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Fiction After Felony

Innovation and Transformation in the Eland Outlaw Narratives

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Introduction

In the mid-seventeenth century, John Hopkinson, a West Riding justice of the peace and antiquarian, copied 'The Death of Sir John Ealand of Ealand and his sonne in olde rymthe',[2] a stirring ballad about murder and revenge, into his otherwise mundane collections of pedigrees of the northern families.[3] Actually, he copied out several versions of the legend: two variants of the ballad, and two expanded prose narratives. How Hopkinson came by these variants of the Eland legend he does not say; however, he knew that the tale had a connection to medieval West Riding families because he placed the ballad and the longer narratives in his notebooks along with the pedigrees of the Elands, the Beaumonts, and the Saviles who figure prominently in the tale. As enthusiasts re-told the legend of the Eland feud even into the early twentieth century, it acquired embellishments that made for dubious historical record but entertaining fireside recitation: insults were tossed, vengeance promised, ambushes laid, and duplicitous maids their men betrayed. Despite the obvious flights of fancy, there was just enough evidence that the story might be based on real events that several respected eighteenth- and nineteenth-century historians[4] pursued the veracity of the legend until W. P. Baildon, writing in 1890, set the question in a new light with his publication of the King's Bench records relating to the 1350s murders of Sir John de Eland, former High Sherriff of York, and his son John de Eland

[1] The authors thank the Social Sciences and Humanities Research Council of Canada for their support of Dr. Wright's research on this project.

[2] *Rymthe*: an Old English word that passed into Middle English with the meaning 'space or space of time, time'. According to Angus McIntosh, M.L. Samuels, Michael Benskin and others, *A Linguistic Atlas of Late Mediaeval English*, 4 vols (Aberdeen: Aberdeen University Press, 1986), accessed from http://www.lel.ed.ac.uk/ihd/elalme/elalme.html, it was rarely used, and is attested in Norfolk and the north. Hopkinson likely meant to write *rythme*, which makes more sense.

[3] Bradford, West Yorkshire Archive Service, Hopkinson 32D86/12, ff. 11^{v}–18^{v} (for the ballad) and 41^{r}–45^{r} (for the prose narrative).

[4] For example, see the discussion of the sources of the legend in C. J. Davison Ingledew, *The Ballads and Songs of Yorkshire* (London: Bell and Daldy, 1860), pp. 66–86; <https://archive.org/details/balladssongsofyo00ingl> [accessed 15 September 2014]. In 1859 Ingledew was looking for information about Sir Hugh Quarmby: C. J. D. Ingledew, 'Ballad on Sir John Eland of Eland, co. York.', *Notes and Queries,* second series, 8 [191] (1859), 169, DOI:10.1093/nq/s2-VIII.191.169-h.

the younger.[5] Subsequent research by C. T. Clay in 1913, Philip Ahire in 1944, and J. M. Kaye in 1979 conclusively demonstrated that Eland and his felonious murderers were indeed flesh and blood and once upon a time dwelt in the West Riding.[6]

In recent years the ghost of Eland has become restless and no less than four new variants of the tale have come to light. Our own renewed interest in Eland's legend is occasioned by Wright's discovery in 2011 of three previously unknown witnesses: two variants of the ballad—one in London, British Library, Additional 56076 whose scribe is unknown and one in Bradford, West Yorkshire Archive Service, Hopkinson 32D86/12 whose scribe was John Hopkinson—and a variant of the prose narrative also recorded by John Hopkinson in London, British Library, Additional 26739.[7] A fourth manuscript containing the ballad and narrative was found in an Elizabethan commonplace book originating from Yorkshire (Additional 82370).[8]

Former scholarship has been preoccupied with authenticating the tale and reconciling its version of events to the legal record; the discovery of no less than four variants of the legend reminds us that the transformation of the Eland tragedies into legend has not received due consideration. Replete with law-breaking exploits, escape to the green forest, man-hunts, and proficiency in archery, the Eland legend issues from the same leafy haunts as the infamous outlaw Robin Hood.[9] Bearing strong similarities to other medieval tales and emerging in manuscripts around the same time as the True Tale of Robin Hood found in the Percy folios, it is time for the Eland tale to receive greater consideration alongside more commonly known medieval outlaw narratives.[10] Indeed, the Eland legend is singular among its fellow outlaw ballads because it can be anchored in space and time, providing a remarkable demonstration of the process of transformation from historical events to a more generic and innovative tale

5 W. P. Baildon, 'The Elland Feud', *Yorkshire Archaeological Journal*, 11 (1890), 128–30, <https://archive.org/details/yorkshirearchae00socigoog> [accessed 15 September 2014].

6 C. T. Clay, 'The Family of Eland', *Yorkshire Archaeological Journal*, 27 (1913), 225–48; J. M. Kaye, 'The Eland Murders, 1350–1: A Study of the Legend of the Eland Feud', *Yorkshire Archaeological Journal*, 51 (1979), 61–79 (pp. 61–79).

7 The manuscript tradition of the Eland legend is fully discussed by Sharon Hubbs Wright, ' "The Death of Sir John Ealand of Ealand and his sonne in olde rymthe": Four New Eland Manuscripts and the Transmission of a West Yorkshire Legend', *Leeds Studies in English,* n. s. 45 (2014), 87–129.

8 Steven W. May and Arthur F. Marotti, *Ink, Stink Bait, Revenge, and Queen Elizabeth: A Yorkshire Yeoman's Household Book* (Ithaca: Cornell University Press, 2014). See also Arthur F. Marotti and Steven W. May, 'Two Lost Ballads of the Armada Thanksgiving Celebration [with Texts and Illustration]', *English Literary Renaissance*, 41 (2011), 31–63, DOI:10.1111/j.1475-6757.2010.01079.x; Steven W. May, 'Matching Hands: The Search for the Scribe of the "Stanhope" Manuscript', *Huntington Library Quarterly*, 76 (2013), 345–75.

9 The Percy Folio ballads of Robin Hood immediately come to mind, as does Martin Parker's 'True Tale of Robin Hood'. Parker's true tale is an early seventeenth-century version of the legend and was compiled from earlier ballads. The Percy Folio also contains non-Robin Hood outlaw tales, and other sixteenth- and seventeenth-century ballads dealing with characters operating outside accepted social norms abound — a cursory glance at *The English and Scottish Popular Ballads*, ed. by Francis James Child, 5 vols (Boston and New York: Houghton, Mifflin and Company, [1882–98]), verifies this.

10 Students of medieval outlaws are fortunate to have at their disposal several very useful surveys of the field. See, for example: *British Outlaws of Literature and History: Essays on Medieval and Early Modern Figures from Robin Hood to Twm Shon Catty*, ed. by Alexander L. Kaufman (London: McFarland, 2011); Timothy S. Jones, *Outlawry in Medieval Literature* (New York: Palgrave, 2010); *Outlaws in Medieval and Early Modern England: Crime, Government and Society c. 1066–c.1600*, ed. by John C. Appleby and Paul Dalton (Burlington, VT: Ashagate, 2009); *Medieval Outlaws: Twelve Tales in Modern English*, ed. by Thomas H. Ohlgren (West Lafayette, IN: Parlor Press, 2005); *Robin Hood and Other Outlaw Tales*, ed. by Stephen Knight and Thomas Ohlgren, 2nd edn (Kalamazoo, MI: Medieval Institute Publications, 2000).

of rancour, revenge, and restoration of order. In short, with the Eland legend, we can do what many scholars of outlaw narratives cannot: navigate both legend and history in context.

We begin with an examination of the version of events in the ballad and then return to the legal record before considering the problem of audience. Unless otherwise stated quotations from the ballad are from for the variant in Additional 56076 transcribed by Wright.[11]

The High Sheriff Sir John de Eland murders the Good Sir Beaumont

As it survives in Additional 56076, the Eland ballad begins with six verses that describe a world in which men are driven to accumulate wealth and climb the social ladder:

> for when men walke in worldly wealth
> full few can have that grace
> long in the same to keepe themselves
> contentted with their place
> The Squire he must become a Knight
> the Knight a Lord must be
> Soe shall you see no worldlie wight
> content with his degree (st. 2–3).

In essence, the characters in this narrative desire to amass more riches and bigger titles. The world of this ballad is woefully deficient with respect to riches and titles, and unfortunately some people just cannot abide the successes of their neighbours. Moreover, the balladeer tells us that when this hankering for scarce resources both tangible and intangible is fuelled by egotism and self-importance, it can only lead to disaster:

> ffor pride it is that prickes the hearte
> & moves men to mischiefe
> all kinde of pittie sett apparte
> without any grudge or greive
> Some cannott suffer for to see
> & know their neighbours thrive
> like to themselves in good degree
> but rather seeke their lives (st. 4–5).

Even before the introduction of the main characters, the ballad describes an attitude that cultural historians and anthropologists readily identify as a hallmark of feuding societies: the aggressive social competition for scarce material and moral resources.[12] Interestingly, while the ballad does not overtly condemn social competition, it does criticize the personal motives that lie behind certain expressions of it: it is the haughty, ill-intentioned man who does not fear God who is decried. This statement sets the tone for the rest of the narrative, and will provide in part the moral justification for the series of murders the ballad relates.

[11] Wright, 'The Death of Sir John Ealand'.

[12] Literature on the feud abounds. For the concept of total scarcity, see Jacob Black-Michaud, *Cohesive Force: Feud in the Mediterranean and the Middle East* (New York: St. Martin's Press, 1975). For feud in general, see Christopher Boehm, *Blood Revenge: The Anthropology of Feuding in Montenegro* (Kansas: University Press, 1984). For feud in England, see Paul Hyams, 'Feud in Medieval England', *Haskins Society Journal*, 3 (1991), 1–21; Richard W. Kaeuper, *Chivalry and Violence in Mediaeval Europe* (Oxford: University Press, 1999); and *Violence and Medieval Society*, ed. by Richard W. Kaeuper (Woodbridge: Boydell Press, 2000).

Enter John Eland, who, as the balladeer puts it, 'with such foule faults was sore infecte' (st. 8) with misplaced envy and cupidity. As if his social ambitions and festering jealousy of the well-known and beloved Sir Robert Beaumont were not enough, Eland is descended from Cain himself (st. 12 and 44).[13] Why such a radical and vitriolic departure from the historical record (discussed below)? Eland is a sheriff, and as such in an outlaw narrative it is his function to be bad, regardless of whatever actions his historical counterpart may have undertaken. In his seminal study *The Outlaws of Medieval Legend*, Maurice Keen notes that the enemy *par excellence* of all outlaws in all the legends is the sheriff.[14] Moreover, he notes that 'ballad makers are always careful to particularize the abuse which these men have made of their position'.[15] The Eland Ballad tells us this plainly about Sir John: even before the murder, 'his doeinges makes him sore suspecte | in that to have delight' (st. 8). Afterward, the slaying is described as a mischief contrived in a wicked heart perpetrated by the wilfully ireful Eland (st. 37).

That the ballad departs from the historical 'facts' is not at all surprising. As Hugh Shields has observed, 'the old, early, oral, or Child ballad […] is a song giving a report of a fulfilled action—information about a series of intelligibly motivated events in the past';[16] nevertheless, its historical message likely has been filtered through generations of artistic interpretation.[17] As a result, any historical message in a ballad has been re-interpreted for and by the 'contemporary' audience: 'the history contained in the oral ballad is a history of the contemporary situation in relation to the message, as well as a history of the events that the message describes'.[18]

In his study of the 'contemporary situation' of the ballad, Kaye essentially states that in so-called real life, the Elands were good and the Beaumonts bad, and the balladeer promulgated an historically inaccurate tale as a warning to contemporary sixteenth-century feuders (more on which below). There is certainly much more at stake here than the questionable historicity of the ballad and its admonition not to feud. In fact, although the ballad's narrative is not historically accurate—practically reversing the story recorded in the fourteenth-century legal records—it is nevertheless logically consistent and contains a number of features common to more or less all outlaw stories which help generate meaning: the protagonists operate outside legal norms and are at odds with institutionally acceptable modes of settling disputes; institutional authority is at best weak and at worst corrupt; and the agents of the law are even worse—the description of John Eland Senior in the ballad says it all: he is a local official, descended from Cain and on the devil's errands! It is important to note that in outlaw

[13] Cain has long-standing negative associations both in western European literature and English literature. Perhaps the best-known reference, at least to students of English literature, is the monster Grendel's descent from Cain. See *Klaeber's Beowulf and The fight at Finnsburg*, ed. by R. D. Fulk, Robert E. Bjork, and John D. Niles, 4th edn (Toronto: University Press, 2009). Timothy Jones observes that Christian and secular communities alike associate disreputable figures with outlawry in order to enhance the alienation of outlaw, and Cain is the prime example. See Timothy Jones, *Outlawry in Medieval Literature* (New York: Palgrave, 2010), pp. 27ff. For a variety of references in English to the first fratricide, see *A Dictionary of Biblical Tradition in English Literature*, ed. by David Lyle Jeffrey (Grand Rapids: Eerdmans, 1992).

[14] Maurice Keen, *The Outlaws of Medieval Legend* (New York, NY: Routledge, 2000), pp. 134–35.

[15] Ibid., p. 149.

[16] Hugh Shields, 'Popular Modes of Narration and the Popular Ballad', in *The Ballad and Oral Literature*, ed. by Joe Harris (Cambridge, MA: Harvard University Press, 1991), pp. 40–59 (p. 41).

[17] Charles Duffin, 'Fixing Traditions: Making History from Ballad Texts', in *The Ballad in Scottish History*, ed. by Edward J. Cowan (East Linton: Tuckwell Press, 2000), pp. 19–35 (p. 20).

[18] Ibid., p. 21.

narratives, the king's men are not hated because of the law they administer but rather because their administration of it is corrupt, without mercy, and entirely arbitrary.[19] The 'bad guys' of the historical record thus become the 'good guys' of the ballad who appeal to an older law, ancient rights, and heroic privileges:

> Lockwood as eldest unto them
> said frends I thinke it good
> wee went into our owne Countrye
> to venge our fathers bloud
> If Eland have this for well done
> he will slaye more indeed
> best were it then wee slewe him soone
> & cutt of Caines his seede (st. 43-44).

More than an admonition against feuding, the Eland ballad fits into the broader ballad literature of outlaws and feuds, where gentry discontent and a certain amount of self-help violence in the face of bad officials is celebrated.[20]

Almost all the markers of conventional, formulaic outlaw tales are present in the Eland ballad. In surviving outlaw tales, the social bandit's career is triggered by injustice and his goal is to right the wrong. Banditry in these narratives is not employed to achieve a major transformation but to restore the right order of things.[21] The Eland of fiction has a personal motive for hating Beaumont over and above Eland's bad pedigree and career-mandated nastiness: Beaumont flouted Eland's authority. In the ballad, Eland's response to this is to gather his forces, exterminate Hugh of Quarmby and Lockwood of Lockwood, Beaumont's chief men, and then wait outside Beaumont's castle until the maid lowers the drawbridge to collect water, at which point, 'a seege asalt they made | traiterously to the hall' (st. 21), the castle is stormed, Beaumont is killed, unarmed but having fought manfully, and Eland and his troops invite the two sons of Beaumont to join them for breakfast, literally over top of their father's decapitated corpse. As Helen Phillips notes, 'in fiction and popular tradition, bandit territory is moral territory'.[22] The ballad has built on the inherent badness of sheriffs by ascribing to John Eland a satanic malevolence:

> They had a guide that guided them
> that in their hearts did dwell
> which hereunto had movid them
> the verie Devil of Hell (st. 30).

[19] Richard Gorski reflects on outlaw ballads that 'the moral compass of common good and justice pointed directly away from the ill effects of administrative growth, notable among them being the arbitrary acts and corrupt habits of royal officials': 'Justices and Injustice? England's Local Officials in the Later Middle Ages', in *Outlaws in Medieval and Early Modern England*, ed. by Appleby and Dalton (Burlington, VT: Ashgate, 2009), pp. 55–74 (p. 63). Later, he notes that ballad sheriffs preserve 'past recollections and current fears of royal authority gone bad' (p. 73).

[20] Like Gorski, A. J. Pollard points out that in stories, righteous and violent defence of justice is taken for granted in the same way as in reality, violence was justified in terms of law enforcement. 'When the "representative hierarchy" failed, direct action in defence of the common weal was believed to be justified.' A. J. Pollard, 'Political Ideology in the Early Stories of Robin Hood', in *Outlaws in Medieval and Early Modern England*, ed. by John C. Appleby and Paul Dalton (Burlington, VT: Ashgate, 2009), pp. 111–28 (p. 117–18).

[21] *Medieval Outlaws: Twelve Tales in Modern English Translation*, ed. by Thomas Ohlgren (West Lafayette, IN: Parlour Press, 2005), pp. xxvi–xxvii.

[22] Helen Phillips, 'Bandit Territories and Good Outlaws', in *Bandit Territories: British Outlaws and Their Traditions*, ed. by Helen Phillips (Cardiff: University of Wales Press, 2009), pp. 24–43 (p. 10).

Such malevolence extends well beyond any reasonable excuse for a feud, essentially making the revenge of Beaumont's kin a holy enterprise motivated not by greed, envy or desire to climb the social ladder but rather by a completely understandable need for redress as well as a social obligation to protect others from Eland's depredations. The outlaw, when deprived of his rightful place in society, must resort to self-help because the very people or agencies designed to protect one's rights are those committing the crime—the surviving sons of the wronged houses of Beaumont, Quarmby and Lockwood do exactly this when, after fifteen years of martial training to 'weald their weapons well' in 'feates of fence' (st. 42), 'to venge [their] fathers blood' (st. 43) and 'cut off Cain his seed' (st. 44), they return to reclaim their patrimony. Far from warning people against feuds, the narrative again reinforces the idea that extra-legal means are acceptable when wicked lawmen wrongfully deprive people of their rightful inheritance, place in society, and the like. The balladeer makes it absolutely clear that the initial murder was such

> […] a cruel deed
> who could their hands refraine
> for to finde out such wicked weeds
> though it were to their paine (st. 45).

And thus it is that the surviving Beaumonts vow to return to their lands, and in keeping with many an outlaw ballad, they set an ambush in the woods.

When they catch Eland, the Beaumonts isolate him and then kill him.[23] The gang then immediately seeks refuge in the forest. It is a commonplace that in outlaw ballads protagonists take to the woods, so much so that Keen coined the phrase 'the Matter of the Greenwood' and proposed it as a fourth 'matter' alongside the traditional Matters of Britain, France and Rome.[24] Literary outlaws operate from the woods, using ambush, deception, and trickery to achieve their revenge, and not surprisingly the Beaumont gang does exactly this. The ballad recounts that they operate out of well-known local forests: Brereton Green, Cromwellbottom Woods, Furness Fell, and Annely Wood. A forest locale is an obvious choice of setting both literarily and practically, but it is more than 'a useful and engaging stage-prop' as in a chivalric romance. For the literary outlaw, the forest is 'an asylum from the tyranny of evil lords and a corrupt law'.[25] More importantly, the life of the forest is free and one in which one chooses one's own law.[26] This impulse to freedom, whether literary or real, can be understood in terms of Robert Merton's characterization of extra-legal behaviour as a form of innovation.[27]

The outlaw narrative and innovation

Merton, a sociologist, was interested in patterns of deviation, and he observed that some 'social structures exert a definite pressure upon certain persons in the society to engage

[23] They also plot the murder of John Eland Junior, a stratagem made all the more interesting because John Eland Senior spared Beaumont's heirs — given his fate, a gross tactical blunder. Perhaps this narrative detail is designed to diminish the Beaumont gang in the readers' or listeners' opinion, but the outlaws' decision is a very practical one in terms of limiting the number of potential avengers they might have to later confront should the Elands decide to riposte.

[24] Keen, p. 1.

[25] Keen, p. 2.

[26] Ibid., p. 148.

[27] Social scientist Robert Merton defined 'innovation' as one of five patterns of individual adaptation whereby people accept or reject cultural goals and the means to achieve them. Merton's five patterns are conformity, where one accepts both the goals and the means; innovation, where one accepts the goals but rejects the means; ritualism,

in non-conforming rather than conforming conduct'.[28] He also noted that this is a normal response to the social situation in which the individual finds him or herself.[29] Societies have culturally defined goals that are deemed legitimate objectives for society's members, and cultural structure 'defines, regulates and controls the acceptable modes of reaching out for these goals'.[30] Moreover, 'cultural goals and institutionalized norms operate jointly to shape prevailing practices'.[31]

When people seek the goals of the society but are denied the opportunity to compete for them, or choose not to compete in conventional ways, we are dealing with innovation, and this is the sentiment that underlies many outlaw ballads. As Merton puts it, 'aberrant behaviour may be regarded sociologically as a symptom of dissociation between culturally prescribed aspirations and socially structured avenues for realizing these aspirations'.[32] Our literary outlaws, then, represent cultural heroes who break taboos and violate norms but do this to re-affirm traditional values of freedom and justice, all the while challenging a closed political and economic system;[33] and because of this institutional weakness or failure, the protagonists cannot help but operate outside officially sanctioned behavioural norms.

Our ballad begins with six verses that set out succinctly the goals of the Eland feuders—wealth, prestige, and social advancement. When these goals are obviated, we see the players turn to extra-legal means. The sheriff feels slighted, his prestige and social standing suffer, and so he gathers an army and makes war on his rival. His victims are slighted by this excessive attack and dispossessed, but because the very person who was to enforce the laws that were to protect them was himself corrupt (Sheriff John Eland), the survivors resort to ambush and highway robbery. Cultural emphasis on the goal, whether it be land, wealth, a title, or power, and limited access to the means to achieve the goal due to a corrupt royal officials and the condition of being outlawed, prompt innovation.[34]

This is problematic in that late medieval people seem to have had what Keen calls a 'stubborn conservatism in social thinking. Ancient usage and the established order of things, hallowed by time, were sacrosanct; custom had the force of law. In such a world, revolutionary ideals were disreputable, and lawlessness of itself could command no admiration.'[35] How then can we reconcile the actions of innovators with a society Merton would call a 'tradition-bound, "sacred" society marked by neophobia'?[36] In general, outlaw tales reinforce the status quo

where one rejects the goals but accepts the means; retreatism, where one rejects all goals and means; and rebellion, where one rejects all goals and means and replaces them. Robert Merton, *Social Theory and Social Structure* (New York, NY: Free Press, 1968), p. 194.

28 Ibid., p. 132.

29 Ibid., p. 185-6.

30 Ibid., p. 186-7.

31 Ibid., p. 187.

32 Ibid., p. 188.

33 Ohlgren, p. xxxiii.

34 Merton, p. 199.

35 Keen, 7. For a recent and more nuanced interpretation of this, see Mark Leahy's 'Where Shall we Rob? Fantasies of Justice in the Early Robin Hood Ballads', *British Outlaws of Literature and History*, ed. by Alexander I. Kaufman (Jefferson, NC: McFarland & Company, 2011), pp. 204–18 (p. 204–6). Leahy highlights the contradictions of a so-called 'good' outlaw who both challenges and upholds laws, who remedies injustice but at the same time ensures the conditions which make it possible endure, and suggests that this indicates a 'peculiar ideological fantasy' of a privileged group's desire for both justice and an unjust world.

36 Merton, p. 188.

rather than upset it because they assume that the outlaws want to be restored.[37] In outlaw stories, some sort of recovery or restitution occurs at the end of the tale: 'it was the urgent and necessary desire of all outlaws to be readmitted to the benefits and protection of the king's peace'.[38] The legend of the Eland feud also conveys this urge. In the prose narrative, following the extermination of the Eland males, Quarmby is killed, Lockwood is caught and slain while visiting his paramour, and Adam Beaumont goes off to join the Knights of Rhodes—a mainstream, socially sanctioned, monastic crusading order.[39] After the Eland male line has been extinguished, a surviving sister marries Henry Savile, to whom the Eland lands pass. In the ballad, all the principal feuders are out of the picture; nevertheless, the text conveys an appeal for charity from the balladeer to Savile, the new lord of Eland, and in reality someone who benefited from his relationship with the crown. With a lord once more in Eland hall and both sides having slaked their thirst for vengeance in the blood of their enemies, both the ballad and prose versions narrate a return to the state of affairs that existed before Sir John's murderous rampage and the Beaumont gang's multiple reprisals.

The ballad's appeal to Savile is curious in terms of both feud and recovery and restitution:

> learne Savile heare I yow beseech
> teach your posteritye
> to shewe such meanes that Eland us'd
> & be full of charitye
> ffor by good meanes youre eldres came
> to knightly dignitye
> where Eland first forsooke the same
> and came to misirye (st. 115–16).

The specific admonition to the new lord is to be a better man than his namesake, whose pride and pitilessness are condemned in the direct address to Savile.The outlaws themselves cannot be readily readmitted into society—in the ballad, one is dead and the others have disappeared—but the plea for gentleness and benevolence obviously reflects a desire to recover the state of affairs which presumably existed prior to the feud.

In combination with the appeal to Savile, the Eland ballad also exhibits its social conservatism and desire for the socio-political status quo by relating the downfall of the Beaumont gang, and this presents a particular take on outlaw stories. The outlaws, who have been living the lives of highwaymen, ambush John Junior on his way to church on Palm Sunday, and after they kill him, again take to the woods. Tactically, this is sound as it eliminates a future avenger, but the Beaumont gang is punished for the killing. While John Senior is clearly horrible, the ballad seems to disapprove of the murder of the son as excessive—the tone of the ballad is markedly different at this instance than at the point of the initial revenge killing. Beaumont, Lacy, Lockwood and Quarmby 'by fond deceipte there did they frame | their craftie cruelty' (st. 75), a cruelty that involved the abuse of a miller and his wife as well as the stealthy slaying of an innocent man on a holy day! Our ballad tells us that the entire countryside was roused, that the locals raised a hue and cry in order to bring

[37] Ruth Evans, Helen Fulton, and David Matthews, 'Introduction: Stephen Knight and Medieval Cultural Studies', in *Medieval Cultural Studies: Essays in Honour of Stephen Knight*, ed. by Ruth Evans, Helen Fulton, and David Matthews (Cardiff: University of Wales Press, 2006), pp. 1–8 (p. 4).

[38] W. M. Ormrod, 'Robin Hood and Public Record: The Authority of Writing in the Medieval Outlaw Tradition', in *Medieval Cultural Studies: Essays in Honour of Stephen Knight*, ed. by Ruth Evans, Helen Fulton, and David Matthews (Cardiff: University of Wales Press, 2006), pp. 57–74 (p. 70).

[39] London, British Library, Additional MS 26739, f. 82^{r} .

the outlaws to justice (st. 102), and pointedly relates that 'but as for Beaumont and the rest | undone were utterly' (st. 96).

In addition to social conservatism and the drive toward reconciliation prevalent in outlaw narratives, the ballads themselves offer insight into reconciling the tension of praising self-help violence while subsequently condemning those innovators who practice it. In her study of seventeenth-century crime drama, Joy Wiltenburg observes that ballads invite their audience to imagine the inner life of the condemned.[40] She asserts that even though ballads can be read as urging compliance to law in word and deed and feeling, they allow much room for ambiguity.[41] Wiltenberg and others have observed the continuation of feuding into the seventeenth century, citing specifically the execution of Robert Devereux, the second Earl of Essex, and the ballad that recounts the event. In 1601, Devereux led what has been called the last honour revolt, and when it failed miserably, he 'justified his degree of autonomous action in the honourable pursuit of a private feud'.[42] The Earl vociferously maintained his right to feud and openly mourned the perceived injustice of his sentence.[43] Devereux insisted that natural law allowed for the use of force against force, that he had in no way acted against the queen herself or God, and that he was merely a traitor to an unjust law.[44] Even though he abandoned this tack on his way to the scaffold, nevertheless the sentiment that drives both outlaw narratives and the feud cultures that revel in them persists in his arguments. Moreover, in the literature at the very least, 'the appeal of active deviance breaks through the penitential gloss'.[45] Emotion, says Wiltenburg, is used in ballads to evoke, reproduce, and solidify core cultural assumptions, and 'audience imagination of criminal experience, for all its ambiguity, enabled a vicarious participation in deviant lives.'[46] Again, this correlates well with Merton's take on innovation and the sentiment that informs both feuding behaviour and innovative means of accessing culturally significant goals. Wiltenberg's assessment of the later ballad material also helps account for the about-face in terms of the outlaws' standing within the ballad and the shifting legitimacy of their actions in the Eland Ballad as it has been transmitted.

The murder of Sir John de Eland: what the legal sources say

Now let us consider the demise of the Elands as attested in legal records.[47] In October of 1350, a group of outlaws lay in wait along the road that ran from Elland to York; in due course came their chosen prey, Justice of the Peace Sir John de Eland.[48] Sir John undoubtedly knew the men who brought him down on that road and knew that they planned his untimely departure

[40] Joy Wiltenburg, 'Ballads and the Emotional Life of Crime', in *Ballads and Broadsides in Britain 1500–1800*, ed. by Patricia Fumerton and Anita Guerrini (Burlington, VT: Ashgate, 2010), pp. 173–88 (p. 173).

[41] Ibid.

[42] Richard W. Kaeuper, *Chivalry and Violence in Medieval Europe* (Oxford: University Press, 1999), p. 300.

[43] Wiltenberg, p. 182.

[44] Kaeuper, p. 300.

[45] Wiltenberg, p. 175.

[46] Ibid., p. 174.

[47] To this point discussed most fully in Kaye in 1979.

[48] On July 6, 1351 the crown commissioned William de Plumpton and others to arrest 'Adam Beaumund, Wiliam de Lokwode and very many other felons indicted of the death of John de Eland'. See *Calendar of Patent Rolls*, Edward III, 1350–1354, 156; <http://sdrc.lib.uiowa.edu/patentrolls/e3v9/body/Edward3vol9page0156.pdf> [accessed 15 September 2014].

from this world; he made a will only one month before he was slain.[49] Eland's son, who was also named John, attempted to prosecute his father's murders at King's Bench. The accused felons looked unfavourably upon this initiative of the younger John de Eland, and they shot him down likewise in an ambush, mortally wounding him along with his young son, Sir John's grandson, bringing an abrupt end to the Eland male line. As we learn from the indictment made by Sir John's fellow justices following John Junior's death, all this occurred before the Justices Itinerant had arrived in York to hear the case. The Eland estates, including Eland Hall, passed with Sir John's grand-daughter Isabelle de Eland upon her marriage to Sir John Savile. The family was henceforward known as the Saviles of Eland Hall.[50] The response to the Eland murders was pronounced, but ultimately ineffectual. For years to come, King's Bench refused to issue pardons for felony in the West Riding without attaching the exclusion 'except for the murder of Sir John de Eland'.[51] Nevertheless, it came to pass that not a single one of the indicted murderers was brought to justice, although a handful of lesser men who received them were tried and convicted.[52]

Having laid out the bones of the case, we must add flesh to provide context for the murders and the legend. Sir John was a knight, as the antiquarian Dodsworth wrote *circa* 1621, 'of great account, and High Steward to the Earl of Warren, of the Manor of Wakefield, and other lands in the north parts: and was lord of Elland, Tankersley, Fulridge, Hinchfield and Ratchdale'.[53] In 1309, after inheriting his father's estates, he swore fealty to John de Warenne, Earl of Surry, in the Wakefield manor court. In 1317, while in the service of the Earl de Warenne, he obtained a royal grant to hold a weekly market at Eland.[54] During the fallout of the Earl of Lancaster's rebellion against Edward II, Eland's lucrative lands were seized by royal agents, but the lands were returned in 1322 when Sir John proved the agents' accusations of disloyalty were false.[55] In fact, Sir John de Eland became a trusted and frequently appointed royal servant: chosen as justice of Oyer and Terminer in the years 1327, 1330, and 1333; a commissioner of Array in 1325 and 1335; High Sheriff of Yorkshire in 1341; aid collector for the Black Prince's knighting in 1347; and finally, justice of the peace for the West Riding of Yorkshire in the late 1340s until his murder in 1350.[56]

With such a resume, Sir John de Eland fits easily within the fourteenth-century squirearchy, defined by Richard Gorski as that group of 'resident knights, esquires, and those who would be soon reckoned as gentlemen', whose private interests ran alongside royal service and who

[49] Originally recorded in the registers of Archbishop Zouche, a copy of Eland's will appears in York (Province), *Halifax Wills: Being Abstracts and Translations of the Wills Registered at York from the Parish of Halifax*, ed. by J. W. Clay and E. W. Crossley, 2 vols (Leeds: Whitehead, [1904]), II 214–15; <https://archive.org/details/halifaxwillsbein02york> [accessed 15 September 2014].

[50] Clay, 'The Family of Eland', pp. 225–48.

[51] For examples of pardons issued to both Yorkshire and non-Yorkshire residents with this blanket exclusion, see the *Calendar of Patent Rolls* for the years after Eland's murder. Numerous examples may be found in *C. P. R. Edward III*, vol. 9, 1350–1354: see pp. 64, 168, 171, 214, 229, 238, 242, 244, 269, 293, 305, 321, 364; <http://sdrc.lib.uiowa.edu/patentrolls> [accessed 30 May 2015].

[52] Baildon, p. 128.

[53] Oxford, Bodleian, MS Dodsworth 145, f. 107, for which there is a nineteenth-century transcription in an appendix to Joseph Hunter, 'Antiquarian Notices of Clay House in Greet Land', *Yorkshire Archaeological Journal*, 2 (1873), 129–70 (p. 163).

[54] *Calendar of the Charter Rolls Preserved in the Public Record Office*, 6 vols (London: HMSO, 1903–27), III, 24 February 1317.

[55] Philip Ahier, *The Legends and Traditions of Huddersfield and its District*, 2 vols (Huddersfield: The Advertiser Press, 1940–45), II 109.

[56] Ahier, II 110.

used office-holding as both a measure and proof of elevated status.[57] Although belonging to the squirearchy meant work, especially for responsible office-holders, it also opened the way to political patronage and to opportunistic oppression of rivals and lesser folk. As Gorski's study of the fourteenth-century sheriff emphasizes, petty day-to-day shrieval corruption was standard fare, with some real overachievers, notably in Yorkshire and Nottinghamshire, providing outstanding examples of misconduct, extortion, and tyranny. [58] Sir Peter de Nuttele, sheriff of Yorkshire, among his other serious malpractices, took bribes throughout the 1350s to release known felons from York castle while at the same time falsely confining petty offenders until they paid undeserved fines. In like manner and time, Sir Thomas de Bekerying, sheriff of Nottingham, virtually made sport of false imprisonment, extortion, and unwarranted purveyance.[59] Small wonder with examples such as these, that sheriffs were cast as villains. Was Sir John de Eland a sheriff of similar moral calibre to these men? Probably not!

Eland certainly had a long career of enforcement and financial management within Yorkshire; his one-year shrieval appointment, however, was a short one. This would suggest that he did not have a strong inclination for systematic abuse of authority or for playing the shrieval patronage game to its fullest extent, as Nuttele and Bekerying did. Gorski's research suggests that a short stint as sheriff without reappointment was rather more typical than a long run, precisely because of royal concerns over corruption. However, Yorkshire, along with a number of the northern counties (especially Cumberland and Northumberland), falls into the less typical group, with a very high shrieval reappointment rate and a small number of career administrators dominating the county offices. Eland's long presence among the dominant squirearchy of the county, particularly in the West Riding, speaks to his ambition; holding the office of sheriff only once where it was clearly possible to do so for much longer suggests that Eland was not driven to opportunistic excess.[60] Nothing in his record of service suggests he should be ranked among the infamous sheriffs of his era.

Nonetheless, we can reasonably guess that Sir John de Eland was disliked for his work by those whom he fined, indicted, or imprisoned. Long serving officials, through their legal or illegal activities, could easily build up scores, which invited forceful settlements that bypassed the justice system. Assaults on county officials, usually against the bailiffs and often by means of ambush on the road, were quite common and were part of the risk of the job.[61] Occasionally, conflicts erupted into open acts of defiance at court sessions or resulted in the murder of royal justices.[62] However, the murders of Sir John de Eland in 1350 and his son in 1351 seem particularly vicious, a point which may have contributed to the early preservation of the story in popular memory as well as among the crown justices.

What of the felons who murdered Sir John and his son? As with Sir John, these men seem to have belonged to a select group, a kind of squierarchy of misrule interested in disordering

[57] Gorski, 'Justices and Injustice?', pp. 56–57.

[58] Richard Gorski, *The Fourteenth-Century Sheriff: English Local Administration in the Late Middle Ages* (Woodbridge: Boydell, 2003). See in particular Chapter 4, 'Shrieval Corruption'.

[59] Gorski, *The Fourteenth-Century Sheriff*, pp. 102–3.

[60] Gorski, *The Fourteenth-Century Sheriff*, pp. 45–50. 'Yorkshire, where the reappointment rate exceeded fifty percent, demonstrates most emphatically the potential for small-group domination at the apex of the administrative hierarchy. Affairs in this vast shrievalty were left to a few administrative veterans like Sir john Bygod, sir John de Dependen, Sir Ralph de Euer, Sir James de Pykering, and Sir John Saville' (p. 50).

[61] Gorski, 'Justices and Injustice?', p. 72.

[62] A Yorkshire example: Sir Ralph de Hastynges was assaulted in Beverley in 1338 while holding inquisitions. Gorski, *The Fourteenth-Century Sheriff*, p. 95.

rather than upholding the business of the shire. Two of them, William of Hornby son of William of Quarmby (a. k. a. William Quarmby), William son of Thomas of Lockwood (a. k. a. William of Lockwood), had been outlawed earlier in 1350 for various felonies and trespasses committed in the West Riding. William of Lockwood had a string of indictments and had been outlawed for failing to appear after five summonses in 1349. The third man, Adam de Beaumont, a member of the bellicose Beaumont family, also had been outlawed some years earlier. Sir John de Beaumont, head of the Beaumont family and probably Adam's father, was feared throughout the county for threatening, beating, and extorting chattels and payments from county men.[63] From the court records, it is clear that Sir John de Eland and the Beaumonts had offered one another good reason for mutual hatred. While Sir John was High Sherriff (1341), he heard and indicted several cases of felony and trespass against members of the Beaumont and Lockwood families.[64] In 1344 Thomas de Eland, Sir John's elder son from his first marriage, was murdered at the Eland estates in Tankersley by Hugh of Tankersley, who had ties to the Beaumont family.[65] Within eight years of Thomas de Eland's killing, all the Eland men were dead, with their blood unavenged and their murderers roaming free. This is where the legal trail ends and the transformation of Eland from victim to villain begins.

Context and audience for the legend

To this point we have considered the nature of the Eland legend, arguing that it must be read as a member of the family of outlaw ballads that flourished in the late medieval and early modern period. Also, we have looked at the mid-fourteenth century origins of the story from the legal side of things, which look rather more like a feud between local strong men than an isolated case of murdering a crown official. Our question at present is twofold and moves into debated territory: when did the story become written in the form known to us now and for whom was it written? These are questions about context and audience and will naturally require some attention to the manuscripts. However, the manuscript tradition for the ballad is unnecessarily convoluted because so many of the antiquarians who published versions of it identified the manuscripts by their current owners' names; when the manuscripts changed hands so did their identifiers, with the result that the same manuscripts were often known by different names. As noted above, a full discussion of the lost and extant manuscripts, along with transcriptions of two new variants of the ballad, has been published by Wright.[66]

For many years John Hopkinson's copies of the ballad and prose narrative made around 1650 were the oldest known manuscripts. However, previous researchers working on the legend had evidence of manuscripts before that date. On a visit to Kirklees Hall in 1621, the genealogist Roger Dodsworth had seen a written version of the Eland story and recorded that it was known in the county because it had been performed thereabouts as a play as well as

[63] Kaye, pp. 64–65.

[64] Ibid., p. 71.

[65] Although it is not entirely clear how Sir John de Eland's offspring were ordered, it seems he had been married twice. He had at least two sons from his first marriage, Thomas and Hugh, and a third son, John Jr., from his second marriage. It's possible that Thomas was killed because he was the sheriff's son. The office of sheriff, because it was a royal office, included paid protection. It would have been difficult for robber knights like Beaumont to murder the sheriff, but extended family were vulnerable, as was Sir John himself after his tenure of sheriff was over. Royal protection did not extend to the office of Keeper of the Peace. See Clay, 'The Family of Eland', p. 245.

[66] See fn. 7 above.

a song.[67] Although there is no way of knowing, Dodsworth may have seen our new variant of the ballad in Additional 56076, which dates from around 1600. Or perhaps it was the slightly earlier variant from around 1580 in Additional 82370 discussed by Marotti and May. The point is we have a collection of witnesses around the end of the 1500s, some 250 years after John de Eland was laid in his grave. Over three centuries some grafting to the narrative is to be expected; however, the nearly complete reversal of events from those recorded in the fourteenth-century courts raises many difficult questions. Aside from the problem of when the ballad became a written text, there is also the question of audience; for whom was this outlaw ballad composed and sung and why?

The origin of the legend is indisputably in the 1350s. At some point the version of the legend was recorded that still survives in the earliest extant texts which date to the late sixteenth century. The language of the ballad, along with what seem to be references to Sir Henry Savile (who died *circa* 1555), suggests that the written source for the later sixteenth- and seventeenth-century manuscripts originated in the first quarter or half of the sixteenth century.

Following Thomas Whitaker, Kaye made a strong, if brief, argument that the ballad was recorded in the early part of Henry VIII's reign to admonish Sir Henry Savile not to repeat the sins of his ancestor Sir John de Eland. In the second quarter of the sixteenth century, Savile was engaged in a public power struggle with Sir Richard Tempest.[68] Looking again at the state of the West Riding during this period, one can easily see why a contemporary balladeer might use the Eland legend as a cheeky jab at a local big man. The Savile-Tempest conflict bore a strong resemblance to the events of the ballad and their quarrel was well known.

So bitter was the rancor between Sir Henry Savile and Sir Richard Tempest that the Earl of Surry spoke of it in a report to Cardinal Wolsey.[69] Henry Savile's father and most of his forefathers back to Sir John de Eland (who was his seventh-great grandfather) had served at some point in the office of High Sheriff.[70] The Saviles lost their hold on the office because Sir Henry's father died prematurely in 1505 and Richard Tempest, who was twenty years older than Henry, had the advantage of time to form the political alliances necessary to gain influential local offices. Tempest was appointed as Sheriff of York in 1516 and afterward to the position of steward of the large royal manor of Wakefield in 1521.[71]

In 1528, Sir Henry Savile was appointed Commissioner of the Peace due to his good relations with Cardinal Wolsey.[72] Savile was removed from office immediately after Wolsey's fall. He also asserted his hereditary claim to the mesne lordship of at least seven townships

[67] Oxford, Bodleian, MS Dodsworth 145, f. 107^{r}.

[68] Here Kaye is following Whitaker's assertion that the Savile of the ballad had to be Sir Henry Savile who died in the mid 1550s and could not be his son and heir who was *non compos mentis*. See Thomas Dunham Whitaker, *Loidis and Elmete; or an Attempt to Illustrate the Districts Described in those Words by Bede and Supposed to Embrace the Lower Portions of Airedale and Wharfedale, Together with the Entire Vale of the Calder, in the County of York* (Leeds: Robinson, son, and Holdsworth, 1816), p. 395.

[69] R. B. Smith, *Land and Politics in the England of Henry VIII: The West Riding of Yorkshire: 1530–46* (Oxford: Clarendon Press, 1970), p. 48. See also London, National Archives (P.R.O.) SP/1/88/ff. 119–20.

[70] Sir Henry Savile was a direct descendant of Sir John Savile of Eland Hall and his wife Isabelle de Eland, daughter of the unfortunate Sir John de Eland. There is an interesting connection between the Saviles and Robin Hood. Robin, as all the tourists who come to see his grave in Kirklees know, was murdered by his kinswoman, the Prioress of Kirklees, and is buried at the abbey, in the manor of Wakefield, near Eland Hall. Sir John de Savile, who married Isabel de Eland, was the nephew of the Prioress of Kirklees. J. W. Clay, 'The Savile family', *Yorkshire Archaeological Journal*, 25 (1918–20), 1–47.

[71] Smith, p. 147.

[72] Smith, p. 148.

in the northern part of the manor of Wakefield, a claim that put him in direct conflict with Richard Tempest, who as Wakefield steward had to defend the crown's interest. In a series of cases between 1530 and 1536 in Star Chamber, Richard Tempest accused Henry Savile of encroaching in the royal mesne, protecting known murders and coiners, maintaining retainers, hunting deer in the King's park, and stealing from Sir Thomas Tempest (Richard Tempest's son).[73] For his part Henry Savile always denied the charges made by Tempest and brought a series of counter charges, accusing Tempest of abusing his position as steward, taking bribes, claiming conduct money for soldiers whom he had never conducted to Scotland, maintaining the murderers of five men, and keeping men in his fee and livery that were not household servants.[74]

The ballad, as it was cast by its sixteenth-century scribe, may well have been intended as a caution for a specific man, as Kaye believed. We would argue, however, that the balladeers' use of the tale in this way illustrates perfectly how outlaw narratives themselves were altered, in an ongoing process of composition, to provide anonymous social commentary for many ears to hear and interpret. Local interest in tempering wider social conflict must not be underestimated. Savile and Tempest's fight had long tendrils, reaching both up and down the social ladder of allegiances within and without their immediate households. The Saviles of Eland Hall, for example, were among the prominent pro-royal families during the Pilgrimage of Grace. Sir Richard Tempest died while imprisoned in the Fleet; falling on the losing side of Henry VIII's wrath, Tempest had been allied with Lord Darcy who was beheaded as a traitor.[75]

We need not focus only on the Pilgrimage of Grace. The West Riding offered almost unlimited opportunity for the Eland feud to entertain and admonish audiences who lived in a violent and hierarchical milieu. The rancour between Savile and Tempest was merely one feud in a long conflicted region. From Sir John de Eland's day to the reign of Henry VIII, the West and North Ridings provided ideal conditions for the production of real outlaws and songs of their exploits. Before the great plague of 1348–49, the feuding lords of Wakefield and Lancaster dominated local politics and drew their followers into their conflicts. After the Warrene and Lancastrian lands had reverted to the crown, no one family emerged (as the Percys did in Northumberland) to fill the vacuum. The crown used stewards to manage royal demesnes, frequently drawing on local magnates or gentry to fill that role. Unlike magnates in other parts of England, many magnates of the region retained ancient privileges that allowed them to remain surprisingly independent of crown control even into the day of the Tudors. More than a few powerful men maintained households that amounted to small private armies. Lord Darcy, who held a crown stewardship, maintained a household with 80 men in fee.[76]

In 1534 local officials wrote to Lord Cromwell complaining about the deplorable state of affairs in the Riding, with so many barons claiming liberties and interfering in crown courts by arriving at the sessions with their own juries or with armed companies, that it was impossible to administer royal justice adequately.[77] Sir William Gascoigne, for example, had arrived at the court in Wakefield with one hundred men to prevent a case against him from turning in

[73] Smith, p. 149.
[74] Smith, p. 149.
[75] Smith, p. 150.
[76] Smith, p. 137.
[77] National Archives, (P.R.O.) SP/1/88/ff. 119–20.

a direction of which he disapproved.[78] The records in Star Chamber indicate that Gascoigne was little more than a robber knight who terrorized the lesser men of the county. If the records are true, he was just one of a long line of such men, with Sir John de Beaumont, enemy of Sir John de Eland being an earlier version of the same.

Conclusion

We have considered here the evolution and appeal of the legend of the murder of Sir John de Eland, sheriff of Yorkshire, particularly in relation to its acquired theme of innovative resistance to authority, a theme which it shares with many English outlaw narratives. Outlaw narratives, and especially ballads, are culturally didactic[79] and have a moral function as well as entertainment value. Moreover, ballads represent a particular way of telling a particular story[80] whereby a 'culturally significant past is ushered into the present'.[81] In short, the legend of the Eland Feud re-tells history to suit its own purpose, namely, to emphasize innovative resistance to unjust expressions of authority by narrating to its contemporary audience the rationale, actions, and consequences of an historic feud in light of on-going regional struggles.

A full-on fight was not the only way to conduct a feud. The singing and reciting of local tales of murder that were part of common memory were sideways pokes at one's enemy, particularly if that enemy was related to original participants. Helen Phillips notes that good bandits command respect, especially in times when authority is distrusted or seems unable or unwilling to uphold justice.[82] The Eland ballad's clear expression of local dissatisfaction with royal officials and actions goes some distance to explaining its survival through the turbulent final centuries of the Middle Ages culminating in the Pilgrimage of Grace. Ballads record not objective or factual history, but rather 'the kind of culture-bound "truths" that emphasize group consciousness and cement the world view of a traditional, oral community'.[83] In this light, the ballad does not have to conform to so-called real history of actual events to have found their way into the ballad because those events spoke so strongly to chords of justice at play among yeomen and knights and barons. Indeed, as Joy Wiltenburg notes, ballads constantly emphasize common human feelings that bind an audience with the inner experience of the felon.[84]

The Eland ballad, then, conveys a particular sentiment which correlates with what social scientist Robert Merton has observed with regard to extra-legal behaviour. Merton uses the term *anomie* (normlessness) to describe the process by which society becomes unstable when people use the most efficient means, not the institutionally prescribed means, of netting the culturally approved value.[85] Faced with barriers to acquiring a culturally approved goal, one innovates. In the literature, the use of disguise, trickery, and triumph by means of humiliation

78 Smith, p. 146.
79 Flemming G. Andersson, 'Technique, Text and Context: Formulaic Narrative Mode and the Question of Genre', in *The Ballad and Oral Literature*, ed. by Joseph Harris (Cambridge: Harvard University Press, 1991), pp. 18–39 (p. 32).
80 Ibid., p. 38.
81 Duffin, p. 20.
82 Phillips, pp. 1, 5.
83 Duffin, p. 21.
84 Wiltenburg, p. 186.
85 Merton, p. 189.

alongside conventional ways of feuding creates an alternative realm to the 'orthodox' one.[86] Still, the Eland ballad, like other outlaw ballads, preserves the idea that one can be respectful of higher authority and simultaneously attack the corrupt 'middle management'. When our feuders go too far, they themselves are exterminated, and the ballad ends with a declaration of hope for peace and good government on the part of the ruling Saviles even after praising the men who took down John Eland. More generally, the very existence of families and strong men in the West Riding who could muster one hundred or more men to intimidate one another, speaks strongly of a society still bound up in the old feudal ties of lord and vassal, knight and retainer. For this society, stories of entrapment, murder and vengeance still had appeal because they directly spoke to men's conditions.

[86] Phillips, p. 2.