received a grant of ten thousand francs.<sup>304</sup>

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<sup>300</sup> Goodman, *The Loyal Conspiracy*, p. 99. The indenture for Harlestone's custody of the castle and town of Cherbourg survives in the National Archives at E101, *Exchequer, King's Remembrancer, Accounts Various*, E101/68/8 178 & 179.

<sup>301</sup> Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics, and Finance in England, 1360-1413*, p. 171.

<sup>302</sup> Froissart and Kervyn de Lettenhove, *Chroniques*. The references to Harlestone may be found at : VIII, 280; VIII, 328ff; VIII, 399; VIII, 403; VIII, 414; IX, 92ff; IX, 96; IX, 134ff; IX, 244; IX, 306 and XII, 60ff.

<sup>303</sup> *Ibid.*, IX, 138.

<sup>304</sup> VH (ed) Galbraith, *The Anonimale Chronicle 1333 to 1381* (Manchester: The University Press, 1927), 1377 - 1381: 311, 495, 543 & 586.

This positive view of Harlestone as a fighting man is echoed by other chroniclers. He is mentioned on various occasions in Walsingham's *St Albans Chronicle*.<sup>305</sup> Once again he is depicted as a fighting man, given to chivalric words and deeds. In another episode from 1379 he is depicted as leading the mercenary soldiers who formed the garrison at Cherbourg on a raid into the countryside in an attempt to secure provisions. The French had apparently blockaded most of the approaches to Cherbourg and the situation was becoming desperate. After professing himself as 'prepared to face life or death' for the welfare of his men, Harlestone leads them on a successful raid but is ambushed on the return journey. Once again, Harlestone is at the heart of the battle, as described by Walsingham: 'Sir John Harlestone, commander-in-chief of the English was the first to fall: he attacked the French with courage, but was horribly cut down and pitifully laid low, a host of the enemy surrounding him like bees.'<sup>306</sup> On this occasion he was rescued by Sir Geoffrey Worseley who led the reserve force onto the field at a critical point in the skirmish.

The capture of William de Bordes described above by Froissart is also recorded in *The Anonimale Chronicle*, where Harlestone is again seen in the heart of the battle. Harlestone was again apparently knocked to the ground and rescued by his companions – possibly led again by Sir Geoffrey Worseley.<sup>307</sup> Restored to his feet, Harlestone continued to fight until victory was achieved.<sup>308</sup>

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<sup>305</sup> John Taylor, Wendy R. Childs, and Leslie Watkiss, *The St Albans Chronicle : The Chronica Maiora of Thomas Walsingham. I, 1376-1394, Oxford Medieval Texts*. (Oxford: Clarendon, 2003), The references are at pages 269, 283 - 289, 343, 365 - 367, and 515 - 517.

<sup>306</sup> *Ibid.*, p. 287.

<sup>307</sup> Froissart and Kervyn de Lettenhove, *Chroniques*. In his biographical note on Harlestone, Lettenhove writes, : 'Ce fut Gauthier Worseley qui sauva la vie à Jean d'Harleston et qui décida la victoire des Anglais au combat de Cherbourg en 1379'. As he had previously written a lengthy note concerning the passage in the *St Alban's Chronicle* and the role of Worseley, it is likely that this later section refers to the action in which William de Bordes was captured. The role of Worseley in that

Interestingly, Harlestone is reported to have fallen in combat and to have been rescued by his companions in both of the episodes described above. There is a further episode in Froissart where something similar occurs. During Woodstock's campaign of 1380 Harlestone is instrumental in fighting off a raid by French knights whilst the English are besieging Nantes. In this engagement, Harlestone and his men are surrounded and attacked in their lodgings at daybreak. Dressing and arming themselves quickly they defended their position but would, apparently, have been overcome but for the arrival of reinforcements.<sup>309</sup>

None of the chroniclers treats these setbacks as a sign of any weakness or lack of fighting skill on Harlestone's part. Rather, his willingness to be at the heart of the fighting, whatever the odds, is seen as a confirmation of his courage in the field and of his chivalric standing. In a later passage Walsingham includes Harlestone in a list of captains described as 'men to whom each of the armies could with good reason have been entrusted because of their wisdom, their fortitude, and their military ability.'<sup>310</sup> and in his biographical note on Harlestone at the end of his edition of the Froissart's chronicles, Kervyn de Lettenhove sums up with this view of Harlestone, 'Dans un temps de décadence pour l'Angleterre, il avait fait revivre les plus nobles traditions de la chevalerie' Allowing for a point of view that is distinctly French, this may, in the light of other events, be an overstatement of Harlestone's reputation but as Keen says,

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battle is not mentioned in the accounts of Froissart or *The Anonimale Chronicle* and Lettenhove gives no reference for his assertion.

<sup>308</sup> Galbraith, *The Anonimale Chronicle 1333 to 1381*, p. 130.

<sup>309</sup> Froissart and Kervyn de Lettenhove, *Chroniques*, IX, 306.

<sup>310</sup> Taylor, Childs, and Watkiss, *The St Albans Chronicle : The Chronica Maiora of Thomas Walsingham. I, 1376-1394*, p. 365.

‘those who were remembered as the flower of knighthood earned their name and fame hard, in face of real and ugly dangers.’<sup>311</sup>

Following his brief tenure at Cherbourg, Harlestone’s next substantive appearance is in the context of the Peasants’ Revolt of 1381. On July 10 1381 Harlestone was commissioned, under the leadership of Woodstock, to punish insurgents in Essex and on October 26 he received a further commission to arrest and punish traitors in the Essex and Kent.<sup>312</sup> Once again, Harlestone’s deeds were recorded by a contemporary chronicler.

In the St Alban’s Chronicle, Walsingham relates how the rebels of Essex were pursued to Sudbury, Suffolk by the king’s men. He describes their fate in stark terms. ‘Lord FitzWalter and Sir John Harlestone, ... , pursued them with armed men, and when the peasants were making their customary proclamations on behalf of the common people, the lords suddenly and unexpectedly assailed them, and killed as many as they wished.’<sup>313</sup> Although not specifically named in other commissions, it is known that Harlestone was also involved in the slaughter of Essex rebels near Billericay<sup>314</sup> under Woodstock’s command and it possible that he would have been amongst the forces commanded by Woodstock in Oxfordshire, Gloucestershire and Herefordshire.<sup>315</sup> He was clearly a man for whom extreme violence was a part of daily life.

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<sup>311</sup> Maurice Keen, *Chivalry* (New Haven ; London: Yale University Press, 1984), p. 223.

<sup>312</sup> CPR, 1381 - 1385, 73 & 79.

<sup>313</sup> Taylor, Childs, and Watkiss, *The St Albans Chronicle : The Chronica Maiora of Thomas Walsingham. I, 1376-1394*, p. 517.

<sup>314</sup> Alastair Dunn, *The Peasants' Revolt. England's Failed Revolution of 1381* (Stroud: Tempus Publishing, 2004), pp. 169 - 170.

<sup>315</sup> Taylor, Childs, and Watkiss, *The St Albans Chronicle : The Chronica Maiora of Thomas Walsingham. I, 1376-1394*, p. 516 note.

Outside of the writings of chroniclers there is other evidence of Harlestone's military activities. He was with Thomas Woodstock on his expedition of 1380 and he took part in the ill-fated 'crusade' led by Henry Despenser, Bishop of Norwich in 1383.<sup>316</sup>

It is also known that he was able to muster a substantial retinue of followers for military campaigns. Harlestone's indenture for service as a part of Woodstock's 1380 expedition survives. In this he contracts to supply six bannerets, seventy three knights and eighty archers.<sup>317</sup>

Alongside his role as a military leader there is occasional mention of Harlestone in the context of diplomatic missions. Lettenhove states that Harlestone 'eut un débat devant le conseil du roi de France contre le sire de Camprémy' in 1364 and that Edward III gave him 'de pleins pouvoirs' in January 1366, although it is not clear in what context these were granted. He further mentions that in October 1376, Harlestone was 'un des conservateurs des trêves conclues avec France'.<sup>318</sup> This latter mission was connected with the implementation of a truce concluded in June 1375 for which Harlestone was chosen as one of four 'conservators'.<sup>319</sup> While captain of Cherbourg, Harlestone is recorded by Froissart as having played a minor role in securing the freedom of John of Brittany, cousin of the duke of Brittany, who was at that time being held for ransom in England.<sup>320</sup> Toward the end of his life, after his return from captivity in Alsace and Burgundy, the Westminster Chronicle records

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<sup>316</sup> Saul, *Richard II*, p. 52. Perroy, *Richard II*, p. 196.

<sup>317</sup> JW Sherbourne, 'Indentured Retinues and English Expeditions to France, 1369 - 1380,' *The English Historical Review* 79, no. 313 (1964): p. 732.

<sup>318</sup> Froissart and Kervyn de Lettenhove, *Chroniques*, XXI, 525.

<sup>319</sup> Fowler, *Medieval Mercenaries*, pp. 195 - 197. The arrangements for the truce were considered a novel attempt to secure compliance. Fowler describes the role of Harlestone and his fellows in some detail.

<sup>320</sup> Froissart and Kervyn de Lettenhove, *Chroniques*, XII, 60ff.

him as being with Woodstock in the context of negotiations with the French to prolong the 1389 truce of Leulingam<sup>321</sup> and Lettenhove has him 'chargé d'une mission outre mer' in 1398.<sup>322</sup>

None of these accounts suggests that Harlestone was instrumental in the negotiating process itself. Given his background it seems more likely that he was included in these various retinues for what might best be described as 'security' purposes.

Harlestone's relationship with Thomas of Woodstock is worthy of closer examination. Woodstock most probably first met Harlestone while he was growing up at his father's court.<sup>323</sup> The first record of Harlestone's service with Woodstock is an entry in the Patent Rolls relating Harlestone sitting with Woodstock in a military court in March 1380.<sup>324</sup> Upon his later elevation to a dukedom (1385) he received a further annuity of the same sum but Richard never showed any inclination to swap the cash grants for lands of an equivalent value, leaving Woodstock dependent on an exchequer that was itself pressed for cash during the 1380s. On top of this, Woodstock found himself in competition with the de Vere family for influence within Essex and must have resented the de Vere's greater favour at court. As Saul says, 'He needed a powerful following of his own both to bolster his own prestige and to keep watch over his interests in the county, but ... he found it difficult to recruit one. His greatest attraction to the gentry was probably his ability to offer them opportunities to

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<sup>321</sup> L. C. Hector, Barbara F. Harvey, and Corpus Christi College (University of Cambridge). Library., *The Westminster Chronicle, 1381-1394, Oxford medieval texts.* (Oxford New York: Clarendon Press ;

Oxford University Press, 1982), p. 515.

<sup>322</sup> Froissart and Kervyn de Lettenhove, *Chroniques*, XXI, 525.

<sup>323</sup> Goodman, *The Loyal Conspiracy*, p. 102.

<sup>324</sup> CPR, 1377 - 1381, 485.

seek honour and renown in war.<sup>325</sup> Harlestone, an established military figure of some repute by the late 1370s and someone that he had probably known since childhood, would have been an ideal person to form the core of such a following. The close nature of the relationship between Harlestone and Woodstock is further illustrated in the foundation statutes of the religious college that Woodstock established at Pleshey in 1393.<sup>326</sup> In statute 22 Harlestone is listed amongst those for whom mass was to be said on designated dates. In 1395 Harlestone was amongst those to whom Woodstock granted his Stafford and Moleyns wardships.<sup>327</sup>

Harlestone's capture by Bruno von Rappoltstein in 1384 was, perhaps, the greatest good fortune of his life. In 1386 Woodstock, as duke of Gloucester, was one of the leading members of the Lords Appellant, that group of nobles who came so close to deposing Richard II.<sup>328</sup> By this time, Harlestone had been away from domestic politics for a considerable period and seems thus to have escaped any implication in the matter, unlike many of Woodstock's other knightly adherents.<sup>329</sup> Indeed, in February 1393, after his release by Bruno, Harlestone was granted an annuity by Richard II of 100 marks for life specifically to compensate him for losses whilst imprisoned in Germany.<sup>330</sup>

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<sup>325</sup> Saul, *Richard II*, pp. 178 - 179. See also Anthony Tuck, *Thomas, Duke of Gloucester (1355-1397)*, *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004).

<sup>326</sup> The foundation statutes of Pleshey College are reproduced in full in Richard Gough, *The History and Antiquities of Pleshy, in the County of Essex* (London, 1803), Appendix, 69ff.

<sup>327</sup> Goodman, *The Loyal Conspiracy*, p. 100.

<sup>328</sup> There are many accounts of the 'Lords Appellant' affair. The most comprehensive may be found in Saul, *Richard II*, Chapter 8 and Goodman, *The Loyal Conspiracy*.

<sup>329</sup> Sir George Felbridge (see above) was the only other knightly follower of Woodstock mentioned by name in statute 22 of the foundation statutes of Pleshey College.

<sup>330</sup> CPR, 1391 - 1396, 240.

A possible further factor in the absence of any consequences to Harlestone when Woodstock fell is the fact that Harlestone appears to have played no active role in domestic politics. There is no evidence for him being involved, at any level, with local or central government outside of his military activities, a fact that may be connected with limited landed wealth.<sup>331</sup> Although there is evidence that he held some lands in Essex he does not appear to have been a man of substantial property interests. Harlestone's share in the ransom of William de Bordes (see above) was ten thousand marks. He is known to have sold other prisoners to the king. McKisack mentions his share in the proceeds of the ransom of a French knight as £1,583 6s 8d.<sup>332</sup> This most likely relates to the sale of two prisoners to Edward III in 1374, while Harlestone was captain of Guines.<sup>333</sup> The extent to which Harlestone also enjoyed the fruits of war gained from less chivalrous activities is closely connected to the reason for his capture and imprisonment by Bruno von Rappoltstein in 1384 and relates to the unanswered question of what he may have been doing during the years prior to his appointment as captain of Guines in 1370.

In a letter of 1385, probably addressed to the city authorities in Strassburg, Bruno seeks to justify the ambush and imprisonment of Harlestone by accusing him of having raided properties in France and Burgundy which belonged to Bruno by right of his first wife. The details are given above in case study 3.

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<sup>331</sup> For a detailed discussion of local politics in Essex in the 14<sup>th</sup> century, see : Ward, *The Essex Gentry and the County Community in the Fourteenth Century*. Harlestone does not figure in the work except as mentioned above in terms of a military Commission of Array at the time of the Peasants' Revolt.

<sup>332</sup> May McKisack, *The Fourteenth Century, 1307-1399, Oxford history of England ; 5* (Oxford, 1959), p. 247, citing Issues of the Exchequer (Devon, 1837) 153 & 217.

<sup>333</sup> CPR, 1374 - 1377, 36.

As a part of his complaint against Harlestone, Bruno cited an episode, told to him by another knight who claimed to have seen Harlestone and his followers with their table set with more than one hundred chalices which they had stolen from a variety of religious houses, including those in Bruno's villages. To underline the horror of this, Bruno relates that the knight in question could not bring himself to drink from a chalice looted from the Church and was accordingly brought another drinking vessel.

It should be borne in mind that Bruno had good reason to paint as black a picture as possible of Harlestone. Alongside the general accusations of looting, murder and pillage, none of which was necessarily unusual behaviour for English knights on campaign during the Hundred Years War, the accusation of membership of the free companies would have had a special resonance with the authorities in Strassburg which had suffered from the attentions of the Archpriest, Arnaud de Cervole in 1365.<sup>334</sup> The final accusation of Harlestone as a despoiler of churches and looter of holy chalices would have served to put him fully beyond the pale.

By piling these accusations one upon another, Bruno could portray Harlestone as the epitome of evil and himself as the victim seeking recompense for his losses through ransom and as a good Christian in avenging wrongs done to the Church. The question thus arises as to whether these accusations were justified or simply a construct by Bruno to justify his actions.

Taking the question of Harlestone's membership of the free companies first, it must be said that there is no evidence of his formal involvement. In the detailed study of

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<sup>334</sup> Fowler, *Medieval Mercenaries*, p. 130ff.

this subject previously cited, Fowler does not list Harlestone as a captain or member of any of the companies.<sup>335</sup> No mention is made of him by Sumption or Wright in their work in this area.<sup>336</sup> In fact, none of the modern or contemporary sources which refer to Harlestone give any indication that he was a member of any company. It seems likely therefore that this aspect of Bruno's complaint may well be fiction and added to the more specific charges in order to sway his audience.

Moving to the question of the despoilment of churches and the looting of church property, there is evidence to support the story told by Bruno of the chalices on Harlestone's table. Fowler's sole mention of Harlestone is in connection with this story. Describing Harlestone as 'infamous in his exploits', he goes on to tell exactly the same tale as is told by Bruno by reference to an inquest into pillaging held in Champagne in 1375.<sup>337</sup> Fowler's source for this is a 19<sup>th</sup> Century French study of the Companies by De Fréville.<sup>338</sup> In this, De Fréville writes,

Tous les historiens s'entendent sur le luxe effréné des gens de guerre; mais toutes les declamations ne valent pas le fait suivant: dans une enquete au sujet du pillage de la Champagne, en 1375, un temoin declare qu'il a vu sur la table ou Jean de Harlestone, capitaine anglais, soupait avec ses camarades, plus de cent calices qui leur servaient de verres.<sup>339</sup>

As three of Bruno's villages allegedly pillaged by Harlestone are named in the letter of 1385 as being 'in der graffschafft zu Schampanien'<sup>340</sup>, it seems reasonable to

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<sup>335</sup> Ibid.

<sup>336</sup> Sumption, *The Hundred Years War*. Nicholas Wright, *Knights and Peasants: the Hundred Years War in the French Countryside, Warfare in History* (Woodbridge, Suffolk: Boydell, 1998).

<sup>337</sup> Fowler, *Medieval Mercenaries*, p. 146.

<sup>338</sup> de Fréville De Lorme Charles Ernest, *Des grandes Compagnies au quatorzième Siècle* (1842-44., 1842).

<sup>339</sup> Ibid., ii, 246, Note.

<sup>340</sup> Albrecht, *RU*, 2, No. 205. The three villages are named as 'Humbescort', 'Vrvil uff der Marnen' and 'Ruffier.' See case study 3 above.

imagine that Bruno would have been aware of such matters and that he would naturally have kept himself informed of events in an area in which he held substantial interests. Bruno's retelling of the knight's story does therefore some weight. Further evidence to Harlestone's participation in the looting of churches may be inferred from the fact that he was, in fact, on a pilgrimage at the time of his capture by Bruno. Such a journey was in compliance with a papal bull of 16 November 1366 which specified pilgrimage to Rome as one of the acceptable penances.<sup>341</sup>

Fowler also suggests that Harlestone later accompanied the future marshal of Burgundy, Gui de Pontaillier, on a pilgrimage to the church of Our Lady in Nazareth.<sup>342</sup> He cites a reference from a nineteenth century French work by Chéreste as his source for this. The passage reads,

Chose encore plus étrange! Vers al meme époque, Jean d'Arleston, cet écuyer du roi d'Angleterre qui s'était emparé de Flavigny, en janvier 1360, s'associa avec plusieurs seigneurs bourguignons, et notamment avec G. de Pontaillier, le futur marechal de Bourgogne, pur aller ensemble faire un pelerinage a Notre-Dame de Nazareth<sup>343</sup>

This is certainly possible as Harlestone was moved from Bruno's castle at Hoh Rappoltstein in Alsace to Burgundy in 1387 and was in the custody of Gui de Pontaillier as is evidenced by two documents given by Harlestone in which he promises to remain as Bruno's prisoner whilst in Burgundy.<sup>344</sup> As Harlestone had failed to complete his first pilgrimage he may have felt the need to make this second journey for the same reasons as had prompted him to travel to Rome.

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<sup>341</sup> Fowler, *Medieval Mercenaries*, p. 145.

<sup>342</sup> *Ibid.*, p. 146.

<sup>343</sup> Alexandre Chérest Aimé, *L'Archiprêtre. Épisodes de la Guerre de Cent Ans au XIVe Siècle* (Paris, 1879), p 203 Note.

<sup>344</sup> Albrecht, *RU*, 2, Nos. 233 and 258.

Finally, there remains the question of whether Harlestone was guilty of the alleged offences against Bruno's people and properties.<sup>345</sup> There is no firm evidence to support Bruno's contentions. Against this, the charge of looting churches looks to have some foundation and Bruno's specific charges of violence against his properties and the circumstances in which they arose are persuasive, even allowing for a degree of exaggeration that Bruno may have added to help his case with the authorities in Strassburg. There is no evidence to support a case for Harlestone as a member of the free companies but this, in itself, is not proof that he did not have a connection with them at some point. After all, Sir Geoffrey Worseley who served under Harlestone at Cherbourg and who saved Harlestone's life on at least one occasion was most certainly 'a company man'.<sup>346</sup> Overall, it is reasonable to conclude that Harlestone was no better and no worse than many English fighting knights of that period.<sup>347</sup> Wright summarises this when he observes, 'the lines of demarcation between war and brigandage, and between chivalrous knights and highway robbers, were not at all clear in practice.'<sup>348</sup>

The date of Harlestone's release from Bruno's custody is not recorded but it is possible to gain a general idea of when this occurred from surviving documents in the Rappoltstein family archive which place his release as having occurred in March 1392.<sup>349</sup>

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<sup>345</sup> See case study 3 above for the details of the alleged attacks on Bruno's properties.

<sup>346</sup> Fowler, *Medieval Mercenaries*, p. 300.

<sup>347</sup> For a detailed discussion of 'Chivalry & War' see Keen, *Chivalry*, especially Ch 12.

<sup>348</sup> Wright, *Knights and Peasants : the Hundred Years War in the French Countryside*, p. 53.

<sup>349</sup> Albrecht, *RU*, 2, Nos. 337, 338, 340, 341 & Note.

From this point, Harlestone seems to have lived a quieter life and appears only infrequently in the archives. In 1393 Harlestone was granted an annuity of 100 marks for life as compensation for losses whilst imprisoned. This annuity was subsequently confirmed by Henry IV in October 1399.<sup>350</sup> He was not, however, entirely inactive at court. In 1397 he was a guarantor for the appearance before the Council of Thomas Feriby, Woodstock's secretary, who was being held in the Tower.<sup>351</sup> He is further recorded in 1395 as being a supporter of the Order of the Passion, a short-lived crusading order founded by Phillipe de Mézières, a friend and advisor to Charles V of France.<sup>352</sup> It seems unlikely that Harlestone was seriously considering participation in a crusade at this stage of his life. His inclusion in a list of patrons and members of the order alongside John of Gaunt, his friend Woodstock and many others, suggests that he was invited to add his name and reputation to the venture primarily as an encouragement to other potential recruits.

The writ for Harlestone's *inquisition post mortem* was issued on 25 January 1406.<sup>353</sup>

The writ refers to lands held in Kent but there is no subsequent record of the *inquisition* itself. As the annuity of one hundred marks granted in 1393 was to be paid from the issues of Kent, it is possible that there was a belief that he had held lands in that county from the king. It may be that this was shown to be erroneous and thus the *inquisition* itself rendered unnecessary.

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<sup>350</sup> CPR, 1399 - 1410, 29 & 123.

<sup>351</sup> Goodman, *The Loyal Conspiracy*, p. 100. CPR, 1396 - 1399, 155.

<sup>352</sup> Maude Violet Clarke, L. S. Sutherland, and M. McKisack, *Fourteenth Century Studies* (Oxford: Clarendon Press, 1937), p. 288.

<sup>353</sup> CIPM, 1405 - 1413, 2.

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