

**Peasant Society in a Midlands Manor,
Great Horwood 1400-1600**

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by

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Abstract

This thesis investigates peasant society during the transition from the medieval to the modern period, through a detailed study of a south Midlands village, Great Horwood in north Buckinghamshire, during the fifteenth and sixteenth centuries (with frequent reference to conditions in the fourteenth and late thirteenth centuries). The focus is on the internal stratification of the peasantry, particularly the distribution of land.

The main source used is the court rolls of the manor of Great Horwood, and the primary aim is to determine how accurate a picture of a community and its land distribution pattern can be obtained from manorial records. The two principal methods employed to extract information from the court rolls are: first, the creation from the tenancy-related entries in the court rolls of ownership histories for every landholding unit in the manor between 1400 and 1600, and the derivation from them of comprehensive land distribution data, and second, the creation of life histories for every person mentioned in the rolls, comprising all references to that person in the rolls and other sources, and the derivation from them of data relating to residence outside the manor, landholding in more than one manor, subtenancy, landlessness and occupational structure.

It is demonstrated that it is possible to extract quantitative landholding and tenancy data from manor court rolls at least as good as that found in a series of manorial surveys or rentals, and that court roll data can be taken further, to investigate aspects of peasant landholding and society not normally revealed by those sources. It is shown that in Great Horwood widespread inter-manorial landholding and subtenancy combined with a substantial landless element within the manor's population produced a very different and more complex social structure than that disclosed by the pattern of land distribution among the manor's direct tenants.

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Abbreviations

<i>AHEW III</i>	<i>Agrarian History of England and Wales</i> ; vol. III 1348-1500, ed. E. Miller (Cambridge, 1991)
<i>AHEW IV</i>	<i>Agrarian History of England and Wales</i> ; vol. IV 1500-1640, ed. J. Thirsk (Cambridge, 1967)
BRS	Buckinghamshire Record Society
CBS	Centre for Buckinghamshire Studies
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
HALS	Hertfordshire Archives and Local History
NCA	New College, Oxford, Archives
TNA, PRO	The National Archives, Public Record Office
<i>VCH Bucks</i>	<i>Victoria County History of Buckinghamshire</i>

INTRODUCTION

This is a study of the peasant society in a north Buckinghamshire village in the fifteenth and sixteenth centuries, a period straddling the boundary between two of the eras into which English history is traditionally divided - the late medieval and early modern periods. Most studies of rural society tend to confine themselves to either the medieval or modern period, and consequently to end or begin in the decades around 1500. This is a natural consequence of the many differences between the two periods, not only in the varying historical issues raised by their study but also in the nature of the source material available from each period and the differing skills needed to study each of them. However it is a truism that the change from medieval to early modern occurred, not suddenly, but rather during a lengthy transitional period. This study seeks to investigate the changes which occurred at the lowest level of rural society, that of the peasantry, during that period of transition, which for the purposes of this study is taken to be roughly the centuries on either side of 1500. It will focus on the internal structures of peasant society, primarily on the relationship between the peasantry and the land - this was, after all, a period in which the great majority of the rural population still derived its livelihood directly from agriculture - but also on their relationship with their manorial lord and the waning of manorial power which occurred during this period, and on the internal social organisation of the village community.

During the late medieval period these subjects can best - perhaps only - be studied through manorial records, particularly the manor court rolls. As the medieval period fades into the early modern other sources become available, but for landholding and the land market the court rolls retain their importance well into the seventeenth century. Much briefer and requiring a lesser investment of time, the various forms of manorial survey, such as extents, customals, rentals and surveys proper, have often been used in preference to court rolls, but as they only present a static, intermittent picture of landholding they cannot be as informative as a good continuous run of rolls. Ideally both should be used, each confirming and amplifying the information provided by the other.

The principal weakness of the manorial records, especially the court rolls, is that they seldom deal as comprehensively with freeholdings as they do with customary land - for these

collections of title deeds are often a better source, but they cast no light on the more numerous customary tenants. W.G. Hoskins managed to give a fairly full account of Wigston Magna's peasant population from the fourteenth century onwards without the benefit of a single court roll, or indeed any manorial record, but inevitably it was a better description of the freeholders than of the villein and customary tenants.¹

Court rolls were first used to study peasant society at the end of the nineteenth century, by Seebohm (who used the rolls of Winslow, immediately adjacent to Great Horwood), Vinogradoff and Maitland.² For some time thereafter writing on peasant society was only occasionally based on court rolls,³ but since the Second World War manorial records, especially court rolls, have been used in most work on the internal structures of rural society below the level of the manorial lords.

Ever since Seebohm first described how the land was distributed among the peasantry of Winslow, much attention has focused on land-holding structures. Research has often centred on the origins of the standard-sized holdings so frequently found during the high-medieval period, and on the processes by which these many small standard holdings were transformed into the fewer, larger, less uniform holdings of the early modern yeomen and husbandmen. Most recently attention has begun to focus on the regional variations in these patterns and in the process of change.⁴

Two theories which have competed to explain the process of engrossment by which the holdings grew steadily larger are those first expressed by R.H. Hilton and M.M. Postan. In 1946 in a study of landholding on Leicester Abbey's estates in the late fourteenth and fifteenth centuries Hilton found a process of polarisation, in which the large holdings grew larger, but at the same time the small holdings became more numerous, both of them at the

¹ W.G. Hoskins, *The Midland Peasant: the Economic and Social History of a Leicestershire Village* (London, 1957).

² F. Seebohm, *The English Village Community* (London, 1883), pp. 21-31; P. Vinogradoff, *Villeinage in England* (Oxford, 1892) and *idem*, *The Growth of the Manor* (London, 1905); F.W. Maitland (ed.), *Select Pleas in Manorial and other Seigniorial Courts*, Selden Society 2 (1889) and other works, for which see Z. Razi and R.M. Smith (eds.), *Medieval Society and the Manor Court* (Oxford, 1996), pp. 5 *et seq.*

³ Prominent examples are T.W. Page, *The End of Villeinage in England* (New York, 1900), on commutation of labour services; F. Davenport, *The Economic Development of a Norfolk Manor* (Cambridge, 1906), on the land market and the disappearance of serfdom in Fornsett in Norfolk; R. Tawney, *The Agrarian Problem of the Sixteenth Century* (London, 1912), on the land market; and A.E. Levett, *Studies in Manorial History*, H.M. Cam, M. Coate, L.S. Sutherland (eds.), (Oxford, 1938), on the manors of St Albans Abbey, again including Winslow.

⁴ For example, the essays on Norfolk, Berkshire, Bedfordshire and Durham in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984); and more recently J. Whittle and M. Yates, 'Pays réel or pays légal? Contrasting patterns of land tenure and social structure in eastern Norfolk and western Berkshire, 1450-1600' in *Agricultural History Review*, 48, Pt 1 (2000), pp. 1-26.

expense of the middling tenements (those of a virgate or half-virgate) - in other words some tenants acquired more land while others were reduced to smallholdings or to complete landlessness.⁵ Postan, on the other hand, argued that the removal of population pressure after the Black Death enabled most tenants to accumulate more land, resulting in a process of economic promotion, by which the holdings of all categories of tenants grew steadily larger, the numbers of those with small and middling holdings becoming ever fewer in number.⁶

Studies into land distribution have tended to rely on surveys more than court rolls, as the former provide immediate access to data on land distribution which the latter can provide only after a much greater investment of time (and anyway a fairly lengthy continuous run of rolls is necessary yet seldom available).⁷ However analysis of changes in landholding structures requires a series of at least two surveys from the same manor, something which cannot always be found, and this study hopes to demonstrate that in the right circumstances court rolls can be made to give up sufficiently complete information to enable landholding patterns to be reconstructed for a series of dates.

Another strand of enquiry has been into the degree to which the manorial records accurately reveal landholding patterns, given that they seldom record sublettings, or, to put it another way, the degree to which subletting was permitted or took place illicitly. In 1892 Vinogradoff warned that 'the artificial unity and indivisibility of the tenement may be a mere screen, behind which there exists a complex mass of rights sanctioned by morality and custom though not by law,'⁸ and we now know that in some manors so much legal subletting went on that the distribution of land among the lord's direct tenants gives not even a rough indication of the land holdings of the actual occupiers - for example as found by Marjorie McIntosh in the large and prosperous ancient demesne manor of Havering-atte-Bower in Essex.⁹

⁵ R.H. Hilton, *The Economic Development of some Leicestershire Estates in the Fourteenth and Fifteenth Centuries* (Oxford, 1947), pp. 94-105, 147-148.

⁶ M.M. Postan, *The Medieval Economy and Society: an Economic History of Britain in the Middle Ages* (London, 1972), pp. 139-142.

⁷ For an example of a study of land distribution patterns based solely on surveys, see L.R. Poos, *A Rural Society after the Black Death: Essex 1350-1525*, (Cambridge, 1991), ch. 1. As to the necessity of long runs of court rolls and the difficulty of extracting information from them, Maitland commented that this can be done 'only by watching some group of manors decade by decade and year by year' and that they 'are taciturn, they do not easily yield up their testimony, but must be examined and cross-examined'; *Select Cases*, p. xi.

⁸ Vinogradoff, *Villeinage in England*, p. 33.

⁹ M.K. McIntosh, *Autonomy and Community: the Royal Manor of Havering, 1200-1500*, (Cambridge, 1986), ch. 3, especially pp. 103-110. This and other examples are discussed in chapter 4, below.

Linked to that debate is another concerning the extent to which manorial records hide a submerged population holding no land at all or only a small sublet holding.¹⁰ This has recently been considered by Jane Whittle and Margaret Yates in an article comparing manors in northeast Norfolk and two contrasting regions of Berkshire. They found that the manorial records of West Hanney in the Berkshire Vale of the White Horse gave ‘the most accurate picture of the economic life of a community’, but that in the Vale of the Kennet ‘the manorial documents of Shaw were most misleading’, while those of Hevingham in Norfolk afforded only a partially complete image of its society.¹¹

While surveys provide a detailed picture of land distribution at a few specific dates they cannot be used to study the peasant land market - by which is meant the sales, grants and other transfers of land, of both entire holdings and small parcels, made by and to peasants (strictly speaking only if made *inter vivos* and for consideration, but the term is often extended to include non-commercial transactions and those made *post mortem*). For this only the court rolls and collections of freehold title deeds can provide the necessary information. Frances Davenport first wrote about a land market (that in Fornsett in Norfolk) in 1900 but it was not until Postan’s essay on the peasants on Peterborough Abbey’s estates, in the introduction to his edition of the abbey’s *Carte Nativorum*, that the land market began to be widely investigated.¹² In the 1970s and 1980s a series of theses, articles and monographs based largely on court roll material appeared, several published in Paul Harvey’s *Peasant Land Market in Medieval England*, Richard Smith’s *Land, Kinship and Life-cycle* and Chris Dyer’s *Lords and Peasants in a Changing Society*. Since then research has focused on variations in the market over time and regionally and the factors influencing those variations, especially the inter-relationship between the market and demographic factors.¹³

Debate has also centred on the extent to which land transfers can be used to demonstrate the existence of a bond between the peasant family and its ancient holdings and, if such a family-

¹⁰ See, for example, H.S.A. Fox, ‘Exploitation of the landless by lords and tenants in early medieval England’, in Razi and Smith, *Medieval Society*, pp. 518-68.

¹¹ Whittle and Yates, ‘*Pays réel or pays légal?*’ A useful summary of earlier research into this problem can be found in the introduction to this article.

¹² Davenport, *A Norfolk Manor*; C.N.L. Brooke and M.M. Postan (eds.), *Carte Nativorum: a Peterborough Abbey Cartulary of the Fourteenth Century*, Northamptonshire Record Society 20 (1960).

¹³ Harvey, *Peasant Land Market*; R.M. Smith (ed.), *Land, Kinship and Life-cycle* (Cambridge, 1984); C. Dyer, *Lords and Peasants in a Changing Society: the Estates of the Bishopric of Worcester, 680-1540* (Cambridge, 1980), especially ch. 14; See also Z. Razi, *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen, 1270-1400* (Cambridge, 1980).

land bond existed, whether its strength waned in the period of low population following the demographic disaster of the Black Death.¹⁴

The fourteenth and fifteenth centuries were the period in which villein tenure developed into copyhold (possibly passing through an intermediate stage as customary tenure - since the transformation was a gradual evolution, and the tenure was given many labels by contemporaries, the distinction is probably one of nomenclature only). Much early historical interest centred on the legal issue of when the tenure first received the protection of the royal courts (the consensus eventually reached was that Chancery would enforce a manor's custom against its lord in the mid-fifteenth century, but that the common law courts would not intervene until the mid-sixteenth century), while in the 1960s and 1970s argument raged over the degree of security enjoyed by copyholders - the battle was lost by Eric Kerridge, who had argued for sufficient security to enable copyholders to defy engrossing and enclosing landlords, and it is now generally accepted that from the early modern period onwards there were different forms of copyhold, some of which had effective security and some did not.¹⁵

Many studies of individual manors and estates have commented in passing on the various transitional forms taken in their subject locales by villein tenure during its transmutation into copyhold - some of which have sometimes, probably mistakenly, been identified as distinct, alternative forms of tenure - but the subject has never been thoroughly investigated and still remains, as Paul Harvey has described it, 'an extraordinary muddle'.¹⁶

Frances Davenport was, again, the first to identify the chronology of the disappearance of serfdom, and to suggest the factors which caused it, and since then no one has substantially contradicted her thesis, though some regional variations in the pace of change have been identified.¹⁷

¹⁴ The debate is summarised in chapters by Smith, Razi and Dyer in Smith, *Land, Kinship and Life-cycle*, in Z. Razi, 'The myth of the immutable English family' *Past and Present*, 140 (1993), pp. 3-44, and in J. Whittle 'Individualism and the family-land bond: a re-assessment of land transfer patterns among the English peasantry c1270 - 1580', *Past and Present* 160 (1998), pp. 25-63.

¹⁵ For the debate, see Tawney, *Agrarian Problem*, pp. 287-310; H.L. Gray, *Copyhold, Equity and the Common Law* (Cambridge, Massachusetts, 1963); E. Kerridge, *Agrarian Problems in the Sixteenth Century and After* (London, 1969), pp. 65-93. For the current view, see R.M. Smith, 'The English Peasantry, 1250-1650', in T. Scott (ed.), *The Peasantries of Europe from the Fourteenth to the Eighteenth Centuries* (Harlow, 1998), pp. 339-70. As to recognition by the royal courts, see L.R. Poos and L. Bonfield (eds.), *Select Cases in Manorial Courts 1250-1550*, Selden Society 114 (1998), p. cvi.

¹⁶ Harvey, *Peasant Land Market*, at p. 329 *et seq.*, where an excellent description of the terminological confusion surrounding copyhold and its predecessors during these centuries can be found.

¹⁷ Davenport, *A Norfolk Manor*. Most recently Jane Whittle's study of several manors in north east Norfolk has confirmed Davenport's findings: J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in*

The internal organisation and operation of the village community was not much written about by the early historians of the medieval peasantry, though Homans and Ault both touched on this subject in their work on agrarian organisation before and after the Second World War.¹⁸ In the 1960s and 1970s J.A. Raftis and other members of his 'Toronto school' published a series of influential studies, mostly of manors in the East Midlands, which focused on the individual peasants and peasant families and the power structures within village society.¹⁹ Since then many others, such as Zvi Razi, have adopted a similarly bottom-up approach to the study of rural society, starting with the individual and looking at his or her relationships and associations - the basic building blocks which formed that society.²⁰

The development of this approach, which treated the history of the medieval peasantry as the sum of the histories of the peasants, was one aspect of the rise of a locally-focused approach to social and economic history generally, based on the realisation that regions and *pays* differed from one another and that national history must be to some extent the sum of their separate histories. Although much early work consisted of studies of individual manors - as was unavoidable, given the novelty and relative inaccessibility of manorial records at the time - it was often assumed that the results obtained were applicable to the entire country, and sometimes even to the entire medieval period. By the 1960s and 1970s quite a few individual manors had been investigated and studies of multiple-manor estates had begun to appear, and the differences between them were being noted, but the origins of these differences were still not clearly understood as the existence of the different regions and *pays* were only then beginning to be teased out (in part by the Leicester school, lead by Alan Everitt and Joan Thirsk).²¹ For example, it was still possible in 1977 for Barbara Harvey to discuss several aspects in which the manors of Westminster Abbey differed from one another without once attempting to relate the differences to the varying characteristics of the *pays* in which the

Norfolk, 1440-1580 (Oxford, 2000), pp. 37-46. Serfdom's final disappearance at the end of the sixteenth century has been described in D. MacCulloch, 'Bondmen under the Tudors', in C. Cross, D. Loades and J.J. Scarisbrick (eds.), *Law and Government under the Tudors* (Cambridge, 1988), pp. 91-109.

¹⁸ G.C. Homans, *English Villagers in the Thirteenth Century* (Cambridge, Massachusetts, 1941); W.O. Ault, *Open Field Farming in Medieval England* (London, 1972).

¹⁹ Two of Raftis' principal publications were: *Tenure and Mobility: Studies in the Social History of the Medieval English Village* (Toronto, 1964) and *Warboys: Two Hundred Years in the Life of an English Medieval Village* (Toronto, 1974).

²⁰ Razi, *Life, Marriage and Death*.

²¹ In such works as A. Everitt, 'River and wold: reflections on the historical origins of regions and *pays*', *Journal of Historical Geography*, 3 (1977) and J. Thirsk, *Agricultural Regions and Agrarian History in England, 1500-1750* (Basingstoke, 1987).

manors were located.²² At about that time Richard Smith began to draw attention to the differences between manorial structures in East Anglia and elsewhere, and in the 1980s and 1990s studies of individual manors or relatively small regions became common again,²³ though comparative studies, in which manors in contrasting regions are compared, are still rare.²⁴

There have also been few studies which 'attempt to cross the early modern - medieval divide in a single, published monograph.'²⁵ One of the first was Tawney's investigation into the medieval origins of sixteenth-century agrarian capitalism, and more recently there have been studies of Sherington in Buckinghamshire, Chippenham in Cambridgeshire, Kibworth Harcourt in Leicestershire, and Havering in Essex by A.C. Chibnall, Margaret Spufford, Cecily Howell and Marjorie McIntosh (though the last is contained in two volumes, each ending and beginning at the medieval/early modern divide and displaying rather different approaches and preoccupations, with the result that discontinuity is emphasized more than continuity).²⁶ These later works have all ranged from Domesday right through to the eighteenth or nineteenth century (except the last, which ended in 1620), but one recent work which has focused specifically on the fifteenth and sixteenth century, with the stated intention of investigating the crucial period in the transition from feudalism to capitalism, has been that of Jane Whittle in Norfolk. Chris Dyer's *An Age of Transition?* is a study of the same transition in a national context.²⁷

For many of the last thirty years the nature and causes of one aspect of that transition, the replacement of small-scale peasant farming by agrarian capitalism, have been the subject of

²² Though a distinction was made between semi-urbanised and more completely rural manors; B. Harvey, *Westminster Abbey and its Estates in the Middle Ages* (Oxford, 1977), pp. 206-7, 286.

²³ See for example the works listed in footnote 26 below; Razi *Life, Marriage and Death*; several articles in Smith, *Land, Kinship, Lifecycle* and Razi and Smith, *Medieval Society*; and Poos, *A Rural Society*.

²⁴ Jane Whittle made some general observations on differences between manors in East Anglia and the Midlands in 'Individualism and the family-land bond', but the most detailed study is Whittle and Yates, 'Pays réel or pays légal?'

²⁵ Razi and Smith, describing Cecily Howell's study of Kibworth Harcourt (see fn. 26), *Medieval Society*, p. 25.

²⁶ Tawney, *Agrarian Problem*; A.C. Chibnall, *Sherington: Fiefs and Fields of a Buckinghamshire Village* (Cambridge, 1965); M. Spufford, *A Cambridgeshire Community: Chippenham from Settlement to Enclosure*, Leicester University Department of English Local History Occasional Papers (Leicester, 1965); C. Howell, *Land, Family and Inheritance in Transition: Kibworth Harcourt 1280 - 1700* (Cambridge, 1983); M.K. McIntosh, *Autonomy and Community: The Royal Manor of Havering, 1200 - 1500* (Cambridge, 1986) and *A Community Transformed: The Manor and Liberty of Havering, 1500 - 1620* (Cambridge, 1991). Influential articles focussed specifically on the medieval-modern divide have been P. Glennie, 'In search of agrarian capitalism: manorial land markets and the acquisition of land in the Lea valley c.1450-c.1560', *Continuity and Change*, 3, Pt. 1 (1988), pp. 11-40 and Whittle and Yates, 'Pays réel or pays légal?'

²⁷ Whittle, *Agrarian Capitalism*; C. Dyer, *An Age of Transition? Economy and Society in the Later Middle Ages* (Oxford, 2005).

the 'Brenner debate'. Not primarily based on interpretation of manorial records, but one in which resort has often been made to them, this debate has lain behind many of the enquiries into landholding, tenure, lordship and family mentioned above. In particular it has triggered investigations into the extent to which manorial tenants were involved in the aggregation of landholdings and enjoyed security of tenure against their lords, both themes of this thesis.²⁸

Aims of this study

This thesis attempts to cast light on the changes which occurred within English peasant society during the transition from the medieval to the modern periods by means of a detailed investigation into the population of one manor – Great Horwood in north Buckinghamshire. It is mainly concerned with the internal stratification of the manor's society – how equal it was, whether wealth and power were shared broadly among the peasant inhabitants or restricted to an elite. However because the principal source of rural wealth and power was land, and because anyway the available records reveal more about landholding than other forms of wealth, the emphasis is on the distribution of land, and how that changed over the two centuries.

The principal investigation is into the question of how full and accurate a picture of the manor's population can be obtained from the manor's records of landholding directly from the lord - whether tenancy of land in more than one manor, combined with widespread subletting by the manor's tenants in chief and the presence of a landless element within the manor's population, produced a very different and more complex social structure than is apparent from the pattern of distribution among the tenants in chief.

Subsidiary aspects of the thesis are inquiries into the land market in the manor, particularly into the existence and strength of a family-land bond and the inheritance practices followed by the manor's inhabitants, and into the relationship between the inhabitants and the manor, in particular the decline of villeinage and the growth of the tenants' independence from the

²⁸ The earlier contributions to the debate have been reprinted in T.H. Aston and T.E. Philpin (eds.), *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-industrial Europe* (Cambridge, 1985). Some later contributions have been R.W. Hoyle, 'Tenure and the land market in early modern England: or a late contribution to the Brenner debate', *Economic History Review*, 2nd Ser., 43, no. 1 (1990), pp. 1-20, Glennie, 'In search of agrarian capitalism', and Whittle, *Agrarian Capitalism*.

manorial authority. The late medieval origins of the agriculture and landscape of the modern period are examined.

It was originally intended that this thesis would be a comparative study of two manors in contrasting *pays* – one (Great Horwood) in the Vale of Aylesbury, part of the Midland zone of nucleated settlement and common field agriculture, and the other in the Chilterns, a very different landscape of dispersed settlement in a hilly, wooded region of small fields farmed in severalty. This aim foundered when it became apparent that no manor in the Chilterns has left records of comparable quality to those of Great Horwood, making it impossible to extract equivalent data to that which can be obtained from Great Horwood's records.²⁹ However the investigation into Great Horwood's peasant society is informed throughout by awareness of the landscape it lay in and the effect that had on its society and its institutions.

Great Horwood and its records

The manor and its region

Great Horwood is a compact nucleated village and parish in the middle of north Buckinghamshire, perhaps two thirds of the way from Aylesbury to Buckingham, just outside the small town of Winslow. It lies on a line of low hills south of the river Ouse and today consists principally of hedged pastures, though its highest, north eastern corner includes some of the woodlands of Whaddon Chase.

North Buckinghamshire 'is a region of clay vales, gently undulating hills, frequent streams, villages of thatched cottages, pasture, sheep and cattle'.³⁰ By the end of the nineteenth century its agriculture was almost universally pastoral, but in the fifteenth and sixteenth centuries arable still predominated. Like the rest of the Midland zone its medieval settlement pattern was nucleated and its field systems open-field, though from the sixteenth century onwards converting to hedged closes and fields. The region had retained only small areas of woodland and heath (though as will be seen Great Horwood was fortunate in that respect), and its typical building style in the medieval period was half-timbered (later brick).

²⁹ The manor which came closest was Chalfont St Peter in south Buckinghamshire, but its rolls have substantial gaps and are mostly courts baron without view of frankpledge.

³⁰ M. Reed, *The Buckinghamshire Landscape* (London, 1979), p. 26.

The manor

The manor of Great Horwood did not comprise all of the parish of the same name. The hamlet of Singleborough lay within the parish but formed a separate territorially discrete manor and township, consisting of one nucleated settlement surrounded by its own fields, with no intermingling of its lands with those of Great Horwood. Further, a small part of the village and lands of the township of Great Horwood itself was excluded from the manor. This was an unnamed fee usually described by reference to its holder, in the centuries before 1500 successively an individual called Durand and families called Berner and Bradwell. Here it will be referred to as the Bradwell Fee. It formed less than ten per cent of the township by area, and seems to have lain in scattered parcels within it, so a study of the manor of Great Horwood is still a study of a nearly complete geographically distinct community.

The manor of Great Horwood had belonged to the priory of St Faith in Longueville in Normandy since shortly after the Conquest, one of a number of manors held by it and governed from a sub-priory just five miles away at Newton Longville. This sub-priory seems to have been little more than an estate office staffed by a small number of monks sent over from Normandy, who appear to have governed the priory's English estates with a relatively light hand. In 1367, no doubt prompted by the exigencies of its status as an alien priory during the Hundred Years War, and possibly not entirely voluntarily, the priory granted a twenty year lease of the manor of Newton Longville and its appurtenant manors, including Great Horwood, to Nicholas de Tamworth, the King's Admiral and Captain of Calais. Two years later the alien priories' English lands were temporarily confiscated, and for the next forty five years the manor of Newton Longville and its appurtenances were leased from the crown. The lessees were successively Nicholas de Tamworth, his widow Joan and her second husband Gilbert Talbot, then in 1399 a Thomas Tutbury and from 1403 Sir Ralph Rocheford, a captain in the wars in France and later a knight of the body, whose English residence was in Lincolnshire. In 1414 the confiscation of the Priory's interest became permanent, and in 1441, shortly after Rocheford's death, the manor was granted to New College, Oxford, which has held it ever since.³¹ New College's archives contain many

³¹ Just before his death Rocheford assigned the lease to nominees. The grant to New College in 1441 was of the reversion only, but the College bought the lease out the following year (the last annual instalment of the price was not paid until 1455). *VCH Bucks* iii, pp. 372-3; H.E. Salter (ed.), *Newington Longville Charters*, Oxfordshire Record Society 3 (Oxford, 1921), pp. xliii-xliv; NCA 6502-6515. Thomas Tutbury may have been

records relating to the manor, including extraordinarily complete runs of court rolls from 1302 right up to the modern period, on which this article is primarily based - their preservation is a credit to the foresight of the College's founder, William of Wykeham, who made detailed provisions for preservation of muniments in the statutes he gave to the College, and to the dedication of generations of College archivists.

The sources

This thesis is based principally upon the court rolls and other manorial records of the manor of Great Horwood, amplified by information from a variety of other sources such as taxation and probate records, where available.

Manor court rolls The run of court rolls of the manor of Great Horwood between 1383 and 1610 (and onwards) is the most complete in Buckinghamshire, possibly in the country. There are rolls from all except thirteen years of that period with no break longer than two years (most of an apparent ten-year gap in 1485-94 was filled when drafts of the missing rolls were found in a paper book of draft court rolls covering all the New College manors in north Buckinghamshire).³² The coverage is discussed in more detail in chapter 5. For most of the fifteenth century two courts each year were views of frankpledge with courts baron, though during the sixteenth century the number dropped to one per year. In many years, especially in the fifteenth century, there were also one or two additional courts baron.³³

The bulk of the court baron entries relate to landholding, and provide a great deal of information about the land market, land tenures and landholding structure of Great Horwood. In chapters 3-5 these entries, in combination with information from every other source

the Archdeacon of Buckingham of that name; J. le Neve, *Fasti Ecclesiae Anglicanae 1300-1541, I: Lincoln Diocese* (1854, London, 1962), p. 15.

³² NCA 2712. This book of drafts, 1487-1502, is not mentioned in the Great Horwood section in F.W. Steer, *The Archives of New College, Oxford: a Catalogue* (Chichester, 1974), p. 191, nor in the Composite Manorial Records section at p. 483 – it appears at p. 231, under 'Bucks: Various Parishes'. One other court roll, from 1400, was found among the All Souls MSS in the Bodleian Library, ref MSS.DD.All Souls.c269, doc. 251.

³³ Excerpts from the Great Horwood court rolls have been used by several historians to good effect, most famously in Ault, *Open Field Farming*, and more recently in Poos and Bonfield, *Select Cases* and M.K. McIntosh, *Controlling Misbehaviour in England, 1370 – 1600* (Cambridge, 1998). Chris Briggs has used them in *Rural Credit, Debt Litigation and Manor Courts in England, c.1290-c.1380* (unpub. Ph.D. Thesis, Cambridge University, 2002). The Buckinghamshire Record Office contains a manuscript document in the style of an academic dissertation, though unfinished, entitled *Studies in the Court Rolls of Great Horwood 1495-1647*, written by Lydia Marshall (1895-1974), librarian of St Hilda's College, Oxford (CBS D/X 621). It contains an attempt, not entirely successful, to work out the ownership histories of the landholdings from the sixteenth- and early seventeenth-century court rolls and to make deductions from them about the longevity of families' residence in the manor. I am grateful to Sandra Smith for a copy of the Appendices to the manuscript.

available, are used to create ownership chains for each landholding in the manor, from which unprecedentedly detailed landholding data covering the entire period between 1400 and 1600 is derived.

This landholding data has been supplemented by four other documents providing lists of tenants and landholdings from 1279 to 1610.

1279-80 Hundred Rolls The Hundred Rolls contain a list of the freehold and villein tenants, by name, with the size of their holdings and the rents and services owed by them, plus details of the area held in demesne – effectively an extent of the manor of Great Horwood in 1279.³⁴ They also contain similar extents of the Bradwell Fee and the neighbouring manor of Singleborough, which are particularly useful as they are almost the only documents describing these two manors to survive from the medieval period.³⁵

1320 Manorial Extent An Extent of the manor of Great Horwood made in 1320 provides a list of all the tenants, the size of their holdings and details of their rent and labour obligations, along with a detailed description of the demesne and a valuation of its constituent elements.³⁶ It was clearly prepared in connection with the grant that year of a lease of the demesne to the customary tenants collectively, as the rents reserved by the lease precisely match the valuation of the demesne in the Extent.

c1390 updated Extent Particularly useful is a later version of the 1320 Extent in which it was partly updated by the addition of the name of the current tenant of each holding next to the name of the 1320 tenant. Unfortunately that is all that was updated – even the date confusingly remains the same as in the original (were it not for the existence of the unaltered 1320 original the later version could easily be mistaken for a list of the 1320 tenants and their pre-1320 predecessors). However it can be determined, by comparison with the court rolls,

³⁴ *Rotuli Hundredorum*, Record Commission (London, 1812), p. 336.

³⁵ Two especially useful items of information about the two fees are given. First, that their lords enjoyed the right to hold views of frankpledge and assizes of bread and ale within their fees, thus confirming that the Great Horwood views dealt only with the inhabitants of the Prior's manor. Second, that the demesne, villein and free lands within the Bradwell fee together comprised only four virgates - since the Prior's manor contained 34½ virgates, 12 cottage holdings, 82½ unvirgated acres, an estate of uncertain size and a demesne of about 170 acres it is clear that it represented very nearly the whole of the vill - over 90% of it - and that the Bradwell fee was a relatively minor detachment from it.

³⁶ NCA 4503.

that this later version was prepared in or within a year or two of 1390, so it provides useful evidence of the landholdings in the manor at the very start of the period of this study.³⁷

1610 Rental Equally useful as a backstop to the study is a detailed Rental of the manor made in 1610, presumably in the context of the suit then being pursued by the lord of the manor against the tenants in the Court of Chancery.³⁸ This rental not only listed all the tenants, what they held and the rent they paid for it, but for each holding listed the previous tenants, usually back to the mid- or early sixteenth century, but occasionally much further, into the fifteenth century and in two cases the late fourteenth century.

Other manorial records which will be referred to frequently are:

Reeve's or Bailiff's Accounts Among New College's archives are a series of annual accounts submitted by the reeve of the manor (in the later sixteenth century called the bailiff) for nearly every year between 1442 and 1596.³⁹ Because the demesne had been leased to the tenants ever since 1320 the accounts are little more than a summary of rents collected. The tenants' rents are treated collectively, with no individual detail, but other sources of income from the manor are included, such as rents from the farmers of the tithes and other leaseholders, profits of the manor court, wood sales from the Prior's Wood, expenses incurred by the local manorial officers, and a great deal of occasional incidental information.

Bounds of the manor and the demesne The College's archives also include a gathering of early seventeenth-century copies of eight documents describing the bounds of the manor and demesne, the results of inquiries into Whaddon Chase's bounds and laws as they affected the manor, and the organisation of the manor's farmland into virgates, hides and meadows.⁴⁰ All are undated, but on the basis of internal evidence the originals were produced at various dates from the mid-fifteenth century to the early sixteenth century. They contain a great deal of useful information about the landscape of the manor and the Chase.

³⁷ Two copies of the updated version of the Extent exist in the New College archives: one contained in the College's *Liber Niger* (NCA 9744, fos. 37-40) and a copy made no earlier than 1610 (NCA 3946, a bundle of copies of extents and rentals all written in the same seventeenth-century hand, the latest of which is the 1610 Rental). The updated version is printed, though with some inaccuracies of transcription, in Ault, *Open-Field Farming*, p. 204.

³⁸ NCA 3946.

³⁹ Nearly every account has a separate archival number. They are listed in the Bibliography, and can be found in Steer, *Archives of New College*, pp. 18-26.

⁴⁰ NCA 4505, 4506.

1611 Chancery Decree Also among the archives are a 1611 Inspecimus of the decree of the Court of Chancery in a suit brought by New College to recover the demesne from the tenants and resolve a number of disputes over the tenurial incidents of their copyholds. It contains not only the court's judgement but also a summary of the matters in dispute and the allegations of the parties, and so constitutes a valuable source for the agrarian landscape and tenurial conditions in the manor in the late sixteenth century.⁴¹

A number of non-manorial sources have been used.

Taxation and Probate records A variety of records from non-manorial sources – principally taxation and probate records – were used to amplify and check the information obtained from the manorial records. They provide information relating to the community's population, economy, wealth distribution and social status and occupations, and are useful in checking how complete a picture the manorial records give of the inhabitants and their economic activities. However they relate to either the sixteenth century or early fourteenth century – for the fifteenth century the manorial records are very nearly all that is available. The most useful taxation records have been the 1522 Military Survey and the Lay Subsidy of 1524/5, both of which have survived for most of Buckinghamshire and have been published. Few records of the Poll Tax of 1379-81 have survived for Buckinghamshire, and none at all for Great Horwood, but the 1327 and 1332 Lay Subsidy returns are available and have been used.⁴²

No pre-1600 inventories survive for Buckinghamshire, and very few wills from before 1520, but some 130 wills from the rest of the sixteenth century have been used to amplify the manorial information on landholding and inheritance and to identify a subtenant or landless element in the population. Additionally another twenty-odd fifteenth-century wills of Great Horwood tenants who lived in the neighbouring parishes of Winslow and Little Horwood, which fell under a different probate jurisdiction, have been used. Unfortunately no parochial records, which could have been useful as a corrective to a manorially-centered view of the two communities, have survived from the fifteenth or sixteenth centuries. The parish

⁴¹ NCA 4499/59.

⁴² A.C. Chibnall (ed.), *The Certificate of Musters for Buckinghamshire in 1522*, BRS 17 (1973), pp. 178-80; *idem* (ed.), *Subsidy Roll for the County of Buckingham, anno 1524*, BRS 8 (1950), p. 51; *idem*, *Early Taxation Returns: Taxation of Personal Property in 1332 and Later*, BRS 14 (1966), p. 70 (*sub* Singleborough); PRO E179 242/86 (1327 lay subsidy return). I am indebted to Chris Briggs for his transcript of the return.

registers only begin in 1600 – the very year this study ends – and no churchwardens’ or guild records exist.

Database, family reconstitution, landholding ownership histories

Every court roll from 1399 to 1602 was fully transcribed, and additionally all land transactions were extracted from 1383 (when the rolls recommence after a nine year gap) to 1398, plus some items of significance from 1603 to 1611 (when the 1610 Rental and 1611 Decree form the termini of the study). Most of the information from the rolls, and indeed nearly every other source used, was then fed into three linked Access databases.

The first database contains just under 20,000 records, one for every occasion on which a person was referred to in the sources (thus a court roll land transaction involving five persons resulted in five records, each containing the full text of the transaction). This was used as part of a process of family reconstitution, by which all references which clearly related to the same individual were grouped together and that individual given a unique number and placed in his or her family context (using those occasional references which provide relationship information – typically land inheritances and wills). The process is naturally easier to describe than to implement, and there were difficulties. Not all references could be allocated between two or more contemporaries of the same name – this was the case for some 1200 records, or 6% of the total, relating to thirty names shared by more than one person, such as the inevitable John Smiths. Of course many references to John Smiths contained distinguishing information, and the difficult ones tended to be the less significant passing references – few of them were land transactions, for example, where it was important to contemporaries that the precise individual be identified. References to individuals who appeared in the rolls less frequently were less easy to link together – as a rough rule of thumb two entries referring to the same name were treated as two separate persons if more than twenty years apart. Surnames were mostly stable by this period, but some individuals and families had aliases. These only had to be mentioned once for it to be possible to link up all references which used only one of the alternative surnames, but it may be that one or two such people slipped through the net. Women who married or remarried were especially difficult to identify and it is likely that several linkages have not been made. However after much careful analysis it was possible to identify some 2,200 individuals, and once this had

been done it was easy to bring up every reference to an individual in date order with just a few mouse-clicks. These life histories were invaluable for several purposes, but most importantly are used in chapter 4 to identify individuals who were tenants of the manor but not resident in it, or were not tenants but nevertheless were resident and farming within the manor or making their living by some other means.

The second database contained a record for each of these 2,200 persons and summarised the information known about them, most importantly their social status or occupation, place of residence, landholdings, and family relationships, making it possible to analyse the information contained in the other two databases by reference to these factors.

The third database contained a record for every land transaction and broke down the information contained in the transaction entry by reference to the parties involved and their relationships, the physical and tenurial nature of the land transferred, the legal nature of transaction and its timing (especially whether *inter vivos* or *post mortem*), the payments made by way of heriot, fine or relief, and so on. Chapter 5, on the land market, is based on this database.

The information in the court rolls and other sources was also used to create a fourth resource, a series of ownership histories for every landholding in the manor, which is the basis of chapters 2 and 3.

Ch. 1: LANDSCAPE AND AGRICULTURE

This chapter analyses Great Horwood's landscape and agriculture, how they changed between the mid-fourteenth and early seventeenth centuries, and how they influenced or were influenced by the society which inhabited them.¹

TOPOGRAPHY AND SOILS

Great Horwood lies in the north Buckinghamshire clay plain, on the ridge of low hills which extends west to east across the northern half of the county, separating the valley of the Ouse from that of the Thames. The township's highest point is in its north-east corner, from whence the ground slopes gently south-westwards. It is presently entirely enclosed in hedged fields, mixed arable and pasture, except for 130 acres of woodland in the north-east corner (College Wood, once part of Whaddon Chase). The pre-enclosure landuse pattern was more varied, however, and reflected the varying soil qualities, especially their drainage. Under the Agricultural Land Classification system most of the township – the part formerly comprised in the arable open fields and common - is rated Grade 3 (moderate to good), but the low-lying south west corner and the narrow floodplains bounding the streams which run down to it – the former meadowland² – are Grade 4 (poor), as is the north-east corner – the former woodland (a larger area than the present College Wood).³

The soils are mostly stiff wet clays (Till, lying over Oxford Clay), though with patches of gravel (on one of which the village is located). Derived from chalky clay, they are mostly naturally fertile soils. However the poor grading of the south western floodplains reflects the sub-types found there – prone to waterlogging, they are difficult to cultivate, and better suited for meadow than arable. Also tending to waterlogging are the soils of the south east corner, a floodplain and former meadow called Roddimoor, and a large area on the high flat ridge in the north of the township, the greater part of the former common.⁴ Much of the earliest piecemeal enclosure was located in these waterlogged floodplains.

¹ This chapter is based in part on a paper given at the Agricultural History Society's Conference on 11 April 2005. I am grateful for the comments I received then.

² The streams were formerly more meandering than now, creating small but distinct flood plains a few yards wide in which the meadows lay.

³ Agricultural Land Classification of England and Wales, Sheet 146 (Buckingham) 1:63,360 (1961).

⁴ The soil types in the southwest are pelo-stagnogley soils of the Denchworth series, in the southeast stagnogleyic soils of the Wickham 2 series and on the northern ridge stagnogleyic argillic brown earths of the

Great Horwood's wet clayey soils are the dominant types throughout most of north Buckinghamshire. Even when drained they are more suited to pasture than cultivation, and like most of the north Buckinghamshire claylands Great Horwood was almost totally pasture prior to the Second World War (though modern drainage and farming methods presently permit a roughly equal mix of arable and permanent pasture).

The township's settlement is contained principally in the nucleated village of Great Horwood, which lies on a narrow east-west ridge in the centre of the township. There is also a small, mostly modern, hamlet called The Common a few hundred yards north of the village, and a scattering of nineteenth- and twentieth-century post-enclosure farms out in the fields, but throughout the fourteenth, fifteenth and sixteenth centuries all habitation was confined to the central settlement. Its boundaries contracted slightly after the Black Death, but were expanding again by the end of the sixteenth century.

THE EARLY FOURTEENTH-CENTURY LANDSCAPE

In the early fourteenth century much of the north Buckinghamshire Vale, and indeed of the entire Midlands landscape zone, was a region of nucleated settlement and open field systems. The steady increase in population which had occurred over the previous four centuries or so had resulted in the expansion of the area under arable cultivation to its greatest viable extent (and perhaps beyond it). 'At the close of the thirteenth century [Buckinghamshire north of the Chilterns] must have been almost one complete open field', wrote Maurice Beresford.⁵ The landscape of Great Horwood at this time is depicted in Figure 1.1.⁶

Ashley series. In the rest of the township they are calcareous pelosols of the Hanslope series - also heavy wet clays, but slightly less prone to waterlogging. Soil Survey of England and Wales, National Soil Map, Sheet 6 (South Eastern England), 1:250,000 (1983). The effect of these soil types on medieval agriculture is discussed in T. Williamson, *Shaping Medieval Landscapes: Settlement, Society, Environment* (Macclesfield, 2003), pp. 145-7.

⁵ M.W. Beresford, 'Glebe terriers and open-field Buckinghamshire', *Records of Buckinghamshire*, 16 (1953-60), pp. 5-28, at p. 12.

⁶ Fig. 1.1 is based on the 1842 pre-enclosure map in Fig. 1.2 and two early seventeenth-century estate maps covering about a quarter of the township (see fns. 41-43 for sources), with known post-1400 developments removed and known medieval features retained or inserted, informed by the many passing references to the landscape in the manorial records of the fourteenth to sixteenth centuries, especially the bounds mentioned on p. 13. The open field furlongs and meadows are mainly based on the ridge-and-furrow visible today or in 1940s aerial photography (where it has been ploughed out they are conjectural). The township tofts and crofts are representational.



Fig. 1.1 The township of Great Horwood in the late fourteenth century.

Great Horwood had the usual elements of the typical Midland manor so often depicted in textbooks. All habitation was confined to a single centrally located village, around which three open fields extended to the township boundaries in three of four directions, with small amounts of meadow strung out along the streams which flowed across and around the fields.⁷ To this extent it was typical of those many villages in the Midland zone in which the open fields occupied very nearly the entire landscape - the kind of landscape which was prevalent in the area immediately to the south.⁸

When the northern third of the township is considered, however, it can be seen that Great Horwood was not entirely typical of its region and should really be assigned to the minority category of Midland manors which still contained substantial areas of woodland or other waste; those located in or next to one of the forests and woods scattered across the Midlands plain, generally on high interfluves occupied by particularly poorly draining clay soils.⁹ Its portion of Whaddon Chase, called the Prior's Wood in the medieval period, gave Great Horwood an unusually extensive area of pasture and woodland, roughly a quarter of the township's total area, though neighbouring Nash had some rights to share it. It does not appear that Great Horwood had any rights in the rest of the Chase, however, nor did the inhabitants of Whaddon and Little Horwood, in whose parishes and manors the rest of the Chase lay, have rights in the Prior's Wood.¹⁰

By the eighteenth century most of the Prior's Wood had become open common, with the woodland confined to two areas of fenced coppices, a large one on the north-facing slopes in the far northeast of the township (belonging to the manor and called College Wood)¹¹ and a smaller one closer to the village called the Grove (possibly belonging to the Bradwell Fee, as it is never mentioned in the principal manor's records) – see Figure 1.2. In the early

⁷ There were three fields when the 1320 Extent was prepared, and no evidence that there had ever been two, notwithstanding that two immediately adjacent parishes, and several others nearby in north Buckinghamshire, had only two at this time; H.S.A. Fox, 'The alleged transformation from two-field to three-field systems in medieval England', *Economic History Review*, 2nd Ser., 39, no. 4 (1986), pp. 526-48, at pp. 539-40.

⁸ Domesday Book recorded very little woodland in this region: H.C. Darby and P.M.J. Campbell (eds.), *The Domesday Geography of Southern England* (Cambridge, 1962), p. 168, Fig. 57. The lack of woodland at the close of the thirteenth century is commented on in M.W. Beresford, 'Glebe terriers and open-field Buckinghamshire', *Records of Buckinghamshire*, 16 (1953-60), pp. 5-28, at p 12.

⁹ T. Williamson, *The Transformation of Rural England: Farming and the Landscape 1700-1870* (Exeter, 2000), p. 23, and *idem*, *Shaping Medieval Landscapes*, p. 88.

¹⁰ NCA 4505, 4506 (fifteenth- and sixteenth-century bounds), 4509, CBS D/B/300 (1608-54, 1724 disputes over the common between Great Horwood, Nash and Singleborough).

¹¹ NCA 5672 (1654 map of the College's demesne woods).

fourteenth century, however, the entire waste was probably still wooded,¹² though the parts outside the two coppiced areas may already have become more in the nature of open wood-pasture – the 1279 Hundred Roll recorded that the lord had a hide of common wood and common pasture.¹³

The demesne in Great Horwood (an unusually small one of just 120 acres) was also a hybrid, neither concentrated in a single block close to the manor house nor scattered across the fields in strips in similar manner to the tenants' holdings. In the East Field it comprised a single compact block, reasonably close to the village, but in the South and West Fields it was scattered in several parcels; though most, if not all, of the parcels were compact blocks comprising complete furlongs or several adjacent meadow strips. The division of the demesne between the three fields was also irregular; the East Field block comprising 60% of the arable (but almost no meadow), the other two fields having only about 20% each of the arable (but between them nearly all of the meadow). The large East Field block was in an area called Stocking, its name (and location, at the edge of the common) suggesting origins in a late assart from the Great Common, so perhaps originally the demesne had been more evenly distributed (and even smaller).¹⁴

EARLY FOURTEENTH-CENTURY AGRICULTURE

What can be said about the agriculture practised in Great Horwood at the commencement of the period of this study? The only definite and reasonably detailed information comes from the 1320s: a decade from which we have both the 1320 Extent of the manor of Great Horwood and the 1327 lay subsidy return for Great Horwood and Singleborough. The subsidy details the grains and livestock on which each taxpayer's assessment was based, and

¹² A 1612 map shows the western edge of the woodland running due north from the western edge of the Grove, while the fragmentary references to the tenants' common rights in the 1320 Extent and other early documents always refer to woods (*boscus*); NCA 4507 (map), 4503 (extent).

¹³ *Rotuli Hundredorum*, Record Commission (London, 1812), p. 336. That the Prior's Wood was fairly scrubby is suggested by several early fifteenth-century grants to tenants of trees for building repairs from the lord's wood at Stockholt, seven miles away in Whittlewood (NCA 3916/17, 3917/7, -/15) and the fact that the earliest reeve's accounts, from 1433 and 1443 onwards, mention occasional sales of underwood and thorns, but not of timber until 1496 (NCA 6501-19, 6500/1-22, 1817/4v).

¹⁴ NCA 4503 (1320 Extent); 4505, 4506 (15th-, 16th-century bounds; 3923/7,8, 3705/8 (1609 bounds in court rolls); 3046/10 (1629 terrier of demesne lands). 6 of the 27 demesne acres in the South Field were in a place called Soundbreach, on the very southern edge of the township - again a name and location suggesting assarting, so the original demesne may have been very small indeed.

so provides information about the tenants's agriculture, while the extent provides information about the demesne (though only partially).¹⁵

The information about the demesne in the 1320 extent suggests an agriculture heavily biased towards grain production in three large common fields with little emphasis on livestock rearing, since it details only very small areas of meadow and pasture – though of course there was also the rough pasture in the common waste and the Prior's Wood (the extent records that the tenants had to be given three days' notice to plough the demesne in winter because their animals often depastured in the woods where they could not easily be found).

The demesne information in the extent and the tenant information in the subsidy are remarkably consistent as to the crops grown in the vill; wheat, barley, drage (a barley/oats mix), oats and beans. Rye is not mentioned, nor maslin (a wheat/rye mix). The Subsidy gives some idea of relative proportions: nearly every tenant had wheat, drage and oats, but only a few had barley and beans (though these grain holdings were presumably taxable surpluses, not actual quantities in the granaries, so there may not be much significance in this). However the existence of the surpluses (and the fact that the tenants appear to be sowing the same crops as the demesne) suggests that these peasants were to some degree farming for the market. Wheat and drage were both commonly cultivated as commercial crops - it may be that similar quantities of barley and beans were planted but not assessed because they were for the peasants' own consumption.

The crops and the division of the arable into three fields suggest a simple three-course rotation; wheat planted in winter in one field, barley, beans and oats in spring in another and the third field left fallow.

¹⁵ NCA 4503 (1320 Extent), E179 242/86 (1327 lay subsidy return). The Subsidy information must be treated with a certain caution: it has been suggested that Lay Subsidy returns of this period were largely fictional documents, their lists of assets created retrospectively to justify a pre-determined apportionment of a vill's tax bill, though it is generally reckoned that they bore some rough relationship to reality (see, for example, P. Franklin, 'Gloucestershire's medieval taxpayers', *Local Population Studies*, 54 (1995), pp. 16-27, at pp. 20-1). However the Subsidy will be used here only to derive information on the type of agriculture practised in Great Horwood as a whole, not to generate precise statistics on individuals. It should be noted that the chattels on which Lay Subsidy assessments were made are generally agreed to have been the peasants' saleable surplus, not the totality of their possessions (J.F. Willard, *Parliamentary Taxes on Personal Property, 1290 to 1334* (Cambridge, Mass., 1934), pp. 81-85; A.T. Gaydon (ed.), *The Taxation of 1297*, Publications of the Bedfordshire Historical Record Society 39 (1958), p. xxxi.).

The 1320 Extent provides no information on livestock (except to mention demesne sheep, and the tenants' obligations each to harrow the demesne with one horse). The 1327 Subsidy records many animals, though its usefulness is difficult to assess: it does not record the numbers held by each taxpayer but simply assesses each of them on either one or none in each type (except for sheep, which are recorded in sixes, twelves or round multiples of ten). Whether these can be saleable surpluses is uncertain but the range of animals on which each taxpayer was assessed presumably bore some relationship to his or her overall livestock holdings and the return must provide a crude guide to the presence and relative numbers overall of the various taxable categories of livestock. These were: affers (draught horses), oxen, cows, bullocks, heifers, sheep and pigs.

Almost 80% of the resident farming taxpayers were assessed on both an affer and an ox (of the remainder, six were assessed on an affer only and two on an ox), suggesting that ploughteams were already a mix of horses and oxen – not a common feature of this region at this early date.

The non-working animals recorded in the subsidy were a mix of cattle and sheep, but favouring the former. Nearly all the resident taxpayers were assessed on a cow, about half on a heifer, and about a quarter on a bullock, but only a quarter had sheep, mostly wealthy and middling taxpayers (a third of the sheep recorded were owned by the two non-resident graziers). If the subsidy can be trusted then it seems most tenants either had no sheep or just a handful, and the entire vill's flock must have been smaller than it would be in the mid-sixteenth century, when the tenants had to be limited by stint to 40 sheep per virgate.

More puzzling, especially when the proximity of Whaddon Chase is borne in mind, is the fact that only a little more than a third of the taxpayers recorded a pig, all among the wealthiest (by contrast in the mid-sixteenth century even the cottagers' pigs had to be stinted).

Bruce Campbell's study of *inquisitiones post mortem* and manorial accounts classified most thirteenth- and early fourteenth-century demesnes in the south east Midlands as Type 3, 'the characteristic land-use of heavier land in lowland England', comprising 'arable country with limited but valuable grassland,' growing principally wheat, oats and drage (the latter particularly distinctive of the type and cultivated as a commercial spring-sown crop), worked by both horses and oxen and keeping both cattle and sheep (sheep predominating before 1350, cattle thereafter). However a different type of demesne was found in the area

immediately around Whaddon Chase, Type 5: inferior arable with above-average quantities of pasturage (presumably in the Chase), following a classic 3-course rotation of equal proportions of wheat, oats and fallow, possibly more reliant on oxen alone, and keeping more swine than other livestock.¹⁶ This may however be an extrapolation from just one source, Whaddon manor itself, as Great Horwood seems to have conformed more closely to the majority Type 3.

%	Wheat	Rye	Barley	Oats	Mixed grains	Legumes
Type 3 mean	29	2	6	18	36	9
1327 Return	28	0	5	22	37	9

Table 1.1: Similarities between Campbell’s Type 3 demesnes, 1250-1350, and Great Horwood’s peasant farmers in the 1327 lay subsidy.

Sources: Campbell, Tab. 6.01; E 179 242/86.

Comparison of the proportions of the various grains recorded in the 1327 Subsidy with the proportions of each reported by Campbell as being cultivated on the Type 3 demesnes provides some interesting parallels - see Table 1.1. At first sight the near perfect correspondence between the two sets of figures might be taken as evidence that the grain holdings in the Subsidy were not the result of fictional tax returns but rather represented genuine holdings, but it should be born in mind that since many demesnes were producing principally for the market, retaining little for internal consumption, some correspondence between all demesne produce and just the surplus part of the peasant’s produce might be expected. The crops grown for the peasants’ own subsistence might have been different. However it does seem to constitute evidence for the Subsidy having had some relationship with reality, and also suggests that there may not have been as much divergence between demesne and peasant agriculture as has sometimes been thought likely.

¹⁶ B.M.S. Campbell, *English Seigniorial Agriculture, 1250-1450* (Cambridge, 2000), pp. 99, 106-20, 262, 266.

LANDSCAPE CHANGES IN THE FIFTEENTH AND SIXTEENTH CENTURIES

During the five hundred years after the Black Death the settlement pattern, field systems and agriculture of the north Buckinghamshire Vale, and indeed the entire Midlands zone, underwent three major changes: settlement loss and shrinkage, enclosure of the open fields and conversion from arable to pasture.

Settlement change The population collapse in the first half of the fourteenth century led ultimately to much settlement shrinkage and occasional complete desertion during the later fourteenth and fifteenth centuries - not necessarily as an immediate and direct consequence of the initial catastrophes, but rather as a result of other economic and social pressures acting on fatally weakened settlements. Some depopulation also occurred as a deliberate consequence of enclosure by lords, principally in the fifteenth and early sixteenth centuries.¹⁷

Enclosure Between the early fifteenth and mid-nineteenth centuries enclosure transformed the entire Midlands zone, including north Buckinghamshire, from the champion landscape of open fields and wastes which existed in 1300 to the entirely enclosed one which exists today. Much of the transformation took place during the period of Parliamentary enclosure after 1750, which need not concern us here. The nature and timing of the pre-1750 enclosure has been much debated, but it is now generally accepted that the greater part of it took place between 1570 and the late seventeenth century. Some authorities have also emphasised an earlier phase, ending in the 1520s and usually said to have begun in the mid-fifteenth century (and sometimes to have been particularly a feature of the south Midlands and Devon). In this earlier (pre-1530) period enclosure was frequently carried out by compulsion, sometimes involving the enclosure of entire manors or parishes by manorial lords in the exercise of seigniorial rights. In the second (post-1570) phase enclosure by agreement between the landowners, not previously unknown, became more significant and, though occasionally resulting in the enclosure of complete parishes, was more often a creeping process involving the creation of just a few small closes on each occasion.¹⁸ The

¹⁷ Reed, *Buckinghamshire Landscape*, Fig. 14, p. 148; M.W. Beresford, *The Lost Villages of England*, (London, 1954), Fig. 10, p. 224, Fig. 12, pp. 230, 340; C. Dyer, *Making a Living in the Middle Ages: The People of Britain 850-1520* (London, 2003), p. 273-4.

¹⁸ Those who have argued for a pre-1520 phase in Buckinghamshire, or the south Midlands generally, have included: Beresford, 'Glebe terriers and open-field Buckinghamshire', pp. 283-98; M. Reed, 'Enclosure in north Buckinghamshire 1500-1750' *Agricultural History Review*, 32, Pt II (1984), pp. 133-44; E. King, C. Dyer and P.D.A. Harvey, *AHEW III*, pp. 76-92, 114; J. Thirsk, 'Enclosing and Engrossing', *AHEW IV*, pp. 204-8; and R.C. Allen, *Enclosure and the Yeoman: the Agricultural Development of the South Midlands 1450-1850* (Oxford, 1992), p. 30. For arguments against it, usually in a wider context, see J.R. Wordie, 'The chronology of

area enclosed increased with each phase: for example, Allen estimated that in the south Midlands 183,000 acres were enclosed between 1450 and 1524, nearly half a million between 1575 and 1674, and over one and a half million between 1750 and 1850.¹⁹

Pasture Enclosure occurred simultaneously with, and often in connection with, the third major change which affected the landscape of north Buckinghamshire and other parts of the Midland zone: the gradual conversion of the entire region to permanent pasture. As with enclosure, the process was stretched over four or five centuries, only finally ending in the mid-nineteenth century, and seems to have proceeded in much the same phasing. This synchronisation between enclosure and laying down to grass was not an accident; in north Buckinghamshire and the western parts of the Midlands zone at least it was the usual purpose of enclosure (though the additional practice of creating grass leys in the open fields, which did not require enclosure, may have blurred their precise concurrence).²⁰

All three of these changes occurred in Great Horwood. Settlement change was the least significant - there was some shrinkage, the tumbling down of a few messuages into tofts, but recovery followed fairly quickly (see chapter 3). The enclosure of Great Horwood and its conversion to pastoral farming were long-drawn-out affairs which were not finally completed until its Parliamentary enclosure in 1842, but both processes began during the period of this study and, as will be seen, appear to have conformed broadly to the phasing mentioned above. In Great Horwood however the manorial lord played little part in the pre-1600 enclosures, which were effected largely by the tenants alone – and by the tenants of relatively small holdings at that. When in the second half of the sixteenth century the lord and its demesne lessee did join in they were really only following their tenants' lead.²¹

English enclosure, 1500-1914', *Economic History Review*, 2nd Ser., 36 (1983), pp. 483-505; and M. Overton, *The Agricultural Revolution in England: the Transformation of the Agrarian Economy, 1500-1850* (Cambridge, 1996), pp. 148-51.

¹⁹ Allen, *Enclosure and the Yeoman*, p. 31;

²⁰ C. Dyer, *Warwickshire Farming 1349 – c1520: Preparations for Agricultural Revolution*, Dugdale Society Occasional Paper (1981), pp. 9-11; P.D.A. Harvey. 'The Occupation of the land: the home counties', *AHEW III*, pp. 114-6; Thirsk, 'Enclosing and Engrossing', pp. 204-8.

²¹ This was not unknown elsewhere – between 1551 and 1607 the Leicestershire peasantry was responsible for 19% of the land reported enclosed; Thirsk, 'Enclosing and Engrossing', p. 254.

Conversion to grassland

The conversion of north Buckinghamshire to grass was in part a reaction to the reduced demand for cereals after the early and mid-fourteenth-century fall in population,²² but by the time the population began to rise again in the sixteenth century the region's pastoralism had acquired a momentum of its own, the increasing numbers of animals needing ever-increasing acreages of pasture to sustain them. Explicit references in the Great Horwood court rolls and accounts to the conversion of arable to grass are few before the late sixteenth century, but the rising pressures on the available pasture can be traced in those records at much earlier periods, and it may be suspected that the conversion process began well before its first appearances in the records.

At the beginning of the fifteenth century a spate of strip exchanges might have been effected in order to create private pasture closes, but this is only supposition. However there is evidence from the second half of the century for land left uncultivated. In 1463 John Cherchey and William Bedford were presented for permitting their land to lie uncultivated (*frisc'*)²³ and in the following year the rent at which the tithes of Singleborough (part of the parish of Great Horwood) were farmed was reduced on account of deficiency of grain. In 1474 the Great Horwood tithes were similarly re-let at a reduced rent, this time explicitly because of land lying uncultivated, and the same thing happened again in 1513. These reductions were all permanent, the rents never again returning to their former levels, which suggests the creation of permanent grassland, rather than mere temporary cessation of cultivation.²⁴ In 1504 six tenants were ordered to restore to cultivation land on the south side of the village (which had possibly been incorporated into their messuages as backside crofts - perhaps to provide more homestead pasture for increasing numbers of livestock).²⁵

Of course uncultivated land need not necessarily have been converted to grass, but it must be relevant that the first explicit evidence of need for more extensive pasture occurs in the same

²² It may have been first triggered by failing soil fertility, a result of over-intensive cultivation in response to the late thirteenth century population peak – A.R.H. Baker, 'The evidence in the *Nonarum Inquisitiones* of contracting arable lands in England during the early fourteenth century', *Economic History Review*, 2nd Ser. 19 (1966), pp. 518-32.

²³ NCA 3918/3. Cherchey held a half virgate and Bedford a full one. It is possible that Cherchey's land was uncultivated simply because he had abandoned it - he had been twice presented for dilapidations and when he sold the holding in 1464 he paid only a brass pot as heriot 'because he had no other goods or chattels'.

²⁴ NCA 6500/4; 6500/14; 1766/7. In 1460 the rent paid by the tenants for release from suit of mill (called tailmark) was reduced by one third, possibly reflecting reduced grain production; NCA 6519, 6500/1.

²⁵ NCA 3919/8.

decades as the first references to land lying fallow: in 1466 and 1470 tenants were presented for overstocking the common pasture in the fields with their horses, beasts and sheep. By 1496, if not earlier, a stint had been imposed: in that year two outsiders were presented for keeping sheep in the lordship in excess of the stint and against the by-law (*ultra admensura ac contra plebisitum*).²⁶ However the next references to a stint are not until 1534 and 1542 (when they applied to the cottagers only), and they only become frequent in the 1550s. In 1550 the stint was set at forty sheep and ten beasts per virgate, and thereafter refinements and variations of the stint appeared frequently, and presentments for its breach were common.²⁷

Further evidence of increasing pressure on the common pastoral resources and of the increasing importance of access to them comes from 1575 and 1576 when, for the first time, court roll entries recording transfers of land spelled out the precise rights of common included in the sale. In 1575 Geoffrey Kinge transferred two roods of arable and common for five sheep to Thomas Rey, and the following year transferred to Peter Carter three roods, two poles of meadow and common for one cow. In the 1590s such specific transfers of common rights become a frequent and permanent feature of the court rolls, and in 1601 pasture rights were dealt with alone for the first time, when the common rights for three beasts and thirty sheep were transferred by Thomas Couper alias Weedon to his brother Henry without any associated land.²⁸

Thus far we have seen that the late fifteenth and sixteenth centuries saw increasing pressure on the common pastoral resources of the township, but what evidence is there that this resulted in conversion of arable into pasture? The previously discussed references to *frisc* land could mean just failure to cultivate, rather than conversion to pasture. The first *explicit* mention of arable turned over to grass comes in 1514, when a by-law required that tenants with the right to fork (*farvand'*) their beasts in the common fields after Midsummer should place them before the common herdsman, and not put them unherded in the selions called *le lees* in the sown fields.²⁹ No further mention of leys is made until the 1570s, but thereafter references to leys and selions of *frisc*' land become commonplace.

²⁶ NCA 3918/8; 3918/16; 3918/2. The word *plebisitum* suggests that the pressure for control of pastoral resources was coming from the tenants themselves.

²⁷ NCA 3920/29; 3920/36; 3921/3.

²⁸ NCA 3922/5; 3922/6; 3922/21.

²⁹ NCA 3920/3

A major step in the expansion of the grassland was the conversion of the largest segment of the demesne arable into pasture. At a time when many lords were turning not just their own demesne arable into pasture, but also that of their tenants, the Great Horwood tenants were converting part of the demesne into a large private pasture from which they excluded their lord.³⁰ This was done by the tenants in their capacity as collective lessees of the demesne at an uncertain date sometime between 1320 and the middle of the sixteenth century, when the lord tried to recover the demesne. In 1611 part of this pasture was successfully clawed back after a suit in Chancery and became the lord's private pasture, but the rest remained in the tenants' collective hands (and the lord's right of common over it limited to a single virgater's share).³¹

The conversion of north Buckinghamshire to grass was a process which took until the mid-nineteenth century to complete but, notwithstanding that they were proceeding by private agreement among a community of many small tenants not dominated by a few large landholders, the tenants of Great Horwood managed to convert a sizeable proportion of the township to grass at a very early date. By 1611 up to a quarter, perhaps even a third, of the arable may have become grassland. We are given some evidence of this in 1596, when the court rolls record the division of a virgate, selion by selion, between the four daughters of a husbandman called John Brickhill. The virgate consisted of 117 separate pieces of land (fifteen located in closes), all but one smaller than an acre, and consisting variously of arable, ley and meadow. Twenty six of the pieces were leys – i.e. 22% of them by number. The leys' areas were seldom stated, but if it is assumed that they varied between roods, lands and full acres in the same proportion as the arable (from which they had been converted), then they comprised a little over 10 acres - that is, almost 30% of all the virgate's total of 35 acres of arable and grass.³²

Two glebe terriers prepared in 1724 and 1831 reveal that the glebe's single virgate was then 70% arable and 30% grass (the latter a mixture of leys and closes) - directly comparable with John Brickhill's 1596 virgate - while the 1842 enclosure calculations record that the ancient closes and open field leys then formed about 45% of the township's open fields, closes and

³⁰ NCA 4499/59. The pasture was called Stocking and lay between the East Field and the Great Common. Its name and location identify it as a late assart: it is significant that one of the last areas to be taken out of the waste and into tillage during the period of high population before the Black Death should be the first for which the process was reversed.

³¹ The dispute over the demesne lease is described in more detail in chapter 6, pp. 193-7.

³² NCA 3922/16-18, 3922/19.

meadow.³³ Thus it seems that a large proportion of the grassland in existence on the eve of Great Horwood's parliamentary enclosure may already have been laid down in or shortly after 1611.

Significantly, almost half of John Brickhill's leys (eleven of them) were located in closes (compared to less than a tenth of his meadow and about one twentieth of his arable pieces), supporting the association between conversion to grass and enclosure which has been suggested. If conversion took the form of both conversion of arable strips in the common fields into leys and also creation of closes of grassland, in former meadow as well as former arable, then to this extent the earlier evidence of conversion to grass may well also be evidence of enclosure.

Piecemeal enclosure

When Great Horwood was enclosed by Act of Parliament in 1842 over 120 closes of various sizes, mostly very small, already existed,³⁴ and it will be shown that many of them had been created right back in the fifteenth and sixteenth centuries, by piecemeal exchange of strips and private enclosure by the husbandmen of that time. Though *explicit* references to enclosure only come in the sixteenth century, and then only after 1570, there are once again reasons to suspect that some enclosure had taken place in the fifteenth century (thus broadly reflecting the two phases of pre-Parliamentary enclosure previously referred to).

From 1383 (and possibly earlier - the court rolls re-commence in 1383 after a break of eight years) until 1437 there are many entries recording exchanges of small plots of land, typically one or two selions. They were presumably made with a view to creating larger strips, and may well have resulted in the creation of closes; in nearly every exchange one of the two parties was a Baynard, and a map of 1612 shows a close called Baynard's alias Pippins Pieces (in which even today ridge and furrow can be seen) - one is tempted to see in that enclosure the result of fifty years of patient exchanges by two or three generations of Baynards.³⁵

A number of references to uncultivated land in the later fifteenth century, which probably refer to the conversion of arable to grass, may also reflect its enclosure in severalty.

³³ CBS PR/108/3/1, PR 108/3/2 (terriers); PR 108/26/5 (Enclosure Commissioners' calculations).

³⁴ CBS, Enclosure Commissioners' working map, IR 39/B

³⁵ NCA 4507. The close was on the edge of the Great Common, in Stocking, one of the first parts of the township to be enclosed and returned to pasture. It can be seen in Fig. 1.2 (as Pippins Piece).

The first clear evidence of enclosure relates to the creation of backside crofts around the perimeter of the village. From about 1440 whenever five of the tenements were transferred they were invariably described as including either three selions (in the case of two full-sized messuages) or two roods or butts (in the case of three cottages). These strips and butts were sometimes stated explicitly to be at the end of the tenement: they were clearly pieces of former arable land immediately behind the tenements which had been enclosed and taken into the tenement as a croft. Indeed their location can even be determined - ridge and furrow is still visible today in the unusually lengthy gardens behind several adjacent houses on the south side of the Green.³⁶ A series of by-laws from 1503, complaining of hedges on the south side of the village that needed repair, and land in the same location which had been taken out of arable cultivation and used as pasture, may refer to the creation of more such backside closes.³⁷

The first explicit reference to enclosure comes in 1574, when the lord gave licence to twenty five tenants to place in severalty 1 acre for every virgate they held, 'if there be no injury to other tenants': a licence which could have resulted in the enclosure of over 20 acres (as between them they held over twenty virgates).³⁸ This date chimes very well with the general belief in a phase of seventeenth-century enclosure which began in the 1570s, and it may be that this licence represents the point at which the enclosure process in Great Horwood moved from a few backside crofts on the village fringe (and the Baynards' Stocking close) to enclosure out in the common fields and meadows.

After 1574 references to enclosure in the court rolls become both explicit and relatively plentiful. Interestingly, some of the enclosures mentioned can be identified with closes named in the 1842 enclosure award, and the impression received is that many of the closes existing in 1842 were already in existence by the time the demesne pasture dispute was resolved in 1611. If so then more enclosure must have taken place than the 100-odd acres permitted by the 1574 licence and 1611 Chancery decree, as in 1842 the old enclosures totalled 416 acres.³⁹ If most of those 416 acres were enclosed in the late sixteenth century, then any subsequent expansion of the area under grass must have been achieved by

³⁶ NCA 3917/40r, -/44r, -/49r, -/51r; 2712/gath. 4/fo.5.2, -/gath. 6/fo. 5.

³⁷ NCA 3918/8.

³⁸ NCA 3922/5.

³⁹ CBS PR 108/26/5(Enclosure Commissioners' calculations).

converting more strips to permanent grassland leys within the open field system, rather than taking the strips out of the open field system permanently as enclosures.⁴⁰

These fifteenth- and sixteenth-century enclosures occurred mostly in the arable furlongs adjacent to the village and the streamside meadows around the margins of the manor, leaving the greater parts of the open fields largely unchanged - a pattern which still existed in 1842 - see Figure 1.2. This pattern no doubt reflected the convenience of additional pastures behind the tenements, and the particular richness of the streamside meadows as sources of hay, but may also have been the result of a communal decision to permit private enclosures only in peripheral areas. The court rolls contain no hint of this, but the pleadings in a contemporary Star Chamber case concerning private enclosure at Loughton, just 6 miles to the north east, suggest a likely motive for such a policy, and indeed for the act of enclosure itself.

In 1619 John Farnell, a yeoman of Loughton, gave evidence in a dispute over the implementation of a private agreement for the enclosure of the township. He explained that Loughton's agriculture was entirely arable, but that there had always been insufficient pasture and meadow for the tenants' draught horses and dairy cattle, obliging them to buy in their hay and grass. However for the previous 40 years prices in the district where they had bought their feed had risen too high, and it had been agreed that the tenants could each enclose a part of his land "to be taken at the outside of the field or els adjoining to the towne there" - a phrase which describes almost exactly the pattern of enclosure seen in Great Horwood during almost exactly the same 40 year period.⁴¹

Once again the description of John Brickhill's virgate in 1596 can help give a picture of the progress of enclosure at the end of the study period. It referred to nine closes, which contained fifteen of his 117 pieces: three pieces of arable, eleven leys and two poles of meadow, together comprising perhaps 5 acres. Five of the closes were probably formed out of former meadow on the western and southern peripheries of the township, and four were in the central open fields a short way south of the village (but separate from it) - reflecting the general distribution of the closes in existence in 1842.

⁴⁰ By 1842 the remaining unenclosed open fields comprised 858 acres of arable and 296 acres of grass; CBS PR 108/26/5.

⁴¹ The Loughton dispute is described in M. Campbell, *The English Yeoman under Elizabeth and the Early Stuarts* (Yale, 1942), p 90.

One curious aspect of these closes is that every one of them is described as belonging to someone other than John Brickhill - in other words in every case his rood of arable or ley or pole of meadow formed only part of a larger close, the rest of which was owned by someone else, perhaps more than one person. This situation was not the result of subdivision of closes between brothers or other co-heirs - the closes were almost certainly only created less than twenty years previously and the court rolls do not contain any evidence that John Brickhill's land was not part of a virgate which had existed as an unfragmented entity for at least two hundred years. Clearly the closes had been created by neighbours combining to enclose their adjacent plots.

THE LANDSCAPE IN 1600

Figure 1.2 shows the township of Great Horwood in 1842, on the eve of its final enclosure by Act of Parliament in that year. It is based principally on the enclosure documentation, partly on the various enclosure maps. However those maps' primary purpose was to show the new landscape to be created in accordance with the enclosure award, not the old one, and use has also been made of the award's verbal descriptions of the pre-enclosure location and nature of each new parcel, and of two other larger-scale maps of 1812 and 1770.⁴² The strange thing is that Figure 2.1 is probably also a fairly good depiction of Great Horwood in about 1615. This can be asserted because it matches quite well with two estate maps of the northeast quarter of the township in 1612 and the Prior's Wood in 1654, and with an estate map of the manor of Salden's lands in the area in 1600,⁴³ and because many of the other landscape elements it depicts are mentioned in the court rolls and other documents from the decades around 1600 (including the fifteenth- and sixteenth-century bounds and 1611 Chancery decree mentioned in chapter 1). Some of the individual 1842 closes can even be recognised in these much earlier records. There were perhaps rather fewer of them in 1610, but not substantially so. And there may possibly have been fewer grass leys in 1610 than in 1842, but there were undoubtedly quite a number of them at that time. The main difference would probably be that most of the Great Common would have been woodland or wood pasture in 1615, rather than the open heath it was in 1842.⁴⁴

⁴² Based on the Enclosure Award, amplified by two other larger-scale maps of 1812 and 1770; CBS IR/39R, -/39B, -/39A (tithe award and maps); the Ordnance Survey One Inch 1812 series and Thomas Jefferys' 1770 map of Buckinghamshire.

⁴³ NCA 4507, 5672, CBS MaR/35.

⁴⁴ Most of it is shown as woodland on the 1612 estate map; NCA 4507.



Fig. 1.2 The township of Great Horwood in 1842, before enclosure.

The landscape in about 1615 would not have been much different.

GREAT HORWOOD AND THE AGRICULTURAL REVOLUTION

Enclosure has long been regarded as an important element of the Agricultural Revolution, the transformation of the British agricultural system which enabled the ever larger urban and industrial populations of the eighteenth and nineteenth centuries to be fed. What constituted the revolution, and when it took place, has been much debated. Early discussion tended to see it as exclusively a matter of increasing cereal output, and to assume that it was a uniform national phenomenon, perhaps varying regionally in its timing but involving the adoption of much the same package of agricultural improvements in all parts of Britain. More recently contributors to the debate such as Allen and Williamson have argued that the revolution took different forms in different regions, and that a large part of the increase in output which fed the increased population came from regional specialisation in the type of agriculture most suited to each region's soil and climate. Thus on the Midland clays the revolution consisted principally of the movement away from arable farming to pastoral husbandry; here 'the conversion of arable to grass was the "modernisation package" that increased efficiency.'⁴⁵

From the fact that Great Horwood was the last township in north Buckinghamshire to be fully enclosed (in 1842, by act of parliament) it might be supposed that it was an unwilling participant in the agricultural revolution, a community dragging its feet behind its more progressive neighbours. However, as we have just seen, in the late sixteenth century (and possibly much earlier, perhaps even in the fifteenth) the small open field peasant farmers of Great Horwood, far from being 'impervious to new methods',⁴⁶ were early starters in the conversion to grass which, in their region, was a major constituent of the revolution.

The reason for their late finish in 1842 seems to have been that their first flush of enthusiasm faded during the seventeenth century. Why that might have happened is beyond the scope of this study; the point is, however, that at the end of our period Great Horwood's agriculture was still at least two thirds an open field arable one. This raises the question whether the Great Horwood farmers were as innovatory in their arable husbandry. Were they, in the late sixteenth century, adopting other innovations commonly associated with the agricultural revolution, such as the new crop rotations, fodder crops, convertible husbandry or livestock breeds? Early writers on the revolution, from the period of parliamentary enclosure itself

⁴⁵ Allen, *Enclosure and the Yeoman*, p. 121, also p.15. See also Overton, *Agricultural Revolution*, p. 104-5, and Williamson, *Transformation*, pp. 158-163.

⁴⁶ Lord Ernle, *English Farming: Past and Present* (London, 1912), p. 199.

right through to the mid-twentieth century, regarded complete enclosure of the open fields as a prerequisite for most of these improvements, but from the 1960s it has been recognised that open field farmers were sometimes capable of implementing some, though not all, of the new methods.⁴⁷

AGRICULTURE IN THE FIFTEENTH AND SIXTEENTH CENTURIES

Earlier the state of agriculture in Great Horwood before the Black Death was described. What changes occurred between then and 1600? Given the changes known to have occurred elsewhere in the Midlands zone a reduction in the cropped area and an increase in pastoral husbandry might be expected – and we have seen that this happened. One might also predict greater proportions of wheat and barley (for bread and ale respectively) and less oats, rye and mixed grains, and a change of emphasis from sheep towards cattle, both reflecting changes in diet.⁴⁸ Some indication of technological advance might be looked for - an increasing predominance of horses over oxen in the plough teams, for example,⁴⁹ or the introduction of the new crop rotations and fodder crops associated with the agricultural revolution.

Some idea of the crops grown and livestock kept can be derived from fragmentary evidence such as heriots (which were sometimes paid in crops instead of animals)⁵⁰ and various other incidental references in both the court rolls and the reeve's accounts, such as lists of felons' or villeins' goods. In the sixteenth century these sources can be supplemented with information from bequests in wills.

Table 1.2 shows the crops paid as heriots between 1400 and 1600, and Table 1.3 the bequests of grain or standing crops made in sixteenth-century wills. Both sources are biased; only the tenant's most valuable crop would be taken as heriot, while there may have been some social preference for bequeathing the more valuable grains, or those more suitable for commercial

⁴⁷ The most recent, and most extensive, evidence for this has been stated by Allen, *Enclosure and the Yeoman*, pp. 15-17 and Part II; at pp. 12-13 he mentions earlier contributions.

⁴⁸ C. Dyer, *An Age of Transition? Economy and Society in the Later Middle Ages* (Oxford, 2005), p. 131.

⁴⁹ J. Langdon, *Horses, Oxen and Technological Innovation: the Use of Draught Animals in English Farming from 1066 to 1500* (Cambridge, 1986), pp. 206-12. By the end of the sixteenth century the clay lands of the midlands still retained some oxen, but some areas, such as Huntingdonshire, had converted entirely to horse-power – pp. 219, 256.

⁵⁰ The custom of the manor of Great Horwood provided that if a best beast was not available to be given as a heriot then the crop of the best half acre in the holding could be taken instead. Between 1400 and 1600 99 such heriots were paid, and for 81 of them the grain sown in the half acre was stated.

sale. However one thing is clear; the cultivation of drage (the barley/oats mix), formerly quite important in Great Horwood, had been largely abandoned by the early fifteenth century (it is referred to only once in any source after 1400, a heriot in 1434). Its place was taken by unmixed barley, which by the late sixteenth century seems to have been grown in roughly equal quantities with wheat. These changes reflected national changes in the pattern of consumption, which since the Black Death had seen a preference for wheaten bread, instead of rye or barley, and for ale brewed from barley alone instead of drage.⁵¹

	Wheat	Barley	Drage	Oats	Peas	Beans
1400-49	5	-	1	-	-	-
1450-99	13	7	-	1	1	1
1500-49	13	23	-	-	-	-
1550-99	14	2	-	-	-	-

Table 1.2: Heriots taken as the crop of the tenant's best half acre, 1400 - 1600.

	Wheat	Barley	Malt	Maslin	Peas	Beans	Unspecified grains
1530s	-	3	2	-	-	-	-
1540s	-	2	1	-	-	-	-
1550s	1	3	2	-	-	-	1
1560s	-	2	-	-	-	-	-
1570s	1	2	1	-	1	-	-
1580s	4	5	1	-	3	3	2
1590s	4	9	-	-	3	-	-
1600s	2	6	-	1	2	1	1
Total	12	32	6	1	9	4	4

Table 1.3: Bequests of grains or standing crops by Great Horwood testators 1530-1610.

The early fourteenth-century cultivation of drage had no doubt been partly for bread and partly for malting and brewing, but in the fifteenth and sixteenth centuries the barley was probably grown principally for malting – certainly malt is mentioned frequently in a variety of sources, and on the few occasions when the malted grain was specified (in the sixteenth

⁵¹ C. Dyer, *Everyday Life in Medieval England* (1994, London, 2000 edn.), pp. 77-99; *idem*, 'Did the peasants really starve in medieval England?', in M. Carlin and J.T. Rosenthal (eds.), *Food and Eating in Medieval Europe* (London, 1998), pp. 67-9; and J.A. Galloway, 'Driven by drink? Ale consumption and the agrarian economy of the London region, c.1300-1400', in Carlin and Rosenthal, *Food and Eating*, pp. 87-100.

century) it was always barley. After 1580, when statute required that lease rents be paid partly in kind, the College's leases always specified wheat and malt, in proportions varying between 1:1 and 2:1.⁵² The fifteenth-century change to barley may reflect increased involvement in production for the market, possibly in part for urban markets.⁵³

The will bequests also mention peas and beans. From other incidental references in the court rolls and reeve's accounts it is clear that these and oats were the only other crops regularly grown in Great Horwood during the fifteenth and sixteenth centuries, though the proportion of oats may have been much reduced. The inventories of three residents of neighbouring Little Horwood and Winslow who held land in Great Horwood all reveal wheat, barley and peas/beans, in broadly equal proportions, save that barley predominated slightly. One had mixed the wheat with rye (i.e. was growing maslin) and another was still growing oats as well as peas and beans.⁵⁴

Thus the crops cultivated in 1600 were the same as those grown in the 1320s, but the emphasis had changed. Drage had been replaced by unmixed barley, and the proportion of peas and beans had increased. From about 1580 onwards between a quarter and a third of crop bequests were peas and beans – surely grown as animal feed and reflecting an increasing emphasis on livestock, though by returning nitrogen to the soil they would also have improved arable yields, an advantage over the oats they were supplanting.⁵⁵

Some signs of technical innovation can be discerned in the matter of draught animals. Table 1.4 shows the number and types of animals taken as heriots between 1400 and 1600, and Table 1.5 of animals bequeathed in sixteenth century wills. It is probably safe to assume that all horses taken as heriots were draught animals. If the numbers of oxen taken as heriots is compared with those of horses it can be seen that both in absolute numbers and relative to the horses taken as heriots there was a falling off of oxen numbers during the fifteenth century, giving some credence to the supposition that Great Horwood was gradually moving towards all-horse teams. Similarly will bequests mentioning draught teams reflect a gradual change from oxen to horses, not yet complete at the end of the sixteenth century. In 1547 and 1559

⁵² NCA 1972/4,5; 1977/12; 9760/214. The bailiffs' accounts show that the grain was actually delivered to the College's bakery and brewery in Oxford.

⁵³ B.M.S. Campbell, 'Matching supply to demand: crop production and disposal by English demesnes in the century after the Black Death', *Journal of Economic History*, 57, no. 4 (1997), pp. 827-58, at p. 835.

⁵⁴ HALS A25/196 (Richard Edmondes of Winslow, 1556), A25/262 (George Williat of Little Horwood, yeoman, 1557), A25/175 (Robert Williat of Little Horwood, yeoman, 1560). No Great Horwood inventories have survived from before the late seventeenth century.

⁵⁵ Campbell, 'Matching supply to demand', pp. 837-8.

bequests of oxen in pairs suggest components of draught teams, but of four later wills (from 1559, 1597, 1602 and 1603) which explicitly bequeathed the testator’s whole plough team two specified that the team was composed entirely of horses and two left the animals unstated.⁵⁶

	Oxen	Bullocks	Cows, heifers	All Cattle	Horses	Sheep	Pigs	Total
1400-49	18	5	18	41	14	5	1	61
1450-99	7	7	16	30	12	2	-	44
1500-49	5	2	18	25	8	-	-	33
1550-99	7	2	26	35	9	1	-	45
Total	37	2	26	131	43	8	1	183

Table 1.4: Heriots taken as the tenant’s best animal, 1400 - 1600

	Oxen	Steers	Bullocks	Cows	Heifers	Calves	Horses	Foals	Sheep	Pigs
1530s	-	-	2	2+	1	-	1	-	42+	-
1540s	4	-	8	4+	11	3	-	-	-	1
1550s	-	5	-	6	3	9	2+	2	98+	-
1560s	-	-	1	1	1	1	1	-	12+	-
1570s	2	-	1	-	-	1	2+	1	16+	-
1580s	1	-	1	10	4	-	1	1	90+	6
1590s	2	-	9	20+	7	10	11+	2+	14	2
1600s	-	2	9	4	11	2	4+	7	40+	1
Total	9	7	31	47+	38	26	22+	13+	312+	10

Table 1.5: Animals bequeathed by Great Horwood testators, 1530-1610.

Bequests which did not specify the number of animals (such as ‘all my kine’) have been counted as 2+.

As for non-working livestock, the available evidence cannot prove an increase in pastoralism since the 1320s nor an increase in the proportion of cattle against sheep, as absolute numbers

⁵⁶ CBS We/6/333, Thomas Odill (“two couple of oxen”); We/11/309, William Harris, husbandman (“to each a pair of steers”); Wf/4/126, Robert Fynell (“my whole team cart and cart gear plough and plough gear”); Wf/13/331, John Varney als Crosse, husbandman (“my team of horses, my carts, ploughs and furniture thereto belonging”); We/22/200, John Foskett, yeoman (“my team and all my ploughs and carts with their furniture”); We/23/57, John Surreye (“my team wholly, viz horses mares carts ploughs ploughtimber harrows rollers harness and all other things that belong to the team”).

are not available for either period. However the bequests do suggest some increase in the ratio of cattle to sheep as the sixteenth century progressed, while the numbers of cows and heifers taken as heriots throughout both centuries is interesting, particularly the steep rise in the second half of the sixteenth century. One would suppose that a tenant whose best beast was a cow or heifer had no plough beasts, and therefore presumably was not farming any arable land - in other words, was either underletting his arable to concentrate on livestock or was a landless cottager. However there is no such correlation – the tenants who gave cows or heifers were almost exclusively tenants of at least a half or full virgate and resident in Great Horwood, so not likely to have been underletting their land.

CONCLUSION

Between the Black Death and the start of the seventeenth century Great Horwood's agriculture and its associated landscape changed from a classic type of medieval open-field farming to a more mixed form of farming with a much greater emphasis on pastoral husbandry. This involved the conversion of up to a third of the arable to grass and the creation of many small closes in and adjacent to the meadows and was achieved by the peasant tenants themselves, through a process of small-scale piecemeal change. The greater part of the conversion took place in the decades after 1570, but there is reason to think that it began in the second half of the fifteenth century. Some of the direct evidence has been discussed above, but more will be found in subsequent chapters – for example the conversion of barns to dwellings in the late fifteenth and sixteenth centuries may point not only to increased population pressure but also reduced grain production (chapter 3), and greater numbers of butchers in the late fifteenth century must indicate increasing pastoral farming from that time (chapter 4, page 98).

There are signs that the changes resulted in a more commercial market-influenced agriculture. This can be seen in the changing crops – the disappearance of drage and lessening importance of oats, the concentration on wheat and unmixed barley, much of the latter malted for brewing – and in the increased pastoralism. There is little direct evidence for the precise nature of the latter, whether it involved cattle or sheep, rearing or fattening, whether for meat or dairy (or wool) but such as there is points to cattle, probably being fattened. This may have been partly for the London market - though northern Buckinghamshire was just outside London's grain-supplying hinterland, it was certainly within the region supplying livestock and on one of the

main drove routes to the city from the west and north west.⁵⁷ In the late fifteenth century graziers in the region around Stony Stratford and Newport Pagnell were fattening livestock for the London market, and Great Horwood may have been involved in this trade⁵⁸ – the first two resident butchers to appear in the court rolls, from 1465 onwards, were from a family (the Foscoates) associated with Bradwell, just outside Stony Stratford.

The period also saw some technological advances – the greater emphasis on legumes would have improved the arable yields as well as fed the increased numbers of livestock and by 1600 at least some of the farms had changed to all-horse traction.

⁵⁷ Great Horwood, too far from any river or port and not close enough for economical transport by wagon, was never within London's grain-supply hinterland, but livestock, with their low transport costs overland, were purchased in a much larger region; B.M.S. Campbell, J.A. Galloway, D. Keene, M. Murphy, *A Medieval Capital and its Grain Supply: Agrarian Production and Distribution in the London Region c1300*, Historical Geography Research Series 30 (1993), pp. 60-3, esp. Fig. 7, pp. 123-5; D.L. Farmer, 'Marketing the produce of the countryside 1200-1500', *AHEW III*, pp. 324-450, at pp. 381-93; P.E. Jones, *The Butchers of London: a History of the Worshipful Company of Butchers of the City of London* (London, 1976), p. 99.

⁵⁸ Personal communication by Professor Derek Keene. For an example of a mid-sixteenth-century Warwickshire butcher-grazier selling cattle in Buckingham and Winslow, see N.W. Alcock, *Warwickshire Grazer and London Skinner, 1532-55: the Account Book of Peter Temple and Thomas Heritage* Records of Economic and Social History, N.S. (Oxford, 1981), pp. 40-5, 52, 59.

Ch. 2 THE DISTRIBUTION OF LAND

This chapter considers the structure of landholding in Great Horwood - by which is meant the size of the units in which the land was held and their distribution among the population - and how that structure changed during the period of this study. It will do this by comparing a number of lists of the manors' tenants and their holdings (derived from extents and rentals and from land ownership information contained in the court rolls) at various dates throughout that period.¹ It will be shown that the landholding structure remained unusually stable throughout the late medieval period and beyond, right up until the last three decades of the sixteenth century.

The landholdings under consideration in this chapter are those held directly from the manor - the tenancies recorded in the manorial rentals, surveys and court rolls. The possibility that large-scale unrecorded subletting produced a different structure of land *occupation* is left for discussion in chapter 4.

BACKGROUND

In the thirteenth century most manors were divided between the lord's demesne land, kept in his hands and farmed directly by his servants for his own profit, and tenanted land, occupied and farmed by his tenants. The tenants held by a variety of tenures, chiefly in villeinage but also by one of several forms of freehold tenure, and perhaps by lease. During the later fourteenth and early fifteenth centuries most demesnes passed into the tenanted sector, often as a single unit but sometimes broken up into smaller ones, usually held on leases but occasionally by villein tenure (which gradually changed its nature between c1350 and c1550, eventually becoming copyhold tenure).

In nearly all regions of England the earliest evidence we have for the structure of rural land holding among the manorial tenants - usually early extents and surveys from the late thirteenth century - reveals either a structure based on virgates and fractions of virgates, or one which had previously been based on such a virgated system. Sometimes other terms are used - bovates in the north, eruvings in some Norfolk manors, yokes in Kent, for example -

¹ This chapter is based in part on a paper given at the Economic History Society's Conference on 8 April 2005. I am grateful for the comments I received from the audience.

but the underlying principle is usually the same: that the land was or had once been divided into holdings of a standard size (or fractions and multiples of that standard size), which were usually distributed fairly equally - generally one per tenant.

The Midlands are usually characterised as having retained a regular tenemented structure based on virgates and fractions of virgates much later than other regions, particularly East Anglia. In Norfolk standard-sized holdings had mostly disappeared by the end of the thirteenth century and been replaced by a landholding structure featuring wide diversity of holding sizes and considerable inequality of distribution. In the Midlands, however, the pattern of standard-sized virgated holdings distributed fairly equally among the population was still prevalent at the beginning of the fourteenth century, and it was only after 1350 that substantial inequalities in land holding began to appear. Over the next two centuries the regular virgate-based landholding units began to be broken up, and some individuals accumulated multiple holdings, so that eventually the old symmetry of landholding was destroyed.² However the pace of change varied considerably, from region to region and even from manor to manor, in response to variable local factors, and in some areas the virgated structure continued in vigour until well into the seventeenth century, and even later.

METHOD

It is not often possible to study the break-up process in detail. The land distribution structure in a manor in a given year is usually ascertained through a list of tenants and landholdings contained in an extent, survey or rental, but to study changes in the structure over time at least two such documents are needed, preferably more. These are not always available, and anyway give only a limited view of the process of change. Records of this sort are available for Great Horwood, but not from the period of this study; they provide data for 1280 (the Hundred Rolls), 1320 (the manorial extent), about 1390 (the updated version of the extent) and 1610 (the rental),³ but leave the entire fifteenth and sixteenth centuries uncovered. To

² For East Anglia, see for example J. Williamson, 'Norfolk: Thirteenth Century', in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 30-105, and J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440-1580* (Oxford, 2000), pp. 179-196. For examples in the Midlands, see C. Dyer, *Warwickshire Farming 1349 - c1520: Preparations for Agricultural Revolution*, Dugdale Society Occasional Paper (1981), pp. 5-8, or A. Jones, 'Bedfordshire: Fifteenth Century', in *Peasant Land Market*, pp. 178-251. Barbara Harvey's study of Westminster Abbey's manors, mostly in south-central England, found diversity of holding structure came earlier in the more urbanised manors; B. Harvey, *Westminster Abbey and its Estates in the Middle Ages* (Oxford, 1977), pp. 206-8, 286-7. For a recent overview of the extensive literature on the subject, see P.R. Schofield, *Peasant and Community in Medieval England* (Basingstoke, 2003), pp. 22-26.

³ These four sources are described in the Introduction, at pp. 12-13.

plug this gap a different method has been used - analysis of the land-related entries in the court rolls, which have survived in a nearly complete sequence for the entire period, to create tenant lists for dates at regular intervals throughout the period between 1390 and 1610.

The court rolls contain a large number of entries relating to individual holdings - principally recording surrenders, grants and other dealings with them. To create the necessary data on landholding structure these entries were extracted and strung together to create ownership histories for each holding (what Paul Harvey has termed 'a kind of tenurial prosopography')⁴. Once these tenurial histories had been created for all the holdings throughout the fifteenth and sixteenth centuries cross-sections could be taken across them to produce lists of tenants and their holdings in any given year – *ersatz* extents.

At least that was the theory - in practice the lack of a certain number of land transfers from the occasional gaps in the rolls created some difficulties, as did the frequent failure of the rolls to identify holdings sufficiently clearly and various other vagaries of the medieval stewards and their clerks. However careful analysis of the entries and other categories of information in the rolls and in other supplementary sources, such as accounts and (in the sixteenth century) wills, often made it possible to identify the holding dealt with by a confused or excessively terse entry or determine the approximate date at which a holding must have changed hands, or suggested that two otherwise unconnectable tenurial histories must relate successively to the same holding.

Freeholds present a special difficulty, as the court was less assiduous in recording changes of ownership of free holdings. However collating every scrap of ownership obtainable from other sources (particularly an unfinished extent of 1477, abandoned after just the free holdings had been listed,⁵ and the sixteenth-century court's habit of occasionally listing the free suitors) enabled reasonably reliable ownership chains to be worked out even for these.

After much painstaking cross-referencing of this sort it was possible to produce ownership histories linking the 1390 Extent and 1610 Rental for all the major holdings in the manor.⁶ A

⁴ P.D.A. Harvey, in *Peasant Land Market*, p. 3.

⁵ NCA 5032, f. 89.

⁶ By major holdings is meant all holdings containing farmland. A few holdings consisting only of a single village toft or croft were excluded. These were the sites of abandoned dwellings, some of which began to be treated as separate landholding units during the fifteenth century. Their precise use is uncertain – most probably became pasture, orchards or gardens, or were incorporated into the curtilage of an adjacent dwelling. They are unlikely to have been more than a quarter of an acre – insignificant in the context of 36 acre virgates (C. Dyer,

few of these histories consist of two or more shorter chains connected together on no firmer basis than the fact that the earlier ends and the later begins at roughly the same time – but this does not affect their use in determining the distribution of landholdings, since uncertainty as to whether, for example, the virgate which William Buryman held in 1480 was the one which had been held by William Payne in 1460 does not alter the fact that in 1460 and 1480 each of them held only one virgate.

It had been hoped that the 1610 Rental would resolve many of these difficulties. For each holding it provides a list of previous tenants, usually going back to the mid- or early sixteenth century, but occasionally much further, even in a couple of cases right back to the late fourteenth century. It was assumed that these lists were compiled from sources of information not available to the modern researcher (from now-lost rentals, or local knowledge and memory), and that they would bridge some of the gaps for which the court roll information is inadequate. However this turned out seldom to be the case – the rental's ownership chains often began at the very gaps which it was hoped they would cure, and the long ones were those which can be worked out from the court rolls alone (no doubt reflecting the fact that in 1610 the lord was suing the tenants and complaining that they were concealing tenurial information from him – the court rolls must have been the only source available). In the end the rental's chains were useful in resolving some late-sixteenth-century gaps (when living memory had presumably played a part) but in other cases the power of a computer database made it possible to solve some problems which had defeated the age of quill and parchment. Nevertheless it is a strange experience to realise that one's own project was duplicated four centuries earlier by a Jacobean clerk.

The results can be found in Tables 2.1 and 2.4 and the Figures following them, which show the landholding structure of the manor of Great Horwood in 1280, 1320 and at twenty or thirty year intervals from 1390 to 1610. The two tables illustrate the progress in Great Horwood of the two processes by which the original virgate-based landholding structures were broken up - (i) fragmentation of the original landholding units and (ii) accumulation of multiple holdings in the hands of wealthy peasants. It can be seen that neither process had a great effect on Great Horwood until the very end of the period of the study, and even then it is only fragmentation which can be observed – at the beginning of the seventeenth century large

Everyday Life in Medieval England (1994; London, 2000), p. 118). The manor always had a number of cottage tenements, but these tenements never included any land (except after 1570, when a class of cottagers holding two or three acres appeared) – they are discussed in the next chapter.

accumulations of holdings were still not a feature of the land distribution structure in Great Horwood.

TENURIAL STRUCTURE OF THE MANOR OF GREAT HORWOOD

As has been said, the manor of Great Horwood was not co-terminous with the parish of the same name – the hamlet of Singleborough constituted a separate manor and township with its own field system – and was not even the same area as the township of Great Horwood, within which there was a separate manorial unit called the Berner or Bradwell Fee. From the 1279-80 Hundred Rolls we know that this fee comprised just four yardlands (two in demesne and two held by free and villein tenants) whose messuages, probably four or five in number, would have been located in the village of Great Horwood and whose strips must have been scattered amongst those of the main manors' tenants in the open fields. Almost no records survive from this fee so it is excluded from the calculations which follow, but it should be borne in mind that at any time tenants of the main manor may have held all or part of its four virgates – so this exclusion may (unavoidably) distort the landholding data discussed below.

Several undated manorial bounds, which from internal evidence appear to date from the mid-fifteenth to early sixteenth centuries,⁷ contain statements that the manor of Great Horwood contained thirty six yardlands, possibly in addition to the demesne (equal to about another 6 yardlands - though from 1320 until the mid-sixteenth century the demesne was divided among the customary tenants, making each yardland a little bigger). This information is corroborated by the several thirteenth-, fourteenth- and sixteenth-century tenant lists mentioned above, and by the analysis of court roll entries, which all reveal about thirty four to thirty six yardlands, sometimes plus a demesne.

From the 1280 Hundred Rolls and a 1320 Extent of the manor of Great Horwood (interpreted in the light of later records) we know that at the beginning of the fourteenth century the manor was divided tenurially into a fairly small demesne of some 200 acres (equivalent to about six virgates), thirty six tenanted virgates, usually approximately six free and thirty customary, and a number of landless cottage holdings. However the demesne disappeared in 1320, when it was leased to the customary tenants collectively, who seem to have divided it up among themselves, making every virgates a little larger (probably by about 7 acres each,

⁷ NCA 4505 (3rd document), 4506 (1st and 4th documents).

though at some point a large part of it was converted into a common pasture called Stocking). It partially reappeared in the late sixteenth century, when the tenants reluctantly disgorged part of it. Consequently the land available for distribution among the tenants of the manor throughout the period of this study was the thirty six free and customary virgates.

There were two holdings in the manor which were never available (except by underlease) to the ordinary inhabitants, and whether they counted among the thirty six virgates is unclear. First, there was the rector's glebe. From eighteenth- and nineteenth-century records this appears to have been just half a virgate,⁸ though at some point, probably in the late fifteenth or early sixteenth centuries, one of the customary half yardlands began to be leased to the rector, initially on a series of ten or twenty year leases. By the eighteenth century it had been held by the rector for so long that its strips could no longer be distinguished from those of the original freehold glebe.

Second there was a shadowy holding of unknown size which was appurtenant to the manor of Salden, a few miles to the east in the parish of Mursley. From about 1350 until 1440 the manor of Salden was held by a succession of queens and royal countesses and duchesses as part of their jointure or dower lands, and then for the rest of the fifteenth century by the knightly families of Whittingham, Montgomery and Verney.⁹ It has proved impossible to determine the size or nature of the Salden lands in Great Horwood – their lords' high social status no doubt prevented the manor exercising normal control over them – and to make matters worse the manor of Salden seems to have parted with the Great Horwood lands at the beginning of the sixteenth century. What became of them after that is impossible to say; they probably ended up as part of the holdings of the Pigot or Williat families, both of Little Horwood,¹⁰ or may have been acquired by New College and granted out on lease. It is probable that they were not large – in fact since the court roll landholding data usually only adds up to thirty five virgates, it may be that the thirty-sixth one was the glebe half-virgate plus the manor of Salden's lands.

⁸ CBS PR 108/3/1 and -/2 (1724 and 1831 glebe terriers); G. Lipscomb, *The History and Antiquities of the County of Buckingham* (London, 1847), iii, p. 385.

⁹ *VCH Bucks*, iii, p. 402; *CPR 1408-13*, p. 438; *Calendar of Charter Rolls 1341-1417*, p. 483; *CPR 1446-52*, p. 376; *CPR 1461-7*, p. 121; *CPR 1494-1509*, p. 257.

¹⁰ The Pigots, villeins in Little Horwood since the early fourteenth century, by the middle of the fifteenth century had risen to gentry status and begun to acquire manors, in Whaddon and elsewhere. A branch remained in Little Horwood until the seventeenth century. The Williat family held a virgate in Great Horwood in the second half of the fifteenth century but moved to Little Horwood, where they prospered and multiplied. Yeomen in the sixteenth century, they were gentlemen by its end. Both families held land in Great Horwood.

FRAGMENTATION OF THE ANCIENT VIRGATE-BASED LANDHOLDINGS

For most of the study period the degree of fragmentation was negligible (see Table 2.1 and Figs. 2.1 and 2.2). In 1570 nearly all of the land was still held by the same ancient virgate and half-virgate units as appear in the 1279-80 Hundred Rolls. Most of the changes that did occur took place at the extreme beginning and end of the period. In 1280 most of the land was held in one virgate units – between then and 1320 half of the full virgate holdings were split into half virgates. This was of course a period when population pressure was causing the old standard holdings to be subdivided in many manors. However there was no similar

	1280	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
<u>Freehold</u>													
1 virg.		5	7	7	5	5	5	5	3	3	3	3	3
¾ virg.		1	1	1	1	1	1	1	1	1	1	1	1
½ virg.	7			1	1	1	1	1	1	1	1	1	1
¼ virg.	2	1	1										
under ¼ v.	1	4	4	c3	c3	c3	c3	c3	c3	c3	c3	c5	7
<i>Total holdings</i>	10	11	13	c12	c10	c10	c10	c10	c8	c8	c8	9	12
<i>(Total virgates)</i>	(4 v.)	(6¼ v.)	(8¼ v.)	(8¼ v.)	(6½ v.)	(6½ v.)	(6½ v.)	(6½ v.)	(4½ v.)	(4½ v.)	(4½ v.)	(4½ v.)	(4¼ v.)
<u>Leasehold</u>													
2 virgs.									1	1	1	1	1
<u>Customary</u>													
1 virg.	29	16	14	16	18	20	19	20	19	19	18	15	14
¾ virg.							1	1	1	1	1	2	2
½ virg.	3	25	25	21	21	17	17	15	17	17	17	21	18
¼ virg.							1	1	1	2	4	5	9
under ¼ v.	1							1	1		2	23	60
10a. (⅓v.)	8											1	1
<i>Total holdings</i>	41	41	39	37	39	37	38	38	39	39	43	66	102
<i>(Total virgates)</i>	(30½ v.)	(28½ v.)	(26½ v.)	(26½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)	(28½ v.)
<u>All categories</u>													
<i>Total holdings</i>	51	52	52	c51	c49	c48	c48	c48	c49	c49	c53	c77	112
<i>(Total virgates)</i>	(34½ v.)	(34¾ v.)	(34¾ v.)	(34¾ v.)	(35 v.)	(35 v.)	(35 v.)	(35 v.)	(35 v.)	(35 v.)	(35 v.)	(35 v.)	(34¾ v.)

Tab. 2.1. Fragmentation? The basic landholding units by which land was tenanted in the manor of Great Horwood, 1280 - 1610.

Note: the holdings shown here are the basic tenurial units by which the land was held, not the accumulations of such units held by each tenant (for that, see Tab. 2.2).

Landholding units consisting only of dwellings without farmland or small tofts and crofts within the village have been excluded (see fn. 6).

increase in the number of holdings smaller than a half virgate, as often occurred elsewhere. In fact the opposite happened; the smallest holdings disappeared. The disappearance of the eight 10 acre holdings is difficult to explain.¹¹ It may be that they were parts of the demesne which were surplus to the lord's requirements and had been granted out. From 1320 the entire demesne was leased to all the customary tenants jointly (the 1320 Extent was no doubt created in preparation for that), so it is quite possible that such a sweeping change had been preceded by a more tentative policy of letting out small parts (presumably by customary tenure, as the Hundred Roll lists them among the other villein holdings). They may not have been mentioned in the 1320 Extent because their tenancies had expired or were to be terminated and subsumed in the lease of the entire demesne to all the tenants.

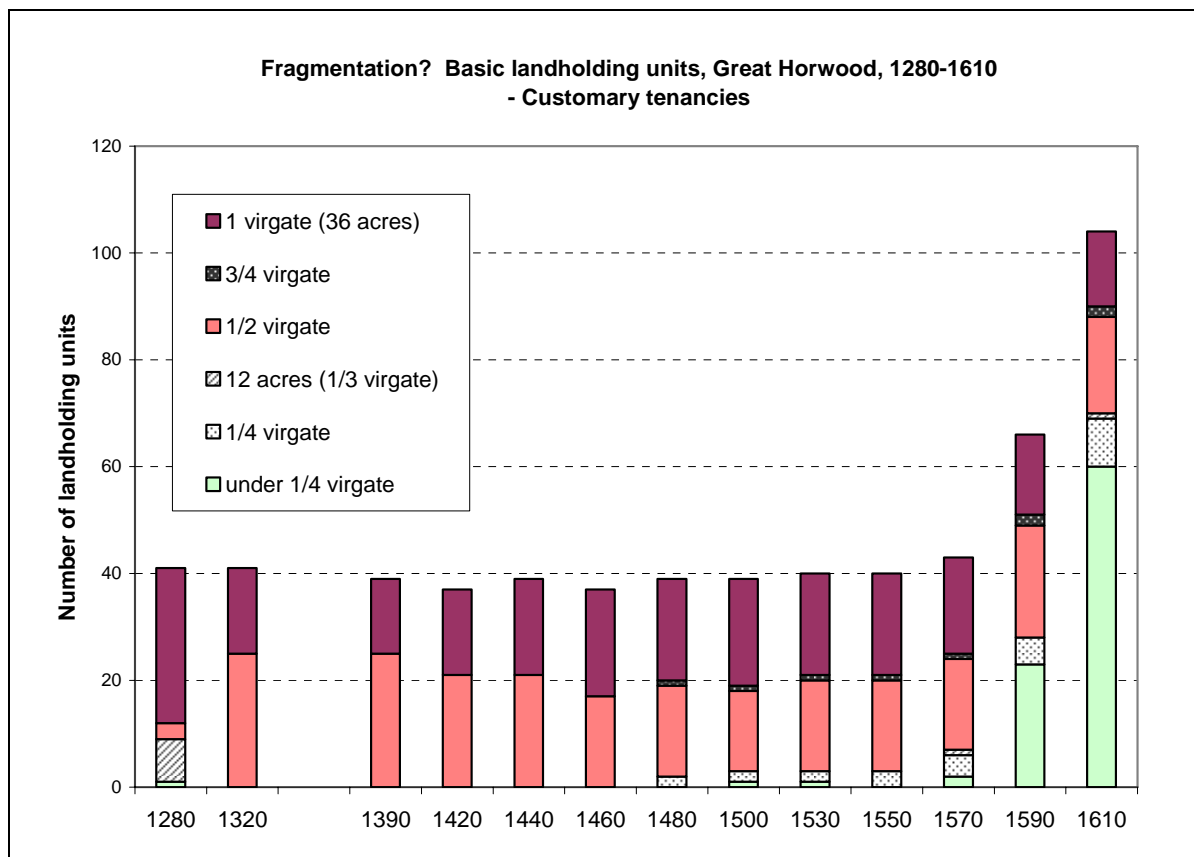


Fig. 2.1. Fragmentation? The basic landholding units by which customary land was tenanted in the manor of Great Horwood, 1280 - 1610. (After 1500 2 virgates were held by lease)

Throughout the next 250 years the tenemental structure hardly changed. A few half virgates were combined into full virgates, one or two of the latter were divided in half, two quarter

¹¹ A virgate in Great Horwood was 30 customary acres (equal to 35.7 modern statutory ones) so these were each a third of a virgate. In the same period the free holdings mostly increased from half virgates to full ones, but it is difficult to see how that change could be connected to the disappearance of the customary 1/3 virgates.

virgates were created,¹² but apart from the creation of a number of tofts and closes out of former message sites, almost no smaller units appeared until after 1570. Change finally came then, however. Previously there had always been roughly forty landholding units, but by 1610 this number had shot up to 102. The 1610 Rental shows twenty seven of the old virgates and half virgates still substantially unaltered, but another six now existed only in a shrunken form, and three more had been broken up into small parcels and disappeared completely. Further, a spate of sales of small parcels from nearly every ancient holding had created sixty new units, all less than a quarter virgate and nearly all under 3 acres. Many of them were held by the tenants of the old holdings, but they were listed in the Rental as distinct units, each with its own rent. Others were held by the tenants of cottages, who now for the first time held small parcels of farmland in addition to their dwellings.

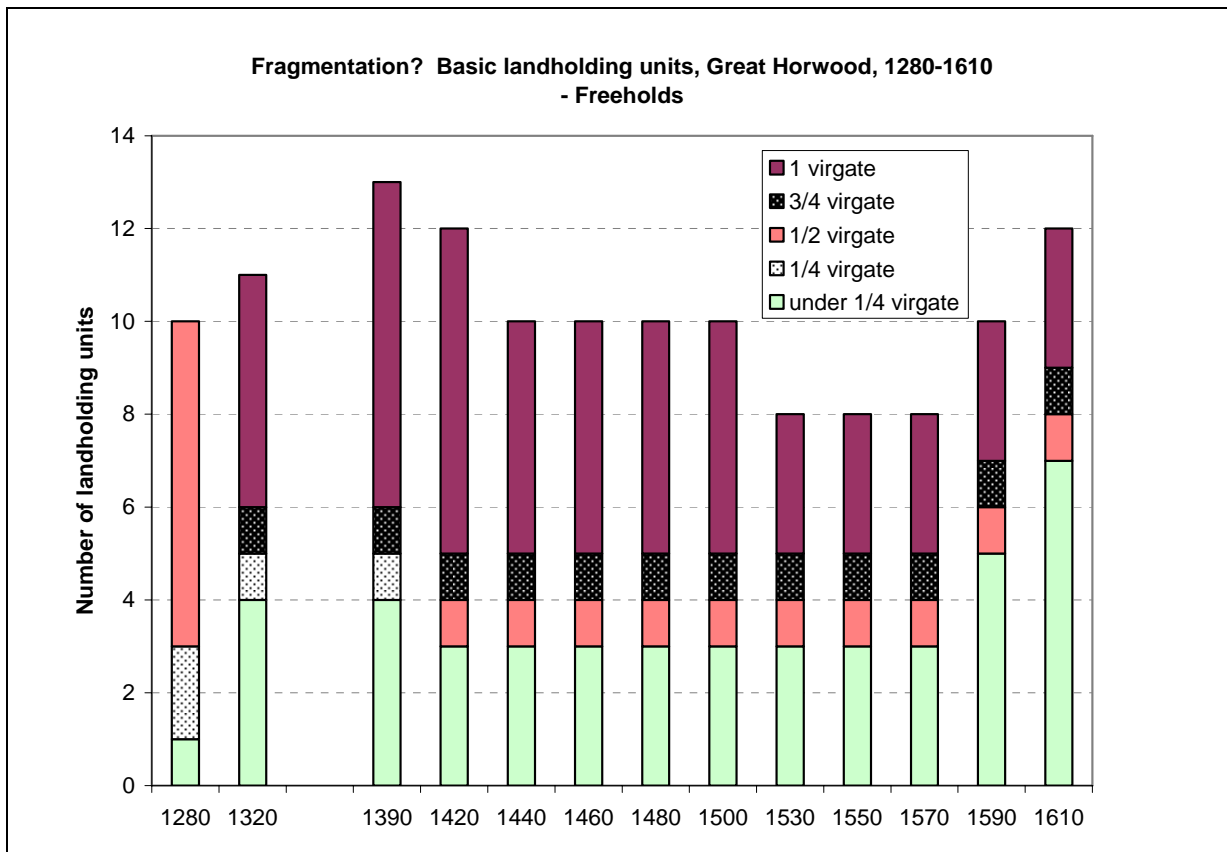


Fig. 2.2. Fragmentation? The basic landholding units by which freehold land was tenanted in the manor of Great Horwood, 1280 - 1610.

¹² One was created by the division of a full virgate into a $\frac{3}{4}$ virgate and a $\frac{1}{4}$ virgate. The fact that for more than a century afterwards the smaller unit's name was the Brokenlands hints at how unusual it was to break up a virgate in this way. That the larger part was known as Bastards Lands until well into the seventeenth century might also be taken as an expression of communal disapproval of virgate-breaking, but the name actually derived from a former tenant, one Roger Bastard (though as he only held it for 3 years in the 1470s the continued use of his name to describe the holding a century and a half later looks like a communal joke).

The point at which fragmentation finally began to affect the Great Horwood holdings can be pinpointed precisely, to a manor court held on 16 September 1574, when the lord gave licence for every tenant to create enclosures out of his strips in the open fields in the ratio of one acre for every virgate held.¹³ In order to create a close of a useful size in the right place most tenants had to buy or exchange a strip or two, and a flurry of transfers of very small parcels followed. It might have ended once the closes had been created, but it did not; the floodgates had been opened and a steady flow of transfers of small parcels carved out of the old holdings ensued - suggesting that the creation of the closes was only the trigger, not the underlying cause, of the new policy.

Curiously the free holdings, which elsewhere were often the first to fragment (weaker manorial control over free tenants often meant lords who prevented subdivision of customary holdings were powerless to prevent it in free holdings), appear to have been more stable in Great Horwood. There is some uncertainty as to what happened between the 1279-80 Hundred Rolls and the 1320 Extent (some of the free holdings apparently doubled in size, from a half virgate to a full virgate, but since the rents remained the same it seems likely that this was just a terminological change, or even the correction of a scribal error in the Hundred Rolls), but as far as can be determined all the free holdings listed in the 1320 Extent survived intact until the 1610 Rental. The latter reveals two holdings which had begun to fragment (though still largely intact), but otherwise most of the ancient one virgate holdings were still unfragmented. The sole exception was a quarter virgate holding which had already broken up into four smaller units in 1320, three of which cannot subsequently be identified in the court rolls and may have been absorbed into other holdings.

Many peasants must from time to time have wished to sell or buy part of one of the ancient holdings, and the possibility that fragments were bought and sold before 1570 but just not recorded in the court rolls must be considered. However it must also be improbable – the tenurial complications would have been considerable and there is no hint in the rolls that anything like this was going on. It cannot be the case that opposition by the lord forced a market in parcels underground as the free holdings, whose fragmentation he could not have prevented, also continued intact. As will be seen in chapter 4, the answer is probably that there was a lively but invisible market in underleases of parts of holdings.

¹³ NCA 3922/5r. The creation of the closes was discussed in more detail in chapter 1.

	1280	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
<u>Accumulated holdings</u>													
3¼ virg.									1				
3 v.			1	1	1		1	2	1	2	1	1	
2 v.	2		3	1	2	2	4	5	5	4	6	4	4
1 v.	25	21	17	25	23	24	18	14	11	16	15	17	19
½ v.	10	26	14	8	8	10	7	7	9	3	7	8	6
⅓ v. (10a.)	8												
¼ v.	2	1			1	1	1	1	1	3	3	4	9
under ¼ v.	2	1	4	c3	c2	c2	c2	c2	c2	c3	c4	14	20
<i>Total</i>	49	49	39	c38	c37	c39	c33	c31	c30	c31	c36	c48	58
<u>Breakdown of tenants</u>													
Freehold	10	9	c8	c9	c9	c9	c9	c9	c7	c7	c7	c7	9
Leasehold									1	1	1	1	1
Customary	41	41	33	32	30	32	28	26	24	21	26	41	53
<i>Total</i> ¹⁴	61	49	35	35	35	36	31	28	28	28	33	47	59
Number of basic landholding units (from Tab. 2.1)	51	52	52	c51	c49	c48	c48	c48	c49	c49	c53	c77	122

Tab. 2.2. Accumulation? The total holdings of tenants of the manor of Great Horwood, 1280 - 1610.

Showing the aggregate size of all the basic landholding units held by each tenant.

In the 1, 2 and 3 virgate categories, ¾ virgates have been rounded up and ½ virgates down, so that for example the 2 virgate category comprises all accumulations between (and including) 1¾ virgate and 2½ virgates.

ACCUMULATION OF THE ANCIENT LANDHOLDINGS

This continuation of the old virgated units into the early modern period was not particularly uncommon in the Midlands – examples can be found in many parishes.¹⁵ What *was* unusual about Great Horwood's landholding structure was the absence of the larger accumulations of these units which commonly appeared elsewhere during the fifteenth and sixteenth centuries.¹⁶ As Table 2.2 and Figure 2.3 show, a certain amount of accumulation did occur, but no tenant ever held more than three or four virgates, and such large accumulations seldom survived longer than a single generation - all were eventually broken up again, either by sale or distribution among the accumulator's children. In the late fifteenth century some aggregations did pass on to the next generation intact and the tentative beginnings of a

¹⁴ Some freeholders also held customary land, so the total number of tenants is sometimes less than the sum of the three types of tenants.

¹⁵ Some north Buckinghamshire enclosure acts were still measuring the area affected in yardlands as late as 1797; W.E. Tate, *A Hand-list of Buckinghamshire Enclosure Acts and Awards* (Aylesbury, 1946), pp. 33, 35.

¹⁶ See, for example, the various instances given in Harvey, *Peasant Land Market*, p. 340-3.

process of engrossment might be discerned, but the process was soon halted, and even partly reversed – in the middle third of the sixteenth century the largest accumulations were all broken up and the average holding size fell again.

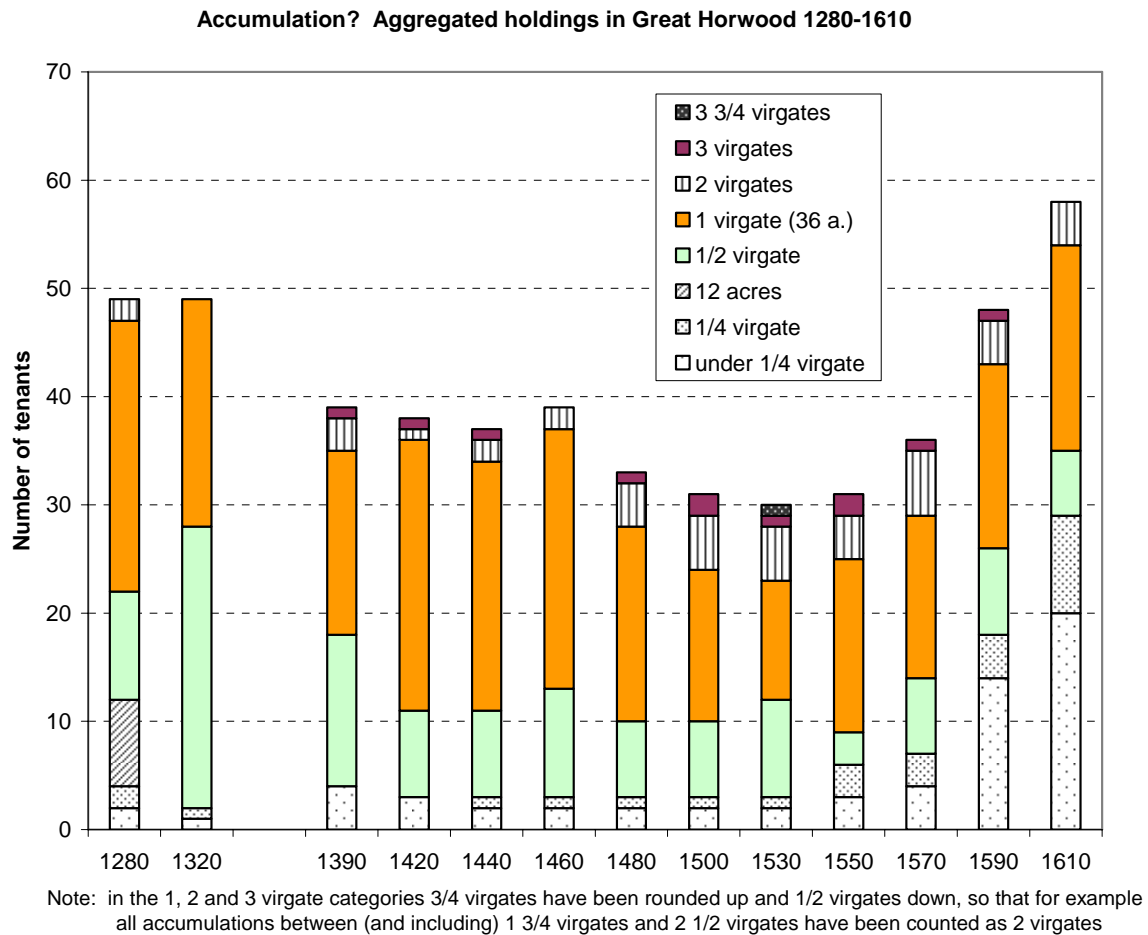


Fig. 2.3. Accumulation? The total holdings of tenants of the manor of Great Horwood, 1280 - 1610.

Such accumulation as did occur seldom resulted in the constituent units merging into larger units. Although four pairs of half virgates became merged into full virgates in the early fifteenth century, another pair, which had been held together continuously since before 1390, were still being described in 1610 as ‘two half virgates held in the name of one virgate’. Full virgates were never merged into larger units; even when they had been held together for many years they were always referred to as distinct virgates, and could later be separated once again - a remarkable thing when it is considered that each virgate might consist of up to a hundred or more separate strips scattered across the three open fields. These virgates and half virgates were not mere units of account; they had distinct existences, identified even after years of

common ownership with other holdings by the name of some former owner or the messuage they were appurtenant to. When John Foscot made his will in 1545, having held four messuages and three and a half virgates for between twenty and forty years, he was able to leave each of four relations a specified house 'with the lands thereunto belonging', and each duly received his messuage and its anciently associated virgate or half virgate at the next manor court.¹⁷

Thus by 1610, while fragmentation had become part of the landholding structure in Great Horwood, large aggregations of holdings had not. Few tenants had accumulated more than two virgates though, as will be seen in chapter 4, some had more land in neighbouring manors. On the other hand, as will also be seen, several of the wealthier families were not resident in Great Horwood, so that the *resident* tenants had even smaller holdings than is apparent from Table 2.2 and Figure 2.3. But if few tenants, especially ones resident in Great Horwood, had large holdings, neither did many hold less than a half virgate, until the last decades of the sixteenth century, when cottagers with a few acres began to appear. At the end of that century Great Horwood was still a relatively equal community, its resident tenants apparently composed almost exclusively of husbandmen.¹⁸ Why had it not followed other similar places in becoming steadily more stratified over the previous two centuries?

CONCLUSIONS

Lordship does not seem to have been relevant - there is no indication in the court rolls that any of the manor's successive lords had any ideological opposition to accumulation (or even subdivision) of holdings. What may have been significant is the favourable conditions under which customary land was held in Great Horwood (discussed in more detail in chapter 5). Before one tenant can accumulate holdings other tenants must give them up - yet the unusually favourable terms on which the Great Horwood tenants held their land may have both limited cases of financial failure among them, and strengthened their determination to keep what they had.

¹⁷ CBS D/A/We/5/127; NCA 3920/3.

¹⁸ Before 1597 no resident tenant called himself yeoman in his will, though one (John Foscode, died 1545) had been accorded that title during his lifetime in two deeds (NCA 9791/349, -/357). There was no resident gentry family until the seventeenth century, nor a demesne, that having been leased to the tenants collectively in 1320 and shared out among their holdings, though New College managed to recover part of it at the end of the sixteenth century (see chapter 6). Great Horwood's social structure is discussed in more detail in chapter 4.

As far back as 1279 they were better off than the tenants in many other parts of the Midlands. As Kosminsky showed in his analysis of the Hundred Rolls, few southeast Midland villeins were lucky enough to hold a full virgate, in Buckinghamshire only 19% of them, yet in Great Horwood 70% of the customary tenants with farmland had a full virgate.¹⁹ In the 1320s they had paid unusually low rents - including the commuted value of all their work obligations, roughly 2d per acre - and these were never increased; in the sixteenth and seventeenth centuries the Great Horwood copyholders were still paying the same rents. Furthermore they were copyholders of inheritance, with nearly as much security of tenure as a freeholder.²⁰ These favourable conditions must have made Great Horwood a desirable place to hold land, as is shown by the small number of occasions on which the lord found itself with a vacant holding on its hands – a common occurrence in some other manors in the late fourteenth and early fifteenth centuries, frequently as a result of tenants giving up unwanted holdings.²¹ Between 1383 and 1600 the lord was left with a vacant holding on only seven occasions, only one of which may have involved a tenant voluntarily giving up his holding (three holdings were forfeited from felons in the 1410s, one free holding was escheated for lack of heirs in 1426, a toft and a cottage may have been surrendered to the lord voluntarily in 1464 – it is not clear - and two virgates were forfeited for non-appearance of heirs in the 1510s)²² – and on every occasion a new tenant seems to have been found without difficulty. It is also significant that in 1610 there was only one holding held by lease.

The beneficial nature of the Great Horwood tenancies seems to have stifled the land market (which was certainly less active than those in many other manors – see chapter 5) and hindered the accumulation of holdings, while the differential between the terms on which land was held from the lord and those at which it could be subleased may have encouraged the tenant who needed to dispose of a parcel of land smaller than a standard holding to proceed by sublease, instead of breaking his holding up to sell a part of it outright.

¹⁹ If the landless cottagers are included the percentage is 57%. E.A. Kosminsky, *Studies in the Agrarian History of England in the Thirteenth Century* (Oxford, 1956), p. 216.

²⁰ R.M. Smith, 'The English Peasantry, 1250-1650', in T. Scott (ed.), *The Peasantries of Europe from the Fourteenth to the Eighteenth Centuries* (Harlow, 1998), pp. 339-70, at pp. 361-70. See chapter 5, under Tenures, for the development of Great Horwood's villein tenure into copyhold of inheritance and the security this afforded.

²¹ For examples, see C. Dyer, 'Deserted medieval villages in the west Midlands', *Everyday Life in Medieval England* (1994, London, 2000), pp. 37-42; R. Faith, 'Berkshire: fourteenth and fifteenth centuries' in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 106-77, at p. 154; T. Lomas, 'South east Durham: late fourteenth and fifteenth centuries' in *idem*, pp. 252-326, at pp. 305-8. For contrasting examples of manors with low and high levels of vacant holdings, linked to their tenurial attractiveness, see J. Whittle and M. Yates, 'Pays réel or pays légal? Contrasting patterns of land tenure and social structure in eastern Norfolk and western Berkshire, 1450-1600' in *Agricultural History Review*, 48 Pt. 1 (2000), pp. 1-26., and also Whittle, *Agrarian Capitalism*, p. 110.

²² NCA 3916/4, 3916/22, -/29, 3917/17, -/18, 3918/5, 3919/8, 3920/1, -/6, 3705/5, 16/fo. 42.

The underlying physical geography of the manor may also have made a Great Horwood holding unusually attractive. Though its soils were not particularly rich or easily tilled - they were mostly heavy clays - the manor had a large area of common wood pasture in its northern third, where it incorporated part of Whaddon Chase. Even at the height of the land hunger of the late thirteenth century, when other parts of the Midlands converted much of their pasture reserves into arable, Great Horwood must have been able to continue a more balanced form of mixed farming²³ and thus survive the fall in grain prices in the later fourteenth century. In the fifteenth and sixteenth centuries, as north Buckinghamshire began to convert to a more pastoral form of farming, the Great Horwood peasants would have been poised, by reason of both their financial security and their existing land use, to exploit the new opportunities without having greatly to restructure their landholdings or landscape.

Another factor tending towards the preservation of the ancient landholding structures of Great Horwood may have been the tenants' ability to continue to subsist on the old small holdings by introducing technological improvements within their open field system. Small-scale evolutionary changes, such as piecemeal enclosure and the creation of grass leys in open field strips, which probably began in the fifteenth century and were greatly accelerated in the late sixteenth (see chapter 1), may all have ensured that a sufficiently prosperous living could be gained from one or two virgates to delay the point at which aggregation of holdings became unavoidable.

²³ M. M. Postan wrote that by 1300 the proportion of pasture in some areas had fallen to a level 'incompatible with the conduct of mixed farming itself', and Bruce Campbell's analysis of land uses mentioned in *Inquisitiones post mortem* from 1300-49 confirmed that 'if that holds true for any part of the country it is surely here [in north Buckinghamshire, Hertfordshire, Bedfordshire and Cambridgeshire]'. M.M. Postan, *The Medieval Economy and Society: an Economic History of Britain in the Middle Ages* (London, 1972), p. 58; B.M.S. Campbell, *English Seigniorial Agriculture 1250-1450* (Cambridge, 2000), p. 88.

Ch. 3 HOUSES, TOFTS AND THEIR DISTRIBUTION

In this chapter the number, nature and distribution of Great Horwood's houses is considered. How many dwellings were there in Great Horwood, of what sort, and how were they distributed among the tenants – and how did this housing structure change during the fifteenth and sixteenth centuries? As in chapter 2 only the distribution of the houses among the manor's immediate tenants is considered here – though the identity of the actual occupants is touched on in this chapter, it is discussed in greater depth in chapter 4.

Between 1300 and 1600 four distinct phases in the numbers and distribution of the houses can be discerned:

(a) rough equality of distribution in the pre-Black Death period, when most tenants held either a single messuage and its associated standard holding of farmland, or a single landless cottage;

(b) between 1350 and c.1450 a period of contraction, during which some dwellings made surplus by amalgamation and accumulation of holdings were abandoned to become tofts (in this period the village also shrank physically) and some tenants began to accumulate dwellings;

(c) between c.1450 and c.1550 a slow increase in the number of dwellings, the result of rebuilding on ancient tofts and conversion of outbuildings within curtilages into dwellings (often occupied by subtenants), combined with continuing concentration of dwelling ownership in fewer hands; and finally

(d) after c.1550 an increase in the rate of appearance of new dwellings, and also a physical expansion of the built-up area caused by the erection of new cottages in crofts and on roadside wastes at the village fringes (again often occupied by subtenants), but a reversal of the former trend towards concentration of ownership – instead the accumulations were broken up and the proportion of tenants holding just one dwelling grew again.

TERMINOLOGY

In the court rolls the houses were normally referred to as either messuages or cottages (Latin *mesuagium*, *cotagium*). Individual houses were consistently described as one or the other, so the terms must have had mutually exclusive meanings. Occasionally the more neutral ‘tenement’ was used. The distinction between messuages and cottages seems to have been more important to the lord than to his tenants, however, as sixteenth-century testators almost never used these terms; instead all dwellings, however described in the court rolls, were called ‘house’ in English-language wills and *domus* in Latin ones. ‘House’ also described outbuildings (though usually as part of a compound word, such as bakehouse), and in the fifteenth- and early sixteenth-century court rolls its Latin equivalent *domus* always meant an outbuilding (the main dwelling being *mesuagium*, *cotagium* or *tenementum*). In the middle of the sixteenth century the rolls began to use *domus* (and *edificium* – building) to describe certain newly-built or converted dwellings which were probably smaller and lacked farm outbuildings – cottages in the modern sense – but in English-language records these were lumped together with all the rest as houses. To avoid confusion houses will henceforth be called dwellings, leaving the word ‘house’ to be used only when used in the sources.

Messuages. In 1400 most of Great Horwood’s dwellings were messuages, which meant not just a dwelling but also the complex of subsidiary structures surrounding it – barns, byres, kitchens, dairies, malshouses etc. A messuage was thus not a farmhouse but a farmstead¹ (the English-language wills seem to use ‘house’ in a similarly broad sense, comprehending the curtilage as well as the dwelling).

Cottages. It is unclear whether in Great Horwood the distinction between messuage and cottage was a matter of size or function. In modern usage a cottage not only is a smaller structure than a farmhouse but also has a different function – it is purely residential, is not the centre of a farm and has no surrounding farmstead. Some medieval English cottages were of this landless type, but others had associated farmland (though usually just a few acres) and comprised a complex of buildings, in which case they were distinguishable from messuages only by their smaller associated landholdings, and perhaps fewer or less substantial structures.² Landless, purely residential cottages may have been more common in woodland

¹ C. Dyer, *Everyday Life in Medieval England* (London, 1994), p. 141.

² C. Dyer, ‘History and Vernacular Architecture’, *Vernacular Architecture* (1997), pp. 1-8, at p. 2; *idem*, *Everyday Life*, pp. 141-2.

regions, or areas of cottage industry (mining or clothworking, for example) – Harold Fox has shown that in late medieval Devon they were found in parishes with abundant commons and by-employment opportunities – but Great Horwood was not such a place.³

In fact it is clear from the 1320 Extent, the court rolls and the 1610 Rental that in Great Horwood cottage tenancies never included any farmland.⁴ On the other hand at least one cottage did nevertheless have outbuildings and seems to have formed a farmstead; its farmland must have been the 10 acres of arable and 2 perches of meadow, in which the cottager held a life interest by a separate tenancy.⁵ Some other cottage tenants also held farmland by other tenancies, and as will be seen in chapter 4 it is quite possible that some held farmland by underleases – their cottages may similarly have been farmsteads.

From the late fifteenth century some messuages which had been detached from their landholdings were thereafter consistently referred to as cottages – but others, though similarly detached, continued to be called messuages. It seems some distinction was being drawn between messuages and cottages, but it is not apparent what it was. Possibly messuages were those which continued to be used as a farmstead, presumably for land held by a separate tenancy or by underlease, while cottages were those which had become pure residences – but examples can be found of dwellings described as cottages whose tenants held farmland by other tenancies (some as much as three-quarters of a virgate).

If the descriptions of dwellings as either messuages or cottages were not so consistent one might put it down to the ambiguous meaning of cottage in the medieval period. During the sixteenth century that ambiguity faded, however, and by its end the modern meaning of a small dwelling with no associated farmbuildings or farmland had become dominant, as can be seen in the 1589 statute which forbade construction or maintenance of cottages without 4 acres of land.⁶ By that point Great Horwood's records were also clearly using the word in the modern sense. In the middle of the century some newly-built dwellings, almost certainly

³ H.S.A. Fox, 'Servants, cottagers and tied cottages during the later Middle Ages: towards a regional dimension', *Rural History*, 6, no. 2 (1995), pp. 125-154; C. Dyer, 'Peasant farmers: rural settlements and landscapes in an age of transition', in D. Gaimster and P. Stamper (eds.), *The Age of Transition: the Archaeology of English Culture 1400 – 1600* (Oxford, 1997), pp. 61-76, at pp. 70-1.

⁴ From the early fifteenth century some cottage tenancies included two or three selions or butts at their rear, but these were clearly cases where part of the adjacent the arable had been incorporated into the curtilage.

⁵ In 1400 Alice Gobyon surrendered a cottage with appurtenances to William Hoggs but reserved the right to live in it till her death, except for a barn (*grangia*) which William could use, gaining access to it through the gate (*porta*) of the cottage; NCA 3916/7v.

⁶ 31 Eliz., c. 7.

lacking farmbuildings, had been referred to as tenements or houses rather than cottages, suggesting that the latter word was still reserved for something more like a farmstead – but by the end of the century it was usual for cottage to be used to describe dwellings which clearly lacked farmbuildings and probably also farmland. For example, in 1594 James Hobbes, George King and Robert Couper were each presented for having ‘converted his barn to a dwelling house and so set up a cottage contrary to statute’.⁷

Tofts. When the plot on which a messuage or cottage stood ceased to be occupied it became a toft (a term which in some regions could mean both currently occupied sites and abandoned ones, but in Great Horwood, as in most parts of the Midlands, applied only to sites which were no longer occupied).⁸ Some tofts may possibly have been cultivated as arable, but it seems probable that most became pasture, or perhaps orchards or gardens – in fact within the village toft seems to have been interchangeable with croft or close (though it was never used of enclosures out in the fields, as croft and close were). It is not clear from the court rolls whether tofts were completely cleared of buildings and deliberately returned to agricultural use, or just abandoned and allowed slowly to tumble down and grass over – but building timbers were valuable and normally re-used.⁹ Nor is it clear whether only total abandonment and clearance could result in a toft, or whether toft could describe a site in which some non-residential farm buildings were still in use, perhaps even where the entire complex continued in use as a non-residential farmstead - but the impression received from the rolls is that tofts contained land, not buildings.

NUMBER OF DWELLINGS

Figure 3.1 shows the numbers of dwellings held directly from the manor of Great Horwood in 1320 and at twenty- or thirty-yearly intervals from 1390 to 1610. The data comes from the 1320 Extent and 1610 Rental, of course, and the property-related entries in the court rolls, which always mention any messuage, cottage, tenement, house or toft included in a holding.¹⁰

⁷ NCA 3705/5v, 16/ fo. 42.

⁸ Dyer, *Everyday Life*, p. 139.

⁹ In the first half of the fifteenth century several Great Horwood tenants were given licence to remove buildings from one messuage to another. See also C. Howell, *Land Family and Inheritance in Transition; Kibworth Harcourt 1280-1700* (Cambridge, 1983), pp. 55-6.

¹⁰ Data from the 1390 version of the 1320 Extent has been corrected because it updated the tenants' names but not the descriptions of their dwellings – some dwelling-sites described in 1320 as messuages and cottages appear in the 1390 extent with that description unchanged, yet are referred to in the late fourteenth-century court rolls as tofts or crofts. There is a suspicion that other changes may also have gone uncorrected, so the 1390 data should be treated with caution.

Once these entries and other passing references to dwellings and dwelling-sites had been joined together in ownership chains it was possible to track changes in the status of individual dwellings or dwelling-sites over time (for example from occupied message to abandoned toft), and of course to take a census of the housing stock in the manor at intervals in the same way as was done for the landholdings. Some care was needed in interpreting the court roll descriptions, which sometimes clearly did not keep up with physical reality but just repeated previous descriptions, but when, for example, a series of references to a message is followed by consistent references to a toft it is clear that a change of use had taken place.

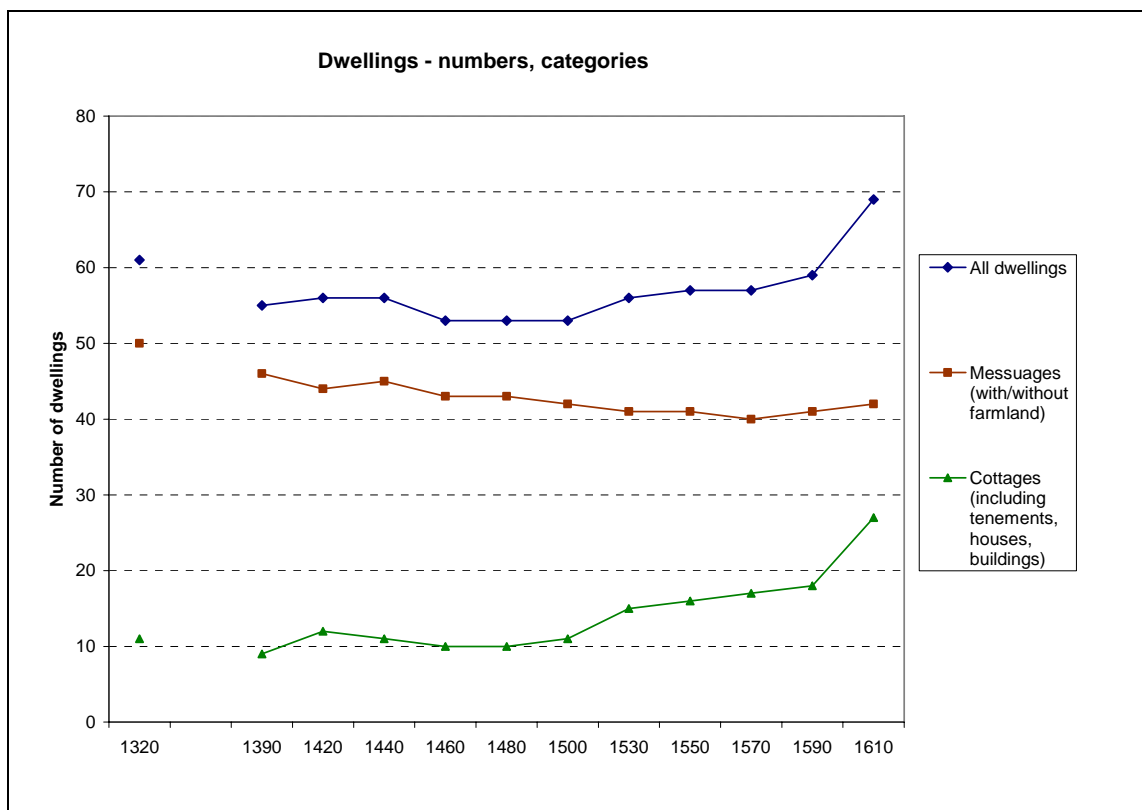


Fig. 3.1. Dwellings – numbers and types in 1320 and 1390 - 1610.

Notes: In the sixteenth century new dwellings created within the curtilages of existing tenements increased the numbers of cottages and of all dwellings, but their numbers are unknown.

Dwellings have been categorised as described in the sources. However a number of messages were separated from their farmland during the fifteenth century – for data in which they are grouped with the cottages as ‘landless dwellings’, see Tab. 4.5.

The overall picture is one of a surprisingly slight decline in the number of dwellings in the century following the Black Death (a drop of 10% between 1320 and 1390), followed by a slow recovery in the sixteenth century and then a sudden increase after 1590.¹¹ The pre-1450

¹¹ This late sixteenth-century acceleration in the appearance of new dwellings appears to accord quite well with the 1560 to 1640 time frame proposed by W.G. Hoskins for his Great Rebuilding, though the earlier period of

losses were principally among the customary messuages associated with landholdings of a half or full virgate, while the post-1500 recovery was the result of increasing numbers of cottages. The most static element of the picture was the eight freehold messuages, which did not change throughout three centuries (two customary holdings were enfranchised in 1363 but reverted to customary status in 1426 after escheat for failure of issue) – clearly the freehold tenements’ tenurial advantages ensured their survival when other tenements became surplus. It should be noted, however, that what is being measured is dwellings which were held directly from the manor – the numbers and trends would probably have been different, especially in the sixteenth century, if account could have been taken of dwellings created within the curtilages of these chief tenements (and occupied by the chief tenant’s relations or employees or by subtenants).

1320

Once again the 1320 Extent enables us to compare the fifteenth- and sixteenth-century housing stock with that existing before the Black Death, a time when Great Horwood’s population and built-up area had reached their maximum medieval sizes (not again equalled until the end of the sixteenth century). The Extent lists sixty one dwellings, comprising the following:

- 8 freehold messuages, attached to full and fractional virgates
 - 42 customary messuages, attached to full and half virgates
 - 11 cottages, with no attached farmland
- 61

There must have been more dwellings in the Bradwell Fee. The only data available is the Fee’s entry in the 1279 Hundred Roll, which mentioned two landless messuages, but since it also listed six half- and quarter-virgate holdings without mentioning dwellings the Fee may have had eight dwellings in total, comprising four free messuages, two customary messuages and two landless cottages.

slower construction also agrees with the much longer period of rebuilding, spanning the fifteenth to the seventeenth centuries, suggested by later writers. W.G. Hoskins, ‘The rebuilding of rural England, 1570-1640’, *Past and Present*, 4 (1953), pp. 44-59; R. Machin, ‘The Great Rebuilding: a reassessment’, *Past and Present*, 77, pp. 33-56.

Fifteenth century

The number of dwellings fell after the first visitation of the Black Death in 1348-50. By about the middle of the fifteenth century the number of messuages and cottages held directly from the lord of Great Horwood manor had fallen from sixty one to fifty three. The numbers of free messuages and cottages did not alter – the reduction was in the number of customary messuages held with half or full virgates. The eight free messuages were the same ones as in 1320 (two customary holdings had been enfranchised in 1363 but reverted to customary status in 1426 for default of issue), but while the number of cottages was unchanged their composition had altered – by 1400 at least four of the 1320 cottages had become tofts (mostly in Woodend) and had been replaced by former messuages which had fallen in status, and by one possibly new-built dwelling.

The numbers of dwellings fell in most villages during the century after the Black Death, but the scale of loss was usually much greater than Great Horwood's. Unfortunately while the fall in population has been much investigated, fewer studies have measured the fall in dwelling numbers. Cecily Howell described it in Kibworth Harcourt, but did not measure it; however comparison of the houses depicted on her conjectural village maps for 1384 and 1484 suggests a 24% drop, from sixty eight to fifty two houses. In the fifteenth century 20-40% of the tenements in several of the bishop of Worcester's manors were tofts. Frances Davenport tracked the changing status of tenements at Forncett in Norfolk, from messuages to tofts (and sometimes back again) in order to make deductions on population loss; she found that of 135 ancient customary tenements some sixty eight (50%) were abandoned before 1420 (mostly before 1376, she thought).¹²

That Great Horwood lost only 13% of its dwellings is all the more surprising because it may have lost as much as 50% of its population in 1348-9 (see chapter 6). It is known that household sizes fell as a consequence of the post-plague fall in population – extended families previously squeezed into one tenement were now able to disperse into others¹³ – so that dwelling loss was usually less severe than the fall in population, but nevertheless many villages whose populations fell by less than Great Horwood lost larger proportions of their

¹² Howell, *Land, Family and Inheritance*, Maps 9 and 10 on pp. 116, 117; C. Dyer, *Lords and Peasants in a Changing Society; the Estates of the Bishopric of Worcester, 680-1540* (Cambridge, 1980), p. 242; F.G. Davenport, *The Economic Development of a Norfolk Manor, 1086-1565* (Cambridge, 1906), p. 105. In nearby Whittlewood some villages lost a half or three quarters of their dwellings; R. Jones and M. Page, *Medieval Villages in the Landscape: Beginnings and Ends* (Macclesfield, 2006), pp. 204-7.

¹³ Z. Razi, 'The myth of the immutable English family', *Past & Present*, 140 (1993), pp. 3-43, at pp. 9, 23.

dwellings. It seems clear that Great Horwood's population recovered unusually quickly, presumably at least in part by inward migration – perhaps an indication of the tenurial advantages noted in chapter 2.¹⁴

Conversion of house sites to tofts: Great Horwood's lost customary messuages were no doubt dwellings which had been made surplus by the mid-century fall in population and the increased holding sizes resulting from it (through amalgamation of half virgates into full virgates and accumulation of multiple holdings). From the court rolls of the years around 1400 it is clear that some of these surplus dwellings had been abandoned and become tofts – this can be seen in Stephen Smyth's surrender in 1385 to his son John of 'one messuage and virgate of land, formerly Geoffrey Smyth, and one toft and virgate of land in le Wodende', or in the 1393 entry recording the death of Roger Bedford, whose two messuages and two half virgates of land were re-granted to Robert Bedford as a messuage, a toft and two half virgates.¹⁵ In most parts of the village this conversion of dwelling sites into tofts no doubt just produced gaps in the house rows, but a peripheral area known as Woodend seems to have been wholly abandoned, moving the settlement edge southwards and leaving a row of tofts known in later centuries as the Woodend closes.

Accumulation of holdings continued to result in abandonment of surplus dwelling sites throughout the first half of the fifteenth century. Sometimes the abandonment can be linked to grants of licence to remove buildings from one house-site to another. For example, in 1423 William Bucke was licensed to remove a building (*domus*) from one of his two tenements (in Woodend) to the other – when the former was next surrendered, in 1437, it had become a toft. In 1413 and 1426 Richard Bedford was permitted to remove buildings from one of his two tenements to the other in which he lived – at his death in 1439 they were still described as two messuages, but when his son Thomas surrendered them in 1453 they had become respectively a messuage and a toft. In 1437 William Pernell had licence to move an old decayed building from a messuage he held to the cottage he lived in – from 1439 onwards the messuage is always referred to as a toft.¹⁶

The conversion of dwelling-sites to tofts can sometimes also be linked to presentments for dilapidations. The William Pernell who had a licence to remove decayed buildings in 1437

¹⁴ On the bishop of Worcester's estates economically successful manors experienced similar recoveries in tenant numbers but less favoured ones did not; Dyer, *Lords and Peasants*, p. 240.

¹⁵ NCA 3915 /4r and /15r.

¹⁶ NCA 3917/1r, 31r,v (Bucke); 3916/4r,v, 3917/5v, 33r, 51r (Bedford); 3917/29r, 32v (Pernell).

had been presented for dilapidations two years previously. In 1459 and 1463 John Chirchey, who had probably ceased to reside in Great Horwood a few years previously, was presented for dilapidations, including allowing his hall to become roofless (*aula tota vastata in cooperturam*) – when he sold the holding in 1464 it was called a messuage, but thereafter it was always referred to as a toft.¹⁷ However most dilapidation presentments related to holdings which continued to be referred to as messuages and cottages throughout the fifteenth and sixteenth centuries, and so must have been genuine cases of disrepair of buildings still in occupation.¹⁸

At the start of the fifteenth century surplus house-sites were still being abandoned, but by its end abandonment had ceased and instead the surplus dwellings continued to be occupied, even when detached from their associated farmland. Is this evidence for population recovery? An alternative explanation might be that it points to the emergence of a class of subtenants farming holdings composed entirely or principally of underleased land - on the assumption that at least some of the surplus dwellings were functioning as farmsteads for such holdings. Increased population seems the more likely explanation, as the same period sees references to additional dwellings within curtilages begin to appear in the court rolls, but perhaps both factors were at work.

Re-building of tofts: Even during the first half of the fifteenth century, while abandonment of surplus dwelling-sites was continuing, previously abandoned tofts were sometimes reoccupied and rebuilt. For example, in the late fourteenth century Richard Chirchey accumulated four or five holdings, consisting of four messuages, a toft and three and a half virgates. In 1405 he surrendered one messuage and virgate to his married daughter and the toft and its half virgate to his son, William Chirchey. The toft must have been rebuilt to provide a dwelling and farmstead for William because it was described as a messuage when he passed it on to his brother Robert in 1413, and in all subsequent transfers (until the 1460s, when Robert's son John allowed the messuage to revert to a toft again, as mentioned above – the reoccupation of the messuage had lasted only half a century).¹⁹

¹⁷ NCA 3917/24r (Pernell); 3917/56r,v, 3918/3r,v (Chirchey).

¹⁸ Presentments for dilapidation dwindled in the 1440s and 1450s and disappeared from the Great Horwood court rolls completely in the 1460s. If this does not just reflect a change in court procedure or the lord's attitude (and New College, which acquired the manor in 1441, does seem to have been a more *laissez-faire* lord than its predecessors) then it may be an indication of population recovery.

¹⁹ NCA 3915/22r, 3916/13r,v, 22v, 3917/32v, 50r, and see fn. 17.

New houses built within curtilages of existing ones: New dwellings were not always constructed on abandoned tofts – some were created within the curtilages of occupied messuages and cottages, either by the construction of a new dwelling or, perhaps more commonly, by the conversion of an outbuilding to residential purposes (especially barns – which may reflect the conversion from arable to pastoral farming known to be beginning at this time).²⁰ This was no doubt often done to provide for a family member and did not usually result in a separate tenancy being created, but from about 1500 onwards tenurial separation did sometimes result. For example, in 1450 John Hawkins and his wife Agnes surrendered their messuage and virgate to Geoffrey Couper of Little Horwood but retained a life interest in a house within the messuage called the morris house (*domus vocatus the moreshous*) with its garden and 3 acres of arable in the three open fields. At this stage no separate holding was created, and the morris house reverted on the Hawkins' deaths to Geoffrey Couper, but when his successors sold the messuage and virgate in 1495 they excluded the morris house from the sale and thereafter it was held by a separate tenancy, and was always referred to as a cottage (though from 1518 its tenants always also held the three-quarter virgate called Bastard's Lands, so it presumably functioned as a farmstead).²¹

It should be noted that these extra dwellings created within the curtilages of existing dwellings are not included in the data shown in Figure 3.1 unless, like the morris house mentioned above, they became separate tenurial units - which was seldom the case - and to that extent the degree of population recovery in the late fifteenth and sixteenth centuries is under-recorded, and also to some extent invisible (because we only know of these hidden dwellings by the accident of their being mentioned in the court rolls).

Sixteenth century

In the sixteenth century no dwelling sites were abandoned, and instead the number of dwellings began to rise. The messuages held steady at around thirty three (reflecting the inflexibility of the land distribution structure seen in chapter 2), but the number of dwellings described as cottages, houses etc increased throughout the century, slowly at first but more quickly after 1590. The increase occurred principally through the construction of new dwellings, but also by the conversion to residential purposes of outbuildings such as barns.

²⁰ See chapter 2.

²¹ NCA 3917/48r, 3918/1r, /3r, 3920/7r, /35v.

New dwellings on vacant plots Some of the new dwellings were erected on new sites on the outskirts of the village, not only in ancient tofts but also in roadside wastes – a new phenomenon. An ancient toft in Spring Lane, on the southern edge of the village, which had been unoccupied since the fourteenth century had a new house built on it in the 1540s, then in the 1570s and 1580s was twice subdivided and two more dwellings were built. In 1585 James Allibond was given licence to build a new cottage at the east end of the town, probably at the eastern edge of the village, but possibly right on the eastern boundary of the parish at the location now called Hooters, and the 1610 Rental ends with two small cottages recently built on the lord's waste beside Woodend Lane, at the entrance to the Great Common. One was occupied by the common herdsman (his father-in-law had been presented for building it without licence in 1602), the other by a widow.²²

New dwellings in existing curtilages Other new dwellings were created within existing curtilages, both by new building and the conversion of outbuildings. For example, when he died in 1585 Henry Hobbes, the customary tenant of two messuages, two half virgates and a cottage, left all the farmland and one messuage to his eldest son but gave four other sons respectively the second messuage (with its yard), the cottage (with an adjacent garden), an old barn (and adjacent garden) and a new-built building (*edificium* - with adjacent yard). The barn and new building had been carved out of one or both of his messuages and in later rolls would be referred to as cottages.²³

However the data relating to dwellings held by tenancies directly from the manor tells only part of the story – increasing numbers of presentments for illegal subletting of dwellings and creation of cottages make it clear that many tenurial units now contained other dwellings beside the chief one mentioned in the court rolls and that some dwellings were in multiple occupation. For example, in 1558 Joan Varney, a widow who may no longer have been living in Great Horwood, was ordered to have only one tenant in her house and to remove the sub-tenant who was in the house (*domo*) beside *le gate howse*.²⁴

Controls on residential subtenancies Great Horwood's attempts to control subtenancy, which in the language of the times meant subletting of dwellings only, especially when resulting in occupation by more than one family, reflected the national pattern found by

²² NCA 3920/39r,v, 3922/6v, /9r, /12 v-13r, 16/ f. 116v-120v (Spring Lane); 3922/11r,v (Allibond); 3922/22, 3946 (Woodend Lane).

²³ NCA 3922/9r, /12r.

²⁴ NCA 3921/12r, /13r,v, /15v.

Marjorie McIntosh in *Controlling Misbehaviour in England, 1370 – 1600* and appear to have been triggered by national legislation.²⁵ In the first half of the sixteenth century, when concern about the problem was growing nationally, Great Horwood's court rolls contained just one reference to multiple occupation of dwellings; in 1531 the court laid a pain forbidding copyhold tenants to make more than one sub-tenant per house (*domus*). The subject was next mentioned shortly after the act of 1553 established an embryonic parish poor rate;²⁶ the very next year Great Horwood laid another pain forbidding subtenants in a messuage or cottage other than the chief tenant's own parent or child. Over the next thirty years the pain was repeated twice more, in 1567 (possibly in response to further poor rate legislation in 1563)²⁷ and 1579 – on the latter occasion it forbade anyone *or his tenant* to take in subtenants, confirming that the objection was not to subtenancy *per se*, but to multiple occupation of dwellings – underleases of entire dwellings or landholdings were not the concern. Presentments for its breach were made twice; in 1558 four tenants were presented, and in 1584 eight. After the two Acts against Erecting or Maintaining Cottages without 4 acres of land or in the occupation of more than one family were passed in 1589 and 1593 pains were no longer laid by the manor court, but breaches of the Acts were presented increasingly frequently, often resulting in orders that offending cottages be pulled down (though these may often to have been ignored).²⁸

What kind of tenants were creating these cottages and subletting them? It might be expected that at least some were tenants with dwellings surplus to their own requirements – that is, either non-residents or owners of more than dwelling, or both. However the majority of the known sublessors seem to have been resident in Great Horwood and only one (the John Hobbs mentioned above) held more than one dwelling, while some were not tenants at all and must themselves have been underlessees. About half held only a single cottage, with no farmland (not directly from the manor, anyway) – these included a butcher and a carpenter, and several widows. The rest did hold farmland, though never very much – none had more than two virgates and most much less than that. So it seems the sublessors were not absentees or owners of surplus dwellings, or even better-off farmers squeezing too many hired labourers into their tenements (it is uncertain whether this last category would have been regarded as illegal subtenancy anyway). Most sublessors seem to have been small resident tenants

²⁵ M.K. McIntosh, *Controlling Misbehaviour in England, 1370 – 1600* (Cambridge, 1998), pp. 93-6.

²⁶ 5&6 Edw VI, c.2

²⁷ 5 Eliz., c. 3.

²⁸ NCA 3920/21r, /26r, 3949/1, 3921/20r; 3921/12r, /13r,v, /15v, 3922/4r, /fo. 14, /7v, /10r,v, /20r,v, 16/fo. 223r, 3923/3, /4, /5.

supplementing their income by creating extra cottages within their own holdings – a kind of by-employment, perhaps.

The subtenants themselves were almost never identified, but the few who were named seldom appeared in the rolls on any other occasion, suggesting that they were landless and probably transient – perhaps labourers or artisans.

Lacking their names it is impossible to say whether the subtenants were relatives of the sublessors. They were certainly not close relatives, since the pains specifically excepted parents and children, and probably not always more distant relatives, either, since none of the named subtenants had the same surname as the sublessor. All of Henry Hobbes' sons except the heir who received the farmland seem to have been non-resident and at least two of the cottages they received from him were occupied at the time by tenants with other surnames.

This intensified residential occupation of dwelling curtilages must mean that the sixteenth-century increase in the number of dwellings was much greater than appears from the data in Figure 3.1, though how much greater remains uncertain.

Another uncertainty is whether multi-occupation of curtilages was a new phenomenon, or had been present before its apparent appearance in the late fifteenth century. Marjorie McIntosh found that social control mechanisms directed against subtenancy first appeared in England in the 1460s and 1470s, though concern remained low until the middle of the sixteenth century, then increased to a peak in the last two decades of the century – which reflects very closely the evidence for multi-occupation in Great Horwood. But could it be that what began in the second half of the fifteenth century was not multi-occupation, but controls on multi-occupation? Certainly Zvi Razi found that in pre-Black Death Halesowen occupation of tenements by more than one conjugal family was a permanent phenomenon, each tenement often containing a main house surrounded by cottages.²⁹

However England before the Black Death, with its unprecedentedly high population, was exactly the society in which multi-occupation might be expected – after the Black Death the population pressure which gave rise to it was lifted and, as we have seen, Great Horwood in the early fifteenth century was a society in which the housing stock was not under pressure

²⁹ McIntosh, *Controlling Misbehaviour*, p. 93. Razi, 'Myth of the immutable English family', p. 8.

(Razi found the same in Halesowen).³⁰ The early fifteenth-century maintenance agreements did often provide for the holding's messuage to be shared (typically the vendor reserved the right to live in certain rooms of the dwelling or certain outbuildings in its curtilage, though occasionally the old and new tenants were to share the entire messuage), but these were 'temporary and occasional arrangements'.³¹ There is no other evidence for multiple occupation in the early fifteenth-century court rolls, especially of an extra-familial subletting-for-rent type, and the fact that dwelling-sites were still being abandoned at this time surely argues against it.

1610

The 1610 Rental recorded:

8 freehold messuages (the same eight as in 1320)

34 customary messuages (seven now with only an acre or two attached)

27 cottages and other minor dwellings (most landless, some with an acre or two)

69

This total of sixty nine is not a great deal larger than the sixty one recorded in the 1320 Extent, but it masks a change in the composition of the dwellings (the number of landless or nearly landless dwellings has increased from eleven to thirty four) and of course the Rental only listed the tenements held from the manor – there was an unknown number of cottages within the curtilages of those tenements.

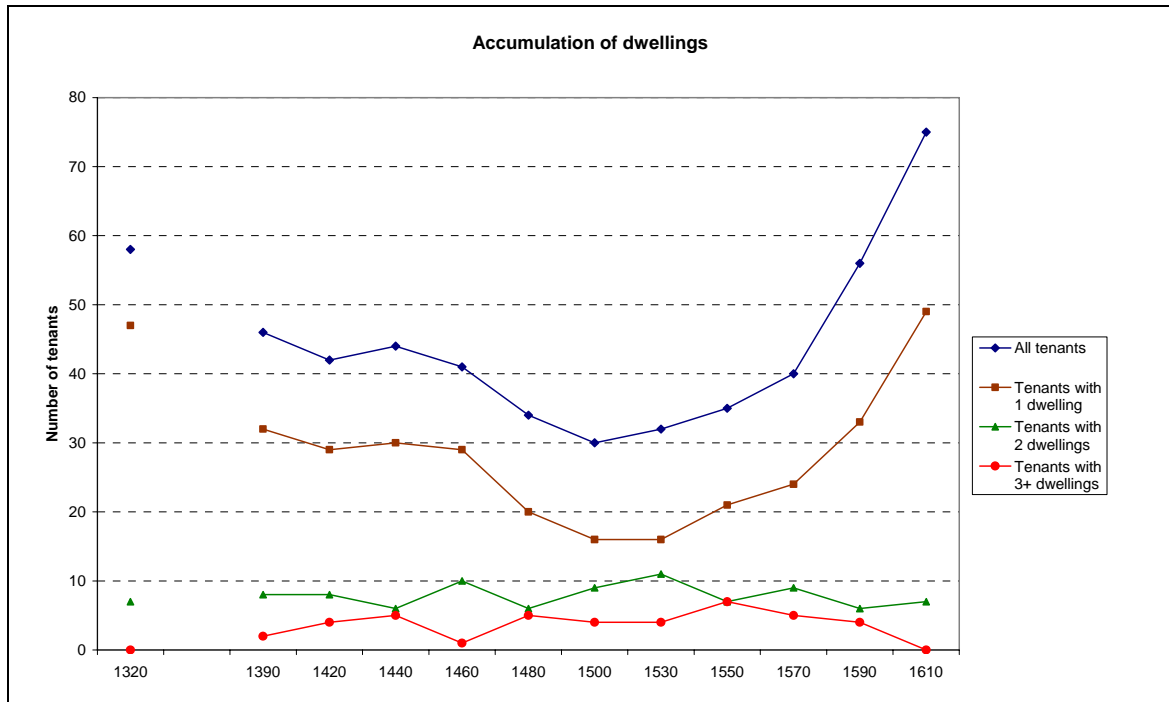
DISTRIBUTION OF DWELLINGS

In 1320 the sixty one dwellings listed in the Extent were distributed fairly equally among the fifty seven tenants. One tenant had two messuages and six had a messuage plus cottage,³² but almost all the rest (81%) had just a single dwelling each. By the start of the fifteenth century the proportion with one dwelling had dropped to a little over two-thirds (see Table 3.1). It stayed at roughly that level until after 1460 and then fell again, reaching a nadir of one half in

³⁰ Razi, 'Myth of the immutable English family', p. 23.

³¹ Dyer, *Everyday Life*, 141. Concerning the Great Horwood maintenance agreements, see pp. 154-5.

³² All but one of these tenants with two dwellings held a full virgate, which raises the suspicion that their two dwellings may have been the result of past amalgamation of two half virgates. On the other hand the number of cottages had been much the same in 1279 as 1320 (ten and eleven respectively), and the period between the two dates seems to have been one in which holdings were subdivided, not amalgamated, so it seems more likely that they were just successful virgaters who had acquired an additional cottage.



	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
Total tenants	58	46	42	44	41	34	30	32	35	40	56	75
Tenants with 1 dwelling	47	32	29	29	28	20	16	16	19	22	32	49
(%)	81	70	69	66	68	59	53	50	54	55	57	65
Tenants with 2 dwellings	7	8	8	6	10	6	9	11	7	9	6	7
(%)	12	17	19	14	24	18	30	34	20	23	11	9
Tenants with 3+ dwellings	-	2	4	4	1	5	4	4	7	5	4	-
(%)	0	4	10	9	2	15	13	13	20	13	7	0

Tab. 3.1. Accumulation of dwellings: the numbers of tenants holding 1, 2 and 3 or more dwellings.

the 1520s, when an amassment of ten dwellings by the Colyer family was just the largest of several multi-dwelling aggregations. These accumulations began to be broken up in the 1530s, after which the proportion of tenants holding more than one dwelling rose again, to 60%, and stayed there throughout the rest of the century. By 1610 the expansion of the

landless cottager class at the end of the century had pushed it back up to two-thirds – the level it had been in the early fifteenth century, though at that time most single-dwelling tenants also held farmland.

Throughout both centuries the single-dwelling tenants were a mixture of landless cottagers and half and full virgaters, with the occasional holder of one and a half and even two virgates. The multi-dwelling tenants, however, were almost always full virgaters at least – half-virgaters seldom acquired a second dwelling.

The multi-dwelling tenants mostly had two, occasionally three, dwellings, the surplus ones often acquired as part of a farmland tenancy. Larger accumulations did exist – John Horwood, a minor gentleman living in Singleborough, held five dwellings at his death in 1440, and the absentee Colyers accumulated ten dwellings, seven of them landless, in the second half of the fifteenth century.³³ In the 1540s the resident yeoman John Foscode held five, all part of farmland tenancies, while several smaller accumulations of three or four appeared between 1480 and 1530. However the pattern of aggregation mirrored that of farmland holdings, and like them the larger accumulations had all broken up by the middle of the sixteenth century. Towards the end of the century the smaller ones went too, so that by 1610 no tenant held more than two dwellings.

There was almost no correlation between non-residence and number of dwellings held. The non-resident tenants were distributed fairly evenly in small numbers across all categories – those with a single landless dwelling, with farmland plus a single dwelling, with farmland plus multiple dwellings, and with just farmland alone. The only significant departure from this pattern was in 1530, when just seven non-resident tenants held one third (20) of the dwellings (and also a little over a quarter of the farmland, 9¼ virgates; this was the point at which landholding of all sorts was concentrated in the fewest hands, both resident and non-resident).

Notwithstanding the tenurial separation of a number of messuages from their associated farmland in the fifteenth century, and the Colyers' collection of seven landless dwellings, the pattern of accumulation of multiple dwellings closely mirrored that of the farmland holdings

³³ William Colyer, husbandman of Great Horwood, built up an estate of 1½ virgates and six dwellings between 1433 and his death in 1477. His son Henry, a lawyer living in Buckingham, added to the estate, which was inherited by his sons in 1502 and sold in the 1520s.

discussed in chapter 2 (see Figure 3.2). Once again the increasing accumulation of dwellings was typical of the period, except in the modest size of the aggregations, but the reversal of the process in the later sixteenth century was not.

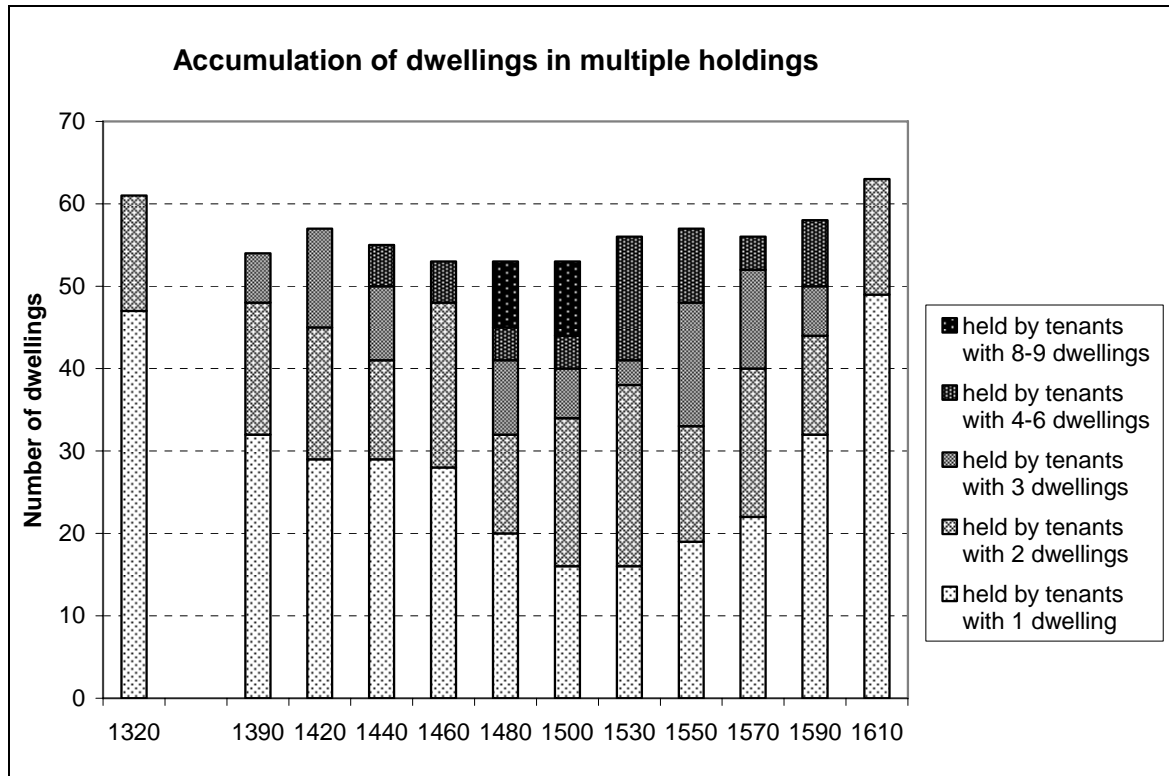


Fig. 3.2. Accumulation of dwellings: the proportion of the dwelling stock held in single and multiple holdings.

The main difference between the accumulations of farmland holdings and those of dwellings was that whereas several farmland holdings could be combined into one large farming unit, the tenant of multiple dwellings could not usually combine them in this way – he could only live in one, and the rest were surplus. Before about 1450 this problem was often solved by converting the surplus dwellings into tofts, but thereafter they were retained. The result was that throughout most of the fifteenth and sixteenth centuries at least a quarter, often more than a half, of the dwellings in Great Horwood were surplus. Some may have been occupied by members of the tenant’s extended family or his hired labour, but the rest must surely be evidence of a class of subtenants, some farming underleased land, others living by a trade or craft or by their labour, and will be discussed further in chapter 4.

Ch. 4: INTER-MANORIAL LANDHOLDING, SUBTENANCY, AND THE LANDLESS

This chapter considers the extent to which the land distribution patterns extracted from the manor of Great Horwood's records may have been distorted by inter-manorial landowning (ownership of land in more than one manor) or subletting, and to what extent there was a landless underclass in Great Horwood.

In chapter 2 analysis of the landholding records contained in the court rolls showed that land in Great Horwood was distributed fairly equally throughout the fifteenth and sixteenth centuries. The picture derived from the landholding patterns was of a remarkably stable and equal community – one in which everyone held much the same amount of land. This equality of landholding at such a late period was rather unusual, even in the Midlands. In the two centuries after the Black Death many Midlands manors saw a steady increase in the size of peasant landholdings, as the old virgate-based units, previously distributed fairly equally, began to be accumulated and amalgamated into larger holdings of up to three or four virgates, often by the emerging yeomen and minor gentry.¹

Great Horwood's unusually equal landholding pattern was reflected in its social structure; the resident tenants appear to have been composed almost exclusively of husbandmen. No yeoman lived in Great Horwood until the very end of the sixteenth century (when one of the Little Horwood Williards moved to Great Horwood), nor was there a resident gentry family until the following century (when Celia Fiennes' cousins, the Barkers, arrived). There was not even a demesne - that had been leased to the tenants collectively long before. Nor did there appear to be a class of smallholders until the end of the sixteenth century.

However there are two obvious problems with this picture of equality and equal distribution of land, both connected to the fact that the data come mostly from manorial records:

1. inter-manorial landholding: a manor's records only provide information about the land held from that manor - some tenants may have held more land in other manors, increasing the number of the more substantial tenants and the size of their holdings.

¹ P.D.A. Harvey, *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 340-53 and the references made there, or C. Dyer, 'Changes in the size of peasant holdings in some west midlands villages 1400-1540', in R.M. Smith (ed.), *Land, Kinship and Life-cycle* (Cambridge, 1984), pp. 277-94, at p. 294.

2. subletting: manorial records only provide information about the manor's direct tenants. If those tenants-in-chief have sublet all or part of their land then the pattern of landholding by the actual *occupiers* of the land may be very different. More small holdings might appear, and if some chief tenants also held sublet land then the number of larger holdings would increase. There might also be a landless class, or more accurately a class of people holding no land except the cottages they occupied by subtenancy.

INTER-MANORIAL LANDHOLDING

It is not easy to study inter-manorial landholding, for the simple reason that adequate landholding records have survived from few manors, and it is difficult to find contiguous clusters of such manors. Most studies of groups of manors have been of estates, such as those of Westminster Abbey or the Bishop of Worcester, which were united by their common ownership but scattered geographically;² groups of adjacent manors have seldom been investigated. However there have been a number of enquiries into the extent of inter-manorial landholding in East Anglia. The most recent is Jane Whittle's, of eight manors spread across some ten parishes in Norfolk, north of Norwich, between 1440 and 1550. She found a great deal of inter-manorial landholding - in all her manors most tenants held some land from at least two manors, often from several.³

However the manorial and tenorial structure in East Anglia was famously different from that of the Midlands. These Norfolk manors were not discrete single-settlement manors of the Midlands type - they were severely intermingled, each spreading into several villages, with no village containing just one manor. Whittle also found that 'if tenants held land from many manors, it was because there were many manors in their village and its fields.' On closer inspection it turned out that 'tenants rarely held land in more than one parish, their parish of residence.' Inter-manorial landholding may also have been a relatively recent phenomenon. Richard Smith investigated the problem in Redgrave and two neighbouring manors in Suffolk in 1289 and found very little of it - in fact even within the manor of Redgrave holdings tended

² B. Harvey, *Westminster Abbey and its Estates in the Middle Ages* (Oxford, 1977); C. Dyer, *Lords and Peasants in a Changing Society: the Estates of the Bishopric of Worcester, 680-1540* (Oxford, 1980).

³ J. Whittle, *The Development of Agrarian Capitalism* (Oxford, 2000), pp. 185 *et seq.* Richard Britnell gives details of peasants holding land from three adjacent manors of Mettingham College in Suffolk in 1491, in his 'Tenant Farming and Tenant Farmers: Eastern England', *AHEW III*, p. 616.

to be confined within its constituent hamlets.⁴ Consequently it must be uncertain how relevant East Anglian evidence is to a region where manors were much less intermingled and where the landholding structure was much less fluid than was typical in East Anglia.

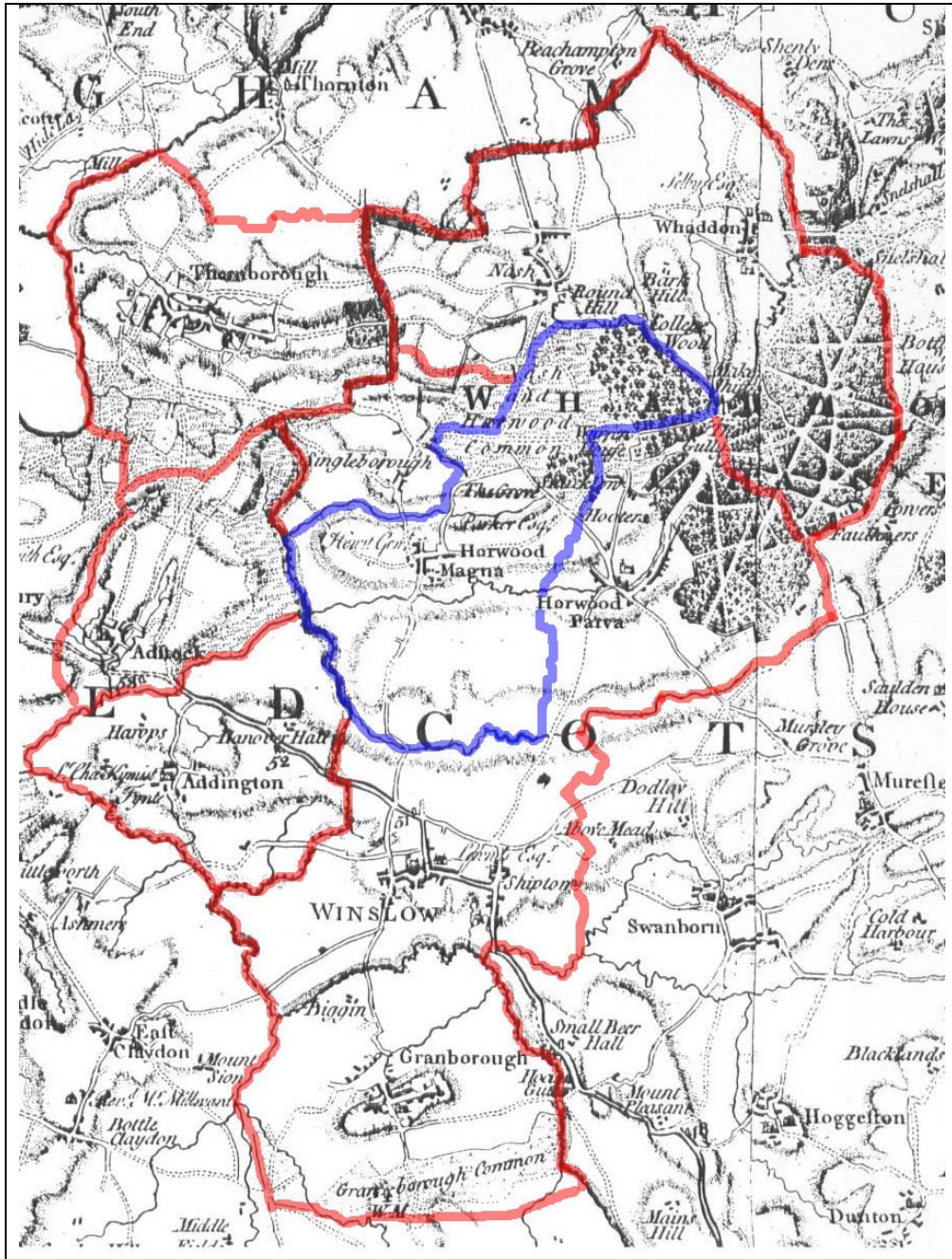


Fig. 4.1 Manors and townships surrounding Great Horwood.

The thick unbroken lines are manorial boundaries, except in the cases of Thornborough, Addington and Adstock which contained respectively four, two and two intermingled manors, so the townships have been outlined instead. Whaddon and Nash, like Little Horwood, Winslow and Granborough, were a single manor (with two small sub-manors in Whaddon).

⁴ Whittle, *Agrarian Capitalism*, p. 188. R. Smith, 'Families and their land in an area of partible inheritance: Redgrave, Suffolk 1260–1320', in R. Smith (ed.), *Land Kinship and Life-cycle* (Cambridge, 1984), pp. 135-95, at pp. 140-1, 144.

What can be discovered with regard to inter-manorial landholding at Great Horwood? The usual problem of inadequate records from the neighbouring manors immediately presents itself. No court rolls have survived from any of the surrounding manors in anything like the complete runs available from Great Horwood – in fact for several of them nothing has survived – and anyway time has not permitted even the fragmentary records which are available to be subjected to the same detailed analysis. However some evidence of the extent of inter-manorial landholding can be extracted.

At Figure 4.1 is a map showing the manors and townships immediately adjacent to Great Horwood.⁵ What is not shown is the Bradwell Fee, since its five messuages and four virgates were intermingled with the main Great Horwood manor. It is difficult to imagine that there was no tenurial overlap here: it must be probable that some tenants of the main Great Horwood manor also held land from the Bradwell Fee, and vice versa. So to that extent the land distribution structure shown in chapter 2 is surely inaccurate - though since the Bradwell Fee only had four virgates, compared to the main manor's thirty six, the degree of distortion will also be relatively minor.

The rest of the surrounding manors were all centered on neighbouring villages and hamlets. Singleborough is just half a mile away and Little Horwood slightly over a mile distant, but the other villages are all about two and a half miles from Great Horwood (in a straight line – further by road, of course), except Whaddon which is slightly over three miles away. Some information about the tenants in the two closest manors is available to be compared with lists of Great Horwood tenants, but none at all for the rest. However the nearest manors must also be those where inter-manorial landholding is most likely.

The closest neighbouring manor is Singleborough, whose records often also covered the Bradwell Fee (they were usually in common ownership), so they can be studied together. Tables 4.1 and 4.2 summarise the available data. It can be seen that in 1280 there was no overlap at all between the names of the tenants of the three manors of Great Horwood, Singleborough and the Bradwell Fee - a situation similar to that found by Richard Smith at Redgrave at a similar date.

⁵ The base map is Jefferys' 1770 map of Buckinghamshire.

1279-80 Hundred Rolls	0 of 20	tenants	of Singleborough and the Bradwell Fee	were also tenants of Great Horwood
c1450 Court Roll	6 of 9	officials, jurors, suitors and tenants	of Singleborough and the Bradwell Fee (and 2 more may be subtenants of the manor of Great Horwood)	
1506 Rental	6 of 15	tenants	of Singleborough and the Bradwell Fee	
1522 Muster Roll	3 of 11	resident taxpayers	of Singleborough	
1547 - 1549 Court Rolls	3 of 3 3 of 22	officers and jurors officers, jurors, suitors, tenants	of Bradwell Fee of Singleborough	
1550 - 1600 Wills	2 of 12	testators	giving Singleborough as their place of residence	

Tab. 4.1: Proportions of tenants, suitors and residents of the manor of Singleborough and the Bradwell Fee who were also tenants of the manor of Great Horwood.

Sources:

- 1279 *Rotuli Hundredorum*, Record Commission (London, 1812), p. 336.
c1450 Staffordshire Record Office, D 641/1/4R/2
1506 CBS D/P 291
1522 A.C. Chibnall (ed.), *The Certificate of Musters for Buckinghamshire in 1522*, BRS 17 (1973), p. 178-80.
1547-9 TNA, PRO, SC 2/155/13
1550-1600 wills of residents of Great Horwood and Singleborough at CBS, HALS and TNA, PRO.

1279-80 Hundred Rolls	0 of 61	Great Horwood tenants were also	tenants	of Singleborough and the Bradwell Fee
c1450 Court Roll	6 of c40 (+ 2 sub-tenants)		officials, jurors, suitors and tenants	of Singleborough and the Bradwell Fee
1506 Rental	6 of c34		tenants	of Singleborough and the Bradwell Fee
1522 Muster Roll	3 of c32		resident taxpayers	of Singleborough
1547 - 1549 Court Rolls	3 of c36 + another 3 of c36		officers and jurors	of Bradwell Fee
			officers, jurors, suitors, tenants	of Singleborough

Tab. 4.2: Proportions of tenants of the manor of Great Horwood who were also tenants, suitors and residents of the manor of Singleborough and the Bradwell Fee.

Sources: as for Tab. 4.1

The picture was quite different in the fifteenth and sixteenth centuries, however. Every list of tenants, officers or suitors of the manors of Singleborough and the Bradwell Fee, or of inhabitants of Singleborough, includes a number of Great Horwood tenants. The degree of overlap varies, but that probably reflects the varying categories of documents. It appears to be greatest in 1450 and then to lessen in the sixteenth century, but it may be unsafe to stretch such patchy data so far.

The only other adjacent manor for which similar information is available is Winslow. This is fortunate, because Winslow was an unusually large manor which included not just the small town of Winslow and its farming hamlet at Shipton, but also the parishes of Little Horwood and Granborough - as can be seen in Figure 4.1 this single manor is Great Horwood's neighbour along a good third of its boundaries. Further, two good sources are available. One is a pair of Court Books containing extracts from the manor's court rolls from 1327 to 1377 and 1423 to 1460. Mostly relating to land transactions, these provide the names of many of the manor's tenants during those periods. The other is a detailed survey of the manor in 1555, listing all the tenants and their holdings.⁶ The information these sources provide on inter-manorial landholding can be seen in Table 4.3.

1320-1332	6 of 100	Great Horwood tenants /taxpayers in GH and Singleborough	were mentioned in the Winslow court rolls 1327-1335
1348-49	1 of 53	Great Horwood tenants who died in the Black Death	was a Winslow tenant who died in the Black Death
1440	4/5 of 45	Great Horwood tenants	were Winslow tenants
1555	6 of 38	Great Horwood tenants (plus 2 subtenants)	were Winslow tenants

Tab. 4.3. Great Horwood tenants who were also tenants of the manor of Winslow.

The manor of Winslow comprised the parishes of Winslow, Little Horwood and Granborough.

Manor of Winslow sources: see fn. 6.

⁶ Cambridge University Library, MS Dd. 7.22 (Court Books) and CBS BAS 60/51 W 7 (Survey). I am very grateful to Dr David Noy of the University of Wales, Lampeter, and Julian Hunt for making their transcripts of, respectively, the Court Books and Survey available to me. I have discovered, too late to use them, that the Centre for Buckinghamshire Studies holds further Winslow court rolls from 1489-1532 (a 37-membrane roll covering 46 courts, D/BASM 84/1, a draft roll of 22 courts from 1509-1532, D/BASM 84/4, and a single item from 1525, D/BASM 84/5).

The 1320-1332 data were obtained by comparing (i) the names of the Great Horwood tenants listed in the 1320 Extent and the taxpayers of both Great Horwood and Singleborough (they cannot be disentangled) listed in the 1327 and 1332 Lay Subsidy returns with (ii) the names of all persons mentioned in the earlier Winslow court book between 1327 and 1335. The 1348-1349 data was obtained by comparing the deaths of tenants recorded in both manors' rolls at the time of the Black Death.⁷ Only a few names appeared in both manors, and because the Great Horwood sources provide little personal information beyond the names themselves it is difficult to determine whether the matches were the same men, or just men with the same names (especially in the cases of John Smith, John Taylor and John Couper). Nevertheless it seems clear that there was only minimal inter-manorial landholding between Great Horwood and the manor of Winslow in the second quarter of the fourteenth century.

The more detailed information available for the Great Horwood tenants in the fifteenth century made it possible to use the second Winslow Court Book, covering 1423 to 1460, to obtain more certain results for that period. Nineteen tenants of the manor of Great Horwood were named in the book at some point over those thirty seven years (though that figure includes four husband-and-wife couples, joint tenants of the same holding - if the couples are treated as one tenant then the number falls to fifteen). However not all of them were tenants in both manors *at the same time*, and Table 4.3 shows the smaller number who were tenants of both simultaneously, in one year, 1440. The court book covers almost forty years, a period of more than a generation, within which one might expect most of the holdings to have changed hands, so there is a good chance that nearly every tenant who held land in Winslow in the middle of that period – about 1440 – was named at least once in those forty years. 1440 was also a year for which a Great Horwood tenant list was prepared, so what were effectively complete tenant lists from each manor were compared to provide the tenant overlap data shown in Table 4.3.

A similar Great Horwood tenant list was prepared for the year 1555 and compared with the Winslow Survey of that year. In 1555 the number of tenants in Great Horwood was the same as the number in Winslow (with its hamlet Shipton) and Little Horwood combined; thirty eight – an indication of how much smaller the landholdings were in Great Horwood. The proportion of tenants in each manor who also held land in the other was now 13%, though

⁷ I am very grateful to Dr. Chris Briggs of the University of Cambridge for making available to me details of the deaths recorded in the Great Horwood court rolls in 1348-50 (NCA), along with his transcript of the 1327 Lay Subsidy for Great Horwood and Singleborough.

two of the Winslow tenants were only subtenants in Great Horwood and a third held only a reversionary interest there. If all subtenants in both manors could have been included the degree of overlap would probably have been much higher. There was no overlap with Granborough, though a few years previously at least one Great Horwood tenant had also held land there (and several of the 1555 Winslow tenants would acquire land in Great Horwood in future years).

There does not appear to have been much overlap between the Great Horwood tenants who also held land in the manor of Winslow and those whose additional land was in Singleborough. In 1440 one of the tenants who had land in both Great Horwood and Winslow (or would have done if his Winslow claim had been successful before he died) was John Horwood of Singleborough; he clearly also held land in Singleborough, where he lived, and perhaps elsewhere (in 1420 he was given licence to celebrate mass in his chapel in Singleborough – later in the century he would no doubt have been called a gentleman). However none of the Great Horwood tenants who were mentioned in the (admittedly brief) 1450 Singleborough court roll also appeared in the 1423-1460 Winslow court rolls. In 1555 only two Winslow tenants were among the Singleborough/Bradwell Fee tenants mentioned in the three (slightly lengthier) court rolls from 1547-9, and only one was a tenant of all three manors (Robert Williat, of the Little Horwood yeoman family).

There is a subtle difference between the Great Horwood tenants with holdings in Singleborough or the Bradwell Fee and those with holdings in the manor of Winslow. John Horwood aside, the former tended to be of lower status and to live in either Great Horwood or Singleborough. The tenants with holdings in Winslow and Little Horwood, on the other hand, were frequently gentlemen or yeomen and mostly lived there, not in Great Horwood – as can be seen in Table 4.4. Their Winslow/Little Horwood holdings were generally much larger, especially in 1555.

So from the patchy information available it seems that throughout the fifteenth and sixteenth centuries there was a not-inconsiderable degree of overlap between the manor of Great Horwood and its three closest neighbours, Singleborough, Winslow and Little Horwood. In fact in 1440-50 out of the forty five-odd Great Horwood tenants at least ten or eleven - almost a quarter of them – had land in one of those two neighbouring manors, and in 1550-55 at least eleven out of thirty six or thirty eight – nearly a third.

Date	Tenant	Residence	Holding in Great Horwood	Holding in Winslow etc
1440	John Horewod gentleman (just died)	Singleborough	3 messuages, 2 cottages, 2½ virgates	was suing for 2 cottages and a smithy in Winslow at his death
”	John Pygot	Little Horwood	1 toft, 1 virgate	1 messuage, 1½ virgates, 14 butts, 1 shop, other lands in Little Horwood, Winslow
”	Richard Pygot rising to gentleman	Little Horwood	1 messuage, 1 virgate (free holdings)	1 messuage, 1 toft, 1 virgate in Winslow
”	John Lary	outside GH (since 1437)	1 messuage, 1 cottage, ½ virgate	1 messuage, 1 virgate in Granborough
”	Matilda Eynesham widow	Winslow	1 messuage	1 messuage, 1 toft, 26 acres in Winslow and Little Horwood
1555	Leonard Pigot gentleman	Little Horwood	2 messuages, 2¾ virgates (free holdings)	a large estate in Little Horwood (area not specified)
”	George Williat yeoman	Little Horwood	¼ virgate, 2 closes (+ leasehold farm)	a large estate in Little Horwood (area not specified)
”	Richard Williat ?yeoman	outside GH – ?Little Horwood	1 messuage, 1 virgate (reversion only)	1 messuage, 1 virgate in Winslow
”	Richard Edmonds ?gentleman	Winslow	¼ virgate	4 tenements, much land in Winslow (area not specified)
”	John Couper husbandman	Little Horwood	1 messuage, ½ virgate	1 messuage, 2 virgates in Little Horwood
”	Henry Illing	Little Horwood	1 parcel meadow	2 messuages, 1½ virgates in Little Horwood
”	John Illing tailor	Great Horwood	[subtenant]	1 cottage
”	James Adlington	outside GH	[subtenant of 3 a.]	1 cottage in Little Horwood

Tab. 4.4. Inter-manorial holdings in Great Horwood and Winslow, 1440 and 1555.

The effect on the land distribution structure must surely have been to increase the average tenant’s holding size considerably – in 1440 the holdings of two virgaters (the Pigots, father and son from Little Horwood, gentry in the making) were doubled and more than doubled if their Winslow holdings were included, a half virgater’s holdings were trebled in size, and Matilda Eynesham, from the Great Horwood records apparently a poor widow with a single cottage and no land, is revealed as a Winslow resident holding a messuage, a toft and 26 acres there and in Little Horwood. She was no doubt renting her Great Horwood cottage out. In

1555 the discrepancy between the Great Horwood and Winslow holding sizes was even greater and several tenants of quite modest holdings in the former were major landholders in the latter.

But this is only a very partial picture of inter-manorial landholding, limited both in quality of evidence and in timespan, but more importantly as to which manors it covers - just two of them. Admittedly they are the closest two, and one of them is a very large manor covering two neighbouring settlements - but still, what about the other six surrounding settlements, Addington, Adstock, Thornborough, Nash and Whaddon? And the manors beyond them?⁸ How much larger might the proportions of tenants with inter-manorial landholdings be if the same exercise could be carried out for them, or for others further away? And what about the nearby towns, or London - might any of the Great Horwood tenants have been town dwellers investing in rural property?

It was not possible to determine whether the Great Horwood tenants held land in all of these places,⁹ so an oblique approach was tried. It is difficult to discover whether Great Horwood tenants held land in other places, but not quite so difficult to establish whether any of them lived somewhere else.¹⁰ A tenant who lived elsewhere was surely likely to have held land in that other place (and possibly more land than he had in Great Horwood, if it is safe to assume that he lived on his largest holding). Minors and the elderly, and perhaps widows, might be exceptions, if they lived elsewhere in order to be with relatives rather than because they had land there.

⁸ It is likely that John Pigot of Little Horwood also held land in Mursely and Swanbourne, two townships immediately beyond Little Horwood, since his 1450 will made bequests to the churches of Little and Great Horwood, Winslow, Mursely and Swanbourne (HALS 1AR60v). His 1555 descendants undoubtedly held land in many other places, and so probably did the Williats, Edmonds and other yeoman and lesser gentry families.

⁹ A little can be said about Whaddon. No Great Horwood tenant appears among the eight tenants of New College's tiny rectory manor in Whaddon listed in rentals and court rolls from 1477-80 (NCA 3818/18,19), though a Great Horwood virgater in the 1460s had come from Whaddon and may also have held land there. A 1618 agreement as to commons rights (CBS D/B/300) lists 84 free and customary tenants of the main Whaddon manor, in both Whaddon and Nash, none of whom also appears in Great Horwood's 1610 Rental (though one may have been a tenant in Great Horwood up to 1600).

¹⁰ A number of land market studies have investigated the appearance of outsiders as tenants of customary land in manors, though usually in the context of gentry or merchant penetration of rural land markets rather than peasant inter-manorial landholding. Examples are P.R. Schofield, 'Extranei and the market for customary land on a Westminster Abbey manor in the fifteenth century', *Agricultural History Review*, 49 Pt. 1 (2001), pp. 1-16; P. Glennie, 'In search of agrarian capitalism: manorial land markets and the acquisition of land in the Lea valley c.1450-c.1560', *Continuity and Change*, 3, Pt. 1 (1988), pp. 11-40; and A. Jones, 'Bedfordshire: Fifteenth Century', in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 178-251, at pp. 192, 234-5, 246-7.

So, can it be determined whether any of the Great Horwood tenants lived elsewhere? The Great Horwood court rolls mention some 850 tenants between 1400 and 1600. All available sources were scoured for hints as to their place of residence, and in nearly every case it was possible to determine whether their place of residence was in Great Horwood or another place (in some cases the place could be named, though it was often only possible to say that the individual clearly did not live in Great Horwood).

First, there are a number of explicit statements as to a tenant's place of residence in the court rolls themselves. These might be a reference to a Great Horwood messuage 'in which he dwells', or a record of his being placed in a tithing (for which residence was a qualification), or a description of him as, for example, 'of Little Horwood'. However such explicit statements were not common, and a variety of other sources had to be used.

Wills were useful, since most state the testator's residence, or contain some hint of it.¹¹ Lists of tenants and their dates of death, as reported in the court rolls, were compared with calendars of wills proved in the Archdeaconries of Buckinghamshire (which begin only in c1530, unfortunately) and St Albans (whose records begin right back in 1420 - conveniently Winslow and Little Horwood wills were proved there) and the PCC in London. By this means quite a few non-resident tenants were identified, though many more from the sixteenth century than the fifteenth.

For the period immediately before the Archdeaconry of Buckinghamshire probate records began, the 1522 Muster Roll and 1524 Lay Subsidy were useful, as internal evidence in those documents enables resident and non-resident taxpayers to be distinguished. Trawls through a wide range of other published records - often just a quick look in an index for references to Great Horwood - provided a few more incidental mentions of Great Horwood tenants (the appellation 'of Great Horwood' was accepted as confirmation of residence there). Great Horwood's parish registers only begin in 1600 so they were of use only at the very end of the sixteenth century.

¹¹ Wills were initially investigated in the hope that they would provide explicit statements of inter-manorial landholding. However it was found that very few of the fifteenth- and early sixteenth-century wills of residents and tenants of Great Horwood and nearby parishes which were searched made any references to landholdings at all, let alone land in other places (this is discussed in more detail in chapter 5). A small number made bequests to churches in places other than the testator's residence, possibly because he held land there, but even these were not numerous.

However none of these sources provided confirmation of the place of residence for anything like all of the tenants, and especially not in the fifteenth century. For that it was necessary to go back to the court rolls, and look for pointers towards each tenant's place of residence in the references to him in the rolls. Heriots were often significant, for example. The Great Horwood custom was that a tenant who had no beast gave the crop of a half acre of his best land. Clearly a tenant who had no beast could not be farming his land, and had probably sublet it – in which case he was probably resident elsewhere (though this would be less certain in the case of a widow, and perhaps sometimes a crop heriot was given by an elderly man who had retired from active farming and handed everything over to his heir except the title to the land itself). Again, if a tenant was recorded as underletting his entire holding it can probably safely be assumed that he did so because he had left the manor (though the Great Horwood court rolls seldom mention underletting in the fifteenth century).¹²

30 May 1447	essoined from attendance at court; ordered to scour ditch
16 Apr 1448	amerced for default in suit of court
7 Oct 1448	paid fine for release from suit of court
22 Oct 1449	paid fine for release from suit of court
20 Oct 1450	paid fine for release from suit of court
26 Oct 1451	paid fine for release from suit of court
3 Oct 1452	paid fine for release from suit of court
1 Oct 1453	paid fine for release from suit of court
8 Oct 1454	paid fine for release from suit of court
23 Nov 1455	paid fine for release from suit of court
7 Oct 1457	paid fine for release from suit of court
30 Oct 1458	paid fine for release from suit of court; ordered to scour ditch
7 May 1459	paid fine for release from suit of court
16 Dec 1461	paid fine for release from suit of court; ordered to scour ditch
13 Jun 1464	paid fine for release from suit of court
12 Dec 1464	paid fine for release from suit of court
21 Nov 1465	paid fine for release from suit of court
18 Dec 1466	paid fine for release from suit of court
21 Dec 1468	paid fine for release from suit of court
12 Jan 1470	paid fine for release from suit of court
19 Nov 1471	paid fine for release from suit of court
16 Dec 1472	paid fine for release from suit of court
20 Jan 1474	amerced for default in suit of court
1 Jun 1474	amerced for default in suit of court
1 Jun 1474	amerced for default in suit of court
14 Nov 1474	amerced for default in suit of court
14 Jan 1477	his heirs amerced for default in suit of court
20 Oct 1479	paid fine for release from suit of court

Fig. 4.2. Humphrey Shirley: all entries relating to him in the Great Horwood court rolls.

He held a virgate (36 acres) and a close in right of his wife Isabel, widow of Richard Foxcote.

¹² Crop heriots are discussed further in chapter 5.

Often no single entry points to non-residence, but it is clear from the totality of a tenant's activities in Great Horwood - for example, if there are only a few entries and they nearly all relate to non-attendance at the manor court. At Figures 4.2 and 4.3 are set out all the entries relating to two fifteenth-century tenants. One, Humphrey Shirley, is clearly not resident – over the thirty two years of his tenure of a virgate he is mentioned in the rolls only thirty times, and on all but three of those occasions it is for absence from the manor court. He had evidently acquired his holding by marrying the widow of a Great Horwood tenant who himself had probably been resident in Bradwell, about seven miles to the north east, so the Great Horwood holding may well have been just an outlying appendage of a larger estate.¹³

26 Apr 1446	placed in tithing		
7 May 1459	inherited 1 messuage and 1 virgate of land after his parents' deaths	5 Mar 1490	amerced for default in suit of court
16 Dec 1461	juror; stood pledge for heriot due from another tenant	22 Jul 1490	amerced for default in suit of court
2 Jul 1462	essoined; ordered to scour ditch	20 Jan 1491	essoined
1 Jul 1463	juror; ordered to scour ditch	26 Jul 1491	essoined
12 Dec 1464	sutor, defaulted	8 Mar 1492	essoined
21 Nov 1465	juror	21 Mar 1493	essoined
5 Jun 1466	essoined	28 Jan 1494	amerced for default in suit of court
30 May 1467	amerced for default in suit of court	14 May 1494	essoined
21 Dec 1468	juror	26 Feb 1495	essoined
14 Jul 1469	essoined - 'of Lawnton'	14 Oct 1495	essoined
12 Jan 1470	amerced for default in suit of court	28 Jun 1496	amerced for default in suit of court
19 Nov 1471	essoined	13 Apr 1497	juror
16 Dec 1472	essoined	5 Jul 1498	juror; affeorer
20 Jan 1474	paid fine, released from suit of court	1 May 1499	essoined
1 Jun 1474	amerced for default in suit of court	31 Mar 1500	essoined
14 Nov 1474	amerced for default in suit of court	6 Oct 1500	essoined
14 Jan 1477	amerced for default in suit of court	6 May 1501	essoined
20 Oct 1479	amerced for default in suit of court	17 Mar 1502	essoined
17 Mar 1480	amerced for default in suit of court	24 Jan 1503	essoined
21 Jun 1482	amerced for default in suit of court	16 Sep 1504	essoined
4 Jun 1483	paid fine, released from suit of court	6 Oct 1505	essoined
23 May 1484	amerced for default in suit of court	23 Sep 1507	essoined
4 Jul 1487	amerced for default in suit of court	12 Sep 1508	essoined
10 Jul 1488	paid fine, released from suit of court	4 Sep 1510	surrendered his holding? The reeve's account records a heriot paid by him and a fine paid by Robert Colles, possibly his son, who though not a tenant has been resident and clearly in occupation of land since 1488.
19 May 1489	paid fine, released from suit of court		
7 Jan 1490	essoined		

Fig. 4.3. **Richard Colles:** all entries relating to him in the Great Horwood court rolls.

¹³ Shirley is not explicitly mentioned as a tenant, but his owing suit shows that he was, and it is evident from other entries that he acquired his Great Horwood holding by marrying the widow of its former tenant, Richard Foscode. Foscode's death and his widow Isabel's succession were recorded in 1446, just before Humphrey Shirley's first appearance in the rolls. Isabel then disappears from the records until Humphrey's death in about 1477, when a series of entries recording Isabel Shirley's absence from court begin, until 1487 when the death of Isabel Foscode, late wife of Richard Foscode is recorded (the following year the heirs of Isabel Shirley were presented for non-attendance).

The case of Richard Colles is slightly more complex. His father was a Great Horwood tenant and resident and Richard was probably born there, presumably about twelve years before 1446, since he was placed in the tithing in that year. In 1458 and 1459 his father and mother died and he inherited the family's virgate. He may have stayed in Great Horwood and farmed the holding initially, as he served as juror in four courts between 1461 and 1468 and stood pledge at one of them. However he also failed to attend the court four times during the same period, and from 1469 onwards he was certainly no longer resident, because in that year he is stated explicitly to be of Launton, about twelve miles to the west, and over the next forty or fifty years he is mentioned in the rolls only forty two times, on all but four occasions for non-attendance at the manor court.

In these cases, and many others like them, it is clear the tenant is non-resident. On other occasions it is equally clear from the nature of his recorded activities that the tenant must be living in the manor. Enrolment in the tithing is by definition evidence of residence in the manor, and since brewing was something done in the home (in the fifteenth century at least) presentment for breach of the Assize of Ale must point towards residence. But again it is often the overall picture which suggests that a tenant is resident within the manor - if he was frequently presented for offences relating to everyday life and farming activities - brawling, gossiping, trespassing, ploughing where he should not, or if he constantly served in one of the manorial offices - constable, chief pledge of a tithing, aletaster, juror, affeeror etc, or had custody of animals which have strayed into the manor. An example of the life story of an obviously resident tenant, Robert Wilkyn (1416-1450), can be seen at Figure 4.4.

Care was taken to assess the overall picture presented by all the entries relating to any individual, and not to give undue emphasis to single events. Some of those who brawled in Great Horwood must have been outsiders. It does seem evident that at least some of the time non-resident tenants were presented for farming-related offences which must surely have been the defaults of their subtenants – see for example the three presentments of Humphrey Shirley for not scouring ditches in Figure 4.2. It appears to have been possible to live in the immediately adjacent settlements - Singleborough and Little Horwood - and still serve as a juror, or even hold one of the manorial offices. So to that extent this method may be better at identifying tenants who lived further away than those places, and the number of outsiders may have been under-estimated.

22 Apr 1420	aged 4, inherited 1 messuage and 1 virgate from his father Richard Wilkyn
27 Oct 1421	his mother Isabel claimed the holding and was admitted, later remarried
3 May 1435	his step-father dead, he recovered the holding from his mother, after a court case
6 Oct 1435	granted 1 cartload of poles from lord's wood to repair his tenement
1 May 1436	surrendered 1 messuage and 1 virgate to himself and his wife Alice
26 Jul 1436	warden of the ordinances of autumn
29 Apr 1437	juror
11 Nov 1437	juror
11 Nov 1437	assaulted by John Haukyn
25 Nov 1438	brawled with Henry Colles
25 Nov 1438	assaulted Robert Baynard, amerced 2d
7 Apr 1439	juror
22 Oct 1439	juror
10 May 1440	juror
19 Jul 1440	acknowledged new lords
14 Jun 1441	brewed once, amerced 2d
14 Jun 1441	juror
30 Oct 1441	juror
30 May 1442	juror
4 Dec 1442	juror
17 Jun 1443	juror
17 Nov 1444	brewed once, amerced 2d
12 Jun 1445	brewed once, amerced 2d
26 Apr 1446	brewed once, amerced 2d
19 Jul 1446	drew blood on Thomas Taylor with a pykforke
19 Jul 1446	brewed once, amerced 2d
12 Dec 1446	juror
30 May 1447	juror
30 May 1447	brewed once, amerced 2d
7 Nov 1447	juror
16 Apr 1448	juror
7 Oct 1448	juror
4 Aug 1449	juror
28 Jul 1450	juror
20 Oct 1450	died, holding 1 messuage and 1 virgate jointly with his wife Alice

Fig. 4.4. Robert Wilkyn: all entries relating to him in the Great Horwood court rolls.

The degree of under-estimation may have been further increased by those tenants for whom the evidence was just ambiguous, or where there were just not enough entries to form an opinion. In such cases it was thought best to err on the safe side and classify them as resident in Great Horwood, but some may actually have been outsiders.

There was also the danger of assuming that one reference to a tenant's place of residence applied to his entire life. Clearly not every tenant spent his whole life in one manor; some must have moved into or out of Great Horwood during the period of their tenancies. Care was therefore taken to assess the complete life history of even those tenants for whom evidence of residence had been found. Sometimes, as in the case of Richard Colles, it was

evident that someone who began as a resident tenant had moved away without disposing of his holding.¹⁴

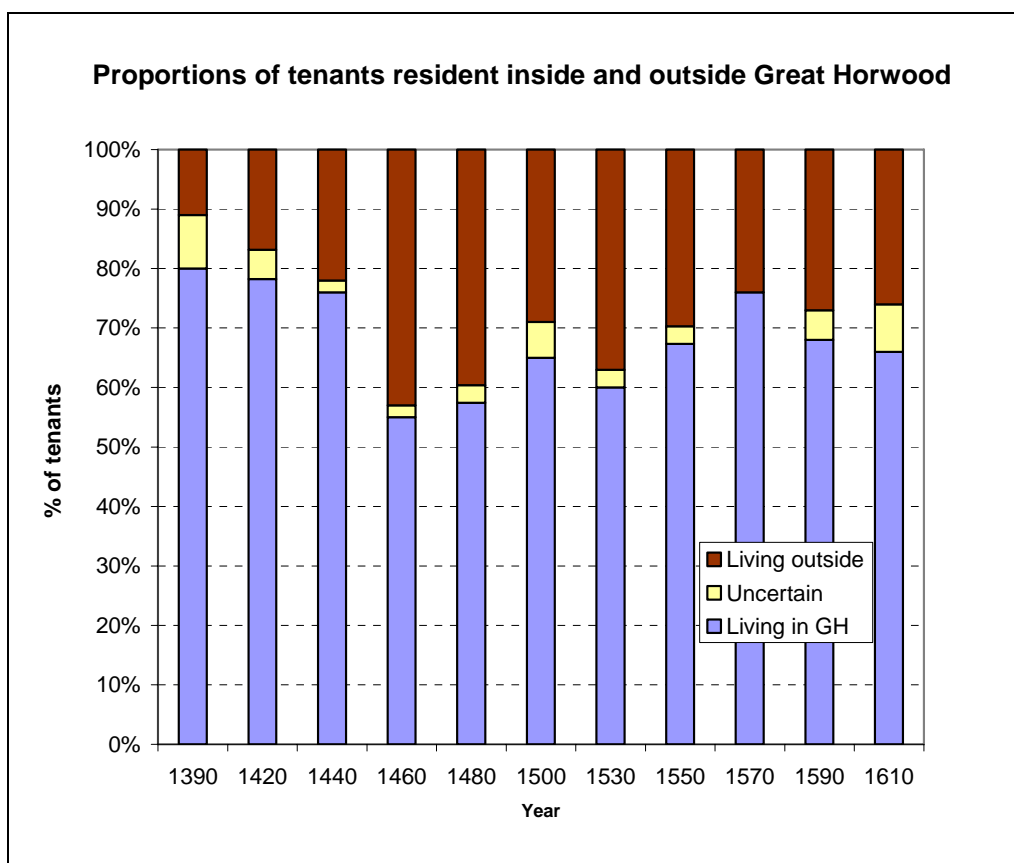
Once the place of residence of all the 850 or so tenants recorded in the fifteenth- and sixteenth-century rolls had been assessed it was apparent that roughly a third of them were identified as not resident in Great Horwood, though the precise proportion varied over time of course. Since a number of tenants moved into or out of Great Horwood during the period of their tenancy, so that their residential status varied over time, the extent of non-residence is best assessed by reference to the tenants' status at a series of fixed dates - the sample years for which the land distribution structure was determined in chapter 2 were used - which also has the advantage of revealing changes over time very clearly.

By way of example the 1440 list of the tenants is shown at Figure 4.5. It can be seen that the residence of half the tenants could be determined with some certainty and that of the remainder (one excepted) on a basis of probability. A full quarter of the tenants (24% by number - holding 30% of the land) were probably resident outside Great Horwood. Three of them live in Little Horwood or Winslow, and we know from the Winslow Court Book that they held land there (two had more land there than they held in Great Horwood, and the third had a holding of equal size) - though we cannot know what land they had in yet other manors. Nor is it possible to discover how much land the other non-resident tenants held in the places where they lived, or in other places again, but if the same pattern holds true then the land distribution structure revealed in chapter 2 must be substantially altered. And that would still leave open the possibility that a similar proportion of the tenants who did live in Great Horwood also held other land in other manors (for example we know from the Winslow Court Book that the half-virgater John Lary held a full virgate in Granborough - see Table 4.4).

¹⁴ Ros Faith found many examples of this in fifteenth-century Berkshire (often revealed because the departing tenant had sublet his holding without licence). R. Faith, 'Berkshire: fourteenth and fifteenth centuries' in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 106-77.

<u>2½ Virgates +</u>			
John Horewod (just died)		Singleborough	
/his son-in-law John Carter		Whitchurch	
Richard Gilmot als Taylor	GH, probably		
<u>2 Virgates +</u>			
John Hawekyns[2 men?]	GH, probably		
<u>1½ Virgates</u>			
John Hogges	GH, probably		
John Smyth als Kingswood	GH, probably		
<u>1 Virgate +</u>			
William Wylky:	GH, probably		
William Frankeleyn	GH		
John Geffus senior	GH		
Richard Foscite	GH, probably		
Richard Hikedon	GH, probably		
<u>1 Virgate</u>			
John Pygot		Little Horwood	
Richard Pygot		Little Horwood	
Geoffrey Whaddon		outside, probably	
William Gilmot chaplain	GH	[outside 1423-39]	
Nicholas Gilot		outside, probably	
Robert Wilkyn	GH, probably		
William Bedford	GH, probably		
John Geffus junior	GH		
Thomas Bedford	GH, probably		
Thomas Prentys	GH		
Joan North	GH, probably	[previously Tattenhoe]	
Henry Collus	GH		
John Baynard atte asshe (villein)	GH		
John Baynard of Overend (villein)	GH		
William Baynard (villein)	GH		
Agnes Foscite widow		Bradwell	
<u>½ Virgate</u>			
Agnes Chirchey	GH, probably		
Thomas Partrych	GH		
John Beauchamp		outside, probably	
John Chirchey		outside, probably	
William Colyer	GH		
William Wodevile/ John Lary	GH, probably		
William Cordell	GH, probably		
Robert Baynard (villein)	GH		
<u>¼ Virgate</u>			
William Broun	GH, probably		
<u>2 x Cottage or Messuage</u>			
Robert Bukke	GH, probably		
<u>Cottage or Messuage</u>			
William Mowyn			uncertain
Matilda Eynesham		Winslow	
Richard Bowre	GH, probably		
Laurence Sewster	GH		
William Pernell	GH		
Thomas Mallet	GH		
Katherine Stanford	GH, probably		
John Totenho	GH, probably		

Fig. 4.5. Great Horwood tenants in 1440, showing place of residence.



Residence	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
Great Horwood	37	33	34	23	20	20	21	24	31	40	49
%	80	79	76	55	58	65	60	73	78	68	66
Outside	5	7	10	18	14	9	13	11	9	15	19
%	11	17	22	43	40	29	37	25	23	25	26
Uncertain	4	2	1	1	1	2	1	1	-	4	6
%	9	5	2	2	3	6	3	3	-	7	8
Total	46	42	45	42	35	31	35	36	40	59	74

Tab. 4.5. Great Horwood tenants - proportions living outside the manor.

Table 4.5 shows the proportions of Great Horwood tenants who can be identified as living outside the manor at twenty or thirty yearly intervals between 1420 and 1610. It can be seen that the number of non-resident tenants was low at the end of the fourteenth century, when at least 80% of the tenants were resident (a figure which can be regarded with some confidence

as it is based on a roughly contemporary list of men in the tithings endorsed on a court roll¹⁵ – residence was a condition of tithing membership). Non-residency rose steeply during the first half of the fifteenth century, however, reaching a peak in 1460 when at least 45% of the tenants lived outside Great Horwood. Thereafter the proportion of non-resident tenants fell slightly, but never dropped below one quarter.

An explanation for the fall in the number of non-resident tenants between 1530 and 1570 might be the late-sixteenth-century emergence of a class of smallholders, who by definition would be more likely to be resident in the manor. However, while the smallholdings did begin to appear before 1570, they were primarily a feature of the period after 1574 (see page 52 and Figure 2.3).

The mid-sixteenth-century decline in the numbers of non-resident tenants is in fact the result of the break up of a number of accumulations of holdings which had been built up between 1440 and 1520 by families living outside Great Horwood. Although Great Horwood had no resident yeomen or minor gentry, several of the small accumulations of two or three virgates belonged to yeomen or gentlemen living outside the manor, often part of larger estates centered elsewhere – these were families like:

- the Pigots, initially wealthy peasants living in neighbouring Little Horwood but by 1500 risen to gentry status and acquiring manors elsewhere;
- the Colyers, originally husbandmen in Great Horwood but by 1500 lawyers living in Buckingham;¹⁶
- the Warhams; Hugh Warham, brother of William Warham (Archbishop of Canterbury and briefly rector of Great Horwood), acquired several holdings during and after his brother's rectorship;
- the Coupers, wealthy peasants of Winslow and Little Horwood, who acquired three virgates in Great Horwood in the middle of the fifteenth century, on which a branch of the family established itself;
- the Williats, of Little Horwood, by the mid-sixteenth century risen to yeoman status (and to the gentry by the end of the century, when one branch moved to Great Horwood).

¹⁵ NCA 3915/1v.

¹⁶ The family is discussed at greater length in M. Tompkins, "Let's kill all the lawyers": did fifteenth-century peasants employ lawyers when they conveyed customary land?, in L. Clark (ed.), *The Fifteenth Century VI* (Woodbridge, 2006), pp. 73-87, at pp. 86-7.

In the middle of the sixteenth century most of these small estates were either divided among the family and reduced to mere half- or full virgate holdings, or sold off, often piecemeal with their constituent virgates and half virgates sold separately. They seem mostly to have passed into the hands of local peasant families - thus reversing the earlier trend towards absentee owners and creating the rise in numbers of resident tenants seen here.

Thus, if it is correct that residence elsewhere equates to landholding elsewhere, Table 4.5 gives a rough indication of the extent of inter-manorial landholding in Great Horwood in the fifteenth and sixteenth centuries. If, like the Winslow and Little Horwood residents in 1440, every non-resident had at least as much land again outside Great Horwood (and probably more), then the landholdings of 25-40% of the tenants in the land distribution data in chapter 2 should be at least doubled, with the effect of increasing the polarisation of landholding in Great Horwood.

But Table 4.5 only gives half the picture. The degree of inter-manorial landholding would have been greater still, because there is also the reverse situation; Great Horwood residents who owned land in other places. The nature of the sources makes that more difficult to determine - we have some idea of how many Great Horwood tenants held land in Singleborough, and in the manor of Winslow in 1440, but not how many of them held land in other places and other dates. Nevertheless if so many residents of other manors were also tenants in Great Horwood then it must be the case that some Great Horwood residents were also tenants in other places – though probably holding less land than they had in Great Horwood, (on the assumption that most people lived on their largest holding).

In any event, even if its precise extent cannot be quantified, it is clear that there must have been a substantial degree of inter-manorial landholding in Great Horwood from the mid-fifteenth century, confirming that land distribution patterns derived from the records of single manors may not always provide an accurate guide to rural social stratification.

It is also clear that in this part of north Buckinghamshire, unlike the Norfolk manors studied by Jane Whittle, most tenants' landholdings were not confined to the parish they lived in - though they were certainly still fairly strongly localised; of those tenants whose places of residence outside Great Horwood could be identified, the greatest number lived in Singleborough (which actually *is* in the same parish), followed by Little Horwood and then

Winslow and Shipton. In fact these three places accounted for half the non-resident tenants whose place of residence could be identified.

The rest did not come from very far off - few of those whose place of residence can be identified came from more than about eight miles away. A sprinkling of gentry tenants lived even further afield, but almost no merchants or urban tenants were discovered - a couple from Buckingham and, in the whole two centuries, just four from London, all related to Great Horwood families.¹⁷

SUBTENANCY AND UNDERLETTING

One of the great unresolved questions concerning medieval rural society is the extent to which the tenants named in the manorial records were the actual occupiers and farmers of the land they held. The land distribution information in chapter 2 assumes that the landholdings recorded in the court rolls were not just units of legal ownership, but also units of farming production – yet if there had been large-scale subtenancy of land then the structure of actual occupation could have been quite different from the ownership structure revealed by the court rolls.

There is no doubt that medieval peasants, customary tenants as well as freeholders, did sometimes sublet their land – the question is merely how extensively it was done. Most court rolls mention subletting, but never systematically, and usually only when tenants were granted licence to sublet or presented for subletting without licence. In many manors these occasional references to subtenancies are relatively few, but there is always uncertainty whether this is because few tenants were subletting or because few were bothering to obtain the necessary licence or being presented for not obtaining one. Records which make it possible to determine the full extent of subletting in any manor are rare before 1600 (and not common thereafter, either) and are usually surveys, extents or rentals which list both chief tenants and actual occupiers, so they only disclose the extent of subletting at a single date. To date only three studies have been able to make use of such documents to determine the extent

¹⁷ This is in strong contrast to Leighton Buzzard in Bedfordshire, Cheshunt in Hertfordshire and Birdbrook in Essex, where Londoners and other merchants and rural gentry entered the land market in strength in the later fifteenth century; Jones, 'Bedfordshire: Fifteenth Century', pp. 189-92, 234-5, 246-7; Glennie, 'In search of agrarian capitalism'; and Schofield, '*Extranei*'. The absence of such investors from Great Horwood was no doubt a result of its remote location, distant from any large urban centre, rural industry or important road.

of subletting quantitatively at dates before 1600: of Caddington and Kensworth in Bedfordshire in 1297, Havering in Essex in 1251, 1352 and 1617, and Cannock in Staffordshire in 1554.¹⁸ All found subtenancies in such large numbers that the land distribution structure was substantially distorted, and are often quoted as evidence for the possibility of widespread subletting in this period. However on close examination it is apparent that in the first two cases the subtenancies are actually subinfeudations of freeholds or ancient demesne customary tenures, created before the 1290 Statute of *Quia emptores* made such things impossible - effectively quasi-freeholds, they are quite different from the mainly short-term rack-rent subtenancies with which this chapter is concerned.

At Caddington and Kensworth (adjacent manors of St Paul's Cathedral) extents from 1297 recorded the usual standard-sized virgate-based free holdings (virgates, half virgates and quarterlands), but also revealed that in most of them a large number of small irregularly-sized parcels were held by other individuals than the main tenant. For most of those parcels no rent or services were mentioned, leading Andrew Jones to suppose that they were subtenancies held from the main tenants of the holding. The effect of the subtenancies was to increase the proportion of small holdings substantially, since few of the main tenants also held sublet land, though some subtenants had accumulated larger holdings than the rump chief holdings. However the date of the extent, only seven years after the statute of *Quia emptores* had ended alienation of freeholdings by subinfeudation and made outright alienation by substitution possible, suggested to him that at least some of these subtenancies may not have been temporary sublettings for a term but were actually pre-*Quia emptores* permanent alienations by subinfeudation. The extent did not record any similar fragmentation of the customary holdings, however, though Jones speculated that the record may have just not recorded it.¹⁹

Unfortunately a lack of comparable evidence from later dates prevented Jones testing his supposition that the subtenancies were permanent subinfeudations, but that is exactly what Marjorie McIntosh was able to do for the royal demesne manor of Havering atte Bower in Essex, where she compared three detailed extents from 1251, 1352 and 1617. She found that 'beneath the holdings held immediately from the Crown lay a complex network of subholdings and sub-subholdings'. By 1351 there were roughly 200 chief tenants and 300

¹⁸ Ros Faith mentions a series of six rentals of the manor of Speenhamland in Berkshire from between 1376 and 1564 which mention sublettings, and a similar rental of Eastrop in 1473, but uses them to provide anecdotal, rather than quantitative, evidence for subletting; R. Faith, 'Berkshire: Fourteenth and Fifteenth Centuries', in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 143-5, 148-9.

¹⁹ A. Jones, 'Caddington, Kensworth and Dunstable in 1297' *Economic History Review*, 2nd Ser., 32 (1979), pp. 316-27.

subtenants and ‘the lack of correspondence between the net holdings [the land actually occupied] and the direct tenancies is striking’ – 69% of chief tenants of 5 acres or more also held sublet land, and many had also sublet part of their own direct holding. However once again the subholdings were not temporary lettings for a term but were permanent interests resulting from pre-*Quia emptores* alienations by subinfeudation; by the sixteenth century ‘the traditional subholdings were now viewed in effect as freeholds, and the rents which they owed to the direct tenants remained fixed at their 1251 level. Subtenants continued to enjoy complete freedom of purchase, sale or division of units.’ Unlike Caddington and Kensworth the Havering subtenancies had been created out of customary holdings, not free ones – but Havering was a royal demesne manor, where the ‘customary tenure resembled freehold in nearly all respects.’²⁰

So neither Caddington and Kensworth nor Havering provides evidence for widespread subletting by customary tenants. In fact, while there is abundant evidence of subtenancy in the medieval period, no source has been found which enables it to be quantified – but there is one example available from just after the end of the medieval period. Christopher Harrison has reported on a 1554 manorial survey of the manor of Cannock which listed not just the chief tenants (mostly copyholders) but also the actual occupiers, and revealed an extreme degree of subletting. Two-thirds of the land was sublet and every chief tenant had sublet part of his holding, several retaining no land at all. Half of the actual occupiers held only sublet land, including the occupier of the largest farm in the manor, who would otherwise have been invisible in the records. Taking these subtenancies into account had the effect of greatly increasing the number of tenants with small holdings (under 10 acres), giving a quite different picture from that which could be obtained from the occasional references to subletting in the court rolls, as Harrison made clear:

Let me recapitulate the serious errors which would have been made about the structure of the manor of Cannock but for the fortuitous survival of the 1554 Field Book. One would have put the proportion of sub-tenanting at 15 percent, in fact it was 64 per cent. One would not have known that a third of landholders were absentees. Serious misidentification of rich and poor would have been made.²¹

²⁰ M.K. McIntosh, *Autonomy and Community: the Royal Manor of Havering, 1200-1500* (Cambridge, 1986), pp. 95, 105-11, 116-7; *A Community Transformed: The Manor and Liberty of Havering, 1500-1620* (Cambridge, 1991), pp. 99, 116-7.

²¹ C.J. Harrison, ‘Elizabethan village surveys: a comment’, *Agricultural History Review*, 27 (1979), pp. 82-9, p. 89.

Harrison went on to warn that ‘in those manors where one has reason to believe there was more than nominal sub-tenanting, land surveys will not be a reliable indicator of the distribution of land for farming.’²²

So two types of subtenancy have been found in other manors – (i) permanent subinfeudation and (ii) subletting for a term, either short (for a few years) or long. The former was probably confined to freeholds and freehold-equivalents such as ancient demesne tenures, and in any event could not have occurred after the statute of *Quia emptores* outlawed it in 1290. There was almost certainly none of it in Great Horwood. The debate about peasant subletting and its effect on land distribution structures is really about the second type.

Subtenancy in Great Horwood

Did Great Horwood tenants grant subtenancies? The manor’s records provide many hints but little quantification of the extent to which they did. The only matter about which it is possible to be reasonably certain is the absence of permanent pre-1290 subinfeudations - the fifteenth- and sixteenth-century court rolls and other records do not contain a single hint that any such holdings existed in Great Horwood. However it is clear that temporary subletting, by customary tenants and freeholders alike, was far from unknown.

First, a point of vocabulary. In the discussion which follows it is sometimes necessary to distinguish between subtenancy of agricultural land, whether with or without a dwelling, from subtenancy of dwellings alone. To make this possible the terms ‘underlet’, ‘underlease’ and ‘underlessee’ will henceforth always be used when farmland is involved and ‘sublet’, ‘subtenancy’ and ‘subtenant’ will be limited to dwelling-only subtenancies (a choice of vocabulary partly determined by contemporary sixteenth-century usage, which seems also to have used ‘subtenancy’ with the same restricted meaning).

²² *Ibid.* This warning has been dismissed on the grounds that the average direct holding in Cannock was much the same size as the average area actually occupied (around 55 acres) – but the fact that the holding sizes happened to even out in Cannock does not necessarily mean that the same will have happened in other manors where underletting was equally prevalent (R. Allen, *Enclosure and the Yeoman: the Agricultural Development of the South Midlands 1450-1850* (Oxford, 1992), p. 75, fn. 26; Whittle, *Agrarian Capitalism*, p. 190).

Before 1425

In the fifteenth century explicit references to temporary underlettings do occur, but almost all before 1425. Ignoring a couple of ambivalent entries which may not relate to lettings at all, there were sixteen references, of which seven were grants of licence to underlet, five were presentments for failing to obtain licence (all before 1415) and four were passing references to underleases in other contexts. From this it is clear that at this time underlettings did require licences, though the absence of lettings for less than six years and premises smaller than complete standard holdings does raise the possibility that they were only required for the more substantial leases. In any event, the usual question is begged: were the tenants underletting unlawfully and without detection on a large scale, or do the few cases recorded in the rolls represent most if not all of the underleases granted? This question will be revisited once the documentary evidence for underletting has been considered.

Of the fifteen pre-1425 lessors, eight were widows leasing their dower lands (of whom three obtained licence, three were presented for not doing so and two were mentioned in other contexts – one of the latter was a freeholder who did not need licence anyway). Of the remaining seven, three were non-residents and three were residents who moved away once they had underlet their land. The underlessees, on the other hand, were all residents apart from one from Singleborough (and one who might have lived in Winslow) and two groups of feoffees, of a freehold and the rectory, who were a mixture of local men and outsiders. The underlessees all held other land as chief tenants – none held underlet land only, though in one or two cases the underlease may have been acquired some years before the chief tenancy. So far as can be determined, the underlet premises were all complete standard holdings or dower lands derived from them (or in one case the rectory).²³

So, although the sample is small, there does seem to be a clear association between underlessors and non-residents (or widows), and between underlessees and residents. In other words underleases are granted by tenants who cannot cultivate their holdings, because they live too far away or are widows, to tenants who can, because they live locally. The absence of underleases of parcels of standard holdings is surprising, but may just reflect a custom that only leases of complete holdings required licence.

²³ The underlease terms were only stated in seven cases, and varied between 6 and 21 years. The rents reserved were seldom mentioned – see p. 173 for such information as is available.

1425 – 1500

From 1425 until 1500 underlettings nearly disappear from the record; the single reference to them is the grant of a licence to underlet a messuage and virgate for 10 years in 1482.²⁴ It is tempting to try and connect the disappearance of underlettings from the court rolls to the change of lordship in 1441, when the last of a series of Crown leases of the manor to various lords was replaced by an outright grant to New College, but the fact is that the change in policy seems to have occurred up to sixteen years earlier, part way through Sir Ralph Rocheford's lease. It may perhaps have been connected to the increasing numbers of non-resident tenants, many of gentry or near-gentry status, who would have frequently underlet their holdings but have been less amenable to manorial control. This will be discussed further in chapter 6.

The sixteenth century

In the sixteenth century references to underletting become more plentiful in the rolls (and in wills, which are very useful in this regard), though their nature changes. Only one licence to underlet is recorded (in 1584, to a London haberdasher, perhaps unaware of the local custom) and one presentment for failure to obtain licence (in 1554, a confused entry apparently relating to just a single selion). Instead land transfers, and also devises of land in wills, begin to mention casually that the land is occupied by a third party, from which it is clear that whatever the custom had once been, licences to underlet were now unnecessary.²⁵ These references to occupation of land by someone other than the tenant begin in 1502 but appear only intermittently until the 1550s. Thereafter they become increasingly standard, indeed after 1575 it is sometimes felt necessary to make it clear that the land is occupied by the tenant himself.

References to subtenancies of dwellings also become plentiful. From 1531 onwards a series of ordinances tried to prevent tenants subdividing houses between more than one subtenant, and later to control all sublettings to anyone other than the chief tenant's own parents or

²⁴ Though in 1432 one tenant sued another for unpaid rent of a shop in neighbouring Winslow. The 1482 lessor was a Baynard, one of the last serfs in the manor; his villein status may explain why a licence was required.

²⁵ At the beginning of the following century, when New College and its demesne lessee took the tenants to court to recover the demesne lands, they also resurrected the claim to control sublettings, citing the pre-1425 court roll entries as evidence of a custom which they admitted had long been in desuetude. They won a partial victory in 1610, when the Court of Chancery declared that sublettings for more than three years should require a licence, but not shorter ones.

children (interestingly one ordinance from 1579 forbade any man *or his tenant* to take in such a subtenant, presumably evidence for widespread underleasing of complete standard holdings), and there are occasional references in the court rolls and wills to individuals dwelling in houses of which they were not the chief tenants.

From these many passing references to sub-occupations it is possible to build up a picture of underletting in Great Horwood in the sixteenth century. In contrast to the early fifteenth century, it is clear that there were a number of subtenants who held only underlet land. An example is Richard Hunt, who was mentioned in the court rolls seventeen times between 1558 and 1581, never as a tenant, yet from the nature of the references was clearly farming land in the manor (his will, made in 1583, called him a husbandman of Great Horwood). In 1558 and 1559 he held a messuage and virgate on a ten year lease from the Mallet family and in the 1570s was mentioned as the occupier of two small parcels sold by members of the Taylor family, one of whom Hunt referred to in his will as his landlord.²⁶ He was clearly an example of a husbandman holding all his land by underlease though, while it is not possible to determine the full extent of his holdings, he is unlikely to have equalled the Cannock subtenant whose subholdings made him the largest occupier in the manor.

An example of someone who held by a mixture of chief tenancy and subtenancy is George Williat, a wealthy yeoman of Little Horwood. Besides extensive properties in Little Horwood and Great Brickhill, he held a quarter-virgate, a cottage and two closes in Great Horwood as chief tenant – yet his 1557 will mentioned not only these but also a leasehold farm (‘my lease of the ferme that I have at Greate Horwodde with all manner lands medowes closes pastures and commons ... belonging to the same’), and other unspecified lands.²⁷ All of his Great Horwood properties, including the ones he himself held by underlease, had been underlet, to at least six underlessees and sub-underlessees.

The sub-underlessee of George Williat’s leasehold farm was a Richard Hitchcock, who otherwise hardly appears in the court rolls, though the few occasions on which he does are all for breach of the ordinances for pasturing livestock, and once for default in suit of court, so the will is useful confirmation of these hints that he was farming in the manor. This is a pattern typical of other individuals mentioned in wills and court roll entries as occupiers of the properties of chief tenants. If they were not also chief tenants of other properties (or later

²⁶ CBS D/A/Wf 9/125.

²⁷ HALS, 6AR108r.

became chief tenants, by inheritance or acquisition), they tend to appear in the rolls only briefly, often in the context of farming activities within the manor. This observation will be used later to identify as underlessees other men appearing in the court rolls but for whom there is no fortuitous mention as an occupier of land.

Can a type of tenant who typically underlet all or part of his landholdings be identified?

There was still a fairly clear association between underlessors and non-residents in the sixteenth century, though not as strong as before 1425, and a weaker association between underlessors and accumulators of multiple holdings. Roughly half of the identified underlessors were non-resident, and roughly a third were accumulators (though the two groups were not necessarily the same – only half the underletting accumulators were non-resident). However there is only evidence for the identification as underlessors of about one tenth of the non-resident tenants. Nevertheless there is no reason to think that anything like all the underlettings have been revealed by the sources available – in fact there is evidence to the contrary – and it will shortly be argued that most non-residents would have had to underlet their land.

As for the accumulators, the distinct impression is received that in Great Horwood an accumulation of more than a virgate or two was too large for a single tenant to farm and that the acquisition of extra land conferred wealth through rents rather than larger farming profits. Most resident accumulators seem to have handed over occupation of at least one or two complete holdings to others, though this did not always involve an arms-length underlease – often the holding was occupied by close relations, frequently sons or sons-in-law, presumably on more informal non-commercial arrangements. For example, in 1575 the court roll entries dealing with the death of Thomas Couper show that his 2 messuages and 2½ virgates were variously occupied by him, his son and an underlessee, Henry Pitkin, and John Foscot's 1543 will shows that all his 4 messuages and 3½ virgates were occupied by him and three children.²⁸

It is an indication of the patchy, non-comprehensive nature of the evidence for sixteenth-century underletting that it reveals no strong correlation between gentry status and underletting. Nearly twenty sixteenth-century tenants were of gentry status but only five can

²⁸ NCA 3922/5; CBS D/A/We/5/127.

be identified as underlessors – yet it must be certain that they all were. It is inconceivable that gentlemen like the Pigots of Little Horwood and Whaddon, who had been part of the county gentry for at least two generations before 1500, or Hugh Warham, brother of the Archbishop of Canterbury, would have been farming their land themselves.

The fifteenth century – evidence from non-residence data

So throughout the sixteenth century underletting was widespread and only incidentally mentioned in the court rolls (the earliest evidence dates from 1502, when the occupiers of two virgates in the Colyers' estate are named). Was this also true of the fifteenth century after 1425 – a period for which there is almost no direct evidence of underletting? Was underletting far more prevalent than is revealed by the court rolls?

The answer must be that it almost certainly was. It is not possible to quantify precisely how much land was being underlet, by whom and to whom, or on what terms, but it is surely possible to identify categories of tenants who could not or would not have farmed their holdings themselves, and therefore probably underlet them. By totalling the holdings of such tenants a rough idea of the amount of land which could have been underlet can be obtained. The main category of tenants likely to have underlet is those non-residents who lived too far from Great Horwood to have farmed their Great Horwood holding themselves and *ipso facto* must have underlet it.

How far was too far? What was the maximum distance which medieval or early modern peasants would have been willing to take their animals and equipment (ploughs, harrows, carts etc) each day in order to cultivate land? There appears to be no academic discussion of this, but *a priori* reasoning suggests that if an ox-team's walking speed is 2 to 2.5 miles an hour,²⁹ then it would not be practical to farm a holding in a village more than about two miles distant (by road, not as the crow flies) – especially as some of the holding's furlongs would lie on the village's far side, making some of its strips up to another mile distant. It would be particularly impractical in winter, when the working day would be short enough without having to spend three or more hours of it walking the plough and team to the strips and back. Of the villages around Great Horwood only Singleborough and Little Horwood fall within this radius. Winslow, Adstock, Addington, Thornborough and Nash are all about two and a

²⁹ M. Watts, *Working Oxen* (Princes Risborough, 1999), p. 19.

half miles, and their most distant lands three or three and a half miles, from Great Horwood (in a straight line – further by road). Whaddon is further still.

So a list of tenants who lived further away than Singleborough or Little Horwood would come close to constituting a list of underlessors. Unfortunately the precise place of residence is not known for all tenants – for more than half it is only known that the tenant must have lived outside Great Horwood – so a list of residents of places beyond Great Horwood, Singleborough and Little Horwood cannot be produced. On the other hand the sixteenth-century evidence contains several examples of Little Horwood residents who underlet their Great Horwood holdings (for example, the yeoman George Williat, whose 1557 will was mentioned above). Even one Singleborough resident is known to have underlet her Great Horwood lands (though she was a widow and may have underlet for that reason). Consequently it is likely that most of the non-resident tenants identified in Figure 4.3 will have underlet their holdings.

This likelihood of having underlet their land applies all the more strongly to those non-resident tenants who were gentry. The two and a half virgates in Great Horwood accumulated between 1410 and 1440 by the minor gentleman John Horwood of Singleborough would hardly have been farmed by him. The Colyer estate was explicitly stated to be underlet in 1502 and 1519 and must have been so from at least its inheritance by the Buckingham lawyer Henry Colyer in 1477 (and probably much earlier during its ownership by his father William, though he was no gentleman). The Pigots of Little Horwood were perhaps close enough to have farmed their holdings in Great Horwood themselves if they had wished to, but it must be extremely improbable that they did - they had been county gentry ever since Richard Pigot found favour with the duke of York in the 1450s (and there is explicit sixteenth-century evidence that they sublet their holdings). The same will be true of the rectors, who were all absentee pluralists until the very end of the sixteenth century – their glebe will always have been farmed by underlessees (and there are occasional references to this in the court rolls).³⁰

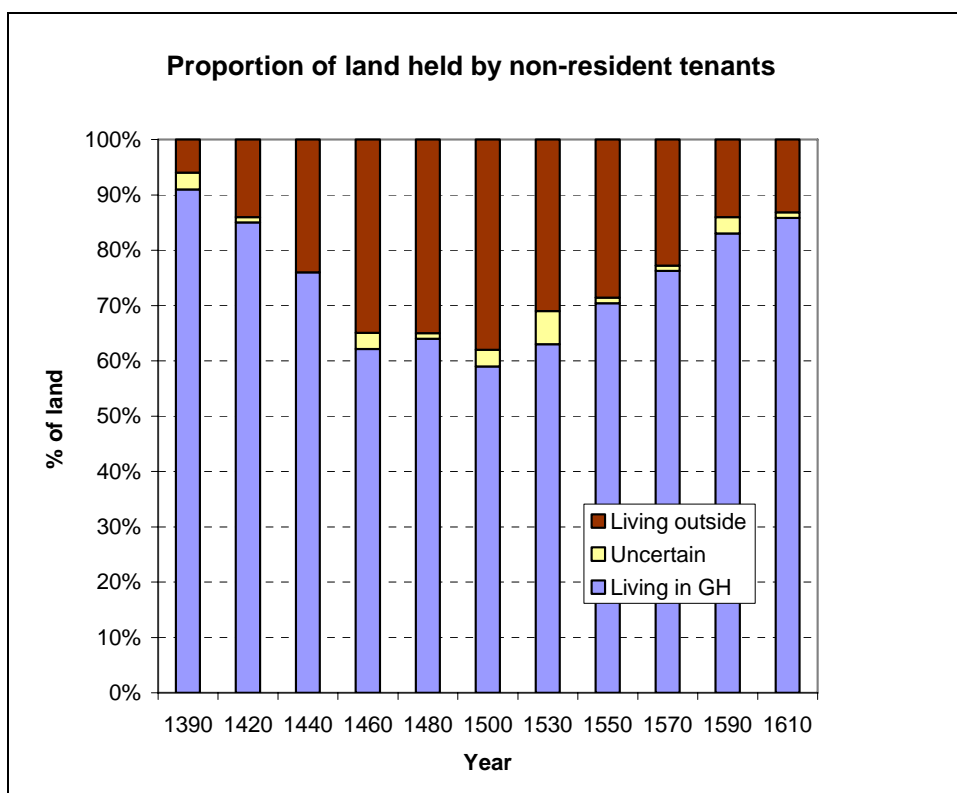
³⁰ For similar reasoning, see J. Whittle and M. Yates, 'Pays réel or pays légal? Contrasting patterns of land tenure and social structure in eastern Norfolk and western Berkshire, 1450-1600' in *Agricultural History Review*, 48, Pt. 1 (2000), pp. 1-26, at p. 18; Whittle, *Agrarian Capitalism*, p. 189; P.D.A. Harvey. 'Tenant farming and tenant farmers: the home counties', *AHEW III*, pp. 662-79, at p. 666.

There will also have been other categories of underlessors among the *resident* tenants – older widows, for example, may have underlet their dower lands, or even their husbands' entire holdings if they had been joint tenants (younger widows would be more likely to remarry, to a husband who might farm the holding himself). As has been seen some sixteenth-century resident accumulators of multiple holdings underlet part of their land, and the same no doubt occurred in the fifteenth century. However these categories of underlessors are more difficult to quantify, as the proportion of widows or accumulators who underlet can only be guessed at. The non-residents, on the other hand, are more likely nearly all to have underlet (and the likelihood of some resident underlessors must compensate to some degree for those non-residents who did not), so the data relating to non-residency can be used to obtain at least a rough idea of the amount of land which might have been underlet.

At Table 4.6 can be seen the proportion of land held by the non-resident tenants in each of the sample years from 1390 to 1610. At the end of the fourteenth century less than 10% of the land was held by them, but this proportion rose rapidly during the first half of the fifteenth century, rising to a peak of around 40% in 1460, when four virgates were held by tenants from Launton, Loughton, Stoke Hammond and Leighton Buzzard, all at least five miles away as the crow flies, another two were held by inhabitants of Little Horwood – one of them a Pigot – and a further $6\frac{3}{4}$ virgates were held by tenants whose precise residence is unknown except that it was evidently outside Great Horwood (plus another recently acquired by a Whaddon man, though he may have moved to Great Horwood). In 1500 the proportion of non-resident land was still close to that level, but thereafter it declined, especially after 1550, as the absentee-owned multiple holdings were broken up and passed into the hands of small resident tenants.

This suggests that from about 1425 onwards the levels of underletting may have been as high or even higher than those in the sixteenth century. If the situation in Great Horwood in this century was anything like that found by Harrison in Cannock in the sixteenth, the land distribution structure revealed by the court rolls and described in chapter 2 can have borne little relationship to reality.

Of course, these methods only make it possible to identify underlettings of complete holdings – they do not identify tenants who granted underleases of just part of their holding, nor underlessees who held by a mixture of chief tenancies and subtenancies. To that extent they will no doubt underestimate the extent of underletting substantially.



Residence	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
Great Horwood	30¾	29¼	26½	21¼	22¾	20¾	22	24¼	27¼	29¾	30¾
%	91	85	76	64	64	59	63	69	77	83	85
Outside	2	4¾	8½	12¾	12¼	13¼	11	10	8	5	4¾
%	6	14	24	36	35	38	31	28	23	14	13
Uncertain	1	½	-	1	½	1	2	½	½	1	½
%	3	1	-	3	1	3	6	1	1	3	1
Total	33¾	34½	35	35	35½	35	35	35¼	35¾	35¾	36

Tab. 4.6. Great Horwood non-residents' landholdings
– the proportion of land held by tenants living outside the manor

Underletting of small parcels must surely have been commonly done, if only for the following reason: that until the late sixteenth century the land market in Great Horwood was rather less than lively. There was nearly no fragmentation of the ancient virgates and half-virgates before 1574 - land was bought and sold only in the full-sized holdings - which of course

meant that turnover was slow. Yet it is difficult to believe that the Great Horwood tenants never needed to shed or acquire smaller pieces of land - when they needed to raise a bit of cash, or found themselves with a surplus to invest, or a daughter to dower, or an unexpected expense to meet, or simply in response to the changing needs of life-cycle. If they were not constantly buying or selling small pieces of land then they must surely have been leasing them, as at Halesowen, which had 'a less active land market with more emphasis on temporary leases than permanent alienations.'³¹

It may be objected that underletting *strictu sensu* – a parting with occupation of the land for a rent to someone who farmed it for his own profit - need not have been the only response of a non-resident tenant to his inability to farm his holding in Great Horwood himself. Some tenants may have entered into arrangements by which their land was farmed by someone else but the produce was shared between them – a kind of share-cropping – yet while this may be legally distinct from a lease it is economically not very different. Others may have installed a hired farm manager, paying him a wage and keeping all the produce and profits, but by the fifteenth century even manorial lords were no longer involved in direct farming in this way, and leasing for a fixed rent had become the near universal method of extracting income from all kinds of assets, not just land. Still others may have handed a distant holding over to a relation on an informal equivalent of anything from a complete handover through a lease for rent or share-crop to mere employment as a farm manager. However in most of these cases the precise legal nature of the terms on which the land was occupied and farmed by someone else are not significant in the context of the structure of land distribution, as sufficient of the fruits of occupation and cultivation have been transferred to him from the chief tenant.

The underlessees

Is it possible to identify any of these fifteenth-century underlessees whose existence has so far only been assumed, beyond the few mentioned in the pre-1425 court rolls? The life histories of many individuals appearing in the court rolls reveal the presence of a great number of people who appear to have been resident in Great Horwood, and of some substance, yet were

³¹ Whittle, *Agrarian Capitalism*, p. 50. Land could be sublet for short terms for a single cash premium – for example in 1578 Thomas Barton granted a five year lease of his minor ward's half virgate (to a non-resident from Whaddon) for 'a summe of money before payde' (NCA 3922/7). Postan reported examples of underlettings of small parcels to raise cash as an alternative to outright sale in the Peterborough villeins' charters and Crowland Abbey court rolls; C.N.L. Brooke and M.M. Postan (eds.), *Carte Nativorum: a Peterborough Abbey Cartulary of the Fourteenth Century*, Northamptonshire Record Society 20 (1960), pp. xxxv-xxxvi, xxxix, li-lviii.

not tenants. Such men often occupied manorial offices, most frequently serving as manor court jurors but also as affeerors, aletasters, woodwards or wardens appointed to enforce by-laws, even occasionally as constables or chief pledges – offices which in many manors were reserved to tenants, but in Great Horwood seem to have been filled by non-tenants as well. It seems probable that these individuals were either underlessees of farmland or subtenants of dwellings alone. It is difficult to distinguish the two categories. Those who were probably farming land in the manor are suggested by entries such as presentments for breach of agricultural by-laws, failure to maintain ditches in the fields, ploughing or encroaching on another's land, but these are never numerous in the Great Horwood court rolls and it is not always easy to decide whether just one or two entries of this sort, widely spaced, are sufficient to justify identifying an individual as a farming underlessee. In any event, there was probably considerable overlap, with some underlessees having only a little land and most tradesmen and artisans having some livestock and perhaps a little arable.

Some of the farming underlessees appear to have remained underlessees throughout their time in the manor, men like John Ruff, who from about 1506 until his death in 1534 occupied a cottage and half a virgate held in chief by the Colyers on two separate tenancies, and was several times juror and aletaster but never a tenant of the manor.³² For others, however, underleasing was a stage gone through before a chief tenancy was acquired or inherited.³³ Some of the latter were members of established tenant families, and may have been managing their parent's holding before in due course inheriting it, but others had no known previous connection and may have come to Great Horwood to take on an underlet holding. The life-histories of three men who may have been examples of each of these three types appear in Figs. 4.6–8.

It is possible that some of these apparent underlessees did in fact hold a chief tenancy, but that their acquisition somehow failed to be recorded, perhaps because it was registered at one of the few courts for which the roll is missing - though that would require the court at which the holding was passed on to someone else also to be missing, and for their tenure never to have been mentioned in any other context – and it seems unlikely that this could explain more than a few cases.

³² NCO 3319/10r,11r, 3920/2-10,12,14-17,19-21,24,26,28; CBS D/A/We/3 fo. 55v.

³³ Jane Whittle suspected a similar phenomenon in Norfolk; 'Some of the men [who acquired tenancies but had no prior connection to the manor] had been resident in the manor for a number of years before purchasing their landholding. Perhaps they were the servants, apprentices or stepchildren of tenants; it is also possible that they had been subtenants for a number of years.' Whittle, *Agrarian Capitalism*, p. 161.

16 Apr 1455	juror
21 Nov 1465	juror, ordered to scour his ditch at Wolverton Way [ie in the fields]
5 Jun 1466	juror, brewed once, amerced 2d
14 Jul 1469	placed in tithing [entry struck out]
12 Jan 1470	juror
20 Jan 1474	ordered to scour his ditch
1 Jun 1474	brewed once, pardoned
14 Nov 1474	ordered to scour his ditch
4 Jun 1483	juror
23 May 1484	juror
4 Jul 1487	juror, aletaster
10 Jul 1488	aletaster, is a common <i>hulcar'</i> in the fields, amerced 12d
19 May 1489	aletaster
7 Jan 1490	aletaster
20 Jan 1491	aletaster
26 Jul 1491	aletaster
8 Mar 1492	aletaster
21 Mar 1493	aletaster, discharged; his son is 12 and not sworn to the king [ie is not in a tithing]
28 Jan 1494	juror
26 Feb 1495	juror

Fig. 4.6 William Prentice: all entries relating to him in the Great Horwood court rolls. He evidently lived and farmed in Great Horwood, but was never recorded as tenant of any land.

26 Nov 1429	placed in tithing of William Cordell
30 Oct 1441	brewed once, amerced 2d
22 Oct 1443	brewed once, amerced 2d
8 Aug 1447	juror
4 Aug 1449	brewed once, amerced 2d
22 Oct 1449	obstructed a watercourse at northern end of town
28 Jul 1450	brewed once, amerced 2d
20 Oct 1450	juror
20 Oct 1450	Inherited 1 messuage and ½ virgate of land from relative William Wylkyn
18 Jun 1451	juror
26 Oct 1451	brewed once, amerced 2d
26 Oct 1451	juror
3 Oct 1452	brewed once, amerced 2d
10 Apr 1453	juror
10 Apr 1453	brewed once, amerced 2d
1 Oct 1453	juror
6 May 1454	juror
8 Oct 1454	juror
23 Nov 1455	brewed once, amerced 2d
3 Nov 1456	Died, holding 1 messuage and ½ virgate of land, late in tenure of William Wilkyn

Fig. 4.7 Thomas Cordell: all entries relating to him in the Great Horwood court rolls. Probably the son of an established tenant, whom he predeceased, he appears to have lived in a separate household, possibly farming, for ten years before he inherited a tenancy.

11 Nov 1426	placed in tithing
1427-28	assaulted and wounded Robert Baynard to damage of 39s 11½d; amerced 2d; sued by Robert Baynard in trespass, suit not prosecuted
9 Nov 1428	amerced for default in suit of court
11 Apr 1429	presented for obstructing watercourse at Wygwell
9 July 1431	juror
20 Jun 1432	stood pledge for defendant in trespass suit
30 Oct 1432	juror
3 May 1435	juror
11 Nov 1437	juror
1429-38	wife Joan presented for brewing at twelve courts
1441-49	himself presented for brewing at eleven courts
8 Aug 1447	juror on inquiry into villein status of John Hawkin
22 Oct 1449	juror, brewed once, amerced 2d
28 July 1450	juror
9 Dec 1450	Purchased 1 messuage and 1 virgate of land with wife Joan from Agnes Foscot [a widow, resident in Bradwell near Loughton]. Price included 20 marks to be paid in instalments, plus 1 mark yearly during Agnes' life.
18 Jun 1451	juror, brewed once, amerced 2d
26 Oct 1451	juror
25 Apr 1452	juror, brewed once, amerced 2d
3 Oct 1452	juror, brewed once, amerced 2d
10 Apr 1453	brewed once, amerced 2d
1 Oct 1453	chief pledge
6 May 1454	chief pledge
8 Oct 1454	chief pledge
16 Apr 1455	chief pledge
23 Nov 1455	chief pledge, brewed once, amerced 2d
3 Nov 1456	chief pledge
7 Oct 1457	chief pledge, brewed once, amerced 2d
19 Apr 1458	chief pledge, brewed once, amerced 2d
30 Oct 1458	chief pledge, affeerror, brewed once, amerced 2d
7 May 1459	chief pledge, brewed once, amerced 2d
2 July 1462	juror, brewed once, amerced 2d
1 July 1463	brewed once, amerced 2d
13 Jun 1464	juror
12 Dec 1464	juror
5 Jun 1466	Died, holding 1 messuage and 1 virgate of land jointly with wife Joan [she held them until her death, still a widow, in 1474]

Fig. 4.8 Hugh Ryche: all entries relating to him in the Great Horwood court rolls. With no known prior connection to Great Horwood, he lived there for twenty four years before purchasing a chief tenancy from a non-resident widow – perhaps the property he occupied as underlessee? The deferred price suggests he could barely afford it.

Another possibility is that, like Humphrey Shirley, they had acquired a chief tenancy by marrying a widow. This appears to have been a route by which several new names came into the manor, and although several acquisitions of holdings in right of a wife were recorded in the court rolls, it is clear that in some cases (like Humphrey Shirley's) they were not - or that they were registered in a court for which the roll is missing. However in many cases these individuals must have been underletting the land they were farming - and since the court rolls

do not record their underlettings, the question posed earlier is again answered to the effect that underletting was much more prevalent than the court rolls reveal.

LANDLESSNESS

Linked to the question of underletting is another great area of uncertainty in manorial studies – whether or to what extent there was a landless underclass within the manors, largely invisible to the manorial record but living in self-contained households in subtenanted dwellings and subsisting by day labour or a craft (distinct from the farm servants and employed labourers living in their master’s own house or in tied cottages)?

In most late-medieval manors ‘all ranks of the post-plague peasantry expanded their holdings, with a general decrease in the number of cottagers’³⁴ and the landless did not again become so significant an element in rural society until the sixteenth-century population recovery. That is not to say that they disappeared entirely, merely that there were fewer of them (and that consequently their standard of living rose). However if few late-medieval sources enable underlessees of farmland to be identified and counted, fewer still make it possible to study the landless (the poll taxes of 1377-81 are useful, but have not survived for Buckinghamshire). As Jane Whittle has said, ‘landlessness, by its very nature, precludes documentation in manorial records. Any investigation of landlessness requires the cross-referencing of manorial records with other types of documents.’ She compared the 1522 Muster Roll and post-1538 parish registers with manorial records to make some tentative deductions as to landlessness in sixteenth-century Norfolk.³⁵ Great Horwood’s parish registers do not begin until 1600, and as will be seen only a proportion of Great Horwood’s landless appear to have been listed in the Muster Roll, but an attempt will be made to show that the manorial records themselves can be used to make inferences as to the extent of landlessness, in both the fifteenth and sixteenth centuries.

There is very little direct evidence for either landless residents or artisans in Great Horwood until the late sixteenth century. Three criminal presentments which give the accused’s

³⁴ C. Dyer, *Making a Living in the Middle Ages; The People of Britain 850-1520* (London, 2003), p. 358. Harold Fox, for example, found that the landless young labourers or *garciones* disappeared from the Abbey of Glastonbury’s estates after 1349; H.S.A. Fox, ‘Exploitation of the landless by lords and tenants in early medieval England’, in Z. Razi and R.M. Smith (eds.), *Medieval Society and the Manor Court* (Oxford, 1996), pp. 518-568.

³⁵ Whittle, *Agrarian Capitalism*, pp. 179, 222-4.

occupation and residence reveal a labourer in 1426, a collier (charcoal-maker) in 1432 and another labourer in 1515, and in 1507 the town's common swineherd is mentioned - none of them appear in the rolls on any other occasion, confirming how invisible such men could be in the manorial records. Apart from a tailor mentioned four times between 1414 and 1434, no other person is described as a labourer or craftsman until the mid-sixteenth century, when occupational designations in wills, mostly from the 1570s and later, and in the 1610 rental begin to reveal the presence of carpenters, weavers and tailors, along with a tanner and a collar-maker (two brothers, whose trades must have been complementary - the collars were presumably horse harnesses).³⁶ The existence of another carpenter who had lived in Great Horwood for fourteen years up to 1580 would be unknown if he had not made a deposition in a dispute over the construction of Mursley parsonage.³⁷ Some of these craftsmen held a dwelling directly from the manor, one even a freehold messuage, but none held any farmland holding (though several of their wills refer to both arable land, crops and livestock, so they must have held been farming in a small way as underlessees).³⁸

There is rather more evidence for tradesmen such as millers, butchers and bakers, and in the sixteenth century publicans, many of whom were never tenants and must have held their premises by subtenancy. Judging by the presentments for breach of the assize of bread Great Horwood had two horse-mills until 1475 and thereafter only one, though the presentments dry up after 1510 (an early seventeenth-century map shows a windmill east of the village, on the boundary with Little Horwood, as do other later maps). Only half of the twenty nine known millers were tenants directly of the manor - the rest must have occupied their premises by subtenancy. Half of those who were tenants held only a cottage, presumably the one in which their horse-mill was located (there are several references to the mills being within cottage tenements), but six had farmland holdings, ranging from half a virgate to two virgates and were anything but landless. For those with the larger holdings, William Colyer (founder of the legal gentry dynasty), William Geffes and John Carter of Whitchurch, respectively holding two and a half, two, and one and a half virgates in Great Horwood, the mill must have been just one element in a portfolio of investments and would have been operated by an employee.

³⁶ CBS D/A/We/4/77, We/9 fo. 286r, Wf/8/83, Wf/8/207, Wf/8/206, Wf/11/104

³⁷ H.A. Hanley, 'Sixteenth-century people: some aspects of social life in Elizabethan Bucks', *Records of Buckinghamshire*, 19, Pt. 3 (1973), pp. 259-71, at p. 261.

³⁸ For example John Carter, tailor, whose 1558 will bequeathed not just his tailor's gear and shop but also a bushel of barley, 2 cows, 5 sheep and a cart, or John Illing, tailor, whose 1589 will bequeathed 'the worse of my 2 lands of barley' and 'my cow'. CBS D/A/We/9 fo. 286r, Wf/11/104.

Throughout the fifteenth century the many individuals presented for breach of regulations concerning the sale of bread and meat were outsiders, from as far away as Buckingham and Stoney Stratford. Presentments of local men for baking did not begin until the sixteenth century, but the first local butchers appear in the 1460s and 1470s (all Foscoates) and became numerous quite quickly – presumably reflecting the changeover to pastoral farming which was then beginning. Several of these butchers were chief tenants, often of farmland, sometimes with quite large multiple holdings. Some who were presented several times as both butchers and bakers, in combination with the ubiquitous brewing offences and occasional harbouring of vagabonds or illegal gaming, may have been victuallers, running one of the village's two or three alehouses.³⁹ From 1521 presentments for tippling begin, making it certain that an alehouse is being run. The earliest publicans who can be identified by this are Robert Pixy alias Yeoman and his wife Ellen, mentioned in the court rolls from 1498 until 1545 and apparently running an alehouse from at least 1513. Earlier in the fifteenth century several married women consistently brewed unusually large volumes of ale and may also have been selling it in an alehouse – some were the wives of landholding tenants, others were landless. In the later sixteenth century some confirmed alehousekeepers were also tenants of farmland, and two called themselves husbandmen in their wills.⁴⁰ John Machyn held five dwellings and two virgates from the 1490s until his death in 1524 and so formed part of the landholding oligarchy of the village, yet was presented fifteen times between 1489 and 1517 for selling fish and once bread, was presented as a common purveyor of sold victuals in 1522, and called himself poulterer in his will, so may also have been a victualler.⁴¹ Neither he nor his wife ever brewed, however.

So there were certainly tradesmen, craftsmen and labourers in Great Horwood throughout both the fifteenth and sixteenth centuries, though the evidence so far has been fragmentary and relates more to the sixteenth century and tradesmen than to the fifteenth century and labourers. Can more quantitative evidence be obtained, and can it be shown that the non-tenants were as numerous in the fifteenth century as in the sixteenth?

Analysis of the references to non-tenants in the court rolls and a variety of lesser sources can provide some evidence of their numbers, in both the fifteenth and sixteenth centuries. These

³⁹ Until 1575 every court presented three men as tipplers or *pandoxatores*, but thereafter only two. The 1577 Return of Alehouses, Inns and Taverns (CBS D/X 423) listed two alehouses in Great Horwood, the same number as in the nineteenth century directories, and still the number of pubs in the village today.

⁴⁰ CBS D/A/We/18 fo. 42v (Henry Hobs), /Wf/17/18 (Richard Crosse).

⁴¹ CBS D/A/We/2 fo. 16v.

sources record a large number of apparent residents who were not tenants. Altogether approximately 740 apparent residents can be identified between 1400 and 1600, divided roughly equally between the two centuries. Only 350 of them can be identified as having been tenants at some point in their lives, and another forty or so can be confirmed as the wives, children, servants or other dependents of tenants. The rest, nearly half, were never tenants. Some were no doubt also dependents of tenants, and not all of the residue will have been householders, but it is clear that a sizeable minority of Great Horwood's population in both centuries were making a living without holding land directly from the manor. The difficulty is to distinguish those non-tenants who held farmland by underlease from those who were subtenants of only the dwelling they lived in – the real landless.

These truly landless residents appear in the records in a variety of different contexts, several of which could be used to investigate landlessness in Great Horwood in greater depth. Three will be used here; those relating to manorial office, presentments for breach of the assize of ale, and dwelling numbers. But first the situation in 1522-5 will be investigated.

1522 Military Survey and 1524 Lay Subsidy Return

It is possible to obtain a fairly precise minimum for the number of non-tenant residents in Great Horwood in the 1520s, by comparison of the 1522 military survey and the 1525 lay subsidy return with lists of tenants in these years generated from the court roll data. The military survey in theory listed all male inhabitants of military age (presumed to be sixteen to sixty) and assessed their wealth, ostensibly in order to check that they had arms and armour appropriate to it. In practice it was treated more as a tax assessment, with absentee landowners and even some women included. The lay subsidy listed all inhabitants, male and female, but only those whose wealth from land, goods or wages exceeded certain specified levels, so it ought to have captured a slightly smaller proportion of the population, and in Buckinghamshire certainly did.⁴²

⁴² Both returns have been printed for Buckinghamshire, in A.C. Chibnall (ed.), *The Certificate of Musters for Buckinghamshire in 1522*, BRS 17 (1973), p 178-80, and *ibid* (ed.), *Subsidy Roll for the County of Buckingham, anno 1524*, BRS 8 (1950), p. 51. For detailed analysis of the Buckinghamshire returns see J.C.K. Cornwall, *Wealth and Society in Early Sixteenth Century England* (London, 1988); and generally R.W. Hoyle, *The Military Survey of Gloucestershire, 1522*, Bristol and Gloucestershire Archaeological Society, Gloucestershire Record Series 6 (1993); B.M.S. Campbell, 'The population of early Tudor England: a re-evaluation of the 1522 Muster Returns and 1524 and 1525 Lay Subsidies' *Journal of Historical Geography*, 7, Pt. 2 (April 1981), pp. 145-54; and R.S. Schofield, 'Taxation and the political limits of the Tudor state', C. Cross, D. Loades and J.J. Scarisbrick (eds.), *Law and Government under the Tudors* (Cambridge, 1988), pp. 227-55.

The Great Horwood muster listed twenty six people who were assessed on either land alone or land and goods. Julian Cornwall has argued that individuals assessed on goods, whether alone or with land, were clearly resident, while those assessed on land alone were absentees. This seems to have been the case in Great Horwood, where nearly every resident male tenant, freeholder and copyholder alike, was assessed on both land and goods, and all of those assessed on land alone were non-resident (though only half the non-resident tenants were listed - the other half were left out).⁴³

Eighteen of those assessed on land or land plus goods were tenants of the manor of Great Horwood (the other eight, four resident and four non-resident, must have been tenants of the Bradwell Fee), representing all the resident male tenants recorded in the court rolls except one virgater, two half-virgaters, and two widows (who could hardly be mustered, anyway). However the roll also listed another twenty six male inhabitants of military age and suitability. These were assessed on goods only or (in 3 cases) neither goods nor land. None of them was a tenant (although nine would become so later) and, except for the three who had neither land nor goods, they must have been either underlessees of farmland or subtenants of dwellings alone, in either case with some taxable substance – in fact three of them were known underlessees, of virgate holdings belonging to the Colyers. This is clear evidence of the existence of a large class of underlessees and landless subtenants, equal in number to the tenants, and not a great deal worse off than them – the average value of the non-tenants’ goods was £2 6s. 1d., against £2 15s. 0d. for the tenants’ goods (though the latter also had landholdings worth on average 14s. 2¼d.).

So far as anything is known or can be deduced about these twenty three non-tenant residents from the entries relating to them in the court rolls and other sources, they comprised:

curate	1
underlessee of the glebe	1 (later a tenant, husbandman in his will)
known underlessees of farmland	3 (each of a virgate, from the Colyers)
sons of tenants, suspected underlessees	3 (later were tenants, husbandmen in their wills)
suspected underlessees/subtenants	6
alehousekeeper	3 (one probable, two suspected)
tailor	1 (occupation from his will, thirty years later)
nothing known	4 (including the wealthiest, with £6 in goods)
co-owner of a freehold virgate	1 (the other co-owner was assessed on the freehold).

⁴³ This contradicts the general supposition that copyhold tenants were not assessed on land; Cornwall, *Wealth and Society*, p. 268; Hoyle, *Military Survey of Gloucestershire*, p. xix.

Few, if any, of them are likely to have been labourers, though some were landless tradesmen and artisans. They were not much less wealthy than the tenants in the roll, many seem to have been in occupation of farmland, and eleven of them held manorial office between 1520 and 1525 (another three had held office before 1520, and three more would hold it after 1525). They seem to have been, in village terms, a kind of middle class. If there was a class of landless labourers beneath them, its existence is concealed by the survey (save for the three men who were listed despite having neither land nor goods, presumably on the basis of particular military aptitude – all three had a bill or a bow, though only ten of the other mustered men did).

The 1525 subsidy return is slightly harder to interpret, partly because it included Singleborough in the Great Horwood entry, partly because it does not state clearly whether the tax assessments were based on land, goods or wages. However thirty of the forty taxpayers listed in the return can be identified as living in Great Horwood, of whom ten were tenants (both freehold and copyhold – though this time only full virgaters and above were listed) and twenty were not – an even higher proportion of non-tenants than in 1522.

So it is clear that in the 1520s at least the numbers of non-tenants equalled or exceeded those of the tenants in chief. It is difficult to be precise about the respective proportions of non-tenants with and without underleased farmland – at least a third must have been occupying substantial landholdings by either underlease or intra-family arrangement, and probably more. The rest were probably relatively prosperous tradesmen or artisans - the presence of significant numbers of labouring cottagers remains unproven.

Manorial office-holders

The individuals who occupied manorial office in Great Horwood can be used to obtain a rough indication of the level of underletting/landlessness in both the fifteenth and sixteenth centuries.⁴⁴ Of the 180-odd men who served in the three principal manorial offices of constable, chief pledge and aletaster on more than one occasion roughly one fifth never held a

⁴⁴ Strictly speaking, most of the offices derived their authority not from the manor and its lord but from the lord's view of frankpledge jurisdiction. The manorial offices (the reeve, woodwards, haywards etc, plus the court baron affeerors, jurors and homage) were supervised by or performed their duties in the court baron, while the others (the constables, chief pledges, aletasters and court leet affeerors and jurors) were part of the frankpledge machinery. For simplicity they will all be referred to here as manorial offices. M. Bailey, *The English Manor c.1200-c.1500* (Manchester, 2002), pp. 170-2, 178-84.

tenancy direct from the manor, and the equivalent proportion of the 320-odd who served in those three offices or as affeelor, juror or homager in the manor courts was a full quarter. Non-tenants acted as constables, chief pledges and aletasters mainly in the first half of the sixteenth century, but most commonly served as affeelor, jurors and homagers between roughly 1450 and 1550. This corresponds nicely to the period of highest numbers of non-resident tenants – clearly it was the shortage of resident tenants which forced a relaxation of the usual principle that only a tenant of the manor could hold manorial office or sit on its juries.⁴⁵ The fact that individuals like William Fosco, chief pledge and then constable from 1416 to 1427, John Brewer, aletaster from 1449 until 1456, William Pixy alias Yeoman, chief pledge and then aletaster from 1469 to 1484, or John Rand, successively chief pledge, constable and aletaster from 1515 until 1524, could fill posts of this nature without ever holding a tenancy in chief surely confirms that they held some landed interest, which can only have been an underleasehold one (and indeed John Rand is an identified underlessee, holding a virgate from the Colyer estate).

However the incidence of non-tenants holding manorial office was even greater than is suggested by these figures, as some tenants had begun holding offices before they acquired their tenancies. Most of them were jurors or affeelor for several years before becoming tenants, but some even served as constables, chief pledges or aletasters. John Heynes and John Daniel, both millers, served as aletasters from 1418 to 1435 and from 1456 to 1477 respectively, in both cases before acquiring a messuage (Daniel possibly as feoffee only, not in his own right). Thomas Buckingham alias Couper was constable and then chief pledge from 1489 until 1505 but only inherited his half-virgate holding in 1502. Whether an underlease of farmland was a necessary qualification for office, or a mere subtenanted dwelling sufficed, perhaps in combination with a craft or trade, is unknown, though the sheer number of examples suggests the latter. Some may have been just running the family holding on behalf of aged parents, with no more formal interest than the expectation of inheritance - Thomas Buckingham's son William began forty years continuous service as chief pledge in 1511, six years after his father's death but seven years before he inherited the family holdings on his mother's death.

⁴⁵ The constables, chief pledges and aletasters, whose duties required presence in the manor throughout the year, were all resident, save for a very small number who lived in Singleborough, and one in Little Horwood. However 13% of the affeelor, jurors and homagers, who only had to attend the court hearings, lived outside the manor, mostly in Singleborough and Little Horwood, but in five cases a few miles farther away.

As before it is possible, given that the landownership data are not perfect, that some of these individuals were in fact chief tenants, perhaps in right of marriage to a widow, whose acquisitions of their holdings were registered at a missing court or for some other reason were not recorded in the court rolls. However such cases can usually be identified when the holding is parted with, and in any event the numbers of never-tenant or pre-tenant office-holders are so great that this cannot explain every case.

Brewing presentments

These office-holders probably represent the better-off among the non-tenants, those with underleases of farmland or a trade or craft (or the expectation of inheriting a tenancy in chief) – can any evidence be found for a class of landless labourers? It may perhaps be sought in the presentments for brewing – anyone who brewed within the manor must almost always have been resident in it. Brewing was still a mass activity in fifteenth-century Great Horwood, commonly carried out by women (though sometimes it was their husbands who were amerced for it) and by all levels of society, both tenants and non-tenants. In the 1460s and 1470s the numbers of presentments fell away sharply, partly because the courts were held less frequently, but mainly in consequence of the changing nature of brewing and ale-selling, which was becoming a more specialised, commercial trade throughout the country.⁴⁶ Presentments continued throughout the sixteenth century, but their nature changed. In the fifteenth century they had specified how often each person had brewed in the year and the amercement reflected that (typically 2d. per brew), but in the sixteenth the presentment was simply for being a brewer, with a flat rate amercement (usually 2d. or 4d.). In the first half of the sixteenth century those presented for being brewers tended to be the poorer non-tenant inhabitants, not the alehouse-keepers (suggesting that some of the latter may have been buying their ale in from elsewhere – perhaps Winslow), but in the second half of the century tenants began to be presented again, including some holding as much as two virgates – as already noted, some of these were alehouse-keepers, at least two of whom described themselves as husbandmen in their wills, and one as a yeoman.⁴⁷

Some 390 individuals were presented for brewing between 1400 and 1600, though slightly over a third were only presented once and will be disregarded, leaving about 230. For once this is a source which becomes more informative as one goes back further into the fifteenth

⁴⁶ J.M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300 – 1600* (Oxford, 1996), ch. 3.

⁴⁷ CBS D/A/We/18 fo. 42v, /Wf/17/18, /We/23/176.

century – three quarters of these brewers were presented between 1400 and 1480, and two thirds of them before 1450. Of the 230 who were presented more than once roughly two thirds were tenants, leaving ninety brewsters who must have been resident in Great Horwood but were not tenants. About half of them were female, some of whom would have been living in the household of a tenant (probably their husband), but that still leaves a sizeable number of non-tenant residents probably living in separate households,⁴⁸ possibly ones in which brewing was a substantial contributor to the budget. That figure more than doubles if those presented at only one court are included. Some of these 160 once-presented brewers would no doubt have been landless subtenants – two thirds of them were non-tenants. Many would have been either only transiently resident in Great Horwood or invisible to the manorial eye – of the 68 non-tenant once-only brewers presented before 1480, two thirds were never otherwise mentioned in the rolls and a further quarter appeared on only one other occasion.

Surplus dwellings

Both office-holding and brewing presentments provide evidence of large numbers of non-tenants living in Great Horwood in both the fifteenth and sixteenth centuries, but do not provide evidence of their actual numbers. One method of arriving at data of this sort is to consider the numbers of dwellings available for such residents.

In chapter 3 it was determined that throughout the fifteenth and sixteenth centuries between a third and a half of the tenants held more than one dwelling, so a substantial proportion of the dwellings must have been occupied by non-tenants. If account is also taken of the first or only dwelling of non-resident tenants, and the extra dwellings which appeared within tenement curtilages from the mid-fifteenth century onwards, then the proportion of surplus dwellings available for occupation by non-tenants becomes larger still.

Table 4.7 shows the number of surplus dwellings (other than the extra ones within curtilages) throughout the fifteenth and sixteenth centuries. As can be seen, their numbers reflect the rise and fall of multiple holdings and non-residence quite closely. After a steep climb in the first half of the fifteenth century, they became so large a proportion of the housing stock that less than half the known dwellings were sufficient to house the resident tenants in chief, leaving at

⁴⁸ In the fifteenth century the singlewomen who had been a significant minority among brewers in the early fourteenth century, and who might have lived and brewed in someone else's tenement, had largely disappeared. The married women who predominated among female brewers in the fifteenth century would have brewed in their own household. Bennett, *Ale, Beer, and Brewsters*, p. 10.

least thirty for occupation by others. Towards the end of the sixteenth century, as the numbers of cottagers with a dwelling and a little farmland rose, so the numbers of surplus dwellings fell (though by this date the additional dwellings within curtilages must have become numerous, so the numbers of subtenants need not necessarily have fallen with them).

	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
Total dwellings	60	55	54	57	53	53	53	56	58	57	58	65
Resident tenants	53	41	35	33	23	21	22	22	25	31	44	55
Surplus dwellings	7	14	21	24	30	32	31	34	33	26	14	10
<i>Surplus dwellings as % of all</i>	12	26	35	42	57	60	59	61	57	46	24	15

Tab. 4.7. Surplus dwellings: dwellings which were (at least notionally) available for subletting or occupation by non-tenants, 1320 and 1390 - 1610.

‘Surplus dwellings’ are all dwellings less one per resident tenant, on the assumption that each resident tenant and his household occupied just one dwelling. Thus the surplus dwellings consist of (i) all dwellings of non-resident tenants and (ii) all dwellings more than one held by resident tenants, but less (iii) a few dwellings for resident tenants who held land only and must have lived in a subtenanted dwelling. Some surplus dwellings in the second category may have been occupied by the tenant’s adult children or hired labour, but many must have been sublet, either with farmland or as landless cottages.

Note: the number of surplus dwellings may have been underestimated, for the following reasons:

1. non-residents were identified cautiously and their number may have been underestimated. If so, the number of surplus landless dwellings might be greater. In particular, no 1320 tenants were identified as non-resident, due to lack of evidence as to place of residence.
2. from about 1450 onwards extra dwellings began to be created within the curtilages of other dwellings, but were not treated as distinct units tenurially, and so are effectively invisible in the manorial records.

The drawback with these data is that they do not distinguish between underlessees of a farmstead with farmland and subtenants of a dwelling alone. Most of these surplus dwellings were part of holdings comprising a messuage and farmland, some of which were certainly underlet as a unit, messuage and land together. In other cases dwelling and farmland may have been separated and sublet singly (for example, if a resident tenant of multiple holdings amalgamated the farmland elements of his holdings into one large farming unit and sublet the dwellings thus rendered surplus) – but the proportion of the surplus dwellings which were occupied as landless cottages in this way cannot be determined exactly.

In any event, if it is not possible to provide firm estimates of the respective numbers of underlessees of farmland and landless subtenants, it has at least been shown that both groups formed a substantial proportion of the population of Great Horwood from at least the middle of the fifteenth century, and were present in smaller numbers from the beginning of the century.

The 1522 military survey can be used to check the accuracy of the assumption that the surplus of dwellings over resident tenants produces an approximation of the number of households of underlessees and subtenants. In 1522 there were fifty six dwellings (excluding additional ones within curtilages) and probably nineteen resident tenants, making thirty seven surplus dwellings. The muster roll listed twenty three men who were assessed on goods alone, and thus can be identified as non-tenant residents, but this leaves at least fourteen dwellings unaccounted for. Some may have been occupied by women or elderly or incapacitated males (who in theory were omitted from the muster, though one female tenant was included), but it must be unlikely that there were enough of these to make up all the shortfall of fourteen. It therefore seems probable that the number of surplus dwellings, in 1522 at least, exceeded the number of underlessees and subtenants with trades or crafts by about 7-10 (or more if additional dwellings in curtilages are considered). Some of these excess dwellings were no doubt occupied by adult members of the tenant's family, but others must have been the homes of the labourers who were not recorded in the muster, either tied cottages provided by the tenant to his workforce, or rented cottages occupied by independent day labourers.

Cottages and other landless dwellings

What Great Horwood did not have, until the end of the sixteenth century, was a class of cottagers holding their homes by direct tenancy from the manor, by either freehold or customary/copyhold tenure. There were a number of landless dwellings whose tenancies did not include farmland, but they were nearly all owned by tenants of other farmland holdings. If Great Horwood contained any labourers living in their own households they must mostly have been subtenants.

These landless dwellings were not only those described in the records as cottages; several were referred to by other terms – messuages, houses, tenements. On the other hand, while no tenancy of a dwelling described as a cottage contained farmland, some tenants of cottages did hold farmland by separate tenancies (and still more may have had underlet land). Further,

many tenants had accumulated two or more dwelling-plus-farmland holdings – some no doubt amalgamated all their farmland into a single farming unit, living in one dwelling and rendering all the rest landless *de facto*, if not *de tenuria* (though there is evidence that at least some such holdings were kept separate and occupied as discrete units, either informally by family members, typically sons or sons-in-law, or by underlessees for rent).⁴⁹

	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
No. of Cottages	11	10	15	15	14	14	17	17	19	20	24	34
All tenancies	68	66	65	66	66	67	70	71	72	78	105	140
<i>Cottages as % of all tenancies</i>	16	15	23	23	21	21	24	24	26	26	23	24
All dwellings	61	55	56	56	53	53	53	55	57	57	59	60
<i>Cottages as % of all dwellings</i>	18	18	25	27	26	26	32	31	33	35	41	49

Tab. 4.8. Tenorial Cottages: the proportion of landless dwelling-only tenancies to (i) total tenancies and (ii) total dwellings in 1320 and 1390 - 1610.

‘Cottage’ is used here to mean any dwelling, whether described as cottage, tenement, house, building or messuage (and whether customary/copyhold or freehold), held by a tenancy which did not include farmland. Some may have been former farmsteads rather than simple cottages.

Nevertheless the number of landless dwellings (however labelled in the sources) does give a rough idea of the number of dwellings potentially available for occupation by servants and labourers or subtenants (though as always the number would be increased if additional dwellings within curtilages could be taken into account). Table 4.8 shows the number of tenancies containing dwellings but not land, along with the proportion they formed of the total number of (i) all tenancies and (ii) all tenancies containing dwellings. It includes

⁴⁹ For example when in 1545 John Foscot devised each of his four messuages with their associated landholdings to a child or grandchild, three of the devisees were already in occupation (he occupied the fourth himself); CBS D/A/We/5/127; NCA 3920/39. On the other hand, when Nicholas Taylor, husbandman of Great Horwood, died in the influenza epidemic of 1556 he held two messuages and two half virgates, which passed to his son Thomas. His will describes them as ‘my two houses that Adams and Sanders dwell in’ and also mentions a third ‘house with the little pigtle that Kent now occupyes’. Kent and Sanders both died shortly afterwards, and both left wills, but barely appear in the court rolls at all. Adams, a carpenter, had surrendered a messuage and half virgate in 1546, and managed to acquire a copyhold cottage in 1559, but in between had occasionally been a juror and aletaster, presumably on the strength of subtenanted property. At his death in 1576 his will mentioned his lease of some leys from Mr Pigot (of the Little Horwood gentry family). CBS D/A/We/8fo. 211v, /10 fo. 12v, /12/84, /Wf/8/83; NCO 3921/1r,v, 3922/1r, /6v,7r.

dwellings described in the records as houses, tenements or just buildings, and even as messuages if severed tenurially from their farmland.

It can be seen that in the fourteenth century, both before and after the Black Death, landless dwellings - *de facto* cottages - were just 15-18% of both all tenancies and all dwellings, but by the early fifteenth century that proportion had risen to a quarter, partly as a result of messuages being separated from their associated land, and partly of new construction. Thereafter the cottage:tenancy ratio hardly changed, notwithstanding the increase in the absolute number of cottages in the sixteenth century, because the fragmentation of landholdings simultaneously increased the number of tenancies.

In an article in *Rural History* in 1997⁵⁰ Harold Fox analysed the numbers of cottages recorded in fourteenth- and fifteenth-century rentals of three Devon manors in three contrasting agrarian regions and found that the cottage:tenancy ratio reflected the local agrarian type and enabled deductions to be made about the nature of farm labour in the region. In pastoral Ashwater the few cottages recorded just before the Black Death had disappeared shortly after it, suggesting that the manor's large cattle-rearing farms and dispersed settlements favoured live-in servants in husbandry. The manor of Sidbury was also pastoral, but the smaller family-run landholdings did not need labourers and the abundant commons and opportunities for by-employment preserved a numerous class of cottagers, who lived clustered in a central settlement, independent of the landholding tenants in their dispersed hamlets and farmsteads. In mixed-farming Stokenham, where both commons and by-employment were lacking but farms were large and needed labourers, the tenant farmers acquired nearby cottages when they fell vacant after the Black Death, presumably in order to attract labourers and ensure the availability of their labour (though there was no direct evidence of their motivation and Fox discussed other possibilities).

Great Horwood's cottage:tenancy ratio can be seen in Table 4.8 ('cottages as % of all tenancies'). It is low compared to Sidbury and Stokenham (45% and 50% in the 1390s), suggesting either that servants in husbandry were an important form of labour in Great Horwood (as in Ashwater), or that the holdings were still too small to need labour from outside the family (as in Sidbury). Great Horwood's holdings were certainly small, and its agriculture was still predominantly arable in the fifteenth and early sixteenth centuries (with

⁵⁰ H.S.A. Fox, 'Servants, cottagers and tied cottages during the later Middle Ages: towards a regional dimension', *Rural History*, 6, no. 2 (1995), pp. 125-154.

the high labour requirements entailed by that), but on the other hand the court rolls do contain a number of passing references to servants, whose surnames often do not match those of any tenant family, so it may be that both explanations are partly correct.

The cottage:*dwelling* ratio, however, began to rise from the end of the fifteenth century, reaching 41% by 1590 and just under a half in 1610 (and this was the period in which extra dwellings began to appear within curtilages, so an index which took account of them would rise higher still). At this time the conversion from arable to pastoral farming was just beginning. Pastoral farming needed less labour, so if anything the need for hired labour would have been falling (and there were no emerging larger landholdings, needing more labour than the tenant's family could provide, to push it back up). Pastoral farming also preferred the round-the-clock availability of live-in servants hired by the year. Consequently it seems unlikely that the rising proportion of cottages represents either a rise in the number of agricultural labourers or a switch from live-in servants to cottage-dwelling day labourers. It may rather indicate the emergence of the class of tradesmen and artisans previously identified.

Not all of these landless dwellings were held by landless tenants, however. Table 4.9 investigates the proportion of the tenants of these dwellings who did *not* hold other land by other tenancies. It can be seen that most landless dwellings were held by men who had other tenancies; the class of independent landless cottagers, holding their home by tenancy in chief but otherwise landless, was small and nearly disappeared in the late fifteenth century (especially if it is remembered that some of those few were actually substantial landholders in other manors or widows of substantial tenants whose cottage was their dower house). Landless tenant-occupiers of cottages only became a significant proportion of the tenantry at the turn of the seventeenth century, when their numbers nearly tripled, to become a quarter of all tenants. Before then labourers must have been subtenants or living in tied cottages.

In 1320 and in the first half of the fifteenth century a little under half the cottages were held by tenants who also had other landholdings (almost all of whom held at least one other dwelling, usually the messuage of their farmland tenancy, though some had several). The proportion rose during the second half of the century, until by 1500 sixteen out of seventeen cottages fell into that category. This was largely the work of William and Henry Colyer, father and son, who between about 1440 and 1490 not only accumulated a 2½ virgate holding with three messuages but also built up a small estate of six cottages and landless messuages,

often by the purchase of reversions from widows. They were probably acquired as rental investments – the son was certainly neither resident nor a farmer (he was a Westminster lawyer based in Buckingham) and the father’s interests seem to have ranged well beyond farming - so in a sense the number of landless cottagers did not really fall, they just became subtenants. In 1529 Henry’s son sold the cottages. Over the next ten years they were held successively by two outside investors, otherwise unknown in the Great Horwood records,⁵¹ but in 1538 they were divided among three resident tenants. The decades either side of 1500 also saw other smaller accumulations of dwellings. For example, Thomas Machin held two messuages with associated farmland and three landless messuages or cottages at his death in 1524. All of these accumulations were broken up in the middle of the century, however and by 1610 no tenant held more than two dwellings.

	1320	1390	1420	1440	1460	1480	1500	1530	1550	1570	1590	1610
All Cottages	11	11	15	15	14	14	17	17	19	20	24	34
Landless Cottagers	6	7	7	7	4	2	1	4	6	7	10	17*
<i>as % of all cottages</i>	55	64	47	47	29	14	6	24	32	35	42	50*
<i>as % of all tenants</i>	11	15	18	16	10	6	3	13	17	18	18	23

Tab. 4.9. Landless Cottagers: the proportion of cottage tenants who did not hold farmland by other tenancies, 1320 and 1390 - 1610.

‘Cottage’ has the same meaning as in Tab. 4.8.

The occasional case of second tenancy of a single toft (probably ¼ acre) has been ignored. Three individuals who each held two cottage tenancies but no farmland have been counted as landless cottagers. Some apparently landless cottagers may have held farmland by underleases.

* In 1610 there were a further seven cottagers who held small amounts of land, mostly under 2 acres, all under 4 acres. If included in the count of landless cottagers their proportion would rise to two-thirds (67%).

It is difficult to see the late sixteenth-century increase in the number of landless cottage tenants as connected to agriculture. By this period the average farm had actually become smaller (no holding was larger than two virgates) and more pastoral; there cannot have been a great demand for agricultural labourers. It seems more likely that these cottagers represent a

⁵¹ Robert Bromfield, briefly in 1529, and then Christopher Gibson until 1538. Nothing is known of either, but a Christopher Gibson was rector of Radnage, eighteen miles to the south, from 1520 until 1558.

growth in the numbers of artisans and tradesmen, and this is born out in the case of those few cottagers whose occupation is known or can be deduced; in 1590 these were two weavers, a carpenter, a butcher and an alehousekeeper, while in 1610 there were a carpenter and a butcher (and those with smallholdings of under 4 acres included two weavers).

A word about servants, particularly servants in husbandry. They barely feature in the court rolls – just twenty two individuals, all male, are identified as servants, all but two before 1470, all mentioned in connection with either tithing membership or brawls. It seems likely that there were more who never appeared in the court rolls or were not identified as servants when mentioned, but it is impossible to assess their numbers – the manorial authority just was not interested in them (ten of them were not even recorded by their surnames – just the forename sufficed). A hint of the normality of their presence, in tenant households at least, can be found in a 1415 maintenance agreement which stipulated that both the old and new tenants of a virgate (a husband and wife and their son and daughter-in-law) ‘will live in the messuage with their servants and children’.⁵² The fact that even these few references fade away after 1470 may be significant – this is roughly the point at which Great Horwood seems to have begun to convert to a more pastoral husbandry, with smaller requirements for extra-familial labour. In the sixteenth century the servants may have been replaced by day labourers, but as has been seen there is even less evidence for their presence.

CONCLUSION

This chapter has shown that the picture of Great Horwood’s social structure based on the distribution of landholdings held by tenancy in chief is entirely misleading – that it depicts a *pays légal*, not a *pays réel*, in Postan’s, Whittle’s and Yate’s terminology.⁵³ The *réalité* is that a considerable amount of inter-manorial landholding inflated the number of wealthy tenants substantially, while widespread subtenancy must have resulted in a significant increase in the number of smaller landholders. These included not just underleasehold farmers but also a sizeable class of effectively landless tradesmen and artisans, some of whom were substantial enough members of the village community to have held manorial office. The existence of large numbers of landless labourers is doubtful – there is very little direct

⁵² NCA 3916/1.

⁵³ Whittle and Yates, ‘*Pays réel* or *pays légal*?’, p. 2.

evidence for them, and it seems likely that in Great Horwood the agricultural workforce was made up principally of the tenants' families and, in the fifteenth century at least, servants in husbandry.

This more complex social structure appears to have emerged during the late fourteenth and early fifteenth centuries – the incidence of inter-manorial landholding, of non-resident tenants, of subtenancy, all appear to have been much less in the last decades of the former century and to have grown rapidly in the first half of the latter. Over the next hundred years Great Horwood began to edge towards a social structure in which large absentee-owned subtenanted copyhold estates were inhabited by a populous community of small tenant farmers, tradesmen and artisans, but in the middle of the sixteenth century, for largely unknown reasons, the process reversed itself and the estates were broken up. By the very end of the century the non-tenant inhabitants had emerged from the tenorial shadows and acquired chief tenancies of their dwellings, and perhaps a few acres – an early modern form of the Victorian 'open village' had appeared.

Ch. 5 THE LAND MARKET

This chapter considers Great Horwood's land market between 1382 and 1600. A large part of the traditional subject matter of manorial land market studies has already been discussed in earlier chapters – the land distribution structure, the processes of aggregation and fragmentation, the extent of subtenancy and landlessness. This chapter will look at the process of land transfer itself, discussing the numbers and nature of the transactions themselves and what they reveal about how Great Horwood's peasants bought and sold their land, how they passed it on to the next generation, and whether they tried to retain their family holding or treated it as just a resource or commodity. The tenures by which the land was held will also be discussed.¹

SOURCES AND METHODOLOGY

This chapter is based principally on a database comprising all the land transactions recorded in the court rolls of the manor of Great Horwood between 1383 and 1600 - some 840 transactions, 775 dealing with customary land, sixty with freehold land and five with leasehold. The database also contains another ten freehold transactions not recorded in court rolls but known from title deeds, eight grants of leases recorded in a lease register and ten transactions known only by inference from heriots and fines or leases recorded in manorial accounts. Excluded from the database were court roll transactions granting leases of the entire demesne (three granted to the tenants collectively in the early fifteenth century and another three to gentlemen in the late sixteenth century) and leases of the tithes. The handful of transactions which recorded grants of underleases and dower by the tenants to each other were also excluded because they were hardly representative of the large numbers of these transactions which must have taken place but went unrecorded.

¹ The classic manorial land market studies are P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984) and R.M. Smith (ed.), *Land, Kinship and Life-cycle* (Cambridge, 1984). Studies of wider ambit which have included a great deal of material on manorial land markets are C. Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester 680-1540* (Cambridge, 1980) and J. Whittle, *The Development of Agrarian Capitalism* (Oxford, 2000), ch. 3. The most recent contribution to the corpus of individual manorial land market studies is S. Sweetinburgh, 'Land holding and the land market in a 15th-century peasant community: Appledore, 1400-1470', in A. Long, S. Hipkin and H. Clarke (eds.), *Romney Marsh: Coastal and Landscape Change through the Ages*, Oxford University School of Archaeology Monograph 56 (2002), pp. 140-56. For a survey of the current state of land market studies see P.R. Schofield, *Peasant and Community in Medieval England, 1200-1500* (Basingstoke, 2003), ch. 4 and pp. 143-6.

How representative were the transactions contained in the database of the land market in Great Horwood? The major problem is coverage – there are three reasons for thinking that the transactions recorded in the court rolls represent only a proportion of the transactions which must have taken place. The first is that the court rolls only recorded transactions dealing with the tenancies in chief. As has been shown in chapter 4, it is likely that throughout most of the fifteenth and sixteenth centuries, and particularly between roughly 1450 and 1550, a great many underleases and subtenancies would have been granted, and perhaps inherited, bought and sold - but fewer than twenty entries in the court rolls or any other source recorded them. Consequently this chapter can only discuss the land market in the chief tenancies. The two other problems relate to the extent to which the court rolls recorded all dealings in the chief tenancies.

1. *missing court rolls*. The court roll series from 1383 to 1610 (and onwards) is remarkably complete. There are no major breaks in the coverage and rolls survive from all but thirteen years of the period. The gap years are spread out across the two centuries, with no gap larger than two years, though five are concentrated between 1476 and 1486.² The gaps need not necessarily represent missing courts, but on the other hand courts may also be missing from years for which one or more courts have survived. Sixteen courts are known to be missing, because they are mentioned in other courts or in the reeves' accounts, and fourteen or fifteen missing views are suspected from breaks in the usual pattern (twice-yearly in the fifteenth century and annually in the sixteenth). However it seems unlikely that many more than about thirty courts are lacking;³ 384 courts have survived, so thirty missing courts would represent 7.5% of the total. Not all courts recorded land transactions so the proportion of missing transactions is probably still less – perhaps 6%. These may have been disproportionately concentrated in the late fifteenth and early sixteenth centuries, as this was a period when the missing courts were more numerous and the rolls give the impression of lower standards of record-keeping.

2. *unrecorded transactions*. The ownership chains on which chapters 2 and 3 are based are full of missing links. In most cases the missing transfer can be inferred from other data, but it

² The years with no courts are 1428, 1460, 1476, 1478, 1481, 1485-6, 1512, 1525, 1544, 1582 and 1591-2.

³ The missing rolls may yet turn up. Warden Sewell, a nineteenth-century Master of New College, was in the habit of removing records from the archives to work on in his lodgings (and even loaning them to J.E. Thorold Rogers) and some may never have found their way back – this is perhaps the provenance of the single roll among the All Souls MSS in the Bodleian Library (MSS.DD.All Souls.c269, doc. 251).

is apparent that the transactions recorded in the court rolls do not represent anything close to the totality of land transfers which must have taken place. The missing transactions are rather more numerous than can plausibly be accounted for by missing court rolls. It seems probable that even in periods from which all the court rolls have survived some transactions were simply never recorded. This was undoubtedly the case with the free tenancies, over whom the lord had little control and from which he drew little financial benefit. With the customary tenancies it appears that straightforward outright sales, gifts and inheritances were mostly properly recorded, especially arms-length commercial transactions - but some other categories, especially intra-familial ones, may have been especially prone to being overlooked. For example, the interest of a man who married a widow and thereby acquired control of her landholdings ought to have been recorded, and sometimes was – but it is clear that often it was not. Humphrey Shirley, mentioned in Figure 4.5, is a good example – neither his entry into his wife’s lands nor their return to her on his death were recorded, though in between his liability to suit of court was carefully enforced. The creation of joint tenancies and reversions blurred the identity of the tenant, and split the transfer of a tenancy into two stages, the initial creation of the joint tenancy or reversion, and later its vesting after the death of the grantor. It seems that the second stage was not always recorded, especially if the heriot and entry fine had been paid at the first stage, and transfers of the reversionary interests were not often recorded. Widows’ interests generally seem to have been particularly likely to cause confusion. A widow’s joint interest was often treated as a life interest only, so that after her death the property passed to her husband’s heir - but the vesting in the heir seems not always to have been recorded. On the other hand some widows’ second husbands appear to have been able to acquire full ownership of the first husband’s lands, for reasons which are not entirely clear, without any court entry recording the fact. Grant of dower was only rarely recorded – usually as the result of a dispute – and the same was true of other transactions which did not affect ownership of the tenancy itself – mortgages and underleases, for example. This laxity of recording seems to have been most prevalent in the late fifteenth century and early sixteenth.

TYPES OF TRANSACTION

The great majority of the transactions fell into one of two categories; transfers of interests in land by one living person to another, which will be referred to here as *inter-vivos* transfers, and transfers of land after a tenant’s death, here referred to as inheritances, though

contemporaries gave that term a slightly narrower meaning. There is also a hybrid category, deathbed surrenders, which were technically between two living persons, and used the conveyancing mechanisms appropriate for *inter-vivos* transfers, but were made in anticipation of imminent death (indeed were often the means by which testamentary devises were implemented) and so will not be treated here as falling into the *inter-vivos* category. Instead they will be lumped together with inheritances in a category called at-death transactions.

Slightly under two thirds of the transactions (63%) were *inter vivos*. 29% were inheritances and 9% deathbed surrenders. Over short periods these proportions could fluctuate wildly, but otherwise they were broadly stable throughout the fifteenth and sixteenth centuries, though the proportion of *inter-vivos* transfers was slightly greater in the fifteenth than the sixteenth century – see Figure 5.4.

Nearly all the transactions recorded in the rolls are simple outright transfers, conveying all of the transferor's interest to the transferee(s), though there is a substantial minority where the transferor retains and shares his interest by granting a joint tenancy or reversion, and a smaller one where the transferor splits his interest between two people by giving one a life interest and the other a reversion. As has been mentioned, the rolls record almost no simple surrenders of unwanted holdings to the lord, very few grants by the lord of previously vacant holdings, and few grants of leases or underleases. There are only a handful of mortgages, or at least of transactions which reveal themselves to be such – one or two apparently outright transfers may in fact be mortgages by demise.

VOLUME OF TRANSACTIONS

Figure 5.1 shows the volume of transactions, expressed as (i) absolute numbers in each year, (ii) a seven year moving average and (iii) a twenty year moving average.

It can be seen that there was wide variation in the yearly totals - in some years no land transactions were recorded, in others as many as ten or fifteen. The overall average throughout the two centuries was around three to four transactions a year. It was a little higher, at an average of about five transactions per year, in the first half of the fifteenth century, but slumped slightly during the rest of that century and most of the sixteenth, averaging little more than three transactions per year during that time. This was a respectable

rate, especially for a Midlands manor in which none of the old standard holdings had fragmented. As has been pointed out, manorial land markets tended to be active in proportion to the fragmentation of their holdings.⁴

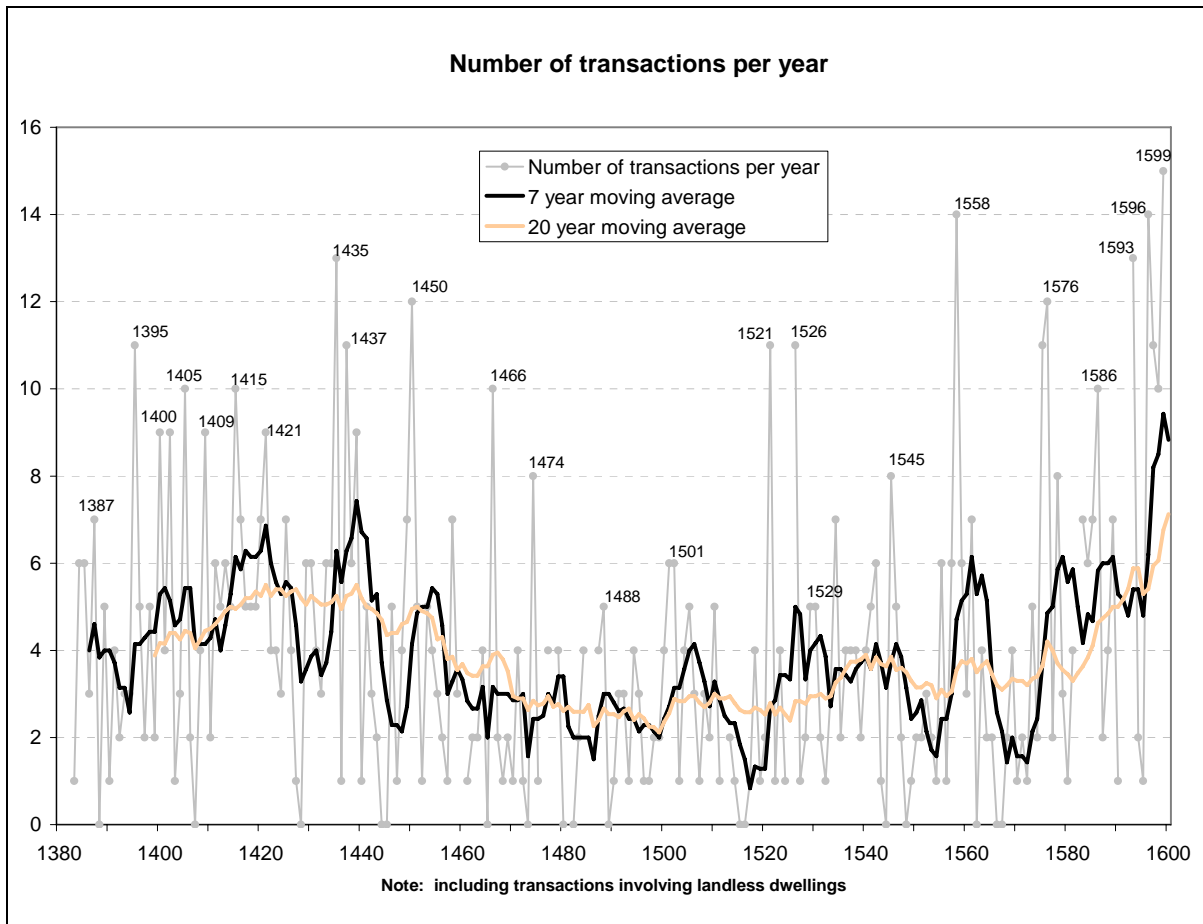


Fig. 5.1. Number of land transactions per year.

The c1450-1550 slump roughly coincides with the period of large multiple holdings, and must in part result from the tying up of many holdings in those large estates (large in Great Horwood terms – they seldom exceeded two virgates). The sixteenth-century preference for *post-mortem* inheritance over *inter-vivos* transmission of land to heirs (discussed below), resulting in fewer transactions, may also have been a factor.⁵ Many studies have found a period of particularly high land market activity in the last decades of the fourteenth century

⁴ Harvey, *Peasant Land Market*, pp. 343-4; Whittle, 'Individualism and the family-land bond': a reassessment of land transfer patterns among the English Peasantry c1270-1580', *Past and Present*, 160 (1998), pp. 25-63, at p. 53.

⁵ *Inter-vivos* transmission by means of the grant of a joint tenancy or reversion resulted in two entries in the court rolls; (i) the initial grant and (ii) at some later date the record of the grantor's death and the joint tenant's sole possession or reversioner's entry – though the land only transferred once.

and the first of the fifteenth,⁶ and Figure 5.1 shows a similar, if slightly later period of increased activity in Great Horwood. However exclusion of dwelling-only transactions causes both the early fifteenth-century hump and the 1450-1530 slump to disappear, reducing the yearly average to a steady three transactions for the whole of both centuries (see Figure 5.2), so the cause of the slump may perhaps be narrowed down to just one family, the Colyers, whose accumulation of so many dwellings between c1450 and c1530 may have helped convert the cottage land market into one dealing principally in subtenancies.

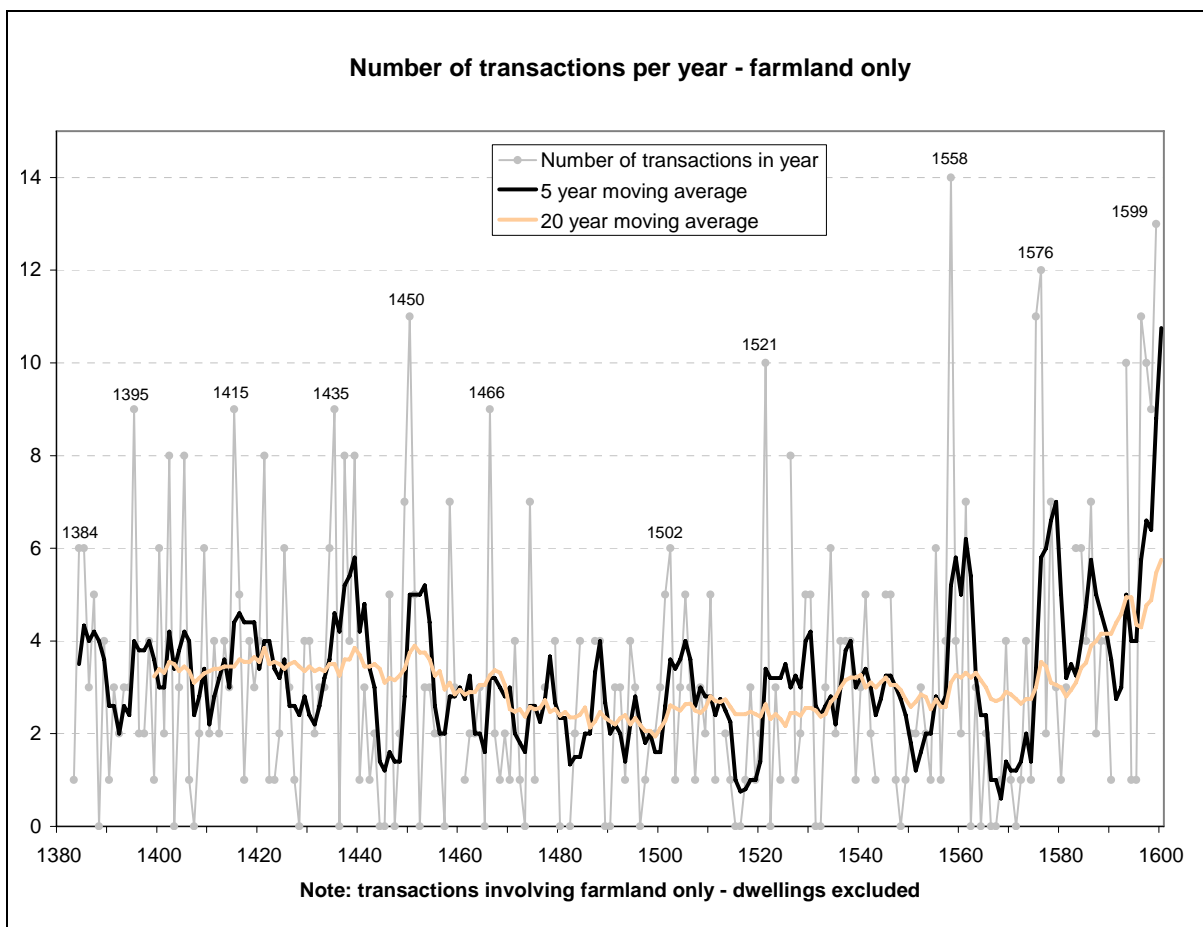


Fig. 5.2. Number of land transactions per year – farmland only.

Transactions relating only to landless dwellings have been excluded.

The slight rise in the number of land transactions at the end of the fourteenth and early fifteenth centuries is also a consequence of a series of exchanges of single strips, mostly involving the Baynard clan, which dried up at the end of the 1430s. Whether they stopped

⁶ For a summary see Schofield, *Peasant and Community*, 54-5.

because the tenants stopped exchanging land, or because the manor court lost interest in recording such minor matters, is not certain, but if the former then the exchanges may have been made in order to create the closes in the former demesne lands called Stocking which were in existence about a century later. The same process certainly accounts for the steep rise in transaction numbers at the end of the sixteenth century, which was mostly the result of the mass of small exchanges which followed the 1574 decision to allow closes to be created around the edges of the open fields (see chapter 1).

Although the overall trend is fairly flat, there are nevertheless some peaks and troughs. Notable peaks occurred in 1410-21, 1435-39, 1555-61 and 1575-1600, with some high levels of transactions in certain single years during the central slump - 1450, 1466, 1521, 1526 and 1558. In addition to that century-long slump distinct troughs occurred in 1422-28, 1442-47, 1511-16 (when almost no transactions were recorded), 1547-54 and 1565-72. Some of these can be linked to national events – the peak centered on 1558 was caused by the deaths of several tenants in the influenza epidemic of that time, and the trough which began a few years later was no doubt a consequence of the much smaller numbers of deaths in the following decade (the wills proved by Great Horwood inhabitants during the same period show the same pattern – fifteen in 1558-61 followed by just three in the next 10 years).⁷ Other peaks can be associated with known epidemics in 1421, 1466, 1474 and 1545; this is most clearly seen in Figure 5.4, where at-death transactions are separated out from *inter-vivos* ones.⁸

Other peaks were surely linked to local factors – for example the peak in 1574-6, which was caused by the flurries of small exchanges to create closes already mentioned. It is difficult to correlate the peaks with bad harvests, which do not seem to have produced a rush of sales by poor peasants pushed into debt by dearth – for example the peak in the late 1430s began in 1434 and 1435, just *before* the run of bad harvests in 1437-40.⁹ If anything the bad harvests may have contributed to the trough which followed. The same pattern can be seen in the mid-sixteenth century, when the harvest failures in 1545, 1549-51 and 1555-7 were followed by troughs, except for the 1558 peak – but that was caused by at-death transfers following high mortality, not forced sales. The most likely explanation is that the poor peasants who felt the

⁷ The 1558 influenza-related mortality is discussed in J.S. Moore ‘‘Jack Fisher’s ‘flu’: a visitation revisited’, *Economic History Review*, xlvii 2 (1993), pp. 280-307, and in the Moore-Zell debate in *EHR*, xlvii 2 (1994).

⁸ For dates of major epidemics, see P. Nightingale, ‘Some new evidence of crises and trends of mortality in late medieval England’, *Past & Present*, 187 (May 2005), pp. 33-68, at p.p. 187-8, quoting data from J. Hatcher, *Plague, Population and the English Economy, 1348-1530* (London, 1977), pp. 25, 57 and Dyer, *Lords and Peasants*, pp. 221-5.

⁹ C. Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c. 1200-1520* (1989, Cambridge, 1998), p. 263.

effect of harvest failure would have been underlessees rather than tenants in chief, and any sales of small parcels to raise enough cash to tide them over a period of want would have been of underleased land more often than holdings held in chief.

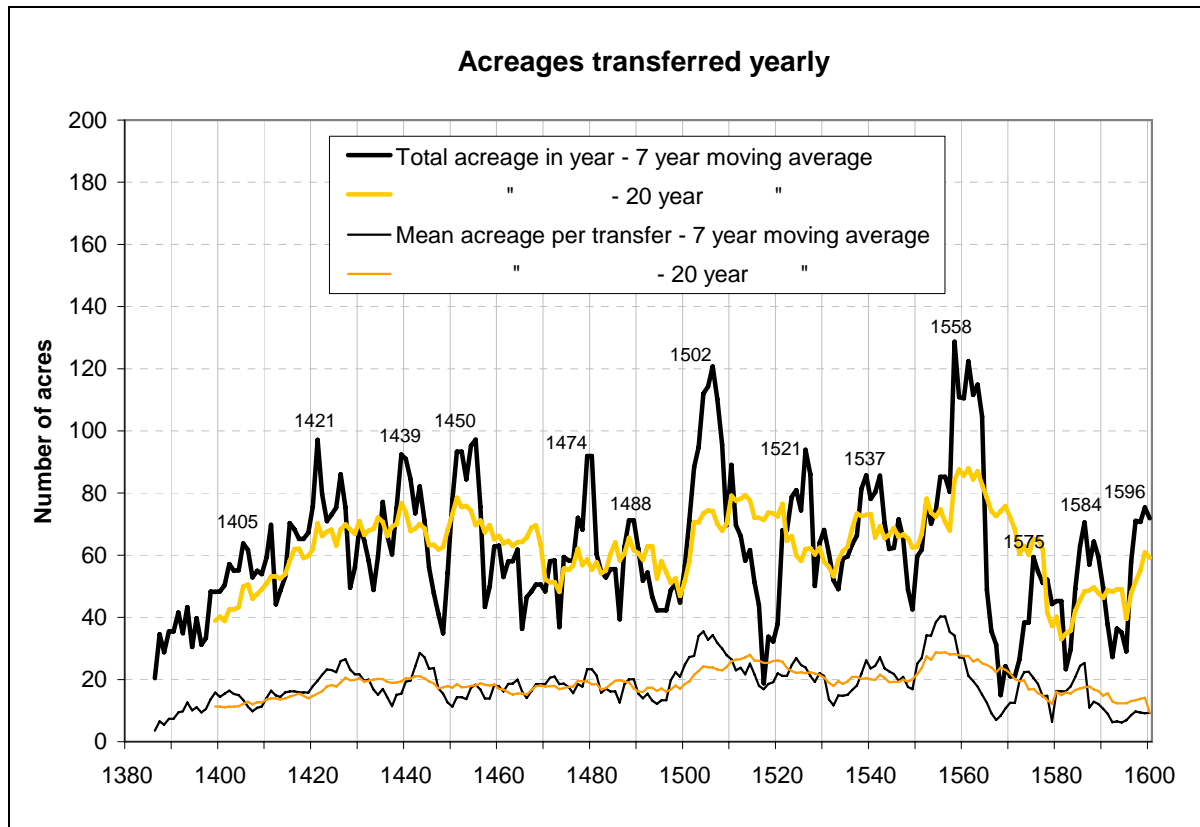


Fig. 5.3. Acreages transferred per year: total per year and average per transfer.

The graph shows only moving averages – the actual amounts transferred were often much larger, of course. The maxima were 413a. in 1558 and 241a. in 1521, with four other years exceeding 200a.

If the overall volume of transactions was not high, the amount of land dealt with by those by transactions certainly was. Because the ancient standard holdings did not even begin to fragment until late in the sixteenth century most transactions dealt with multiples of the fifteen-acre half-virgate. Consequently 60% of all transactions before 1570 transferred 15 acres or more (74% if transfers of dwellings alone are excluded), and fully a half of all transfers were of either a half or full virgate (two thirds of all farmland transfers). In Hevingham in north east Norfolk, by contrast, the average transfer in the early fifteenth century was 1.7 acres and in the sixteenth century varied between 5.8 and 7.8 acres.¹⁰

¹⁰ Whittle, *Agrarian Capitalism*, p. 109. At Appledore on Romney Marsh 86% of transfers specifying the acreage were of 10a. or less; Sweetingburgh, *Appledore*, pp. 146-7.

Figure 5.3 shows the yearly quantities of land comprised in the transactions recorded in the court rolls, both the total amounts transferred each year and the average amount per transaction. In its overall trend it is the reverse of the trend in transaction numbers in Figure 5.1, showing higher rates of transfer in the middle (c1420 – 1560) than at either end. The effect of the many small transfers before 1440 and after 1575 can be seen clearly, especially in the latter period – although the last two decades of the sixteenth century saw very high numbers of transactions, they do not stand out at all in terms of acreage transferred. The central slump disappears entirely, because although fewer transactions occurred, those that did take place often comprised the large multi-holding accumulations which were a feature of this period. Nevertheless the peaks and troughs largely coincide with those in Figure 5.1, except that the coincidence of Henry Colyer's death in 1502 with some other transfers of large holdings in that and adjacent years causes a substantial peak at that time.

The average acreage transferred by each transaction was fairly steady throughout most of the two centuries, fluctuating between 10 and 30 acres (before 1570 the mean farmland transfer was 21 acres, and the median 22½ a.). It rose a little between 1500 and 1560 – the period of the large accumulated holdings – and was distinctly lower at either end of the period, when small parcels were being exchanged. The largest single transfers were those when the Colyer estate was inherited in 1502 and 1504 – 135 acres. Only the Colyer inheritances exceeded 100 acres – the next closest were several transfers of three virgates, or 90 acres. The small number of transactions overall meant that just a handful of transfers dealing with multiple-virgate holdings could cause peaks like those in 1502 and the early 1550s. Because Figure 5.3 shows seven year moving averages it conceals the large acreages transferred in these extreme years. In 1558, when the mortality in the influenza epidemic triggered large-scale inheritance, 412 acres of farmland were transferred, or 13¾ virgates – slightly more than a third of the manor's thirty six tenanted virgates.

These acreage-to-transfer ratios are unusually high. Other studies have found much higher volumes of very small transfers, not just in areas of fragmented holdings but also in areas where landholding sizes remained high. In Arlesley in Bedfordshire, for example, one or two holdings were fragmented early on and their parcels were frequently bought and sold by tenants as their life-cycles required small increments or reductions in their landholdings.¹¹

¹¹ A. Jones, 'Bedfordshire: Fifteenth Century', in Harvey, *Peasant Land Market*, pp. 178-251, at pp. 217-8. See also Schofield, *Peasant and Community*, pp. 53-7.

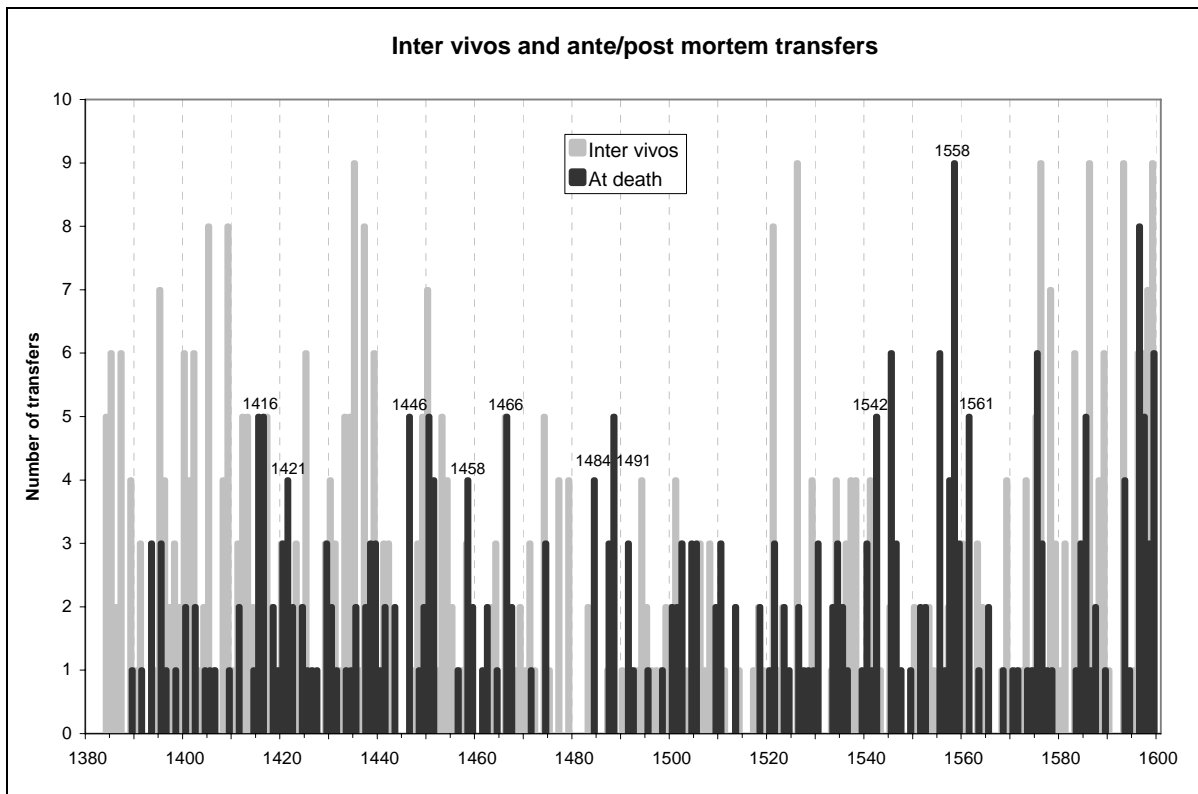


Fig. 5.4. Raw numbers of *inter-vivos* and at-death transfers.

At-death transfers (inheritances after death plus deathbed surrenders) remain fewer in number throughout both centuries, though they exceed the *inter-vivos* transfers for short periods at times of heavy mortality (1555-61 for example) or faltering *inter-vivos* activity (e.g. 1500-20).

THE FAMILY-LAND BOND

In the 1980s and 1990s the existence and strength of a bond between medieval peasant families and their landholdings was much debated. At issue was the importance which peasants attached to inherited holdings – how much it mattered to them that they held and farmed their ancestral land rather than any other land. In the absence of direct evidence of peasant mentalities the matter has been approached indirectly through the evidence of the land market; it has been argued that a strong emotional attachment to family land is evidenced by high proportions of land transfers between related persons, or of at-death transfers (which amounts to much the same thing), since they cause land to remain within the family over generations. Conversely large numbers of *inter-vivos* transactions between unrelated persons are taken as evidence that land was regarded as a resource or commodity, to be exploited, bought or sold as required.

Some degree of consensus has emerged, to the effect that the numbers of infra-familial land transfers, and hence the strength of the family-land bond, were in broad terms higher before the Black Death, lower throughout the rest of the fourteenth and fifteenth centuries, and began to climb again during the sixteenth century. Since this pattern is also broadly the pattern of population growth, decline and recovery, and consequently of the availability of land, it has been suggested that it reveals not so much an emotional attachment to land as a practical need to retain it when population outstrips supply of land and a willingness to part with it when land is plentiful and easily obtained.¹²

This brief summary of a long and complex debate naturally omits many of its nuances, one of which is the regional variability of the strength of the family-land bond. It has been suggested, notably by Jane Whittle, that the flexible pattern of landholding in East Anglia resulted in a much weaker family-land bond than did the more structured, strongly virgated Midlands pattern of landholding.¹³ Hence we may expect to find in Great Horwood a high proportion of transactions within the family.

Great Horwood There are two obstacles to a discussion of the strength of the family-land bond in Great Horwood. The first is, as always, that the available data relate only to the tenancies in chief, and nothing can be known about the web of underleaseholds and subtenancies which probably subsisted beneath them (though the very existence of such interests would be an argument against a strong bond, since it would mean that many tenants were not themselves cultivating their family holding, and many husbandmen would be farming the land of other families, often held on fairly insecure terms). The second obstacle is that, as in most manors, it is difficult to identify relationships beyond the immediate nuclear family, and sometimes not even within it – mention has already made of the difficulty of identifying married daughters. The Great Horwood court rolls usually (though not invariably) identify a relationship when recording *post-mortem* inheritances – because the relationship is necessary to establish the right to inherit – but do so much less often in *inter-vivos* transactions, and in all categories often do not bother when the relationship is more distant than parent and child or siblings. Unlike the Halesowen court rolls which enabled Zvi Razi to

¹² The contributions to the debate are too many to be listed here. Details of them can be found in Whittle, *Individualism*, and Schofield, *Peasant and Community*, ch. 4. Recent summaries of the arguments and conclusions of the debate can be found in these and in Dyer, *Age of Transition*, pp. 47-9 and 180-1.

¹³ Whittle, *Individualism*, pp. 49-59.

identify as infra-familial transfers between quite distant relations with different surnames,¹⁴ the Great Horwood rolls do not contain numerous merchant payments (there are just three after 1400) or detailed inquiries into peasant genealogies in order to identify heirs. Consequently marriage connections remain largely unknown and married daughters and their families appear as strangers to their parents and siblings. The result is that few transactions between parties of different surnames can confidently be identified as intra-familial.

On the other hand all but two of the transactions between parties of the same surname were able to be identified as intra-familial, even where a relationship was not stated. Most of the cases where relationships were not given, or could not be worked out, were inheritances - here the transferee was the deceased tenant's heir and therefore by definition his blood relation - and the rest involved surnames which were uncommon in Great Horwood, making it too much of a coincidence for the parties not to be related (for example, a transfer between two couples called Ryot alias Newman). Additionally, the family reconstitution exercise revealed that Great Horwood contained almost no unrelated families sharing the same surname and living in the manor at the same time, and only three families who had multiplied over the generations into branches too distant from their common ancestor to justify categorising transactions between them as infra-familial. These were the Hawkins, Bedfords and Baynards, who anyway had each been reduced to just one family by c1440, 1453 and 1501 respectively - the two unidentifiable transactions were exchanges of single acres by pairs of Baynards.

Figure 5.4 shows the respective proportions of *inter-vivos* and at-death transfers, but although the latter tend to be between family members and the former not, they were not exactly equivalent, and so Figure 5.5 shows the yearly numbers of intra-familial transactions, together with the same data for all 'other transactions' (they cannot be termed non-familial, or extra-familial, as it is quite likely that they include a number of intra-familial transfers which cannot be identified as such). It can be seen that the intra-familial transfers form slightly less than half of all transfers throughout most of the two centuries, though they predominate in two or three short periods, in the 1420s and 1430s and most notably around the time of the 1558 influenza epidemic, when high mortality produced a peak of intra-familial inheritances and deathbed surrenders. In the period up to about 1405 the graph gives the false impression that in the late fourteenth century intra-familial transfers were almost completely absent, but

¹⁴ Z. Razi, 'The myth of the immutable English family', *Past and Present*, 140 (1993), pp. 1-44, at pp. 23.

this is the result of the large numbers of exchanges of single strips which took place in this period – these were nearly all between individuals of different surnames.

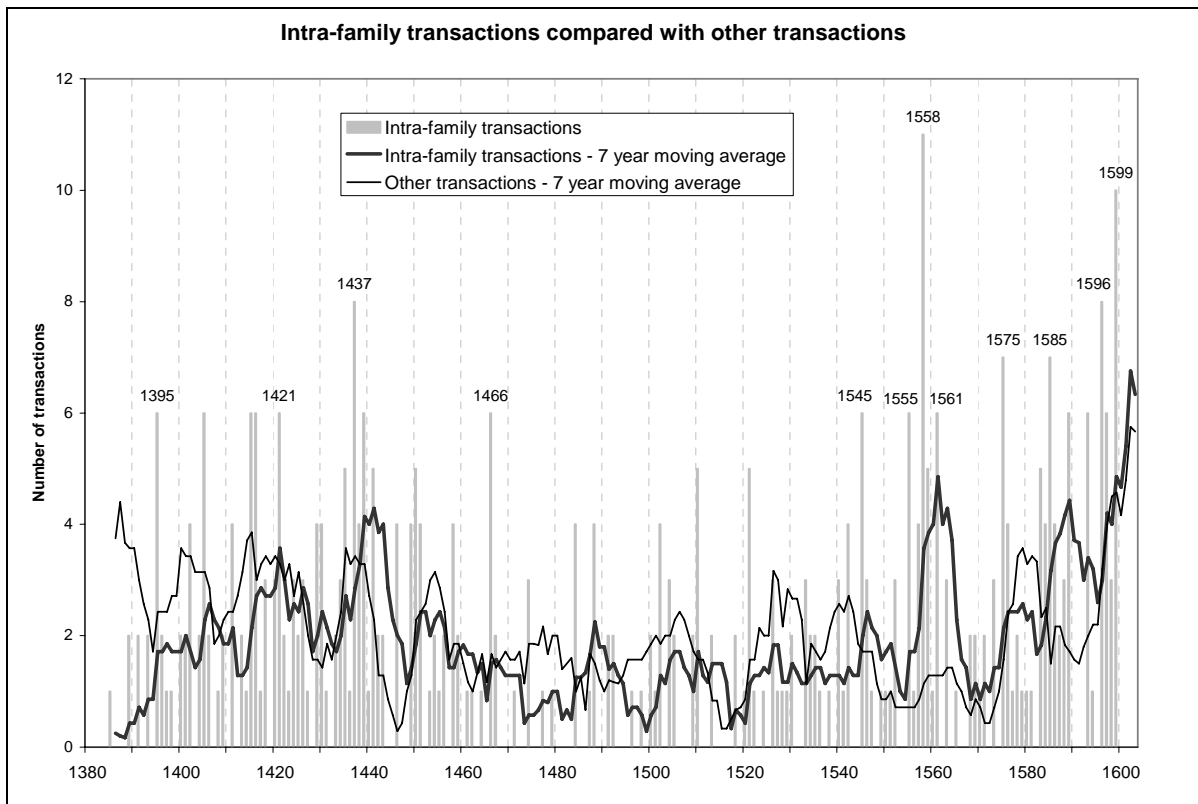


Fig. 5.5. Intra-family transactions compared with Other transactions.

The numbers of intra-familial transfers per year are shown (in gray columns), but Other transfers appear only as a seven year moving average (thin black line).

It is hardly surprising that when the two categories are further subdivided between *inter-vivos* and at-death transactions over 90% of those at death are found to be intra-familial. So also were a quarter of the *inter-vivos* transfers. The temporal distribution of the *inter-vivos* transfers can be seen at Figure 5.6 – it will be noted that between the 1440s and 1560s very few *inter-vivos* transfers took place within the family. This partly a consequence of the slight slump in land transfers generally between those years, and also of the large accumulations of holdings in those years, which caused land to be transferred less often (though in larger units). However the main cause was the change in the timing of succession arrangements discussed below – the more frequent intra-familial transfers before 1440 are nearly all grants of joint tenancies and reversions, a method of succession which ceased to be used in the mid-fifteenth century.

The reappearance of intra-familial transfers in the second half of the sixteenth century is not unexpected, since similar developments have been observed elsewhere, but is not easy to explain. It was not a consequence of the large numbers of transfers of small parcels of land which appeared after 1574 – those were seldom between family members (intra-familial transfers tended to be of a complete half- or full virgates or dwellings). What is new is that the relationships between the parties to these transfers were more varied than was the case in the fifteenth century. They involve as many sibling-to-sibling transfers as inter-generational ones, plus a significant minority outside the nuclear family, between cousins or uncles and nephews, for example (though this last may just reflect a new willingness to record relationships more precisely). In the fifteenth century intra-familial transfers had been mostly between husband and wife or from one generation to the next, but in the late sixteenth century lifetime transfers were more commonly used to move land around within the family, perhaps reflecting a new flexibility and mobility, and a lessening dependence on land as a means of livelihood – but also a greater determination to keep land within the family.

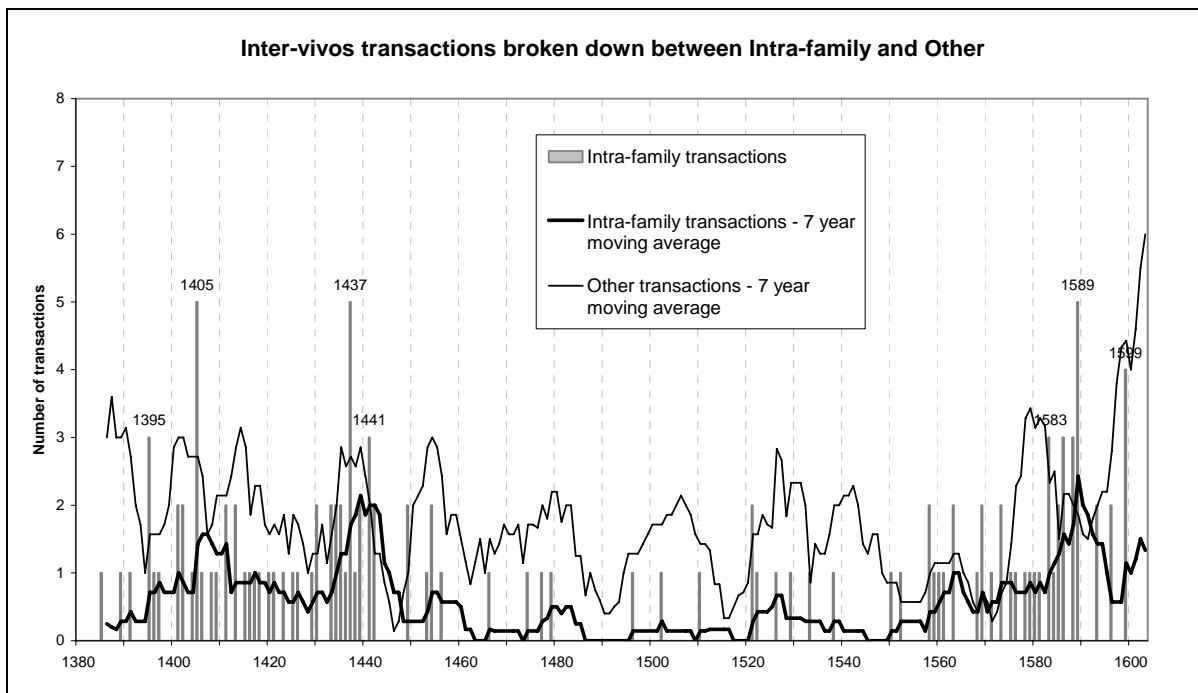


Fig. 5.6. Intra-family transactions compared with Other transactions
- *inter-vivos* transactions only

The yearly numbers of intra-familial transfers are shown (in gray columns), but Other transfers appear only as a seven year moving average.

If the acreages transferred by the intra-familial transactions are considered – see Figure 5.7 – then the family-land bond immediately assumes a greater importance. Although intra-

familial and ‘other’ transactions were roughly equal by number (382 of the former, 385 of the latter), almost twice as much land was transferred within the family as out of it (almost 8,000 acres against 4,250). The average size of the intra-familial transfers was larger, too – 21 acres against 11 acres.

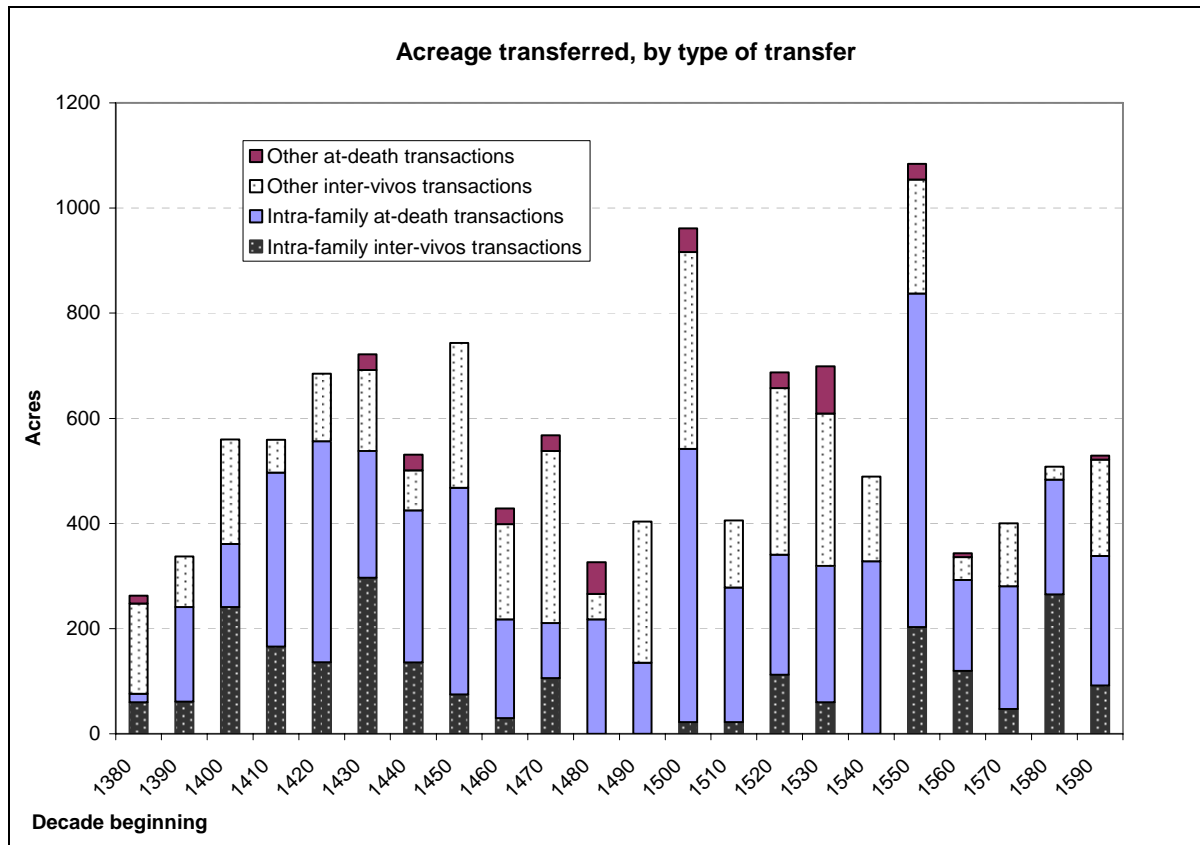


Fig. 5.7. Acreage transferred by Intra-family and Other transactions, broken down between *inter-vivos* and at-death transactions.

Three distinct phases can be discerned. Prior to about 1450 most transferred land remained within the family; between 1410 and 1450 the decadal average varied between 74% and 88%. From 1450 until 1540 the proportion dropped, ranging from two-thirds down to just a third (in the 1470s and 1490s). Then in the second half of the sixteenth century the acreage transferred within the family rose again, varying between 64% and 95%. The second phase corresponds closely to the period in which larger accumulations of holdings were seen in chapter 2 and greater proportions of non-resident tenants observed in chapter 4, and is further confirmation that the nature of Great Horwood society changed twice, in the early fifteenth and late sixteenth centuries.

Thus the picture in Great Horwood was rather different from the situation nationally, where ‘by the fifteenth century in every region inheritance was in decline’ and ‘a high proportion of land, often 80 per cent or more, was being acquired by people unrelated to the outgoing tenant.’¹⁵ The timing of the changes in the strength of the family’s hold on its land also differed from the national picture, which saw low levels throughout the late fourteenth and fifteenth centuries followed by recovery in the sixteenth - Great Horwood, by contrast, saw high levels in the early fifteenth century, and the slump which followed continued until the middle of the sixteenth.

The explanation must be the attractiveness of Great Horwood’s landholdings, no doubt particularly the security of tenure and the low rents which enabled large profits to be made on underletting. This has been advanced as an explanation for unusually high levels of intra-familial land transfers reported at Halesowen and Thornbury, and must certainly be the case here.¹⁶ Some idea of the strength of the family-land bond in Great Horwood can be derived from considering the number of occasions in the fifteenth and sixteenth centuries on which a tenant voluntarily gave up a tenancy – just once, and it was just a toft (surrendered by Robert Bucke in 1463).¹⁷ This was clearly a manor where landholdings were clung to tenaciously.

INHERITANCE PRACTICES

It has been seen that transfers of land within the family formed a substantial minority of the land transfers by number, and a large majority by the acreage transferred. It has also been seen that most infra-familial transfers took place at death, with *inter-vivos* transfers playing a relatively small part. The next section considers the methods by which Great Horwood’s tenants made provision for their land to transfer to their spouses or children – what are sometimes called ‘inheritance strategies’.¹⁸

¹⁵ Dyer, *Age of Transition*, p. 180.

¹⁶ C. Dyer, ‘Changes in the link between families and land in the west midlands in the fourteenth and fifteenth centuries’, in R. Smith (ed.), *Land, Kinship and Life-Cycle* (Cambridge, 1984), pp. 305-11, at pp. 306-9.

¹⁷ NCA 3918/3; -/5;

¹⁸ For detailed discussions of peasant inheritance practices in the late medieval period see Whittle, *Agrarian Capitalism*, ch. 3, and R.M. Smith, ‘Coping with uncertainty: Women’s tenure of customary land in England c. 1370-1430’, in J. Kermode (ed.), *Enterprise and Individuals in Fifteenth-Century England* (Stroud, 1991), pp. 43-67.

Great Horwood's manorial customs relating to inheritance

The customary laws of inheritance in force in the manor of Great Horwood in the fifteenth and sixteenth centuries were seldom stated explicitly in the court rolls, but so far as they can be deduced from the inheritances recorded in the rolls appear to have mirrored the common law of freehold inheritance fairly closely. Consequently the basic rule was male primogeniture, and in the absence of sons daughters inherited equally, as co-heirs. Widows' rights of dower (the term free bench was not used in Great Horwood) were the same one third allowed by the common law, though in 1422 and again in 1598 the homage stated that their custom was also for the widow to have her husband's entire holding for a year and a day after his death (in 1598 they added the gloss that this would not apply if other provision had been made of the land by surrender or will).¹⁹ The custom of the manor may have differed more from the common law in the early fourteenth century (for example, in c.1330 the custom had been for the eldest daughter to inherit alone, unless she had been married with chattels from the holding)²⁰ but by the fifteenth century seems to have been largely assimilated to it.

During the fifteenth century deathbed surrenders increasingly ousted inheritance after death (see Figure 5.9 below). Surrenders outside court were commonplace in Great Horwood throughout the fifteenth and sixteenth centuries, and were not confined to the deathbed – they were frequently used for *inter-vivos* transactions as well, indeed after about 1500 they formed one third of all *inter-vivos* transactions. Until about 1500 they had to be made in the presence of the reeve/bailiff and two tenants of the manor but thereafter just two tenants were sufficient. However the court rolls contain many surrenders actually made in the presence of just a single tenant, and in 1559 and 1584 the homage were claiming that surrenders made *in extremis* were good whether or not in the presence of any tenant at all – presumably to enable wills made by non-resident tenants to constitute effective surrenders.²¹ Comparison with the sixteenth-century wills reveals that (from the middle third of the sixteenth century at least) a number of deathbed surrenders were actually devised contained in wills. Wills were typically

¹⁹ NCA 3917/1r; 3922/16 -18v; 16, fo. 154v.

²⁰ L.R. Poos and L. Bonfield (eds.), *Select Cases in Manorial Courts 1250 – 1550*, Selden Society 114 (1998), docs. 15, 16. There is a baffling court roll entry from 1596 when John Brickhill's four daughters inherited his customary message and virgate because they were 'his next heirs according to the custom of the manor' (NCA 16, fos. 81v-83v), notwithstanding that they had a brother living, who was named in the same court roll as next heir of the father's freehold virgate. Both holdings had been inherited by the father from his father, who had bought them both from the same man, and the court roll entries recording both transactions reveal no reason for the two virgates to have descended differently. It may have been that the daughters were 'next heirs' under a settlement, but neither the father's nor the grandfather's will made any reference to either holding (CBS D/A/Wf/13/102; /We/6 fo. 11), so it must have been contained in a deed of some sort.

²¹ NCA 3922/1r, 3922/ paper fo. 1r.; 3922/11r,v.

not made until death was close, so the deathbed will-making process in the presence of neighbours as witnesses could easily double up as a surrender outside court. From about 1550 the court rolls begin sometimes to refer to the will explicitly, quoting it as authority for the devisee's entitlement to succeed. Once wills made in the village in the presence of other tenants had been accepted it was a short step to accepting wills made by non-resident tenants without the presence of other tenants – the custom that surrenders made *in extremis* were good whether or not in the presence of a tenant presumably reflected this. The increasing importance of deathbed surrenders and wills can also be seen in the difference between the 1422 and 1598 statements of the widow's right to occupy her husband's entire holding for a year after his death (and see Figure 5.9 below). In the 1560s and 1570s the tenants were frequently in dispute with the lord over whether a surrender made *in timor mortis* by a tenant who subsequently recovered could be withdrawn or became void if not presented at a court within a year and a day.

Whenever the death of a tenant was recorded in the court rolls the next heir was always named, but the exact nature of the entitlement was not always specified. The presumption is that he was the heir at law (i.e. under the canons of descent or their customary equivalent).²² However in a few cases this was clearly not the case, and the suspicion arises that there may have been quite a few instances where the bland statement that so-and-so is the next heir disguises an entitlement to succeed by some other means – as devisee in a will perhaps, or under the terms of a settlement. The four Brickhill daughters mentioned above, who were stated to be the next heirs to their father's customary virgate notwithstanding that the same entry named their brother as next heir to his freehold virgate, are an example.

The inheritance practices actually followed in the manor

If primogeniture was the customary law in Great Horwood, it was not the practice. As has already been mentioned in chapter 2, accumulations of multiple holdings were usually broken up at or before the amasser's death so that each of his sons, and often daughters as well, could be left a holding. Wives might also be given absolute ownership of one or all of their husband's holdings, instead of the lifetime interest in just one third which manorial custom prescribed. The customary rules of inheritance could be defeated by deathbed surrenders to

²² Later periods have used the word 'heir' somewhat loosely, meaning the person entitled to succeed by any right – for example as devisee under a will – but at this time its strict meaning was confined to the heir at law (Bracton's famous dictum was *solus Deus facit heredem* - only God can make an heir - meaning a will or settlement could create rights to succeed to specified property but not heirdom).

persons other than the heir, though holdings were sometimes handed over long in advance of death, by either a formal legal transfer or an informal arrangement under which the father remained the legal tenant but the son occupied the dwelling and farmed its land.

This divergence between law and practice was not unique to Great Horwood – it has been found in other studies. In Sedgeford in Norfolk ‘whatever the letter of the local inheritance law, tenants generally seem to have used their land to provide for as many of their immediate family as possible’, and in Appledore on Romney Marsh parents were ‘keen to redistribute their land among their off-spring *post-mortem*.’²³

The preference for division among children instead of primogeniture was widespread in Great Horwood throughout the fifteenth and sixteenth centuries, during which only two accumulations larger than two virgates survived for more than two generations. These were the holdings of two non-resident gentry families, the Pigots of Little Horwood and the Colyers of Buckingham (originally of Great Horwood). Both accumulated in the fifteenth century, even these were eventually disaggregated and sold individually, the Colyers’ estate in 1529 (after surviving through three generations and four individual tenants) and that of the Pigots at the very end of the sixteenth century. However both families were actually practising division among children in the same way as the lesser Great Horwood tenants - their Great Horwood estates only remained intact for as long as they did because the families owned lands in more than one parish and were able to divide them between children by parish.

Division among children was not an option for those who only held a single holding. Though a few small parcels had been detached from standard holdings as early as the late fifteenth century, holdings seem only to have been broken up as a commercial transaction between strangers and never as a consequence of division within a family (the Colyers possibly split one of the virgates in their estate into two half-virgates in the 1520s, but it seems unlikely that this was done to facilitate inheritance by an underlessee’s children). The court rolls contain no case of a standard holding split between two members of the same family until 1558, when a virgate, a half-virgate, and possibly even two cottages were each divided between two daughters of John Machyn. It did not happen again until 1575, when William Mallet divided

²³ J. Williamson, ‘Norfolk – thirteenth century’, in Harvey, *Peasant Land Market*, pp. 31-105, at p. 103; Sweetinburgh, *Appledore*, p. 150; and see Whittle, *Individualism*, pp. 31, 42; *eadem*, *Agrarian Capitalism*, pp. 90-1.

a messuage and virgate between three daughters (though the holding may not have been divided physically – by 1600 it had been reunited in the tenure of one of his granddaughters). In the same year two Cowper brothers settled an inheritance dispute, in which the younger brother had unsuccessfully alleged a deathbed surrender to him by their father of a messuage and virgate, by the elder surrendering three quarters of the disputed holding to the younger.²⁴ John Machyn and William Mallet both effected their divisions by deathbed surrender, presumably because inheritance at law would not have produced exactly the desired result. No further divisions between siblings had occurred by the end of the century.

The nearly invariable rule was a holding per child – holdings were almost never held by siblings jointly. The only exception was joint inheritance by heiresses, and even then one sister and her husband almost always eventually became the sole tenant, the other(s) presumably being compensated in some way – and of course towards the end of the sixteenth-century subdivision, to create a holding each, became a possibility.

Thus Great Horwood's inheritance practices, prior to the later sixteenth century at least, involved on the one hand complete flexibility in dispersing accumulations of holdings among children, and on the other complete inflexibility in dividing the ancient virgate and half-virgate standard holdings. The court rolls reveal no tenant of a single standard holding who divided his land between more than one child before the later sixteenth century, yet this cannot have been because division of holdings was forbidden - it was done occasionally for other purposes. It is difficult to believe that this unwillingness to subdivide stemmed from recognition that smaller units were not economically viable – subdivision below this level was commonplace in other manors. In any event the donors and recipients of such small holdings probably never regarded self-cultivation as the only option – small landholdings would also have been regarded as conferring a secure rental income. And here is surely at least part of the explanation for the Great Horwood case; some younger children may have received their portion in the form of an underlease from their elder sibling – perhaps rent-free – or underleasehold land which the father had held in addition to his tenancy in chief. Of course other younger children may have had to receive their portion in cash or chattels, and the Pigots and Colyers were not the only tenants who held land in other manors and could give all their Great Horwood holdings to one child without depriving his siblings.

²⁴ NCA 3921/1r,v, /3v; /12r-15v (Machyn); 3922/5v, 6r (Mallet); 3922/5,r,v (Cowper).

As we have seen, even the standard holdings did begin to be divided between children towards the end of the sixteenth century. However it was not always an even division – younger sons often had to accept smaller portions (or perhaps portions held by underlease). For example Henry Hobbes, tenant of two messuages and two virgates, died in 1585 leaving five sons, the eldest of whom inherited the whole of both virgates and one of the messuages as Henry's heir at law. However Henry had made provision for his other four sons by deathbed surrender, giving each a dwelling - the second messuage and three new buildings recently created out of the two messuages' curtilages (it seems unlikely that they also received underleasehold land as Henry's will, which makes no mention of his dispositions of the holdings and dwellings, bequeaths the crops of single lands to each of them).²⁵

Overall 85% of all transfers at death (i.e. both inheritance *post mortem* and deathbed surrenders) were to either a spouse (almost always a widow) or a child or children (usually sons), and sometimes to both. Widows received land nearly as often as sons - 30% against 45%. Daughters were not often favoured, forming only 9% of recipients. They often received the land jointly with their husbands, and it might be supposed that they received so little at death because land had been transferred to them at the time of their marriage, i.e. by *inter-vivos* transfer. However their proportion of *inter-vivos* transfers was no greater, though it must be possible that in many transfers by parents to a daughter and son-in-law the daughter was recorded under her married name, without mention being made of the relationship, so that the transfer cannot be identified as an intra-familial one.

The recipients of *inter-vivos* transactions between related persons were broadly similar. Wives received 27% of the transactions, but a number of second husbands who were granted a joint tenancy by their new wives, or were admitted as tenant of their wives' land under coverture, pushed the proportion of all spouse-to-spouse transactions up to 35%. Sons received a slightly smaller share than of transfers at death – just 28% - and there were more sibling-to-sibling transactions, 18.3% of the whole.

The proportion of transfers in favour of wives, both *inter vivos* and at death, was higher in the fifteenth century than the sixteenth. Before 1500 they formed fully 41% of all recipients of intra-familial transfers, and the percentage was higher still before 1450. In the sixteenth

²⁵ NCA 3922/12r; CBS D/A/We/18 fo. 42v.

century that figure fell to 18.5%. This was the result of an observable shift in inheritance practices in the late fifteenth century which is discussed below.

The timing of succession arrangements

It was noted above that it was common for a tenant to secure inheritance by a wife or child by surrendering a holding to himself and the wife or child as joint tenants, or by putting it in their joint names when he first acquired it. This had the advantage not only of securing the inheritance (a joint tenant had more than a right to inherit or be dowered – he or she was already tenant and needed no admission to the tenancy by the court),²⁶ but also of paying the entry fine in advance, perhaps at a time when the tenant, still young and active, had more surplus income than might be available at the end of his life. Sometimes the heriot would also be paid in advance, though usually that was left until the tenant's death. This was more common in the first half of the fifteenth century – after about 1440 it became the fashion to grant the chosen heir the reversion rather than a joint tenancy. This was not greatly different in terms of its legal effect and advantages and may just reflect different terminology preferred by a new lord (New College had acquired the manor in 1441). More significant is the near disappearance of both devices after the 1460s. Reversionary grants recovered a certain popularity in the middle of the sixteenth century, but neither they nor joint tenancies were ever as common thereafter as they had been before 1470.

Inter-vivos versus at-death provision. The decreasing use of joint tenancies and reversions towards the end of the fifteenth century reflects a larger shift in the inheritance practices followed in Great Horwood at this time. In the fifteenth century provision for the succession to landholdings after the tenant's death, to his widow or children or otherwise, was more often made during the tenant's lifetime than in the sixteenth century. Conversely in the sixteenth century it became more common for a tenant to wait until the point of death before making arrangements for the succession to his landholdings, whether by making a deathbed surrender to his chosen successor or, if that was his heir at law, by just letting the law of inheritance take its course. The change can be seen clearly in the changing proportions of the different types of landholding and succession shown in Figures 5.8 and 5.9.

²⁶ A surviving joint tenant's ownership is normally full and absolute (if the title held jointly is full and absolute) but some Great Horwood widows' joint tenancies were stated to be only a life interest (with the effect that on their deaths their tenancies reverted to their husbands' heirs). In a few cases the initial grant to the couple had been limited to their lives, and this may be the explanation for all of them.

A consequence of this change may have been less provision for widows. In the fifteenth century they commonly held land jointly with their husband, effectively making them his heir and giving them full ownership of all of the holding after his death. In the sixteenth century the numbers of widows inheriting as joint tenants fell, but were not replaced by equivalent numbers benefitting from deathbed surrenders in their favour – it seems many widows received only the lifetime interest in one third of their husband’s land which the law of dower provided. Inheritance by children was not similarly affected. The decrease in *inter-vivos* grants did not result in a corresponding increase in primogeniture – parents just switched to deathbed provision for younger siblings. If anything the increasing use of deathbed surrenders and wills probably conferred greater flexibility in providing portions for younger children in land as well as chattels or cash. And of course underleases may also have played a major role here.

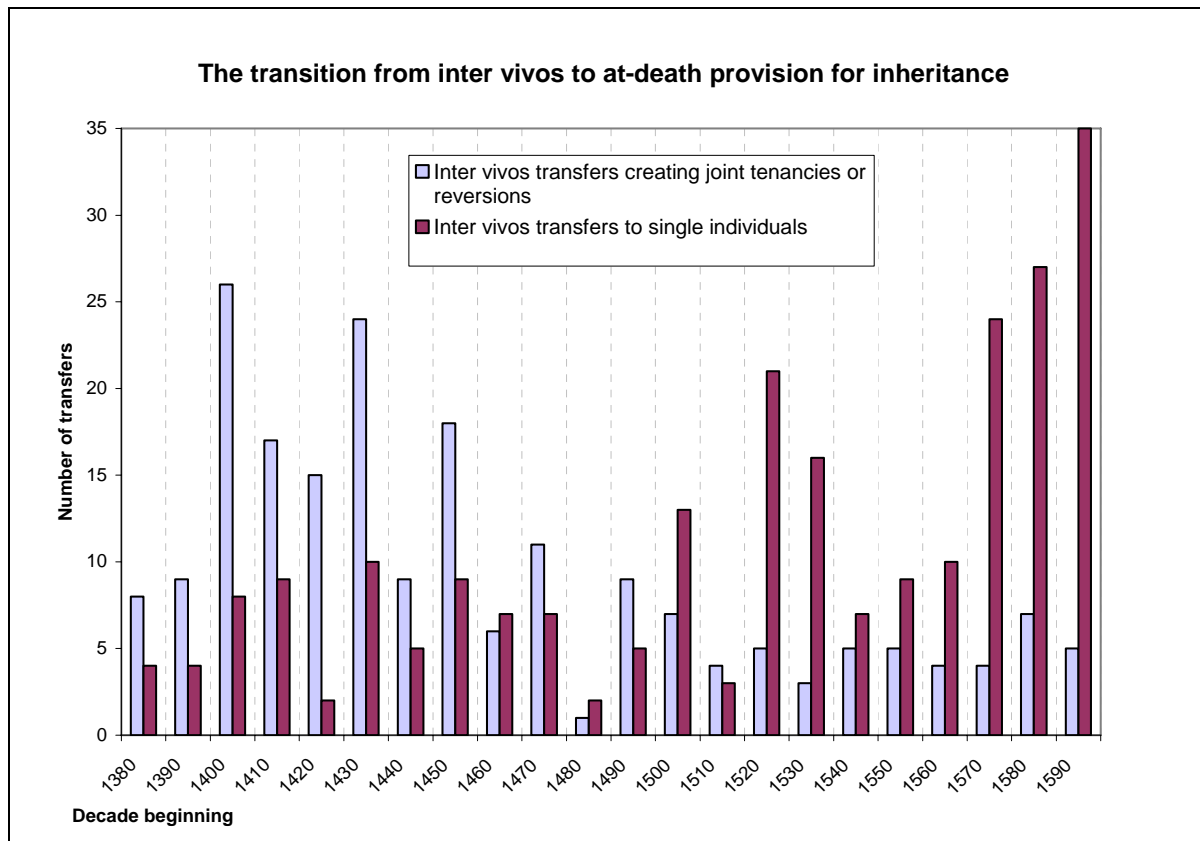


Fig. 5.8. The transition from *inter-vivos* to at-death provision for inheritance.

In the fifteenth century most acquisitions of land were made in the names of joint tenants, typically a man and his wife or son, or a tenant and a reversioner, thus ensuring the succession to the land after the principle tenant’s death. In the sixteenth century this was replaced by acquisitions of land in the name of a single tenant, leaving the matter of inheritance to be dealt with at the time of his death.

Note: The transfers creating joint tenancies or reversions include both (i) surrenders by which an existing single tenant granted another person either a joint tenancy with him or the reversion after his death, and (ii) initial acquisitions of holdings taken in two or more names, as either joint tenants or tenant for life and reversioner.

The transition from *inter-vivos* to at-death provision has been found elsewhere – at Hevingham in north east Norfolk inheritance by custom began to be superseded by deathbed surrenders at the very end of the fourteenth century, and in the fifteenth century ‘the occurrence of both will making and out of court transfers of customary land increased.’²⁷

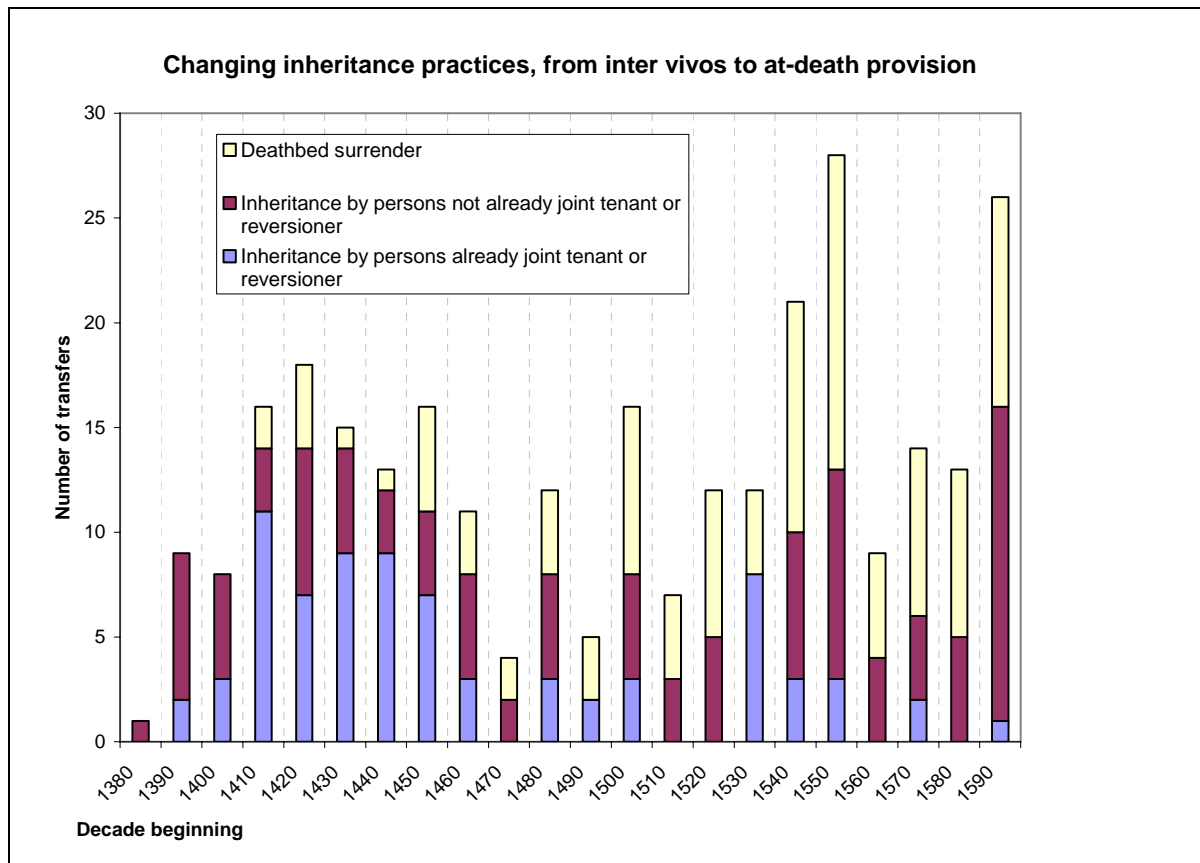


Fig. 5.9. The decreasing importance of inheritance by a joint tenant or reversioner.

Between 1410 and 1480 a majority of at-death transfers of land (including deathbed surrenders) were to a surviving joint tenant, typically the deceased tenant’s wife or son, or a reversioner – i.e. a successor previously chosen by the tenant. After 1480 these became less significant, being replaced by inheritance by the heir at law and, increasingly, deathbed surrender – i.e. a successor chosen by the tenant at the time of death.

Another aspect of this transition from advance provision for succession to at-death provision was the disappearance of the maintenance agreement. This was an arrangement, common in the medieval period, by which an elderly couple would surrender their holding to a younger

²⁷ B.M.S. Campbell, ‘Population pressure, inheritance and the land market in a fourteenth-century peasant community’ in R.M. Smith (ed.), *Land, Kinship and Life-Cycle* (Cambridge, 1984), pp. 87-134, at p. 91; Whittle, *Agrarian Capitalism*, p. 91.

person or couple – often their own child – in return for accommodation and maintenance in the messuage during the rest of their lives. Some sixteen such agreements are recorded in the Great Horwood court rolls before 1455 (more may have been entered into but not recorded in the rolls), but only one thereafter, in 1514.²⁸

It is tempting to connect this transition to the increasing influence of protestant attitudes to the family, which emphasised both individualism and also the authority of the paterfamilias. In a society which enjoined wifely submission and expected even adult children to give respect and obedience to their father a reluctance to hand over control of landholdings or relinquish the power conferred by delayed testamentary choice would be natural. A more prosaic explanation may be that the increasing legal and economic security enjoyed by copyholders and husbandmen in the late fifteenth and early sixteenth centuries – as the royal courts extended their protection to the former and inflation reduced the real value of the latter's fixed rents and entry fines – lessened the importance of securing the succession in advance. A tenant who could be confident that his landholdings would pass to his chosen heir could afford to leave his choice till the last minute.

Will-making and inheritance

So far this has been a discussion of the inheritance practices, not of the whole population of Great Horwood, but only of the tenants in chief (some of whom did not even live in Great Horwood), and only of their practices in relation to the land they held by chief tenancy - and only their land in Great Horwood, not elsewhere. It was hoped that a broader picture could be gained from the inhabitants' wills, since about a quarter of them were made by non-tenants. However few of even the tenants' wills made explicit reference to landholdings. Indeed many did not refer to land at all, or only mentioned it when making minor gifts to someone other than the heir at law, since the heir received his patrimony automatically by operation of the law of inheritance, without need for testamentary provision. Consequently the wills (almost none of which date from before the 1530s) can be used for anecdotal evidence, but not quantitatively – except to provide data for the extent to which wills were used to devise land.

²⁸ In 1514 John Hunkys and his reversioner transferred his messuage and virgate to Richard Mores and his wife Alice (not stated to be related to Hunkys) in return for a room in the messuage and 5d. a week for the rest of his life; NCA 3920/3r.

Few of the Great Horwood wills mentioned the testator's land, and those that did seldom identified it ('my lands' was frequently the sole description – with the parish in which the lands lay usually left unstated). Many wills which did mention land did not deal with all of it, but just devised an acre or two to a lesser beneficiary, or even just the crop growing on a strip or two. The reason was, of course, that a testamentary devise was unnecessary if the land was to go to the heir at law or the wife's rights of dower were thought adequate (and was impossible if the lands had already been passed to the chosen heir *inter vivos*, or the wife had already been given a joint tenancy). Most wills only dealt with those lands for which the testator wished to vary the laws of inheritance or dower. Thus even a will which gives the appearance of being a full disposition of all the testator's lands cannot be trusted as such – it is never certain that other lands had not been left for inheritance by the heir, or had already been transferred *inter vivos*.

Of the sixty five surviving wills, only about one third (22 wills) devised substantial landholdings in terms which suggested that all or most of the testator's land was intended (e.g. 'all my land' or 'my house and my land', though in five cases only dwellings were mentioned). Another third (18) contained evidence that the testator did occupy land; some made gifts of one or two acres or of the crop growing on similarly small areas (in phrasing suggesting that these were not the testator's entire landholding), and in others the testator called himself husbandman or bequeathed farming equipment, while two testators who referred to their landlords must have been underlessees of farmland or subtenants of a dwelling. The remaining wills (25) gave no indication of landholding at all.

Yet thirteen of the forty five testators whose wills did not devise landholdings, other than an acre or two, were tenants in chief when they died (and another fourteen had been tenants in chief at an earlier date, but it is uncertain whether they were at their deaths). Half (7) of these known tenants were among the group whose wills made no reference to their landholdings at all. If full details of all land held by underlease were available then these proportions of non-devising testators who nevertheless held land would certainly be higher.²⁹ Conversely of the twenty two testators who did make devises of land, two had never been tenants of the manor and must have been underlessees or subtenants - indeed each referred specifically to the leasehold house he dwelled in. Fully half of the twenty whose wills implied farming or

²⁹ Twenty two wills of non-resident tenants (mostly living, or rather dying, in Singleborough and Little Horwood) provide similar evidence. Ten of them devised their Great Horwood land, and two more who devised land without specifying its location may have done - but the other ten made no mention of it.

occupation of a land or a dwelling were never tenants, including Richard Hunt, who called himself husbandman and is known to have been the underlessee of a messuage and virgate.³⁰

The wills of testators whose deaths were recorded in the court rolls were also compared with the inheritance methods recorded by the court rolls in the hope that patterns might be revealed – perhaps the testators who chose not to mention their land in their will were those who had already transferred it *inter vivos*, or created a joint tenancy or reversion. However it was difficult to find any correlation.

One might conclude that John Mallett failed to mention his three copyhold messuages and virgates in his will when he died in 1533 because his widow Agnes was already joint tenant of two of them (and had been ever since they acquired them together in 1495) and he was content for the other to be inherited by his son Thomas (these were the successions recorded in the court rolls).³¹ However William Butcher, who died in 1573 leaving a will which made no mention of his two messuages and a virgate, had made no provision in his lifetime either. The court rolls record that they went to his heir at law, his son – yet some provision might have been wise, as the son was only thirteen years old. The court did appoint William's widow as guardian, but that may not have been a certain outcome – thirty years later, when the long-running dispute between the tenants and their lord was finally brought to an end in Chancery, one of the tenants' complaints to the court was that the lord had been selling wardships of underage heirs to persons other than their nearest kin and taking unreasonable fines for them.³²

Again, the 1585 will of Henry Hobbs, husbandman, did not mention his two messuages and two virgates (though he did bequeath the crops of several acres and several sheep), perhaps because he was happy for his eldest son to inherit them as heir - but the court rolls also record deathbed surrenders by which Henry gave each of his four younger sons a dwelling recently carved out of the two messuages. These complex arrangements might have usefully been set out clearly in his will, especially as some of the sons were absent from Great Horwood and unable to return for some time, but his will makes no mention of them.³³

³⁰ CBS D/A/Wf/11/104, /We/20 fo. 63r, /Wf/9/125.

³¹ NCA 3920/28r; CBS D/A/We/2 fo. 41r.

³² NCA 3922/5r; CBS D/A/We/17 fo. 32r; NCA 4499/59.

³³ NCA 3922/12r; CBS D/A/We/18 fo. 42v.

It is unlikely that these testators were following the medieval custom of creating two documents, a *testament* dealing with their personalty, which required to be proved in the ecclesiastical probate courts, and a *will* dealing with their real property, which was no business of the probate courts and seldom survives. By the middle of the sixteenth century it had become normal to combine the two documents into a single *last will and testament*, and the fact that a third of the Great Horwood wills (which were mostly proved in the Archdeacon of Buckingham's probate court) did include devises of land suggests that this was the normal practice there.³⁴

Nevertheless it is clear that the old attitude that testaments should not normally deal with land still influenced testators' habits. Not only did almost none of the testators mention in their will land which they wished to pass to their heir at law – because it was legally unnecessary – but even those who wished to devise land to someone other than the heir at law seldom used their will to achieve this end. They used a deathbed surrender instead (or made provision in advance of death by a grant of joint tenancy or reversion, or even an outright transfer).³⁵

PAYMENTS AT TRANSFER – HERIOTS, FINES, PRICES

Like most other customary/copyhold tenants in England, the Great Horwood tenants had to pay an entry fine to the lord whenever any tenancy, however small, was transferred (including transfer at death). If the tenancy was one of the ancient standard holdings then a heriot was also payable.

Heriots

In theory the heriot was paid by the outgoing tenant (or by his estate, if he had died) and the fine by the incoming tenant, but commercial realities no doubt often meant that one or other party paid both (before 1440 the heriot and fine were sometimes recorded in the rolls as a single cash payment covering both). The heriot was the tenant's best beast, or if he had none

³⁴ T. Arkell, N. Evans and N. Goose, *When Death do us Part: Understanding and Interpreting the Probate Records of Early Modern England* (Oxford, 2000), pp. 7-8.

³⁵ Jane Whittle carried out a similar comparison of pre-1559 wills and court rolls from Hevingham in Norfolk and also found numbers of tenants who did not mention their land in their wills. Her explanation, that these tenants had 'sold the land or passed it to their heir before death', if an assumption rather than based on actual recorded transfers, disregards the likelihood that they had in fact just allowed the land to be inherited by the heir. Whittle, *Agrarian Capitalism*, p. 131 (and see *eadem*, *Individualism*, pp. 39-40).

then the crop of the best half-acre of land in the holding (and if he had neither beast nor crop, he gave his most valuable chattel – but this seldom happened). The rolls always recorded the heriot's value and in many cases the lord probably received that amount in cash rather than the beast itself, or the crop or chattel – in fact some heriots were just cash sums, and from the mid-fifteenth century onwards incoming tenants occasionally agreed with the lord that the heriot to be paid in due course would be a specified cash sum.

Heriots were only paid on full standard holdings, the virgates and half-virgates. The custom as to cottages was confused. In the fifteenth century some cottage tenants paid heriots, but others did not. In the sixteenth century, however, the custom was clear; cottages did not owe heriots. If a small part of a standard holding was detached its tenant did not owe a heriot – that liability remained with the tenant of the greater part and the messuage. However by the middle of the fifteenth century so many messuages had been separated from their half and full virgates that uncertainty arose as to which tenant was liable for the heriot – he of the messuage or the farmland. At first the answer was clear – the homage repeatedly confirmed that it was the farmland which was burdened with the heriot. In the sixteenth century, however, the homagers began to assert that the heriot ought to be paid by the tenant of the messuage. The bill of complaint which New College and its demesne lessee submitted to the Court of Chancery in 1609 alleged that this effectively defrauded the lord, since 'the occupiers of the saide single mesuages weare for the moste parte poore men and had nothinge of any worth'³⁶ and the Court ordered the reinstatement of the old practice by which heriots were paid by the tenant of land, not the messuage.

Over three quarters of the heriots were either beasts or crops. Before about 1460 beast heriots predominated by a substantial margin, but thereafter the proportions were more even, though in the first three decades of the sixteenth century the proportion of crop heriots briefly increased to twice the number of beast heriots. It seems likely that this reflects the greater degree of non-residence (and thus of underletting) between c.1450 and c.1550, since there is a clear correlation between non-residence and payment of crop heriots. Tenants known to be resident formed 63% of all heriot-payers but 83% of those who gave a beast; conversely, known non-residents were 31% of all those who gave a heriot but 64% of those who paid crops.

³⁶ NCA 4499/59. The bill also made the absurd allegation that the tenants had 'by cuning and practize amongst themselves aliyened landes from the mesuages' in order to engineer this outcome.

Eighty five tenants gave a crop as a heriot. Fifty five of them (64%) can be confirmed or strongly suspected as non-resident, and three more moved out of Great Horwood immediately after the surrender which occasioned the heriot, while a further eight disappeared from the records immediately afterwards - presumably having disposed of their land they then moved away, though some may have just retired in Great Horwood and dropped out of view for that reason. Of the remainder, who had mostly given the heriot because they had died, five were widows. Thus seventy five of the eighty five who had no beast and gave a crop as a heriot may have been in that position at the date of the court hearing because they were non-resident, retired or a widow. Many of them would no doubt have underlet their land.

Giving the crop of the best half-acre as a heriot was an unusual custom, but was of some antiquity in Great Horwood – it was mentioned in the 1320 Extent. It is a little difficult to understand the circumstances which would trigger the payment of a crop heriot, however. It was due if the tenant had no beast, and a tenant with no beast could not have been farming his land – but if he was not farming, how could he have a crop? The answer is presumably that he was underletting, and the crop was one which had actually been cultivated by his underlessee (though of course the underlessee would also have had beasts, and if his crop could be used to pay his landlord's heriot, then why not his beast? – perhaps his crop was regarded as annexed to his landlord's land in a way that his beast was not, or perhaps the rule just recognised the greater hardship of taking the best beast from someone who did not actually owe the heriot).

Entry Fines

The entry fine was recorded for some 560 out of 745 transfers of customary land. The reasons why no fine was recorded for about 185 transfers were varied. A fifth of them were paid in the decade before 1392, when the rolls seldom recorded the fine. A third were entries recording the death of one joint tenant and the succession of the other, or of a reversioner – in these circumstances no fine was paid, because it had been paid when the joint tenancy or reversion was granted. Of the rest some were transactions where no fine was payable for some other reason – because they were forfeitures, for example, or because the lord forgave it – but most were simply cases where for some reason the fine was not entered on the roll.

The smallest fines were just 2d., usually paid on exchanges of a selion or two, but in one case on the transfer of a cottage (to a widow). The largest were two of £6 13s. 4d. and one of £10,

but these were paid for new grants of holdings which had come into the lord's hands with vacant possession and so were more in the nature of sale prices. The highest fines paid on a surrender and re-grant or inheritance were £2 13s. 4d., paid twice for the inheritance of a single messuage and virgate. £2 was paid seven times, for a range of holdings from half a virgate to three virgates. The median fine was 3s. 4d..

The average fines charged in each decade for the ancient standard holdings, expressed as a sum per virgate, are shown in Figure 5.10. In the 1390s the average fine was £2 4s. 6d., but in the next decade it dropped to 9s. 5d. and throughout the two following centuries never fell below 6s. 8d. or rose above 15s. 4d. (during that period the mean was 10s. 4d., less than half the 1390s figure). Until 1580 it never rose above 13s. 2d., which means that between 1400 and 1580 the average varied between half a mark and one mark, or between one and two year's rent.

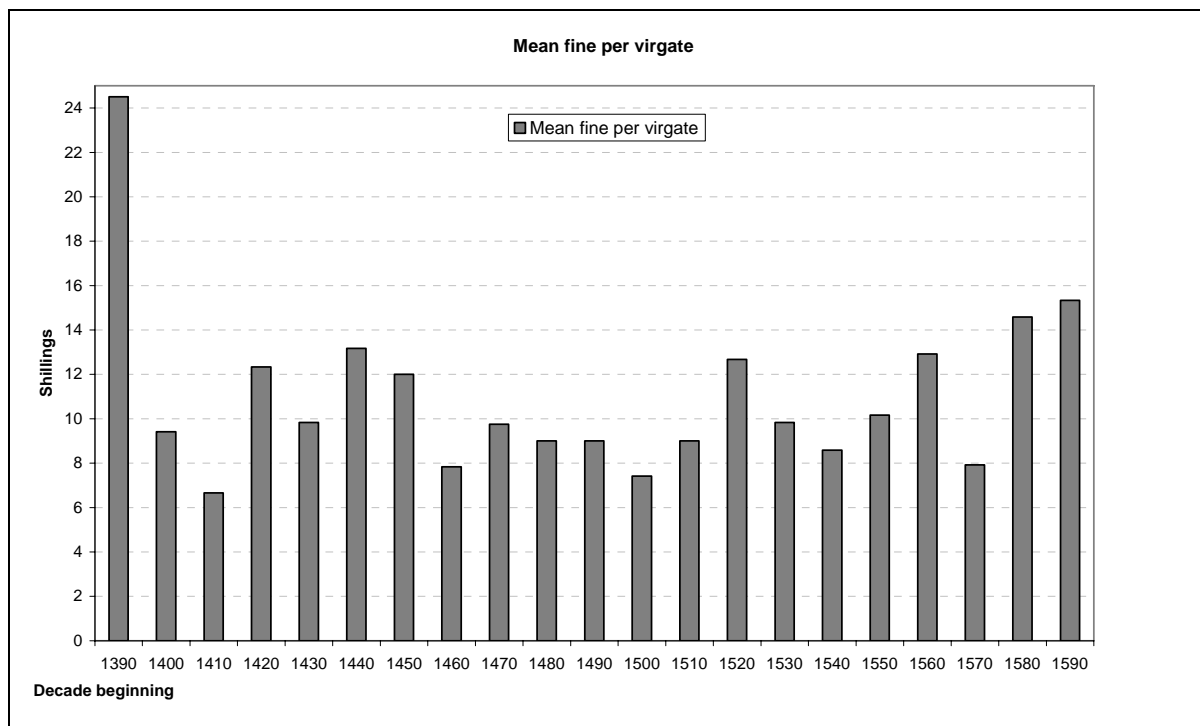


Fig. 5.10. Mean fine charged per virgate, 1390 – 1600.

Fines charged for transfers of less than a quarter virgate have been ignored.

10s. 4d. per virgate equates to roughly 3½d. per acre.³⁷ It is not easy to compare this to entry fines in other manors, as these varied wildly, both between manors and over time, or even

³⁷ The Great Horwood virgate was 35.7 statutory acres, but contemporary statements refer to it as 30 acres (the local customary acre being larger) so to the steward and tenants 10s. 4d. would have been just over 4d. per acre.

from transaction to transaction. On the abbey of Westminster's estates in the first half of the fifteenth century entry fines were usually less than one year's rent, but were often waived completely because rents were high. In Blunham in Bedfordshire, where rents were low, entry fines varied greatly but 17d. per acre was the most typical fine paid for a half-virgate before 1471, in which year they were fixed permanently at 6d. per acre by agreement between the lord and tenants. In four other fifteenth-century Bedfordshire manors the average fine varied between 1d. and 9d. per acre, and in north Norfolk mean rates of fines in the middle of the century ranged from 4.8d. to 21.6d.³⁸

What is distinctive about the Great Horwood fines is how consistent they were over the two centuries. For example, in Arlesley in Bedfordshire, the average fine for a half-virgate increased from 6s. 8d. to 20s. (5.7d. to 17.1d. per acre) between 1400 and 1530. At Shaw in Berkshire fines fluctuated before 1440 then increased steadily over the next century, while on the Bishop of Worcester's manors between 1430 and 1470 fines were generally low – usually less than a year's rent, though sometimes the fine was waived entirely – but thereafter they rose, by the 1530s reaching as high as £3, £5 or even £8 per virgate. The fines' volatility was a response “primarily to the demand for land. Their movements, which can be paralleled in other parts of England, imply a very slack competition for holdings in the mid-fifteenth century, with a definite upturn in the 1470s and 1480s on a number of manors which was sustained, after a set-back, in the early sixteenth century.”³⁹

This does not seem to have been the case in Great Horwood. Comparison of Figure 5.9 with the annual average numbers of transfers in Figure 5.1 does reveal some correspondence between high fines and high numbers of land transfers, but if farmland transfers only are considered (Figures 5.2 and 5.3) – and the fines in Figure 5.9 relate to farmland only – then the correspondence weakens. The extreme discrepancy between the average fines before and after 1400 cannot be explained by the availability of land and it seems more likely that the fines were determined as much by tenurial factors as by land market forces.

The drop in fine levels is not the artificial result of marshalling statistics by the decade – it occurred quite suddenly in between 1399 and 1400. It may have been the result of a change

³⁸ B. Harvey, *Westminster Abbey and its Estates in the Middle Ages* (Oxford, 1977), p. 271; Jones, 'Bedfordshire: Fifteenth Century', pp. 198, 201, 204, 211-2; J. Whittle and M. Yates, 'Pays réel or pays légal? Contrasting patterns of land tenure and social structure in eastern Norfolk and western Berkshire, 1450-1600' in *Agricultural History Review*, 48, Pt. 1 (2000), pp. 1-26, at p. 13; Whittle, *Agrarian Capitalism*, p. 80.

³⁹ Jones, 'Bedfordshire: Fifteenth Century', p. 220; Dyer, *Lords and Peasants*, 287-91.

in lordship; in 1399 a thirty year period during which the manor had been leased successively to Nicholas de Tamworth, his widow Joan and her second husband Gilbert Talbot came to an end. A Nicholas de Tutbury held it from 1399 until 1403, when it was leased to Sir Ralph Rocheford, who held it until his death in 1440.⁴⁰ It is suggested below that changes in the nature of Great Horwood's customary tenure may have begun during Sir Ralph Rocheford's lordship – could his stewards have also agreed a scale of entry fines with the tenants, of the sort agreed by Lord Grey with his tenants at Blunham in Bedfordshire in 1471?⁴¹

Unfortunately there is no record of any such agreement and it is difficult, when looking down a list of the fines arranged by size of holding, to identify any tariff by which they might have been assessed – although the decadal averages fluctuate within a limited zone, the individual fines vary widely. Of course if a tariff was being used then there must have been considerations which caused the appropriate amount to be adjusted up or down – and indeed occasional court roll entries justify a reduction by explaining that the tenant is the lord's servant, or is poor, or the premises are dilapidated. The nature of the interest being transferred might also have affected the size of the fine – an outright sale might attract a higher fine than the grant of a reversion, for example.⁴² However there is so much variation that it is difficult to believe anything so prescriptive as a tariff was at work. On the other hand the variations fluctuate so consistently around the one-two years' rent level that *some* constraint was clearly operating. Consideration of the mean and median fines for various categories of transaction does reveal what appear to be some standard rates for certain types of transfer.

For example, there are nineteen *inter-vivos* transfers by which a tenant granted a joint tenancy in a full or half-virgate. Although the fines ranged from 4d. to 13s. 4d., in seven cases it was 3s. 4d., and that was also the median amount. This must surely have been the standard charge for adding an extra tenant to a standard holding, so it is not surprising that when John Horewode transferred two virgates to himself and his wife in 1430 he paid 6s. 8d. – the standard fee for each virgate.

⁴⁰ H.E. Salter (ed.), *Newington Longville Charters*, Oxfordshire Record Society iii (1921), p. lxiii.

⁴¹ Jones, 'Bedfordshire: Fifteenth Century', p. 198.

⁴² For a discussion of the factors affecting levels of entry fines, including personal considerations such as these, see C. Dyer, 'Seigniorial profits on the land market in late medieval England', L. Feller and C. Wickham (eds.), *Le Marche de la Terre au Moyen Âge, Collection de l'École Française de Rome* 350 (2005), pp. 220-36.

If all transfers of single virgates are considered the fines range from 1s. 8d. to £2 13s. 4d., but the median is 9s. – one and a half times the rent for a virgate. For half virgates the range is from 4d. to 40s., with a median of 4s. 4d. – almost exactly half that for the full virgates, and again roughly one and a half years' rent. The two-virgate transfers produce a median fine of 20s., roughly twice that for a single virgate. It seems that the basic fine was about 9s. for a virgate – roughly one and half years' rent. Of course, any tariff is likely to have been reduced more often than increased, so may have been higher than the median fine – and if it were 10s. it might have been determined as 4d. per acre (using the local customary measure, by which a virgate comprised 30 acres).

For tenancies consisting of just a cottage (so-called in the rolls) the range is from 2d. to 10s., but the median is 20d. – about 1¼ times a year's rent. The median fine for tenancies consisting of a landless messuage was a little higher at 2s.

It seems clear that the level of fines in Great Horwood was being determined by reference to some kind of scale, though whether that was a tariff specifically agreed between the lord and tenant must be doubtful given the extent to which the amounts vary. It is more likely that what we see operating here is the concept of the 'reasonable fine', which was what the sixteenth-century phrase 'copyhold of inheritance with fines certain' meant, and which in that century was generally accepted as one or two years' rent.⁴³ The fact that in the same period entry fines on at least one other New College manor, West Hanney in Berkshire, 'were set at approximately the level of a year's rent and varied little'⁴⁴ might suggest that the policy was a College one, applied by it over all its estate, but of course it only acquired Great Horwood in 1441, and so cannot have been responsible for a policy which began around 1400. It seems more likely that at the beginning of the fifteenth century, at the same times as Great Horwood's customary tenure began to develop into copyhold of inheritance, it was also assimilating the concept of the reasonable fine, and that its lords, initially Sir Ralph Rocheford (or more likely his stewards) and later New College, merely acquiesced in this.

Thus it seems clear from the broad consistency of the fines over the whole of both centuries that the copyhold of inheritance which developed in Great Horwood was copyhold with fines

⁴³ P. Bowden, 'Agricultural Prices, Farm Profits and Rents', in J. Thirsk (ed.), *AHEW IV* (Cambridge, 1967), pp. 593-694, at pp. 684-5; E. Kerridge, *Agrarian Problems in the Sixteenth Century and After* (London, 1969), pp. 37-40; and R.W. Hoyle, 'Tenure and the land market in early modern England: or a late contribution to the Brenner debate', *Economic History Review*, 2nd Ser., 43, no. 1 (1990), pp. 1-20, at p. 5.

⁴⁴ M. Yates, 'Change and continuities in rural society from the later middle ages to the sixteenth century: the contribution of West Berkshire', *Economic History Review*, 52, no. 4 (1999), pp. 617-37, at p. 629.

certain. There is no explicit statement of this in any contemporary source – the 1611 Chancery Decree confirms that the tenure was copyhold of inheritance, but is silent as to the fines. However the crucial point must be that these median rates of approximately 9s. per virgate and 2s. per landless dwelling held good not just throughout the two centuries, but in particular during and after the mid-sixteenth-century inflation, a time when other lords did not hesitate to increase fines to compensate for the falling real value of their rents,⁴⁵ and also when Great Horwood's lord was locked in dispute with the tenants over the demesne and had every incentive to apply pressure on them. Figure 5.10 shows that although Great Horwood's fines did rise slightly during this period, they did not increase by anything like the rate of inflation, nor by as much as in other manors where the copyhold was not with fines certain. In fact the modest rise which did occur does not look like much more than a hard-pressed and resentful lord declining to find as many occasions for reductions from the standard rates as before and instead imposing fines as high as were consistent with its obligation to be reasonable.

Prices

The court rolls never record the price paid for land. However there are a number of entries recording deferred prices payable in instalments over a period after the sale, no doubt recorded in the rolls to assist enforcement of the obligation (see Table 5.1). It must be uncertain whether these deferred payments represent the full price, since part of it would no doubt have been paid up front, either at the time of the court hearing or possibly even earlier when the deal was first struck (and, perhaps, when the land was physically handed over) – payments like this would not need to have been mentioned in the court roll since they would already have been received by the vendor (though in 1410 the first instalment was payable on the date of the court at which it was recorded). There are also three entries recording new grants of holdings which had come into the lord's hands by forfeiture or escheat, where the fine paid to the lord by the incoming tenant is probably equivalent to the price which would have been paid if the holding had been purchased from its tenant. These are comparable with the deferred prices, so if the latter are not the full price then they may be close to it.

⁴⁵ Bowden, 'Agricultural Prices, Farm Profits and Rents', at pp. 684-5. At Seymours Court in West Hanney in Berkshire fines increased from a capon at the start of the fifteenth century to a year's rent at its end then to ten years' rent in the second half of the sixteenth century; Whittle and Yates, '*Pays réel*', p. 13.

1410	£4	1 messuage, ½ virgate	payable over 8 years
1419	£10	1 messuage, ½ virgate	fine for new grant
1425	£6 13s. 4d.	1 messuage, ½ virgate	payable over 7 years
1432	£6 13s. 8d.	1 messuage, 1 virgate	fine for new grant
1432	£6 13s. 8d.	1 messuage, 1 virgate	fine for new grant
1450	£13 6s. 8d.	1 messuage, 1 virgate	[period not stated] + 13s. 4d. yearly for life
1453	£11 13s. 4d.	1 messuage, 1 virgate	payable over 4 years
1466	£9	1 messuage, 1 virgate	payable over 3 years
1492	£2 13s. 4d.	1 messuage, ½ virgate	payable over 3 years
1497	£8	3 messuages, 1½ virgates, 2 cottages	payable over 2 years
1511	£2	1 messuage, 1 virgate	payable over 3 years
1523	£10 13s. 4d.	1 messuage, ½ virgate	payable over 16 years

Tab. 5.1. Prices paid for customary landholdings

In all but three cases the transaction was between tenants and the sum stated above was to be paid over a period after the court at which the transfer was recorded, so was probably not the whole price. The remaining three were entry fines paid by incoming tenants to the lord for a new grant of a vacant customary holding, and so are probably equivalent to the price which would be paid on a sale between tenants.

The average was a little over £10 2s. per virgate, well over thirty times a year's rent. If the possibly aberrant 1511 price of £2 for a virgate is ignored (surely a smaller than usual fraction of the whole price), these represent minimum prices ranging between 3s. and 12s. per statutory acre (or 3s. 4d and 14s. 3d per customary acre). These prices are low in comparison to those paid in East Anglia in the same period, which could vary between 20s. and 64s. per acre (equivalent to £30 - £96 for a Great Horwood virgate). Prices were probably lower outside East Anglia, however – in fifteenth-century east Sussex 12s. 6d. and 13s. 4d. were paid per acre.⁴⁶ Nevertheless it is surprising that more was not paid for Great Horwood holdings, with all their tenurial advantages and low rents; possibly these deferred payments do indeed represent only an element of a much larger price.

In 1501 and again in 1529 the College acquired two free holdings, each of a messuage and two virgates. It paid £17 for the first and £25 for the second - surprisingly low prices in comparison to the above payments for copyholds.

⁴⁶ C. Dyer, *An Age of Transition? Economy and Society in England in the Later Middle Ages* (Oxford, 2005), pp. 182-3. Land prices seem to have been comparable in neighbouring Winslow, where in 1453 and 1455 two deferred payments recorded in the court rolls were £9 for a messuage and half-virgate (over nine years) and £17 for a messuage and full virgate plus 15 acres of demesne land (over seven years), equating to about 10s. and 7s. per acre; Winslow Court Books, Cambridge University Library, ref MS Dd. 7.22, pp. 45, 48. I am indebted to Dr. David Noy for these references.

TENURES

Copyhold of inheritance

In 1400 land in the manor of Great Horwood was held by either free or customary tenure (the latter also known as villein, native or bond tenure). By 1600 indentured leases could be added to the list, and customary tenure had acquired a new name - copyhold. The evolution of customary tenure into copyhold in the fifteenth and sixteenth centuries was a process which occurred throughout England but did not arrive at the same result in every region. Broadly two types of copyhold developed; copyhold of inheritance, which predominated in the southeast and east of the country, and copyhold for lives, which was most common in the western half of the country. Copyhold of inheritance conferred considerable security of tenure on its tenants, especially if it was copyhold of inheritance with fines certain. So long as the tenants who held by this form of copyhold paid the lord of the manor the rents and other sums to which he was entitled (which he could not arbitrarily increase – even when their real value was eroded by inflation in the mid-Tudor period) they effectively owned their land, able to sell it or pass it on to the next generation with security of tenure nearly equivalent to that of a freeholder. Copyhold for lives, on the other hand, conferred little more security than a long lease. It would be granted for the lives of specified persons, usually three (typically the tenant and two members of his family, often his sons), and when the last of them had died the lord could demand a heavy fine as consideration for renewal or even refuse to renew and so recover possession of the holding.⁴⁷

Great Horwood lay close to the boundary between the regions in which customary tenure developed into copyhold of inheritance and those where it became copyhold for lives (in the south Midlands the divide ran north-south through Oxfordshire).⁴⁸ The land transfers recorded in the court rolls from 1382-1420 suggest that at this time Great Horwood could easily have ended up on the route towards copyhold for lives. Every court roll transfer of customary or copyhold land (in Great Horwood or anywhere else) consisted of two parts; the first recorded the surrender of the holding to the lord by the outgoing tenant (the vendor or donor), or in the case of inheritances recorded his death, and the second part recorded the re-grant to the new tenant, the purchaser or heir. The re-grant was usually an absolute one,

⁴⁷ R.H. Hilton, *The Decline of Serfdom in Medieval England* (London, 1969), pp. 47-51; Jones, 'Bedfordshire; Fifteenth Century', pp. 192-3; Hoyle, 'Tenure and the land market', at pp. 6-7.

⁴⁸ R.W. Hoyle, *Tenurial Change 1540-1640: the View from the Chancery Decree Rolls*, paper given at the Institute for Historical Research, London, 2 December 2003.

granting the holding to the incoming tenant and his heirs without limitation. However, between 1382 and 1406 many holdings were re-granted to be held by the new tenant for the term of his life, more than were re-granted heritably (the original Latin wording varied slightly, but was usually *tenendum sibi ad terminum vite sue* for a life interest and *tenendum sibi et suis* for an absolute heritable grant). There is no discernable pattern to the division of the grants between the two groups – each category included both *inter-vivos* and at-death transfers, each included transfers to both individuals and joint tenants, and neither included any which were clearly new grants of previously vacant holdings (there are some ambiguous entries, but the unambiguous ones were all undoubtedly the second re-grant stage of normal sales or inheritances). For a decade after 1406 the grants for life become fewer, and from about 1415 onwards full *sibi et suis* grants become the norm and life interests seem to be limited to widows succeeding their husbands under joint tenancies (though not all widows – many appear to have held on absolute terms).

It is doubtful whether the life grants actually created any less security of tenure than full *sibi et suis* grants – the recipients of life grants can often later be found surrendering the holdings on to someone else, to whom the holding is re-granted on a full heritable basis, or if they die their ostensible life tenancy does not end with them but is inherited by their heir – who receives a full heritable grant. Nor were the life grants a form of leasehold – the entries usually stated clearly that the land was to be held according to the custom of the manor for the customary rents and services, the standard phrasing indicating customary tenure. It seems likely that the terminology of life grant should be taken no more literally than should that other stock indicator of customary status, ‘at the will of the lord’ (*ad voluntatem domini*).

Also anomalous are six grants made between 1383 and 1403 in which the tenant received a term of years (of 9, 20, 30, 50 and 60 years – the sixth is illegible).⁴⁹ Again, these were not leases – they were to be held according to the custom of the manor for the customary rents and services – and at least one of them appears to be the second stage in a surrender and re-grant from a tenant who held by full heritable title.

It is difficult to explain these variations in wording, especially as they were interspersed with more normal heritable grants, but they seem to indicate that at the end of the fourteenth century Great Horwood’s customary tenure was teetering on the edge of becoming copyhold

⁴⁹ NCA 3915/1r; /2r; 14v; 3916/7v; /8r,v; /9r.

for lives. What may have turned it away from that course and onto the road towards copyhold of inheritance is not evident – it could have been something as minor and accidental as the views of an individual steward of the manor,⁵⁰ though as the manor lay in a county where copyhold of inheritance ultimately became the norm it may not have been any factor specific to the manor.

What is certain is that by 1609, when New College and its demesne lessee submitted a bill of complaint to Chancery in an attempt to recover the demesne from the customary tenants, they admitted that their tenants were ‘copyhold tenants of inheritance by copy of court roll’. Those tenants were so secure in their copyholds that for the previous fifty years they had defied their lord’s strenuous attempts to recover the demesne (leased to them over two centuries before). Repeated orders of the manor court, inquisitions, demands for terriers and even a suit in the Court of Common Pleas had induced them to disgorge only 53 acres, leaving 140 acres which they had converted into a common pasture and from which they were excluding the lord’s livestock. Even the suit in Chancery only extracted another 30 acres from these overmighty subjects, leaving them still in possession of the remaining 110. They were obliged to allow New College rights of common over the pasture, but it was limited to the stint enjoyed by a single virgater.⁵¹

The development of this security of tenure is imperceptible in the court rolls of the fifteenth and sixteenth centuries. Indeed the impression gained from the rolls is that the customary tenants were as secure in their tenancies at the start of that period as at its end.⁵² The fifteenth- and early sixteenth-century rolls reveal no great disputes, no refusals by the lord to accept heirs or attempts to increase the rents and services which the tenants owed to or impose new ones. Forfeitures of holdings were few and far between, and usually imposed on convicted or fled felons – and could be followed by a re-grant to the felon’s wife for a smaller

⁵⁰ In the crucial period - the two decades after 1415 - the steward was usually one of two local lawyers, brothers from Buckingham both called John Barton. Their careers are described in J.S. Roskell, L. Clark and C. Rawcliffe (eds.), *History of Parliament: The House of Commons 1386-1421*, iv, Members A-D (Stroud, 1992), pp. 138-43, and see also T.A.R. Evans and R.J. Faith, ‘College Estates and University Finances 1350-1500’, in J. Catto and R. Evans (eds.), *The History of the University of Oxford, II: Late Medieval Oxford* (Oxford, 1992), pp. 651-3.

⁵¹ *Inspeximus* of the Decree of the Court of Chancery made 8 June 1611, NCA 4499/59. The dispute over the demesne is described in more detail in chapter 6, pp. 193-7.

⁵² As early as 1331 a Great Horwood tenant was able overturn the forfeiture of his father’s holding and recover it in ‘a striking case illustrating the extent to which peasants in medieval England could raise their right in villein land against claims of forfeiture by the lord’, Poos and Bonfield, *Select Cases*, p. xcvi.

than usual fine.⁵³ The closest the lord came to oppression was the 1414 forfeiture of a croft and horse-mill from John Becke, an inhabitant of the lord's nearby manor of Newton Longville, because 'he is one of the principal confederates in disinheriting the lord of the pasture of separable meadow dispersed in the field of Newton Longville and is one of the rebels requesting and abetting strangers to come to the said pasture') – but the holdings were soon re-granted to him. As will be discussed in chapter 6, personal villeinage had faded early and was largely irrelevant throughout the fifteenth century, certainly after about 1440. The only evidence that the customary tenants of 1400 may have enjoyed any less security against their lord than they did in 1600 is the number of early fifteenth-century tenants who thought it worthwhile to ensure the succession to their holdings by granting a joint tenancy or reversion during their lifetimes. The cessation of this practice in the middle of the century may be an indication of the point when their tenure finally became fully secure (became copyhold of inheritance) – but as has been noted there are other possible explanations for this, connected more with the nature of family relationships and with the copyholders' financial, rather than tenorial, security.

At the start of the century customary tenure was occasionally referred to as native tenure, but this terminology had disappeared by 1420. The first documentary reference to the tenure as copyhold is in the Chancery decree of 1611, though references to the tenants holding by copy of the court roll (*per copiam curie*) begin in the 1520s, and the lawyer Henry Colyer referred to his 'copy lande in Greate Horwoode' in his 1501 will. However references to tenants producing their copies to the court as evidence of their title were plentiful throughout the fifteenth century. The earliest reference dates from 1414, when Isolde the widow of John William produced their copy to prove that she had held jointly with him (*que ostendit' copiam sic specifis*)⁵⁴ – there may be still earlier examples from the fourteenth century.

Work services The customary tenants were originally burdened with work obligations, and these were set out in some detail in the 1320 Extent. They were not onerous – no tenant owed week work and the virgaters and half-virgaters owed only thirteen days a year (on six of which they had to bring one or two additional workers) and the cottagers seven - and were commuted for cash rents when the demesne was leased to the tenants in 1320, and possibly

⁵³ By contrast all these things continued on the bishop of Worcester's estates until well into the sixteenth century; Dyer, *Lords and Peasants*, pp. 294-7.

⁵⁴ PROB 11/12, fo. 176v; NCA 3916/2r

even earlier than that.⁵⁵ By the fifteenth century the original assize rent and the payment in commutation of works had been combined into a single rent (though the manorial accounts preserved the distinction right up to the 1580s, and possibly later).

Tailmark, woodhens Most of the tenants of ancient holdings owed two additional payments, tailmark and woodhens. In 1610 the former was a cash sum of approximately 4½d. per virgate, 2½d. for a half-virgate, and originated in a payment for release from suit of mill – it was referred to in the 1320 Extent, so was of some antiquity, but was still being paid in 1610. The total tailmark due had been reduced by a third in 1460, though it is not clear whether this reflected a reduction in the amount paid by each holding or in the number of holdings liable for it.⁵⁶ Woodhens were a payment for the right to take firewood from the Prior's Wood (the part of Whaddon Chase lying within the parish of Great Horwood), at the rate of two hens per virgate, commuted for 2d. per hen.

Rents The rents payable throughout the fifteenth and sixteenth centuries were 6s per virgate, 3s per half virgate, and 1s 4½d. for the ancient cottage holdings. Since the Great Horwood virgate was 30 customary acres (35.7 statutory acres) these equated to a little under 2½d. per acre (2d. per statutory acre), and indeed in the 1320 Extent the demesne arable had been valued at either 1½d., 2d. or 2½d. per acre, depending on where it lay. This was unusually low even in 1320, but by 1600, after the sixteenth-century inflation, these rent levels were immensely beneficial to the chief tenants, who could make a substantial profit when underletting.⁵⁷ On the bishop of Worcester's manors, by way of contrast, the median rents per virgate varied between 13s. 2d. and 48s. in 1299 and between 8s. and 36s. in the fifteenth century. In Kibworth Harcourt in Leicestershire in 1300-15 the rent per virgate was around 19s. for customary land and 24s. for leased demesne land, reduced in the 1430s, after a long and bitter struggle, to 3s. 4d. and 6s. respectively. Rents on the fifteenth-century Bedfordshire manors studied by Andrew Jones, all not far from Great Horwood (indeed one

⁵⁵ In the 1279 Hundred Roll the rents are consistently a third or half higher than the 1320 combined assize rents and payments in commutation. After each is added 'or works at value', suggesting that the rents contained an element in respect of commuted works even at that early date (and that either the rents or the value of the works were reduced considerably at some point between 1279 and 1320), *Rotuli Hundredorum*, Record Commission (London, 1812), p. 336.

⁵⁶ NCA 6519; 6500/1. The former might have been a consequence of reduced grain production (the rents at which the tithes were leased were reduced at much the same time), the latter the increased number of non-resident tenants (which reached about a third in about 1460).

⁵⁷ For evidence of underlease rent levels see p. 173.

Great Horwood tenant was also a tenant in one of them), were mostly higher than those in Great Horwood.⁵⁸

The cottage rent of 16½d. was strangely high in comparison to the virgate and half-virgate rents, given that the cottage tenancies contained no farmland, especially when it is considered that the rents charged for newly built cottages in the late sixteenth century ranged between 2d. and 5d. Cottages did not owe tailmark or woodhens, however.

The 1320 Extent reveals that the works element in the rents was 19½d. per full virgate and 12¾d. per half-virgate, making the original assize rents mostly 4s.–4s. 6d. per virgate and 2s. per half-virgate. The payment in commutation of works was the same for every holding, but even in 1320 the assize rent element varied from virgate to virgate, presumably as a result of small increments and deductions over the years. By 1610 few holdings paid exactly the same rent as others – the virgate rents ranged from 5s. 2d. to 6s. 8d. and the half-virgates from 2s. to 4s, though 6s. and 3s. were the most common amounts. That the rents were stable for so long is a reflection of their low levels; rents on many manors fell in the late fourteenth and early fifteenth centuries, on some bishopric of Worcester manors by as much as 58% from their 1299 levels.⁵⁹

The tenants appear to have little difficulty in paying these rents, even in times of economic hardship. The annual bailiffs' accounts, which survive in almost complete runs from 1443 until 1586, reveal that although some fifteenth- and early sixteenth-century reeves ran up large arrears, these tended not to be a result of failure by the tenants to pay their rents, but seem mostly to have accrued through failure by the tithe lessees to pay theirs.⁶⁰

Cert money, Capitagium Every autumn at the View of Frankpledge the tenants had two more payments to make, both imposed collectively. One was *cert* money, at the fixed rate of 6s. 8d. per year; the other was *capitagium*, also called *hidagium* or headsilver in English. The latter was ostensibly paid at the rate of 1d. per head in the tithings but in the fifteenth and sixteenth centuries was calculated by some mysterious method which produced ever decreasing amounts, falling from 25-40d. in the first half of the fifteenth century to just 6-14d. after 1470.

⁵⁸ Dyer, *Lords and Peasants*, p. 284; Howell, *Kibworth Harcourt*, pp. 17-24, 51; Jones, 'Bedfordshire: Fifteenth Century', pp. 201-2, 204, 211-2, 220, 244.

⁵⁹ Dyer, *Lords and Peasants*, pp. 165, 283-4.

⁶⁰ NCA 6500-19, 1733-47, 1756-96, 1802-45, 1961, -63, -72, -76-8, -83, -91, 2571, 3896, 6520.

And of course the tenants also owed heriots and entry fines, as discussed above.

Underlease rent levels The Great Horwood records contain no evidence for underlease rents other than the 1409 presentment of three widows for subletting their dower lands without licence, at rents of 4s., 4s. and 5s. 8d. Each widow probably had a third of a virgate, and the customary rent of a virgate in Great Horwood was around 6s., so they were charging about double the chief rent. In 1419 a forfeited messuage and half virgate were re-granted for the ancient rent of 2s. 6¾d. yearly (and an entry fine of £10), but in the interim had been let temporarily for 13s. 4d. per year – over five times the customary rent. In 1503 and 1529 the College itself granted leases of two holdings, each of a messuage and two virgates, for 23s. 6d and 26s. 8d per year – the customary rent for two messuages and two virgates would have been 12s., so it seems the market rent was again about twice the customary one. After the inflation of the mid-sixteenth century the profit differential would have become greater still.⁶¹

Freeholds

The eight ancient free holdings, listed in the 1279 Hundred Roll and 1320 Extent and still in existence in 1610 (save that one had by then been acquired by the College and granted out on lease – see below), were held on varied terms and rents, presumably reflecting varied origins in the middle medieval period. Most owed suit of court, wardship, marriage and relief and paid a rent plus a woodhen, but none owed tailmark. Neither the Hundred Roll nor the 1320 Extent specifies whether they were held by knight service or in socage. Knight service might be thought improbable for such small, clearly agricultural tenancies, yet in the 1420s and 1430s every holding was recorded in the court rolls at least once as held by that tenure. However the same tenancies were all recorded on at least one occasion in the second half of the fifteenth century and in the sixteenth century as held in socage – presumably because it was realised that this had tenurial advantages over knight service. In the 1610 Rental one appeared as socage, one as knight service, and the rest were left undefined.

The rents varied between 8d. per annum (paid by three of the holdings) and 20d., with one paying 3s. 3d. This last holding was smaller than most of those paying less (it was only three quarters) but different from them all in being held by charter, so its free status was probably

⁶¹ NCA 3916/20 (1409), -/28 (1419), 1829/6, 1738/7 (1503, 1529).

of more recent origin and its rent reflected that paid when it was held by customary tenure. Two other virgates had similarly been converted from customary to free tenure in 1363, but reverted to customary status in 1426 after escheat for lack of male issue (to which the original enfranchisement had been limited).

The free holdings all owed relief equal to one year's rent, fealty and suit of court, so the manor court strived to ensure that each new tenant came to court on first coming into possession to pay the first and swear the second, and subsequently to perform suit of court. However it was only intermittently successful and the ownership chains of the freeholds, especially the smaller ones, can only be determined with difficulty, and not always with complete confidence.

Leaseholds

Leasehold was not a common tenure in Great Horwood in the fifteenth and sixteenth centuries. Before about 1500 the only leases granted by the manor were the collective demesne lease (which was renewed on the original 1320 terms every decade or so, and after New College took over seems to have been allowed to renew itself automatically) and leases of the tithes of the demesne land. The tithes were always leased for 13s. 4d. yearly, though from 1473 this was reduced to 10s., for terms varying from three years to twenty four. The lessees varied – in the fifteenth century they tended to be substantial peasants or minor gentry, usually Great Horwood tenants (and frequently the reeve), but in the sixteenth century it became usual for the rector or a close relation to be granted the lease.

No occupational lease of a farmland holding was granted until 1502, when the College purchased a freehold messuage and two free virgates from one of the Pigots for £17 and granted them out on lease as a single holding. The yearly rent reserved was 23s. 6d., roughly twice the rent received from a copyhold of comparable size. In 1529 the College purchased another free messuage and two virgates, from Henry Wattes, gentleman, of Winslow for £25, and again leased them out, this time for 26s. 8d. per year (though within the village and township of Great Horwood, this holding was part of the Bradwell Fee and so has not otherwise been mentioned in this study). These two leaseholds, being neither freeholds nor copyholds of the manor, were never referred to in the court rolls, nor did their lessees ever

appear in the rolls in a tenurial context (though they were otherwise subject to the manorial court, frequently appearing in the lists of homagers and serving in all the manorial offices).⁶²

Details of the lease terms do not become available until the College began copying their terms into its *Registra Evidentiorum*, starting with the renewals made in 1541 (before that the only evidence for their existence is the references to them in the annual reeve/bailiff's accounts). The lessees seem to have acquired some kind of informal security of tenure, as the leases were renewed to the same families, on the same terms and at the same rents, throughout the sixteenth century – a remarkable concession in those inflationary times. The College may have been achieving the equivalent of rent increases by charging fines at each renewal, but no record of such payments appears in either the lease registers or the annual accounts, and legally there was no restraint on its ability to increase the rent at each renewal – it just seems to have regarded itself as no more able to increase the leasehold rents than it could the copyhold or freehold ones (though the rent of the first was increased once by 4s., to 27s. 6d., in 1554). The leases were always granted for terms of twenty or twenty one years, though they were often renewed much more frequently, usually after about ten or fifteen years, apparently in order to add an extra lessee – a wife or son. The lessees presumably thought it worth doing in order to secure the succession (in a manner reminiscent of the early fifteenth-century customary tenants adding joint tenants and reversioners to their titles) – which may suggest that the College's benevolence was not quite as reliable as it seems.

From some point in the late fifteenth or early sixteenth century it had become customary for the rector to receive a lease of a half-virgate called Buckland for 4s. per year, along with land which had been added to the rectory's curtilage and some tithes for an additional 3s. 2d.. From 1540 the lease was renewed in the same manner as the two farm leases. By the eighteenth century it had been renewed so often that no one knew which half of the glebe was leasehold and which the rector's original half-virgate endowment.⁶³

No other lease was granted during the rest of the sixteenth century, save for the series of leases of the demesne which from 1582 onwards were granted to College fellows and their relatives (initially somewhat speculatively, since the demesne had not been recovered from the tenants). Curiously the rent reserved by these leases – 50s. 11½d. – was exactly the

⁶² NCA 9791/350-358.

⁶³ NCA 9758 fo. 170; 9759 fos. 75, 109; 9761 fo. 77; G. Lipscomb, *The History and Antiquities of the County of Buckingham*, iii (London, 1847), p. 385. See NCA 3917/46r for a 1447 reference to the glebe half-virgate.

rental value of the demesne lands stated in the 1320 extent, and clearly derived from it (it was broken down between arable, pasture and meadow in the same way as in the Extent – though by 1582 most of the arable had long since been converted to pasture). It certainly did not represent the current rental value of the land – though of course it did not confer actual possession of the land either (since the tenants were refusing to give it up). Presumably it was intended to have some symbolic effect in connection with the claim against the tenants – perhaps to show that the tenants’ lease had been terminated and replaced.⁶⁴

The fact that leasehold had barely gained a foothold in Great Horwood by the end of the sixteenth century is significant. One method by which late sixteenth-century lords tried to ameliorate the effects of inflation on their landed incomes was the conversion of copyholds, with their fixed rents and (in some cases) reasonable entry fines and security of tenure, into leaseholds, which conferred no security of tenure once the term had expired, thus enabling the lord to charge whatever rents and fines the market would bear. Lords could achieve this end by refusing to renew the tenancies of copyholders who held by lives or by buying out the tenancies of those who held by copyhold of inheritance (or by stronger-armed methods, in some cases). The fact that New College did buy up two free holdings and grant them out on leases suggests that it might have taken this policy further if it were able. The fact that it did not is no doubt attributable to the security of tenure enjoyed by the Great Horwood copyholds and their attractiveness to their tenants – New College could neither force the tenants out nor persuade them to sell up.

CONCLUSION

Like many other Midlands manors, Great Horwood’s land market was relatively inactive, especially if the phrase is taken in its strict sense of the sale and purchase of land for a price. This was no doubt partly due to its unfragmented landholding units – land which can only be sold in large rigid standard units will never be sold as frequently as small flexible parcels. However it must also have reflected the tenants’ unwillingness to part with their land and their ability to hold on to it. This tenacious grip on their holdings is surely a major cause of the market’s unchanging tempo – a low but steady, unvarying level of activity throughout the two centuries, unresponsive to external economic stimuli; of the high proportion of transfers

⁶⁴ NCA 9760 fo. 214; 9761 fos. 250, 263, 517; 9762, fo. 409.

within the family – at least 50% of transactions by number and 65% by acreage transferred; of the fact that land was almost never simply given back unwanted to the lord or lay untenanted in his hands; and of the lord's failure to convert any copyhold tenancies to leases.

The tenants' reluctance to part with their holdings was surely a response to the advantages of Great Horwood's copyhold tenancies. In chapter 1 agrarian advantages were proposed, and in chapter 6 it will be seen that a relatively unoppressive manorial authority may have made Great Horwood an attractive place to live and hold land. However the advantages were principally tenurial: the security of tenure which conferred the twin rights of inheritance and, paradoxically, alienation, enjoyed from at least the early fifteenth century; the low entry fines and rents, both fixed by custom, the latter making underletting an attractive alternative to sale for any tenant who did not want to live in Great Horwood or cultivate his holding; and indeed the apparent freedom to grant underleases. This last is itself an explanation for the sluggish land market – beneath the market in tenancies-in-chief another, dealing in underleasehold land, must surely have been operating.

Ch. 6 POPULATION AND SOCIAL STRUCTURE

This chapter will assess (i) the available evidence for Great Horwood's population during the fourteenth, fifteenth and sixteenth centuries, its numbers and stability, and whether they confirm and explain the landholding and social structures identified in chapter 4; (ii) the structure of power within the manor's peasant community; (iii) the process by which serfdom, both personal and tenurial, disappeared from the manor during the fifteenth and sixteenth centuries; and (iv) the waning of the dominance exerted by the manor and its structures over the community during those centuries.

GREAT HORWOOD'S POPULATION, 1279 - 1610

No list of all the inhabitants of either the manor, township or parish of Great Horwood exists from any date earlier than 1841 (when the township's population was 599, housed in 88 dwellings – in 1801 it had been 450), but the population of one or other of these entities can be estimated at a number of dates. The following sources provide the following raw data:

1279-80	Hundred rolls	58 tenants
1305-1350	Headsilver payments	96-134 males in the tithings
1320	Extent	58 tenants
1327, 1332	Lay subsidy returns	43 and 44 taxpayers (in parish)
1383	Tithing list	47 males in the tithings
1400-1500	Dwelling numbers	53-56 dwellings
1522	Military survey	41 inhabitants
1524/5	Lay subsidy Roll	40 taxpayers (in parish)
1563	Diocesan return of households	58 households
1603	Diocesan return of communicants	320 communicants (in parish)

1279-80 Hundred Rolls

These list fifty eight tenants in the manor of Great Horwood (plus eight in the Bradwell Fee and twelve more in Singleborough). If it is assumed that these tenants were the heads of all the households in the manor, and that the typical peasant household in about 1280 was five persons,¹ then this represents a population in the manor of around 290 (and 330 in the whole village, if the eight Bradwell Fee tenants are included).

¹ Zvi Razi calculated an average family size of 5.8 in Halesowen between 1270 and 1292 – see *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen 1270-1400* (Cambridge,

1305-1348 Headsilver, 1320 Extent, 1327 and 1332 lay subsidies

The headsilver or head money payments in the court rolls allow fairly precise population figures to be calculated for the first half of the fourteenth century. Called *capitagium* or *capitali moneta* and occasionally *hidagium* in the original Latin, headsilver was a payment made to the lord by the manor's tenants every year at the rate of 1d. for every man enrolled in the manor's four tithings (other than the four chief pledges who headed the tithings). Since the frankpledge system required every male over the age of 12 who had been resident in the manor for more than a year and a day to be placed in a tithing, these payments ought to provide a fairly reliable guide to population fluctuations, and even, by application of an appropriate multiplier, to absolute population numbers. The same payments from sixteen manors in Essex, there called tithingpenny, were used for exactly this purpose by Larry Poos.² Since the Great Horwood court rolls survive for most years between 1307 and 1600 a reasonably accurate picture of the population of Great Horwood throughout three centuries ought to be obtainable from the headsilver figures.

The headsilver payments for most of the years between 1307 and 1354 and between 1383 and 1577 (when the rolls stopped recording the amounts paid) are shown in Figure 6.1. Two things strike one immediately. First, the massive drop after the first visitation of the Black Death in 1348-49, and second, the extraordinarily low figures from the late fifteenth and sixteenth centuries. These will be discussed in a moment, but first the 1307-48 data can be used to calculate Great Horwood's population in that period. The figures (increased by four for the chief pledges) range between 96, in 1318, and 135 in 1328. If these represent all males over twelve then a roughly appropriate multiplier might be 2.7,³ which would give a total population ranging between 260 and 365.

1980), pp. 84 and 93, where other studies producing family sizes ranging from 5.4 to 6.1 are discussed. However other historians have argued for much lower figures, between 4.5 and 5.0; R.M. Smith, 'Human Resources' in G. Astill and A. Grant, *The Countryside of Medieval England* (Oxford, 1988), pp. 188-212, at p. 190.

² L.R. Poos, 'The rural population of Essex in the later Middle Ages', *Economic History Review*, 2nd Ser., 38, no. 4 (1985), pp. 515-30; *idem*, *A Rural Society after the Black Death: Essex 1350-1525* (Cambridge, 1991), ch. 5. For frankpledge and tithingpenny payments in the late medieval period see pp. 91-3 and the works cited there, and also P.R. Schofield, 'The late medieval view of frankpledge and the tithing system: an Essex case study', in Z. Razi and R.M. Smith (eds.), *Medieval Society and the Manor Court* (Oxford, 1996), pp. 408-49.

³ This is the average of the two multipliers (2.56 and 2.85) used by Poos to calculate base population from Essex tithing payments in 1377 – the demographic assumptions they are based on will not necessarily be appropriate for earlier in the century, of course. Poos, *Rural Society*, p. 528.

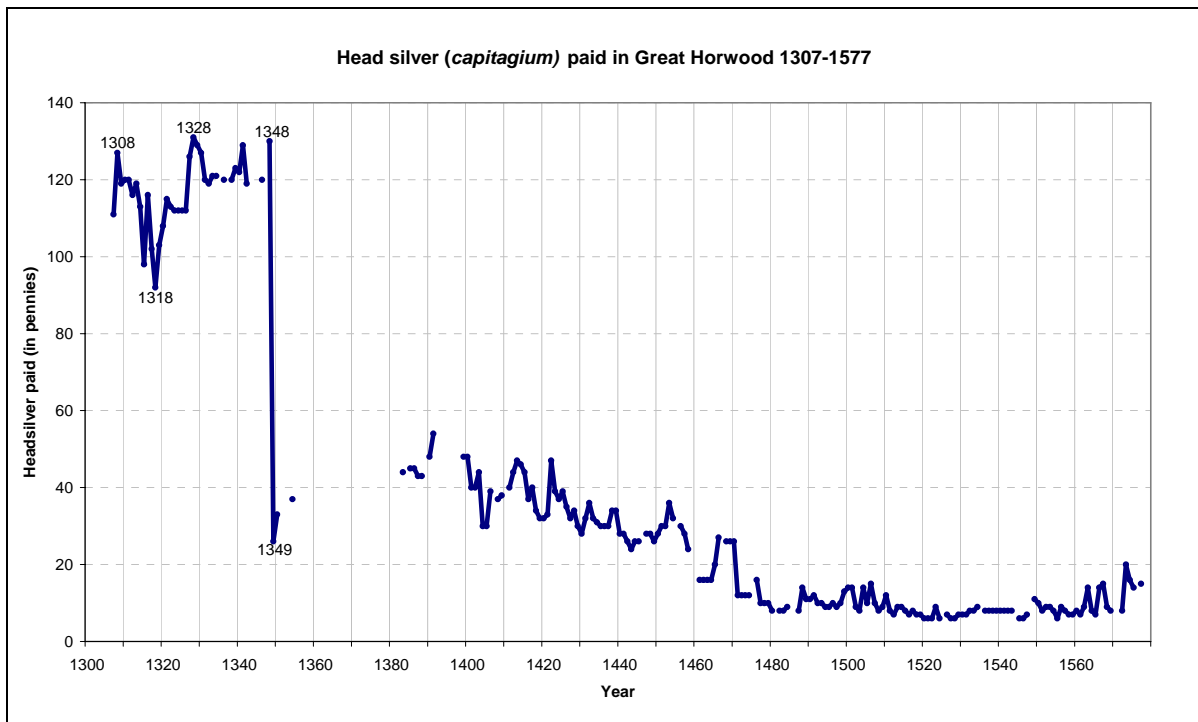


Fig. 6.1. Headsilver (*capitagium*) paid in Great Horwood 1307-1577.

Headsilver was paid at the rate of 1d. per male aged twelve and over living in the manor for over a year. Gaps in the data are years for which the court rolls are missing or fail to record the headsilver paid, except that between 1351 and 1374, for which the information has not been extracted from the rolls.

The 1320 Extent and 1327, 1332 lay subsidy returns Three other sources from the pre-Black Death period are also available – the 1320 Extent and the 1327 and 1332 lay subsidy returns.⁴ The 1320 Extent lists fifty eight tenants. The two subsidy returns list only forty three and forty four taxpayers respectively, yet they relate to the whole parish of Great Horwood (i.e. the Bradwell Fee and the hamlet and manor of Singleborough as well as the manor of Great Horwood). The headsilver data show that if anything the population had grown between 1320 and the subsidy years 1327 and 1332 (the payments in those years were 108d., 126d. and 119d. respectively) and it seems clear that the subsidy returns failed to record a sizeable proportion of the population. This is also suggested by the fact that only eighteen names appear in both the 1327 and 1332 returns, while an additional fifty one names appear in just one or other of them. The returns were made only five years apart and it is difficult to believe that the population of the parish could have turned over to such a degree in such a short space of time. Even if the total number of taxpayers from all three manors listed in *both* subsidy returns – sixty nine – is reduced to the proportion which the Great Horwood tenants formed

⁴ See pages 12-13 for details of these sources. The data in Figure 6.1 illustrate graphically how the disasterous years of the late 1310s must have been the impulse for the grant in 1320 of the demesne lease and the preparation of the associated Extent.

of the tenants in all three manors in 1279-80 – 74% – that produces a figure for Great Horwood alone of fifty one, still less than the number of tenants in 1320. One or two of the 1320 tenants may not have been resident, but it is clear that several tenants did not pay the subsidy, either through evasion or because the famine and disease of the previous decade had pushed them below the tax threshold.

If it is again assumed that the fifty four tenants in the 1320 Extent represent the heads of all the households in the manor, and that the typical peasant household at around that date was 4.8 persons,⁵ then this produces a population of around 260 – at the very bottom edge of the range produced by the headsilver data. Since it is more likely that at this time there were other households in the manor besides those of the tenants⁶ this may be taken as confirmation that the actual population fell somewhere higher within that range (and as corroboration of Poos' warning that 'comparing tithing figures with medieval manorial rentals confirms that listings of tenants form in themselves a very poor basis for serious attempts at demographic inference').⁷

The effect of the Black Death. Figure 6.1 shows a massive drop in the headsilver payments after the first visitation of the Black Death in 1348-49, when the number of males over twelve fell from 134 to just thirty, a fall of 78%. That this accurately represents the effect the plague had on the entire population of the manor is suggested by the court rolls from April and July 1349, which record the deaths of forty eight tenants.⁸ The 1320 Extent listed fifty eight tenants, but there may have been more in 1349, since the Extent only listed eight or nine free tenants, yet the deaths of fourteen were recorded in 1349. It is unlikely that the number of customary tenants will have risen by as much – customary holdings were probably less easily split than free ones at this date – so perhaps there were about sixty five tenants in 1349. If so then 74% of them died in 1349 – very close to the 78% fall in the number of resident males over twelve. This is much higher than the loss of life believed to have been occasioned by the plague in the country as a whole, which is often reckoned at approximately one half the population.⁹

⁵ Razi, *Life, Marriage and Death*, p. 84. This figure relates to the whole period 1270-1349, and would have been slightly lower if calculated for the fourteenth century only – p. 93.

⁶ As Razi found at Halesowen, where 'the main house was surrounded by cottages occupied by single as well as married relations of the tenant' – 'Myth of the Immutable English Family', p. 9.

⁷ Poos, *Population of Essex*, p. 529.

⁸ NCA 3914/49r,v. I am greatly indebted to Chris Briggs for the 1349 court roll data and discussion of their significance.

⁹ Surveys of sources and estimates may be found in J. Bolton, 'The world upside down'. Plague as an agent of economic and social change', in M. Ormerod and P. Lindley (eds.), *The Black Death in England* (Donington,

1383 tithing list, and headsilver payments 1383-1577

It was hoped that the headsilver payments could be used to produce similar population figures for the period between 1383 and 1600. However the second immediately noticeable aspect of the data shown in Figure 6.1 is the implausibly low figures in the fifteenth and sixteenth centuries, especially after about 1470, when they fall as low as 6d., 7d. or 8d. It is obvious that at this time headsilver was not being paid at the rate of 1d. for every male over the age of twelve who had been resident for more than a year – as is clear from Figure 6.2, the payments were a mere fraction of the number of dwellings, whereas the number of such males must surely have exceeded the number of dwellings substantially. It seems probable that the basis for calculation had changed at some point after the Black Death, probably during the post-1350 decades for which the headsilver entries in the court rolls have not been extracted.

However it is not easy to determine what the new basis was. It did not become a fixed payment, as happened in some Essex manors – the payments fluctuated constantly and were clearly being calculated by reference to something. The court rolls often included a brief explanation of the basis of calculation but it is never particularly illuminating – in the first half of the fourteenth century it usually says the payment is a penny per name of those in the tithing, from 1383 until 1448 it is a penny for each head (*capit'*) in the tithings and after 1448 the basis of calculation is never mentioned. In the first half of the fifteenth century the numbers of pennies paid did approximate to the number of resident tenants (see Figure 6.2), which suggests that only tithing members who were resident tenants had to pay – i.e. that *capit'* meant 'heads' in the sense of capital tenants, tenants in chief .

A tithing list on the verso of the first court roll after the 1377-82 gap, dated 19 October 1383, partly confirms this.¹⁰ It contains only forty seven names (if subsequent additions and deletions are ignored), which almost matches the 44d. paid in headsilver that year (if 4d. is added for the four exempt chief pledges). As with the headsilver payments it is impossible to believe that this is a list of all the resident males over twelve in the tithings, so it seems there

1996), pp. 17-78, at p. 23, and O.J. Benedictow, *The Black Death, 1346-1353: The Complete History* (Woodbridge, 2004), ch. 32, especially pp. 360-79.

¹⁰ NCA 3915/1. The list is headed 'The names of all the homage who are in the tithings' (the crucial word is contracted to *hom'i*, which must expand to *homagii*, since the genitive plural of *homo* is *hominum*) and was updated by deletions and additions until the early 1390s.

may have been two levels of tithing membership, one consisting of resident tenants and paying headsilver, the other of young and landless males.

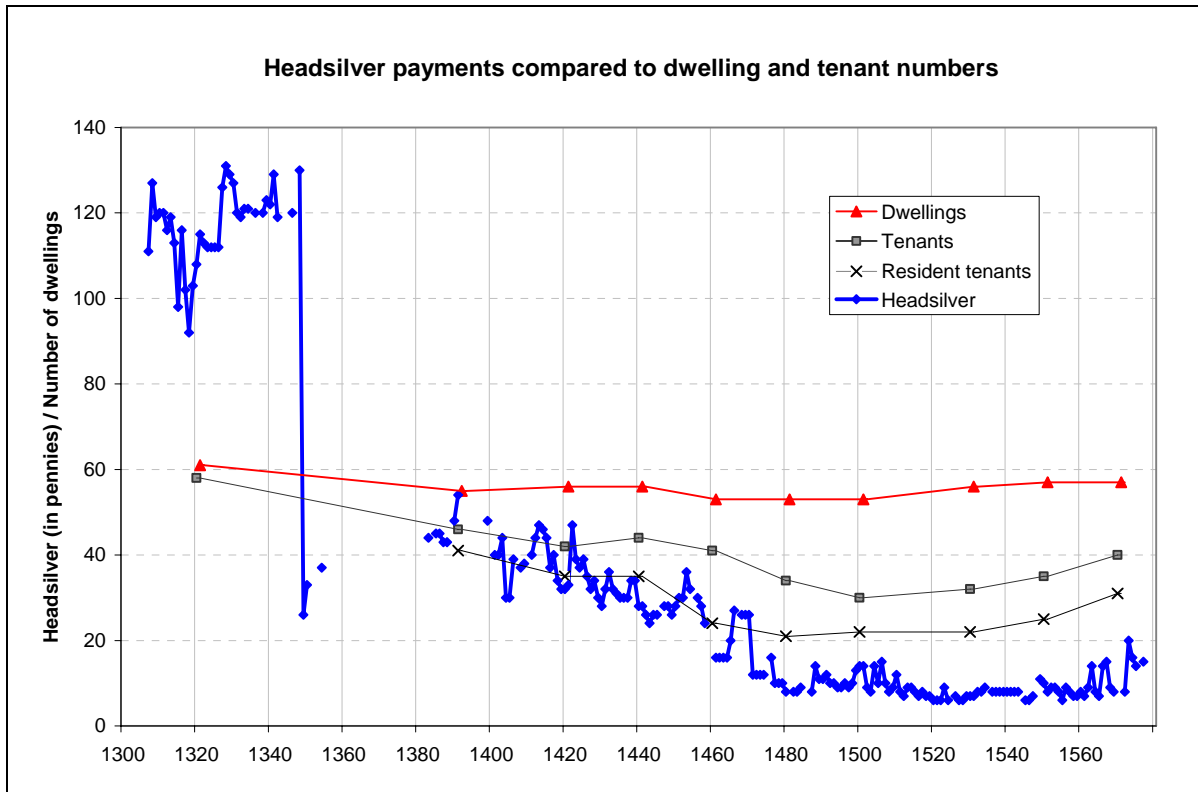


Fig. 6.2. Headsilver compared to dwelling and tenant numbers.

However it is not quite that simple. The names in the list included men who were not resident tenants. The near-contemporary c.1390 revision of the Extent lists some forty six tenants, which is one less than the number of homagers in the tithing list, but at least two of those tenants were non-resident and four were women (and so could not have been in the tithings), leaving only forty resident male tenants. Further, only thirty eight of these forty male resident tenants were included in the tithing list, and the remaining nine men in the list were not tenants. It is likely that they were subtenants living in the surplus dwellings, of which there were eleven in 1390 (surplus in the sense used in chapter 4, in Table 4.14; fifty five dwellings less forty four resident tenants leaves eleven surplus dwellings for occupation by subtenants). To put it another way, the number of men in the tithings (47) is closer to the number of dwellings less the number of female tenants ($55 - 4 = 51$) than to the number of resident male tenants (40). It seems that in the 1380s at least the heads in the tithings were the male heads

of households, not the resident male tenants in chief (and were certainly not all male residents over twelve).

Unfortunately the number of homagers in the tithings (as derived from the headsilver pennies) stayed close to the number of *dwellings* only up to about 1420 – thereafter the two moved ever further apart. From 1420 until 1470 the headsilver numbers fluctuated around the number of *resident tenants*, but after 1470 even they parted company. The suspicion must be that the tenants were altering the basis of calculation in order to reduce the payments, and it may be significant that when at the start of the seventeenth century the court rolls began to record headsilver payments again, they were much higher – while skimming quickly though the 1600-1612 rolls payments of 29d., 58d. and 55d. were noticed in 1607, 1611 and 1612.¹¹ This could have been a conscious return to the ancient basis of payment – at this time New College was attempting to reimpose other ancient tenurial obligations, as part of its dispute with the tenants over the demesne lease, and in the process was searching through the old court rolls for evidence of the old customs.

In any event it is clear that the headsilver data, which showed so much promise, will have to be discarded as a source for Great Horwood's population in the fifteenth and sixteenth centuries.

Does this cast doubt on headsilver's reliability for the period before the Black Death – could headsilver then also have been a penny per head of household, not per resident male over twelve? In this period population pressure may have caused several households to be squeezed into each tenement. Between 1305 and 1349 the headsilver payments were roughly twice the numbers of dwellings and tenants in the 1320 Extent, a ratio which could plausibly reflect an average of one extra household in each chief tenement, but seems rather low if it means only two males over 12 in each chief tenement. On the other hand the word 'head' (*capit'*) is not used in the pre-1350 court roll entries, and the marked dip in the headsilver payments in 1315-18 (when famine and livestock disease are known to have caused a fall in population nationally),¹² suggests a responsiveness to mortality which would be more likely from a count of males over twelve than one of households. Certainty can probably only be achieved by a detailed study of the court rolls of the period to try to build up a picture of the

¹¹ NCA 3923/4,5; 1/p.251, -/p.347.

¹² I. Kershaw, 'The great famine and agrarian crisis in England, 1315-22', in R.H. Hilton (ed.), *Peasants, Knights and Heretics* (Cambridge, 1976), pp. 85-132.

tenants and residents similar to that created here. In the meantime, if the payments do represent male household heads then the multiplier used for the 1320 Extent produces a probable population in 1305-49 of between 460 and 648.

Fifteenth-century dwelling numbers

Despite the large amount of data relating to the tenants and inhabitants of the manor of Great Horwood in the fifteenth century which has been extracted from the court rolls and other sources it is not possible to produce lists of inhabitants for that century. Lists of the manorial tenants have been produced for dates at twenty or thirty yearly intervals in both centuries but slight uncertainty as to precisely how many tenants were resident, and more importantly how many residents there might have been who were not tenants, makes calculation of population from them a pointless exercise. However the data on numbers of dwellings produced in chapter 3 is available. It will only be used for the period 1390-1500 because from the late fifteenth century onwards the growing but unknown numbers of additional dwellings within the curtilages of the known dwellings make the data increasingly unreliable, and because in the sixteenth century other sources become available (though the dwellings data will be used to check them).

If the average household size in the fifteenth century was four¹³ then the population of the manor of Great Horwood in 1390-1500 would have been roughly as follows:

1390	55 dwellings	220 inhabitants
1420	54 “	216 “
1440	57 “	228 “
1460	53 “	212 “
1480	53 “	212 “
1500	53 “	212 “

Note: the true number of dwellings is likely to have been higher towards the end of the fifteenth century.

¹³ There is much uncertainty about the size of fifteenth-century rural households. Charles Phythian-Adams calculated ‘a maximum urban mean household size of only four persons’ in 1523 Coventry. Jeremy Goldberg has argued that urban households were larger than rural ones and used 1377-81 poll tax data to put the former at ‘nearly four persons’ and the latter at ‘slightly more than three persons’, but this seems too low – fifteenth-century serf lists suggest much larger family sizes; C. Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge, 1979), p. 245; P.J.P. Goldberg, ‘Urban identity and the poll taxes of 1377, 1379 and 1381’, *Economic History Review*, 2nd Ser., 43, no. 2 (1990), pp. 194-216, at p. 213. For an example of calculations from serf lists see Dyer, *Lords and Peasants*, pp. 230-2.

1522 Military Survey and 1524/5 Lay Subsidy Return

1522 Military Survey The 1522 military survey or certificate of musters recorded forty one male inhabitants of Great Horwood between the ages of sixteen and sixty (and another eleven in Singleborough) plus eleven non-resident landowners.¹⁴ The degree to which the return and the associated lay subsidies of 1524 and 1525 can be relied upon to provide an accurate list of all adult males has been debated but no consensus has yet emerged.¹⁵ Jane Whittle has suggested 3.24 as an appropriate multiplier, which would give a population of 133.¹⁶ This seems low, possibly because it is based on the assumption that only 3% of the adult male population failed to be listed. This was certainly not the case in Great Horwood. The court roll data tell us there were at least 53-55 dwellings in 1500 and 1530. If we add, say, seven dwellings for the Bradwell Fee and then assume, surely conservatively, that 10% of the tenements had an extra dwelling within their curtilages then the number of dwellings becomes about sixty eight. If the average household contained four people then the population of the township in the early 1520s was at least 272 – double the number produced by the military survey using a multiplier of 3.24. The manor's share would have been about 240.

Comparison of the 1522 survey's list of inhabitants with a tenant list in the same year (created by the method used in chapter 2) is illuminating. In 1522 there were thirty one tenants, of whom thirteen were probably non-resident, three more were female and an unknown number might have been too old or otherwise unfit for military service, so the number of tenants who ought to have appeared in the return was fifteen or less. In fact twelve of the tenants do appear in the survey¹⁷ and of the missing three at least two were probably elderly. (Six of the non-resident tenants were listed in the return as absentee landowners – it is not obvious why

¹⁴ A.C. Chibnall (ed.), *The Certificate of Musters for Buckinghamshire in 1522*, BRS 17 (1973), pp. 178-80. Julian Cornwall has argued that those assessed on goods (whether alone or with land) were residents, while those assessed on land alone were not, and this is borne out by the Great Horwood evidence (see page 117); J.C.K. Cornwall, *Wealth and Society in Early Sixteenth Century England* (London, 1988), p. 268.

¹⁵ Campbell and Whittle have argued, primarily from analysis of the Norfolk returns, that they enumerated over 90% of the adult male population, but Schofield, Cornwall, Dyer, Poos and Hoyle, using other counties' surveys, believe the figure should be much lower; B.M.S. Campbell, 'The population of early Tudor England: a re-evaluation of the 1522 Muster Returns and 1524 and 1525 Lay Subsidies', *Journal of Historical Geography*, 7 (1981), pp. 145-54; Whittle, *Agrarian Capitalism*, pp. 203-9; R.S. Schofield, 'Taxation and the political limits of the Tudor state', C. Cross, D. Loades and J.J. Scarisbrick (eds.), *Law and Government under the Tudors* (Cambridge, 1988), pp. 227-55; J.C.K. Cornwall, 'English population in the early sixteenth century', *Economic History Review*, 23 (1970), pp. 32-44; A. Dyer, *Decline and Growth in English Towns 1400-1640* (Basingstoke, 1991), p. 39; Poos, *Population of Essex*, p. 528; R.W. Hoyle, *The Military Survey of Gloucestershire, 1522*, Bristol and Gloucestershire Archaeological Society, Gloucestershire Record Series 6 (1993), p. xxii-xxiv.

¹⁶ Whittle, *Agrarian Capitalism*, p. 203, fn. 65.

¹⁷ They were mostly copyholders, which (as pointed out at page 117) contradicts the general assumption that copyholders were not assessed on land.

the rest were left out, especially as they included the three wealthiest non-resident tenants, between them holding seven messuages, seven cottages and seven virgates).

Thus the inhabitants in the military survey included twelve resident tenants and omitted six (three women and three probably elderly), which accounts for eighteen of the dwellings at the most. Who occupied the other 35-37? The return listed another twenty one inhabitants who were assessed on goods but not land, and three more who had neither. Those with goods are likely to have been underlessee farmers and subtenant labourers and artisans (the three with no goods must have been servants, so would not have been householders) but that still leaves another fifteen-odd dwellings unaccounted for – or more if any of the twenty one lived in the Bradwell Fee. Presumably the occupants of these dwellings were farmers, labourers and artisans who were too old or poor or disabled, or too female, to qualify (which means that nearly a half of the able-bodied male inhabitants listed in the survey were underlessees or landless subtenants, with probably a similar number of the same omitted).

But even if we assume fifteen missing heads of households we have still only equalled the number of dwellings in the manor – yet there were surely more able-bodied males in Great Horwood than there were dwellings. Many occupiers must have had male relatives living with them, many must have had at least one servant, some at least may have had a subtenant labourer or artisan and his family in a cottage within their curtilage. Could over sixty dwellings have contained only forty one able-bodied men between sixteen and sixty? The conclusion that a sizeable proportion of the male population over sixteen – perhaps a quarter – failed to be recorded in the military survey is inescapable. To produce the same figure as the dwelling-based calculation the appropriate multiplier would be 6.63 (very close to Alan Dyer's multiplier for the 1524/5 lay subsidy of 6.5).¹⁸

1524/5 Lay Subsidy return The lay subsidy return listed forty taxpayers in the entire parish.¹⁹ If that figure is divided between Great Horwood and Singleborough in the same proportions as in the 1522 military survey then some thirty two belonged to Great Horwood – considerably fewer than were listed in the 1522 survey, and a number which would require a multiplier of 8.5 to produce a total population of 272. Unlike the survey, which ostensibly listed all able-bodied adult males, the subsidy excluded men with less than £1 in goods or wages so one might expect it to have produced shorter lists – but on the other hand it included

¹⁸ Dyer, *Decline and Growth*, p. 39.

¹⁹ A.C. Chibnall (ed.), *Subsidy Roll for the County of Buckingham, anno 1524*, BRS 8 (1950), p. 51.

men unfit for military service and women if wealthy enough, and in fact in some counties produced the same numbers as the survey, or even more.²⁰ A fall of one quarter is unusual, and suggests that the poor formed an unusually large proportion of Great Horwood's population.

The shortfall of taxpayers below dwellings is now twenty five or more. A tenant list for 1525 reveals that the tenants of twelve dwellings were non-resident and so would not have been listed in the Great Horwood return (in the subsidy non-resident landowners were assessed in their parish of residence) – but at least some of their twelve dwellings would surely have been inhabited by underlessee farmers well able to pay the subsidy who ought to have been listed in their places (and again comparison with the court roll data confirms this – at least two of the listed taxpayers are known to have been underlessees).

In fact only ten of the eighteen resident tenants were listed – they were all those holding three quarters of a virgate or more; no tenant holding half a virgate or less was included. None of the other twenty five taxpayers in the return was a tenant (though the majority were from tenant families and some became tenants later in life). Some of them must have been underlessees of farmland holdings, others artisans, tradesmen and labourers – it may be an indication of their prosperity that they paid the subsidy when half-virgaters did not. Their number – twenty five – is close to the twenty one males listed in the military survey who were not tenants, suggesting that perhaps the survey never pretended to list *all* able-bodied males, but only those who were heads of households. Again the conclusion is that a large part of the adult population did not pay the subsidy, including a number of household heads – perhaps a third or more.

1563 Diocesan Return of Households

In 1563 every diocese reported the number of households in each of its parishes. The return from the diocese of Lincoln recorded fifty eight households in Great Horwood (and thirteen in Singleborough).²¹ This is remarkably close to the number of dwellings in Great Horwood in 1550 and 1570 revealed by the data from the court rolls – fifty eight in 1550 and fifty seven

²⁰ Campbell, 'Population of early Tudor England', pp. 149-50; Whittle, *Agrarian Capitalism*, p. 205. In Gloucestershire the subsidy even produced larger numbers in some hundreds; Hoyle, *Military Survey of Gloucestershire*, p. xxiv.

²¹ A. Dyer and D.M. Palliser (eds.), *The Diocesan Population Returns for 1563 and 1603*, Records of Social and Economic History, N.S. 31 (2005), p. 237. See also J. Cornwall, 'An Elizabethan Census', *Records of Buckinghamshire*, 16, Pt. 4 (1959), pp. 258-73.

in 1570. This would be an impressive piece of corroboration were it not for the fact that the court roll data exclude the unknown numbers of dwellings in the Bradwell Fee (perhaps four or five, maybe more) and the additional dwellings known to have existed within the curtilages of the dwellings held in chief from the manor of Great Horwood (unknown, but surely at least ten), and to this extent it seems the diocesan return under-reported the number of households. Possibly the local informant had just stated the number of chief tenements in the manor.

The return does at least confirm that there was a substantial number of households in Great Horwood which did not hold either a dwelling or farmland by a tenancy direct from the manor – the number of resident tenants in 1570 was about thirty one, so there were at least twenty seven non-tenant households (and probably quite a few more).

4.75 has been accepted for some time as the mean household size in the early modern period, but Alan Dyer and David Palliser have argued that in 1563 recent famine and epidemics had resulted in slightly larger households of between 5.0 and 6.0.²² If we take 5.0 as the multiplier then fifty eight households would give a Great Horwood population of 290. If, say, a conservative ten households were added for the extra dwellings, that would increase the population to 340-odd.

1603 Diocesan return of Communicants

In 1603 the dioceses were required to report the number of communicants, recusants and other non-communicants in every parish. For Great Horwood the return stated that there were 320 communicants and no inhabitants in the other two categories.²³ No separate return was made for Singleborough, but if it can be assumed that its population still bore the same proportion to that of Great Horwood as did their 1563 households (18:58) then Great Horwood's share was 261.

The proportion of the population who would have been too young to take communion has been estimated at between 35% and 40-50%,²⁴ which would give a total population figure of between 352 and 392.

²² Dyer and Palliser, *Diocesan Population Returns*, xli-l.

²³ Dyer and Palliser, *Diocesan Population Returns*, 362.

²⁴ Dyer and Palliser, *Diocesan Population Returns*, lxix-lxii.

Working backwards from that, if it is assumed that the average household held 4.75 people (and that each household occupied a separate dwelling), then this points to there having been between seventy four and eighty three dwellings in Great Horwood (including the Bradwell Fee) in 1603. The number of dwellings held in chief from the manor (ie excluding those in the Bradwell Fee and within curtilages) was fifty eight in 1590 and sixty five in 1610 – in 1603 perhaps about sixty two. That is about 12-21 less than the figure of 74-83 derived from the communicants return, which may give a rough indication of the number of additional dwellings in curtilages and the Bradwell Fee.

Summary of population estimates

The population estimates derived from the various sources available can now be summarised as follows:

1279-80	Hundred rolls	290 (manor) or 330 (township)
1320	Extent	260 (manor)
1305-1350	Headsilver payments	260-365 (manor)
1383-1500	Dwelling numbers	212-228 (manor)
1522-5	Dwelling numbers/ military survey, subsidy	240 (manor) or 272 (township)
1563	Diocesan return of households/dwellings	290-340 (township)
1603	Diocesan return of communicants	352-392 (township)

The pattern revealed by these estimates, of high population before the Black Death, a fairly static period during the rest of the fourteenth and the fifteenth centuries, and recovery back to pre-Black Death levels in the sixteenth century, reflects the national pattern.²⁵ It differs from it in one respect, however – Great Horwood’s population between 1350 and c. 1500, though as static as that in the national model, was a little higher relative to its pre-Black Death levels than is usually believed to have been the case nationally. Notwithstanding the catastrophic loss in 1349 revealed by the headsilver and tenant deaths data Great Horwood’s population seems to have recovered more quickly than that of many other parts of the country, as was suggested by the small reduction in dwelling numbers noted in chapter 3. Whether this was due to internal replacement or inwards migration cannot be determined without a detailed study of the court rolls from the second half of the fourteenth century, but analysis of surname continuity will provide some inkling.

²⁵ See for example Fig. 1 in C. Dyer, *Standards of Living in the later Middle Ages: Social Change in England c.1200-1520* (1989; Cambridge, 1998), p. 4.

POPULATION TURNOVER AND SURNAME PERSISTENCE

At Figure 6.3 is a graph showing the lengths of time over which the surnames appearing in the court rolls and other sources persisted. As an indicator of population continuity surname persistence has three main weaknesses. The first is that it only reveals continuity through male line descent – continuity through inheritance by daughters, sisters, aunts or their children is concealed. The others are that surnames do not always reveal even continuity in the male line, since (i) before about the mid-fourteenth century some surnames were still not hereditary, so that family persistence may have been concealed behind changing by-names, and (ii) unrelated families can share surnames, so that the departure of one and arrival of another can appear as continuity. The last problem has been largely eliminated, from the period after 1383 at least, because the continuous information available from the court rolls makes it possible to identify successive families sharing a surname but separated by a space of time, and the family reconstitution exercise made it possible to identify some cases of simultaneously present but unrelated families sharing a surname, and in both cases to treat them separately (thus Figure 6.3 contains separate lines for three Clerke families, and a number of pairs of surname lines). It should be noted, however, that there are quite a few cases of families who persisted in the area, if not in the manor of Great Horwood itself. When they were not living in Great Horwood they were in neighbouring settlements such as Singleborough and Little Horwood, so that their presence was continuous in a slightly larger area.

There is also the problem that persistence of a surname in the records of the manor was not necessarily the same as persistent residence in the manor. The court rolls (and possibly the thirteenth- and fourteenth-century lists of tenants) undoubtedly mention many non-residents. Some who were neither residents nor tenants were weeded out (though few such appeared in the rolls more than ten times), principally absentee rectors and itinerant butchers and breadsellers from nearby towns – but some doubtless remained. Non-resident tenants were not excluded from Figure 6.3 – they were usually closely involved in the manor's society and to exclude, say, the Pigots of Little Horwood, who owned land and held office in the manor for over 150 years yet never lived in it, would be misleading. Conversely many of the surnames which were excluded because they appeared in the court rolls on fewer than ten occasions will have been those of residents and even tenants, though not of any great longevity – their inclusion would produce a chart in which few surnames persisted for more than a couple of decades.

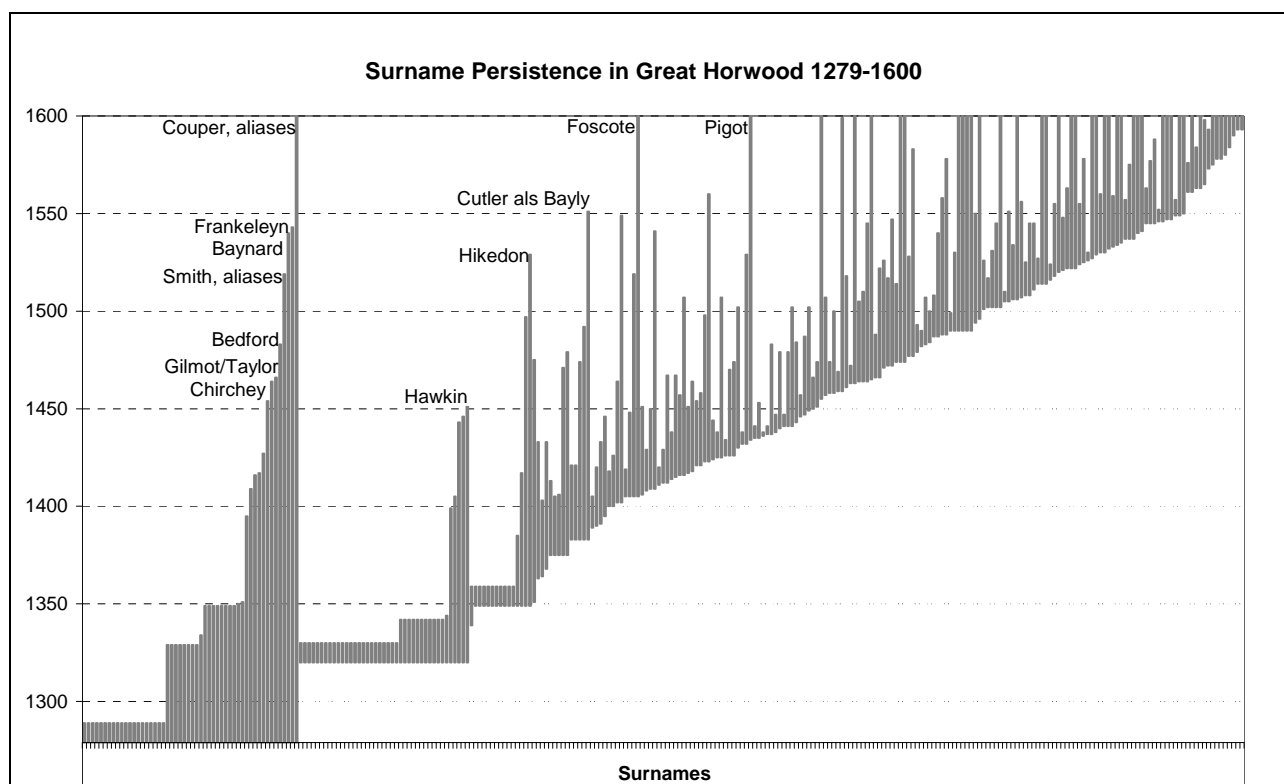


Fig. 6.3. Surname persistence in Great Horwood 1279-1600.

Each vertical line represents a surname. The surnames are all those listed in the 1279 Hundred Roll, 1320 Extent, 1327 and 1332 Lay Subsidy returns (in the whole parish of Great Horwood) and the 1349 court roll entries recording tenant deaths; after 1383 they are those appearing in the court rolls and other sources, but only if mentioned on more than ten occasions.

Surnames persisting for more than 150 years are named in the chart.

It is assumed that a surname persisted from 1279 until 1320-32 and from 1320-32 until 1383 if it appeared at both dates. After 1383 a surname disappearing for more than 20 or 30 years is treated as non-persistent and shown by two separate lines. Some apparently persistent surnames may in fact represent more than one unrelated family (e.g. Couper, Smith, Foscote), others may represent families which were not consistently resident in the manor but moved in and out of it (though often only to Singleborough or Little Horwood – e.g. Couper). Not all individuals appearing in the court rolls were resident in Great Horwood – the Pigots, for example, never lived there.

Only one surname persisted over the entire period between 1279 and 1600 – Couper.

However the persistence of the name masks a typically more complex story, of several families, two of them using the aliases Buckingham and Wedon, who may or may not have been related, and not all of whom lived in Great Horwood all of the time. The same is true of the fourth most persistent surname, Smith, though surprisingly all its branches had died out by the beginning of the sixteenth century. On the other hand the second and third most persistent surnames, Frankleyn and Baynard, which both lasted from 1279 until the 1540s, remained in Great Horwood throughout that period and are more likely to have been all

descended from a single common ancestor (though when the detailed court roll information begins at the end of the fourteenth century each family had already established several branches whose common ancestries had to be assumed). The same is also true of the fifth most persistent surname, Bedford, which lasted from 1279 until 1483, though in 1279 it was in Singleborough, not Great Horwood.

However the proportion of the 1279 names which survived into even the fifteenth century is small, as can be seen in Figure 6.3 – only 20% (10 out of 50).

To look at it the other way round, of the forty six-odd surnames present in 1600, apart from Couper (which had been there in 1279, but which may not have been continuously present in one family ever since) no surname's presence dated back to before 1400. Twelve had arrived in the fifteenth century, though in two cases (Foscote and Mallet) there is a gap in that century across which family continuity cannot be proven. The remaining thirty three had all come to Great Horwood within the previous hundred years. Of the forty eight surnames present in 1500 only six (13%) had been there for more than a century.

Did the rate of surname persistence vary over time? Table 6.1 shows the persistence rates among the *tenants* of the manor of Great Horwood (not this time all persons mentioned in the court rolls). It is measured across intervals which vary – most are forty or fifty years, but the gap between the 1320 Extent and its 1390 update is seventy years. To produce comparable data the persistence rates have been adjusted to a standard rate per 100 surnames per forty years.

It can be seen that, as might be expected, the period falling wholly before the Black Death saw a higher persistence of tenant surnames than any period over the following two centuries (50% over forty years, and if the rate could be adjusted to remove the effect of surname instability it would probably be higher still). However the persistence rate after the Black Death, 40-41%, was not very much lower than before it, and further was as high immediately after the Black Death as in any subsequent period until the sixteenth century. This suggests that the population recovery after the Black Death came as much from internal replacement as from inwards migration. The persistence rate did not reach its lowest point until 1440-80 (calculation of persistence over twenty year periods reveals that the nadir was 1460-80), the time when accumulations of holdings were beginning to reduce the numbers of tenants, so the fall in surname persistence was probably the result of names disappearing, leaving a

persistent core, rather than increased turnover. In the second half of the sixteenth century the persistence rate rose, by the end of the century reaching 79%, much higher than pre-Black Death levels.

Period (years)	Number of surnames at start of period	Number (%) still present at end of period	Adjusted % per 40 years
1280 – 1320 (40)	50	25 50%	50%
1320 – 1390 (70)	49	10 20%	40%
1390 – 1440 (50)	30	10 33%	41%
1440 – 1480 (40)	35	11 31%	31%
1480 – 1530 (50)	26	9 35%	43%
1530 – 1570 (40)	25	12 48%	48%
1570 – 1610 (40)	28	22 79%	79%

Tab. 6.1. Surname persistence among tenants, at intervals.

The periods over which persistence has been measured varies, so the percentage of persistence has been recalculated as a standard percentage per 40 years.²⁶

In the thirteenth and early fourteenth centuries some families may not yet have had hereditary surnames, causing them to appear in two tenants lists under different surnames. The true rate of persistence between 1279 and 1320, and perhaps also between 1320 and c.1390, may therefore have been higher.

This reflects the national pattern, in so far as it shows low population turnover before the Black Death, increased mobility during the century and a half after it, followed by a return to stability in the sixteenth century. David Postles found, for example, that in Leicestershire and Rutland ‘in the late middle ages ... the turnover of surnames in local communities was extensive. Stability was only re-established in the sixteenth century, when long-term persistence of surnames returned.’²⁷ Nevertheless, although the rate of surname persistence did fall in Great Horwood during the late fourteenth and fifteenth centuries, it was not as low as has been found in other places over the same period. A comparison of the 1327 and 1332 lay subsidy returns for Buckinghamshire with the 1522 military survey has found that in nearly half the townships in the northern half of the county not a single surname persisted between the two dates. Over the entire northern half of the county only 4% of the surnames

²⁶ The formula used is a modification of that for calculating a persistence rate per cent per century in P. Spufford, ‘The comparative mobility and immobility of Lollard descendants in early modern England’ in M. Spufford (ed.), *The World of Rural Dissenters* (Cambridge, 1994), pp. 309-331, at p. 313.

²⁷ D. Postles, *Surnames of Leicestershire and Rutland* (Oxford, 1998), p. 347.

in the fourteenth-century subsidy lists were listed in the same township in 1522.²⁸ In Great Horwood, by contrast, six surnames from the 1320 Extent can be found in the 1530 tenant list (though in only three is actual family continuity likely – the other three are surnames which had been absent between those dates). Expressed as a rate per cent per century this is 37%; W.G. Hoskins, comparing surnames in the Leicestershire Poll Tax of 1377-81 with the 1524 Lay Subsidy return, found an average persistence rate in each county of only 20 per cent per century, while David Postles has found just 18 per cent per century persistence in Loughborough between 1370 and 1526 – both periods starting *after* the Black Death, and so likely to find greater persistence than a comparison beginning before it.²⁹ Harold Fox has found surname turnover rates of 82, 86 and 90% between the current tenants and their *immediate predecessors* in rentals of three Devon manors from 1408 and 1463, while Ros Faith reported similarly high turnover at Coleshill in Berkshire: ‘64 per cent between 1379 and 1395, 86 per cent between 1395 and 1424, 78 per cent between 1424 and 1473, and over 50 per cent between 1473 and 1520’.³⁰

Compared to all these places Great Horwood’s population was comparatively stable, its surname persistence rate of 37 per cent per century between 1320 and 1530 being elsewhere more typical of the less mobile modern period.³¹

THE STRUCTURE OF POWER WITHIN GREAT HORWOOD’S PEASANT COMMUNITY

The land distribution structure revealed by the manorial records discussed in chapter 2 gave the impression of a society of equals, comprising many small husbandmen but neither yeomen nor landless cottagers. In chapter 4 it was shown that the reality was quite different, that the fairly equal distribution of the land among the manor’s direct tenants was just the

²⁸ M. Tompkins, *Emerging Pays and Peasant Migration in Buckinghamshire c1332-1522: the Evidence from Surnames* (unpub. MA Dissertation, University of Leicester, 2001), p. 58.

²⁹ W.G. Hoskins, ‘The Leicestershire farmer in the sixteenth century’, in his *Essays in Leicestershire History* (Liverpool, 1950), pp. 131-2; Postles, *Surnames of Leicestershire and Rutland*, p. 337.

³⁰ H.S.A. Fox, ‘Tenant farming and tenant farmers: Devon and Cornwall’, *AHEW III*, pp. 722-43, at p. 726; R. Faith, ‘Berkshire: fourteenth and fifteenth centuries’ in P.D.A. Harvey (ed.), *The Peasant Land Market in Medieval England* (Oxford, 1984), pp. 106-77, at pp. 154-5. Many similar examples of surname persistence, few showing rates as high as in Great Horwood over the same period, can be found in C. Dyer, ‘Were late medieval English villages self-contained?’, *The Self-contained Village*, forthcoming.

³¹ In fact Peter Spufford’s survey of seventeen parish surname persistence studies from the sixteenth to eighteenth centuries reveals few with rates as high as 37% per cent per century; Spufford ‘Comparative mobility and immobility’, pp. 309-31.

upper layer of a more complex landholding structure including farming underlessees and landless subtenants, at least some of them artisans and tradesmen. Further, some of the husbandmen were in fact residents of other manors whose landholdings outside Great Horwood put them in a higher bracket, and some were in fact yeomen and even gentlemen. Where did power reside in this less equal community? Was there a social elite, a small oligarchy of families able to impose its will on its neighbours, or was power shared more widely within the community?

Power and dominance in a local community can derive from a number of sources, not all of which can be discerned or assessed in the documents available for late medieval villages. To an extent they will depend on personal qualities, on a forceful personality or a reputation for intelligence or honesty. They can also derive from social status and wealth, in rural societies especially landed wealth, and in the past these two factors have often outweighed the personal qualities which tend to be more valued today. The records available for Great Horwood in the fifteenth and sixteenth centuries provide only limited glimpses of most of these sources of power. We only occasionally get an inkling of the inhabitants' and tenants' personalities, and information on their social status or occupation is rare – by and large it is only available for the gentry and a number of mid-to-late sixteenth-century will-makers. We know very little about non-landed wealth, except for those few inhabitants who were listed in the few lay subsidy returns (the wills give an impression but seldom a full account of a testator's assets). Even the information available for landed wealth is limited to land held directly from the manor, and excludes underleaseholds, and of course land in other manors. Since we know from the investigation in chapter 4 that many tenants held land in other manors, and that much land within the manor was held by underlease, it is difficult to form an accurate picture of even the hierarchy of landed wealth among Great Horwood's inhabitants and tenants.

Another source of power, and also an indication of its possession, is office-holding. There were many offices available in Great Horwood, ranging from those at the top, usually reserved to outsiders, such as the lord's steward and other estate officials, down to the more humble, such as the woodwards who, in the fourteenth century at least, were always appointed from among the half-virgaters.³² Of course the superior estate offices were never held by inhabitants of Great Horwood, or even usually by tenants of the manor (except when neighbouring gentry also held land in the manor, men like John Horwood in the early

³² Ault, *Open Field Farming*, p. 65.

fifteenth century or the Pigots after him). Some lesser Great Horwood inhabitants or tenants may have held less august offices in neighbouring or superior jurisdictions – for example, Robert Williat of Little Horwood held the post of head keeper of Whaddon Chase under Mrs Pigot in the 1520s and his grandson and namesake’s will implies that he too was part of the chase’s administration under Lord Grey of Wilton in the 1580s, which must have conferred some prestige locally³³ – but again our information on these is limited. However there were a large number of offices within the manor, parish or township which were filled by the local inhabitants, from the reeve or bailiff downwards, and here the sources available to us are more useful. We do not know who filled all these local offices – we have the names of only five churchwardens for the entire two centuries, for example, and very few of the woodwards, haywards and other lesser manorial officials are identified in the records, and while we have two lists of men appointed as arbitrators to settle disputes in 1558 and 1567, we do not even know whether arbitrators were appointed in other years, or how often. However we do have fairly complete lists for the whole of both centuries of the two constables, four chief pledges and two aletasters who probably exercised the greatest day-to-day authority in the manor (in the absence of a demesne the reeve seems to have been little more than the lord’s rent-collector), and of the two afferors and twelve jurors who fulfilled important roles at the manor courts.³⁴ These can be compared with the data on landholding and, so far as available, on status and occupation to get an idea of whether power was shared widely or reserved to the wealthiest inhabitants and tenants.³⁵

For the purpose of analysing the level of landed wealth associated with these offices the tenants were divided into three categories, according to the size of their maximum lifetime landholding:

Large:	1¾ virgates and upwards	12% of all tenants 1383-1600
Middling:	½ virgate to 1½ virgate	54% “
Small:	under ½ virgate*	31% “

(* including dwelling-only holdings)

³³ ‘A Document relating to Whaddon Chase in the 16th century’, *Records of Buckinghamshire*, 13 (1939-40), pp. 281-4; TNA, PRO, PROB 11/66 fo.81v.

³⁴ For these offices, see M. Bailey, *The English Manor c.1200-c.1500* (Manchester, 2002), pp. 170-2, 178-84.

³⁵ For patterns of office-holding as an indicator of social structure and hierarchies within village communities, see for example J.A. Raftis, *Warboys: Two Hundred Years in the Life of an English Medieval Village* (Toronto, 1974); E.B. deWindt, *Land and People in Holywell-cum-Needingworth : Structures of Tenure and Patterns of Social Organization in an East Midlands Village, 1252-1457* (Toronto, 1972); or other publications of the Toronto School; or Razi, *Life, Marriage and Death*, pp. 74-93, 122-4.; for a general discussion, see P.R. Schofield, *Peasant and Community in Medieval England* (Basingstoke, 2003), pp. 139, 166-9.

It should be remembered that these categories relate to each tenant's greatest landholding during his lifetime, which was not necessarily the amount of land held at the time an office was occupied – and as was seen in chapter 4, many tenants began their office-holding career before they had any holding at all (though in most cases they later became tenants).

It might be supposed that the three most important offices open to the ordinary tenants – constable, chief pledge and aletaster – would most often have been occupied by men who, if not actually tenants at the time they first held the office, would have expectations of later becoming tenants. However a full quarter of those who served in one or more of these three influential positions were never tenants (so far as the court rolls reveal – it is possible that some held in right of their wife but were never admitted) and some of them served for many years. They included a number of known underlessees of farmland holdings.

Nevertheless the three most important offices did tend to be occupied by the wealthier tenants. Of those who were tenants at some point in their lifetime, one quarter fell into the Large category (twice the proportion which that category formed among the tenants as a whole), and two thirds were Middling. Only 12% were Small (less than half that category's proportion among the tenants as a whole) – and several of these were residents of Singleborough or Little Horwood whose landholdings outside the manor would probably have put them in the Large category. The remainder of the Small tenants were often tradesmen, typically millers and butchers, who presumably qualified by non-landed wealth.

Constables tended to fall into the Large category more often than the chief pledges and aletasters (44% of those constables who were tenants at some point in their lives – nearly four times the proportion among the tenants as a whole), and aletasters had a slightly larger proportion of Small Tenants, confirming the hierarchy of office as constable – chief pledge – aletaster. This was no doubt why it was common for individuals to serve, at different times, as both constables and chief pledges, or both chief pledges and aletasters, but not as constables and aletasters.

The two courtroom offices, affeeror and juror, had broadly similar profiles to the three year-round offices (if those who served as juror only once were excluded), and were held by broadly the same individuals. Here also landholding influenced which office might be held – among those who were tenants at some point in their lives slightly larger than average

proportions of the affeerors fell into the Large category and of the jurors into the Small category. However nearly a third of jurors only served once, and of these once-only jurors three quarters were never tenants. Clearly some inhabitants who were not suitable as constables, chief pledges, aletasters or affeerors were nevertheless acceptable to make up the necessary twelve jurors for the manor court.

Over 90% of the constables, chief pledges and aletasters were resident in Great Horwood, and the rest lived in Little Horwood or Singleborough, both within half an hour's walk. The proportion of non-resident jurors was slightly larger – at least 16% - and some of them lived further away (since their office only lasted during their attendance at the court non-residence was not a disability). Less than 10% of affeerors were non-resident, but again some of them had come from further afield than Singleborough or Little Horwood.

The fact that roughly a quarter of those who served as constables, chief pledges and aletasters were never tenants at any point in their lifetimes suggests that in Great Horwood power was not confined to a small oligarchy, especially if it is considered that only 29% of the male tenants ever served in those offices (even in the Large category 55% of male tenants never held these offices). However the picture changes a little if those individuals who served in these offices *frequently* are considered. Of those who were recorded as holding these offices on more than twenty occasions (which probably approximates to at least 10-15 years in office – not necessarily all in one stretch) all but one were tenants (the exception was an underlessee husbandman in the late sixteenth century), and of the tenants all but two held a half-virgate or more. The two exceptions were John Heynes, an early fifteenth-century miller, and William Chayney, a mid-sixteenth-century cottager of unknown occupation but apparently sterling qualities. The same is true of the affeerors – those who served in this capacity at more than five courts were exclusively tenants, and all in the Middling or Large categories except John Heynes and William Chayney.

There does not appear to have been any standard order in which the three most important offices were held. Tenants who held only one of them might hold any of the three, and no pattern can be discerned in the order in which two or more of the offices were held – the first office could as easily have been a constable as a chief pledge, and aletaster was nearly as common, while the second office could also have been any one of them (save that combining a constablenesship and an aletastership was less common than combining either with a chief pledgeship).

So far when considering the level of landholding associated with the various offices it has not been possible to distinguish office-holders who later became tenants from those who were tenants at the time they held the office, or to consider the amount of land held at the time of office-holding, rather than the maximum holding held at some other point in the individual's life. Clearly the effort required to determine the amount of land held at each point during every office-holder's career is prohibitive, but some idea of these matters can be obtained by looking at the officers in place at a sample of selected dates.

Of the ninety eight constables, chief pledges, aletasters and affeerors recorded in the court rolls from 1420, 1440, 1460, 1480, 1500, 1530, 1550, 1570 and 1590 seventy eight were tenants at the time and twenty (half of them aletasters) were not. Among the jurors in the same years the proportion of non-tenants was very slightly higher, at 23%. 20% and 23% are smaller proportions than the 25% and 33% which persons who were *never* tenants during their entire lifetimes formed among all holders of these offices over the two centuries. The reason why the proportion is smaller, and not larger as might be expected, is no doubt that the never-tenants formed a larger proportion among those who held these offices only once or twice, and only a small proportion among those who held them frequently. In other words, that tenants formed a higher proportion per office per year.

The proportion of non-tenants among constables, chief pledges, aletasters and affeerors was stable over the two centuries, except in 1500 when it climbed to 33%. The proportion among jurors fluctuated rather more, climbing to 48% in 1500 and 52% in 1530 – the period when aggregation of holdings and increased numbers of non-resident tenants would have made it difficult to collect a full jury of tenants. In 1590, when the number of resident tenants was climbing, the proportion predictably fell, to just 6%.

So the ruling elite in Great Horwood was not a narrow one. The offices were dominated by the larger landholders, but not exclusively so and power was shared, not only with the lesser tenants but also a proportion of the non-tenant residents. Nor was non-residence an obstacle to office – tenants living in the neighbouring settlements of Singleborough and Little Horwood commonly served, even as constable, chief pledge and aletaster.

VILLEINAGE IN GREAT HORWOOD, 1400 - 1540

Personal serfdom – villeinage of the blood - had already largely disappeared from Great Horwood at the beginning of the fifteenth century. In 1400 customary tenure was still occasionally referred to in the court rolls as native tenure, but nearly every customary tenant was personally free.³⁶ There were just two families of villeins by blood, the Baynards and the Hawkyns, and within a decade only one remained – the Hawkyns had departed, or bought their freedom or acquired it by some other means. In 1400 Katherine, daughter of the lord's native John Hawkyn, paid 6s. 8d. for licence to marry and for her freedom; in 1403 another daughter Alice paid the same amount for her freedom; and in 1447 a John Hawkyn paid 20d. for an inquiry into whether he was of the blood of a John Hawkyn who had been the lord's native in the reign of Edward III – the homage determined that he was no relation and was a free man, which may or may not have been true (the court rolls contain occasional references to a lord's native by blood called John Hawkyn up to 1425).³⁷

When a court of acknowledgement was held in 1440 the tenants of the manor were listed in three groups – free tenants, customary tenants and 'the lord's natives and customary tenants'. The last group consisted only of three Baynards (a fourth was absent) and John Hawkyn appeared among the ordinary customary tenants.³⁸ The Baynards had been in the village for a long time – one of them appeared in the 1279 Hundred Rolls as a virgater and two were listed in the 1320 Extent and 1327 Lay Subsidy return (with the fifth and seventh highest assessments). By the 1390s there were three Baynard tenants, each holding a virgate, one of whom had accumulated 2½ virgates by his death in 1415. They continued to multiply for another generation – in 1420 there were six Baynard tenants, each with a virgate or half-virgate (the 2½ virgate accumulation had been divided between three sons in 1415) – and for a time were a numerous clan, so much so that three contemporaries all called John had to be distinguished by sobriquets. In the later fifteenth century their numbers began to dwindle, mainly through failure of male heirs, and by 1500 only one family was left, that of William Baynard. When he died in 1540, leaving only daughters, villeinage by blood in Great Horwood had come to its end – his holding (a single virgate) went to a daughter and her free husband, in whom the taint of servitude seems to have been ignored.

³⁶ A situation found in some other manors; Dyer, *Lords and Peasants*, p. 270; J. Whittle and M. Yates, 'Pays réel or pays légal? Contrasting patterns of land tenure and social structure in eastern Norfolk and western Berkshire, 1450-1600' in *Agricultural History Review*, 48, Pt. 1 (2000), pp. 1-26, at p. 14.

³⁷ NCA 3916/7r, -/9v, -/19r; 3917/5r, -/45v.

³⁸ NCA 3917/34r.

The burden of serfdom sat relatively lightly on the Hawkyns and Baynards. Only four payments of merchet are recorded in the rolls; the 1400 payment for both licence to marry and manumission, and two payments of 2s. in 1437: in 1501 a payment of 2s. 6d. was respited.³⁹ Other Baynard daughters must have married during this period but no other payments of merchet are recorded. Chevage was often demanded from members of the family who had left the manor to live elsewhere but infrequently paid (and only in the insignificant amount of a capon a year) – this stopped in 1501. In 1492 an attempt was made to extract some kind of levy from the goods of deceased Baynard tenant; the reeve's account for that year allowed him a respite for the uncollected sum of 36s. 8d. in respect of the goods, but nothing was paid until 1499, when 3s. 4d. was received and the balance written off.⁴⁰ No other servile payments, such as leyrwite or tallage, were imposed during the fifteenth and sixteenth centuries.

When New College acquired the manor in 1442 it looked for a time as though even these light burdens might be forgotten. For the first twenty years nothing was demanded from the Baynards on account of their unfree status, not even chevage, though in the next following two decades chevage was demanded on two occasions, and it became more common for court roll entries relating to land transactions to record the fact that Baynard parties were the lord's villeins, suggesting that the College, though not actually trying to exploit the situation, had remembered the financial possibilities of villeinage and was reserving its position. It may be significant that the only licence to sublet granted between 1425 and 1584 was to a Baynard, in 1482, though the fine paid was a nominal two capons.⁴¹ In the 1490s references to villeinage increased, with a small number of payments of chevage imposed, but the attempt to collect a levy from the deceased Baynard's goods was unsuccessful, and between 1503 and 1521 villeinage was not mentioned in the rolls once. The 1520s and 1530s saw a last flurry of entries recording the names and ages of the last Baynard's children (a kind of entry not previously seen) though no payments were extracted.⁴² When William Baynard died in 1540, although the court roll emphasised that he held his virgate from the lord *without* a copy of the court roll, his daughter was able to inherit on payment of an entry fine.⁴³ The fine was higher than normal (16s. 4d.), and the fines paid after the two previous Baynard transfers in 1468

³⁹ NCA 3916/9v; 3917/31; 2712/ gath. 12/ fo. 2.

⁴⁰ NCA 2712 gath. 5/fo. 5; 1813/13; 1823/12r; 1824/5r.

⁴¹ NCA 3918/20v.

⁴² NCA 3920/10, -/29, -/34, -/35.

⁴³ NCA 3920/35v.

and 1474 had also been a little higher than the average,⁴⁴ but all in all the Baynards' villein status seems hardly to have affected them financially since 1442 – and was hardly burdensome before then.

The chronology of the disappearance of villeinage by blood from Great Horwood – largely gone by the middle of the fifteenth century and completely by the middle of the next – was probably typical of many other manors, though not of all.⁴⁵ Many lords, like New College, continued to keep records of their villeins well into the sixteenth century. In the middle of that century, as inflation began to eat into the real value of their incomes, some lords extracted cash from their bondmen by rigorous enforcement of rights which had been in desuetude for several generations – in this they were following the lead of the Crown, which right up to the last decade of the century augmented its revenues by tracking down the descendants of villeins on royal manors and forcing them to buy their manumission.⁴⁶ The Baynards died out in Great Horwood just at the start of this period, but in Chalfont St Peter in south Buckinghamshire, where villeinage had followed a very similar pattern in the fifteenth century – two families of villeins at its start, one of which had moved away by 1440 – the sole remaining family prospered and multiplied in the sixteenth century, its villein origins apparently forgotten, only to find itself being mulcted by the lawyer who acquired the manor at the Dissolution.⁴⁷

Why did the Baynards end up the only villeins in the village? Most of Great Horwood's villeins must have become free in the second half of the fourteenth century, so it is difficult to comment on the processes by which they did it, but two points can be made. The first is that in the fourteenth century the Baynards appear to have been relatively wealthy, suggesting that they had failed to emancipate themselves by simply moving to another manor because their position in Great Horwood was sufficiently satisfactory to offset the disadvantages of their villein status. However the second is that it does not appear to have been necessary to abscond from the manor in order to achieve personal freedom. The study of surname persistence reveals that at least ten of the personally free families who held by customary tenure in 1400 had been present in the manor in the early fourteenth and late thirteenth

⁴⁴ NCA 3918/11r, -/14.

⁴⁵ R.H. Hilton, *The Decline of Serfdom in Medieval England* (London, 1969), p. 47.

⁴⁶ F. Davenport, *The Economic Development of a Norfolk Manor* (Cambridge, 1906), pp. 88-97; A. Savine, 'Bondmen under the Tudors', *Transactions of the Royal Historical Society*, NS 17 (1903), pp. 235-86; D. MacCulloch, 'Bondmen under the Tudors', in C. Cross, D. Loades and J.J. Scarisbrick (eds.), *Law and Government under the Tudors* (Cambridge, 1988), pp. 91-109.

⁴⁷ CBS D/BASM/15/10/i, -11/i, -13/g.

centuries, and holding by native tenure, at which time they were surely villeins. They could hardly have obtained their freedom by moving elsewhere and then returning between 1350 and 1383, nor is it likely that their villein status had simply been forgotten, so they must have purchased their freedom. Perhaps the Baynards had just been too mean to do the same.

The picture is blurred slightly by four cases from the early fifteenth century in which obligations associated with personal villeinage were imposed on tenants who held by customary tenure but appear to have been personally free. Three men who married widows in 1414, 1417 and 1436 (none of them called Baynard or Hawkyn) were presented for doing so without the lord's licence, notwithstanding that all six were apparently personally free, but since they were then required to pay entry fines for the widows' holdings it seems that their real offence had been failure to come to court to be admitted as tenant in their wife's right.⁴⁸ Again, in 1413 John Becke paid a fine of 2d. for licence to live outside the lordship, in another of the lord's manors, Newton Longville, despite apparently being personally free (it was he whose holdings were temporarily forfeited for rebellion in Newton Longville the following year – if he were the lord's villein it would surely have been mentioned on that occasion). He, however, only made a single payment, unlike the Baynards who had to pay the same amount every year.⁴⁹ It may be that at this time some burdens of personal villeinage were regarded as attaching to the tenure.

Holding by native tenure seems also to have weighed very lightly on the personally free tenants during the early fifteenth century. As has been discussed, by that time customary tenure had lost most of its association with villeinage and was on the road to conversion into copyhold. No tenant had performed a work service since the demesne and the services had been leased to the tenants collectively in 1320 - perhaps even earlier – and even when enforced they had not been onerous. The other services demanded of the villein or customary tenants also seem always to have been light – essentially just the woodhen rent and suit of mill, but the latter had been bought out for a yearly payment of 13s. 4d. in 1320, if not before (reduced to 9s. in 1467). The communal payments made at the annual View of Frankpledge were not heavy, and no other communal burden such as tallage makes any appearance in the fifteenth- and sixteenth-century rolls.

⁴⁸ NCA 3916/2r, -/31; 3917/27v, -/28r. Similar cases from Hampton in Worcestershire in 1462 and 1476 are discussed in L.R. Poos and L. Bonfield (eds.), *Select Cases in Manorial Courts 1250 – 1550*, Selden Society 114 (1998), p. clxxii, but apparently on the assumption that the widows were personally unfree, rather than just holding by unfree tenure, which at this date seems unlikely.

⁴⁹ NCA 3916/4.

As in so many other English communities, however, entry fines and heriots continued to be levied with vigour throughout the fifteenth and sixteenth centuries and onwards. In the second half of the sixteenth century the lord tried to revive some of its former manorial rights, such as to licence sub-lettings and sell wardships, but the Court of Chancery limited its ambitions in this respect in 1610 – as is explained below.

THE DECLINE OF MANORIAL DOMINANCE IN GREAT HORWOOD, 1400 - 1600

This section assesses the decline of manorial authority in Great Horwood during the fifteenth and sixteenth centuries – the lessening of the lord’s ability to control the community closely and extract a sizeable proportion of its wealth. Such evidence as we have from the thirteenth and fourteenth centuries suggests that Great Horwood may always have been relatively free of close manorial control – labour services and other manorial incidents were light and rents low, and after 1320 the absence of a demesne, or even a demesne lessee, limited the lord’s physical presence and involvement in the community to occasional visits to hold the manor court in the rectory.⁵⁰ Nevertheless the early fifteenth-century court rolls show a manorial authority operating with as much vigour as many others of the period, and more than some. All the usual business of a View of Frankpledge and court baron jurisdiction can be found in the rolls, the manorial institutions show no sign of moribundity, and if the lord’s powers were more circumscribed than in some other manors, he experienced no difficulties in enforcing them. By the end of the sixteenth century the rolls present a very different picture. The business of the court is now largely limited to registering land transactions and collecting revenue from them, enforcing agricultural by-laws and some relating to social control, and occasional presentments for breaches of the peace and the assizes relating to tradesmen.⁵¹

The changes had extended over the entire two centuries, though two periods of slightly accelerated change can perhaps be identified; the middle of the fifteenth century and the end of the sixteenth century. The first period, probably not coincidentally beginning at about the

⁵⁰ The manor house had been subdivided and tenanted since at least 1320. As Harold Fox has commented, ‘Where all that remained in place of a manor house was a steward’s chamber ... there could be no better expression of the development of a system of management under which lordship was physically expressed only by occasional visits of an official to hold manorial courts’; H.S.A. Fox, ‘Occupation of the land: Devon and Cornwall’, *AHEW III*, pp. 152-174, at p. 172.

⁵¹ The decline in the business conducted by Great Horwood’s view and court baron in the fifteenth century also occurred in most parts of England in the same period; Bailey, *The English Manor*, pp. 184-6.

time when New College took over, saw the most significant changes, including the complete disappearance of inter-tenant litigation, of presentments for suing in other courts, for underleasing without licence, and for non-maintenance of buildings, increasingly half-hearted enforcement of the burdens of villeinage by blood, and the mutation of customary or native tenure into a secure copyhold of inheritance. The second period, in the 1590s, saw less extreme change. It was not that many of the court leet functions of the old View of Frankpledge actually disappeared, but that they began to be only half-heartedly exercised. The tithings are seldom referred to, breaches of the peace or the assizes, defaults in suit of court and essoins, strayed animals, confiscation of felons' chattels, all appear only occasionally, with the manorial officers frequently presenting simply that *omnia bene*. Many courts record only land transfers and agricultural matters.

By 1600 the relationship of the manor to its individual tenants was not greatly different from that of a simple landlord - certainly the lord's legal rights in 1610 were not very much greater than they would be when copyhold was finally abolished in 1925.

There is no doubt that the nature of the manor's authority over its inhabitants changed during this period, but it is difficult to be certain of the exact nature of the changes - everything must be viewed through the partial perspective of the court rolls and reeve's accounts. These manorial records provide almost no information about alternative administrative structures - the parish, its churchwardens, its fund-raising activities such as church-ales, semi-religious guilds, the vill or whatever other body collected national taxes, organised the night watch, coordinated farming activities in the open-fields and common meadows and pastures, settled disputes of all sorts, controlled anti-social behaviour. They do not even provide a full picture of the manorial administration. The presentments by the constables, chief pledges and ale-tasters provide a certain amount of information about their activities, but not much detail. Occasional references to other officials, such as the woodwards, haywards or the wardens appointed to enforce specific agricultural ordinances, provide hints that these operated but tell us very little else about them. The promulgation and enforcement of by-laws in the manor court tell us that the court's authority was used to enforce them, but not whether the myriad detailed decisions necessary for smooth running of the village community were debated and made in that forum or another. The detailed operation of the tithing system is largely hidden from us, and while manorial documents reveal that the manor maintained stocks and a

cuckingstool, they contain only one reference to their actual use.⁵² The court rolls are full of fragmentary references to all these things (except guilds, of which no hint has been seen in any source), giving the impression that the manor court was only one of a number of administrative structures operating in the village – and always leaving uncertain even how much of its own business was recorded in the rolls.

The other uncertainty is the extent to which the court was the instrument by which the lord exercised control, and how much it was used by the tenants themselves as a vehicle for self-government. It would not be surprising if, in a village with no resident lord and no demesne or demesne lessee from the lordly class, the manorial court were at least as much a vehicle by which the community policed itself, using the power of the court to impose the will of its dominant class on itself. There is some evidence for this. It is likely that many of the orders made by the court relating to agricultural matters or the abatement of nuisances of various sorts – most typically flooding by blocked watercourses – were made at the behest of the tenants, and indeed the wording of the orders often suggests this. Common phrasing was ‘ordained by the consent of all the homage’ or ‘by the community of all the town’ (1390s), ‘ordained by all the tenants’ or ‘by all the tenants, free and native’, occasionally with the word ‘plebiscite’ as the marginal heading (early fifteenth century), ‘ordained by assent of all the tenants’ (1450-1550) and ‘it is agreed [by the assent of all the tenants] that ...’ (1550-1600). In the fifteenth century ‘ordained’ (*ordinatus*) seems to have been used only of by-laws originating from the tenants, with ‘ordered’ (*preceptus*) used of matters originated by the manorial authority, though occasionally by-laws were issued jointly - ‘ordained by both the lord and tenants’. During the sixteenth century these distinctions began to lapse and eventually ‘ordered’ was used of all by-laws, along with more neutral phrasing such as ‘a pain was laid that ...’. By then the pains comprised both by-laws of an agricultural nature, presumably originating from the tenants, and others designed to control social evils such as multi-occupation by subtenants or illegal gaming. The latter no doubt reflected the views of the village’s social elite, though they also enforced and reinforced national legislation.

⁵² The manor made payments in respect of stocks in 1457 and 1540 and cucking-stools in 1468, 1498 and 1507 (NCA 6517, 3492, 6500/8, 1822/6, 1837/7), though in 1521 a pain was laid ordering the tenants to make their stocks (*facient cippos suos* - NCA 3920/10). In 1577 a 12 year old boy was presented for releasing a servant whom the constables had placed in the stocks for an unspecified offence (NCA 3922/6v,7r). The timing of the earliest references is significant – use of such means by local courts to punish anti-social behaviour increased in the late fifteenth century; M.K. McIntosh, *Controlling Misbehaviour in England, 1370 – 1600* (Cambridge, 1998), p. 39.

A sign of the changing balance of power between the tenants and their lord can be seen in the phrasing of a 1552 court roll entry acknowledging that the lord needed the tenants' consent to enclose his coppices in Prior's Wood; '*Hit ys agreyd that by thassent and consent of the tenantes that the lorde schall kepe his copyces enclosyd from this fforwarde for ye space of ix yeres without ony lett of the sayd tenantes*'. The balance of power may have begun to swing towards the tenants in the middle of the fifteenth century, when increasing numbers of customary holdings began to be held by non-residents, among them gentry families living in adjacent villages. In the first half of the century there was only John Horwood, a minor gentleman living in Singleborough possessed of not even a single manor, but by the middle of the century the Pigots of Little Horwood, once villeins but now rising on the Duke of York's coat-tails and acquiring manors in Whaddon and Beachampton, had acquired holdings in Great Horwood. By 1500 the Pigots, firmly established in the ranks of the county gentry and headed by a Westminster lawyer shortly to become a Sergeant at Law, had been joined by Henry Colyer, another Westminster lawyer, and Hugh Warham, brother of the civil lawyer and future Archbishop of Canterbury William Warham (at that time pluralist rector of Great Horwood). These were tenants who between them disposed of a considerable legal expertise, who indeed sometimes acted for New College itself, in the London courts and as steward in Great Horwood, and who no doubt defended their interests as its tenants with the same hard-eyed avarice as they deployed in expanding other parts of their estates.⁵³ Phillipp Schofield has shown how in an Essex manor, Birdbrook, the purchase of customary holdings by non-resident merchants and gentry during the fifteenth century coincided with tenurial improvements.⁵⁴

The weakness of the lord vis-à-vis its tenants in the middle of the sixteenth century is revealed by New College's attempts to recover its demesne from the tenants, to whom it had been leased collectively ever since 1320. The original lease had been granted for a term of only twelve years, but regular renewals were recorded in the court rolls up to 1442; thereafter it is not mentioned again, but the rent continued to be collected so New College must have regarded the lease as either not a matter for the manor court (it did generally deal with leases

⁵³ Sergeant at Law Thomas Pigot's disdain for legal obstacles to the expansion of his interests in Whaddon Chase is revealed in a contemporary account of a forest court he held there in about 1500 (quoted in *VCH Bucks*, ii, 140; NCA 4505/2 is a copy of the same account). After a man was killed in a dispute between him and Sir Andrew Windsor over a wardship Cardinal Wolsey reported to Henry VIII that he trusted 'at the next term to learn them the law of the Star Chamber'; J.S. Brewer (ed.), *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, ii (2) [1517-8] (London, 1864), p. 1539.

⁵⁴ P.R. Schofield, 'Extranei and the market for customary land on a Westminster Abbey manor in the fifteenth century', *Agricultural History Review*, 49, Pt. 1 (2001), pp. 1-16.

separately)⁵⁵ or somehow self-renewing. In the 1550s this apparent lack of interest in the lease ended and the College began to try to identify and recover the demesne lands, and from at least the 1570s, if not earlier, granted leases of them outsiders, usually fellows of the College or their connections. The reason for the College's revived interest in the demesne is suggested by its timing - just when the mid-Tudor inflation would have been reducing the real value of the College's income. It is strange that the new leases always reserved the same rents as the original 1320 lease, which by now were well under market value, but no doubt the lessees were paying fines for the grant of the leases. Over the next sixty years, from 1551 until 1611, the College fought a long battle to recover the demesne lands. It was only partly successful - in the end it failed to recover some 60 acres (about a third or a quarter of the demesne) – and its successes came in stages.

The College's main problem was that it did not know where its demesne lands were. It had been 200 years since the demesne had first been leased out, and the lordship of the manor had changed hands several times since then (in one case by confiscation, which must have resulted in some discontinuity of estate records). The court rolls of 1551, 1555, 1556, 1577 and 1584 record orders to the tenants to identify their demesne lands, but they simply denied any knowledge of this, insisting that every selion they farmed was part of their ancestral copyhold. They may even have believed it – more than two centuries and ten or eleven generations had passed since the first lease had been taken. The College did not believe them, however. When it brought a suit against the tenants in Chancery in 1609 its plaint alleged that they had:

in many years by cunning and practice amongst themselves concealed and suppressed the ancient bounds and marks of the demesne lands, and the terriers, boundary records and other evidences, in order to share the benefit of the lands amongst themselves.⁵⁶

In 1577 the College identified 6 acres of demesne land it knew to be somewhere in the West Field as fifteen ridges in a furlong called Ladell Hill. The strips were occupied by eleven tenants, whose comments on the lord's claims were recorded in the court roll, and included:

⁵⁵ Though the College's earliest Registers of Leases, covering 1400-1528, do not mention it (NCA 9756, 9757).

⁵⁶ NCA 4499/59, an *Inspeximus* of the Decree of the Court of Chancery made on 8 June 1611, which included a recital of the College's initial plaint and a summary of the matters at issue.

- John Foscothe saith on his oath that the fourth strip in Ladell Hill southward from the Parson's headland's end is belonging to his copyhold, and so doth claim it, and so hath occupied it to his knowledge
- William Cooper saith that he hath occupied the first and the fifteenth strips there as he hath occupied all the rest of his land but will not challenge it to be his copyhold
- Thomas Mallett saith that he thinketh the second to be his copy land.
- Henry Cooper for the third strip saith that his father hath said, he should have wrong if he should be put out from it
- John Taylor for the fifth and sixth ridges being a half acre saith it is belonging to his copyhold.⁵⁷

The other tenants spoke in similar vein, claiming the ridges to be part of their copyhold tenancies. Some of their protestations, for example Henry Cooper's report of his father's outrage, have something of the ring of truth, suggesting that if the land had once been demesne, the tenants no longer knew it to be such. The point is, however, that whereas a fourteenth-century lord would probably have seized the land without further ado, secure in his ability to do himself right in his own court, the sixteenth-century lord was powerless and had to resort to the royal courts to obtain justice. In 1586 the following entry appeared in the Court Rolls:

Whereas before this time Controversy and suit in law hath been between the Lords of this Manor and the Customary Tenants of the same, concerning divers parcels of ground known by the name of Bury Lands lying and being in divers places within this manor, the said Lords having the same as their demesnes and being thereof seised in their demesne as of fee, And the said Tenants sithence claiming the same as parcel of their Copyhold, which hath been tried contrary by verdict, and sithence claiming the same by Prescription, which many of them, as have been sued in their pleadings at the King's Bench at Westminster, have confessed to be untrue, as by the record of the said Court more plainly appeareth,

Now at this court the Customary Tenants of the said Manor [twenty two of them are listed by name] confessed in open court that they have no title in or to the premises either as parcel of their copyhold or otherwise And that all the possession they have

⁵⁷ NCA 3922/6v,7r.

heretofore had in the premises have been at the only will and sufferance of the said Lords and their predecessors or by Lease and not by the Custom of the Manor And do further confess that it is lawful for the said Lords to demise the premises and very part thereof in possession to any person or persons at their will and pleasure

But even that apparently complete victory did not end the matter. It only dealt with the demesne land in the West and South Fields - about 53 acres, or a third of the total. The biggest parcel, 140 acres, had been in the East Field, and it took another court case, begun in 1609, to settle that. The problem was that at some point in the previous 290 years, probably at the beginning of the fifteenth century, the tenants had converted most of it into a large private pasture called Stocking Common.

This time the College and its lessee took the case to the Court of Chancery, claiming that they could not return to the common law courts which had given them their earlier victory because their lack of documentary proof would tell against them there, and because none of the ancient inhabitants was willing to give the oral testimony which could substitute for the missing deeds (which two problems they blamed respectively on the tenants having concealed the relevant records, and being all in collusion against the College and its lessee). They also alleged that the tenants had been boasting that no common law jury would find against them, since it would be packed with their friends and well-wishers – though that may have just been a procedural device to get their case into Chancery, where their lack of documentary evidence would not be fatal to their case.

The result was a partial victory: the College got back about half the land in dispute, but 60 acres of Stocking Common remained as a private pasture open only to the customary tenants (the College was given rights of pasture over it, but for no greater number of animals than the stint of a single virgate). The contrast between the Jacobean lord, powerless in the face of his tenants' intransigence and having no more power over them than he could persuade a royal court he was entitled to, and a lord of the fourteenth or thirteenth centuries, able, like the abbots of Burton on Trent or Halesowen, to imprison and maltreat recalcitrant tenants until they bent to his will, is stark.⁵⁸

⁵⁸ Z. Razi, 'The struggles between the abbots of Halesowen and their tenants in the thirteenth and fourteenth centuries', in T.H.Aston, P.R. Coss, C. Dyer and J. Thirsk (eds.), *Social Relations and their Ideas: Essays in Honour of R.H. Hilton* (Cambridge, 1983), pp. 151-67; S.H. Rigby, *English Society in the Later Middle Ages: Class, Status, Gender* (Basingstoke, 1995), pp. 105-8.

The two sides took the opportunity of the Chancery case to raise every other tenurial matter at issue between them. The lord obtained a decree that heriots should be paid by the tenants of the farmland elements of the ancient virgates and half-virgates, not of the messuages which had been separated from them. It also sought a decree that the tenants obtain its licence before granting underleases (as had indeed once been the custom), and the court obliged, but specified a reasonable fee for underleases shorter than six years (2d. per acre for leases of three years or less – 4d. per acre for leases up to six years) and ordered that for such shorter ones the licence could be obtained, and the appropriate fee paid, retrospectively at the next following manor court. The tenants sought and obtained a declaration that the lord must grant the wardship of under age heirs to the nearest kin who could not inherit if the ward died and for no greater fine than 3s. per virgate.

There must have been other, parallel structures of self-government in Great Horwood beside the manor and its court, but evidence for them is sparse. There is no evidence of any semi-religious guild or other organisations associated with the parish of the sort brought to life so vividly by Duffy in Morebath,⁵⁹ but there were certainly churchwardens, and they or some other body did raise parish funds on occasion. In 1420 a plumber was accused of stealing lead belonging to them, and a series of by-laws and presentments relating to church ales between 1416 and 1430 were presumably connected to the rebuilding of the church which took place in the late fourteenth and early fifteenth centuries (an event otherwise wholly unmentioned in the manorial records, but one which must have required considerable communal organisation). Further works may have been undertaken around 1463 and 1484, when two agricultural pains provided for half the amercement to go to the church.⁶⁰

A single manor court suit from 1412, in which a constable sued a tenant for debt in respect of an unpaid contribution to a lay subsidy of a fifteenth, reveals that central government taxes were collected by the constables, while a series of presentments for failure to do duty in the watch, or for assaulting the watch, from 1411, 1444-57 and 1470-88, tell us that enforcing the statutory duty to maintain a watch lay within the jurisdiction of the View, even it tells us little

⁵⁹ Conversely the sources used by Duffy appear to have made no mention of any of the manorial or secular structures which must surely also have existed in Morebath; E. Duffy, *The Voices of Morebath: Reformation and Rebellion in an English Village* (London, 2001). See also K.L. French, *The People of the Parish: Community Life in a late Medieval Diocese* (Philadelphia, 2001); B. Kümin, *The Shaping of a Community: the Rise and Reformation of the English Parish c.1400-1560* (Aldershot, 1996); V. Bainbridge, *Gilds in the Medieval Countryside: Social and Religious Change in Cambridgeshire c.1350-1558* (Woodbridge, 1996).

⁶⁰ NCA 3916/26, -/31; 3917/5, -/ 12; 3918/3, -/21; VCH Bucks iii, pp. 374-5.

about the manner in which it was organised. It seems likely that again the constables were responsible.

There is no hint in the records that the township itself had any kind of corporate existence. Ault quoted a number of fourteenth-century references in the Great Horwood court rolls to the *villata*, which he interpreted as showing the township ‘acting as a unit of local organisation independent of the manor court’, but the word is never used after 1400 (except in a physical sense, meaning the village as a geographical location), and it seems likely that the fourteenth-century references mean little more than the tenants negotiating with the lord collectively. It must have been the case that, as he put it, ‘the customary tenants were accustomed to act collectively, at times independently, of the manor court and its lord’ – but it is difficult to identify any permanently existing vehicle for this collective action.⁶¹

The sixteenth-century court rolls do provide some evidence of two types of self-government independent of the manor court, though the extent to which they rivalled it must be doubted. The rolls from 1558 and 1567 contain two entries recording the communal appointment of ‘men indifferently chosen to arbitrate and judge all manour of comen matters for the comen wealthe of the towne for this yere followyng’.⁶² In 1558 there were six of them, four husbandmen each with two virgates (one from Singleborough) and two cottagers (one a tailor) – presumably chosen for personal qualities rather than dominant landholdings. In 1567 there were eight, comprising the rector and his yeoman brother (lessee of the rectory and its tithes), the bailiff (a virgater), four husbandmen and yeomen, with between one and three virgates each, and again a cottager – an array more heavily weighted towards the social elite, but still with a representative of the landless element in the village. All were resident in Great Horwood. The wording of the two entries, though separated by nine years, is almost identical, suggesting that for a while at least this may have been an annual occurrence, though only twice recorded in the court rolls.

At much the same time the village had developed a kind of parallel court system, operating outside the formal courts but following their procedures. At the start of the the fifteenth century the court rolls had contained the usual small-scale litigation normally found in manor courts, but as happened in many other manors that dried up in the middle of that century. It is

⁶¹ Ault, *Open Field Farming*, p. 65. For a discussion of various aspects of village self-government and independence from manorial authority, see C. Dyer, ‘The political life of the fifteenth-century English village’, *The Fifteenth Century* 9 (2004), pp. 135-57.

⁶² NCA 3921/15; 3922/4.

not known where the inhabitants took their petty litigation after that, but in the sixteenth century they seem to have found whatever jurisdiction they had been using unsatisfactory, because between at least 1546 and 1566 they operated a system of local arbitration using the forms and procedures of the royal courts. Cases would begin with a plaint in the manor court, but only the commencement of the case would be recorded, the entry ending with the words 'and [the plaintiffs] undertook to pursue their plaint in the nature and form of a royal writ of [novel disseisin, or whatever was appropriate] at common law.' In nearly every case the suit was never mentioned again, but in 1594 a second entry in a case relating to a half-virgate appeared in the court roll two years later, as follows:

'it is decreyd at this Courte that the matter dependyng betwene [the] playntyffes and [the] defendantes is referryd to Mr Ploydon to be tried at the next courte by y'e Jurie now empanellyd and that y'e pledyng be in the meane tyme agreyd upon by y'e parties in fforme of lawe'.⁶³

It seems likely that Mr Ploydon was the famous jurist Edmund Plowden, often called Ployden – no other lawyer of the name was active at this time – in which the case the people of Great Horwood were drawing in some big names to deal with their disputes over virgates and half-virgates. By this time the right of copyholders to sue in the royal courts had been established, so one supposes the motivation for this *ersatz* form of royal justice was to avoid the expense of the Westminster courts (though Mr Plowden's fees might have wiped out much of the saving). Again these procedures might have been used for a much greater part of the sixteenth century than is suggested by the few court rolls entries – a single earlier case was recorded in 1520, and two more much later in 1597, and a sprinkling of other entries, recording the start of suits but not mentioning that they were to be prosecuted in the form of a common law writ, can be found in the sixteenth century.⁶⁴ It was not uncommon for procedures in other manor courts to be 'in the nature and form' of a writ at common law, but it is less common to find confirmation that they were resolved by arbitration.⁶⁵

⁶³ NCA 3921/1, -/16; 3949/4, -/1; 3921/18, -/4, -/20, -/5, -/8, -/14; 3922/3. The above quoted entry is at 3922/4. The pleadings from one of the suits are bound into the roll, at 3922/paper sheets 11-12 and 16-18.

⁶⁴ NCA 3920/9 (1520); 16/fo. 116v-120 (1597); 3919/11, 3920/19, 3922/5r, -/5v, -/6v, -/13, -/15.

⁶⁵ Professor John Baker, personal communication. The mid-sixteenth century seems to have been a time when Great Horwood's manor court was experimenting with new uses of its civil litigation jurisdiction. In 1576-8 a number of entries appear in which a debtor acknowledges his debt and undertakes to pay it on a certain date, the undertaking being reinforced by a pain laid by the court, requiring payment of a financial penalty to the court.

Arbitration seems to have been a commonly used method of resolving disputes. As well as the more formal arbitral frameworks mentioned above the court rolls also contain a number of *ad hoc* uses of arbitration – for instance in 1599 the manor court ordered that ‘the controversy between Joan Wenderberye and other tenants of this manor is referred to the constables for this present year to be heard and determined and every tenant will stand to their instructions and arbitration.’ In 1497 the Archdeaconry Court ordered that a defamation case between two Great Horwood residents should be resolved by the arbitration of the vicar of Little Horwood and the curate, reeve and former reeve of Great Horwood.⁶⁶

If detailed evidence is lacking it is nevertheless clear from these many fragments of evidence that the community of the vill, as the fourteenth-century court rolls described it, had a long history of organising itself and acting independently of the manorial authority. On the other hand the occasional use of the court rolls to record the outcomes of these acts of self-government suggests that the manor court was regarded as the principle source of legal authority, that the community’s acts were legitimated and given authority by the court’s imprimatur. The following peroration from a statement of the demesne bounds (undated, but probably created in the 1520s or 1530s) shows both the community’s pride in its tenurial freedoms and advantages and how it defined itself by reference to its manorial lordship:

Here is all the land and mead that belongs to the lordship of New College in Oxford, which they freely hold both from king and lord and pay no rent to nobody nor suit nor service, they be lord ~~and king~~ within themselves, there ought no taker in this lordship to take no manner of thing without the licence of the lord or his officers, if the lord give him licence yet he shall pay for that that he taketh or he go, and we ought not to pay no night's pence nor pickage nor arbage nor stallage nor lastage nor pannage, we ought none to pay neither in field nor town nor wood, *we are the freest town that belongs to the common* for we are not bound to my lord of York neither suit nor service so far as the Prior's Wood goes, which belongs to Michel Horwood, which town belongs to St Mary College in Oxford.⁶⁷

⁶⁶ NCA 3922/19; E.M. Elvey (ed.), *The Courts of the Archdeaconry of Buckingham, 1483-1523*, BRS (1975), p. 187.

⁶⁷ NCA 4505/3. The italics are mine. Two copies exist of these bounds; the words ‘and king’ appear in both, but have been struck out in one – presumably by someone who realised they ran perilously close to treason!

CONCLUSIONS

It is hoped that this thesis has made two main points. First, that manor court rolls can provide quantitative information equivalent to that obtained from the various types of manorial surveys (extents, surveys, rentals, custumals, terriers etc) or from taxation records such as lay subsidy returns – though only if sufficiently lengthy runs of the rolls have survived, of course, and only after a considerable investment of time and effort. This court roll information even has certain advantages over that derived from the more easily accessed surveys and tax rolls – because it relates to periods of time rather than single dates it can provide a dynamic picture of change over time as well as a snapshot, and the depth and breadth of the information exceeds that obtainable from lists of landholdings or taxpayers - this thesis has only begun to mine the information on Great Horwood's social structure which could be extracted from its court rolls. More work could be done on the internal dynamics of Great Horwood's village community, on the web of relationships and hierarchies within it, the role of women in its society, the occupational structure of its non-tenant population, on the morphology of village and in matching the tenement ownership chains to the house-plots on the ground.

The second, more important point relates to the use of court rolls to amplify and correct the landholding information provided by the various types of manorial surveys. Our understanding of the structure of rural populations – numbers, landholdings, wealth, social stratification – is usually based on analysis of tenant and landholding information in surveys, yet is always qualified by awareness that these documents may be concealing as much as they reveal because they do not mention subtenants, landless inhabitants, landholdings in other manors or non-landed wealth.¹ Use of court roll information has revealed that with regard to fifteenth- and sixteenth-century Great Horwood at least these concerns are well founded.

In chapter 2 the court roll information was used to produce a series of survey/rental equivalents for dates at twenty or thirty yearly intervals between a genuine extent of c.1390 and a genuine rental of 1610. That pseudo-survey data depicted a remarkably equal, static society in which little changed in terms of land distribution or holding size until the very end of the sixteenth century. In chapter 4, however, deeper analysis of the court roll information produced a quite different picture.

¹ See for example, M. Bailey, *The English Manor c.1200-c.1500* (Manchester, 2002), pp. 41-2.

It was discovered that several of the manor's tenants held land, often substantial holdings, in neighbouring manors, making the landholding hierarchy derived from data relating solely to the manor's tenancies in chief unreliable; several tenants were revealed to be much wealthier than they had appeared to be, and some mere cottagers turned out to be sizeable landholders. For example, John Eynesham, who between 1430 and 1437 held a single messuage in Great Horwood, was a virgater in Little Horwood and Winslow.

It was also found that many of the tenants of the manor of Great Horwood were not resident in Great Horwood itself. Since these non-residents were likely to hold land where they lived this increased still further the likelihood of landholding in more than one manor. It also greatly increased the likelihood of underletting, since tenants resident more than a couple of miles away could hardly have cultivated their Great Horwood land themselves, and in any event some of the non-resident tenants were gentlemen, who would certainly have underlet their land. In 1460, of thirty six virgates held by thirty eight tenants, four were held by tenants living between six and eleven miles away, two by inhabitants of neighbouring Little Horwood (one a newly-minted gentleman in the Duke of York's retinue who was certainly not farming it himself), another by a man from Whaddon (though he may have moved his residence to Great Horwood when he acquired it), at least half a virgate by the absentee rector, and a further 5½ virgates by tenants whose place of residence is unknown save that it was almost certainly not in Great Horwood. Thus a good third of the manor was probably underlet. A manorial survey made that year in one of the traditional forms, dealing only with landholdings held directly from the manor, would have produced a quite different landholding structure from that which actually existed.

The court roll information also revealed the existence of a substantial class of residents who did not hold any land directly from the manor, some farming underlet holdings, others apparently occupying messuages and cottages but not farmland. Some of these landless subtenants may have been labourers, but others were wealthy enough to hold manorial offices of the sort usually reserved for substantial tenants. For example a John Brewer served as aletaster from 1449 until 1456, and as affeemor at several manor courts and juror at one, yet was never a tenant and does not appear to have been farming. He was occasionally presented for brewing, so may have been keeping an alehouse. The 1522 lay subsidy return listed twenty one non-tenant residents - some were adult sons of tenants or underlessee

husbandmen, but others appear to have been a miller, a butcher and a breadseller, who may all also have been alehousekeepers, and a tailor.

So if fifteenth- and sixteenth-century Great Horwood was not the relatively equal society of husbandmen suggested by the court roll tenancy data, what was it? It is difficult to describe it exactly because there is much about it that remains hidden – the nature of the evidence means we know that there must have been a considerable amount of underletting and inter-manorial landholding, but not exactly how much or by whom, and that there were landless inhabitants of Great Horwood, but not exactly how they gained their living.

One thing is clear; although the amounts of land occupied by those who actually farmed it are likely to have been more varied in size than the holdings of the tenants in chief, their landholdings were almost certainly as small and probably smaller. It is possible that as at Cannock in 1554 the largest farm consisted entirely of underleasehold land, but it is likely that most would have been smaller than the modest accumulations held by even the largest tenants in chief. The largest accumulation in both centuries, the 4½ virgates amassed by the Colyers, was underleased in single and half-virgate-sized units, to men who did not also hold land directly from the manor, and this was probably typical. Most of the largest accumulations were held by non-residents and would have been underlet, so few of the residents, whether tenants or underlessees, are likely to have held as much as two virgates and most would have held a virgate or less. To this extent, if the actual inhabitants are considered, Great Horwood probably *was* a society of small husbandmen, with holdings fairly similar in size to the tenancies in chief – but they were not the same men as the tenants in chief, nor were their holdings those held by the tenants in chief. There was some overlap, of course, but the two groups were not the same.

So we have a numerous, complexly stratified population of small farmers, tradesmen, artisans and labourers, with an upper crust composed of the tenants in chief. Some of these tenants were resident husbandmen, others non-resident landlords. The latter were a mix of gentry, yeomen and lesser residents of nearby villages and towns, some of whom had inherited their Great Horwood lands or acquired them by marriage but did not wish to live on them or cultivate them, while others had acquired them as an investment. From the evidence of the manorial offices the ruling village elite was a fairly broad one, comprising those tenants who lived in Great Horwood or the adjacent settlements of Singleborough, Little Horwood and Winslow plus their adult sons and a number of farming underlessees, and also some

tradesmen and artisans, presumably the wealthiest among those classes. The most important offices tended to be monopolised by the more substantial tenants in chief, however.

It is evident from the numbers of dwellings and court roll references to inhabitants who appear to have been neither tenants nor underlessees or tradesmen/artisans that there must have been an underclass of labourers, but it is difficult to say exactly how they supported themselves. The resident husbandmen's holdings were not large enough to need much extra-familial labour, and there are sufficient references in the rolls to servants to suggest that at least some of the need was filled by live-in servants in husbandry. The labourers must have survived, no doubt with difficulty, on a makeshift mix of occasional employment by husbandmen, tradesmen and artisans – those with small families and no sons – and other by-employments, not necessarily in Great Horwood itself.

It seems likely that this partly hidden underclass was numerous. Comparison of the data for Great Horwood in the various population sources used in chapter 6 with those for its neighbouring settlements suggests that throughout the fourteenth, fifteenth and sixteenth centuries Great Horwood was consistently similar in size or larger than Winslow, the local market town, and considerably more populous than any of the adjacent villages.² This was of course a time when depopulation was causing many parishes in north Buckinghamshire and the Midlands generally to shrink slowly to hamlet size or even disappear entirely.³ The population lost by these places had to go somewhere and it seems that Great Horwood must have been one of the places taking them in, like Sherington, twelve miles to the northeast, where a sixteenth- and seventeenth-century 'expansion in the ranks of the poorer people ... must have been due to an influx of strangers from the vicinity', or Whittlebury, nine miles to north, which in the late fourteenth and fifteenth centuries may 'have been able to attract migrants to take up vacant holdings'.⁴

² To give just one example, in 1563 the numbers of communicants were: Great Horwood (with Singleborough), 71; Winslow, 40 (and 14 in Shipton); Little Horwood, 28; Whaddon and Nash together, 56; Thornborough 49; Addington, 20; and Adstock, 22. A. Dyer and D.M. Palliser (eds.), *The Diocesan Population Returns for 1563 and 1603*, Records of Social and Economic History, N.S. 31 (2005).

³ M. Reed, *The Buckinghamshire Landscape* (London, 1979), fig. 14, p. 148; M.W. Beresford, *The Lost Villages of England*, (London, 1954), fig. 10, p. 224, fig. 12, p. 230, 340.

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In Great Horwood these incomers are seldom identified as such in the records, indeed are almost invisible, but occasionally one catches a glimpse of them. An example can be found in a deposition made in the court of the Archdeacon of Buckingham in 1580 by one Richard Mead, a 40 year old carpenter, originally from Halton (fourteen miles to the south), who had lived in Great Horwood for the past fourteen years yet does not appear once in any Great Horwood record. The period of his residence gives a hint as to the occasion of his migration to Great Horwood – fourteen years earlier Sir John Fortescue had begun building his great mansion at Salden, and work was still continuing in 1580. Two of Mead’s co-deponents stated that they were employed in the project, and it seems likely that Mead had been too; in which case it is interesting that he chose, or was obliged, to live four miles away in Great Horwood – was it taking on the character of a dormitory village for the surrounding area?⁵

What can surely be discerned in Great Horwood’s large fifteenth- and sixteenth-century population and small landholdings are the early origins of its later status as a classic Victorian ‘open village’.⁶ What is unusual is the early date at which those origins can be detected – as far back as the fifteenth century, and perhaps even the fourteenth, if the rapid recovery of its population in the period after the Black Death is considered (see chapter 6). Sherington’s open-village origins lay no further back than the sixteenth century – in the fifteenth its population was still shrinking – while Steeple Claydon, five miles away to the south west, only set off down the road towards becoming an open village in the late seventeenth century.⁷

Between 1400 and 1600 the development of Great Horwood’s landholding structure changed direction twice. Between the early fifteenth and later sixteenth centuries inter-manorial landholding, non-residency of tenants and underletting were important factors in Great Horwood’s land distribution pattern, but they were less significant at the beginning and end of that period. It seems likely that at the end of the fourteenth century most tenants were still resident (see Tables 4.5 and 4.6), and because the numbers of non-resident tenants increased rapidly during the first half of the fifteenth century, it is probable that underletting had also

⁵ H.A. Hanley, ‘Sixteenth-century people: some aspects of social life in Elizabethan Buckinghamshire’, *Records of Buckinghamshire*, 19, Pt. 3 (1973), pp. 259-71, at p. 261.

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been less common in the previous century. No data for inter-manorial landholding is available for any period between 1280 (when it was minimal) and 1440-50 (when it was high), but again the lower incidence of non-residence before 1440 suggests that, like underletting, inter-manorial landholding had increased significantly during the first half of the fifteenth century (see Tables 4.1 and 4.2 and the adjacent text). Accumulation of landholdings, though never a major factor in Great Horwood's landholding pattern, advanced at a particularly glacial pace throughout most of the fifteenth century and only began to pick up speed towards its end (see Figure 2.3), while gentry tenants only appeared in the middle of the century. In all these developments the middle of the fifteenth century is the common factor, and is thus the point by which the new landholding structure had clearly emerged.

In many parts of England the process of landholding aggregation had begun earlier, in the late fourteenth century, and continued until ultimately it led to the disappearance of the small peasant farmer.⁸ As just noted it began late in Great Horwood, towards the end of the fifteenth century (when small accumulations of holdings began to survive the death of their accumulator, and some non-peasant landlords living outside Great Horwood began to acquire them) but then halted in the middle third of the sixteenth century, and even began to reverse itself. The larger non-resident-owned accumulations were broken up and sold to resident husbandmen, causing the number of resident tenants to rise and the average holding size to fall. The process gathered pace in the last decades of the century as the old virgate and half-virgate holdings began to be broken up and the cottagers acquired smallholdings. It is difficult to provide an explanation for this change of direction. The accumulators cannot have been selling their estates because the mid-century inflationary crisis in landlord's incomes had made land a poor investment – as freehold and copyhold tenants they were protected by the fixed rents they owed to New College and as mesne landlords were perfectly positioned to exploit the rising market rents. The answer may be simply that each absentee landlord family chose to sell for reasons unconnected to national economic trends – though that still would not explain why their accumulations were broken up and the constituent holdings sold separately, nor why the buyers were all local husbandmen.⁹

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⁹ Paul Glennie found the same phenomenon at Cheshunt in Hertfordshire, where estates built up by Londoners in the late fifteenth century were dispersed in the early sixteenth century, after which 'landholding was once again dominated by locally resident farmers.' He thought the impetus for the change might have been 'a switch in capital investment strategies, or specific social changes within the Duchy bureaucracy [the Londoners were Duchy of Lancaster officials], or changed local circumstances.' P. Glennie, 'In search of agrarian capitalism: manorial land markets and the acquisition of land in the Lea valley c.1450-c.1560', *Continuity and Change*, 3, Pt. 1 (1988), pp. 11-40, at p. 26.

It will be evident from the nature of the society described above that there were no agrarian capitalists in fifteenth- or sixteenth-century Great Horwood, in the sense of owners of large landholdings producing principally for the market by means of a hired labour force.¹⁰ There were at times tenants who had accumulated sizeable landholdings, but these were inter-manorial estates of which only two or three virgates lay in Great Horwood. Their tenants were not resident in the manor and were almost certainly underletting their Great Horwood lands to resident husbandmen in small units, full or half-virgates or smaller. Agriculture in Great Horwood was carried on through small tenant farms, some copyhold, others held by insecure rack rent underleases from copyholders, most worked principally by family labour. Nevertheless, this is not to say that they did not produce a surplus for the market, or did not effect innovations and improvements, even increase production, on a small scale – it was shown in chapter 1 that they probably did.

The Brenner thesis hypothesised that a key element in the transition from a peasant to a capitalist society during this period was the expropriation of the peasantry's landholdings to create large farming units, a process which was possible because the peasants' copyhold tenures gave them no security against eviction.¹¹ In Great Horwood at least this was clearly not the case; there was no expropriation of the peasantry's landholdings, especially not by the manorial lord (if anything it was the other way round – in Great Horwood the peasantry effectively expropriated part of the lord's demesne!) and this was in part due to the secure nature of the manor's copyhold tenure.

The period of this thesis straddles the medieval-modern divide and is in part an investigation into the transition between the two eras. Different points of view for assessing this present themselves. In terms of landholding distribution alone the change from Great Horwood's medieval structure (of equally distributed standard-sized landholdings with relatively little inter-manorial landholding, non-residence or underletting), to the structure found in Great Horwood in the modern period (partly fragmented landholdings irregularly distributed with a complex pattern of inter-manorial landholding, non-residence and underletting) took place over an extended period, the long century between the early fifteenth and the late sixteenth centuries.

¹⁰ C. Dyer, 'Were there any capitalists in fifteenth-century England?', in J. Kermode (ed.), *Enterprise and Individuals in Fifteenth-Century England* (Stroud, 1991), pp. 1-24, at pp. 16-24.

¹¹ For summaries of the thesis and the debate it gave rise to, see J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440-1580* (Oxford, 2000), pp. 17-26, or R.M. Smith, 'The English Peasantry, 1250-1650', in T. Scott (ed.), *The Peasantries of Europe from the Fourteenth to the Eighteenth Centuries* (Harlow, 1998), pp. 339-70.

However if Great Horwood's particular experience (of two successive changes in the landholding structure) is ignored, and the transition to modernity is identified from the wider *national* experience as the process of aggregation which lead to the emergence of the agrarian capitalist and ultimately to the disappearance of the self-owning peasant cultivator, then in Great Horwood this transition began in the early fifteenth century, before about 1440 or 1450 – though it did not get very far before it halted and changed direction.

But landholding structure is perhaps too narrow a criterion by which to assess the transition. The differences between a medieval and a modern society were naturally many and complex – far too many and complex to assess here¹² – but nevertheless this thesis has considered more aspects of Great Horwood's society than just its landholding structure – there has also been tenurial change, and changes in the division of power between the manorial authority and the community, in its agriculture and landscape and in its inheritance practices. In nearly all of these the crucial period of transition was the mid-fifteenth century. The tenurial changeover from villein tenure to copyhold of inheritance seems to have been complete by about 1440 at the latest. The manorial lord's dominance over the tenants and inhabitants had been waning ever since the demesne was leased in 1320, and as elsewhere weakened significantly in the fifty years after the Black Death, but the transition was effectively complete by the middle of the fifteenth century. This was the point by which villeinage by blood had ceased to have any real significance (though it did not finally disappear until 1540), and the period during which the manor court changed in nature, dropping many categories of business which had previously filled its rolls and moving substantially towards the form it would take in the modern period – little more than a court baron through which the lord collected heriots and fines and the tenants managed their open-field agriculture. If agriculture and landscape are considered, however, while the late fifteenth did see the first signs of the transition to pastoralism and enclosure, large-scale advances were probably not made until the end of the sixteenth century. On the other hand the various changes in inheritance practices noted in chapter 5 all occurred at or towards the end of the fifteenth century.

So the preponderance of evidence is persuasive; the period in which Great Horwood accomplished most of the significant aspects of the transition from a medieval to a modern

¹² They are discussed in C. Dyer, *An Age of Transition? Economy and Society in the Later Middle Ages* (Oxford, 2005), pp. 1-6, 40-45.

society was the fifteenth century, with the middle of the century perhaps the turning point by which most change had been achieved or was well under way.

CONCLUSIONS

It is hoped that this thesis has made two main points. First, that manor court rolls can provide quantitative information equivalent to that obtained from the various types of manorial surveys (extents, surveys, rentals, custumals, terriers etc) or from taxation records such as lay subsidy returns – though only if sufficiently lengthy runs of the rolls have survived, of course, and only after a considerable investment of time and effort. This court roll information even has certain advantages over that derived from the more easily accessed surveys and tax rolls – because it relates to periods of time rather than single dates it can provide a dynamic picture of change over time as well as a snapshot, and the depth and breadth of the information exceeds that obtainable from lists of landholdings or taxpayers - this thesis has only begun to mine the information on Great Horwood's social structure which could be extracted from its court rolls. More work could be done on the internal dynamics of Great Horwood's village community, on the web of relationships and hierarchies within it, the role of women in its society, the occupational structure of its non-tenant population, on the morphology of village and in matching the tenement ownership chains to the house-plots on the ground.

The second, more important point relates to the use of court rolls to amplify and correct the landholding information provided by the various types of manorial surveys. Our understanding of the structure of rural populations – numbers, landholdings, wealth, social stratification – is usually based on analysis of tenant and landholding information in surveys, yet is always qualified by awareness that these documents may be concealing as much as they reveal because they do not mention subtenants, landless inhabitants, landholdings in other manors or non-landed wealth.¹ Use of court roll information has revealed that with regard to fifteenth- and sixteenth-century Great Horwood at least these concerns are well founded.

In chapter 2 the court roll information was used to produce a series of survey/rental equivalents for dates at twenty or thirty yearly intervals between a genuine extent of c.1390 and a genuine rental of 1610. That pseudo-survey data depicted a remarkably equal, static society in which little changed in terms of land distribution or holding size until the very end of the sixteenth century. In chapter 4, however, deeper analysis of the court roll information produced a quite different picture.

¹ See for example, M. Bailey, *The English Manor c.1200-c.1500* (Manchester, 2002), pp. 41-2.

It was discovered that several of the manor's tenants held land, often substantial holdings, in neighbouring manors, making the landholding hierarchy derived from data relating solely to the manor's tenancies in chief unreliable; several tenants were revealed to be much wealthier than they had appeared to be, and some mere cottagers turned out to be sizeable landholders. For example, John Eynesham, who between 1430 and 1437 held a single messuage in Great Horwood, was a virgater in Little Horwood and Winslow.

It was also found that many of the tenants of the manor of Great Horwood were not resident in Great Horwood itself. Since these non-residents were likely to hold land where they lived this increased still further the likelihood of landholding in more than one manor. It also greatly increased the likelihood of underletting, since tenants resident more than a couple of miles away could hardly have cultivated their Great Horwood land themselves, and in any event some of the non-resident tenants were gentlemen, who would certainly have underlet their land. In 1460, of thirty six virgates held by thirty eight tenants, four were held by tenants living between six and eleven miles away, two by inhabitants of neighbouring Little Horwood (one a newly-minted gentleman in the Duke of York's retinue who was certainly not farming it himself), another by a man from Whaddon (though he may have moved his residence to Great Horwood when he acquired it), at least half a virgate by the absentee rector, and a further 5½ virgates by tenants whose place of residence is unknown save that it was almost certainly not in Great Horwood. Thus a good third of the manor was probably underlet. A manorial survey made that year in one of the traditional forms, dealing only with landholdings held directly from the manor, would have produced a quite different landholding structure from that which actually existed.

The court roll information also revealed the existence of a substantial class of residents who did not hold any land directly from the manor, some farming underlet holdings, others apparently occupying messuages and cottages but not farmland. Some of these landless subtenants may have been labourers, but others were wealthy enough to hold manorial offices of the sort usually reserved for substantial tenants. For example a John Brewer served as aletaster from 1449 until 1456, and as affeeror at several manor courts and juror at one, yet was never a tenant and does not appear to have been farming. He was occasionally presented for brewing, so may have been keeping an alehouse. The 1522 lay subsidy return listed twenty one non-tenant residents - some were adult sons of tenants or underlessee

husbandmen, but others appear to have been a miller, a butcher and a breadseller, who may all also have been alehousekeepers, and a tailor.

So if fifteenth- and sixteenth-century Great Horwood was not the relatively equal society of husbandmen suggested by the court roll tenancy data, what was it? It is difficult to describe it exactly because there is much about it that remains hidden – the nature of the evidence means we know that there must have been a considerable amount of underletting and inter-manorial landholding, but not exactly how much or by whom, and that there were landless inhabitants of Great Horwood, but not exactly how they gained their living.

One thing is clear; although the amounts of land occupied by those who actually farmed it are likely to have been more varied in size than the holdings of the tenants in chief, their landholdings were almost certainly as small and probably smaller. It is possible that as at Cannock in 1554 the largest farm consisted entirely of underleasehold land, but it is likely that most would have been smaller than the modest accumulations held by even the largest tenants in chief. The largest accumulation in both centuries, the 4½ virgates amassed by the Colyers, was underleased in single and half-virgate-sized units, to men who did not also hold land directly from the manor, and this was probably typical. Most of the largest accumulations were held by non-residents and would have been underlet, so few of the residents, whether tenants or underlessees, are likely to have held as much as two virgates and most would have held a virgate or less. To this extent, if the actual inhabitants are considered, Great Horwood probably *was* a society of small husbandmen, with holdings fairly similar in size to the tenancies in chief – but they were not the same men as the tenants in chief, nor were their holdings those held by the tenants in chief. There was some overlap, of course, but the two groups were not the same.

So we have a numerous, complexly stratified population of small farmers, tradesmen, artisans and labourers, with an upper crust composed of the tenants in chief. Some of these tenants were resident husbandmen, others non-resident landlords. The latter were a mix of gentry, yeomen and lesser residents of nearby villages and towns, some of whom had inherited their Great Horwood lands or acquired them by marriage but did not wish to live on them or cultivate them, while others had acquired them as an investment. From the evidence of the manorial offices the ruling village elite was a fairly broad one, comprising those tenants who lived in Great Horwood or the adjacent settlements of Singleborough, Little Horwood and Winslow plus their adult sons and a number of farming underlessees, and also some

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The Brenner thesis hypothesised that a key element in the transition from a peasant to a capitalist society during this period was the expropriation of the peasantry's landholdings to create large farming units, a process which was possible because the peasants' copyhold tenures gave them no security against eviction.¹¹ In Great Horwood at least this was clearly not the case; there was no expropriation of the peasantry's landholdings, especially not by the manorial lord (if anything it was the other way round – in Great Horwood the peasantry effectively expropriated part of the lord's demesne!) and this was in part due to the secure nature of the manor's copyhold tenure.

The period of this thesis straddles the medieval-modern divide and is in part an investigation into the transition between the two eras. Different points of view for assessing this present themselves. In terms of landholding distribution alone the change from Great Horwood's medieval structure (of equally distributed standard-sized landholdings with relatively little inter-manorial landholding, non-residence or underletting), to the structure found in Great Horwood in the modern period (partly fragmented landholdings irregularly distributed with a complex pattern of inter-manorial landholding, non-residence and underletting) took place over an extended period, the long century between the early fifteenth and the late sixteenth centuries.

¹⁰ C. Dyer, 'Were there any capitalists in fifteenth-century England?', in J. Kermode (ed.), *Enterprise and Individuals in Fifteenth-Century England* (Stroud, 1991), pp. 1-24, at pp. 16-24.

¹¹ For summaries of the thesis and the debate it gave rise to, see J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440-1580* (Oxford, 2000), pp. 17-26, or R.M. Smith, 'The English Peasantry, 1250-1650', in T. Scott (ed.), *The Peasantries of Europe from the Fourteenth to the Eighteenth Centuries* (Harlow, 1998), pp. 339-70.

However if Great Horwood's particular experience (of two successive changes in the landholding structure) is ignored, and the transition to modernity is identified from the wider *national* experience as the process of aggregation which lead to the emergence of the agrarian capitalist and ultimately to the disappearance of the self-owning peasant cultivator, then in Great Horwood this transition began in the early fifteenth century, before about 1440 or 1450 – though it did not get very far before it halted and changed direction.

But landholding structure is perhaps too narrow a criterion by which to assess the transition. The differences between a medieval and a modern society were naturally many and complex – far too many and complex to assess here¹² – but nevertheless this thesis has considered more aspects of Great Horwood's society than just its landholding structure – there has also been tenurial change, and changes in the division of power between the manorial authority and the community, in its agriculture and landscape and in its inheritance practices. In nearly all of these the crucial period of transition was the mid-fifteenth century. The tenurial changeover from villein tenure to copyhold of inheritance seems to have been complete by about 1440 at the latest. The manorial lord's dominance over the tenants and inhabitants had been waning ever since the demesne was leased in 1320, and as elsewhere weakened significantly in the fifty years after the Black Death, but the transition was effectively complete by the middle of the fifteenth century. This was the point by which villeinage by blood had ceased to have any real significance (though it did not finally disappear until 1540), and the period during which the manor court changed in nature, dropping many categories of business which had previously filled its rolls and moving substantially towards the form it would take in the modern period – little more than a court baron through which the lord collected heriots and fines and the tenants managed their open-field agriculture. If agriculture and landscape are considered, however, while the late fifteenth did see the first signs of the transition to pastoralism and enclosure, large-scale advances were probably not made until the end of the sixteenth century. On the other hand the various changes in inheritance practices noted in chapter 5 all occurred at or towards the end of the fifteenth century.

So the preponderance of evidence is persuasive; the period in which Great Horwood accomplished most of the significant aspects of the transition from a medieval to a modern

¹² They are discussed in C. Dyer, *An Age of Transition? Economy and Society in the Later Middle Ages* (Oxford, 2005), pp. 1-6, 40-45.

society was the fifteenth century, with the middle of the century perhaps the turning point by which most change had been achieved or was well under way.

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Bailiffs accounts: 1730, 1733, 1735, 1736-47, 1755-86, 1788, 1790, 1794-96, 1802-05, 1810, 1812-17, 1819-38, 1841-45, 1944, 1961, 1963, 1972, 1976-78, 1983, 1991, 2007, 2569-72, 3896, 6500-6520.

1320 extent: 4503

1320 extent (1390 version), bounds,
1610 rental: 3946 (seventeenth-century copies)

1477 rental (incomplete): 5032, f. 89.

Liber Niger (register of deeds): 9744 (includes 1390 version of 1320 extent: fs. 37-40)

Register of Deeds: 9788

Early Deeds: 4499 (include Chancery Decree Inspeximus 1611: /59)

Early Deeds: 9791

Registers of Leases: 9756-62

Bounds of manor, demesne, chase: 4505, 4506

1612 map, northeast Great Horwood: 4507

1654 estate maps of woods: 5672

1609 demesne terrier: 3923

1629-1777 misc. terriers: 3046/10

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