



This work is protected by copyright and other intellectual property rights and duplication or sale of all or part is not permitted, except that material may be duplicated by you for research, private study, criticism/review or educational purposes. Electronic or print copies are for your own personal, non-commercial use and shall not be passed to any other individual. No quotation may be published without proper acknowledgement. For any other use, or to quote extensively from the work, permission must be obtained from the copyright holder/s.

THE SOCIAL AND ECONOMIC HISTORY

OF CANNOCK AND RUGELEY

1546 - 1597

by

C. J. Harrison

A thesis submitted for the degree of Doctor of Philosophy at the
University of Keele.

1974

BEST COPY

AVAILABLE

TEXT IN ORIGINAL IS
CLOSE TO THE EDGE OF
THE PAGE

ABSTRACT

This is the history of the peasant community of Cannock Chase (Staffs.) between 1546, when Sir William Paget was granted the Chase, and 1597 when his grandson recovered the lands. It shows that whilst the varying fortunes of the Paget family were closely reflected in the history of the area, most noticeably during the years of attainder when the Crown's lessee destroyed the oak forest, their influence was balanced by the actions and aspirations of many other individuals and groups. The peasant land market is described and the significance of the high incidence of sub-tenanting is considered; evidence on the real cost of copyhold land is presented. The importance of the Chase in the peasant economy, particularly as a place of common pasture for a large communal flock, of which two unique censuses survive, is discussed. The influence and significance of the manor court in both its civil and its criminal jurisdictions is considered, and the peasants' response to a number of social and economic problems is revealed through a detailed study of the court's records. A series of enclosure riots, and other disturbances on the Chase are recounted. Finally, an attempt is made to describe the peasants' attitudes to the Church and to the harsh realities of birth and death.

CONTENTS

		<u>Pages</u>
Tables		(iv)
Figures and Maps		(v)
Plates		(vi)
Acknowledgements		(vii)
Manuscript Sources		(viii)
Abbreviations		(ix)
Chapter 1	Land and Lordship	1 - 15
Chapter 2	The Custumal of 1605	16 - 32
Chapter 3	Rents and land in Cannock 1545 - 1597	33 - 87
Chapter 4	Cannock Chase: Wood and Sheep	88 - 108
Chapter 5	The Manor Court	109 - 156
Chapter 6	Cannock Chase: The Riots of 1580-1	157 - 201
Chapter 7	Life, Death and the Church	202 - 215
Conclusion		216 - 217
Appendixes		
Appendix A	Descent of Manorial Lands in Cannock	
Appendix B	Chantry and New Lands in Cannock	
Appendix C	The Real Rent of Copyhold Land in Cannock, 1545 - 1600	
Appendix D	Two Probate Inventories	
Addendum		
Select Bibliography		

TABLES

<u>Table</u>	<u>Title</u>	<u>Page No.</u>
1	Rent Totals for Cannock	40
2	The Barker Family	48
3	The Wood Family	52
4	Incidental Payments on Hyll Holding	57
5	The Descent and Division of the Fowke Holding	59
6	The Real Rent of Copyhold Land in Cannock, 1545 - 1600	65
7	Land Usage in Cannock in 1570	71
8	Field and Crop Rotation in Cannock, 1591-3	74
9	Dwellings in Cannock in 1570	77
10	The Population of Cannock in 1570	79
11	The Distribution of Tenancies in 1570	80
12	Tenancies and Farms in Cannock, 1554 and 1570	83
13	The Woodland on Cannock Chase in 1554	91
14	The Number of Trees on Cannock Chase in 1554	93
15	Sheep on Cannock Chase	104
16	Sheep browsed in Rugeley Bailiwick	105
17	Sheep browsed in Tromwyn's Bailiwick	106
18	Baptisms and Burials in Rugeley, 1570 - 1609	203
19	Baptisms and Conceptions in Rugeley, 1570 - 1609	209

FIGURES AND MAPS

FIGURES

- Figure 1 Rugeley - Annual numbers of Baptisms,
 and Burials 1570 - 1609

 (between pp. 203 & 204)

MAPS

- Map 1 Cannock Forest (1286 - 1300)

 (between pp. 1 & 2)
- Map 2 Cannock & Rugeley c.1570

 (between pp. 3 & 4)

PLATES

- Plate 1 The 1597 Rental
 (between pp. 38 & 39)
- Plate 2 The 1570 Field Book
 (between pp. 66 & 67)
- Plate 3 The Surrenders and Admissions of
 Algar and Pooler at the Court
 Leet of 19 October 1554
 (between pp. 82 & 83)
- Plate 4 Verdict of the Jury at the Court Leet
 of 14 April 1548
 (between pp. 136 & 137)

Acknowledgements

I am indebted to the Marquess of Anglesey for depositing with me the Early Paget Correspondence, as well as for granting full access to the Anglesey estate papers. I am also grateful to the Folger Shakespeare Library for permission to quote from the Bagot Papers. Documents quoted from the Public Record Office are Crown Copyright.

I acknowledge with gratitude the support of this work at various times by the Vice-Chancellor and Senate of the University of Keele, and the President and Fellows of St. John's College, Oxford.

I remember with pleasure my early studies in paleography and diplomatic under the unfailingly courteous tutelage of Mr. I. H. C. Fraser. My work at the Stafford County Record Office was facilitated by the advice and encouragement of Mr. F. B. Stitt, and by the friendly efficiency of his staff. Dr. D. M. Palliser and Mr. D. Hay have generously shared with me their knowledge of the history of Staffordshire. I would like to thank Mrs. Janice Jones for typing an untidy manuscript under difficult circumstances. I am indebted to Mr. Andrew Jones of St. John's for his interest and assistance and to Mr. Brian Mains of Christ Church for unstinted help combined with much stimulating criticism.

Such merit as this work has finds its genesis in the example and encouragement of Dr. Margaret Spufford and Dr. C. F. Richmond.

C. J. Harrison

St. John's College, Oxford

17 September 1974

Manuscript Sources

The greater part of this thesis is based on the Anglesey Collection, an accumulation of the Paget Staffordshire estate papers, call number D(W)1734, on deposit at the Stafford County Record Office (S.R.O.).

The main classes of records consulted were:

1/3/1 ff.	legal papers
2/1/181-188	engrossed court rolls
2/1/233-301	draft court rolls
2/1/355-356	manor court books
2/2/1 ff.	miscellaneous manorial papers
2/3/1 ff.	rentals and surveys
2/5/1 ff.	miscellaneous
3/1/1 ff.	accounts
3/4/1 ff.	vouchers to account
J1 - J2227	leases, rentals, grants, etc.

Unless indicated otherwise, all references are to this collection, and the prefix S.R.O., D(W)1734/ should be assumed. (References beginning with the letter D relate to collections deposited in the S.R.O., and this location should be assumed.)

The other main manuscript source is the Early Paget Correspondence, an accumulation of the letters and papers of the first four Barons Paget, a part of the Plas Newydd Papers, the property of the Marquess of Anglesey. Xerox copies of the letters are held at the S.R.O.

Reference is also made to manuscripts in the British Museum, the Public Record Office, and the William Salt Library, Stafford. The Bagot Papers, on deposit at the Folger Shakespeare Library, have been renumbered. Reference in this work is to the original numberings which are also used in a microfilm of the collection held at the S.R.O.

Abbreviations

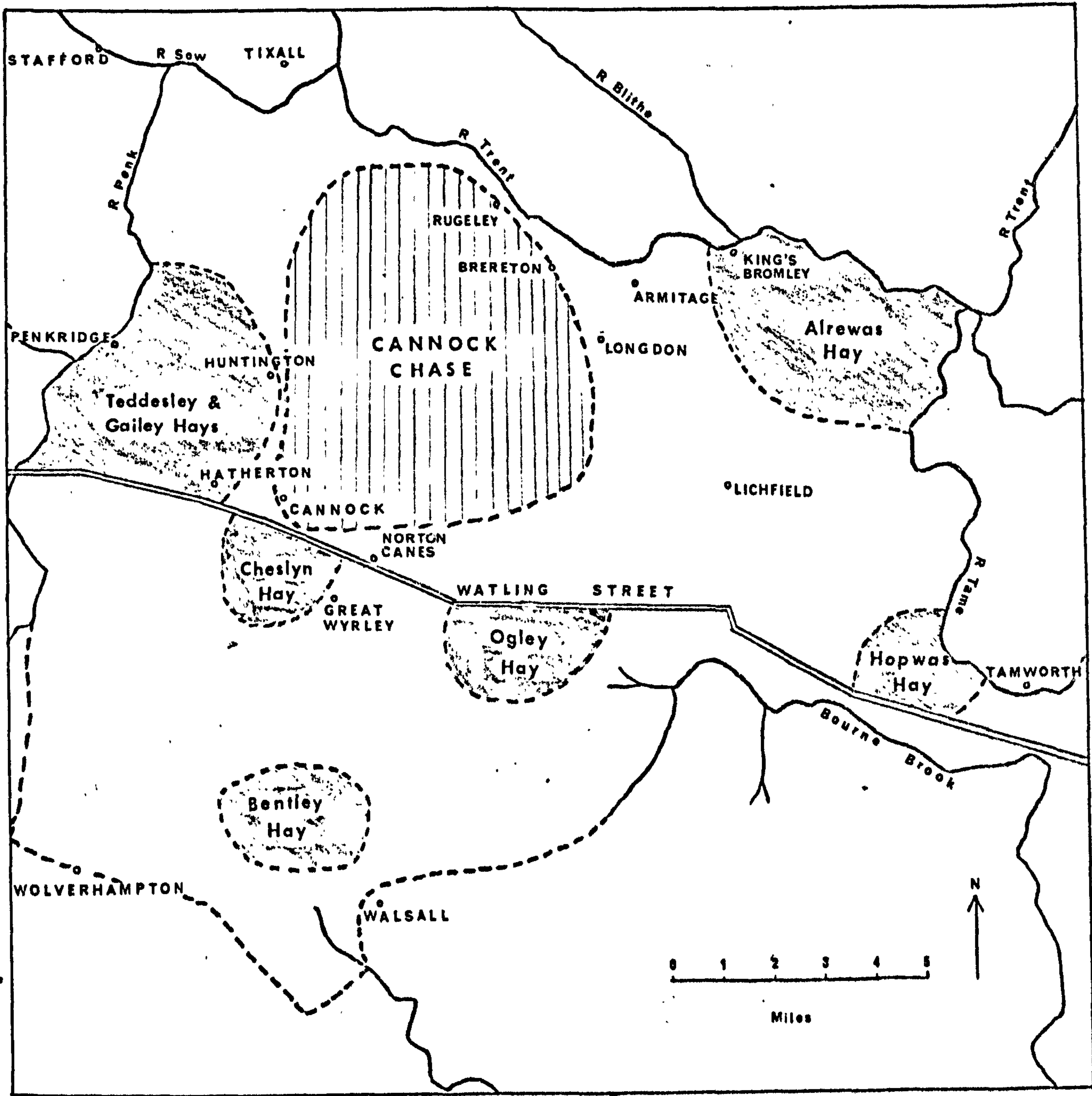
B.M.	British Museum (now known as the British Library)
E.P.C.	Early Paget Correspondence
Lans. MSS.	Lansdowne Manuscripts
o.s.	old series
P.R.O.	Public Record Office
<u>S.H.C.</u>	<u>Collections for a History of Staffordshire;</u> 'Staffordshire Record Society', until 1936 'The William Salt Archaeological Society'
S.R.O.	Stafford County Record Office
W.S.L.	William Salt Library, Stafford

Chapter 1

Land and Lordship

CANNOCK FOREST (1286 - 1300)¹

MAP ONE



1. Based upon L.M. Cantor's map in North Staffs. Journal of Field Studies, viii (1968), 45.

Much of the centre and south of Staffordshire was once covered by woodland. Of the royal forests in the county, Cannock was the largest, with boundaries extending along the rivers Penk, Sow, Trent, and Thame, and as far south as Wolverhampton and Walsall. By the mid-fourteenth century forest jurisdiction was restricted to seven discontinuous hays. Larger than any of these, dominating the original forest area, was Cannock Chase. It consisted of two bailiwicks, Tromwyn's and Rugeley, which were co-extensive with the ancient demesne manors of Cannock and Rugeley. Lands and woods were granted to the bishop of Coventry (later Coventry and Lichfield) in 1189. Possession of the manors was not secured until 1230, and the bishop's rights over the Chase were only finally confirmed in 1290. From that date manors and Chase followed the same descent. In 1546 they passed from the bishop to Sir William Paget. This is the history of the land and the people of Cannock and Rugeley from the time of the bishop's surrender to the end of the sixteenth century.¹

The area now known as Cannock Chase both includes land originally not part of the Chase, importantly Heywood Park and waste in the north, and excludes the towns and farming lands of Cannock and Rugeley. It is the original area which is the subject of this enquiry. In the grant of free chase of 1290, the bounds of the Chase were given in detail.² Cantor summarizes them thus:

"It ran from Watling Street between Cannock and Cheslyn Hay in the south, in an anticlockwise direction through a line just east of Huntingdon, then to the Trent near Rugeley, then down

1. The general history of the area is given in: L. M. Cantor, 'The Medieval Forests and Chases of Staffordshire', North Staffs. Journal of Field Studies, viii (1968), 39-53; and the articles by M. W. Greenslade on 'Cannock Forest' (V.C.H. Staffs., ii, 338-343) 'Cannock' (Ibid., v, 49-82), and 'Rugeley' (Ibid., v, 149-173). 2. S.H.C. 1924, pp.285-6.

the Trent towards Longdon, and finally southwest to Cannock."¹

There are two sixteenth century surveys of the bounds of the Chase, one undated,² the other made in 1549.³ There are a number of descriptions of the manorial boundaries: of Rugeley, in the 1570 Field Book,⁴ and of Cannock and Rugeley in the 1595 Survey.⁵ The latest surveys we have were made in April 1598.⁶ Comparing all these with the detail in the 1290 grant, it is clear that the boundary of the Chase had not changed, and that the two bailiwicks which made up the Chase were conterminous with the manors.

Cantor estimates that the area of Cannock Chase was about 40 square miles (25,600 acres).⁷ Some of this land was farmed, but most of it, some 20,000 acres, was forest waste. This land "is underlain by thick deposits of the Bunter Pebble Beds". On top of these "the soil is seen to be thin, with ash-grey colouring typical of a leached podsol".⁸ Millward and Robinson have argued that these poor soils probably never grew fine stands of timber. However, they take no account of the possible effects on the soil structure of the extensive tree cropping which took place at the end of the sixteenth century. Until that time over one quarter of the waste consisted of managed woodland, including one half acre on which 53 oaks were growing. Furthermore, areas which had been cleared were used for the shift cultivation of grain. All this suggests that the waste was less infertile then than it is now.⁹

1. Cantor, p.49. 2. 2/3/35. 3. 2/3/112b, at the end of the Weston entry.
4. 2/3/38 fos.5, 38. 5. D(W)1720/13 fos.1-2. The latter shows that the manor and parish of Rugeley were coterminous.
6. 2/3/112d fos.60, 67. 7. Cantor, p.49.
8. Roy Millward & Adrian Robinson, The Valley of the Upper Trent (Basingstoke & London, 1971), pp.76-7.
9. See below, Chapter 4.

THE SOCIAL AND ECONOMIC HISTORY

OF CANNOCK AND RUGELEY

1546 - 1597

by

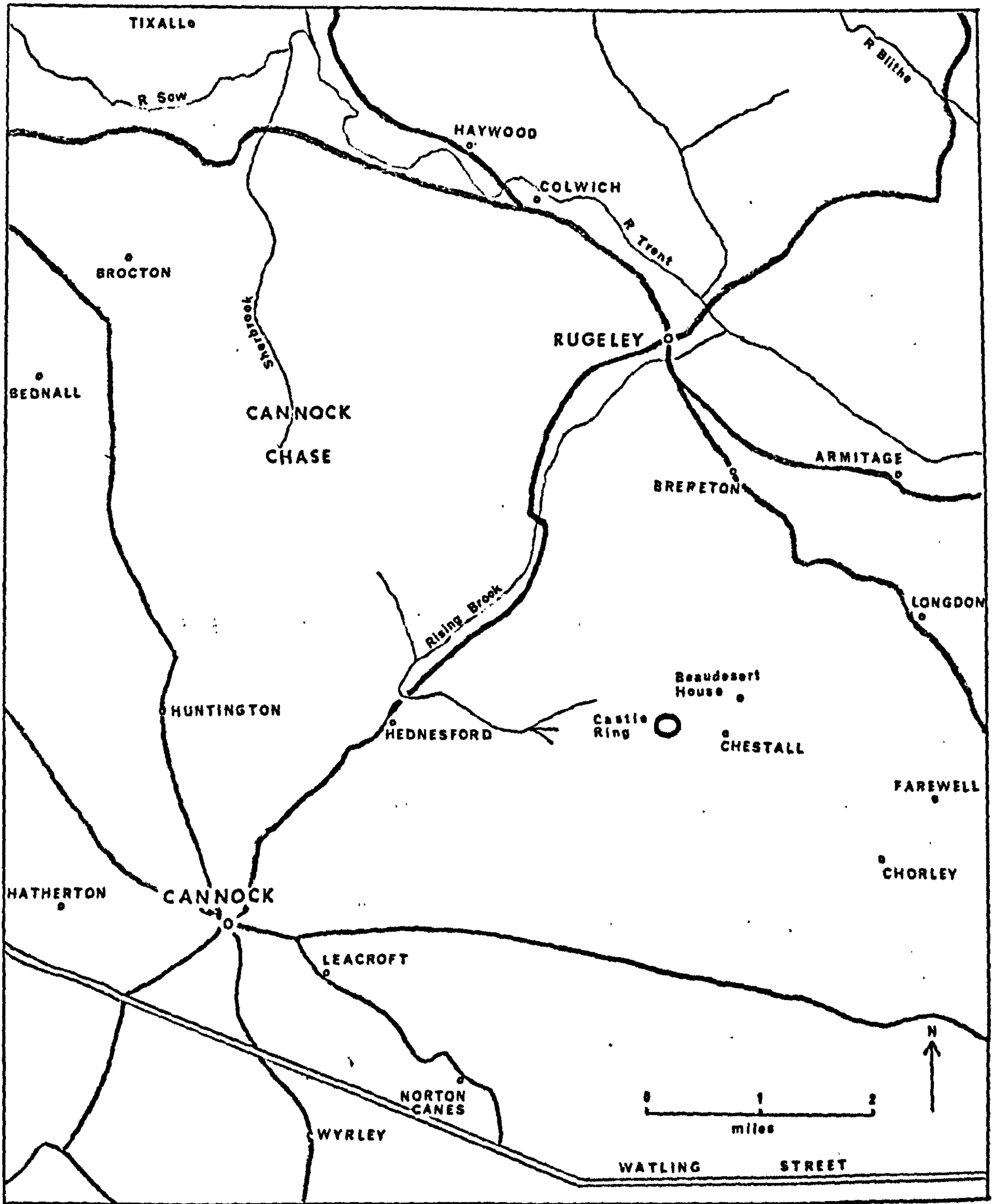
C. J. Harrison

A thesis submitted for the degree of Doctor of Philosophy at the
University of Keele.

1974

CANNOCK & RUGELEY c.1570

MAP TWO



This vast and empty upland area of heath and woodland dominated the lives of the local inhabitants; a barrier to communication, a source of fuel, food and work, its resources competed for by rich and poor alike. The woodland provided vital fuel for the developing ironworks, as well as domestic fuel, and materials for building, hedging and tool-making. There was pannage for pigs, and fodder for both sheep and cattle. The protected habitat supported deer, and lesser game such as rabbits and birds. Some of the pools and streams were stocked with fish. The extensive rough grazing provided for a commoned flock of about 7,000 sheep. One reason for the villagers' independence was the existence of this waste which provided additional, alternative resources to those of the villages.

The villages were situated on the edge of this plateau. In 1570 there were 52 dwellings in the township of Cannock, and a further 19 at or near the dependent hamlets of Hednesford and Leacroft. The total population was about 320 and this had risen to 400 by the turn of the century. In Rugeley and the associated hamlet of Brereton there were 115 dwellings in 1570, giving a total population of 520. This had risen to over 600 by the end of the century.¹ Cannock lay about a mile north of Watling Street, at the junction of a number of roads. Two led south: one to Wolverhampton, some nine miles away, the other through Great Wyrley and Bloxwich to Walsall, about eight miles distant. There was a road to Penkridge, some four and a half miles to the north-west. The county town, ten miles due north, was reached via Huntington. The glacial overflow channel of Rising Brook provided the route between Cannock and Rugeley, which lay about seven miles apart. The road from Cannock went

1. See below pp.77, 204.

through the hamlet of Hednesford, which nestled right on the edge of the Bunter Pebble Bed plateau, and then along the through-valley. Nine miles to the east of Cannock was Lichfield, reached by a road which ran just north of the hamlet of Leacroft. The township of Rugeley lay between the Trent and the high ground of the waste, built on the fine sands and gravel brought down and deposited, as a result of erosion, from the Rising Brook valley. It lay on the Stafford-Lichfield road, and roughly midway between the two towns; Stafford was nine miles distant, Lichfield eight. The hamlet of Brereton lay just under two miles south-east on the Lichfield road. A bridge over the Trent gave access to Pagets Bromley and Uttoxeter, some eleven miles away.

Cannock and Rugeley were not isolated forest communities. Although travel across the Chase was difficult, good communications around it prevented too great a degree of insularity. The people were near enough to the local civil and ecclesiastical centres to be well-informed about county matters, whilst the proximity of Watling Street provided a continuous army of news-carrying travellers from the metropolis. Each village had a market through which they enjoyed a degree of commercial influence over and contact with the surrounding villages.¹ The import of iron ore from Walsall and, more importantly, the distribution of the finished iron generated further contacts with the world beyond the Chase.

Although the villages of Cannock and Rugeley were not isolated, they were different from their neighbours. And it was the Chase which set them apart. The villagers displayed the independence characteristic of forest dwellers. This attitude of mind was not just

1. The market at Cannock was held on Tuesdays, the one at Rugeley on Thursdays. D. M. Palliser & A. C. Pinnock, 'The Markets of Medieval Staffordshire', North Staffs. Journal of Field Studies, xi (1971), 51.

a function of access to additional resources. Most of the woodland and grazing was exhausted by the eighteenth century, and yet the local people were just as demanding of their rights as they had been two centuries before.¹ Nor was it caused by isolation. What engendered the attitude was the legal structure and physical characteristics of the area. The copyholders and their tenants had rights of access and common; the sheer size of the waste gave them the space to exercise these rights. Compared with the majority of the Tudor peasantry, suffering the pressures of over-population and subjected to increasing regulation and control, the men and women of Cannock and Rugeley enjoyed an atypical degree of personal freedom.

On 28 September 1546 the chancellor of the Court of Augmentations was instructed, inter alia, to "practize and conclude" with the bishop of Coventry and Lichfield for the surrender of the bishop's manors of Beaudesert, Longdon, Heywood, Cannock, and Rugeley, and the houses and parks at Beaudesert and Heywood. The chancellor was then to convey them to Sir William Paget, in recognition of Paget's service to the Crown, and on payment, already received, of 500 marks.² Negotiations did not take long. The next day the bishop surrendered lands and property to the Crown.³ The bishop also surrendered his rights on Cannock Chase, including the woods and underwoods.⁴ On 26 October houses and parks, manors and Chase were granted by the Crown to Paget. This grant was part of a general settlement, costing £2,709 in cash received, and a further £3,000 to be paid over the following five years.⁵ Paget

1. See D. Hay's forthcoming article: 'Poaching and Game Laws on Cannock Chase in the Eighteenth Century'.

2. S.H.C. 1939, pp.132-3 (J1831). 500 marks is the equivalent of £333 6s 8d.

3. Ibid, p.110 (J1736). 4. Ibid, p.79 (J1589b). The grant is not fully dated, only the regnal year, 38, is given. Every indication suggests that it was made at the same time as the surrender of the manors.

5. Letters & Papers of Henry VIII, XXI, ii, pp.164-5 (no.332, g.76).

drafted a bill confirming this settlement, but failed to get it through Parliament before its dissolution on the death of Henry VIII.¹ The bishop's release and quitclaim, later ratified by the Dean and Chapter, was issued in July 1547.² Why did the bishop surrender these lands, and why were they granted to Paget?

The answer to the second question is easy enough. The grant was the reward of a grateful king to a favoured minister. Paget enjoyed a long and successful career under Henry VIII. He first entered royal service in the late 1520's. He was much employed on missions abroad, and it was in the not unrelated fields of foreign policy and finance that he was most active. In August 1540 he became the first clerk of the new Privy Council. In April 1543 he was appointed one of the two secretaries of state, a year later becoming the principal secretary on Wriothesley's promotion to Lord Chancellor. Paget's talents suited the office. He was an able diplomat and a competent administrator, but not a great leader of men, not one of those few who can carry through an unpopular policy.³ His chief talent was as adviser. The combination of office and an ageing king gave Paget great opportunity to influence government policy. "Paget, through the increasing favour with which Henry regarded him, reached a position of power second only to those truly prime ministers, Cromwell and Wolsey."⁴

In the summer of 1546 there was a struggle for power within the Privy Council between the conservative faction led by Gardiner, and the more radical, Protestant faction led by Edward Seymour,

1. S.H.C. 1939, p.133 (J1832); Journal of the House of Lords, 1, 289-90.
2. S.H.C. 1939, p.111 (J1737). 3. Again and again Paget urged recoinage, but he was never able to see the policy through. C. E. Challis & C. J. Harrison (eds.), 'A Contemporary Estimate of the Production of Gold and Silver in England, 1542-1556', English Historical Review, lxxxviii (1973), 821-826. 4. This account is based on S. R. Gammon, Statesman and Schemer... (Newton Abbot, 1973); op. cit., p.78.

Earl of Hertford. "The contest was, in fact, a battle for the king's mind, for whichever policy Henry elected to follow would bring the downfall of its opponents."¹ Paget used his unique position to influence the king in favour of the Seymour faction, and by September this faction had gained the ascendancy. Paget was a Staffordshire man.² He had already acquired lands in and around Burton.³ The bishop's lands completed a large and conveniently disposed estate within the county. It is no wonder that Paget asked for them. Past service, present power, and personal aspiration explain the grant to Paget.

From Bishop Sampson's point of view, these were desirable properties, with house and hunting conveniently situated half-way between his seat at Lichfield and his residence at Eccleshall.⁴ And yet the bishop surrendered these lands after only a day's negotiation,⁵ and before the arrangements for financial recompense had been finalised. The same reason which enabled Paget to acquire the manors forced the bishop to surrender them. Sampson was a conservative,⁶ linked by sympathies to the Gardiner party. When that faction lost power, Sampson became vulnerable to Paget's demands. In this situation there was nothing the bishop could do but acquiesce.

The chancellor of the Court of Augmentations was instructed to assign, in the king's name, "certaine of our patronage and benefices by us to be appropriated" to the bishop and his successors, "to the yearly value of the said manors" over and above "sufficient oblations for the vicars of every of the said benefices".⁷ It took the chancellor nine

1. S. R. Gammon, p.121.

2. Ibid, p.115.

3. S.H.C. 1939, p.189 (J777).
Eccleshall, (Keele, 1964), p.36.

4. Peter & Margaret Spufford,

5. See above, p.6 note 3.

6. D.N.B., 1, 230-232.
S.H.C. 1939, pp.132-3 (J1831).

7. Instruction dated 28 Sept. 1546;

months to make the arrangements, which were confirmed by letters patent on 9 July 1547. Livings in Staffordshire, Leicestershire and Northamptonshire, together with the advowsons and patronage of certain prebendaries, were assigned to the bishop's use. Their total annual value, after all deductions, was £183.¹ The commissioners of 1535 valued the manors at £118.² They were valued in the 1547 letters patent at £129.³ Their true annual value, after all deductions, was £182.⁴ Until January 1550 the bishop received from the Crown £150 a year in lieu of income from those benefices which had yet to come to him. Thereafter, it would seem, the bishop enjoyed the full income from these livings.⁵

On the basis of these figures, one might conclude that Bishop Sampson received a fair exchange. But the figures are misleading, for the manors were worth much more than the rentals suggested. The woodlands and the ironworks were grossly undervalued. Even in the mid-1550's, before the ironworks were fully developed, sales of wood and iron were worth over £100 a year. In the year 1577/8 a massive profit of £1,684 was claimed.⁷ Thus, not only were the manors undervalued in 1547, they appreciated in value as the years went by. In comparison, the income from the livings was fixed. Sampson's successors were well aware of the unfairness of the exchange. When Overton was appointed to the see, in 1580, he unsuccessfully sued the then Lord Paget for the return of the properties.⁸ This was one of the many episcopal estates

1. 2/5/1 g. This consists of a large, unlisted collection of documents. The abstract in English of the letter patent is the first piece in the first bundle of papers in the folder. The first loose sheet after the bundle is another list of the livings and their values. Stebbing Shaw put their value at £183. S. Shaw, The History and Antiquities of Staffordshire... (London, 1798 & 1801), i, 212. 2. Valor Ecclesiasticus, iii, 128. 3. 2/5/1 g, (ii). 4. Calculated by the author from the 1549 Rental, 2/3/112 b. 5. S.H.C. 1939, p.111 (J1738). 6. 3/1/7 m.3d; 3/1/8 m.3d. 7. 3/1/14. 8. V.C.H. Staffs., iii, 52. Overton tried to get hold of a parchment volume concerning Beaudesert, in the possession of the son of a previous bishop's auditor, "to the intent that he might be the better inhabled to maynteyne suyte against the Lord Pagett". (2/5/1 'Residue of', (iv)). Paget's council held a conference, in 1581, in order to investigate his security of title in Beaudesert. (2/5/1 g, (v), fo.2.)

which "were extensively plundered, both by the Crown, and by the laity aided and abetted by the Crown" during the century 1540 to 1640. And, as in the case of Bath and Wells, the major "inroads were made before the accession of Queen Elizabeth".¹

The grant of the manors of Cannock and Rugeley brought with it leet jurisdiction over the whole area and manorial control, in the form of rents and services, of much but not all land within the manorial boundaries. The situation in Rugeley was particularly complicated. The Chetwynds, who held the sub-manor of Brereton, paid no rent for it, held their own manor court, and generally disposed of the land as they wished. Paget may have enjoyed a technical overlordship of Brereton in the early years of his grant, but for all practical purposes he never had any control over this land.² The situation was further complicated by the revival or creation of another 'manorial' jurisdiction within the manor. In 1570 this 'sub-manor', called Hagley, which was in the possession of Richard Weston, consisted of 11 dwellings and 258 acres, all of which lay within the manorial boundaries of Rugeley.³ Although Weston owed rent to Paget for these lands, he, as his father before him, withheld payment. At or soon after 1570 Weston began to hold his own manor court at which he charged his tenants entry fines and heriots. Although in the past Hagley had often been called a manor,⁵ this was the first recorded occasion of a lord of Hagley holding a court baron.⁶ The over-all effect of this confused and confusing state of affairs was that Paget had little de facto control over Weston's lands. There were also

1. Joyce Youngs, 'Landlords in England: The Church', in Joan Thirsk (ed.), Agrarian History of England, iv (Cambridge, 1967), 355-6.

2. V.C.H. Staffs., v, 154-5; W. N. Landor, History of Rugeley, i, 62, 77. (See bibliography for information on this work.) The lands of the sub-manor of Brereton did not appear in the manorial surveys and, hence, we do not know how much land there was, where it lay, or who tenanted it.

3. 2/3/45 fo.1; 2/3/38. 4. Memorandum on the dorse of J2072.

5. V.C.H. Staffs., v, 155-6. 6. The legal status of this created jurisdiction is discussed below, pp. 110-111, 168-9.

certain chantry lands which were independent of Paget's lordship in 1546.¹

The position in Cannock was less complex. The grant of 1546 gave Paget lordship of most land within the manor. The main exception was the lands, worth just under £5 a year, of the chantry of Our Lady's Service, the altar of which was in the parish church. The 1548 Chantry Commissioners reported that most of the income from these lands was used to pay the salary of Peryn, the local schoolmaster, and they ordered that this should continue.² In fact, this arrangement was not honoured. The dissolution of the chantry meant the end of the grammar school in Cannock. In April 1549 these lands, with many others, were transferred from the Crown to John Cupper and Richard Trevor to be held in free socage.³ Nine months later Cupper and Trevor sold these lands to Paget.⁴ As a result the tenants of the ex-chantry lands paid their rents to Paget and gave service in the manor court,⁵ and Paget gained control over all land within the boundaries of the manor.⁶

In December 1549 Sir William Paget became Baron Paget of

1. Their descent was to follow that of the Cannock chantry lands. See below. 2. S.H.C. 1915, pp.48-9. 3. Cal. Pat Rolls, Edw. VI, ii, 391-7. 4. S.H.C. 1939, p.111 (J1739). The evidence is not unambiguous. The grant refers, inter alia, to the sale of lands etc. in Longdon. The name Longdon was used both of the manor and, more loosely, to include the manors of Beaudesert, Heywood, Cannock and Rugeley, as was the case in the 1545 Rental (2/3/112 c), and it was this second meaning which was probably employed here. These lands had certainly passed to Paget by 1552. (S.H.C. 1915, p.49) 5. These lands did not appear in the 1545 and 1549 Rentals but were recorded in the 1570 Rental where they were listed separately. See below pp.36-7. 6. It is for this reason that the chapter on landholding deals mainly with Cannock. Since virtually all land was manorial land, a full account of the distribution of land and the size and descent of holdings is possible. This is not true of Rugeley where the position was complex, and the surviving evidence is fragmentary.

Beaudesert.¹ Under Northumberland he lost favour, being imprisoned and heavily fined, but he never lost control of his Staffordshire estate. He returned to the Privy Council under Mary and became Lord Privy Seal in 1556.² His political career ended with the accession of Elizabeth.³

In 1554 Paget settled the estates on himself and his heirs male with the contingent remainder to his daughters. He also made provision for his wife in the event of her surviving him.⁴ This she did, for Paget died in 1563 and she lived until 1587.⁵ He was succeeded by his first son, Henry who died in December 1568. His surviving child was an infant daughter, Elizabeth. "Although the estates should have descended to Henry's brother Thomas, under the settlement of 1554, Elizabeth seems to have had some rights in them until her death in [June] 1570."⁶ According to modern doctrine Elizabeth became suo jure Baroness Paget.⁷ This was not the contemporary view, and Thomas was known as Lord Paget from the death of his brother.⁸ He married the widow of a Norfolk gentleman who bore Paget his only child and heir, William, in 1572. Later the couple became estranged and then separated. Paget was a staunch Catholic, and in 1580 he was imprisoned for recusancy. Both events were to have repercussions in the manors of Cannock and Rugeley.⁹

Paget's younger brother, Charles, acting either as conspirator or as agent provocateur involved Paget in the unsuccessful

1. The exact date of his creation is in doubt. See: W. K. Jordan (ed.), The Chronicle and Political Papers of Edward VI (London, 1966), pp.19-20; Gammon, pp.168, 272-3 n.23; Complete Peerage, x, 278 n.(d).

2. Ibid, x, 278-9. 3. Early in 1560 Paget was appointed English Ambassador in Spain but ill health prevented him taking up the post. (E.P.C., 1/2 fos.63-4.) 4. S.H.C., o.s., xii, 194, 216.

5. Complete Peerage, x, 280. 6. V.C.H. Staffs., v, 54; confirmation of this statement contained in E.P.C., 1/3, fo.1; fos.2-3.

7. Complete Peerage, x, 281. 8. 2/3/128; E.P.C., 1/2 fo.76.

9. For a full account see below pp. 164-7.

Throckmorton plot.¹ Francis Throckmorton was apprehended 5 November 1583.² On 7 November Paget wrote to his servant Ensore instructing him to send to London as much money as he could by the sixteenth: "let Twynyho and Walklate, and such others as [Ensore] shall think meet, come withal, but let them keep it very secret".³ On 16 November Paget appointed two of his estate officials, Ensore and Warde, to act as his attorneys during his intended absence.⁴ "Paget left London at the end of term, ... apparently to go to his house at Drayton, but really to cross over to France."⁵ He left secretly from Fering in Sussex on 24 November.⁶ On 2 December Paget wrote two letters from Paris. In the first, to his mother, he claimed to have taken this step in order that he might enjoy liberty of conscience and free exercise of religion. In the second, to Burghley, he advanced two reasons for his travel abroad, conscience and to seek a cure for his gout. He protested his loyalty to the Queen and denied that he had entered or intended to enter into any treasonable practice against Elizabeth.⁷ His protestations of loyalty ring a little hollow, for in February 1585 he offered, through his brother Charles, his service to the Queen of Scots and to advance her common cause with the King of Spain. A year and a half later Mary appointed Paget her special agent in Spain.⁸ Paget died in exile in 1590.⁹

-
1. Leo Hicks, An Elizabethan Problem (London, 1964), Chapters 1 & 2.
 2. Ibid, p.30 n.80.
 3. Cal. S. P. Dom., 1581-90, p.128.
 4. S.H.C. 1939, p.139 (J1865).
 5. Hicks, p.33 n.91.
 6. 1/4/95.
 7. Cal. S. P. Dom., 1581-90, p.134.
 8. H.M.C. Salisbury, iii, 93 (no.140); 153 (no.308).
 9. Complete Peerage, x, 283.

Legal proceedings against Paget were begun on 8 January 1584 when a warrant was issued by Elizabeth out of Chancery ordering that whereas Thomas, Lord Paget "hath very contemptuously departed out of this our Realme ... without our speciall lycence, and there dothe remayne in great contempt of us", the sheriffs of London were to proclaim him in the city to return within six months to England. The sheriffs read the proclamation on 14 January, and similar ones recalling Charles Paget and Charles Arundell.¹ On 29 January Lady Anne Lee wrote to her brother, Charles Paget: "he [i.e. Thomas, Lord Paget] and youe and Master Aroundell are called home by proclamacion, the coppie of the warrant I sende youe herewith".² Parry, writing a month later also reported the proclamation.³ Since both these letters are in the State Papers it is likely that they were intercepted before they reached Paget. But as Paget was only in Paris it is most unlikely that he did not hear of the proclamation.

Paget's lands escheated to the Crown. The full legal process took a long time. An Act of Attainder was not passed until March 1587.⁴ In practice the Crown appropriated the income of Paget's estate from the date of his departure. For example, the first account of moneys paid into the Exchequer from Rugeley was dated 1584, and covered the year 1583-4.⁵ As early as December 1583 Burghley and

1. J1866. There is another copy in 1/3/98 c. Here we have a proclamation, issued at the will of the monarch, drafted in Chancery, and publically proclaimed by sheriffs, which is not in the standard collection of Tudor Royal Proclamations edited by Hughes and Larkin. In two respects this proclamation seems to fail to meet the definitional criteria employed by Hughes and Larkin; firstly, there is no evidence of the use of the sign manual, the copy gives Powle's signature; secondly, there is no evidence of its passage under the Great Seal, the relevant Chancery records (P.R.O. C82/1410-1) are blank. And yet if this is not a royal proclamation, what is it? 2. P.R.O., S.P.12/167 fo.143.

3. Cal. S. P. Dom., 1581-90, p.160. 4. Complete Peerage, x, 282.

5. P.R.O., SC.6(Eliz. I)/2057 fo.12v.

Walsingham were instructing the estate officials to pay over all profits from the ironworks to the appointed receiver, Richard Bagot.¹ Two months later Burghley ordered that the estate officials should continue to act as though Paget were still present.² In time surveys and inventories were made. Paget's goods and chattells were listed by August 1584³ and, ironically, some six months later some of Paget's furniture was conveyed to Tutbury for the use of the Queen of Scots.⁴ The Exchequer carried out a full survey of Paget's lands in May 1585.⁵

The Queen exercised typical caution and considerable delay in deciding on the fate of these appropriated lands.⁶ In Staffordshire the most valuable and sought after prize was the ironworks and woodlands of Cannock Chase. The manors remained in the hands of the Crown, as, for a while, did the Chase. But, as profits fell and pressure from aspiring courtiers grew, the woods and ironworks were leased in 1589 to Fulke Greville for 21 years at an annual rent of £211 10s.⁷ This is not the place to give a full account of this event but it will be shown that it was probably the most important and certainly the most disastrous in the history of the area.⁸ When Paget died in 1590, his son and heir, William began the difficult process of recovering the estate, and this he succeeded in doing in 1597.⁹ The problems which he faced and the actions which he took are discussed below.¹⁰ Each change in the Paget family's fortunes brought with it significant repercussions in the social and economic history of Cannock and Rugeley, and this, inter alia, is demonstrated in the three chapters which follow.

1. E.P.C., 1/9 fo.64. 2. Ibid, fo.65.
3. Cal. S. P. Dom., 1581-90, pp.196, 220. 4. Ibid, p.226.
5. P.R.O., E178/3103 fos.5-65. 6. See n.3. p.14 above.
7. 1/3/62. 8. See below Chapter 4.
9. Cal. S. P. Dom., 1595-7, p.468. 10. See below pp.17-18, 100.

Chapter 2

The Custumal of 1605

The Paget lands were handed back by the Crown to William, the previous lord's son and heir, in July 1597.¹ The years of attainder had left the Paget fortunes at a low ebb. The most profitable parts of the estate had been leased out, and many of these leases still had some years to run. In particular, the ironworks and woodlands of Cannock Chase had been ruthlessly exploited by Fulke Greville, whose lease did not expire until 1610.² It was not only the major lessees who exploited the confused situation during the years of control by the Crown. The copyholders started to consolidate their rights and where possible to extend them. In Cannock and Rugeley some tenants failed to declare their holdings to the Exchequer surveyors of 1585 in an attempt to avoid further payment of rents.³ Cases of illegal enclosure increased, the villagers began to plough up the waste, and the control of grazing on the Chase became less and less effective.⁴ Paradoxically, the real value of the copyholders' common rights declined disastrously as a result of Fulke Greville's depredations.

Confusion and uncertainty were the key-note in 1597. Such a situation was of benefit to neither lord nor tenant; the former needed a secure rent-roll and access to the financial perquisites of his estate, and the latter needed security of tenure and certainty in their customary rights. Paget's first step was to re-establish financial control, and in September 1597 the whole estate was surveyed and a rental drawn up.⁵ In 1599 there was a census of sheep on the Chase, and as a result Paget regained control over the common grazing.⁶ Paget's rights were reasserted and his rent-roll secured, but there was still room for dispute between

1. He was not restored "in blood and to his honours and estates in fee" until 1604: Complete Peerage, x, 283. See also D(W) 1511 (34)/51/3.

2. See below, pp.95-100.

3. See below, pp.41-2.

4. See below, pp.101-2.

5. 2/3/112 d.

6. See below, pp.103-4

lord and tenant over the customs of the manors. And, so, in 1605 the copyholders of Cannock, Rugeley, Heywood, and Longdon negotiated with their lord to have a written copy of their customs drafted and agreed to by all parties.

Formal agreement to establish a customary of the copyhold lands was reached on 24 October.¹ An indenture, was drawn up on 2 November; this gave the agreed declaration of the customs of the manors.² In accordance with the legal practice of the time, the agreement was taken to Chancery,³ and the final decree confirming the customal was issued a year later, on 29 November 1606.⁴

It is understandable that the copyholders of these four manors should have combined to negotiate with their lord; all had rights on the Chase, and all had similar customs. They obtained some concessions, such as the fixing of entry fines and reliefs, and they gained for the first time an agreed written statement of their rights on the Chase, a subject which had been a bone of contention between tenants and lord for many years.

The copyholders of the four manors agreed to pay Paget £1,500 in return for the granting of the customal.⁵ The size of this

1. Referred to in 2/2/21 which is an undated copy of the customs of the manors, signed by Paget, and probably made in 1605. 2/2/20 is a copy of 2/2/21. 2. 2/3/123. This consists of a book, at the end of which are sewn in two pages containing questions put to counsel in the mid-seventeenth century and his answers. 3. "Usually the copyholders and their lord concerted to bring a fictitious action in Chancery to sanction the ascertainment of fines and the other customs new or unrevised." Some ratified agreements were confirmed by private Act of Parliament: Eric Kerridge, Agrarian Problems in the Sixteenth Century and After (London, 1969), pp.54-5. 4. There are many copies of this decree: D(W)1720/14-5; D798/20; D(W)1511 (34)/51/1; D1042/15. They are identical in content. The last one cited, which is a nineteenth century copy, is the easiest to read, and it is to this copy that reference is made. 5. 2/3/123.

sum indicates the high value both parties put on the concession. It also shows the relative prosperity of the customary tenants who could contemplate raising such a large amount. Payment was by instalment, collected in each manor by a nominated copyholder, and paid direct to Paget's receiver-general. The first Cannock instalment of £192 was paid in December 1605.¹ It is not known how the main sum of £1,500 was divided between the manors, and between the subscribing copyholders within each manor. Presumably payment was on a pro rata basis according to the size of the individual holding. Nor is it known if any copyholders opted out of the agreement, as in law they were entitled to do. But there can be no doubt that the unofficial organisation which arranged the agreement and ensured the collection of the payments, was a major one. Its existence shows the power and effectiveness of mutual self-interest in bringing people to act in concert.

Paget gained from this agreement a large sum of money just at the time that he most needed it. The copyholders obtained some concessions but above all improved security; as the indenture recorded, the copyholders agreed to the custumal "to [the] end certainty may be left in that behalf to their posterities".² It remained in force for many years, and was cited in 1842 when the then lord used it to prove that copyholders had no right to mine for iron or coal, except under manorial licence.³ The interest of the custumal here rests not on its importance in the years after 1605 but in the light it throws on the customary rights and duties enjoyed in the period covered by this history.

Although the position of all customary tenants was covered in the custumal, it was mainly concerned with the copyholders of inheritance. They were defined in the decree to be those whose copy of

1. 2/2/22 (vi). 2. 2/3/123 para.31. 3. S.H.C. 1947, pp.3-16.

court roll included in the habendum the words "sibi et suis" or "sibi et heredibus suis".¹ A person holding land in this way was deemed to be a "Coppieholder sesed in fee simple"² and was believed to have "an estate of inheritance in fee simple".³ One normally associates 'fee simple' with free not bond tenures. In order to explain the apparent anomaly of a copyholder being seized in fee simple it is necessary to give a brief excursus on the distinction between tenures and estates, and the types of estate possible under customary tenures. This excursus, based upon Kerridge's illuminating monograph,⁴ is of more than academic interest. The copyholders of Cannock and Rugeley enjoyed security of tenure, security against increase in rents or services, and the freedom to sell or sublet their land at will. All this depended upon the fact that they held copyholds of inheritance.

"Even to-day the two most striking doctrines of the land law ... are the doctrine of tenure and of estates."⁵ Although both are by-passed in modern law, they were still of paramount importance in the early modern period. By tenure was understood the manner and conditions of service by which land was held of a lord.⁶ There were two basic kinds of tenure, frank or free tenures which were protected by the common law, and base or bond tenures which were subject to customary law. This division of tenures had one important exception, tenants in ancient demesne manors, those manors held by the King at the time of the Conquest. Tenants holding land not part of the original demesne or waste enjoyed

1. D1042/15 para. 1. Kerridge quotes Norden and cites a number of Chancery cases in support of the view that the words sibi et suis did not create a copyhold of inheritance. Kerridge, p.36. Against the authority of Norden and the ambiguous evidence of the cited Chancery cases, may be put the evidence of this Chancery decree. 2. 2/3/123 para.2.
3. Ibid, para.1; 2/2/21 para.2. 4. Kerridge, op. cit., especially pp.32-93. 5. A. W. B. Simpson, An Introduction to the History of Land Law (Oxford, 1961), p.1. 6. Kerridge, p.32.

protection in the Common Law courts through the little writ of right, and the writ of Monstraverunt.¹ These tenants received some protection at common law from the earliest times and yet held their land by copy of court roll, at the will of the lord, according to the custom of the manor. They "simply did not fit into the categories of medieval land law".² Despite this complication the basic distinction between free and bond tenures was maintained in practice by the courts treating ancient demesne lands as though they were a type of free tenure when such lands came before them, whilst holding that in all other circumstances they were customary lands.

There were various kinds of bond tenure. There were tenancies at will; these were not bound by the custom of the manor but were based upon a private agreement between the lord and his tenant, and the latter had no prescriptive right to protection in the manor court. Most other base tenures were customary, that is to say they were held at the will of the lord according to the custom of the manor. Most customary tenants were copyholders, "the sole Tenant in Law who holdeth by Copy of any Record, Charter, Deed or any other Thing...".³ There were three main kinds of copyhold; for lives, for years, and of inheritance. It was usual for the entry fines of copyholds of inheritance to be fixed. Those of other copyholds were termed 'arbitrary' but they still had to be in accordance with the customs of the manor. Coke laid down six rules to establish the validity of a custom: it had to be reasonable, according to common right, upon good consideration, compulsory, certain, and beneficial to them that allege prescription.⁴ A fine to be in accordance with manorial custom had to be reasonable, and it was this which Coke had in

1. Simpson, pp.155-6. 2. Ibid.
The Complete Copyholder (1630), sec. 32.

3. Sir Edward Coke,
4. Ibid., sec. 33.

mind when he wrote: "Of Fines taken of Copyholders, some be certain by the Custom, and some be incertain; but that Fine though it be incertus yet must it be rationabilis."¹ If the claimed 'arbitrary fine' was unreasonable, redress could be had, by the sixteenth century, in the courts of equity: and if the justices "adjudgeth the Fine exacted to be unreasonable, then is not the Copyholder compelled to pay it";² "what Custom doth confirm to a Copyholder, the Law will ever allow...".³

"In the early modern period, it may be fairly said, tenures themselves were of only secondary consequence, and the whole business of both farming and landownership depended not on tenures, but on real estates and present interests."⁴ The doctrine of estates asserted that a person not only held land by a certain sort of tenure which constituted his legal title to the land, but also enjoyed certain rights or interests in that land. Estates did not necessarily depend upon tenure, thus it was possible for people having different tenures to enjoy the same estate. A lessee could hold by free or by copyhold tenure, in either case his interest in the land, a real chattel estate, would be the same. It was possible for a person holding by a free tenure to have a less good interest in his land than one who held by a bond tenure. A man who had a wardship of land had only a real chattel estate, whereas a copyholder who held for a term of life had a freehold estate.

The highest form of freehold tenure was seizin in fee simple. Copyholders of inheritance did not have seizin of their land, that was vested in their lord, but did enjoy a freehold estate in fee simple. Subject only to the customs of the manor, they could sell or dispose of their land as they wished. Thus, whilst their tenure was base, their estate was free.

1. Coke on Littleton, lib. I, cap. ix, sec. 74. 2. Ibid.
3. Complete Copyholder, sec. 34. 4. Kerridge, p.45.

The words sibi et suis or sibi et heredibus suis were the necessary but not the sufficient linguistic instruments for the creation of a copyhold of inheritance. The rehearsal of a typical habendum will make this point clear. At the Michaelmas leet of 1554 Edward Algar was admitted to certain lands in Cannock 'to have and to hold, to him and his, at the will of the Lord, according to the custom of the manor aforesaid, for the rents and services thence first owed, and by right of custom'. Thus the words at the beginning of the habendum, 'sibi et suis', indicate the estate being granted whilst the rest are the usual formula employed in this manor to indicate that the tenure was copyhold.¹

After the crucial limiting definition, the custumal continued with a series of paragraphs governing the descent and conveyancing of copyhold lands. It was agreed that surrenders for years, for life, in tail or in fee could be made by letters of attorney and, similarly, all such estates could be taken up by authorised attorneys.² This had long been the practice in the manors. At the small court held in Rugeley on 21 April 1556 four surrenders and one admission were carried out by attorneys and, with one exception, their letters of authorisation survive, attached by the clerk to the appropriate membrane of the court roll.³ It was ruled that entails could be barred by the cutting of recovery in the lord's court.⁴ Until this provision, basically the adoption of the Common Law process of common recovery for use in the manor court, the copyholders had no legal way of barring an entail. Where land was not

1. 2/1/182 m.2. The original may be followed at the end of the first entry in Plate 3, between pp. 82-3. 2. D1042/15 paras. 2, 3.
3. 2/1/182 m.4. 4. D1042/15 para. 4.

entailed the strict rules of descent could be and were avoided by the heir surrendering all interest in the land. For such a surrender to be legal, the heir had to be over 21.¹

The descent of land was to follow the Common Law rules applying to freehold land,² that is, "as it is in a tenure of socage of free lands at the Common Law".³ This had long been the practice in Cannock and Rugeley.⁴ The rules governing wardship were to be the same as those governing wardship in socage tenure. Coke's definitive judgement on the latter was: "And when the heir cometh to the age of 14 years compleat he may enter and oust the Gardein in Socage, and occupy the land himself if he will."⁵ And this was the position agreed to in the decree. The relevant paragraph⁶ continues with the explanatory note that where the copyholder died and his heir was under 14 years of age then the next of kin was to hold both land and heir until the heir reached the age of 14. The effect of this provision was to reduce the legal age of inheritance from 21 to 14.⁷ The lord was to receive a fine at the time that the heir was presented and not before.⁸ A widow was to be endowed according to the custom of the manor, subject to her making a formal demand in the manor court.⁹ As in the past,¹⁰ a dower was to consist of a third part "of all the copyholde landes that her husband was fully seised of during the Couerture betwene them".¹¹

1. See the case of the Dale holding, below p. 55. See also Simpson, pp.121-9. 2. D1042/15 para. 5. 3. 2/3/123 para. 5. The main exception was in Longdon and Heywood where, when there was no male heir, the land was to pass to the eldest surviving daughter, instead of being divided between all daughters, as in Common Law. 4. For an example see p. 49. 5. Coke on Littleton, lib. ii, cap. v, sec. 123. 6. D1042/15 para. 6. 7. Until this time no copyholder under the age of 21 was admitted to a holding. This did not prevent an heir enjoying the use of his inheritance in the interim. See the case of Thomas Wood, below p. 53. 8. D1042/15 para. 7. 9. Ibid, para. 8. 10. Thus, in 1595 Widow Wood received a third of her late husband's lands in right of dower: 2/1/186 m.52d. 11. 2/2/21 para. 9.

The next set of clauses dealt with entry fines, and the lease or exchange of copyhold land. The fine and relief upon the admittance of an heir was to be one year's rent.¹ Upon the surrender, whether for years, life or any estate of inheritance, to the use of wife or children then the fine on admission was to be one year's rent.² The admission of a stranger upon such a surrender was to be two years' rent.³ If part of a copyhold was surrendered then the fine and the rent were to be in proportion. Where there was doubt then the rent and fine were to be decided in the manor court and the judgement enrolled "to the end the Lord may knowe his tennant and of what lande and by what rent".⁴ These provisions brought certainty to what had been a confused and confusing situation. In sixteenth century Cannock, entry fines were usually well in excess of the annual rent and seldom a multiple of it. The fines were 'arbitrary' and variable but, as will be shown, they were not unreasonable.⁵ In having entry fines fixed at this low rate,⁶ the copyholders gained here a major concession. Leases of 21 years or less were allowed without payment of fine or licence, as in the past. Parties to a lease could obtain a copy, for a charge of 4d, from the steward who was to enroll the agreement on the court roll.⁷ Exchanges between copyholders could be made without payment of fine or relief, but all such transactions had to be made in the lord's court and the usual scribal fees were due.⁸ The non-payment of an entry fine in this circumstance was another concession to the copyholders.⁹ A rider was added to this clause in the indenture: "euery surrender of any reuercion or remaynder of any of the said coppieholde landes is good without attornement or consent of the

1. D1042/15 para. 9. 2. Ibid, para. 10. 3. Ibid, para. 11.
4. Ibid, para. 12; 2/3/123 para. 12. 5. See Chapter 3, section III.
6. The charge was most reasonable given the very low rents which these copyholders owed. 7. D1042/15 para. 13. 8. Ibid, para. 14; 2/3/123 para. 14.
9. When Colman and Algar exchanged land in 1556 both paid an entry fine: 2/1/182 m.4.

tenant in possession".¹ It made explicit the fact that sub-tenants were not protected by this agreement, and no conveyance was to be invalidated by the presence of such a sub-tenant.² This rider was not written into the final chancery decree, probably because it was thought unnecessary to state the obvious that since the custumal applied only to copyholders of inheritance, its provisions, as far as conveyancing went, did not apply to sub-tenants.

The next few clauses dealt with heriots. A copyholder who died seized in tail or in fee of any messuage owed as a heriot his best beast or, failing that, his best moveable property under the value of 4 marks.³ For copyholders dying seized of a cottage "for which a heriott hath not aforetime been paid in kind", the heriot was to be 6d,⁴ otherwise, the heriot was to be similar to the last one paid.⁵ All cottages built in the future, save those built on land pertaining to an ancient messuage for which no heriot was due,⁶ were heriotable at the rate of 6d each cottage.⁷ Finally, there was a clause designed to prevent a copyholder avoiding heriot service. This ruled that where an estate for life, not on the life of the copyholder, was created, that is to say, where a copyholder surrendered land to the use of himself or another, during the life of a third party, then a fine of 4 marks was due unless the copyholder could negotiate a lower sum with the lord. If the estate was limited to his own life, that is to say, if a copyholder surrendered land to the use of another during his own life, then a heriot was due on the death of the

1. 2/3/123 para. 14. 2. For the importance of sub-tenanting in the pattern of landholding in Cannock see below pp. 81-7.
3. D1042/15 para. 15. 4. Ibid, para. 16. 5. Ibid, para. 18.
6. This was one of the few specific advantages in having an ancient demesne holding. 7. 2/3/123 para. 17; D1042/15 para. 17.

copyholder.¹ All these clauses reflected the traditional practice in the manors.

There were two clauses dealing with escheats. If a copyholder died without heirs then his land was to escheat to the lord.² This situation was rare; after all, it was always open to a copyholder without heirs to convey his land to a third party. In the sixty years prior to the making of this custom there was only one such case, in 1557, when John Arneway died without heirs and his copyhold of inheritance which consisted of a cottage and single acre of land escheated to Paget.³ The second clause⁴ dealt with the case of a copyholder, seized in fee simple, who was attainted or outlawed for felony or treason. In this situation his lands were forfeited or escheated to the lord. Significantly, entailed estates were not subject to this provision.

There was a group of clauses concerning copyholders' rights on their own land and on the lord's waste. They could cut down and carry away any wood on their own lands, and they could let their houses and other buildings decay without fear of a fine.⁵ Copyholders seized of a messuage, or ancient cottage, and their farmers or tenants, had the right of free commons for their "cattells" within all wastelands, including Cannock Heath and Cannock Wood.⁶ This was a concession, for until this time copyholders had paid a small licence to common their animals on the Chase.⁷ There was only one situation in which the area they could common was restricted,

1. D1042/15 para. 19. 2. Ibid, para. 24. 3. 2/1/182 m.6d.
4. D1042/15 para. 25. 5. Ibid, para. 20. This seems to have
been the practice hitherto. 6. Ibid, para. 21. 7. See
below pp. 101-3. The word "cattells" was used, in the Exchequer enquiry
of 1595, of horses, bovines, and sheep. D260/M/E429/31 fo.116. I assume
that sheep were meant to be included here.

when the lord enclosed a coppice for the preservation of young trees. Such enclosures were not to exceed a period of nine years.¹ Copyholders had the right to take heath, "ridgeing" turf, fern, peat, clay, sand, earth, marl, and gravel from the lord's waste.² This was one of the clauses examined by counsel in his answer to the series of questions on the rights of copyholders put by Paget's agent some time after August 1628.³ Counsel ruled that under the terms of the custumal copyholders could only take turf "for ridgeing of their houses", and if they did otherwise the lord had an action of trespass against them.⁴ Five⁵ out of the eleven questions related to the use of the fern. It is clear that by this time a number of copyholders were burning the fern and using the ash to make a lye for the bucking of cloth. Counsel advised that the copyholders had no right to use the fern in this way. From this one can infer that the original intention was that the fern should be used as a litter or, possibly, as a feed. The materials which the copyholders were entitled to take from the waste were of limited value. The custumal did not confer on the copyholders any right to plough up the waste.⁶

The next set of clauses, which reflected past practice, related the copyholders' rights and duties in the manor court. The copyholders owed suit at the three-weekly courts: an essoin cost 1d; for each subsequent absence an amercement of 2d was payable;⁷ absence for a whole year could be compounded with a fine of 8d.⁸

1. D1042/15 para. 22. (This conformed with earlier practice. See below pp. 93-4.)
2. Ibid, para. 23. This was the clause cited in 1842 to prove that the copyholders had no right to mine for iron or coal. See above p. 19.
3. The questions and counsel's answers were appended to the book of the indenture of Nov. 1605; 2/3/123.
4. Ibid, question 4.
5. Ibid, questions 5-9.
6. Ibid, question 3.
7. D1042/15 para. 26.
8. Ibid, para. 27.

A copyholder summoned in person to a particular court had to attend; the fine for non-appearance in this case was 1s.¹ The manor court jury was to be drawn from the copyholders and freeholders; cottagers, under-tenants and the lord's servants were excluded.² The jurors and other court officers at the court leet were entitled to a dinner at the lord's charge.³

Finally, it was agreed that both lord and copyholders were to be bound by these customs which were not to be impugned by reference to the court rolls, however ancient.⁴ The lord's right to enforce payment of the customary dues noted in the custumal was conceded.⁵ In the event of dispute or doubt, the issue was to be resolved by a jury of 14 or 16, half to be chosen by the bailiff and half by two disinterested jurors.⁶ The court rolls were to be kept in a neutral place. The copyholders of Cannock and Rugeley were ordered to provide, at their own charge, a convenient chest with four separate locks and keys, to be kept in Cannock parish church. Equal rights of access between lord and tenants were to be assured by the distribution of keys, all four of which were required to open the chest: one with the steward, one with the bailiff and one each with two of the copyholders. Any copyholder had a right of search on payment of a 3s fee, 1s each to the steward and the bailiff and 6d each to the copyholder keymen.⁷ It was the responsibility of the steward to see that the court rolls were engrossed on parchment and properly deposited. According to the original agreement, the court rolls of the previous year were to be in the parish church before Easter.⁸

1. D1042/15 para. 28.

2. Ibid, para. 29.

3. Ibid, para. 30.

4. Ibid, paras. 31-2.

5. Ibid, para. 33.

6. Ibid, para. 34.

7. Ibid, para. 35. It was quite common for court rolls to be thus deposited. At Yoxall (Staffs.), in 1564, the court rolls were kept in a chest in the parish church. The chest had three locks; one key was held by the steward and one each by two of the copyholders. (S.H.C. 1938, pp.65-6.) For other examples see Kerridge, p.79.

8. 2/2/21 para. 26.

It was common practice in the late sixteenth and early seventeenth centuries for a lord and his copyholders of inheritance to substitute certain for arbitrary entry fines.¹ The agreement between Paget and his copyholders and the legal process by which it was effected were typical. Nevertheless, the negotiations and agreement occurred when they did for particular and specific reasons: the loosening of manorial control over the previous twenty years with a consequent growth in independence amongst the copyholders, the changes on the Chase following Fulke Greville's activities, and Paget's need for a large sum of money to bolster up his finances.

Most of Paget's customary tenants in Cannock and Rugeley were copyholders of inheritance; in the case of Cannock, most of the land was in their hands. Clearly, the agreement of 1605 was important to them. In addition to the concession on entry fines, these copyholders gained a means of barring entails, a lowering of the age of inheritance, free exchanges between copyholders, assured access to the court rolls, and free commons on the waste for their "cattells". This list sounds impressive. In fact, the changes in the rules governing the copyholds were largely refinements on past practice; there was very little de facto improvement in this customary tenure. The concession of free commons saved the majority of copyholders less than 2s a year. The main advantage of the 1605 custumal to the copyholders was the security it gave them and their heirs in an age ever more predatory on customary rights.

The 1605 custumal is a landmark in the history of the copyholders of Cannock and Rugeley. It also serves to introduce the legal structure of copyhold tenure within the manors, itself one of the

1. Kerridge, p.54.

most important elements in the history of the previous sixty years. What it does not and could not convey is the complexity and diversity of copyhold conveyancing, and the function of copyhold tenure within the whole scheme of landholding and farming. This is the subject of the next chapter which, for reasons already given,¹ deals mainly with the manor of Cannock. Similarly, the custumal tells one something about the copyholders' rights on the Chase but nothing about how those rights were exercised and, more often than not, exceeded; this is dealt with in Chapter 4. Customs, whether formally recorded or tacitly agreed on, had validity only in so far as they were exercised, and the place where all these customs were tested was the manor court. This institution is the subject of Chapter 5.

1. See above p. 10-11.

Chapter 3

Rents and land in Cannock, 1545 - 1597

I

The lordship of the manor of Cannock changed four times, in just over fifty years. Having been in the possession of the bishops of Coventry and Lichfield for two and a half centuries, it passed, in 1546, to the Pagets. They held it until 1584 when it was forfeited to the Crown. It remained under Crown control until the Pagets recovered it, in 1597. At each change, a survey of the estate was made, and this is the main reason why there were so many surveys of Cannock. The surveys, of 1545, 1549, 1554, 1570, 1585 and 1597, give a complete picture, at particular points in time, of the landholdings on the manor. The surrenders and admissions, recorded in the court rolls, detail the year to year changes in the tenancies. Since virtually all land was held on a base tenure, in Cannock, and since the court rolls are remarkably full, evidence on landholding is as detailed as one could hope to find. As sources, the surveys and the court rolls are complementary; each makes clear the information in the other; both are necessary for a re-construction of the pattern of landholding in a village. (The only major source lacking, here, is a contemporary map.)

The use of manor court rolls as a register for customary land, is too well known to need explanation. The function of surveys is more complex and less clear. Basically, all surveys were carried out at the instigation of the lord. They were made with the purpose of ensuring that the lord maintained his rights in the land. They consisted of two main types: surveys of land, and surveys of rents. The former, dealt with in more detail in section IV below, were made in order to ensure that no manorial land fell outside of the lord's control, the latter, in order that the lord should receive his proper rent. Tenant co-operation was usually forthcoming because it was in the tenants' interest to establish, for their own holding, the exact position, size, tenure and rent owed.

The surveys of rents, called, variously, 'rental & survey', 'rental', 'survey & valor' and 'survey', all contained the same basic information: the name of each tenant and the amount of rent due; to this, on occasion, were added details on the tenure, the date at which the indenture or copyhold was given, the name of the previous tenant, and a summary description of the tenement. The variation in the information contained in these documents, ought not to obscure their underlying uniformity. They were, essentially, lists of rents. They were used by both the manorial and the estate officials. The reeve-bailiff used them to establish who owed what rent; the receiver-general used them to establish what totals of rents were due, for it was these sums which he had to account for to the auditor. (Some archivists, when listing, attempt to distinguish between these two functions. In practice, it is often difficult to tell whether or not a particular document was used for one, or other, or both of these purposes. Since the basic information in all of them remains the same, I depart from normal archival practice, and call them all, rentals.)

One can see how the documents were used by following the collection of rents for the year 1549-50. The 1549 Rental¹ both itemised the rents, and gave totals:

	£	s	d
for 9 named freeholders	1	1	5 $\frac{1}{2}$
" 41 named copyholders	14	17	1 $\frac{1}{4}$
" 1 named indenture holder			8
" 'frithesilver', a customary payment		4	0
	<u>16</u>	<u>3</u>	<u>2$\frac{3}{4}$</u>
of which the reeve-bailiff was allowed in fees		1	3
	<u>16</u>	<u>1</u>	<u>11$\frac{3}{4}$</u>

1. 2/3/112 b.

The Bailiff's Account for the year Michaelmas 1549 to Michaelmas 1550,¹ which just lists the sub-totals, shows that he did, in fact, collect these sums:

	£	s	d
for freeholders	1	1	5 $\frac{1}{2}$
" copyholders	14	17	1 $\frac{3}{4}$
" the indenture			8
" 'frithesilver'		4	0
	16	3	3 $\frac{1}{4}$
and was allowed 1s 3 $\frac{1}{2}$ d in fees		1	3 $\frac{1}{2}$
	16	1	11 $\frac{3}{4}$

The slight juggling with the figures will come as no surprise to those used to the vagaries of sixteenth century arithmetic; the important thing was, and is, that the totals were the same. In rendering this account, the reeve-bailiff discharged his obligations for the annual rents. The receiver-general then turned to the court rolls to establish the total of variable payments, such as amercements, entry fines, and so on, arising from action in the court over that year. The total of these perquisites, also recorded in the Bailiff's Account, was 38s 10d, of which 20s 3d was allowed for the steward's expenses. Thus, a further 18s 7d was added to the main rent charge of £16 1s 11 $\frac{3}{4}$ d, making a total of £17 0s 6 $\frac{3}{4}$ d. When the receiver-general, in his turn, had to render his account to the auditor, all this information was reduced to a single-line entry, recording that the Cannock reeve-bailiff paid in £17 0s 6 $\frac{3}{4}$.² Thus, one can follow the complete process, from the bailiff collecting the rents to the receiver-general's discharge before the auditor. The different uses of the Rental, by the bailiff and his superior, are here illustrated.

The first of the Rentals is undated but, from internal

1. 3/2/18 mm.12d - 13.
 2. 3/1/20 m.2d (Draft Acc't); 3/1/3 m.1d (Engrossed Acc't).

evidence, one can put it at March 1545, or soon after.¹ It was made, therefore, just before or just at the surrender of the bishop's lands in 1546. It is a strictly utilitarian, nineteen folio paper book which, apart from a few copies of indentures, gives only the bare minimum of detail, namely, tenant's name and rent.

Once Paget had secured his considerable estate, one of the first things he did was to have it surveyed, in 1549. It was thoroughly done; details included not only name and rent but also type of tenure and a description of the holding. It was also complete; all the manors were included. A draft was drawn up² and then the details were engrossed into a large, leather-bound, pleasingly written, parchment volume.³ This was more than just a working document, as the three coats of arms at the front prove. It was lavishly and expensively produced, and reflects Paget's pride in his new possessions and in his recent elevation to the baronage.

A number of topographical surveys of Paget manors was made in 1554. It will be remembered that it was this year that William, Lord Paget made a settlement of the estate on his family, and this probably explains why these surveys were taken.

Despite the 1554 settlement which entailed the lands on the heirs male, on the death of Henry, Lord Paget, in December 1568, his infant daughter retained some rights in the land until her death in June 1570. It was only then that Henry's brother, Thomas secured his rights to both the title and the property. Thomas's accession was accompanied

1. 2/3/112c. See folio 4 verso where an indenture, dated 20 March 36 Henry VIII [1545], is recorded. 2. 2/3/125.
3. 2/3/112 b - unfoliated; the Cannock entries are in the middle.

by detailed surveys of a number of the manors.¹ The subsequent rentals were written up on individual, parchment rolls, and not engrossed into a single volume. The Pagets needed a new rental, especially for Cannock, where, since the making of the 1549 Rental, they had purchased the one-time chantry lands. These now needed to be incorporated into the rental. This is the first surviving rental to include the chantry lands; the distinction between manorial and ex-chantry lands was maintained by listing them separately.²

Change of ownership was also the reason for the making of the next rental. When Thomas Paget fled to France, his lands escheated to the Crown. In May 1585, the Exchequer took a survey. The Rental, including details of all the Paget manors, consists of a leather-bound, parchment book.³ The Cannock chantry lands were included, but not, as in 1570, listed separately.

Thomas Paget died in exile and, in July 1597, his son, William recovered the family estate from the Crown. One of the first things he did was to order a survey which was made in September of that year. The subsequent rental, which includes details of all the Paget manors, is a well-constructed, leather-bound, parchment volume.⁴

The rentals of 1549, 1585 and 1597 were all drafted in the same way, the only difference being that in 1597 the surveyor returned to the system of 1570 in dividing the Cannock entry into manorial and chantry rents.⁵ The general form of all these rentals is

1. The 1570 Field Books include: 2/3/32 (Cannock); 2/3/38 (Rugeley); 2/3/60 - 2 (Longdon); W.S.L., S.MS. 326 c (Heywood).
2. J2028 & J2029; the Rugeley rentals are J2071 & J2072.
3. P.R.O. E178/3103 mm.5 - 65. My thanks to F. W. Stitt for drawing my attention to this document. 4. 2/3/112 d.
5. Ibid fos. 57v-59v; 60-63.

Plate 1

The 1597 Rental

(2/3/112 d fo.57v.)

Maner de ...
venerabilis ...



in die ... fact' die ...
...
...
...
...

Richard ...
...
...
...

Roger ...
...
...
...

John ...
...
...
...

Thomas ...
...
...
...

Thomas ...
...
...
...

Thomas ...
...
...
...

John ...
...
...
...

John ...
...
...
...

Walter ...
...
...
...

illustrated in the opening entries of the 1597 Rental. (See Plate 1.) The heading tells one something of the procedure adopted. The survey was allegedly completed in a single day, and, therefore, one may assume that the surveyor carried out a considerable amount of preparatory work prior to the official hearing. The survey was like a judicial commission of enquiry, the listed tenants acted as a jury, their testimony being given the same prominence as that culled from the old rentals. The particular entries are typical of those in all the rentals. In each case, name of tenant and amount of rent due are given; type of tenure, previous tenant, description and size of holding are added where these were known, and where the information was deemed relevant. By indicating tenure, the rental was a convenient register of title, for the lord. Its value to the tenant was more limited. The tenant had no right to consult the document which itself constituted, in law, no proof of tenure, in particular, for the copyholders where the court rolls remained the only register of title. Nevertheless, the absence of an entry in a rental would have weakened the de facto tenurial security of the tenant. As the marginalia show, there was some attempt to keep the rentals up to date.

It is salutary to realise that surveys were taken and rentals made without there, necessarily, being any significant change, either in rents or in tenures. In the case of Cannock, it was because of the personal and political histories of those holding the lordship of the land that these records were generated and, if their histories had been otherwise, the surveys would hardly have been necessary and the rentals would never have been made. Paradoxically, it was the subsequent continuity of ownership of these lands by a single family, until recent times, which guaranteed the survival of this material.

The comparison of totals in rentals is a dangerous exercise. Basically, rentals show what the lord expected to get from the annual rents. They need not be, and in the case of Cannock, are not indicators of how individual rents moved, nor by extrapolation of how rents in general moved.

Table 1

Rent Totals for Cannock

<u>Year</u>	<u>Reeve Rental</u>			<u>Chantry Rental</u>			<u>Total</u>		
	£	s	d	£	s	d	£	s	d
1545	16	2	11½	—	—	—	16	2	11½
1549	16	1	11¾	—	—	—	16	1	11¾
1570	16	3	0¾	6	9	11½	22	13	0¼
1585		n.d.			n.d.		20	5	3½
1597	14	5	3¾	10	3	8½	24	9	0¼

Few would confuse the totals of 1545 and 1549 with the later ones, given knowledge of the purchase of chantry lands in the 1550's. Unfortunately, the two rental system generates more complex problems.

There are four years for which the sub-total of manorial rents (in the Reeve Rental) is known. One might infer from these figures that the rents remained stable up to 1570 and then fell sometime between then and 1597. Such an inference would be incorrect. The congruity of totals in the first three rentals is more apparent than real. Rent of over 15 shillings, due from the Guardians of the Church, was recorded in 1545 and 1549 in the Reeve Rental, but in the Chantry Rental in 1570 and 1597.¹ Given this, one might argue

1. See Appx. A, sub 'Guardians'.

that rents rose between 1549 and 1570; as we shall see, this was not the case. It is possible that other, unidentified transfers of a similar nature occurred between 1570 and 1597. If so, no valid inference could be drawn on the movement in manorial or chantry rents.¹

There are combined totals for the last three rentals. They show that the lord's rental, i.e. the total he expected to get from the annual rents, fell between 1570 and 1585, and then rose to a new peak by 1597. This is not to say that the rents followed this pattern. The figure for 1585 represents not a fall in the charge on rents but an omission of certain rents. What one sees is deliberate evasion.² The tenants were able to take advantage of the general confusion, following the seizure of the manor, to avoid having their rents recorded. The evasion was greatest amongst the chantry rents, where the inherent complication of a two rental system was greatest.³ If one ignores the aberration of 1585, there does seem to have been an increase between 1570 and 1597. Detailed analysis of the rentals reveals that this increase can be attributed entirely to new land being brought under cultivation or built upon; it does not represent a rise in the general level of rents charged.

Comparing totals in rentals may tell one little or nothing about the movement of rents. In order to discover what the general movement of rents was, one needs to undertake a detailed survey of the movement of identified, individual rents.

1. Thus, the Cowper's rent of 11d, recorded in the reeve rental in 1545, 1549 and 1570, may have been transferred to the chantry rental by 1597. See Appx. A, sub 'Cowper'. 2. It is possible but not probable that these rents were recorded elsewhere. 3. See Appx. B, where the more numerous gaps indicate evasion.

II

The general trend between 1570-80 and 1620-30 was "of a marked increase in rents on the estates of many private landowners".¹

What was the position in Cannock?

An attempt has been made to trace the descent of every parcel of manorial and chantry land in Cannock. Such a re-construction would have been impossible without the additional information contained in the court rolls. The results are set out in Appendixes A and B. Success in establishing descent is revealed by the continuity of entries on any particular line across the page; for example, one can see that the holding, 'Broadhassels' was in the possession of the Arblaster family throughout the period. The information in the 1545 Rental is difficult to correlate with that in the others and is, therefore, ignored for these purposes. The descent of a high proportion of all manorial holdings can be traced, as can be seen in Appendix A. The most immediately striking feature which an inspection of these descents reveals, is how stable the rents were. Out of a maximum total of rents of about £16, one can identify £13 13s 6d, or about 85%, common to the rentals of 1549, 1570, 1585 and 1597. The proportion would be even higher if one ignored the 1585 Rental where there were certainly some omissions. The missing 15% reflect gaps in the evidence and do not imply that these rents changed. The most noticeable failure occurs with the Salwey lands where some 200 acres and 20 shillings rent are impossible to trace, after 1570.

1. P. Bowden, 'Agricultural Prices, Farm Profits and Rents', Joan Thirsk (ed.), Agrarian History of England..., iv, 691.

The overwhelming weight of the evidence supports the view that the rents remained stable. Thus, the Barker family's rent of 1s 4½d for their 18 acre holding remained constant throughout the period.¹ Nor was the annual rent changed when the holding passed from one family to another; the Webbes held 'the Ruddockes' in 1545 and 1549, Bostocke held them in 1570, and Aston in 1585 and 1597; they all owed an annual rent of 6d.² Even where a holding, such as the Fowkes's 59 acres, was sub-divided, in this case into six separate holdings, the total of rent charged remained the same.³ This identity of rents was also true of the chantry lands. The Abbots, for example owed 3s 4d per annum for their new cottage in 1570, 1585 and 1597.⁴ Grately owed 10s for 'Dumpdale' in 1570; Bostocke was paying the same rent for the same land in 1585 and 1597.⁵

There is only one evidenced increase in rent. The Guardians of the Parish Church owed 15s 3½d for their land. By 1570 this holding was transferred to George Smythe, at an annual rent of £1 12s 2d.⁶ The fact that this is the only acknowledged increase in rents in a compendium on tenancies made in 1574, is further evidence that virtually all rents remained static.⁷ As a general rule, the only way the lord was able to increase his rental was to take in new land from the waste. This land was held either by indenture for a term of years, as in the case of Patricke,⁸ or as a tenancy at will, as in the case of the cottagers.⁹

The failure to increase payments from the land was partly

1. Appx. A, sub Barker.

2. Ibid, sub Webbe.

3. Ibid, sub Fowkes.

4. Appx. B, sub Abbott.

5. Ibid, sub Grateley.

6. Ibid, sub Smythe.

7. 2/3/113.

The entry referring to this land is on folio 29.

8. Appx. B,

sub Patricke.

9. See list at end of Appx. B.

caused by the numerous changes in lordship over the period. Respective lords were too busy securing the estate, to give much time to improving the rent roll. And where they did so, easier and more lucrative opportunities could be exploited by enclosing the waste, or building on it. The main reason, however, why tenancies and rents remained so stable, was because Cannock was an ancient demesne manor. This gave the copyholders considerable rights in relation to their tenements. The lord could not change the tenure of a holding to one more profitable to himself, nor could he raise the rents or other dues from the land. In the country as a whole, copyholders for lives outnumbered copyholders by inheritance and enjoyed less favourable terms of tenure.¹ Most, in Cannock, held by copyhold of inheritance. There were very few copyholders for lives; only three in 1585 and two in 1597. These were created not for the benefit of the lord but for the benefit of the tenant who was thus enabled to will some or all of his land outside of the strict line of descent dictated by custom on copyholds by inheritance.

Whilst the annual rents were stable, they were not uniform. In 1570, the heirs of John Alporte paid 2s 10½d for one messuage and 9 acres, an annual charge per acre of 3.8d, whilst Ralph Alporte's messuage and 34 acres at 3s 9d per annum, cost only 1.3d per acre.² Bydulph's 20s for over 200 acres represented the very low annual charge per acre of 0.8d.³ This variation was not due to differences in the quality or type of land held; it was a reflection of anachronisms in rent charges accumulated over generations.

1. Bowden in Thirsk, op. cit., p.685.

2. Appx. A, sub Alporte.

3. Ibid, sub Salwey.

In a period of rampant inflation, stable rents favoured the tenant; a fixed rent meant, in real terms, a declining charge on the tenant. If the lord was even to maintain his position, he needed to increase his rent roll. It is clear that the annual rents were untouchable. Did the lord then compensate by raising the incidental payments? Here, the evidence is too fragmentary to give a definitive answer, although the strength of custom in relation to annual rents would suggest that general increase in incidental payments was unlikely. Even if the lord did raise some of these charges, and, in general, I think he did not, the total cost was well below the economic value of the land.

The annual rent was only a part of the rental charge. At every surrender and admission, heriots and entry fines were levied. The real rent, then, was the annual rent adjusted to take account of these incidental payments. In those cases where land remained in one family's possession, one can calculate the actual cost of the land to the tenant.¹

It is most uncommon to find specific information on the real cost of copyhold land. This, in itself, would justify the section which follows. But land was more than just a rent charge; for many of the villagers it was their most valued asset. Land transactions represented the most important civil function of the manor court, and the complexity of these transactions is itself evidence of the sophistication of the villagers concerned. That they went to such

1. Where the land was transferred outside of the family, the calculated annual charge per acre represents not the cost of the land to the tenant, but the rental value of the land to the lord. See below p. 56-8. The important but difficult question of the cost of land to the sub-tenant is considered below, p. 86-7.

lengths to secure title and to ensure descent, is crucial to one's understanding of the village community. The family histories which follow, with all their diversity and particularity, bring one very close to the heart of the village, landholding class.

III

The most usual and simple form of descent was from father to son, on the death of the holder.

The Cookes copyholding, annual rent 5s 11½d, consisted of one messuage and 34 acres in the hamlet of Leycrofte; none of this land was in the common fields.¹ In 1545, one Humfrey was in possession.² The holding remained with him until his death, by April 1584, when a cow, valued at 28s, was taken as an heriot.³ He was succeeded by his son who was admitted the following June, on payment of an entry fine of 13s 4d, and who was still in possession at the end of the century.⁴

The Tromwyn copyholding, annual rent 6s 4½d, consisted of one messuage, one cottage and 33 acres, of which 14 were in the common fields.⁵ In 1545, John Tromwyn was in possession.⁶ He had died, by August 1559, and was succeeded by his son and heir, Thomas who was admitted to the holding a year later. Thomas paid 5s for an heriot and 5s for an entry fine.⁷ He was still in possession in 1600.

In 55 years, the Cookes paid 327s 8½d in annual rents and 41s 4d in incidental payments: the annual rent was 5s 11½d, the real rent was 6s 8½d. Over the same period the Tromwyns paid 350s 2½d in rent

1. J2028. 2. 2/3/112 c. 3. 2/1/186 m.9.
4. Ibid, m.16d. 5. J2028. 6. 2/3/112 c.
7. 2/1/183 m.3.

and 10s in additional fees: the annual rent was 6s 4½d, the real rent was 6s 6¾d. There is no obvious reason why the Tromwyns paid less than the Cookes for the heriot and entry fine. The 3% as opposed to the 13% addition, was balanced by the slightly higher annual rent. The net result was that both families paid the same, very low rate for their similar sized holdings, 2·4d per acre per annum.

The Henneys held by copy a messuage and 18 acres of enclosure, owing an annual rent of 2s 11½d.¹ In 1549, this land was held partly by Thomas and partly by Nicholas Henney.² By 1554 all of this land was in the possession of Thomas. Whilst he held the land it was, in fact, tenanted by his son, William.³ The boy was only fifteen at the time. This is one of a number of examples of relatively young men farming the land.⁴ In the village community, maturity was reached and responsibility was taken at a very early age. When Thomas died, a heriot of one oxen was taken. In 1560, William paid an entry fine of 2s 11½d, a year's rent, and was admitted.⁵ He died about the age of 55, and a heriot of one bullock, valued at 26s 8d, was taken. At the spring leet of 1594, his son paid an entry fine of 2s 10d, and was admitted.⁶ He was still in possession at the end of the century.

The total annual rent was just under 15ls. Heriots and entry fines, including an estimated value for the oxen of 22s 8d, was just over 55s, a 37% increase on the annual rent. Although just one more death could increase the percentage cost of incidental payments, the effect

1. J2028. 2. 2/3/112 b. 3. 2/3/36. No surrender or admission is recorded in the court rolls. 4. 2/1/183 mm.1d-2.
5. Ibid. 6. 2/1/287 fo.4. There is a marginal note that the fine in 2 Eliz. was 2s 11½d: it would seem that in this case the entry fine should have been the same as the annual rent.

was not sufficient to make the land expensive; the cost per acre per year was still only 2·7d.

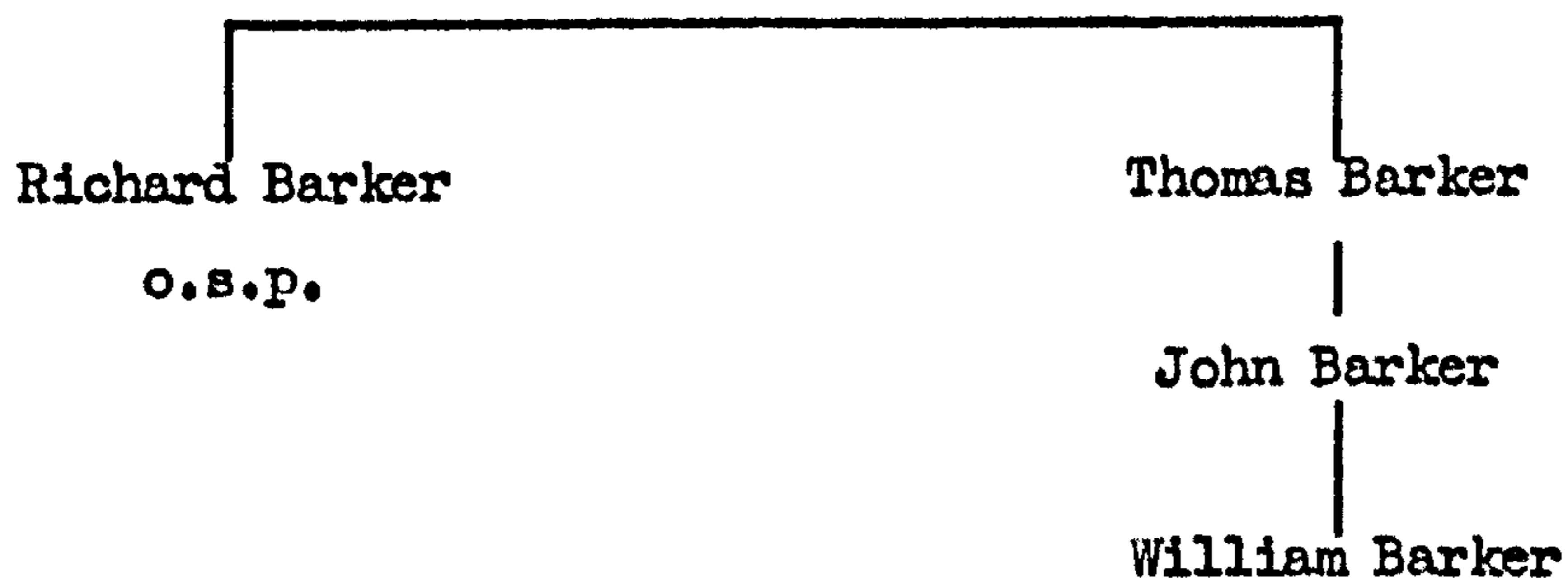
In the case of the Barkers, the percentage increase was even larger, and yet their real rent remained remarkably low. Their history also shows the strict application of the custom of descent through the male line, in this case through a collateral branch. Finally, this case is interesting because it illustrates the considerable freedom to sub-let which these copyholders enjoyed.

The Barkers had an exactly similarly sized holding to the Henneys, one messuage and 18 acres. The only difference was that about half of their land was in the common fields; this may explain why their rent was only 1s 4½d as opposed to the Henneys's 2s 11½d.¹

Table 2

The Barker Family

Barker



As far as one can tell, the Barkers never lived in the village, nor farmed the land directly, themselves. They were that little recognized but possibly common phenomenon, the absentee, copyholder landlord. In 1549, the land was held by Richard.² The tenant recorded

1. J2028.

2. 2/3/112 b.

in the 1554 Field Book was John, although he was never formally admitted to the holding.¹ The land itself was sub-let to the Bull family. When the widow, Joanna Bull died in 1567, despite the fact that she was only a sub-tenant, the lord took a heriot of one bullock, valued at 23s 4d. It was not the custom of the manor to take such incidents from sub-tenants, nor was there any provision in the general law covering customary land for such payments to be exacted. Legally, the lord had no right so to act. Certainly, it was unusual, perhaps justified by the fact that the Barkers were absentees. The same court established that Richard's nearest surviving heir was his great-nephew, William.² In the 1570 Rental, William was listed as the copyholder but he was not formally admitted to the land until 1575, when he paid an entry fine of 26s 8d.³ Such an eight year gap is difficult to justify, in law. They were not, however, uncommon in this village. Such interregnums did not vitiate the copyholder's security of tenure. William lived in Worcestershire. Like the rest of his family, he was an absentee landlord.⁴ Given this, he must have sub-let the land and yet, after the death of Widow Bull in 1567, there are no further references in the court rolls to the sub-letting of this land. The Barkers seem to have been able to sub-let this land, year after year without needing to secure a licence from the lord.

The annual rents totalled just over 70s, the incidental fees, 50s: the annual rent of 1s 4½d concealed a real rent of 2s 4¼d. A 70% surcharge sounds a lot. In practice, it represented no great burden for the Barkers who, even then, were only paying 1.6d per acre per year.

1. 2/3/36. 2. 2/1/183 m.44d. 3. 2/1/184 m.12.
4. 2/3/113 fo.32.

Transfer of land could and did occur before the death of the current holder. Transfers from father to son during the lifetime of the father were quite common. There were three possible reasons for doing this. If the title to the land was not secure, it was much easier to clarify the matter during the lifetime of the current holder. Secondly, whilst heriot service was not avoided, the tenant was able to choose a time for the transaction most convenient to himself. Thirdly, such transactions were often the occasion for making settlements on junior members of the family.

The case of the Birche family illustrates all three points. They had one messuage in the hamlet of Leycrofte, and just over 45 acres in enclosures. The land was held by copy at an annual rent of 4s.¹ It remained in the family's hands throughout the period, and was probably farmed directly by them; no sub-tenants are noted in the 1554 Field Book.

In 1581 Roger Birche transferred the land to his son, John. By that time, Roger had already held the land for 36 years. So, by contemporary standards, he was quite old, and one can understand why he should wish to pass on the holding to his son. But there were further reasons for the transfer. Roger's title to the land was not secure, despite the fact that he had held it all this time, and despite the fact that he appeared in the 1549 and 1570 Rentals as holding the land by copy. Thus, before he could transfer the land, he was forced to come to the spring leet of 1581 and prove his title, by being formally admitted to the holding, for which 'privilege', he was assessed in heriot and entry fine at £4, of which the lord remitted 14s 4d.² Obviously, Roger did not have formal evidence of title to his copyhold, but why did the lord insist that

1. J2028. 2. 2/1/184 m.53; 2/1/263 (a) fo.16. The special provisions were noted in the draft but not in the engrossed court roll.

he prove it when Roger's de facto rights in the land had been acknowledged for so many years? The answer is to be found in a book on tenancies, made in 1574. Birche and Paget were in dispute over a pasture called Mossymore. Roger had claimed it as freehold, and had sold it without the lord's licence. Paget held that it was customary land, and had ordered its seizure.¹ In this situation of conflict, nothing less than formal proof of title in the copyhold land would satisfy the lord.

In addition to his main purpose of settling the land on his eldest son, Birche also used the occasion to make provision for his younger son, William. Thus, at the same court where he was admitted to the holding, Roger surrendered it to the use of John, with the proviso that John was not to be admitted until he had guaranteed an income of four marks on his younger brother, William.² John agreed to these terms at the next court leet, and was admitted. He was assessed for heriot and entry fine at £4, of which 3s 4d was remitted.³

The settlement cost the Birche family £7 2s 4d. The fact that they carried through the transaction in a single year, instead of spreading it over a number of years, suggests that this sum was not beyond their means. Even given this most unusual turn of events, the Birche family held this land at most advantageous rates. The incidental payments represented an additional sixty per cent on the annual rent, but the annual charge per acre was still only 1.7d.

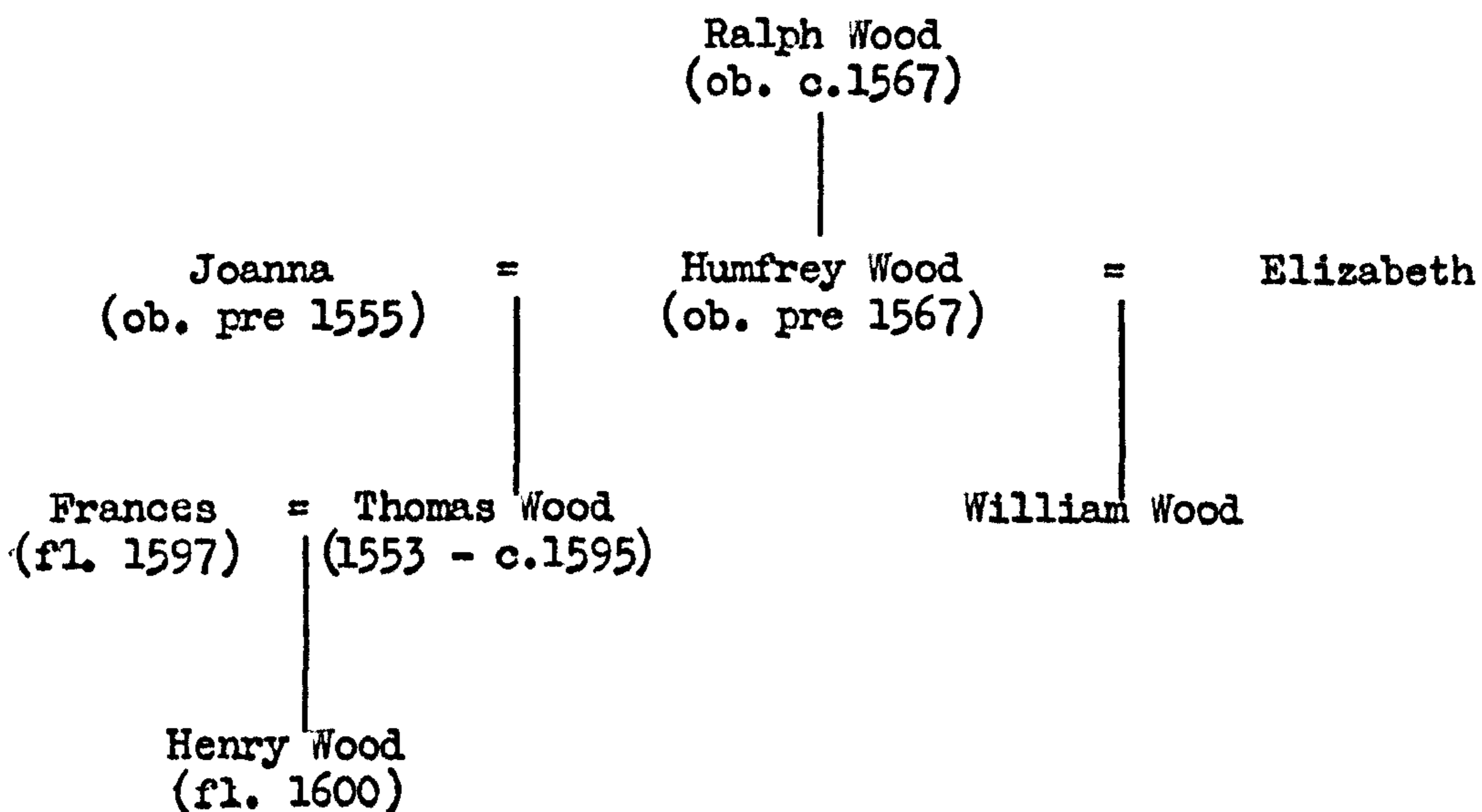
It was a relatively easy procedure to create a settlement of copyhold land. One surrendered the land in the manor court, stating in the ad opus clause the order of descent favoured. (When someone was

1. 2/3/113 fo.29v. 2. As p.50, n.2.
3. 2/1/184 m.54d; 2/1/263 (b) fo.4.

disinherited, as, for example, where a wife's dower rights were excluded, the consent of that person was necessary.) The first named beneficiary was then admitted, and at that juncture the settlement was completed. The ease and simplicity of this procedure gave copyhold tenure an adaptability not available for lands held in fee simple. This is graphically illustrated in the case of the Wood family.

Table 3

The Wood Family



Their copyholding consisted of one messuage, two cottages, 40 acres in enclosures, and 21 acres in the common fields, for which they owed an annual rent of 10s.¹ In 1545 this land was held by Ralph.² His son, Humfrey was listed as the tenant in 1549 but, in fact, title in the land remained with the father.³

In 1555 Ralph made a settlement. His probable purpose was to ensure that the land passed to the progeny of his son's first marriage

1. J2028. 2. 2/3/112 c. 3. 2/3/112 b. Ralph was correctly listed as the tenant in 1554; 2/3/36.

and, thus, to exclude immediate claims by any progeny of the second marriage. He surrendered the land to the use of himself, then to the use of his son, Humfrey, then to the use of his grandson, Thomas, at that time a child of two, then to the use of Thomas's heirs, and, finally, to the use of the heirs of Humfrey and his second wife, Elizabeth. Ralph was then re-admitted to the holding, on payment of 40s in heriot and entry fine.¹

Ralph's death was reported in 1567. No heriot service was necessary since it had already been paid. His nearest surviving heir was his grandson, Thomas who, at the time, was only 14.² Persons under 21 years of age could not be admitted to a copyholding, in this manor. When there was a minority, either a wardship was created or, more usually, the heir was accepted as de facto tenant. The main limitation on the inheritor during the interregnum was on the disposal of the property. Thus, Thomas who did not formally enter the land until 1575, when he paid an entry fine of 4 marks (53s 4d),³ was listed as the copyhold tenant in 1570.⁴

In 1576 Thomas leased a part of his holding for a 41 year term, paying to the lord a fee of 20s for this privilege.⁵ A year later, he leased out more land, this time for a term of 60 years, paying a further licence fee of 40s.⁶ In 1578 he let out further lands for a term of 40 years, at a cost of 6s 8d in licence fees.⁷

In 1580 Thomas, appearing for the first time in the court record as a generosus, surrendered some land to the use of his brother,

1. 2/1/182 m.1. 2. 2/1/183 mm.37d-38. 3. 2/1/184 m.5d.
4. J2028. Rentals showed the de facto not the de jure position on
tenancies. Compare the case of Humfrey in 1549. 5. 2/1/184 m.21d.
6. Ibid, m.25d. 7. Ibid, m.32d.

William. A heriot was due. William was admitted on the payment of 20s in entry fine.¹ A year later, Thomas used his land as security for a loan. He surrendered the land to the use of the lender, Fynney on the condition that if Thomas paid Fynney £40 in English money, at the south door of the parish church, between the hours of eight and eleven in the morning of 24 June 1582, then the surrender would be rendered void.² This money was repaid, although after the term of the loan had expired. Thomas then went on to make a settlement on his son, Henry. In June 1583 Thomas and Fynney surrendered the land to the use of Henry. For reasons not now clear, two heriots were owing and the property remained in the lord's hands until a year later when Henry was admitted on payment of heriots totalling £2, and an entry fine of £3 10s 0d.³ When Thomas died, his wife, Frances claimed a third of all Thomas's onetime lands, in right of dower.⁴ Since dower rights had not been excluded in the settlement of 1583, Frances's claim was allowed.⁵

It would be difficult to find a better example of the adaptability of copyhold tenure in this manor. In a period of about fifty years, the woods made two settlements, three leases and one sale, and used the land to raise a loan and support a widow. And, at each transaction, the lord profited. In 55 years, the lord received 550s in rent and 290s in incidental payments. This 53% surcharge on the basic rental did not represent a serious financial burden. The annual rent of 10s concealed a real rent of 15s 3d, but this figure represented a charge per acre of only 3·0d. And if the settlements had not been made, loans raised, and leases granted, the annual cost per acre would have been only 2·0d.

1. Ibid, m.47d. 2. Ibid, m.53(b)d. 3. 2/1/186 mm.5, 9d.
4. In 1595. Ibid, m.52d. 5. In 1597. 2/1/294.

One reason for making a settlement by surrender was to avoid the strict rules of descent.

The Dale copyholding consisted of one messuage or cottage, a small croft containing garden and orchard, and four selions in the common fields. This small holding of 1 acre 3 roods was charged at the high rent of 1s 7½d.¹ In 1545 this land was in the possession of John Dale.² In 1579 he settled this land on his unmarried daughter, Agnes. A heriot of 5s and an entry fine of 2s 6d was paid, and Agnes admitted.³ The settlement was made to provide Agnes with a marriage portion; within three years she had married George Parkin. In acting as he did, John Dale excluded his son, Gilbert from the succession. In order that the settlement might be ratified, Gilbert came to the court in May 1582 and remitted and relaxed all claim by himself or his heirs to the land, in favour of his sister Agnes. For this privilege he had to pay the lord 1s 8d.⁴ These incidental payments added a further 9s 0d to the annual rent total of 89s 6d, not a very high percentage increase. Even so, the cost per acre per year was 12.3d.

A long period of minority does not seem to have affected the rights of the copyholder.

The Cowper family held by copy one messuage and 3 acres, 2 roods, 23 perches of land, a third of which was in the common fields. For this they paid an annual rent of 11d.⁵ William, who was in possession in 1545, died in 1554.⁶ His very small holding had been supplemented with a further 17 acres of enclosures, which he held as a sub-tenant.⁷ This additional land explains how William was able to maintain an oxen which was seized as a heriot.⁸ His son, also called William was only eight years old. He did not take up the land for

1. J2028.

2. 2/3/112 c.

3. 2/1/184 m.38.

4. Ibid, m.56d.

5. J2028.

6. 2/1/182 m.2d.

7. 2/3/36.

8. 2/1/182 m.2d.

another 21 years, when he paid an entry fine of 5s,¹ although the family continued to enjoy the use of this land in the interim.² In 1576 William surrendered the land to the use of his brother, Ralph who paid 26s 8d in heriot service, and 10s 0d in entry fine.³ A year later, Ralph sold the land, surrendering it to the use of a stranger, and paid a further heriot of 26s 8d.⁴

In these 32 years the Cowpers paid for this very small property, 29s 4d in rent, and 68s 4d plus one oxen in heriots and entry fines. If one allows 22s 8d for the oxen, a conservative estimate, the incidental payments were 91s 0d. These heavy additional charges on an already, relatively high annual charge, meant that the annual cost per acre was 12.0d.

Surrenders, of course, as in the above case, were the standard method of effecting the sale of copyhold land. The seller surrendered the land to the use of the buyer, who was then admitted to the holding. The validation of the action in the court, namely, the issue of a copy of the court roll, was dependent upon the receipt by the lord of heriot and entry fine.

John Hyll had the copyhold of one messuage, 3 acres of enclosure and 2 acres 3 roods in the common fields. At the Michaelmas leet of 1565, he surrendered this holding to the use of John and Agnes Birche, who were there and then admitted. Heriot was assessed at 20s 0d, entry fine at 10s 0d.⁵ A memorandum amongst the court papers reveals that six days after the court was held the money was handed over. The receipt of this payment was the authority for the manorial official to make out the copy.⁶ In October 1573 the Birches surrendered the land

1. 2/1/184 m.10. 2. They were listed as tenants in the 1570
Rental. 3. 2/1/355 fo.19v; 2/1/184 m.18. 4. 2/1/355 fo.35;
2/1/184 m.24d. 5. 2/1/183 m.24. 6. Ibid, m.18.

to the use of Andrew Mylles. A heriot of undisclosed value was taken, and Mylles was admitted on payment of an entry fine of 20s 0d.¹ This formal conveyance probably post-dated the actual transfer, for Mylles was listed as the tenant in 1570.² Six years later, Mylles surrendered the land to the use of Anthony Shutte. A bullock worth 20s 0d was taken as an heriot, and the entry fine was assessed at 20s 0d. Shutte was admitted to the holding.³ At the small court held on 7 March 1581, Shutte surrendered the land to the use of Francis Colley clericus, and then to the use of Colley's son, John. A cow worth 21s 8d was taken as an heriot.⁴ At the spring leet, Colley was admitted to the holding on payment of an entry fine of 21s 8d.⁵ Colley was omitted from the 1585 Rental but re-appeared in 1597.

Table 4

Incidental Payments on Hyll Holding

<u>Year</u>	<u>Transfer</u>	<u>Heriot</u>	<u>Entry Fine</u>
1565	Hyll to Birche	20s 0d	10s 0d
1573	Byrche to Mylles	n.d.	20s 0d
1579	Mylles to Shutte	20s 0d	20s 0d
1581	Shutte to Colley	21s 8d	21s 8d

It is difficult to discern a pattern in these charges. Why was the entry fine of 1565 half what it was in 1573 and 1579? Why did the entry fine rise a further 1s 8d in 1581? One must be frank and admit that there are no obvious answers. What the figures do illustrate is the degree to which the lord benefitted from the frequent sale and

1. 2/1/247 fo.5.

2. J2028.

3. 2/1/184 m.39.

4. Ibid, m.51.

5. Ibid, m.53.

re-sale of copyhold land. In these 35 years, from 1565 to 1600, the lord received 122s 6d in rent, and a further 153s 4d in incidental payments.¹ Thus, the face rent was 3s 6d, the real rent was 7s 10½d; the charge per acre per year was 16.4d.

In this case, the real rent charge represented only a portion of the total cost of the land, for, in addition to this sum, each of these tenants must have paid a consideration to the person from whom he purchased the land. Since the lord had no interest in this aspect of the transaction, no clear record of it was kept in the court rolls, and no direct evidence survives elsewhere. There is a whole, and important aspect of the sale of copyhold land which remains unknown, and unknowable.² In other words, it is impossible to calculate the real cost of copyhold land which was sold.

This account of the transfers of manorial lands in Cannock ends with a history of the division of a holding. The Fowke family copyholding consisted of one messuage, three cottages, 42 acres 2 roods of enclosures, and 16 acres 2 roods in the common fields, a total of 59 acres.³ For this, they paid an annual rent of 5s 8½d. In 1545 Henry Fowke held this land, and he continued to do so until his death, by May 1557, when he was succeeded by his son and heir, Edward. Heriot service was assessed at one bull and 3d.⁴

1. A value of 20s 0d is assumed for the heriot of 1573.

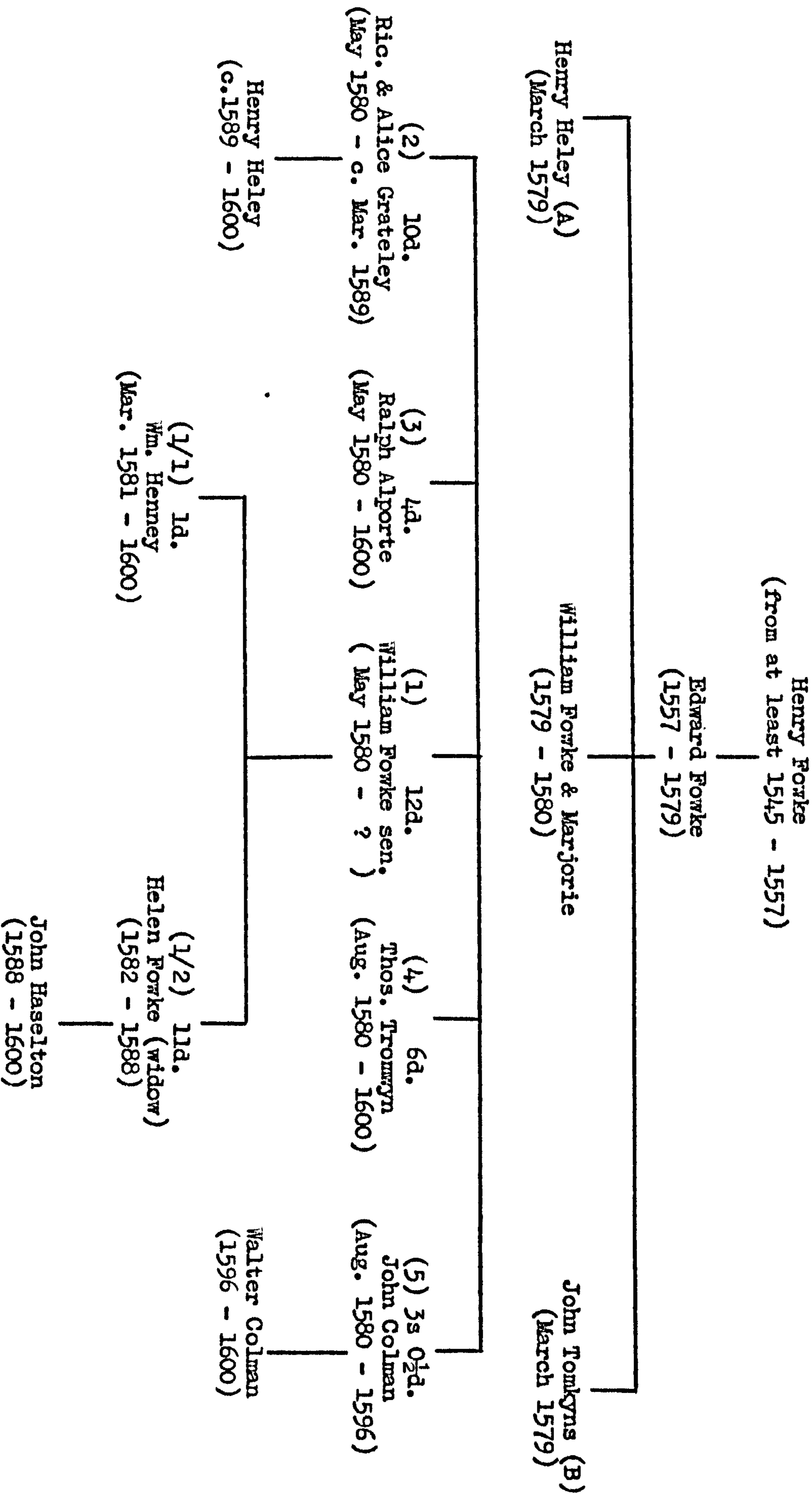
2. It is just possible that some of the numerous pleas of land and pleas of debt, heard mainly in the small court, refer to these transactions. Even if this were the case, it would still not solve the problem of establishing the sale price of copyhold land because no details of land prices are given in these pleas. For a discussion of this see below, p. 153.

3. Infn. from the 1570 Field Book (2/3/32) and confirmed in the 1570 Abstract (2/3/45) and the 1574 revision (2/3/113 fo.26). The 1570 Reeve Rental gives an inaccurate total (J2028).

4. 2/3/112 c; 2/3/112 d; 2/1/185 m.5. No record of Edward's admission survives and, hence, we do not know what entry fine was paid.

Table 5

The Descent and Division of the Forke Holding¹



1. Dates in brackets refer to the period the land was held.

The 1554 Survey shows that all bar two of the forty two acres of enclosure were held by sub-tenants.¹ One can assume from this that Henry never actually farmed the land himself. He was another absentee copyhold landlord, and so was his son Edward.² When in 1574 Edward's title to the land was in question, he was given time by the steward to produce his evidence because he lived so far away.³ That portion of the holding which remained in the Fowke family's hands (1/2), was in the occupation of a sub-tenant.⁴

In the spring of 1579, Edward Fowke, then aged 52, disposed of all his copyhold lands in Cannock. The bulk of the land he settled on his son, William but two small holdings (A & B) went to strangers. It is clear that both of these were a part of Edward's copyholding, in 1570, and yet after the land was conveyed it never re-appeared amongst the list of manorial lands, i.e. the lord lost tenurial control over them. This loss was in part obscured by the fact that the lord continued to receive the same aggregate annual rent as he had before 1579.

The first holding (A) which consisted of four small enclosures, was surrendered to the use of Henry Heley who paid an entry fine of 26s 8d.⁵ No further record of this land can be found. The other holding (B) was a half share in a cottage, garden and croft totalling 3 roods. In 1570 this had been jointly held with William Pereson and when in 1579 Edward Fowke decided to dispose of his lands this portion went to one of Pereson's heirs, namely, his daughter's husband, John Tomkyns. For this privilege Tomkyns paid 5s 10d in heriot service and entry fine.⁶

1. 2/3/36. 2. See case of the Barkers, above pp. 48-9.
3. At Cateshill in Bromsgrove. 2/3/113 fo.26. 4. 2/1/186 m.31d;
2/1/184 m.46d. 5. Ibid, m.38. 6. Ibid, mm.23d, 37d;
2/1/355 fo.69.

The fate of these two parcels is uncertain; what is clear is that the bulk of the 59 acres remained intact and continued to owe a rent of 5s 8½d. It is possible that Edward, at the age of 52, felt it wise to settle his lands, but his immediate purpose was to enable his son, William, who was betrothed to a widow, Marjorie Chauntler, to marry. With this in mind, Edward settled half of the land on William and his wife to be, jointly, and the other half on William, alone. The transaction was completed by July 1579, William paying a total of 133s 4d in heriots and entry fines.¹ William and Marjorie married, and shortly afterwards began to dispose of their copyhold lands in Cannock. By August 1580, all this land had been conveyed. The holding was divided into five separate parcels, the history of each being given below. It should be noted that despite the loss of some land, the aggregate rent of these five parcels remained constant at the old level of 5s 8½d.

The first thing William and his new wife did was to make a settlement on William's uncle, William Fowke senior, his father's brother. In May 1580 they surrendered 9 acres, plus a pasture, a small meadow, and 9 selions (1) to William senior's use. A heriot was probably paid, but of this there is no record. The land, owing an annual rent of 12d, was taken up in June by William senior, on payment of an entry fine of 20s.² In March 1581 William senior surrendered one acre of this land to William Henney who was admitted on payment of an entry fine of 3s 4d. Henney was still holding this land (1/1), at an annual rent of 1d, at the end of the century.³ The rest of the holding (1/2) was leased to Henney by indenture for twelve years. The licence to lease cost 20d. The copyhold tenure remained with William senior and, in August, he surrendered the land leased to Henney, to the use of himself and his wife, Helen, and then to the use of Erasmus Haselton. Within the year

1. 2/1/184 mm.37d, 38d. 2. Ibid, mm.46d-47.
3. Ibid, m.51d; 2/1/355 fo.114.

William senior was dead, and his widow was admitted to the holding on payment of an entry fine of 20s.¹ By October 1588 she had died, as also had the putative successor, Erasmus Haselton. Thus, it was Erasmus's heir, his brother, John who succeeded to the property on payment of an entry fine of 16s 8d. John Haselton continued to hold this land, at the annual rent of 11d, up to the end of the century.²

The next parcel (2), consisting of 8 acres and 9 selions, charged at an annual rent of 10d, was conveyed, in May 1580, to Richard and Alice Grateley who paid an entry fine of 26s 8d.³ In March 1589 Richard Grateley settled this land on himself and Henry Heley, at a cost of 20s 4d in entry fines. By 1597 Henry Heley was holding this land.⁴

The third parcel (3) consisted of 13 selions in the common fields. It was rated at an annual rent of 4d. Fowke surrendered it to Ralph Alporte in May 1580, and an entry fine of 16d was paid. This land remained in Alporte's hands to the end of the century.⁵

The fourth parcel (4), one small meadow and a ditch, was conveyed to Thomas Tromwyn in August 1580, on payment of an entry fine of 8s 0d. The annual rent of this land was 6d.⁶

The last parcel (5) consisted of the main bulk of the original holding. It was surrendered to the use of John Colman, generosus, on payment of a joint heriot and entry fine of 100s 0d. The annual rent was 3s 0½d.⁷ By 1596, John Colman had died and was succeeded by his son, Walter.⁸

1. 2/1/184 mm.51d, 53(b)d, 55. 2. 2/1/186 mm.31d-32;
2/1/282 fo.6. 3. 2/1/184 mm.46d-47. 4. 2/1/186 m.33;
2/3/112 d, fos.57v-59. 5. 2/1/184 mm.46d-47. 6. Ibid, m.47d.
7. Ibid, m.48. 8. 2/1/186 m.56d.

The total annual rent for the 55 year period was just under 314s 0d. The total of known incidental payments was just over 478s 0d. The annual rent was 5s 8½d, the real rent per annum was 16s 3d. The actual charge per acre, despite a 152% increase on the annual rent, was still only 3·3d.

The information on the Chantry lands is less full; the general indication seems to be that this land was more expensive. The Bromall copyholding consisted of one cottage, 3 acres 2 roods in the common fields, and a similar quantity of land in enclosures. These seven acres owed an annual rent of 8s 0d.¹ In 1560 Ralph Bromall gained the inheritance of these lands from Agnes Massocke. She continued to reside in the cottage until her death.² In 1565 he was admitted to the property on payment of an entry fine of 13s 4d.³ In 1582 he made a settlement on himself, his wife Elizabeth, and his son John, for which he paid an heriot of 5s 0d, and an entry fine of 6s 8d.⁴ By October Ralph had died. Despite the payments of 1582, a cow, valued at 26s 8d, was seized as an heriot.⁵ Within the next two years Elizabeth had died and another cow of the same value was seized.⁶ From then on the son, John had the use of the land. In February 1596 he was licenced, at a charge of 2s 6d to let the land to his brother, Francis. In November of the same year John paid an entry fine of 5s 0d, and was admitted. He then surrendered the property to the use of his brother Francis who was admitted on payment in entry fine and heriot of 26s 8d.⁷ It looks as though John tried to get away with merely letting the land to his brother, but that when the manorial officials discovered this, they insisted on a proper conveyance.

1. 2/3/32 fos.13, 26v; 2/3/113 fo.31v. 2. 2/1/183 m.21.
3. Ibid, m.37. 4. 2/1/184 m.57; 2/1/355 fo.129; 2/1/186 m.2.
5. Ibid, m.18d. 6. And this was paid. See r.-g. acct. 1586-7,
P.R.O. S.C.6 (Eliz.I) /2060 m.5d. 7. 2/1/186 mm.53d, 57d.

The cottage and 7 acres cost 280s 0d in annual rent, and 114s 6d in additional payments, over the period 1565 - 1600. The real rent was 11s 3d; the charge per acre per annum was 19.0d.

Included in the Chantry Rental were the new lands. Most of these lands were held either at will, or on a lease. On the 18 August 1570, just a week or so before the field survey, Richard Abbott, husbandman, obtained a 21 year lease on a cottage, recently built on the waste, and 2 acres beside the cottage. There is no indication of what, if anything, he paid for the lease, but his annual rent was the relatively high one of 3s 4d.¹ In the 1585 Rental Abbott was listed as a tenant at will. His rent remained the same, but his holding had increased by another four acres of waste.² (This is another example of how the tenants took advantage of their lord's troubles.) By 1597 Abbott had died, but his widow continued to hold the cottage and enclosures. In this case, there were, as far as one can tell, no additional payments. The rent, nevertheless, was quite high, 6.7d for each acre of waste land.

The data on the real rent charge of copyhold land in Cannock, culled from the above family histories, is summarised in Table 6.³ Where no sales or purchases occurred, as in the first seven cases, the real rent was also the actual cost of the copyhold land. With the exception of the Dale & Parkin holding, it can be seen that copyhold land in Cannock was very cheap. If the Bromalls were prepared to pay a minimum of 19.0d per acre for land on the waste, a rate of 3.0d, or less, for ordinary agricultural land, was obviously well below the economic rent. The higher rate of the last three holdings may, in part, be

-
1. Full details are given in Appendix C.
 2. See Appx. B, sub Abbott.
 3. Full details are given in Appendix C.

Table 6

The Real Rent of Copyhold Land in Cannock, 1545 - 1600

<u>Name</u>	<u>Charge per acre</u>	<u>Incidental Payments as percentage of Annual Payments</u>	<u>Size of Holding</u>
Cookes	2.4d	13%	34 a.
Tromwyn	2.4d	3%	33 a.
Henncy	2.7d	37%	18 a.
Barker	1.6d	71%	18 a.
Birche	1.7d	65%	46 a.
Wood	3.0d	53%	61 a.
Dale & Parkin	12.3d	10%	2 a.
Cowper	12.0d	310%	4 a.
Hyll et al.	16.4d	125%	6 a.
Bromall	19.0d	41%	7 a.

explained by the fact that these lands were sold and purchased. But the high rate of the Dale & Parkin holding suggests that this is not a complete explanation. It is surely no accident that the four smallest holdings should have the highest real rents. A way of testing this assumption is to compare not the real but the annual rents per acre. Using this index, the most expensive of the larger holdings was the Tromwyn's at 2.3d. This compares with the Cowper's at 2.9d, the Hyll's at 7.0d, Dale & Parkin's at 11.1d, and the Bromall's at 13.7d. Only the Cowper's annual rent was close to those of the larger holdings, and even there the rate was higher. The indication is that smaller holdings cost more. Just under half of all holdings were less than 10 acres.

Inequality in size of holding was paralleled by inequality in the rent owed.

The family histories illustrate some useful points for the historian of agricultural rents. A large, or seemingly large percentage

increase in the rent, due to incidental charges, need not be significant. The Barker rent was raised by 71%, yet the rate per acre was only 1.6d. Nor does an apparently excessive charge in any one year mean that the land was in fact over-charged. In just a year, the Birches paid £7 2s 4d in heriots and entry fines, 37 times the annual rent, yet, despite this, the real rent over a 55 year period was only 1.7d per acre. In short, the only certain test of whether or not copyhold rent charges were excessive is to establish the real rent.

The search for figures may cause the historian to underestimate the importance of those aspects of land history which are not quantifiable. The most significant aspect of the Wood history is not that the holding cost 3.0d per acre, but that the family were able to use this land for so many different purposes: to make two settlements, one sale and three leases, to raise a loan and to support a widow. We learn more about this community by recognising the significance of a fifteen year old boy farming the relatively large holding of 18 acres, than from learning that the Henney land cost 2.7d per acre. The interregnums of 8 and 21 years, between the death of one tenant and the admission of the next, as in the case of the Barkers and the Cowpers, are dramatic evidence of these copyholders security of tenure, and are probably more important than the dissimilarity in their real rents. The full significance of the discovery that there were absentee copyholders, the Barkers and the Fowkes, is discussed in the following section on landholding.

Plate 2

The 1570 Field Book

(2/3/32 fo.2.)

IV

Henry, Lord Paget died in December 1568, and his daughter in June 1570. That summer, the third lord ordered a major survey of the Staffordshire lands.¹ Edmund Twynyho, one of the principal estate officials was sent northwards. On 14 August he was at Great Heywood, on 29 August at Rugeley, and at Cannock on 4 September.² The survey there made forms the basis of this account of the land of Cannock.

The object of the survey was to establish two distinct but related sets of information: firstly, who held what land, and secondly, who owed what rent. One can trace the procedure adopted, in the surviving documents. The first is the 1570 Field Book.³ There was recorded the position and size of every parcel of manorial land, the name of the tenant, and, where appropriate, the name of the holding. This was not a scientific survey; no plan or map was drafted. Nevertheless, its accuracy need not be doubted. The men involved, the surveyor, the estate officers, and the thirteen local jurors were accustomed to making visual estimates of the size of plots of land. None had a motive to misreport, and any tendency to error in one group would have been checked by the others.

1. See above pp. 37-8. 2. 2/3/113 fos.1, 35, 19.
3. 2/3/32. This 38 folio volume consists of two paper books, stitched together, the smaller one, 7" x 10 $\frac{3}{4}$ " (fos.16-37) being inserted inside the last page of the larger one, 8" x 12 $\frac{1}{4}$ " (fos.1-15, 38). It appears, from internal evidence, to be complete, but may once have had a cover. The volume was revised from time to time, as the numerous amendments and additions testify. It looks and feels like a document which was much used. At the end of the field survey (fos.1-27v) are notes on some of the landholders. It is listed as a 'Rough Survey'. The term 'survey' covered a variety of activities which in turn generated a variety of documents. (See above p.35.) By being more specific, one can avoid ambiguity. In this case the survey was a 'field survey', and the document in which it was recorded was a 'field book'. This is how contemporaries referred to this volume. (See, 2/3/44 fo.8v; 2/3/113 fo.35.) The latin title, Liber Supervisionis is the scribal latinization of a more descriptive English term. W. J. Corbett was the first historian to draw attention to this class of document, in 1897. (See Corbett, 'Elizabethan Village Surveys', Trans. Roy. Hist. Soc., n.s. xi, 67-87. I would like to thank A. C. Jones for bringing this article to my notice.)

It is difficult, perhaps impossible, for the historian to re-construct the topography of the manor from this survey.¹ Contemporaries would have had no such problems; for them, the information in the Field Book was adequate to identify and locate any parcel of land in the manor.

One cannot be certain what procedure was adopted, but the volume of topographical information recorded suggests that the jury, surveyor and scribe perambulated the fields, noting what they saw as they went. The Field Book, with its scribbled notes, looks and feels like a document which was written in difficult conditions.

It begins with a list of the jurors (fo.1). There then follows a description of the boundaries of the manor (fos.1-lv). After that comes a detailed account of the holdings in the common fields (fos.2-11). Plate 2 shows how the information was recorded. At the top is the name of the field, "Greystones". Each field was divided into furlongs or 'flats', two of which are here identified, in the left hand margin: "A flate buttynge north on the Towne", and "Marehey Flate". Each 'flat' consisted of strips, selions or 'landes', plus headlands and 'butes'.² The strips in each 'flat' were listed as they lay; at the beginning of the entries to each flat was a further guide to location, in this folio, respectively west and north. As can be seen, the tenant was named, the 'lande' or 'landes' located, and the acreage given.³ The Field

1. The earliest surviving plan of the fields is the 1835 Tithe Award Map. (W.S.L., SMS. 417 is an 1845 copy.) Industrial and agricultural changes between the sixteenth and the nineteenth centuries make it difficult to correlate the detail in the Field Book with that in the Tithe Award Map. The problem is further exacerbated by not knowing what size of customary acre was employed in 1570.

2. See the second entry where Colman holds five "butes".

3. The attempt, in this folio, to indicate tenure, "C", "Ind.", was quickly abandoned.

Book was extensively revised, probably in 1574 when a further survey was taken.¹ At the revision, changes in tenancies were noted, ex-chantry lands indicated, and the occasional omission recorded, as was the half a rood noted in the margin: "a litle peic of Inclosure besydes Merehaye, in the tenure of theires of Bothame, called Knowghtes Laughton, oth[er] wyse called Thole Holt".

The holdings in the common fields are followed by the enclosures (fos.11v-23v). The transcription below of the beginning of folio 16 illustrates the lay-out adopted:

West at the Crosse

South the wey frome
Canke vnto Lichfeld

Sprate	j close called Salleweys Crofte	viij A
Humfrey Cookes	ij close est the same	vj A
[Roger ?] Birche	j med. & j close called Grattoke Siche	viij A

Lichefelde Lane frome Leicroft

Est

buttyng Est on the sayed Lane

Sprate	v closes northe Birche & Cookes/ south leicroft & Webbe & Rowbotham	xx A
Webbe & Rowbotham	j close called Pleke West Birche south the Mere Lane	jv A

As can be seen, there was a limited attempt to provide some graphic as well as literary detail. Isolated dwellings (fo.12v; fo.18; fo.18v), and the hamlets of Hednesford and Leacroft (fo.17; fo.21v) were listed amongst the lands in which they stood. The village, Cannock town was surveyed and recorded separately (fos.24-27). In addition to the dwellings, associated

1. 2/3/113.

gardens, orchards, crofts and 'backsides' were noted, as, also, the occasional enclosed field which lay intermingled with the dwellings.

The information in the Field Book was of only limited use in that form. Having obtained this basic information, the surveyor proceeded to re-organise and abstract it. He listed all lands having a "speoyal name", recording acreage and name of tenant.¹ With this abstract, the manorial officials could find out the name of a tenant from the name of his holding. The surveyor also calculated the size of each tenant's holding in the common fields and in the enclosures, as well as any dwellings held.² The surveyor now had a summary description of each tenancy. He then turned to the rentals and other evidences to establish details of tenure and rent. All this information was then incorporated into the two Rentals, which were as accurate as any of this manor made in the sixteenth century.³ Consider the case of Thomas Wood. The Reeve Rental records that he held by copy, at an annual rent of 10s, one messuage called the Crowne, two cottages, 40 acres of enclosure, and 21 acres 1 rood in the common fields, a total of 61 acres, previously held by Humfrey Wood.⁴ The curious arithmetic merely reflects a rounding up of constituent figures; in fact, the summation was accurate, as a glance at the 1570 Abstract shows. There, Wood was shown as holding the

1. 2/3/44. 2. He wrote down each tenant's name, and then noted the acreage every time the tenant's name appeared in the book, as his working papers (D 603/SP. 192.) show. The equivalent paper for Rugeley is 2/3/116. The summation and abstract from these papers is 2/3/45. Note: 2/3/44 and 2/3/45 are both listed as 'Rough Surveys'. They might more accurately be listed as 'Abstracts from the 1570 Field Books'; they summarise both the Rugeley and the Cannock Field Books. The Surveyor's calculations were very accurate. The difference in the total acreage of 1739 a., in the Abstract, and of 1754 a. as calculated, independently, from the Field Book, is one of less than one per cent.

3. Reeve Rental, J2028, and Chantry Rental, J2029. 4. J2028 m.2.

dwellings, 39 acres 2 roods 20 perches in enclosures, and 21 acres 1 rood 20 perches in the common fields, a total, as given, of 61 acres.¹ Humfrey Wood was recorded as the copyholder, in the 1549 Rental, where he was paying an annual rent of 10s.² Thomas, who was Humfrey's son and heir, was admitted to the property in 1567.³ At every point, the information on Wood in the Rental agrees with that in the Field Book and Abstract, the other rentals and the court rolls.

The well known survey of Mudford and Hinton includes a general description of the lands.⁴ The surveyor of Cannock has left no such description, nevertheless, it is possible to re-construct the pattern of land usage from the Field Book. The table below, with figures calculated from the Field Book, shows that by 1570 most of the land in Cannock was already enclosed.

Table 7

Land Usage in Cannock in 1570

<u>Enclosures</u>		<u>Common Fields</u>		<u>Total</u>
1455 a.	(83%)	299 a.	(17%)	1754 a.

The largest enclosure was 40 acres, but the majority were 10 acres or less.⁵ Cannock was a manor of numerous small enclosures. Of this enclosed land, 376 acres were listed as meadow, pasture, or 'lezeu', i.e., at least a quarter of this land was permanently under grass. The rest of the enclosures were either crofts or closes. The terms were interchangeable; no significant distinction between the two designations can be discerned. No doubt many of these lands were also used for grazing, but not all.

1. 2/3/45 fo.2. They are exactly the same figures as those this writer calculated from the Field Book. 2. 2/3/112 b.
3. 2/1/183 mm37d-38. 4. R. H. Tawney & Eileen Power (eds.), Tudor Economic Documents, (1924), i, 60-63. 5. 2/3/32 fo.22.

A number of tenants and sub-tenants had no land in the common fields. If they grew grain, then they did so on their enclosures. Furthermore, the common fields were too small to meet the population's needs in grain. If the community survived without importing grain, some of the enclosures must have been used for arable farming. This demand for more arable land led to some shift cultivation on the Chase.¹

There were six common fields, but they were organised into a three field rotation system. The following are the probable groupings of smaller and larger fields:

Greystones (71 a.) and Newlands (15 a.):	total 86 a. ²
Calfehilles (76 a.) and Hadderton Siche (20 a.):	total 96 a. ³
Hawsefeld (108 a.) and Sladeland (9 a.):	total 117 a. ⁴

In Rugeley, where there were seven common fields, covering some 600 acres, a three field rotation system was also followed.⁵

The winter sown corn was rye, the spring corn, barley.⁶ The former was well suited to the Bunter Sandstones of Cannock. Dodoens noted

1. Each year, at Rugeley, two or three Lichfield bakers were presented in the manor court for selling bread in the village, which suggests that Rugeley had to import grain to meet its needs. It is worth noting that the town market not only was the place where grain, and other foodstuffs, were brought to be consumed there or sent on to other large centres of population, but was also the place from which vital foods were re-distributed back into the countryside. 2. 2/1/184 m.5.
3. 2/1/183 m.16. 4. Sladeland may not have been incorporated into the system, but if it was, it almost certainly went with Hawsefeld.
5. 2/3/38 and the court rolls. 6. The crop grown is only mentioned on two occasions in the court rolls, rye at 2/1/181 m.4, and barley at 2/1/244 fo.7. The situation at Rugeley is clearer. There are a number of references to the type of corn, and on two occasions it is specifically stated that the winter field was sown with rye and the Lent field with barley (2/1/282 fo.13; 2/1/297 fos.11-12). Mrs. Thirsk, in her chapter on Farming Techniques in The Agrarian History ... states that rye was the winter sown corn on the Cannock Hills. (Op. cit., p.169). See also 2/1/279 fo.2. which refers to a rye field in Walton & Stockton in the manor of Heywood. Thus, the accumulative evidence supports the claim made in the text.

that rye "loueth the barren soyle, that is dry and sandy, where as none other corne or grayne may growe ...". He claimed, and Mrs. Thirsk followed his dating, that winter rye was sown in September.¹ This may be so, generally, but in this part of Staffordshire, it was later. Both at Cannock and at Rugeley the hedge about the winter field was not usually completed until the middle of October. The favoured date was St. Luke's.² It is unlikely that the fields were sown before they were fenced. If this were so, how then were animals prevented from eating the seed corn? The rye ripened in July, when it was then harvested.³ Barley was usually sown in March, but at Cannock and Rugeley it was often later. There are references to the spring field being fenced by the Annunciation,⁴ but the middle of April was more usual.⁵ Spring barley was harvested in August.⁶ The rye was used for bread which was, according to Dodoens, "heauie and hard to digest, most meetest for labourers and such as worke or trauell much, and for such as haue good stomackes".⁷ The barley was grown for malt, and for bread.⁸

The system of crop rotation employed both at Cannock and at Rugeley was the usual one: a winter sowing was followed by a spring sowing and then a period of fallow. In the autumn of 1590 Calfehilles was sown with rye which was harvested the following summer. In the spring of 1592 the barley was sown. After this harvest, the land lay in

1. Henry Lyte (transl.), A Niewe Herball, or Historie of Plants (London, 1578), p.459; Thirsk, op. cit., p.169. 2. 2/1/184 m.12d; 2/1/186 m.44d; 2/1/246 fo.1. 3. As note 1.
4. 2/1/289 fo.4; 2/1/184 m.5. 5. 2/1/186 m.42; 2/1/246 fo.3.
6. Lyte, op. cit., p.461. In 1598 the barley was not carted away until after 26 September, evidence of a very dry summer. (2/1/297 fo.12.)
7. Ibid, p.460. 8. 2/1/186 m.33.

fallow until the autumn of 1593, when the rotation began once again.

Table 8

Field and Crop Rotation in Cannock, 1591-3

<u>Year</u>	<u>Winter Corn</u>	<u>Spring Corn</u>	<u>Fallow</u>
1591	Calfehilles	Greystones	Hawsefeld
1592	Hawsefeld	Calfehilles	Greystones
1593	Greystones	Hawsefeld	Calfehilles

General control of the common fields was in the hands of the leet jury. It was the jury which made the bye-laws and saw that they were enforced.¹ There is one reference, at Rugeley, to keepers of the fields, custod[es] camp[orum].² These may have been the jurymen or tithingmen under another guise, but, more likely, they were men specially chosen to oversee the fields, and certainly included the common pinder, co[m]mun[is] parcat[or] who is recorded as impounding stray sheep on one of the Rugeley common fields.³

However oversight of the fields was carried out in practice, the result was a regular stream of presentments in the manor court. From these and the bye-laws one can re-construct the year to year organisation of the fields. Some limited consolidation of strips within the fields had already taken place.⁴ But it had not gone very far. Bedyll's 8 'landes', containing 3 acres, was the largest grouping in the fields.⁵ The strips remained unenclosed.⁶ Before sowing, the fields were ditched and enclosed,

1. The tithingmen sometimes made the presentments, but it was usually the jury. (2/1/184 m.48d; 2/1/186 m.27.) 2. 2/1/183 m.2.
 3. 2/1/268 fo.lv. 4. See Plate 2. 5. See Plate 2.
 6. There was one close in the fields, but it was not permanently enclosed, and was subject to commoning. (2/3/32 fo.8v; 2/1/184 m.29, m.34.).

though whether with a fence of hurdles, or with a living hedge is difficult to say since both words are used.¹ In 1580 the Rugeley jury ordered the strip holders "to ditch & quickset [the] ryngge hedge" around the leet field, which suggests that at least one common field had a living hedge.² The simplest and most probable explanation is that the enclosure consisted both of hedge and fence, the fencing to make up the numerous gaps in the hedge, necessary for the access of animals when the field was open.³

The jury controlled the terminal date by which a field should be enclosed, and presented those who disobeyed the order. Their other main concern was the control of animals within the fields. In Rugeley it was forbidden to "bayte" any "beastes or horses upon any balke" within the sown field, or to "shere anye grasse there".⁴ The jury would not have made the bye-law, unless there were some grazing of the balks. The rule applied in Cannock, too, where the jury presented a number of people "for tyeinge in the corne feylde contrary to the payne".⁵ The majority of presentments and bye-laws concerned the introduction of animals into the fields after the grain was harvested but before it had been carried away.⁶ All kinds of animals were commoned in the fields: oxen,⁷ cows,⁸ calves,⁹ pigs and horses,¹⁰ to which list one may add from Rugeley heifers and sheep.¹¹ The common fields were an important source of grazing for draught animals.

1. 2/1/183 m.40; 2/1/184 m.12d.

2. Ibid, m.46.

3. The enclosed woodlands were fenced with palings. (See below p.175.) One of the enclosures in the village was hedged with willows. (2/1/287 fo.16; 2/1/288 fo.4; 2/1/186 m.49d.)

4. 2/1/183 m.9.

5. 2/1/183 m.40; 2/1/186 m.6d.

6. 2/1/283 fo.6; 2/1/186 m.9;

2/1/246 fo.3.

7. 2/1/184 m.48d.

8. 2/1/186 m.27.

9. Ibid, m.41.

10. 2/1/283 fo.6.

11. 2/1/297 fo.12.

A total of 10 oxen, 17 horses, 1 cow, 2 heifers and 40 sheep were turned onto the Rugeley field in the autumn of 1598.¹ The condition of the commoned animals was subject to control. Those which were diseased were excluded.² To prevent rooting and breaking up of the soil, all pigs had to be ringed.³ There are occasional references to the ploughing up of common balks, but this was not a common offence.⁴ Nor was theft, only one person was amerced for stealing from the fields, in this case, four "thraves" of rye.⁵

The manor supported a large flock, but there is no evidence that the sheep were folded on the common fields unless one accepts the occasional presentment of sheep as strays.⁶ Not all flock-owners had land in the common fields, and, hence, had little interest in their dunging. The grazing on the Chase may have been better. The Chase was also a source of bracken, which may have been used as a manure, though there is no evidence of this for Cannock.⁷ There was a marl pit, so there may well have been some marling,⁸ and at Rugeley dung was carried onto the fields.⁹ There was, then, some husbanding of the soil.

There was one small common meadow in Cannock. Unlike the common fields, this land was re-allocated amongst the entitled holders, each year. In Rugeley there were over 160 acres of common meadowland, a reflection, no doubt, of the proximity of the Trent.¹⁰ These lands were subject to control by the jury, in a similar way to the common fields.

1. 2/1/297 fo.12. 2. 2/1/186 m.41, m.6d.
3. Ibid, m.4; 2/1/270 fo.3v. 4. 2/1/186 m.55.
5. 2/1/181 m.4. 6. 2/1/182 m.1, m.2, m.5d.
7. Thirsk, op. cit., p.167. 8. 2/3/32 fo.14v.
9. 2/1/290 fo.8. 10. 2/3/45 fo.1.

What number of people attempted to make a living from this land? One clue is the number of dwellings there were in the manor.

Table 9

Dwellings in Cannock in 1570¹

	<u>Messuages</u>	<u>Cottages</u>	<u>Total</u>
Outside Canke town	11	8	19
Inside Canke town	26	26	52
	<u>37</u>	<u>34</u>	<u>71</u>

There were 52 dwellings in 'Canke Town'. This, then, was not a small village. Virtually every house had some land attached to it: garden, 'backside', or croft. Quite a few also had a small orchard. Most of these house plots and attached enclosures were small, many being under one rood. No doubt there were outbuildings, but the only ones mentioned were the Tythe Barn, and one other barn.²

The hamlets of Hednesford and Leycroft had four and eight dwellings, respectively. There were two houses on the way to Hatherton, at Canke End. The other five houses stood on their own, either amongst the fields, or on the edge of the Chase. There was one toft in Cannock, described in the Field Book as "1 tofte lete a cotag now a g [arden]". The owner of the toft had a croft adjacent to it.³

One may assume that each of these dwellings provided shelter for one household. To calculate the total population from the

1. These figures, calculated from the 1570 Field Book, agree with those in the Abstract. (2/3/45 fo.3.) 2. 2/3/32 fos.26-26v.
 3. Ibid, fo.24. There were 14 tofts in Rugeley, and these were probably house sites rather than dwellings. Thus, William Church's toft was described as "sometyme buylded [on] ". (2/3/38 fo.lv.)

number of dwellings, one must make a guess as to the average size of household in the manor. The choice of figure is not entirely arbitrary. Titow estimates that the average size of the medieval peasant household was 4.5.¹ Laslett, in his work on the pre-industrial household in England, gives a range of figures between 4.45 and 5.7. The variation depended upon the number of resident gentry, clergy, and yeomen with large holdings, who boosted the averages because of the large number of servants they maintained.² Since there were few, if any, of this sort resident in Cannock, a figure at the lower end of the spectrum seems appropriate; on the basis of this evidence, and in the absence of any better criteria, an average sized household of 4.5 is assumed.³ This gives a population of 234 in the village, and 86 in the hamlets and the few isolated houses, a total for the manor of 320.

In 1578 a list was made of all men in the manor owing suit of court.⁴ If 40% of the population of the manor were children, and there were an equal number of men and women, then the suitors represented 30% of the total population.⁵ There were 90 suitors which would indicate a population of 300.

1. J. Z. Titow, English Rural Society, 1200-1350 (London, 1969), p.89.
2. Peter Laslett, The World We Have Lost (2nd. edn., London, 1971), pp.66, 71. 3. In 1587 the inhabitants of Duffield Frith (Derbs.) claimed that they numbered 509 householders with dependents totalling 1800. This would indicate an average-sized household, for an area similar to Cannock, of 4.5. H. Strutt & J. C. Cox, 'Duffield Forest in the Sixteenth Century', Derbs. Arch. & Nat. Hist. Soc., xxv(1903), 209.
4. D 603/M296-M400 See below pp.118-9. 5. Titow, op. cit., pp.67-8. Laslett's figures for under fourteens at Goodnestone give a percentage of 41. Laslett, p.66.

Table 10

The Population of Cannock in 1570

	<u>Households</u>	<u>Population</u>	<u>Suitors</u>	<u>Population</u>
Inside Canke Town	52	234	65	217
Outside Canke Town	19	86	25	83
	<u>71</u>	<u>320</u>	<u>90</u>	<u>300</u>

We have then two independently calculated sets of figures for the population in Cannock in the 1570's. Both are based upon assumptions. Furthermore, these assumptions, though not the same, are related. Nevertheless, the congruency achieved suggests that the assumptions are justified. One may conclude that the population in 1570 was over 300, and that the average number in each household was between 4 and 5. Such a population figure means that there were about five and a half acres to support each individual in the manor, but, of course, land was not divided on a per capita basis, and it is to the distribution of land amongst the people of the manor that we now turn.

In order to make this account meaningful, it is necessary to remove certain lands from consideration. The holdings of Sir Walter Aston (4 a.), Sir Edward Littleton (12 a.) and the armigerous, Thomas Rigeley (2 a.) are deleted. They were all major landholders elsewhere. If retained in this analysis, they would appear as small copyholders, clearly a distortion. For similar reasons, the lands of the Dean and Chapter of Lichfield (5 a. 2 r.) are excluded. Osborne Lodge (20 a.) was an enclosure on the Chase, and was held by one of Paget's officers. This with the untenanted chantry lands (1 a.), the unidentified tenancies (5 a.) and the untenanted land listed under 'Dominus' (1 a.) is deleted. (The inclusion of the last item would create an unnecessary complication. De facto there was no demesne, all land was in the hands of tenants.)

Table 11

The Distribution of Tenancies in 1570

<u>Size of Holding</u> (in acres)	<u>All Lands</u>		<u>Lands less those</u> <u>in the Common Fields</u>	
0-4	9	(19%)	15	(31%)
5-9	10	(21%)	7	(15%)
10-4	4	(8%)	2	(4%)
15-9	6	(12%)	8	(17%)
20-4	3	(6%)	2	(4%)
25-9	-		2	(4%)
30-4	3	(6%)	3	(6%)
35-9	1	(2%)	1	(2%)
40-4	-		1	(2%)
45-9	2	(4%)	1	(2%)
50-4	-		1	(2%)
55-9	4	(8%)	1	(2%)
60-4	1	(2%)	-	
<hr/>				
75-9	1	(2%)	-	
90-4	-		1	(2%)
<hr/>				
100-149	1	(2%)	-	
150-199	-		2	(4%)
200-249	2	(4%)	-	
250-299	1	(2%)	1	(2%)
	<hr/>	<hr/>	<hr/>	<hr/>
	48	(98%)	48	(99%)
	<hr/>	<hr/>	<hr/>	<hr/>

Allowing for these deductions, the 1570 Field Book reveals that there were 48 landholders, sharing between them 1704 acres. The majority held by copy of court roll. There were some tenants at will and a few indenture holders; a small number of acres were claimed as freehold. Tenure affected rents and rights, not the size of holding. For the purpose of reconstructing the distribution of land these tenurial distinctions may be ignored.

The most striking feature to emerge from an analysis of the 1570 Field Book was the inequality in the size of holding. Four men, Colman (117 a.) Beddell (200 a.), Leveson (208 a.) and Sprotte (285 a.) held 810 acres, just under half of all manorial land in Cannock. At the other end of the spectrum, one fifth of the tenants held less than 5 acres, a further fifth between five and ten acres. It is difficult to say what was the minimum size of holding necessary to support one family in a basically pastoral economy. (Bowden estimates that, in the period 1600 to 1620, an arable farmer needed at least 30 acres to survive.)¹ It is reasonable to assume that the 32 tenants, two thirds of the total, who held less than 25 acres, had insufficient land to support a household. But this assumes that a man only farmed land that he held. Clearly, if there was a lot of sub-tenanting then the distribution of land for farming might be very different from the distribution of tenancies.

The 1570 Field Book makes no direct reference to sub-tenancies, but does include one indirect clue to their existence. There were 71 dwellings in the manor but only 48 tenants. (The excluded tenants, Aston, Littleton and Rigeley, lived elsewhere.) If one assumes that landless labourers were literally landless, then there must have been a number of sub-tenants, although not necessarily 23 because some of the

1. P. Bowden, 'Agricultural Prices, Farm Profits, and Rents', Thirsk, op. cit., pp.652-659.

cottages may have been occupied by that recently rediscovered phenomenon, the retired peasant. Sub-tenancies were seldom recorded in rentals, and those of Cannock are typical in their silence on this topic. The court rolls might be thought a more fruitful source, in fact, over the period 1545 to 1600, only 39 cases were recorded.¹ Most of these were for very small acreages. The one exception was the lands of John Leveson, all 208 acres of which were in the hands of sub-tenants.² Were it not for the survival of this single entry, the number of known sub-tenants would fall by a dozen, and the evidence of land redistributed through sub-tenancing would suggest a maximum of 8%.³ As it is, including the Leveson evidence, we may say that perhaps as much as 20% of all manorial land in Cannock was farmed by sub-tenants. This conclusion is, in fact, completely erroneous.

Between 25 July and 2 September 1554 Cupper and Twynyho, the London based estate officials came to Staffordshire to oversee the surveying of Paget's manors.⁴ This included a field survey of Cannock. The common fields were either excluded or, more probably, written up in a now missing document. Apart from this omission, the 1554 Field Book is complete.⁵ The main difference between this and the 1570 Field Book⁶

1. 2/1/181 mm.4d, 10; 2/1/182 mm.2, 4, 6; 2/1/183 mm.9d, 10, 15, 24; 2/1/184 mm.2d, 5d, 10d, 12d, 46d, 53(b)d; 2/1/186 mm. 5, 9d, 19d, 31d, 33, 35d, 47d, 52, 56d; 2/1/287 fo.5; 2/1/356 fo.63v.

2. Appx. A, sub Salway; 2/1/184 m.12d. 3. A reasonable estimate on the basis of this evidence. 4. Their expenses for this trip were over £20. (3/1/6 m.6.) The Chase woodlands were also surveyed, in Aug. 1554, and the Survey of Woods survives. (2/3/43; see below pp.90-1.)

5. 2/3/36. This is listed as a 'Rough Survey ... n.d. late 16th Cent.'. Amongst the tenants named are Edw. Algar and Joanna Pooler. (fo.5.) They were the joint-heirs of Reg. Grevall. By 1553 Grevall was dead and they had inherited his property. (2/1/181 m.10.) In Oct. 1554 Joanna surrendered her half of the holding to Algar. (2/1/182 m.2.) Given these terminal dates, there can be no doubt that this was the field book produced in 1554. 6. That there were two field surveys within fourteen years, indicates the care with which the Paget estate was managed.

Plate 3

The Surrenders and Admissions of Algar and Pooler at
the Court Leet of 19 October 1554

(2/1/182 m.2; see p.82 n.5.)

is that it names not only the tenant but also the sub-tenant, where there was one, of each parcel of land. From this one can calculate both the distribution of tenancies, and the distribution of land for farming.

Table 12

Tenancies and Farms in Cannock, 1554 and 1570

<u>Size of Holding</u> (in acres)	<u>1554 Field Book</u>		<u>1570 Field Book</u>			
	<u>Farms</u>	<u>Tenancies</u>	<u>Tenancies</u> ¹		<u>Tenancies</u> ¹	
0-9	45 (62%)	28 (54%)	24 (47%)			
10-49	24 (33%)	18 (35%)	21 (41%)			
50-99	1 (1%)	1 (2%)	3 (6%)			
100-149	1 (1%)	4 (8%)	-			
150-199	-	-	2 (4%)			
200-249	1 (1%)	1 (2%)	-			
250-299	1 (1%)	-	1 (2%)			
	<u>73 (99%)</u>	<u>52 (101%)</u>	<u>51 (100%)</u>			

The table shows that there was some movement towards the consolidation of holdings, between 1554 and 1570. More importantly, it shows that our picture of the manor is transformed when one looks at the farms rather than at the holdings.

In 1554 there was a minimum of 1401 acres in enclosures,²

1. In order to be able to make meaningful comparisons between the distribution of tenancies in 1554 and 1570, the figures of the latter have been adjusted; land in the common fields is excluded, and the holdings of Aston, Littleton, and Rigeley are included. 2. Calculated by the author. No abstracts of the 1554 Field Book survive. The figure is a minimum one because occasionally the size of an enclosure is not given. In 1570 there were 1455 acres of enclosures; one can say that there was little or no change in the total acreage of manorial land in Cannock over the period 1554 - 1570.

of which 510 acres (36%) remained in the hands of the tenant, and 891 acres (64%) were sublet. That is to say, two-thirds of the manorial land in Cannock was cultivated by sub-tenants, and this compares with a maximum upper limit, estimated from all other evidences available, of one fifth.

Some tenants retained no land, and not all redistributed land went to tenants. Of the 52 tenants, 16 sublet all their land. (These holdings varied in size from a single cottage and rood to 223 acres.) These men, just under a third of all the tenants, neither lived on nor farmed the land they held. Their tenancies were primarily an investment; their function in the economy of the village was largely parasitic.¹ The redistributed land went not only to the resident tenants but also to others. There were 37 men, a half of all cultivators of the land, whose entire holdings were in sub-tenancies. Were these men identified at all from other records, they would appear, at this time, as landless labourers. It is true that most of these men had only very small farms, but not all: Alporte had 35 acres, Fynnye 35 acres and one messuage, Nykyn 23 acres and 3 closes, and Russheton had 41 acres, 6 crofts and a cottage.² To call these men 'landless' would be to make a serious misidentification. Similar errors are possible with the tenants, for significant accumulations of sub-tenanted land were not restricted to the 'new men'. Some tenants with small holdings increased the size of their farms out of all proportion through sub-tenanting. Bostocke held 9 acres of which he let out 8; to this single retained acre he added over 200 in sub-tenanted

1. See the case-histories of the Barkers and the Fowkes, above pp.48-62.
2. These, and all subsequent individual totals, are calculated by the author from the 1554 Field Book, (2/3/36).

land. Thus, an apparently poor peasant emerges as one of the largest farmers on the manor. Less surprisingly, larger copyholds were also added to in this way. Colman let out some of his 118 acres of copyhold, but more than made up for this by sub-tenanting a further 187 acres. His farm, the largest on the manor, totalled 278 acres.

The above cases show that some men acquired sizeable farms through sub-tenanting and, as a result, accumulated a disproportionate amount of the farming land. At the same time there were more men competing for the finite acreage available. The over-all effect was to increase not only the number but also the percentage of smallest holdings. There is no ambiguity about this evidence.¹ Extensive sub-tenanting did not lead to a more equitable distribution of resources.

Many of those with the smallest farms, such as Thomas Ball with his messuage and 5 acres, never became tenants in this manor. (But for the survival of the 1554 Field Book, such men would always appear as 'landless'.) Some sub-tenants did eventually acquire their own tenancies. In 1554 Ralph Bromall's holding of 8 acres, a close, and a cottage was entirely in sub-tenanted land. In August 1560 he was admitted to a small copyholding; this was not the same land as that which he held in 1554.² The flexibility of the system made possible any variety of provision for relatives, and family connections often underlay the sub-tenanting arrangements. Most of William Fynnye's 35 acres belonged to Agnet Packington, the wife of Roger Fynnye, a relative of William.³ Hugo Dekin sublet his holding of 1 acre 2 roods to his relative Ralph Dekin, and in his turn received a messuage and just over 2 acres from Ralph.

1. See Table 12.

2. See above p.63.

3. 2/1/183 m.38d.

Thomas Henney, who held a messuage and 18 acres, in 1554, sublet land and dwelling to his fifteen year-old son, William. William was not formally admitted to the copyholding until 1560.¹ This is one of a number of cases where the transfer of land by sub-tenanting preceded its formal conveyance. Although family connection was often important, the majority of sub-tenancies were arrangements between non-relatives.

The legal status of the lettings is curious. In theory, there was no protection for them either in the manor court or elsewhere. And yet two-thirds of all land was held in this way, and over a half of all farmers had holdings which consisted entirely of sub-tenanted land. Given this, there must have been some security of tenure, and it looks as though the manor court was adapted to provide this. One of the peculiarities of the small court is the number of pleas of debt begun but never fully prosecuted. An explanation of this would be that these pleas were entered, not because there was a dispute subsequently settled out of court, but as a means of registering 'title' in sub-tenancies. In the event of arbitrary eviction, or the seizure of crops or stock by the tenant, or in the event of over-extended occupation or non-payment of rent by the sub-tenant, then all the aggrieved party needed to do was to prosecute the entered plea.

In some of the cases where there was a family connection, there was probably no financial arrangement between the parties, but the majority of all the sub-tenancies must have been based upon payment either in kind or in money. This is clear evidence, given the high proportion of all land sublet, of the existence of a large and hitherto unsuspected peasant land-market. There is very little evidence on how this market operated. One's general ignorance about the cost of copyhold land is

1. See above p. 47.

further compounded by the existence of these sub-tenancies. It is impossible to discover how much the peasant farmer paid for the land which he farmed. The market in sub-tenancies operated alongside, and to a certain extent was superimposed on the quite active copyhold market. The inherent complexity of two complementary systems of acquiring land is clear proof of the sophistication of the peasantry of Elizabethan Cannock. This same complexity, combined with the absence of evidence, makes it impossible to give anything but a partial account of the distribution of land over a period of time.

But for the fortuitous survival of the 1554 Field Book, this account of landholding in Cannock would have been very different. All other evidence, itself unusually full, points to a degree of sub-tenancing significantly less than there was. Elizabethan field surveys have been much used by historians to reconstruct the pattern of landholding. One obvious general conclusion to draw from this case study is that one cannot use these surveys in this way except when one is certain that there was little or no sub-tenancing, or when full evidence on sub-tenancing survives. Statistics culled from such surveys are evidence on the distribution of landed-wealth, they are no reliable indicator of the distribution of land for farming. If sub-tenancing proves widespread, then much work on the peasant land-market in Elizabethan England will need to be looked at again.

Fortunately, in the case of Cannock there is no ambiguity about the evidence. The 45 families who farmed less than 10 acres each in the enclosures, in 1554, needed additional lands or alternative sources of income to survive. The Chase provided both, and it is to that area that I now turn.

Chapter 4

Cannock Chase: Wood and Sheep

The most valuable and important resource on Cannock Chase was the woodland, the exploitation of which determined much of the industrial and agricultural development in the area. Unfortunately, there is no useful contemporary literary description of the Chase in the sixteenth century. Leland referred to its "many springs, and heades of brookes" but he did not describe the woodland.¹ Sampson Erdeswicke, the late Elizabethan historian of Staffordshire made only a passing reference to the Chase.² Seventeenth century writers were more forthcoming. Drayton, referring to the Chase as "Great Ardens eldest child", bemoaned the contemporary state of "ô wofull Canke".³ He referred to the past quality and quantity of deer and timber, then added:

"... But now, both those and these Are by vile gaine devour'd: So abject are our daies".⁴ Plot, writing in the 1680's, said of the Chase: "... now the woods are most destroyed, and the Wind and Sun admitted in so plentiful a manner between the Coppices, which at due distance now only crown the summits of some few hills, such as Gentle-Shaw, Stile-Cop etc... the plains or Hays below in great part being covered only with the purple odiferous 'Ling'".⁵ The literary evidence is limited but suggestive:

1. John Leland, Itinerary... 1535 - 1543, (ed. L. Toulmin Smith) ii, 102-3. There are also brief references in ibid iv, 82; v, 22. Cantor incorrectly ascribes to Cannock Chase a description of the woodland about Lichfield. See Cantor, op. cit., p.49; V.C.H. Staffs., ii, 343. 2. Sampson Erdeswicke, A Survey of Staffordshire, (written c. 1595; reference here is to the edn. of 1723) pp.72-3. 3. Michael Drayton, Poly-Olbion (1613 & 1622), song XII, lines 519-521. 4. Ibid, lines 527-8. Masters in his Iter Boreale (1675) also complained of the disafforestation. (Referred to in V.C.H. Staffs., v, 59.) 5. Robert Plot, The Natural History of Staffordshire (Oxford, 1686), p.38.

much of the woodland had been felled, by the early seventeenth century, to the general impoverishment of the area.

How much woodland was there? When, by whom and for what purposes was it felled? It was common practice for sixteenth century landholders to have their woodlands surveyed.¹ The woods of Cannock Chase were the subject of a number of enquiries but only one survey in extenso survives. It will be remembered that in the summer of 1554 Cupper and Twynyho perambulated Paget's Staffordshire manors, and had them surveyed.² A complete survey of the woods on Cannock Chase was carried out, under their supervision, by William Porter who was paid about £2 for his labours.³

The surveyor wrote up his findings into a ten folio paper book which is complete.⁴ The woods in Rugeley bailiwick are listed first, followed by those in Tromwyn's. Each entry consists of the name of the wood or woods being surveyed, followed by a description of their general position, and a note of the acreage. The following is a typical example: "The Great Borneley that lyeth in Ridgeley Baylywicke/ buttyth in breadh vpon Coleway that devydythe the towe baylywikes on the south/ and north Bornd Hethe/ and extendyth in lenght by the Cankeheth on the west side, and vpon Little Borneley and Little Bornevall Broke on the est side: CCl a' di', jr', viij poles".⁵ Having listed the woods in a bailiwick,

1. The royal forest of Duffield was surveyed in 1540, 1560, 1581 and 1585; H. Strutt & J. C. Cox, 'Duffield Forest in the Sixteenth Century', Derbs. Arch. & Nat. Hist. Soc., xxv (1903), 181-216. 2. See above, p.82.

3. Porter was paid £4 for surveying the woods of Cannock and Bromley; 3/1/7 m.4d. 4. 2/3/43. The survey is dated Aug. 1554; ibid, fo.1.

5. 2/3/43 fo.5.

the surveyor then summed the acreage of woodland in that bailiwick. His arithmetic was correct down to the nearest perch. The full topographical detail, the exactness of the measurements, and the accuracy of the counting are evidence that the survey was rigorously carried out. The surveyor even indicated the length of pole he used.¹ A summary of the information in the survey is given in Table 13.

Table 13

The Woodland on Cannock Chase in 1554

<u>Bailiwick</u>	<u>Number of Woods</u>	<u>Customary Acres</u>	<u>Statutory Acres</u>
Rugeley	30	3,315	3,960
Tromwyns	18	1,185	1,440
	<u>48</u>	<u>4,500</u>	<u>5,400</u>

The area of 'waste' on the Chase has been estimated at about 20,000 acres.² One may say, therefore, that about a quarter of the 'waste' was woodland. The process of disafforestation, completed by the

1. Thus, it is possible to translate his customary acres into statutory acres. He used an 18 foot pole; *ibid*, fo.5. The standard pole is 16½ feet, giving 4,840 sq. yds. to a statutory acre. Using an 18 foot pole, there are 5,760 sq. yds. to an acre. To convert these customary acres to statutory acres one must increase the total by 19%. (The use of an 18 foot pole in surveying woodlands was common in the sixteenth century. The object was to compensate for the lower value of the land by granting more land per unit acre. See John Norden, The Surveiors Dialogue (3rd edn., 1618), p.186.) Unless specifically stated otherwise, all references in the text are to customary acres. 2. Cantor (*op. cit.*, p.49) estimates the area of the Chase as 40 sq. miles i.e. 25,600 acres. I estimate the area of cultivated land in both manors at over 4,000 acres. The mid-eighteenth century surveyor, Wyatt put the size of the 'waste' at 20,000 acres. See D260/M/E/429/31 (loose); I am indebted to D. Hay for this reference.

end of the century was already well advanced. All contemporary evidence indicates that the main species of 'great timber' was oak, although there was also some birch and ash. The main type of 'underwood' was holly.¹ There were also some wild olive trees, oleasters.² The rest of the Chase consisted of rough pasture, heather³ and fern.⁴

The surveyor of 1554 made only occasional comment on the quality of the woodland. Of one 62 acre wood, he noted: "[it] is thyn set but there be many feyre okes and good ty[mb]er therin".⁵ Of the Old Coppice, at 411 acres the largest wood on the Chase, he observed: "thone half holleys and waste, the rest indifferently set with feyre smalle tymber".⁶ He reported that there was "moche goodly tymber" on the 44 acres of Highshawehorne.⁷ In only two cases did the surveyor record the number of trees: there were 53 oaks on the 2 roods of Highshawe Lodge, and 166 oaks on the single acre of Little Henwoode.⁸ It is difficult to estimate how many trees per acre a natural deciduous forest under limited management would support. One wood of 114 customary acres in sixteenth century Duffield Forest had 40 small oaks and 8 dottards per acre despite the fact that the wood was common to a number of surrounding villages and, hence, heavily browsed.⁹ If the term 'woodland' was used conventionally then there must have been a minimum of 15 trees per statutory acre. The true figure is more likely to have been 25, and it could have been even higher. Table 14 illustrates that even if one uses the lowest possible figure, there was still a great deal of timber on Cannock Chase.

1. 2/3/112 d fos.60, 67; 2/1/181 mm.2d, 4; 2/1/182 m.44. 2. 2/1/181 m.4; 2/1/182 m.6d. 3. 2/1/184 m.14. 4. See above, p.29.
5. 2/3/43 fo.1. 6. Ibid, fo.lv. 7. Ibid, fo.lv.
8. Ibid, fo.3. Such a high density of trees suggests that perhaps these were nurseries. 9. Strutt & Cox, op. cit., p.193.

Table 14

The Number of Trees on Cannock Chase in 1554

<u>Bailiwick</u>	<u>Statutory Acres</u>	<u>15 Trees per acre</u>	<u>20 Trees per acre</u>	<u>25 Trees per acre</u>
Rugeley	3,960	59,400	79,200	99,000
Tromwyn's	1,440	21,600	28,800	36,000
	<u>5,400</u>	<u>81,000</u>	<u>108,000</u>	<u>135,000</u>

Under the Pagets, the woodlands were cleared in such a way as to encourage regrowth. Young trees, standels and samplers, were left.¹ Mature trees were pollarded, the retained 'stools' providing the base from which new shoots could grow.² There may even have been some planting of saplings.³ In order to protect the shoots and saplings from the depredations of grazing animals and to give the new growth a chance to establish itself, woodlands which had been cropped were enclosed for up to nine years. At all other times the woodlands were left unenclosed, and were browsed by the commoners' animals. Access to the cropped woodlands needed to be restricted if the long term condition both of the 'great timber' and of the browse was to be maintained. On the whole, this situation was recognised and accepted.

Thomas Paget developed his Cannock Chase ironworks. The subsequent increased demand for charcoal led to an extensive cropping of the timber. This, in its turn, led to a considerable amount of temporary enclosures, although even at its most extensive, in the early 1580's, there was "more lefte ... to the commoners in the Canckwood, which was wood ground and overgrowen with wood, then all which [Paget had] enclosed there by two hundreth acres".⁴ In the early 1580's there was some popular protest at

1. D(W) 1720/13 fo.3.

3. See above, p.92 n.8.
report drawn up in 1581.

2. B. M. Lans. Ms. 56 fo.96v.

4. 1/3/30 (ii), c, fo.1; part of a

the inconvenience and the loss of browsing caused by these new enclosures but, as will be shown, the subsequent riots had little to do with enclosing.¹

Thomas, Lord Paget fled to France on 24 November 1583.² The Privy Council took immediate measures to secure the Paget estate, and within days Richard Bagot of Blithfield was appointed general overseer of the Staffordshire lands. As early as 18 December, Burghley and Walsingham authorised Richard Ensore, Paget's senior resident estate official, and Thomas Powntes, the ironmaster to continue in charge of the woods and ironworks, and instructed them to render account each month to Bagot.³ The Privy Council had no intention of permitting the huge profits⁴ from the woods and ironworks being plundered because of any dilatoriness by them. The Crown received all profits from 7 December onwards.⁵

Having secured the woods and ironworks, the Privy Council took order to see that they were not unwisely exploited. In February 1584 Burghley ordered that everything was to continue as though Lord Paget were present,⁶ and in November the same year he instructed Powntes not to fell any 'great timber' without specific authorisation.⁷ The conservation of the woodland was very much in the Privy Council's mind. Bagot reported that with "such loppes and croppes" as might be easily spared from the Chase, plus the timber and charcoal already stored at the ironworks on the

1. See below, chapter 6. 2. See above, p.13. 3. E.P.C. 1/9 fo.64.
4. In the year 1577/8 'profits' from the ironworks in Staffs. were put at £1,684; 3/1/14. 5. Folger Shakespeare Library [hereafter, Folger], Bagot Papers, La. 991. Receipts for the period 7 Dec. 1583 to 27 April 1585 were £1,480 (sic. £1,500), *ibid*,
6. E.P.C. 1/9 fo.65.
7. E.P.C. 1/4 unnumbered letter.

Chase and in Bromley, there was sufficient fuel to maintain the works for some time to come. Burghley and Walsingham accepted this assessment, and laid down the procedure they wanted Bagot to follow.

"Theies be to lett yoe vnderstande that we think them [i.e. the ironworks] fitt so far forth to be contynewed and imployed as Her Majestie may be benefitted and the contry thereabout not spoyled and wasted of tymber and other woodes for their necessary vses which, in tyme, may tende to a greater hynderance and decay of the pore inhabytantes of the contry then the profitt thereof comminge to Her Majestie will amount vnto. ...the provysyon of wood already made to kepe the said three forges in work shoulde be imployed for the contynewance therof, so longe as the said provisyon will indure, preservinge the tymber now growinge...."¹

This early rectitude was not to continue. The courtier and poet Fulke Greville, having been under a temporary banishment, returned to the Court and the Queen's favour in 1588.² By early June he had obtained from the Queen the promise of a lease of the Paget Staffordshire woods and ironworks, their value to be assessed by a commission of enquiry. Powerful friends at Court conspired to obtain for Greville an evaluation best suited to his interests. On 7 June Thomas Cecil wrote to Ensore and Powntes. He complained: "I fynde certayn poinctes in thartyoles [of the enquiry] cunningly sett downe by som partyes that wold willingly crosse his [i.e. Greville's] proceeding therin". He asked them "to pleasure the gentyllman" who in his turn promised to let them have first refusal as tenants.³ Essex sent a

1. E.P.C. 1/9 fos.71-2.
Greville, first Lord Brooke (Oxford, 1971), p.79.
fos.87-8.

2. Ronald A. Rebholz, The Life of Fulke Greville, first Lord Brooke (Oxford, 1971), p.79.

3. E.P.C. 1/9

similar message: "I do hold him [i.e. Greville] vary dear vnto me, and I do especially labour in this cause to get him a good bargaine".¹ The machinations continued apace. On 28 June Gilbert Wakering wrote to Bagot: "Mr Grevill followeth his sute wonderfull earnestlie against the men of Bromlie and Burton. He hath procured a commission to survey all the timber with the hollie in Cancke Wood and at Bromley. In the same commission were appointed yor self, Mr Littleton, Mr [?Eynesworth], the Surveior of the Woodes, Tavernor, and Mr. Powntes". That very day Tavernor and Greville's man left hurriedly for Staffordshire. As Wakering warned Bagot, they went "to hast the sitting of the commission. I think they will sit on it if they can, and not make you privey".²

There are two contradictory reports, in the Lansdowne Manuscripts, on the state of Cannock Wood. They were almost certainly produced from the enquiry. The first, anonymous report is dated 30 October 1588. There it is recorded that "Cancke forest is a great and wide grounde, set with much great timber, the which hath bin cropte for the making of Iron ...". "Much of the timber that hath bin heretofore cropt is well growen againe and wilbe readie to make coales for the iron woorkes within theise ij or three yeres." A jury of local men had valued the timber in the manors of Cannock and Rugeley at £20,000. The surveyor's opinion was that the timber in the manors of Heywood and Longdon would be worth very much the same.³

1. E.P.C. 1/9 fos.91-2.

2. Folger, Bagot Papers, La. 899.

3. B.M., Lans. MS 56, fo.94 (90).

The second report, dated 3 November 1588, from Tavernor to Burghley, expressed a totally contrary view: "the saide woodes beinge olde okes heretofore in manner all lopped and shredd for the mayntenaunce of the iron works, so that there remayneth, in effect, but the bodyes of the said trees, of which (the truth ys) many as yet are tymber but, within these x or xij yeares, the most of them will neyther be good tymber nor good firewoode, for that they are all very olde and decayinge and not increasinge, the rather for that they have lately bene topped, as aforesaid, and beinge at the last toppinge verie olde trees, and never topped before, by that occasion doe nowe waxe druxy at the harte, and dye yerely in greate numbers." Tavernor estimated the total woodland at 4,000 acres but claimed that on many acres there were only two or three trees. He pointed out that Cannock was far from the sea or any navigable river; he estimated the value of the timber, unless it was used for the ironworks, at only £1,000.¹

The first report may have been over optimistic in its assessment but it was certainly nearer the truth than Tavernor's. Burghley and Walsingham would not have given specific orders, in January 1585, for the preservation of the woodlands,² if these had been in a poor state. The disastrous condition of the woodland alleged less than four years later by Tavernor could not have arisen within such a short period. In the event, it was Tavernor's report which prevailed and Greville obtained, in February 1589, a 21 year lease of the ironworks and woodlands at the most

1. B.M., Lans. MS 56, fo.96v (92v).

2. E.P.C. 1/9 fos.71-2.

advantageous rate of £211 10s 0d per annum.¹ Some of the ironworks were in need of repair, and certain oaks were excepted from the lease. These trees, "marked with the signe of the brode arrowe and the Crowne over it", and growing "dispersed in the owt boundes" of the bailiwicks, numbered 3,100; there were 1,580 in Rugeley bailiwick, 1,420 in Tromwyn's, and 100 in Heywood Park.² Even allowing for these limitations, Greville had a bargain in this lease.

He was quick to exploit it, and acted with a ruthless self-interest remarkable even for his time.³ In less than a year, complaints were made that Greville was failing to coppice the woodlands which had been cleared. He simply refused to "bee driven to the chardge of the incopsinge".⁴ It is quite clear that from the very beginning Greville's sole purpose was to cut down as much of the timber as he could at the least possible expense. Ensore reported that Greville's men were felling saplings in Heywood Park; in three weeks they cut down 60 loads of ash and had "sold them owt for hoppe poles". When one of the woodsmen 'cropped' an oak Greville's officer became very angry and said he would have no cropping but by the root. With characteristic gloom, in this case justified, Ensore noted: "there was neuer any sutch spoile in any place vsed without auctoritie".⁵

1. The lease was of the two iron furnaces, the two iron forges with their water courses, all woods and trees, the five cottages in which the iron workers lived, and all iron mines in the Forest of Cannock (the Chase plus Heywood bailiwick) and Heywood Park, except for 3,100 marked trees, all the hollies, and the timber in Beaudesert Park. H.M.C. Cowper, i, 39; 1/3/62; S.H.C. 1931, pp.249-251. It is perhaps significant that Greville obtained the promise of the lease at a time when Walsingham and Burghley were busy with great matters of State (the Armada and its aftermath) and the latter with private griefs (his daughter Ann died in June 1588). 2. Folger, Bagot Papers, La. 652. 3. Greville's equivalent today would be the 'asset stripper'. 4. Folger, Bagot Papers, La. 901. 5. Jan. 1591; E.P.C. 1/10 fo.14.

So extreme was Greville's action that the Privy Council was forced to take note of it. A commission of enquiry was ordered, and it was held at Cannock in September 1595,¹ a mere six and a half years after the lease was first granted. The Cannock jurors alleged that Tavernor had not marked as many trees on the Chase as he should have marked, and of these '3,000' trees, 200 were not worth above 6d each, 500 not above 1s each, and 1,000 not above 2s each. Of the marked trees in Tromwyn's bailiwick, 111 had been felled. They also complained that Greville's officers had felled many of the hollies "notwithstandinge that they weare especiallie excepted out of his lease".² The Rugeley jurors were just as detailed in their complaints. They said that Greville had failed to coppice, for the preservation of the spring, any part of the Chase which he had felled. He had left no standels or samplers, as the statute required, only the occasional "runnell stubbe or dotered tree" which no one would bother to fell. The hollies had been and still were daily cut down. They also reported some marked oaks had been felled. They reported illegal enclosures on the Chase by the local gentry; Thomas Wolseley had enclosed 800 acres, William Chetwynd 250 acres.³ The Rugeley jurors claimed that the surveyor of 1588 had calculated the acreage of woodland in Rugeley bailiwick at 3,123 acres.⁴ They alleged that only a quarter of this acreage remained.⁵

1. There are two copies of the record of this court of enquiry and survey, D(W)1720/13 (a seventeenth century copy) and D260/M/E/429/31 (an early nineteenth century copy). 2. D(W)1720/13 fo.2. 3. This may explain why there was so little opposition to Greville from the local gentry; Greville bought them off by permitting them to enclose parcels of the 'waste'. 4. This compares with 3,315 acres in 1554. (see Table 13, above p.91) On this evidence the total acreage of woodland remained the same between 1554 and 1589. The acreage of woodland in Beaudesert Park had fallen from 723 to 400. (2/3/43 fo.8y; D(W)1720/13 fo.3) 5. D(W)1720/13 fos.3-4. The jurors rated this woodland at £5 an acre (a total of £15,615) and the 400 acres in Beaudesert Park at £10 an acre (a total of £4,000).

Greville may not have cleared all the 2,300 acres alleged by the jurors, but he had certainly chopped down a high proportion of the trees both in this bailiwick, and in Tromwyn's. In 1597 the young Paget was restored to his late father's estate.¹ Another survey was held at which the Cannock jurors complained that Greville's officers were still felling the oaks and spoiling the hollies.² Greville continued in this policy right up to the end of his lease. The local people were forced to bribe him to leave even a few trees, necessary for house repairs.³

Greville obtained the woods and ironworks on Cannock Chase in 1589. By 1595 he had already cut down a high proportion of the timber, including many trees which the Crown had intended to be reserved for the benefit of the local people. He destroyed the hollies, specifically protected in the lease; he cleared the woodlands without any regard to their regeneration and failed to coppice. By 1611 "the woodes of the said Chace and Park [were] wasted vtterlie ... [and] vtterlie destroyed".⁴ The region⁵ was devastated to provide a quick profit for an unscrupulous courtier.⁶ The damage was not made good until the replanting after the First World War by the Forestry Commission.

1. See above, p.15. 2. 2/3/112 d fo.60. The Rugeley jury made a similar presentment, ibid, fo.65. 3. P.R.O., E178/4533 m.1.
4. 1/3/62. 5. Greville acted in a similar fashion at Abbots Bromley. See 1/3/38 and Folger, Bagot Papers, La. 529, 530, 1045, 1047, 531. At Long Stanton (Cambs.) he enclosed a part of the town common, and, there, as in Cannock and Bromley, he ignored all local protest. See Northamptonshire Rec. Off. F.H. 1382, 1386. (I am indebted to Dr. Margaret Spufford for this reference.) 6. It is not distorting sentiment but historical accuracy which leads me to apportion responsibility for these events. If Greville had been less eager for profit, the woodlands on Cannock Chase might well have survived. (For a contrary approach to the general problem on the proper historical interpretation of such events see G. Hammersley, 'The Charcoal Iron Industry and its Fuel, 1540 - 1750', Econ. Hist. Rev., ser. 2, xxvi (1973), 603.)

Although the long term effects of Greville's actions were disastrous, there were some short term benefits. A few local men were employed to fell the wood.¹ Because Greville did not coppice, the commoners had access to the whole area for their grazing. There was also greater opportunity for temporary cultivation on the Chase. The first recorded case was in 1580.² The practice increased following the partial breakdown of manorial discipline following the flight of the third Lord Paget.³ Some of the temporary enclosures were the product of individual enterprise. Christopher Crofte enclosed 30 acres of the 'waste' for his own use.⁴ Most of the temporary enclosures were the result of co-operative action amongst a group of tenants.⁵ In 1594 Ric. Bagot reported: "some other parcelles have been enclosed by the tenants ther [i.e. on Cannock Chase] for a crop of corne only, which, as sone as the corne was carried away, hath ben layd open to the comones".⁶

These limited short term benefits did not outweigh the loss of fuel and fodder following the destruction of the woodlands. The loss of trowse was particularly serious, for it was on these loppings of the 'great timber' and the hollies that a large common flock was maintained through the difficult winter months. In 1595 the jurors of Cannock and Rugeley claimed "that all the inhabitantes there ought to haue lybertie att all tymes in the yeare for all mannor of cattall to goe in and throughout

1. D(W)1720/13 fos.3-4. 2. 2/1/184 m.46; 2/1/261 fo.13.
3. E.P.C. 1/9, fo.65. 4. In 1590. See 2/1/280 fos.3, 8.
5. 2/1/186 mm.27d, 38, 49d; 2/1/288 fos.4, 8; D260/W/E/429/16; W.S.L., 41/11/45. In 1602 in Heywood bailiwick 16 people ploughed up 20 acres of 'waste', and 23 another temporary enclosure of 15 acres. 2/1/518 fo.10.
6. Folger, Bagot Papers, La. 128.

the whole forrest or chase of Cannocke, and to browse hollyes for their cattall in winter tyme vpon a reasonable amerciamente to be presented by the forrester or keeper accordinge as hath ben vsed".¹ The juror's claim did, in fact, accurately represent past practice.²

The Chase was administered locally by foresters,³ one or more of whom were responsible for each of the two bailiwicks. Their authority was enforced in the joint manor court of Cannock and Rugeley, and this court exercised a quasi-forest jurisdiction over the area.⁴ The foresters made their presentments at both the courts leet and small courts until the accession of Elizabeth when business relating to the Chase was restricted to the courts leet. Some presentments were for real offences, the most common of which were illegal hunting, the theft of timber, and the overstocking of the common. The majority of presentments were for browsing sheep; this was a technical rather than a real offence; the subsequent amercements were, in effect, licensing fees. Browse, trowse or tinsle, the terms were interchangeable, were fed to sheep and cattle; these loppings were an important supplement to the rough pasturage on the

1. D(W)1720/13 fo.4. In the agreement of 1605 grazing was restricted to the flocks of copyholders, their farmers and tenants but the charge for browsing was dropped. See above, p.28. 2. Until 1605 all local inhabitants who wished to graze on the Chase could do so; they did not need to be a copyholder or freeholder. 3. There was also an Equitator of the Chase whose deputy, in the earlier years, made the occasional presentment in the manor court. Thus, in July 1552 he presented Thomas Heley for cutting and carrying off 20 cartloads of trowse and wood. (see 2/1/181 m.8d) 4. The presentments of the foresters and the Equitator were subject to scrutiny by the jury, who would add presentments of their own. It was the jury which made the bye-laws relating to the Chase.

Chase. The trowse was much prized and its use was strictly regulated. In 1566 the Rugeley jury ordered that no "browsing hoke" over twelve feet in length was to be carried into the woods on a 'pain' of 20s.¹ The browse had to be used on the Chase; it was forbidden to carry it away.² In 1565 a 'pain' of 1s was laid that none should "bere any grene hollyes upon ther backes or otherwyse to fede or norrysshe there cattaylle at there howses at any tyme without it be a very greate snowee". The exception relating to snow was deleted and the bye-law, as amended,³ was rigorously enforced.

The forester for each bailiwick brought with him to the court leet a list of the names and appropriate amercements of those who had browsed their sheep in the bailiwick over the previous six months. The names, listed under townships, and the amercements were scrutinised by the steward and the jury. A few additions, deletions and adjustments were made, and the amended lists were then agreed to. The regular appearance of these lists and the large number of names on them show that the Chase was much used for browsing sheep. In general, the lists do not indicate the number of sheep involved. However, on two occasions, in 1582 and 1599, the foresters added to the usual information the number of sheep each flock owner had browsed.⁴ It was no accident that the foresters took special care at those times. In 1580 and 1581 Paget was in dispute with certain Rugeley men over common rights on the Chase.⁵ Paget was determined to maintain his position in the matter. He was also anxious to cause his

1. 2/1/183 m.40. 2. There were numerous presentments for this offence, e.g. in April 1583 five men were fined for this. (2/1/186 m.4)
3. 2/1/183 m.19d. 4. Draft court papers for the courts leet of April 1582 (2/1/264 fos.8-13) and April 1599 (2/1/298 fos.9-14).
5. See below, chapter 6.

troublesome tenants as much inconvenience as possible. There is little doubt that this was why the survey of sheep was taken; with it a more rigorous assessment of the browsing charges could be made. When William Paget recovered the Staffordshire estates in 1597, he took immediate steps to regain control of his inheritance.¹ The sheep survey of 1599 was probably a part of this process.

William Sneade, the Rugeley forester added to his 1599 list the following note: "the number of shepe that every man browsed as neare as I can gather the wynter tyme before in Ridgeley baylywicke". The 1599 census and, by inference, that of 1582 as well, recorded only those sheep kept over the winter months. They did not include lambs, or sheep temporarily grazed on the Chase.² The lists are nearly complete, the only notable omissions being the manorial and forest officials who were exempt from these ameracements. Thus, the figures below give only the minimum number of sheep grazed on the Chase in the winters of 1581/2 and 1598/9.

Table 15

Sheep on Cannock Chase

<u>Winter</u>	<u>Number of Flocks</u>	<u>Number of Sheep</u>	<u>Total Ameracements</u>
1581/2	164	6,177	£14 14s 0d
1598/9	152	6,693	£16 14s 6d

The prices for sheep in the harvest year 1581 were the highest recorded to that date. The prices in 1598 were also high but not as great as those for 1590 to 1592 and 1599 to 1600.³ It is probable,

1. See above, p.15. 2. 2/1/298 fo.11. The 1599 census has one such case; Francis Rabon was amerced 1s for browsing 60 sheep for one week on the Chase. This entry is excluded in all subsequent calculations in this chapter. 3. Thirsk (ed.), op. cit., statistical Appx., Table IV.

therefore, that there were fewer sheep than usual grazed in 1581/2, in which case the numbers for 1598/9 may be closer to the annual average. If one includes an estimated 300 for the sheep grazed by the forest officials, then the total number of sheep commoned on Cannock Chase each winter was about 7,000.¹ The common flock² was made up of a large number of small flocks. The majority originated from the manors of Cannock and Rugeley but sheep from the townships of Longdon, Colwich, Bednall, Huntington, Chorley, and Cannock Wood were also commoned on the Chase.³

Table 16

Sheep browsed in Rugeley Bailiwick

<u>Place of origin of flock</u>	<u>1581/2</u>		<u>1598/9</u>	
	<u>Number of Flocks</u>	<u>Number of Sheep</u>	<u>Number of Flocks</u>	<u>Number of Sheep</u>
Rugeley	40	1,190	48	1,945
Brereton	9	399	13	435
Longdon	12	356	24	913
Colwich	4	158	0	0
Bednall	6	360	5	390
Huntington	9	250	8	685
Cannock Wood	11	352	2	120
	<u>91</u>	<u>3,065</u>	<u>100</u>	<u>4,488</u>

1. By sixteenth century standards this was a large number of sheep. Most Norfolk flocks were less than 1,000; the larger ones were between 1,000 and 1,500. Although individual sheep masters owned larger numbers of sheep, Southwell had 17,771 in 1561, the constituent flocks were distributed amongst a number of manors. K. J. Allison, 'Flock Management in the Sixteenth and Seventeenth Centuries', Econ. Hist. Rev. ser. 2, xi (1958-9), 100.

2. As far as one can tell, the sheep roamed free. Pitch or some other dye was used to mark the animals (3/4/203 (ix)). In this situation, rustling was always a possibility. Thus, Barre was amerced for putting his own mark on stray sheep. (see below, p. 139).

3. See Map 2. The hamlet of Cannock Wood lay between Rugeley and Cannock, and just south of their manorial boundaries.

Table 17

Sheep browsed in Tromwyn's Bailiwick

<u>Place of origin of flock</u>	<u>1581/2</u>		<u>1598/9</u>	
	<u>Number of Flocks</u>	<u>Number of Sheep</u>	<u>Number of Flocks</u>	<u>Number of Sheep</u>
Cannock Wood	0	0	8	59
Cannock	34	1,654	21	1,098
Longdon	21	533	16	544
Chorley	15	686	4	274
Vicar of Bushbury	1	34	0	0
Huntington	2	205	3	230
	<u>73</u>	<u>3,112</u>	<u>52</u>	<u>2,205</u>

A high proportion of the villagers of Cannock and Rugeley commoned sheep on the Chase. In 1600 the adult male population of Rugeley and Brereton was about 215.¹ In 1598/9 there were 61 flocks totalling 2,380 sheep from the township and hamlet, on the Chase, that is to say, one in three men owned and commoned a flock of sheep that winter. Most of the flocks were very small. In 1581/2 nearly a half of all flocks (78 out of 164) numbered 20 or less; the largest was 160. In 1598/9 a third of all flocks (50 out of 152) were 20 or less in number; the largest was 200. The majority of the smaller flocks were owned by the poorer people. Many had little or no copyhold land; their wages were their main source of income. The relative importance of a flock of sheep, even a small one, to the landless labourer is self-evident.²

Historians have long been aware that large flocks of sheep were commoned on areas such as Cannock Chase, but until the discovery of these surveys there was no detailed information on the constitution of

1. See below, p. 204.

2. It is impossible, because of the high incidence of sub-tenanting, to establish beyond doubt that these men were landless. Certainly, many had little or no copyhold land. Whilst it is impossible to prove, it is my opinion that most of these flock owners were landless and many were very poor. This opinion is evidenced, to a degree, in the biographies of the Rugeley rioters. (see below, Chapter 6, sec. IV)

such a flock, and only estimates of total numbers. It is now clear that at least one such area was an important source of sheep, wool, and pelts, and a valuable resource for those with right to common.

In 1595 the 'oldholders' claimed the right to hunt the fox, the hare, the roe and the hawk with a "sparhawke".¹ They may or may not have had this right, but even if they did it pertained to only a small minority within the community. Most had no right to hunt on the Chase, and yet from the regularity of presentments for this offence, it is clear that many did. Animals hunted included deer,² hares,³ rabbits,⁴ and game birds such as woodcocks.⁵ The favoured method of hunting was with dogs,⁶ but nets⁷ and hand guns⁸ were also used. There was a great deal of poaching; it was almost certainly a significant element in the peasant economy.

Bye-employment was an important part of the economy of the area. There were founders,⁹ iron blowers,¹⁰ colliers,¹¹ blacksmiths,¹² nailors,¹³ timbermen,¹⁴ and weyners.¹⁵ The importance, in this respect,

1. D(W)1720/13 fo.5. 2. e.g. 2/1/181 mm.2, 8; 2/1/186 m.4.
3. 2/1/184 m.13d. 4. e.g. 2/1/184 mm.41, 56d.
5. 2/1/184 m.28d. 6. 2/1/181 m.2. 7. 2/1/184 m.28d.
8. 2/1/186 m.4. 9. 2/1/274 fos.6-8. 10. S.H.C. 1931,
pp.147-8. 11. S.H.C. 1935, p.365. 12. S.H.C. 1929, p.334;
S.H.C. 1932, p.286; S.H.C. 1935, pp.229-230; 2/1/186 m.24d.
13. S.H.C. 1929, p.299; S.H.C. 1932, p.255; 1/4/93; 2/1/247 fo.3.
14. S.H.C. 1935, pp.154, 188. 15. 2/1/182 m.2d; see below,
p. 208. The wain which overturned killing George Swancote was pulled by
4 oxen and 1 mare.

of the ironworks should not be exaggerated.¹ There is little doubt that many more people were employed in the service industries than in the ironworks. There were joiners² and carpenters,³ badgers,⁴ mercers⁵ and ale-house keepers,⁶ weavers⁷ and tanners,⁸ masons,⁹ tilers,¹⁰ and brickmakers,¹¹ tailors,¹² glovers¹³ and sherman,¹⁴ and millers.¹⁵ The ironworks provided little direct employment for the peasantry, whose economy was determined by the agricultural rather than the industrial uses of the woodland. Only when the commercial and industrial interests gained ascendancy was the peasant economy significantly effected. One has only to look at the social structure of the area, as revealed in the records of the manor court, to see how small a part the ironworks played in the life of the people of Cannock and Rugeley. In as far as the Chase dominated the lives of the peasantry, it was as a source of food and domestic fuel, not as a place of industrial employment.

-
1. For a history of the Paget ironworks on Cannock Chase see the following: G. R. Morton, 'The Reconstruction of an Industry - The Paget Ironworks, Cannock Chase, 1561', Lichfield & South Staffs. Arch. & Hist. Soc., vi (1964-5), 21-38; R. A. Pelham, 'The Migration of the Iron Industry towards Birmingham during the Sixteenth Century', Trans. & Proc. of the Birmingham Arch. Soc., lxvi (1945-6), 142-149; B. L. C. Johnson, 'Iron to 1750', V.C.H. Staffs., ii, 108-120; J. P. Cooper, 'The Pagets and the Iron Industry of the Sixteenth Century'. (Unpublished paper referred to in Econ. Hist. Rev., ser. 2, xxvi (1973), 595, n.1.)
 2. 2/1/186 m.8d.
 3. S.H.C. 1932, p.82.
 4. S.H.C. 1935, p.26.
 5. Ibid, p.53; Birmingham Library, Duke Collection, no.234.
 6. See below, Chapter 6, secs. IV & V.
 7. S.H.C. 1929, p.299; J2224; 2/1/288 fo.2.
 8. S.H.C. 1929, p.116.
 9. S.H.C. 1930, p.366.
 10. 2/3/27; V.C.H. Staffs., ii, 255.
 11. S.H.C. 1932, p.145.
 12. Ibid, p.149.
 13. Ibid, p.31.
 14. Ibid, p.327.
 15. S.H.C. 1935, p.345.

Chapter 5

The Manor Court

Cannock and Rugeley were ancient demesne manors, each conterminous with a bailiwick of the Chase. Although the manors presented individual accounts and were always distinguished in the numerous surveys as separate entities, their contiguity, ancient demesne status, forest background, and single lord explain why, from the earliest times, they had held a joint manor court.¹ The sixteenth century records distinguish two sorts of court: the court leet (visus franciplegii cum magna curia, titled from the 1560's visus franciplegii cum curia baron'), and the small court (parva curia). All business conducted in the small court, which was restricted to a manorial jurisdiction, was also carried out in the court leet in addition to its familiar criminal business. The technical distinctions between a view of frankpledge and a court leet, and between a court customary and a court baron were not reflected in the practice of these courts and, hence, are of no concern here.²

In Cannock the small court jurisdiction was coterminous with the manorial boundaries, but the leet jurisdiction extended to the townships of Great Wyrley, Huntington and Hatherton which probably had once been parts of the manor. The situation in Rugeley was confusing. Leet jurisdiction covered the whole area but that of the small court, which related only to manorial land, was in competition not only with that of the sub-manor of Brereton but also with the newly created and much disputed jurisdiction of the 'manor of Hagley'. Although Hagley had often been called a manor, it was not until the 1570's that the lord of Hagley began to hold his own manor court.³ In theory, it was impossible to create a manor, but this is exactly what Richard Weston⁴ did

1. V.C.H. Staffs., v, 53-4; Chapter 1. 2. Coke on Littleton,
lib I, cap. ix, sec. 73. 3. See above p. 10.
4. See below pp. 168-9.

in the mid-sixteenth century. One of Paget's officers, writing in the 1570's, noted that Hagley was "nowe growen to be a mannor which is one thinge that hath brought Ridgley mannor into a confusyon, and it is nowe growen to such a mannor, he [i.e. Weston] receyveth heryottes of everyone that paith him but a peny rent by yere, as he [h]ad of William Nevall ... Memorandum: that my Lorde trye with him quo iure he holdeth his mannor there, or elles farewell Ridgley mannor".¹ The historian can but echo this final cry of despair, and console himself with the thought that even contemporaries found the position confusing.

Before looking at the documents on which this account is based, it is worth considering what aids are available to the historian of a sixteenth century manor court. There is no general history of the manor court in the sixteenth century, and no satisfactory guide to the records. Hone's The Manor and Manorial Records² is inadequate. Maitland's two Seldon Society volumes³ concentrate on the origins and early practice of the manor court. Two aspects of manorial court activity are well covered: conveyancing and land law in as far as they related to base tenures in Kerridge's Agrarian Problems in the Sixteenth Century and After,⁴ which, in this respect at least, must be considered a major work of synthesis and explanation; and village bye-laws in the numerous articles

1. 2/3/119 fo.2. 2. N. J. Hone, op. cit. (London, 1906).
3. F. W. Maitland (ed.), 'Select Pleas in Manorial and other Seigniorial Courts', Seldon Soc., ii (1889); F. W. Maitland & W. P. Baildon, 'The Court Baron', ibid., iv (1891). 4. Eric Kerridge, op. cit. (London, 1969).

and monographs of Ault.¹ Harvey's book on Cuxham² and Leconfield's on Petworth³ are useful works on manor courts in operation before and after the period under discussion. The only extended attempt to describe a sixteenth century rural manor court is that of Dawson for the manor of Redgrave (Suffolk).⁴ It is informative in its detail but limited in its interpretation. He considers the court in isolation from the economic and social environment in which it operated, and he makes general judgements about the manor court in the sixteenth century based largely on his knowledge of this one court.

The contemporary court-keeping manuals might be thought a useful source. The first one appeared in print in 1510 and, thereafter, they were produced at regular intervals throughout the century.⁵ In practice, they are of little use and of doubtful authority for the historian of the manor court. Firstly, the details they contain are limited. They deal with only a few topics of court administration and these are treated in a fairly formal fashion. Many of the courts' functions and activities are not touched upon. One could not run a manor court just on the information in these books. Secondly, where they do contain information one can only use it with great circumspection. Each anonymous author copied the work of his predecessor, adding matters of detail and illustration rather than of substance to the text. It is this very uniformity which makes the manuals suspect as authoritative sources on court keeping. For if they were accepted as such, then the thousands

1. W. O. Ault, Open-Field Husbandry and the Village Community: a Study of Agrarian By-Laws in Medieval England (Philadelphia, 1965). Ault's latest work on the subject is Open-Field Farming in Medieval England (London & New York, 1972). 2. P. D. A. Harvey, A Medieval Oxfordshire Village: Cuxham 1240 to 1400 (Oxford, 1965). 3. Lord Leconfield, Petworth Manor in the Seventeenth Century (Oxford, 1954). 4. J. P. Dawson, A History of Lay Judges (Cambridge, Mass., 1960), pp.208-264. 5. A representative list of the manuals consulted is to be found in the bibliography.

of manor courts in England at that time, which were run by people of varying competence and education, and which operated a known variety of customary rules, all adopted the same rigorous procedure. This assumption is too improbable to be justified and, therefore, the manuals cannot be cited as authoritative sources. Again, because of the variety of practice, Norden's work¹ must be used with caution.

What were the records produced and surviving, on which this account is based? Firstly, there were the engrossed court rolls.² Written on parchment each membrane averaging $2\frac{1}{2}$ feet in length and 10 to 12 inches in width, they were grouped together in rolls of 9 to 59 membranes which were tied at the head and then rolled for convenience. They were written in Latin³ and engrossed in a typical Chancery court hand.⁴ The engrossed court rolls were written up often months after the date at which the court was held. The scribe had two main sources, the draft court papers and the court books. The drafts⁵ were the documents actually made or used at the courts leet. Files of papers kept pinned together at the head, they were the working documents of the court, produced, some before, some at and some after the official meeting of the court, by a variety of officers. For example, the foresters of the two bailiwicks whose presentments are written in their own hand, almost certainly wrote these up before the court met. At the court,

1. John Norden, The Surveyors Dialogue (London, 1607).

2. 2/1/181-189. 3. Most court rolls were written in Latin, but this was not an absolute rule. The engrossed court roll for Eccleshall (Staffs.) for 1544 (P.R.O. SC.2/202/59.) is mainly in English. Possibly only the title of the court, and the conveyances had to be in Latin.

4. See Plate 4.

5. 2/1/235-301.

deletions, amendments and additions were made. On occasion, the jury would meet before the court to consider special presentments and bye-laws. These were written up by one of the jury and handed to the steward for engrossment in the roll. Most of the draft was written at the court by an attendant scribe. These lists of presentments and amercements were scrutinised by steward and jury alike and then by the affeerers; subsequent amendments were sometimes made after the court had closed.

The drafts often include details omitted in the engrossed roll. In that for April 1578, the jury is given as a single and undifferentiated list¹ but in the draft the sixteen names are divided under the headings, Rugeley and Cannock.² So it is from the drafts that we learn that although the manor court was a joint one, the jury was divided, each half presenting only the offences committed within their own manorial boundaries. Omissions in the engrossed roll were due, sometimes, to scribal error, as in April 1584 where the scribe failed to turn over the page in the draft listing the amercements for Rugeley bailiwick, and completely missed a page of presentments in the Rugeley verdict,³ and, hence, failed to copy either into the engrossed roll.⁴ Some omissions were deliberate, as in 1580 when the Rugeley jury presented "That Thomas Lorde Paget Syr Walter Aston knyght, Erasmus Woollsley esquier haue enclosed and suffered oure comens to be enclosed to the great hurte and damage of oure pore countrey and contrary to all Ancyent Custome". The steward did not allow this charge against the lord of the manor to be engrossed.⁵

1. 2/1/184 m.34d. 2. 2/1/258 fo.1. 3. 2/1/268 fos.5-5v,
fo.1. 4. 2/1/186 mm.8-9d. 5. 2/1/261 fo.14v; 2/1/184
mm.44-46.

These examples of both accidental and deliberate omissions raise the question of the status and function of the two sorts of record. Legally, the engrossed roll was the official record of the court. Access to them was a source of contention between the lord and his copyholders, and the situation was regularised by agreement in the 1605 custumal.¹ But what was the point of having access to a record which was often inaccurate? The answer lies in the area in which inaccuracies are to be found, namely, in the long lists of ameracements. The engrossed rolls were the authority on questions of title to copyhold and of copyholders' rights. It was because of this that the copyholders wanted access to the rolls. This information was of interest over a long period of time, whereas the ameracements, whether for criminal or for agricultural offences, and many bye-laws were of short term relevance. The reeve used the lists of ameracements in the draft as his authority to collect, or to distrain on them. It was to these lists that the receiver-general turned when assessing the sums due. (One just can not see Paget's officers being fooled by the omission of a page of ameracements which they would have expected to find, their appearance being the norm.) The engrossed court roll, then, was a register of title, a record of final judgements on pleas, and a record of customary rights. The drafts were the papers used to secure payment of ameracements, and to justify distraints; they were the necessary means whereby all who came within the jurisdiction of the court, were controlled.

A few final comments on the drafts. They sometimes provide the only surviving evidence of a court, as in the case of the leet of April 1587.² Mutatis mutandis, the draft papers of a particular court are

1. See above, p.30.

2. 2/1/274.

often fragmentary or missing; those before 1570 do not, in general, survive. Where the two records do survive, they are well worth reading in conjunction, the information in one complementing and supplementing the information in the other.

The two surviving court books,¹ which cover the period 1575 - 1589, were very much working documents, and bear the same relation to the small court engrossments in the court roll as the draft papers do to the leet records. These were paper books, many folios in length. They contain details of the business done in the small courts. As in the case of the courts leet, information in the court books is omitted in the engrossed rolls and vice versa. The steward or his clerk wrote up, in advance, the pleas to be heard; he then added at the court details of the pleading and the judgements given. Defaults of appearance and records of land transfer were probably written at the court. Quite often a jury would be sworn in to determine a dispute. They would be given a day to deliver their judgement. This was often before the next court and the judgement received would be written up with the record of the court in which the enquiry was instigated.

The courts leet were held regularly twice a year, the Easter one in Cannock and the Michaelmas one in Rugeley. The courts leet always dealt with the business of both manors. The small court also alternated between Cannock and Rugeley. There was a tendency for its business to be restricted to the manor in which it was held, for the sake of the convenience of the suitors, but this was by no means an invariable rule. The frequency of the small courts was more variable. Between 1546 and 1573 there were never more than four recorded for any one year, and

1. 2/1/355-6.

in fifteen of these years there were no such courts recorded. From 1574 the numbers increased dramatically and by the following year the court was held every three weeks. Generally speaking the number of courts in the engrossed roll is less than the number recorded in the court book. Thus in 1587 only two were recorded in the engrossed roll but fourteen appear in the court book. The difference was not usually so great; in 1582 there are eleven recorded in the engrossed roll and sixteen in the court book. So, if one is restricted, by the accident of survival, to using only engrossed rolls to establish the frequency of courts, erroneous conclusions are likely. Such rolls give information on the minimum number of courts held and the relative degree of activity, not the absolute numbers. Given these provisos, we can say that there was a significant increase in activity after 1573; indeed, in 1576 the court was held a total of 20 times, a greater frequency than once every three weeks.

Where were the courts held? From the 1570 land survey we learn that there was a tenement in Rugeley called the "corte house".¹ The Cannock courts were held at the market cross. This, too, was a building of some kind, as a bye-law of 1590 shows: "no person inhabityng in Cannock shall suffer eny of his children to pulle downe eny cley or nogges about the Crosse in Cannok" under a pain of 1s for each offence.² (Clearly vandalism is not only a twentieth century problem.) The upkeep of this building was the responsibility of Colman, one of the copyholders. This he failed to do, and, in 1581, William Fynney wrote asking Paget, the lord of the manor to order Colman to repair the cross, arguing that "yt ys unsemely that my Lordes court should be kept in an ale house".³

1. 2/3/45 fo.1.

2. 2/1/280 fo.7.

3. E.P.C., 1/8 fo.9.

House, market cross or ale-house, these were the venues of the small courts, but whether they were used for the courts leet is more doubtful.

There is for the Michaelmas leet of 1578 a complete list of suitors.¹ By comparing this list with certain information in the engrossed roll for the same court, it is possible to arrive at an accurate figure for the number of suitors actually present. At least 265 owed suit of court; 30 were essoined, thus 235 were expected to attend. 45 were amerced for failing to attend; thus out of the minimum figure of 265 owing suit of court, 190 actually attended. This is the only complete record of attendance at a court leet which survives but, since the court of 1578 was quite typical in its business, the general order of magnitude revealed by these figures can be safely applied to the other court leets. One's first reaction is one of surprise at the size of the number attending, say between 150 and 200 at any court leet. When the court was held at Rugeley then about 80 or 90 suitors had to travel an average of seven miles to reach the court; the 25 from Great Wyrley having to go over nine miles. Mutatis mutandis, when the court was at Cannock, the 70 plus suitors of Rugeley had to go seven miles, and the 25 from Brereton nearly nine. It is no wonder that many, up to a third, opted to pay an essoin or an amercement to avoid the inconvenience. We know, from a contemporary letter,² that one court was held at 5 o'clock. Whether this was in the evening in order to give the suitors time to reach the court, or in the morning in order to get all the business done, is not

1. D(W)603 M296-M400; this is part of an unlisted, later deposit of Anglesey papers. The suitors are listed by name, and grouped within their tithings. The numerous additions, deletions, and hieroglyphics prove that it was used as a check list by the steward. As far as one can tell, the list is almost complete. 2. E.P.C., 1/4 fos.39-40.

known. It was probably the latter.¹ For those who did attend, the journey to the court and attendance at it must have taken on something of the air of a festival. It is reasonable to assume that not only the suitors but also members of their families attended, and it is highly likely that groups of neighbours travelled together. The roads were crowded, an interesting comment on the typical Tudor fear of large numbers of travellers. And when they arrived what did they do? The numerous ale-houses provided shelter and sustenance. With the exception of the parish church there was no building in either village large enough to accommodate a crowd of this size. Since one would expect some evidence to have survived if the parish church was used, one must assume that it was not. But how then did the court operate? Whether the court, that is to say, the steward, officials and jurymen, sat in the 'corte house', the market building, an ale-house, or under a temporary structure, the majority would have been excluded. How then did they know whether or not they had been amerced and by what amount, or what pains had been laid or what bye-laws made? A reasonable guess would be as follows. The court was formally opened by the traditional three 'oyez' of the bailiff. The jury were then sworn in. As the tithingmen of each hamlet made their presentments, the people in their tithing pushed forward to listen. The additional presentments of the jury, and the promulgation of pains and bye-laws were read to the whole company, as also the presentments of the foresters. The whole action of the court was public and corporate. There is no doubt that many social and business contacts were made at these times, and that the manor court was as important to these men and women as the Quarter Sessions were to the J.P.s and jurymen.

1. The Ecoleshall jurors were instructed to assemble at six in the morning to carry out their duties; P.R.O. SC.2/202/59.

were a source of legal expertise regularly present. It was here that Fynney learnt his law, how successfully can be seen when one examines his time as steward.

By his own admission Fynney became steward and under-steward of the two manors in 1574 when he was 51.¹ The significance of the date is confirmed when one remembers that it was from that time that the business of the small court dramatically increased.² The confusing claim that Fynney was both steward and under-steward is simply explained. He held most of the small courts, except when he himself was involved as a litigant either in the transfer of copyhold or in a suit. In these cases an estate official presided.³ He did, on occasion, act as steward at the court leet, as in October 1574, and, at least once, he presided as steward over the courts leet of all Paget's Staffordshire manors.⁴ More usually Fynney acted as under-steward to one of the estate officials. His legal activities were not restricted to the manor court. He was one of Paget's legal advisers in Staffordshire, concerned with the issuing of writs, the instructing of counsel, the giving of legal opinion, the procuring of witnesses and the writing of letters on legal matters.⁵

He was a fair man. In all the accusations and counter-accusations in the Star Chamber following the enclosure riots on the Chase, no one accused Fynney, who was fully active on his lord's behalf in this issue, of acting unjustly. He did not scruple to procure jurymen favourable to his lord's cause at Quarter Sessions,⁶ nor to

1. D(W)1720/16 (ix) fo.9. Claim confirmed in the draft for the Michaelmas leet of that year; 2/1/249 fo.1. 2. See above, p.117.
3. As in 1581 (2/1/184 m.51) and 1583 (2/1/186 mm.5-5d; 2/1/355 fos.146v-147v). 4. In 1577. See E.P.C., 1/4 fos.39-40.
5. 3/4/203 (i). 6. E.P.C., 1/8 fo.81.

meet with and write to local J.P.s in order to secure their favour in the same.¹ Such actions would have been thought unexceptional at that time. In contemporary terms, he had a clear sense of justice, and would prosecute his lord's causes only within the confines of law and equity. In 1581 the Poye family illegally secured possession of a cottage built on the waste. Fynney had them ejected, arrested, and goaled, to await trial at the next assizes. In a letter justifying his action he claimed that Paget had every title to the cottage and ended, "for as I would be loth to intytte my Lord to any thyng wherunto he hath no right, so would I be as loth to suffer eny of my Lord's enherytaunce to be taken from hym,...".² He was jealous of his lord's rights. When some one entered Paget's liberty at Longdon and executed a writ of fieri facias, he immediately took counsel's opinion, for, as he put it, "yf my Lord haue retorna breuium, yt ys not good to beare such an acte".³ His concerns were not exclusively those of his lord. When William Bee was amerced 10s for failing to scour out a ditch, Fynney wrote to the receiver-general pointing out that the ditch was not Bee's responsibility but another's. He asked that the amercement be excused, saying, "for I suppose you would be loth to haue any thing for my lord otherwise than lawe or equitie wold... And although I am loth to move you to remytt any americiament or payne forfeited, by cause they tende for the mayntenance of good order, yet petie moveth me herin."⁴ This comment more than any other reveals Fynney's attitudes to his job.

He remained a manorial official after Paget's flight in 1583.⁵ This did not imply any disloyalty. Most of Paget's officials retained their positions and, during the wasteful years of attainder, kept

1. E.P.C., 1/6 fo.83.

2. E.P.C., 1/7 fo.74.

3. E.P.C., 1/8 fos.10-11.

4. 3/4/43 (ii).

5. 2/1/280 fo.8.

their exiled lord, and on his death, his son, apprized of the condition of the estate. They saw their role during those years as custodians of their lord's resources and rights. They clearly expected these to be restored in the not too distant future. He remained active up to his death, and, with exception of his eyesight which was poor,¹ he seems to have retained a grasp of events right to the end. He was a man of few social pretensions. He lived in the village of Cannock throughout his long career as steward, amongst the people he governed. His house, as far as one can tell, was no different in size or furnishings from that of any other prosperous yeoman in the village. His daughter and only surviving child married into a family of small copyholders. Although he travelled both within Staffordshire and to London,² although he wrote on equal terms to justices of the peace and to estate officials, although he would tender advice to his lord,³ his interests and contacts remained local. That did not make him a country bumpkin. He was a competent and conscientious administrator, lawyer and judge, one of that unsung army of men, stewards, bailiffs, surveyors and the like who actually governed and administered many parts of rural England at this time.

The court leet had two functions, manorial and leet, and judgements made upon the authority of these two jurisdictions appear indiscriminately within the same set of presentments. The leet jurisdiction was essentially a criminal one. Here one must distinguish between technical and actual offences. Many of the charges under the assize of bread and ale, and under the forest rules, were in reality

1. In 1580 he wrote to Warde asking that Twynyho be reminded to send down to Staffordshire the promised pair of spectacles; E.P.C., 1/6 fo.3.
2. E.P.C., 1/6 fo.23. 3. See below, pp. 190-192.

licences from the lord to perform certain actions, such as to sell meat and to graze sheep. On the other hand presentments of affrays, theft, sexual immorality, and riot referred to actual criminal offences. Within its manorial jurisdiction the court controlled the use and misuse of the common fields,¹ the common ways and waters, and the common rights on the chase;² it was the instrument through which the community organised its corporate agricultural and economic life. To illustrate how the court leet operated, the business, in all its diversity and particularity, of two typical courts is here rehearsed.

The first court leet of 1555 was held at Cannock on the second Saturday after Easter.³ John Ottley, armiger, the presiding steward, was one of Paget's estate officials. The scribe omitted to copy out the essoins; another example of the distinction, drawn above, between the diplomatic of the engrossed and the draft court rolls. There then followed the separate presentments of the tithings. The Cannock tithingmen, of whom three were present, reported three men for failing to attend. They included an armiger, Leveson, and the absent fourth tithingman. They presented William Colman, one of the major copyholders, for failing to maintain two water courses, and Colman was amerced 2s 8d. The two Huntington tithingmen reported all well, which was the standard comment when there were no presentments to be made. Hatherton and Hednesford, which always appeared as a single tithing, produced two offences: Christopher Aston was amerced 2d for brewing (in effect, this was a licence to brew), and John Mores was presented for breaking down

1. See above, p.74.

2. See above, p.102, n.4.

3. This account is based on the record of the engrossed court roll; 2/1/182 mm.1-1d.

the lord's pinfold on Cannock Chase, and removing his sheep which had been impounded. The common tasters of Cannock presented nine people, including one widow, for keeping a 'common house'; this probably meant that the people named brewed ale and sold it to their neighbours; the amercement in each case was a nominal 2d. All was well at the tithing of Leycroft, as also at the tithing of Wyrley, save for two defaults of appearance. The three Rugeley tithingmen presented twenty eight men, including two knights, Sir Edward Aston and Sir Thomas Fitzherbert, for failing to attend the court. Crompton was amerced 1s for seizing his impounded cattle from the lord's park. He was also presented for being involved in an affray with Jacob Bullock. (It was often the case that where a man committed an offence against the lord, he was also presented for other offences.) Under the same heading, the Rugeley reeve-bailiff presented two ewes as estrays. The Rugeley common tasters presented two men for keeping a 'common house', and sixteen for illegal brewing; in all cases the amercement was the same, 2d. The Brereton tithingman presented two for brewing, one for keeping a 'common house', and two for default of appearance.

The foresters then made their presentments. Twenty four people were amerced a total of £1 11s 0d for trespassing in Tromwyn's Bailiwick. A further twenty three were amerced a total of 19s 6d for trespassing in Rugeley Bailiwick. These amercements, as has been pointed out, were, in effect, licences to graze in the lord's wood.¹

After the record of the presentments of the tithingmen and foresters, the names of the jurymen were enrolled. Surrenders and admissions of copyhold were a regular occurrence in the courts leet. At this one, Ralph Wood made a long and detailed settlement of his copyhold lands,²

1. See above, p.102.

2. See above, pp.52-3.

and Richard Johnson was admitted to a cottage. He paid no entry fine because he had built the cottage himself. The sixteen man jury first affirmed the accuracy of the presentments of the junior officials. They then made further presentments, presumably because they had been missed. These included charges of not keeping up a water course, of failing to attend the court, of keeping lodgers ("inmakes"), and of making an affray on one of the forest officers. The expenses of the court, which consisted largely of providing a dinner for the manorial officials and the jurymen, came to 20s 9d. The total of fees received, including 40s for Wood's fine and heriott was £6 1s 0d. Thus, the profit of this court was just over £5.

The Michaelmas court of 1583 was held at Rugeley.¹ There were fifty-one essoins. The Cannock common tasters presented nine brewers, and eight for failing to sell ale of the required standard. From Huntingdon there were two defaults of suit of court; from Leycroft, one brewer. In Cannock there were only nine defaults and no other offences, an untypically low number of presentments. In Hatherton and Hednesford there was one brewing offence; John Randall was amerced 3s 4d for letting his ram wander around Hednesford village. In Great Wyrley there were three defaults and two brewers; in Brereton eight defaults, one brewer and one person was amerced 6d for selling food above the statutory prices. Adera, wife of George Hassel was presented for an affray on Beatrice Sugar. As usual, it was the husband George who was amerced, 1s 8d. (A woman was only amerced personally if she was unmarried and not a servant.) The Rugeley tithingmen presented thirteen defaults and six affrays. The common tasters listed fourteen brewers, one keeper of a common house,

1. This account is mainly based on the record of the engrossed court roll; 2/1/186 mm.6-6d. Halfway through the verdict of the Rugeley jury the record of the engrossed roll comes to an end; it looks as though a membrane has been torn out. The missing portion of the Rugeley verdict is supplied from the draft court roll; 2/1/267 fos.7-9.

five sellers of high priced meat, three Lichfield men for selling bread, and four Rugeley men for the same offence. Only the Rugeley forester's presentments survive.

The jury numbered fifteen. The Cannock jurymen presented Bradock and Parker for driving 37 pigs onto the waste during pannage time, when they had no common rights. William Cokes was amerced 2s 6d for cohabiting with Frances Blount in his house in Leycroft. She bore him a son and as a result Cokes forfeited a 'pain' of £1, a very heavy penalty. The inhabitants of Chorley, Farewell and Woodhouses were ordered to keep their sheep south of the Cranebroke. Fourteen people were amerced for allowing their animals to roam about the common fields to the detriment of their neighbours' grain. Four people were presented for emptying their privies in the high street at Cannock.¹ John Arnolde, one of the Cannock constables had been ordered by a local J.P. to apprehend Hugo Lees. Arnolde had refused to arrest his neighbour and as a result Lees was still at large, for which the jury amerced Arnolde 3s 4d. This is one of the very few examples where one can see the commission of the peace operating in this area, and the only example of the manor court being used to support the authority of the local justices. The Rugeley jurymen reported a number of breaches in the hedges or hurdles about the common fields. Sawyer was presented for running 60 sheep and 3 horses in the common field and on the Chase. He was amerced 13s 4d as were three others for similar offences. Richard Fawtles was fined 10s for letting his gelding, which had scabies, go amongst his neighbours' animals. The jurymen reported that Francis Haskie had stolen a gelding worth £4 from Rugeley, and sold it to Robert Brokehouse of Derby.

1. A Rugeley man was presented for a similar offence in 1593; 2/1/186 m.48d. This was a major problem in seventeenth century Petworth; Leconfield, pp.30-2.

Finally, they laid a 'pain' that the common way through the centre of Hoddesley field should be kept in repair so that the tenants could use it for their wains and plough teams. At this court the reeves, tithingmen constables and common tasters for the following year were elected and sworn in.

It can be seen from the above two examples that a considerable number of officials attended the court. All held their posts at the lord's pleasure but some, such as the foresters,¹ were solely the lord's nominees. Of these, the steward was obviously the most important. (On only a few occasions² did the scribe indicate in the court roll the identity of the steward. The scribe was punctilious in recording the names of the multitudinous lesser office holders. The steward's name was omitted because it was not germane to the record of the court.) He was one of the senior officers of the estate and presided over all the courts, perambulating from one manor to the next, spending a day at each.³ There is very little evidence in the formal record of what he did at the court. (The main exception is where a man and wife were joint-holders of a parcel of land and wished to surrender it to the use of a third party, then the wife was examined, in secret, by the steward in order to ascertain that she freely agreed to the conveyance and was not under any compulsion from her husband.)⁴ Most of what he did must be inferred from court-keeping manuals, and, as has been pointed out,⁵ these are of doubtful authority. For example, there is no evidence for this court that the steward read or declared to the jury their 'charge',

1. The duties of the foresters are discussed above, pp.102-4.
2. 2/1/181 m.2; 2/1/182 mm.1, 3; 2/1/184 mm.16, 51, 56d; 2/1/186 mm.5, 5d.
3. E.P.C., 1/4 fos.39-40; 2/5/59 (ii).
4. 2/1/183 m.4d.
5. See above, pp.112-3.

or that he used a rod, in the conveying of copyhold.¹ The action in court of this, the most important person present, remains unknown and unknowable. What we do know is that from 1574 he had the advice of the under-steward, Fynney to guide him on the accuracy of the jury's presentments.² He did not need to rely entirely on his own judgement and the record of past court rolls.³ Of the minor officials we know much more.

The ancient system of tithing whereby groups of neighbours were bound by a common obligation to see that all members obeyed the law and fulfilled their manorial obligations, was fully operative in this area. Hamlets such as Leacroft had a single tithingman, others such as Hatherton and Hednesford shared one between them, whilst Cannock and Rugeley had three or four each. Variousy termed franciplegii,⁴ decenarii,⁵ "hedborowes"⁶ and "theardebarowes",⁷ they were drawn mainly from the smaller copyholders, although men who also served on the jury held this post. They were the usual crop of good and bad; a general and deserved reputation for being a minor offender was no bar to office. William Harryman of Rugeley who lived a rather shady existence as an ale-house keeper, was constantly being presented for offences against the assize of ale, and also for affrays.⁸ At the Michaelmas leet of 1574 he was elected one of the Rugeley tithingmen. The office was not a popular one, election was often used as a punishment for persistent offenders. It may have been for this reason that Harryman made some unpleasant remarks

1. Modus Tenendi Cur' Baron' cum visu franci plegii (Manorial Soc. Publication no.9) pp.2, 6, 25. 2. See above, p.121.
3. These he brought with him; 2/5/59 (viii). 4. In 2/1/181 & 2/1/182. 5. In 2/1/183. 6. 2/1/183 m.19d.
7. Ibid, m.44. 8. He was one of the rioters of the 1580's; see below, p.173.

about the jury at that court for which he was later amerced.¹ He was not untypical in having to present himself for an affray, on William Oldeacres. Failure to present an offence often led to the amerceing of the tithingman by the jury, as in March 1556 when the Rugeley tithingmen were amerced for failing to give a full list of the defaults of suit of court,² and in 1582 when they concealed an affray.³ The tithingmen had to assist the constables in the maintenance of the peace,⁴ and the Great Wyrley officers were also responsible for providing labour for the 'supervisors of the way', who maintained the public roads.⁵ Young men were sworn into the assize and on two occasions this was recorded in the court leet records.⁶ Failure to present one's son or servant, led to an amercement.⁷

The tithingmen also presented offences against the assizes of bread and ale except in the larger villages of Cannock and Rugeley where the job was done by the common tasters. These were chosen from amongst those who regularly brewed or baked for public sale, the burden of administration being borne by those who provoked the business, a nice example of the economy of the manorial system. Their links with the trade often meant that they had to present themselves.⁸ It is difficult to distinguish between real and technical offences. Certainly most amercements were a covert licence to sell in public. Many widows and spinsters took up this trade and one, Katherine Barlowe had the distinction of being the only woman to hold a manorial post, namely, as a

1. 2/1/183 m.5d, 6d. 2. 2/1/182 m.3d. 3. 2/1/184 m.57d.
4. 2/1/280 fo.6. 5. 2/1/186 m.44. 6. 2/1/184 m.35d;
2/1/186 'm.1 end'. (This is a loose membrane, marked 'm.1 end' which contains details of the court leet of Oct. 1587, and is now placed in the appropriate place, between membranes 26 and 27.) 7. 2/1/255.
8. As did Russheton in 1552; 2/1/181 m.9.

common taster.¹ There were attempts made to regulate the quality of food stuffs sold. In 1566 the Rugeley jury ordered, under a 'pain' of 6s 8d that no baker was to bring bread for sale under the assize weights and standards, and that all bread was to be sold at the market cross and not privately, where regulation would be more difficult.² In September 1581 the Cannock jury ordered that no ale or beer was to be sold at more than 4d per gallon, on a 'pain' of 6d for each quart over-charged. They also ordered that no one was to refuse to sell their best ale or beer, under a 'pain' of 1s for each offence.³ These regulations were enforced, as a glance at the presentments shows. Regulation, for the protection of public health against the sale of unfit food was also taken. In April 1592 William Rusheton was amerced 2s 6d for selling pork from an animal infected with the "mesell". At the same court it was reported that one of the tithingmen was so unwell that he was unable to attend and discharge his duties.⁴ The coincidence of two such unusual reports would indicate that the tithingman was so ill because he had eaten some of the infected pork and that the prosecution of the seller was brought, because of this.

The constables, like the other officials were elected each year at the Michaelmas leet. It was a burdensome and unpopular office and few men served more than once. In fact some even arranged for a deputy to perform their duties.⁵ Most of them came from the more substantial copyholders, but they were by no means all relatively large landholders and men of good repute. William Arnolde and John Barre who held the office for Rugeley in 1582 were both notorious ale-house keepers and, significantly,

1. 2/1/182 m.7. 2. 2/1/183 m.40. 3. 2/1/263 b. fo.7.
4. 2/1/186 m.41. 5. As in 1598 when Woodcocke appointed Sharpe
as his deputy; 2/1/188 m.1d.

both played a major role in the enclosure riots of those years.¹ The job could be quite unpleasant. Fysshier, one of the Cannock constables was assaulted by Humfrey Chapman, in 1560, when the unfortunate constable was collecting the Tenths and Fifteenths.² The tax man has never been popular. The constable could be called upon to give evidence. In 1562 the Rugeley constable was amerced 3s 4d for conniving with Thomas Heley, who was accused of an affray, to keep the amercement small.³ They were the servants, not only of the court but also of the local J.P.s. In 1573 they were ordered to assist the justices in the apprehension and goaling of vagabonds.⁴ They did not always obey these instructions, as the case of Arnolde, cited above, when he refused to arrest his neighbour Hugo Lees shows. As with the other officers, failure to perform their duties led to amercement; in October 1578 the Cannock jury presented the constables for failing to pursue a hue and cry.⁵ On only two occasions when they charged people with offences under the sumptuary laws did the constables, themselves, make presentments in the court leet. In 1579, nine people were fined 3s 4d each for the wearing of caps, the previous Sunday; a year later, a further eleven were amerced for a similar offence.⁶ Whatever prompted this sudden extension of jurisdiction, the experiment did not last long, and the constable never again made presentments in the court; with one notable exception in 1587,⁷ no further charges of this offence were made. The constables, like all other manorial officials, had to contend with an authority, namely, the family, which lay beyond the law. In 1577 the constable of Rugeley ordered that Elizabeth Salt, who had been

1. See below, pp.182-185. 2. 2/1/183 m.2. 3. Ibid, m.6.
4. 2/1/246 fo.3. 5. 2/1/184 m.35d. 6. Ibid, mm.39d, 44.
7. See the case of Byrchenshaw, below, pp.145-6.

cohabiting with Farre,¹ should be punished in the stocks as a common vagabond. He ordered that John Pannel should keep her there but John's father told the boy to leave her alone and come away.² As a result Elizabeth escaped the stocking.³ Non-co-operation was common. When Pereson was ordered by the Rugeley constables to keep the watch, he just refused.⁴ It is no wonder that the office was unpopular.

One of the most important court officials was the reeve or reeve-bailiff. There was one for each manor. At the Michaelmas court, the 'oldholders' put forward the names of two men for each manor; the lord then appointed one of the two to serve as reeve, an example of that combination of privileged democracy and seigneurial control which was at the heart of manorial organisation. The reeve's duties were to gather the rents of the 'oldholds' and of any other tenements which had found their way onto the reeve-rental,⁶ and to collect the amercements and other perquisites of court, which included heriots, entry fines, and strays.⁷ He had to keep the strays in his own custody, at the charge of the court, until the next leet. If the animal was not claimed, a special jury of four appraised the value of the beast; the reeve then paid this into the court and kept the animal.⁸ If a person failed to pay an amercement then the reeve distrained an animal or goods to the approximate value of the sum owed. The value of these was then assessed by a special

1. 2/1/184 m.27. 2. 2/1/256 fo.4v. 3. A reasonable inference on the basis of this evidence. 4. 2/1/186 m.49.
5. This was the theory; D(W)1720/16 (ix), a, fos.6-7. In practice, it was the jurymen, not all of whom were 'oldholders', who presented the two names. Thus, in Oct. 1580 the Cannock jury put forward Leveson and Robotham, of whom the lord chose the latter to serve; and the Rugeley jury put forward Leicester and Broughton, from whom Leicester was chosen; 2/1/184 m.49. 6. See above, pp.35-6. 7. D(W)1720/16 (ix), a, fos.6-7, 8-9; 2/1/184 m.56d. 8. D260/M/E/429/31 fo.116.

small jury of appraisement. For example, in 1582 a jury of two valued a lame animal at 2s 4d, "a potte gayle or hangle" at 1s 2d, a "grydiron" at 1s 2d, and a pewter dish at 3d all of which had been seized by the reeve for non-payment of amercements.¹ Sometimes the goods seized were less than the amercement owed, sometimes more. In October 1588 a four-man jury of appraisement assessed one brass pot taken in payment for an amercement of 2s, at 6s 4d, and five pewter dishes, seized in lieu of an amercement of 5s, at 3s 4d.²

There is little doubt that the duties of the reeve were onerous. Failure to perform them properly could lead to loss of land, as happened to Peter Leicester, whose close of 6 acres was seized because of his failure to answer all the charges of his post.³ Few served more than once in a life-time, and many, such as Leicester, appointed deputies to carry out their duties. The Cannock reeve was allowed between 1s 3d and 1s 4½d,⁴ the sum varied from time to time, for the performance of his office, and the Rugeley reeve was allowed 2s 0d, the income due from the 'Reeve's Acre'.⁵

The reeve was responsible for collecting the rents of the Reeve-Rental. The rents of the 'new lands', at Cannock incorporated into the Chantry Rental and at Rugeley into the Rental of Ad huc Rugeley, were, technically, the responsibility of the bailiff. The accounts for the earlier period show that, in each manor, there was a reeve-bailiff and a bailiff, and that both rendered account to the receiver-general. The evidence is difficult to interpret and it is impossible to say how the two officials divided the work between them. It looks as though in

1. 2/1/186 m.2d.

2. 2/1/356 fo.104v.

3. 2/1/184 m.56d.

4. See above, p.36.

5. J2071; 2/3/112 d, fo.64.

Cannock, in the earlier period, one or other of the officers presented the full amount,¹ but in Rugeley a clearer division of accountability was maintained. By the 1580's both manors maintained a strict division between new and 'old' rents, and in each manor the reeve and the bailiff rendered separate accounts.² It is highly likely that the collection of these rents whether by reeve or bailiff was overseen by the steward Fynney.³ The bailiff was appointed by the lord, and was not subject to popular election. The post was a permanent one. The bailiff seldom appears in the court rolls, and then, usually, only to provide a jury to hear a civil plea.⁴ We really know very little more about him; even his identity is unknown for those many years for which accounts do not survive.

The key to all this sophisticated business was the jury. They, under the direction and guidance of the steward, held the balance between justice and tyranny, control and anarchy. Their duties were to protect both the interests of the lord and the interests of the community, and this they did.

They were selected by the steward from amongst the freeholders, 'oldholders', and copyholders of the manor. Only if these sources were exhausted was the steward allowed to appoint a cottager.⁵ The record of the whole court and, in particular, the amercements were affirmed or confirmed sometimes by all the jury and sometimes by just four jurymen, two from each manor.⁶ The jurymen were drawn equally from

1. In the Rec.-Gen.'s account for 1558-9 John Colman, described as the reeve although he was in fact the bailiff, is discharged the sum of £16 19s 11½d for the charges of Cannock; 3/1/12 m.2. In the draft account for the same year, it was the reeve, Ley who was discharged this sum; 3/1/30. 2. The four accounts for 1586-7 are in P.R.O., SC.6 (Eliz. I)/2060. 3. See above, pp. 121-3. 4. 2/1/184 m.25. 5. D(W) 1720/13, fo.5. 6. 2/1/184 mm.2d, 5; 2/1/280 fo.6.

Cannock and Rugeley, and each group oversaw the business of its own manor. The number of jurymen varied between twelve and sixteen. There were sixteen recorded courts leet between April 1583 and October 1590 at which a total of 70 served on the jury, 35 from Cannock and 35 from Rugeley. A few, such as John Salte (13 times) and William Wade (11 times), were regular attenders, but the majority served only once or twice. However, there was never a total change of personnel from one court to the next; thus was continuity maintained.¹ A small court jury had a foreman;² there is no evidence of such a position in the leet juries unless one or more of the affeerers took on this function. On occasion, the jury adjourned to consider its verdict, as in October 1577 when the Rugeley jury agreed to view the gaps in the hedge about the winter field and to report their finding to the next small court.³ At the court leet of April 1585 it was ordered: "The jury of Cannock aforesaid hath dey vntill the xjth dey of May next cumynge to gyve vp the rest of their verdict at Cannok by viij of the clocke in the morninge".⁴ This instruction was not copied into the engrossed court roll,⁵ nor does the record of the small court of 11 May⁶ show any leet business being conducted. One may conclude from this that although part of the jury's verdict was given after the court leet had been closed, it was still incorporated into the record of that court.

The jury affirmed the accuracy of the presentments of the tithingmen and the other junior officers such as the common tasters and the foresters.⁷ They then added any presentments which had been missed

1. Calculated by this author from the draft court rolls. 2. Seventeen men, of whom fifteen were sworn, were called to serve on a jury at Cannock in Aug. 1580. One of them is designated "foreman" in the record; D(W)603 [M296 - M400] (ii). 3. 2/1/257 fo.5. 4. 2/1/270 fo.3v.
5. 2/1/186 mm.13-15d. 6. Ibid, mm.15d-16. 7. See the beginning of the verdict, for the court of April 1548, in Plate 4. (2/1/181 m.3.)

Plate 4

Verdict of the Jury at the Court Leet of 14 April 1548

(2/1/181 m.3.)

Handwritten text at the top of the page, including a header with a date and several lines of dense script.

Second section of handwritten text, starting with a large initial letter.

Section of text containing a list of names and titles, possibly a roster or a list of witnesses.

Section of text starting with a large initial letter, possibly a new paragraph or section.

Section of text starting with a large initial letter, continuing the narrative or list.

Section of text starting with a large initial letter, concluding the main body of text.

Large handwritten signature or name in the lower middle section of the page.

Final line of handwritten text at the bottom of the page, possibly a footer or a date.

by the junior officers. Thus, in April 1548 the Rugeley jury presented Turner, Harvy and Willott for being common brewers and keepers of common houses. Two of these were jurors and one was probably related to a juror. Perhaps this explains why the Rugeley common tasters failed to present them.¹ The jury also dealt with any major offences. Thus, at the Michaelmas leet of 1583 the jury dealt with serious infringements on the common lands and Chase, one major theft, a case of cohabitation, and a constable's dereliction of duty.² It was the jury which reported the death of a tenant, and established what heriot service was owed and the identity of the next heir. In October 1574 they reported the death of William Alporte of Leacroft. They did not know who William's heir was, and they were instructed to find this out and report back to the next court leet.³ This they did, also noting that a heriot was due.⁴

From time to time, the jury adjudicated in disputes of land, as in April 1584 when the jury ruled that land in Hednesford, in dispute between Grateley and Nicolles, belonged to the latter.⁵ The jury made the bye-laws, promulgated with the assent of the steward,⁶ and enforced them through its own presentments and those of the junior officials. By this means, the jury maintained overall control of the common fields⁷ and the use of the Chase.⁸ The jury's control of the sale of ale and bread has already been shown.⁹ Public health was also a concern of the

1. See Plate 4. 2. See above, p. 126-7. 3. 2/1/184 m.5.
4. Ibid, m.6d. 5. 2/1/268 fo.10. Most disputes of land were
dealt with in the small court. 6. In 1572 the steward noted: "the
paynes of Rydgley be delivered to the jury which will send them to me
again"; 2/1/245 fo.5v. 7. See above, pp. 74-5.
8. See above, pp. 102-3. 9. See above, pp. 130-1.

jury. They dealt with those who would empty their privies into the street,¹ and, more regularly, with those who befouled common streams. In 1562 Chatwall was amerced 3s 4d for permitting his servants to wash "pelt wolle" in a Brereton stream;² thirteen years later, Widow Hyde was amerced the same amount for the same offence.³ In 1581 a man was amerced 1s for depositing "carayne" in Cleybroke.⁴ In 1578 five Cannock men were amerced the large sum of 20s each for washing their hemp (canabis) in Halsegrene Brook.⁵ There was a similar presentment in 1586.⁶ In 1584 some Great Wyrley men were presented for washing hemp in a stream used for the watering of animals.⁷ Protection of animals may be the reason behind the bye-law of 1591 which ordered that no inhabitants of Cannock, Leacroft or Great Wyrley were to wash any flax or hemp in any stream in Cannock or Great Wyrley within 40 yards of any bridge under a 'pain' of 6s 8d for each offence.⁸ Roads had to be kept clear and clean; that from Hednesford to Cannock was "so fowle and vnrepared" that the people could not get to the church.⁹ And at nearly every court it was ordered that streams and ditches be scoured to prevent flooding of common roads. The jury legislated on and judged not only civil but also criminal offences. A brief list of the types of offences dealt with, plus an indication of their frequency, will give an idea of the extent of the jury's activity in this field.

1. As at Cannock in 1583 (see above, p.127.) and at Rugeley in 1593 (2/1/186 m.48d) 2. 2/1/183 m.6d. 3. 2/1/184 m.7.
4. 2/1/184 m.53d. 5. Ibid, m.35d. J. G. Jenkins, quoting Plot, gives the earliest known date for the growing of hemp in Staffordshire as late seventeenth century; V.C.H. Staffs., ii, 222.
6. 2/1/186 m.26. 7. Ibid, m.8d. 8. 2/1/283 fo.6.
9. The inhabitants were instructed to repair the way; 2/1/183 m.1.

The jury dealt with a certain amount of theft: "a horslocke" in 1548,¹ charcoal in 1567 and 1575,² a load of plaster in 1577,³ a linen sheet in 1587,⁴ and, more often, small household articles.⁵ A few men were presented for being "pettie pykers", that is to say those who regularly indulged in small thefts "pettie pykinge".⁶ There were some more serious, thefts: four horses in 1551,⁷ and a gelding worth £4 in 1583.⁸ One robbery with violence was reported, in 1554, when a Leacroft man was accused of robbing a lone woman on the Chase of 10s 8½d.⁹ Most thefts were small, and reflected the agricultural environment of the community. It was common for servant girls to steal wood from other's hedges,¹⁰ and for people to seize their neighbours' cattle and sheep.¹¹ John Barre even went so far as to put his own mark on the stray sheep that he came across; he was a sixteenth century rustler.¹² There are few recorded thefts from the common fields.¹³ Most alleged thefts were dealt with by a civil action for trespass or damage in the small court. Thus, the low number of presentments in the court leet for theft may give a misleading notion of the general level of honesty.¹⁴

1. 2/1/181 m.3. See Plate 4 where the thief is described as "a comyn locke pyker". 2. 2/1/183 m.41; 2/1/184 m.6d. 3. Ibid, m.26.
4. 2/1/274 fo.2. 5. For example, in 1576 an unknown thief stole 4 pieces of pewter worth 8d as well as 3 brass weights worth 1s 2d. (2/1/184 m.14d.) In 1597 a Rugeley labourer stole 2 brass kettles, 2 iron pots, a chair, a frying pan, and some iron tools. (2/1/293 fo.13.)
6. 2/1/183 mm.8, 5d; 2/1/182 m.3d. 7. 2/1/181 m.8.
8. 2/1/267 fos.7-9. 9. He fled, and the lord seized his goods and chattells; 2/1/182 m.2d. 10. Masters were responsible for their servants' offences. When Morris's servant stole from a hedge, it was Morris, not the servant who was amerced 1s; 2/1/186 m.13d.
11. For an example see 2/1/183 m.2. 12. 2/1/184 m.41d.
13. Ibid, m.13d; 2/1/181 m.4. Both were for "thraues" or sheaves of rye.
14. See below, p.149.

The people of Cannock and Rugeley may have been reasonably honest, but they were certainly not peaceable. Disputes,¹ more often than not, led to violence. The local people would fight anywhere, in the cemetery,² even inside the parish church.³ Social status was no barrier, as the occasional presentments of gentlemen⁴ and priests⁵ show. Nor was sex a bar; affrays between women and women, and between men and women were regularly presented.⁶ The disputants used axes, browsing hooks, pitchforks, hammers, candlesticks, knives, spades, a pair of iron tongs, and their fists.⁷ It is the sheer volume of cases which is impressive. There were seldom less than a dozen presentments at any one court; towards the end of the century the number had risen far above this. In 1560 the jury promulgated a bye-law which established, to the end of the century, the rate at which affrays were charged: an affray of words cost 1s, of blows, 1s 8d, of blows leading to the shedding of blood 3s 4d, and any affray committed in another's house cost 5s 0d.⁸ The subject of a dispute is never recorded in the entry. Sometimes one can make a reasonable guess, as in the case of John Ryder who was amerced 4d in 1555 for an affray on Fyndley, one of the forest officers, and a further 6s 8d for failing to obey Fyndley's orders.⁹ Most adult male members of the community were charged with this offence at least once; some men, such as William Harryman,¹⁰ were regularly presented with this offence.¹¹

1. Most affrays were presented by the tithingmen. The jury made the bye-laws governing this offence, and regularly added presentments of their own.
2. 2/1/182 m.2. 3. 2/1/183 m.1. 4. 2/1/184 m.2d;
2/1/186 m.21. 5. Ibid, m.34; 2/1/184 m.12. 6. 2/1/182 m.3;
2/1/184 m.49; 2/1/186 m.48. 7. 2/1/183 m.48; 2/1/184 mm.7, 12, 13,
27, 34, 54. 8. 2/1/183 m.2d. Until this date, the average
amercement for an affray was 2d or 4d. 9. 2/1/182 m.1d.
10. See above, p. 129. 11. See below, pp. 173-4.

The inhabitants of this area, both men and women, would settle most of their disputes by altercation and violence; the court, recognising this propensity, provided a limited but real control. The amercements were evenly spread amongst all offenders; the punishments, although small, were both enforceable and humane. In April 1560 Rossall and Massoke were amerced 3s 4d for making an affray on each other in Cannock parish church.¹ Compare this treatment with the draconian measures recorded in Machyn's Diary on 15 December 1561: "The sam day was a pelere [pillory] sett up in Powlles chyrche-yerd ... for a man that mayd a fray in Powlles chyrche, and ys ere nayllyd to the post, and after cutt off ...".² There is no reason to think, because many were charged with affrays, and the amercements were small, that this manor court was ineffective. In fact, it was a humane means of control; by institutionalising the propensity to violence, the manor court kept it within acceptable limits.

This manor court could and did deal with serious offences. At the Easter leet of 1567 the Cannock jury presented that on 7 December 1566 a group of eleven women, under the leadership of Mistress Plount, assembled in Cannock and then marched out and tore down three of the wooden walls of a new building belonging to Paget.³ About this time Osborne, the forester of Cannock Chase was given permission to rebuild the old hunting lodge and to enclose 10 acres of waste around it.⁴ Paget's officers, including Osborne, were actively pursuing a policy of enclosure on the waste, and this was much objected to by the local people.⁵ Popular

1. 2/1/183 m.1. 2. J. G. Nichols (ed.), The Diary of Henry Machyn..., Trans. Roy. Hist. Soc., o.s., xlii (1848), 273.

3. 2/1/183 m.37. 4. Confirmed in 1570; J2212.

5. A number of local landholders wrote to Paget in Jan. 1567 complaining of the enclosures. Paget's reply made no concessions but was conciliatory in tone; 2/5/15 (a).

resentment of enclosure on the Chase was the reason for the 'riot', but why did it take the form it did? In September 1565 the inhabitants of the nearby village of Colwich had destroyed over 80 perches of ditch and hedge erected on their common by their lord. The rioters were quickly sued in the Court of Chancery.¹ The people of Cannock must have been well aware of these events. To protect themselves from retribution and yet to gain their end, they hit on the novel idea of only using women to riot, believing that women were less likely to be subjected to the full force of the law. The complete scheme was probably arranged in the church yard, after divine service.² The court leet was equal to the challenge. The women were amerced a total of £2 16s 8d, a large sum for that time;³ husbands were held responsible for the debts of their wives. The ruse failed. The protest fizzled out.⁴

The men of Cannock and Rugeley escaped from the harsh reality of their existence through alcohol, gambling, and extra-marital sex. In this they conformed to the social mores of their time.⁵ Drinking and gambling

1. S.H.C. 1926, pp.93-5. 2. At the same court leet as that which the women were charged, the Cannock jury made a bye-law that no one was to stand "jangelynge and talkynge in the church yerde". The combination of two such unusual entries suggests that they were related; 2/1/183 m.38.
3. 2/1/183 m.37. 4. Only in the case of capital offences, and the riots of 1580-1, which involved special circumstances, were the court unable to act. See Chapter 6. 5. In K. V. Thomas's judgement alcohol was "an essential narcotic which anaesthetized men against the strains of contemporary life", and gambling, which was widespread, was "a further escape from reality". Keith Thomas, Religion and the Decline of Magic (2nd edn. Middx., 1973) pp.22-4. To this list, Thomas would add, for the seventeenth century, tobacco, but, clearly, in the sixteenth century, this drug was of little importance in rural communities. Thomas makes no reference, in this context, to extra-marital sex. It may well have been as important an agency of escape as alcohol or gambling. Social historians have yet to explain and evaluate the wide-spread nature of this phenomenon. Of the 20,000 Essex cases brought before the Church courts between 1558 and 1603 "at least one tenth relate to sexual delinquency". F. G. Emmison, Elizabethan Life: Disorder (Essex, 19) p.197. In the Church courts of the diocese of York between 1540 and 1640 "sexual offences predominated throughout the period". R. A. Marchant, The Church Under the Law (Camb., 1969) p.217 & Table 32 (p.219).

were centred on the ale-houses, and sexual immorality was closely associated with these establishments.

The Elizabethan Quarter Sessions records for Staffordshire survive from the early 1580's.¹ These reveal that there were nine licenced ale-house keepers in Cannock and two in Cannock Wood, and two innkeepers and sixteen ale-house keepers in Rugeley and Brereton. Whilst not all of these men kept an ale-house for the whole of the twenty year period covered by the sessions' records, it is clear from the manorial records that there was about this number of ale-houses in each of the villages. The figures are surprisingly high, even allowing for the fact that both villages held weekly markets which must have attracted outsiders to the ale-houses. On average, there were only twenty resident adults to patronise each establishment,² eloquent comment on the importance of the ale-house in the life of the community.

All ale-houses had to be licensed and registered with the local J.P.'s. The licensee put up £10 and had to produce two sureties of £5 each. It was common for ale-house keepers to support one another's applications; thus, in May 1589 Arnolde stood surety for Carter and Carter for Arnolde.³ With this exception the justices had little to do with the ale-houses of Cannock and Rugeley which were regulated through the manor court. Day to day supervision was maintained by the common tasters.⁴ They presented those who brewed and sold, and, inter alia, checked the measures.⁵ The jury set the price of ale⁶ and victuals, and dealt with more serious offences. Men were amerced for playing cards (carte picte),⁷ dice,⁸ and

1. Edited by S. A. H. Burne and published in S.H.C. 1929, S.H.C. 1930, S.H.C. 1932, S.H.C. 1936. 2. Calculated on the basis of Cannock having a population of 300 and 9 ale-houses, and Rugeley having a population of 600 and 18 ale-houses. It is assumed that 40% of each population consisted of children. 3. S.H.C. 1929, p.289. 4. See above, p.130.
5. 2/1/186 m.26d. 6. 2/1/263 b, fo.7. 7. 2/1/183 m.5d;
2/1/273 fo.5. 8. 2/1/184 m.13d.

bowls¹ but the favoured form of gambling in these villages seems to have been "le tables" also called "shovelaborde" and "slide thrift", a form of shove-happeney.² Most of these offences took place within the ale-houses. Offenders included the village priest and local gentlemen such as Richard Weston,³ but most of the gamblers were ale-house keepers, labourers, tradesmen, and servants. Copyholders and other landholders are significantly absent from the presentments; this is an indicator of a major social division within the village community. Thus, although there were many presentments for this offence, they involved only a minority of the male population.⁴

The links between the ale-houses and gambling, vice, vagrancy, and theft are illustrated in the following case histories. John Tompkyns kept an ale-house in Cannock. In 1580, 1582, and 1587 he was amerced for allowing his house to be used for the playing of cards and tables.⁵ In April 1580 he was amerced 6s 8d for keeping at his house strangers, suspected of being thieves.⁶ William Cookes was a licenced ale-house keeper; one of his sureties was John Tompkyns.⁷ In October 1583 he was amerced 2s 6d for keeping Frances Blount in his house, and forfeited a 'pain' of 20s because she bore him a child.⁸

It was in an attempt to control vagrancy, which in the popular mind was equated with thievery and vice, that the jury made a number of bye-laws governing ale-houses. In April 1560 the jury ordered

1. 2/1/184 m.29d; 2/1/186 m.22d. 2. 2/1/184 m.57d; 2/1/265 fo.4v.
3. 2/1/184 m.29d. 4. No women were presented for this offence;
gambling was an exclusively male occupation, in these villages.
5. 2/1/184 mm.48d, 56; 2/1/186 m.27. 6. 2/1/184 m.44.
7. S.H.C. 1929, p.289. 8. 2/1/186 m.6d.

that no one keeping an "alehouse or typlinge house" was to keep a vagrant or travelling man for more than one night, under a 'pain' of 6s 8d, and that no woman of ill fame (mala fama) was to stay more than one night, under a similar 'pain'.¹ And in 1592 it was ordered that keepers of ale-houses were not to keep daughters, servants or others after nine at night.² Drinking, gambling and women must often have been at the root of many an affray. It is remarkable how many of the men regularly presented for gambling and ale-house keeping were also charged with making affrays. Violence, disorder, and vice were fostered in the ale-house, and this is graphically illustrated in the last of these examples. Richard Byrchenshaw, clericus,³ first appeared in the manorial records of Cannock in the early 1580's. He was regularly presented for affrays and gambling, and many of these offences involved a licensed ale-house keeper from Cannock called Thomas Parker.⁴ In April 1584 they were amerced for making an affray on each other with knives.⁵ Two years later, they were cited again for fighting.⁶ Parker was regularly presented for gambling, as in 1586 when he was charged with playing bowls.⁷ On 20 December 1586 Byrchenshaw committed an attempted rape on Thomas Parker's wife, Alice. Over a year later, at the court leet of April 1588, he was charged with the offence. The manor court was not competent to deal with attempted rape, but under Fynney's skilful guidance a way was found. First Byrchenshaw was amerced for the offence as though for an affray at the

1. 2/1/183 m.2d. 2. 2/1/186 m.42. 3. Byrchenshaw probably served as the curate of Cannock.
4. One of Parker's sureties in 1589 was John Tompkyns, noted above. (S.H.C. 1929, p.289)
5. 2/1/186 m.8d. 6. Ibid, m.21. 7. 2/1/186 m.22d.

standard rate of 1s 8d. He was then amerced 6s 8d for playing at cards, and a further 6s 8d for playing "le tables".¹ Finally, the jury, having had the Marian sumptuary laws brought to their attention by Fynney,² charged Byrchenshaw with wearing a velvet "nightcappe" on Christmas Day 1587. The fine imposed is not recorded³ but, as has been pointed out, it could have been and probably was as much as £10. Thus, the court through the use of incidental charges raised Byrchenshaw's fine to a level commensurate with the gravity of the main offence. It is interesting that Byrchenshaw was gambling with Parker less than ten months after the alleged rape.⁴ The swingeing fine of April 1588 did not stop the priest being involved in a further affray in October of that year.⁵

From the beginning of this period, the manor court attempted to regulate the taking in of lodgers by cottagers and ale-house keepers. In 1553 the jury ordered: "all landlords to avoyd all inmakes by Our Lady Day" under a 'pain' of 20s.⁶ In fact, the penalty was usually much lower than this.⁷ One object was to control vagrants and travelling men, who, according to the bye-law of 1560 could not stay more than a night in any one house.⁸ But it is quite clear from other presentments and bye-laws that the court was also concerned to legislate on sexual matters.

1. 2/1/186 m.29d. 2. For their benefit, Fynney copied out the appropriate act (1 & 2 Philip & Mary, c.2) in his own hand. The penalty was 3 months imprisonment and a £10 fine. The court could not send the priest to prison but could fine him the full amount. (2/1/276 fo.6.)
3. Ibid, fo.7. 4. 2/1/186 m.27. 5. Ibid, m.31.
6. 2/1/235. 7. 6d in 1555, and 6s 8d in 1567; 2/1/182 m.3;
2/1/183 m.36. 8. Ibid, m.2d.

In 1573 the Rugeley jury ordered that all strange women "of evill conversacon" such as Alice [? Byrche] and other "mysordered women", were to be removed by May Day, under a 'pain' of 10s.¹ In the next four years a number of these women, all living in Rugeley, were presented. They appear in the record as meretrices or mulieres de mala fama. There is little doubt that they were prostitutes. They operated either from a bawdy house, as did the suggestively named "Grett Jane" and "Mother Margaret",² or lived with ale-house keepers often bestowing their favours in more than one establishment, as did Mary Patricke.³ The evidence is limited but conclusive, there was, at least for a while, in Rugeley an identifiable system of prostitution.

The women of Cannock and Rugeley, on the whole, received rough and ready treatment at law. Prostitutes and co-habitors were liable to be stocked, as in the case, cited above, of Elizabeth Salte.⁴ Women were frequently participants in affrays; their sex gave them no protection at the time, or later at the court.⁵

Occasionally, women were presented for being common scolds. Normally, the husband paid the amercement, which varied between 1s and 3s 4d.⁶ But more unpleasant punishments were possible. In 1564 Margaret Lees and Widow Hudson were presented as common scolds and ordered either to pay 3s 4d each or to suffer "Le Cockescould".⁷ On only one occasion did the fairer sex emerge in amusing light when the two Gotyer sisters were amerced for fishing instead of going to divine service.⁸

1. 2/1/246 fo.3. 2. 2/1/184 m.6d. 3. Ibid, m.13d.
4. See above, pp. 132-3. 5. See above, p. 140.
6. 2/1/184 m.14d, 41d. 7. 2/1/183 m.9. This barbarous and chauvenistic judicial treatment of women is an indication of their status in the society. 8. 2/1/186 m.44d. The only other occasion on which the court enforced the 'Puritan ethic' was in 1578 when Marchall was amerced 1s for permitting persons of bad reputation to eat and drink in his house during divine service. (2/1/184 m.36.)

The court leet and the small court did not operate in isolation from one another. The assessment of distrains for non-payment of amerancements was often made in the small court. Surrenders and admissions were made at either court. The steward, bailiff and reeve-bailiff functioned at both. Jurors for both courts were called from the same group within the community. Whilst the two courts had different jurisdictional limits, they functioned in collaboration with each other. Therefore, before assessing the importance of the court leet, it is necessary to look at the small court.

All copyholders owed suit at the small court.¹ The infrequency of courts at the beginning of the period suggests that this was no serious burden. The record of the first twenty-eight years suggests that the court was only called when a copyholder wished to make a surrender or admittance, and, occasionally, to hear the delayed presentments of the foresters.² From 1574 onwards, the court was held regularly every three weeks, and from this time suitors compounded, about Michaelmas each year, with a small amerancement to be relieved of their obligation to attend.³

The presentments of the foresters were dropped; they always appeared, from this time, in the records of the court leet. Every autumn, the pannage keepers for each vill paid over a small sum, seldom over 2s, collected from among those who had run their pigs in the lord's wood. Surrenders and admissions remained an important and increasing part of the court's business; as the number of small courts grew, copyholders no longer had to wait for a court leet or arrange the special calling of the small court to convey their land. But the most startling feature of the

1. See above, p. 29.

2. See above, p.102.

3. 2/1/184 m.8.

small court from the 1570's, is the increase in the number of civil pleas.¹ They consisted of pleas of debt and pleas of trespass. They dealt with a wide variety of subjects; some of the main ones are indicated, by illustration, below.

Depasturing, theft and damage were dealt with through a plea of trespass. In 1576 William Arnolde sued Thomas Harryman. He claimed that on 20 July the previous year Harryman's cows, pigs, sheep and horse broke into Arnolde's close, causing damage of 13s 4d. A jury of taxatores assessed the damage at 3s 1d.² Claims in excess of the true cost of the damage were usual, and it was left to a jury to decide what was fair. The following case illustrates the full procedure adopted in a straightforward plea. On 3 March 1577 Thomas Tromwyn stole or took one bullock belonging to Richard Sneyde. On 11 March 1578 Sneyde, represented by an attorney, sued Tromwyn and claimed damages of 39s. Tromwyn denied the charge, and the reeve-bailiff was instructed to assemble a jury of twelve at the next court, to be held on 1 April. This he did; the jury found Tromwyn culpable and assessed damages at 26s 8d. This sum was paid, for at the next court on 3 June Sneyde acknowledged himself satisfied and quit of Tromwyn's debt.³ Richard Byrde complained that John Grateley kept a dog, knowing it to be a sheep worrier, and that the dog had bitten four lambs and one ewe belonging to Byrde. As a result the sheep had died, and Byrde claimed 20s for the sheep, and damages of 39s 11d. Grateley admitted that his dog had bitten the ewe causing its death but denied that the dog was a sheep worrier. The jury accepted Grateley's defence and valued the

1. The number of pleas, in many courts over half a dozen new pleas were entered, the weight of evidence, many pleas cover two or three folios of the Court Book, the complexity of the procedure adopted, and the variety of subjects dealt with, make it impossible to do more than introduce this fascinating aspect of the court's business. 2. 2/1/184 m.17d.
3. 2/1/184 m.32.

ewe at 3s 4d and Byrde's damages at 2s 10d.¹

Pleas of trespass were also used in cases of slander or defamation of character. Thus, Richard Fourde claimed damages of 39s 11½d from William Dekyn for saying before his neighbours: "thou [Richard] art a thefe and hast taken wolle out of they maysters house to make the knytt hose, and that I can proue. And also thou hyddest it vnder my tumbryll in my folde".² The outcome of this plea is not known. A similar one occurred in 1584 when John Aston complained that John Morris had called him "a false theefe and an arrand theefe", for which slander he claimed damages of 39s 11½d. The jury found in his favour, and allowed in damages and fees 20s 1d.³ Cases of slander which involved an affray were dealt with by the court leet. Thus, the Rugeley jury amerced Morton 3s 4d for going to Robert Freeman's house and crying out "come out villayne", and throwing stones at Robert.⁴

Most of the pleas were for debts arising from unpaid goods and services. When Chapman ordered and received a pair of iron wheels, and then failed to pay for them, he was sued, by the blacksmith, in the small court.⁵ Even the smallest debts were pursued in this manner. In preparation for her marriage, a certain Katherine ordered from David Davies, the village tailor, "a pettycote, a kyrtell" and other necessaries. The charge, for materials and labour, which Katherine failed to pay, was 1s 4d. Later, she and her new husband were sued by Davies, both for the outstanding debt of 1s 4d and for damages of 1s.⁶ Peter Vanes boarded

1. 2/1/186 m.7d. Thus, he recovered a total of 6s 2d.

2. 2/1/184 m.20.

3. 2/1/186 mm.10-10d.

4. 2/1/280 fo.6.

5. 2/1/186 m.24d.

6. Ibid, m.24.

out his servant Olyver at Anthony Woodcocke's house, at an agreed half-yearly rate of 26s 8d. Vanes failed to pay this and Woodcocke sued him. As was often the case, the man sued impleaded his protagonist. Thus, at the same court Vanes charged Woodcockewith withholding 2s 6d in payment for certain nails.¹

In some pleas, the origin of the debt was recorded in detail. In 1588 John Hamlett, through his attorney, sued Thomas Peynton and wife for the malt they had purchased from him in 1586. The date, amount, and cost of purchase were noted:

29 June	$\frac{1}{2}$	strike	2s
10 July	1	peck	1s
20 July	$\left[\frac{1}{2}\right]$	strike	2s
3 August	1	peck	1s
30 August	$\frac{1}{2}$	strike	2s
23 October	$\frac{1}{2}$	strike	2s

Hamlet recovered this debt and was awarded damages of 3s 8d.²

In 1589 John Woodcocke sued Humfrey Morton for 4s 2d. He alleged that on 5 June, the previous year, Morton had bought from him:

two coloured hats for children	3s	6d
1 $\frac{3}{4}$ yards of white canvass	3s	0d
3 doz. "thrydde buttons"		3d
1 lb. pitch		2d
1 lb. currants		6d
1 lb. "great reasynges"		4d
2 oz. pepper		6d
$\frac{1}{4}$ lb. "great reasynges"		1d

This came to a total of 8s 4d, of which Morton had only paid 4s 2d.

Woodcocke eventually obtained judgement against Morton. He recovered the debt of 4s 2d, and was awarded 3d damages, and 12s 8d to cover his costs.³

In this case, a list of charges is recorded in the Court Book:⁴

1. 2/1/186 m.25. 2. Ibid, m.30. 3. Ibid, m.35.
4. 2/1/356 fo.105v.

Entering the action	2d
Summons & calling	2d
A declaration and entering it	1s 4d
Entering the " <u>silit</u> "	4d
A <u>venire fac[ias]</u>	6d
To the "bayly" for returning the jury's names	6d
A <u>dist' jur'</u>	6d
To the "bayly" for summoning the jury	1s 0d
For entering the verdict	1s 0d
For the judgement	1s 0d
Given to the jury	2s 0d
To the "bayly" for keeping the jury	4d
For our [<u>? the steward's</u>] " <u>counsell</u> "	3s 4d
A <u>levari</u>	6d
Serving the same	4d
	<hr/>
Taxatur' at	12s 8d (sic)

A similar list of charges, totalling 14s 10d appears for another case.

The item, recorded above, "for our counsell" appears in this second list as "attorneys fees".¹

These lists of fees and the record of particular actions show that suing in the small court was no simple process. It is not surprising that some litigants employed attorneys.² But most did not, further evidence of the considerable sophistication of the peasants of Cannock and Rugeley.³ A skilfull defendant could delay judgement for many months. Widow Pegge began her action against William Olyver on 12 December 1587. She did not receive judgement, in her favour, until

1. Attached to 2/1/356 fo.10lv. It is signed by Fynney.
 2. Ten attorneys in pleas have been identified: 2/1/184 mm.10, 10d, 32, 51; 2/1/186 mm.2, 12, 28, 30, 33; 2/1/255 fo.14v; 2/1/279 fo.6. In 1564 Bp. Bentham complained of the great number of attorneys who frequented Stafford Assizes "to breed and nourish matters of strife and contention between party and party for their lucre sake". (Quoted in J. S. Cockburn, A History of English Assizes 1558 - 1714 (Camb. 1972) p. 146.) At least some of these attornies found additional employment in the local manor courts.
 3. Compare their handling of the complex land market; see above, p.87.

29 October 1588.¹ Even then she did not obtain payment and on 12 November the under-steward Fynney ordered that Olyver's goods and chattells be seized to pay the long suffering widow.²

Not only was the process complex and long, it was also expensive. The fees for Woodcocke's plea were three times the value of the debt claimed. It is no wonder that most pleas were never fully prosecuted and that most litigants sought an early licence to agree. But why then did they bother, in the first place, to enter a plea? No doubt, in some cases there was a real dispute; the mere fact of starting an action was likely to have forced many defendants to come to an agreement. But there are too many pleas begun and then quickly suspended to make the above hypothesis universally applicable. It has already been suggested that some of these pleas were probably covert licences to sublet. By entering a plea and then getting the defendant to concord, both tenant and sub-tenant obtained, at the least, a record of their respective financial rights and obligations.³

There is another and even more fascinating possibility. It is an historical common-place that there was insufficient silver coinage (the medium of circulation) available in the Early Modern Period, particularly in the rural areas. There were, therefore, at least one and probably many more credit systems in use amongst the peasantry. Small quantities of low valued goods were bought on credit over a period of time, as is graphically evidenced in the action between Hamlett and the Peyntons.⁴ In that case, the plea was entered and prosecuted because the Peyntons defaulted. But it is possible, and it is no more than a

1. 2/1/356 fo.88. 2. An unnumbered loose sheet, lying between folios 110 and 111 in 2/1/356. 3. See above, p.86.
4. See above, p.151.

suggestion, that some of the suspended pleas of debt were a covert record of a contracted debt.¹

It is generally accepted that during the reign of Elizabeth justices of the peace came to control and direct law enforcement and administration in the rural areas. They were, it is alleged, "the key figures in local government",² "the clou of the whole local administration",³ "the key to the Tudor reconstruction of local government",⁴ and "the censors of practically every other local official or institution, from the sheriff to the local constable, as well as the executants of Tudor paternalism in the fields of economics, morals and manners".⁵ Some historians have acknowledged the importance of Assizes but see them merely as another institution through which the J.P.'s exercised their power.⁶ Recent work on Assizes⁷ and church courts⁸ has challenged the idea of the supremacy of the J.P. Nevertheless, the eloquent contemporary claims of Lambard⁹ hold sway. (Significantly, there is no general work assessing the importance of the J.P. in Elizabethan England.¹⁰)

1. There is one possible way, unfortunately not available in this case because of the absence of Church records, of testing this suggestion. Probate inventories sometimes listed debts and debtors. If one could compare this information with that in the appropriate manor court, it might be possible to identify an action in court against a particular debt.

2. A. G. R. Smith, The Government of Elizabethan England (London, 1967) p.90.

3. A. L. Rowse, The England of Elizabeth (London, 1950; ref. to edn. of 1964) p.342.

4. J. R. Tanner (ed.), Tudor Constitutional Documents (2nd edn., 1930), p.452.

5. S. T. Bindoff Tudor England (Middx., 1950), p.57.

6. A. Hassell Smith, 'Justices at Work in Elizabethan Norfolk', Norfolk Archaeology, xxxiv, ii, 93-110.

7. Cockburn, op. cit.

8. Marchant, op. cit.

9. William Lambard, Eirenarcha ..., (London, 1581/2); see his 'Ephemeris' in Conyers Read (ed.), William Lambard and Local Government (New York, 1962), pp. 15-52.

10. J. H. Gleason, The Justices of the Peace in England: 1558-1640, (Oxford, 1969) is a statistically based analysis of the Elizabethan and Jacobean J.P.'s. It is not, as the author claims, a latter-day 'Eirenarcha'.

One has only to look at the small number of working justices in any one county to see that both the legal and civil administration of the county must have been shared with other institutions and individuals. Much business was dealt with in the central courts. In one plea of land between two Rugeley men, the case was heard in the courts of Chancery, Requests and Exchequer.¹ The Rugeley rioters of 1580 and 1581 were tried in King's Bench and Star Chamber.² And within the counties there were many local courts, both rural and urban. The pre-eminence of the justices of the peace within this multiplicity of competing jurisdictions has yet to be proved.

There is no doubt that the manor court was the most important legal institution in Cannock and Rugeley. The small court provided a convenient and much used outlet for the local peasantry's typical Tudor propensity towards litigation. The court leet governed most aspects of life in the communities, above all in the area of criminality. S. H. Burne was surely correct when he wrote: "So far as the powers of the Elizabethan magistracy are concerned they had hardly yet superseded as courts of summary jurisdiction the routine of the manor courts."³ Certainly, his judgement holds true for this manor court. In the period 1584 to 1602 the justices of the peace dealt with only 9 cases of assault, 18 cases of theft, and 7 cases of poaching in Cannock and Rugeley.⁴ One has only to compare this list with the hundreds of cases in the manor court to appreciate the importance of the latter.

1. D(W) 1720/16.

2. See below, Chapter 6.

3. S.H.C. 1929, p.xxvi.
Records.

4. Calculated from the Quarter Sessions

The unpublished works of Mrs. Marjorie McIntosh on the royal manor and liberty of Havering-atte-Bowe (Essex), and of Lady de Villiers on the manor of Headington (Oxfordshire), show that whilst the court of Cannock and Rugeley may have been unusual in the extent of its activity it was not unique. It is perhaps significant that all three courts operated in areas which once had been forests, and which were subject to the ecclesiastical jurisdiction of a peculiar, and that all the manors were ancient demesne.¹ Elizabethan manor courts warrant a much closer and more serious investigation than historians, hitherto, have given them.

1. I would like to thank both ladies for communicating the results of their research to me.

Chapter 6

Cannock Chase: The Riots of 1580-1

I

Whilst our knowledge and understanding of Tudor revolts has vastly improved over the past few years, Tudor riots, in particular, rural riots, remain little studied. And yet, contemporary references to rioting are legion. This chapter, then, is concerned not only to give an account of a particular set of riots, important in the history of Cannock Chase, but also to ask more general questions about the nature and place of rioting within the life of Tudor rural society.

Between 1580 and 1581 there was a series of enclosure riots on the Chase. The hedges and fences enclosing some hundreds of acres of woodland were burnt or torn down, not just once but a number of times. These riots and associated disturbances were so serious that they occupied the courts of King's Bench and Star Chamber. Even the Queen's Council became involved.

Until recently, a simple, determinist, socio-economic explanation of these riots would have seemed the most likely. The area provided common pasturage for the sheep of the villagers living on and around the Chase. Any enclosure cut down the amount of available pasturage and, also, made access to and travel across the Chase more difficult. A number of new enclosures were made at this time.¹ Given our explanatory model and these facts, one could assume that the riots were a peasant reaction to landlord encroachment of common rights.

The explanation, whilst it fits the facts, is a priori inadequate because it makes certain untenable assumptions about the nature of early modern rural society. It assumes a stratified society and exclusive class interests. It assumes that, in general, the lower

1. See above, Chapter 4.

orders were kept acquiescent by the legal, administrative, social, military and, above all, financial power to coerce which the landowning class enjoyed. It assumes that the status quo was maintained and the inherent class conflict was contained except when general pressures became intolerable. Only in these circumstances would the peasants riot or revolt. E. P. Thompson has called this sort of explanation the spasmodic view of history. "According to this view the common people can scarcely be taken as historical agents before the French Revolution. Before this period they intrude occasionally and spasmodically upon the historical canvass, in periods of sudden social disturbance. These intrusions are compulsive, rather than self-conscious or self-activating: they are simple responses to economic stimuli. It is sufficient to mention a bad harvest or a down-turn in trade, and all the requirements of historical explanation are satisfied".¹

The spasmodic view of history has come under close, critical scrutiny in the work by C. S. L. Davies and M. E. James on the revolts of 1536. They have discovered a multiplicity of causation and motivation underpinning the 'Pilgrimage'. Davies stresses the importance of what he calls 'precipitating factors', i.e. the immediate events leading up to the disturbances. He shows that different social and economic groups combined for a common purpose. He stresses the importance of this social mixture, particularly amongst the leaders. He argues that there is no single causal explanation which one can identify and conveniently label under such titles as religion or

1. E. P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', Past & Present, no.50 (Feb. 1971), p.76.

economics or local loyalties.¹ James has shown that a detailed description and analysis of the contacts and relationships between participants in a revolt can lead to a deeper understanding.² Further unpublished work by Davies on Ket's Revolt and by James on the Northern Rebellion confirms their earlier findings.

Current research, therefore, directs one to explanations of the major Tudor peasant revolts which transcend the class conflict model and the related spasmodic model. The antiquarian model of 'things just happened to happen like this' has long been out of favour amongst academic historians. But what is true for the major peasant revolts is also true, at least in part, for the minor peasant riots. If one accepts that the peasantry would not riot just because of economic or demographic pressures then one is committed to a study in depth of causes, motives, and relationships, similar in kind to those carried out by the historians of peasant revolts.

The riots on Cannock Chase were, in part, caused by economic pressures. If there had been no enclosures there would have been no enclosure riots. But the reasons why they occurred when they did and why they took the course they did, entail an analysis of people and events which at times will take us far from the scene of the riot. The story begins with an account of rivalry between local magnates. It involves matters of national political importance and includes the personal intervention of the Queen. The links between the rioters and between the rioters and others living in the area will be revealed. Only when this story is told can the riots be seen in their true perspective.

1. C. S. L. Davies, 'The Pilgrimage of Grace Reconsidered', *ibid*, no.41 (Dec. 1968), pp.54-76.

2. M. E. James, 'Obedience and Dissent in Henrican England: the Lincolnshire Rebellion 1536', *ibid*, no.48 (Aug. 1970), pp.3-78.

II

The Astons had long been the principal gentry family on the Chase. They had their main seat on the northern edge of the Chase, at Tixall. It was a large establishment. In the 1580's there were nearly 100 people living there. The house supported 3 ploughs of oxen and one of horses as well as a herd of 60 cows.¹ The Astons held the hereditary office of keeper of the game on Cannock Chase from the bishops of Coventry and Lichfield. The relationship between the Astons and the bishops was cordial. But both parties became aware, as the Henrican reformation grew apace, that not only monastic but also episcopal lands were threatened. Rights, if they were to be protected, needed to be regularised by written instruments. Thus in September 1538 the bishop granted by indenture to Sir Edward Aston the right to take each year 100 cart-loads of estovers or firewood from the Chase for use at the Aston house at Tixall.²

Aston and the bishop were wise to take precautions. Some eight years later, in 1546, the bishop was forced to surrender, inter alia, his manors of Cannock and Rugeley, and Cannock Chase to the King who regranted them to Sir William Paget. The new family quickly established themselves in the area and the de facto supremacy of the Astons was ended.³

When the Pagets took over the Chase, Sir Edward Aston's right to the estovers, guaranteed by the indenture, was not challenged, and the two families seem to have co-existed without friction. But when Sir Edward died in 1568 the situation changed. His son and heir, Sir Walter Aston was of a more demanding nature. In his late thirties, he

1. John Morris (ed.), The Letter-Books of Sir Amias Poulet, (London, 1874), pp.98-9. 2. 1/3/31 (iii), fos.5-8. 3. See above, Chapter 1.

had had long to wait for his inheritance.¹ He was anxious to maintain his position in the area and to enforce his rights. At about the same time the Paget lands passed to the third lord, Thomas who, by the time he had gained control of the lands in 1570, was 26.² Thomas initiated a more rigorous exploitation of his estate, including the lands in Cannock.

In a very real sense these two men, who came into their inheritances about the same time, became rivals for power within the area. Sir Walter was a fervent Protestant. He gave active support to Sir Amias Paulet in his search for a secure prison for Mary Stuart. Aston's house at Tixall was used for a short while as temporary accommodation for the Queen. Paget was an unrepentant recusant. He was probably the most influential Catholic lord in Staffordshire, "this infected shire" as Paulet called it.³ Where Aston would have Mary Stuart close, Paget would have her free. Thomas through the activities of his brother Charles, became implicated in the Throckmorton Plot and he fled the country in 1583.⁴

The first recorded contention occurred in 1577 in a case of disputed tenure at Rugeley. Aston held a messuage and some 40 acres of land in the manor. Paget claimed that he held it as a sokeman, Aston that he held it freely. In November of that year Paget's bailiff seized two of Aston's cows claimed as heriots on the death of Aston's father in 1568.⁵ Aston held land in a number of Paget manors on and around the Chase. By January 1578 Aston's rights in these lands were being investigated by Paget's officials, the opinion of counsel was sought, and at least two actions were started in the London courts.⁶

1. 1/4/62. 2. See above, Chapter 1. 3. Morris, pp.98-9.
4. See above, Chapter 1. 5. 1/3/17; 1/4/62; 2/1/184 m.29d;
2/5/1 'Residue of', (v). 6. 1/3/16; J2068; J2069.

The whole conflict became centred on a dispute over Aston's right to take estovers from the Chase. Aston continued to exercise this right and in the summer of 1579 his servants entered the Chase and took over 100 cart-loads of wood. In the Hilary Term of 1580 Paget began a suit on this matter. Aston's cause was taken up by a powerful friend, Robert Dudley, earl of Leicester, who, whilst the case was still being heard, wrote to Paget urging a private, friendly settlement between the two parties. Paget, although by this time in prison and under considerable pressure, ignored these overtures and in Hilary 1581 judgement was given in his favour.¹

Aston refused to accept the judgement and decided to try once more to force the issue. On 23 May 1581 (the significance of this date will become apparent later) he instructed four men to go into Cannock Wood and cut down trees for estovers. He expected them to be apprehended by Paget's officials, as indeed they were. There was a fight and one of Paget's officers was wounded.² Aston used this event, which he himself had set up, to file a petition in Star Chamber against Paget and his servants. Aston alleged that he had a right to take estovers from the Chase and that Paget's men had riotously and illegally prevented the lawful exercise of this right.³ In this way he got the case reopened and had the satisfaction of causing Paget expense and trouble. Between February and November 1582 Paget paid out nearly £23 in legal fees, most of which had occurred as a result of this case.⁴ And whilst the case was being reheard, Aston took another large fall of wood in 1582.⁵

1. 1/3/31 (ii), (iii); E.P.C., 1/6 fos.26-26*.
account of these events, see below, pp.187-9

4. 3/4/132.

5. 2/5/15, (c), (f).

2. For a full
3. 1/3/31 (i).

Knowledge of the dispute reached the Queen. In November 1582 she ordered four Staffordshire gentlemen to hold an enquiry, and this they did in the following January.¹ We do not know what the outcome of this commission of enquiry was nor what happened in Star Chamber. What we do know is that the case was moved back into King's Bench where, in Easter 1583, judgement was once again given in Paget's favour. The court's ruling was that since the original grant by the bishop to Sir Edward Aston in 1538 had not included the words 'and his heirs', his son, Sir Walter had no right to estovers. Thus Aston was adjudged to have trespassed.² Paget's triumph was shortlived. Within months he had fled to France, losing everything. Because of this Aston was able to ignore the court's ruling and he continued to take timber from Cannock Wood until his death in 1589.³

Thomas Paget had more to worry about at that time than this dispute. He had married the widow, Nazareth Southwell by whom, in 1572, he had a son.⁴ Relationships between husband and wife at this time were cordial but by 1578 the couple were estranged.⁵ Nazareth plainly declared that she would no longer live with him and he, in his turn, refused to accept any further responsibility for his wife's debts.⁶ As in so many cases, both then and now, the estranged couple quarrelled bitterly over the necessary financial settlement. In short, Lady Nazareth accused her husband of making insufficient provision for her and their son. In August 1580 she wrote:

"but this ashour your self that my ladship doth mean to live according to the estat of your lordships Wife... and you shall pay for it of that that both was and is mine owne".⁷

1. 1/3/31 (ix). 2. 1 Leonard, 2-3, in The English Reports, lxxiv (London, 1904), 2-3. 3. 2/5/1 'Residue of', (vi).
4. Complete Peerage, x, 282-3. 5. E.P.C., 1/3 fos.36-7.
6. E.P.C., 1/4 fos.54-5; fo.69. 7. E.P.C., 1/6 fos.13-13*.

She had a powerful ally in her relative, the courtier, Sir Thomas Heneage, who acted on her behalf as intermediary. In October 1580 Heneage pleaded with Paget to send money and servants to Lady Nazareth. They were, he said, her due, would bring her quiet and also "stoppe the mowthes of the world". Opinion at the court, Heneage was hinting, was entirely behind Lady Nazareth. As a favoured courtier he was well able to press Lady Paget's case with the Queen. There is no doubt that Paget was under considerable pressure to come to more favourable terms with his wife.¹

Paget was particularly vulnerable at this time. On 7 August 1580 a privy council warrant was issued for Paget to appear at once before the court at Oatlands.² There he was sent to be confined at the Dean of Windsor's house at Eton, to receive instruction in the faith until such time as he should amend his public religious practice. He was kept prisoner there until the end of December. It is clear that Paget was confined because he refused to conform in matters of religion. Thus Walsingham advised Paget to be seen in a public place at public prayers if he wished to regain favour.³ In a series of letters to Vice-Chamberlain Carye, Paget protested his loyalty to the Queen:

"A true man haue I ever bene to her majestie & a true man wyll I ever be & so wyll I lyue & dye".⁴

He admitted that he was slack in matters of religion but argued that he gave no great cause for offence.⁵ He claimed that what he had already conceded would have been sufficient if it had come from anyone else.

1. E.P.C., 1/6 fos.12-12*; fo.14; fos.19-20; fos.26-26*; fos.37-8.
2. Ibid, fos.8-9. 3. Ibid, fos.15*-16; see also ibid, fos.10-11.
4. Ibid, fo.15. 5. Ibid, fos.27-27*.

Ruefully he quoted the old proverb: "the Lawye is many tymes endid as a man is frendid".¹ What Paget needed was a friend in high places. On 15 November 1580 Paget drafted a letter to an unnamed communicant thanking him for his advice on how to gain the Queen's favour. Less than a fortnight later he wrote to Heneage outlining a new financial settlement on Lady Paget.²

There is no doubt that Paget was a recusant, a Catholic of considerable political importance in his own shire. There is also no doubt that he was not released from his imprisonment until after he had made a financial settlement on his wife very much more generous than the one imposed in 1578. I believe that Paget's imprisonment and the dispute with his wife were related. Whilst he may have been imprisoned for a specific act of recusancy, now hidden, he was kept in prison until he had satisfied his wife and her powerful friends at court.

Paget was released at the end of December 1580. He was ordered to go to his estates at Lomby or Drayton and he was specifically instructed to keep out of Staffordshire.³ No reason for this condition is given. Perhaps the Queen feared the effect of Paget's religious stance in the country. May be she wanted to keep Paget under scrutiny, near to the court, to which, if necessary, he could be summoned fairly easily. The Queen was probably right to keep an eye on this troublesome subject. His instruction at the hands of the Dean of Windsor had not changed his religious views at all. After Christmas, when the new bill

1. E.P.C., 1/6 fos.50-1. This was a contemporary aphorism; see J. E. Neale, The Age of Catherine de Medici ..., (London, 1963), p.151 n.4.
2. E.P.C., 1/6, fo.30; fo.32-3; fo.36. 3. Ibid, fo.31.

to increase the fines for recusancy was debated in the House of Lords, Paget was the first to speak against the measure.¹ But whatever the rights or wrongs of the case were, Paget was imprisoned from August 1580 and even on release his powers of movement were restricted. It seriously affected his exercise of power in Staffordshire, and it seems significant that it was during this time, August 1580 to May 1581 that the enclosure riots took place.

III

The riots took place on Cannock Chase. Most of the woodland, some 4,000 acres, was situated in Rugeley Bailiwick, which is one reason why it was Rugeley men and not Cannock men who rioted. The local inhabitants grazed their sheep mainly in the woodland areas. Hence any limitation on their grazing rights in these areas was a serious curtailment of their source of animal foodstuffs. In the winter of 1582 there were 164 flocks and just under 6,200 sheep grazed on the Chase, of which some 1,600 came from the townships of Rugeley and Brereton. Most of these were small flocks, a fifth with 10 or less sheep. Many of the owners of these flocks were very small landholders, indeed, some had no land at all. For these men the grazing rights represented, proportionately, an important part of their total economic assets. Even for those whose sheep did not represent a vital proportion of their wealth, enclosure was a serious inconvenience. Common rights of way were stopped up, and sheep, cattle, and men had to take circuitous routes to those grazing areas still open.

1. E.P.C., 1/6 fos.54-5. See J. E. Neale, Elizabeth I and her Parliaments (1559-1581) (London, 1965 edn.), i, 378 ff.

The woodlands were left unenclosed except when they had been cropped. Now at this time, Paget was developing his iron works. He needed charcoal for this iron making, and this led him to the systematic cropping of his woodland. Since most of the woodland was in Rugeley bailiwick, it was this area which suffered most.¹ By 1580 the following woodlands were enclosed: Gadsty (about 190 acres), Bornley (about 300 acres), Nuttslade, Stoneybroke and Colman's Slade. It was these enclosures which the rioters attacked.²

All but two of the rioters came from Rugeley and Brereton. Their total population was about 500 of whom some 40 at the most may have taken part in one or more of the riots. Thus it can be seen that the rioters formed only a small proportion of the total number of villagers.

Two points may be made about the recent history of the area. The months of April, May and June 1579 saw an abnormally high number of deaths. The burial rate for that harvest year was three times the annual average. But the riots did not occur for over another year so one can rule out any simple, determinist demographic explanation of the riots.³

Secondly, and more pertinently, the area was a jurisdictional muddle of the first order. De jure it consisted of the ancient demesne manor of Rugeley, held by Paget, and the sub-manor of Brereton, held by a local gentleman called Chetwynd. De facto there was a further jurisdiction called the manor of Hagley.⁴ John Weston

1. See above Chapter 4. 2. Most of the legal papers on these riots are in 1/3/30. There are 21 unlisted items in this bundle, totalling 250 folios. Reference to each piece is made by the order in which they were found in the bundle. 3. See below, p.204.
4. See above p. 10, 110-111.

bought the holding, called Hagley, in the 1530's and when he died, in March 1566, it passed to his son, Richard.¹ It consisted of 6 messuages, 5 cottages and just under 260 acres of land, a large holding for the area.² Whatever the early and obscure history of this claimed jurisdiction, it is clear that by the mid-sixteenth century it had lapsed. By 1570 Richard Weston laid claim to this jurisdiction and within the next few years started to hold his own courts and to take heriot service from his sub-tenants. Paget's estate officials were sure that this was wrong and advised their lord to test Weston's claim at law.³

Thus it was that Weston and Paget became rivals for power within Rugeley and Brereton. Their rivalry developed into antipathy. In April 1571 Weston was appointed Paget's forester of Rugeley, with the duty to protect his lord's woodland. By October 1573 he had been sacked, for the simple reason that he, himself, had been illegally taking trees from the bailiwick.⁴

Weston had a largish flock; in 1582 he grazed some 80 sheep on the Chase. Nuttslade, one of the earliest enclosures to be attacked, abutted directly onto Weston's lands. More important than these economic pressures, the enclosures represented an indirect attack on his power and status. His power was admittedly local and limited but it was none the less real. Even Paget's estate officials referred to Weston as "the chieff dyrector of Ruggly towne".⁵ His influence was based not so much on his status as a generosus, nor on his wealth, which

1. W. N. Landor, History of Rugeley, i, 68-9. 2. 2/3/45.
3. 2/3/119 fo.2. 4. 2/1/183 m.49; 2/1/247 fo.2.
5. 1/3/30 (i) fo.2v.

was limited, but on the fact that he lived in the locality, took his wealth from it and his pleasures in it.¹ His mode of life meant that he was much closer to the local people than to the gentry class as such. He had every reason to oppose Paget and his enclosures. It is, therefore, not surprising that Weston provided the gentry leadership in these riots.

It is clear that by 1580 Paget's enclosures had become a local issue. At the spring leet the Rugeley jury took the unusual step of presenting their manorial lord, Paget and two other local landholders for illegally enclosing the commons. These enclosures, they said, were "to the great hurt and damage of oure pore cuntrey and contrary to all Ancyent Custome". The presentment was ignored.² The riots followed.

IV

On 7 August 1580 Paget was summoned to Court and imprisoned for recusancy. The first confirmed, and certainly the first serious attack on the enclosures occurred on 11 August. Perhaps there was no link between these two events, but if so the coincidence is surprising. What seems more likely is that news of Paget's arrest encouraged an already dissident group to act.

The object of the attack was the new enclosure called Nuttslade which abutted onto the lands of Richard Weston. And it was Weston, who, about ten that night, met with four others, Addams, Woodward, Elson and Astley, and burnt the hedge down.

1. 2/1/184 m.29d, where Weston was amerced in the manor court for participating in the illegal game of bowls.

2. 2/1/261 fo.14v. The presentment, amongst the draft court papers, significantly, was not copied into the engrossed court roll.

This was no unpremeditated riot but a well planned and well executed action. That very day, Woodward and Elson went to Addam's house to confer. They already knew what was planned, for as they passed one of the labourers engaged in building the fence they told him, "that hedge you make is not like to stand long". Rumour of impending troubles reached Bleys who worked as a servant in a Brereton inn owned by a man called Bannester. That evening, Woodward came to the inn for supper. This aroused Bleys's suspicions. So when Woodward left and the innkeeper ordered Bleys to bed, Bleys "went forth of the same house, as though he wolde haue goen to his bed but did not but staid himselfe in the said towne of Brereton to vnderstand what tyme the said John Woodward wolde come againe to the said Banasters house... and he staid at his said master's, his shoppe windowe, where shortlie after he felle on slepe". He awoke about an hour and a half later to see Woodward, Elson and Astley coming from the enclosure. At the time they refused to say where they had been, though a week later Elson was to boast that they "had been to make an holye blaze". Hedge burning was tiring: Bleys's final piece of corroborative evidence was that Woodward stayed in bed until ten the following morning.¹

Who were these rioters? Richard Weston has already been described. The next most important rioter, and leader of subsequent riots, was Thomas Addams. In the depositions in Star Chamber he is called a 'sheirman', i.e. one who sheers cloth;² in the Quarter Sessions records he is referred to as a yeoman.³ Whatever his title, his holding

1. The account of this riot is based upon the questions and answers put to the rioters in Star Chamber, 1/3/30 (xii), (ix), and the confession of Ralph Bleys, 2/5/1 'Residue of', (iii), made at the court leet of Michaelmas 1580. 2. 1/3/30 (ix). 3. S.H.C. 1932, p.174.

in Rugeley was considerable. In 1546 the Addams family purchased 1 messuage, 5 cottages, 6 tofts, and 66 acres of land in Rugeley.¹ Some five of these cottages and messuages plus about 30 acres were held by copy of Paget.² Thomas's father died in July 1577 and the son succeeded to the estate.³ He also had a largish flock of sheep, some 50 in 1582. Addams, then, was a major yeoman landholder within the area, and as such a leader within the community. Ironically enough, he was constable of Rugeley at the time of the first riot. As in the major peasant revolts of Tudor England so in this riot, leadership was drawn from the gentry and the richer yeoman farmers.

There is little information about John Woodward except that like a number of the other rioters he was associated with the victualling trade. In October 1578 a Peter Woodward was amerced for being a common brewer.⁴ Peter died in June 1579⁵ and it may be that John took over this business. Edward Elson was an inn-keeper at Brereton,⁶ Richard Astley was his servant.⁷ The association of the rioters with Bannester's inn was no accident. Bannester was to take part in person in later riots.

The next riot occurred on 1 November, All Saints' Day. At eleven that evening Richard Homersley, William Oliver, Francis Byrde, Thomas Harryman and Nicholas Cowper met at Thomas Addams' house. From thence they went, Homersley carrying the fire, and burnt down all two miles of the hedges about Gadsty coppice. Addams and Homersley were convicted of this offence in Star Chamber.⁸

1. 2/1/184 m.1d. The purchase, although confirmed by a Final Concord in 1552, remained in dispute until 1600. See S.H.C., o.s., xii, 210; D(W)1720/8 (ii). 2. 2/3/45. 3. W. N. Landor (ed.), Rugeley Parish Register, part 1, 1569-1722, (no date, no place) published by the 'Staffs. Parish Register Soc.'. Date in the text identifies reference in the book. See also 2/1/184 m.41d. 4. Ibid, m.35.
5. Rugeley Parish Register. 6. 1/3/30 (ix), fo.24.
7. See above, Bleys's confession. 8. 1/3/30 (vii);(1), (xvii); (xxi).

Addams we already know. Homersley was a servant of Robert Chetwynd, a generosus who held the sub-manor of Brereton. Chetwynd's indirect involvement in the riots was alleged by Paget's officials and, certainly, by not sacking Homersley, one of the most active of the rioters, he gave tacit support to the cause. It was, after all, Chetwynd's sheep which Homersley was repeatedly driving into the new enclosures.¹ William Oliver was a butcher.² By 1570 he had taken over his father's shop which stood by the Cross at Rugeley. It was not a very large establishment; the total plot was only 18 feet by 14 feet.³ Before 1576 William's father made a settlement of his property. The two feoffees to use were John Weston, a relative of Richard, and Thomas Addams.⁴ The Olivers were also tenants of Weston's manor of Hagley.⁵ Thus, in this case, we can see the many half-hidden, formal and informal contacts between the two principal rioters and one of their followers.

In the Star Chamber records, Thomas Harryman was described as a labourer of Rugeley. In the Quarter Sessions records of 1586 he was presented as an innkeeper of Rugeley.⁶ There is no doubt that he was concerned with the victualling trade. At the Michaelmas leet of 1578 he was amerced 2d as a common brewer and 4d as a common baker. At the same court he was charged with an assault with a scythe on John Sylvester.⁷ Violence was no stranger to Harryman. In addition to his shop, Harryman had some 20 sheep on the Chase in 1582.

Nicholas Cowper was one of Weston's servants, which explains his presence.⁸ Francis Birde was described as a Rugeley labourer. A

1. 1/3/30 (xiii). 2. Ibid, (vii), fo.66. 3. J2072;
2/1/184 m.14d. 4. S.R.O. D(W)1720/8 (i). 5. J2072.
6. 1/3/30 (vii), fo.56; S.H.C. 1929, p.264. In 1587 he was
described as a victualler; S.H.C. 1930, p.59. 7. 2/1/184 m.35.
8. 1/3/30 (i), fo.2v.

labourer he may have been but he did not rely entirely on his wages; in 1582 he grazed some 60 sheep on the Chase. Why did Birde riot? As the owner of an above average sized flock he clearly had an interest in any restriction on grazing rights but his own explanation of a casual participation is so prosaic as to ring true. He said that he happened to be in the street just by his house when Addams and Hommersley went past on their way to the enclosure. There was little doubt that something was up since Hommersley was carrying the fire. They invited Birde to join them and so, said Birde, he went.¹ It is salutary to realise that rural rioters could drift into illegal action without any strong motivation or reason; it was just something one did without very much thought.

There was further trouble in the new year. A series of incidents on the Chase led Paget to sue out a Bill of Complaint in Star Chamber.² Paget's lawyers drafted the document with the object of persuading the court that serious offences had occurred and that therefore process should be issued instructing the defendants to appear before the court. The court was so persuaded and the process was issued. But because of the purpose of the bill one needs to be wary of accepting at face value the allegations made.

Paget said that there had been a conspiracy to tear down his enclosures on the Chase and to despoil the woodlands. He said that the conspirators, numbering 30, had assembled, on at least one occasion armed with swords, forest bills and other weapons, and had rioted. He listed a number of separate incidents:

1. 1/3/30 (vii), fos.32-8. 2. There are two copies of this bill, 1/3/30 (iv), which names 14 rioters, and ibid, (i), which lists a further 4.

- (i) Over a number of nights in January 1581 the defendants had burnt down all the fences about Gadsty Coppice and Nutslade Close;
- (ii) In the months of January and February 1581 the defendants had torn the hedges, ditches and rails about Stonnybroke Coppice;
- (iii) On 31 January, 1, 2, 3 February 1581, and before and after these dates, the defendants had torn down all the hedges, ditches and rails about Gadsty, and had cut down wood and spring and put in their 'cattle' to graze.

If all the fences about Gadsty had been burnt down in January 1581, they could not also have been torn down in February. This obvious inconsistency leads one to consider critically the validity of all the allegations in the Bill of Complaint.

The defendants denials and counter complaints against their lord, made in April and November 1581, are equally suspect.¹ They said that for the most part the bill was untrue and insufficient in law. They counter-charged that the complainant, Paget, was bringing the suit in order to ruin them, they being poor men. They denied all the charges of conspiracy and riot. They made counter-complaints against Paget. They claimed that the inhabitants of the villages surrounding Cannock Chase had the right to pasture their 'cattle' "in and thorowe oute the said wood and foreste". The commoners had extensive grazing rights on the Chase but not over the whole Chase. The lord had always had the right to protect newly cropped copses from the depredations of grazing animals. They said that Paget had erected over 60 new enclosures and 50

1. 1/3/30 (v); 1/4/195.

new cottages on the Chase, "wherebie and wherewithe the use of the sayd common is greatly intervpted", restricting ingress and egress and leading to loss of pasturage. There was some truth in this complaint. There had not been much building in Tromwyn's bailiwick, only 3 new cottages can be identified.¹ But in Rugeley bailiwick there had been a lot of building. By 1585 there were 22 new cottages sharing 24 closes and 6 gardens on the Chase.² It is difficult to see that the defendants had a legitimate grievance against these cottages and associated small enclosures. They took up a small area and could hardly be said to have seriously restricted either access or grazing. Significantly, none of the cottagers are named in any of the informations as rioters, further evidence that the rioters did not come from the poorest sections of the community. The enclosures for new woodlands and the new enclosure of recently cropped established woodland were a genuine source of grievance. Gadsty (100 a.) and Tymberwood (180 a.) were old woodlands recently cropped and then re-enclosed. Nuttslade, Stonybrooke (200 a.), the New Lezo (70 a.) and a pasture called Mandrake or Maredrake Such were all new. How many other woodlands were enclosed at that time are not known. Paget's lawyers alleged that the area of enclosed woodland was less by some 200 acres than the area of woodland left open. There were grounds for grievance over these enclosures but whether sufficient to justify the action taken is doubtful. Paget had a right to the wood and needed it for his ironworks. Unless the new woodlands and the cropped coppices were protected, they would be destroyed by the grazing animals. This was to the long term detriment not only of Paget but also of the commoners.

1. Information from the 1585 Survey; P.R.O. E178/3103 m.53d.
2. Ibid, m.50d.

The defendants also complained that the iron mills and forges had led to loss of 'firebote', and to flooding and loss of water power for their own corn and fulling mills. It is doubtful whether the loss of household fuel was significant. As to the flooding and loss of water power, there is no evidence.

The defendants added that they had petitioned their lord for a survey. They implied that only when the petition had been ignored did they take direct action. They ended by asserting that since the enclosures had been up more than the statutory limit of nine years, their action in tearing down the enclosures was not illegal.

These then were the charges and counter-charges. The questions are what actually happened, what were the motives of the participants and what justification did the rioters have?¹

There was, as Paget alleged, a conspiracy to break open the enclosures. Within the hearing of one of Paget's forest officials, the Rugeley rioters said "in their bravery ... that all the newe enclosures in Canke wood, ... should be cast open shortly". It was not only the rioters who were in the conspiracy. Others organised, financed and supported the rioters. The steward Fynney wrote to Paget "yt ys thought that all these thynges haue not byn don, without the assent or pryvitye of Richard Weston, Robert Chetwyn, and of some other greater personages". Fynney ended disingenuously, "what the truth therof ys god knoweth". The principal rioter, Addams openly taunted another forest official "that better men than your Lord ys wolde ayde & helpe them in castyng open the seid inclosures". There is little doubt

1. In addition to the evidence already cited, this account is based on a set of lawyer's notes, 1/3/30 (ii), the questions put in Star Chamber, ibid, (xii), and the defendants' answers, ibid, (ix), (viii), a letter from Paget to Powntes, E.P.C., 1/6 fo.42, and a letter from the steward of Cannock, Fynney, to Paget, dated 7 Feb. 1581, ibid, fos.40-1. All quotations are from Fynney's letter.

that the man behind the riots was Sir Walter Aston.

On Friday 27 January Sir Walter Aston with a number of other gentlemen went hunting on the Chase. The hunting party was no hole-and-corner affair. It was an unambiguous challenge to Paget's authority as lord of the Chase. All were well aware that in so acting Aston was once again making a direct claim to the rights in the disputed office of Keeper of the Chase.

There is no certain timetable of the riots but they began about the time of this public challenge. Aston hunted on the Friday. It was probably this weekend that saw the hedge burnings at Gadsty and Nuttslade and the hedge breaking at Stoneybroke. The hedge burners had plenty to drink before they went out onto the Chase. The rioter Addams boasted of it, and the implication of his boast was that someone else had paid for the drink.¹

In these first two riots the local people assembled together beforehand in an ale-house. They then went out onto the Chase in a body to carry out their purpose. Some damage was done, although certainly not all the hedges were destroyed. There were further disturbances over the following week, mainly on and around Candlemas Day, Thursday 2 February. By then the forest officials were on guard and patrolled the threatened enclosures. The rioters ceased to act in a group, but continued their work in ones and twos. For example, Homersley admitted that on Thursday 2 February he cut down hollies in Gadsty. The following day three forest officials caught him in the enclosure. There was a brawl or fight. On the Saturday, Homersley worked all

1. See p.177,note 1, above.

day with another rioter, Wood, plucking down the hedges. That night he did the same with Addams.¹ The week was full of activity. Rioters pulled down the hedges. Foresters patrolled the enclosures. When the two groups met, fights broke out.

An indication of the seriousness of the riots was the numbers involved. In August 1580 only five men took part. In these disturbances Paget alleged that 30 were involved, of whom he named 18. Only Richard Chetwynd had a fool-proof alibi; at the time of the riots he was visiting his friends the Sneyds, at Bradwell. His absence, however, does not prove his non-participation in the conspiracy. His servant, Homersley, was one of the most active rioters. It was Chetwynd's sheep which Homersley drove into Gadstye. The inclusion of Richard Weston's name occasions no surprise. His participation in the earlier troubles has been shown and there is little doubt that he actively supported the rioters, even if he did not take part in person.

Of the remaining sixteen, nine had taken part in one or more of the previous riots: Adams, Woodward, Elson, Astley, Homersley, Oliver, Birde, Thomas Harryman and Nicholas Cowper. Another rioter, Thomas Bannester is already known; his Inn was the assembly point for the first riot.² The connections between these men and Aston, Weston and Chetwynd, have already been shown. What of the remaining six rioters?

William Wood was by trade a tanner and he had 60 sheep on the Chase.³ William Harryman was the son of Thomas Harryman another

1. 1/3/30 (viii), fo.1; (ix), fos.2-12.

2. See above, p. 171.

3. He was another man of violence. In 1584 he and his wife assaulted the vicar of Rugeley. S.H.C. 1929, p.116.

of the rioters. At the time of the riots he was in his late thirties.¹ He had 30 sheep on the Chase. Hugh Clowes had 10 sheep on the Chase. There are no references to William and John Wright in the suitors list of 1578, the list of flock owners of 1582 or the court rolls. It looks as though these two did not come from Rugeley or Brereton, and, hence, they were the only 'strangers' amongst the rioters. The participation of Ralph Bleys is curious. He was the same man who, as recently as Michaelmas 1580, had made a sworn statement at the court leet which provided full evidence against the rioters who burnt down Nuttslade in August of that year.²

The riots started about Friday 27 January and the last recorded incident was on Saturday 4 February. Why did they stop? Paget's officials were too few in number to police the whole area. There was a significant absence of the local justices of the peace; they chose not to intervene. The rioters stopped not because they were arrested or frightened off but because they had achieved both their covert and overt aims. Paget had been embarrassed, his authority in the area seriously compromised. The hedges were down, the enclosures open. There was no need to continue rioting.

There were six weeks of peace before trouble flared up again. About 20 April there was a series of night time attacks on the hedges and fences of Bornley Close. Gaps were made and sheep were driven in.³ On St. Mark's Day, 25 April, there were two serious incidents. Rugeley men burnt down 16 roods, just under 100 yards of the recently rebuilt fence about Gadsty Coppice. The fire was discovered by Richard

1. S.H.C. 1930, p.59; S.R.O. D(W)1720/16 (viii), fo.7.

2. See above, p. 171.

3. Alleged in the second bill of complaint; 1/3/30 (vi), fos.13-15, and confirmed by a passing reference in a letter, E.P.C., 1/6, fo.59.

Sneyde, one of the forest officials and he put it out before it could do much damage. The same night, some eight men from Rugeley threw open the enclosures about Oldeacres.¹ Whilst Paget's forest officials attempted to contain the disturbances, their lord exhibited a bill of complaint in Star Chamber.² He established in court that a prima facie case against the men of Rugeley existed and process was issued, 21 May, for some 16 or 17 men to appear in London.³

It is little wonder that the court believed that serious rioting had occurred. Paget's lawyers exercised a lively imagination in their drafting of the bill of complaint. It was alleged that on 24 April⁴ 40 or more men of Rugeley, of whom 16 were named, armed themselves and assembled with the intention of rioting. They divided into companies and utterly destroyed with fire the fence about Gadsty. So great was the conflagration that the loyal inhabitants of the area "feared some forrene invasion or domesticall rebellion to have been attempted". The rioters whose numbers were augmented by other disordered persons attracted by the fire, went on to Thomas Oldeacres enclosure and broke down the hedges there.⁵

The bill was deliberately inaccurate. In none of the surviving letters to Paget from his officials in Staffordshire is there a hint of the scale of rioting alleged. It was these same letters which the lawyers must have used to draw up the bill. There was no great conflagration at Gadsty. The identity of the fire raisers was never discovered. No more than eight hedge-breakers at Oldeacres were identified; certainly far less than the forty or more alleged. This

1. 1/3/30 (vi), fos.13-15, and confirmed in E.P.C., 1/6, fos.64-5; fo.68.
2. 1/3/30 (vi). 3. E.P.C., 1/6, fo.69. 4. Letters written at the time all agree that the disturbances occurred on 25 April, the evening not the Eve of St. Mark's Day. 5. 1/3/30 (vi), fos.5-11.

bill, like its predecessor, was a deliberate fabrication. It was designed to persuade the court that serious offences had been committed and that, therefore, the court should act. These two bills illustrate the fact that one can place little confidence in the factual accuracy of similar ones submitted to and accepted by the Court of Star Chamber.¹

Many of the named 'rioters' were subsequently questioned.² All denied any knowledge of the events at Gadsty. Nevertheless it is probable that some of them did in fact fire the hedge. Ley, Harryman, Byrde, Olyver and John Wood all admitted to breaking open the enclosure at Oldeacres, and they all asserted that Cowper, Corviser and Barre were also there.³

Paget's officers had not been expecting trouble in April, hence they were not prepared. The immediate reaction was to appoint an additional keeper. Two days after the troubles, Ensore reported a rumour amongst Aston's tenants that their lord intended once again to take his estovers.⁴ The rumour was still current on 14 May.⁵ Trouble was expected with Aston and also with the men of Rugeley. But even when prepared, Paget's men were unable to prevent trouble.

It came on the Eve of Ascension Day, 3 May. Late that night three quarters of a mile of the hedge surrounding Oldeacres was pulled down. Despite the increased vigilance of the keepers, the offenders were not apprehended in the act. Indeed even their identity remained hidden.⁶ William Fynney, the steward at Cannock and Thomas Powntes, the ironmaster appealed for aid to Sir Edward Lyttleton⁷ and

1. The situation was exactly the same in Chancery. See, W. J. Jones, The Elizabethan Court of Chancery (Oxford, 1967), pp.194 ff.

2. The questions put and the answers received are in, respectively, 1/3/30 (xviii) & (vii). 3. 1/3/30 (vii), fos.20-49.

4. E.P.C., 1/6, fos.60-1. 5. Ibid, fos.64-5; fos.66-7.

6. See note 5 above. 7. Of Pillaton. Paget was godfather to his son; E.P.C., 1/6, fo.85.

John Chetwyn,¹ two local J.P.'s known to favour Paget's cause. A list of suspected persons was drawn up, and on 13 May they were summoned to John Evans's house. His house was used because he was one of the Rugeley constables that year and because his cottage was on the Chase, and, therefore, the proceedings could be conducted discretely.² The majority denied all knowledge of the offences but John Barre, for reasons now unknowable, made a full confession. He claimed that eight men, including himself, had taken part.³ The justices said that they themselves would indict the rioters at the next Sessions.⁴ This they did.

Barre's confession was true, as the replies in Star Chamber of a number of the participants prove. Four of the self-confessed rioters alleged that Olyver had organised the whole thing; Harryman added that the riot had been planned some three or four days before it actually happened.⁵ Olyver admitted that this was so. Before Weston and Addams went up to London the previous term, presumably to Star Chamber as a result of the first bill of complaint, "yt was agreed and consented vnto beetwene the defendant, Master Weston, Thomas Adams, and others" that in their absence their neighbours were to pull down the enclosure about Oldeacres Leasow.⁶ In this case the motive of the rioters is clear, revenge. They were, said Fynney, "a folysshe companye and maliciously bent". In acting as they did, they showed Paget their total rejection of his authority and their refusal to be coerced by legal action. They would have the enclosures down, regardless of the consequences. Their confidence in their cause led them to draw up a petition to the Queen and her Council which they circulated in the area

1. Of Ingestre. In Powntes's opinion, Chetwyn was the only J.P. to give Paget unreserved support. E.P.C., 1/6, fos.86-7.
2. Ibid, fos.64-5; 2/1/184 m.49. 3. E.P.C., 1/6, fo.63.
4. Ibid, fo.68. 5. 1/3/30 (vii), fos.26-32.
6. Ibid, fo.49.

gaining many signatories.¹

Eight men admitted in Star Chamber to rioting on both 25 April and 3 May. Olyver, Birde, Cowper and Thomas Harryman were involved in previous riots; their biographies are given above. The interconnections between the rioters, already illustrated, are revealed in the biographies of the last of the rioters to be considered.

John Wood was an husbandman of Rugeley.² He was not one of Paget's tenants and must, therefore, have been one of Chetwynd's or Weston's. He had 20 sheep on the Chase, in 1582. He was probably related to William Wood, another rioter. John Corviser was one of Richard Weston's servants. Before this date he had worked as a servant to another rioter, William Arnolde.³ David Ley was a tailor from Rugeley⁴ and was probably related, both by marriage and interest to John Barre. In October 1572 Barre married Alice Ley.⁵ When Barre was licenced to keep an alehouse in Rugeley in 1589, one of his sureties was John Ley.⁶ By 1600 he held a cottage in Rugeley as the sub-tenant of Thomas Addams.⁷ In 1582 he had 50 sheep on the Chase.

Fynney listed a further three men, Arnolde, Pannell and Harley, whom he believed had taken part in the riot of 3 May.⁸ William Arnolde called himself a brewer.⁹ Like so many of the rioters, he lived sometimes within, sometimes without the law. The amercement in April 1576 of 6s 8d for letting his house be used for illegal games, was typical. His sexual morals were also questionable. At the same court he was amerced 2s for having a woman of ill-repute many times to his house. Two years

1. E.P.C., 1/6, fos.79-80. 2. 1/3/30 (vii), fo.38.
3. E.P.C., 1/6, fo.63. He was a young man. In April 1576, his master, Arnolde was fined 2d for failing to swear his servant Corviser onto the assize. 2/1/255. 4. He too was a young man; his father was fined in 1576 for failing to put the lad onto the assize. Ibid. See also E.P.C., 1/8, fo.32. 5. Rugeley Parish Register.
6. S.H.C. 1929, p.289. 7. S.R.O. D(W)1720/8 (ii).
8. E.P.C., 1/6, fos.64-5. 9. 1/3/30 (vii), fo.6.

later he was amerced the large sum of 20s for cohabiting with a woman called Agnes.¹ His servant at that time was John Corviser, another of the rioters. He had 60 sheep on the Chase in 1582. At the time of the riot George Pannell was a young man. He was not sworn onto the assize until April 1580.² His natural father, John Pannell, was an alehouse keeper. One of his sureties to a bond in 1589 was John Barre.³ Whether it was his bastardy or his natural inclination, George Pannell was a troublesome man. In 1592 twenty-seven of his neighbours laid a complaint before the justices. They said that Pannell was a common drunkard and provoker of quarrels. He played for money and ale at cards, tables and shovelborde, both in his own tippling house and elsewhere. One of his gambling companions was the colourfully named 'Robyn Russell the Rooge'. In one gambling dispute he pulled out a dagger. He was brought before Fynney at the manor court who ordered him to be set in the stocks but Pannell so intimidated the constable that he escaped this punishment.⁴ The catalogue of offences in Rugeley and elsewhere is a long one. That such a man should have taken part in the riot seems probable. There is no information on Ralph Harley.

The events of 3 May worried Paget's officers. Powntes feared, in particular, for the ironworks. He arranged for special guards to be set, on all holy-days, over the enclosures closest to the works.⁵

On 21 May Paget sent down process out of the Star Chamber ordering some sixteen men to appear the next term. He ordered that the process be kept secret until all were served. He wanted none to escape.⁶

1. 2/1/184 mm.13d, 14d.
p.289.

2. Ibid, m.46.

4. S.H.C. 1930, pp.289-291.

3. S.H.C. 1929,
5. E.P.C., 1/6, fos.66-7.

6. Ibid, fo.69.

The hedge breakings continued. Ensore wrote to Paget: "Notwithstandinge your Lordshipps suite against your tennantes of Ridgeley, their disorder contineweth & their folly doth dayly encrease...". Addams, Weston, and others had made appearance in Star Chamber over the riots of 1580, but still enclosures were pulled down. In the most recent incident, on Saturday 20 May, Addams and one of Weston's servants were found breaking down Gadsty hedge. Addams's appearance in London had no effect on his actions. His statement that "he wolde neuer gyve ouer so longe as his boones wolde holde to bringe him thither", was entirely in character. Ensore was in no doubt that the rioters were being counselled by Paget's "worste neighbour", by whom he meant Aston. The problem was a serious one. The ironworks were threatened. The enclosures were too many and too large to make adequate protection possible, except at prohibitive cost. The only hope in Ensore's opinion was to get the Council to act.¹

Before Paget received this information events took a most serious turn. The rumour, first reported on 27 April and repeated on 14 May that Aston intended once again to take his estovers, proved correct.² It will be remembered that in Hilary Term 1581, after a year's litigation, Paget won his case against Aston. The court ruled that the office of keeper of the Chase was not an hereditary one. Aston, therefore, had no right to estovers.³ From Aston's point of view the judgement was unacceptable and he thought of a way to get the case reopened. His ploy, simply, was to provoke Paget's keepers to assault his servants in the act of removing estovers. Aston, then, could file a petition in Star Chamber and get the case reopened.

1. E.P.C., 1/6, fos.70-1.
3. See above, p. 163.

2. See above, p. 182.

The time was propitious for such an action. Paget's continued absence from Staffordshire indicates that he had not yet regained favour at court. Recent troubles show that the coalition of interests between Aston and the Rugeley rioters continued. Last, but not least, Aston was that year's sheriff of the county.¹ One of his duties was to provide juries both for Sessions and Assizes. He was, therefore, in a position to control by embracery any subsequent legal action in these courts. He waited until the week beginning Monday, 22 May, probably because he knew that Sessions were to begin at Stafford. Justices living on or near the Chase were likely to be at the county town, lessening the chance of accidental intervention. In particular, Lyttleton and Chetwyn, the two J.P.'s known to favour Paget's causes, were guaranteed to be at Sessions since they were listed to present the indictment against the Rugeley rioters of 3 May. Thus was the scene set.

On Monday 22 May Aston rode in Cannock Wood. Not an illegal act in itself but, nevertheless, one thought worthy of comment. It was a symbolic act, indicating his determination to reassert his 'rights'. The same day he sent four of his servants to begin the fall. Two went to Heywood Park; Paget's officers were not expecting this to be attacked since even Aston laid no formal claim to the wood there. Two were sent into Cannock Wood, into the area of Heywood bailiwick nearest Aston's house at Tixall. These two were apprehended by two of Paget's keepers, Bryan Bolde and William Sneyde. They ordered the men to desist. One of Aston's men threatened to fetch weapons, but in the end agreed to leave peaceably but not before informing the keepers that they would return the following morning to continue their work. They left the keepers in no doubt that they would not be so easily deterred. There was a clear if

1. From Nov. 1580 to Nov. 1581; S.H.C. 1912, p.285.

unspoken threat that if the keepers turned up there would be a fight. In an almost formal way, place and time of the forthcoming confrontation was agreed to by both parties.

On the Tuesday, 23 May John Osborne and Hande, who had been seconded to assist by his master, Lyttleton, went to Heywood Park. They came across two of Aston's men felling wood. They sent them away, without any need to recourse to violence. They then set out to see how their colleagues, Sneyde and Bolde were faring. These two had found Aston's smith, Thomas Collyer and huntsman, Richard Mason, felling wood in Sottnor.¹ The conversation of the day before was repeated. The sheriff's men refused to argue further. The fight then began. Both sides had come armed, but Aston's men were better equipped and trained. One of them carried a double-pike, and their weapons were a yard longer than those of their adversaries. Bolde was injured in the arm and Sneyde received a nasty looking wound in the neck. The keepers retreated. On their way, they met Osborne and Hande. Osborne went on with the injured Sneyde to Paget's house at Beaudesert. Hande was reckoned a "Tall fellow" but when asked by Bolde to accompany him back to the affray, Hande refused: "ouer night Hande was in wordes good inowghe for any man but when Bolde required him to goe backe and take his parte he vtterly refused". As Bolde returned to the fight on his own, he met John Godwyn's brother who agreed to join him. Despite fierce fighting, they were unable to defeat Aston's men. Bolde was again injured and he and Goodwyn retreated.

1. 1/3/31 (xi), fos.25-7. Both were aged thirty; hitherto, neither had been employed in felling timber.

Bolde went at once to Richard Ensore, Paget's senior officer in the area. Together, they rode to Beaudesert where they found Thomas Powntes, the ironmaster and William Hankyn, the steward of Great Heywood. In an air of crisis and defeat, they discussed the events of the day. The woodland being so close to Tixall, and Aston being so wilfully bent, they agreed that there was no resisting him unless they assembled such numbers as neither Paget would wish nor the laws permit. Unless Paget could receive aid from the lords of the Council, or gain a quick decision in the courts, he would have to endure "the longe wronge". In an air of deep gloom Ensore ended his report to his lord: "Thus with hertie prayer for the preservation of your good Lordshipp from the cancred malyce of all your evill willeres I ende for this tyme".¹

Ensore was right to feel gloomy. There was no help to be had from the local justices of the peace: "but your Lordshipp must looke for all heare but justyce, for they that chiefly sholde regarde it are moste reddy to move contencion & beare with all disorderes, and yet they mvst be reckoned the wiser sorte & of greatest government". The man responsible for the troubles was Aston, "who by office sholde be the chief conservator of the peace but indedes he is more like to stirre vpp that woldes not easely be quieted if he cowlde meet with any so willfull as him selfe".² In a letter to Warde, Paget's secretary, Ensore was even more explicit: "we have nothings heare worthe the hearinge vnlesse I sholde tell yow of owr Sir Walter who rather resembleth Robin Hood then the good Sherif of Nottingeham... I hope your lawe aboue will

1. This account is based upon Ensore's letter to Paget, 24 May 1581, E.P.C., 1/6, fos.72-3, with additional information from Lyttleton to Paget, 24 May, *ibid*, fos.74-5; Powntes to Paget, 30 May, *ibid*, fos.86-7; Lyttleton to Paget, 4 June, E.P.C., 1/7, fos.7-8; Fynney to Paget, 5 June, *ibid*, fo.9; and Paget to Powntes & Ensore, 29 May, 3/4/120 (1).
2. E.P.C., 1/6, fos.72-3.

helpe for they be all aboue lawe in the contrey".¹ Ensore was sceptical of the possibility of compromise. On the 28 May he wrote once more to Warde: "I hope my Lorde will take good advyce howe to proceede with Sir Walter, for in my conceipte it weare better dealinge with him yf he had more witt & lesse will / he is as the olde terme sayeth cocke on his owne myddinge".²

The justices were in open Sessions at Stafford on the day of the fight. News of the affray was brought to them. The matter was discussed and two of their number, Ralph Sneyd of Keele³ and Thomas Whorwood of Compton; were sent to see that the peace was kept. By the time they arrived, and Ensore believed that they had been deliberately dilatory, the affray was over.⁴ They reported back to the bench the same day.

Fynney, the steward of Cannock was attending the sessions. It was to him that Whorwood proposed a scheme of arbitration. He suggested that Aston and Paget should submit their dispute to four 'indifferent' gentlemen. Fynney agreed to put the idea to Paget once he had received written confirmation from Whorwood that Aston agreed to the proposal. This was no hole-and-corner negotiation for the bench extracted from Aston a promise that he would take no further action until he had heard from Paget.⁵

How was Whorwood able to come up with such a well thought out scheme, at such short notice? Aston was aware that news of the affray would be brought to the justices at Stafford. One suspects that he arranged for Whorwood to be present, and ready with a previously

1. E.P.C., 1/6, fo.77. 2. Ibid, fo.84. 3. He does not appear on the 1582 list of Staffs. J.P.'s (British Museum, Lands. MSS., 35, published in S.H.C. 1912, p.324), but it is clear from the evidence here that he was on the commission by May 1582. 4. E.P.C., 1/6, fos.72-3; fo.77; fos.74-5. 5. Ibid, fos.79-80; fo.76.

drafted arbitration scheme. In acting in this way Whorwood managed firstly, to forestall any intervention by the bench and, secondly, to provide Aston with a breathing space whilst he filed his bill in Star Chamber. Even if this wasn't Aston's plan this is in effect what happened. The J.P.'s did not intervene and by the time negotiations had broken down, Aston had got his process.¹

Aston and Paget refused to deal directly with each other. Neither of them would risk subscribing their name to a document which might then be used against them in court. Whorwood and Fynney acted as solicitors. Two days after the fight Whorwood drafted Aston's proposed scheme. The letter² was delivered to Fynney the next day, Friday 26 May, who sent it on with a covering note, directly.³ Aston proposed that all disputes between Paget and himself be put to arbitration. If any 'quyllett', i.e. question or point in law arose, each was to appoint a lawyer. If they failed to agree then the question was to be put to two Justices of the Assize, or the Chief Justice of Common Pleas. Fynney recommended acceptance.

Paget's reply reached Fynney on Saturday 3 June. Fynney summarised its contents in a letter which he sent to Whorwood on the Sunday.⁴ Whorwood received Aston's reply on the Tuesday. Fynney waited for Whorwood to contact him. When he failed to do so, Fynney sent his servant to ask for an answer on the Thursday. The negotiations have an almost paranoic flavour about them. Whorwood had nothing drafted, whether by design or just out of caution we do not know. Fynney's

1. E.P.C., 1/7, fo.16.

2. E.P.C. 1/6, fo.83.

3. Ibid, fos.79-80.

4. E.P.C., 1/7, fo.9.

servant was alive to the implications of this. Whorwood gave a verbal reply "and for that yt seemed somewhat darke, my man did put the same in wryting lest he should forgott any parte therof".¹ Whorwood read the document and, finding its contents accurate, set his name to it.² Aston refused to accept arbitration unless all matters, including those already settled at law, be considered. His terms had an edge. As he pointed out to Paget, he already had process issued entitling him to revive those actions, including that over the estovers, on which Paget had already received favourable judgement. Aston's counter offer was no real offer at all. The conditions were obviously unacceptable to Paget. Despite temporising advice from Fynney, Paget rejected the scheme.³

The fight occurred within the context of continuing trouble with the men of Rugeley. Fynney drafted the indictment of the eight rioters of the 3 May. So anxious was he to ensure that none got foreknowledge of this scheme that he wrote it in his own hand, even his clerk knew nothing of it. The indictment was brought in person at Sessions by Lyttleton and Chetwyn and on the basis of their evidence the jury returned a true bill. Fynney advised Paget to sue for a writ of certiorari to take the matter out of Quarter Sessions and into King's Bench.⁴ This Paget did. Process arrived in Staffordshire, by the hand of Nicholas Barber, on 27 May. At least one man was served.⁵ Nicholas left for London on 30 May and his son, Richard reported on 3 June that only two more had been found. Paget's instruction to keep things secret until all were served was impossible. As soon as the men of Rugeley knew what was intended, they kept themselves well hidden.⁶

1. E.P.C., 1/7, fos.14-5. 2. Ibid, fo.16. 3. Ibid, fo.13.
4. E.P.C., 1/6, fos.79-80. 5. Ibid, fos.81-2.
6. Ibid, fo.69; E.P.C. 1/7, fo.10; fos.5-6.

In the meantime, they drafted and circulated a petition intended to be submitted to the Queen or her Council.¹ The forest officials expected further trouble at the enclosures at any moment: "& Addams if he mighte holde a while wolde prove Captain Keite, for notwithstandinge his being sent for vpp last Terme and indited of the Ryott at the last Cessyons yet is he so bragge that they looke euery hower agayne for his commynge into the Canke Wood".²

In the event it was not the Rugeley men but Aston who continued the disturbances. As early as 28 May he was repairing ways across the Chase, preparatory to taking his estovers.³ Once more he sent his men onto the Chase to fell the wood. On Monday 5 June, Ensore, Hankyn, Powntes and Fynney met for a conference in Cannock Wood. They decided that it was impossible to organise resistance. Aston's men numbered over a dozen. They received daily instruction in the use of weapons in what the officials described as a "fencing school". They were a small but effective armed force, so intimidating that none in the area could be found to challenge them. The officials decided that all they could do was inform the justices and formally warn Aston.⁴ Soon after this Aston's servants cut down 100 wain loads of wood, including timber which even the 'pretended' title did not permit, and carried it to Tixall.⁵

The case in Star Chamber continued. In November 1581 the Queen ordered four gentlemen to hold an enquiry at Stafford, and this they did the following January.⁶ Another fall was taken in 1582.⁷ The case was eventually moved back into King's Bench and judgement was once again given in Paget's favour in Easter 1583.⁸ Paget had but a short time to enjoy his success. Within months of the judgement he had fled to exile in France.

1. See above, p. 183. 2. E.P.C., 1/6, fo.77. 3. Ibid, fos.81-2. 4. E.P.C., 1/7, fos.11-2; fos.14-5; fos.3-4.
5. 1/3/31 (ii), fo.12. 6. Ibid, (xi). 7. 2/5/15 (o), (f).
8. See above, p. 164.

V

In a short ten months' period, from August 1580 to May 1581, there was an abnormally high level of violent activity on and about Cannock Chase. As riot succeeded riot, the numbers involved grew and the scale of damage increased. Violence bred violence; the riots culminated in the fight of 23 May, a day on which serious, potentially mortal combat was joined.

Despite this high and growing degree of violence the local justices of the peace made no effective attempt to control the disorders or to punish the offenders. Local interests, local loyalties came before peace keeping and the administration of justice. Aston's influence was crucial. His 'writ', not as sheriff but as local magnate and landholder, controlled and, where necessary, suppressed all the local law enforcement agencies. He may have been seated on his own midden but his power, though geographically limited, was real and effective.¹

His successful challenge to Paget was grounded on local support and the influence of people like the Earl of Essex, at court. Paget, potentially far stronger than Aston, was, in fact, the weaker. His loss of favour at court, and, more importantly, the ensuing enforced absence from the county, made it impossible for him to marshal and use his own forces to effect. It is reasonably certain that if Paget had been resident in the county, the riots would not have been so serious, the offenders would have been quickly apprehended and punished, and Aston would never have dared to take the estovers. Sophisticated as the Elizabethan system of law enforcement was, it was subordinate in this part of the country to the personal influence of the local magnate.

1. See above, p. 190.

Directed and controlled violence worked. The organisers and perpetrators of the disorders gained their ends. Aston was enabled to reopen his case in the courts. The rioters gained access to the enclosures. And both had the satisfaction of expressing their enmity of Paget in a direct way. In the cases of Aston, Weston and Addams, personal dislike for Paget was obviously an important motive behind their actions. Not only was the judicial system unable to stop the riots and fight, but most of the participants escaped punishment. Aston was not even subject to criminal investigation. Only three of the rioters are known to have been punished; the rest escaped scot-free.¹

The unholy alliance of sheriff and rioter worked to the benefit of both. Aston gave support and protection to the rioters. In attacking his rival, Paget, they were furthering his cause. The general level of violence created by the riots meant that Aston's direct action on 23 May seemed less extraordinary and, hence more acceptable than it would otherwise have been.

It could be argued that the title of this chapter is a misnomer, and that the hedge breakers were not rioters. Coke's definition of riot would exclude them.

"In the Common Law Riot signifieth, when three or more do any unlawful act, as to beat any man or hunt in his Park, Chase or Warren, or to enter or to take possession from another man's Land, or to cut or to destroy his Corn, Grass or other profit etc....

..Rout signifieth when three or more do any unlawful act for their own or the common quarrel, etc. As when Commoners break down Hedges or Pales, or cast down Ditches, or

1. Addams was fined £60, Weston and Hommersley £20 each for their actions on 11 August and 1 November 1580; 1/3/30 (xxi).

Inhabitants for a way claimed by them, or the like.

An unlawful assembly is when three or more assemble themselves together to commit a Riot or Rout, and do it not."¹

Despite Coke's pre-eminence as an authority, the position is not altogether clear. Jacob, in his Law Dictionary gives long and detailed definitions of riot and rout, based mainly on sixteenth and early seventeenth sources. In his view, when violence occurred a rout became a riot. Paget was in no doubt. In his second bill of complaint the defendants were described as rioters.² Whatever the legal position and common usage of the later sixteenth century were, the problem as to whether or not one should consider these events as riots remains.

One might argue that these were 'minor disturbances' and not riots at all. The numbers involved were small. The damage, generally, was limited. Though violence was threatened, it seldom led to actual fighting. Nevertheless, I believe that these were riots. There was an agreement or conspiracy to break the law. The offenders were prepared, even sometimes expected, to be apprehended in the act. In such a situation they used their numbers and the implicit threat of corporate violence to stop the lawfully employed officials preventing the offence being committed. The responsibility of the individual rioter for the riot was subsumed within the group, which recognised no legal restraint over actions which, if performed by an individual, would have been judged both wrong and illegal. All these are features of a riot, and all these are found in the disorders on the Chase.

1. E. Coke, Institutes..., iii, (London, 1644), cap.lxxiv. Cf. Wm. Fleetwood, The Office of a J.P. (1658), pp.150-2. 2. 1/3/30 (vi).

Assuming one allows that these were riots, one may still argue that they were atypical in genesis, development, and conclusion. In short, shouldn't riots be more proletarian in origin and more violent in execution than the ones described? The question then is what was a typical, Tudor, rural riot which makes these so atypical? Despite the warning note given at the beginning of this chapter, I believe it is the case that many still think of rural riots as being caused by economic pressure on the peasantry by the major landholding classes, which pressure in certain circumstances, left conveniently vague, would lead to a violent counteraction, viz, the riot. There are two things which suggest that this model is inadequate. Firstly, it has already been shown to be inadequate when attempting to deal with Tudor revolts. And it is clear that there is a close relationship between riot and revolt. Secondly, it is almost impossible to find examples of riots which fit the model.

What were the salient features of these riots? Of the five main riots, four included or centred on a holy-day: All Saints, Candlemas, St. Mark's and the Eve of Ascension Day. It was well known to sixteenth century man, long before the modern historian rediscovered the fact, that riots were most likely to occur on holy-days. The ironmaster, Powntes, knew the danger of holy-days and it was for this reason that he set a special watch at those times.

Gentry leadership and support of popular movements was not restricted to revolts. Aston's involvement has been demonstrated. Of the other gentry, Weston led the first riot, in person, and organised the troubles of 25 April to coincide with his appearance at Star Chamber. Chetwynd also gave support; if he were against the riots he would have dismissed his servant, Homerseley. Connections between a number of the rioters and Chetwynd and Weston, have been shown.

Addams was the only yeoman amongst the rioters. He was the main link between the gentry 'organisers' and the peasant participants. But he was more than a link man; he was the popular leader of the riots. His example, his determination inspired the other rioters. No wonder they looked every day for his coming again; no wonder Ensore feared his return. Truly, he was the local Captain Ket. There is no doubting his determination, and this is the clue to his motivation. He is the only rioter whose actions and reported utterances consistently indicate a profound, personal hatred of the enclosures. His example and personal leadership was, clearly, crucial.

Twenty-two other rioters or alleged rioters were named. Their participation was not haphazard. In addition to Addams, there were four main rioters: Olyver, Birde, Cowper and Thomas Harryman. With the exception of these men, the rest took part in only one or two riots. Those on the first riot only rioted once more, on the third. The men in the fourth riot had not been involved until that time. By limiting the number of times a man rioted, the chance of a serious charge being brought, or if brought, successfully prosecuted, was reduced. The risk was shared. Apart from the two strangers, William and John Wright, and the local man, Harley, there is information on all the rioters. Their biographies, given above, show that there were many formal and informal links between these men. In any village, one would expect to find connections of some sort between the villagers. What is peculiar about these men is that their inter-connections are almost exclusively with each other and exclusive of the 450 other inhabitants of Rugeley and Brereton. They were, in fact, members of a homogenous sub-group within their community.

None of them, with the exception of Olyver and his butcher's shop, held land from Paget. Paget had no tenurial control over these men, who, of all the villagers, were the ones least likely to be coerced into acquiescence. An analysis of their occupations gives further evidence of the group's homogeneity. Five were ale-house keepers, one a brewer, one a victualler and one a butcher. Three more acted as servants to these men. That is to say, out of the nineteen rioters we know something about, eleven were engaged in selling ale or victuals. (The fact that so many of them were associated with ale-houses shows that the Elizabethan dislike and regulation of these establishments were based on more than just puritan prejudice.) Of the remaining eight, two were servants, two labourers, three had trades, as tanner or tailor, and only one, John Wood, had any land, which he held from either Weston or Chetwynd. Thus it can be seen that all were independent of Paget, and most had occupations which made them independent of the farming routine.

These men formed the majority of those members of the village and hamlet most regularly cited in the manor court for offences against person and property. There were only a few indictments in Quarter Sessions relating to Rugeley or Brereton. Nearly all of these involved members of this group. They were, in brief, the local criminals.

None of Paget's cottagers rioted, no doubt in part because they were vulnerable to pressure from their lord. The absence of these least advantaged members of the rural community makes it difficult to maintain that the riots were the reaction of an oppressed peasantry. They got little benefit from the disturbances; it was Weston, and above all Aston who gained most. Nor can one argue that the rioters were acting on behalf of the weakest members of the community. When Fulke Grevill gained the lease of the woodland, and in the space of a few

years stripped it of trees, leaving it bare for centuries, these men did nothing. The gentry they supported in the early 1580's were the same men who joined Fulke Grevill in his exploitation of the area. The rioters were rogues, willing instruments of an unscrupulous gentry, acting from motives of personal profit. Rioting, for them, was merely another criminal activity. They showed little or no interest in social justice. It was Paget, not the rioters, who was concerned with the commonweal.

Such a detailed account of an Elizabethan rural riot is rare, if not unique. (I have been unable to find any other example.) Faute de mieux, one may use it both to make and to test generalisations about rural rioting in Early Modern England. (Because of the many links between riots and revolts, at this time, generalisations about rioting must be compatible with our knowledge of revolts.)

It would seem that people were more likely to riot on holy-days. That is to say, rioting was peripheral or additional to the main rural activity of farming. One rioted in one's spare time. If this proves general, it would show that rioting was typically not a tumultuous intermission in the life of a community but an additional, if special, group leisure activity.

Secondly, the reasons for a riot were various, local, and specific. Riots were not caused by an ineluctable conflict between the producer of the surplus product and the exploiter of that surplus product. Indeed, a coalition of interests between various groups may have been not merely the usual but the necessary precondition before the peasant would risk himself in a riot. Gentry or yeoman leadership may be the norm rather than the exception, not because they espoused peasant aspirations, but because the aims of the rioters coincided with the interests of the leaders.

Thirdly, rioting was not an excessively violent or dangerous activity. Mortal conflict was rare, perhaps even less common than in the normal course of inter-personal disputes. This was because rioting was conducted within certain non-articulated but well understood limits. As long as these bounds were not passed, authority would seldom attempt to interfere at the time and, later, would exercise leniency in punishments. In short, riots were an accepted even an acceptable form of direct action, open to and used by many groups. (This is another area in which the Elizabethan magistracy was less than effective in enforcing the law.)

Finally, the peasant participants of the Chase riots came from a specific and limited section of the community. They were non-producers; nearly all were members of service industries. Whether their job encouraged criminality, or whether the less law-abiding went into these occupations, the fact is they were a clearly observable criminal sub-group within the community. One wonders in how many other riots, the rioters were drawn from a similar group? Rural rioting may turn out to be not the community in revolt against injustice but the exploitation of tension within the community by a disaffected, non-conforming group, disposed by temperament and practice to criminality.

Chapter 7

Life, Death and the Church

Cannock and Rugeley were peculiars of the Dean and Chapter of Lichfield, and their records do not survive for this period. There is no parish register for Cannock, and that for Rugeley does not begin until 1569. Despite this lack of documentation, it is possible to make some comment on the demography of the area, and the religious practice and popular beliefs of the local people.

The demographic history is based upon data, on baptisms, burials and marriages, abstracted from the Rugeley Parish Register for the period 1570 - 1609.¹ The figures are collected by harvest years in order that the demographic information may be collated with that, calculated from price lists, on harvest qualities.²

Throughout the period 1570 to 1609, there were more baptisms than burials in each quinquennium.

Table 18

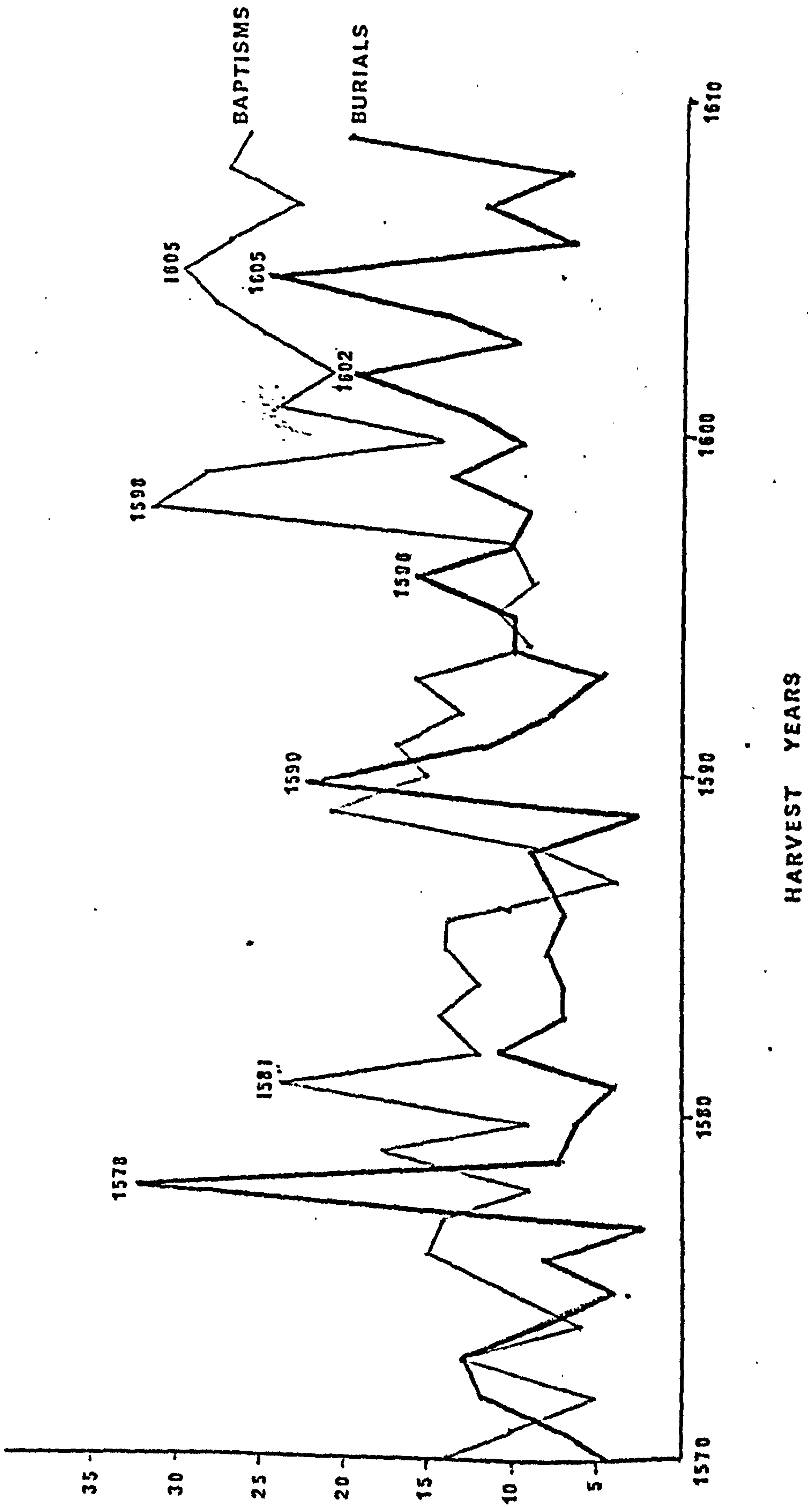
Baptisms and Burials in Rugeley, 1570 - 1609

<u>Period</u> (Harvest Years)	<u>Baptisms</u>	<u>Burials</u>	<u>Increase in population</u>
1570-4	48	44	4
1575-9	66	53	13
1580-4	71	35	36
1585-9	62	35	27
1590-4	70	57	13
1595-9	90	59	31
1600-4	113	69	44
1605-9	133	70	63
1570 - 1609	<u>653</u>	<u>422</u>	<u>231</u>

1. W. N. Landor (ed.), op. cit., pp.1-40. 2. The harvest year, here used, is dated by the calendar year in which it begins. Thus harvest year 1570 refers to the calendar period 1 Oct. 1570 to 30 Sept. 1571. (These terminal dates are employed to facilitate the abstracting of data from the register. Price lists are constructed on harvest years calculated from 29 Sept. to 28 Sept. The slight difference between the two sets of terminal dates is of no significance.)

FIGURE ONE

RUGELEY - ANNUAL NUMBERS OF BAPTISMS & BURIALS
(1570 - 1609)



Assuming that the figures for emigration and immigration were the same, then there was a steady and increasing growth in the size of the population of Rugeley. In 1570 there were 115 dwellings in the parish,¹ and this would give an estimated population figure of 517.² If this figure is correct, then the population of Rugeley and Brereton increased by 24% in the following thirty years, giving a total population in 1600 of 641. Ten years later the population was about 750.³

This general trend is confirmed when one looks at the annual figures.⁴ In only five years did the number of burials exceed the number of baptisms, and in only three years, 1578-9, 1590-1, 1605-6, were the numbers of deaths significant. In 1578-9 there were 32 burials, three times the annual average, and the highest number recorded in the forty year period covered by this analysis. The months of April, May, and June 1579 were the worst; a total of 24 burials was recorded. Of these deaths, four were in the Crosseley family, four in the Woodward family, and three in the Wakelin family. The high concentration of deaths within a few family groups, and the date of these deaths, early summer, suggest that Rugeley, like the neighbouring semi-industrial parishes,⁵ suffered an epidemic. In 1605-6 there were 25 burials, eight

1. Manor and parish were co-extensive; see above, p.3. n.5.

2. See above, pp.77-8.

3. These figures conform to the national trend. See Julian Cornwall, 'English Population in the Early Sixteenth Century', *Econ. Hist. Rev.*, ser. 2, xxiii (1970), 32-44.

4. See Figure 1.

5. There were epidemics in 1579 at Wednesbury, Wolverhampton, Tamworth and Wilnecote. D. M. Palliser, 'Dearth and Disease in Staffordshire, 1540 - 1670'. I am grateful to Dr. Palliser for letting me see a type-script of his article which is to appear in a forthcoming festschrift.

of which occurred in the month of August, and these may have been caused by an epidemic.¹ What is certain is that they were not caused by a harvest failure since the harvest that year was good.²

The high number of deaths in 1590-1, there were 22 burials that year, may have been caused by harvest failure.³ The year 1588-9 had not been a good one. The Staffordshire justices had complained that "mortalitye of Cattell [and] the vnseasonable weather" had "engendered and bredd a greate dearthe and scarcitye" in the county.⁴ It is possible that these bad conditions and their effects continued into 1590-1.

With this possible exception, there is no evidence of harvest failure causing a significant rise in the number of deaths in Rugeley. Neither the bad harvest of 1586 nor the sequence of very bad harvests between 1594 and 1597 are reflected in the parish register figures. There is evidence that the population of Rugeley suffered some distress as a result of the harvest failures in the later 1590's. At the Michaelmas sessions of 1598 the justices ordered neighbouring parishes to make weekly contributions to the upkeep of the poor of Rugeley. The order, made under the provisions of the recently enacted statute 'For the Reliefe of the Poor',⁵ was given because "the inhabitants of Ridgeley were not able to relieve their poor". In January 1599 Rugeley's churchwardens and overseers of the poor were empowered to distrain and sell the goods of the inhabitants of those parishes failing to make their contribution.⁶

1. There were widespread epidemics in Staffordshire between 1603 and 1605. Palliser, *op. cit.* 2. The quality of harvests, calculated from grain price data, are listed, for each year, in: W. G. Hoskins, 'Harvest Fluctuations and English Economic History, 1480-1619', *Agricultural Hist. Rev.* xii (1964), 28-46; C. J. Harrison, 'Grain Price Analysis and Harvest Qualities, 1465 - 1634', *Ibid.*, xix (1971), 135-155.
3. Hoskins lists 1590 as 'Average'; this author lists it as 'Deficient'.
4. Folger Shakespeare Library, Bagot Papers, La. 986. 5. 39 Eliz. c. 3. This is a very early example of the implementation of this provision in the Act.
6. *S.H.C.* 1935, p.70.

Those who were ordered to contribute protested. The inhabitants of Hatherton complained about the 1s weekly levy laid upon the township. "And for that yor seid Orators suppose themselves greatlie oppressed by the same Order for asmuche as they have within theire seid hamlett of hatherton fyve or sixe and Twentye poore people Olde Impotent and vnable to worke wch they of necessitie by force of the same Statute are bound to releeve, And they being but Eyght in number to releeve them." They, therefore, asked to be excused their contribution to Rugeley, and to be given help with their own poor.¹

A similar plea came from Colwich in the form of a letter from Thomas Wolseley, a local gentleman, to his influential neighbour Walter Bagot.²

"Sir, you know that in no place of this countrie the statute for reliefe of the poore is literally observed, but everye parishe, accordinge to his owne estate, dothe order the poore in diverse manner and presuminge that the meaninge of the law intendethe rather an orderly helpe of the poore then that manner of helpe which is prescribed by the same. And, therefore, if you will tye some one place to extremities of law and all others suffer to goe fre, you shall rather geve cause of discontentment then effect any thinge for the good of the countrie. For if auctoritie will worke by a law, it might [sic must] pursue the prescripcion of the law or else it hathe donne nothinge. There be non that goe nearer the performance of the law then Ridgely men and yet they are as farr fro [m] it as [? we]. We thinke our selves hardly

1. S.H.C. 1935, pp.78-9. 2. Folger Shakespeare Library, Bagot Papers, La. 942. The letter is dated 1 April; it is clear from the contents that it was written in 1599.

dealt with all to be appointed contributors vnto them, for I dare undertake to prove that no parishe in Staffordshier, vnlesse it be Ridgeley, hath more [? men] of helpe than we. The fault is onely because we came [sic canne] not whyn and byte hon [? home]. ... I thinke it very straunge that all Cuttlestone hundrethe is thought less able to make it [i.e. the contribution] then Collwiche parishe which, when the cause is to be examined with indifference, is rather to be exempted than any parishe of the hundrethe ...".

There were 16 burials in 1596-7 but by the time any aid could have reached Rugeley, if any did, the annual rate had already dropped to 10. The literary and statistical evidence combine to show that, even in years of distress, harvest failure did not have a concomitant effect on the mortality rate. Paradoxically, whilst harvest failure had no observable effect on the mortality rate, the annual pattern of availability of food did effect it. Of the 422 burials recorded, 140 (33%) occurred in the three months, April, May and June, preceding the grain harvest. Rugeley, despite the resources of the Chase, did have a 'harvest sensitive' element amongst its population.¹

If the main cause of death was sickness brought on or accentuated in effect by an insufficient food supply, another cause was the mortal danger of childbirth. Many mothers and children died at or soon after the birth. On 20 March 1577 Jane Orme was baptised. Six days later her mother² died, to be followed, two days later, by the infant

1. There is no correlation between the number of surrenders and admissions and the known mortality rate, therefore, one cannot use the former as a demographic index. 2. It is presumed that the Alice Orme buried that day was Jane's mother. The sort of family reconstitution carried out by Johnston for Powick (Worcs.) is impossible for Rugeley. The parish register does not provide a long enough run of evidence. See J. A. Johnston, 'Family Reconstitution and the Local Historian', The Local Historian, ix (1970), 9-15.

Jane. Agnes Wood was baptised on 9 September 1571, and buried on 27 September. Robert Swynnerton was baptised on 8 October 1588 and buried on 11 December the same year.¹ It is impossible to get beyond the cryptic entry in a parish register to the human tragedy which lay behind it. Whilst the attitudes of parents to their young children may have been governed to some extent by the knowledge that their off-spring were unlikely to reach adulthood, there is no reason to presume that bereaved parents did not grieve as much then as now. Nor may one assume that the death of a wife and mother was anything other than cause of pain to the surviving children and husband. People at that time needed fortitude in adversity and this they may have had, but this does not mean that they did not suffer.

In only three cases is there direct evidence of the cause of death. A boy, Richard Finimore, was "killed within the forge whiele".² Roger Ruthe was killed by a piece of falling timber. The Rugeley jury reported this incident at the court leet of April 1582 in order that the lord's right to the wood, as a deodand, could be recorded.³ It was for a similar reason that the jury of October 1573 presented the death of George Swancote who "did dryve a weyn with iiij oxen and j mare precij ix li. from ye Cannocke Wood towards Master George Broughton alias Smyth, his master's house, and by the wey the weyn fell apon ye seid George Swancote and slewe him." The steward noted "yt my lorde has xxs of Master Smyth for and in consid [eration] of ye deodant".⁴

There were 248 marriages between 1570 and 1609 and of these 86, just over a third, were celebrated in the months of October and

1. Rugeley Parish Register.
Parish Register, p.33.

2. On 15 Feb. 1605. See Rugeley
3. 2/1/184 m.56d. 4. 2/1/247 fo.6.

November. Obviously, this was the favoured time to set up a home. There was more money available after the harvest, and this was also a good time to let and sublet arable land. There were no marriages in March¹ and only three in December.

The majority of baptisms occurred in the winter and early spring. By extrapolation one may assume that most conceptions took place in February and the early summer.

Table 19

Baptisms and Conceptions in Rugeley 1570 - 1609

<u>Baptisms</u>	<u>Monthly Totals</u>	<u>Conceptions</u>
Oct.	48	Jan.
Nov.	75 (1)	Feb.
Dec.	58	March
Jan.	50	April
Feb.	72 (2)	May
March	68 (3)	June
April	53	July
May	51	Aug.
June	42	Sept.
July	43	Oct.
Aug.	43	Nov.
Sept.	50	Dec.

The statistics are of interest but leave many, more important questions unanswered. The religious attitudes to the sacraments of baptism, marriage, and burial and the practical response to the particular event engendering the sacrament are worthy of investigation.

Paulet called Staffordshire, "this infected shire", by which he meant that recusancy was widespread.² Bishop Bentham said that resistance to the Protestant religion was greatest in the towns;³ Bishop

1. Presumably because people were too busy at that time.
 2. Poulet, op. cit., p.98. 3. S.H.C. 1915, p.369.

Overton thought the whole county "dangerous and superstitious".¹ Mendoza, writing to Philip of Spain, reported a local opinion that "the gentry and common people of Staffordshire are strong Catholics".² In the 1580's missionary priests were active in the county, saying mass, administering the other sacraments, and converting many back to the old faith.³ Local magnates and gentry had a considerable influence on the attitudes of their tenants. As late as 1613, the vicar of Colwich, a parish bordering on the north of Rugeley, complained of the Popish practices of his congregation. The people persuaded themselves that their Catholic landlord would protect them in illegal ways.⁴ It is almost certain that Paget had a similar influence on his tenants. He was the most powerful Catholic lord in the county, the focus of both overt and covert opposition to the new religion.⁵ Even after his imprisonment for recusancy, he maintained, through his servants, his influence on religious practice both within and beyond his estate in Staffordshire.⁶ Many of his servants were Catholics, as Poulet was to note: "divers of the better calling of the late servants of the Lord Paget's are ill affected in religion, come seldom to the church, and that for fashion's sake only, and come not to the communion at all."⁷ In 1586 two of Paget's officers, Richard Ensore and Bryan Bolde⁸ were denounced as recusants. In the subsequent investigation, Ensore's servant admitted absenting himself from communion, and being married at a mass. Ensore's study was discovered to contain a number of Popish books, of which thirteen were removed by the investigators.⁹ Direct evidence on the

1. S.H.C. 1915, pp.376-7. 2. Ibid, p.381. 3. Ibid, pp.376, 384. 4. S.H.C. 1931, p.272. 5. See above, pp. 165-6.
6. In 1582 Paget's officers caused disturbances at the Easter services in Colwich and Burton. V.C.H. Staffs., iii, 99. 7. Poulet, op. cit., p.174.
8. Both were active on Paget's behalf in the riots on the Chase. See above, Chapter 6, sec. IV. 9. Poulet, op. cit., pp.180-1.

religious sympathies of the inhabitants of Cannock and Rugeley is limited. One of the major Cannock copyholders, Edward Sprotte, was arrested in 1588 and convicted of hearing mass. He, together with Erasmus Wolseley of Colwich, and others were sentenced to death but reprieved because of popular protest at the severity of the proposed punishment.¹ (Sprotte's Catholic loyalties had not prevented him acquiring the Cannock chantry lands.)² It is largely on the circumstantial evidence that one assumes the continuing influence of the old religion.

Formal allegiance to a doctrine may be less important than everyday practice. In this respect the influence of the local priest was crucial. In neither parish was the Church well served by the incumbents. Nicholas Adye, who from the mid-1570's was vicar of Rugeley, was regularly presented in the manor court for minor offences. In 1575 he was amerced 1s 10d for an affray on John Pannell. In 1576 Adye was amerced 10s for allowing his house to be used for dice playing, and he was amerced a further 6s 8d for playing dice.⁴ A year later his companions at bowls included Richard Weston and Robert Chetwyn.⁵ Adye was not again charged with gambling. Nevertheless, as late as 1604 Adye was accused by the Puritans of being a whoremonger, drunkard, and gamester,⁶ which is as apt a description as any of Richard Byrchenshaw,⁷ Adye's counter-part in Cannock. Another Cannock cleric, Thomas Brett was amerced for gambling.⁸

1. S.H.C. 1915, p.384. 2. 2/3/113 fo.19v. 3. 2/1/184 m.12.
Eighteen years later George Pannell was indicted in Quarter Sessions for assaulting Adye. S.H.C. 1930, pp.289-91. 4. 2/1/184 m.14d.
5. Ibid, m.29d. 6. A. Peel (ed.), 'A Puritan Survey of the Church in Staffordshire in 1604', Eng. Hist. Rev., xxvi (1911), 347. Apparently, Adye was also curate of Colwich at this time. According to the Puritans there were some recusants in the parish of Rugeley. 7. See above, pp. 145-6.
8. 2/1/184 mm.56, 57d.

Francis Colley, who eventually became vicar of Bushbury, served for a number of years as a Curate in Cannock.¹ Although he was never presented for affrays or gambling in Cannock, the Puritans had a low opinion of him. In 1604 they returned him as "scholaris ruralis et mediocriter doctus; no preacher; a mere worldling".² (They also claimed that virtually the whole population of Cannock were Papists.)³ The people of Cannock and Rugeley are unlikely to have received much spiritual leadership from these men.

Affrays in the church⁴ and the church yard,⁵ plus the bye-law forbidding people to stand "jangelynge and talkyng in the church yerde"⁶ are indications that people went to church. And, as we have seen, on two occasions the manor court dealt with those who absented themselves from divine service.⁷ Concern for the local people's moral welfare was shared between the Church and the manor court; the latter legislated on gambling and extra-marital sex, both of which were, obviously, significant social problems.⁸ There was some pre-marital sex,⁹ but it is difficult to say how prevalent this was, or to know the de facto ecclesiastical response to it.¹⁰

One knows virtually nothing about the attitudes of the people of Cannock and Rugeley towards the competing doctrines on the eucharist and the ministry. They probably remained loyal to the old faith,

1. From at least 1580 to at least 1593. See 2/1/184 m.49a, 2/1/186 m.48.
2. S.H.C. 1915, p.45. 3. Eng. Hist. Rev., xxvi (1911), 347.
4. 2/1/183 m.1. 5. 2/1/287 fo.16. 6. 2/1/183 m.38.
7. See above, p. 147. 8. See above, pp.145-7.
9. Harvy and Lyssatte married on 16 May 1585; their son was baptised on 7 June. Haydocke and Fysshier married on 24 April 1569; their daughter was baptised on 6 June. See Rugeley Parish Register. 10. It is unlikely that priests such as the whoremonger Adye would have acted as disciplinarians in these matters.

but it is impossible to say how important this was to them. Even the numbers attending divine service¹ are unknown. On one matter we may be certain; all burials were carried out by the parish priest, and all interments were in the local churchyard. And in this sacrament more than any other was the community united. Any doctrinal differences there may have been were overridden by the universal desire for a decent burial.

It is only recently that death has become a social embarrassment, and dying has been relegated to the lonely anonymity of an old people's home or to the antiseptic efficiency of a modern hospital. The people of Cannock and Rugeley died in their own cottages, within the community in which they had lived and worked, sustained and comforted in their dying by that community. It is important to note the public nature of the ritual which followed a death. Family, friends and neighbours accompanied the corpse through the village. And if they followed the practice of their neighbours in Colwich, they would kneel by the wayside cross to pray for the repose of the soul of the departed.² From thence they went to the churchyard for the final obsequies. No one in a village could ignore a death, nor was death an infrequent occurrence.³ The people of Cannock and Rugeley knew that in the midst of life they were in death, and as far as they could they made provision for it. Their elaborate settlements of their copyholds are eloquent testimony to the care which they took to provide for their families.⁴ Death was not allowed to interrupt the business of the living. George Smythe was buried on 13 October 1583. The same day his seventeen year old son was married; the father's death was not a sufficient reason to postpone the wedding.⁵

1. In 1614 the regular Sunday morning service was Mattins; presumably this was also the case in Elizabethan times. D1054/6/1/1. 2. S.H.C. 1931, p.272. 3. There were, on average, between 10 and 11 burials a year in Rugeley; the average number for Cannock was lower. 4. See above, Chapter 3, sec. III. 5. 2/1/186 m.9d; Rugeley Parish Register.

A death was the cause of great activity: mourners were called and the funeral was held; the deceased's goods and chattels were listed and appraised;¹ heriots were seized, widows took up their dowers and minorities were reported. Above all, it was the time when peasant land and wealth were redistributed. Until August 1559, Thomas Tromwyn was a landless labourer. It was only after the death of his father that he became a substantial copyholder with a messuage, a cottage, and 33 acres of land.² Thomas's social and economic status was transformed by the death of his father. Inheritance was the most important means by which the peasant accumulated land and wealth.³

Whilst some gained economic freedom through inheritance, many of the poorest must have suffered considerable hardship on the death of a bread-winner. When Peter Pereson died, Margaret, his widow returned, with her orphaned infant, to live with her father. Peter had left a gelding and some household goods. It was intended to use this inheritance to pay Peter's debts and, at least for a while, to support his wife and child. The inheritance was seized by a third party, and the father had to maintain his widowed daughter and the child out of his own resources.⁴

It has been shown that there was no significant increase in the number of deaths in years of harvest failure. This suggests that widows and orphans, the aged and the infirm, must have been in regular receipt of charity, at the least during the years of dearth. There was,

1. Two probate inventories survive, including one for the rioter Thos. Addams. See Appx. D. 2. See above, p.46.
3. Customary tenure enabled the peasantry to keep landed wealth within the community. 4. S.H.C. 1938, p.196.

at that time, no poor law system of parish relief, as far as one can tell. One charitable endowment is recorded. In 1567 William Alporte established a charity for the distribution, each Good Friday, of 10s amongst the thirty "most poore, aged and impotent people" of Cannock and Great Wyrley.¹ Alporte's foundation was but a gesture towards the problem; no one would have attempted to live on 4d a year. There was no formal system, either public or private for the distribution of relief, and yet one can be certain that some sort of support for the needy was forthcoming. One must conclude that charity in Cannock and Rugeley depended upon, and successfully depended upon, the largely unrecorded benevolence of family or neighbours. The case of the widowed Pereson is, surely, the true paradigm of philanthropy amongst the peasantry.

1. D1054/6/1/7.

Conclusion

The society of Cannock and Rugeley had many feudal characteristics. The yeomanry and peasantry were immediately and directly affected by the changing fortunes of the local gentry and the Pagets. Many aspects of their daily life were still regulated by the manor court, an essentially feudal institution. Their copyhold tenure and their rights of common were feudal in origin. The feudal or quasi-feudal structure of this society was comprehensive without being rigid or repressive; the copyhold tenure was adaptable enough to co-exist with a system of sub-tenanting; all received equal and largely effective protection in the manor court, and, if this proved inadequate, redress could be had, in the last resort, through the institutionalized riot.

This structure set the limits, providing security and a measure of economic freedom, but it did not determine the course of events which were the willed actions of individuals and groups of people in particular situations at particular points in time. This history is an account of those actions, through which, and only through which, are the peasantry known. This work will have succeeded in so far as it has emulated the practice and followed the precept of André Réville: "sous les actes et par le moyen de ces actes, il faut parvenir aux personnes et si c'est possible jusqu' aux âmes: c'est la fin et la justification de l'histoire".¹

1. André Réville, Le Soulèvement des Travailleurs d'Angleterre en 1381 (Paris, 1898), p.43.

Appendix A

Descent of Manorial Lands in Cannock

1549 Rental

1570 Reeve-Rental

Wm. Alporte	2s 10 $\frac{1}{2}$ d	heirs of John Alporte (1 mess., 9 a.)	2s 10 $\frac{1}{2}$ d
Ric. Alporte	3s 8d	Ralph Alporte (34 a. 2 r.)	3s 9d
Ric. Alporte (Blome smythe)	8s 8d		
John Arblaster	2s 4d	Francis Arblaster ('Brodehassels')	2s 4d
		Sir Walter Aston (4 a.)	nothing
Nic. Bagshawe (1 mess., 2 crofts)	1s 4 $\frac{1}{2}$ d	John Salte (1 mess., 2 crofts)	1s 4 $\frac{1}{2}$ d
Nic. Bagshawe	1s 0 $\frac{1}{2}$ d	John Grateley (1 mess., 14 a. 1 r.)	1s 0 $\frac{1}{2}$ d
Nic. Bagshawe (a mill)	67s 0d	John Colman (2 mills under 1 roof, 5 a.)	67s 0d
		John Colman (site for another mill)	2d
Ric. Barker (1 cot.)	1s 4 $\frac{1}{2}$ d	Wm. Barker (1 mess., 18 a.)	1s 4 $\frac{1}{2}$ d
Henry Baxter	5s 2d		
Henry Baxter & Nic. Hill	3s 6d	Wm. Alporte (1 mess., 67 a.)	8s 8d
Henry Baxter & Nic. Hill	3s 6d	Andrew Mille (1 mess., 5 a. 3 r.)	3s 6d
Roger Birche	4s 0d	Roger Birche (1 mess., 45 a. 2 r.)	4s 0d
Ralph Bostocke	1s 8 $\frac{1}{2}$ d	Thos. Bostocke (1 mess., 24 a.)	1s 8 $\frac{1}{2}$ d
Humfrey Chapman	7s 4d	Humfrey Chapman (1 mess., 56 a. 1 r.)	7s 4d
		Lawrence Chapman (1 mess., 1 cot, 12 a. 1 r.)	1s 4 $\frac{1}{2}$ d

1585 Rental

1597 Rental

heirs of John Alporte	2s 10 $\frac{1}{2}$ d	heirs of John Alporte (1 mess., 9 a.)	2s 10 $\frac{1}{2}$ d
Ralph Alporte	3s 9d	Ralph Alporte (34 a. 2 r.)	3s 9d
Geo. Arblaster (<i>'Brodehassels'</i>)	2s 4d	Thos. Arblaster (<i>'Brodehassels'</i>)	2s 4d
John Salte	1s 4 $\frac{1}{2}$ d	John Salte	1s 4 $\frac{1}{2}$ d
John Grateley	1s 0 $\frac{1}{2}$ d	John Grateley	1s 0 $\frac{1}{2}$ d
John Colman (a mill)	67s 0d	Walter Colman (2 mills under 1 roof, 5 a.)	67s 0d
John Colman (waste)	2d	Walter Colman (2 a. of waste)	2d
Wm. Barker	1s 4 $\frac{1}{2}$ d	Wm. Barker (1 mess., 18 a.)	1s 4 $\frac{1}{2}$ d
Wm. Alporte	8s 8d	John Alporte (1 mess., 67 a. 1 r.)	8s 8d
		Francis Colly	3s 6d
John Birche	4s 0d	John Birche (1 mess., 45 a. 2 r.)	4s 0d
Thos. Colmore	1s 8 $\frac{1}{2}$ d	Thos. Colmore (c.24 a.)	1s 8 $\frac{1}{2}$ d
Wm. Chapman	7s 4d	Wm. Chapman (1 mess., 56 a. 1 r.)	7s 4d
Wm. Chapman	1s 4 $\frac{1}{2}$ d	Wm. Chapman (1 mess., 12 a. 1 r.)	1s 4 $\frac{1}{2}$ d

1549 Rental

1570 Reeve-Rental

Ralph Chapman	2s 3½d	Thos. Bostocks (1 mess., 15 a.)	2s 3½d
Wm. Colman	14s 1½d	John Colman (1 mess., 4 cots., 109 a.)	14s 2d
		John Colman (1 mess.)	4d
heirs of Collyns	1s 7½d	Webbe & Robotham (1 cot., 15 a.)	1s 7½d
Humfrey Cookes	5s 11½d	Humfrey Cookes (1 mess., 3¼ a.)	5s 11½d
Wm. Cowper	11d	Wm. Cowper (1 mess., 3 a. 2 r.)	11d
Geo. Cresswall (1 past.)	8d	Wm. Cresswall (6 a.)	8d
		Wm. Crycheley (1 a.)	nothing
John Dale	1s 7½d	John Dale (1 cot., 1 a. 3 r.)	1s 7½d
		Robert Daryngton (1 cot.)	nothing
		John Dekyn (2 mess., 1 cot., 31 a.)	2s 2d
Ralph Dekyn	2s 7½d	Wm. Fynney (1 mess., 3 a. 2 r.)	5½d
Hugo Dekyn (1 cot.)	6s 0d	Roger Heyes (1 cot., 10 a.)	6s 0d

1585 Rental

1597 Rental

Chris. Aston	2s 3½d	Chris. Aston (15 a. 2 r.)	2s 3½d
John Colman	14s 2d	Walter Colman (1 mess., 4 cots., 108 a.)	14s 2d
John Colman (1 mess.)	4d	John Birche	4d
Webbe & Robotham	1s 7½d	Webbe & Robotham (1 cot., 15 a. 1 r.)	1s 7½d
Wm. Cookes	5s 11½d	Wm. Cookes (1 mess., 34 a.)	5s 11½d
Wm. Cresswall	8d	Thos. Cresswall	8d
Geo. & Agnes Parkin	1s 7½d	Geo. Parkin (1 cot., 1 a. 3 r.)	1s 7½d
John Dekyn	2s 2d	John Dekyn (2 mess., 1 cot., 31 a.)	2s 2d
Wm. Fynney	5½d	Wm. Colmore	6½d
Roger Heyes	6s 0d	Roger Heyes (1 cot., 10 a.)	6s 0d

1549 Rental

1570 Reeve-Rental

Henry Fowke	5s 8½d	Edw. Fowke (1 mess., 3 cots., 59 a.)	5s 8½d
		Edw. Fowkes (6 a.)	nothing
Brian Fowler (1 tenement.)	8d		
Ric. Grateley (le Forge Place)	2d	John Grateley (a forge)	2d
		Robert Blake (1 mess., 6 a.)	8d
		Thos. Wallowes (1 mess., 1 cot., 54 a. 2 r.)	9s 10½d
Reg. Grevall	13s 9½d	Wm. Fynney (1 a.)	1d
		John Salte (1 cot., 4 a. +)	8d
		Thos. Tille (1 mess., 21 a. 2 r.)	1s 6d
		Ric. Lees (7 a.)	4d
		[Remainder incorporated into Sprotte holding]	
Jacob Hampton	2s 0d	Hugh Hampton (pasture)	2s 0d
John Hanley	1s 0½d	John Hanley (land)	1s 0½d

1585 Rental

1597 Rental

Wm. Henney (1 a.)	1d	Wm. Henney (1 a.)	1d
Ellena Fowke	11d	John Haselton	11d
Ric. & Alice Grateley (8 a. +)	10d	Henry Heley	10d
Ralph Alporte	4d	Ralph Alporte	4d
Thos. Tromwyn	6d	Thos. Tromwyn	6d
John Colman	3s 0 $\frac{1}{2}$ d	Walter Colman	3s 0 $\frac{1}{2}$ d
Ric. Grateley (a forge)	2d	Francis Pooler (a forge)	2d
Robert Blake (1 mess., 6 a.)	8d	Robert Blake (1 mess., 6 a.)	8d
Thos. Wallowes	9s 10 $\frac{1}{2}$ d	Thos. Wallowes (1 mess., 1 cot., 54 a. 2 r.)	9s 10 $\frac{1}{2}$ d
Wm. Fynney	1d		
John Salte	8d	John Salte	8d
Thos. Tille	1s 6d	Wm. Tille	1s 6d
Ric. Lees	4d	Thos. Lees	4d
Hugo Hampton	2s 0d	John Hampton (pasture)	2s 0d
Ric. Hanley	1s 0 $\frac{1}{2}$ d	John Hanley	1s 0 $\frac{1}{2}$ d

1549 Rental

1570 Reeve-Rental

Nic. & Thos. Henney	2s 11½d	Wm. Henney	2s 11½d
John Justice	5s 10½d	Wm. & Helen Wade (2 mess., 55 a. 3 r.)	5s 10½d
Jacob Leveson	4s 0d	Lord of Wirley (4 yardlands)	4s 0d
		Edw. Littleton	8s 6d
		Edw. Littleton	8d
Edward Littleton	3s 0d	Edw. Littleton	3s 0d
Nm. Nevall	1s 11d	Walsall Grammar School (11 a.)	1s 11d
John Nickyn	2d	John Nickyn (1 a.)	2d
heirs of Nicolles	4d	heirs of Nicolles (1 cot., 5 a.)	3d
John Norton	5d	Humfrey Norton (3 a.)	5d
Lord of Norton	5d	Lord of Norton (for manor of Norton)	5d
William Packington	4s 11d		
Eliz. Packington	4s 11½d	Wm. Fynney (1 mess., 20 a. 2 r.)	4s 11½d
Francis Rigeley (1 mess.)	6s 0d	Thomas Rigeley (2 a.)	6s 0d
Edw. Sprotte	18s 5d	Edw. Sprotte (158 a.)	18s 9d
		Ric. Salte (1 cot.)	2d
		Wm. Pereson (½ cot: new rent)	4d

1585 Rental

1597 Rental

Wm. Henney (1 mess., 18 a.)	2s 11½d	Wm. Henney (1 mess., 18 a.)	2s 11½d
Wm. & Helen Wade	5s 10½d	Wm. & Helen Wade (55 a. 3 r.)	5s 10½d
Walter Leveson (4 virgates)	4s 0d	Lord of Wirley (4 virgates)	4s 0d
Lady Littleton (1 cot. & lands)	8s 6d	Lady Littleton	8s 6d
Lady Littleton	8d	Lady Littleton (1 a. 2 r.)	8d
Lady Littleton	3s 0d	Lady Littleton	3s 0d
Walsall Grammar School	1s 11d	Walsall Grammar School (11 a.)	1s 11d
John Nickyn (1 a.)	2d	John Nickyn (1 a.)	2d
John Poulton (1 cot., 5 a.)	3d	John Poulton (1 cot., 4 a. 3 r.)	3d
Humfrey Norton	5d	Humfrey Norton	5d
Vernon <u>et al.</u> (manor of Norton)	5d	Lord of Norton	5d
Wm. Fynney	4s 11½d	Wm. Fynney (1 mess., 20 a.)	4s 11½d
Ant. Rigeley	6s 0d	Thomas Rigeley (2 a. +)	6s 0d
Edw. Sprotte	18s 9d	Roger Sprotte (1 mess., 158 a.)	18s 9d
Ric. Salte (1 cot.)	2d	Mary Straunge (1 cot.)	2d
John Tompkyns (1 cot.)	4d	John Tompkyns (1 cot.)	4d

1549 Rental

1570 Reeve-Rental

John Tromwyn	6s 4½d	Thos. Tromwyn (1 mess., 1 cot., 25 a. + 8 a.)	6s 4½d
Ric. Tromwyn	1s 5¼d	Joanna Tromwyn (2 cots., 6 a. 1 r.)	1s 5¼d
Robt. Webbe	6d	Thos. Bostocke ('The Ruddockes' .)	6d
Humfrey Wood	10s 0d	Thos. Wood (1 mess., 2 cots., 61 a.)	10s 0d
heirs of Salway	60s 0d	John Leveson (208 a.)	33s 4d
		Edw. Sprotte (73 a.)	6s 8d
		Francis Biddulph (205 a.)	20s 0d
Frithsilver	4s 0d	Frithsilver	4s 0d
Guardians of the Church	15s 3½d	[Transferred in 1570 to Geo. Smythe in Chantry Rental]	
		Dean & Chapter of Lichfield (5 a.)	nothing
		Osborne Lodge (20 a.)	nothing
		Reeve Acre (LOST!)	[2s 6d]

1585 Rental

1597 Rental

Thos. Tromwyn	6s 4 $\frac{1}{2}$ d	Thos. Tromwyn (1 mess., 1 cot., 25 a. + 8 a.)	6s 4 $\frac{1}{2}$ d
Joanna Tromwyn (2 cots., 6 a.)	1s 5 $\frac{1}{4}$ d	Nic. & Eliz. Cley (2 cots., 6 a.)	1s 5 $\frac{1}{4}$ d
Chris Aston	6d	Chris Aston	6d
Henry Wood (1 mess., 2 cots. & land)	10s 0d	Henry Wood (1 mess., 2 cots., 61 a.)	10s 0d
Thos. Leveson	33s 4d	Walter Leveson (208 a.)	33s 4d
Edw. Sprotte	6s 8d	Roger Sprotte (73 a.)	6s 8d
		[Thos. Wolsey]	3s 4d
Frithsilver	3s 0d	Frithsilver	3s 0d

Appendix B

Chantry and New Lands in Cannock

1570 Chantry Rental¹

Ric. Abbott (1 cot., 2 a.)	3s 4d
Wm. Alporte (Chantry)	1s 3d
John Aston (3 a.)	3s 0d
Wm. Barker (Chantry)	11d
[Ralph Bromall (1 cot., 7 a.)]	[8s 0d]
Humfrey Chapman (Chantry)	1s 8d
John Colman (Chantry: 1 a. 1 r.)	7s 0d
John Colman (Chantry: Priest's Chamber)	2s 8d
John Colman (6 a.)	3s 0d
John Colman (Lane)	1d
John Colman (Chantry)	4s 3d

1. Original Chantry Lands are indicated - 'Chantry'.

1585 Rental

1597 Chantry Rental

Ric. Abbott (1 cot., 6 a.)	3s 4d	Widow Abbott	3s 4d
Wm. Alporte	1s 0d	John Alporte (Chantry)	1s 3d
Wm. Barker	10d	Wm. Barker	11d
Ralph Bromall (1 mess., 6 a.)	8s 0d	Francis Bromall (1 cot., 7 a. 2 r.)	8s 0d
Wm. Byxon (1 new cot.)	4d		
Wm. Chapman	1s 8d		
John Colman (1 mess., 1 croft)	7s 0d	Walter Colman (1 cot., 1 a. 1 r.)	7s 0d
John Colman (Priest's Chamber)	2s 8d	Walter Colman (Priest's Chamber)	2s 8d
John Colman (6 a.)	3s 0d	Walter Colman (6 a.)	3s 0d
		Walter Colman (Lane)	1d
		Walter Colman (3 a.)	5s 5d
		Walter Colman	2d

1570 Chantry Rental

Humfrey Cookes (Chantry)	2s	0d
Edw. Fowkes (Chantry: lane)		1d
heirs of Grevall (Chantry)	2s	4d
Wm. Hankyn (1 cot., 3 a. 2 r.)	12s	10d
Ric. Lees (a forge, 2 a.)	1s	6d
Ric. Patricke (16 a. 3 r.)	6s	11d
Geo. Smythe (Chantry: 46 a. 1 r; previously in the tenure of the Guardians of the Parish Church.)	22s	2d
Edw. Sprotte (Chantry: 49 a.)	25s	4d
Wm. Wade (Chantry)	3s	8d
Webbe & Robothame (Lane)		2d

1585 Rental

1597 Chantry Rental

			Wm. Cookes	2s 0d
			Robert Blake <u>et al.</u>	2s 4d
John Hand (1 new cot.)	6d			
Ric. Grateley (1 cot., 3 a. 2 r.)	12s 0d	Ric. Barbor (1 cot., 3 a. 2 r.)	12s 10d	
John Lees (a forge, 2 a.)	1s 6d	John Lees (a forge, 2 a.)	1s 6d	
John Patricke	6s 11d	Widow Patricke (16 a. 3 r.)	6s 11d	
John Smythe	22s 2d	John Smythe	22s 2d	
Thos. Sprotte (1 mess. & lands)	25s 4d	Roger Sprotte (1 mess., 49 a.)	25s 4d	
		Wm. Wade	3s 8d	
		Wm. Wade (enclosure of waste)	6s 8d	
		Thos. Webbe (Lane)	2d	
		Roger Sprotte	12s 7d	

1570 Chantry Rental

1585 Rental

1597 Chantry Rental

NEW COTTAGES

John Ady	2s	0d
John Arnold	3s	4d
Wm. Alton	1s	8d
John Blockley	1s	0d
Thos. Bowers	5s	0d
Henry Brockhowse	1s	4d
Humfrey Chunall	2s	0d
Chris. Clyffe	5s	0d
Ralph Grynden	1s	8d
Ant. Harvey	2s	0d
John Howys	6s	8d
Robt. Rochell	1s	0d
John Thomas	2s	0d

Appendix C

The Real Rent of Copyhold Land in Cannock, 1545 - 1600

<u>Name</u>	<u>Period</u>	<u>No. of Years</u>	<u>Size of Holding</u>	<u>Annual Rent</u>	<u>Total</u>	<u>Heriots & Entry fines</u>	<u>Total all Payments</u>	<u>Real Rent</u>	<u>Charge per acre</u>
COOKES	1545-1600	55	1 mess. 34 a.	5s 11½d	327s 8½d	41s 4d (13%)	369s 0½d	6s 8½d	2.4d
TROMMÉN	1545-1600	55	1 mess. 1 cot. 33 a.	6s 4½d	350s 7½d	10s 0d (3%)	360s 7½d	6s 6½d	2.4d
HENNEY	1549-1600	51	1 mess. 18 a.	2s 11½d	150s 10½d	55s 1½d (37%)	206s 0d	4s 0½d	2.7d
BARBER	1549-1600	51	1 mess. 18 a.	1s 4½d	70s 1½d	50s 0d (71%)	120s 1½d	2s 4½d	1.6d
BIRCHE	1545-1600	55	1 mess. 45 a. 2 r.	4s 0d	220s 0d	142s 4d (65%)	362s 4d	6s 7d	1.7d
WOOD	1545-1600	55	1 mess. 2 cots. 61 a.	10s 0d	550s 0d	290s 0d (53%)	840s 0d	15s 3d	3.0d
DALE & PARKIN	1545-1600	55	1 mess. 1 a. 3 r.	1s 7½d	89s 4½d	9s 2d (10%)	98s 6½d	1s 9½d	12.3d
COMPER	1545-1577	32	1 mess. 3 a. 3 r.	11d	29s 4d	91s 0d (310%)	120s 4d	3s 9d	12.0d
HYLL et al.	1565-1600	35	1 mess. 5 a. 3 r.	3s 6d	122s 6d	153s 4d (125%)	275s 10d	7s 10½d	16.4d
BROMAILL	1565-1600	35	1 cot. 7 a.	8s 0d	280s 0d	114s 6d (41%)	394s 6d	11s 3d	19.0d

Appendix D

Two Probate Inventories

Inventory of the goods of in the house of Thomas Blurton in
Rugeley, made by Richard Broughton Esq. 20 [September] 1565.¹

Att which daye Richard Broughton Esq. toke a vewe of all suche gooddes
as remayned and were in the custodye and howse of Thomas Blurton in
Rydegeley foresaid.

Fyrste in the Howse:

- + one sylynge of Waynescote
- one folden table
- one forme
- one pott
- a voyder of pewter
- j (little) platter
 - ['one sawser' - deleted in original]
- [? ij] (little) candle styckes
- two [deleted later for 'j'] (olde) pannes
- + one [quarte] potte
- one lattyn lavor
- + one chere
- one chere with a fallyng table
 - ['falling table' - deleted in original]
- + one ['landyron' or 'handyron']
- + an axe
- ij [deleted later for 'j'] (old) cubberdes
- + ij [deleted later for 'j'] payles
- + one lorne
- one bill, an axe and hatchett [all deleted later]
- + one kettle of brasse

Le Chambers:

- + one besteede
- + one mattres and a payre of canvass sheetes
- + with one coveringe
- + ij coffers
- + one paynted clothe
- + one little cheste
- (al' cam': a bebsted, a matres & etc.)

In the Barne:

- one loode of haye

Wytnes hervnto:

Roberte Johnson & George Vyses²

1. 2/1/183 m.25. Later additions in round brackets; hieroglyphics at the beginning of each entry, as on the original. 2. The jury valued these goods at 10s.

Inventory of the goods of Thomas Addams left in the hands of
Thomas Norres, in his house in Rugeley, made 1 March 1602/3.¹

[fo. lr.]

1 framed longe table, 1 short framed table, 1 syled bench, and a forme, and the sylynge in the same house, with 3 syled dores in the same house.

In the Over Parlor:

a presse with 2 lockes and keys for the same, 1 syled bedde, 1 folden table, certeyne paynted clothes, a locke and a key for the parlour dore.

In the Lower Parlor:

2 syled beddes, the sylynge there, a table, a benche, 3 panes of glasse, a locke and key for the parlour dore.

In the Buttrie:

1 [? sabe], 3 benches, a powdrynge trowghe, one glass window, a locke and key for the buttrie dore.

In the Kytchen:

1 glasse wyndowe, a mouldynge borde, 3 panes of glasse in the high chamber and lettesses in fower wyndowes.

In the Oxe House:

Cratches, manngeres for ll bestes, bordes to kepe in their fodder, 1 water bourd standing in the well house, and 1 ladder.

1 locke and a key for the barne dore, a locke and key for the house dore, a bucket and chain for the well, a scaffold over the kyne bynges to ley hey on covered with poles and pales, one arke to put corne in, 1 grett cofer with a locke and a key, cratche and mannger for a stable.

[Signed] Thomas Norres

[fo. lv.]

Memoranda:

Lent to George Pannels wyffe, a great fatt to boolte meale in.

Lent to my j (sic) mystreys of the lee, 2 drynke barreles.

At Ralph Smythes, a syled bed and a brasse pot of blackes.

At Thomas Olyvers, a cubbard ... that was [? Oremes] Harrycot.

ADDENDUM

After this work was completed, Mr. A. C. Jones kindly drew my attention to another 'valor' of the Paget estate. This 77 folio book (call number: 139/53), in the custody of the Buckinghamshire Archaeological Society at the County Museum, Aylesbury has been described as 'A Valor of the Paget Estate, 2 & 3 Philip & Mary'. It is, in fact, a record of the accountability of the various Paget bailiffs for the years 2 & 3, 3 & 4, and 4 & 5 Philip & Mary, and it might more accurately be described as 'Summary Bailiffs-Accounts, 1555/6 - 1557/8'. The document could and may have been used as a valor, and it probably represents the culmination of the enquiry which began with the topographical surveys of 1554, referred to on p.37. It has not yet been possible to establish the existence of new rentals arising from those surveys.

Select Bibliography

K. J. Allison, 'Flock Management in the Sixteenth and Seventeenth Centuries', Econ. Hist. Rev. ser. 2, xi (1958-9).

Anon, Modus tenendi Cur' Baron' cum visu franci plegii (Wynkyn de Worde, London, 1510). B.M. shelf-mark: C.40.d.55(3).

Anon, The manner of keepynge a Court Leet and Court Baron (Eliz. Pykeringe, London, 1541/2). B.M. shelf-mark: C.124.cc.9(3).

Anon, Modus tenendi curiam baronis (Thos. Berthelet, London, 1544). B.M. shelf-mark: 516.a.2.

Anon, The Order of keeping a Court Leet and Court Baron (Thos. Wight, London, 1603). B.M. shelf-mark: 507.a.34.
(See ibid (London, 1625). B.M. shelf-mark: 1130.c.41.)

W. O. Ault, Open-Field Husbandry and the Village Community: a Study of Agrarian By-Laws in Medieval England (Philadelphia, 1965).

W. O. Ault, Open-Field Farming in Medieval England (London & New York, 1972).

P. Bowden, 'Agricultural Prices, Farm Profits and Rents', Joan Thirsk (ed.), Agrarian History of England, iv.

S. A. H. Burne (ed.), 'The Staffordshire Quarter Sessions Rolls', (4 vols.) S.H.C. 1929, 1930, 1932, 1935.

L. M. Cantor, 'The Medieval Forests and Chases of Staffordshire', North Staffs. Journal of Field Studies, viii (1968).

J. S. Cockburn, A History of English Assizes 1558 - 1714 (Camb. 1972).

Sir Edward Coke, Institutes of the Laws of England (4 parts; London, 1628-44). (Part 1 commonly known as Coke on Littleton.)

Sir Edward Coke, The Complete Copyholder (1630).

J. P. Cooper, 'The Pagets and the Iron Industry of the Sixteenth Century'. (Unpublished paper.)

W. J. Corbett, 'Elizabethan Village Surveys', Trans. Roy. Hist. Soc., new. ser., xi (1897).

C. S. L. Davies, 'The Pilgrimage of Grace Reconsidered', Past & Present, no.41 (Dec. 1968).

J. P. Dawson, A History of Lay Judges (Cambridge, Mass., 1960).

Michael Drayton, Poly-Olbion (1613 & 1622).

F. G. Emmison, Elizabethan Life: Disorder (Essex, 1970).

Sampson Erdeswicke, A Survey of Staffordshire (written c. 1595; ref. to the edn. of 1723).

W. Fleetwood, The Office of a J.P. (London, 1658).

S. R. Gammon, Statesman and Schemer: William, First Lord Paget, Tudor Minister (Newton Abbot, 1973).

V. Gibbs et al. (ed.), The Complete Peerage ..., (London, 1910-1957).

J. H. Gleason, The Justices of the Peace in England: 1558 - 1640, (Oxford, 1969).

M. W. Greenslade, 'Cannock Forest', V.C.H. Staffs., ii (1967).

M. W. Greenslade, 'Cannock', V.C.H. Staffs., v (1959).

M. W. Greenslade, 'Rugeley', V.C.H. Staffs., v (1959).

F. W. Hackwood, The Chronicles of Cannock Chase (1903).

G. Hammersley, 'The Charcoal Iron Industry and its Fuel, 1540 - 1750', Econ. Hist. Rev., ser. 2, xxvi (1973).

C. J. Harrison, 'Grain Price Analysis and Harvest Qualities, 1465-1634', Agric. Hist. Rev., xix (1971).

P. D. A. Harvey, A Medieval Oxfordshire Village: Cuxham 1240 to 1400 (Oxford, 1965).

A. Hassell Smith, 'Justices at Work in Elizabethan Norfolk', Norfolk Archaeology, xxxiv, (ii).

D. Hay, 'Poaching and Game Laws on Cannock Chase in the Eighteenth Century' (to be published).

Leo Hicks, An Elizabethan Problem (London, 1964).

W. G. Hoskins, 'Harvest Fluctuations and English Economic History 1480-1619', Agric. Hist. Rev., xii (1964).

Giles Jacob, The Compleat Court-Keeper (London, 1713).

Giles Jacob, The Court-Keeper's Companion (London, 1717).

M. E. James, 'Obedience and Dissent in Henrican England: the Lincolnshire Rebellion 1536', Past & Present, no.48 (Aug. 1970).

I. H. Jeayes (ed.), 'Descriptive catalogue of the charters and muniments belonging to the Marquis of Anglesey,....', S.H.C. 1937.

I. H. Jeayes (ed.), Calendar of the Longdon, Lichfield, and other Staffordshire charters,...., S.H.C. 1939.

B. L. C. Johnson, 'Iron to 1750', V.C.H. Staffs., ii, (1967).

J. A. Johnston, 'Family Reconstitution and the Local Historian', The Local Historian, ix (1970).

Eric Kerridge, Agrarian Problems in the Sixteenth Century and After (London, 1969).

William Lambard, Eirenarcha..., (London, 1581/2).

William Lambard 'Ephemeris' in Conyers Read (ed.), William Lambard and Local Government (New York, 1962).

W. N. Landor, 'History of Rugeley' (Typescript in two volumes in the William Salt Library).

W. N. Landor (ed.), Rugeley Parish Register, part 1, 1569-1772 (published by the 'Staffs. Parish Register Soc.'; no place, no date).

W. N. Landor (ed.), 'Staffordshire Incumbents and Parochial Records, 1530-1680', S.H.C. 1915.

Peter Laslett, The World We Have Lost (2nd. ed., London, 1971).

John Leland, Itinerary... 1535 - 1543 (edited by L. T. Smith, London, 1906-8).

Lord Leconfield, Petworth Manor in the Seventeenth Century (Oxford, 1954).

F. W. Maitland (ed.), 'Select Pleas in Manorial and other Seignorial Courts', Seldon Soc., ii (1889).

F. W. Maitland & W. P. Baildon, 'The Court Baron', Seldon Soc., iv (1891).

R. A. Marchant, The Church Under the Law (Camb., 1969).

Roy Millward & Adrian Robinson, The Valley of the Upper Trent (Basingstoke & London, 1971).

John Morris (ed.), The Letter-Books of Sir Amias Poulet, (London, 1874).

G. R. Morton, 'The Reconstruction of an Industry - The Paget Ironworks, Cannock Chase, 1561', Lichfield & South Staffs. Arch. & Hist. Soc., vi (1964-5).

John Norden, The Surveiors Dialogue (3rd edn., 1618).

C. S. & C. S. Orwin, The Open Fields, (3rd edn., Oxford, 1967).

D. M. Palliser, 'Dearth and Disease in Staffordshire, 1540-1670.', C. W. Chalkin & M. A. Havinden, (ed.), Rural Change and Urban Growth (to be published, 1974).

D. M. Palliser & A. C. Pinnock, 'The Markets of Medieval Staffordshire', North Staffs. Journal of Field Studies, xi (1971).

A. Peel (ed.), 'A Puritan Survey of the Church in Staffordshire in 1604', Eng. Hist. Rev., xxvi (1911).

R. A. Pelham, 'The Migration of the Iron Industry towards Birmingham during the Sixteenth Century', Trans. & Proc. of the Birmingham Arch. Soc., lxvi (1945-6).

Robert Plot, The Natural History of Staffordshire (Oxford, 1686).

Ronald A. Rebholz, The Life of Fulke Greville, first Lord Brooke (Oxford, 1971).

S. Shaw, The History and Antiquities of Staffordshire... 2 vols: (London, 1798 & 1801).

A. W. B. Simpson, An Introduction to the History of Land Law (Oxford, 1961).

A. G. R. Smith, The Government of Elizabethan England (London, 1967).

Peter & Margaret Spufford, Ecoleshall, (Keele, 1964).

H. Strutt & J. C. Cox, 'Duffield Forest in the Sixteenth Century', Derbs. Arch. & Nat. Hist. Soc., xxv (1903).

Joan Thirsk, 'Horn and Thorn in Staffordshire: the Economy of a Pastoral County', North Staffs. Journal of Field Studies, ix (1969).

Joan Thirsk (ed.), The Agrarian History of England and Wales, iv (Cambridge, 1967).

Keith Thomas, Religion and the Decline of Magic (2nd edn. Middx., 1973).

E. P. Thompson, 'The Moral Economy of the English Crowd in the Eighteenth Century', Past & Present, no.50 (Feb. 1971).

J. Z. Titow, English Rural Society, 1200-1350 (London, 1969).

Joyce Youings, 'Landlords in England: The Church', in Joan Thirsk (ed.), Agrarian History of England, iv.