

Tenants, Tenures and Transfers:
the landholding experience of rural customary tenants
in some Hampshire downland manors, 1645-1705

Submitted by Juliet Dorothy Gayton to the University of Exeter
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Abstract

This thesis examines the impact of different customary manorial tenures on the land transfer activities of rural tenants between 1645 and 1705. The study of land transfer has formed part of the attempt by historians to establish how and why England developed from family-based subsistence farming into large-scale commercialised agriculture before many of its Continental neighbours. A key element in any study of land transfer is the property rights of those undertaking the transfers. England had a variety of customary tenures, and little research has focussed on how they operated and impacted on rural tenant transfer behaviour in the early modern period. This study uses evidence from eight manors in Hampshire with four different types of tenure to explore how they affected what land transfer options the tenants had, and how transfers were used to further family and economic objectives. The types of tenure were copyhold of inheritance; copyhold for three lives; copyhold for three lives where the first could act alone; and a form of customary freehold. The main documentary sources are manorial records augmented by parish, probate, survey and taxation material.

The tenurial and landholding structure of the manors is established for 1645 using the Cromwellian Parliamentary Surveys of confiscated ecclesiastical estates. The analysis of subsequent tenant land transfers through to 1705 then examines their volume and any correlation with prices and population movements. The permanent transfers of death/inheritance and the *inter vivos* land market are analysed to assess the extent to which tenants were attached still to family, or taking part in an active extra-familial investment and sales market; and whether this led to changes over time in farm holding size and distribution. The temporary transfers of sub-letting of land and sub-tenure of dwellings are then analysed. The latter has not been studied before, and uses the Hearth Tax returns to compare occupiers of dwellings with formal tenants. Finally a detailed study of mortgages is made. Previous studies of the use of land as collateral for a mortgage loan have often overlooked the rural tenant as a participant in the credit market, and changes in the laws of usury at the end of the sixteenth century produced a significant uptake of mortgaging in the seventeenth, which makes this study timely.

The research reveals that the tenants were very active with their transfers, but that the way in which they were active was determined by tenure. Those with copyhold of inheritance tenure had many options including inheritance, sale, mortgaging, sub-letting, splitting holdings, and conditional surrenders to provide for old age or several children. Those with copyhold for lives were restricted to after-death transfers, shuffling of reversion lives, or sub-letting. However, they adapted, and while Inheritance-tenured tenants adopted mortgages with enthusiasm, Lives tenants sub-let on a large scale. Both thereby acquired financial support from their lands, so that although the land-family bond was not absent, the bond was strongest in terms of using the land as an economic asset. The sub-letting of dwellings enabled Lives tenants to accommodate a landless workforce, where their tenure prevented the splitting of parcels for sale as manorial smallholdings. Aggressive accumulation of land was largely absent, and purchasers of land and mortgage lenders were overwhelmingly local. Some polarisation of holding size was found, but sub-tenure meant that actual farmed units were probably very different. It is concluded that differences in tenure significantly shaped the transfer behaviour of the tenants, so that any future research involving customary tenants must take tenure into account. However, their economic ambitions were found to be similar whichever tenure they had, so that they had to take different means to the same end.

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Abbreviations

The following are mainly used for conservation of space in Tables and Figures :

| | |
|---------------------|---|
| 3L | Copyhold of three lives tenure |
| 3Lb1 or 3Livesb1 | Copyhold of three lives tenure but where Life 1 can act alone |
| AHR or Ag.Hist.Rev. | Agricultural History Review |
| A series | Archdeaconry court for probate |
| Bish or B | Bishopric Records or lordship |
| Cath. | Winchester Cathedral Library |
| Chilb. | Chilbolton |
| CNNAU | Cousin, nephew, niece, aunt or uncle |
| Cott. | cottacel - a measure of land of a few acres |
| Cpy | Copyhold |
| Craw | Crawley |
| C.U.P. | Cambridge University Press |
| DC | Dean and Chapter |
| Econ Hist Rev | Economic History Review |
| First Life | The first life in a Lives manor (and the only tenant in an Inheritance manor) |
| H Ampner or H Amp. | Hinton Ampner |
| HRO | Hampshire Record Office |
| Inh or Inher | Copyhold of inheritance tenure |
| Inheritance manor | A manor with customary tenure of inheritance (copyhold of inheritance) |
| Life1 | The first holder tenant in a lives tenured manor |
| Littl | Littleton |
| Lives manor | A manor with customary tenure for Lives |
| Mstke | Meonstoke |
| N.A. | The National Archives |
| NK | Not known |
| No. | Number |
| Oving | Ovington |
| Parl Surv | Parliamentary Survey |
| P series | Peculiar series wills |
| Perts | Appurtenances |
| Trsf | Transfer |
| Unrel | Unrelated |
| V Dean | Vernham Dean |
| VD cpy | Vernham Dean copyhold half of the manor |
| VD fr | Vernham Dean freeholder half of the manor |
| WC | Winchester College |

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Chapter 1 Introduction

1.0. Introduction

A key element in any study of land transfer is the property rights of those undertaking the transfers. Van Bavel and Hoppenbrouwers have succinctly pointed out that transfers of land are closely linked to these rights which determine not only the power relations involved between lord and tenant, but “who had access to and had control over land; what types of landholding and land tenure there were, and who could transfer land and on what conditions”.¹ The rights governed what a tenant could and could not do with their land, and affected the choices that they made. The power balance between lord and tenant was also important at a time when property ownership was divided between lord and tenant, and this was reflected in the level of security which different tenures gave to tenants.²

Despite this acknowledged importance of property rights, remarkably little research has focussed on the way in which different land tenures operated and impacted upon land transfer, particularly in the early modern period. Two comparative studies have been undertaken by Whittle, and Whittle and Yates, for the later medieval period which, although their major focus was on another topic, concluded that tenure made a significant contribution to different patterns of land transfer.³ This thesis therefore takes as its main research theme, the investigation of how different types of rural customary tenures affected the land transfer behaviour of manorial tenants in eight manors in Hampshire in the second half of the seventeenth century.

The study of land transfer itself has formed an essential element in the attempt by historians to establish how and why England developed commercialised agriculture before many of its Continental neighbours.⁴ The extent to which land transfer revealed a land-family bond; or the land market produced significant changes in the size of farms

¹ VAN BAVEL, B.J.P. and HOPPENBROUWERS, P. (eds.) 2004. *Landholding and land transfer in the North Sea area (late Middle Ages - 19th century)*, Turnhout, Belgium: Brepols. p 33.

² Ibid. p 15.

³ In the first, Whittle was exploring the land-family bond by comparing East Anglian manors with some in the Midlands WHITTLE, J. 1998. 'Individualism and the family-land bond: a reassessment of land transfer patterns among the English peasantry c 1270 - 1580', *Past & Present*, 160, ; and in the second she and Yates focussed on how far manorial documents present a true picture of activity in WHITTLE, J. and YATES, M. 2000. 'Pays réel or pays légal ? : Contrasting patterns of land tenure & social structure in eastern Norfolk and western Berkshire, 1450-1600', *Ag. Hist. Rev.*, 48,

⁴ van Bavel and Hoppenbrouwers believe that in fact the developments were not restricted to England, but occurred in other parts of north west Europe. VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, ch.1.

are just two examples of the foci of interest to assess how family-based subsistence farming turned into large farms with capitalist enterprise.⁵ The seventeenth century was a transitional period in this process and in consequence has sometimes been overlooked. For example French and Hoyle have observed that “The early modern land market has rarely, if ever, been seen as worthy of discussion in its own right”.⁶ In the intervening years since those comments were written, they have addressed this issue in both Slaidburn in Yorkshire and Earls Colne in Essex, and van Bavel and Hoppenbrouwers have brought together a series of studies in the North Sea area of north-western Europe.⁷ However there is still much room for further exploration in other parts of England, and into the full range of transfer activities which include inheritance, and the temporary transfers of sub-letting and mortgage loan raising. The second major research theme of this thesis will therefore be to examine how the tenants were using their land, as evidenced by transfers, to further their economic objectives.

1.1. Tenants and tenures

The activities of the rural customary manorial tenant have been the subject of extensive study by medieval historians, but they have sometimes been ignored in studies of the early modern period. This tends to imply that they had disappeared or become irrelevant by that date. Beckett and Turner have pointed out that at least part of the reason for this has been a focus on the rise of the great estate in the eighteenth and nineteenth century, which is usually regarded as a consequence of the dispossession of the small landowner.⁸ In reality, many customary tenures and tenants continued to exist well into the nineteenth century and in some cases into the twentieth.⁹ They are deserving of further attention. Allen highlighted the importance of seventeenth-century manorial tenants when he concluded that the first agricultural revolution was the work of yeomen, who were mainly customary tenants, in that period.¹⁰ This suggests that the later

⁵ These topics will be discussed and referenced in more detail a little later in this chapter.

⁶ FRENCH, H.R. and HOYLE, R.W. 1999. 'The land market of a Pennine manor: Slaidburn, 1650-1780', *Continuity & Change*, 14, 3. p 349.

⁷ FRENCH, H.R. and HOYLE, R.W. 2003. 'English individualism refuted and reasserted: the land market of Earls Colne (Essex), 1550-1750', *Econ. Hist. Rev.*, LV1, 4; FRENCH, H.R. and HOYLE, R.W. 2007. *The character of English rural society. Earls Colne, 1550-1750*, Manchester, Manchester University Press; VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, .

⁸ Which they associate with the small manorial tenant farmer: BECKETT, J.V. and TURNER, M. 2004. 'Freehold from copyhold and leasehold. Tenurial transition in England between the 16th and 19th centuries.', 282-292 In: VAN BAVEL, B.J.P. and HOPPENBROUWERS, P. (eds.) *Landholding and land transfer in the North Sea area*. Turnhout, Brepols. p 282.

⁹ Unpublished paper given by TURNER, M at the British Agricultural History Society's meeting in April 2013. Also Ibid. pp 283-4.

¹⁰ ALLEN, R.C. 1992. *Enclosure and the yeoman*, Oxford, Clarendon..

seventeenth century was pivotal in the transition to the full-scale commercial agriculture which came to dominate in the eighteenth and nineteenth centuries. A more detailed study of the early modern tenant farmer should throw light upon how this transition developed.

1.1.1. Development of the tenures

The development of the land tenures which were present in the seventeenth century began in the fourteenth and fifteenth centuries after the breakup of the feudal system, and the process has been described by a number of historians.¹¹ They made a distinction between 'tenure' which was divided into 'free' and 'unfree'; and 'estates' which cross-cut these and governed how long the land could be held and the rights to sell or dispose of it after death.¹² The majority of 'free' tenures developed from socage and were subject to the common law; whereas customary tenures were previously unfree and evolved from former villein holdings. The customary tenants were not subject to the common law, but rather 'to the will of the lord and the custom of the manor' – which custom was very varied. It was, in fact, so varied that Harvey commented that there was such diversity that it was 'a muddle' and difficult to see any pattern in the way the developments occurred.¹³ By the time of this study, the most common tenures were freehold, leasehold and copyholds of inheritance or lives. Some towns had burgage tenure, and tenant right occurred in the northern border areas.¹⁴ It is the customary tenants of the Hampshire manors which are the subject of this study and their four different tenures were copyhold of inheritance; copyhold for 3 lives; copyhold for 3 lives- but-the-first-life-can-act-alone; and a form of customary freehold.¹⁵

Copyhold for lives in particular has received little attention in the early modern period, and yet it was reasonably widespread. In terms of its development three researchers of the medieval period have shed light on the process, which seems to have begun initially

¹¹ Aspects discussed in many works including DENMAN, D.R. 1958. *Origins of ownership*, Cambridge, George Allen & Unwin. Cambs Land Management., GRAY, C.M. 1963. *Copyhold, equity and the common law*, Boston, Harvard.; TAWNEY, R.H. 1912. *The Agrarian Problem in the sixteenth Century*, New York, Evanston & London, Harper & Row. – particularly pp 49-54; and KERRIDGE, E. 1969. *Agrarian problems in the sixteenth century and after*, London, George Allen & Unwin. – particularly chapter 2; OVERTON, M. 1996. *Agricultural revolution in England : The transformation of the rural economy 1550-1850*, Cambridge, C.U.P. pp 30-35.

¹² OVERTON *Agricultural Revolution*, p 31.

¹³ HARVEY, P.D.A. (ed.) 1984. *The peasant land market in medieval England*, Oxford: Clarendon Press. p 329-30.

¹⁴ KERRIDGE *Agrarian problems*, p 37 and HOYLE, R.W. 1984. 'Lords, tenants and tenant right', *Northern History*, 20,

¹⁵ The tenures are described in more detail in chapter 3.

from leases. Schofield examined Birdbrook in Essex during the fourteenth and early fifteenth centuries, and demonstrated that the pre-plague customary tenures with labour services and hereditary tenure, were replaced by leases for commuted money rent and demesne leasing.¹⁶ The lords had not wished to do this – as evidenced by early leases containing a clause allowing priority to any prospective tenant who wished to hold by ‘ancient service’. However such tenants were not forthcoming and there was a desperate need to keep the land tilled and holdings of land occupied. By 1402, twenty three of the twenty five ‘ware’ customary tenancies in Birdbrook were leased for years or lives or at the will of the lord, and only 4 of the 216 acres continued to be held by the older form of customary tenure.¹⁷ Many of the new tenants were from outside the village, and he concluded that leases offered an opportunity to those who had no prospect of inheriting land, and that “The introduction of leasehold provided a novel and elastic tenurial regime”.¹⁸

Faith undertook a study of nine manors in Berkshire and Wiltshire and examined how and when the new tenures emerged.¹⁹ As early as 1362 she found some tenants in South Moreton described as holding land “per scripta” which she believed to be effectively copyhold without that name. By the 1430s she found “some version of copyhold was the predominant tenure”.²⁰ In Brightwalton, four different types of tenure were found : hereditary, leases for years; leases for lives and tenure at the will of the Lord. In some cases during the period 1387-1466 she found that tenants were paying for additional ‘reversion’ lives to secure a succession for their children.²¹ Such leases for two, three or four lives made it “impossible to distinguish these lease tenures from copyholds for lives”; and by 1455 in Mackney she discovered court entries to show that by then tenants were buying and selling reversions between themselves.²²

Dyer found very similar developments in the Worcester Cathedral estates and stated that by the fifteenth century copyhold had become the ‘normal form of customary holding’; and that it became increasingly common for some tenants to acquire the reversion of

¹⁶ SCHOFIELD, P.R. 1996. ' Tenurial developments and the availability of customary land in a later medieval community. ', *Econ Hist Rev.*, 49, 2.

¹⁷ Ibid. pp. 256-7 Schofield comments that he did not have records relating to the free tenants of the manor.

¹⁸ Ibid. p 262, 264.

¹⁹ FAITH, R. 1984. ' Berkshire: fourteenth and fifteenth centuries ', 107-158 In: HARVEY, P.D.A. (ed.) *The Peasant Land Market in Medieval England*. Oxford, Clarendon Press..

²⁰ Ibid. p 137-8.

²¹ Ibid. p118.

²² Ibid. pp 140-2.

holdings for relatives so that the holding was secured for the future.²³ The reference to reversions suggests that this was a form of lives tenure.

After these beginnings, there has been little research which shows how these new tenures developed after the fifteenth century. In relation to lives tenure in particular the picture is far from clear. Copyhold for lives, lifeleasehold and beneficial leases have sometimes been confused with each other as noted by Faith above. Clay and Overton thought that some copyholds for lives were converted into leases by lords – including some ecclesiastical lords.²⁴ In some areas a form of lifeleasehold developed wherein one, two or three lives were granted the holding, which then reverted to the lord at the end of the life or lives. The lords could then either renew it, or regrant it to a higher bidder; or take it into hand themselves.²⁵ Howell found that leases continued in Kibworth Harcourt until the Ecclesiastical leases Act of 1571 made it obligatory for colleges to lease for either 21 years or three lives only; and so by 1594 all tenants were on 21 year term leases.²⁶ However she states that “the conversion did not affect the hereditary nature of what continued to be called ‘copyhold’ held ‘according to the custom of the manor’, but it made possible the introduction of a fine payable every seven years “. ²⁷ This adds to the confusion about lives tenures which may lie behind the contradiction of Overton who maintained that beneficial leases were not customary, whereas Allen referred to them as being ‘a common way in which customary land was held in the upland pasture districts of Northamptonshire and Leicestershire’.²⁸

From the evidence in this study of the situation in the seventeenth century, it appears that the development of copyhold for lives on the Winchester estates took a different form, as by 1500 at least the customary copyholders for lives enjoyed a rolling three lives tenure which was effectively hereditary.²⁹ The holdings were not returned to the lord at the end of the lives; there was no requirement to renew at regular intervals or take part in competitive bidding; and the first life tenant nominated any new lives if one

²³ DYER, C.C. 1980. *Lords and peasants in a changing society: the estates of the bishopric of Worcester, 680-1540*, Cambridge, C.U.P.. p 294.

²⁴ CLAY, C. 1981. 'Lifeleasehold in the western counties of England 1650 - 1750', *Ag. Hist. Rev.*, 29, 2; OVERTON *Agricultural Revolution*, pp 34-5 and also quoted in ALLEN *Enclosure and the yeoman*, p. 314.

²⁵ Described by CLAY 'Lifeleasehold', ; GRITT, A.J. 2005. 'The operation of life leasehold in south west Lancashire, 1649 - 97', *Ag. Hist. Rev.*, 53, 1. and a particular example discussed in EDWARDS, P.E. 1996. 'The decline of the small farmer: the case of Rushock, Worcestershire', *Midland History*, 21,

²⁶ HOWELL, C. 1983. *Land, family and inheritance in transition - Kibworth Harcourt*, Cambridge, Cambridge University Press. p 63; Act Eliz 1 13 1571 c 10.

²⁷ This seems something of a mixed muddle tenurially speaking.

²⁸ OVERTON *Agricultural Revolution*, p 35 ALLEN *Enclosure and the yeoman*, p314.

²⁹ Winchester College records describe it as “copyhold for 3 lives demiseable” WC Item 19629.

died or an exchange was made. This form of lives tenure is probably the same as that encountered by Yates in her study of Berkshire manors – some of which were under either Winchester or Oxford college lordship.³⁰ However, her work did not focus on the specific details of the operation of the tenures, so this thesis will show for the first time how this tenure worked in practice in relation to land transfer and will try to provide a model of how to analyse the lives and reversions activity.

1.1.2. Geographical distribution of the tenures

Having identified these different forms of customary tenure in England, historians of the sixteenth century noted that, although there was often a mixture of types in any one location, the distribution of them differed between regions of the country. Tawney, reprised and extended by Overton, found that freeholds were more common in East Anglia but that customary tenures predominated elsewhere, particularly in the south and west.³¹ Kerridge recorded the further differentiation between copyhold of inheritance which was more numerous in the east, and copyhold for lives which predominated in the west.³² Allen devoted an Appendix to the issue in which he gathered references which showed regional concentrations within the south Midlands. There were more copyholds of inheritance in the eastern parts of Cambridgeshire and the lands of Ramsey Abbey; but copyhold for lives were more prevalent in Warwickshire, Oxfordshire, and parts of Buckinghamshire and Berkshire.³³ He noted beneficial leases for years and lives in Oxfordshire, Northamptonshire and Leicestershire, while Clay and Gritt found that lifeleasehold occurred particularly in the west, including the Lancashire plains and in Cheshire.³⁴ French and Hoyle described copyhold for lives as ‘ more common in west-central and western England’.³⁵ All observations of these distributions have therefore been reasonably consistent: there was a tendency for inheritance tenures to be more numerous in the east, and lives in the west. This means that Hampshire provides an excellent location in which to study and compare different customary tenures, as it lies on a boundary area between east and west, and has examples of several different forms within a smallish region.

³⁰ YATES, M. 2007. *Town and countryside in Western Berkshire, c 1327 - c 1600*, Woodbridge, The Boydell Press.

³¹ TAWNEY *Agrarian Problem*, p 300 ; OVERTON *Agricultural Revolution*, p 34.

³² KERRIDGE *Agrarian problems*, pp 35-6.

³³ ALLEN *Enclosure and the yeoman*, Appendix 1 pp 312-5.

³⁴ CLAY 'Lifeleasehold ', p 84 ; GRITT 'Life Leasehold ',

³⁵ FRENCH and HOYLE *Earls Colne*, p. xv.

The matter of 'estates' resulted in a further matrix of factors relating particularly to the payment of rents and fines and heriots. Both rents and fines could be either fixed and certain or arbitrary according to the will of the lord. This was not related to tenure. Overton quoted the land steward Nathaniel Kent in Norfolk who reported two different forms within his lands where one form of copyhold had fixed and thus certain fines which were very low, so that it was 'nearly of equal value to freehold'; and the second form which had fines that were arbitrary at the will of the lord.³⁶ The same variation is found in the Hampshire manors and can therefore be included in the analysis.

1.1.3. Security of tenure and the lords

An important feature of tenurial differences for rural villagers involved in land transfers has already been described in the introduction to have been the level of security which the different forms provided. The freeholders enjoyed protection under the common law, but customary tenants did not. The latter were therefore less secure and potentially prey to lordly vicissitudes. However from the end of the fifteenth century royal courts (primarily the Courts of Exchequer and Chancery) were increasingly prepared to recognise the custom of the manor if disputes arose.³⁷ So by the seventeenth century period of this study, a freeholder could do as they wished with their holding, and copyhold of inheritance was almost the same, so long as the appropriate rents, fines and heriots were paid. The copyholders were, however, still subject to the custom of the manor and not the common law. Copyhold for lives was less secure than the inheritance tenure, and this thesis will investigate how the restrictions upon the sale of their property and other types of transfer worked in practice.

The issue of security of property rights of manorial tenants cannot be considered in isolation from that of lordship. Much debate from the medieval period onwards has focussed on aspects of the sixteenth century when lords faced rising prices, but not rents, and hence falling profits. In their attempts to solve this problem, some raised rents and fines; enforced enclosure; the conversion of arable to pasture; emparkment; and the conversion of customary tenures to leasehold or rack rented property.³⁸ The extent to which they had the power to act or were controlled by court support for tenants in the

³⁶ OVERTON *Agricultural Revolution*, p 32 NB Arbitrary fines were expected to be by the seventeenth century 'reasonable' in level.

³⁷ Ibid., p 31; The important issue of how support developed in the courts for customary tenants in dispute with their lords, is the subject of a large study of Chancery cases ongoing under Professor Hoyle.

³⁸ Including TAWNEY *Agrarian Problem*, ; KERRIDGE *Agrarian problems*, ; ALLEN *Enclosure and the yeoman*, .

inevitable disputes which arose, has already been referred to and is the subject of ongoing research.³⁹ The degree to which they managed to exert their power impacted directly upon the customary tenants. Beyond the mid seventeenth century, however, the debates regarding lordship have focused on other issues such as the rise of the great estate and marriage settlements, making the literature somewhat disjointed.⁴⁰

In the 1970s and 80s Brenner sparked a debate which related to tenure and the power balance between lord and tenant, when he proposed that social property systems affected economic development, and that England had evolved differently from its Continental neighbours in this respect.⁴¹ He argued that the peasant possession of land had been undermined by lords who, with the support of parliament and the legal system, grew in power via their ability to vary and levy fines. In consequence 'particularly in the north and west' they increased fines and managed to convert customary tenures to lease – at economic or rack rents.⁴² This resulted in the "transformation of the agrarian class and property relations which allowed the English economy to embark upon a path of development foreclosed to its Continental neighbours".⁴³ Many historians disagreed, and in a later contribution to the debate Hoyle demonstrated that Brenner erroneously thought that the English peasants lacked legal protection, whereas in fact the courts usually supported them, rather than the lords as Brenner had thought. In consequence there was no mass conversion to lease as had been argued.⁴⁴ Hoyle went on to say that "It is noteworthy that those historians who have popularised the notion of an increasingly ill-balanced distribution of property in the early modern countryside, have explained these processes almost entirely without reference to tenure or landlords".⁴⁵ This comment lends further weight to the need for studies such as this one which involve tenure as an issue in the early modern period.

³⁹ *ibid.*

⁴⁰ For example : HABAKKUK, J. 1994. *Marriage, debt and the estates system - English land ownership 1650-1950*, Oxford, Oxford University Press; HABAKKUK, H.J. 1940. 'English landownership, 1680-1740', *Econ. Hist. Rev.*, x, ; WORDIE, J.R. 1974, 'Social change on the Leveson-Gower estates, 1714-1832', *Econ. Hist. Rev.*, 2nd ser xxvii, ; WORDIE, J.R. 1981. 'Rent movements and the English tenant farmer, 1700 - 1839', *Research in Economic History*, 6,

⁴¹ BRENNER, R. 1976. 'Agrarian class structure and economic development in pre-industrial Europe', *Past & Present*, 70, and BRENNER, R. 1982. 'The agrarian roots of European capitalism: rejoinder in agrarian class structure and economic development in pre-industrial Europe A Symposium', *Past & Present*, 97,

⁴² BRENNER 'The agrarian roots of European Capitalism', pp 83-86 in particular.

⁴³ *Ibid.* p 110.

⁴⁴ HOYLE, R.W. 1990. 'Tenure and the land market in early modern England: or a late contribution to the Brenner debate.', *Econ. Hist. Rev.*, 2nd series xliii, No 1.

⁴⁵ *Ibid.* p 2.

In this study, manors have been selected which were held by corporate lords. Chiefly consisting of ecclesiastical institutions, colleges, charities and the crown, corporate lords had a similarity of style in that they were not themselves farmers, did not live in their manors; did not change frequently; administered (by the early modern period) their estates via leaseholders or stewards; and had a reputation for being reasonably 'hands off' provided that rents and dues were paid. This probably suited both sides, as the lord did not have to maintain meticulous information about rates of market rent; whilst the tenants did not have to touch forelocks on a daily basis to a resident lord, and often developed a considerable degree of independence. Spufford noticed this in Willingham where after the Bishop of Ely sold the manor to a secular lord in 1600 she felt that "the Willingham documents give a sense of a community accustomed to self-government."⁴⁶ Beckett and Turner have suggested that little account has been taken of the extent to which old customary tenures suited a situation where little was demanded of a lord and where the tenants were left to run their farms themselves and use their own capital to improve them.⁴⁷ This would appear to be the case with the church and college lands in Hampshire. The tenants were more free to behave independently than under resident lay lords.

Church estates have often been investigated by historians of the medieval period as their records are amongst the earliest surviving.⁴⁸ However early modern work on the estates of ecclesiastical lords has been limited, and this thesis will aim to make use of this somewhat overlooked resource. Clay did investigate the role and conduct of the church as lords during the early modern period and found that contrary to some popular belief they were not greedy and autocratic; but rather concerned to keep their heads down after the confiscations and sales of their land after the civil war.⁴⁹ The civil war led to the Cromwellian Parliamentary Surveys of crown and church lands being drawn up prior to their confiscation and sale. A few of the Parliamentary surveys from various parts of England have been transcribed and published, but little analysis of the surveys has been carried out beyond descriptions of how the surveys were conducted and aspects of

⁴⁶ SPUFFORD, M. 1974. *Contrasting communities : English villagers in the sixteenth and seventeenth centuries*, Cambridge, C.U.P. p 122.

⁴⁷ BECKETT and TURNER 'Freehold from copyhold and leasehold.' p 284.

⁴⁸ for example: DYER *Lords and peasants*, ; HARVEY, B. 1977. *Westminster Abbey and its estates in the middle ages*, Oxford, Clarendon; DU BOULAY, F.R.H. 1966. *The lordship of Canterbury: An essay on medieval society*, London, Nelson; MILLER, E. 1951. *The Abbey and bishopric of Ely*, Cambridge, C.U.P.

⁴⁹ CLAY, C. 1980. ' "The greed of Whig bishops ?": Church landlords and their lessees, 1660-1760' , *Past and Present*, 87,

transcription.⁵⁰ Madge and Gentles used them to analyse the sale and restoration of crown lands, and Gentles and Thirsk studied similar aspects for bishopric estates.⁵¹ No studies have followed up the surveys to examine what happened after the commonwealth. Clay mentions the surveys in his work on ecclesiastical estate management but has a somewhat contradictory view of them. On the one hand he refers to them as 'hurriedly undertaken' and that the resulting valuations were 'almost invariably understated'.⁵² On the other he then argues that as surveying land was expensive to undertake, they became an invaluable resource for the ecclesiastical authorities after the Restoration and were often still in use more than one hundred years afterwards.⁵³ The material certainly forms an excellent source for a snapshot of tenant landholding in the 1640s and is a key resource for this study at the starting point of 1645. The combination of this good and suitable documentary survival and the similarity of estate administrative style of the corporate lords, means that manors could be selected for study where variations in lordship behaviour were minimised. Any effects of different customary tenures can then be more easily identified against this reasonably uniform background.

1.1.4. Comparative studies

Despite this variety of tenures and estates, and the importance that they had in determining what tenants could do with their land, there has been little research in the early modern period which has specifically focussed upon the differences between them, or the impact which they may have had. Gritt has commented that "While systems of tenure lay at the heart of the social and economic structure of early modern society, they have been pushed to the periphery of historical enquiry".⁵⁴ For a slightly earlier period, Whittle undertook comparative research of tenants with different tenures and their land transfers living in East Anglia and the Midlands. The research was not restricted to customary tenants and included freeholders. She noticed that whereas the tenants in East

⁵⁰ See for example Society., CAVE and POUNDS, N.J.G. (ed.) 1982 & 4. *The Parliamentary Survey of the Duchy of Cornwall Pts 1 & 2*, Torquay: Devon & Cornwall Rec. Soc.

⁵¹ MADGE, S.J. 1938. *The domesday of crown lands*, London, Routledge; GENTLES, I. 1973. 'The sales of crown lands during the English Revolution', *Econ.Hist.Rev 2nd ser*, xxvi., and GENTLES, I. 1980. 'The sale of bishops' lands in the English Revolution, 1646 - 1660', *Econ.Hist.Rev.*, xcv, ; THIRSK, J. 1954. 'The Restoration land settlement', *Journal of Modern history*, xxvi, ; THIRSK, J. 1950. *The sale of delinquents' estates during the interregnum & the Land Settlement at the Restoration*, unpub. Ph.D. thesis London.

⁵² CLAY, C. 1985. 'Landlords and estate management in England', 119- In: THIRSK, J. (ed.) *A.H.E.W.* p. 159.

⁵³ CLAY 'The greed of Whig bishops?', p 145 & 147.

⁵⁴ GRITT 'Life Leasehold', p. 1.

Anglia were very active with their land and frequently sold off small pieces; what she termed the 'Midlands type' tended to retain land in larger virgate-based blocks and comparatively rarely sold it.⁵⁵ A similar pattern emerged from her later study with Yates where manors in eastern Norfolk were compared with several in Western Berkshire.⁵⁶ The Berkshire manors included lives tenures which seemed to behave in a 'Midlands' way. This latter research focussed on the apparent differences of view of landholding patterns provided by the different kinds of records available. Principally the *pays légal* version provided by manorial records, and the glimpses of a *pays réel* obtained when probate and tax records were also used. The findings have important implications for the way in which manorial-based research is carried out, and the research reported in this thesis therefore uses non-manorial records where possible, such as tax, probate and survey materials to augment and amplify the manorial data; and so to provide a more accurate picture of reality.

1.2. Land Transfer

The background context to the study of land transfers for many researchers has been the attempt to assess when, how, and why England developed commercialised agriculture before many of its Continental neighbours.⁵⁷ This has required a close examination of the changes which occurred from the earliest dates of available records through to the nineteenth century at least, and the results have shown that significant change did occur, but inevitably in slightly different ways and over different timescales in different places. Some authors have researched individual manors; some have looked at groups of manors in particular large estates; and others have looked at manors grouped by regional location.⁵⁸ Tawney and Allen, and for a later period Broad, have tried to draw together results from many different authors to provide a wider picture.⁵⁹

⁵⁵ WHITTLE 'A reassessment of land transfer patterns', She seems to have termed the customary tenures of Lives as 'Midland type'.

⁵⁶ WHITTLE and YATES 'Pays reel or pays legal?',

⁵⁷ van Bavel and Hoppenbrouwers believe that in fact the developments were not restricted to England, but occurred in other parts of north west Europe. VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, ch. 1.

⁵⁸ Individual manor studies include HOWELL *Kibworth Harcourt*, RAZI, Z. 1981. 'Family, land and the village community in later medieval England', *Past & Present*, 93, ; FRENCH and HOYLE *Earls Colne*, SCHOFIELD 'Tenurial developments and the availability of customary land in a later medieval community.',

The estate research includes DYER *Lords and peasants*, ; HARVEY, B. 1977. *Westminster Abbey and its estates in the middle ages*, Oxford, Clarendon. MILLER, E. 1951. *The Abbey and bishopric of Ely*, Cambridge, C.U.P. DU BOULAY, F.R.H. 1966. *The lordship of Canterbury: An essay on medieval society*, London, Nelson.

A particular difficulty is that 'Land transfer' has become enmeshed in the study of the 'land market' and they have sometimes been referred to as if they were the same. The 'land market' is a large sub-set of 'land transfer' and a Venn diagram would distinguish them, but its size varies as historians have adopted different definitions. For example, Harvey defined the land market as the transfer of land from one living person to another – in other words *inter vivos* transactions. This excludes after-death inheritance transfers from the sub-set of the land market, but appears to include almost everything else.⁶⁰ He then referenced Hyams as defining the land market to be the buying and selling of land for money – which omits anything that might be categorised as a grant.⁶¹ Van Bavel and Hoppenbrouwers have speculated that there might be an argument for only including transfers which involved the payment of commercial rates where the laws of supply and demand had determined the price.⁶² This would exclude all concessionary or beneficial rated transfers. Whittle in her comparative study between Norfolk and the Midlands stated that "Many English manors had no significant land market before the Black Death, if a land market is taken to mean permanent transfers between unrelated tenants. Land-exchange between family members dominated."⁶³ This therefore goes further and excludes all inter-familial transfers. There is next a division between whether transfers were permanent or temporary. Some historians have included the temporary transfers of sub-letting and mortgage raising whilst others have not.⁶⁴ It is therefore important to identify clearly what an analysis does and does not include if research outcomes are to be compared.

The diversity of definition and approach has partly arisen because documentary sources are so variable in their survival and content; and also because different researchers have had different interests upon which to focus. Harvey summarised this for the medieval period by citing Vinogradoff as approaching the subject from a legal standpoint; Postan

and the research using regional groups of manors includes :FAITH ' Berkshire: fourteenth and fifteenth centuries '. and for a later period WHITTLE, J. 2000. *The development of agrarian capitalism - land and labour in Norfolk 1440-1580*, Oxford, Oxford University Press. SPUFFORD *Contrasting communities*,
⁵⁹ TAWNEY *Agrarian Problem*, ; ALLEN *Enclosure and the yeoman*, ; BROAD, J. 1999a. ' The fate of the Midland yeoman: tenants, copyholders, and freeholders as farmers in North Buckinghamshire, 1620 - 1800 ', *Continuity & Change*, 14, 3.

⁶⁰ HARVEY (ed.) *The peasant land market in medieval England*, p 4.

⁶¹ Ibid. p 27. Van Bavel and Hoppenbrouwers also discuss the definition of grants or non-commercial transactions in VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 17.

⁶² VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 17.

⁶³ WHITTLE ' A reassessment of land transfer patterns ', p 49.

⁶⁴ French and Hoyle have included mortgages in their analyses of Earls Colne and Slaidburn. FRENCH and HOYLE ' Slaidburn ' ; FRENCH and HOYLE *Earls Colne*, .

from the economic; Levett from the perspective of estate organisation and Homans that of the village community.⁶⁵ French and Hoyle made a similar summary for the later medieval and early modern period in which they identified Stone and Habbakuk as having focussed on the rise or decline of the aristocracy; Macfarlane as focussing on the familial/extra familial issues of property-holding behaviour to pursue his theory of English 'individualism', and Mingay and Allen who were examining the debate in relation to the effects of enclosure.⁶⁶

This thesis will aim to minimise any confusion by examining all transfers, including those which were permanent and those which were temporary, that can be uncovered in the documentary sources; albeit for a short period of time in a small region of England. It will be important to identify the different types and to show them separately were possible. The results in the various sub-sections can then be used individually or in combination when any comparison with other research is needed.

1.2.1. The development of transfer options

The discovery of the earliest documentary evidence of land transfers is usually credited to Postan who found them in the *Carte Nativorum* – a register of charters from Peterborough Abbey – which showed that tenants were exchanging parcels of land in the thirteenth century, and probably even earlier before the records began.⁶⁷ He also believed he had found in the records of Ramsay Abbey and the accounts of the Winchester bishopric, evidence of villeins seeking permission to sub-let parts of their holdings.⁶⁸ In this latter he was possibly mistaken, but he also references Page as uncovering sub-tenure in Crowland Abbey records.⁶⁹ There was clearly evidence of sales and sub-tenure in these early times

As the changes in tenure described earlier took effect after the Black Death, there was an associated emergence of a larger range of possibilities for land transfer. Options and

⁶⁵ HARVEY (ed.) *The peasant land market in medieval England*, p3.

⁶⁶ FRENCH and HOYLE 'Slaidburn', p 349.

⁶⁷ POSTAN, M.M. and BROOKE, C.L.L. (eds.) 1960. *Carte Nativorum: A Peterborough Abbey Cartulary of the Fourteenth Century* Northamptonshire Record Society and later reprised in POSTAN, M.M. 1978. *Essays on medieval agriculture and general problems of the medieval economy*, Cambridge, C.U.P. ch 14.

⁶⁸ POSTAN *Essays on medieval agriculture*, pp 119-121.

⁶⁹ *Ibid.*, p 115 & 121. His Winchester evidence came from 'Meon manor' which was not a manor as such, but a large and complex bailiwick with up to a dozen manors within it. So, for example, when he quotes Nicholas de Lanrishe with up to 25 apparent sub-tenants; de Lanrishe was in fact representing 25 full manorial tenants for the manor of Langrish.

choice were widened. Whittle found, for example, that out-of-court transfers (including deathbed transfers) and joint tenancies between unrelated parties became possible.⁷⁰ The growth of leases and reversions and sub-letting, meant that these could be exchanged or traded. Short-term transfers for the purposes of a mortgage began to appear.⁷¹ By the time of this thesis study, therefore, the transfer of landed property between individuals encompassed a range of different activities; some of which were permanent in their effects and some of which were temporary. After-death inheritance and sale/purchase *inter vivos* were the two main forms of permanent transfer; while sub-letting and mortgage loan raising were the most often encountered temporary forms. A range of less often used transfers included entails, marriage settlements, conditional surrenders, surrenders to will, and those involving tenant and lord such as forfeits/escheats and new grants. The lives tenured manors had a further common form whereby lives in reversion and remainder were changed. These have been little studied and present an interesting question of whether they can be considered to be land transfers as such, when it was only the entitlement to be placed in the queue of those with a future right to the property that was involved. This study will include them with all the other types of transfer, as payment was involved and the tenants themselves clearly considered them to be tradable.

The study of land transfer in order to assess agrarian change has a number of sub-themes. One is the land-family bond is taken to mean the attachment of particular families to particular landholdings which they were reluctant to alienate to examine how and when a land-family bond broke down (if it ever existed), meaning that agriculture and landholding moved away from a family-focussed activity to a commercial one employing outside labour.⁷² Accordingly the extent to which land remained in the family or moved outside it is examined, together with evidence for inheritance strategies; a land-family bond or attachment to the land, and any desires to provide for wider family beyond the heir and for support in old age. A second important theme is the change in the size of holdings which occurred as a result of land transfers, to inform knowledge of the move towards larger commercialised farming units. Unfortunately this issue is fraught with difficulties because it is usually the size of holding units which are provided in the formal documents, whereas sub-tenure and the holding of land in more than one manor mean that the actual farmed / production unit is very different. This

⁷⁰ WHITTLE 'A reassessment of land transfer patterns', p 48.

⁷¹ Whittle and Dyer noted these in WHITTLE *Land and labour in Norfolk*, ; DYER *Lords and peasants*,

⁷² The land-family bond is taken to mean the attachment of particular families to particular landholdings which they were therefore reluctant to alienate. Particularly discussed in MACFARLANE, A. 1978. *The origins of English individualism*, Oxford, Blackwell.

thesis is restricted by documentation to studying changes in the formal holding size, but sub-tenure is also examined and an estimate made of its contribution. Two of the study manors shared a boundary and so limited evidence is also presented of tenants who farmed land in both. The picture of residency is a third sub-theme as if tenants are found to be increasingly non-resident the implications are that the use of their land may be one of investment and income generation via sub-letting, rather than family farming themselves. Finally the place of land transfer activity in the rural economy is important in understanding the progress of agrarian capitalism. Volume of activity and turnover give an idea of the liveliness of the land market and the outcomes of the sizes of parcels transferred can indicate engrossment or downsizing. If motives can be estimated, an idea of how far investment, savings or financial crisis were determinants are important to assess, together with the use of mortgages as a means of acquiring credit; and the generation of income from sub-letting and sale/purchase. Pressures on this land market such as product prices – particularly grain prices; population changes, enclosure and political issues are all also important to consider.

1.2.2. Inheritance and the family attachment to land

The movement of land from one person to another after a death has been described as “the reverse of the land market”.⁷³ For copyholders of inheritance and freeholders, ‘inheritance’ meant the succession of a customary heir or the person or persons named in a will.⁷⁴ For copyholders of lives it involved the next reversion life waiting behind the now deceased tenant. The local custom of inheritance had no bearing upon the latter. In any of these events, there was – unless the tenant died suddenly and unexpectedly early – an opportunity for him or her to alter the after-death succession by surrendering all or part of their holding or changing the reversion lives *inter vivos*. Therein lies the link with the land market, and particularly to the possible motivations for transferring property rights whilst still alive; although Whittle has drawn attention to the fact that leaving a holding to a customary heir could be a positive decision if they were content with custom.⁷⁵

The custom of inheritance in the Hampshire manors of study was to the youngest son; ultimogeniture – or Borough English. Faith found that the greatest concentration of this

⁷³ Harvey citing Faith’s work in Harvey ed. p. 4.

⁷⁴ If a surrender to will had been agreed before death.

⁷⁵ Personal conversation with Professor Whittle.

form was to be found in Surrey and Sussex but that it spilled over borders into Hampshire and other counties, and that it was scattered around elsewhere.⁷⁶ She wondered whether it was a development from gavelkind wherein the central hearth was reserved for the youngest son who was most likely to be at home with its parents in later years.⁷⁷ Whatever the origins, the system does not differ from primogeniture in terms of presenting an historical research theme to examine whether, and if so how, parents made provision for children other than the heir; and whether they appeared to be motivated to keep the land within the family. Howell studying the first of these concluded that by the seventeenth century, parents did show a desire to provide for more children than the heir, but increasingly left cash rather than goods or chattels to the other children. They thereby increased the burden of legacies placed upon the heir.⁷⁸ Spicksley found a similar trend in her work focussing on female credit, where just before, and during, the seventeenth century fathers increasingly left cash to their daughters rather than goods or animals as previously.⁷⁹ This increasing provision of cash to other family members may be expected to affect the pattern of *inter vivos* land transfer activities of heirs.

One of the major sub-themes in historical research has been the extent to which a land-family bond existed between the tenants and their land. At one end of the spectrum Whittle has pointed out (although she did not believe this existed), that if the inheritance system for land was extremely strong then it would preclude a land market from existing.⁸⁰ No one would wish to sell or buy outside the family. She referenced Sreenivasen, Hilton and Faith as stating or implying that there was indeed a strong family-land bond in peasant societies. However, Macfarlane who had a background in anthropology as well as history, compared the medieval English with the nineteenth-century Polish peasant and concluded that the English had from an early stage been individualistic in comparison with their European counterparts.⁸¹ He thought that from early times an English villager had the individual right to sell their land if they wished,

⁷⁶ FAITH, R. 1966. 'Peasant families and inheritance customs in medieval England', *Ag. Hist. Rev.*, 14, 2, pp 82-3.

⁷⁷ *Ibid.* p 83.

⁷⁸ HOWELL, C. 1976. 'Peasant inheritance customs in the Midlands, 1280-1700', *In*: GOODY, J., THIRSK, J. and THOMPSON, E.P. (eds.) *Family and inheritance: Rural Society in Western Europe, 1200-1800*. Cambridge, Past & Present Publications.. p 152.

⁷⁹ SPICKSLEY, J. 2008. 'Usury legislation, cash and credit : the development of the female investor in the late Tudor and Stuart Periods', *Econ Hist Rev.*, 61, 2.

⁸⁰ WHITTLE 'A reassessment of land transfer patterns', p 25.

⁸¹ primarily in MACFARLANE *Origins of individualism*, but the basis of the Earls Colne work in MACFARLANE, A. 1970. *The family life of Ralph Josselin: A seventeenth century clergyman : An essay in historical anthropology*, Cambridge, C.U.P..

and cited evidence of this in the transfers of land in Earls Colne and Colne Priory in Essex, where he found that land transferred outside the family outnumbered those within it.⁸² The evidence, he claimed, showed that there was no strong family-land bond and that tenants acted from individualistic motives. Macfarlane's views have been contested on a number of grounds – not least as to whether nineteenth century Russia was any suitable comparator with medieval England. However he certainly stirred the debate about the extent to which those emerging from feudalism retained a family-land bond (if they had ever had a strong one), and if so what form it took and how it impacted upon agrarian change.

Whittle examined the theory by comparing manors in Norfolk and the Midlands and concluded that although the dimension of whether land was transferred within or outside the family was an important one; there was a danger in attributing emotion about land to the choices made. She did not necessarily believe that the label of individualism was a useful one. Rather historians need carefully to establish the degree of choice which is available before drawing conclusions about motives.⁸³ French and Hoyle have then made further in-depth study of Macfarlane's Earls Colne to investigate his conclusions.⁸⁴ They felt that there was little that demonstrated that the right to alienate land away from kin was widely employed; and that he had drawn on evidence "from the late fourteenth and fifteenth centuries, in extreme demographic conditions when the connection between family and land had become attenuated".⁸⁵ They found that village society was complex and varied; and that whereas some tenants may have been interested in retaining land in the family, providing for children and perhaps aspiring to building up towards a degree of gentility; there were also plenty who regarded the land as an investment and had no apparent attachment to it.⁸⁶ This thesis does not aim specifically to further the Macfarlane debate, but it provides further information about the extent of land transfers within and outside the family, and considers the choices available to tenants, as recommended by Whittle, as well as seeking to investigate the motivations for transfers where possible.

⁸² MACFARLANE *Origins of individualism*, . Reprinted and referenced in FRENCH and HOYLE ' English individualism refuted ',

⁸³ WHITTLE ' A reassessment of land transfer patterns ', p 60-61.

⁸⁴ FRENCH and HOYLE *Earls Colne*, . Also assessed in a comparative study by Whittle WHITTLE ' A reassessment of land transfer patterns ',

⁸⁵ FRENCH and HOYLE ' English individualism refuted ', p 596.

⁸⁶ FRENCH and HOYLE *Earls Colne*, ch 9: particularly pp 297-300.

1.2.3. The size of holdings and farms

The argument is usually made that for commercial agriculture to flourish, farm sizes needed to be large in order to benefit from economies of scale and to produce a significant surplus for marketing, using mainly waged labour to perform the work. This position was reached in much of southern England by the eighteenth and nineteenth centuries. The question is how and when did the structures of large demesnes with small peasant holdings of the early fourteenth century change into these large capitalist farms. Somehow the small plots had either been bought up by a lord, or had been amalgamated or engrossed by the small farmers themselves. French and Hoyle identified three broad stages in the process : first a peasant society where plots were small and used chiefly for subsistence purposes for the immediate family; secondly a stage of ‘yeomen’ with middle to larger sized holdings who employed extra labour outside the family and produced some surplus for market; and then thirdly ‘farmers’ who ran large acreages, employed waged labour and produced a considerable surplus for increasingly distant commodity markets.⁸⁷ By the third stage English rural society had changed into three layers of gentry; farmers and labourers.

An essential problem in assessing this change has been the question of how to measure size. This has proved to be far from straightforward, and involves two sub-issues : how to measure farmed size as distinct from holding size, and how to define the size of a ‘large’ or ‘small’ farm. For the first of these, a fundamental problem is that for customary manorial tenants most documentary sources provide information about the size of their holdings and within only one manor. As outlined in the introduction to this section, evidence of sub-tenure has been found from at least the thirteenth century, and so the formally recorded size of their holdings may bear little relation to the size of the units farmed.⁸⁸ In principle, and at one extreme, all the tenants in a manor might sub-let their holdings to one person who would then farm a single very large unit. However it is notoriously difficult to uncover details of sub-tenure, so historians have tended to use what they can – the formal holding details. French and Hoyle recognised this difficulty when studying Slaidburn and stated that the issue is “bedevilled by confusion between the disappearance of the small freeholder or copyholder and the disappearance of the small farmer.”⁸⁹ Shaw-Taylor echoed this by stating that in many studies “units of

⁸⁷ FRENCH and HOYLE ' Slaidburn ', p 351.

⁸⁸ See mention of Postan's discoveries of sub-letting discussed above.

⁸⁹ FRENCH and HOYLE ' Slaidburn ', p 351.

ownership have been deployed as if they described farms”.⁹⁰ He therefore developed an alternative method of measuring the process of agrarian change by comparing the ratios of farm workers to farmers in any given location and at a given moment in time, using documentation such as tithe and poor rates; poll and land tax returns and the 1851 census to inform about occupiers rather than owners.⁹¹ His ideas are too recently published to have been incorporated into this analysis, although in fact the tithe and poor law records have not survived for the manors of study. Whilst recognising these shortcomings of the methodology, this thesis does take the available approach in using formal holding sizes. However, as described further and later in this chapter, it also examines all the available evidence for sub-tenure in order to estimate its scale and extent, and thus to estimate how far the formal picture provided by manorial documents reflects the actual farmed unit.

The records also usually only relate to holdings in one specific manor, so that any tenant with multiple holdings in different neighbouring manors can only be assessed for the amount of land in the manor or manors of study. The number of tenants who held land in more than one manor is usually not possible to measure but may have been not insignificant, leading to an underestimate of their land holding size. Whittle did investigate tenants in the different manors within the parish of Hevingham where she found that only 13 out of 49 tenants did not appear to be holding additional land in one of the other manors.⁹² It is not known whether a similar result might have been obtained if neighbouring parish records had been available. This study includes a pair of manors which lie next to each other and in which a few tenants held land in both. They will be used as a small example of multiple holdings across manor boundaries.

The second issue is the variety of opinion about what constituted a ‘large’ or ‘small’ farm; and which sizes were significant. Shaw-Taylor has suggested that historians have tended to adopt definitions based on farm size distributions of the period of their study where large farms were always in the minority.⁹³ Thus he found that some medievalists considered 20 acres to be ‘large’, whereas by the eighteenth century they were ‘small’. Whittle commented on the changing concept of small or large farms over time, and for

⁹⁰ SHAW-TAYLOR, L. 2012. 'The rise of agrarian capitalism and the decline of family farming in England', *Econ Hist Rev.*, 65, 1. p 28.

⁹¹ *Ibid.* pp 47 – 57.

⁹² WHITTLE *Land and labour in Norfolk*, p 186.

⁹³ SHAW-TAYLOR 'The rise of agrarian capitalism', p 30.

the period 1440-1580 regarded more than 30 acres as 'large'.⁹⁴ Spufford thought more than 45 acres 'large' for the later sixteenth and early seventeenth century; and Wordie referred to more than 100 acres as large for the eighteenth century.⁹⁵ Others have tried to assess which size of holding could ideally be farmed by a tenant and their family; with the implication that anything smaller could be run as a smallholding and/or a subsistence venture and anything larger would require extra labour and thus probably be capitalist. Allen, for example, thought that a family could operate between 50 and 60 acres without hired labour and referenced Arthur Young as believing as late as 1770 that 50 acres would require one person to help; and that above 77 acres outside hired workers would definitely be required.⁹⁶ However few of these studies have linked farm size to type of farming system, whereas it would seem probable that arable areas might require a different optimum size for a family farm than a pasture/dairying one.⁹⁷ This thesis has necessarily divided tenant holdings into size categories for analysis purposes, but without attributing 'large' or 'small' appellations. Any changes in holding profile size over time are examined and presented in relation to these.

So with the proviso that the interpretation of size has varied; the issue of when size changed is important to consider. The themes of polarisation of holding sizes and the disappearance of the small farmer have underlain a wide range of studies. In outline, the trends which followed the changes in population following the Black Death were for a general rise in tenant holding size as land became more available. After that the pattern was very variable, and was affected in some areas by enclosure; but historians have found a polarisation occurring whereby the middle-sized farmer was squeezed out. For example Faith found it in Brightwalton as early as the fifteenth century.⁹⁸ Spufford found polarisation occurring between 1544 and 1712, and in Chippenham specifically what she termed 'middle sized' holdings between 15 and 45 acres almost disappeared between 1560 and 1636.⁹⁹ Mingay stated that there was evidence of the number of 21-

⁹⁴ WHITTLE *Land and labour in Norfolk*, p 195 and WHITTLE, J. 2004. ' Tenure and landholding in England 1440-1580. A crucial period for the development of agrarian capitalism ? ', 237-249 In: VAN BAVEL, B.J.P. and HOPPENBROUWERS, P. (eds.) *Landholding and land transfer in the North Sea area (late Middle Ages - 19th century)*. Turnhout, Brepols. p 242.

⁹⁵ SPUFFORD *Contrasting communities*, p 66. ;WORDIE ' Social change on the Leveson-Gower estates ', pp 596-7.

⁹⁶ ALLEN *Enclosure and the yeoman*, pp 56-7.

⁹⁷ Although Broad does give similar figures for dairy farms in BROAD ' The fate of the Midland yeoman: tenants, copyholders, and freeholders as farmers in North Buckinghamshire, 1620 -1800 ', p 336.

⁹⁸ FAITH ' Berkshire: fourteenth and fifteenth centuries '. p 131.

⁹⁹ SPUFFORD *Contrasting communities*, p 60 & 72.

100 acre farms halving during the eighteenth century¹⁰⁰ French and Hoyle have commented that the small landowner was always disappearing, but that this took place at different times in different places; and that it was different-sized holdings which disappeared in different eras as the margins of economic viability were shifting in each generation.¹⁰¹ Glennie found that polarised landholding structures were a persistent feature of late medieval Cheshunt, although he thought that size differentiation alone was not the only factor to indicate agrarian capitalism.¹⁰² Although the period of study used in this thesis is short for any long-term trends to become apparent, the changes in holding size profiles of the tenants are analysed and any evidence of polarisation provided.

A related issue to that of polarisation of size, is how the size of a landholding may have changed during a tenant's lifetime or between two generations. A number of studies have suggested or demonstrated a cyclical pattern to accumulation and decline. Chayanov the Russian agricultural economist developed the idea of a family life cycle wherein more land was needed while there were young mouths to feed and a further increase in size could be made as the children grew and were able to work on the farm; but that later as they moved away to establish their own families, the ageing parents downsized.¹⁰³ A similar pattern was found by Dyer in some of the Worcester estates in the fifteenth century where a tendency to split holdings in the later life of a tenant resulted in any former accumulation of land breaking up at his death.¹⁰⁴ He thought that a large and small holding might be the experience of one tenant in his lifetime.¹⁰⁵ Faith found the same in Coleshill where during the fifteenth century five families built up large holdings, but that these had all disappeared by 1551. She was not sure of the reasons, but pronounced it a 'peasant aristocracy which came to nothing'.¹⁰⁶ French and Hoyle found a similar tendency in Earls Colne for the early modern period where, after investigating specific case-studies, the results suggested a tendency to accumulate land

¹⁰⁰ MINGAY, G.E. 1968. *Enclosure and the small farmer in the age of the Industrial Revolution*, London, Macmillan. p 30.

¹⁰¹ FRENCH and HOYLE ' Slaidburn ', pp 350-1.

¹⁰² GLENNIE, P. 1988. ' In search of agrarian capitalism: manorial land markets and the acquisition of land in the Lea Valley c 1450 - 1560 ', *Ibid.* 3, 1. pp 29-30.

¹⁰³ This is perhaps a travesty of simplification, but the ideas of a family cycle were strong. He has appeared in various forms of translation such as CHAYANOV, A.V. 1919. ' ', *In*: THORNER, D., KERBLAY, D.T.F. and SMITH, R.E.F. (eds.) *The theory of peasant economy*. Madison, Wisconsin, University of Wisconsin Press.; but a useful summary is provided by Bernstein in BERNSTEIN, H. 2009. ' V.I. Lenin and A.V. Chayanov: looking back, looking forward ', *The Journal of Peasant Studies*, 36, 1.

¹⁰⁴ DYER *Lords and peasants*, pp 311-2.

¹⁰⁵ *Ibid.*, p 372.

¹⁰⁶ FAITH ' Berkshire: fourteenth and fifteenth centuries ', pp 157-8.

in one generation and then to divide estates for the next. They found that “Any tendency towards engrossment was matched by a countervailing instinct to break up newly formed agglomerations so that more than one child had a share”¹⁰⁷ The Hampshire transfer results are examined for evidence of these patterns.

1.2.4. Land transfer in the rural economy

French and Hoyle have stated that the volume of a land market is best expressed as turnover; a view echoed by van Bavel who opined that it was *the* measurement to use for comparison purposes between different studies. The latter were concerned that some studies, using only numbers of transfers as evidence, had claimed that a land market was ‘active’ when in fact very little land area had actually moved.¹⁰⁸ However, they referenced Glennie’s study of the Lea valley and Whittle’s of Norfolk, which both span the late fifteenth and sixteenth centuries, as including turnover figures.¹⁰⁹ Van Bavel and Hoppenbrouwers went on to tabulate the results from various parts of north-west Europe, and for various dates.¹¹⁰ This study will therefore examine the rates of turnover in the manors of study to see how they compare with these other results, and what it may say about the liveliness or otherwise of the local Hampshire land market in the later seventeenth century..

The pattern of how much land was transferred – the size of parcels - has been found by a number of historians to have been different according to lordship, region and date. For example Harvey concluded that before 1348, free tenants in the Westminster Abbey manors acted like those studied by Whittle in Hevingham, where the main land market activity was the sale of small parcels, which resulted in a fragmentation of sizes of holding units.¹¹¹ However the monks discouraged their customary tenants from doing the same because they wished to preserve their villein services. The holdings of villein lands were therefore less fragmented. Dyer noted the same tendency on the Worcester estates in the same early period.¹¹² After the mid fourteenth century, however, the population and tenorial changes previously described meant that those enjoying copyhold of inheritance could dispose of their property as they wished and they

¹⁰⁷ FRENCH and HOYLE *Earls Colne*, p 233 & 240.

¹⁰⁸ Ibid., p 189 ; VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 28.

¹⁰⁹ GLENNIE, P. 1988. 'In search of agrarian capitalism: manorial land markets and the acquisition of land in the Lea Valley c 1450 - 1560 ', *Continuity & Change*, 3, 1; WHITTLE *Land and labour in Norfolk*,

¹¹⁰ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p.29.

¹¹¹ HARVEY *Westminster Abbey and its estates*, p 212 WHITTLE 'A reassessment of land transfer patterns ', p 62.

¹¹² DYER *Lords and peasants*, pp 106-7.

developed a transfer pattern similar to those of the freeholders. Fragmentation of holding sizes developed with some tenants accumulating and engrossing and forming larger farms; and others splitting off small parcels. The resulting tenant holding profile was very varied in size. However in manors where copyhold for lives or leases predominated, after an initial period of agglomeration of smaller holdings into larger units while land was plentiful and tenants scarce, there was a tendency to retain the holdings in blocks by virgates or parts thereof, and for there to be a much lower rate of transfers.¹¹³ Yates found this pattern in her Berkshire manors with copyhold for lives tenure, and she noted that holdings were rarely split and only transferred whole; and that the land market was comparatively weak.¹¹⁴ Harvey proposed that “We may even take the survival or disintegration of the standard holdings on a particular manor as a rough index to the activity of its local land market. Where there was a really active land market the standard landholdings disappeared.”¹¹⁵

The causes of the difference were not clear. Whittle undertook one of the few comparative studies using her own and the work of others in East Anglian and Midland manors.¹¹⁶ Although the primary objective of her paper was to examine the family-land bond issues outlined earlier in this chapter; section IV specifically set out to compare East Anglia with its predominance of freehold and copyhold of inheritance, with the Midlands where more copyhold and leases prevailed – particularly for lives.¹¹⁷ She found a less active land market in most of the Midlands manors and concluded that through into the early modern period, “the lack of a tenant land-market correlates strongly with restrictive manorial administrations”.¹¹⁸ The analysis in this thesis will include an examination of whether these patterns identified by Whittle, Yates and Harvey are found in the Hampshire manors where some have copyhold of inheritance and others copyhold of lives tenure. If so, possible reasons will be proposed.

¹¹³ Littleton in Hampshire – a manor of study – has a custumal for 1287 which shows 23 tenants occupying the same tilled area of the manor as obtained in 1645 with a maximum sized holding of 24 acres each. By 1500 the tenants had decreased to only 7 with holdings ranging from 8 to 80 acres but mainly between 36 and 49 acre blocks. There must therefore have been significant amalgamation of holdings in the period after the Black Death. LLOYD, P. 2009 'Littleton Custumal 1287' Winchester Sarsen Press.

¹¹⁴ YATES *Western Berkshire*, p 176 and the land market comparison in WHITTLE and YATES ' Pays reel or pays legal ? ';

¹¹⁵ HARVEY (ed.) *The peasant land market in medieval England*, p 343.

¹¹⁶ WHITTLE ' A reassessment of land transfer patterns ';

¹¹⁷ Ibid. pp 49-59; particularly Tables 5 & 6 p 52 & 55.

¹¹⁸ Ibid. p 58 She intended the conclusion to stand in contrast to ideas about stronger family-land bonds, and indicate that the tenants were restricted in their land transfer choices by stricter manorial control.

Motives for participating in land transfer and land market activities have changed over time. It is never easy to be certain why a tenant may have chosen to transfer land, although it may be clear in some situations such as after-death transfers; where the transfers appear to be aimed at dividing a holding between several children; or forfeiting to a lender after failing to repay a mortgage. The reasons for the remainder and majority of transfers, however, may remain difficult to determine. It has sometimes been assumed that the early land market was almost entirely responsive to failed harvests and the effects of population pressure. Van Bavel and Hoppenbrouwers commented that any view that most peasant land markets were emergency sales remains controversial.¹¹⁹ They felt that even in the medieval period this was not necessarily the case. Later on a relationship between the prices of land, food and the market prices of commodities such as grain or wool might be expected. For example, by the sixteenth century Glennie concluded that commercialism in agriculture had progressed to the point where it made an important contribution to the land market by facilitating land purchases from the profits of farming and was not simply equated with the demand for agricultural products such as grains.¹²⁰

Investment became a driver too, and Harvey thought that 'simple ambition' had its part to play in motivation.¹²¹ Whittle thought that during feudalism, wealthy outsiders would not participate in the customary land market because of the servile status of customary land. However by the time of the sixteenth century and probably before, townsfolk did begin to buy into rural holdings for investment purposes and Glennie in particular found this in Cheshunt.¹²² French and Hoyle found evidence of the use of the land market for saving and effecting a form of partible inheritance. In Earls Colne they commented that "Land could be a livelihood and a place to live; or it could be a repository for money salted away and a sound investment" and "The acquisition of land for saving could not be said to have driven the land market; but it was certainly a factor in creating not only demand but also the supply of small units of property returned to be sold again."¹²³

This study gathers evidence from manorial and parish records to build up a picture of what may have been happening in the life of the tenant just before and after the transfer.

¹¹⁹ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 21.

¹²⁰ GLENNIE 'Lea Valley', p 26.

¹²¹ HARVEY (ed.) *The peasant land market in medieval England*, pp 351-2.

¹²² GLENNIE 'Lea Valley',

¹²³ FRENCH and HOYLE *Earls Colne*, p 241& 243.

In this way it is hoped then to estimate why the transfers may have occurred and suggest economic motives such as investment or agglomeration; the payment of inherited debts or legacies, and those for whom financial crisis seems to have been the driver.

1.3. External pressures: prices, population, enclosure and politics.

Van Bavel and Hoppenbrouwers have suggested that a key characteristic of later medieval and early-modern land markets is that both supply and demand were relatively inelastic. In consequence, they stated, shifts in demand were price sensitive; and that changes in demand were mainly due to population changes, technological innovation and changes in GDP.¹²⁴ The last two of these are beyond the scope of this study, but aspects of prices, population, enclosure and political events will be included.

Prices Hoskins undertook a detailed analysis of harvest fluctuations and prices relating to grain, and his results were revisited later by Scott, Duncan and Duncan.¹²⁵ For wool the prices have been researched by Bowden, although he provides a decade figure rather than the annual figures found in Hoskins.¹²⁶ The pattern of grain prices was found to be fluctuating and strikingly cyclical, and constant in this respect over a long period of time.¹²⁷ However Hoskins thought that most important for the majority of the population was the link between fluctuating harvests and food prices and that these latter in turn affected health and disease and hence mortality.¹²⁸ For the Hampshire manors of study it was possible to calculate Winchester grain prices from the annual returns for corn rent paid by Winchester College lessees. These are therefore used in this study to determine whether there is any evidence of a correlation between the price fluctuations and the land transfer patterns.

Population There is a body of work which has examined the relationship between population changes and the land market and land transfer. The classic view is that population rose up to the mid fourteenth century and that it took until around 1600 for the total population in England to reach the same level as it had been in 1347 just before

¹²⁴ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, pp. 17-18.

¹²⁵ HOSKINS, W.G. 1968. 'Harvest fluctuations and English economic history, 1620-1759', *Ag. Hist. Rev.*, 16, 1; SCOTT, S., DUNCAN, S.R. and DUNCAN, C.J. 1998. 'The origins, interactions and causes of the cycles in grain prices in England, 1450-1812', 46, 1,

¹²⁶ BOWDEN, P.J. 1962. *The wool trade in Tudor and Stuart England*, London, Macmillan.

¹²⁷ HOSKINS 'Harvest fluctuations', p. 15.

¹²⁸ Ibid. p 20. There is also a connection to yields.

the catastrophe of the plague years. The implications for the land market were that when there was population pressure before 1348 there was also pressure on land supply and that this manifested itself in a tendency for tenants to try to keep land within the family.¹²⁹ After the Black Death Whittle concluded that the peak in the peasant land market was reached in the late fourteenth century and up until about 1530, while population levels were relatively low and land in relatively good supply.¹³⁰ There was in that period less need to keep land within the family as older sons would be able to acquire holdings of their own without needing to wait for the death of a parent, so more of the land transfers went outside the family. After 1530 demand for land then began to outstrip supply again and there was a return to more family transfers. However pressure on land supply this time is thought to have arisen because of earlier engrossments of holdings by tenants when land was plentiful, rather than population pressure *per se*. The effects were that lords made attempts to raise rents and fines and tenants became far more active in trying to claim property rights in disputes with them.¹³¹ Tenants' rights of inheritance had once more become important to them.

From the sixteenth century onwards the work of Wrigley and Schofield and the Cambridge Population group were able to inform the picture via detailed studies of parish register material from which mortality, and nuptiality were derived to name but two.¹³² The relatively short period of this thesis study makes it difficult to compare results with long-term trends, but the period did include some population displacement arising from the Civil War and significant plague in 1665-6 and 1670-1. Stapleton, one of the contributors to Wrigley and Schofield's volume from Hampshire, published a separate study of local patterns of inheritance in the small town of Odiham.¹³³ Although his subject of study was a town with principally freehold, leases, or burgage tenure, his conclusions are of interest to the area of study in this thesis. He found that migration rates were high and that the proportion who were born, but did not die, within the parish was never less than 56%; and that no single family spanned the full period between 1539 and 1851.¹³⁴ The impression was one of considerable mobility. It was further found that amongst the wealthier groups of yeomen and craftsmen it was relatively

¹²⁹ WHITTLE *Land and labour in Norfolk*, p 88 ; FRENCH and HOYLE *Earls Colne*, pp 23-5.

¹³⁰ WHITTLE *Land and labour in Norfolk*, p 107.

¹³¹ FRENCH and HOYLE *Earls Colne*, p 25.

¹³² WRIGLEY, E.A. and SCHOFIELD, R.S. 1981 & 1989. *The population history of England 1541-1871*, Cambridge, C.U.P.; WRIGLEY, E., DAVIES, R., OEPPEN, J. and SCHOFIELD, R. 1997. *English population history from family reconstitution 1580-1837*, Cambridge, C.U.P.

¹³³ STAPLETON, B. 1999. 'Family strategies: patterns of inheritance in Odiham, Hants 1525-1850', *Continuity & Change*, 14, 3.

¹³⁴ *Ibid.* p 387.

common to operate partible inheritance by trying to provide for all children rather than a single heir.¹³⁵ Parish-level information about baptisms, marriages and burials is available for some of the Hampshire manors studied in this thesis, and apart from helping with family reconstitution – a method pioneered by Wrigley in the 1960s – to inform on relationships and the extent to which land was transferred within the family; it also enables burials and thus death rates to be included and compared with transfer patterns.

Enclosure has been a significant theme in the study of agrarian history from the later medieval period through to the nineteenth century, and the most recent classic work was undertaken by Allen.¹³⁶ It is an important subject, but not a focus in this thesis as the situation in the manors of study was relatively stable at this time. However, it had impact upon land transfer because whether land was enclosed or not affected land values. French and Hoyle in Slaidburn found that both the rental and the sale price per acre were higher for enclosed land.¹³⁷ Accordingly the state of enclosure of each of the Hampshire manors of study is established and included in the examination of land transfer patterns. The details of enclosure in Hampshire have been researched by Chapman and Seeliger from 1700 onwards.¹³⁸ The information for the seventeenth century in this study was therefore sought from manorial and survey records.

Political influences National political issues may not always impact directly at local level, but the period of this study includes the aftermath of the civil war. There was considerable fighting in Hampshire with destruction of land and crops. Dutton believed that Lady Stewkeley in Hinton Ampner could have had a grandstand view of the battle of Cheriton from the windows of her house.¹³⁹ The precise impact on the local tenants is hidden from view, but that on the lords was significant. The confiscation and sale of their manors and the ensuing disruption until the Restoration was extensive and only the Winchester College manors in the study escaped this fate. The problem affected record keeping in a positive and negative way. The positive was the Parliamentary Surveys which provided the lords with a baseline survey for at least a century afterwards and

¹³⁵ Ibid. p 398.

¹³⁶ ALLEN *Enclosure and the yeoman*,

¹³⁷ FRENCH and HOYLE 'Slaidburn', p 362, ff 18; p 369; Tables 7 and 8 pp 376-7.

¹³⁸ Chapman and Seeliger have charted enclosure in Hampshire after 1700, which is at the end of this thesis' study period. CHAPMAN, J. and SEELIGER, S. 1997. *A guide to enclosure in Hampshire 1700-1900*, Winchester, Hants CC.

¹³⁹ DUTTON, R. 1968. *A Hampshire manor: Hinton Ampner*, Batsford for the National Trust. p. 37.

facilitated the benchmark of holdings used in this thesis. The negative was that records were lost of what occurred during the interregnum, although not as much as might be expected as the majority of new owners employed the old church steward to run the manors for them. The tenure section above has already described the views of Clay on the impact on ecclesiastical lordly caution for the later seventeenth century arising from their experience.

1.4. Temporary transfers - subleasing

The subletting of land by customary tenants has already been shown above to have been discovered in the early thirteenth century. It is important for several reasons. Firstly it produces a different pattern of 'real' or 'actual' activity rather than the formal picture provided in manorial records. It affects the size of units of production. It may also conceal the degree of agglomeration (or fragmentation) which there may have been so that the movement towards larger farmed units as one indicator of agrarian capitalism is difficult to assess. Finally it must have provided significant income to those tenants who engaged in it, and was therefore part of a hidden aspect of the rural economy.

However sub-letting is notoriously difficult to study as the evidence is very limited. Many of the discoveries of its existence have been made by an historian happening upon an unusual record source. Tawney knew of it from reading the work of others and believed that it was widespread. He quoted from Baigent's studies of the Hampshire manor of Crondall wherein by the sixteenth century "a considerable number of subtenants" existed.¹⁴⁰ Allen was not sure that it was widespread enough for it to call into question his calculations on farm size averages.¹⁴¹ Hipkin, however, was of the view that his analysis of subtenure on Romney Marsh "reveals a world of mutable holdings and of large farming enterprises assembled from a host of widely scattered plots leased from owners of enormously varying wealth."¹⁴² Harrison in a landmark study investigated Elizabethan surveys for Cannock which revealed sub-tenants. The proportion of sub-tenure according to formal court records was only about 8%, whereas the first field survey revealed a level of 15% to 20% and a second one for 1554 suggested that in fact 64% of the land was sub-let.¹⁴³ Some tenants who were letting

¹⁴⁰ TAWNEY *Agrarian Problem*, pp 80-81.

¹⁴¹ ALLEN *Enclosure and the yeoman*,

¹⁴² HIPKIN, S. 2000. 'Tenant farming and short term leasing on Romney Marsh, 1587-1705', *Econ. Hist. Rev.*, LIII, 4. Page 673.

¹⁴³ HARRISON, C.J. 1979. 'Elizabethan village surveys: A comment', *Ag.Hist.Rev.*, 27,

were resident, but about one third of tenants were absent. The effect of such a high level of sub-tenure was that the social structure and distribution of landholding was very different in reality from that which had previously been known from manorial records. At one extreme apparently large wealthy tenants were in fact farming no land and at the other apparently landless sub-tenants were in reality farming more than 200 acres. On the economic side, the rack rent rates paid by sub-tenants are also concealed, so that true land values and levels of sub-lease income cannot be determined. Whittle has commented that "as subtenures were let at market rates it (*sub-tenure*) was one of the mechanisms which widened the difference of wealth in village society."¹⁴⁴ For a later eighteenth century period (1722-50) French and Hoyle found evidence of sub-tenancy recorded in overseers' rate books in Earls Colne.¹⁴⁵ This revealed that between 43% and 60% of the copyhold acreage was sub-leased at any one time, and that owner-occupation was the exception rather than the rule. The tendency for those who had moved away from the village to retain their land and sub-lease it led, they believed, to a fossilisation of ownership as there was no imperative to sell and thus little opportunity for purchase and consolidation. They concluded that most consolidation of the farming unit took place not at the level of ownership, but at that of sub-tenancy.¹⁴⁶

For all these reasons the study of temporary transfers for sub-tenure is important to include in this thesis, where documentary sources allow. The specific topic of the sub-leasing of dwellings is also examined. This has not been undertaken by other researchers before, and this thesis therefore includes the first analysis of its kind. The details of the formal tenant 'owners' are derived from the manorial records, and then compared with the 1664/5 Hearth Tax returns, which show the *occupying* heads of households rather than the 'owners'. However, there is a limited literature to consider for direct comparison and context. Where the sub-tenants are found to be poor there is a body of work by historians which has examined the poor law relief system. Hindle, in particular, has undertaken extensive and significant work which included rights of settlement and housing issues for poor individuals and families.¹⁴⁷ Broad also looked at housing provision for the poor for the period after the Settlement Act of 1662.¹⁴⁸ However, the sub-tenants uncovered during the course of this analysis were not

¹⁴⁴ WHITTLE *Land and labour in Norfolk*,

¹⁴⁵ FRENCH and HOYLE *Earls Colne*, pp 252-4.

¹⁴⁶ *Ibid.*, p 282.

¹⁴⁷ HINDLE, S. 2004. *On the parish ? The micro-politics of poor relief in rural England c 1550-1750*, Oxford, Clarendon.

¹⁴⁸ BROAD, J. 1999b. 'Parish economies of welfare, 1650-1834', *Historical Journal*, 42, ; BROAD, J. 2000. 'Housing the rural poor in England, 1650-1850', *Agricultural History Review*, 48, Part II.

necessarily poor; and unfortunately there are effectively no poor law records surviving for the Hampshire parishes/manors of this study with which to replicate Hindle or Broad's line of inquiry.

There is, however, a voluminous literature relating to the Hearth Tax. Historians have long been aware of its usefulness and the returns have been much studied.¹⁴⁹ The 1664/5 assessment for Hampshire has been transcribed and published.¹⁵⁰ The majority of Hearth Tax research has focussed on the hierarchy of numbers of hearths which have been used as an indicator of wealth, social standing and structure of society in the post-Restoration period. The Roehampton group led by Margaret Spufford has in particular launched a national-scale project to use the returns to compile maps to show the variation in density of population and/or the percentages of households with specified numbers of hearths at county scale in England.¹⁵¹ Arkell has reinforced the view that the tax returns should be viewed within their regional context in his 2003 paper, which included data from Hampshire.¹⁵² However, the limitations have also been recognised and Spufford, Arkell and others have pointed out that their use can only be enhanced by combining their study with other local history research outcomes.¹⁵³ The analysis undertaken for this thesis fits well into this context.

1.5. Temporary transfers - mortgages

Before the seventeenth century, mortgages were usually arranged by surrendering the land to the lender at court, and if the amount was repaid then the lender surrendered it back. However in the manors of study by the seventeenth century this procedure had been replaced by a conditional surrender in which the land did not physically move from borrower to lender, and was subject to forfeit if unpaid. As with reversions described earlier, these were therefore not technically *transfers* of land. However, as the land was used as collateral, and considerable sums of money were involved, their place as a form of temporary 'transfer' has been retained and made a subject of detailed study.

¹⁴⁹ See for example work by Arkell, Beckett, Husbands and Spufford – in particular their papers in ALDRIDGE, N. (ed.) 1983. *The Hearth Tax: problems and possibilities*, Hull: Humberside College of Education.

¹⁵⁰ HUGHES, E. and WHITE, P. (eds.) 1992. *The Hampshire Hearth Tax assessment, 1665*, Winchester: Hampshire County Council.

¹⁵¹ Project details at <http://www.roehampton.ac.uk/hearthtax/projectresearch/index.html>

¹⁵² Arkell *ibid* p 165.

¹⁵³ SPUFFORD, M. 2002. *The potential of the Hearth Tax returns*, London, British Association for Local History; ARKELL, T. 2003. 'Identifying regional variations from the Hearth Tax', *The Local Historian*, 33, 3.

Some leases, thought to be mortgages, were noted by Hyams and Postan as early as the thirteenth century.¹⁵⁴ Otherwise medieval agrarian historians using manorial records have noted mortgages, but they were usually few in number and did not permit of extensive analysis. Whittle found a total of 17 mortgages in Hevingham Bishop between the years 1444 to 1558.¹⁵⁵ She examined them to see what the outcomes were; found that only three were successfully repaid; and concluded that the use of mortgages was perhaps undertaken by those in financial crisis. For a later date, Holderness drawing on a variety of secondary sources, found that mortgages became more common towards the end of the seventeenth century, and that manipulated skilfully they could provide working capital for enterprising farmers.¹⁵⁶ French and Hoyle analysed mortgages amongst the copyhold tenants in Slaidburn, and also in Earl's Colne, but found that their information was limited by the fact that records of repayment outcomes were often absent.¹⁵⁷ Allen also made reference to mortgages, but linked them mainly to landlords rather than to rural tenants.¹⁵⁸ Despite these studies, the subject of mortgages raised by customary tenants has rarely been examined. It is an area ripe for further exploration.

The subject of mortgages has perhaps fallen between the main research foci of these agrarian historians above and other economic historians. Examples of research by the latter include the work on agricultural credit in the fifteenth century by Briggs who did not have the advantage of a record of new credit transactions – only of unpaid debt claims.¹⁵⁹ For the early modern period, Muldrew conducted an extensive examination of credit and social relations using probate records. In these he found that only 4 out of 1352 debts appearing in probate accounts in Hampshire between 1623 and 1715 were mortgages, and these were in the city of Southampton.¹⁶⁰ However, the probate records for Hampshire consulted for this study, show that they do not appear in those records, so the rural customary tenant mortgages were hidden from his view. Several recent papers by Dutch researchers have examined mortgages as part of the rural credit system in the Netherlands. Here a more centralised local authority administrative system existed to record them, and particularly strong property rights in reclaimed old peatlands enabled

¹⁵⁴ HYAMS, P.R. 1970. 'The origins of a peasant land market in England', *Econ Hist Rev.*, 23, 1. p 30

¹⁵⁵ WHITTLE *Land and labour in Norfolk*, pp117-8 & 171.

¹⁵⁶ HOLDERNESS, B.A. 1976. 'Credit in English rural society before the nineteenth century, with special reference to the period 1650-1720.', *Agric. Hist. Rev.*, 24, p 100.

¹⁵⁷ FRENCH and HOYLE 'Slaidburn', ; FRENCH and HOYLE *Earls Colne*,

¹⁵⁸ ALLEN *Enclosure and the yeoman*, p104.

¹⁵⁹ BRIGGS, C. 2008. 'The availability of credit in the English countryside, 1400-1480', *Ag. Hist. Rev.*, 56,

¹⁶⁰ MULDREW, C. 1998. *The economy of obligation : the culture of credit and social relations in early modern England*, London, Palgrave. p 105.

tenants to mortgage their land at an early date.¹⁶¹ The researchers have expressed the opinion that the Netherlands was far more advanced at this time than East Anglia in terms of the evolution of credit systems; and that mortgages in England were hindered by 'divided rights to land and fragmented registration'.¹⁶² Although the opinion refers to an earlier period than that of the present study, an aim of this thesis will be to consider how far the Dutch conclusion can be verified – albeit for the seventeenth century.

An important context for mortgage research were the changes in usury legislation. Prior to the sixteenth century any charging of interest had been regarded as usurious, and was illegal – although it doubtless occurred covertly. Changes during the sixteenth century culminated in an Act of 1571 – reconfirmed finally in 1598 – which allowed the charging of interest provided that it did not exceed 10%.¹⁶³ This rate was reduced in stages during the seventeenth century. It cannot be a coincidence that in 1598 the Bishop of Winchester introduced mortgage registers for his customary tenants who held by copyhold of inheritance.¹⁶⁴

The importance of this for the study in this thesis are twofold. Firstly that it enabled a flowering of the use of the mortgage in rural credit in England in the seventeenth century, which makes the research in this thesis particularly timely. It also imposed an external constraint on interest rates which means that any classical economic study of credit which uses interest rates as a driver or essential variable parameter is rendered irrelevant. There was not a variable market in interest rates.

1.6. Hampshire.

Hampshire was selected as the location for this research as a region with a wide range of customary tenures. As revealed above, it lies on a boundary between the predominating types of tenure found in eastern and western England. The county has already been the subject of research by others in the medieval period, as historically large tracts of it were owned by the church, monasteries, and later colleges, and the records of these

¹⁶¹ VAN ZANDEN, J.L., ZUIJDERDUIJN, J. and DE MOOR, T. 2012. 'Small is beautiful: the efficiency of credit markets in the late medieval Holland', *European Review of Economic History*, 16, ; VAN BAVEL, B.J.P., DIJKMAN, J., KUIJPERS, E. and ZUIJDERDUIJN, J. 2012. 'The organisation of markets as a key factor in the rise of Holland from the fourteenth to the sixteenth century', *Continuity & Change*, 27, 3.

¹⁶² VAN BAVEL, DIJKMAN, KUIJPERS and ZUIJDERDUIJN 'The organisation of markets', pp 354-5

¹⁶³ 13 Eliz1 c 18.

¹⁶⁴ H.R.O.: 11M59/E1/series, 'Mortgage registers', 1598 et seq.

corporate bodies are well known for their historical extent and survival. For the medieval period the Bishop's estates were studied extensively by Titow – particularly in terms of prices and yields, and the Prior's estates in unpublished work by Drew.¹⁶⁵ Tawney quoted from the manor of Crondall; Postan from Meon; Greatrex wrote about the Register of the Common Seal and St Swithun's estate management; and a number of authors published studies of some aspects of specific manors, particularly Gras and Gras for Crawley who based their study on the earlier work of Pledge.¹⁶⁶ Of the manors selected for study, and in addition to the Gras for Crawley, Meonstoke and Vernham Dean have local histories, and Dutton's book on Hinton Ampner scarcely covers the seventeenth century, but was useful for some of the *dramatis personae* associated with the manor leaseholder.¹⁶⁷ The chalk downland, which the manors studied here extend into, have been studied by Kerridge and Hare for neighbouring Wiltshire.¹⁶⁸ All these authors, apart from the local histories, have focussed on the medieval period, partly because the records are so good for that period. Little work has been carried out on the records of the early modern period, despite the good survival of manorial records in the ecclesiastical and College archives. They form the major data source for this thesis, and enable the situation in a different part of early modern England to contribute to the wider national picture at that time.

1.7. Plan of the thesis

This thesis continues after this introduction, with a description of the documentary sources and methodology in chapter two. The background to the manors of study and their tenures and customs are described in chapter three, and chapter four sets out the

¹⁶⁵ TITOW, J.Z. 1962a. Land and population on the Bishop of Winchester's estates, c 1209 - 1350, unpub. Ph.D. thesis Cambridge.; TITOW, J.Z. 1972. *Winchester yields*, Cambridge, C.U.P.; TITOW, J.Z. 1962b. 'Some differences between manors and their effects on the condition of the peasant in the thirteenth century', *Agricultural History Review*, 10.1, 1.; and DREW, J.S. 1940s Customal of St Swithun's, Winchester I.H.R. & H.R.O. BCC.532 & 116A05/1.; DREW, J.S. 1945 The manor of Chilbolton near Stockbridge, Hants; An English translation of a rental and customal, compotus rolls and manor court rolls (1248-1433) Winchester I.H.R. and similar works for other manors.

¹⁶⁶ TAWNEY *Agrarian Problem*, ; GREATREX, J. 1979. *The Register of the Common Seal of the Priory of St Swithun, Winchester, 1345-1497*, Winchester, Hampshire County Council.; GREATREX, J. 1995. 'The reconciliation of spiritual and temporal responsibilities: some aspects of the monks of St Swithun's as landowners and estate managers (c 1380-1450)', *Proceedings of the Hampshire Field Club & Archaeological Society*, 51, GRAS, N.S.B. and GRAS, E.C. 1930. *The economic and social history of an English village*, Boston, Harvard Economic Studies vol xxxiv.; PLEDGE, F.W. 1907. *Crawley. Glimpses into the past of a Hampshire parish*, Winchester, Privately..

¹⁶⁷ COLLINS, F.B. and HURST, J.C. 1978. *Meonstoke and Soberton: Some chapters of its history*, Winchester, Winton Publications; PALMER, G.L. 2007. *A history of Vernham Dean*, Privately, G.L.Palmer.; DUTTON *Hinton Ampner*,

¹⁶⁸ KERRIDGE *Agrarian problems*, ; HARE, J.N. 2011. *A prospering society: Wiltshire in the later middle ages* Hatfield, University of Hertfordshire Press.

benchmark details for tenant holdings, rents and fines in the starting year of 1645. The subsequent chapters present analysis and findings. Chapter five analyses the permanent transfers which took place between 1645 and 1705. Initially it examines the patterns of all transfers, turnover, and relationships to prices, before separately analysing after-death transfers and those made *inter vivos*. Within the *inter vivos* transfers a further division of analysis is made between the two main tenure types – copyhold of inheritance and lives, as they operated in different ways. The two strands are then brought together for conclusions about the patterns of transfers; the impact of tenure; changes in size of holdings, residency and family attachment.

Chapters six and seven move on to examine the temporary transfers of land for sub-leasing. The formal pattern of licences to let land are analysed in chapter six together with any additional material such as surveys and informal contemporary comments. The sub-tenure of dwellings is then examined in chapter seven. Finally the temporary transfers of mortgage found in the manors with inheritance tenure are analysed in chapter eight. These are subjected to scrutiny with case studies to shed light on borrowing patterns and possible motivations; and an assessment made of the contribution which mortgages may have made to the functioning of the rural economy. Chapter nine then draws together overall conclusions about the behaviour of the tenants with their land transfers; the impact which tenure may have had; and the outcomes of the transfers when considered together.

Chapter 2 Sources and Methodology

2.0. Introduction

This chapter initially describes how the manors of study were selected, and then examines the nature, content and range of the sources used in the research, and how they are relevant to the thesis. It considers who created the records, and for which purposes, and assesses their resulting advantages and limitations. The way in which other historians have used or commented upon them is also assessed. Finally the methodology used in the research is outlined, and then further expanded in the relevant following chapters.

2.1. The selection of manors

In order to examine the workings of different customary tenures, a number of different manors were required for study, rather than just one. This was not only to facilitate comparison, but also to bring some statistical validity into the research with a larger sample size than has sometimes been used by historians focussing on one village only. The study of up to a dozen manors would mean that the resulting sample size would still be small, but yet provide enough variation. However, the sheer volume of material meant that a balance had to be made between numbers of different manors and the time span covered. Studies such as that of Earls Colne by French and Hoyle covered two hundred years, whereas with multiple manors it was judged possible to examine only sixty years.¹⁶⁹ This period was chosen to cover two generations and to ensure that every holding changed hands at least once during the period.¹⁷⁰

An initial long-list of manors to be used in the research was made after extensive investigation into the availability of suitable documentary sources as described later in this chapter. Manors were tabulated against Lordship history¹⁷¹; availability of documents; and tenure type so that a sample range of each could be selected.

¹⁶⁹ FRENCH and HOYLE *Earls Colne*,

¹⁷⁰ Population historians of the period generally assign about 30 years to one generation. Only one tenant in Hinton Ampner lived throughout the period of study with no change to his holding.

¹⁷¹ Chiefly using: DOUBLEDAY, H.A. and PAGE, W. (eds.) 1900-1912. *The Victoria History of the counties of England : Hampshire and the Isle of Wight*, London: Constable.

There was then a need to assess how far the manorial units in the various types of documents were comparable with other records such as parish-based registers and tax returns. The bishop's lands in particular held manorial courts based on large 'Bailiwicks' like East Meon which was not just one manor, but an assemblage of seven or eight. The administrative split was loose and varied over time and did not match parish, or even county boundaries. Comparison of data in these court rolls with other records such as that for the Hearth Tax proved impossible. The manors selected were therefore those where manorial units were sufficiently close to parish to make a wide range of documents usable and comparable. (Vernham Dean suffered from some problems of this nature as it was sometimes more or less subsumed within Hurstbourne Tarrant in tax and church returns, and the sub-manor of Upton straddled the two. However, as will be explained below, it had other over-riding features of interest.)

As the intention was to focus in the transfer analysis upon the impact of differences in tenure between the manors, an attempt was made to minimise the potential effects of other factors. The selection of manors was therefore restricted according to certain parameters. For example only manors in the Hampshire chalk downlands were considered where the tenants shared a similar agricultural system of the 'sheep-corn husbandry' system identified by Thirsk.¹⁷² Manors with otherwise suitable records such as Crondall, which lay at least partly off the chalk, were excluded as they had a different farming system.¹⁷³

Proximity of markets can impact on agricultural activity, and so manors were chosen which lay within about 6 miles of a larger market centre and did not, themselves, contain a market of any significance. They were fairly small villages with a rural population. It is never possible to identify manors with exactly the same locational features, but it was hoped to minimise the effects of this aspect between the manors.

The choice of landlord was originally determined by record availability for the later seventeenth century, and it soon became clear that the corporate landlords of the church and colleges offered the best documentary prospects. They also shared a common lordly management style, by administering their manors via stewards from a distance; were not, themselves, farmers by occupation; and were not resident in the manor. The tenants had

¹⁷² THIRSK, J. 1987. *England's agricultural regions and agrarian history : 1500-1750*, Basingstoke, Palgrave Macmillan. p 40

¹⁷³ Tawney used Crondall's figures quoted from Baigent in TAWNEY *Agrarian Problem*,

a degree of daily independence and because the lords held in mortmain, their manors were not prey to the vagaries of frequent sale and consequent changes of lord, policies and behaviour towards tenants. There was thus a degree of uniformity of landlord type and so by restricting the study to these manors it was hoped that any effects of landlord policy and style differences would be minimised.

The application of this matrix of parameters produced twelve suitable manors, which were then necessarily reduced to eight when the volume of material became clear. Those chosen were the three manors of Chilbolton, Littleton and Ovington (all Dean and Chapter) which had customary copyhold tenure of three lives.¹⁷⁴ Three further manors of Hinton Ampner (D&C), Crawley (Bishop), and Meonstoke (Winchester College) which had customary copyhold tenure of inheritance. Exton (D&C) and Vernham Dean copyhold half (WC) then had a form of half-way tenure of copyhold for three lives but where the first could act alone (3Livesb1); almost as if in an inheritance tenured manor.¹⁷⁵ Finally the other half of the manor of Vernham Dean (WC) which had a form of customary freehold.¹⁷⁶

The manor of Woodmancott (WC) was also initially included, but was later rejected as it transpired that management of the manor was leased out, rather than being administered by stewards. In consequence its lordship style was different and the court roll records were very patchy. However the College maintained meticulous records of its demesne farm there which paid its annual dues partly in corn rent. The details of these were used to establish local grain prices throughout the period of study.¹⁷⁷

In terms of location, Exton and Meonstoke lie together in the Meon river valley while Hinton Ampner and Ovington are neighbours on the south side of the Itchen valley to the east of Winchester. Littleton, Crawley and Chilbolton, which are contiguous, are situated in a line to the north west of Winchester – with Chilbolton on the south side of the Test valley; and finally Vernham Dean lies on its own in the far north west of the county. This last manor was not located in a directly comparable location to the others, but was of interest because it had been split in half between the fourteenth and

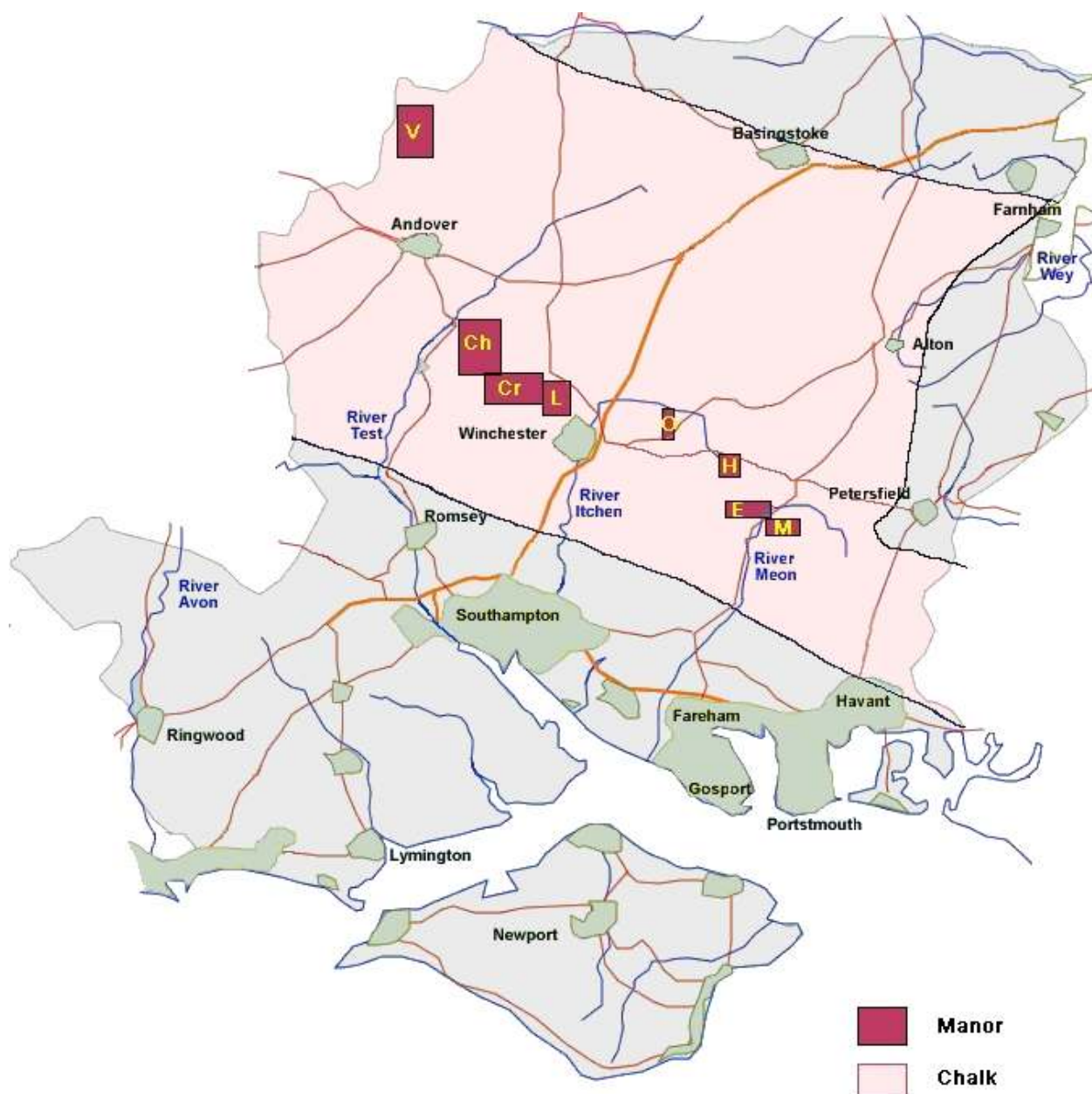
¹⁷⁴ Hereafter acronyms will be used for the lords as : D&C : Dean & Chapter ; WC: Winchester College; Bish: Winchester bishopric.

¹⁷⁵ Tenure abbreviations to be 3Lives; 3Livesb1 (for 3 Lives but the 1st can act alone) and Inher (for Inheritance tenure).

¹⁷⁶ More details of the tenures will be provided in chapter 3 below.

¹⁷⁷ see Chapter 5 and Annex 5.2.

Fig 2.1 The location of the selected manors of study in Hampshire



Key :

Ch ; Chilbolton (Dean & Chapter)
 Cr : Crawley (Bishop)
 E : Exton (Dean & Chapter)
 H : Hinton Ampner (Dean & Chapter)
 V: Vernham Dean (Winchester College)

L: Littleton (Dean & Chapter)
 M: Meonstoke (Winchester College)
 O: Ovington (Dean & Chapter)

N.B. Manor shapes are shown diagrammatically.

seventeenth centuries and in consequence had evolved two different types of tenure as mentioned above. There was therefore an interesting prospect of studying how tenants living together in the same village may have behaved differently with their land.

The map in Fig 2.1. shows the geographic location of the eight chosen manors in relation to the chalk; significant rivers; and centres of population with markets. The roads shown are modern – as is the precise boundary of Hampshire which has changed slightly since the seventeenth century. However, the communication routes remain essentially the same, and the county boundary changes have not affected the chosen manors.¹⁷⁸ The lordship of each manor is indicated in the key.

2.2. Sources

In order to examine the customary tenantry and their landholding and transfer activities, the major sources used are manorial records supplemented by other local documentation. Principal amongst the former are the court rolls and estate administration records; and the latter material includes surveys, parish registers, and probate records. At a county and national level of organisation, the Cromwellian Parliamentary Surveys provide a benchmark picture for the 1640s and the Hearth tax returns, for 1664/5. In the nineteenth century formal enclosure awards and tithe commutation documentation shed further light upon the local manorial situation.

Medieval historians in particular have used the manorial sources extensively, but there has been a paucity of studies using them for the later seventeenth century.¹⁷⁹ At this period the records – where they have survived – can be voluminous; written in formulaic Latin and variable in their attention to detail. In some manors the strict court procedures were beginning to break down with increasing numbers of ‘extra court’ agreements being made, with the danger that they might not be fully recorded at subsequent courts. For ecclesiastically held lands the records were subject to severe interruption during the Commonwealth period when the manors were confiscated and sold, and some of the steward’s archives were found floating past Winchester cathedral

¹⁷⁸ THE INSTITUTE OF HERALDIC AND GENEALOGICAL STUDIES 1977. *Parish maps of the counties of England & Wales*, Canterbury, is the best source of early parish boundary information; supplemented by the relevant sections of the DOUBLEDAY and PAGE (eds.) *Victoria county history*, . Hinton Ampner and Ovington are no longer separate parishes as they once were.

¹⁷⁹ As outlined in chapter 1 these have been restricted to French and Hoyle in Earls’ Colne. FRENCH and HOYLE *Earls Colne*, and Spufford in Cambridgeshire SPUFFORD *Contrasting communities*, .

in the river Itchen.¹⁸⁰ However they otherwise form a valuable repository of information about the tenants, and extensive post-Restoration catch-up courts were held to record what had happened during the lost period.

2.2.1. Manorial Court Rolls, Court Books and Presentment registers

Manorial court records have formed the basis of a large number of studies during the medieval period in particular. They were written and maintained by, and for, the lords of the manor via stewards and administrators if the estates were large. However, the degree to which they reflect the actual distribution of land holding and dwellings remains in question. Whittle and Yates examined whether manorial documents from the fifteenth and sixteenth centuries provide reliable evidence, or whether they produce a picture of a *pays lègal* as distinct from a *pays réel*.¹⁸¹ They pointed out that, for example, only formal tenants are included and that sub-tenants are not. This is particularly relevant to the study in chapter 7 of this thesis which examines the sub-letting of rural dwellings, and to a lesser extent to chapter 6 which analyses the sub-tenure of land. The sub-tenants are hidden from view in the court rolls, and so other documentation must be sought to provide the missing information. The issue also affects attempts to study population density, landless inhabitants, social distribution of wealth and forms of non agricultural employment.¹⁸² This limit and caveat on the use of manorial records is an important one to be borne in mind when carrying out the analysis.

The manorial court records used in this thesis were available in the form of Court Books for the Winchester College estates; rolls for the Dean and Chapter, and books for the bishop.¹⁸³ The coverage is complete with a continuous series of courts for the College manors, but those held by the bishop and Dean and Chapter were subject to a landlord change in 1649 after Cromwell's confiscations. However most of the new owners chose to continue to use the former ecclesiastical stewards to manage the manors, and so records were kept as before. Only the two manors of Exton and Chilbolton were run by the new lords themselves; these records have not survived; and so there is a 10 year gap in their series. The special courts of enquiry held in the period 1660-2 and mentioned above, summarised the changes in tenant holdings that had occurred and reconfirmed

¹⁸⁰ Verbal account provided by the late Cathedral archivist John Hardacre.

¹⁸¹ WHITTLE and YATES ' Pays reel or pays legal ? ',

¹⁸² Ibid. p.5.

¹⁸³ WC: Items 23053 - 23057, 'Court Books', 1640-1710.

them. Thus the majority of the interregnum transfers can be reconstructed from these records.

For the purposes of this thesis, the details of tenant holdings contained in the court records which are of particular relevance include names of holders, inheritors, vendors and purchasers, descriptions of landholdings, the fine paid and the rental value (where given). The Bishopric records helpfully provide cross-references to the date when the holding had transferred on the previous occasion. On the whole, information about rents had to be acquired separately from rentals and surveys. One significant limitation of all these sources is that the land description rarely specified acreage, with land typically measured in customary virgates which varied in size from manor to manor. Limited description of land types also meant that frequently it is unclear if land was arable or pasture. However 'closes' were usually mentioned which aided the estimate of how far the manors were enclosed at the time. Whereas the fine is given, the amount actually paid by the purchaser to the vendor is not – so the total cost of the transfer to the tenants was not known. The location of residence of the tenants is only sometimes stated, which limits any attempt to assess the transfer of land according to residential status. Licences to let are faithfully recorded against the tenants (mainly to ensure the payment of heriot if the tenant were to die in term); but the names of sub-tenants are not. This makes it impossible to study, for example, the actual farmed area that tenants used; and how far the sub-tenants were individuals or one of the larger farmers acting as a sub-tenant in order further to expand their farmed area. Finally, as courts were held only once or twice per year, the rolls could at best only record what had happened since the last court, so that a transfer or death and inheritance might appear up to a year later than in reality. As the seventeenth century progressed, there was an increasing tendency for 'extra courts' to be held, at which the tenants met with the steward in Winchester when something arose between courts. In these cases the precise date was recorded at the next formal court.

The methodology involved with the use of the manorial roll material was one of transcription, followed by the reconstruction of profiles of tenant holdings for a benchmark year. Any subsequent transfers of the holdings were plotted and entered into a database which could be interrogated. Spreadsheets were developed for the temporary transfers of sub-letting with licences, and mortgages. The technique of reconstruction of holdings used here has been used by others, such as French and Hoyle when examining

the patterns of land transfers through time.¹⁸⁴ In particular the process enables ‘false rentals’ and a profile of holding tenants to be generated for any particular year. The results can be used to determine decade changes or over other specified time intervals. This method was used for the analysis of the transfers, but spreadsheets were developed for analysing the licences to sub-let and mortgages.

2.2.2 Estate Management records

The court rolls were only one part of a range of documents kept by the stewards for the lords which were required for the management of their large corporate estates. Of particular relevance to this study are the annual accounts; rentals, fine and heriots listings, warrants relating to extra court agreements, lease registers, and some rentals-cum-registers of copyhold tenants. All these were kept for the purpose of the lords and their administration, and as such provide only the *pays lègal* view. They are patchy in their survival, but they provide useful extra information; amplification and the facility for cross-checking of the court records when they do exist.

Annual financial returns for all the manors took various forms. The College court books contained an annual summary within the court books at the end of each year of court records. These summaries were particularly useful for cross-checking the size of fine paid by the tenants if the court entries had been difficult to read.¹⁸⁵ The Bishop kept separate account roll summaries, but of particular relevance were Fine Registers. These were a handy reference listing for the stewards, as the fines in the bishopric manors were certain and did not vary. Each holding could thus be recorded against its fine and date whenever it changed hands. For the purposes of this research they were an invaluable cross-reference to the court rolls for the manor of Crawley to ensure that all transfers had been found, and that their financial details were correct.¹⁸⁶ The Dean and Chapter’s Audit Receiver’s Books contained the manorial summaries for their manors, although the detail was not always given of individual fines and heriots.¹⁸⁷ (The registers of holdings with the fines paid and dates are described below under the ‘Survey’ section.)

¹⁸⁴ WHITTLE *Land and labour in Norfolk*, and FRENCH and HOYLE *Earls Colne*,

¹⁸⁵ 'WC Court Books', Items 23053 - 23057

¹⁸⁶ H.R.O.: 11M59/E1/123/1 et seq., 'Bishopric Fine Books', 1645-1705.

¹⁸⁷ Cath.: W55C/2/14/1662, W56/2/11&2 & W52/101, 'Audit Receiver's Books', 1662-1705.

Rental listings have survived occasionally for some of the manors, but so sporadically that they can at best be used as a check on the information given in the margins of the court rolls in respect of rent. As all of the manors except Crawley and Hinton Ampner had certain rents which did not vary, the rentals have a use beyond the precise date on which they were made, unless a holding was split up or amalgamated. For example Meonstoke has a surviving rental for 1673.¹⁸⁸ It also has three rentals-cum-copyholder holdings listings which are undated but accord with the 1670s and 1680s period.¹⁸⁹ Hinton Ampner had a rental presented in its 1649 Parliamentary Survey and a rental-cum-survey in 1684.¹⁹⁰ Chilbolton has a form of rental produced in 1662 and another in 1668 when the restored Dean and Chapter were trying to total the rent to that which they used to expect from the manor before the Commonwealth confiscation.¹⁹¹ Exton has similar listings for 1667 and 1687, but Littleton and Ovington have none – probably because they continued to be administered by the former dean and chapter steward (on behalf of the new owners) during the Commonwealth period, so the records were complete.¹⁹²

Other occasional financial and property records took the form of separate heriot bonds for Meonstoke and warrants for Chilbolton and Exton. None of these have survived in a continuous series and are at best partial. The College heriot bonds were recorded for those who took out a licence to sub-let in case they should die during the term when a heriot fell due. They form a useful confirmation of the licences awarded in Meonstoke.¹⁹³ For Exton and Chilbolton bundles of individual ‘warrants’ have survived for some years. These consist of individual pieces of paper and appear to be a record of land transfers which were made in between the formal courts – usually in Winchester before the Dean and Chapter’s steward.¹⁹⁴ For whatever reason, there are none for Littleton or Ovington, and Hinton Ampner has none because inter-court surrenders were taken in the manor itself by two senior tenants who did not involve the steward. The surviving warrants are a useful cross-reference for transfers recorded in the court rolls, but in particular they show the actual fine paid by the tenants involved. As this is almost always far higher than the amount recorded in the court rolls, it seems that the roll

¹⁸⁸ WC: Item 13552 'Rental', 1673.

¹⁸⁹ WC: Items 13555, 6 & 7, 'Rental & copyholder listings', undated but 1670s or 80s.

¹⁹⁰ Cath: W52/76 and Vol 8 of T4/1/3, 'Rentals', 1649 & 1684.

¹⁹¹ Cath: T4/1/3/25 & T4/2/2/73, 'Chilbolton rental and copyholder listing', 1662 & 1668.

¹⁹² Cath: T4 /1/3/25/1 and W54/6/2, 'Exton rentals & copyholder listings', 1667 & 1687.

¹⁹³ WC: Items 13582-13590B 'Heriot bonds', 1646-1705.

¹⁹⁴ Cath.: Exton T2A/3/1/2 & HMC XX No.2; Chilbolton T2A/2/1/57 & HMC XIX No.2, 'Warrants', various 17th century.

record shows only a part of the payment – perhaps for court services - rather than the whole fine which was actually paid. An important limitation of the Dean and Chapter court rolls in respect of fine amounts was thereby revealed. Unfortunately the series of warrants is badly preserved and in any event only covers at most two decades, so they cannot be used for any continuous analysis. However they have been sampled.

Lease Registers were maintained by all the lords, and although lease holders are not the subject of this research, their presence impacted on the customary tenants. The Dean and Chapter had large ‘ledger’ books as part of the Registry of the Common Seal containing full written copies of leases for all their properties, and the bishop had something similar.¹⁹⁵ Winchester College had copies of leases and the fines paid, but also recorded the payments made in the annual manorial income summaries in the court roll books.¹⁹⁶ These records of leases had a twofold relevance to the study of customary tenants. Firstly they described the area covered by leased farms on the former demesne so that the areas available to customary tenants could be more accurately assessed where the total manorial area was known. It was important to understand the acreage of, for example, downland available to the tenants as distinct from the leaseholder. The leases also revealed which demesne lessees had responsibility for collecting tenants’ rents – which was the case in Vernham Dean, Chilbolton, Hinton Ampner, Littleton and Exton. (Crawley was unstated and neither Meonstoke nor Ovington had a leased former demesne farm). Secondly – and of particular usefulness – the Winchester College lessees paid one third of their rent in ‘corn’. So that as the amount of corn to be paid was set out in the lease, the subsequent annual payments recorded provided a perfect way to calculate local Winchester grain prices for the period of study derived from original sources. In fact the lease for Woodmancott – not otherwise a manor of study – was particularly full in its records and the prices for wheat, malt and oats could be calculated twice per year (at Michaelmas and the Annunciation) throughout the period. Vernham Dean’s payment records – in which there was a gap during the 1680s were used as a cross-check on the results. The facility to pay part of the rent in corn was introduced in the Elizabethan era, and other historians do not seem to have used them to calculate prices in this way. The primary purpose for so doing in this thesis is to

¹⁹⁵ Cath: W57D/5-15, 'Lease Ledgers & Receiver Books', 1660-1705b.; and H.R.O.: 11M59/E1/155643 & 4, 'Bishopric leases', 1660-1705a.

¹⁹⁶ WC: Item 23170a; 26501-6; 26536-7; Item 22272 Compti; & court Books 23053 -5, 'College Leases', 1645-1705.

examine whether the patterns of land transfer bore any relationship to the movement of local prices. Only secondary sources were available for wool prices.¹⁹⁷

2.2.4. Surveys : Parliamentary, Manorial, Enclosure and Tithe.

Surveys of a manor contain valuable information about which tenants held which plots at a particular moment in time. Before the seventeenth century when physical techniques of land survey developed and accurate estate maps began widely to be drawn, a 'survey' was usually in written form containing lists and details of tenants and property. They were only undertaken occasionally; most often when a sale or purchase was contemplated, and Clay has commented that they were therefore often used for many years afterwards to avoid the expense of a fresh survey.¹⁹⁸ For the sixteenth century Harrison did discover a survey which showed sub-lessees as well as landholders and used it to examine the rate and extent of sub-tenancy.¹⁹⁹ Such details are, however, very unusual, and only one example has survived for use in this thesis. It was for part of the manor of Kilmeston which is not a manor of study, but borders Exton and Hinton Ampner which are. It has been used to inform the analysis of land sub-leasing in chapter 6.²⁰⁰

Unfortunately there were no surveys surviving for any of the manors of study until the Parliamentary Surveys were compiled in the later 1640s. These were created by Cromwell's Commissioners specifically appointed for the purpose, and carried out after an ordinance of 9th October 1646 abolished episcopacy and vested management of their lands to trustees pending their sale. It was necessary to survey and value the lands in order to ensure the appropriate sale price, and surveyors were sent out from London to undertake the work. They were required to capture the landholding situation in each manor or parish back to 1641. Bishopric lands were surveyed first - and those of the Winchester bishopric were chiefly carried out in 1647. Dean and Chapter (and Crown) lands were taken later and before a second wave of sales. The Winchester Dean and Chapter lands were surveyed in later 1649 and early 1650. The Parliamentary Surveys form an invaluable benchmark or baseline for the research in this thesis, and the reconstruction of manor holdings was made by using them. 1645 (rather than 1641) was

¹⁹⁷ BOWDEN *Wool Trade*, contains decade wool price averages.

¹⁹⁸ CLAY 'Landlords and Estate Management '.

¹⁹⁹ HARRISON 'Elizabethan village surveys '.

²⁰⁰ H.R.O.: 36M 68 /1, 'Kilmeston Survey', 1668.

selected as the benchmark year as there were no manorial records extant for 1642-4, and so entries could only be verified from 1645 onwards.

Apart from the analysis carried out by Madge on the sale and restoration of crown lands, and two studies by Thirsk and Gentles relating to bishopric and crown estates, little attention has been paid by historians to the Parliamentary surveys.²⁰¹ The Dean and Chapter holdings have not previously been researched at all, and Thirsk commented that the Dean and Chapter Parliamentary Surveys “await their historian”.²⁰² Dean and Chapter surveys from other parts of England have been transcribed and published, but contain little analysis beyond descriptions of how the surveys were conducted and aspects of transcription.²⁰³ Clay mentions the surveys in his work on ecclesiastical estate management but has a somewhat contradictory view of them. On the one hand he refers to them as 'hurriedly undertaken', and that the resulting valuations were 'almost invariably understated'.²⁰⁴ On the other he then argues that they became an invaluable resource for the ecclesiastical authorities after the Restoration of their lands in 1660 and were often still in use more than one hundred years afterwards.²⁰⁵

The Parliamentary Surveys list the landholders (including demesne leaseholders); how much land they held, and broadly of what type; the current rental value and a final ‘improved’ valuation. A summary rent-roll was provided at the end together (usually) with mention of freeholders where they existed. Relevant customs were listed - in particular whether the fines were fixed or arbitrary, and dues or services mentioned where these could be valued (for example an annual dinner to be provided for the bishop). The cut-off date for agreed tenants’ landholdings to be credited to them by the surveyors was 1641, so although the surveys were carried out some six to nine years later, they aimed retrospectively to capture the 1641 situation.

The limitations to these surveys are several. Firstly, in the case of Hampshire it seems clear that the bishopric and Dean and Chapter surveys were carried out with different procedures which resulted in different levels of accuracy. The bishopric surveys were

²⁰¹ MADGE *Domesday of crown lands*, ; THIRSK ' Restoration land settlement ', GENTLES ' Sales of crown lands ', and GENTLES ' Sale of bishops' lands ',

²⁰² THIRSK ' Restoration land settlement ',

²⁰³ See for example METTERS, G.A. (ed.) 1985. *The Parliamentary Survey of Dean & Chapter properties in and around Norwich in 1649*, Norwich: Norfolk Record Society., CAVE, T. and WILSON, R.A. (eds.) 1924. *The Parliamentary Survey of the lands and possessions of the Dean and Chapter of Worcester*, Worcester: Worcs. Hist Soc., and POUNDS (ed.) *Duchy of Cornwall Parliamentary Survey*,

²⁰⁴ CLAY ' Landlords and Estate Management ' . p. 159.

²⁰⁵ CLAY ' The greed of Whig bishops ? ', p 145 & 147.

undertaken by summoning tenants to present their holding details at a specially convened court. Of those records that survive, there are many references to tenants who were absent; who held 'certain lands' (which were not therefore detailed); and some very vague depositions about 'certain men holding certain parcels'.²⁰⁶ The impression given is one of the tenantry trying to conceal details from the surveyors. As a result the surviving bishopric parliamentary surveys can only be used with great caution. They may well fall into Clay's category of 'hurriedly undertaken'. The surveys of the Dean and Chapter estates, by contrast, are complete and very detailed and accord well with earlier manorial court records.²⁰⁷ It appears that here the surveyors accessed existing Dean and Chapter records and probably merely copied out all the holding details for each manor. There is no evidence of special courts.

A second limitation for the purpose of this thesis is that the Winchester College manors were not included in the Parliamentary Surveys because they were not confiscated. The tenant holding position for Meonstoke and Vernham Dean therefore had no convenient benchmark year survey, so that the tenant landholdings had to be reconstructed from the court roll records alone. However, as the records are particularly complete, this was not such a difficult exercise. Meonstoke also had a number of copyholder surveys, which are undated (but are probably from the 1670s) which list the tenants, briefly describe their holding and show rent.²⁰⁸ They were probably undertaken as a basis for a full tenant survey dated 1680 when a final enclosure by agreement of the remaining downland was organised. It listed all existing holdings by acreage, and then showed allotted portions of the large down accordingly.²⁰⁹

Another limitation of both the manorial court rolls and the surveys, was that the area of common and downland available to the tenants was not clearly shown. It was important to try to establish what these may have been to assess the areas over which there were rights, such as grazing, wood or furze collection. The methodology employed was to examine later estate, enclosure and tithe apportionment maps and surveys; compare the area of land held by all tenants including lease holders with their calculated area at the end of the study period in 1705; and hence assess what changes had occurred during the intervening years. An estimate of the seventeenth-century downland area could then be

²⁰⁶ eg: H.R.O.: 11M59/E2/155645 'East Meon Parliamentary Survey', and H.R.O.: 11M59/E2/155645 'Hambledon Parliamentary Survey',

²⁰⁷ Cath: W49B and T4/2/6/7, 1647-50.; W52/76 & W52/82.

²⁰⁸ WC: Item 13555, 6 & 7, 'Meonstoke copyhold surveys',

²⁰⁹ WC: Item 13349 repeated in 23055 p 202, 'Meonstoke survey', 1680a.

reconstructed. For example Littleton has a suitable manor map dated 1735/6 and Vernham Dean had a survey prior to enclosure in 1734.²¹⁰ These were close enough to the end date of 1705 in this study to provide accurate information. For the other manors the enclosure surveys and maps were made in the nineteenth century and comparing the areas held plus, if necessary, skimming of the intervening century of court records enabled a reasoned estimate of common and down to be made.²¹¹

Finally a collection of bound volumes with 'Survey' on their spines were discovered in the cathedral library.²¹² They proved to be a form of tenant holding register for the Dean and Chapter manors from 1660 onwards with one page per holding. The original organisation of the volumes was based upon the Parliamentary Surveys as the occasional error in these latter was at first copied into the registers. A record was then kept of any changes in holder; the acreage and rent involved, and then notes about Lives exchanged or added with their fines paid. The dates when these occurred was not always shown. A column for 'comments' occasionally contained intriguing entries made by the stewards revealing information informally obtained about the condition of the tenant or how much the sub-tenant was being charged in rent. These were a useful additional cross-checking facility with the court roll entries for the period of study.

2.2.5. Customs

Information about manorial customs was important as one substantial objective of the research was to examine the extent to which the controls exerted by different customary tenures affected tenant behaviour and outcomes. This is an original feature of the research as it has not been examined by other historians for the later seventeenth century.

For the bishopric manors, a summary of all manor customs are contained in a 1617 custumal, and there are also two eighteenth-century versions in a field book which the

²¹⁰ Littleton Church Hall wall map: 'Littleton manor survey', 1736. and WC: Item 9126, 'Survey of Vernham Dean', 1734. with WC: Items 21343 & 9126, 'Map of Vernham Dean', 1776.

²¹¹ H.R.O.: Q/23/1/2, 'Ovington Enclosure', 1824; H.R.O.: 107M90/11, 'Chilbolton enclosure', 1838; H.R.O.: 11M70/B7/98 for map and text 38M48/181 & 6M63/12, 'Crawley Enclosure', 1794. NB Hinton Ampner & Exton had no enclosure awards as they had already been enclosed before 1700. Meonstoke was a curiosity as there is an award covering enclosure of the down dated 1863 ref H.R.O.: 36A03/PD1, 'Meonstoke enclosure', 1863.. However the comparative exercise with 1705 described above showed that this was in fact merely a formal award of the enclosure which took place in 1680 as described in the court book and mentioned earlier. Enclosure issues are discussed further in chapter 4.

²¹² Cath: 'Survey or Holding Register Books', W54/6/2 series.

steward carried around with him to the courts.²¹³ The salient features of each manor are recorded. As the ecclesiastical estates were so large and widespread across southern England it must have been essential for the stewards to have such a guide. Winchester College estates had a more detailed method of recording customs and 'orders' fairly frequently at the beginning of annual court records, so that most of the information could be found therein. However their stewards also required some *aide memoirs* and these have survived in an eighteenth century notebook not unlike that for the bishopric, which was no doubt used on tour.²¹⁴ The customs for the Dean and Chapter manors were recorded in the Parliamentary Surveys as mentioned above. They were almost certainly copied out of a register of some kind by the surveyors in the later 1640s, but the original book or summary document has not survived. The Parliamentary Surveys are therefore an essential source for these manors.

The customs records contained valuable information about tenure and inheritance customs. Details included whether the manor had customary tenure of Inheritance or Lives, together with the custom of inheritance, for instance by oldest or youngest children; and over which kinds of land. (The manors selected in this thesis were chosen to have a mixture of tenure type, but it so happened that all of them had ultimogeniture or inheritance by the youngest.) Then there was the issue of female inheritance. When a male tenant died leaving a widow, all manors allowed a full freebench over all the holding provided that the widow did not remarry and remained chaste, except in one customary freehold moiety where there were no widows' rights at all. However when a tenant died leaving a female heir, there were differences in the way that she could succeed to the holding. The bishop's custom records show that if she were married 'the husband fines for the wife'. In Winchester College manors there was no such stipulation and a woman became a full tenant in her own right. With customary tenure of lives manors the position was different because a woman would succeed to the tenancy if she had earlier been named as a life and her position in the queue then became first life. She was not required to transfer the tenancy to her husband if she was married.

Heriot information was also contained in the customs documents. All manors charged heriots on holdings larger than a single dwelling upon both death and *inter vivos* surrenders, except in Crawley where heriots were only payable after death and not *inter*

²¹³ H.R.O.: 11M59/E2 / 415808, 'Customs (Bishopric)', 1617.; and H.R.O.: 46M72/M19 and 11M59/E2/380751, 'Customals (Bishopric)', 18th cent.

²¹⁴ WC: Item 23150, 'Customs notebook (College)', 18th century.

vivos. This may, or may not, have affected the behaviour of Crawley tenants with their land transfers if heriots were considered an expense to be avoided.

The reliability of the custumal records is probably good. If tenants disagreed, then they were quick to remind the lord. This only appeared in the manors of study in the early Commonwealth period when new secular lords were not well versed in the traditions.²¹⁵ An indication of the strength of feeling and what could happen was given by the tenants of Hursley (Merdon manor) who were not returned to the bishop at the Restoration and continued to be held by Cromwell's son and descendants. In 1707 the tenants had a detailed printed pamphlet drawn up by a lawyer summarising their customs after some twenty five years of Chancery court cases between the tenantry and the Cromwell (Williams) family in the later seventeenth century.²¹⁶

2.2.6. Taxation returns – the Hearth Tax

The Hearth Tax was collected nationally during the 1660s and 1670s. In order to assess liability for the tax, the returns provided information about the occupying heads of households and the size of the dwellings as measured by the numbers of hearths. It also assessed whether the householder was to be 'chargeable' or 'non-chargeable' based on rental and asset values, which gives a useful indication of wealth. The returns from Hampshire exist in original form, but have also been transcribed and published for 1664/5 which was the first year that all occupiers – however poor and 'non chargeable' - were included.²¹⁷ The survival of the originals allowed the published version to be checked for errors; and comparison with immediately following year returns enabled an estimate of omissions or errors in the originals for 1664/5 to be assessed.

There is a voluminous literature relating to the Hearth Tax as historians have long been aware of its usefulness for studying a number of aspects of late seventeenth-century society. There has been a focus in the research upon using the hierarchy of numbers of hearths and chargeable status to study apparent levels of wealth, social standing and the

²¹⁵ For example when the tenants of Crawley insisted upon adhering to their customary practice of deciding the order of annual underwood-cutting by throwing their caps into a ring. H.R.O.: 11M59/E1/125/6, 'Hats in the ring', p 68.

²¹⁶ IMBER, M. 1707. *Customs of Merdon*, London, Private unknown.

²¹⁷ HUGHES and WHITE (eds.) *Hampshire Hearth Tax*, ; N.A.: Series E179, 'Hearth Tax original returns', and H.R.O.: 20AO2 films M991-3, 'Hearth Tax microfilms', 1664-1674.

structure of society in the post-Restoration period.²¹⁸ More recently a large national project was established at Roehampton University to analyse poverty and wealth patterns on a county by county basis, and the Hampshire data disc was provided to this author.²¹⁹ However, the limitations have also been recognised. The numbers of hearths and chargeable status on their own form a somewhat rough and ready indicator, and Spufford, Arkell and others have pointed out that their use should be enhanced by combining their study with other local history research outcomes.²²⁰ Arkell also reinforced the view that the tax returns should be viewed within their regional context, in an article that included references and data from Hampshire.²²¹ The analysis undertaken for this thesis fits well into this context as the aim is to combine an analysis of the hearth tax returns with the manorial reconstructions of tenant holdings.

The Hearth Tax is used in chapter 7 of this thesis in a way which has not been undertaken before. The return for 1664/5 (amended for any errors or omissions) containing the occupiers, is compared with the known landholders in a manor at that date derived from the reconstitution of customary tenant holdings, and known lease and free holders. The results are then used to imply and analyse the level of sub-tenure of dwellings in 1665. The method uses surnames of heads of households, (which causes female tenants to be under-represented), but the existence of a whole-county transcription facilitates an exploration of where non-residents may have been living – including married women where their husbands' names are known. In order for this exercise to be as accurate as possible, manors were chosen for this research which coincided with parishes in their area. Otherwise the population appearing in the Hearth Tax would not be comparable with that of the manor.

2.2.7. Records of individuals – parish registers

A wide range of documentation relating to individuals can be used to augment the study of land holding and its transfer and use. Parish registers of christenings, marriages and burials are an important source for researching family histories, and population

²¹⁸ See for example work by Arkell, Beckett, Husbands and Spufford – in particular their papers in ALDRIDGE (ed.) *The Hearth Tax: problems and possibilities*, ; LEVINE, D. and WRIGHTSON, K. 1991. *The making of an industrial society: Whickham, 1560-1765*, Oxford, Clarendon; SCHURER, K. and ARKELL, T. 1992. *Surveying the people*, Leopard's Head Press; SPUFFORD *Hearth Tax potential*,

²¹⁹ Roehampton, London: 'Centre for Hearth Tax Research',

²²⁰ SPUFFORD *Hearth Tax potential*, ; ARKELL 'Hearth Tax reg. var ',

²²¹ Arkell *ibid* p 165.

historians have particularly exploited them for the purposes of family reconstitution.²²² In the downland manors of study, less than half the surviving parish registers date from before 1600, and many have not survived before the early eighteenth century which limits their usefulness for this study. Those which have survived include Meonstoke, Crawley and Vernham Dean for the complete period, with partial survival for Chilbolton, Hinton Ampner, Ovington and Exton. The Hampshire Genealogical Society has transcribed them and provided a disc.²²³

The limits to using parish records for land-related research are various.²²⁴ Breaks in registration were frequent, and those who were non-conformist or recusant may not appear at all. In specific relation to this study, land ownership is not indicated, and there is no guarantee that the persons in the records actually lived in the parish. Landless and sub-tenant residents of the manor often appear in the registers, but their names will not appear in the court rolls of formal tenants. There are then difficulties where a parish contained several different manors – or parts of them, as the boundaries were different.

One useful aspect of the parish registers lies in informing when births occurred and hence how old certain tenants were when they inherited or transferred land: specifically when they were minors, or when marriageable age may have been reached.²²⁵ It is also helpful to show when tenants died, as this did not always appear in the court rolls if an *inter vivos* surrender to a child had occurred before death, or an entail had been set up covering at least two generations. (In the latter case the death of the first in the entail was not usually recorded at court, so it was useful to be able to see when they died and the tenancy transferred to the next heir.) There were also occasions when persons with the same name appeared in the court records and it was necessary to sort out which generation had died or married or sold land, and here parish registers provide valuable additional information.

2.2.8. Probate records

Wills, inventories and probate accounts have been extensively mined by historians as a major source of information about personal wealth, economy, and possessions - in

²²² Particularly of course WRIGLEY and SCHOFIELD *Population history*, and WRIGLEY, DAVIES, OEPPEN and SCHOFIELD *English population history from family reconstitution 1580-1837*, and the Hampshire contributor : STAPLETON 'Family strategies',

²²³ I am indebted here to the assistance of Dolina Clarke of the HGS.

²²⁴ Discussed in WRIGLEY and SCHOFIELD *Population history*, pp 3-6 & 89-90.

²²⁵ Marriage age could indicate the need to spend money on portions or establishing a new couple which might be reflected in land sales or mortgaging.

terms of animals and crops as well as household and personal items. Research in the early modern period has focussed on aspects such as crop yields; levels of consumption; credit and debt; social structure; the emergence of the use of particular types of goods - or indeed the emergence of wealth in goods at all; and to examine the provision for children and widows.²²⁶

In respect of this thesis, any extra information about deaths and possessions were useful in establishing inheritance, indicating relationships with kin; the existence of possible family responsibilities for ongoing legacies or annuities; an indication of the occupation of the deceased and their claimed status, such as 'yeoman' or 'husbandman'; to indicate residency or non-residency in the manors; and also whether they held land in other manors outside the research area. All these factors might impact upon the study of land transfers and mortgages in particular.

However, the use of probate records has many limitations. Firstly the majority of rural tenants did not leave a will, so the probate records provide a very partial view which is usually skewed towards the more wealthy. If wills were left, then they were not limited to local bishopric and archdeaconry courts as many historians have assumed. Even moderately lowly yeoman sometimes had wills proved in the Prerogative Court of Canterbury (PCC) and these are often missed. In particular all wills in the manors of study were proved in the PCC during the Commonwealth period, as the ecclesiastical courts had been abolished. Secondly, the probate details may be misleading because many items were not mentioned if they had already been settled before death or were subject to local custom. For example, if land had been passed *inter vivos* to an heir, or significant parts of the holding had been sub-let, then the apparent level of acreage and wealth of the deceased might be quite different from the actual during most of the tenant's life. Another important limitation is that copyhold in the early modern period very rarely appeared in a will as its inheritance was prescribed by custom. Its existence would be missed if using probate records alone. Further issues arise if the land had already been bound in an entail, as again it would not be mentioned in the will. As is

²²⁶ For example OVERTON, M. 1979. 'Estimating crop yields from probate inventories', *Journal of Economic History*, xxxix, 2; SHAMMAS, C. 1978. 'Constructing a wealth distribution from probate records', *Journal of Interdisciplinary History*, 9, ; SPUFFORD, M. and TAKAHASHI, M. 1996. 'Families, will witnesses, and economic structure in the fens and on the chalk: sixteenth and seventeenth century Willingham and Chippenham', *Albion*, 28, 3; BOWER, J. 1991. 'Probate accounts as a source for Kentish early modern economic and social history', *Archaeologia Cantiana*, cix, ; OVERTON, M., WHITTLE, J., DEAN, D. and HANN, A. 2004. *Production and consumption in English households 1600-1750*, Abingdon, Routledge; MULDREW *Economy of obligation*, .

explained in chapter 8 below, mortgages did not appear either as they had been conditional surrenders of land before death, and the inheritance of the agreement was established by custom.²²⁷

All these limitations mean that probate records did not form a primary resource for the research in this thesis. However they formed a valuable adjunct to the other records where they exist.

2.2.9. Diaries and letters

Diaries and letters can provide a personal view of daily life unequalled by other sources. However, as MacFarlane has pointed out in his classic study of the diaries of Ralph Josselin; almost all of the early survivals are from the gentry and ruling classes.²²⁸ Moreover he assessed the primary motive for diary keeping in the seventeenth century as 'a desire to examine one's soul' and that if historians use diaries they may be biasing their results 'towards the more methodical and introspective sides of life'.²²⁹

For the present study, only one relevant diary was available in an edited form - that of John Young, Dean of Winchester (Dean 1616-45 but died 1654).²³⁰ Although it is primarily concerned with the period before the benchmark year of 1645 used in this thesis, it does contain illuminating comments about the Dean and Chapter estates. Moreover Young and his family lived in one of the manors of study – Exton - and held land there, and he bought the manor (via representatives) when it was sold by Cromwell. The diaries contain some useful references to lease and purchase price there. Primarily, however, they shed light upon the political and ecclesiastical background of the important period leading up to the civil war (at which point Dean Young was relieved of his position and lived on in private retirement).

²²⁷ A primary reason why Muldrew found so few mortgages when studying 17th century probate accounts.

²²⁸ MACFARLANE *Ralph Josselin*,

²²⁹ *Ibid.*, p 6 & 8.

²³⁰ GOODMAN, F.R. 1928. *The diary of John Young, Dean of Winchester, 1616 - 45*, Winchester, SPCK MacMillan.

Chapter 3 The Manors of study : their tenures and customs

3.0. Introduction

Chapter 2 outlined the choice of manors, and this chapter explores their tenures and customs in order to set the context for the transfer study to follow. It examines all the tenures in each manor including lordship, lease and freeholders as well as the customary tenants, to reveal the overall tenurial structure of the manors.

3.1. Distribution of tenures in the manors

Table 3.1 shows how many, and of which kind of tenures were found in the manors in 1645 – tabulated by numbers of different holders and with lordship identified.

Table 3.1 The distribution of all tenures in the manors by number of holders in 1645

| <i>Tenure type:</i> | <i>Lordship</i> | <i>Free</i> | <i>Lease</i> | <i>Customary</i> | <i>Rectory</i> | <i>Totals</i> |
|---------------------|-----------------|-------------|-------------------|------------------|----------------|---------------|
| <i>Manor:</i> | | | | | | |
| Chilbolton | DC | | 1 | 23 | 1 | 25 |
| Littleton | DC | | 1 | 6 | 1 | 8 |
| Ovington | DC | 2 | | 20 | 1 | 23 |
| Exton | DC | 1 | 1 | 21 | 1 | 24 |
| V. Dean copy | W Coll | | 0.75 ¹ | 30 | | 30.75 |
| Hinton Ampner | DC | | 1 | 27 | 1 | 29 |
| Crawley | Bishop | 2 | 1 | 38 | 1 | 42 |
| Meonstoke | W Coll | 1 | | 58 | 5 ² | 64 |
| V. Dean free | W Coll | | 0.25 | 35 ³ | | 35.25 |
| <i>Total</i> | | 6 | 6 | 258 | 11 | 281 |
| <i>Total %</i> | | 2% | 2% | 92% | 4% | |

Sources: Manorial records, Parliamentary surveys, parish records, manor reconstructions

The striking overall pattern is the existence within each manor, of only one or two freeholds; one leasehold and a rectory and a remaining majority of customary tenants. The selected Hampshire manors have a very high proportion of customary tenants. The pattern is similar to that remarked upon by Tawney when, in describing the lands held by the Earl of Pembroke in Wiltshire, he wrote: “the copyholders are by far the most

¹ Vernham Dean had two leaseholds – one in each manor moiety which were held in one lease. The farm in the copyhold moiety was much larger than the other.

² Meonstoke had a small Rectory sub-manor whose tenants were not part of this study.

³ Vernham Dean M2 (moiety two) had freeholders, but they were customary freeholders.

numerous class, and on some (*manors*) they are the only class among the customary tenants” .⁴

If the acreage, rather than the number of holders is tabulated, then the estimated distribution of the types of land is as illustrated in Table 3.2. The detailed profiles of the customary tenant acreages are described later in chapter 4.

Table 3.2 The distribution of tenures and land use type in the manors by acreage : 1645.

| <i>Manor</i> | <i>Chilb</i> | <i>Littl</i> | <i>Oving</i> | <i>Exton</i> | <i>H.Amp</i> | <i>Craw</i> | <i>Mstke</i> | <i>VD cpy</i> | <i>VD fr</i> | <i>Totals</i> | <i>%</i> |
|------------------|--------------|--------------|--------------|--------------|--------------|------------------|------------------|------------------|--------------|---------------|----------|
| <i>Lord</i> | <i>DC</i> | <i>DC</i> | <i>DC</i> | <i>DC</i> | <i>DC</i> | <i>Bish</i> | <i>WC</i> | <i>WC.</i> | <i>WC</i> | | |
| <i>Tenure</i> | <i>3L</i> | <i>3L</i> | <i>3L</i> | <i>3Lb1</i> | <i>Inher</i> | <i>Inher</i> | <i>Inher</i> | <i>3Lb1</i> | <i>Free</i> | | |
| <i>Land type</i> | | | | | | | | | | | |
| Free | | | 225 | 160 | | 560 | 21 | | | 966 | 6% |
| Lease arable | 438 | 413 | | 384 | 677 | 770 | | 550 | 35 | 3267 | 19% |
| Lease down | 230 | 240 | | 120 | | 340 ¹ | | 210 ¹ | 40 | 1180 | 7% |
| Lease Woods | | | | 276 | 52 | | | 53 | | 381 | 2% |
| Customary arable | 1036 | 293 | 525 | 667 | 933 | 1136 | 1068 | 507 | 775 | 6940 | 41% |
| Customary down | 420 | 260 | 330 | 250 | | 540 ⁵ | 680 | 200 ¹ | 380 | 3060 | 18% |
| Other woods | | | | | 10 | 176 | 142 ⁶ | | 100 | 428 | 3% |
| Common & marsh | 70 | | 148 | | 100 | | | | 210 | 528 | 3% |
| Rectory/glebe | 4 | 3.5 | 24 | 5 | 126 | 3 | 28 | 31.5 | | 225 | 1% |
| <i>Totals</i> | 2198 | 1209.5 | 1252 | 1862 | 1898 | 3525 | 1939 | 1551.5 | 1540 | 16975 | |

Sources: Parliamentary surveys; court rolls; surveys , enclosure and tithe awards

There are a number of problems with these statistics. The first is to treat with caution the Parliamentary Surveyor’s ability accurately to measure. It was not clear on what basis they had carried out their work, and how far it depended upon oral witness – which witness may have wished to conceal or downplay some aspects of the manor or holdings. If the results are compared with nineteenth century enclosure and tithe awards, for example, there is sometimes a difference which cannot merely be explained by modest inaccuracies. In Chilbolton, for example, there is a discrepancy in acres between the Parliamentary Survey and benchmark of 1645 and the nineteenth century Enclosure

⁴ TAWNEY *Agrarian Problem*, p 51.

⁵ Distribution of down between lease and customary estimated for Crawley & Vernham Dean. It was shared.

⁶ The woodland had been distributed around the tenants before benchmark but is separated here to show land use variation. It will be included in the holdings in the transfer analysis.

Award and Valuation for the manor as a whole.⁷ However, the measurement of the customary tenant holdings in the Parliamentary Survey were probably taken from the steward's records and accord with the descriptions in the court rolls. So the results are close to accurate for the those holdings which will be used in the transfer analyses.

A related difficulty, was how to treat the large areas of downland. The precise figure for acreage of seventeenth-century century downland in many of the manors proved surprisingly difficult to establish, and may explain the discrepancy mentioned above. Table 3.2 shows that of those downs which were identified, they constituted at least 25% of the manor area. Whereas, the leased manor farms had downland included in their overall total of holding, the customary tenants only had 'rights' over downland and so the acreage was not included in their holding size.⁸ This begs a question as to just what size a customary tenant's holding really was. For the transfer analysis which follows in later chapters, it was decided to take only the arable land described in the court rolls as the issue of downland area rights could not be assessed with any accuracy.⁹

Similarly in most manors, tenants had rights in woodland, but there was a difference in how these were held. In Meonstoke all the woodland had been distributed between the tenants prior to benchmark and the areas were completely included in their holdings. However in manors like Exton and Hinton Ampner where it had not been distributed, it remained for the use of the lords or demesne lessee with only seasonal rights of underwood cutting remaining to the tenants.¹⁰

Apart from these caveats, the figures demonstrate the tenurial and farming structure in these downland manors. Only 6% of the area was under freehold tenure – and that in only three manors of Exton, Crawley and Ovington. The leaseholders with big former demesne farms then occupied 28% of the area on average, but up to 50% of the area of the manors in which they occurred. Their average acreage was around 650 acres

⁷ Cath: W52/76 pp 228-239, 'Parliamentary survey of Chilbolton', 1649a.; and Cath: 'Valuation of the manor of Chilbolton', 1849. 'Chilbolton enclosure', Unref Cath. Valuation of 1849.

⁸ This perhaps begs an interesting question as to how far the area of grazing rights should be accounted for in an agricultural system such as the sheep-corn husbandry. Technically a Hampshire downland holding of 45 acres with grazing rights would not equate to an arable holder of 45 acres in a region whose land was almost all arable.

⁹ Grazing rights were mostly allocated in proportion to land holding, so any use of proportional comparative figures in the transfer analysis should balance, irrespective of whether the grazing rights and area are included.

¹⁰ Exton and Hinton Ampner both had separate leases specifically for woods, although they were held by the demesne lessee with the main lease.

including their portion of down. The customary copyhold tenants then occupied and /or had rights over between 50% and 70% of the manor area around them. In general, and where this could be assessed, they had at least twice as much arable area as downland over which they had rights for grazing.

Different manors had specific features worthy of note, for instance Hinton Ampner had no downland. It is not clear whether this was because it had all been subject to early enclosure or whether its geography was simply different. It has to this day a largish area of marshy boggy meadow, rather than down, where the spring line forms the origin of the Itchen river. The manor also had a particularly large Rectory glebe, perhaps because several centuries before it had been responsible for supporting not just the rectory but also the expenses of the office of almoner of St. Swithun's Priory.¹¹ Meonstoke and Ovington had no former demesne manor farms, for reasons to be explored under 'Lordship' later in this chapter. Both were originally linked to another manor which had the demesne farm and this link to the demesne was lost when the manors were split off.

The bishopric manor of Crawley had a different pattern of acreage farmed, but not a different tenurial pattern. This is because of the very early split off of a substantial freehold farm (Rookley) several centuries before the period of this study – the reasons for which are not known. A final comment about Littleton is necessary, as it was very small – with only seven tenants and a large demesne farm. There was thus a danger that any change in landholding or other tenant activity would produce a disproportionate and skewed statistical result. For example, the death of one tenant would produce a one in seven or 14.3% inheritance transfer rate which could be misleading. However its records were clear; the manor was administered and run in the same way as the others, and so it was included as an example of a very small manor.

3.2. The tenures : Lordship

All the landlords of the chosen manors were corporate lords who held by mortmain. A very large amount of land had been granted to ecclesiastical ownership in the Hampshire downlands from as early as the tenth century. A pre-reformation estimate of the total ecclesiastical and college holdings is of some 90 manors in the Hampshire downlands alone. The principal lords in this category appearing in Domesday were 'the

¹¹ DOUBLEDAY and PAGE (eds.) *Victoria county history*, vol 3 p 322.

Church'; 'the Bishop'; and 'The Monastery' referring to those based in Winchester.¹² The Bishop of Winchester was the wealthiest in England in terms of income in the late thirteenth century and the estates extended far beyond Hampshire's borders.¹³ The division of manors between the Bishop and the Prior of St Swithun's was rather fluid and sometimes open to dispute, until in 1284 a final agreement was reached. From then onwards their manors were administered and run separately. In May 1542 the lands of the Prior passed to the newly created Dean and Chapter of Winchester. Very few were taken for sale to secular Lords like those of the other monasteries and convents. Indeed the last Prior was appointed as first Dean, so there was considerable continuity.¹⁴ Meanwhile Winchester College was founded by Winchester's Bishop William of Wykeham at the end of the fourteenth century, so that land acquired to support it was only purchased or transferred after the 1370s.

3.2.1. The Bishop and the Dean and Chapter

The administration of ecclesiastical estates during the medieval period is well documented.¹⁵ Demesne leasing was introduced during the first half of the fifteenth century, most suits and services were commuted to payments; and estates were thereafter run by stewards and bailiffs using annual or bi-annual travelling manorial courts.¹⁶ The demesne lessee was required to be responsible locally for collecting rents, gathering tenants for courts, and providing hospitality for the court officials and their retinue when they were on 'progress' during the year. In terms of their management style, Greatrex concluded that "The prior and convent of St Swithun's appear to have been rather more humane and responsible than stern and aggressive".¹⁷ Page reasoned that although the bishops were powerful, "Nevertheless they were pragmatists and

¹² MUNBY, J. (ed.) 1982. *Domesday Book 4 Hampshire*, Chichester: Phillimore.

¹³ PAGE, M. 2002. *The medieval bishops of Winchester: Estate, archive and administration*, Winchester, Hampshire Papers No 24. p 2 & p 5.

¹⁴ CROOK, J. 1987. *Winchester Cathedral Deanery*, Winchester, Hampshire Field Club & Archaeological Soc. No 43. p 125.

¹⁵ See for example for Winchester estates :, PAGE *The medieval bishops of Winchester*, ; HARE, J.N. 1985. 'The monks as landlords: The leasing of the monastic demesnes in southern England', 82-94 In: BARRON and HARPER-BILL (eds.) *The church in pre-reformation society: Essays in Honour of F.R.H. Du Boulay*. Suffolk, Woodbridge.; GREATREX 'The monks of St Swithuns as landowners', ; and on other estates; DYER *Lords and peasants*, ; HARVEY *Westminster Abbey and its estates*, ; MILLER *The Abbey and bishopric of Ely*, ; and DU BOULAY *Lordship of Canterbury*,

¹⁶ Also outlined in YOUNGS, J. 1967. 'Landlords in England 1500-1640; the church', 71-121 In: FINBERG, H.P.R. (ed.) *The Agrarian History of England and Wales*. Cambridge, C.U.P. vol iv 1500-1640 p 76.

¹⁷ GREATREX 'The monks of St Swithuns as landowners', p 86.

recognised the need to pursue local policies according to local economic and environmental conditions. Local custom too was a force not easily overcome.”¹⁸

In the early modern period, Hill stated that “There is general agreement amongst contemporary observers that bishops, Deans and Chapters were easy-going landlords “ at least towards the aristocracy and gentry. As a result, he continued, “substantial incomes might be made by lessees who merely sub-let.”¹⁹ Research carried out by Clay to examine E.P.Thompson’s assertion that Whig bishops showed rampant episcopal greed, concluded that although the church had previously been powerful, the civil war and the volatility of the political situation in the mid seventeenth century meant that the church authorities were frightened that the Restoration of 1660 might be merely temporary. They thought that further changes and confiscations might occur; and that any aggressive, provocative actions towards leaseholders should thus be avoided. Fines were therefore renewed well under their ‘value’, and that it was not until the reign of George I that some confidence returned.²⁰

The picture presented by the manors studied here accords with these views in respect of customary tenants too. Although writing about the medieval period, Greatrex believed that “ There was a degree of exploitation on both sides; a fairly strict exaction of manorial dues on one side, and a certain amount of evasion on the other; but no evidence of direct confrontation.”²¹

One specific aspect of Lordship needs to be highlighted; the confiscation & sale of the manors during the Commonwealth, which severely disrupted manorial administration. All the bishopric and Dean & Chapter manors were sold and Table 3.3 summarises this. (The two Winchester College manors were unaffected).

¹⁸ PAGE *The medieval bishops of Winchester*, p 22.

¹⁹ HILL, C. 1956. *The economic problems of the church from Archbishop Whitgift to the Long Parliament*, Oxford, Clarendon. pp 6 -7.

²⁰ CLAY ' The greed of Whig bishops ? ', p 148.; THOMPSON, E.P. 1976. *Whigs and Hunters*, London, Pantheon.

²¹ GREATREX ' The monks of St Swithun’s as landowners ', p 86.

Table 3.3 The sale of manors and new lordships 1650-1660

| <i>Manor</i> | <i>Year sold</i> | <i>New Purchaser</i> | <i>Price paid where known</i> | <i>Courts held 1650-60 by :</i> |
|--------------|------------------|--|-------------------------------|---------------------------------------|
| Chilbolton | 1650 | John Lisle | | John Lisle : no records survive |
| Crawley | 1649 | John Pigeon | £836 – 11- 6 | John Pigeon - with old steward |
| Exton | 1649 | Will Collyns & Neville Larymore | £1,518-16-8 | John Young ²² : no records |
| H. Ampner | 1650 | Sir John Hippesley (John Fielder from 1652) | £2,587-17-5.5 | John Chase former steward |
| Littleton | 1650 | Dr Edward Burby | | John Chase former steward |
| Ovington | 1650 | Nicholas Love | in with Barton | John Chase former steward |

Sources; Victoria County History from the Close Rolls; Court stewardship from the court rolls.

Of the six manors involved, it became clear from the surviving court roll entries, that despite the sale to secular Lords, the courts of Littleton, Ovington, Hinton Ampner and Crawley continued to be administered during the Commonwealth as before – even using the former steward. No doubt it would have been an attractive proposition for absentee secular purchasers to engage a steward who was familiar with the manors and minimise their own need for involvement. Presumably it would produce a minimum disruption too to the experience of the tenants. The new lords of Chilbolton and Exton did not act in this way and held their own courts of which no records survive. John Young had been the outgoing Dean, so it may be surmised that he continued as before in Exton. However, for both manors there were extensive sorting out and reckoning courts held by the Dean and Chapter in 1661-2 where the activities of the previous 10 years were summarised and recorded. This has presented a difficulty with transfer analysis for the interregnum period as a specific date for each transfer cannot be identified. However, that the transfers occurred is not in doubt, so an estimate was made of ‘between 1645 and 1665’.

The period of changed lordship was in the event short – a mere ten years. It was not long enough to effect any changes in tenures or policy. There is evidence in Chilbolton that a few ‘outside’ new lordly ‘favourites’ were beginning to try to enter into the copyholds, but these were then negated by the Dean and Chapter at the Restoration.²³

²² John Youngs sen. and jun. Dean Young died during the interregnum.

²³ Cath: T4/1/3/24-32 p 56, Court Rolls, 1652a. /25 p 79 shows, for example that Thomas Muspratt inserted his family into the lives of the Batt holding of 56 acres. The Muspratts came originally from

3.2.2. The Winchester College manors

Bishop William of Wykeham founded Winchester College in 1382 and also New College, Oxford. Accordingly he acquired a variety of lands to provide income to maintain and endow the Colleges. Some subsequent bishops similarly acquired land to support Colleges; for example Bishop Fox and Corpus Christi College in 1517.²⁴ The Hampshire downland had a good sprinkling of Oxford and Cambridge College holdings. Waight examining Corpus Christi lands in Hampshire found that “Generally speaking, the lessees of Corpus Christi property did rather well for themselves at the expense of an absentee landlord who would have difficulty assessing true values”.²⁵ There has been no specific study of Winchester College’s management of its estates, but Yates included some college-held land in her studies in West Berkshire. She found that “There were more opportunities for engrossing of holdings on the manors of the two corporate bodies”²⁶ (The two bodies referred to were Winchester and New Colleges). This suggests that the Colleges had a similar style to that of the church outlined above, and as they had been founded by a bishop and remained close to the church this is hardly surprising. They evolved a very similar administrative structure using a steward and bailiffs and – where present – a demesne farmer to collect rents locally. However, it is important briefly to explore the history of the previous lordship of the selected manors prior to College purchase as it affected the pattern of customary tenure.

3.2.2.1. Meonstoke lordship

Meonstoke was at an earlier date mixed in with neighbouring Soberton as part of one of the large amorphous bailiwicks which existed in Hampshire. By the early thirteenth century, however, the manors had been separated, and Soberton retained the demesne farm leaving Meonstoke without one. Meonstoke then appeared in the 1316 *Nomina Vallarum* divided into three sub-manors with different secular lords.²⁷ One of these – Meonstoke Waleraund - was put up for sale in 1381 and purchased by Bishop William of Wykeham to support his newly founded College. The other two sub-manors also came to Wykeham by purchase in 1388 and 1391 – after which their history is united.

Wiltshire but were politically active in Winchester at that time. The Batts were restored to the holding in 1661.

²⁴ WAIGHT, S. 1995. 'The Hampshire lands of Corpus Christi College, Oxford, and their management, 1550-1650', *Proc. of Hants Field Club & Arch Soc*, 51, p 167.

²⁵ Ibid. p 180.

²⁶ YATES, M. 1999. 'Change and continuities in rural society from the later middle ages to the sixteenth century: the contribution of west Berkshire', *Econ. Hist. Rev.*, LII, 4. p269.

²⁷ COLLINS and HURST *Meonstoke and Soberton*, summarises this pp 21-24.

Winchester College continued to hold and administer Meonstoke throughout the subsequent centuries, although a small rectory sub-manor continued under rectory control.²⁸ This history explains the background to the unusual feature of Meonstoke – that of being entirely composed of customary tenants without a large leaseholding within the manor.

3.2.2.2. Vernham Dean lordship

Vernham (or Fernhams) Dean was part of neighbouring Hurstbourne Tarrant until at least the mid twelfth century and by 1177 was under its own secular lordship.²⁹ A century later in 1277 when the lord of that time died, the manor was divided between his daughter and grandson (son of his second daughter). The two halves, or moieties, of the manor then had a separate history until the late sixteenth century. The eastern moiety descended from the daughter until in 1399 the last heir died childless and Winchester College were able to purchase it. They remained as landlords of that half during subsequent centuries. Meanwhile the western moiety descended from the grandson through a complex web of descendants, until the sixteenth century when in 1576 a George Burley alienated it all to three men who were Fellows of Winchester College. Some legal procedure must have been overlooked, as it was not until 1638 that a final formal Crown Licence was granted to the College. The College has receipts for rents dating from the later sixteenth century, so 1638 must have been a formalisation of the, by then, status quo.³⁰ The whole manor was thereby finally united under the lordship of the College.

This history is important because it explains why different customary tenures developed in the two halves of the manor during the period 1277 to 1576. The half bought by the College in 1399 had a demesne farm and lessee, with customary tenants who held by copy for 3 lives. The half which had remained in secular lordship had only a very small demesne and developed freehold tenures amongst its former customary tenants. (Although a caveat about the term ‘freehold’ in Vernham Dean is contained in the section on freehold tenures below.) By the time of this study, therefore, the manor was still demonstrably divided in two by tenure, although by now part of the same manor

²⁸ Discovered during the course of this research. It had between 4 and 5 tenants at any one time and is not included in the transfer study.

²⁹ DOUBLEDAY and PAGE (eds.) *Victoria county history*, Vol II pp 338-342.

³⁰ Confirmation given by Winchester College Archivist Susanne Foster.

and under the same lord. At the benchmark year of 1645 for this study the tenants were still divided between the two halves, and only held land in one of them.

3.3. The tenures : Leasehold

The only holders of formal leases were the demesne farmers. In 1645 there had as yet been no conversion of customary tenures to leases. There was one leaseholder in each of the manors of Chilbolton, Crawley, Exton, Hinton Ampner, Littleton, and Vernham Dean. There were none in Meonstoke and Ovington. Without exception, the terms of the leases, the covenants and the rental amount remained stable throughout the period of study. Table 3.4 summarises them.

Table 3.4 Summary of the leaseholdings in 1645 ³¹

| <i>Manor</i> | <i>Acreage</i> | <i>Rent p.a.</i> | <i>includes</i> | <i>Term</i> |
|---------------|----------------|------------------|---------------------------|-------------|
| Chilbolton | 688 | £27-15-8 | Mill @ £3-6-8 | 21 yrs |
| Crawley | 770 | £21-16-8 | Stock @ £15-3-4 | 3 lives |
| Exton | 570 + 210 wood | £19-10-0 | Mill @ £5; Woods 6s.8d | 3 lives |
| Hinton Ampner | 677 | £14- 6- 8 | Woods @ £1 (40 acres) | 21 yrs |
| Littleton | 653 | £18-16-4 | | 21 yrs |
| Vernham Dean | 678 | £6-13-4 + | + corn rent (£28 in 1648) | 20 yrs |

Sources: Parliamentary surveys and lease registers

All three of the lords have surviving lease registers which contain copies of the indentures of lease agreed.³² All lessees held the lease for a term of 21 years or 3 lives, although Winchester College offered a cautious 20 years. All of them were renewed every 7 years. Covenants required the holders to collect the tenants' rents; allow tenant 'boots' or rights over underwood; keep the buildings in good repair (for which they were allowed reasonable timber); and to pay promptly with a period of 30 or 40 days' grace. Hinton Ampner and Exton had extra leases for woodland – of which they could use the soil only. Exton and Chilbolton both had water mills included in the lease. All also included a covenant to provide hospitality once or twice per year when the steward and retinue arrived to hold court. In addition, the Hinton Ampner lessee was required to provide a yearly dinner for the tenants near Christmas.³³

³¹ For a breakdown of the acreage between arable and down see Table 3.2 above.

³² 'College Leases', ; 'Lease Ledgers & Receiver Books', for the Dean & Chapter and 'Bishopric leases',

³³ A feature not continued to the present day by the National Trust who now own the Manor.

Much has been written about ecclesiastical demesne lessees; the 'good deal' which they enjoyed; and their propensity to use the lands as an investment and sub-lease them out to a tenant.³⁴ The Parliamentary Survey calculated an 'improved value' for the leasehold farms, which show that they were between 9 and 15 times more than the rates being charged by the church authorities.

Of most relevance to this thesis is to consider the possible impact of the leaseholders on the customary tenants living in the surrounding village. In most of the manors the leaseholder was responsible for collecting rents, but did not hold court or settle disputes. Works and services for the demesne farm had long since disappeared. Where the lessee lived in the village, as in Vernham Dean, Exton and Hinton Ampner, he or she would have been the senior figure in the community and doubtless affected the tenants to a degree. Robert Gough in Vernham Dean was certainly an active farmer. There are occasional references in the court rolls to the odd dispute about hedges or boundaries in the common fields between him and some of the tenants, but the incidence is rare and was very small-scale. It is doubtful whether Sir Hugh Stewkeley ever personally touched a pitchfork in Hinton Ampner. It would not have been his style, as the family lived in the demesne manor farm house rather as if it were a freehold country landed residence.³⁵ He did not have authority to hold court, and when surrenders or death/inheritances occurred amongst the tenants *extra curia*, then it was dealt with by two or three of the senior tenants in communication with the Dean and Chapter and did not involve Stewkeley. (Indeed the Dean and Chapter were often trying unsuccessfully to 'persuade' him to pay 3s 4d in unpaid rent for a small parcel!) In Exton the Young family were of long established reputation and seem to have both farmed and benevolently assisted tenants if necessary. It is entirely possible that this pattern was repeated in Littleton and Crawley.

The picture which emerges is, therefore, that the leaseholders had some duties to perform in relation to the tenants, but that they had no official authority to hold courts. Some farmed, and some did not; and some chose to involve themselves in village life and some did not. If they were helpful and co-operative this was doubtless to the advantage of all sides, but there was no evidence of conflict and/or the lessees taking either the 'side' of the tenants or the lords in disputes.

³⁴ CLAY 'The greed of Whig bishops ?',

³⁵ DUTTON *Hinton Ampner*, contains a good discussion of the personality of Sir Hugh Stewkeley.

3.4. Freehold tenures

One feature of the Hampshire manors of study has already been identified as the virtual absence of freeholders. The few that existed formed rather shadowy figures who were almost never mentioned in the court documents, but appear briefly in taxation returns such as the Hearth Tax; in the Parliamentary Surveys, and in court attendance listings. Most of the holdings were small, except for Rookley Farm in Crawley which was the size of a demesne farm. In fact perhaps it had once been one, as Crawley has a ‘dual’ feature found in a remarkable number of Hampshire manors. The customary tenants’ holdings were always described as in one of two halves of the village – either north or south, and seem to have reflected an ancient division. Gras’ comment about the two freeholds in Crawley was that “Two estates were specially created (*around the late thirteenth century they thought*) as existing somewhat outside the manor to the south and west... From the fourteenth to the nineteenth century we have found no cases of additional freehold in Crawley”.³⁶ There is no evidence that the presence of Rookley particularly impacted upon the customary tenants of Crawley.

The exception to the above were the ‘freehold’ tenants in the eastern moiety of Vernham Dean. They all paid annual quit rents, and if they alienated their holding, or there was a death and inheritance, a ‘relief’ was payable equal to a year’s quit rent. They were thus not as completely as ‘free’ as the other group mentioned above who did not pay any dues. It appears to have been a development of customary tenure of inheritance, and so for the purposes of this research they will be termed ‘customary freeholders’. Their payments of quit rents and reliefs, were entered into the transfers database in order to compare them with the tenants of the other moiety of Vernham Dean amongst whom they were living. However, their sub-letting or sub-leasings did not require court permission, so there are no records of these; and if an entail had been set up then nothing might appear for decades. For a few of the holdings there are details to be gleaned from surviving indentures, deeds, wills and court cases. They will be treated as a separate category of ‘freeholders’ – perhaps a form of half-way status between truly customary and more conventional freehold tenure holders.

³⁶GRAS and GRAS *An English village*, p 58.

3.5. The tenures : Customary tenures

Customary tenants were shown in Table 3.1 above to have formed a mean of 92% of the inhabitants of the manors of study in 1645. A further detailed breakdown of these by type is summarised in Table 3.5 below. The table is presented in a way which places the least secure tenures in the left column and grades to the most secure on the right.

Table 3.5 The customary tenures in the manors of study : 1645

| <i>Manor</i> | <i>Lord</i> | <i>Copyhold for 3 lives</i> | <i>Copy for 3 lives but 1st prevails</i> | <i>Copy of Inheritance</i> | <i>'Freehold' but +relief & quit rent</i> |
|--------------|-------------|---------------------------------|--|--------------------------------|---|
| Chilbolton | DC | x | | | |
| Littleton | DC | x | | | |
| Ovington | DC | x | | | |
| Exton | DC | | x | | |
| H. Ampner | DC | | | x | |
| Crawley | Bish | | | x | |
| Meonstoke | WC | | | x | |
| V Dean Cpy | WC | | x | | |
| V Dean Free | WC | | | | x |

Sources: court rolls and customs documents

3.5.1. Copyhold for three lives

This was the least secure tenure for the tenant, and involved a first life who was admitted as 'tenant', with two other named persons in 'reversion and remainder' behind them. If any of these died, then the life behind them in the queue – so to speak – would move up and a new third life added at the end of the line. Living lives could also be exchanged, and the nominator for all new lives was normally the Life 1 tenant. It was never the lord. The court rolls are reasonably full of exhortations to tenants by the lord to 'fill up' lives if they had been left without nomination for some years. So by the time of this study the succession to the tenancy was clearly regarded as inheritable. This is in contrast to the different life leasehold system in parts of western and south western England referred to by French and Hoyle, and Gritt, where the Lord made the nomination and the tenancy reverted back to the Lord when the lives ran out).³⁷ Competitive bidding could then occur which was not found in these Hampshire manors.

³⁷ FRENCH and HOYLE *Earls Colne*, p 8 ; GRITT ' Life Leasehold ',

Fines would be paid on each occasion that a life changed. As there were three persons involved, the holding could not be sold, mortgaged, split, entailed or held jointly in First Life. It could not be surrendered to will, although examples were found where a will requested one member of the family to buy out another in reversion and provided a legacy with which to do so.³⁸ The holdings could sometimes be amalgamated if, with forward planning, a child's name had been placed in reversion and remainder in more than one holding; or a marriage took place between two reversioners, and all eventually fell to those persons. It is important to note that inheritance customs in such a manor had no meaning, as the next lives were already identified. If Life 1 had nominated his youngest son who was then life 2 in-waiting, the reversioner who inherited and the customary heir would be the same person. However this would have been a choice made earlier by Life 1 and the fact of whom 'custom' alone dictated which heir should inherit was irrelevant. Indeed this was possibly the main 'freedom' that a first life enjoyed – to nominate whomsoever they wished if a life fell vacant. Female children were quite often nominated, so it could represent an opportunity to try to make some provision for daughters. Even unrelated persons could be nominated. The tenants of Chilbolton, Littleton and Ovington had this form of tenure.

3.5.2. Copyhold for 3 lives, but with rights for the first life to act alone.

This was the second form of customary tenure identified and was a more secure version of the above. The first life could act as if they were the only tenant and surrender up the holding for it to be granted to someone else, without seeking the consent of the other two lives. This seems to have represented a half-way house between the rigid '3 lives' tenure and copyhold of inheritance. It meant that the holding could be 'sold'; and even split up. One or two mortgages were even taken out – and interestingly the mortgages were acquired from three named lenders, so that if repayment failed, then these new three would acquire the holding after forfeit.³⁹ Exton and Vernham Dean Copy moiety had tenants who held by this form of tenure.

3.5.3. Copyhold of inheritance

This was the most secure for the tenant and is a very familiar tenure much encountered in historical research. In this tenure one tenant held the premises and could sell, split,

³⁸ For example H.R.O.: 1694A/076, 'Will of Ralph Page', 1694. to be discussed in further detail in chapter 5.

³⁹ See further in chapter 8 on mortgages below.

mortgage, amalgamate, entail and otherwise dispose of the holding as desired, provided that the rents, fines and heriots were paid. The holding could also be surrendered conditionally upon, for example, payment of annuities or continuing to live in the house for life; or it could be surrendered to a will. If the tenant died without making any such extra provision, then the holding was inherited according to the custom of the manor. In all the manors of study this was Borough English, or inheritance by the youngest son, or for want of sons the youngest daughter. A fine was paid for each transfer and usually heriots too; except for Crawley where no heriots were payable on *inter vivos* transfers; only after a death / inheritance. Technically the tenants still had to surrender the holding up to the Lord and ask him to regrant it to whomsoever the tenant identified, but by this time such a matter was a formality. Meonstoke, Hinton Ampner and Crawley tenants held by this form of tenure.

3.5.4. Customary freehold

This tenure in Vernham Dean has already been described above. Fines and reliefs were paid after death and inheritance or after alienation. However, the holder did not have to surrender up his holding to the lord and merely had to inform the Lord. They were not required to seek any further permission to sub-let their land, or to have mortgages recorded at court. The custom of inheritance was different in this moiety. Whilst the youngest son should inherit, as in the other manors, if there were no sons, but only daughters, then the property had to be divided between them.

3.6. Rectories

All the manors except Vernham Dean had a Rectory and all of them had some glebe. Some were held freehold and some by leasehold. As there is no evidence that they had any influence upon the behaviour of the customary tenants, and they were administered separately by the lords, they are only included in a small part of the analysis – connected with overall manorial acreage and dwellings. Some may have had involvement in tithes – which were an aspect of the economy, but tithe records have not survived for this period in the manors of study, so it is not possible to judge. The particularly large glebe in Hinton Ampner has already been referred to; as has the existence of a small Rectory sub-manor in Meonstoke.⁴⁰

⁴⁰ H.R.O.: 21M65 / E15 /60 'Survey of Hinton Ampner glebe', 1696. Section about Meonstoke lordship in this chapter.

3.7. Women, widows and minors.

The position of women was that they could be admitted to a holding in their own right in manors where Lives tenure existed and when their names had risen to the top of the queue. They could also inherit, purchase or surrender land in their own right if they lived in the customary of inheritance manors of Meonstoke and Hinton Ampner. In the Vernham Dean moiety with the freeholders, they could only inherit jointly with their sisters if there was no surviving male heirs. The only exception to this pattern was in the Bishopric manor of Crawley. Here a married woman who inherited was required to have her husband fine in addition to hold with her, so the Lord received two admittance fines. However, if she was a widow or spinster she could act on her own. It is clear in the manorial court rolls when a holding apparently held by a man was in fact attributable to his wife as she was always examined separately (*sola et secret*).⁴¹ Occasionally – and certainly during the later years of the study period – actual joint ownership appeared associated with forms of entails and marriage settlements. They were only possible in the manors with customary tenure of inheritance.

Widows in most of the manors of study could be admitted to their deceased husband's holding dependant upon their remaining unmarried and chaste. If they remarried they forfeited their rights.⁴² Sometimes a reduced fine was payable for admittance, but this was only one penny in Exton and nothing at all in Crawley. In the manors where 'Lives' was the customary tenure it was common practice to fill up the three lives behind the widow and thus she was not really regarded as a 'Life'. It was necessary in the transfer analysis to take account of this. As before, Vernham Dean freeholder moiety was different and widows had no rights at all there.

Minors were dealt with by appointing guardians who were either relatives or local people.⁴³ No case was encountered where the Lord or his representative was appointed. Both men and women appear as guardians and undertook duties such as acquiring licences to let on behalf of the minor. The admittance fine was sometimes paid by the guardians and otherwise became payable when the minor reached 21 years. If he or she

⁴¹ Source of information chiefly from the court rolls where it quickly becomes obvious what the procedures are. Confirmation supplied also in the Customs notebooks referred to previously.

⁴² Similarly clear in the court roll entries, but confirmed by SEELIGER, S. 1996. 'Hampshire women as landholders : Common Law mediated by manorial custom', *Rural History*, 7, 1. in which she also quotes Erikson as having observed the same practice.

⁴³ There were regulations that kin should not be appointed if they would stand to inherit if the minor died.

should die before reaching 21 years then no fine was levied.⁴⁴ In the later transfer analysis a 'reaching 21 years' fine has not been regarded as a new and separate transfer, with just the original inheritance date used.

3.8. Rights, Appurtenances, and Orders.

Most of the customary tenants in the manors of study had 'rights and appurtenances' attached to their holdings; ranging from very small communal field grazing for a few sheep at certain times of the year; to specified animal entitlements on the common down if they held a sufficient acreage. For example the limit in Vernham Dean was 15 sheep, 4 cows and 2 horses per virgate of land held. Rights also existed for pannage for pigs and the taking and using of underwood and limited timber for some fuel and repair of dwellings and fences.⁴⁵ In addition each manor had its specific 'orders' which were periodically recited in court. These varied from instructions to maintain rings in the noses of pigs; to the dates between which communal grazing was allowed; and the maintenance of hedges, fences and gates. The court rolls frequently record small fines for tenants transgressing one or other of these. However no instance was discovered when this was so serious that the forfeiture of the holding resulted.

An unusual 'order' appeared in the Winchester College manors in the 1640s and 1650s. This was a strongly-worded instruction that no tenant should take into their house anyone else - even a relative - on pain of a hefty fine of £5. It seems that this was probably a result of the College's interpretation of the Poor Law constraints on vagrants and persons from outside the parish who might try to dwell in the village and then later become a charge upon it.⁴⁶ Perhaps the bishop and Dean and Chapter would have behaved in a similar fashion if they had not been dissolved at that time. The order is relevant as it may have provoked a series of dwelling divisions in Meonstoke and Vernham Dean in order that elderly or frail relatives could be accommodated whilst circumventing this penalty.

⁴⁴ Specified in customs records such as 'Customals',

⁴⁵ The term 'boot' was sometimes used to refer to some of these rights as mentioned earlier.

⁴⁶ Suggested by Dr John Broad in personal correspondence. The Poor Law regulations in question – but not this particular interpretation of them – appear in HINDLE *On the Parish* ? , .

3.9. Heriots, rents and fines, and licences

Heriots were payable in all the manors after the death of the incumbent – meaning the first life in manors with Lives tenure. They were not payable when a person in reversion and remainder died in a Lives manor; nor after the death of a minor. In all manors they were payable if the tenant (or Life 1 in Lives manor) surrendered the holding, except in Crawley, where they were specifically not payable.⁴⁷ A change of a reversion life in Lives manors did not require a heriot. The other occasion on which heriots appear is during the pledging process for licences to sub-let land. A third party was required to pledge to pay the heriot should the licence holder die during the term of the sub-lease. This would have been important financial security for the lord, and although most heriots had been commuted to money payments by the time of this study, not all had. The lord might then need insurance against the death of a sub-letting tenant who had no actual beasts or crops which could be seized for a heriot.⁴⁸

The amounts payable for heriots varied considerably and have been included in the transfer information and analysis. The bishop's policy was that "every yardland; every half-yardland & farthing land shall be heriotable the best beast".⁴⁹ Also that a cottage with a curtilage which was part of a holding was non heriotable but that a cottage on its own without land was heriotable for 12d.⁵⁰ Winchester College had a different approach "The practice of Winchester College is to compound; and that very moderately viz for 3s or 2s 6d in the pound according to the value of the estate".⁵¹ In other words they made an assessment of the value of the holding before determining how much should be paid (which value would of course relate to the size). There is no available centralised record of policy for the Dean and Chapter manors, but they appear to have been similar to the bishop. A holding was assessed by how many yards, or parts thereof, that it contained and either actual beasts were seized, or more usually the financial equivalent. The precise amount of heriot charged will be discussed in later in chapter 4.

Rents and Fines were 'certain' and fines were 'arbitrary' in six of the manors; but in Hinton Ampner and Crawley it was the fines which were certain and the rents arbitrary. This practice seems to have evolved from the days when 'rent' was paid in services; and

⁴⁷ Crawley tenants only paid a heriot after a death.

⁴⁸ I am indebted to David Rymill of the Hampshire Record Office for this interpretation.

⁴⁹ 'Customs (Bishopric)',

⁵⁰ Ibid.

⁵¹ 'Customs notebook (College)',

as these services could vary then so did the rent. In fact because the bishopric manors like Crawley had certain fines, the various transactions relating to a holding were indexed and recorded in special 'Fine Books', so that particular holdings can be followed through time as a form of land registry.⁵² Indeed there is no rent roll available at all during the study period for Crawley, and the rent roll given in the Parliamentary Survey is the only one available for Hinton Ampner. Confirmation of the link between variable rent and services is provided by its mention in the court rolls: dung carrying in Crawley was not commuted until 1690, for example. In Hinton Ampner after the Commonwealth confiscation and sale in 1649, the new lord Sir John Hipposley had a list drawn up of services due. They included various days' worth of sheep washing and shearing, reaping, haymaking, and meading.⁵³ Nevertheless, if the annual tenant rent income figures are examined in the annual accounts, the figure during the period of study seems stable for all the manors, so it seems that the 'arbitrary' rate and commutation of rent had in fact become settled in Crawley and Hinton Ampner. The average amounts actually paid in the different manors for rent and fine will be further examined in chapter 4.

Licences were required from the lord if a tenant wished to sub-let their holding beyond the term of one year. The rates of fine paid; the term of letting; and how much was licensed will be examined in chapter 6. A licence to let was a temporary transfer in the analysis as it was of fixed term and did not convey the tenancy itself. There were also occasions when tenants obtained a licence to pull down a dilapidated building on their holding and replace it with a new one. Again a fine was paid, but this also did not constitute a 'transfer'. Applications for these dwelling alterations were rare and do not seem to have been a significant element in tenant activity.

3.10. Forfeits

Forfeit of the holding could occur if a widow remarried; the tenant committed a felony; a mortgage was not repaid; or the tenant was caught sub-letting without a licence. The holding might also be subject to escheat to the lord on the rare occasion that no heirs could be found. In practice, although a forfeit was recorded at court for all of these transgressions, provided the fine was paid, then the next heir could succeed to the holding in the case of remarriage of a widow, and the transgressing tenant could

⁵² 'Fine Books',

⁵³ Cath: T4/1/3/24-32 –box 92 'Hinton Ampner tenant services', 1650.p 31.

continue to sub-let provided that a formal licence was then taken out. In the case of a mortgage the lender was admitted by the lord to the property. The occasions of felony were mostly sad. There were a few cases of suicide or 'the felony of self murder' as it was described. This usually left an abandoned family, and an investigation was instigated which reported back to the manorial court. In each of the three cases which occurred in Littleton and Vernham Dean, the lord did confiscate some goods and chattels, but allowed the widow to continue to have her widow's rights and the heirs to inherit later.⁵⁴

3.11. Conclusions

This chapter has aimed to outline the main tenurial features of the selected manors. As explained in chapter 2, they were chosen all to lie within some six or seven miles of markets; to be located in the 'sheep-corn husbandry' area of the chalk downlands; and were all under corporate lordship which was absentee and administered by stewards and bailiffs. They mostly had one large demesne manor farm in their midst, but more than 90% of the tenants were customary. These held their land by one of four different customary tenures, which ranged from the most insecure '3 Lives' to the most secure 'customary freehold'. All had Borough English inheritance custom, although this was not relevant in the 'Lives' manors. All had rights for widows except for Vernham Dean free moiety. The rights to boots and pasturage varied somewhat in their particulars from manor to manor; as did the nature and levels of rent, fine and heriot. Many of these aspects will be amplified in respect of their relevance and impact on transfers in the following chapters.

⁵⁴Cath: T4/1/3/24-32 court for 26th March 1652, 'Harfell suicide investigation - court rolls', 1652b. is an example concerning the case of Ralph Harfell in Littleton.

Chapter 4 The manors and their customary tenants in 1645.

4.0. Introduction.

This chapter provides a summary picture of the customary tenants in their manors in the starting baseline year of 1645. It examines how many there were; the profile of the size of their holdings; the extent of enclosure; and the level of rents and fines. All these form the background and starting point for the later chapters of analysis of the transfers of the holdings. The types of all the tenures present in the manors was described in chapter 3 and summarised in Table 3.1 which showed their distribution by types of holders. The pattern was one of an overwhelming majority of customary tenants, with no more than one or two freeholders and one leaseholder in each manor. It is the customary tenants only which are the subject of the research in the following chapters of this thesis.

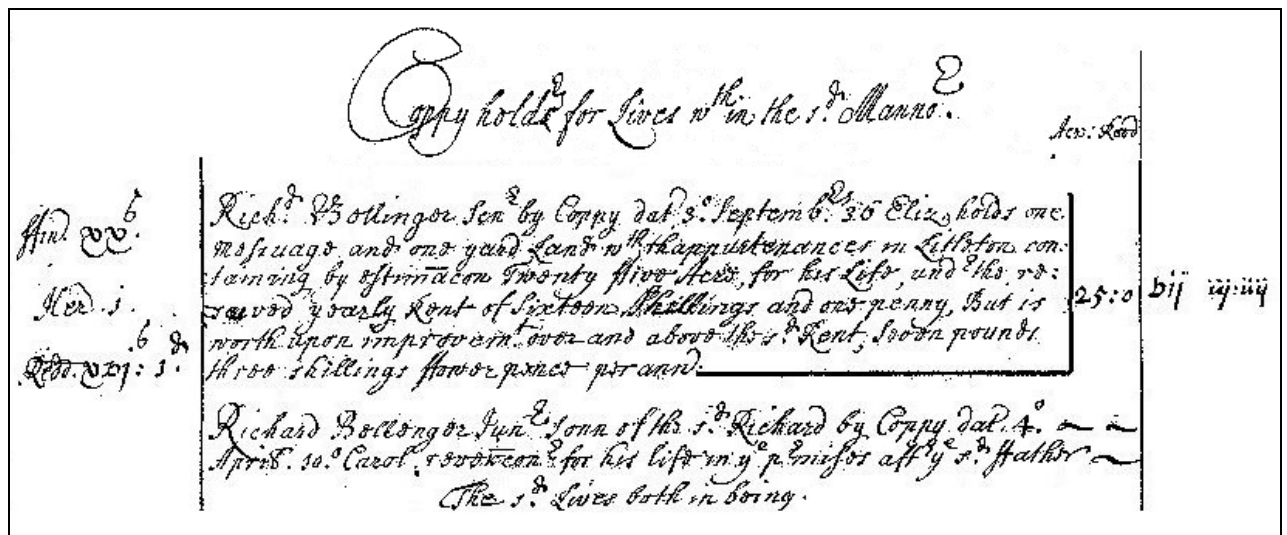
The selection of 1645 as the benchmark was primarily made to maximise the use of the Cromwellian Parliamentary Surveys. Although these were carried out in the later 1640s, the surveyors were required to present the data back to 1641. However, the civil war had produced considerable upheavals and there were no manorial court records for 1643 and 1644 in particular. So the year 1645 is the point at which it is possible most closely to match the Surveys with court and other records. The manors for which a Parliamentary Survey has survived are Chilbolton, Littleton, Ovington and Exton, with just a simple rent roll for Hinton Ampner. For the three manors of Crawley, Meonstoke and Vernham Dean a different methodology of reconstruction of tenant holdings in 1645 had to be undertaken as described in chapter 2.

Fig 4.1. shows an extract from the Parliamentary survey for Littleton for March 1649.¹ The heading line states the type of customary tenure – in this case Lives – which is then followed by the descriptions of each tenant and holding. In this example Richard Bellinger sen. is shown, followed by the date in September 30th Elizabeth (1594) when his name had first been added as a life in reversion and remainder. The columns and the text then describe his holding as one yard land of 25 acres at an annual rent of 16s 1d; that he was due to pay one heriot when a transfer occurred; and that the last fine on the property had been 20s. The surveyors calculated that the improved value of such

¹ Cath: W52/76 pp 40-46, 'Parliamentary survey of Littleton', 1649b.

premises would be £7-3-4 – about 9 times more than the rent actually being paid.² Below the main entry is given the name of the next lives – which in this case was only one, as presumably the third had not yet been nominated. The second life was Richard Bellinger jun. whose life had been added in 1634.

Fig 4.1. Extract from the Parliamentary survey for Littleton for March 1649.³



Source: Cathedral Library.

4.1. Tenant holding size profiles

The survey details were cross-checked with other manorial records, and holding profiles of the tenants were assembled. The resulting dimensions of the manors and their customary tenants are summarised in Table 4.1. The manors have been grouped by tenure type, and their lordship indicated.

² On 25 acres this represented an 'improved value' of about 5s 9d per acre. The rate per acre calculation given for the Littleton leaseholding on the previous pages of the survey was either 5s or 6s per arable acre, so this assessment of Bellinger's holding suggests that it was all arable (with sheep grazing rights on the down not included).

³ 'Parliamentary survey of Littleton'.

Table 4.1. Essential statistics for the customary tenants in the manors in 1645.

| <i>Manor</i> | <i>Lord</i> | <i>Tenure</i> | <i>No tens in 1645</i> | <i>Area of cust tenant acres</i> | <i>Mean holding size in 1645</i> | <i>Size of virgate ⁴</i> | <i>Mean no virg per ten</i> |
|---------------|-------------|---------------|----------------------------|--------------------------------------|--------------------------------------|---|---------------------------------|
| Chilbolton | DC | 3 lives | 23 | 1036 | 45.0 | 24 | 1.9 |
| Littleton | DC | 3 lives | 6 | 293 | 48.8 | 24 | 2.0 |
| Ovington | DC | 3 lives | 20 | 525 | 26.3 | 16 | 1.6 |
| Exton | DC | 3Lb1 | 21 | 667 | 31.8 | 20 & 15 | 1.8 |
| V Dean Copy | WC | 3Lb1 | 30 | 506 | 16.9 | 28 | 0.6 |
| H Ampner | DC | inherit | 27 | 934 | 34.6 | 32 | 1.1 |
| Crawley | Bish | inherit | 38 | 1136 | 29.9 | 32 & 11 | 1.4 |
| Meonstoke | WC | Inherit | 58 | 1210 | 20.9 | 21 | 1.0 |
| V Dean Free | WC | Free | 35 | 776 | 22.2 | 28 | 0.8 |
| <i>Totals</i> | | | 258 | 7083 | | | |

Source : manor holding reconstructions.

The number of different tenants in 1645 shows a total of 258 with a range of between only 6 in Littleton up to 58 in Meonstoke. The next column shows the total acreage held by these customary tenants as described in their holdings in the records. As explained previously, this does not include any area of down over which they may have had sheep grazing rights. It was principally arable and some pasture land and coppices. Inventories throughout the period of study show that apart from sheep flocks, the main arable crops grown were wheat, barley and oats with the addition of peas and vetches. By comparing the acreage of crops appearing in inventories taken during the late spring and summer months with known acreages held by tenants at death, it is clear that it was normal to leave one third of the arable area fallow each year, and that in most manors the area of pasture and meadow was small. Meonstoke, Exton and Chilbolton had somewhat more meadowland as they were riverside manors. However few tenants had any cattle and the larger tenants had at most five or six. The meadows were mostly used for haymaking. Some pigs and a few horses were kept and there was some cheese making and malting. The area was classic sheep-corn husbandry.⁵

The division of the total tenant acreage by the number of tenants gives a figure in table 4.1. for the mean tenant holding size per manor. The next column lists the size of a virgate in each manor and the final column shows the mean number of virgates held per tenant. These mean figures are too crude a statistic to be useful beyond highlighting the

⁴ Exton and Crawley had different sized virgates in two halves of their manors, which were Upper and Lower Exton and North and South Crawley.

⁵ As previously described, and in THIRSK *Agricultural regions*, .

differences between the manors. Chilbolton and Littleton had a mean holding size per tenant of 45 and 49 acres respectively, and an equivalent mean of 1.9 and 2 virgates. Meonstoke and Vernham Dean, however, had a mean of between 17 and 22 acres, and 1.0 to 0.6 virgates. It could be the case that land in Meonstoke and Vernham Dean was more fertile, so that less land was needed to support a farm. However the virgate size of these manors was not lower (sometimes a reflection of relative land fertility), so some other factor was at work, and tenure appears to have been an influencing factor. The mean size of holdings broadly declines down the table by tenure type with the 3Lives manors having a high figure and the inheritance manors a low one. This pattern is reinforced in the mean virgate per tenant column. It will be shown later that Lives tenure tenants could not split up their holdings in the way that was possible in Inheritance manors, so this may explain the lower mean size in the latter. However there are various anomalies to note. Firstly Ovington does not appear to share the high mean holding size with the other two 3Lives manors. However its virgate size was the smallest and so the mean virgate size per tenant *is* at the higher level with the others. Then Exton and Crawley both had a split manor with different sized virgates in upper and lower Exton and north and south Crawley. It was never clear in any manorial records precisely where any particular tenant's land lay within these two manors, so it was not possible to assign holdings to the correct half. Hence the calculation of mean figures for them must be regarded with particular caution. Vernham Dean had a much lower holding size per tenant in both halves of its manor – for reasons which are not immediately clear.

A more detailed profile of the size of the tenant holdings is shown in Table 4.2. and illustrated graphically in Figs 4.2. The size is only the formal tenant holding as found in the manor records. The difference between the *pays légal* that are thereby represented and the *pays réel* which is hidden has already been referred to in chapter 1.⁶ However it is these formal holding sizes that are the basis for the discussion of transfers, so they must be understood at the outset. In particular the examination of changes in holding size in chapter 5 is based upon them.

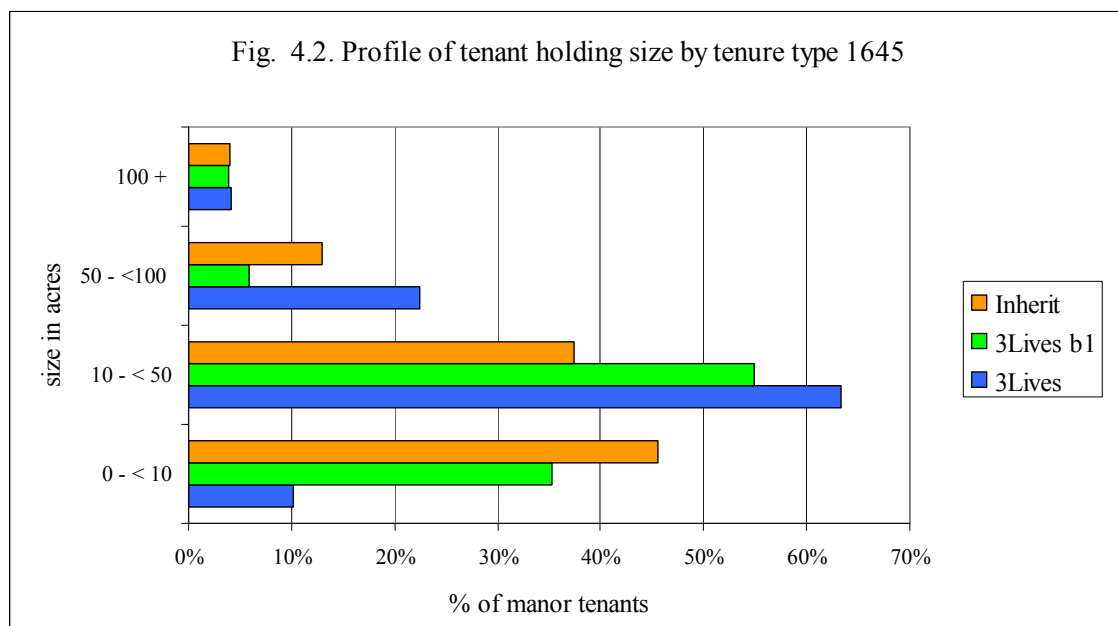
⁶ WHITTLE and YATES ' Pays reel or pays legal ? ',

Table 4.2 The profiles of tenant holding sizes by manor and tenure type 1645

| <i>Size in acres</i> | 0 -<0.5 | 0.5 - <10 | 10 - < 25 | 25 -< 50 | 50 -< 75 | 75-<100 | 100 + | <i>Totals</i> |
|------------------------|---------|-----------|-----------|----------|----------|---------|-------|---------------|
| <i>Manor</i> | | | | | | | | |
| Chilbolton | | 1 | 5 | 6 | 10 | | 1 | 23 |
| Littleton | | 1 | | 4 | | | 1 | 6 |
| Ovington | 1 | 2 | 7 | 9 | 1 | | | 20 |
| <i>Tot 3 Lives</i> | 1 | 4 | 12 | 19 | 11 | 0 | 2 | 49 |
| <i>tenure manors</i> | 2% | 8% | 24% | 39% | 22% | 0% | 4% | |
| Exton | 4 | 4 | 4 | 5 | 1 | 1 | 2 | 21 |
| V Dean cpy | 5 | 5 | 13 | 6 | 1 | | | 30 |
| <i>Tot 3 Livbl</i> | 9 | 9 | 17 | 11 | 2 | 1 | 2 | 51 |
| <i>tenure manors</i> | 18% | 18% | 33% | 22% | 4% | 2% | 4% | |
| H. Ampner | 2 | 9 | 3 | 8 | 1 | 3 | 1 | 27 |
| Crawley | 4 | 6 | 8 | 12 | 6 | 1 | 1 | 38 |
| Meonstoke | 13 | 22 | 9 | 6 | 3 | 2 | 3 | 58 |
| <i>Tot Inheritance</i> | 19 | 37 | 20 | 26 | 10 | 6 | 5 | 123 |
| <i>tenure manors</i> | 15% | 30% | 16% | 21% | 8% | 5% | 4% | |
| V Dean Free | | 12 | 9 | 10 | 3 | 1 | | 35 |
| <i>Totals</i> | 29 | 62 | 58 | 66 | 26 | 8 | 9 | 258 |
| | 11% | 24% | 22% | 26% | 10% | 3% | 3% | |

Source : Manor holding reconstructions

Fig 4.2 gives a visual presentation of the above figures in chart form to highlight the patterns found in the different tenure types. The half manor of customary freeholders was omitted as being too small a sample size.



Source: Benchmark tenant holding analysis from court rolls and Parliamentary Surveys.

A feature of these profiles is the differences in size pattern between the tenure groups, as implied by the mean holding size calculation presented above. All of them have one thing in common – a very small 4% group of tenants who held more than 100 acres. Apart from this, the pattern of the group of manors with 3Lives tenure, was the striking lack of cottagers and small holdings. Ovington had one tenant who was a cottager without land, but he represented a mere 2% of the total number living in the 3Lives tenured manors. There were only another 8% holding land between 0.5 and 10 acres. Almost two thirds (63%) of the holdings in these three manors lay in the virgate 10-<50 acre size group with a mean of 39% in the 25-< 50 acre category. The holdings were chiefly of middling size. This pattern is similar to the blocks of holdings observed by Yates in Berkshire and Whittle for the Midlands where 3lives tenures were also found.⁷ Why this may have arisen in Hampshire, at least, will be explored in chapter 5.

In contrast, the pattern for the inheritance tenured manors shown in Fig 4.2 grades out down the chart from the small number at the top, towards a maximum in the bottom smallest holding group. In these manors 15% of the holders had a cottage without more than half an acre, and a further 30% had between 0.5 and 10 acres. This total of 45% of holdings under 10 acres formed the largest group of tenants. The picture is slightly skewed towards the results for Meonstoke which had almost as many tenants as Crawley and Hinton Ampner combined. However these other two manors still had a significant proportion of their tenants who had cottages or smallholdings.

The mid-way tenured manors with 3lives-but-1st-acts-alone tenure appropriately form a half-way distribution pattern with their largest size group of between 10 and 50 acres at 55% mirroring that of the 3 Lives, but with 36% of tenants holding less than 10 acres similar to the inheritance manors.

4.2. Female tenants

The activities of women tenants are examined in later chapters in relation to some of the transfers, so it is relevant to examine their position in 1645. Table 4.3 shows how many of the tenants were female; and of these, which were holding in their own right as tenants, and which were enjoying a widow's rights.

⁷ YATES *Town and countryside in Western Berkshire, c 1327 - c 1600*, ; WHITTLE and YATES *Pays reel or pays legal ?*, ; WHITTLE *A reassessment of land transfer patterns*.

Table 4.3. The proportion of female tenants in 1645

| <i>Manor</i> | <i>Lord</i> | <i>Tenure</i> | <i>No tens in 1645</i> | <i>Of which</i> | | <i>Women holding</i> | | | |
|--------------|-------------|---------------|----------------------------|-----------------|----------|----------------------|----------|--------------|----------|
| | | | | <i>women</i> | <i>%</i> | <i>Own right</i> | <i>%</i> | <i>widow</i> | <i>%</i> |
| Chilbolton | DC | 3 lives | 23 | 10 | 43% | 3 | 13% | 7 | 30% |
| Littleton | DC | 3 lives | 6 | 1 | 17% | 1 | 17% | | 0% |
| Ovington | DC | 3 lives | 20 | 6 | 30% | 3 | 15% | 3 | 15% |
| Exton | DC | 3Lb1 | 21 | 2 | 10% | 2 | 10% | | 0% |
| V Dean Cpy | WC | 3Lb1 | 30 | 10 | 33% | 5 | 17% | 5 | 17% |
| H Ampner | DC | inherit | 27 | 7 | 26% | 1 | 4% | 6 | 22% |
| Crawley | Bish | inherit | 38 | 10 | 26% | 8 | 21% | 2 | 5% |
| Meonstoke | WC | Inherit | 58 | 14 | 24% | 8 | 14% | 6 | 10% |
| V Dean Free | WC | Free | 35 | 3 | 9% | 3 | 9% | | 0% |
| <i>Total</i> | | | 258 | 63 | 24% | 34 | 13% | 29 | 11% |

Source: Manor holding reconstructions.

There appears to be little pattern in these results associated with tenure or lordship. The very low number in the Vernham Dean Freeholder moiety is explained by the absence of any widows' rights in that half manor. However Chilbolton had a particularly high proportion of women (43%), of whom 30% were widows. Perhaps that manor had been particularly badly affected during the civil war battles and lost men. If the highest and lowest percentages of women holding in their own right are removed, then the remaining manors fall between 9% and 17% of women holding in their own right; a reasonably consistent proportion across the manors. It is the number and percentage of widows which fluctuates significantly, which is perhaps not unexpected when the figures are but a snapshot of a particular year.

4.3. Enclosure

The state of enclosure in the manors is relevant to consider as a basis for informing possible variations in land values in the transfer analysis. Table 4.4 summarises the extent of enclosure which it is believed existed in the manors at in 1645 and then again in 1705 at the end of the study period..

Table 4.4 The proportion of land enclosed in the manors in 1645 & 1705

| <i>Manor</i> | <i>Lord/tenure</i> | <i>Minimum enclosed 1645</i> | <i>Minimum enclosed 1705</i> | <i>Final enclosure award if after 1705</i> |
|--------------|--------------------|------------------------------|------------------------------|--|
| Chilbolton | <i>DC 3L</i> | 20% | 20% | 1838 |
| Littleton | <i>DC 3L</i> | 59% | 59% | 1843 |
| Ovington | <i>DC 3L</i> | 38% | 38% | 1824 |
| Exton | <i>DC 3Lb1</i> | 89% | 100% | |
| V Dean cpy | <i>WC 3Lb1</i> | 22% | 22% | 1742 |
| H Ampner | <i>DC Inher</i> | 100% | 100% | |
| Crawley | <i>Bish Inher</i> | 29% | 40% | 1794 |
| Meonstoke | <i>WC Inher</i> | 65% | 100% | 1863 |
| V Dean free | <i>WC Free</i> | 18% | 18% | 1742 |

Sources Court rolls, surveys and enclosure awards⁸

The table shows that three manors changed their proportion of enclosed land between 1645 and 1705. The 1645 situation for the other five manors remained the same. However, the major difficulty with describing the degree of enclosure in these manors relates to what it was that constituted ‘enclosure’. There was plenty of evidence of a slow movement from amalgamation of holdings into blocks of strips towards a more rigorous hedged ‘close’. There was also a situation in Meonstoke, Crawley and Vernham Dean, where the tenants were already tilling downland or old woodland under a renewable group licence from the lords – probably in blocks for each tenant. So the position was transitional and fluid and it is not clear at which point in these transitions the holdings might be regarded as effectively enclosed (although not formally so). Finally, there was the question of what enclosed status to attribute to a manor where all the arable and meadow land had been enclosed, but the sheep grazing was still open over a wide area of downland. Sheep pasture was not normally enclosed in the same way as that for cattle at this period.

For example, Littleton tenants had amalgamated all their holdings of arable and pasture into parcels which were usually referred to as ‘closes’ in the court roll texts. However a map of 1736 shows that these closes were distributed around the manor in order to take advantage of different types of soil and aspect.⁹ It also shows an area with strip fields in the Harestock end of the manor, but with just three tenant names written over them

⁸ 'Crawley Enclosure', ; 'Ovington Enclosure', ; 'Chilbolton enclosure', ; 'Meonstoke enclosure', ; WC: Item 9126 (1742) & Item 9131 (1734), 'Vernham Dean enclosure', 1742 & 1734.; H.R.O.: 49M95/558, 'Littleton enclosure', 1843.

⁹ 'Littleton manor survey',

showing that they had been formed into a few large blocks. Only the area of downland for sheep grazing had not been amalgamated into holdings, and this constituted 41% of the manor area. The questions which then arise include: whether the consolidation of the strip fields and gathering together of arable and pasture at an early date can be described as 'enclosure' and whether the fact that the closes were distributed about the manor also downgrades their classification. Secondly, as the area of downland was so large a proportion of the manor, whether its retention for grazing gives an erroneous impression of lack of enclosure when all the arable land had in fact been enclosed.

Meonstoke presents a different example in which much enclosure, or at least redistribution of land, had occurred before benchmark, including woodland. (Although whether the woodland was 'enclosed' or just marked off into identifiable portions is not clear.) During the period of study Meonstoke tenants then took out a series of licences from the College in order to be allowed to till the remaining downland. It is not known for how long this had been occurring: at least for 30 years and probably far more. The series of licences culminated in 1680 with an agreement costing the tenants £20 permanently to divide up Stoke Down; the 'sheepes downland' fields of Lower, Middle and Upper Fields of between 660 and 680 acres. The tenants were asked to pay halfpence per acre per annum extra in rent for their allotment.¹⁰ This agreement apparently held, and any tenants transferring land thereafter did so with the new 'planities' as they were referred to, included in the description of their holding. However, in the formal Enclosure award of 1863 these 680 acres reappeared as newly enclosed land. It seems that the acres enclosed in 1680 were never officially registered as such. So when should one consider these Meonstoke lands to have been enclosed? Here, the decision was taken that 1680 was the date from which the land was effectively redistributed and enclosed, and hence Meonstoke is accorded 100% in the column for 1705. This conclusion is at odds with the results reported by Chapman and Seeliger who were working from the formal Awards.¹¹

Overall the picture in these Hampshire manors at this time is one of customary manorial land slipping gradually into enclosure via initially licensing and paying a group fine to the lord to till parts of the down or woodland; and then after a series of such licences to

¹⁰ 'Meonstoke survey', ; WC: Item 13553, 'Meonstoke agreement to enclose Stoke Down', 1679-80.

¹¹ CHAPMAN and SEELIGER *Enclosure in Hampshire*,

agree on a firm division. Whether these agreements were regarded at the time as formally legally binding and recognised seems to have been a matter of chance.

So the situation in the manors in 1645 and 1705 was that in Exton, Hinton Ampner and Meonstoke the customary tenant holdings were effectively all enclosed. In Littleton, Chilbolton and Ovington the tenants had almost certainly amalgamated the old strips into closes of arable and pasture but these had not been formally and officially registered as 'enclosed', and therefore reappeared in nineteenth century enclosure awards as happened in Meonstoke. Their extensive downland (and in the case of Ovington riverine marsh and common) did remain unenclosed until the nineteenth century. Chilbolton still has a 49 acre riverside common to this day. Vernham Dean and Crawley were the only two manors where more than half the customary tenants' holding area still lay in named open fields during the period of this study.¹² The relevance of the state of enclosure in the different manors to acreage values and patterns of land transfer is examined later in this chapter and also in chapter 5.

4.4. Rents, Fines and Heriots

Rents, fines and heriots have been included in this chapter because they did not change, and so the benchmark year position remained relevant throughout the period of study. Their details therefore provide the background context to the transfers, but do not of themselves require further analysis over time.

Many historians have studied the way in which rents, fines, heriots and other dues for customary tenants changed, as their level was a factor in determining how much land they could afford to hold; when and how they might need or wish to buy or sell it; the extent of their profit; and particularly the balance between lord and tenant in terms of control of rates and income, and the extent to which each side tried to acquire the best bargain in the process. By the seventeenth century many customary tenants were paying rents which were well below the market level for rack rents, as illustrated by the example of Richard Bellinger above. Historians have therefore focussed on the extent to which landlords were willing and able to raise their rents; or to retrieve lost income by raising fines; or actions such as the conversion of copyholds to leaseholds so that rack

¹² Crawley tenants agreed upon some divisions in Northwood during the period of study which is why their percentage rose.

rent levels could be applied.¹³ The arguments chiefly focus on how landlords could achieve greater income and effectively clear a path through the customary tenures to achieve – during the eighteenth century in particular - larger commercial scale farms or estates with waged labour and rack rented tenants.

In England in general, and in the Hampshire manors of study, the corporate ecclesiastical and college landlords were well known for charging low rents in the seventeenth century; chiefly because many of them had not risen during the previous century at least.¹⁴ Chilbolton records confirm this, when at the post-Restoration court of 1662 it was agreed that the total of rent paid by the tenants should be £27-0-3. This was said to be the pre-Commonwealth total figure. However, Drew recorded the total rent of assize as £27-6-1 in 1433. It had thus not changed.¹⁵ Clay examined ecclesiastical rates of rent and fine in considerable detail, and in respect of leases concluded that compared with rates under private landlords, “church and college leases became one of the most lucrative investments.”¹⁶ The same could be said of the rates for customary tenants. Clay also found that the clergy conducted rather amateur ‘views’ of their property and did not pay for expensive surveys.¹⁷ In consequence they had a rather hazy idea about their widespread holdings and trusted bailiffs and stewards to oversee and advise them. Sometimes they were reduced to making covert enquiries of servants and neighbours to find out what was actually happening. After the Parliamentary Survey was produced in the period 1647-50, the Dean and Chapter of Winchester were able to use it as their firm basis for knowledge of their tenants’ holdings, complete with any errors which the Surveys had made.¹⁸ However during the period of this study up to 1705, they made no attempt to raise rents despite the fact that the ‘improved value’ assessed in the Parliamentary Surveys showed them just how far behind their rates were. This may have been because the income from rents and fines were sufficient in a very wealthy see, but Clay commented that part of the problem was the church’s concern up

¹³ The contributors to the research and discussion are almost too numerous to name. Relevant examples include WARD, I. 1992. ‘Rental policy on the estates of the English peerage 1649-60’, *Ag.Hist.Rev.*, 40, I. which contains a relevant discussion for the beginning of this research period in relation to secular landlords, and WORDIE ‘Rent movements and the English tenant farmer, 1700 - 1839’, discusses the period just afterwards.

¹⁴ In Kibworth Harcourt – a Merton College manor – Howell found that the same rents in 1427 still obtained in 1700. HOWELL ‘Peasant inheritance’, p 134.

¹⁵ DREW 1945 *The Manor of Chilbolton near Stockbridge, Hants; An English translation of a rental and custumal, compotus rolls and manor court rolls (1248-1433) Winchester I.H.R. and ‘Chilbolton rental and copyholder listing’*,

¹⁶ CLAY ‘The greed of Whig bishops’, p 134.

¹⁷ *Ibid.* p 138

¹⁸ The Dean and Chapter Holding Registers used until the early 19th century are entirely based on the Parliamentary Survey.

to the end of the 1680s at least, that there might be a prospect of further revolution and re-confiscation of their lands.¹⁹ They therefore hesitated to act in a manner which might create problems with their tenants. He also noted that Hampshire was particularly badly hit during the civil war by battles which caused damage and ruin to property and animals; so that the tenants had a longish period of rent arrears to make up afterwards.²⁰ The lords had to be magnanimous.

Six of the manors of study had fixed rents and variable fines, whilst two (Crawley and Hinton Ampner) had fixed fines and variable rent; and the Vernham Dean freehold manor moiety only paid annual quit rents and reliefs which were fixed.²¹ All tenants paid heriots on the larger holdings except the Vernham Dean freeholders, and except in Crawley where the tenants did not pay heriots on *inter vivos* transactions.

Table 4.5 below summarises the various elements of rent, fine and heriot found in each manor, and how they can be combined together to give the costs to the tenant of various types of transfer. Where the rates were variable and at the will of the Lord, the figures were arrived at by averaging the fine and heriot amounts for the tenants in each manor – excluding the two lowest and two highest which were usually exceptional for personal or local reasons. Although the amounts of rent are initially quoted per acre, the other figures are all then shown in relation to a virgate. This is because ‘the virgate’ or ‘the yard’ was the form of standard measure used by the lords when describing holdings and tended to be used when referring to, and calculating, rents and assessing fines. The acreage of a virgate/yard varied by manor (as shown in Table 4.1 above), so that to convert each manor’s rates of rent and fine into ‘per virgate’ makes them more comparable. This method was recommended and used earlier by Titow.²² Ovington, for example, had the third highest rate of rent per acre, but because it had a small virgate size, its cost per virgate was third lowest.

¹⁹ CLAY 'The greed of Whig bishops?', p 148.

²⁰ CLAY 'Landlords and Estate Management', pp 124-6.

²¹ The fixed fines and variable rents were in Crawley and Hinton Ampner – the two ecclesiastical manors with customary tenure of inheritance - and appear to have been a hang-over from the days of services for rents where these varied seasonally and annually. Dung carrying in Crawley was not commuted until 1690. Clay commented on services in the Bishop’s holdings still being recorded into the 18th century.

²² TITOW 'Some differences between manors and their effects on the condition of the peasant in the thirteenth century', p 5.

Table 4.5 The cost and price elements of land transfers in the manors 1645-1705

| | | <i>Manors with 3 lives tenures</i> | | | | | <i>Manors with Inheritance tenure</i> | | | <i>Cust Free</i> |
|--|---------------------------------------|------------------------------------|---------------|------------------|-----------------|-----------------|---------------------------------------|----------------|------------------|-------------------|
| <i>Manor:</i> | | <i>Chilbolton</i> | <i>Exton</i> | <i>Littleton</i> | <i>Ovington</i> | <i>V Dn Cpy</i> | <i>Hinton A</i> | <i>Crawley</i> | <i>Meonstoke</i> | <i>V Dn Free*</i> |
| | | | <i>Upper*</i> | | | | | <i>South *</i> | | |
| <i>Size of virgate in acres</i> | | 24 | 20 | 24 | 16 | 28 | 32 | 32 | 21 | 28 |
| Annual Rent | <i>Mean per acre in d</i> | 5.7 | 6.7 | 8.2 | 6.1 | 4.6 | 3.7 | 4.8 | 4.4 | 2.4 |
| | <i>Mean cost per virg.</i> | 11s 4d | 11s 3d | 16s 4d | 8s 2d | 10s 8d | 9s 10d | 9s 9d | 7s 9d | 5s 7d |
| Death/inherit per virg | <i>Heriot</i> | £1 -3-10 | £1 | £2 | 15s 10d | £3-6-6 | £1 | £2-10-0 | £2 -5-1 | n/a |
| | <i>Fine to admit heir</i> | n/a | n/a | n/a | n/a | n/a | 9s 11d | 18s | £3-19-0 | 5s 7d |
| | <i>Add a new life</i> | £6 -8-3 | £6-11-8 | £6 -6-1 | £9 -4-5 | £8 -17-2 | n/a | n/a | n/a | n/a |
| | <i>Total Inheritance transfer</i> | £7 -12-1 | £7-11-8 | £8 -6-1 | £10 -0-3 | £12 -3-8 | £1-9-11 | £3 -8-0 | £6 -4-1 | 5s 7d |
| Sale /Purchase | <i>Heriot</i> | n/a | n/a | n/a | n/a | n/a | £1-8-6 | n/a | £1-3-7 | n/a |
| | <i>Fine</i> | n/a | n/a | n/a | n/a | n/a | 10s 9d | 17s 4d | £5-11-0 | 5s 9d |
| | | n/a | n/a | n/a | n/a | n/a | £1-19-3 | 17s 4d | £6 -14-7 | 5s 9d |
| | <i>Fine for dwelling without land</i> | n/a | £1 | n/a | n/a | 13s 6d | 4d | 1s | 14s 10d | n/a |
| Life exchange | <i>Per virgate fine</i> | £9 -2-9 | £4-13-6 | £4-15-1 | £4 -2-5 | £8-6-1 | n/a | n/a | n/a | n/a |
| Entail | <i>Fine</i> | n/a | n/a | n/a | n/a | n/a | £2-2-6 | 14s 4d | £3 -6-1 | n/a |
| Total for a rent, death + sale/exchange | | £17-6-2 | £12-16-5 | £13-17-6 | £14-10-10 | £21-0-5 | £3-19-0 | £4-15-1 | £13-6-5 | 11s 4d |

Sources: manorial rentals; court rolls; fine registers.

* Notes Amounts for Vernham Dean Free are for annual quit rents & reliefs; Exton had two virgate sizes but the rent division between the two was not known. The upper size (larger) has been used in the table. Crawley also had north and south virgate differences & no individual rent figures. The southern (larger) virgate is used here.

Of the Lives manors, Exton & V.Dean could technically 'sell' their holdings as the first life could act alone. In practice they rarely did so, but the fine for a dwelling sale is entered here.

When compiling the table, there was a different specific problem with Crawley, as no rental survives.¹ The rents in that manor were variable – as previously noted – and the relationship between fine and rent appears to have been quite close with the one being at a similar level to the other. The figure which could therefore be used was the recorded total annual rent of assize for all the tenants. It was divided by the total customary farmed acreage in proportion to holding size to arrive at a mean value per acre – which transpired to be not far from the rate for the fines. This was as close to the actual rents as it was possible to get.

4.4.1. Rents

Table 4.5 shows a considerable variation in the mean rate per acre of rent between 3.7d in Hinton Ampner to 8.2d in Littleton. When multiplied by the size of a virgate, however, the pattern alters and the range is then between 7s 9d for Meonstoke up to 11s 4d in Chilbolton, except for Littleton which was 16s 4d. Vernham Dean freeholders' quit rent was understandably only half as much.

Nevertheless, the overall levels of rent per acre were very low for the second half of the seventeenth century, and Clay has already been quoted on this issue. Glennie, for example, found in Cheshunt a mean rent per acre at 7d per acre in 1530 and 10d per acre by 1590.² These are already higher than the Hampshire figures shown in Table 4.5. When the Parliamentary Surveyors of the later 1640s evaluated some of the manors, their 'improved' estimate was that rents should be between 8 and 12 times as much. Richard Bellinger's factor of 9 has already been shown, and Table 4.6 below demonstrates the results for other sample tenants. When Holt examined manors in the Hornby Castle estates in Lancashire, she found that the multiplier between customary and market rates was overall 5.6 in 1582 and 17.7 by 1711.³ In this context the range of figures in Table 4.6 between 7.3 and 12.5 for mid seventeenth-century Hampshire fits well with her results.

¹ Even Gras had the same problem when studying Crawley through many hundreds of years. GRAS *An English village*, .

² GLENNIE 'Lea Valley',

³ HOLT, J. 2013. 'The financial rewards of winning the battle for secure customary tenure', In: WHITTLE, J. (ed.) *Landlords and Tenants in Britain, 1440-1660: Tawney's Agrarian problem Revisited*. Woodbridge, The Boydell Press. calculated from Table 8.1. p139.

Table 4.6 Some sample tenant rents with 'improved' values 1647-50

| <i>Manor</i> | <i>Tenant</i> | <i>Acres</i> | <i>Rent paid</i> | <i>Parl Surv improved</i> | <i>Factor multip</i> |
|------------------|---------------------|--------------|------------------|---------------------------|----------------------|
| Chilbolton | Wickham | 47 | 24s 2.5d | £11-10-0 | 9.50 |
| Chilbolton | Parr | 62.5 | 30s | £14 | 9.33 |
| Chilbolton | Reeves | 21.25 | 8s | £5 | 12.50 |
| Chilbolton | Pragnell | 43.25 | 24s | £9-10 | 7.92 |
| <i>Manor av.</i> | | | | | 9.81 |
| Exton | Wyatt | 21 | 10s 8d | £6-10-0 | 12.19 |
| Exton | Tanner ⁴ | 41 | 13s 4d | £12 | 18.00 |
| <i>Manor av.</i> | | | | | 15.09 |
| Littleton | Fyfield | 49 | 36s 4d | £13-3-4 | 7.25 |
| Littleton | Bellinger | 25 | 16s 1d | £7-3-4 | 8.91 |
| <i>Manor av.</i> | | | | | 8.08 |
| Ovington | Badcock | 44 | 22s | £11-8-0 | 10.36 |
| Ovington | Goddard | 18.75 | 9s 1d | £3-16-11 | 8.47 |
| Ovington | Thomas | 18.5 | 8s 10.5d | £4-1-0 | 9.13 |
| <i>Manor av.</i> | | | | | 9.32 |

Source: The Parliamentary Surveys

It is not clear from the returns how far the Parliamentary Surveyors took account of the different kinds of land held by the customary tenants. The different multiplier factors between the various tenants in table 4.6 may reflect this. Most tenants in downland Hampshire manors had a cross-section of land with a little pasture or meadow near a river; arable land higher up on the slopes and sheep grazing on the commonland tops. However the court roll descriptions of holdings do not normally give sufficient detail to be able to analyse this. Land use type and its different values were, however, presented by the Surveyors for the leasehold former demesne farms and Table 4.7 summarises these 'improved' valuation rates.⁵

The overall multipliers for 'improved' valuations are mostly within the same range of 7 to 12 times found in the previous table where individuals were sampled. However, the rate for Hinton Ampner was much higher, and might be because there was a park and significant timber included in the lease, whose value had perhaps not been increased or reflected in the terms agreed by the Dean and Chapter as much as in the other manor leases.

⁴ It is not clear why Tanner's holding should have had such a wide disparity in valuation.

⁵ There was no leased farm in Ovington to provide figures for that manor.

Table 4.7 Rates of 'improved' rent by land use type used by the Parliamentary Surveyors for leases c 1649

| <i>Manor</i> | Chilbolton | Exton | Littleton | H. Ampner |
|--------------------------|---------------|---------|---------------|-------------|
| <i>Land use</i> | | | | |
| Meadows | 26s to 35s | 22s | n/a | 40s |
| Pasture | 10s to 20s | 10s | 12s to 16s | 8s to 10s |
| Arable in closes | 3s4d to 6s 8d | 3s 4d | 3s4d to 6s 8d | 2s 6d to 8s |
| Arable in common field | 3s | n/a | n/a | n/a |
| Coppice & small wood | n/a | 3s | 3s | 3s 4d |
| Sheep down | 5s | ng | 5s | n/a |
| Down | ng | 6d | 6d | n/a |
| Total rent normally paid | £27-15-8 | £19-3-4 | £18-16-4 | £13-6-8 |
| Surveyor's re-evaluation | £254 | £148 | £188 | £210 |
| Multiplier | 9.1 | 7.7 | 10.0 | 15.8 |

Source : Parliamentary Surveys.

The difference in valuation for the different types of land is instructive. Chilbolton had the widest riverine meadows beside the Test river and Hinton Ampner had upland spring-based meadows with the source of the river Itchen. It seems that both were highly valued by the surveyors. Arable in closes was only slightly more valuable than arable in common fields; although Chilbolton tenants were the only ones in the table with any remaining unenclosed land. 'Sheep down' was significantly more highly valued than common downland. Historically Chilbolton and Littleton had maintained specialist down which supported vast flocks for the cathedral lords, and this still seems to have been reflected. Exton seems overall to have been the least highly valued manor, although in fact it had a vast area of downland. It might be that a different surveyor assessed Exton and/or that the outgoing Dean who wanted to buy the manor from Cromwell managed to make sure that the manor was not too highly re-valued!

Another window on market rental rates was provided at the end of the study period between 1695 and 1705. Possibly as a result of the need to implement the new Land Tax, the Dean and Chapter set about finding out covertly how much their tenants were sub-letting their holdings for per annum. (These were tenants who had formal licences to sub-let and had paid for them, as is explored more fully in Chapter 6 .) The discoveries were recorded unofficially in the comments columns of the copyhold holding registers.

Table 4.8 Some sample tenant rents acquired per annum from sub-letting :1695-1705

| <i>Manor</i> | <i>Tenant</i> | <i>Acres</i> | <i>Cust rent p.a.in d</i> | <i>Sub-let rental rate pa</i> | <i>rate in d</i> | <i>Factor multiplier</i> |
|-----------------------|---------------|--------------|-------------------------------|-----------------------------------|------------------|------------------------------|
| Chilbolton | Parr | 62.5 | 367 | £20 | 4,800 | 13.1 |
| Chilbolton | Batt | 56 | 336 | £16 | 3,840 | 11.4 |
| Chilbolton | Lewis | 34.5 | 276 | £10 | 2,400 | 8.7 |
| Chilbolton | Sutton | 63.25 | 393 | £20 | 4,800 | 12.2 |
| Chilbolton | Abbott | 42.5 | 264 | £10 | 2,400 | 9.1 |
| Chilbolton | Purdue | 49.25 | 348 | £20 | 4,800 | 13.8 |
| <i>Manor av.</i> | | | | | | 11.4 |
| Exton | Thomas | 44 | 288 | £21 | 5,040 | 17.5 |
| Exton | Tanner | 41 | 160 | £20 | 4,800 | 30.0 |
| Exton | Young | 3 | 88 | £12 | 2,880 | 32.7 |
| Exton | Stokes | 22 | 114 | £11 | 2,640 | 23.2 |
| <i>Manor av.</i> | | | | | | 25.8 |
| Littleton | Terry | 128 | 1058 | £38 | 9,120 | 8.6 |
| Littleton | Bellinger | 47 | 336 | £14 | 3,360 | 10.0 |
| <i>Manor av.</i> | | | | | | 9.3 |
| Ovington | Dunce | 25 | 200 | £10 | 2,400 | 12.0 |
| Ovington | Badcock | 44 | 264 | £14 | 3,360 | 12.7 |
| Ovington | Dunce (2) | 15 | 120 | £6 | 1,320 | 11.0 |
| <i>Manor av.</i> | | | | | | 11.9 |
| <i>Total examples</i> | | 27.5 | 162.5 | £16 | 3,840 | 23.6 |

Sources : Comments in Holding registers

The sample size in the above table is small, but the results within each manor are reasonably consistent. The dates of the comments were at the end of the seventeenth century and show that, when compared with the Parliamentary Survey figures in Table 4.7 above, all the manor multipliers had risen slightly, but only by one or two points, and were now well below Holt's figure of 17.7 for 1711 quoted earlier. The only exception is Exton where the value multiplier had risen by nearly two thirds over the intervening 50 years, and was by then at least double that of the other manors. Dean John Young probably exerted considerable influence to minimise the valuation of Exton in the Parliamentary Survey, and even possibly over rental levels in that manor, so the effects were now very clear.

In summary, the annual rent rates in all the manors were well below commercial rack rent rates, and probably below average levels in England for a century before. They

represented a fortunate and advantageous position for the tenants in all the manors. They did not rise during the second half of the seventeenth century. It is unlikely that the level of rents would therefore provoke sales of holdings, although they would make them attractive to purchasers.

4.4.2. Heriots : Heriots were paid in all manors after the death of a tenant, and in manors of inheritance tenure when land was sold, except in Crawley. Not all the smaller holdings were heriotable but those of half a virgate upwards were. The precise amount of heriot was often concealed in the records in a combined figure charged for fine and heriot ; and/or referred to as ‘the cost of a best beast’ without stating the value. Sometimes an actual beast was seized. Unusual heriots such as a red rose or a ‘crimson’ remained, but were very few in number. Table 4.5 shows the most frequent commuted amount attributed to the heriot for a virgate, which was between £1 and £2. It seems unlikely that the presence of a heriot would significantly affect the land market. Crawley provides an exception, where as no heriots were due on a sale, it will be examined to determine whether more tenants surrendered *inter vivos* to circumvent payment by their heirs if they died as holder.

4.4.3. Fines : Fines were levied in manors of inheritance tenure on the incoming heir after a death, and were paid by a purchaser after a sale. Surrenders to a last will or for entail similarly attracted a fine. Tenants in Lives manors had a different process whereby there was no fine for the incoming heir to pay, and yet they were expected to nominate, and pay fine for, a new life to replace that lost. So effectively there was a fine associated with inheritance, although the nomination, and thus the payment for it, was often delayed (sometimes for several decades). Lives tenants could not sell their holdings so no fines were associated with that activity; but they could request an exchange of a life *inter vivos* for which a fine was payable.

Table 4.5 above summarises the mean level of fine paid in the various manors, from which it can be seen that those levied in the Lives manors were significantly higher than those in the inheritance manors. This is partly because fines were ‘uncertain’ in the Lives manors and could be varied according to the lord’s preference; but also probably because the lord had to wait until someone died or wished to exchange a life to acquire any fine at all, and it might be a long wait. They needed to take fines where they could. The work of Dyer, Faith and Yates quoted in the introductory chapter shows that from

the fourteenth century high fine rates developed in manors with lives or lifeleasehold tenures, so these Hampshire manors conform to that pattern.⁶ Although the fines were technically variable, there was a tendency to charge a flat rate of about £10 per virgate rather than any attempt to link it to acreage or the age of the person taking on the Life. (And a lower rate of around £6 per virgate was charged for the exchange of a life.) These flat rates may have represented an easier and quicker method of assessing value and they remained the same throughout the period of study, but were sometimes varied according to circumstance. The holding register for Exton, for example, records in 1701 against Lomer Shallet that “Ten pound was abated in this fine in consideration of the poor shattered circumstances of the tenant and not the value of the estate.”⁷ Against a fine of £12 on a 10 acre holding in Ovington is written “This fine was too vigorous so licence to let was granted fee gratis”.⁸ In Chilbolton for a fine in 1705 relating to the Talmadge family “This fine was sett upon consideration of a great mortality in the family ye father son and 2 grandchildren dying in 2 months time”⁹

In manors with customary tenure of inheritance the position was very different. Table 4.5. shows that the mean fine for a virgate in Crawley and Hinton Ampner was less than £1 – compared with about £10 in the lives manors and just over £4 in Meonstoke which did not have fixed fines. Even so the latter’s rate was far from a market rate and less than half that in the lives manors. In fact there were tenant troubles in the eighteenth century when an attempt was made to raise them somewhat significantly.¹⁰ Meonstoke is the only Hampshire manor in terms of tenure type and nature which could be directly compared for rates with those of Earl’s Colne, but French and Hoyle have presented their figures in terms of a years’ value which their records indicated, whereas the Hampshire records do not.¹¹

4.5. Transfer costs.

When the amounts for rent, fine and heriot were combined to give a total paid for a

⁶ DYER, C.C. 1980. *Lords and peasants in a changing society: the estates of the bishopric of Worcester, 680-1540*, Cambridge; FAITH, R. 1984. Berkshire: fourteenth and fifteenth centuries 107-158 In: HARVEY, P.D.A. (ed.) *The Peasant Land Market in Medieval England*. Oxford: Clarendon Press; YATES, M. 1999. 'Change and continuities in rural society from the later middle ages to the sixteenth century : the contribution of west Berkshire'. *Economic History Review*, LII, 4.

⁷ Cath: W54/6/2, 'Survey or holding register', 1660-1760.p 86.

⁸ Ibid. p 55.

⁹ Ibid. p 99.

¹⁰ WC: Item 13360, 'Opinion of Mr Blackstone as to the right of Lords to demand more than a years value for a fine', 1764.

¹¹ FRENCH and HOYLE *Earls Colne*,

transfer, the picture by manor in Table 4.5 shows that after-death inheritance transfer costs were much higher in the manors with customary tenure of Lives. This was not because the heriots were significantly more expensive, but because the cost of a new life added to replace the one lost was much higher than the simple admittance fine for an heir as paid in the inheritance tenured manors. Similarly the fine for exchanging a life in reversion and remainder in the Lives manors was much higher than the sale/purchase fines in the inheritance manors of Hinton Ampner and Crawley. However they were not more than in Meonstoke for an *inter vivos* sale/purchase, as the manor had variable fine rates like the lives manors.

The costs of all types of transfers paid to the lord were remarkably low and fixed in Hinton Ampner and Crawley. In the unlikely event that within one calendar year rent was paid, followed by a death/inheritance, and then a sale/purchase was effected, the total outlay would have been about £4 to £4-15-0 per virgate (as shown in the bottom line of the table). In Meonstoke, however, it would have been about £13-6-5. The effect of the custom of variable fines is thereby clearly demonstrated. In the Lives manors (which all had variable fines) the total outlay on a year's rent; plus a death and a reversioner exchange would have ranged between £12-16-5 in Exton and £21-0-5 in Vernham Dean copy moiety. The expensively rented Littleton tenants would in fact have only paid £13 -17-6 suggesting that perhaps fines there were not as high in recognition of the higher annual rent paid. Meonstoke falls within the range of the Lives manors.

The key factor in costs to the customary tenant is shown to have been whether fines were certain or variable and which kind of tenure prevailed in a manor. If the rent, fine and heriot rates were the only factor driving transfers of land, then one would expect to see a high rate of activity in Hinton Ampner and Crawley. After that the level of fine decided by the lords and levied in relation to rents and heriots suggests that Winchester College were probably able to charge more. In Vernham Dean this may have been because they had only secured the freehold moiety purchase shortly before benchmark and so rates may have been adjusted in that manor more recently than for the Dean and Chapter and Bishop. In Meonstoke their fine rates were broadly comparable to the lower rates in the lives manors. There is no sign that costs were lower in the two manors of Crawley and Vernham Dean which were not enclosed.

None of these costs can be expected to equate to the actual amount which the tenant may have had to pay either to a purchaser; to another reversioner or to another member of the family privately to secure the transfer. The figures are only the formal amounts due to the lord. It is not possible to establish what these other payments may have been. That they would have affected the transfers seems certain, so that it is important to highlight the fact that an inability to uncover them places a limit on the usefulness of the legal rent, fines and heriot amounts.

Chapter 5. Permanent transfers of land and dwellings

5.0. Introduction.

This chapter will examine the permanent transfer of land between customary tenants. It includes those which occurred after a death / inheritance, and those which were made *inter vivos* while the tenants were alive. The use of the term 'land' in this context has been taken to include all transfers of holdings whether they consisted merely of a cottage dwelling without land, or a house with several virgates of farmable land.

The importance of the study of land transfer has already been discussed in the introduction. It has long been used by historians as an indicator of the presence – or absence – of a land market; as a window on the nature and health of the rural economy; as a guide to the extent to which land was being retained within the family or passing to outsiders; and to inform the change in holding size over time, with its implications for agrarian economic development. Key questions arising include the level of turnover; the presence or absence of an apparent land-family bond; whether there was evidence of the agglomeration of units and the movement towards the development of large farms using landless labour. The recognised drawback of the documentary sources (principally court rolls) is that normally all that can be measured is the transfer of units of holding. This often says little about the actual units of production, which may have been very different. However it is intended in this study to attempt to bring together permanent transfers and temporary transfers such as sub-letting, with the hope of achieving some overall idea of how many of the tenants may actually have been farming their holdings and who may have been merely using them for income and/or investment.

The different customary tenures in the Hampshire downland manors have been described in chapter 3. In the manors of study with Lives tenure, the issue of how to treat 'reversion and remainder' lives in a land transfer analysis was important to solve. A way of comparing them with tenure of Inheritance manors needed to be developed.. The reversioners present a problem of definition and categorisation, as only the right or entitlement to be placed in the inheritance queue was sold or purchased. The property did not physically change hands. So activities by the tenants with reversions were not technically a *land transfer*. They were a transfer of future entitlement. However they were paid for, and they could be used as part of an inheritance strategy – albeit long-term – and/or perhaps to raise funds or improve marriage prospects. It became clear that

they could form part of a land market in those manors. A particular example illustrates the situation when in 1704 the Dean & Chapter entered a private memorandum in the Chilbolton holding register. They had discovered in relation to a holding of 62 acres held by widow Whitear, that “Mr Mosse imposed upon the ignorant widdow and for a bribe of 5 guineas prevailed upon her to put his sons life in prejudice of her own family”.¹² This shows that the purchase of a life was a matter for nomination by the tenant; that it was regarded as a marketable commodity; and one worth attempting some corruption to pursue.

Accordingly, reversions and remainders will be included as ‘transfers’ in this study. However they presented a further problem which was one of scale. As there were three lives involved in a single holding, they could in principle attract three times as much activity as an inheritance tenure manor in which only one tenant held the property. The reversioners might die and need to be replaced, or they might be exchanged and ‘bought/sold’ as mentioned above. This could have the effect of skewing the results of any study of the numbers and acres involved in transfers between the different manors towards those with lives tenure. The approach which is therefore adopted in this chapter is to include activity with reversions, but to show it separately from the first life or Life 1 (the holding tenant) activity where possible, so that its nature and extent can be seen and assessed. In this way comparisons can then be made with Inheritance manors either on the basis of total overall figures for the lives manors which include the reversions, or just using the figures for first Life 1 transfers where the land was physically transferred. In the following sections the terminology ‘all transfers’ will refer to activity which included the reversions, and ‘Life1’ will refer to only that activity where they were not included. (‘Life1’ was of course all that existed in inheritance tenure manors.)

5.1. Types of transfer available to customary tenants

The tenure in a manor controlled the type of land transfer activity which was possible for a tenant. It controlled the choice which they had. Fig 5.1. summarises the main types of transfer, and the tenure-types in which they could occur (including the temporary transfers to be considered later).

¹² ‘Cath: W54/6/2, Survey or holding register, 1660-1760.’, p 86.

Fig 5.1 Summary of types of transfers possible in the different manors according to tenure.

| <i>Tenure: Transfer type</i> | <i>3 Lives</i> | <i>3 Lives but 1st can act</i> | <i>Inheritance</i> | <i>Cust free</i> |
|----------------------------------|----------------|--------------------------------|--------------------|------------------|
| Death/inheritance | y | y | y | y |
| Sale/purchase | | partly | y | y |
| Exchange of a Life | y | y | | |
| Escheat | y | y | y | y |
| New grant | y | y | y | y |
| Split | | partly | y | y |
| Forfeit | y | y | y | y |
| Conditional surr | | | y | y |
| Entail | | | y | y |
| Surrend to will | | | y | y |
| Widows rights | y | y | y | |
| <i>Temp. transfer</i> | | | | |
| Mortgage | | | y | y |
| Sub-lease | y | y | y | y |

Sources Manorial court rolls and customs summaries.

y = yes

For the tenants of Lives manors the choices consisted chiefly of death/inheritance and exchange of reversionary lives. Inheritance manors had a wider selection of possible actions ranging from sale/purchase to entails. The mid-way tenured manors with Lives-tenure-but-where-life-1-could act-alone (henceforth termed ‘3Livesb1’), could almost act like tenants in Inheritance manors, as agreement from the other Lives was not required.

The tenants of all manors could experience a death/inheritance transfer; an escheat or new grant from the Lord, and a forfeit. Sub-leasing licences to let were available in all manors if a tenant wished to transfer land temporarily with permission from the Lord. All had widows rights except for the free moiety of Vernham Dean, and whilst this was not a form of transfer per se, it affected how the death/inheritance transfer process worked and what was paid and when.¹³ It was then only in the Lives tenure manors that lives could be exchanged – except very occasionally when an Inheritance manor tenant exchanged a life in an entail. More significantly it was only in the manors of inheritance, and to a much lesser degree in those with tenure of 3Livesb1 that surrender for sale /purchase could occur. The standard three lives manor tenants of Chilbolton, Littleton

¹³ Inheritance by the heir after the death of a widow holding for the terms of her widowhood have not been treated as separate and extra transfers. They were recorded once at the time of the death.

and Ovington, could not sell as there were two more lives behind them in waiting. Neither could they split or amalgamate holdings by purchase.¹⁴ They did occasionally surrender their first life. In Exton and Vernham Dean copy moiety all three lives could be surrendered and ‘sold’ at once if the first life wished it, so they were a form of half-way house between the tenure types. It was only in manors with tenure of inheritance that property could, in addition to purchase/sale, be conditionally surrendered; surrendered to will, entailed or offered as collateral for a mortgage.

5.2. Overall pattern of all permanent transfers 1645-1705

Tables of the principal statistics of the transfers has been provided in Annex 5 while summary tables are provided in this chapter. Each transfer was entered in a database created for the purpose, which could then be interrogated for results.

A major division was made in the transfer data between those which occurred after a death and those made *inter vivos* and the results are summarised in Table 5.1 below . The reasoning behind this was that most tenants had no choice about when they died, whereas it is presumed that most of them had a choice about transferring land *inter vivos*. Any attempt to see how they behaved with their land therefore needs to separate these two. However, the boundaries could be blurred as Whittle has pointed out that those on the verge of death may have made decisions to act while still alive, and/or they may have made a positive decision to leave the land to the customary heir if they were content with the custom. In that way it was an active decision and in a sense part of a ‘land market’.¹⁵ In the present study in Hampshire the manorial rolls do sometimes indicate that a surrender was made ‘*in extremis*’ when on the death bed. However the tenant did not always die afterwards (one lived on for fifteen years) – and there seems to have been no consistency of recording ‘*in extremis*’ which would have allowed its separate study here.

¹⁴ This may be why Yates noticed low levels of splitting and ‘selling’ of holdings amongst her Lives tenured manors. *ibid.* p 176.

¹⁵ WHITTLE *Land and labour in Norfolk*, eg p 124 & p 175.

Table 5.1 Division between after-death and *inter vivos* permanent transfers all manors 1645-1705.

| <i>Manor</i> | <i>Lord/Tenure</i> | <i>Death/Inheritance</i> | | <i>Inter Vivos</i> | | <i>Totals</i> | |
|---------------|--------------------|--------------------------|--------------|--------------------|--------------|---------------|--------------|
| | | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> |
| Chilbolton | DC 3L | 60 | 2465 | 88 | 2716 | 148 | 5181 |
| | | 40.5% | 47.6% | 59.5% | 52.4% | | |
| Littleton | DC 3L | 13 | 590 | 20 | 1612 | 33 | 2202 |
| | | 39.4% | 26.8% | 60.6% | 73.2% | | |
| Ovington | DC 3L | 29 | 857 | 81 | 2775 | 110 | 3632 |
| | | 26.4% | 23.6% | 73.6% | 76.4% | | |
| Exton | DC 3Lb1 | 66 | 1533 | 93 | 1682 | 159 | 3214 |
| | | 41.5% | 47.7% | 58.5% | 52.3% | | |
| VDean Copy | WC 3Lb1 | 54 | 946 | 184 | 2294 | 238 | 3240 |
| | | 22.7% | 29.2% | 77.3% | 70.8% | | |
| H. Ampner | DC Inh | 42 | 1186 | 68 | 1101 | 110 | 2287 |
| | | 38.2% | 51.8% | 61.8% | 48.2% | | |
| Crawley | B Inh | 43 | 999 | 100 | 2660 | 143 | 3659 |
| | | 30.1% | 27.3% | 69.9% | 72.7% | | |
| Meonstoke | WC Inh | 88 | 1500 | 222 | 3144 | 310 | 4644 |
| | | 28.4% | 32.3% | 71.6% | 67.7% | | |
| VDean Free | WC Fr | 45 | 1229 | 38 | 630 | 83 | 1859 |
| | | 54.2% | 66.1% | 45.8% | 33.9% | | |
| <i>Totals</i> | | 440 | 11304 | 894 | 18614 | 1334 | 29918 |
| <i>Mean %</i> | | 33.0% | 37.8% | 67.0% | 62.2% | | |

Source: manorial holdings analysis. Summary of Annex 5.1.

The table shows that for the all-manors totals, one third (33%) of the number of transfers and 37.8% of the acreage was transferred following a death, and two thirds *inter vivos*. This result accords with those found by Whittle for an earlier period (1440 – 1580) where she found that inter-vivos transfers in the medieval period outnumbered transfers after death according to custom.¹⁶ For a similar period, Glennie found in the Lea valley that in volume terms the land market was about four times more important than inheritance.¹⁷

Within this overall pattern there were two main groups of manors. Chilbolton, Littleton, Exton and Hinton Ampner had a ratio of around 40:60 for after-death : *inter vivos* transfers while Ovington, Vernham Dean copy moiety, Crawley and Meonstoke had ratios closer to 25: 75. Vernham Dean freeholder moiety was different with a 54: 46 ratio, which may be more of a reflection of the survival of records than reality. These

¹⁶ Ibid., p 101.

¹⁷ GLENNIE 'Lea Valley ', p 20.

groups do not coincide with tenure types, although with the exception of Ovington, they correlate with lordship as all the manors in group 1 were under the Dean and Chapter.

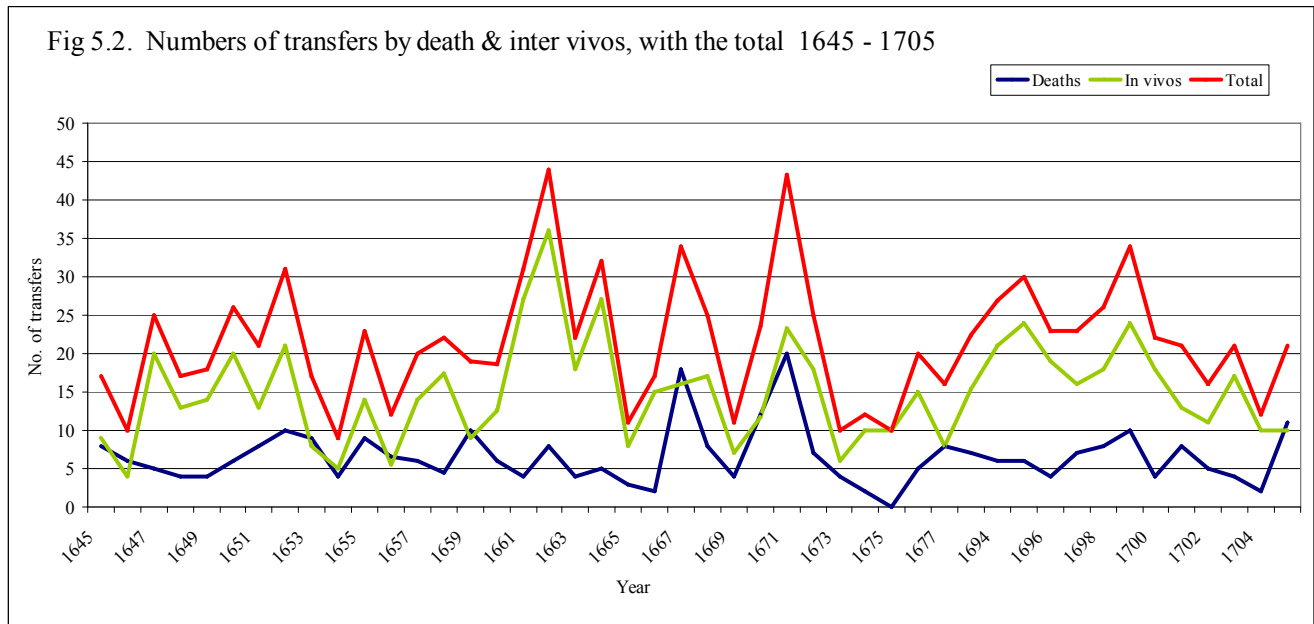
Table 5.2 Number of transfers after death or *inter vivos*; by life 1 and reversioners in Lives manors 1645-1705.

| <i>Manor / tenure</i> | | <i>Death/Inheritance</i> | | <i>Inter vivos</i> | | <i>Total Life or revers</i> |
|-----------------------|-------------------|--------------------------|----------|--------------------|----------|---------------------------------|
| | | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | |
| Chilbolton | <i>Life 1</i> | 42 | 63.6% | 24 | 36.4% | 66 |
| DC 3 Lvs | <i>Reversions</i> | 18 | 22.0% | 64 | 78.0% | 82 |
| <i>Total manor</i> | | 60 | 40.5% | 88 | 59.5% | 148 |
| Littleton | <i>Life 1</i> | 12 | 70.6% | 5 | 29.4% | 17 |
| DC 3 Lvs | <i>Reversions</i> | 1 | 6.3% | 15 | 93.8% | 16 |
| <i>Total manor</i> | | 13 | 39.4% | 20 | 60.6% | 33 |
| Ovington | <i>Life 1</i> | 29 | 56.1% | 23 | 43.9% | 52 |
| DC 3 Lvs | <i>Reversions</i> | 0 | 0.0% | 58 | 100.0% | 58 |
| <i>Total manor</i> | | 29 | 26.4% | 81 | 73.6% | 110 |
| Exton | <i>Life 1</i> | 38 | 51.4% | 36 | 48.6% | 74 |
| DC 3 Lb1 | <i>Reversions</i> | 28 | 32.9% | 57 | 67.1% | 85 |
| <i>Total manor</i> | | 66 | 41.5% | 93 | 58.5% | 159 |
| V Dean cpy | <i>Life 1</i> | 44 | 49.4% | 45 | 50.6% | 89 |
| WC 3 Lb1 | <i>Reversions</i> | 10 | 6.7% | 139 | 93.3% | 149 |
| <i>Total manor</i> | | 54 | 22.7% | 184 | 77.3% | 238 |

Source: manorial holdings analysis.

The pattern is different if the first life and reversioner transfers are separated in the Lives manors as shown in Table 5.2 . The figures (which are mirrored by those for acres) clearly show that the majority of Life 1 transfers which involved the tenant holder were from death/inheritance in the manors with three lives, and around 50% in the 3livesb1 where the first could act alone. As will become clearer later, this was because in the latter group it was possible for all three lives to surrender at once to form a sale, whereas life 1 in the 3lives manors could not. The major balance for reversioner transfers was everywhere *inter vivos*. The death of reversioners did occur, but in general they were younger and/or had their life exchanged before death. The figures suggest the presence of a market in reversions. Of particular interest is the fact that when the results of first life and reversioners are combined together, as in the previous table 5.1, the overall pattern is quite similar to those in inheritance tenured manors. This suggests that the tenants had to operate in different ways according to their tenure but arrived at the same end. As if the Lives tenants used *inter vivos* reversioner transfers to offset their inability freely to sell their holdings in an open land market.

The transfers were next plotted graphically in Fig 5.2.to examine their pattern through time. The total transfer figures broadly follow a pattern of medium-to-high activity and volume in the early 1650s; followed by a sharply fluctuating phase in the 1660s with a highest peak in 1661-2; then again in 1667 and once more in 1671, but with significant lows in between. There is then a fairly gradual increase up towards 1695; a final peak in 1699 before declining away towards 1704.



Source: manorial holdings analysis, and parish register burials.

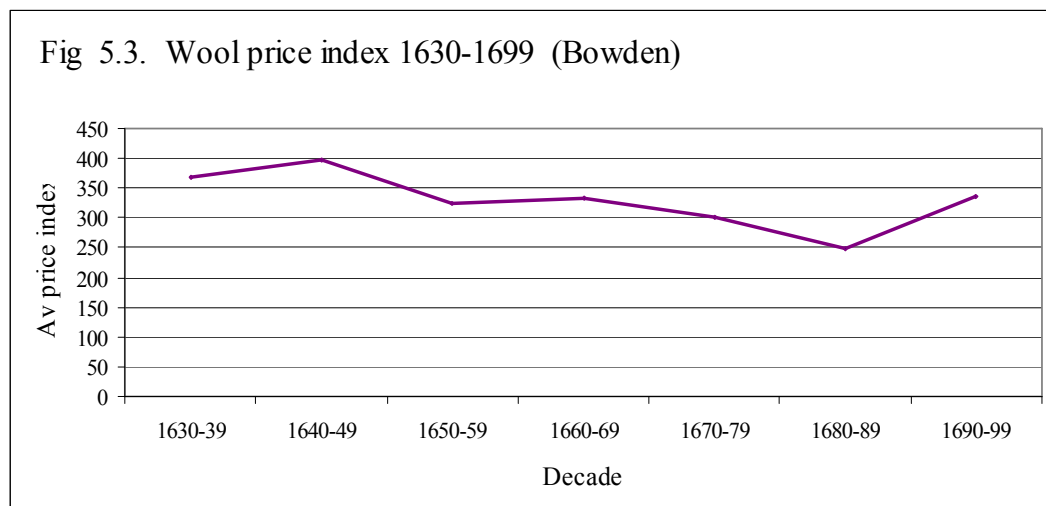
If the underlying division between after-death and *inter vivos* is then examined, the graph demonstrates that the high total peaks in the 1650s were chiefly associated with *inter vivos* activity; as were those in the early 1660s. However the 1667 and 1671 year peaks were more associated with a high death rate. The peaks and troughs of the 1680s and 1690s were then more associated with *inter vivos* transfers again in a manner similar to the 1650s pattern.

These differences were broadly due to demographic and political causes. Specifically 1666 and 1670 were heavy plague years in Hampshire. So – allowing for up to a year's lag in the recording of deaths at the annual court – the predominance of after-death transfers at that time is explained. The political upheavals after the civil war and at the Restoration caused the predominance of *inter vivos* transfers during the 1650s and particularly at the Restoration. The years of 1660-62 were the 'sorting out' years for the

returning ecclesiastical lords where they had in some cases to regrant or otherwise reorganise their tenant holders after the confiscated manors were returned.

5.3. Permanent transfers and relationship to prices

Economic historians have investigated the influence of grain and product prices on the local economy and it is relevant to consider these here. If the tenants in the manors were actively farming, producing surplus and taking crops and animals to market, then a link to land transfer activity levels might be expected. Hampshire was a large wool producing area, but no statistics for the relevant period have been discovered beyond Bowden's ten-year indexes reproduced in Fig 5.3. below.¹⁸ These are not specific to the region, but indicate a general trend. The pattern shows a gradual decline from the mid 1630s to the mid 1680s and a recovery in the mid 1690s. There is little similarity to the pattern of Hampshire transfers shown above, suggesting that wool prices were not a significant driver of transfer activity at this time. However the method is crude.



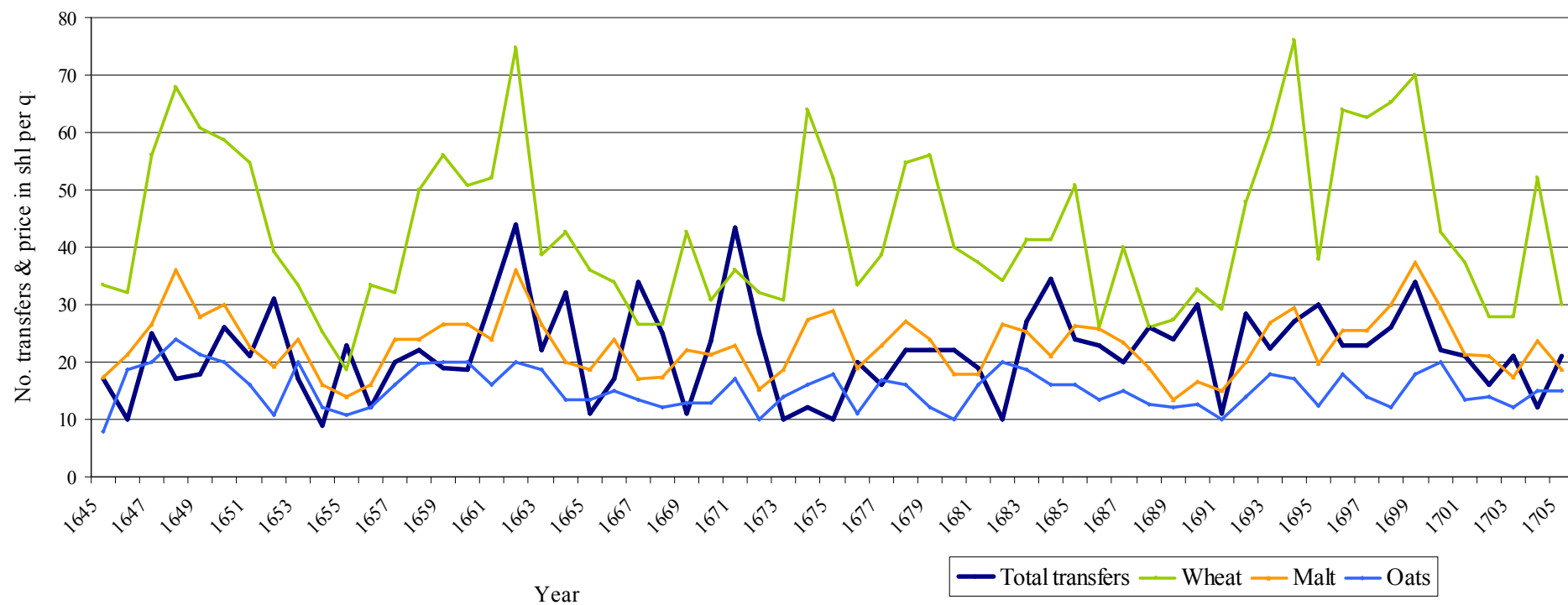
Source Bowden.

More detailed and local information was available for grain prices. The Winchester College demesne lessees had an element of corn in their rents whose weight was pre-agreed, and the sum for which this weight was sold at market in Winchester was recorded in each year. An analysis spreadsheet of these sums provided the price per qrt weight for wheat, malt and oats throughout the period of study. The prices for each year at the Annunciation are presented in Annexe 5.2.¹⁹ They were then plotted against the total number of transfers in Fig 5.4.

¹⁸ BOWDEN *Wool Trade*, Appendix.

¹⁹ The Annunciation is celebrated on March 25th. The annual price listings appear in Annex 5.2. below.

Fig 5.4. Total transfers plotted against wheat, malt & oats prices in Winchester 1645-1705



Sources, Winchester College annual manor income receipts and transfer results as before. (Grain price listing in Annex 5.2.)

Overall the wheat and malt prices follow a similar pattern to each other, whereas oats are different. It can be seen that the total transfer pattern does bear some similarity to the wheat and malt prices except for the later 1660s and early 1670s when it has already been established that plague was probably the most significant factor producing peaks in activity. A more statistically rigorous test of the presence or absence of correlations was undertaken using a Pearson correlation coefficient and Table 5.3 presents the results.

Table 5.3. Correlation between permanent transfers and local grain prices 1645-1705

| <i>Transfer type</i> | <i>Parameter</i> | <i>Correlation coeffic between:</i> | |
|----------------------|------------------|-------------------------------------|----------------|
| | | <i>No. transfers</i> | <i>Acreage</i> |
| Total No. | malt | 0.17 | -0.02 |
| After death | malt | -0.25 | -0.36 |
| Inter vivos | malt | 0.36 | 0.22 |
| Total No. | wheat | 0.21 | 0.11 |
| After death | wheat | -0.21 | -0.21 |
| Inter vivos | wheat | 0.39 | 0.28 |
| Total No. | oats | 0.02 | -0.11 |
| After death | oats | -0.21 | -0.34 |
| Inter vivos | oats | 0.15 | 0.10 |

Sources : Grain prices (Anex 5.2) and transfer data.

The results demonstrate that there was little overall correlation between the number of transfers or the acreage transferred and the grain prices, although there was a weak association between the number of *inter vivos* transfers and wheat and malt prices. Table 5.4 explores this further by calculating correlation coefficients for *inter vivos* transfers only and by decade.

Table 5.4. Correlation between the number of *inter vivos* transfers and grain prices 1645-1705 ¹

| <i>Decade</i> | Wheat | Malt | Oats |
|---------------|-------|------|-------|
| 1645-1655 | 0.51 | 0.33 | 0.11 |
| 1656-1665 | 0.31 | 0.42 | 0.37 |
| 1666-1675 | -0.17 | 0.28 | 0.42 |
| 1676-1685 | 0.01 | 0.49 | 0.55 |
| 1686-1695 | 0.68 | 0.45 | 0.49 |
| 1696-1705 | 0.50 | 0.43 | -0.16 |

Sources : Grain prices (Annex 5.2) and transfer data. (Using prices and transfers for each year within a decade.)

¹ The years used for the grain prices were taken as one year prior to the transfers to allow for the time lag between prices and acting on and/or recording transfers.

The focus upon *inter vivos* transfers in table 5.4. suggests that there was a decade at the beginning of the study period with a slightly positive correlation between the transfers and wheat, and a mild one with malt. This then declined to a low during the 1666-1675 plague decade where there is no discernable correlation except a mild one with oats. The negative association for wheat continued during 1676-1685 but malt returned to its mild position and oats increased more positively. By 1686 onwards, however, a modest positive correlation with wheat prices returned; malt remained where it was and oats declined.

Correlation in the statistical sense does not necessarily indicate cause. However the results do show a pattern which supports the contention that an element of market forces for grain may have affected transfers *inter vivos* during the 1640s and early 50s, but did not do so again until the later 1680s and 1690s. It can be argued that the effects of the Commonwealth, Restoration and plague years in the 1660s and 1670s far outweighed any influence of the grain market in those years.

5.4. Turnover

French and Hoyle have stated that the volume of a land market is best expressed as turnover; a view echoed by van Bavel who opined that it was *the* measurement to use for comparison purposes between different studies, rather than the mere numbers of transfers involved.² Both reference Glennie's study of the Lea valley and Whittle's of Norfolk spanning the late fifteenth and sixteenth centuries.³ However, a difficulty arises in ensuring that what has been included in the term 'transfer', and hence 'turnover', is comparable between the various studies. For example French and Hoyle give one figure per decade for 'all transactions' in their Table 6.1 which produce a range of turnover rates shown here beneath Table 5.6 below. Glennie's study in the Lea Valley in the sixteenth century produced a figure of about 5% turnover per annum for '*inter vivos*' transfers, and Whittle expressed hers as at least 100 per cent of land turned over every 15 years – an equivalent to about 7% per annum.⁴ Accordingly the following analysis of the Hampshire data will examine first the overall turnover figures and then one which focuses on *inter vivos* transfers only.

² FRENCH and HOYLE *Earls Colne*, p 189 ; VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 28.

³ GLENNIE 'Lea Valley', ; WHITTLE *Land and labour in Norfolk*,

⁴ GLENNIE 'Lea Valley', page 20 ; WHITTLE *Land and labour in Norfolk*, p 103.

The acreage used in the calculations is the cultivated area which the tenants transferred in proportion to the total area of cultivable land that they held. This is the area described for the holdings in the court rolls, and it did not include common grazing or woodland areas. Most of the tenants had access to far larger areas for grazing rights on common sheep downland and underwood rights in woods. These were a significant part of sheep-corn husbandry but cannot be included under 'acreage' of a holding. Accordingly the results for Hampshire may not be so directly comparable with those for tenants living in areas where substantial grazing was not a part of the husbandry and landholding, and where rights to use common grazing areas were a smaller part of the whole.

Table 5.5 summarises the acres transferred in each manor according to whether they occurred as part of a death/inheritance or an *inter vivos* activity. For the lives tenured manors, the transfers involving Life 1 and reversioners are separated. The percentage proportion between death and *inter vivos* is shown separately for Life1 and reversioners to demonstrate their differences.

The table demonstrates well the above-mentioned caution that the final answer depends upon what is, and what is not, included in the statistics which make up the whole. If all permanent transfers, whether after death/inheritance or *inter vivos* and including all lives, are included, then the overall turnover per annum over the 61 years 1645-1705 was 6.9%. The Lives manors alone with their reversions included had a mean of 9.5%; the inheritance manors alone a mean of 5.3%; and the customary freeholders 3.9%. However if First Life only figures are included for the Lives manors the results for each manor are far more similar to each other around a mean of 4.7% with a range between 3.8% (Chilbolton - Lives) and 6.3% (Meonstoke Inheritance). (There is a strong argument for leaving reversions out of consideration because the land was not physically transferred, so that 'turnover' is a difficult concept in relation to them.)

Table 5.5. Turnover rates for death/inheritance and *inter vivos* transfers 1645-1705.

| Manor / tenure | | Acres transferred | | | | | Mean Turnover p.a. | | | |
|-----------------------------------|-------------------|-------------------|-----|-------------|------|-------------------------|--------------------|-------------------|----------------|------------------|
| | | Death/Inheritance | | Inter vivos | | Total Life or revers | Manor Area | Death/ Inherit | Inter Vivos | All transfers |
| | | Acres | % | Acres | % | | | | | |
| Chilbolton | <i>Life l</i> | 1,712 | 72% | 680 | 28% | 2,392 | | 2.7% | 1.1% | 3.8% |
| DC 3 Lvs | <i>Reversions</i> | 753 | 27% | 2036 | 73% | 2,789 | | 1.2% | 3.2% | 4.4% |
| Total manor | | 2,465 | 48% | 2716 | 52% | 5,181 | 1,036 | 3.9% | 4.3% | 8.2% |
| Littleton | <i>Life l</i> | 582 | 71% | 236 | 29% | 818 | | 3.3% | 1.3% | 4.6% |
| DC 3 Lvs | <i>Reversions</i> | 8 | 1% | 1376 | 99% | 1,384 | | 0.0% | 7.7% | 7.7% |
| Total manor | | 590 | 27% | 1612 | 73% | 2,202 | 293 | 3.3% | 9.0% | 12.3% |
| Ovington | <i>Life l</i> | 857 | 50% | 853 | 50% | 1,710 | | 2.7% | 2.7% | 5.3% |
| DC 3 Lvs | <i>Reversions</i> | 0 | 0% | 1922 | 100% | 1,922 | | 0.0% | 6.0% | 6.0% |
| Total manor | | 857 | 24% | 2775 | 76% | 3,632 | 525 | 2.7% | 8.7% | 11.3% |
| Exton | <i>Life l</i> | 1,025 | 60% | 697 | 40% | 1,722 | | 2.5% | 1.7% | 4.2% |
| DC 3 Lb1 | <i>Reversions</i> | 508 | 34% | 985 | 66% | 1,492 | | 1.2% | 2.4% | 3.7% |
| Total manor | | 1,533 | 48% | 1682 | 52% | 3,214 | 667 | 3.8% | 4.1% | 7.9% |
| V Dean cpy | <i>Life l</i> | 774 | 57% | 587 | 43% | 1,361 | | 2.5% | 1.9% | 4.4% |
| WC 3 Lb1 | <i>Reversions</i> | 173 | 9% | 1706 | 91% | 1,879 | | 0.6% | 5.5% | 6.1% |
| Total manor | | 947 | 29% | 2293 | 71% | 3,240 | 506 | 3.1% | 7.4% | 10.5% |
| H. Ampner | <i>DC Inher</i> | 1,186 | 52% | 1101 | 48% | 2,287 | 934 | 2.1% | 1.9% | 4.0% |
| Crawley | <i>Bish Inher</i> | 999 | 27% | 2660 | 73% | 3,659 | 1,136 | 1.4% | 3.8% | 5.3% |
| Meonstoke | <i>WC Inher</i> | 1,500 | 32% | 3144 | 68% | 4,644 | 1,210 | 2.0% | 4.3% | 6.3% |
| V Dean free | <i>WC Fr</i> | 1,229 | 66% | 630 | 34% | 1,859 | 776 | 2.6% | 1.3% | 3.9% |
| Totals Lives manors <i>Life l</i> | | 4,950 | 62% | 3,053 | 38% | 8,003 | 3,028 | 2.7% | 1.7% | 4.3% |
| Totals reversions only | | 1,442 | 15% | 8,025 | 85% | 9,466 | 3,028 | 0.8% | 4.3% | 5.1% |
| Totals Lives manors all | | 6,391 | 37% | 11,078 | 63% | 17,469 | 3,028 | 3.5% | 6.0% | 9.5% |
| Totals Inheritance manors only | | 3,684 | 35% | 6,905 | 65% | 10,590 | 3,279 | 1.8% | 3.5% | 5.3% |
| Totals all First Life transfers | | 9,863 | 48% | 10,588 | 52% | 20,452 | 7,083 | 2.3% | 2.5% | 4.7% |
| Totals all transfers incl revers | | 11,305 | 38% | 18,613 | 62% | 29,918 | 7,083 | 2.6% | 4.3% | 6.9% |

Source: Transfer data and tenant holding analysis.

The picture is yet more complicated when a division between deaths and *inter vivos* transfers is calculated. If *inter vivos* only figures are used – which could be said to represent ‘sales’ – then the all-inclusive per annum turnover mean was 4.3%; or if only Life 1 is taken in all the manors then it was 2.5%. However it was 6.0% for all Lives manor activity; but down to 1.7% for Life1 in Lives manors only, as the Life 1 transfers tended to be after death rather than *inter vivos*.¹

So by setting out the different constituents of the turnover in this way it is possible to offer comparisons with the findings of other historians regarding the problem of precisely what was included in their results. In terms of already published material, the English researchers used only inheritance/freehold tenured manors, so their results need to be compared with the three inheritance tenured manors in this study. Their overall per annum rate was 5.3% with a range between 4.0% for Hinton Ampner and 6.3% for Meonstoke. If only *inter vivos* results are taken then the mean rate is 3.5% with a range between 1.9% and 4.3% for those same manors. This is lower than Glennie’s 5% in the sixteenth century, but he included some leases.² It is also lower than Whittle found of up to 7% with her customary tenants who held a mixture of land including some freehold.³ In terms of Earl’s Colne, French and Hoyle recorded that on average 63% of the copyhold land passed through the courts in any one decade – or 6.3% per annum like Meonstoke; but also stated that this represented “about 2 per cent of the copyhold land area sold annually”.⁴ This latter is a lower figure than the Hampshire mean for *inter vivos* and for Meonstoke.⁵ The results are all higher than van Bavel’s table which drew together results from elsewhere in Europe, except for the Glennie results above which he included.⁶

The conclusion to be drawn is that the Hampshire manors were as active in turnover terms as the other English studies, with Meonstoke towards the top of the range. The transfers *inter vivos* for the lives tenure manors were of a similar order of magnitude if the reversioner activity is included, but lower if only the first Life is used; and very low

¹ Littleton was an exception, but its figures were skewed by the activities of one holder with 128 acres of land, which in a tenantry of only 7 produces a disproportionate result. There is an argument for excluding Littleton from the turnover figures altogether on these grounds, but they have been left in.

² GLENNIE 'Lea Valley', p 20.

³ WHITTLE *Land and labour in Norfolk*, p 103.

⁴ FRENCH and HOYLE 'English individualism refuted', p 602; and FRENCH and HOYLE *Earls Colne*, p 190.

⁵ Partly perhaps because Earl’s Colne apparently had a two thirds: one third death : *inter vivos* ratio which is the inverse of Meonstoke.

⁶ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 29.

for first life *inter vivos* only. Apart from this last, all the results were higher than the other European examples quoted by van Bavel, which would support a theory that the English copyhold tenants really were more active with their land than their European counterparts.

The mean turnover figures covering many decades are blunt instruments of measurement as Hoyle has pointed out.⁷ It was possible to refine them a little by analysing the turnover by decade, although in some manors this produced a very small sample size so that Littleton in particular often had very skewed results if its one large landholder transferred their property. Table 5.6. shows the results for all transfers involving a First life. It uses a different decade span from those of French and Hoyle whose figures are therefore shown out of alignment below the Hampshire results.

Table 5.6 Turnover per decade – First Life only in all manors.

| <i>Manor</i> | <i>Lord / Tenure</i> | <i>1646-55</i> | <i>1656-65</i> | <i>1666-75</i> | <i>1676-85</i> | <i>1686-95</i> | <i>1696-1705</i> | <i>Mean all decades</i> |
|----------------------------|--------------------------|----------------|----------------|----------------|----------------|----------------|------------------|-----------------------------|
| Chilbolton | <i>DC 3 Lv</i> | 37% | 30% | 34% | 40% | 46% | 53% | 38% |
| Littleton | <i>DC 3 Lv</i> | 60% | 0% | 63% | 25% | 123% | 9% | 46% |
| Ovington | <i>DC 3 Lv</i> | 66% | 55% | 60% | 28% | 94% | 39% | 53% |
| Exton | <i>DC 3Lb1</i> | 33% | 58% | 38% | 50% | 43% | 37% | 42% |
| V.Dn Cpy | <i>WC3Lb1</i> | 69% | 51% | 50% | 30% | 23% | 60% | 38% |
| H. Ampner | <i>DC Inh</i> | 27% | 68% | 48% | 12% | 56% | 35% | 40% |
| Crawley | <i>Bish Inh</i> | 32% | 59% | 39% | 52% | 52% | 89% | 53% |
| Meonstoke | <i>WC Inh</i> | 64% | 44% | 33% | 96% | 108% | 40% | 63% |
| V.Dn Fr | <i>WC Fr</i> | 27% | 59% | 28% | 40% | 38% | 48% | 39% |
| <i>Total decade mean %</i> | | 46% | 47% | 44% | 42% | 65% | 45% | 47% |

Earls Colne results

| <i>Decade</i> | 1640 | 1650 | 1660 | 1670 | 1680 | 1690 | 1700 |
|--------------------|-------|--------|-------|-------|-------|-------|-------|
| <i>Av turnover</i> | 31.6% | 108.8% | 45.9% | 64.4% | 51.3% | 51.7% | 46.4% |

Source Database of transfers, & Earl's Colne results⁸

The overall volume is probably lower than Whittle found for the earlier period where “In every 15 year period the turnover of land exceeded the area of tenants' land”.⁹ In Meonstoke it may often have been similar to Whittle's findings, and at certain periods also in Ovington and Vernham Dean copy moiety. However the pattern by decade indicates that taken as a whole, the overall decade mean of all the manors remained

⁷ FRENCH and HOYLE 'English individualism refuted', p 603.

⁸ FRENCH and HOYLE *Earls Colne*, Table 6.1 line 6.1 page 187.

⁹ WHITTLE *Land and labour in Norfolk*, p 103.

remarkably stable around about 44% apart from 1685-96 when it leapt to 65%. This peak does not appear in the Earls Colne figures. However the pattern was very variable by manor, and it is difficult to see similarities and apparent correlations. There is, for example no association with lordship type or tenure. Six of the manors had their highest rates of turnover during the 1680s and 1690s, but three had their highest between 1656 and 1665. For Exton and Hinton Ampner this may have had more to do with Dean and Chapter post-Restoration activity than any tenant-motivated transfers. The problems of sample size for Littleton has already been mentioned, and it is not at all clear that all the Vernham Dean freeholder transfers towards the end of the period were recorded and found. The lowest activity was found in five manors between the decades of 1645-65, but in three it was in the decades between 1675 and 1695.

Of the Inheritance manors, in terms of tenant structure and scale, Meonstoke was probably closest to Earls Colne, but its pattern of turnover by decade proves to have been almost the inverse. Crawley, in contrast, follows Earls Colne more closely; whereas Hinton Ampner tenants did not behave like any of them after the first three decades. The conclusion seems to be that local factors were at work, and that the differences show the dangers of taking results from any one manor and applying them more widely.¹⁰

5.5. Numbers of transfers per tenant

The section above examined the overall transfer figures in terms of acreage and hence turnover. If the numbers of transfers are analysed, then a picture of the rate of transfers per tenant emerges as another indicator of the level of activity, although it is at best a rough statistic. The results are shown in Table 5.7 below, where the first column shows the mean number of tenants in each manor averaged over the 61 years, and the second multiplies these by two for the Lives manors as there were two reversion lives for every Life1. The total number of transfers for each manor is then shown in the third column, and next divided between Life 1 and reversioner transfers. Accordingly the mean number of transfers can then be calculated ‘per tenant’ or per Life 1 or reversioner.¹¹

¹⁰ Clearly a few would inherit and die quickly before being able to take action, and some did not know who their next family heir was. The point made applies to the great majority of tenants.

¹¹ Only one tenancy did not change hands at all. This was a messuage with garden in Hinton Ampner held by Edward Rook at an annual rent of 4d. He was found to have inherited it in 1630 aged 10 years, and was buried in 1715 at the age of 95 years. He did always appear in jury and rent listings.

Table 5.7. Mean number of permanent transfers per tenant and reversion life 1645-1705.

| <i>Manor</i> | <i>Tenure</i> | <i>Mean number tenants</i> | <i>Mean number revers</i> | <i>Total number transfs</i> | <i>Total trsf Life 1</i> | <i>Total trsf revers</i> | <i>Mean n trsf per tenant</i> | <i>Mean n trsf per Life 1</i> | <i>Mean trsf per revers</i> |
|---------------|---------------|------------------------------------|-----------------------------------|-------------------------------------|----------------------------------|----------------------------------|---------------------------------------|---------------------------------------|-------------------------------------|
| Chilbolton | 3 Lv | 24 | 48 | 148 | 66 | 82 | 6.2 | 2.8 | 1.7 |
| Littleton | 3 Lv | 6 | 12 | 33 | 17 | 16 | 5.5 | 2.8 | 1.3 |
| Ovington | 3 Lv | 18 | 36 | 110 | 52 | 58 | 6.1 | 2.9 | 1.6 |
| Exton | 3 Lv b1 | 24 | 48 | 159 | 74 | 85 | 6.6 | 3.1 | 1.8 |
| V Dn Cpy | 3 Lv b1 | 29 | 58 | 238 | 89 | 149 | 8.2 | 3.1 | 2.6 |
| H Ampner | Inher | 26 | | 110 | 110 | | 4.2 | 4.2 | |
| Crawley | Inher | 37 | | 143 | 143 | | 3.9 | 3.9 | |
| Meonstoke | Inher | 60 | | 310 | 310 | | 5.2 | 5.2 | |
| V Dean Fr | Cusfree | 35 | | 83 | 83 | | 2.4 | 2.4 | |
| <i>Totals</i> | | 259 | 202 | 1334 | 944 | 390 | 5.2 | 3.6 | 1.9 |

Source Database of transfers.

The exercise demonstrates clearly how important it is to understand the nature of the manorial tenure in order to calculate and assess results. If all the manors were treated in the same way using just the overall figures of total transfers and tenants, the Lives manors appear to have almost double the level of activity of the Inheritance manors at between 5.5 and 8.2 transfers per tenant compared with between 3.9 and 5.2. However if the activity of Life 1 and reversioners are separated, then the Life 1 in Lives manors have the lowest rate at 2.8; and the 3Livesb1 have 3.1. The Inheritance manors are all higher, and the range of results between all the manors is much narrower between 2.8 and 5.2. The reversioners alone then have the lowest rate at 1.9.

It is therefore essential to know which set of figures are being used if comparisons are to be made between manors with different tenures either within Hampshire or outside it. The division into Life 1 and reversioners also sheds light on issues within this study, such as Vernham Dean copy moiety producing the highest overall rate at 8.2, but which is then shown to consist of an unremarkable rate for Life 1 but a high one for reversioners. This reflects the fact that surrenders by all three lives at once were more popular in that manor than anywhere else, so the rate for reversioners approaches double that for Life 1.

5.6. Death/Inheritance transfers : all manors

A more detailed analysis of transfer activity is next considered with a split between the after-death inheritance and *inter vivos*, at least partly because it is often only the latter which are considered truly to be part of a 'land market'. In practice *inter vivos* inheritance planning activity affected what happened after death and the two were intertwined. Examples of this will be outlined later. The initial analysis above has revealed that overall one third of the transfers involved an inheritance after a death, with one group of manors showing closer to 40% and another around only 25%. However the proportion leapt up to between half and two thirds inheritance if only Life 1 tenants were considered in the Lives manors.

An important issue to highlight at the outset is that although in principle all the manors of study happened to have Borough English inheritance to the youngest son; in fact this custom was irrelevant for five of the nine manors. They had Lives tenure, and as such the next Life inherited and not a customary heir. However, the tenants of all the manors were in a sense in the same position as they knew in life who the next heir would be – the next life (Lives manors) or the youngest son (Inheritance manors). Consequently they had an option in life to undertake an inheritance strategy and change the position *inter vivos* if they did not like it, and they could afford to do so. It was quite possible for Lives manor tenants to place their children and favoured heirs into position in the lives before their death; in the same way that a tenant in an Inheritance manor may have manoeuvred their holding while alive to benefit those who were not the customary youngest son. The Lives manor tenants were more likely to be burdened with reversioners agreed by their parents or grandparents and the section on rates of fine showed that it could be very expensive for them to exchange lives. Inheritance manor tenants could find themselves in difficulty with Borough English if they were widowed and then remarried. The youngest child of a new second family would then take precedence over the first.

Other relevant factors included the ability to convey a holding by will. This could only be done in the manors with inheritance tenure and where a surrender to will had been agreed in advance. A few examples of surrenders to will did occur in Meonstoke and

Crawley, but they were rare.¹² Nicholas Pratt who lived in Exton, but held tenancies in both Exton and Meonstoke, agreed a surrender to will in 1688 on his property in Meonstoke as the manor had inheritance tenure which permitted it. Similarly entails were possible in the Inheritance manors and pre-determined who would inherit rather than leaving the matter to custom. Evidence for all these *inter vivos* activities indicating inheritance strategies will be examined in the section below on *inter vivos* transfers.

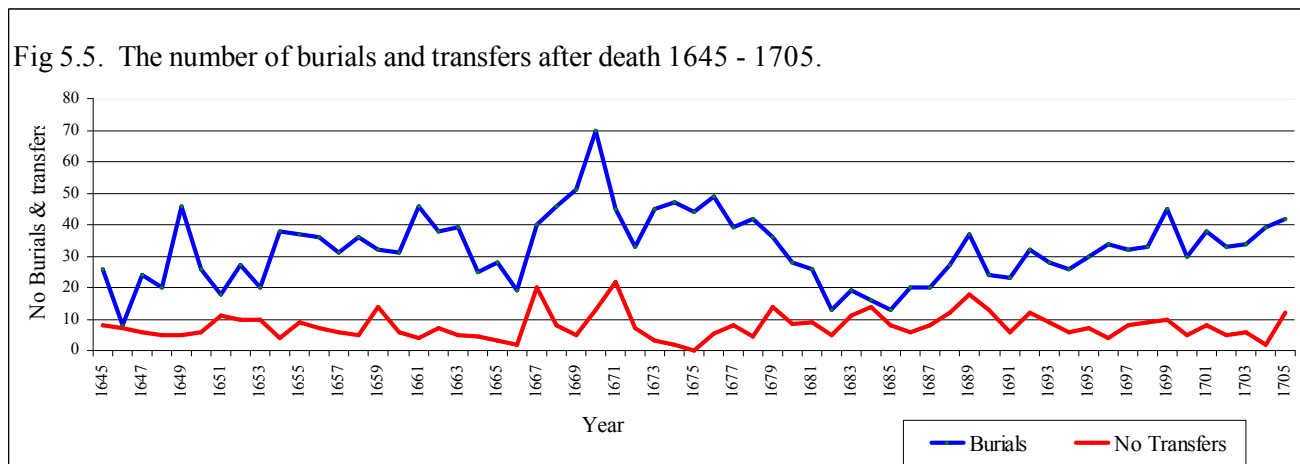
Crawley was an exception in one respect, which is that heriots were only charged on death/inheritance and not on *inter vivos* surrenders. It was interesting to consider whether this may have encouraged tenant behaviour towards premature transfer to spare the heir an expense. The effects of lordship policy – if any – are difficult to assess. However all the manors with the higher rates of death/inheritance transfers were those under the Dean and Chapter – including Hinton Ampner which had inheritance tenure. How far Life1 tenants may have been actively discouraged in some way by the stewards from giving up their lives *inter vivos* and how far cost was a factor is not clear. Chilbolton had heavy heriot and fine rates, but Hinton Ampner did not.

It was not easy to assess to what extent the tenants may have regarded inheritance by custom as the normal and desired form of transfer of their holdings. There were very small numbers of holdings in the Inheritance manors which merely passed sequentially from tenant to heir via a death transfer without any other transfer activity occurring *inter vivos*. This suggests that the majority of tenants wished to do something else with their holding and/or use it to provide for other family members.

A possible indicator was the pattern of after-death transfers compared with that for the burials in the manors. The theory explored is whether the patterns were similar, which might suggest that many tenants were leaving inheritance to custom; or whether they were different – in which case *inter vivos* planning and activity might be indicated. Rather than using national figures from the Cambridge Population Group, more local detail was derived from the burials in the parish registers which have survived for four of the manors (Exton, Hinton Ampner, Meonstoke and Ovington) plus those from two contiguous manors of Cheriton and Droxford. The results are presented graphically in Fig 5.5. and the correlation coefficients by decade in Table 5.8. In some cases there

¹² Surrenders to will were not included in the database as they were not transfers as such at the time. They merely sought permission to identify succession outside custom. The transfer came after the death when the named heir(s) became apparent and the fine and heriot were levied.

may have been a delay of up to a year between a burial taking place and the transfer being recorded at court, so the two sets of figures may be slightly out of synchrony.



Sources : transfer database and parish register burials .

Table 5.8. Correlation by decade between numbers of burials and transfers.

| <i>Decade</i> | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 |
|------------------------|---------|---------|---------|---------|---------|-----------|
| <i>Burials & :</i> | | | | | | |
| No. of transfers | 0.350 | -0.051 | 0.239 | -0.252 | 0.690 | 0.457 |
| Acres transferred | -0.002 | -0.012 | 0.317 | -0.252 | 0.675 | 0.523 |

Sources : transfer database and parish register burials .

Comparison of the patterns shows that there was little relationship during the first four decades of study. As mentioned earlier, the disruptions of the civil war, Commonwealth and Restoration provoked a need to use *inter vivos* transfers to adjust landholding, rather than calmly waiting for customary inheritance. The later 1660s and early 1670s understandably have their peaks associated with the plague years when it seems possible that many tenants would not have had time to anticipate their sudden deaths and so both the burials and after-death transfers are high during that period. However they fluctuated wildly, so there is no correlation at the level of a decade. The fourth decade shows a slightly inverse relationship when perhaps families were trying to sort out and adjust *inter vivos* to their great losses. The last two decades, however, do show a modest correlation at around 0.68 for 1686-95 and around 0.5 between 1696-1705, suggesting that perhaps there was a return to a more stable relationship between death and *inter vivos* transfers.

The impression given by this comparison is that although customary inheritance was still a factor in the transfer activity of customary tenants at this time, there was much activity occurring *inter vivos* and that there was little direct relationship between deaths/burial rates and after-death customary inheritance in many families. The external political factors were strong in manors owned by ecclesiastical landlords.

5.6.1. Heirs and inheritors

The transfer data was analysed to see who inherited after a death, in order to assess the extent to which land was moving to kin. Tables 5.9a and 5.9b summarise the findings for the numbers of transfers after the death of Life 1. The first table shows how many went initially to widows for the term of their life (spouses in their own right are in the spouse/grandparent category); and then the second shows the final picture of those who ultimately inherited after the death of the widow. This could be many years later, and so the final line in the second chart shows 'NK' if they were truncated beyond 1705 and were thus not known. The female proportion is shown in the final column in both tables, and the final manor percentage along the bottom of the second table. The manors are grouped by tenure type. A separate analysis was undertaken with acreages but the percentage proportions were within 0.5% in all cases, so in the interests of economy of space only the figures for the numbers of transfers have been presented in this section.

The upper table shows that a mean of almost one third of holdings went first to a widow. The exception was in Vernham Dean free moiety where widows had no rights. In the latter manor the proportion which went to the spouse directly was minimal, so the tenants there do not seem to have wished to provide for widow inheritance by *inter vivos* means before death.

The percentage inherited directly by a son or daughter rises in proportion from left to right across the table. Initially in 3Lives manors it was around one third (pace Littleton with its small sample size); a little higher in the 3Livesb1 tenure, and a mean of 45 % in Inheritance manors. The very high figure for Vernham Dean free moiety is because widows were excluded. After the death of the widow, the proportion which ultimately went to a child rose to more than 50% in all manors, but as before rose from left to right across the second table. 3Lives manors had a mean of 54%; 3Livesb1 manors of 60% and Inheritance manors of 69% with Crawley showing the highest percentage of 77% - which was even more than Vernham Dean freeholders.

Table 5.9a Initial inheriting heirs after a death of Life 1, by number of transfers per manor 1645-1705

| <i>Manor/tenure:</i> | <i>Chilbolton</i> | | <i>Littleton</i> | | <i>Ovington</i> | | <i>Totals</i> | | <i>Exton</i> | | <i>V D Cpy</i> | | <i>Totals</i> | | <i>H Ampn</i> | | <i>Crawley</i> | | <i>Meonstoke</i> | | <i>Totals</i> | | <i>VD Free</i> | | <i>Totals</i> | | <i>Of whom</i> | |
|----------------------|-------------------|-----|------------------|-----|-----------------|-----|---------------|-----|--------------|-----|----------------|-----|------------------|-----|---------------|-----|----------------|-----|------------------|-----|--------------------|-----|----------------|-----|-------------------|-----|----------------|------|
| <i>Inheritor</i> | | | | | | | <i>3Lives</i> | | | | | | <i>3Lives b1</i> | | | | | | | | <i>Inheritance</i> | | | | <i>all tenure</i> | | <i>female</i> | |
| Widow | 13 | 31% | 3 | 25% | 12 | 41% | 28 | 34% | 11 | 29% | 20 | 45% | 31 | 38% | 15 | 36% | 14 | 33% | 24 | 27% | 53 | 31% | | | 112 | 29% | 112 | 100% |
| Son/dau | 12 | 29% | 6 | 50% | 10 | 34% | 28 | 34% | 17 | 45% | 14 | 32% | 31 | 38% | 16 | 38% | 21 | 49% | 41 | 47% | 78 | 45% | 33 | 73% | 170 | 44% | 26 | 15% |
| Sibling | 8 | 19% | 1 | 8% | 1 | 3% | 10 | 12% | | | 5 | 11% | 5 | 6% | 2 | 5% | 5 | 12% | 10 | 11% | 17 | 10% | 2 | 5% | 34 | 9% | 8 | 24% |
| Spouse/Grdprt | 5 | 12% | | | | | 5 | 6% | 6 | 16% | 2 | 5% | 8 | 10% | 2 | 2% | 1 | 2% | 5 | 3% | 8 | 3% | 3 | 7% | 24 | 6% | 21 | 87% |
| CNNUA ¹ | | | | 1 | 8% | 1 | 3% | 2 | 2% | 1 | 3% | | 1 | 1% | 3 | 7% | 2 | 5% | 3 | 3% | 8 | 5% | 3 | 6% | 14 | 4% | 3 | 22% |
| Relation(distant) | | | | | | | | | | | | | | | 3 | 7% | | | 3 | 3% | 6 | 3% | 3 | 7% | 9 | 2% | 1 | 11% |
| Unrelated | 4 | 10% | 1 | 8% | 5 | 17% | 10 | 12% | 3 | 8% | 3 | 7% | 6 | 7% | 1 | 2% | | | 2 | 2% | 3 | 1% | 1 | 2% | 20 | 5% | 2 | 10% |
| <i>Totals</i> | 42 | | 12 | | 29 | | 83 | | 38 | | 44 | | 82 | | 42 | | 43 | | 88 | | 173 | | 45 | | 383 | | 173 | 45% |

Table 5.9b Final inheriting heirs after a death of Life 1 and then after the death of the widow 1645-1705

| <i>Manor</i> <i>Inheritor</i> | <i>Chilbolton</i> | | <i>Littleton</i> | | <i>Ovington</i> | | <i>Totals</i> <i>3Lives</i> | | <i>Exton</i> | | <i>V D Cpy</i> | | <i>Totals</i> <i>3Lives b1</i> | | <i>H Ampn</i> | | <i>Crawley</i> | | <i>Meonstoke</i> | | <i>Totals</i> <i>Inheritance</i> | | <i>VD Free</i> | | <i>Totals</i> <i>all tenures</i> | | <i>Of whom</i> <i>female</i> | |
|-----------------------------------|-------------------|-----|------------------|-----|-----------------|-----|--------------------------------|-----|--------------|-----|----------------|-----|-----------------------------------|-----|---------------|-----|----------------|-----|------------------|-----|-------------------------------------|-----|----------------|-----|-------------------------------------|-----|---------------------------------|-----|
| Son/dau | 22 | 52% | 8 | 67% | 15 | 52% | 45 | 54% | 22 | 58% | 27 | 61% | 49 | 60% | 25 | 60% | 33 | 77% | 61 | 69% | 119 | 69% | 33 | 73% | 246 | 65% | 36 | 15% |
| Sibling | 8 | 19% | 2 | 17% | 4 | 14% | 14 | 17% | 1 | 3% | 6 | 14% | 7 | 9% | 4 | 10% | 5 | 12% | 11 | 13% | 20 | 12% | 2 | 5% | 43 | 11% | 11 | 26% |
| Spouse/Grdprt | 5 | 12% | | | | | 5 | 6% | 7 | 18% | 2 | 5% | 9 | 11% | 4 | 10% | 2 | 5% | 5 | 6% | 11 | 6% | 3 | 7% | 28 | 7% | 21 | 75% |
| CNNUA | 1 | 2% | 1 | 8% | 1 | 3% | 3 | 4% | 1 | 3% | 1 | 2% | 2 | 2% | 4 | 10% | 3 | 7% | 4 | 5% | 11 | 6% | 3 | 6% | 19 | 5% | 5 | 27% |
| Relation(distant) | | | | | | | | | | | | | | | 3 | 7% | | | 3 | 3% | 6 | 3% | 3 | 7% | 9 | 2% | 1 | 11% |
| Unrelated | 5 | 12% | 1 | 8% | 9 | 31% | 15 | 18% | 3 | 8% | 7 | 16% | 10 | 12% | 1 | 2% | | | 2 | | 3 | 2% | 1 | 2% | 27 | 7% | 3 | 10% |
| NK/truncated | 1 | 2% | | | | | 1 | 1% | 4 | 11% | 1 | 2% | 5 | 6% | 1 | 2% | | | 2 | 2% | 3 | 2% | | | 9 | 2% | ? | ? |
| <i>Totals</i> | 42 | | 12 | | 29 | | 83 | | 38 | | 44 | | 82 | | 42 | | 43 | | 88 | | 173 | | 45 | | 383 | | 77 | 20% |
| <i>Of whom</i> <i>Female :</i> | | 31% | | 25% | | 14% | | | | 24% | | 23% | | | | 12% | | 15% | | 20% | | | 19% | | | | 20% | |

Source : Database of transfers.

¹ CNNUA stands for cousin, nephew, niece, uncle or aunt. NK for ‘not known’.

The primary reason for the lower figures in Lives manors was the higher proportion which went to 'unrelated' inheritors. The pattern of these unrelated recipients is the inverse, and declines left to right across the tables. For Lives manors the mean was 18% but in Inheritance manors only 2%. In fact Crawley was remarkable for having no inheritors at all who were not close family kin. The influence of tenure here is clear. In the Inheritance manors on the right of the table, any holdings left to customary heirs would pass first to a son and after that to a daughter or then to more distant kin. Heirs were always sought and the cases where one could not be found were extremely rare. There was one example where William Hedges an unmarried male tenant in Chilbolton was 'away in the militia' for about thirty years of his tenure, so that by the time he died no one could remember where his line of inheritance lay, and he had not filled up his reversion lives. Otherwise, escheating to the Lord was not a feature of the later seventeenth century in these manors. However in the lives tenured manors on the left side of the tables, the long-term nature of joining the inheritance queue meant that a tenant's immediate children might well not be the next reversioner after a death. The next Life might be someone entered some thirty years previously who may or may not have paid for to enter into the Life as an unrelated person. The figure for Ovington at 31% was particularly high and was largely due to the activities of two families – the Cloads and the Swards who bought up lives where they could and gradually inherited throughout the period of this study as the lead tenants died. This ability for unrelated persons to inherit after a death is an important feature of lives tenured manors to highlight when studies of inheritance are conducted.

Sibling inheritance was also slightly higher in the Lives manors, (Chilbolton particularly but low in Ovington for the above reason). This was probably because it was common for a young man to place two of his children into the lives of his holding when he could. These siblings then grew up and either the first life tenant died before marrying or otherwise replacing his siblings with his own children; or did not have the funds to buy out the sibling in favour of their own children; or were subject to an agreement with the parents not to do so.

The final proportion of women who inherited was found overall to be one fifth or 20 per cent. This accords closely with the statistical probability of parents having only surviving daughters, and therefore suggests that there was little manoeuvring *inter vivos* to prefer male relatives in the absence of sons. Of these, about 9% went to daughters

more or less across the manors, apart from in Hinton Ampner and Crawley whose inhabitants seem to have eschewed them (presumably by making *inter vivos* arrangements if they only had female children).¹ The cross-manor picture was variable, but in general a daughter had better prospects in a Lives manor if her father placed her in a life. In an inheritance manor she had merely to hope that her father had no sons or effected an *inter vivos* transfer to her. Chilbolton at 31% female inheritance seems to have been a particularly auspicious manor for daughters.

5.6.2. Addition of the next new life in Lives manors

After a death in a lives tenure manor, a new life 3 had to be appointed and paid for. Although this procedure with its accompanying transfer of rights technically occurred *inter vivos*, it is examined under the after-death category in this study as the reasons for it were to complete the transfer after a death. It was part of the inheritance. Accordingly, and as explained above, these additions were not treated as a new and separate transfer. They were included under the one death/inheritance.

There was often a delay in nominating and admitting the person, and the length of time in years which it took to do so is summarised in Table 5.10.

Table 5.10 The number of years after a death that Life 3 was appointed.

| <i>Years after death</i> | <i>No.</i> | <i>%</i> |
|--------------------------|------------|----------|
| 20+ | 4 | 2% |
| 16-20 | 3 | 2% |
| 11-15 | 18 | 11% |
| 6-10 | 26 | 16% |
| 1-5 | 58 | 35% |
| 0 | 57 | 34% |
| <i>Total</i> | 165 | |

Source : Transfer database.

The analysis shows that one third of the additions were made within a year of the death; a further third up to five years later and then that one third were only added six or more years later. The median length of time was between three and four years. The extremely

¹ According to custom in Crawley an inheriting female had to surrender the tenancy to her husband if she had one and he then held it on her behalf. However she was examined *sola et secret* in the case of any subsequent sale and was technically the tenant. When setting up the database, the female inheritor was known and retained for statistical purposes – so this is not the reason behind the low female levels for Crawley.

long delays occurred mostly in Ovington where Dean and Chapter oversight seems to have been rather lax, but where minors with Guardians had inherited after the civil war and whose follow-up appointment of new Life 3s was either allowed to run on or was overlooked. The longer 6 – 15 year groups were spread evenly across the manors.

These results do not indicate great enthusiasm to secure the succession. It is not clear whether cost was the issue, laziness, or lack of interest. In Ovington it might even have been in the hope that the Lord wouldn't notice and the holding would almost become a single inheritance-type tenure. The section in chapter 4 about rents and fines demonstrated that the costs of entering the new Life were not inconsiderable. For example Thomas Wickham inherited his messuage and two virgates in Chilbolton in 1670 but it is recorded that he was having difficulty paying even the heriot. He was not able to enter his daughter as Life 3 until 1677. By the early 1680s the Dean and Chapter woke up to the fact that they were losing revenue and issued a strict instruction that lives must be filled promptly. Occasionally there is a mention in wills of a request to enter a particular child or person into the next Life. They could not determine who should have lives from beyond the grave, but they could place financial pressure on the remaining family to do so. A specific example was found in Headbourne Worthy – a parish not in this study but neighbouring Littleton and Ovington. There Ralph Page made a will within a week of dying in 1694 in which he left £60 to each of his two sons – which money was first to be spent on placing their names as reversion lives to replace the existing lives of Ralph's cousin and brother.² Within the study area, the tenants of Exton were particularly active in using wills this way. Inevitably it was only the better-off tenants who could afford this.

In terms of inheritance planning for the Lives manors it is relevant to examine the relationships between those newly appointed as Life 3 and a) the deceased and b) the incoming Life1 (former Life 2) in whose gift the nomination for appointment was. They established the next stage of inheritance planning, and Table 5.11. summarises them.

² 'Will of Ralph Page', HRO 1694A/076

Table 5.11 The relationships between the newly added Life 3 and the deceased, and the new First Life tenant.

| <i>New life 3</i> | <i>Relation to:</i> | | | | <i>Of which female</i> | | | |
|-------------------|---------------------|----------|-------------------|----------|------------------------|----------|-------------------|----------|
| | <i>Deceased</i> | | <i>New Life 1</i> | | <i>Deceased</i> | | <i>New Life 1</i> | |
| | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> |
| Son/daughter | 31 | 19% | 82 | 50% | 17 | 54% | 28 | 34% |
| Sibling | 7 | 4% | 21 | 12% | 5 | 71% | 12 | 58% |
| Spouse | 3 | 2% | 9 | 5% | 0 | 0% | 4 | 39% |
| Grandchild | 48 | 29% | 1 | 1% | 15 | 30% | 0 | 0% |
| Inlaw | 8 | 5% | 4.5 | 3% | 3 | 38% | 3 | 67% |
| CNNUA | 17 | 10% | 14 | 8% | 7 | 42% | 3 | 19% |
| Relationdist) | 8 | 5% | 6 | 4% | 1 | 13% | 1 | 17% |
| Unrelated | 43 | 26% | 28 | 17% | 6 | 14% | 5 | 18% |
| <i>Totals</i> | 165 | 100% | 165 | 100% | 54 | 32% | 55 | 33% |

Source : Database of transfers.

The largest group of appointees – nearly one third (29%) - in relation to the deceased tenant were grandchildren, who were usually the son or daughter of the new and incoming life 1. A further fifth or nearly 20% were sons or daughters of the deceased, and 50% were sons or daughters of the new Life 1 (which figure included of course those who were grandchildren of the deceased). This means that succession for half the transfers under study was established for immediate family offspring. Siblings and spouses then made up another 18% in relation to the incoming Life 1, but not to the deceased, suggesting an element of the new Life 1 wishing to provide for both. Cousins nephews and nieces formed a further 10%. The unrelateds then formed a quarter (26%) in relation to the deceased but less at 17% in relation to the incoming heir. This is about 5% more than the level of unrelated heirs of Life 1 in Table 5.8b above. They were spread rather evenly throughout the manors and occurred for a variety of reasons. In some cases the incoming new Life 1 was unrelated and had only loose family relations themselves. In others cases two first lives died very quickly so that an appointment of a Life 3 after the first death had not been made; sometimes the deceased was unmarried without heirs and had appointed unrelateds before death; in another case financial problems prevented a payment for a member of the family; and in another a favour to a neighbour seems to have been offered. Only occasionally towards the end of the century in Chilbolton was there evidence of any attempt by incomers to buy up lives after a decease. The case of Mr Mosse bribing his way for his children has already been mentioned, and the Dean and Chapter's steward Richard Harris placed his children in

two of the holdings in the mid 1680s when the Life 3 fell vacant. This latter may either have been to help out the Sutton family who were in difficulties, or an overt attempt to further his own family's future.

The proportion of females nominated for life 3 was one third of the total. This was high, and in fact the female proportion of daughters and sisters nominated were higher than 50% of children and siblings respectively. The mean for all nominations was nearly 40% female if the 'unrelated' category is omitted. This could arise in a number of ways. Firstly there were the tenants who had only had female children; or had only female children at the time of needing to add a life. Sons may have been born later. (The Pratt family in Exton baptised six girls before producing seven boys !) Secondly it suggests a serious interest in including daughters and sisters in the inheritance planning. Their lives could be exchanged later for marriage portions or to provide for them in other ways. A specific example to illustrate this was found where the payment was mentioned. It is unusual as payments within the family were rarely mentioned at court. In Exton, Robert Eyles had a holding of 120 acres in 1645 in which his son Robert and daughter Elizabeth were named as reversion lives. On Sept 9th 1676, the Dean & Chapter recorded a memorandum that 'Elizabeth Eyles spinster daughter of Robert Eyles the elder, yeoman, did surrender all her rights (*in reversion*) according to the tenor of the Obligation entered into between herself and her brother dated 28th November 1663.³ This obligation was that Elizabeth would surrender her interest in the holding to her brother upon payment of £200: a tidy sum for her personal support or marriage portion.

5.6.3. Death of a reversioner life

The death of a life in reversion also created the opportunity to place a new life at the end in Life 3. Table 5.12. summarises who was chosen. The total results for Lives manors in Table 5.9b above are shown in the right columns to compare with the results of appointment after death of Life 1.

The table contains few surprises as a form of half-way position between those who inherited as Life 2 after the death of Life 1 and who was appointed as Life 3 after them. The proportion of children was lower but the proportion of siblings and nephews and nieces increased. The proportion of unrelated appointments rose by 8% up to a similar

³ Cath: T2A/3/1/2, 'Memorandum Eyles', Warrants, 1676b.

level found for Life 3 appointments after the death of Life 1; and the same applies to the percentage who were female.

Table 5.12. Relationships of a new life 3 appointed after the death of a reversioner compared with after the death of Life 1.

| | <i>Relation to deceased</i> | | <i>After death of Life 1⁴</i> | |
|----------------|-----------------------------|----------|--|----------|
| | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> |
| Son/daughter | 12 | 21% | 94 | 57% |
| Sibling | 17 | 30% | 21 | 13% |
| Spouse/Grndprt | 1 | 2% | 14 | 8% |
| CNNUA | 11 | 19% | 5 | 3% |
| Relation(dist) | 3 | 5% | 0 | 0% |
| Unrelated | 13 | 23% | 25 | 15% |
| NK | 0 | | 6 | 4% |
| <i>Totals</i> | 57 | 100% | 165 | 100% |
| Of whom female | 18 | 32% | 43 | 26% |

Source : Database of transfers.

In conclusion to this section, the analysis shows that in the majority of cases the nomination of new lives remained a family matter. In the manors of inheritance tenure virtually everyone who inherited was a direct or wider family member. Heirs of the blood were always sought however distant. In the lives tenured manors, however, the proportion of children, siblings and grandchildren formed only some two thirds of those nominated and when wider relations were included three quarters of the total. The Lives system did permit the entry of unrelated lives into the queue in a manner not possible in Inheritance manors. Unrelated lives formed up to 25% of the Life 3 nominations. Females were well represented at only about 15% in the Inheritance manors, but double that at over 30% in the Lives manors. With the latter tenure their appointment almost certainly formed part of a strategy to provide for them in later life, and there was not an assumption that they would eventually inherit. Whoever was appointed, there was often a long wait to move up to Life 2 and then life 1. Many opportunities would arise for *inter vivos* adjustment of the position as time went on.

5.7. Inter vivos permanent transfers in all manors

The overall proportion of *inter vivos* permanent transfers in the Hampshire manors has already been found to be about two thirds of the total number in most manors when

⁴ Totals here from Table 5.9b

reversions were included. Additionally it was shown that whereas after-death transfers predominated during the plague years, the *inter vivos* transfers dominated at other times and bore a weak correlation with grain prices. The analysis of after-death transfers above has indicated that there were inevitably strong links between some *inter vivos* activity within the family and inheritance planning, so the two divisions of the transfers will be drawn together later with a case study. The various constituent parts and parameters of *inter vivos* activity are presented in detail in Annexes 5.3. and 5.4. which show respectively all the *inter vivos* transfers by decade, and then grouped by types of transfer. Table 5.13. summarises the decade pattern for acreage transferred *inter vivos* grouped by tenure type of manor.⁵ The percentage figures show the proportion of the total acres transferred during the study period in any one tenure group in order to highlight decades of high or low activity.⁶

Table 5.13. The pattern of acreage transferred *inter vivos* by decade and by tenure type 1645-1705

| <i>Decade:</i> | | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 | Totals |
|--------------------|------------------|---------|---------|---------|---------|---------|-----------|--------|
| <i>Tenure type</i> | | | | | | | | |
| 3 Lives | <i>Life I</i> | 356 | 380 | 92 | 71 | 368 | 503 | 1769 |
| | | 20% | 21% | 5% | 4% | 21% | 28% | |
| | <i>Reversion</i> | 489 | 1623 | 948 | 617 | 1054 | 604 | 5334 |
| | | 9% | 30% | 18% | 12% | 20% | 11% | |
| | <i>Total</i> | 844 | 2003 | 1040 | 688 | 1422 | 1106 | 7103 |
| | | 12% | 28% | 15% | 10% | 20% | 16% | |
| 3 Lives b1 | <i>Life I</i> | 177 | 392 | 191 | 210 | 115 | 345 | 1428 |
| | | 12% | 27% | 13% | 15% | 8% | 24% | |
| | <i>Reversion</i> | 524 | 471 | 548 | 402 | 295 | 308 | 2547 |
| | | 21% | 18% | 22% | 16% | 12% | 12% | |
| | <i>Total</i> | 700 | 863 | 739 | 612 | 410 | 653 | 3975 |
| | | 18% | 22% | 19% | 15% | 10% | 16% | |
| Inheritance | | 750 | 1101 | 883 | 1145 | 1726 | 1301 | 6906 |
| | | 11% | 16% | 13% | 17% | 25% | 19% | |
| Free | | 98 | 161 | 77 | 46 | 59 | 190 | 630 |
| | | 15% | 26% | 12% | 7% | 9% | 30% | |
| Totals | | 2392 | 4127 | 2739 | 2490 | 3616 | 3250 | 18614 |
| | | 13% | 22% | 15% | 13% | 19% | 17% | |

Source : Database of transfers.

The pattern shows fluctuations and that the lowest and highest percentages were in different decades for the different groups. There was no significant trend in activity over

⁵ The figures for numbers of transfers can be seen in the Annexe to be within a few percentage points of the percentages for acreage apart from Littleton where the transfer of one big holding of 128 acres skews their results.

⁶ In this table the percentages shown are the percentage of all acres transferred. The percentages of available tenant area were given in Table 5.6. earlier which demonstrated rates of turnover.

time. In particular there was a 1656-65 peak for the Dean and Chapter Lives manors where extensive Restoration reviews of tenantry were undertaken after the confiscation and lordship change. Hence in the Lives manors the highest percentages in decade 1656-65 were followed by lower figures for the next two decades, as not only did the death toll from plague push up after-death transfer rates at that time, but the tenants had only just accepted a sort-out and were probably not planning early changes. In most decades there was higher activity associated with reversioners than with changes to Life1. This is the reverse of the pattern for death/inheritance transfers shown earlier.

In order to analyse the detail further, the manors were grouped by tenure type, and divided according to the type of transfer. Table 5.14. summaries the results shown in more detail in Annexe 5.4. The *inter vivos* transfers divide into surrender (to family or extra-family); exchange of lives (usually reversioners in Lives manors but occasionally entails in manors of inheritance tenure); splits of holdings/forfeits and finishes (the latter as in conversion to leasehold which occasionally occurred); and new grants.

Table 5.14. *Inter vivos* transfers grouped by type of transfer and manor tenure 1645-1705

| Tenure Type | Type of transfer : | | Surrender | | Exchange | | Split/forfeit | | New | | Totals |
|---|--------------------|-------|------------|-----|----------|-----|---------------|-----|-------|-----|--------|
| | Persons involved | | sale/purch | | of Lives | | finish | | grant | | |
| 3Lives | Life 1 | No | 24 | 13% | 13 | 7% | 11 | 6% | 4 | 2% | 52 |
| | | Acres | 669 | 9% | 594 | 8% | 337 | 5% | 169 | 2% | 1769 |
| | Reversions | No | 14 | 7% | 92 | 49% | | | 31 | 17% | 137 |
| | | Acres | 603 | 8% | 3494 | 49% | | | 1238 | 17% | 5334 |
| | Total manors | No | 38 | 20% | 105 | 56% | 11 | 6% | 35 | 19% | 189 |
| | | Acres | 1272 | 18% | 4087 | 58% | 337 | 5% | 1407 | 20% | 7103 |
| 3Lives but First acts | Life 1 | No | 48 | 17% | 13 | 5% | 20 | 7% | | | 81 |
| | | Acres | 942 | 24% | 198 | 5% | 144 | 4% | | | 1284 |
| | Reversions | No | 58 | 21% | 120 | 43% | | | 18 | 6% | 196 |
| | | Acres | 592 | 15% | 1888 | 47% | | | 211 | 5% | 2691 |
| | Total manors | No | 106 | 38% | 133 | 48% | 20 | 7% | 18 | 6% | 277 |
| | | Acres | 1534 | 39% | 2087 | 52% | 144 | 4% | 211 | 5% | 3975 |
| Inheritance | | No | 336 | 86% | 4 | 1% | 45 | 12% | 5 | 1% | 390 |
| | | Acres | 6315 | 91% | 239 | 3% | 337 | 5% | 14 | 0% | 6906 |
| Freehold | | No | 34 | 89% | | | 2 | 5% | 2 | 5% | 38 |
| | | Acres | 615 | 98% | | | 14 | 2% | 1 | 0% | 630 |
| Totals all First Life transfers | | No | 442 | 79% | 30 | 5% | 78 | 14% | 11 | 2% | 561 |
| | | Acres | 8541 | 81% | 1031 | 10% | 833 | 8% | 184 | 2% | 10589 |
| Totals reversions only | | No | 72 | 22% | 212 | 64% | | | 49 | 15% | 333 |
| | | Acres | 1195 | 15% | 5382 | 67% | | | 1449 | 18% | 8025 |
| Totals all transfers incl reversions | | No | 514 | 57% | 242 | 27% | 78 | 9% | 60 | 7% | 894 |
| | | Acres | 9736 | 52% | 6413 | 34% | 833 | 4% | 1632 | 9% | 18614 |

Source : Database of transfers

5.7.1. New grants

The category of ‘new grants’ of holdings formed 7% of the whole, split between 2% for First life and 18% of acreage for reversioners. These were almost all attributable to one of two causes. The first group were truncated grants during the 1640s or 50s where the linking death of a lives tenured tenant could not be found before the benchmark year. They were therefore entered into the database as truncated new grants. (It was particularly a necessary aspect of Vernham Dean where there was no Parliamentary Survey to inform the pre-benchmark situation.) Secondly, and in the Dean and Chapter manors, they were Restoration grants in the early 1660s already highlighted and reversioners at that time had to be categorised as new grants. Chilbolton and Ovington were particularly affected. Of the Inheritance manors, Meonstoke had three ‘new grants’, which were all when heirs could not be found. For example Thomas Levingstone, a non-resident tenant from Berkshire died in 1679 and despite repeated proclamations at court, no heir came forward. The holding was eventually granted afresh in 1686 to an Edmund Buckeridge, a merchant of London.

So the primary conclusion about the ‘new grants’ category of land transfer was that they were nowhere part of any reclamation of common land or the taking in of new areas of the waste. There was no spare land in these manors at this time. They were the result of devices necessary for reorganisation; for escheats where heirs could not be found; or for the vagaries of database recording.

5.7.2. Splits and finishes of holdings

This group of transfers only affected the Life 1 tenant in all manors, and overall formed 9% of the total. Each manor had one or two ‘finished’ holdings where a subsequent lease conversion was made or a major split of the holding occurred, so the old former holding technically ‘finished’. This latter was a database device. The sub-category where the greatest variation between manors was found was in the ‘split’ of holdings, as this was only possible in Inheritance manors. Meonstoke had 14 new splits spread throughout the period of study and Hinton Ampner and Crawley had 5 and 4 respectively. The majority of the activity involved small parcels of land to enable a neighbour to build a new house or to gain access, as is reflected in the Inheritance manor figures of 12% of numbers of transfers compared with only 5% of the associated land area. In general the volume and acreage of all the transfers in this category was small and nowhere indicated a mass movement of land or significant contribution to a

‘land market’. However it did contribute to a different holding size profile in the manors of inheritance which all had cottage dwellers without land, whereas these were almost unknown in the lives manors where parcels could not be split off.

Neither was there any trend towards the conversion of copyholds to lease. Instead they arose very occasionally and were the result usually of unexpected factors. There was no discernable trend of the lords trying to convert copy to lease at this time. For example, the Harfell holding in Littleton of 36 acres was subject to investigation and initial forfeit during the Commonwealth after the Life 1 tenant Ralph Harfell committed suicide. In order to regain the holding, his inheriting son John Harfell who was a wealthy lawyer in Winchester, may have had a personal agreement with the Dean and Chapter to convert to leasehold after a certain period of time. It was converted in 1681 and the first lessee was John’s son Edward Harfell.

5.7.3. Forfeits

There were a few forfeits in all the manors except in Ovington where there were none. Table 5.15. summarises them by category of reason.

Table 5.15. Summary of reasons for forfeit transfers

| <i>Manor</i> | <i>Lord/ten</i> | <i>Remarriage of widow</i> | | <i>Failure to pay mortgage</i> | | <i>Other</i> | | <i>Total</i> | |
|---------------|-----------------|----------------------------|--------------|--------------------------------|--------------|--------------|--------------|--------------|--------------|
| | | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> |
| Chilbolton | <i>DC 3L</i> | 1 | 56 | | | 1 | 49 | 2 | 105 |
| Littleton | <i>DC 3L</i> | | | | | 1 | 36 | 1 | 36 |
| Ovington | <i>DC 3L</i> | | | | | | | 0 | 0 |
| Exton | <i>DC 3Lb1</i> | 2 | 30 | | | | | 2 | 30 |
| V Dean copy | <i>WC 3Lb1</i> | 2 | 10 | 1 | 48 | | | 3 | 58 |
| H Ampner | <i>DC Inh</i> | | | 2 | 2 | | | 2 | 2 |
| Crawley | <i>Bish Inh</i> | 1 | 0.5 | 2 | 34 | | | 3 | 34 |
| Meonstoke | <i>WC Inh</i> | 3 | 59 | 9 | 142 | | | 12 | 201 |
| V Dean free | <i>WC Free</i> | | | | | 1 | 14 | 1 | 14 |
| Totals | | 9 | 155 | 14 | 226 | 3 | 99 | 26 | 480 |
| | | 35% | 32% | 54% | 47% | 12% | 21% | | |

Source : Database of transfers and analysis of manorial court records.

Around half of the forfeits were caused by the failure to repay a mortgage. These only occurred in manors with inheritance tenure, and once in Vernham Dean copy moiety where the first life could act alone and a mortgage was therefore possible. They were spread by year date over the period of study with no particular clusters. The holdings

were regranted to the mortgage lender. The other main reason (one third) was after the remarriage of a widow which contravened custom. There were very few, and in every case the holding was returned to the next heir without a further fine being levied. In the 'other' category were two suicides and one failure to pay an admittance fine. In the former cases the holdings were regranted back to the next heir, but in the latter where Henry Batt in Chilbolton simply seems not to have been able to muster the funds, it was regranted to an unrelated person. In the cases of the suicides the chattels were seized in lieu of a fine, and in the last case it was '*ex gratia*' probably because Batt demonstrably could not pay.

5.7.4. Surrenders and exchanges *inter vivos*

The two major categories of *inter vivos* land transfer activity were the surrender and – in the Lives manors – the exchange of lives. Together they constituted 84% of the numbers and 86% of the acreage of all *inter vivos* transfers. These are the types of transfer most often used and referred to when a 'land market' is studied. It is assumed that there was tenant choice to transfer a holding whilst still alive and that the way in which they did so was an indicator of the nature of the local economy. In this study it is important to point out that the proportions of 'surrender' and 'exchange' varied significantly between the different tenure categories. In the Lives manors, Table 5.14. above shows that exchanges outnumbered surrenders by a factor of about 3 to 1. The Inheritance manors and freeholders effectively had no exchanges, so at least 89% were surrenders.

The interest shown by historians in the familial nature of the land market as evidencing the strength, or otherwise, of a land family bond, was outlined in the introductory chapter. Although most of the debate about the breakdown of land-family bonds relates to an earlier period than the one under study, French and Hoyle's study in Earls Colne covered the early modern period when they examined evidence for Macfarlane's *Individualism*.⁷ It is therefore appropriate to include a consideration of familial / extra familial transfers in this study of Hampshire in order to enable comparisons with results elsewhere. Earlier in this chapter inheritance was found to be entirely within the wider family for manors with inheritance tenure, but that up to 20% went outside the family in the Lives manors. With the *inter vivos* transfers there were options for the tenant. The nature of these choices and the ones that were made will next be analysed.

⁷ FRENCH and HOYLE *Earls Colne*,

Annex 5.5. shows a detailed breakdown of *inter vivos* surrender and exchange transfers between familial and extra-familial ('unrelated') persons in all the manors. The results are summarised by tenure grouping in Table 5.16 below, which shows an overall 45% familial and 55% extra-familial balance for numbers of transfers, but the inverse at 54% familial and 46% extra-familial for acreage. The amount of land per familial transfer was higher than that to outsiders – a result also found in Earls Colne.⁸ The sub-totals for the different tenure groups show a similar pattern with Inheritance manors close to 50% each and the 3Lives with a wider gap at 38% familial and 62% extra familial – and very slightly lower acreage proportions. The freehold moiety is more extreme with its 16% familial, but this is probably more a reflection of recording external transfers and not familial. (Its numbers are so small that if the freeholders are excluded from the table the total percentages only change by 1%).

Table 5.16 Summary of family & extra-family *inter vivos* surrenders & exchanges 1645-1705

| | <i>Outgoing</i> | | <i>Family</i> | | <i>Unrelated</i> | | <i>Totals</i> | | |
|-----------------------------|---------------------|-----------|---------------|--------------|------------------|--------------|---------------|--------------|-------|
| <i>Tenure</i> | <i>persons</i> | | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> | <i>No</i> | <i>Acres</i> | |
| 3Lives | <i>Life 1</i> | <i>No</i> | 13 | 591 | 25 | 702 | | | |
| | | % | 9% | 11% | 17% | 13% | | | |
| | <i>Revers</i> | <i>No</i> | 43 | 1373 | 62 | 2693 | | | |
| | | % | 30% | 26% | 44% | 50% | | | |
| | <i>Total manors</i> | <i>No</i> | 56 | 1964 | 87 | 3395 | 143 | 5359 | |
| | | % | 39% | 37% | 61% | 63% | | | |
| 3Lives but First acts | <i>Life 1</i> | <i>No</i> | 21 | 639 | 40 | 502 | | | |
| | | % | 9% | 18% | 17% | 14% | | | |
| | <i>Revers</i> | <i>No</i> | 88 | 1591 | 90 | 889 | | | |
| | | % | 37% | 44% | 37% | 24% | | | |
| | <i>Total manors</i> | <i>No</i> | 109 | 2230 | 130 | 1391 | 239 | 3621 | |
| | | % | 46% | 62% | 54% | 38% | | | |
| Inheritance | | | | 168 | 4377 | 172 | 2178 | 340 | 6554 |
| | | | | 49% | 67% | 51% | 33% | | |
| Freehold | | | | 6 | 135 | 28 | 480 | 34 | 615 |
| | | | | 16% | 22% | 84% | 78% | | |
| <i>Total all manors</i> | | | | 338 | 8705 | 417 | 7443 | 755 | 16149 |
| | | | | 45% | 54% | 55% | 46% | | |

Source : Database of transfers.

Within both the Lives manor groups, only about 25% of the activity involved a first life and about 75% involved the reversioners. *Inter vivos* activity was primarily one for

⁸ Ibid., p 188.

reversioners. Their transfers were almost equally divided between family and extra family in the 3Livesb1 group. but were some 40% : 60% in the 3 Lives group.

The more detailed Annexed table 5.5. shows that these summary figures conceal some differences between the manors, and that the picture was not as uniform as may appear. Littleton with its small number of tenants had a 15% : 85% ratio for familial: extra-familial acreage simply because the one large holding of 128 acres was the one that kept switching. It was tenanted by a series of non-residents who initially bore the surname of the Restoration bishop and subsequently other wealthy persons. Grace and favour may have been the origins of this in a manor which was within easy walking distance of Winchester. Exton and Crawley then show the reverse pattern with 81% familial and 19% extra-familial acreage transferred. The reasons for Crawley may well have been that heriots were not charged in that manor for *inter vivos* surrenders, so there was enthusiasm for avoiding those charges by surrendering to family before death. As will be revealed shortly, Crawley tenants were also more keen on establishing entails than in other manors and these were always familial. Exton is less easily explained, except that the case study to be outlined later will suggest that there was a *mentalité* of a strong family-land link in that manor.

Regarding these individual variations, the mean overall result for the eight manors of more transfers outside the family than within it, match those of a variety of other historians such as Whittle who found that transfers to unrelated persons were always more than 55%; and Macfarlane's small sample from Earl's Colne.⁹ However it depends upon which transfers these studies included and the present section of this thesis is only examining *inter vivos* surrenders and exchanges. If the after-death transfers are included then the overall ratio would reverse and hence compare more closely with the French and Hoyle findings for Earls Colne who found that 57% of transactions were familial and that they conveyed some 67% of the acreage.¹⁰

The difference between acreage transferred within the family and outside it can be further examined by calculating the mean unit of transfer, which is summarised in Table 5.17. below.

⁹ WHITTLE *Land and labour in Norfolk*, p 131; MACFARLANE *Origins of individualism*, . p 99.

¹⁰ FRENCH and HOYLE ' English individualism refuted ', p 602.

Table 5.17 Mean acreage of surrendered or exchanged *inter vivos* transfers divided by familial and unrelated recipients 1645-1705

| <i>Manor/Tenure</i> | <i>Outgoing persons</i> | <i>Surrender sale/purch</i> | | <i>Exchange of Lives</i> | | <i>Totals</i> | | <i>Mean manor holding size acres</i> |
|---------------------|-------------------------|-----------------------------|--------------|--------------------------|--------------|---------------|--------------|--------------------------------------|
| | | <i>Fam</i> | <i>Unrel</i> | <i>Fam</i> | <i>Unrel</i> | <i>Fam</i> | <i>Unrel</i> | |
| Chilbolton | <i>Life l</i> | 28.4 | 19.7 | 31.3 | 46.6 | 29.1 | 26.4 | 39.9 |
| <i>DC 3 Lvs</i> | <i>Reversions</i> | 45 | 35.3 | | 25.6 | 8.2 | 27.3 | |
| | <i>Total Manor</i> | 37.9 | 24.5 | 1.6 | 28.5 | 11.4 | 27 | |
| Littleton | <i>Life l</i> | | | 128 | | 128 | | 41.9 |
| <i>DC 3 Lvs</i> | <i>Reversions</i> | | 128 | 17.8 | 128 | 17.8 | 128 | |
| | <i>Total Manor</i> | | 128 | 39.8 | 128 | 39.8 | 128 | |
| Ovington | <i>Life l</i> | 42 | 31.2 | 46.5 | 27.7 | 44.6 | 29.9 | 26.3 |
| <i>DC 3 Lvs</i> | <i>Reversions</i> | 25 | 32.2 | 34.2 | 30.2 | 33.7 | 30.5 | |
| | <i>Total Manor</i> | 37.8 | 31.5 | 36.7 | 29.8 | 36.9 | 30.3 | |
| Exton | <i>Life l</i> | 45.9 | 5.2 | 26.3 | 17.7 | 42.8 | 7.9 | 21.9 |
| <i>DC 3 Lb1</i> | <i>Reversions</i> | 29.9 | 1.0 | 29.8 | 7.3 | 29.8 | 6.6 | |
| | <i>Total Manor</i> | 39.6 | 4.3 | 29.4 | 8.3 | 34.3 | 7 | |
| V Dean cpy | <i>Life l</i> | 11.3 | 15.4 | 8.3 | 13.6 | 10.2 | 15.1 | 14.5 |
| | <i>Reversions</i> | 7.4 | 8.0 | 14.4 | 17.4 | 13.4 | 11.4 | |
| | <i>Total Manor</i> | 8.8 | 10.6 | 14.1 | 16.7 | 13.1 | 12.5 | |
| H. Ampner | <i>DC Inher</i> | 22.9 | 14.8 | | | 22.9 | 14.8 | 21.2 |
| Crawley | <i>Bish Inher</i> | 35.0 | 16.5 | 66.8 | 4.5 | 36.1 | 16.1 | 19.6 |
| Meonstoke | <i>WC Inher</i> | 18.9 | 11.0 | 101.3 | | 19.9 | 11.0 | 13.2 |
| V Dn free | <i>WC Fr</i> | 24.5 | 17.1 | | | 24.5 | 17.1 | 18.4 |
| <i>Totals</i> | | 25.9 | 14.0 | 20.9 | 27.7 | 24.1 | 17.9 | 20 |

Source : Database of transfers.

The final column of the table shows the mean tenant holding size in acres for each manor. These are at best a crude measure, but they facilitate an interpretation of the rest of the table. For example the tenants of Meonstoke and Vernham Dean copy moiety appear to have transferred far smaller pieces of land than in the other manors. However, the mean holding sizes of all tenants in those manors were the smallest, and so the size of the transfers compared with the other manors is thereby at least partly explained. If the mean acreage of all tenants is compared with the size of transfers in each manor then the pattern is varied. In Chilbolton almost all the means were below the tenant average suggesting that it was the smaller holdings which most actively engaged in transfers and exchanges. In Ovington and Crawley, however, the transferred means were above the tenant average suggesting that the larger holdings were more active. In Exton the transfer mean for First life surrenders was twice the manor mean. Hinton Ampner and Meonstoke were roughly around the mean level and Vernham Dean moieties hovered around the mean.

The overall total columns and row show that the mean acreage conveyed for all *inter vivos* surrender/exchange was 24.1 acres for familial transfers and 17.9 acres to unrelated persons. A ratio of around 4:3 in size. It has already been demonstrated that for all the transfers conveyed by surrender *inter vivos*, more land was conveyed during familial transfers than to unrelated persons, so that these results merely add a size dimension to that. It also compares well with Earls Colne, where French and Hoyle found a figure of 9.7 acres for a mean size of family transfer compared with 6 acres for non family or a ratio of around 5: 3.¹ While the actual acreage is lower because their manor profile was different, the ratio is similar. In Hampshire the pattern for the lives manors was the same if only Life 1 was included in the statistics, but different if reversions were included when non family predominated. This is another indication of the need to understand the tenure of a manor if wishing to compare its transfer data with others elsewhere.

5.8. Types of transfer and motivation for *inter vivos* surrenders in Inheritance manors

Motivation for transfers is important to examine where it could be assessed. For example, were the tenants primarily attempting to move land around the family to provide for more than one child; were they forced to sell because of financial hardship; or were they investing in land and building up larger holdings. In order to study their behaviour, it was necessary to divide the analysis between those manors with customary tenure of Lives and those with Inheritance, because the options open to each were very different and thus so were their categories of activity.

5.8.1. Familial and extra-familial surrenders in manors with inheritance tenure

For the three manors with customary of inheritance tenure the ‘surrender’ activities fell into three categories : direct transfers between A and B; conditional transfers where A surrendered to B provided that certain other conditions were met; and entail / marriage settlement entails where A usually surrendered first to themselves and after them to a spouse and heir. Table 5.18. shows the proportions of these divided between familial and extra familial surrenders.

¹ FRENCH and HOYLE *Earls Colne*, p 184.

Table 5.18. *Inter vivos* surrenders in Inheritance manors split between family and extra-family transfers.

| Manor | Family surrenders | | | | | | Extra-family surrenders | | | | | | Total Surrenders | |
|-----------|-------------------|------|-------------|------|-------------|------|-------------------------|------|-------------|------|-------------|------|------------------|------|
| | Direct | | Conditional | | Entail/Marr | | Direct | | Conditional | | Entail/Marr | | No | Acre |
| | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | | |
| H Ampner | 14 | 317 | 4 | 191 | 8 | 88 | 34 | 503 | | | | | 60 | 1098 |
| | 23% | 29% | 7% | 17% | 13% | 8% | 57% | 46% | | | | | | |
| Crawley | 16 | 452 | 12 | 455 | 32 | 1238 | 29 | 472 | | | 1 | 4.5 | 90 | 2621 |
| | 18% | 17% | 13% | 17% | 36% | 47% | 32% | 18% | | | 1% | 0% | | |
| Meonstoke | 43 | 586 | 19 | 510 | 21 | 523 | 101 | 969 | 4 | 123 | 2 | 125 | 190 | 2835 |
| | 23% | 21% | 10% | 18% | 11% | 18% | 53% | 34% | 2% | 4% | 1% | 4% | | |
| Totals | 73 | 1355 | 35 | 1156 | 61 | 1848 | 164 | 1944 | 4 | 123 | 3 | 130 | 340 | 6554 |
| | 21% | 21% | 10% | 18% | 18% | 28% | 48% | 30% | 1% | 2% | 1% | 2% | | |

Source : Database of transfers.

A striking difference is shown in Crawley where the ratio of familial to extra familial was 67% : 33% in numbers of surrenders and 82% : 18% in acreage. This was an enormous familial rate compared with Hinton Ampner (43% : 57% and 54% : 46%) and Meonstoke (44% : 56% and 58% : 42%). The main reason seems to have been because so many entails were taken out in Crawley, as discussed further below. However entails in themselves tend to signify a strong wish to retain land within the family. It may also possibly have been linked to a lack of enclosure in Crawley in this period. Meonstoke and Hinton Ampner were enclosed and may well have presented a better investment opportunity than small strip parcels. Crawley was also one of the divided manors of which there are several in Hampshire. It had a 'north' portion where tenants had a 'firlingate' of only 11 acres; and a 'south' half where holdings were of virgates of 32 or 24 acres depending upon whether one was measuring seed or statute acres. Perhaps the small northern holdings were not attractive to outsiders.

5.8.2. Entails

Bonfield examined the rise in the pre-marriage settlement, and to a lesser extent the entail, after the passing of the Statute of Uses in 1536.² However he examined freeholders whose legal position was very different from the customary tenant. Nevertheless the practice was clearly copied by some of the Hampshire customary tenants, and these types of transfer were also recorded in Earls Colne.³ They were only possible for tenants in the manors with customary tenure of inheritance. They were

² BONFIELD, L. 1983. *Marriage Settlements 1601-1740: The adoption of the strict settlement*, Cambridge, Cambridge Studies in English Legal History.

³ FRENCH and HOYLE *Earls Colne*, for example p 185 categories.

accorded a double count in the database because they effectively formed surrenders which covered three lives. Once established, the deaths of the first and second mentioned would not be reported in court so that ‘death inheritance’ transfers were not recorded. Their holdings could potentially appear not to have been transferred for a long period.

The difference between an entail and a marriage agreement involving a new spouse and heirs was not highlighted in the court rolls. The bishop’s records of Crawley termed them all ‘entayle’. They have therefore been grouped together in Table 5.19. below, and included is any form of surrender which involved the identification, and payment for, the admittance of a tenant, and then a spouse and heirs – whether this was contingent upon a marriage or not. Sometimes the heir was identified, but mostly they were recorded as ‘heirs of the body’.

Table 5.19 Entails in the manors of inheritance tenure 1645-1705

| <i>Manor</i> | <i>Marriage entails</i> | | <i>Entails</i> | | <i>Conditional Entail</i> | | <i>Quit/release⁴*</i> | | <i>Totals</i> | |
|---------------|-------------------------|-------------|----------------|-------------|---------------------------|-------------|----------------------------------|-------------|---------------|-------------|
| | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> |
| Hinton Ampner | 2 | 23 | 6 | 65 | | | | | 8 | 88 |
| Crawley | 14 | 625 | 10 | 286 | 6 | 193 | 3 | 138 | 33 | 1242 |
| Meonstoke | 6 | 232 | 14 | 136 | 2 | 179 | 1 | 101 | 23 | 648 |
| | 22 | 880 | 30 | 487 | 8 | 372 | 4 | 239 | 64 | 1978 |
| | 34% | 44% | 47% | 25% | 13% | 19% | 6% | 12% | | |

Source: Database of transfers.

Entails were particularly popular in Crawley, but it is not entirely clear why. Perhaps it had grown up as more of a tradition in the Bishopric manors. The practice had clearly been established well before the benchmark year of 1645 as is partly evidenced by a number of quitclaims and releases recorded which related to earlier entails. It is interesting that in only two of the 31 entails recorded in the manors, was an eldest son specifically identified as the heir. In other words the entail was not apparently being used to circumvent the customary inheritance of the youngest. In terms of timing, the agreement to an entail happened occasionally throughout the 61 years of study, and there were no particular pressure years when a cluster was recorded. The average size of transfer was quite high showing that it was the tenants with the larger holdings who tended to use the entail.

⁴ These were categorised under the ‘Exchanges’ heading in the summary table 5.14 above.

5.8.3. Conditional surrenders in manors of inheritance tenure

Tenants in the manors with inheritance tenure could surrender their holdings conditionally. Table 5.18. above shows that they only formed some 10% of the *inter vivos* transfers by number but 18% by acreage. Table 5.20. below summarises their apparent purpose.

Table 5.20. Conditional surrenders in the Inheritance manors 1645-1705

| <i>Manor</i> | <i>Provide in old age</i> | | <i>Payments</i> | | <i>Widow maint</i> | | <i>Inheritance</i> | | <i>Totals</i> | |
|---------------|---------------------------|-------------|-----------------|-------------|--------------------|-------------|--------------------|-------------|---------------|-------------|
| | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> |
| Hinton Ampner | 1 | 0 | 2 | 111 | 1 | 80 | | | 4 | 191 |
| Crawley | 9 | 339 | 1 | 11 | 2 | 105 | | | 12 | 455 |
| Meonstoke | 4 | 150 | 16 | 393 | 1 | 0 | 2 | 89 | 23 | 632 |
| | 14 | 489 | 19 | 507 | 4 | 185 | 2 | 89 | 39 | 1278 |
| | 36% | 38% | 49% | 40% | 10% | 14% | 5% | 7% | | |

Source: Database of transfers and court roll entry details.

The overall pattern shows that slightly more than one third of these conditional surrenders were aiming to provide for the surrendering tenant in old age, and that nearly half required payments to other kin. In Hinton Ampner and Meonstoke the payments were the main concern, whereas in Crawley it appears to have been to secure provision for the ageing tenant. In that manor, William Godwyn was typical when, in 1649, he surrendered his 50 acres to his son William junr provided that he could continue to use it during his remaining lifetime. In 1676 John Page surrendered his cottage without land to his nephew provided that he could enjoy occupation of ‘the lower chamber’ during his lifetime. In Meonstoke, Malarchy Horner in 1695 surrendered 82 acres to his wife provided that she sell it and divide the money equally between three daughters. Similarly Henry Munday surrendered a cottage and three quarters of an acre *in extremis* in 1692 to his wife Sarah on condition that she pay £24 to his older sons William and Henry junr. Most of these surrenders were making a financial provision for children other than the youngest, and were tying the payments to land rather than leaving it to a will where goods and chattels would have been also involved. This type of surrender was more common towards the end of the study period in the 1680s and 1690s.

It is not clear who was responsible for ensuring that the terms of conditional surrenders were adhered to long after the event. Very complicated situations could arise, as evidenced in Meonstoke where the existing tenant wished to give preference to one particular relative. In 1663, John Diaper surrendered a cottage and two acres to his son

John junr. of Corhampton on condition that if he subsequently had no heirs, then it should go to a particular grandchild – also called John Diaper – of Soberton. John Diaper of Corhampton in fact had no heirs, and either forgot, or wished not to abide by, the 1663 condition relating to the grandchild. He undertook a similar conditional surrender himself on his deathbed in 1681 to a Joane Diaper of Meonstoke. This resulted later in 1681 in a troupe of claimants including the said Joane; Peter Diaper the youngest brother of the deceased John of Soberton; a Thomas Diaper son of Thomas Diaper the youngest brother of the original John who died in 1663, and a Richard Diaper of Titchfield whose relationship and claim were never clear (although in the end he was granted the property !).

5.8.4. *Inter vivos* surrenders to family in Inheritance manors

Direct surrenders (ie with no conditions attached) between family members formed nearly one quarter of the transfers and are identified in table 5.21 below. Overall 54% of them were children of the tenant; with sons receiving the majority at 40% - with 46% of the acreage; and daughters receiving 14% of the transfers but with only 5% of the acreage. This latter was at least in part because the tenants showed a preference for dividing property equally between daughters – which reduced its size. For example George Lane in Meonstoke in 1669 surrendered 7.5 acres of his holding to his daughter Martha, and 10.5 acres to his daughter Elizabeth thus halving the original size. Despite this, the female recipient line at the bottom of the table suggests that you were better off as a daughter if you lived in Meonstoke, than if you lived in Crawley.

Table 5.21 Direct *inter vivos* surrenders to family in Inheritance manors 1645-1705

| <i>Manor</i> | <i>H. Ampner</i> | | <i>Crawley</i> | | <i>Meonstoke</i> | | <i>Totals</i> | | | |
|------------------|------------------|-------------|----------------|-------------|------------------|-------------|---------------|-------------|-----------|-------------|
| | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> | <i>No</i> | <i>Acre</i> |
| <i>Recipient</i> | | | | | | | | | | |
| Son/dau | 7 | 155 | 6 | 84 | 26 | 452 | 39 | 691 | 53% | 51% |
| Sibling | | | 1 | 11 | 6 | 56 | 7 | 67 | 10% | 5% |
| Wife/parent | 2 | 52 | 1 | 32 | | | 3 | 84 | 4% | 6% |
| Nephew/Niece | 1 | 74 | | | 2 | 16 | 3 | 90 | 4% | 7% |
| Other relative | 3 | 4 | 2 | 3 | 5 | 10 | 10 | 16 | 14% | 1% |
| Self then +* | 1 | 32 | 6 | 323 | 4 | 53 | 11 | 408 | 15% | 30% |
| <i>Totals</i> | 14 | 317 | 16 | 452 | 43 | 586 | 73 | 1355 | | |
| <i>Of whom</i> | 3 | 52 | 2 | 0 | 11 | 73 | 16 | 125 | | |
| <i>Female</i> | 21% | 16% | 13% | 0% | 26% | 12% | | | | |

Source: Database of transfers and court roll entry details.

*Self then + means a surrender to oneself; followed by another (usually a spouse) and an heir.

The precise motives for the familial transfers *inter vivos* can only be guessed at. Those to daughters were mostly effected by parents who had no sons and wished to be equitable to their female children. Two were probably a form of marriage gift as when in Crawley in 1682 Stephen Poole had just, perhaps unexpectedly, inherited a messuage and a small parcel of land from his brother William; whereupon he surrendered it to his daughter Elizabeth who was about to marry Thomas Webb.

There were comparatively few transfers to eldest sons as might, perhaps, have been expected in Borough English manors. Widow Dorothy Lacy did split up her large holding in Hinton Ampner in 1657 by surrendering 36 acres to her eldest son Peter and leaving the remaining holding to the inheritance of her youngest son Felix when she died in 1664. One problem with the custom of Borough English was what happened if the first wife died and the father remarried. One or two transfers to sons can be identified as attempting to protect the youngest son of the first marriage in case of further younger sons by a second wife.⁵ Sometimes the purpose may have been to help a son to build up a viable holding of his own, as for example when Robert Turner in 1650 in Hinton Ampner surrendered 64 acres of his holding to his son Robert Turner junr., the purpose being apparently to help him to establish himself.

The two surrenders to a wife were made in Hinton Ampner and at the last moment on the deathbed, suggesting that the tenant either wished to honour his wife by giving her more than her widow's rights over the property, or that he trusted her to sort out any difficult situations between children. The surrenders to 'self and then AN Other afterwards' were a sort of small entail and seem to have been used instead of a formal conditional surrender. Their purpose was to ensure continuance of use for the tenant but to identify the next heir and to pay the entry fine whilst still alive. In most cases the recipient was the youngest son who would in any event have inherited, so the avoidance of burdening him with fines would appear to have been the objective. Finally the category of surrender to a relative was chiefly used when the tenant had no obvious close heir, or preferred one over custom. It was also the category used if a tenant surrendered to someone with the same surname but whose relationship was not clear.

In general there were no overwhelming patterns of behaviour associated with all these transfers to suggest a particular movement towards circumventing custom; provision for

⁵ The case study of Daniel Budd will be presented later and illustrates this situation.

several children rather than one; and so on. Rather it was piecemeal and adapted for each family's circumstances and was very varied.

5.8.5. *Inter vivos* surrenders to unrelated persons in Inheritance manors

It was unfortunately not easy to assess why many of the transfers to unrelated persons occurred. They were obvious if they were the result of an unpaid mortgage, but otherwise the reasons were obscure. One set of parameters used to investigate the issue was the size of transfers and the location of sellers and purchasers where known. Table 5.22. summarises the findings.

Table 5.22. Size of holdings transferred in Inheritance manors between unrelated persons, with their locations in relation to the manor 1645-1705

| <i>Holding size</i> | <i>Sellers' locations</i> | | | <i>Purchaser's locations</i> | | | <i>Totals</i> | | <i>Manor holding profiles 1685</i> | |
|---------------------|---------------------------|---------------|-----------|------------------------------|---------------|-----------|---------------|----------|------------------------------------|-----|
| | <i>Extra manor</i> | <i>in man</i> | <i>NK</i> | <i>Extra man</i> | <i>in man</i> | <i>NK</i> | <i>No</i> | <i>%</i> | | |
| > 32 acres | 7 | 3 | 3 | 11 | 2 | 0 | 13 | 8% | 39 | 28% |
| | 54% | 23% | 23% | 85% | 15% | 0% | | | | |
| >16-32 acres | 6 | 5 | 6 | 6 | 6 | 5 | 17 | 10% | 13 | 9% |
| | 35% | 29% | 35% | 35% | 35% | 29% | | | | |
| >5-16 acres | 9 | 8 | 16 | 14 | 10 | 9 | 33 | 20% | 24 | 18% |
| | 28% | 25% | 49% | 43% | 31% | 28% | | | | |
| >2-5 acres | 12 | 5 | 14 | 12.5 | 8.5 | 10 | 31 | 19% | 12 | 9% |
| | 39% | 16% | 45% | 40% | 27% | 32% | | | | |
| 0.5-2 acres | 4 | 4 | 12 | 6.5 | 6.5 | 7 | 20 | 12% | 15 | 11% |
| | 20% | 20% | 59% | 32% | 32% | 35% | | | | |
| 0-0.49 acres | 6 | 14 | 30 | 4.5 | 14.5 | 31 | 50 | 31% | 34 | 25% |
| | 12% | 28% | 60% | 9% | 29% | 62% | | | | |
| <i>Totals</i> | 44 | 39 | 81 | 54.5 | 47.5 | 62 | 164 | | 137 | |
| | 27% | 24% | 49% | 33% | 29% | 38% | | | | |

Source: Database of transfers and court roll entry details.

The holding size categories used in the table were based on 16 and 32 acres as these related to virgate size in Crawley and Hinton Ampner, and many transfers were in virgates or parts thereof. The final columns show the holding size profile of the tenants in the manors in 1685 as a snapshot with which to compare the nature of the surrendering activity. It is a rather crude measure, but it demonstrates the structural basis of holdings in terms of size, upon which the surrenders took place. The mean size of transfers between unrelated persons in each manor were: Crawley 16.3 acres; Hinton Ampner 14.8 acres and Meonstoke 9.6 acres.

The table results suggest an overall division in thirds between those purchasers from within the manor; those outside it; and those of location Not Known. The majority of

this latter 'NK' category were probably from neighbouring villages because purchasers from far away were usually identified in the court records and those who were resident were usually clear. Many of the 'NK' had surnames from the village but may have lived in other local manors. Of the 164 transfers in the table, only 5 involved a purchaser who lived outside the county. A conclusion is therefore that there were no signs of mass investments from London at this time. However, it is perhaps not surprising that the proportion of purchasers who lived outside the manor was high (85%) for the transfers of the largest acreage size of more than 32 acres; and that the highest known percentages for within-manor purchasers were in the bottom two size categories. This shows that outsiders were attracted by larger plots and may have had an element of investment in mind.

By comparing the transfer size profile with that of the manor holdings, it was found that far fewer surrenders took place in the highest acreage group than might have been expected (8% compared with 28%); and that holdings under 5 acres in size constituted nearly two thirds (62%) of the transfer activity whereas they only constituted 45% of the holdings. French and Hoyle found a similar result in Slaidburn where 'units of property offered for sale were persistently small' (between 1650 and 1679) and the mean transaction size was 9.6 acres - which is exactly the same as Meonstoke above, but smaller than in the other two manors.⁶

5.8.6. Motivation of 'Sellers' in Inheritance manors

The apparent reasons or motives behind the transfers in the highest sized group were examined individually and found all to be related to financial difficulties on the part of the seller. For example, in Hinton Ampner a family named Godson held an 80 acre holding at benchmark and took out mortgages during the early 1650s using a relative in London to provide the loans. By 1657 another relative John Godson gent of unknown location was admitted to the holding having paid off his brother's mortgage. He immediately sold it to Thomas Horner of Exton who was young and apparently accumulating holdings in neighbouring villages. The Horner family continued to hold this property until after 1705. Similarly, in 1667 Robert Turner, who had twenty years earlier accumulated several holdings in Hinton Ampner himself, surrendered his 78 acres to Richard Earwacker of West Meon. Turner had agreed a series of mortgage

⁶ FRENCH and HOYLE 'Slaidburn', p 380.

loans on the land during the earlier 1660s and seems to have perhaps reached a crisis point by 1667. The Earwacker family continued to hold all the land until beyond 1705, passing it down their generations and always letting it out. In Crawley and Meonstoke, the same picture emerges. All of the five Crawley and seven Meonstoke surrenders of the larger-than-32 acres were related to financial difficulties in paying off mortgage loans and/or the need of the newly possessed mortgage lender to sell off the premises to regain their money.

The conclusion is that the reasons for the sale and purchase of land in the highest acreage category to unrelated persons were solidly locked into financial difficulties on the part of the tenant – often over several decades which culminated in a sale either to the mortgage lender, or was made by the lender to another party after unexpectedly acquiring the property.

The reasons for transferring the smallest holdings could also involve financial difficulty, but not to the same overwhelming extent. For example in 1684 in Meonstoke, Henry Kempe surrendered his cottage and curtilage on his deathbed to Edward Hatrell. Kempe had purchased the cottage himself from a neighbour in 1668 and had tried to pay off a series of mortgages for £25 during the 1670s. He seems to have failed to do so and presumably Hatrell's purchase price would have covered the matter before Kempe died.

Other small sized surrenders involved artisans exchanging between themselves or acquiring a building without much land, as when in 1701 in Meonstoke Edward French surrendered his blacksmith's holding of nearly 7 acres to a successor Edward Searle. In 1654 Peter Addams surrendered a cottage and one acre to John Attwood who became the Meonstoke tanner and was just establishing himself. A different example was in Hinton Ampner where a barn and a quarter of an acre associated with the house for the Rector changed hands each time a new one arrived. In other cases only a few plicates were exchanged in order to build a small dwelling or to provide access. An example of the latter is when in 1680 in Crawley John Thompson surrendered 12 plicates to John Page who lived next door, for a formal access-way to a pond.

5.8.7. Motivation of ‘purchasers’ in Inheritance manors

From the perspective of the ‘purchasers’, out of a total of 164 transfers in this category, 117 or 71% were by one person who bought no other properties.⁷ There were then 18 people who bought more than one; 10 who bought two properties; 6 who bought three, and 2 who bought 4 or 5. Of the 18, only 7 acquired more than a total of 30 acres. An example of small purchases was provided by Thomas Truddle in Hinton Ampner who between 1653 and 1667 bought three holdings to a total of 10 acres. Truddle lived in neighbouring Cheriton and described himself as a yeoman. In 1653 he purchased a messuage and 2 acres from Robert Chart who had inherited as a minor and then came of age and sold. In 1663 Truddle purchased a messuage with orchard and garden from Nicholas Foster; followed by – from the same Foster – a holding in 1667 which contained 8 acres in 3 closes. These latter had local names suggesting a location on the border with Cheriton. The pattern of Truddle’s purchasing was one of gradual accumulation of two dwellings – perhaps for farm workers or kin – and a small amount of land which may have been adjacent to his own holding in Cheriton. Rationalisation and improving accommodation provision, but not large-scale agglomeration seems to have been his motive.

The largest purchaser was Malarchy Horner who acquired 82 acres in Meonstoke over the period 1678 to 1693. Referred to as ‘a draper of Bishop’s Waltham’⁸ he was clearly buying property for investment. He began with 56 acres from Thomas Wyatt who had recently inherited and could not manage legacy payments without selling some of his land. Horner then took out various licences to sub-let and was subsequently chastised for failing to obtain licences. He also bought a cottage and a 2.5 acre coppice from Nicholas French whose family had a series of deaths in quick succession and may have fallen to an unexpected heir living at a distance. Horner let this property too. Finally in 1693 Horner bought 23.5 acres of land only – consisting of 8 acres coppice; 2.5 acres pasture and 2 large closes of arable – from John Richards who was busy selling off his land in parcels. Malarchy Horner then in 1695 made a deathbed transfer to his wife which required her to sell the Meonstoke holding if necessary to pay his debts and legacies to three daughters. She did so in 1702, so the considerable acreage thus accumulated was then dispersed again. It had never been intended to be farmed

⁷ At least in the manors of study. They may have bought elsewhere of course.

⁸ Bishop’s Waltham is a small market town some 6 miles from Meonstoke.

personally by its purchaser, but as an investment to rent out. Accordingly he rose and fell again in the landholding stakes.

A female purchaser was at work in Meonstoke when Susanna Shallett, widow of Exton, bought 52 acres from Widow Wyatt in 1687 and a further 7.5 acres from Martha Antrum in 1689. Susanna was the widow of Edmund Shallett of Exton who was variously described as a yeoman and attorney and had died in 1680 leaving his copyhold there of 67 acres and a probate valuation of £554.⁹ He left two sons and five daughters with legacies for the latter.¹⁰ His widow decided to invest in more land. She could not do this in Exton as the lives tenure prevented direct sale and purchase, but she could seek opportunities in Meonstoke next door with its inheritance tenure. Widow Wyatt she would have known personally and after William Wyatt died in 1687 his widow immediately sold.¹¹ Martha Antrum was one of three daughters of George Lane who died in 1669 and divided his holding between them. Martha had married and lived in Southwick – about 10 miles away – and presumably either tired of letting out the small acreage or decided that the holding could be cashed in. Susannah Shallett did not take out licences to sublet and was clearly farming the land in both Exton and Meonstoke herself – presumably with her two sons and possibly some of her five daughters. She died only six years later in 1693, when her May inventory showed 30 acres of wheat, 40 of barley, 20 of oats and 8 of pease.¹² The valuation was £236. This was a rare example of an accumulator who actually farmed the land and used the better opportunities provided by a neighbouring manor with tenure of inheritance to extend her acreage. How far this acreage remained intact is lost in the records for Meonstoke after 1705, but the Exton holding was eventually split between two family members. Once again there was apparently a rise and fall of landholding.

The picture which emerges from the purchasers is that there was very little sign of a significant trend of accumulation and engrossment, and no single large landowner buying up copyholds. Most bought just one holding, and lived locally. Those who bought more were often acquiring cottages and small parcels. The few who did acquire a large acreage mostly held it for a decade or so and after their deaths the land was dispersed again. Apart from Susannah Shallett there is no evidence that any of them

⁹ His copyhold in Exton was of 67 acres.

¹⁰ H.R.O.: 1680P/36 1-2, 'Will of Edmund Shallett', 1680b.

¹¹ The Wyatt family story is told more fully in the chapter below about mortgages.

¹² This represents two thirds of the Exton 67 acres plus the Meonstoke 59.5 acres as farmers in Hampshire at this time left up to one third as fallow. Her will is HRO: 1693P/54.

farmed the land themselves, but used it as an investment from which to earn rental income. A rise and fall – in a similar manner found by French and Hoyle for this period, and Faith in Coleshill for an earlier period.¹³

5.9. *Inter Vivos* transfers – in the manors with Lives tenure

The *inter vivos* permanent land transfer options for manors with customary tenure of three lives were to surrender or exchange a life; be subject to a forfeit; a ‘finish’ and to receive new grants. The forfeit and finishing (for conversion to leasehold) surrenders have already been covered for the Lives manors in the previous section. They were not significant in number or acreage. “New grants” in terms of the Lives manors were not those of new land, but those grants of lives made by the lords either at the Restoration when major siftings of some holdings occurred and regrants or revised grants made where the previous death was before benchmark and thus the death/inheritance surrender could not be linked in the database.

So the major way in which a tenancy, or entitlement to a reversion in one, could be transferred was by a direct surrender or an exchange of life. The division between the two was blurred and was partly a question of semantics. All the manors recorded every transfer as a ‘surrender’ in the court rolls. However for four of the five Lives manors the lordship was held by the Dean and Chapter whose steward recorded transfers after 1660 a second time in the Holding Register. It was in this volume that a difference was set out between ‘a life’ (meaning a surrender) and ‘an exchange’. No such further recording was found for Vernham Dean, and hence a judgement had to be made as to whether a transfer was a ‘surrender’ or ‘exchange’. The end result with regard to totals for first life versus reversioners; familial versus extra familial; and motivation for transfers is the same whichever category a transfer is placed in, so the precise division should not be a matter for concern. Accordingly Table 5.23 extracts the summary figures from Annexe 5.5 with surrenders and exchanges combined together.

An issue with these transfers is also one of terminology. The terms ‘seller’ and ‘purchaser’ may not be entirely appropriate in the Lives manors, as they conjure an image of a sale and purchase for a freehold or inheritance tenure holding. However money changed hands – even for reversions - and in that sense a life was ‘purchased’.

¹³ FAITH 'Berkshire: fourteenth and fifteenth centuries'. p 157 where she concludes that an outstanding feature of fifteenth century Coleshill was “the rise of a peasant aristocracy which came to nothing”.

The terms have therefore mostly been retained, although sometimes ‘giver’ and ‘receiver’ have been used in their place..

Extra columns were added in table 5.23 to show the mean number of *inter vivos* transfers per tenant and reversioner during the study period.¹⁴ They show a low level of activity for Life 1 – which was to be expected as there were so many restrictions upon what Life 1 could do. The 3livesb1 manors had a higher rate as they could surrender more easily. The rate per reversioner was similar to that of Life 1 except in Littleton and Vernham Dean where one large property in a very small manor skewed the results in the former, and the latter was influenced by a high rate of 3lives-at-once surrenders. The rate for surrenders in the inheritance manors by comparison lay between 2.2 and 3.3 transfers per tenant, so the rate per tenant or reversioner was less than half that, and reflects the tenorial restriction on their transfer activity.

In terms of the familial / extra-familial balance of activity – the ratio was around one third familial and two thirds extra familial for Life 1, except for Littleton which was so small that one transfer of the largest holding skewed all results. Exton was otherwise the manor with a higher familial rate at 48% and Vernham Dean had the lowest with 24%. The acreage transferred was proportionately higher for familial transfers with Exton showing an astonishing 84%. The pattern for reversioners shows a higher familial proportion at almost half the transfers, apart from Ovington and Littleton which had the third : two thirds ratio. These results are not surprising if one reflects that many reversioner transfers were associated with shuffling different family members in and out of lives according to circumstance.

¹⁴ As there were two reversioners per tenant, the mean number of transfers per reversioners has used double the tenant numbers for its divisor.

Table 5.23 Family and extra-family *inter vivos* transfers in Lives manors divided between Life 1 and reversioners 1645 - 1705

| Manor/ Tenure | Life 1 surrender/exchange | | | | | | | Mean no trsfers per Life 1 | Reversioner surrender/exchange | | | | | | Mean no trsfers per reversioner | Totals | | Mean no tenants in manor ¹ |
|------------------|---------------------------|------|-----------|-----|------------|-----|------|----------------------------------|--------------------------------|------|------------|------|-----|------|---------------------------------------|--------|------|---|
| | Fam | | Extra fam | | Tot Life 1 | | Fam | | Extra fam | | Tot Revers | | | | | | | |
| | No | Acr | No | Acr | No | Acr | No | | Acr | No | Acr | No | Acr | | | | | |
| 3 Lives tenure | | | | | | | | | | | | | | | | | | |
| Chilbolton | No | 5 | 151 | 11 | 283 | 16 | 434 | 0.7 | 22 | 730 | 23 | 627 | 45 | 1357 | 0.9 | 61 | 1791 | 24 |
| | % | 31% | 35% | 69% | 65% | 26% | 24% | | 49% | 54% | 51% | 46% | 74% | 76% | | | | |
| Littleton | No | 1 | 128 | 0 | 0 | 1 | 128 | 0.2 | 4 | 71 | 9 | 1152 | 13 | 1223 | 1.1 | 14 | 1351 | 6 |
| | % | 100% | 100% | 0% | 0% | 7% | 9% | | 31% | 6% | 69% | 94% | 93% | 91% | | | | |
| Ovington | No | 7 | 312 | 14 | 419 | 21 | 731 | 1.2 | 17 | 573 | 30 | 914 | 47 | 1487 | 1.3 | 68 | 2218 | 18 |
| | % | 33% | 43% | 67% | 57% | 31% | 33% | | 36% | 39% | 64% | 61% | 69% | 67% | | | | |
| 3 Lives bl | | | | | | | | | | | | | | | | | | |
| Exton | No | 13 | 557 | 14 | 110 | 27 | 667 | 1.1 | 25 | 745 | 29 | 192 | 54 | 937 | 1.1 | 81 | 1604 | 24 |
| | % | 48% | 84% | 52% | 16% | 33% | 42% | | 46% | 79% | 54% | 21% | 67% | 58% | | | | |
| V Dn cpy | No | 8 | 82 | 26 | 392 | 34 | 473 | 1.2 | 62 | 823 | 62 | 721 | 124 | 1544 | 2.1 | 158 | 2017 | 29 |
| | % | 24% | 17% | 76% | 83% | 22% | 23% | | 50% | 53% | 50% | 47% | 78% | 77% | | | | |
| Totals | No | 34 | 1230 | 65 | 1203 | 99 | 2433 | 1.0 | 130 | 2940 | 153 | 3606 | 283 | 6547 | 1.4 | 382 | 8980 | 101 |
| | % | 34% | 51% | 66% | 49% | 26% | 27% | | 46% | 45% | 54% | 55% | 74% | 73% | | | | |

Source: Database of transfers and court roll details.

¹ The mean number of Life 1 tenants in a manor. The mean number of reversion lives was twice that number assuming all 3 lives were filled.

5.9.1. Motives for giving and receiving surrenders and exchanges in Lives manors

Annex 5.6 shows a detailed breakdown by manor of the surrenders and exchanges according to either which family member received a familial transfer, or the possible motivation for transferring to unrelated people. Rows have been added to show the female participation as sellers ('givers') and purchasers ('receivers'). At this level of detail of the analysis some of the categories are very small, and so the statistical results should be used with caution. The figures were then converted into percentages to produce Table 5.24 for the familial transfers – which results can be compared with the last column of the table showing the results for Inheritance manors reproduced from Table 5.18 above.

Table 5.24. Percentage breakdown of familial surrenders/exchanges by recipient, 1645-1705

| <i>Manor:</i> <i>Recipient</i> | <i>Chilbolton</i> | | <i>Littleton</i> | | <i>Ovington</i> | | <i>Exton</i> | | <i>V Dean</i> | | <i>Totals</i> | | <i>Inherit</i> <i>manors</i> ¹ | |
|---|-------------------|------------|------------------|------------|-----------------|------------|--------------|------------|---------------|------------|---------------|------------|--|-----|
| | <i>No.</i> | <i>Acr</i> | <i>No.</i> | <i>Acr</i> | <i>No.</i> | <i>Acr</i> | <i>No.</i> | <i>Acr</i> | <i>No.</i> | <i>Acr</i> | <i>No.</i> | <i>Acr</i> | | |
| <i>Life 1 surrenders & exchanges</i> | | | | | | | | | | | | | | |
| Son/dau | 20% | 8% | | | 29% | 16% | 61% | 64% | 25% | 37% | 38% | 36% | 54% | 51% |
| Sibling | 20% | 41% | | | 29% | 21% | | | 25% | 0% | 15% | 11% | 10% | 5% |
| Grandchild | 20% | 23% | | | | | | | | | 3% | 3% | 0% | 0% |
| Nephew/niece | 20% | 7% | | | | | 8% | 12% | 13% | 17% | 9% | 8% | 4% | 7% |
| Relative other | 20% | 21% | 100% | 100% | 43% | 62% | 31% | 24% | 37% | 46% | 35% | 42% | 18% | 7% |
| <i>Reversioner surrenders & exchanges</i> | | | | | | | | | | | | | | |
| Son/dau | 23% | 20% | | | 24% | 18% | 4% | 3% | 19% | 17% | 17% | 14% | 54% | 51% |
| Sibling | 27% | 37% | | | 18% | 15% | 12% | 25% | 29% | 18% | 23% | 24% | 10% | 5% |
| Grandchild | | | 50% | 23% | 6% | 4% | 4% | 6% | 6% | 11% | 6% | 6% | 0% | 0% |
| Nephew/niece | 32% | 27% | 50% | 77% | 40% | 51% | 64% | 62% | 28% | 36% | 38% | 43% | 4% | 7% |
| Relative other | 18% | 16% | 0% | 0% | 12% | 12% | 16% | 4% | 18% | 18% | 16% | 13% | 18% | 7% |

Source : Database of transfers & court roll details.

The table shows that apart from the ultra family-orientated Exton, the proportion of familial surrenders and exchanges going to a son or daughter was much lower than with Inheritance manors – a mean of 38% for Life 1 and only 17% for reversioners compared with 54% for the number of transfers. This was because the Lives tenants were not able to surrender to a child *inter vivos* in the same way that inheritance tenure permitted if the parent wished to help to establish a son; conditionally surrender to provide for older age, or to divide a holding between children. The main way in which a Lives tenant could surrender to a child was when that child was already in place as Life 2, as for

¹ The inheritance manors had one more category of surrendering to self and then others in, for example, an entail which was not possible in Lives manors, so this percentage has been omitted from the final columns here. Hence the percentages do not total 100%.

example when in 1686 Henry Talmadge of Chilbolton surrendered to his son Henry media who was in waiting as reversion Life 2, and who then added *his* son Henry junr as reversioner in the vacant position. This required long-range planning to shuffle the reversioners so that a son or daughter were in Life 2.

Far more common was the replacement of daughters or sisters who married and gave up their lives in reversion. Their Life was then often awarded to a child of the new life 1 who was either a different sibling or a nephew or niece. This explains why the total percentage of nephews/nieces and siblings receiving transfers was 61% for reversioners in the Lives manors compared with only 14% in the Inheritance manors. A typical transfer was when in Chilbolton, Dorothea Beoman who had been placed as a child in a reversion life in 1661 in a 25.5 acre holding, surrendered it in 1688 shortly after marrying. The life was replaced by her nephew who was also the son of her brother who was by now Life 1. In Ovington in 1695 Mary Seward gave up her reversion life after marrying, and again it went to her brother's son – her nephew – where her brother was by now Life 1. The cases of Ralph Page and Elizabeth Eyles have already been quoted where with the former, up to £60 was made available to buy out the life of a brother/uncle, and in the latter a payment of £200 was given to her by her brother for her surrender. So money could and did, change hands within the family for these shufflings, but it is rare to be able to discover how much was involved.

The familial transfers in the Lives manors have been shown to have worked in a very different way from those of the Inheritance manors and as a result different types of kin predominated. However exchanging and thereby altering lives was the only option open to tenants, and they clearly took the opportunity to take part in what constituted a lives market. The main objectives in the inter-familial transfers were to place the tenant's closer offspring and kin into position to inherit, and to provide a future bargaining counter for particularly females to raise capital from a life surrender to support marriage or an annuity.

The results of a similar analysis undertaken for transfers to unrelated persons is presented in Table 5.25. which converts the relevant figures in Annexe 5.6. as before. The 'NK' (not known) category is high for Life 1 transfers as there simply was often insufficient evidence. Rather than identifying the recipient as in Table 5.24. above, this next table combines information from the court rolls about what else may have been happening to the tenant at that time to estimate why the transfer may have been made.

Table 5.25. Percentage breakdown of extra familial surrenders/exchanges in Lives manors by possible motive 1645-1705.

| <i>Manor:</i> | <i>Chilbolton</i> | <i>Littleton</i> | <i>Ovington</i> | <i>Exton</i> | <i>V Dn Cy</i> | <i>Totals</i> |
|--|-------------------|------------------|-----------------|--------------|----------------|---------------|
| <i>Motivation</i> | | | | | | |
| <i>Life 1 surrenders & exchanges</i> | | | | | | |
| Family dispersing | | | 21% 27% | 7% 0% | | 4% 5% |
| Financial problems | 36% 36% | | | | 27% 32% | 11% 9% |
| Restoration sorts ² | | | 7% 11% | 21% 48% | | 4% 4% |
| Investors attracted | 18% 18% | | 43% 33% | | 4% 1% | 9% 8% |
| Other | | | | 14% 25% | 12% 8% | 5% 2% |
| NK | 45% 46% | | 29% 29% | 57% 27% | 58% 59% | 32% 21% |
| <i>Reversion surrenders & exchanges</i> | | | | | | |
| Relation new Life 1 | 48% 42% | 11% 11% | 43% 42% | 86% 92% | 16% 29% | 39% 32% |
| Family dispersing | | | 3% 4% | 7% 0% | 6% 3% | 5% 2% |
| Financial problems | 30% 30% | | | 3% 1% | 21% 18% | 14% 9% |
| Restoration sorts | | 44% 44% | | | | 3% 14% |
| Investors attracted | 13% 23% | 33% 33% | 17% 13% | | 3% 0% | 8% 18% |
| Other | | 11% 11% | 10% 12% | | 2% 3% | 3% 7% |
| NK | 9% 6% | | 27% 29% | 3% 7% | 52% 46% | 28% 18% |

Source : Database of transfers & court roll details.

The possible motives for surrendering or exchanging shows a variation by manor. Chilbolton and Vernham Dean had an almost one third element of financial problems for both Life 1 and reversioners, but this barely appears in the other manors, if at all. Exton and Littleton had some high percentage of transfers due to post-Restoration ‘sort out’ by the Lord, and Ovington was apparently the most attractive to investors. Amongst the reversion exchanges the major reason for undertaking a transfer was that a new unrelated person had risen up to be Life 1 – possibly after the death of the previous or by arranging to exchange for Life 1– and so the relatives of the old Life 1 might surrender up their reversion lives in order that children or relatives of the new Life 1 could be appointed. Hence the exchanging lives were technically unrelated to each other, but the incoming new life was closely related to Life 1. There is a sense in which these surrenders might be regarded as familial rather than extra familial.

In order to compare the Lives manors with those of inheritance tenure, table 5.26 was drawn up to mirror Table 5.22 above. It shows the sizes of holdings transferred; the ‘seller’ and ‘purchaser’ locations, and a manor holding profile for context. Here the results of Table 5.22 are repeated in the right-hand column for ease of reference. The two types of lives tenure are separated to show any differences between them.

² ‘Restoration sorts’ refers to those surrenders/exchanges caused by needing to sort out holdings in 1660.

Table 5.26. Size of holdings transferred in Lives manors to unrelated persons with their locations.

Manors with 3 Lives tenure (Chilbolton, Littleton, Ovington)

| <i>Holding size</i> | <i>Sellers' locations</i> | | | <i>Purchaser's locations</i> | | | <i>Totals</i> | | <i>Man profile in 1685</i> | | <i>Inher manors³ transfers</i> | |
|---------------------|---------------------------|---------------|-----------|------------------------------|---------------|-----------|---------------|----------|----------------------------|----------|---|----------|
| | <i>Extra Man</i> | <i>In man</i> | <i>NK</i> | <i>Extra man</i> | <i>In man</i> | <i>NK</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> |
| > 32 acres | 20 | 1 | 14 | 28 | 1 | 6 | 35 | 40% | 26 | 54% | 13 | 8% |
| | 57% | 3% | 40% | 80% | 3% | 17% | | | | | | |
| >16-32acres | 13 | 1 | 14 | 21 | 1 | 6 | 28 | 32% | 12 | 25% | 17 | 10% |
| | 46% | 4% | 50% | 75% | 4% | 21% | | | | | | |
| >5-16 acres | 5 | 3 | 9 | 9 | 0 | 8 | 17 | 20% | 6 | 13% | 33 | 20% |
| | 29% | 18% | 53% | 53% | 0% | 47% | | | | | | |
| >2-5 acres | 2 | 1 | 4 | 5 | 0 | 2 | 7 | 8% | 3 | 6% | 31 | 19% |
| | 29% | 14% | 57% | 71% | 0% | 29% | | | | | | |
| 0.5-2 acres | | | | | | | | | 1 | 2% | 20 | 12% |
| 0-0.49 acres | | | | | | | | | 0 | 0% | 50 | 31% |
| | 40 | 6 | 41 | 63 | 2 | 22 | 87 | | 48 | | | |
| | 46% | 7% | 47% | 72% | 2% | 25% | Extra county | | 11 | | 13% | |

Manors with tenure of 3 Lives but the first can act alone (Exton, Vernham Dean Copy moiety)

| <i>Holding size in acres</i> | <i>Sellers' locations</i> | | | <i>Purchaser's locations</i> | | | <i>Totals</i> | | <i>Man profile in 1685</i> | | <i>Inher manors</i> | |
|------------------------------|---------------------------|---------------|-----------|------------------------------|---------------|-----------|---------------|----------|----------------------------|----------|---------------------|----------|
| | <i>Extra man</i> | <i>In man</i> | <i>NK</i> | <i>Extra man</i> | <i>In man</i> | <i>NK</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> |
| > 32 acres | 2 | 3 | 6 | 2 | 0 | 9 | 11 | 8% | 15 | 31% | 13 | 8% |
| | 18% | 27% | 55% | 18% | 0% | 82% | | | | | | |
| >16-32 cres | 7 | 1 | 14 | 8 | 2 | 12 | 22 | 17% | 9 | 18% | 17 | 10% |
| | 32% | 5% | 64% | 36% | 9% | 55% | | | | | | |
| >5-16 acres | 8 | 1 | 40 | 6 | 2 | 41 | 49 | 37% | 9 | 18% | 33 | 20% |
| | 16% | 2% | 82% | 12% | 4% | 84% | | | | | | |
| >2-5 acres | 0 | 2 | 6 | 0 | 3 | 5 | 8 | 6% | 3 | 6% | 31 | 19% |
| | 0% | 25% | 75% | 0% | 38% | 63% | | | | | | |
| 0.5-2 acres | 0 | 2 | 10 | 2 | 2 | 8 | 12 | 9% | 3 | 6% | 20 | 12% |
| | 0% | 17% | 83% | 17% | 17% | 67% | | | | | | |
| 0-0.49 acres | 7 | 15 | 9 | 4 | 18 | 9 | 31 | 23% | 10 | 20% | 50 | 31% |
| | 23% | 48% | 29% | 13% | 58% | 29% | | | | | | |
| | 24 | 24 | 85 | 22 | 27 | 84 | 133 | | 49 | | | |
| | 18% | 18% | 64% | 17% | 20% | 63% | Extra county | | 7 | | 5% | |

Source : Database of transfers & court roll details.

The whole profile of holdings in the 3 Lives manors is different, as there were effectively no small cottage plots, and almost nothing under 2 acres was available for transfers. By comparison 43% of the transfers in the inheritance tenured manors fell into this smallest category and 32% of the 3Livesb1 group. As outlined earlier, this significant difference was due chiefly to the inability of Lives manor tenants to split their holdings or to break off small pieces for a dwelling. The large holdings may have remained intact since the fifteenth century.⁴ However the 3Livesb1 group did

³ Figures from Inheritance manor results in Table 5.22. above⁴ The later chapter in this thesis on the sub-tenure of dwellings will demonstrate how tenants may have at least partly circumvented this problem.

sometimes manage to split up small portions by surrendering all three lives at once. Hence their half-way position between the other two tenure types.

Nevertheless one pattern is common to all three tenure groups. There were fewer transfers in the highest acreage group than might have been expected from the manor profiles. There were more than expected (32% rather than 25%) in the 3 lives manors but about as expected in the 3Lives but1 group. Again more in the >5-16 acre category. The Lives tenants were moving medium-sized holdings about.

In terms of the location of ‘sellers’ and ‘purchasers’, the large size of the ‘NK’ category may well skew the results. Nevertheless for those where results are known, there were a high proportion of both in the 3Lives manors who were non resident. This was the pattern only in the highest > 32 acres size group for the Inheritance manors. Otherwise those resident in the manor were the larger group in most other size categories, as was the case in the 3Livesb1 manor figures. Of the ‘outside county’ purchasers a higher number of these occurred in Vernham Dean which lies on the county border with Wiltshire and thus had some tenants who were ‘outside the county’ but not very far away. Only three holdings – one each in Vernham Dean, Chilbolton and Exton - had any lives placed in them from London. All occurred in the later 1690s and were to men who were connected (but not directly related) to sons of the village who had moved to the city. As with the inheritance tenure manors there was no significant investment appearing by city merchants and artisans.

5.9.2. ‘Purchasers’ of lives

An issue necessary to address at the outset was how to deal with the reversion lives. If a Life 1 changed, then often they manoeuvred their family into the reversions over time afterwards. Therefore there might be two or three subsequent reversion transfers between unrelated persons which were linked only to the one main change of first life. These might appear on casual inspection to be evidence of accumulation. Table 5.25 showed that in Exton some 86% of reversion transfers fell into this category; 48% in Chilbolton and 43% in Ovington. It was a significant part of the transfers for reversioners and it would be misleading to treat them all as three or four separate ‘purchases’ when they were essentially all linked. Accordingly an analysis of purchasers was carried out on a holding and family basis rather than an individual transfer one. Multiple purchases and apparent attempts to accumulate land were identified only when

Life 1 received a tenancy of more than one holding; or where the placement of children of a particular family in reversion led ultimately to their inheritance of several different holdings.

The result of such an analysis was to show how difficult it was to accumulate land in a manor with lives tenure. The planning lead-time was potentially so very long when entering children in reversion, and in the 3Lives manors, the three lives could not be purchased all at once (a feat popular in Vernham Dean with its 3Livesb1 tenure). In overall terms, of 101 surrenders only 9 (9%) , and of 117 exchanges only 11 (also 9%) went to multiple purchasers and involved only 5 purchasers. In other words 91% of the transfers in the Lives manors went to individuals or families who only bought one holding. For the Inheritance manors already analysed, the figure was 71% - demonstrating that it was easier there to buy and sell plots and put them together or split them apart with that tenure.

The five Life1 and reversioner multiple purchasers can be listed and fell into three categories. Firstly the Martin Stokes and Stephen Penford families purchased two cottages with gardens and up to three acres in Exton during the periods 1648-58 and 1678-83 respectively. Exton and Vernham Dean with their 3Livesb1 tenure had allowed the splitting of some small parcels for dwellings, and so these were shuffled in a similar manner to the Inheritance manor tenants. However they were the only two who did so. Secondly there were somewhat aggressive attempts to insert lives in two holdings. The first was by Thomas Hooker in Ovington between 1652-62 – who eventually accumulated two holdings to a total of 42 acres – but which came to nothing as they were given back to the original tenants at the Restoration. The other was William Mosse already referred to earlier for his bribery of a widow to insert his children's lives. Between 1696 and 1705 he managed to accumulate two holdings in Chilbolton outright to a total of 94 acres and was poised with next reversioner status behind the widow in a further holding of 63 acres. His total would shortly be 157 acres. Meanwhile in Littleton he had inserted his children's' lives as next reversioners in the big 128 acre holding. By 1736 his son was the full tenant of 150 acres there, so the ruse must have been successful. Mosse was an aggressive accumulator in at least two manors, but beyond the fact that he lived in Winchester little can be discovered about him. He does not appear to have been a farmer himself, and the son referred to in Littleton was 'Reverend

Mosse' of Martyr Worthy and thus also not a farmer. The motive must have been investment.

The third style of operating involved long range planning by the placing of children's' lives and occurred in Ovington by the Seward family. They lived 4 miles away in the bishopric manor of Bishops Sutton where they were a significant presence, and seem to have had 'connections' after the Restoration.⁵ In 1661 in the Dean and Chapter Restoration sort-out, the lives of Richard Seward junr and his sister Mary were placed in one 38.5 acre holding; and another of 36.5 acres – to a total of 75 acres. Mary eventually married and surrendered her interests and Richard did not reach Life 1 until he inherited in 1690. This was a thirty year wait and the fruition of long-range planning on the part of his father. He had clearly begun his own family in the interim and in 1695 manage to purchase all lives in a 14 acre holding naming some of his sons in reversion. Richard also became the first lessee in one of the two Ovington copyholds converted to lease in 1705 of 45 acres. His total official farmable area in that manor was then 134 acres. Meanwhile he repeated the family pattern by placing, during the 1690s, the lives of his own children John, Thomas and William in reversions in other holdings in Ovington. By the end of the study period in 1705 John Seward had become first life in two of them totalling 39 acres and was also first life after a widow in another holding of 44 acres. He probably farmed it for her which brought his total to 83 acres. The Seward family had, over 45 years, managed to accumulate seven Ovington holdings totalling 217 acres. Here, surely, is the one example of true accumulators in all the series of transfers. Why this should have occurred in Ovington and not elsewhere is not clear. Of all the manors, Ovington – for reasons lost before benchmark in 1645 – had a high proportion of non-resident and titled tenants. The manor was close to Winchester and perhaps it was an easy investment on which to keep an eye. On the other hand, perhaps the period selected for study has merely curtailed the story of the Swards at the peak of their rise, and that they fell again later. Documents relating to Ovington from mid eighteenth century onwards makes no mention of any Swards in the manor.

An illustration of the difficulty of accumulating Lives copyholds in comparison with other tenures was also provided by Thomas Mason of Vernham Dean who held land in both moieties. In 1645 Mason held a total of 35 acres in two freeholdings. In 1647, and now that the two moieties of Vernham Dean were legally all under Winchester College,

⁵ They were linked in some way to the Cloads who had been active in Ovington during the Commonwealth period, who themselves had links to the Russell family and Woburn Abbey.

he experimented with the purchase of a copyhold of 17 acres from the Hillier family. He placed the lives of two of his children in reversion. He subsequently purchased another freehold of 7 acres, and in 1658 bought two more freeholds of 14 acres each.⁶ It appears that he was a resident yeoman accumulator of plots – and that he now held 87 acres in five freehold plots and one 3livesb1 copyhold. The implication in his behaviour is that it was much easier to purchase freeholdings than lives, as the latter depended on finding someone prepared to surrender all three lives. If he could have bought more, then he might have done so.⁷ Thomas then died in 1659 and everything was inherited by his son Richard Mason. This son had himself bought a freehold of 14 acres in 1654, and so by the year of the Hearth Tax in 1665 he held 101 acres in six former freehold plots and the one copyhold. He is recorded as living in a 5 hearth household, which was the largest dwelling of any tenant in Vernham Dean.

Richard Mason lived on to beyond 1705, but in 1699 he is recorded as taking out a mortgage of £137 on the 17 acres of copyhold.⁸ He probably had financial difficulties because in 1703 he surrendered all three lives to Roger Geater senior of Kinsbury, near Amesbury, Wiltshire (18 miles away). Geater immediately took out a licence to let. In fact he had already separately purchased a freehold in the village of 56 acres from Munday in 1701 and so Geater was becoming the next accumulator in Vernham Dean. After 1705 it seems that Richard Mason died and burials in the parish register suggest that his son pre-deceased him. The large holding of freehold land he had assembled was bought by Geater. A 1734 survey for the manor shows only one tenant with the Mason surname holding 3.5 acres of copyhold.⁹ However a Mr Geater not only undertook this survey himself, but by then held 212 acres of freehold and one small copyhold. In this same 1734 survey there is no other tenant – either free or copyhold - shown with more than 48 acres. So although the Masons did not survive, their accumulation of freehold almost certainly did, and had contributed at least half to this new large farm built on the gradual purchase of small freehold plots.

⁶ Many of the freehold plots seem to have been of 14 acres or half a virgate. As Vernham Dean was largely unenclosed they mostly consisted of open field strips.

⁷ It is not at all clear what the comparative price of freehold and copyhold may have been in Vernham Dean. Only a few shillings were paid in court for relief on each of the freehold plots, but money would of course have changed hands outside the court. For the copyhold of 17 acres a heriot and fine totalled £11-10-0.

⁸ It is quite possible that he also took out mortgages on the freehold land, but if so no record of these has survived.

⁹ 'Survey of Vernham Dean',

5.10. The Baker Family: a case study of the influence of tenure on transfer behaviour.¹⁰

The analysis has shown that the experience of transfers was different according to tenure and manor, and was restricted by which actions were possible. A case study was selected to show the operation of the types of transfer in use between Exton with its 3Livesb1 tenure and adjoining Meonstoke with its inheritance tenure. Mrs Shallett has already been quoted in this respect, as she held land in both, but this case study focuses on the Baker family.

At benchmark Richard Baker had two copyholds in Exton. One was of 69.5 acres with daughters Joanna and Elizabeth as reversion lives; and the other was of 47.5 acres with daughter Joanna and wife Elizabeth as the lives. At 117 acres, Baker's holding was the largest in Exton. Richard died in 1656 and left a will with an inventory value £100-2-2 and a farmed size acreage suggesting that he probably farmed about half his area: about 60 acres.¹¹ His widow Elizabeth then enjoyed her widow's rights over both copyholds, with daughter Joanna as next life in waiting. Daughter Elizabeth then died in reversion in the 69.5 acre portion in 1659 and was replaced by another daughter Mary. There were no Baker sons.

During the period 1660-62 Joanna married widower Daniel Budd of Meonstoke and Mary married Nicholas Pratt. Joanna surrendered her life in the 69.5 acres and Mary then became Life 1 in waiting behind the widow and placed her husband Nicholas as next life behind her. Joanna added her husband Daniel as life behind her in the 47.5 acres. Nicholas Pratt did not bring to his marriage with Mary any known lands within the study area, but Daniel Budd held 55.5 acres in Meonstoke. It may have been that Joanna felt the combined Exton and Meonstoke acreage would be sufficient for her to surrender her interest in the larger Exton holding. In any event, both daughters were now set up to split the original Baker holding in two when their mother died.

Mary(Baker) and Nicholas Pratt baptised at least 13 children between 1663 and 1687 of whom the first six were girls and the following seven were boys. Perhaps in elation,

¹⁰ Genealogies for the Budd, Baker and Collins families as they relate to parts of this narrative are provided in Annexe 5.8.

¹¹ H.R.O.: 1656P/01, 'Will of Richard Baker', 1656. The inventory taken in July 1656 included 80 sheep, 5 horses, 9 hogs, 4 cows & 2 bullocks; 12 acres wheat, 11 of barley & 12 of pease & vetches (?illeg). At a total of 35 acres of sown crops, and allowing for a further third of fallow (c 17 acres) plus possibly a little pasture. This suggests a maximum area farmed of between 50 and 60 acres or about half his actual holding.

Nicholas Pratt then bought his way in to a new holding just after his first son Nicholas junr had been born. As Exton was a 3Livesb1 manor, the first Life could act alone, so Nicholas sen was fortunate to find Katherine Gunter and her two sons all willing to surrender their 76 acres in 1673. He paid £15 in fine to place the names of two of his children – Elizabeth (second eldest daughter) and Nicholas junr (eldest son) - in reversion and remainder behind him. Pratt had now accumulated a total of 143.5 acres – albeit as second life in his wife’s 69.5 acre portion of this. In 1679 Nicholas then extended his holdings into Meonstoke next door where the inheritance tenure enabled easier purchase and sale than in Exton. He purchased 52.5 acres from Thomas Lee, a victualler or clothier of Bishop’s Waltham who appears to have been investing in Meonstoke and was selling on. Nicholas Pratt now had personally – or through his wife – holdings totalling 198 acres spread between two manors. He was a true accumulator.¹²

In 1688 – perhaps because he was ailing - Nicholas agreed a surrender to will on the Meonstoke holding. He was able to do this in Meonstoke but not in Exton. When he died in 1689, his will determined the inheritance in Meonstoke and the lives were pre-established in Exton. The will was proved in Exton in May 1689 with a July inventory valued at £269-3-6.¹³ It gave everything to his wife Mary ‘upon trust and confidence that she will either by sale or with the profits thereof, pay all my debts and legacies’. These legacies included £80 each for every underage child when they reached 21 years – of whom eight were named. Interestingly it not only instructed her to act in this way for the Meonstoke copyhold, but also included a request that Mary place the name of Nicholas junr into one of the Exton copyholds. This is an example of a will directing lives purchase, although it is doubtful that this would have been legally binding if Mary had chosen not to do so. However Mary dutifully added the life of Nicholas junr in reversion in her own 69.5 acre copyhold and then added son Robert (youngest baptised 1687) as Life 3 after her children Elizabeth and Nicholas junr in the 76 acre copyhold held directly by her husband before his death. In Meonstoke Mary continued in the holding herself until she died in 1701.¹⁴ She effected a near-death *inter vivos* surrender

¹² Of course because the holdings were spread between two manors, Nicholas Pratt does not feature as a landholder for as high an acreage as he in fact held in either of the two manors – one serious shortcoming of historical analyses based on single manors.

¹³ H.R.O.: 1689P/29, 'Will of Nicholas Pratt, yeoman', 1689. This included 100 sheep and lambs; 6 milk beasts & 4 spare beasts; hogs pigs and poultry totalling £58 in value plus 170 skeves of corn on the ground valued at £100 and wagons, dung carts, plows & harrows worth nearly £17. The dwelling consisted of chambers and lofts, a kitchen, cellar, a milkhouse a brewhouse, a cart house and ‘barns’.

¹⁴ H.R.O.: 1701P/24, 'Will of Mary Pratt, widow', 1701. Inventory taken in March 1700/01 valued at £398 included 115 sheep and 40 acres of wheat already sown and in the ground.

to her son Nicholas on condition that he paid the outstanding £80 each to the five remaining underage younger sons according to her husband's will. In the one Exton copyhold her daughter Mary junr succeeded her in 1702 and in the other Exton copyhold daughter Elizabeth succeeded. So by 1702 the accumulated Pratt holdings had split apart again into three and were in the tenure of the two eldest daughters and the eldest son.

This example of Mary(Baker) and Nicholas Pratt illustrates how holding size might rise and fall again during a generation. It also shows that it was possible to purchase land in Meonstoke, the inheritance-tenured manor, and how strategies involving a surrender-to-will in that same manor could be used to direct Lives shuffling in Exton to provide for children other than those whom custom would dictate.

Meanwhile Mary's sister Joanna Baker /Budd had a different fate. When she married Daniel Budd of Meonstoke he was a widower with at least four sons born during the 1650s to his first wife Ann nee Arthur. Ann died in March 1659/60 leaving a very young family, and 15 days afterwards Daniel made a surrender of 18 of his acres in Meonstoke to his eldest son Daniel (baptised 1652) on condition that he, the father, paid his son £100 when he reached 21 years; and if Daniel junr were to die before that, then the amount to be divided equally between the remaining sons Edward, Thomas and William. At the same time he surrendered 10.5 acres to his youngest son Edward with the same provisos for £80. The feat was repeated a little later with 12 acres for son Thomas against £100 and 9 acres for William also for £100. The timing and implication of these conditional surrenders is that Budd felt under pressure – either from himself or his father-in-law Edward Arthur - to secure provision for his first family before, or shortly after, remarrying Joanna Baker. Under Meonstoke custom any further children they might produce together would be younger than the first family and hence inherit. In fact eldest son Daniel Budd died in 1665 and then Daniel himself in May 1667. His inventory was valued at £220-5-6 and included a shop and stocks of salt, in addition to 100 sheep and corn.¹⁵ On his deathbed he surrendered his Meonstoke dwelling to his youngest son Edward Budd which was presumably a device to ensure that the youngest son of the first family benefitted.

¹⁵ H.R.O.: 1667P/08, 'Will of Daniel Budd', 1667.

Daniel Budd died leaving a degree of chaos behind him as his surviving children had not yet reached 21 years of age and the status of those conditional surrenders was not clear. The homage were asked to enquire into the succession and report back. This they did and it was decided, unusually, that Edward the youngest son of the first wife should inherit everything. This may have been an attempt to comply with the obvious intent of Daniel during life but also Edward's guardian and grandfather Edward Arthur may have had influence. It must be presumed that widow Joanna either had no say in the matter or chose to defer to the first father-in-law. She placed the lives of her own two children Daniel and Elizabeth Budd behind her in the Exton 47.5 acres which she held in her own right. In Meonstoke Edward succeeded and let out the entire holding during his minority.

John Collins, widower of Meonstoke was not a good financial prospect although he may have appeared so as he held 89 acres in Meonstoke. He had inherited at the age of two and on reaching 21 years in 1651 his widowed mother Alice surrendered specifically to him. Quite what were the problems faced by John Collins is not at all clear. He embarked immediately on a long series of mortgages and licences to let and never seems to have been solvent. His position will be further explored in the chapter about mortgages, but suffice to mention here that by 1672 he had four mortgages in force covering his entire 89 acre holding from four different lenders for a total of £630. One wonders whether Joanna (Baker) Budd knew this. In early 1678 she married him.

It must have been with some relief to him that John Collins attracted a wealthy widow. In 1678 in the Meonstoke court, John surrendered everything there except a moiety of the dwelling and a 3 acre pasture to John Sparshott of Droxford from whom many of the mortgages had been borrowed. Collins clearly could not pay, and in fact Sparshott had to deal with other unsatisfied mortgage lenders shortly afterwards. The surrender included the interests of the sons of his own first marriage - William Collins, Daniel and John Collins junr., whom he had embroiled in the problems via a surrender to himself and them in the early 1670s. He was thus now without land or inheritance for those children. Joanna Budd came to the partial rescue as in the Exton court roll for 1678 she surrendered her 47.5 acres to him so that his name became Life 1 and paid a fine of £12. As she held the tenancy in her own right she did not have to surrender to her husband and must have chosen to do so. However, her children Daniel and Elizabeth Budd remained in lives 2 and 3 behind Collins, so that their inheritance was assured. When

John Collins eventually died in 1691/2, Joane then had her widow's rights in the premises and added the life of Peter Collins her youngest son, behind her two Budd children.

Meanwhile Edward Budd – youngest son of the first marriage and inheritor of the 55.5 acres and shop in Meonstoke died in 1688/9. At this point the actual youngest son - Daniel Budd of Exton son of Joanna and Daniel sen. came to claim inheritance as the youngest living son of Daniel Budd sen. He was still the next reversion life after his mother Joane (now Collins) and in Exton and was trying to use Meonstoke custom to reassert his rights in that manor. In fact he was admitted in Meonstoke, but immediately formally surrendered to Edward's widow Suzannah for her widowhood and then her son Richard provided that the latter pay £80 each to his sisters Anna and Susannah when they reached 21 years of age. He was carrying on the conditional surrender principle set by his father despite the essential failure of that technique in the previous generation.

The case of the Baker girls is a good example of the workings of the two types of tenure; of the performance of a variety of inheritance strategies to prefer or protect eldest children in Borough English manors via the insertion of reversion lives, conditional surrenders to protect a first family and a surrender to will. The story includes the accumulation of land and its splitting up again when the next generation received their inheritance; of financial problems leading to selling up and effectively disinheriting the next generation; and the holding of land in more than one manor.

5.11. Outcomes of the permanent transfers

It was important finally to assess the outcomes of all these transfers over the period of 61 years, and to establish which trends they show. It is a very short period in historical terms, but movements, tendencies, and the nature of activity can be demonstrated. At the same time it is essential - where relevant - to highlight the differences involved when establishing the results for manors with different tenures. To treat them all in the same way can give misleading results.

5.11.1. How far holdings remained in the same family

French and Hoyle studied the extent to which properties remained in the same family over time. In Earls Colne they discovered that 40% of the properties in 1650 were still in the same families in 1700.¹⁶ Table 5.27 shows the percentage of holdings in these Hampshire manors which remained in the same family from 1645 until 1705 (ten more years than in Earls Colne).

Table 5.27. Percentage of holdings in the same family 1645-1705

| <i>Manor</i> | <i>%</i> |
|---------------|----------|
| Chilbolton | 58% |
| Littleton | 71% |
| Ovington | 20% |
| Exton | 59% |
| V Dean copy | 37% |
| Hinton Ampner | 41% |
| Crawley | 53% |
| Meonstoke | 27% |
| V Dean Free | 46% |

Source: Tenant holding analysis and parish registers.

The pattern shown is one which was enormously variable by manor between only 20% in Ovington to 71% in Littleton. The overall mean would be around 46% - which is not far from the Earls Colne mean, but in this case the range of results is too wide for an average figure to be meaningful. There is no apparent correlation with tenure or lordship, nor with aspects such as residency or changes in holding size to be considered shortly. One conclusion which the table does suggest is that because there are no apparent correlations, then the rate of change in holding within families is not a particularly good indicator of the outcome of transfers and a land market. In some cases selling outside the family may have resulted in fewer and smaller holdings – as in Ovington as shown below – but in others such as Meonstoke, the sale from one family to another hardly altered the landholding structure and profile of the tenants at all.

5.11.2. Residency in the manors

The extent of residency in the manors was an indicator worth exploring. Non-residents probably did not farm their land themselves and might be expected to rent out and/or

¹⁶ FRENCH and HOYLE ' English individualism refuted ', p 609.

use the land merely as an investment, and thus behave with the holdings in a different way.¹⁷ It was not possible to estimate the tenants who were resident in the manors in 1645 as there was insufficient information before that date. The Hearth Tax in 1664/5 was the first, and most reliable, source so it has been used despite being twenty years after benchmark. There was then considerable evidence from the court rolls to indicate whether a tenant was resident in 1705, as their location was often recorded when they sold or purchased a holding. There was also probate evidence and parish register baptisms and burials to augment the information. However the estimated figures should be used with caution. Table 5.28. summarises the numbers of tenants and the acreage which they held in 1665 and 1705.

Table 5.28 Tenant residency in the manors in 1665 and 1705

| <i>Manor</i> | 1665 Residency | | | | 1705 estimated residency | | | | <i>Change in Nos</i> | <i>Change acre %</i> |
|--------------|----------------|------------|--------------|---------------|--------------------------|------------|--------------|---------------|----------------------|----------------------|
| | <i>No Tens</i> | <i>Res</i> | <i>No. %</i> | <i>Acre %</i> | <i>No Tens</i> | <i>Res</i> | <i>No. %</i> | <i>Acre %</i> | | |
| Chilbolton | 22 | 19 | 86% | 90% | 25 | 14 | 56% | 40% | -30% | -50% |
| Littleton | 6 | 4 | 67% | 71% | 6 | 2 | 50% | 28% | -17% | -43% |
| Ovington | 17 | 10 | 59% | 57% | 15 | 4 | 27% | 11% | -32% | -46% |
| Exton | 23 | 16 | 70% | 71% | 26 | 15 | 58% | 71% | -12% | 0% |
| V Dean copy | 29 | 19 | 66% | 62% | 29 | 18 | 62% | 63% | -3% | 1% |
| H. Ampner | 26 | 17 | 65% | 95% | 27 | 13 | 48% | 63% | -17% | -32% |
| Crawley | 39 | 25 | 64% | 72% | 36 | 21 | 58% | 58% | -6% | -14% |
| Meonstoke | 59 | 37 | 63% | 80% | 62 | 30 | 48% | 55% | -14% | -25% |
| V Dean Free | 35 | 21 | 60% | 71% | 35 | 18 | 51% | 49% | -9% | -22% |
| | 256 | 168 | 66% | 73% | 261 | 136 | 52% | 50% | -14% | -23% |

Source : Tenant holding analysis.

In 1665 the table shows that a mean of two thirds of tenants were resident, but with a range between 86% in Chilbolton and 59% in Ovington. The proportion of acres held by these residents was higher than that of their numbers – a mean of 73% - except in Vernham Dean and Ovington. In other words resident tenants in most of the manors held more land proportionately than non residents. After forty years this position had changed significantly. The number of resident tenants fell from two thirds to a mean of just over half – at 52%. The proportion of their acreage fell too, so that by 1705 the mean acreage was 50%. However the change was particularly dramatic in the 3Lives manors, where not only did numbers drop by up to one third, but the proportion of acreage held by the residents dropped well below that for the numbers. The tenants with larger landholdings had moved away.

¹⁷ Sub-tenancy is the subject of chapters 6 and 7 in this thesis.

Why the 3Lives manors should have experienced this amount of change can only be surmised. It was, as has been demonstrated, far more difficult to change tenant quickly where reversions had to be accounted for too. So it was more difficult for new outsiders to buy land and move into the village. Rather the tenancies would be somewhat fossilised into position and so those who inherited might well have moved out of the manor in the meantime but would keep their holdings to sub-let. By linking to the previous table on proportion which remained in the same family, this probability is borne out for Littleton and Chilbolton which had the highest retention rates within the family (along with Exton of course). It is suggestive of family members continuing to hold the land despite no longer being resident. Ovington has also been shown to be a different case where the Seward family living a short distant away had, over a long period of time, acquired a significant proportion of the customary area of the manor. French and Hoyle have commented that in other regions yeomen families of the late seventeenth century were no longer resident in the eighteenth, and that they retained their land for a while at least.¹⁸ These Hampshire manors would appear to be following the same trend.

5.11.3. Changes in the size of holdings

One of the important outcomes to assess was the impact on the size of holdings. Was polarisation evident; agglomeration; or other changes in structure? These issues have long been used by historians to suggest activities associated with the growth of agrarian capitalism.¹⁹ However the problem with any consideration of the size of farms presented in this way, is that it has always been only a measurement of ownership and not of farmed area. It has become increasingly obvious that with sub-tenancy in particular, the unit of production was often very different from the unit of ownership. As will be examined in subsequent chapters, it was difficult enough to know which tenants were subletting. It was almost impossible to discover to whom they sub-let and thus what the actual size of production was.

Nevertheless, the study of transfers here would not be complete without analysing the changes in the structure of size of ownership which occurred over the 61 years. It formed the *pays légal* situation in the manors. In chapter 4 the benchmark distribution

¹⁸ FRENCH and HOYLE *Earls Colne*, p 36.

¹⁹ See for example OVERTON *Agricultural Revolution*, p 171 et seq. and also SPUFFORD *Contrasting communities*, p 72 & 90.

of holding sizes was described and summarised in Table 4.2 and Fig 4.1. Annex 5.7 then details the profiles at twenty year intervals found in each manor in terms of numbers of holdings in particular acreage size groups, and Table 5.29 below summarises them between 1645 and 1705.

Table 5.29 Summary of holding size changes 1645-1705

| <i>Manor</i> | Chilb | Little | Oving | Exton | V Dn cpy | H Amp | Crawl | Meons | V Dn Fr | <i>Totals</i> |
|---------------------|-------|--------|-------|-------|----------|-------|-------|-------|---------|---------------|
| <i>Holding size</i> | | | | | | | | | | |
| 100 + acres | 0 | 0 | 0 | -2 | 0 | 1 | 2 | 0 | 0 | 1 |
| 75-<100 acres | 0 | 0 | 1 | 1 | 0 | 1 | 1 | 1 | 1 | 6 |
| 50 - < 75 acres | -2 | 0 | 0 | 2 | 3 | -1 | -2 | 1 | 0 | 1 |
| 25 - < 50 acres | 0 | -1 | -3 | 0 | -4 | -1 | -6 | 0 | -2 | -17 |
| 10 - < 25 acres | 2 | 0 | -3 | 0 | -1 | 0 | 0 | -4 | -1 | -7 |
| 0.5 - <10 acres | 1 | 0 | 0 | 0 | 0 | -3 | 1 | -2 | -1 | -4 |
| 0-<0.5 acres | 1 | 0 | 0 | 4 | 1 | 3 | 2 | 8 | 3 | 22 |
| <i>Totals</i> | 2 | -1 | -5 | 5 | -1 | 0 | -2 | 4 | 0 | 2 |

Source: Holdings analysis.

The striking immediate feature of the table is that whereas there was only an overall change in total numbers of holdings of two, there was everywhere a loss in the range of size 25 - <50 acres and a large increase in the numbers of dwellings with less than half an acre. There were more modest and varied (by manor) overall increases in the categories above 50 acres in size and losses in the sizes between 0.5 and < 25 acres. In terms of ownership some polarisation had clearly taken place.

However, inevitably the pattern was not the same in the different manors. In the most free of tenures in Vernham Dean, it is interesting to find that despite the best efforts of Thomas Mason to accumulate seven holdings, this was almost completely offset in acreage and numbers of holding terms, by the death of Robert White in 1657. He had been the largest freeholder in 1645 with 81.5 acres. However, he left only three daughters between whom custom in that manor moiety dictated that it must then be divided. Add to this the creation of three new small cottage plots – and the overall outcome was for no change in the number of holdings in that manor over the 61 years.

In the 3Lives manors there was almost no change in the bottom categories as they were unable to split off small plots for dwellings. There were changes in the middle-sized categories by virtue of lives coming to fruition and combinations of holdings shuffling.

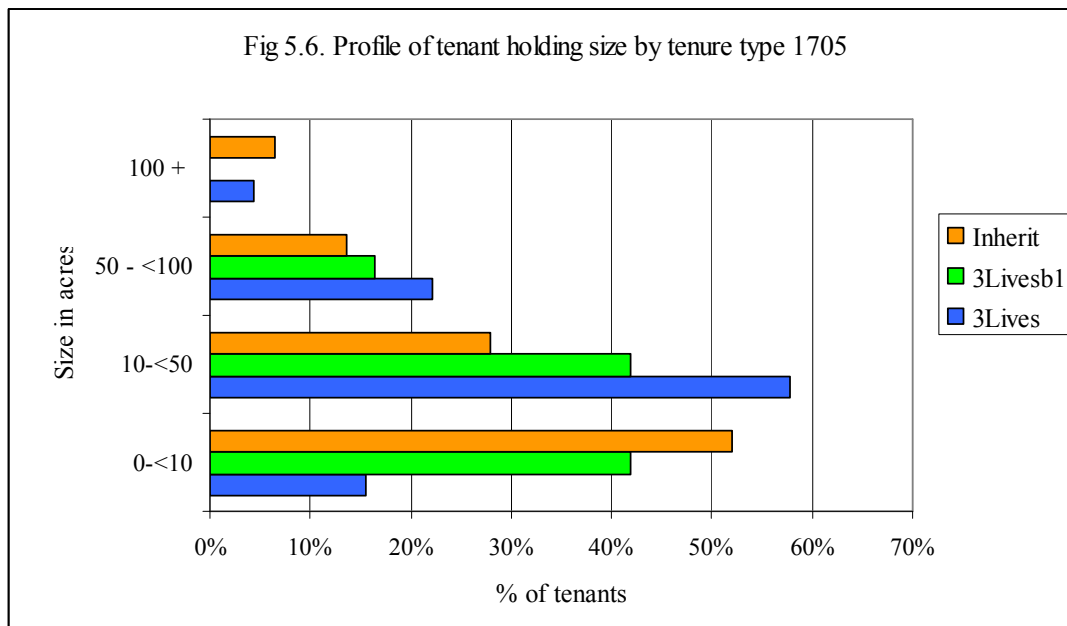
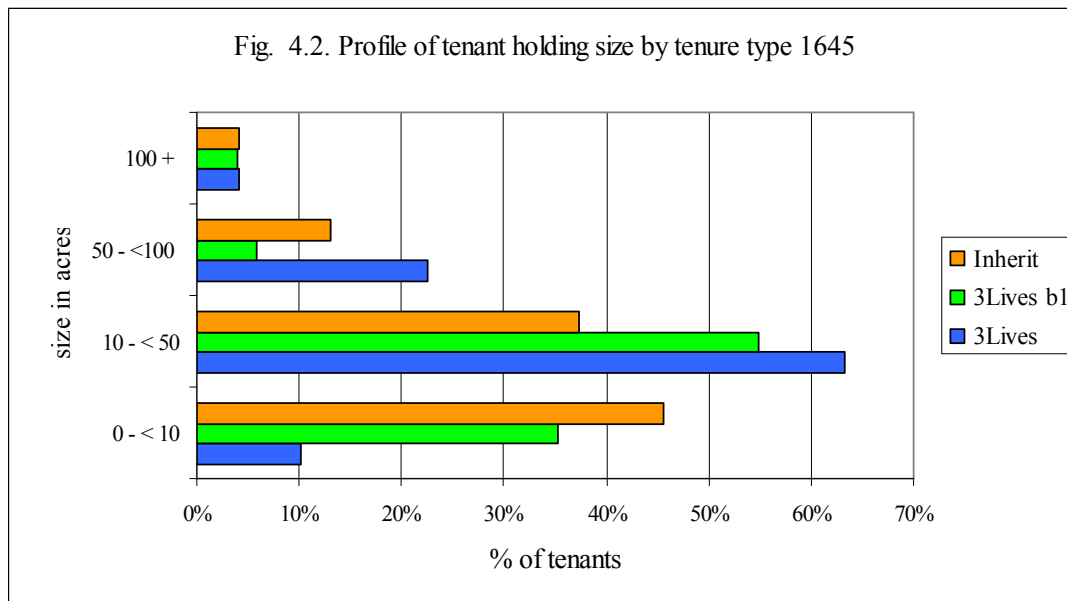
Ovington was the clear exception for the reasons connected to the accumulating activities of the Seward family described earlier. The 3Lives but1 manors showed their ability to split small parcels and Exton gained four of these. The manor also went against the trend and lost its two original large landholders with more than 100 acres. They were the Eyles and Baker holdings which were broken up within the family as described in the case studies. Vernham Dean copy moiety had many movements of holdings in the middle sizes, as there were many surrenders of all three lives together. However the result was not to accumulate any single large unit, but rather to shuffle.

The Inheritance manors also had gains in the cottage category with Meonstoke having the most. Annexe 5.7 shows that unlike the other manors, all that manor's small plots with dwellings were added in the first twenty years between 1645 and 1665. Of the eight new ones, four were new plots created on small areas of land split from larger holdings, and four were cottages which were divorced from closes and larger land holdings. This pattern focussed into one twenty year period was unusual until it is remembered that Meonstoke was subject to the stringent rule about not allowing multiple occupancy of houses before 1662.²⁰ It seems probable that the creation of separate dwellings was an attempt to circumvent the problem. For different reasons there was a large increase in Meonstoke in the 0.5 - < 25 acres categories during the period 1665-1685. George Lane died and split his holding into three for his daughters; Clement Kent sold up and split up his holding into several small pieces; Henry Dancaster split his holding for a while between himself and his son; and the Arnolls split their holding in half. All the increases were chiefly due to divisions to accommodate more children than one heir, or to prepare a son for taking over by surrendering part in advance. This explains why many of the pieces came back together again into larger groups by 1705. Otherwise Hinton Ampner had little movement – and the apparent addition of a large > 100 acre holding was only achieved after the death of Dorothy Lacy who had previously held more than 200 acres and split them between her two sons. Crawley had the Godwin family and Nathaniel Pyle both mentioned earlier.

In chapter 4 a bar chart (Fig 4.2.) was provided to show the size of holdings profile of the tenants, divided into tenure groups, for the benchmark year of 1645. It provided a better visual idea of the distribution pattern than is perhaps possible in a table. The

²⁰ Mentioned previously. A fine of £5 was levied on anyone accommodating an outsider to the family and seems to have been Winchester College's interpretation of the Poor Law.

technique is repeated here in Fig 5.6. for 1705 at the end of the study period. For ease of comparison Fig 4.2 has been repeated above it.



Source : Tenant holdings analysis

The charts show that despite the loss of middle-sized holdings as described above, the overall distribution pattern of the different tenure groups remained broadly the same for the 3Lives group with a very low percentage in the under 10 acre category compared with the other two groups, and a large bulge out at the virgate 10 - < 50 acre group level. The pattern of larger blocks of holding had been retained. The group with Inheritance tenure also retained the graded slope from highest to lowest acreage group – but if anything this was now more accentuated. The greater change is shown in the 3Livesb1

manors who gained at the bottom; lost at the top; and lost some of the middle; so that the resulting pattern is moving closer to that of the Inheritance manors.²¹

The overall conclusion is that some polarisation of holding size did occur, but that there was little evidence of one large accumulator about to take over a village (although the Swards were doing well in Ovington). The 3Lives manors retained their larger block structure of holding size, whilst the 3Livesb1 moved away from them towards the inheritance pattern with larger numbers of landless or smallholders. Rather like Earls Colne; what did not happen may be significant.²²

5.12. Permanent transfers - conclusions

The analysis of permanent transfers has demonstrated the way in which different customary tenures determined which transfer options were available; and how they were used. In some cases the overall pattern was similar between the manors, but the route to it was different. An early example of this was the examination of the proportion of after-death transfers in relation to those made *inter vivos*. The ratio for most manors was around one third after-death and two thirds *inter vivos*. However this concealed in the Lives manors a majority of after-death transfers for Life1 outweighed by around a two-thirds *inter vivos* for the reversioners. It appeared that the lives tenants may have used reversioner transfers to offset their inability to sell the main life; which actions made the overall results very similar to those in Inheritance manors.

The overall level of transfer activity as indicated by turnover was found to be as high as that found by Glennie and Whittle and higher than that found by van Bavel in other parts of Europe when the figures for inheritance tenured manors were used. The Lives manors had a higher rate when reversions were included, but lower if only life 1 was used. As the reversioners were only transferring a right or entitlement, it is doubtful whether they should be included in 'turnover' figures. However, even allowing for these different results the Hampshire results lend weight to the fact that English customary tenants were indeed more active than many of their continental neighbours at this time.

²¹ The tables on page 172-3 in OVERTON *Agricultural Revolution*, were examined to see if they compared with the results described here. It was found that the data were of a different nature and used different size groups, and in any event the precise form of tenure was not given. So a direct comparison with the results there was not possible.

²² FRENCH and HOYLE 'English individualism refuted', p 616.

The overall pattern of the transfers was found to have been dominated by mortality and political issues associated with the plague years 1666-71 and the Restoration lordly sort-outs during the early 1660s. Otherwise *inter vivos* transfers predominated and had a weak relationship to grain prices from 1686-1705, suggesting that an element of market forces was present during that period.

Transfers after a death went to the customary youngest heir in manors with inheritance tenure; and to Life 2 in the Lives manors. 'Custom' as such therefore had no role in who inherited in Lives manors. The latter had the effect of introducing a mean of up to 18% of unrelated 'heirs' into the succession in Lives manors which did not occur in the Inheritance manors where all heirs were kin. Long range planning was needed to secure a succession in Lives manors, and females had a higher chance of inheriting in Lives manors as their lives were more often placed into reversion. Nevertheless more than half the ultimate inheritors (ie after a widow had died) were children of the deceased – between 54% in Lives manors and 69% in Inheritance manors. The process of adding a new Life 3 into the lives queue after a death of Life1 was studied for the first time. Most of those nominated were more closely related to the new Life 1 than the deceased, but the majority still bore a relationship to the latter although more often in terms of another generation – grandchildren. About one third of those nominated were female, of whom half were replaced before reaching Life 1. So a purpose of using lives to improve marriage prospects for women was suggested. There was little evidence before 1700 of aggressive attempts by outsiders to place their own children at life 3, but a few cases where payments had been received, suggested an unseen market in lives.

Transfers *inter vivos* were mostly carried out by surrenders in manors with inheritance tenure and exchanges of reversion lives in the Lives manors. Other transfer activities sometimes found elsewhere such as conversion of copyhold to lease; creation of new holdings on spare waste land; or buying up of copyhold by a lord, were either absent or negligible in number. The tenants in Lives manors were restricted to exchanging or replacing lives in *inter vivos* activity, whereas inheritance tenants had a full range available including sale/purchase, split-offs of portions; entails, conditional surrenders; and surrenders to will.

The analysis showed that in all types of tenured manors more transfers occurred to extra-family than to family, but with the Inheritance manors it was close to 50 : 50. The pattern was suggestive of transfers still being part of the family, whilst predominantly

involving unrelateds. The amount of land transferred was almost everywhere larger in proportion to family than to unrelateds – with means of 24 acres and 18 acres respectively.

The transfer activity in manors of inheritance tenure included entails, conditional surrenders and marriage-related agreements to provide for children and old age. There was no evidence of a large-scale attempt to circumvent the custom of inheritance by the youngest son. Some surrenders were to eldest sons apparently to set them up; and some conditional payments were to eldest and middle children. But these were infrequent and rather randomly scattered about in the pattern of transfers. The pattern of transfers to unrelated purchasers was overwhelmingly local and within the county; and the smaller sized parcels predominated, as found in Slaidburn. If larger holdings were sold, then financial difficulties were the apparent reason on the part of the tenant. The examination of the purchasers showed that there were few multiple acquisitions and little sign of accumulators. It was found that where larger holdings had been gathered together, then by the next generation it was often dispersed again. Motivation was either to live in the property or to provide investment for local merchants or professional persons.

Transfers in the Lives manors involved only surrenders and exchanges, and a large proportion of them were only transferring rights and entitlements for a life in reversion and not the physical holding. There were about half as many transfers per tenant or reversioner as in the Inheritance manors, reflecting the restrictions on Lives tenants' activity. The proportion within the immediate family was lower, and for children less than 30%. More nephews, nieces and siblings were involved with reversion exchanges, and shuffling of lives was the main way in which a tenant could affect the future succession and/or assist a child to acquire capital later in life by providing a life which could be exchanged for money. The size of holdings transferred was much higher in the Lives manors, and as they could not be split there were effectively no small parcels to exchange. However, like the Inheritance manors the largest size above 32 acres changed hands least. Purchasers were also overwhelmingly local as with the Inheritance manors. It was shown to be almost impossible to accumulate holdings in Lives manors, and where this was effected in Ovington by the Seward family, it required a wait of between 30 and 40 years to come to fruition.

Overall the effect of all these transfers was that the land market was found to be active in all the manors, but to have processes which varied according to tenure. Some 46% of holdings were in the same family in 1705 as they had been in 1645; a result which accords with French and Hoyle's findings in Slaidburn. However the size profile of the holdings demonstrated some polarisation even within the forty years between 1665 and 1705 and all manors lost holdings in the 25-< 50 acre category. However, whilst the inheritance tenured manors made significant increases in the category for dwellings with gardens under half an acre, the 3Lives tenured manors retained their virgate block pattern with very few in the smallest category as they were still unable to split off small parts of their holdings. Meanwhile the residency rate for tenants dropped in all the manors but markedly by up to one third in the lives manors. This suggested that the tenants may have chosen to move away and sub-let their holdings as they could not easily sell them off. It also accords with the pattern observed by French and Hoyle elsewhere as noted above.

Chapter 6 Temporary transfers: the sub-letting of land

6.0. Introduction

The introductory chapter to this thesis outlined the background and reasons for the study of sub-tenure. Primarily it can provide a picture of the nature of the actual landholding as distinct from the formal recorded version found in the manorial records. Chapter 5 above has examined the permanent transfers of land found in these formal records, and so this chapter will now examine the temporary transfers associated with the sub-letting of land.

The main source documents were applications for formal licences to let which the tenants were required to make at court.²³ These licences were restricted to:

- those who wished to let for longer than one year and were prepared to comply with custom
- those who were noticed / informed upon or otherwise ‘found out’ by the steward for running over one year, or the previously agreed term.

This means that tenants who only let for one year are not captured in the data for this analysis. There is also a risk that tenants could fall between the two categories above and let without a licence. Kerridge researching villages in Wiltshire in the 1630s, found that to circumvent the payment for a licence, it was common practice for tenants to sub-let for 364 days; take the holding back for one day; and then to sub-let for a further ‘year’.²⁴ It is not easy to know how far such activity took place in these Hampshire manors. One feature of the manors is that most were administered at least partly via the demesne lease holder who lived in the local ‘Manor Farm’ and was thus ‘on the spot’ to inform the stewards about any tenant transgressions. Ovington had no local demesne farm and its records of licences are poor, so this may be why. On the other hand the timing of the Dean and Chapter’s significant crack-down on letting without a licence in 1686 in Chilbolton may well have coincided with the departure of Henry Talmadge at around that date. Henry had been living in the manor farm as a sub-tenant of the demesne lessee since the early 1660s, but was in fact a copyhold tenant himself. His loyalties may therefore have been divided, and it is possible that he had not reported any

²³ This applied to all tenants in all manors except the customary freeholder moiety of Vernham Dean which is thus necessarily omitted from the analysis.

²⁴ KERRIDGE *Agrarian problems*, pp 49-51.

sub-letting transgressions to the Dean and Chapter during the preceding twenty five years.

The frequency of fines for failing to obtain a licence which appear in the court rolls suggest that the lords were vigilant and that many were discovered. Examples of forfeits for letting without a licence are sprinkled throughout the court records. There seems never to have been a case where the property was actually confiscated, but a fine was levied and usually the tenant took out a formal licence the following year. Their details have therefore been included in the data used in the following analysis as they indicate that the property was in fact sub-let. It seems in the manors of study to have been fairly common practice for a tenant to take out a formal licence for 7 years, but then to let it run on for another year or two at the end until the steward or other representative of the lord noticed. In general, one or two years of illegal subletting was usually all that transgressors could 'get away with'.

So although it might be argued that using these formal records will once again only provide a *pays légal* of formally allowed sub-tenure, a considerable proportion of sub-letting in the manors of study *was* licensed, as evidenced by the very frequent finings for running over a previously licensed term. Perhaps what can be said with confidence is that the view of sub-tenure provided by formal licences and forfeit payments is the minimum position. The reality can only have been more and not less. The following analysis therefore examines this *pays légal* picture of formal sub-letting.

In addition to the licences and fines, three other possible sources were found which gave a limited insight into subtenure on particular dates. Firstly a partial survey in the parish of Kilmeston taken in April 1668 was discovered.²⁵ Kilmeston is not a manor of study, but it borders both Exton and Hinton Ampner and the date falls well within the period of this thesis. The survey showed occupiers as well as 'owners' (or formal tenants) of each piece of land, so that it was possible to draw up a tabulation of apparent subtenancy.

Secondly a series of margin notes made around 1700 by the Dean and Chapter in their holding registers recorded any informal information which they had been able to glean

²⁵ H.R.O. 36M 68 /1 1668 'Kilmeston Survey',

about the level of rent which subtenants were actually paying.²⁶ It was therefore possible to compare these with the annual rents known to be due for the holdings and assess their levels and make a rough calculation about possible profit levels. Finally a few probate inventories for persons living in a manor, but not known to be a formal tenant, indicated the scale of farming which these sub-tenants were engaged in.

6.1. Sub-letting with formal licences to let

The granting of a licence involved the payment of a fine and the recording of the term and date, plus an instruction only to let to honest and true persons. The Dean and Chapter and Bishop then further required a pledge by another person (usually another local tenant) against any heriots which would fall due if the letting tenant were to die during the term of the sub-let. It is thought that this pledging arose because heriots were traditionally a best beast, and if a property were to be sub-let there would be no beasts to provide from the letting tenant.²⁷ The sum involved was not insignificant – up to £6 against two or three best beasts. There are no records to show who the sub-tenants may have been, or what they paid in rent; except from some informal marginal comments in the later 1690s whose details are discussed later in this chapter. The records for Chilbolton and Exton during the Commonwealth decades before 1660/1 have not survived, and those for Hinton Ampner were patchy. Table 6.1 summarises the number of new licences granted by decade and calculates a mean per tenant.

Table 6.1 Numbers of licences to let granted by manor and by decade 1645-1705

| <i>Manor</i> | <i>Lord/ Tenure</i> | <i>Decade</i> | | | | | | | Mean no. tenants | Mean no. lic per ten |
|---------------|-------------------------|---------------|-------------|-------------|-------------|-------------|-------------|---------------|------------------------|----------------------------|
| | | 1645- 55 | 1656- 65 | 1666- 75 | 1676- 85 | 1686- 95 | 1696- 05 | <i>Totals</i> | | |
| Chilbolton | DC 3L | | 5 | 8 | 11 | 17 | 20 | 61 | 24 | 2.5 |
| Littleton | DC 3L | 2 | 2 | 1 | 4 | 5 | 5 | 19 | 6 | 3.2 |
| Ovington | DC 3L | 5 | 5 | 4 | 2 | 14 | 1 | 31 | 18 | 1.7 |
| Exton | DC 3Lb1 | | 3 | 10 | | 5 | 9 | 27 | 24 | 1.1 |
| V Dean Copy | WC 3Lb1 | 11 | 5 | 1 | 2 | 2 | 3 | 24 | 29 | 0.8 |
| H Ampner | DC Inher | 7 | 0 | 4 | 0 | 2 | 4 | 17 | 26 | 0.7 |
| Crawley | B Inher | 6 | 7 | 9 | 7 | 5 | 3 | 37 | 37 | 1.0 |
| Meonstoke | WC Inher | 6 | 2 | 3 | 11 | 7 | 5 | 34 | 60 | 0.6 |
| <i>Totals</i> | | 37 | 29 | 40 | 37 | 57 | 50 | 250 | 224 | 1.1 |
| | | 15% | 11% | 16% | 15% | 23% | 20% | | | |

Source : Manorial court rolls

²⁶ 'Cath: W54/6/2, Survey or holding register, 1660-1760.'

²⁷ Suggestion from David Rymill of the Hampshire Record Office.

The table shows a fairly flat pattern across the decades, despite the absence of data for the early decades. There was an undoubted peak in 1686-95 but this may have been a reflection of the Dean and Chapter's sudden implementation of more decisive oversight of the matter of letting without a licence and the issuing of many forfeits in 1686; rather than any underlying economic or social cause. If this close scrutiny in 1686 produced such an increase in licences, it seems very probable that the level of sub-letting then revealed was occurring in earlier decades, so that the 1686-95 figures bear a closer relationship to the *pays réel*.

The calculation in the right-hand two columns of the table of a mean number of licences per customary tenant is a very crude statistic which cannot be used other than for comparison between the manors. The results sorted by type of tenure, show that more licences per tenant were taken out in the Lives manors than in those with inheritance tenure. This provides an early indication that the Lives manor tenants were far more active in sub-letting. The transfer chapter 5 above showed that sub-letting was one of the few options for such tenants to use their land to provide income. They could not sell or mortgage their holdings.

Table 6.2. Lengths of term of licences to let: 1645-1705

| <i>Manor</i> | <i>Lord / Tenure</i> | <i>Length of term of licence issued in years</i> | | | | | | | | <i>Totals</i> |
|---------------|--------------------------|--|-----|-----|-------|-------|-------|-------|------|---------------|
| | | < 7 | 7 | 8-9 | 10-12 | 15-19 | 20-21 | 40-50 | Life | |
| Chilbolton | DC 3L | 3 | 53 | 2 | 1 | 1 | | | 1 | 61 |
| Littleton | DC 3L | | 12 | 1 | 5 | | | | 1 | 19 |
| Ovington | DC 3L | 3 | 24 | | 4 | | | | | 31 |
| Exton | DC 3Lb1 | 2 | 18 | 3 | 3 | | | | 1 | 27 |
| V Dean Cpy | WC 3Lb1 | 3 | 13 | 1 | 7 | | | | | 24 |
| H Ampner | DC Inh | 1 | 5 | | 8 | | 2 | | 1 | 17 |
| Crawley | B Inh | 6 | 15 | 1 | 9 | 3 | 1 | 2 | 0 | 37 |
| Meonstoke | WC Inh | 1 | 24 | 3 | 4 | | 1 | 1 | | 34 |
| <i>Totals</i> | | 19 | 164 | 11 | 41 | 4 | 4 | 3 | 4 | 250 |
| | | 8% | 65% | 4% | 16% | 2% | 2% | 1% | 2% | |

Source : Manorial court rolls

The lengths of term of the licences granted are shown in Table 6.2. and the overwhelming proportion were for 7 years. Crawley and Hinton Ampner were the two manors with a greater spread of terms for reasons which are not clear. The very few licences granted for life or 50 years were to cover special circumstances. In two cases

these were for widows in straightened circumstances (eg after the suicide of a husband), a third was to cover a young man, William Hedges of Chilbolton, who had inherited but was away on ‘the King’s military service’ for decades; and the fourth was to a mother and then a succession of cousins, to deal with the inheritance of deaf mute John Page in 1659 in Crawley, who then lived on for more than four decades. Otherwise there was most variation in term given to the tenants of the bishop’s manor of Crawley. The Dean and Chapter and Winchester College favoured the 7 year term.

There is evidence from forfeit threats in the court rolls, that many tenants let their licence terms run out without renewing them promptly. This may have been oversight, but was more probably an attempt to circumvent payment of the next fine; trying an excuse that letting for one year without licence could be interpreted as for one year after the end of a previous licence; or merely trying to see what they could ‘get away with’.

The extent to which licences were renewed or not; and which were cut short before the end of their agreed term is summarised in Table 6.3. The rates of renewal should provide evidence of the extent to which sub-letting was a long-term strategy rather than a shorter-term one-off use.

Table 6.3 Renewal of licences and failures to run to term, 1645-1705

| <i>Manor</i> | <i>Lord/ Tenure</i> | <i>Run to Term & renewed</i> | | <i>Run to Term not renewed</i> | | <i>Not run to end term</i> | | <i>Truncated at 1705</i> | | <i>Total licences No</i> |
|---------------|-------------------------|--------------------------------------|----------|------------------------------------|----------|--------------------------------|----------|------------------------------|----------|----------------------------------|
| | | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> | |
| Chilbolton | DC 3L | 25 | 41% | 13 | 21% | 11 | 18% | 12 | 20% | 61 |
| Littleton | DC 3L | 12 | 63% | 1 | 5% | 2 | 11% | 4 | 21% | 19 |
| Ovington | DC 3L | 6 | 19% | 10 | 32% | 11 | 35% | 4 | 13% | 31 |
| Exton | DC Lb1 | 6 | 22% | 9 | 33% | 6 | 22% | 6 | 22% | 27 |
| V Dean Cpy | WC Lb1 | 4 | 17% | 13 | 54% | 6 | 25% | 1 | 4% | 24 |
| H.Ampner | DC Inh | 3 | 18% | 6 | 35% | 7 | 41% | 1 | 6% | 17 |
| Crawley | B Inh | 12 | 32% | 13 | 35% | 8 | 22% | 4 | 11% | 37 |
| Meonstoke | WC Inh | 10 | 29% | 12 | 35% | 9 | 26% | 3 | 9% | 34 |
| <i>Totals</i> | | 78 | | 77 | | 60 | | 35 | | 250 |
| <i>Mean %</i> | | 31% | | 31% | | 24% | | 14% | | |

Source : Manorial court rolls.

Overall about one third of licences were subsequently renewed, but the range of percentage varied considerably between manors. Littleton’s high figure of 63% may be misleading as it is from such a small manor, but it indicates that three or four tenants let regularly. In fact they were all absentee tenants who were either living in Winchester or

farming elsewhere, and one was a long-term widow living with a son in a different manor. Chilbolton's figure of 41% is a fair reflection of a significant long-term letting activity in that manor by many of the tenants, and in fact many licences which have to be recorded as 'not renewed' were probably let to run on without acquiring a licence. Tenants such as the Beomands let their property throughout the period. Ovington, Hinton Ampner and Vernham Dean were at the other end of the range with an average of only 18% of licences being renewed. The reasons seem to be different. Ovington had a significant change of tenant ownership after the Restoration and their first lives were more prone to surrendering. Hinton Ampner as an inheritance tenure manor contained tenants who tended to use lettings as a short-term strategy supplemented by mortgages and surrenders; and Vernham Dean similarly as although they were a lives tenure manor, the first life could act alone and often did so in the same way as in an Inheritance manor.

The proportion of licences which ran to term, but were not renewed, was also on average about one third; and the pattern was close to that for all the manors except Littleton and Vernham Dean. As mentioned above, it is probable that many licences did run on despite not being officially renewed, but the figures reflect the official position. The licences which stopped before the end of the term formed about one quarter (24%). The reasons were most often the death of the tenants or remarriage of a widow, supplemented in Inheritance manors by subsequent decisions to surrender for sale or to take out a mortgage on the property. Finally there were 14% of licences which were truncated by the 1705 cut-off year of this research. All the Lives manors had a slightly higher percentage and the Inheritance manors a lower one reflecting the state of sub-letting by the end of the century wherein most of the Inheritance manor tenants had turned to mortgages rather than sub-letting as a way of acquiring maximum income from their property.²⁸ This included Vernham Dean Lives moiety which was by then behaving as if it were an Inheritance manor.

One slightly unusual feature of licences in the Winchester College manors in the 1640s and 50s is worthy of comment. They were sometimes used as a device to cope with a mortgage or family succession. Meonstoke had several examples where a mortgage loan was raised on the property and a licence to let was then taken out by the mortgage lender back to the tenant. This may have been a legal device for the College landlords, or the tenant and lender preferred it. The practice was abandoned later in the century

²⁸ The mortgage results referred to are presented in chapter 8 below.

when mortgages became even more commonplace. The second type was where a father surrendered his holding to his chosen heir, and the latter then took out a licence to let back to his father. This was either, or both, an attempt to pay off fines before death, or perhaps to select the succession of an eldest or other son when custom dictated that the youngest should inherit after death. The longest licence of this kind was granted to Henry Dancaister in Meonstoke in 1651. His father James Dancaister had just surrendered his 25 acre holding to him in the same year, whereupon Henry took out a licence for 40 years to let back to his father. The court rolls do not record when the father died as all fines had already been paid, but the parish registers show his burial in 1667 and that of his widow in 1679. Henry eventually surrendered to his own son in 1688.

Turning next to the pattern of lettings over time, the percentage of tenants sub-letting was analysed by decade and by manor. Unfortunately there were gaps in the data for Chilbolton and Exton during the Commonwealth period, so that their six-decade development could not be assessed. Table 6.4 shows the proportion of tenants who were letting; and table 6.5 the total acres thus let. When the table results were sorted it was found that the results showed a clear division between the manors according to tenure type in the last three decades when the records were most complete. Accordingly the tables have been split into three so that the percentage means for each tenure type can be presented.

Overall the percentage of acreage sub-let was mostly higher than the percentage of tenants sub-letting, which suggests that tenants with higher acreage holdings predominated over those with smaller holdings. The tables appear to show that in the first two decades the mean proportion of acreage sub-let was at a similar level across all the manors at between about 20% and 30%, although the proportion of tenants involved was lower in the inheritance tenured group. After that, however, sub-letting in the lives tenured manors took off and increased in each decade until in the last one 53% of the tenants were sub-letting 72.5% of the land, and in Chilbolton these figures were 79% and 80.3% respectively. However, the pattern for the inheritance tenured manors and – interestingly - for the 3Livesb1 group remained at a similar level to the first two decades with fluctuations up and down. The decade 1676-85 had a small peak of activity in the Inheritance manors, but the peak in the 3Livesb1 group was in the previous decade 1666-75. As the three manors with 3Lives tenure were all administered by the Dean and Chapter who had a reckoning on licences to let in the 1680s, it is

tempting to wonder whether the pattern merely reflects a lordly attention to detail in the later decades. However as Hinton Ampner was also one of their manors and it does not display the same significant increase in rates of subletting over time, it would appear to be a genuine trend.

Table 6.4 Percentage of tenants sub-letting by decade, 1645-1705

| <i>Manor</i> | <i>Lord/ Tenure</i> | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 |
|-------------------------|-------------------------|---------|---------|---------|---------|---------|-----------|
| Chilbolton | DC 3L | | | 45.5% | 50.0% | 58.3% | 79.2% |
| Littleton | DC 3L | 16.7% | 33.3% | 14.3% | 42.9% | 33.3% | 33.3% |
| Ovington | DC 3L | 20.0% | 23.5% | 23.5% | 27.8% | 50.0% | 46.7% |
| <i>Tenure type mean</i> | | 18.3% | 28.4% | 27.8% | 40.2% | 47.2% | 53.1% |
| Exton | DC 3Lb1 | | | 43.5% | 12.5% | 16.0% | 38.5% |
| V Dean Copy | WC 3Lb1 | 23.3% | 24.1% | 3.4% | 12.0% | 11.5% | 10.3% |
| <i>Tenure type mean</i> | | 23.3% | 24.1% | 23.5% | 12.3% | 13.8% | 24.4% |
| Crawley | Bish Inh | 13.5% | 13.2% | 25.6% | 25.0% | 22.2% | 11.1% |
| H Ampner | DC Inh | 25.9% | 7.4% | 11.5% | 3.4% | 7.7% | 11.5% |
| Meonstoke | WC Inh | 8.6% | 8.5% | 8.3% | 16.7% | 12.5% | 4.8% |
| <i>Tenure type mean</i> | | 16.0% | 9.7% | 15.2% | 15.0% | 14.1% | 9.2% |

Table 6.5 Percentage of acreage sub-let by decade, 1645-1705

| <i>Manor</i> | <i>Lord/ Tenure</i> | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 |
|-------------------------|-------------------------|---------|---------|---------|---------|---------|-----------|
| Chilbolton | DC 3L | | | 45.7% | 56.1% | 69.4% | 80.3% |
| Littleton | DC 3L | 12.3% | 29.0% | 29.0% | 72.7% | 76.5% | 76.5% |
| Ovington | DC 3L | 28.9% | 25.1% | 30.2% | 41.5% | 63.5% | 60.7% |
| <i>Tenure type mean</i> | | 20.6% | 27.0% | 35.0% | 56.7% | 69.8% | 72.5% |
| Exton | DC 3Lb1 | | | 62.9% | 20.4% | 20.4% | 30.1% |
| V Dean Copy | WC 3Lb1 | 25.4% | 32.2% | 9.5% | 23.3% | 18.6% | 18.4% |
| <i>Tenure type mean</i> | | 25.4% | 32.2% | 36.2% | 21.8% | 19.5% | 24.3% |
| Crawley | Bish Inh | 19.4% | 13.4% | 39.6% | 42.4% | 33.6% | 23.7% |
| H Ampner | DC Inh | 50.7% | 28.0% | 13.0% | 0.2% | 11.4% | 14.8% |
| Meonstoke | WC Inh | 17.1% | 25.9% | 20.8% | 38.1% | 22.8% | 6.9% |
| <i>Tenure type mean</i> | | 29.1% | 22.4% | 24.5% | 26.9% | 22.6% | 15.1% |

Source : Licences to let.

The figures for two of the Lives manors – Chilbolton and Littleton – far exceed the 64% estimate found by Harrison at an earlier date.²⁹ Unfortunately there are no figures for Chilbolton in the earliest decades. The highest in the Inheritance manor group was Crawley with 25% of tenants sub-letting 42% of the acreage in the decade 1676-85. It

²⁹ HARRISON ' Elizabethan village surveys ', p 86.

should be noted that Chilbolton and Crawley adjoin each other and share a common boundary.

A clue to the reason why the percentages were so high in the Lives manors lay in the restrictions of tenure. The transfer analysis in chapter 5 showed that tenants in manors with inheritance tenure had many more options for transferring their land than the lives tenure tenants. In all the manors some tenants were using their holdings to generate income, and there were three main ways in which they could do so. They could sub-let the holding and receive rent; they could sell all or part of the holding; or they could raise a mortgage loan on it. All three options were open to tenants living in manors with customary of inheritance tenure, but those in Lives manors could not sell or mortgage, so to sub-let their holdings was the only option open to those tenants who wished to gain income from their property rather than farming it themselves. It seems that this is the reason why the Lives manors had much higher rates of formal sub-letting with licences and the reason for the division between the types of manors according to tenure.

The position of the two intermediate 3Livesb1 manors should be mentioned in this context. Although they had tenure for 3lives, in both of them the first life could act alone. The effect of this was to enable the first life to sell and mortgage, and so the manors began to behave more like those with inheritance tenure. They had other options available than sub-letting if they wished to raise capital from their property. Vernham Dean copy moiety tenants were earlier to this than Exton, probably because the other moiety had customary freeholders and the tenants lived alongside each other. Mortgaging began later in Exton and probably explains why the rates of sub-letting there are higher than in Vernham Dean but significantly lower than the full 3Lives manors.

It is relevant to consider which tenants applied for the licences to let. The reconstruction of holding histories undertaken for the land transfer study was able to provide some (but not all) information about residency, gender and marital status. It also provided an insight into the way in which the letting fitted into the pattern of the tenants' activity with their land. Table 6.6 summarises the residency status together with an indication of those who were resident widows and minors – both of which groups often had a need to rent their land as distinct from those who did so for

investment purposes. The first two columns show residents and need to be added together to compare with the single 'non-resident' column.

Table 6.6 Types of tenants sub-letting in the manors 1645-1705.

| <i>Manor</i> | <i>Lord/ Tenure</i> | <i>Resident tenants</i> | | <i>Resident widows*</i> | | <i>Non- residents</i> | | <i>Minors</i> | | <i>Other</i> | | <i>Total Tens</i> |
|---------------|-------------------------|-----------------------------|----------|-----------------------------|----------|---------------------------|----------|---------------|----------|--------------|----------|-----------------------|
| | | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | |
| Chilbolton | DC 3L | 25 | 45% | 13 | 23% | 16 | 29% | 2 | 4% | | | 56 |
| Littleton | DC 3L | 1 | 8% | | | 11 | 92% | | | | | 12 |
| Ovington | DC 3L | 2 | 8% | 2 | 8% | 22 | 84% | | | | | 26 |
| Exton | DC Lb1 | 11 | 41% | 2 | 7% | 13 | 48% | 1 | 4% | | | 27 |
| V Dean Cpy | WC Lb1 | 8 | 32% | 2 | 8% | 14 | 56% | 1 | 4% | | | 25 |
| H.Ampner | DC Inh | 3 | 17% | 6 | 33% | 8 | 44% | 1 | 6% | | | 18 |
| Crawley | B Inh | 14 | 34% | 1 | 2% | 18 | 44% | 3 | 7% | 5 | 12% | 41 |
| Meonstoke | WC Inh | 17 | 45% | 2 | 5% | 16 | 42% | 3 | 8% | | | 38 |
| <i>Totals</i> | | 81 | | 28 | | 118 | | 11 | | 5 | | 243 |
| <i>Mean %</i> | | 33% | | 11% | | 49% | | 5% | | 2% | | |

*These widows were holding during their widowhood. Any widows holding in their own right are in the 'resident tenants' column.

Source : Licences to let.

The table shows that overall the percentage of resident tenants taking out licences to let was almost the same as that for non-residents (44% as against 49%), but that there were considerable variations between manors. Littleton and Ovington had very high rates of non-resident sub-letters, and it may be that their closer proximity to Winchester made this an attractive option. The Fifields, Harfells and Morleys from Littleton lived in Winchester and could walk or ride a horse out to their property with ease. Their dwellings and land would also have been attractive to sub-tenants so close to the city. Similarly the routes to Ovington along the Itchen valley were quick and easy. The other five manors had the pattern of almost 50:50 resident and non-resident although the proportions of widows varied. Chilbolton was the only manor where there was a two thirds resident rate for letting tenants. It is not clear why that might be, but it altered over time as will shortly be explained. An early conclusion to draw from this data is that sub-letting was not restricted to absentee tenants and/or widows and minors. Resident tenants were actively letting too. This is a different pattern from that in Earls Colne where French and Hoyle found that resident tenants rarely chose to sub-let.³⁰

³⁰ FRENCH and HOYLE *Earls Colne*, p 277.

Table 6.7 Types of tenants by residency status sub-letting by decade 1645-1705 ³¹

| <i>Types of tenants letting</i> | <i>1645-55</i> | | <i>1656-65</i> | | <i>1666-75</i> | | <i>1676-85</i> | | <i>1686-95</i> | | <i>1696-1705</i> | | <i>Totals</i> | |
|---------------------------------|----------------|----------|----------------|----------|----------------|----------|----------------|----------|----------------|----------|------------------|----------|---------------|----------|
| | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> |
| Residents | 9 | 30% | 11 | 34% | 18 | 40% | 16 | 40% | 14 | 28% | 13 | 28% | 81 | 33% |
| Resid widows | 4 | 13% | 6 | 19% | 5 | 11% | 4 | 10% | 6 | 12% | 3 | 7% | 28 | 12% |
| Non-residents | 13 | 44% | 11 | 34% | 17 | 38% | 18 | 45% | 29 | 58% | 30 | 65% | 118 | 47% |
| Minors | 3 | 10% | 3 | 10% | 4 | 9% | 1 | 2.5% | | | | | 11 | 4% |
| Other | <u>1</u> | 3% | <u>1</u> | 3% | <u>1</u> | 2% | <u>1</u> | 2.5% | <u>1</u> | 2% | | | <u>5</u> | 2% |
| | 30 | | 32 | | 45 | | 40 | | 50 | | 46 | | 243 | |

Source: Licences to let

Table 6.7 summarises how the proportions of resident and non-resident tenants who sub-let changed across the decades. Bearing in mind that figures for Chilbolton and Exton were not available for the first decade, the figures without them show that 43% of residents and 44% of non-residents were sub-letting. By the last decade the figure was 35% resident and 65% non-resident suggesting a marked increase in non-resident letting activity. The actual number of widows remained fairly constant, as did those of the residents. The change in proportion was therefore almost solely due to a more than doubling of non-residents sub-letting.

Despite the fact that there was considerable variation between manors, the significant features of the picture provided in this section are that there was a high level of sub-letting in manors with three lives tenure as that was the only method of income generation from their land available to them. The customary of inheritance manors used sub-letting to a far lesser extent because they were also selling and splitting and using mortgages. Letting was not restricted to non-residents, widows and minors. A regular one third of resident tenants were taking out licences. As at least one third of licences were renewed, there is an indication that letting was often a long term strategy. Moreover if it is remembered that all this data refers only to formal licences, and that it therefore represents a minimum of the actual level, then sub-letting was truly a significant aspect of rural economic activity in these manors in the later seventeenth century. Of course if it could be determined to whom the tenants were letting, then further interesting analysis could be carried out to see whether informal large farms were being agglomerated via sub-renting, or whether the holdings were merely being shuffled around to make more efficient use of the plots.

³¹ The figures show those who had a licence in force at some time during the decade.

6.2. Fine and heriot costs

The fine charged for a licence to let, plus a heriot pledge in the case of the death of the tenant during the term were the main formal outlay for the tenant. In general the three landlords seem to have charged a flat rate fee of about 10s (120d) for up to about 25 acres; 20s (240d) for up to about 50 acres and so on for a 7 year term. Heriot pledges were about £2 per heriot/beast equivalent. However there was considerable variation. The Dean and Chapter and the Bishop sometimes granted a life licence, but it was costed at no more than those with a shorter term. This was probably because it was usually to cover special circumstances like the granting of a life term to John Harfell in Littleton in 1661 after the suicide of his father; or a term of 50 years (effectively 'life') in the case of Mrs Sybil Page in Crawley in 1659 whose son John inherited a tenancy but was deaf mute. In a few other cases no charge was made at all and 'ex gratia' merely recorded. There are no clearly stated reasons why, but presumably they also covered special situations. Table 6.8 shows the overall average costs of a licence in pence in the different manors with the ex gratia excluded.

Table 6.8. Average fines for licences to let by manor 1645-1705.

| Manor | Lord/ Tenure | No licences included | Av cost of fine per acre in d | Av fine in d per year | Av fine per acre pa. in d |
|--------------------|-----------------|-------------------------|----------------------------------|--------------------------|------------------------------|
| Chilbolton | DC 3L | 56 | 4.28 | 25.03 | 0.61 |
| Littleton | DC 3L | 16 | 7.10 | 44.34 | 0.86 |
| Ovington | DC 3L | 32 | 6.73 | 26.10 | 0.92 |
| Exton | DC 3Lb1 | 22 | 6.97 | 28.52 | 0.83 |
| V Dean Copy | WC 3Lb1 | 19 | 7.88 | 9.16 | 0.99 |
| H Ampner | DC Inh | 12 | 4.24 | 26.03 | 0.56 |
| Crawley | B Inh | 33 | 7.74 | 31.69 | 0.93 |
| Meonstoke | WC Inh | 29 | 5.68 | 25.01 | 0.78 |
| <i>Totals/Mean</i> | | 219 | 6.13 | 23.53 | 0.84 |

Source: Fines in manorial court records.

Most of the licences cost between 0.78 and 0.99 pence per acre per year except for Hinton Ampner – which had very few licences and a small sample size, and Chilbolton which has no records for the first two decades. This latter becomes important when the following two tables are examined which show that overall in most manors, the fine rates went down later in the century from those charged at mid-century.

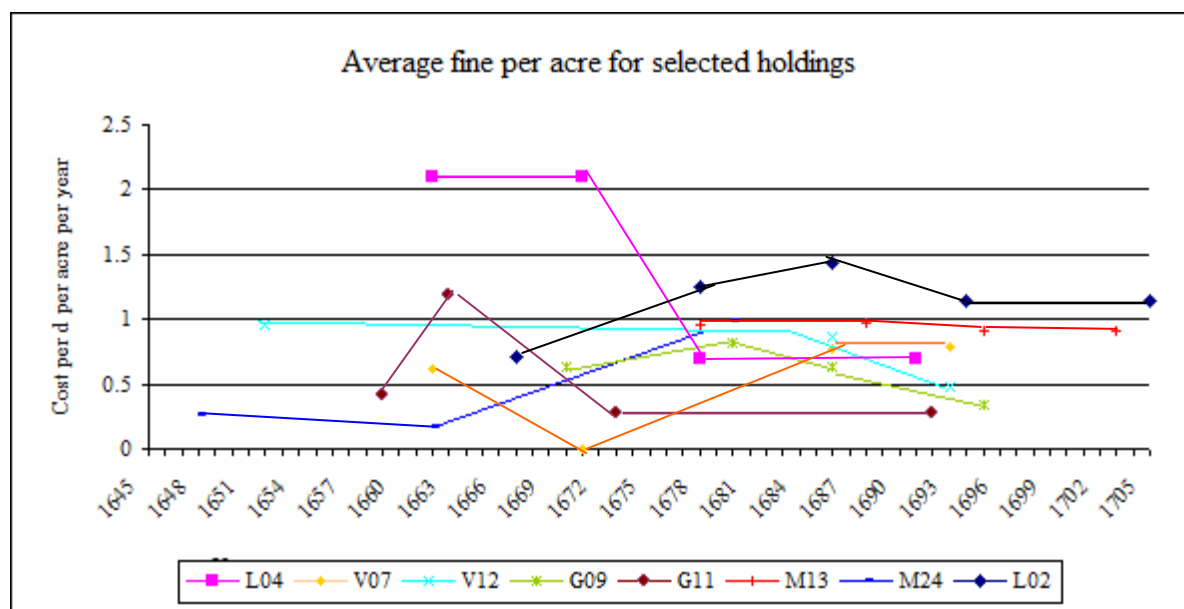
Table 6.9 shows the 20-year averages for four selected manors with a reasonable sample size, and Fig. 6.1 plots the cost of a fine for specific holdings which can be traced through the period and remained the same size (irrespective of who held them).

Table 6.9 The cost of a licence in selected manors per 20 year grouping.

| <i>Manor</i> | <i>Decades</i> | <i>Av cost of fine per acre in d</i> | <i>Av fine in d per year</i> | <i>Av fine per acre per yr in d</i> |
|--------------|----------------|--|----------------------------------|---|
| Crawley | 1645-1665 | 16.68 | 55.62 | 2.02 |
| | 1666-1685 | 5.23 | 21.73 | 0.62 |
| | 1686-1705 | 5.43 | 34.36 | 0.67 |
| Ovington | 1645-1665 | 8.30 | 32.11 | 1.07 |
| | 1666-1685 | 6.32 | 28.57 | 0.90 |
| | 1686-1705 | 5.87 | 22.00 | 0.82 |
| Meonstoke | 1645-1665 | 3.98 | 14.11 | 0.47 |
| | 1666-1685 | 5.06 | 28.77 | 0.70 |
| | 1686-1705 | 7.01 | 25.79 | 0.99 |
| Chilbolton | 1645-1665 | | | |
| | 1666-1685 | 4.93 | 29.52 | 0.70 |
| | 1686-1705 | 3.81 | 21.26 | 0.52 |

Source: Fines for licence in manorial court records.

Fig. 6.1 Average fine per acre over time for selected holdings.



Key to holdings : showing the manor; holding reference; tenant and acreage.

Littleton : L04 = Fifield, 49 acres and L02 = Morley 48 acres
Ovington : V07 = Cload, 47 acres and V12 = Dunce 25 acres
Crawley : G09 = Cleverley, 54.5 acres and G11 = Wayte/Carter 43.5 acres
Meonstoke: M13 = Wyatt,T, 34 acres and M24 = Collins, 87 acres

The table shows that fine rates declined in Crawley, Ovington and Chilbolton, but rose in Meonstoke. The holding graph shows the first three peaking at different points in the 1660s and 1670s and then declining and flattening out towards the end of the century. The pattern does not appear to correlate with the overall grain price changes summarised in chapter 5 above. It may be due to lordship policy. For example the Dean and Chapter and the Bishop may have charged larger fines in the early 1660s to recover those lost during the Commonwealth period. Winchester College manors were not confiscated by Cromwell, and so they may merely have continued on with fine levels as before and allowed them gradually to rise over time.

Although it is interesting to examine these changes in pattern of costs over time, the low level of total fine was such that it seems unlikely that it was a significant factor in the tenants' decision-making to sub-let. The examination of the income the tenants may have made from sub-letting at rack rents presented later in this chapter shows that the costs of the licence plus annual rent were likely to be completely covered within the first year of the term or certainly by the second.

6.3. Evidence of sub-tenure from a survey of Kilmeston 1668

The previous section examined formal licensing of subletting. This section will examine some evidence for informal sub-letting which is usually very difficult to uncover. Apart from the formal licences to let described above, researchers usually have to rely upon the discovery of a documentary source where 'occupiers' are listed either together with the 'owner' tenants, or the identities of the latter are known from another source. Harrison's and Hipkin's studies are two well-known examples.³²

Evidence of this kind for Hampshire was provided by a survey dated April 1668 in the manor of Kilmeston.³³ This was not one of the manors of study, but lies geographically between, and shares a border with, both Hinton Ampner and Exton – two of the research manors. The document states that it is a survey of 'Cox's Lands in the common fields'. Accordingly it consists of a long listing of every strip held by Cox together with the location details listing all four of the adjoining strips to the north, east, south, and west of each. Most importantly the name of both the 'owners' of the adjoining land is given in one column together with the names of the 'occupiers' of the same land in the next

³² HARRISON 'Elizabethan village surveys', ; HIPKIN 'Econ. Hist. Rev',

³³ 'Kilmeston Survey',

column. The result is a tabulation of owners and occupiers, and Table 6.10 summarises the position.

Table 6.10 Tenants and occupiers in Kilmeston: April 1668.

| <i>Tenant Name</i> | | <i>Occupier Name</i> | |
|--------------------|----------|----------------------|----------|
| Cooke | Richard | Andrews | Barwick |
| Duncombe | Mr | Shingler | Richard |
| Hellier | John | Hellier | John |
| Jennings | William | Jennings | William |
| Lacy | Mr | Lacy | Mr |
| Lacy | Mr | Oven | John |
| Lacy | Mr | Silvester | John |
| Lawramore | Mrs | Bone | William |
| Lawramore | Mrs | Foster | Sam |
| Lawramore | Mrs | Haseler | Thomas |
| Lawramore | Mrs | Silvester | John |
| Stewkeley | Sir Hugh | Stewkeley | Sir Hugh |
| Taylors | | Batts | Thomas |
| White | Wid | Batts | Thomas |
| Woodrofe | Mr | Foster | Sam |

Source: Kilmeston survey.

It is not clear what proportion of the land of Kilmeston was covered by this survey as the state of enclosure is not known, and hence the percentage occupied by the common fields is also unknown. There may well be, therefore, other tenants and sub-tenants involved in other parts of the manor lands. Moreover some of the ‘occupiers’ in the survey may be in fact ‘owners’ of other enclosed lands. This analysis can only report on those listed in the survey. It can also only analyse names, as acreages of the land involved are not shown.

The results show that there were 10 different tenant ‘owners’ listed for the abutting land and 12 ‘occupiers’. Of the 10 owners, only three are shown to be occupying their own land (John Hellier, William Jennings and Sir Hugh Stewkeley) and one (Mr Lacy) was occupying some, but not all of his. This gives a rate of between 60-70% of owners apparently sub-letting their land. It is also clear that the sub-letting pattern is complex. Mr Lacy farmed some of his land and sub-let parts of it to two other subtenants. Mrs Lawramore sub-let to four different sub-tenants, one of whom - John Silvester - was a sub-tenant of both her and Mr Lacy; whilst Sam Foster was a sub-tenant of both Mrs Lawramore and Mr Woodrofe.

As the year 1668 is not far from the Hearth Tax return of 1665, a comparison with that assessment was made to assess residency rates.³⁴ It transpires that of the 12 land occupiers, 10 of these were resident in Kilmeston in the Hearth Tax whereas only 3 of the 10 tenant 'owners' were. As the three resident owners were the same three who were occupying their own land, it can be concluded that non-residency/absenteeism appears to have correlated directly with sub-tenure in Kilmeston.

An investigation of the seven absent 'owners' reveals that, according to the Hearth Tax returns, two of them (Sir Hugh Stewkeley and Widow White) lived next door in Hinton Ampner; one (Mr Woodrofe) lived in Basingstoke (19 miles away); another (Richard Cooke) in Winchester (9 miles), and another (Mr Duncombe) in Wickham (11 miles). The remaining two could not be traced as their surnames were too common to identify them with any certainty. So it seems that the non-residents were either nearby in an adjoining manor or lived in towns within 20 miles of Kilmeston. This pattern mirrors that found for the absent residents of Meonstoke in the Hearth Tax in the next chapter. No evidence of more distant residency such as London was found.

Finally the apparent wealth of the occupying sub-tenants could be assessed from the size of their dwellings in the Hearth Tax. Sam Foster lived in a 6 hearth dwelling; William Bone had 5; John Sylvester 4; and Barwick Andrews, Thomas Batts and Thomas Haseler had 3 hearths. These were all substantial houses, so that the majority of the sub-tenants are seen to be probably of yeoman rank and not of the poorer level in society. Of the owner-occupiers, John Hellier and William Jennings had 1 hearth dwellings whilst Mr Lacy had 11 hearths and Sir Hugh Stewkley in Hinton Ampner had 20. Thus the owner-occupiers fell into the two extremes of wealth.

So the conclusion from this partial survey suggests that two thirds of the tenants were engaged in sub-letting, a rate which accords well with Harrison's sixteenth century results previously quoted of 64%.³⁵ It also parallels the results for the lives tenured manors in the study of formal licences described in the previous section above. (It is not clear whether Kilmeston had Lives or Inheritance tenure. It had been owned by the Bishop and leased out as a complete manor.) The sub-letting of land was mostly carried out by absent non-resident tenants, but the largest tenant Mr Lacy did sub-let some of his land whilst being resident. As for the occupying sub-tenants some of them at least

³⁴ HUGHES and WHITE (eds.) *Hampshire Hearth Tax*,

³⁵ HARRISON 'Elizabethan village surveys', p 49.

rented from more than one 'owner' tenant, and all of them lived in large dwellings suggesting that they had probably gathered substantial sub-let acreages together and formed the upper middle level in the Kilmeston social structure. The acreage units of farming were probably different from those of the holding units.

6.4. Sub-tenure in probate records and implications for the size of farms

Reference has just been made to the fact that some subtenants in Kilmeston were occupying more than one tenant's holding and that this combined with their large dwelling sizes suggests that they had amassed sizeable holdings, which may have produced a different farmed acreage pattern from that of the formal tenant holding sizes. A further insight into this issue is provided in a few probate records. Sometimes a tenant mentions his property in his will as "currently in the occupation of" another person, although that may refer to only a dwelling rather than the land. On other occasions the deceased clearly lived in a particular manor and the inventory shows crops and animals, but he had never been a tenant mentioned in court rolls. There is always the possibility that he lived in one village and farmed in the next, but the impression gained is that he was a sub-tenant.

An example of the first of these is John Fifield who was a tenant of a messuage and 49 acres in Littleton and died in 1671 in Abbotsworthy – a neighbouring parish – where he was the demesne lessee. He mentions 'my friend Edmund Sharp' as occupying his property in Littleton and indeed the said Sharp is there in the Hearth Tax of 1664/5.³⁶ However Sharp was prominent in Winchester and not a farmer and did not leave any signs of agricultural activity in his own will, so he probably only rented the three-hearthed house. The land was probably rented out separately to a local farmer. Indeed two other tenants of Littleton at that time were Richard Bellingers sen. and jun. and the latter begat two girls who married brothers called Snow. By the eighteenth century a jingo was in vogue in Littleton to the effect of "In Littleton snow is always on the ground".³⁷ The impression given is that the Bellingers and then the Snows (who only held 25 and 47 acres formally) farmed much of the manor on a sub-rental basis from the other tenants. As they were the only resident tenants by 1705, they may well have farmed the whole 293 acres, rather than just the 25 and 47 acres recorded against them.

³⁶ H.R.O.: 1671A/047, *'Will & inventory of John Fifield'*, 1671; HUGHES and WHITE (eds.) *Hampshire Hearth Tax*,

³⁷ oral history in the Littleton local history group but precise origin obscure.

In a different example, the will of Phillip Allingham of Exton was proved in 1675.³⁸ Allingham was described as ‘of Exton yeoman’ and occupied a 3 hearth dwelling in the Hearth Tax in 1664/5. The baptism of Allingham children appear in the parish registers between 1658 and 1716 and the family clearly lived in the village for at least half a century. However they were not formal tenants, and the surname never appears in the court rolls in any capacity. The inventory taken in October 1675 totals some £250 and contained more animals and grain than did one for Nicholas Pratt a little later who was known to hold at least 145 acres in Exton at his death and a further 70 acres in Meonstoke next door. So Phillip Allingham was farming a substantial area, and possibly up to 200 acres. It may be that this was in a parish such as Corhampton or Warnford next to Exton which are not included in this research. However the impression gained is that he farmed mainly in Exton – and if so he must have been sub-renting on a large scale, and more land than was subject to formal licences to let at that date.

Although these are but two examples, they do, when combined with the Kilmeston evidence, suggest that the effect of sub-tenure was, in some cases at least, to produce larger farmed units by area than the listings of size of holding for formal tenants would suggest. The *pays réel* was that fewer and larger units appear to have been farmed by persons renting quite large dwellings than the *pays légal* indicates.

6.5. Subtenure – evidence of actual rates of sub-rent in the holding registers.

It is notoriously difficult to ascertain the amount of rent which sub-tenants actually paid. A snapshot of some of these was provided in the 1690s for four manors in the Dean and Chapter’s copyhold ‘Survey’ books which were tenant holding registers.³⁹ The holding registers were begun after the Restoration and listed each holding by manor copied from the Parliamentary Surveys. Changes of tenant and reversion lives were recorded and dated, together with the amount of fine paid. They last for 100 years between 1660 and 1760. The information is brief; there are omissions and errors; and messy crossings-out often confuse the issue. They were working documents. However of most use in the study of sub-tenure are the occasional notes in the margins of the registers. The steward or his assistant was clearly moving around and seeking covert information about tenants and their sub-letting activity, and were sometimes able to determine the actual rates of sub-tenant rent that were being charged. The majority of the comments date from

³⁸ H.R.O.: 1675P/01, 'Will & inventory of Phillip Allingham', 1675.

³⁹ 'Cath: W54/6/2, Survey or holding register, 1660-1760.'

between 1696 and 1700 and appear to be related to tax assessments. The Land Tax was a new introduction at this time, and in 1697 it changed from assessment of individual properties to fixed quotas for each parish – so it may have been these which concerned the steward.⁴⁰

Margin notes were found for twenty four holdings in four Dean and Chapter manors, and consisted of comments such as:

“1696 Apr 28. Mrs Terry the tenant acknowledged this copy to be let at £38 per an”

“1696 asserted it is let to Mr Yalden for £5 per annum”

“ This estate confessed by Frances Nicholls to be let for £18 per an.

“1694 Dec 5 The tenant Jeffryes confessed that this copy had been let at £15 per an”

and more sensationally :

“1695 Sept 21 Mr Moss who has purchased 2 lives in this copy affirms it is lett at £18 per an. But afterwards speaking with Dr Richard Harris about it, he told me Whitehead sayd it was lett at £20 per an. £17 p.an for the tenant and £3 for what Whitehead kept for himself whereas Mosse reckoned it at £1 per an.”⁴¹

Table 6.11 summarises the initial findings, and compares the amount of rent paid per annum by tenants to the manor, with the annual amount of sub-letting income. The table has been sorted according to the multiplier of the sub-letting rent from the annual rent paid by the formal tenant to the Lord.

The overall low rate of rent paid by the formal tenants has already been commented on in chapter 4. Turner, Beckett and Afton found that in the 1690s 12d per acre was an average rate paid – although this was not a market rate.⁴² The fifth column in the table shows that the tenants in these Dean and Chapter manors were paying significantly less than this – in most cases only half (overall average rent per acre 6.5d). Accordingly they were in an excellent position to benefit from setting rack-rent rates for sub-letting and reap a rich reward. The sub-rental rates per acre in the seventh column show just how much more they were able to charge (overall average 82d per acre), and the final

⁴⁰ See for example : BECKETT, J.V. 1985. ' Land Tax or Excise: the levying of taxation in seventeenth- and eighteenth-century England ', *English Historical Review*, CCCXCV, C.

⁴¹ Dr Harris was the steward, and Thomas Whitehead the outgoing formal tenant at that time. Mr Moss' scurrilous tendencies are mentioned elsewhere in connection with pressure upon tenants to allow him to insert his own family in Lives rather than their own. Whitehead was one of those whom he bought out.

⁴² TURNER, M., BECKETT, J.V. and AFTON, B. 1997. *Agricultural rent in England, 1690-1914*, Cambridge, C.U.P.

column calculates the multiplier between them (overall average 12.6). A average mark-up of 1,262% represents a hugely profitable potential.

Table 6.11 A sample of sub-letting rental rates compared with tenants' rent 1694-1704.

| <i>Manor</i> | <i>Holding Ref.</i> | <i>Acres</i> | <i>Rent tot d. p.a..</i> | <i>Rent in d. per acre p.a.</i> | <i>Sub-let tot d. p.a.</i> | <i>Sub-let rate in d. per acre</i> | <i>Sub-let d. as multiplier of rent d.</i> |
|--------------|---------------------|--------------|--------------------------|---------------------------------|----------------------------|------------------------------------|--|
| Exton | E22 | 0.5 | 2 | 4.0 | 240 | 480 | 120 |
| Exton | E25 | 0 | 4 | n/a | 240 | n/a | 60 |
| Exton | E12 | 41 | 160 | 3.9 | 4800 | 117.1 | 30 |
| Exton | E26 | 22 | 114 | 5.2 | 2640 | 120.0 | 23.2 |
| Chilbolton | C14 | 11 | 64 | 5.8 | 1440 | 130.9 | 22.5 |
| Ovington | V07 | 46.75 | 280.5 | 6.0 | 4320 | 92.4 | 15.4 |
| Chilbolton | C08 | 49.25 | 348 | 7.1 | 4800 | 97.5 | 13.8 |
| Chilbolton | C07 | 56 | 336 | 6.0 | 4560 | 81.4 | 13.6 |
| Chilbolton | C19 | 63 | 368 | 5.8 | 4800 | 76.2 | 13 |
| Ovington | V17 | 44 | 264 | 6.0 | 3360 | 76.4 | 12.7 |
| Chilbolton | C26 | 59.5 | 304 | 5.1 | 3840 | 64.5 | 12.6 |
| Chilbolton | C12 | 63.25 | 393 | 6.2 | 4800 | 75.9 | 12.2 |
| Chilbolton | C06 | 55 | 360 | 6.5 | 4320 | 78.5 | 12 |
| Ovington | V12 | 25 | 200 | 8.0 | 2400 | 96.0 | 12 |
| Littleton | L07 | 47 | 336 | 7.1 | 3840 | 81.7 | 11.4 |
| Ovington | V05 | 18.75 | 109 | 5.8 | 1200 | 64.0 | 11 |
| Ovington | V01 | 14.75 | 120 | 8.1 | 1320 | 89.5 | 11 |
| Chilbolton | C05 | 62.5 | 367 | 5.9 | 3840 | 61.4 | 10.5 |
| Chilbolton | C02 | 62 | 346 | 5.6 | 3600 | 58.1 | 10.4 |
| Exton | E07 | 44 | 288 | 6.5 | 2880 | 65.5 | 10 |
| Chilbolton | C01+C02 | 64.5 | 482 | 7.5 | 4320 | 67.0 | 9 |
| Chilbolton | C09 | 34.5 | 276 | 8.0 | 2400 | 69.6 | 8.7 |
| Littleton | L02+L03 | 128 | 1058 | 8.3 | 9120 | 71.3 | 8.6 |
| Chilbolton | C22 | 19 | 170 | 8.9 | 1440 | 75.8 | 8.5 |
| <i>Mean</i> | | | | 6.5 | | 82.3 | 12.6 |

Source: Holding Registers

NB. Overall averages calculated with the two cottages excluded.

Each holding has a reference letter and number in the transfer database.

The two holdings at the top of the table were cottages – one of them without any land and the other with but half an acre. The multiplier is therefore very high and makes the sub-letting of cottages look particularly profitable if presented as ‘per acre’. However, the need to treat the analysis of cottages without land separately and without a ‘per acre’ measurement has already arisen in chapter 5 with transfers and will appear again in

chapter 8 relating to mortgages. Apart from cottages, the highest ranked holdings with land were both in Exton, which manor seems to have had generally lower tenant rent rates, and hence produced a higher multiplier for sub-letting. Exton was the manor once owned by (during the Commonwealth) and subsequently demesne leased by, the family of Dean John Young and it may be that it was treated more favourably. Similarly the next highest holding C14 in Chilbolton was tenanted by the Talmadge family who also occupied the demesne manor farm in the 1660s and were often treated sympathetically. The multiplier for all the remaining nineteen holdings lay between 8.5 and 15.4 and there is no particular pattern, except that for obvious reasons it tends to be lower where the formal tenant rent is higher. (It was not possible to explore how far the type of land may have influenced these rates as Exton and Chilbolton lands were never described in terms of pasture, meadow, and arable.)

Proceeding on from a simple comparison of tenant and sub-tenant rents, it was possible to add in the cost of licences to let (discussed in a preceding section of this chapter) which were taken out for a 7 year term during the 1690s and within a few years of the date of the sub-tenancy rate information. All of the holdings had licenses except the two cottages which appeared not to need or to have them. The other outgoing to factor in was the cost of the fine for adding a life during the 1690s. All the holdings had required a new life or an exchange of one during the period, so again a figure close in date to the sub-rental information was obtained.

Table 6.12 summarises the potential profit to be made on a particular holding when the outgoings of rent, a licence to let, and the fine for a new reversionary life were all paid in the first year and offset against a year of sub-letting income. In practice these all rarely happened at once. The licence fee could be amortised over 7 years and the cost of a life over rather more years. However the situation could well arise after, for example, the death of the primary life 1, whereupon the successor would need to take out a new licence and fund an additional new life all at once. So it is not too theoretical a situation. (Heriots fell due too, but were usually included in the life fine total, and are thus included in these figures.)

Table 6.12 Potential profit levels from the sub-letting of holdings.

| <i>Manor</i> | <i>Hold Ref</i> | <i>Acres</i> | <i>Rent Tot d p.a.</i> | <i>Sub-let Tot d p.a.</i> | <i>Licence Tot d. 7 yrs</i> | <i>Cost of Fine in d. for a Life</i> | <i>Profit at Year 1 in d. p.a.</i> | <i>Profit after 7 yrs term tot d. in £</i> | <i>£ per acre</i> |
|--------------|-----------------|--------------|------------------------|---------------------------|-----------------------------|--------------------------------------|------------------------------------|--|-------------------|
| | | | a | b | c | d | b-(a+c+d) | | |
| Exton | E22 | 0.5 | 2 | 240 | 0 | 360 | -122 | 1306 | £5.44 |
| Exton | E25 | 0 | 4 | 240 | 0 | 240 | -4 | 1412 | £5.88 |
| Chilbolton | C14 | 11 | 64 | 1440 | 36 | 1200 | 140 | 8396 | £35.0 £3.18 |
| Exton | E26 | 22 | 114 | 2640 | 120 | 1200 | 1206 | 16362 | £68.2 £3.10 |
| Exton | E12 | 41 | 160 | 4800 | 240 | 2400 | 2000 | 29840 | £124.3 £3.03 |
| Chilbolton | C08 | 49.25 | 348 | 4800 | 216 | 2160 | 2076 | 28788 | £120.0 £2.44 |
| Ovington | V12 | 25 | 200 | 2400 | 150 | 1920 | 130 | 13330 | £55.5 £2.22 |
| Ovington | V07 | 46.75 | 281 | 4320 | 258 | 3600 | 182 | 24419 | £101.7 £2.18 |
| Chilbolton | C07 | 56 | 336 | 4560 | 204 | 3840 | 180 | 25524 | £106.4 £1.90 |
| Littleton | L07 | 47 | 336 | 3840 | 180 | 3360 | -36 | 20988 | £87.5 £1.86 |
| Ovington | V17 | 44 | 264 | 3360 | 240 | 1800 | 1056 | 19632 | £81.8 £1.86 |
| Ovington | V01 | 14.75 | 120 | 1320 | 150 | 1920 | -870 | 6330 | £26.4 £1.79 |
| Chilbolton | C06 | 55 | 360 | 4320 | 192 | 4320 | -552 | 23208 | £96.7 £1.76 |
| Chilbolton | C19 | 63 | 368 | 4800 | 240 | 5280 | -1088 | 25504 | £106.3 £1.69 |
| Chilbolton | C22 | 19 | 170 | 1440 | 120 | 1200 | -50 | 7570 | £31.5 £1.66 |
| Chilbolton | C12 | 63.25 | 393 | 4800 | 240 | 6000 | -1833 | 24609 | £102.5 £1.62 |
| Chilbolton | C01/2 | 64.5 | 482 | 4320 | 240 | 2800 | 798 | 23826 | £99.3 £1.54 |
| Chilbolton | C09 | 34.5 | 276 | 2400 | 120 | 2400 | -396 | 12348 | £51.5 £1.49 |
| Littleton | L02/3 | 128 | 1058 | 9120 | 1200 | 12000 | -5138 | 43234 | £180.1 £1.41 |
| Exton | E07 | 44 | 288 | 2880 | 240 | 3600 | -1248 | 14304 | £59.6 £1.35 |
| Chilbolton | C05 | 62.5 | 367 | 3840 | 240 | 3840 | -607 | 20231 | £84.3 £1.35 |
| Ovington | V05 | 18.75 | 109 | 1200 | 60 | 1800 | -769 | 5777 | £24.1 £1.28 |
| Chilbolton | C02 | 62 | 346 | 3600 | 120 | 5400 | -2266 | 17258 | £71.9 £1.16 |

Sources: Holding register comments; licence fees in court rolls; Fines for Lives in court rolls & holding registers.

In the table, the column labelled c) shows the fee paid for a licence.⁴³ The cost of the fine paid around the licence date for a new life for that holding is in column d, and the total profit in year 1 and then after year 7 calculated. Finally a profit rate per acre is shown in the final column, and the table sorted according to this figure. The method is rough and ready, but serves to at least indicate the level of profit that the tenants achieved.

The table demonstrates that 10 of the 23 tenants would have made a profit even in the first year. All make one in the second year – provided that no more lives need to be added. The rate of profit per acre ranged between just over £1 to just over £3 per acre averaged across a 7 year term. Clearly different tenants would have negotiated different rates with their sub-tenants, and there is no information about the kind of land being sub-let to inform the rates. Meadow, for example, may have fetched more. In fact the

⁴³ These rent and fines given are the specific ones paid for these holdings and licences. Hence they differ from the averaged rates shown in chapter 4.

potential level of income over time is significant and it is therefore hardly surprising that so many tenants were sub-letting at this time. The income would, of course, be phased after the initial outlay on the fine – whereas conversely those in manors of inheritance where mortgages could be raised would acquire their capital at the outset and then gradually repay it. Presumably tenants made a choice as to how they preferred to use their land for investment purposes in those Inheritance manors.

6.6. Subtenure of land – conclusions

This chapter has examined such evidence as exists for subtenure of land in the manors in the second half of the seventeenth century, with the overall objective of revealing some of the reality of economic activity.

The analysis of the formal licences to let showed a level of subletting by customary tenants which was strongly correlated with tenure. By the last decade a mean of more than two thirds of the acreage was under sub-tenure in the Lives manors compared with only 25% in the Inheritance manors. The former exceeded the rates found by Harrison and Hipkin, whilst the latter significantly fell below their estimates. This is an important finding for other historians to bear in mind when examining subtenure at this date. A following chapter 8 will demonstrate that mortgages had become commonplace during the seventeenth century in manors with tenure of inheritance, and had thus widened the investment and capital-raising options open to the tenants in those manors. They could, by 1700, choose between sale, purchase, mortgage and sub-letting for their economic activity involving their land. However, the tenants with customary tenure of three lives effectively only had subletting as their method of raising income from their holdings, and they appear therefore to have embraced it wholeheartedly.

The residency data showed that it was not just absent tenants who sub-let. Up to one third of resident tenants did so in addition to widows and minors. This is an important finding for other historians who might be tempted to assume that it was only absentees who engaged in the activity by 1700. However the proportion of absentee tenants definitely increased during the half century of study – as demonstrated in chapter 5 above, and so some of the increase in letting was probably associated with this.

Rates of fines charged for licences were found to be relatively low when amortised over time with the average rent for tenants in pence per annum per acre at 6.5d. The discovery of information about actual rates of sub-rental revealed that the average sub-

let rent was 82d, which was a multiplier of more than 12. Even when the costs of the licence fine and a possible additional life were added into the equation, almost half of the tenants recovered their costs within the first year, and the other half before the end of the second. All would then have moved into profit. Provided that a tenant was not in need of significant amounts of capital 'up front' as was provided by mortgages or sale, then sub-letting represented a good economic prospect.

Renewal of licence data suggested that at least one third of those taking out a licence renewed them at the end of a seven year term suggesting long-term investment activity by that group of tenants. However another third of licences did not run to term – being truncated by death, sale or the end of the study period; and the final third ran to term but were not renewed. These latter appear to have been short-to medium term lettings after a death or whilst mixing letting in with other forms of economic activity such as a sale or mortgage.

Finally the albeit small sample of data from the Kilmeston survey and the probate inventories offered a glimpse of the reality of farm size produced from subtenure. The picture was indeed one of Hipkin's 'mutable holdings' with fewer and larger holdings in operation than the formal tenant holding size would otherwise indicate.⁴⁴ The sub-tenants for whom information could be found were mostly living in yeoman-level dwellings and farming land rented from several customary tenants.

From this window on sub-tenure of land in the Hampshire Downlands between 1645 and 1705, it becomes clear that this economic activity was widespread. A pattern of gradual withdrawal from the land was taking place. Many customary tenants were using their holdings to generate income in other ways than direct farming, and sub-letting was a significant component of this. Meanwhile, many of the sub-tenants were effectively agglomerating holdings into larger units of production and forming a middle-to upper-middle level in rural society. Progress towards agrarian capitalism was more advanced than the formal manorial records suggest.

⁴⁴ HIPKIN 'Romney Marsh',

Chapter 7 Temporary transfers : The sub-letting of dwellings

7.0 Introduction and methodology.

The documentary sources used for the transfer analysis included the Hearth Tax returns, and when it transpired that these returns showed occupiers of households rather than the formal tenants, the idea arose of using them in combination with the manorial records to undertake a study of the sub-tenure of dwellings. This has not been undertaken before, and as sub-letting is notoriously difficult to uncover, the opportunity was not to be missed of extending the current state of knowledge into the area of dwellings. At the same time an assessment could be made of how far the different types of records – manorial and taxation - presented the same, or different, pictures of the activity in a modest furtherance of the study carried out by Whittle and Yates;⁴⁵ and to estimate what impact such sub-letting may have had on the rural economy and societal structure. Any differences found between manors with different tenure types would also inform and extend the research presented in other parts of this thesis.

The methodology involved the comparison of two main sets of documents. Firstly a manorial tenants' holding register was constructed for each manor in 1665 derived from the transfer database, which in turn was based upon court rolls, and augmented by rentals, jury listings, wills and parish registers.⁴⁶ This provided the '*pays légal*' view of the formal tenantry from manorial records.⁴⁷ Secondly the 1664/5 Hearth Tax assessments were used to identify the occupiers of the manors – a form of '*pays réel*' of the actual inhabitants. This particular year of assessment was selected as it was the first to require all households in a village to be included, even if they were too poor to be chargeable. It therefore essentially provides a form of census of occupying heads of families. The 1664/5 assessment for Hampshire has been published, and the entries for the manors of study were cross-checked for accuracy of transcription with originals.⁴⁸ It was easy to identify and extract from the returns those who were, or were living in the dwellings associated with, the rectors, demesne leaseholders, and the occasional

⁴⁵ WHITTLE and YATES ' Pays reel or pays legal ? ',

⁴⁶ The method has already been used in the transfer studies here and was also used by French and Hoyle. FRENCH and HOYLE *Earls Colne*,

⁴⁷ The term used by Whittle and Yates which originated with Postan.

⁴⁸ HUGHES and WHITE (eds.) *Hampshire Hearth Tax*, . I am also indebted to Dr Rose of Roehampton who made available a version in Excel.

freeholder, as their names were known from manorial sources. A listing of those who were the customary tenants could then be arrived at.⁴⁹

Use of the Hearth Tax is not without problems. Firstly it was essential to ensure that the area of assessment was the same as that of the manor. This was the case as the manors had been pre-selected at the outset to have the same boundaries as their parishes. Secondly, there is the issue of whether the Hearth Tax assessors used whole or parts of dwellings as their units: if in some manors they used dwelling units, but household units in others where multiple occupancy may have occurred, then the picture would not be comparable. In fact in all the manors, it transpired that the number of households could be closely matched with the number of dwellings identifiable in the court roll holding descriptions, so it was concluded that dwelling units were used by the assessors for all of them.

The evidence for dwellings in the tenants' holdings was chiefly obtained from the manorial court roll descriptions. In their text the terms 'messuage' and 'mansion house', and 'tenement' were clear, and 'toft' indicated that a habitable dwelling no longer existed. The term 'cottage' was also straightforward in most manors, but in some the term 'cottacel' or 'cottagium' was sometimes used to describe small holdings of land. Where these had been abbreviated to 'cott' in the Latin text, it can be difficult to determine whether it was land or a dwelling that was referred to.⁵⁰

It was necessary to consider how accurate the court roll descriptions were, and whether dwellings may have existed which were not covered by them, for example cottages which had grown up upon the waste. In fact the year 1664-5 was timely. The ecclesiastical manors had been confiscated and sold during the Commonwealth years so that the lords held an immediate post-Restoration review in 1661-2. Accordingly 1664-5 was a year when the court roll holding descriptions were more up-to-date and accurate than usual. At the same time, the Winchester College landlords (who had not had their estates confiscated) had been so concerned about multiple occupancy and the taking in of extra persons during the 1640s and 1650s, that it was most improbable that they would have allowed new unofficial dwellings to pass unnoticed. After the Settlement

⁴⁹ The two differently tenured moieties of Vernham Dean could not be differentiated in the Hearth Tax so they are combined throughout the analysis in this chapter..

⁵⁰ It is often possible to infer which it was by cross-referencing the acreages given in the Holding registers 'Cath: W54/6/2, Survey or holding register, 1660-1760.' J.S.Drew addressed the issue for the medieval period in DREW The Manor of Chilbolton

Act of 1662 they may not have been so attentive.⁵¹ So the year of 1665 may have presented the most accurate picture possible for all lordships.

Thus the Hearth Tax and manorial reconstruction listings for the year 1664-5 were then compared and analysed. The task of matching the names of known customary tenants with household heads in the Hearth Tax assessments, was crucial in determining which tenants were present as 'owner occupiers'; which were apparently non-resident; and which household heads were apparently sub-tenants.⁵² However the method had some potential pitfalls which needed to be addressed. For example, it could not be known with certainty that a person with the same name in both lists was, in fact, exactly the same person. However, the length of time both before and after 1665 for which the reconstructions had been carried out minimised the possibility of mistaken identity. Holder names – together with relatives – had been plotted, and family trees drawn where several shared the same name.

The final issue was that of widows. In the Hearth Tax they all appear as 'widow' and any other aspect of their status is not known. From the holding reconstructions it was clear who were formal tenants in their own right in 1665 and which of them were enjoying their free-bench rights during widowhood only. Some of the latter appear to have continued to occupy the main dwelling on the holding even if an heir had already been formally admitted in court. Others were living in small one-hearth dwellings which may, or may not, have been annexed to the main one. A few had a right to occupy a dwelling during their life conferred on them under the terms of a conditional surrender or will. Some were the formal first life of three whilst effectively allowing Life 2 (usually a son) to farm the land. Their appearance in the Hearth Tax varies accordingly. This analysis has counted as 'owner occupied' any widow who held property under one of the tenures mentioned above and can be identified as probably living in the dwelling associated with the holding.

⁵¹ During the 1640s and 1650s the College manorial court rolls recite 'Orders' which included one whereby a fine of £5 was to be levied for any tenant found accommodating a person who was not in the immediate family. This included adult siblings and the elderly. It seems clear from the work of Hindle and Broad that this was due to an interpretation of the Elizabethan poor law statutes. The fine is not mentioned from the 1660's onwards – presumably after the passing of the 1662 Settlement Act. HINDLE *On the Parish ?*, ; BROAD 'Parish economies of welfare', ; FRENCH and HOYLE *Earls Colne*, p 254.

⁵² The term 'sub-tenant' will be used to cover all those who were not formal tenants. It is not intended to convey anything about the payment of rent. There is no information available about payment. Some may have paid rent and others may have been kin who did not do so, or employees who occupied 'in kind'.

7.1. Initial comparisons between the tenants and dwellings in the manorial holding reconstructions and the Hearth Tax returns

The results of the initial comparison between the customary tenant and householder listings are presented in Table 7.1. It has been sorted by the final column which shows the percentage of Hearth Tax householders who were apparently sub-tenants.

Table 7.1 Comparison between the number of manorial customary tenants and heads of households in the Hearth Tax 1664/5.

| <i>Manor</i> | <i>Lord/tenure</i> | <i>Total Custom. tenants</i> | <i>Total Househlds in H Tax</i> | <i>Those in both</i> | <i>% occup by formal tenants</i> | <i>Total apparent sub-tens</i> | <i>% of HTax househlds sub-tens</i> |
|--------------------|--------------------|--------------------------------------|---|------------------------------|--|--|---|
| Ovington | DC 3L | 17 | 26 | 10 | 59% | 16 | 62% |
| Chilbolton | DC 3L | 22 | 36 | 19 | 86% | 17 | 47% |
| Vernham Dean | WC 3Lb1+f | 61 | 75 | 40 | 66% | 35 | 47% |
| Littleton | DC 3L | 6 | 7 | 4 | 67% | 3 | 43% |
| Exton | DC 3Lb1 | 23 | 27 | 16 | 70% | 11 | 41% |
| Hinton Ampner | DC Inh | 26 | 30 | 19 | 73% | 11 | 37% |
| Meonstoke | WC Inh | 60 | 55 | 37 | 62% | 18 | 33% |
| Crawley | B Inh | 39 | 31 | 25 | 64% | 6 | 19% |
| <i>Totals/Mean</i> | | 254 | 287 | 170 | 67% | 117 | 41% |

Source : The 1664-5 Hearth Tax and the manorial tenancy reconstructions

The table shows in its first two columns, that there were, overall, more occupying households (287) listed in the Hearth Tax than there were manorial tenants (254). This implies that there were multiple dwellings on some of the holdings, although an examination of each manor reveals that Crawley and Meonstoke actually had more tenants than households for reasons to be explained later. The third column shows heads of households who were in both listings and thus assumed to be resident customary tenants – termed ‘owner occupiers’ in this analysis.⁵³ Their percentage of residency (column four) varied between 86% in Chilbolton down to 59% in Ovington with a mean of 67%. However the range for the other six manors was fairly small - lying between 62% and 73%. A first conclusion, therefore, is that the majority of manors had a two-thirds residency or ‘owner occupancy’ rate by formal customary tenants.

⁵³ They did not of course ‘own’ the property as such, but their tenure position is understood and the term is used for convenience.

The total of household heads who were not manorial tenants and therefore presumed to be sub-tenants (column five) was 117 - or 41% (column six) of the total households assessed in the Hearth Tax.⁵⁴ Every manor had some sub-tenants, but the range either side of 41% was wide; from only 19% in Crawley up to 62% in Ovington. When sorted by this percentage, the manors show a striking ordering by type of customary tenure. The three manors with tenure of inheritance have the lowest percentages of subtenants and those with '3 Lives' tenures had the highest.

A possible reason for this was indicated in the study of land transfer in chapter six. On these manors, copyholders for 3 Lives could not split up their holdings and sell off portions for cottages, so they seem instead to have developed multiple dwellings on their properties. In contrast the copyholders of inheritance tended to sell off small portions for dwellings and gardens so there were few holdings with multiple dwellings. There were therefore more small single dwellings available in Inheritance manors in which poorer families could live as tenants in their own right, and less need for sub-tenants as a workforce.

Having established the overall dimensions of apparent sub-tenancy in this way, the further exploration of the data is split into a twofold approach. This was because it was not possible to match the two sets of data precisely to identify who lived in which dwelling. The holding reconstructions only provide information that a dwelling existed and not its size; and the Hearth Tax shows the number of dwellings and how many hearths they contained, indicating size. So it is necessary to examine both sets of data in turn. The first section takes the perspective from the manorial reconstructions in order to establish the sources of dwellings for sub-letting; and the second the view from the Hearth Tax to explore what kind of persons the sub-tenants were and which sizes of dwellings they were inhabiting.

7.2. Residency and the sources of dwellings for sub-tenancy in the manors: the view from manorial records.

The holding descriptions in the manorial records were analysed to identify the sources of dwellings for sub-tenancy. They were found to come from two origins. The first were from customary tenants who had more than one dwelling on their holding and thus had

⁵⁴ As before, they may not all have been sub-tenants in the sense that they paid rent, but the term is used to cover them for convenience.

‘spare’ to sub-let; and the second were absentee tenants who did not live in the manor and could therefore sub-let their main dwelling (and others if they had more than one). Table 7.2 summarises the findings.

Of the 254 customary tenants, 136 or 54% of them had a single dwelling which they were apparently ‘owner-occupying’. The range between manors was small and lay between 48% in Exton and 64% in Crawley. So half the tenants at least appear not to have been sub-letting any dwellings. There were then 34 or 13% of tenants who were resident but had spare dwellings on their holdings – a total of 51 spare dwellings or 44% of all spare dwellings. Here there was a wider range between no tenants in Crawley with spare dwellings and Vernham Dean which had 10. However because there were different total numbers of tenants in each of the manors, when these numbers were converted into the percentage of tenants with multiple and thus spare dwellings, the results varied between 27% in Chilbolton and 0% in neighbouring Crawley. Apart from Ovington, the manors with the highest percentage of multiple dwellings seem to correlate with the Dean and Chapter lordship – suggesting that perhaps they had a more relaxed policy about the building of more than one dwelling on a holding. This may explain the Chilbolton / Crawley anomaly as the former was under the Dean and Chapter and had customary tenure of 3 lives, whereas Crawley was under the bishop and had inheritance tenure.

Absentee customary tenants who were not resident in their manors formed a mean of 21% of the tenantry and provided 66 spare dwellings for sub-tenure – or 56% of the total spare dwellings. Every manor had some absent tenants, but the range was wide from only 9% of tenants in Chilbolton to 41% in Ovington. It was sometimes possible to determine where they were living. The Meonstoke court rolls, for example, always mentioned the location of a non-resident holder. For other manors, where a tenant had an unusual surname it was possible to suggest where they may have been located if it was in Hampshire, as the Hampshire Hearth Tax has been indexed.⁵⁵ Another source was wills if known tenants died around the appropriate time so their location at death could be determined. The majority transpired to be living in parishes within about 8 miles of the manor in which they held land. A few lived in neighbouring counties and no more than one from each manor were living in London. There was certainly no

⁵⁵ The printed version of the Hearth Tax previously footnoted is indexed, but I am indebted to Dr Susan Rose of Roehampton for a version in Excel.

Table 7.2. Customary tenants; their residency, and sources of dwellings for sub-tenure in the manors 1664/5.

| Manor | Lord / tenure | Total cust tens | Total dwells | Resident tens with 1 dwell occupying it % of | | Resident tens with spare dwellings % of | | Absent tenants with dwells % of | | No of spare dwells from residents % of | | No.of spare dwells from absent tens % of | | Tens with land but no dwellings % of | | Total tenants sub-letting % of | | Total spare dwells for sub-tenure % of | |
|------------|----------------------|-----------------------|-----------------|---|------|--|---------|--|---------|---|---------|---|---------|---|---------|---|---------|---|------------|
| | | | | No. | tens | No. | tens | No. | tens | No | spare | No. | spare | No. | tens | No. | tens | No. | tens |
| | | | | a | b | c | d = c/a | e | f = e/a | g | h = g/a | i | j = i/q | k | l = k/q | m | n = m/a | o = e+i | p = o/a |
| Ovington | DC 3L | 17 | 26 | 9 | 53% | 1 | 6% | 7 | 41% | 3 | 19% | 13 | 81% | - | 0% | 8 | 47% | 16 | 62% |
| Chilbolton | DC 3L | 22 | 36 | 13 | 59% | 6 | 27% | 2 | 9% | 12 | 71% | 5 | 29% | 1 | 5% | 8 | 36% | 17 | 47% |
| V. Dean | WC 3Lb1 | 61 | 75 | 30 | 49% | 10 | 16% | 18 | 30% | 15 | 43% | 20 | 57% | 3 | 5% | 28 | 46% | 35 | 47% |
| Littleton | DC 3L | 6 | 7 | 3 | 50% | 1 | 17% | 2 | 33% | 1 | 33% | 2 | 67% | - | 0% | 3 | 50% | 3 | 43% |
| Exton | DC 3Lb1 | 23 | 27 | 11 | 48% | 5 | 22% | 3 | 13% | 8 | 73% | 3 | 27% | 4 | 17% | 8 | 35% | 11 | 41% |
| H. Ampner | DC Inh | 26 | 30 | 13 | 50% | 6 | 23% | 3 | 12% | 7 | 64% | 4 | 36% | 4 | 15% | 9 | 35% | 11 | 37% |
| Meonstoke | WC Inh | 60 | 55 | 32 | 53% | 5 | 8% | 12 | 20% | 5 | 28% | 13 | 72% | 11 | 18% | 17 | 28% | 18 | 33% |
| Crawley | B Inh | 39 | 31 | 25 | 64% | 0 | 0% | 6 | 15% | 0 | 0% | 6 | 100% | 8 | 21% | 6 | 15% | 6 | 19% |
| Total/Mean | | 254 | 287 | 136 | 54% | 34 | 13% | 53 | 21% | 51 | 44% | 66 | 56% | 31 | 12% | 87 | 34% | 117 | 41% |

Source : The 1664-5 Hearth Tax and the manorial tenancy reconstructions

evidence of a mass movement by customary landholders to large towns and London at this time.

The balance between the percentage of spare dwellings arising from multiples on holdings of resident tenants (column j in table 7.2) and those from absent tenants (col. l) varied widely between the manors from 100% of the spare being produced by absent tenants in Crawley, down to only 27% from this source in Exton. The pattern between the two sources bears little relationship to the type of tenure or lordship, so other factors were clearly at work. It is known that in Ovington, for example, there was an unusually high number of married women who were customary tenants at this time and they mostly lived with their husbands outside the manor. Hence the high 81% of spare dwellings arising from non-resident tenants. Conversely Chilbolton had an unusually high residency rate and so the majority of spare dwellings came from multiple dwellings on holdings. Crawley with its tenure of inheritance had seemingly split off portions for dwellings rather than developing any multiples, and all its sub-let dwellings came from absentees.

There were then 12% of tenants who held land without dwellings. They were included in the table in order to explain the total tenant numbers and did not themselves contribute any dwellings for sub-tenure. Despite this, some of them appear as resident householders in the Hearth Tax and were presumably sub-renting accommodation themselves from neighbours. Their presence also explains the apparent anomaly mentioned earlier, of why some manors had fewer householders in the tax returns than numbers of customary tenants. They are counted in the tenants listing, but not in that for the dwellings. In general this type of tenant occurred in the manors with inheritance tenure where parcels of land could be split off. The large blocks of holdings preserved in the Lives tenured manors all had dwellings on them.

The final columns of table 7.2 show that overall one third (34%) of tenants appear to have been sub-letting dwellings and that 41% of the households listed in the Hearth Tax were occupied by sub-tenants. The table sorts in this last column by tenure type, showing that Lives manors had the highest proportion of spare dwellings for subtenancy and the Inheritance manors the lowest. The ranges were 47% to 62% for 3Lives manors; 41%-47% for 3Livesb1 manors and 19%-37% for Inheritance manors. The range in percentage of tenants sub-letting was smaller around the mean of one third. This is a

substantial proportion of sub-tenancy and could not have been revealed by using the manorial records on their own. The *pays réel* was indeed different from the manorial *pays légal*.

7.3. Economic aspects of sub-tenancy

It was not possible to estimate the level of income which the sub-tenure of dwellings might provide in the way that was attempted for the letting of land in the previous chapter. No details were found of the rent which may have been paid, or work or contributions provided in kind. The lives tenured manors did not have any single dwelling holdings without land as they could not split their properties. For the other manors the amount paid by a customary tenant in rent to the lord for a single dwelling with curtilage or garden varied between only 2d up to 12d. The mortgage chapter will show that between £15 and £30 could be raised in loan on such a dwelling, which suggests that the market rate for rent from sub-tenants was probably many times more than the manorial rent. Letting would have been profitable. However, dwellings were often sub-let in association with land and it was not known whether a higher price in sub-rent was demanded if dwellings were included. It seems probable, but there is no evidence.

The picture is complicated by the probability that many of the sub-tenants may not have paid rent as such. The labourer's dwellings on the wealthy holdings may have been provided free in lieu of higher wages. Indeed, provision of housing may have made it easier for the farmer to attract good labourers. If relatives were the sub-tenants then they may have paid, or if the dwelling was provided free, the relative may have worked on the farm; helped with domestic duties, or many other possible activities which would have augmented the family's economic position.

Whatever the reality, further study in this area would be useful if suitable source records can be found. Meanwhile, although the financial parameters of the activity remain hidden, it does seem probable that the sub-letting of dwellings did contribute to the tenants' economy in a variety of ways; in kind if not always in cash.

7.4. Licences to let

While there was no information about the amount of rent paid by sub-tenants, the holding reconstructions included a record of formal licenses to let as discussed in

chapter six above. These licences normally referred to the whole holding, so that dwellings were not separated from the land. As the date of licence and the term of years were known for all the manors in 1664-5, it was possible to estimate how many licences were in force at that time and which contained dwellings. Table 7.3. summarises the situation.

Table 7.3 Number of sub-let dwellings covered by formal licences to let 1664/5.

| <i>Manor</i> | <i>Lord / tenure</i> | <i>Absent tenants with dwells</i> | | <i>Resident tens with spare</i> | | <i>Total dwells sub-let</i> | <i>Total dwells sublet with :</i> | | | |
|-------------------|--------------------------|---------------------------------------|----------------|-------------------------------------|----------------|-------------------------------------|---------------------------------------|----------|----------------|----------|
| | | <i>lic.</i> | <i>no lic.</i> | <i>lic.</i> | <i>no lic.</i> | | <i>lic.</i> | <i>%</i> | <i>no lic.</i> | <i>%</i> |
| Chilbolton | DC 3L | | 5 | 4 | 8 | 17 | 4 | 24% | 13 | 76% |
| Littleton | DC 3L | 2 | | | 1 | 3 | 2 | 67% | 1 | 33% |
| Ovington | DC 3L | 5 | 8 | 3 | | 16 | 8 | 50% | 8 | 50% |
| Exton | DC 3Lb1 | | 3 | 1 | 7 | 11 | 1 | 9% | 10 | 91% |
| V. Dean | WC 3Lb1 | | 20 | | 15 | 35 | | | 35 | 100% |
| H. Ampner | DC Inh | | 4 | | 7 | 11 | | | 11 | 100% |
| Crawley | B Inh | 1 | 5 | | | 6 | 1 | 17% | 5 | 83% |
| Meonstoke | WC Inh | 3 | 10 | | 5 | 18 | 3 | 17% | 15 | 83% |
| <i>Total/Mean</i> | | 11 | 55 | 8 | 43 | 117 | 19 | 16% | 98 | 84% |
| | | 9% | 47% | 7% | 37% | | | | | |

Sources : The 1664-5 Hearth Tax and the manorial tenancy reconstructions

The table can only show dwellings which were under a licence to let in force when they were part of a larger holding with land. There were no records found of licences to let a single dwelling, and it is not clear whether one was required. The ‘sin’ of subletting a house without a licence does not appear in the court records - an issue noted by Harvey for a much earlier period.¹ So it seems probable that it was mostly a matter arranged privately.

With this caveat in mind, it was found that a mean of only 16% of sub-let dwellings were covered by a licence, although the range was wide between 67% in Littleton and 50% in Ovington and none in Hinton Ampner and Vernham Dean. This may have been a result of more attentive recording by the Dean and Chapter; the fact that the Lives manors had no holdings without land to sub-let (and all the holdings had dwellings); or an element of serendipity.

¹ HARVEY *Westminster Abbey and its estates*, p 307.

7.5. The nature of the subtenants – the view from the Hearth Tax

Hearth Tax research conventionally examines the distribution of hearth numbers of the assessed households and uses them as an indicator of economic and social strata. The non-chargeable, exempt category of dwelling is taken as constituting the poorest sector of society. At the other end of the scale there has been some debate as to whether ≥ 3 or 4 hearths should be taken to indicate relative 'wealth'. This study used the hearth-size categories preferred by Arkell and the Roehampton Group.² The dwelling sizes are ranked, but then the N.C. (non-chargeable) exempt dwellings are identified separately and consist of some of both the 1 and 2 hearth-sized dwellings (ie. they are a sub-set of these two categories as assessment was not solely based on the number of hearths). The wealthier dwellings were taken as those with ≥ 3 hearths.

A caveat about the analysis in this section is that the size of dwellings could not be determined from the manorial holding descriptions. It was therefore not possible to match either owner occupying tenants or sub-tenants with precise dwellings. It was assumed that resident tenants lived on their holdings, and that when they held multiple dwellings that they lived in the largest size. This may not have been the case – particularly for example with widows. One customary tenant in Chilbolton – Henry Talmadge - was found to be living in the leased demesne manor farm, and so presumably had let his customary premises. It was assumed that these were exceptions.

A comparison was made between the number of hearths in the dwellings occupied by customary tenants and those occupied by sub-tenants. Table 7.4 summarises the results. It shows a clear difference between the two groups. There were almost three times as many sub-tenants living in the NC. exempt category (66%) than the owner-occupying tenants (27%). Similarly twice as many 'owner occupiers' live in the wealthier ≥ 3 hearth dwellings than subtenants (30% compared with 14%). In terms of absolute hearth numbers, the sub-tenants predominate in the one-hearth dwellings, whereas more owner-occupiers live in dwellings with 2 hearths or more. When the figures were examined for each individual manor, exactly the same pattern was found. All had between 71% and 56% of sub-tenants living in non-chargeable dwellings. This therefore appears to be a significant demonstration that the sub-tenants were generally living in the smallest properties and were probably poorer, landless families forming the lower

² Recommended in ARKELL 'Hearth Tax reg. var', ; SPUFFORD *Hearth Tax potential*,

stratum in society. Their appearance in the Hearth Tax in this lower stratum presents a different picture of their village society than that provided by the manorial records.

Table 7.4. The distribution of dwelling hearth sizes of customary and sub-tenants.

| <i>Number of hearths in dwelling</i> | <i>Owner-occupier customary tenants</i> | | <i>Sub-tenants</i> | |
|--|---|----------|--------------------|----------|
| | <i>No</i> | <i>%</i> | <i>No</i> | <i>%</i> |
| 5-9 | 8 | 5% | 2 | 2% |
| 3-4 | 43 | 25% | 14 | 12% |
| 2 | 40 | 24% | 21 | 18% |
| 1 | 79 | 46% | 80 | 68% |
| <i>Totals</i> | 170 | | 117 | |
| <i>Of which</i> | | | | |
| N.C. ³ | 46 | 27% | 77 | 66% |
| ≥ 3 | 51 | 30% | 16 | 14% |

Sources: The 1664-5 Hearth Tax and the manorial tenancy reconstructions.

An analysis of who the sub-tenants were, was undertaken by comparing their householder names with those of the formal tenants. The use of surnames is a well-established historical technique, and often they are the only indicator with which to work. However, the method has its limitations and can, for example, underestimate the number of kin when women have changed their name on marriage. In this research, the use of holding reconstructions from both before and after 1664-5 augmented by parish registers, wills and genealogical information provided details on marriages and kin relationships. The results are therefore more accurate than simple surname comparisons.

The sub-tenants fell into one of five groups :

- a) Known kin of landholders – either apparently living in a spare dwelling on their tenant relative's holding or not (because the tenant had no spare dwellings).
- b) Same surname as a landholder; thus presumed a relative, but not specifically identified as such in the records – again either living in a spare dwelling with their relative or not
- c) Customary tenants who were resident but had no dwellings on their own holdings. They were presumably renting from another holder.

³ Non Chargeable

- d) A mixed category named 'R' for convenience which included a tenant recently departed, or soon to come into a holding. These included reversion lives in waiting; persons who had recently surrendered; or those who purchased soon afterwards. Their appearance in the Hearth Tax might be because the date of assessment and court roll record were slightly mismatched, or they might be living on in a former dwelling; or be awaiting their succession. They had either been a customary tenant or were about to become one. (R)
- e) Not bearing a name known in the manor. These were assumed to be unrelated families (U)

It was intended to use the analysis to estimate the extent to which the sub-tenants were kin or unrelated; and to what extent they may have been accommodated on a relative's holding. Also it was important to investigate what size of dwelling the sub-tenants were occupying to provide a picture of their status and level of wealth. Table 7.5 shows the distribution of the types by manor, and Table 7.6 by hearth number.

Table 7.5 Distribution of types of sub-tenant by manor 1664/5

| <i>Type of sub-tenant</i> | | <i>Kin in</i> | <i>Kin no</i> | <i>Same</i> | <i>Same</i> | <i>Cust ten</i> | <i>R</i> | <i>Unrelated</i> | | <i>Totals</i> |
|---------------------------|-----------------|---------------|---------------|--------------------------------|--------------------------------|-----------------|----------|------------------|----------|---------------|
| <i>Manor</i> | <i>Lord/ten</i> | <i>spare</i> | <i>spare</i> | <i>surname</i> <i>spare</i> | <i>sur n o</i> <i>spare</i> | <i>no dwell</i> | | <i>No</i> | <i>%</i> | |
| Chilbolton | DC 3L | 2 | | | 1 | 1 | 3 | 10 | 59% | 17 |
| Littleton | DC 3L | | | 1 | | | | 2 | 67% | 3 |
| Ovington | DC 3L | 1 | 3 | | 2 | | 3 | 7 | 44% | 16 |
| Exton | DC 3Lb1 | | | | 2 | | 2 | 7 | 64% | 11 |
| V.Dean | WC | | 2 | 4 | 2 | | 5 | 22 | 63% | 35 |
| H.Ampner | DC Inh | 1 | | | 1 | | 3 | 6 | 55% | 11 |
| Crawley | B Inh | | | | 1 | 3 | | 2 | 33% | 6 |
| Meonstoke | WC Inh | | | 4 | 4 | 2 | | 8 | 44% | 18 |
| Totals/Mean | | 4 | 5 | 9 | 13 | 6 | 16 | 64 | 55% | 117 |
| | | 3% | 4% | 8% | 12% | 5% | 14% | 55% | | |

Source: The 1664-5 Hearth Tax and the manorial tenancy reconstructions

N.B. See text immediately above for any key to terms used in the table.

The largest category by far were the apparently unrelated sub-tenants, who formed 55% of the total. They appeared in all manors and had a narrow range between 44% and 64% proportion if the manors of Littleton and Crawley are excluded at the top and bottom of the range. (Both manors had a very small sample size so that the results could be

skewed by just one sub-tenant.) Of these unrelated sub-tenants, Table 7.6. shows that 77% of them were living in non-chargeable dwellings, which reinforces the previous finding that sub-tenants were poorer, and particularly if they were unrelated to the customary tenants. It is difficult not to conclude that they formed a substantial workforce.

Table 7.6 The distribution of hearth sizes of different types of sub-tenant 1664/5

| <i>Type of sub-ten</i> <i>Hearth numbers</i> | <i>Kin in</i> <i>spare</i> | <i>Kin no</i> <i>spare</i> | <i>Surname</i> <i>spare</i> | <i>Surn no</i> <i>spare</i> | <i>Cust ten</i> <i>no dwell</i> | <i>R</i> | <i>U</i> | <i>Totals</i> <i>No %</i> | |
|---|-------------------------------|-------------------------------|--------------------------------|--------------------------------|------------------------------------|----------|----------|------------------------------|-----|
| 5-9 | 1 | | | | | | 1 | 2 | 2% |
| 3-4 | | | 1 | 1 | 3 | 4 | 5 | 14 | 12% |
| 2 | | 1 | 4 | 4 | 2 | 4 | 6 | 21 | 18% |
| 1 | 3 | 4 | 4 | 8 | 1 | 8 | 52 | 80 | 68% |
| Totals | 4 | 5 | 9 | 13 | 6 | 16 | 64 | 117 | |
| N.C. | 2 | 4 | 5 | 10 | 2 | 5 | 49 | 77 | 66% |
| % of categ tot | 50% | 80% | 56% | 77% | 33% | 31% | 77% | | |
| ≥ 3 | 1 | | 1 | 1 | 3 | 4 | 6 | 16 | 14% |
| % of categ tot | 25% | 0% | 11% | 8% | 50% | 25% | 9% | | |

Source: The 1664-5 Hearth Tax and the manorial tenancy reconstructions

Of the small number of unrelated sub-tenants who lived in larger dwellings it was sometimes possible to find out who they were. For example, John Fifield was a customary tenant in Littleton holding 49 acres and a fairly large dwelling. He died shortly after 1665 leaving a will.⁴ In this it was revealed that he actually lived in Abbotsworthy a few miles away, and that Edmund Sharpe was occupying his house in Littleton. Sharpe appears in the Hearth Tax for Littleton in a house rated as '3Y'. So here is evidence of a moderately well-off absentee tenant renting out his dwelling to another of similar standing who was not a relative. In other examples the large 5 hearth dwelling in Exton was probably available from the absent Mrs Katherine Gunter who held 76 acres. In the Hearth Tax it is occupied by 'Henry Crowther Esq.' Two 3-hearth dwellings occupied by unrelated sub-tenants lay in Ovington with its high non-resident rate and very probably correlated with absent tenants William Russell who held 75 acres and Amy Badcock with 44 acres. In Vernham Dean Lucy Hellier was a customary tenant with 76 acres and was non-resident. She therefore probably provided a 3Y dwelling. None of these absentee tenants had any discernable kin living in their village, so the probability that they sub-let to unrelated persons of some wealth is high.

⁴ 'Will & inventory of John Fifield',

The categories of kin and those sharing a surname with established tenants formed 27% of the sub-tenants. Although the sample sizes are small, the results suggest that where their relatives had spare dwellings on their land they were sometimes able to occupy larger sized houses, but that where their relatives had no spare, they occupied a similar high percentage of non-chargeable poor housing as the unrelated category.

Finally there were the two groups totalling 22 sub-tenants or 19% who were all known in some way to the manor – either by being customary tenants holding land without dwellings but nevertheless living in the manor; or by being a recent past or future holder (R). The former type could only arise in manors with customary of inheritance tenure where parcels of land without dwellings could be split off; and the R group mostly came from manors where customary tenure for Lives meant that the two ‘waiting’ in reversion and remainder were recorded and known. Both groups had a low (c 32%) occupancy of poor NC dwellings which suggests that they may have wished to rent according to their status as present, past or future formal tenants and may have rented larger properties from absent tenants in the same village.

It would be incorrect to assume that all the sub-tenants were engaged in agricultural work, but information about their occupations was scarce. It was only possible to determine in a few cases if they died shortly after 1665 and left a will; or if they appeared in some way in the court rolls. For example of the two sub-tenants in Meonstoke occupying three large 3Y sized dwellings who were customary tenants but had no dwellings of their own - one was a tanner, and another a butcher. In Exton, Nicholas Pratt lived in a 2Y house and had recently made an advantageous marriage to the daughter of Widow Baker who held 117 acres with 5 dwellings on it. No doubt a substantial dwelling had been made available to him and his new wife. Also in Exton, Phillip Allingham ‘yeoman’ died in 1675 leaving an estate valued at £242. He appears in a 3Y dwelling in the Hearth Tax, but was never a formal customary tenant. He left 180 sheep, 35 other animals and crops which suggest that he was farming between 60 and 80 acres, so he must have been a substantial sub-tenant. Of smaller sub-tenants in non-chargeable properties in Vernham Dean, one was a blacksmith and one a weaver. The sample size is small, but confirms that not all sub-tenants were poor agricultural labourers. However it seems probable that many of them were.

7.6. A comparative case study – Chilbolton and Crawley

The way in which sub-tenure of dwellings affected outcomes in manors with different tenures can be illustrated by a comparison between the manors of Chilbolton and Crawley which lie next to each other and share a boundary. The former was under the Dean and Chapter and had 3Lives tenure, whereas the latter was under the bishop and had Inheritance tenure.

A study of the manorial court rolls alone for Chilbolton would lead to the conclusion that the manor contained 22 customary tenants who all had holdings of more than 11 acres. The stratum structure of village society was fairly flat with all tenants enjoying modest to large size holdings. Their number might represent a total population of about 110, and there were no apparently poor tenants.⁵ It might be assumed that either the tenants were still chiefly employing family labour at this time augmented by servants in husbandry living in. However the Hearth Tax reveals that there were 36 households in Chilbolton at that time – suggesting an actual population closer to 180. Of these only 19 were resident customary tenants and that the further 17 households were occupied by sub-tenants. Of these latter, 12 – or 63% - were living in 1 hearth exempt dwellings and were almost all unrelated to the formal tenants. Their dwellings mostly came from multiples which had grown up on the holdings of the customary tenants. This suggests that at least a dozen families, and probably more, were acting as landless workers in the village, and the ‘exempt’ nature of their dwellings suggests workers cottages and a level of poverty not found in the customary tenant group. Hence Chilbolton had in reality a sizeable lower stratum to its society. It also implies that subsistence agriculture had been left well behind and that farmers were using landless labourers. Its results are similar to those found in Shaw in Berkshire at an earlier period by Whittle and Yates. They found – using fiscal and probate records and comparing them with manorial – a ‘whole sub-strata of non manorial tenants and waged labourers’.⁶ Shaw was a Lives tenured manor similar to Chilbolton.

In contrast, Crawley in 1665 had 39 customary tenants who held land ranging from 97 acres down to half an acre, and there were five tenants with just a cottage and no land at

⁵ The use of an ‘average family size’ multiplier is a somewhat blunt instrument. Gregory King’s work, the Compton Census; and the detailed research by the Cambridge Population Group have all produced an estimated figure for average family size of between 4.3 and 5 for the later 17th century. 5 has been used here.

⁶ WHITTLE and YATES ‘ Pays reel or pays legal ? ’, p 25.

all. The distribution of holding size and apparent different strata in society, was far wider than in Chilbolton and had probably resulted from the ability of inheritance tenured tenants to split off parts of holdings for cottage building. There were poor tenants holding dwellings in their own right. From these a population size of about 195 is implied. The Hearth Tax returns, however, only show 31 households - fewer than the manorial listings of tenants. This was explained because some Crawley tenants owned land without dwellings on them – something only possible in Inheritance manors where holdings could be split into parcels; so they appear as manorial tenants but not as inhabiting householders in the village. There were sub-tenants in Crawley, but very few – only 8 - and they were living in dwellings owned by absent tenants – not in multiples on holdings as in Chilbolton. In consequence the manorial picture provided of village society in Crawley was much closer to the actuality in the Hearth Tax; and either a smaller landless workforce was used in this village (it was unenclosed and may still have had substantial small family farming); or the workforce came at least in part from poorer families who were nevertheless tenants in their own right with a dwelling of their own. Sub-tenancy and its effects made relatively little impression upon Crawley.

The difference between the two manors is significant. Crawley had a polarised formal tenantry in terms of size, and only a small number of sub-tenants who occupied a variety of house sizes. The landless group in the village existed, but were mostly direct manorial tenants in their own right occupying cottages. On the other hand, Chilbolton's 3 Lives tenure system did not enable splitting, so the tenants had developed multiple dwellings on their larger holdings, which they were then able apparently to sub-let to a class of landless workers. The overall actual number of households and population size in both the manors turns out to have been very similar – and the resulting social economic structure not so very different. However, unless a combination of historical sources had been used in this way, the reality would not have been revealed. Chilbolton tenants used the sub-tenure of dwellings to a considerable extent to offset the effects of their tenure. Crawley hardly did so.

7.7. Sub-tenure of dwellings - conclusions

The picture which this short study of the sub-tenure of dwellings has revealed, is one of sub-tenants in manors whose presence would not have been known from manorial records alone. This was particularly the case in manors with customary tenures of Lives.

The dimensions of the issue were that a mean of 34% of customary tenants were sub-letting dwellings in the snapshot of 1664-5 provided by the Hearth Tax. Of these slightly under half provided dwellings from multiples developed on their holdings and the other half came from absentee tenants who did not live in the village and therefore let their premises. Although some of the sub-tenants lived in large properties, two thirds of them lived in poor non-chargeable accommodation and 55% of them were unrelated to customary tenants of the manor. The inescapable conclusion is that this exercise has revealed the presence of a labouring workforce in the villages which was hidden from view in the manorial records. It gives strong evidence for the employment of landless labour – or at the very least the provision of dwellings in kind for workers – and hence that capitalist activity amongst the rural tenants was well underway.

Although it was not possible to measure the financial impact of these sub-tenants, it seems likely that they either paid in cash at a rate well above the beneficial levels of rent for the customary tenants; and / or that they ‘paid’ for the dwelling in terms of labour. Their contribution to the local economy must have been significant and further study of this is would be valuable if suitable documentary sources can be uncovered.

The study also provided a further example of the comparison between documentary sources as undertaken by Whittle and Yates.⁷ The manorial records had shown the *pays légal* information about the formal customary tenants, whereas the Hearth Tax used in combination with them has demonstrated a *pays réel* of the inhabitants. The actual numbers of inhabitants and therefore the population size of the villages was different; as was the social structure of village society.

Finally, in terms of the focus in this research upon tenurial differences between the manors, the proportion of sub-tenants living in a manor was found to be highest where tenure of 3Lives was the custom. This was attributed to the inability of Lives tenants to split off small portions of their holdings for cottage building, so that poorer families could not move into the village and become tenants in a single dwelling in their own right. The customary tenants’ only option for attracting a landless workforce – apart from accommodating them in their own houses - was to maintain multiple dwellings on their own holdings and sub-let them. This once again demonstrates the different way in which Lives tenants had to operate in order to achieve a similar end as those in manors with Inheritance tenure.

⁷ Ibid.

Chapter 8 Temporary transfers: The use of land in mortgages

8.0. Introduction

This chapter examines the use of their land by customary tenants to raise mortgage loans. It looks first at the overall dimensions of the mortgages in terms of number and acreage; the length of their terms and the interest rates. It then separately considers the borrowers and the lenders; who they were; how much money was loaned; how much land was involved; their locations and occupations; and whether there was any relationship between them. Four case studies are provided to show the pattern of use of mortgages according to their different motivations.

The source of the data was the manorial court rolls in which all surrenders were recorded including conditional surrenders. In chapter 5 above it was found that these were only an option for tenants with customary tenure of inheritance, and that some of the conditions related to provision for old age or for payments to kin. However a significant number were conditional upon a series of payments of money over a period of time, usually to unrelated persons. If they were repaid in full, then the surrender was deemed null and void. A failure to repay would result in a forfeit. The word 'mortgage' appeared in the margins of the court rolls associated with them, and it became clear that these were loans raised using the land holding as collateral.

In chapter 1 it was explained that little research attention has been paid to mortgages amongst the rural tenantry and that two issues in particular have hindered previous attempts.⁸ Firstly there was sometimes difficulty in identifying mortgages in the court rolls if the mortgages appeared as apparently 'normal' surrenders, after which any return surrenders made several years later might be missed. At that time, and during the seventeenth century, they could also be missed by researchers using records other than the manorial, such as probate accounts, as customary tenant mortgages do not normally appear there. Secondly, limited attention has been paid to the impact of the laws of usury. Before the later sixteenth century the charging of interest was forbidden, so any mortgage either had none, or the payment of it was covert. This was unlike the situation

⁸ Seventeenth century attention for mortgages involving rural tenants is limited to FRENCH and HOYLE 'Slaidburn', and FRENCH and HOYLE *Earls Colne*,

in the Netherlands where mortgages with interest are found from a much earlier date.⁹ Changes made to the laws culminating in the 1571 and 1598 Usury Act meant that interest could then be openly charged in the seventeenth century.¹⁰ The aim of this chapter is therefore to address these gaps and to examine the nature, extent, and possible motivation and use of mortgages by customary tenants. It will be argued that mortgages with interest became very much a part of the seventeenth-century rural economy where the type of customary tenure permitted their use; and that they made a considerable contribution to the tenants' ability to acquire capital and credit.

8.1. Mortgages in the Hampshire records

The term 'mortgage' was found in two documentary sources in Hampshire: manorial court rolls, and separate 'mortgage bonds'. They both contained similar information and in many cases the former were merely a copy of the latter. The landlords kept careful records of each mortgage transaction, as it was technically their land which was involved. The records for Meonstoke are continuous with few gaps, but those for Crawley are absent during the Commonwealth period, and the Dean and Chapter in Hinton Ampner used separate Presentment books which have not all survived. The analysis which follows therefore represents the minimum incidence of mortgages in the manors, and is particularly partial for the period 1645-65.

As outlined in chapter 1, before 1598 the surrenders for mortgage loan usually took the form of an apparently normal permanent *inter vivos* transfer, followed a short while later by a return surrender if the loan repayment had been made. After 1598, the format changed to one of a conditional mortgage surrender wherein the property was not physically transferred to the lender, and which included interest. In Meonstoke the first identifiable example of this occurred in December 1616. The mortgage surrender was recorded between Richard Lowes and William Page. Lowes was to pay £55 at the end of three years for two closes of 10 acres with common grazing rights for 20 sheep. The capital sum involved was shown, but no mention made of interest payments. Lowes failed to repay and had to forfeit the land in 1620. After this, the mortgage emerged in the court records in its fuller form, where payments and dates were identified, and

⁹ VAN ZANDEN, ZUIJDERDUIJN and DE MOOR 'Small is beautiful: the efficiency of credit markets in the late medieval Holland', ; VAN BAVEL, DIJKMAN, KUIJPERS and ZUIJDERDUIJN 'The organisation of markets',

¹⁰ 1598 31 Eliz.1 c18.

sometimes the precise location where the money was to be paid.¹¹ The first such complete record appears at that same 1620 court, when Edmund Dashe agreed a 3 year payment plan on 24 acres of his land with William Collins of neighbouring Corhampton. The principal borrowed was £100, and the repayments were to be £5 twice per year paid at Collins' house – showing (the then permitted by statute) 10% interest rate and a total outgoing of £130 for Edmund Dashe. After this more mortgages begin to appear during the 1620s; in the 1630s their numbers swelled; and by the benchmark year of 1645 for this research, mortgages could almost be described as 'popular'.¹²

The process in Hinton Ampner was similar, but it differed in Crawley and Vernham Dean. There the preferred method was for the borrowing tenant to surrender to the lender; followed immediately by the lender taking out a licence to sub-let back to the borrower. Repayments and terms were recorded and 'mortgage' appeared in the margin and register. Perhaps this somewhat complicated procedure was because the lords were still wary of the procedure. At the end of the term the lender surrendered it back to the borrower – or kept it if unpaid.

Finally at the very end of the seventeenth century a few mortgages appeared in the Chilbolton records which had tenure of 3 lives. Only the first life agreed the mortgage with the lender (unlike in Vernham Dean where all three agreed). This was unusual in a Lives manor, so perhaps the restrictive tenure was beginning to break up. There were no mortgages found in Littleton, Ovington or Exton.

In all the manors, a record of 'satisfaction' was made against those mortgages which were repaid. It was made either in the court at the time of completion, or in the margin of the court record of the original loan agreement; or in the bishop's mortgage register. These records of satisfactions were not available to French and Hoyle, who often had to infer repayment.¹³ Their presence therefore strengthens the position of the Hampshire manors as an excellent data source.

The customary freeholders of the manor moiety in Vernham Dean did not have their mortgages recorded in the court rolls, but rather in separate title deeds. Some of these have survived in the Hampshire Record Office, and their results entered into the

¹¹ Most often at the house of the lender.

¹² I am indebted for information about where to find the emergence of mortgages during the pre-benchmark years in Meonstoke to the Winchester College archivist Suzanne Foster and another researcher, Wendy Austen, who has transcribed the earlier roll entries.

¹³ FRENCH and HOYLE 'Slaidburn', p 374.

analysis which follows. However it is impossible to judge what proportion of the actual mortgages these represent.

8.2 Overall dimensions of the mortgages 1643-1705

Data was collected from the year before 1645, because mortgages taken out in 1644 were in force in 1645. A few from 1643 were included on the same principle if they extended for more than two years. Table 8.1. summarises the total numbers found according to decade. As Meonstoke was the only manor with a continuous set of records, and had double the number of customary tenants than in the other manors, the overall results are skewed towards it. The interruption to Crawley records during the Commonwealth period is clear, as are the patchy nature of those for Hinton Ampner and Vernham Dean; and the few late ones in Chilbolton.

Table 8.1. Number of new mortgages agreed by manor per decade 1645-1705

| <i>Manor</i> | <i>Lord/ Tenure</i> | <i>Decades</i> | | | | | | <i>Totals</i> |
|--------------|-------------------------|----------------|---------|---------|---------|---------|-----------|---------------|
| | | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 | |
| Crawley | B Inh | 8 | 6 | 10 | 19 | 22 | 8 | 73 |
| H. Ampner | DC Inh | 4 | 7 | - | 4 | 7 | 4 | 26 |
| Meonstoke | WC Inh | 35 | 17 | 76 | 61 | 46 | 20 | 255 |
| V. Dean Cpy | WC Lb1 | 5 | 1 | - | - | 3 | 10 | 19 |
| V Dean Free | WC Fr | - | - | 2 | 2 | - | 1 | 5 |
| Chilbolton | DC 3L | - | - | - | - | 2 | 2 | 4 |
| <i>Total</i> | | 52 | 31 | 88 | 86 | 80 | 45 | 382 |

Sources Manorial court rolls & HRO documents for Vernham Dean free

Allowing for all the inconsistencies in record keeping and survival, the table demonstrates considerable mortgage activity by customary tenants throughout the period. The pattern between manors varies, but the major decades of activity appear to have been those between 1666 to 1695. However, as there was considerable under-reporting during the Commonwealth period, the mortgage volume may, in fact, have been similar in those years. The only feature which is covered by more reliable records, is a downturn during the decade 1696-1705. This could be due to a lessening of control by the manorial lords and a more laissez faire attitude with under-recording. It could also be a sign that, although bonds had been available for informal borrowing, new sources of institutional credit were becoming available. The Bank of England was founded in 1694 so to what extent this had an early impact upon customary rural tenants is not known. However, French and Hoyle charted a similar downturn in the decade

beginning 1700, which matches these results; and their data then showed a return to higher volumes in the 1720s and 1730s.¹⁴ The dip around 1700 was thus probably real, but only temporary.

The straightforward plotting of numbers of mortgages agreed in any one year is too crude a statistic to use in meaningful analysis, so each mortgage was examined with its term and the records of satisfactions and sales to determine which mortgages were in force in any particular year. Total sums of money borrowed were analysed too but had a similar pattern to the acreage and have not therefore been presented here in a separate chart. It was only feasible to use Meonstoke and Crawley mortgages in this exercise as the records of other manors were too partial. Furthermore the chart was restricted to the period 1662-1705 as this was when the records for Crawley were most complete. The results are shown in Figs 8.1 and 8.2 together with a plot of wheat prices in Winchester and the acreage transferred permanently in each year as found in chapter 5 above.¹⁵

The graphs show that Crawley and Meonstoke do not in general display the same pattern as each other, although there is some similarity in the last decade of the graphs. The great peak in Meonstoke in the 1670s was matched almost inversely in Crawley – whose peak was in the 1680s. It is possible that the peak in Crawley in the 1680s was linked to the downturn in wool prices as Crawley was far more dependent on sheep for its economy. However in the absence of detailed data on wool prices beyond the decade figures from Bowden presented in chapter 5, it was not possible to examine this.¹⁶

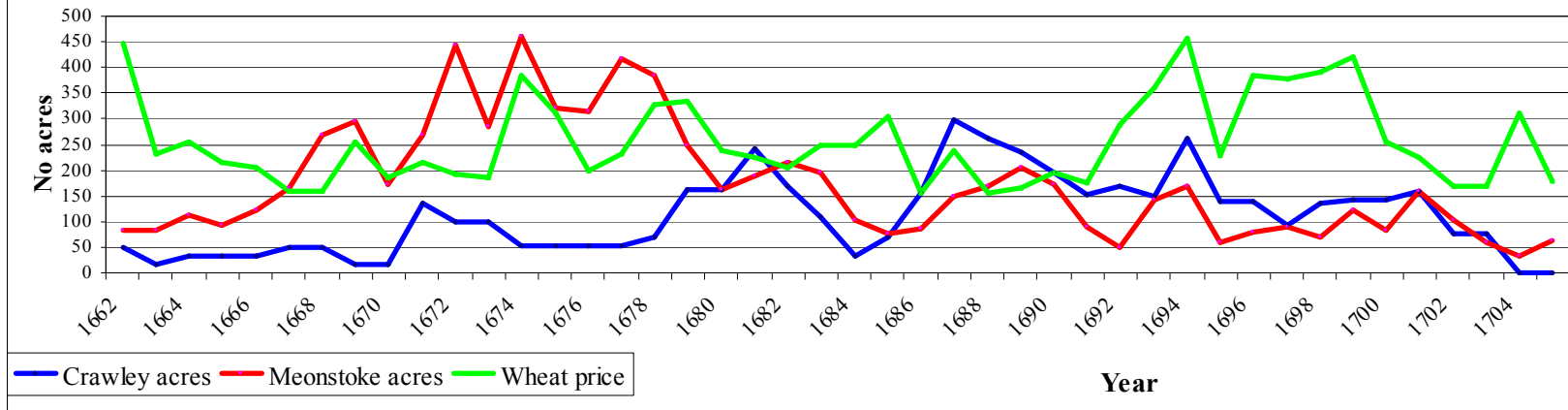
Overall there were considerable fluctuations with no strong link between grain prices and mortgage raising, except perhaps between Meonstoke and wheat prices during the 1670s and for both manors during the 1690s, which latter were known economic problem years nationally. Similarly there was little clear association between the acreage used in mortgages and the amount transferred permanently as found in chapter five.

¹⁴ Ibid., Table 5 p 370-1.

¹⁵ Wheat prices were obtained from the corn rent in the Winchester College lease returns as explained in Chapter 5 above. NB the acreages transferred were divided by two to give an index which fitted a similar scale to the mortgage data. The overall pattern could then be more easily compared visually.

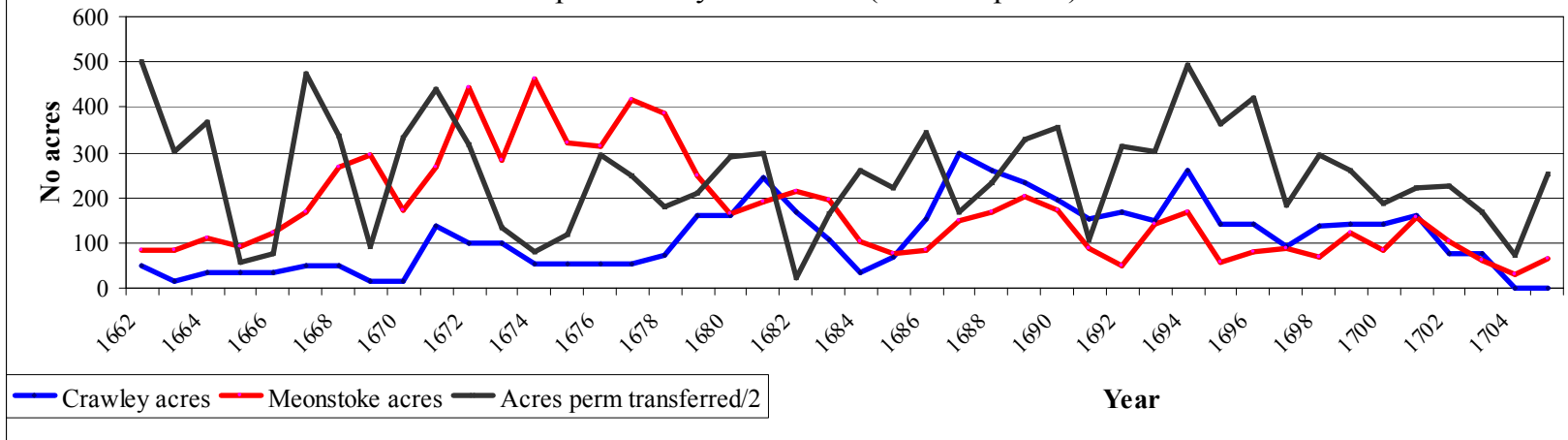
¹⁶ BOWDEN *Wool Trade*,

Fig 8.1. Total acreage under mortgage in any one year: Crawley & Meonstoke 1662-1705 with wheat prices



Source: Mortgage records from court rolls, and grain prices calculated from lease records

Fig 8.2. Total acreage under mortgage in any one year: Crawley & Meonstoke 1662-1705 with acres permanently transferred (from chapter 5)



A statistical test for correlation was run between the groups of data and this confirmed that although – as would be expected – there was a very strong correlation (0.95) between the amount borrowed and the acreage used as collateral for that borrowing; there was no correlation (from -0.05 to +0.01) between the acreage or amount borrowed and either wheat prices or acreage transferred. The tests were repeated using wheat prices slipped back by a year to allow for a possible lag between price rises and falls and a mortgage response to this. However there remained a complete lack of correlation.

The conclusions in relation to wheat, are that the borrowing under mortgage was not in general a response to prices. This fits with Muldrew's findings when he compared litigation levels relating to credit with movements in grain prices, and concluded that they were not strongly related.¹ In chapter 5 above it was found that permanent transfers bore little relation to grain prices, and now it has been shown not to relate to mortgage activity either. Both these suggest that the use of mortgages for crisis situations in agriculture is not indicated as a primary driver, in the way that has previously been thought for the medieval period.

8.2.1. Lengths of term of the mortgages

The lengths of term agreed for the mortgages are shown in Table 8.2. below.²

Table 8.2 Mortgage term length in years by manor.

| <i>Term in yrs</i> | >7 | 7 | 6 | 5 | 4 | 3 | 2 | 1.5 | 1 | <1 | |
|--------------------|------|------|------|------|------|-------|-------|------|-------|------|---------------|
| <i>Manor</i> | | | | | | | | | | | <i>Totals</i> |
| Crawley | | 3 | 1 | 5 | 8 | 22 | 13 | 2 | 16 | 3 | 73 |
| Hinton Ampner | 2 | | | | 1 | 5 | 2 | | 4 | 4 | 18 |
| Meonstoke | 3 | 2 | | 5 | 4 | 107 | 70 | 2 | 54 | 8 | 255 |
| V.Dean Cpy | | 3 | 1 | 4 | 1 | 1 | | 1 | 2 | 5 | 18 |
| Chilbolton | | | | | | | 1 | | 1 | 2 | 4 |
| <i>Totals</i> | 5 | 8 | 2 | 14 | 14 | 135 | 86 | 5 | 77 | 22 | 368 |
| | 1.4% | 2.2% | 0.5% | 3.8% | 3.8% | 36.7% | 23.4% | 1.4% | 20.9% | 6.0% | |

Sources Manorial court rolls conditional surrenders

The results show differences between the manors, but the majority were for a 3 year term, with only Vernham Dean tenants taking more for 5 years and the few Chilbolton mortgages for a shorter term. The next most popular category was for 2-year and then 1-

¹ MULDREW *Economy of obligation*, pp 228-9 & Figs 8.7 and 8.8.

² A few mortgages are omitted in this table as their term was not known.

year terms. Only just over 4% of all mortgages were agreed for longer than 5 years. It was found that many of the short term – under 1 year – terms were agreed as a starter mortgage and then renewed for a longer term later when perhaps the risk had been better assessed. It is possible that the new Chilbolton mortgages can be seen in this light, as they were the first of their kind in that manor and borrowers, lenders and landlord had to familiarise themselves with the activity. Short loans might be expected.

Overall these customary mortgages were short-term – probably because the lenders and borrowers were not in a position to provide capital for longer and/or would not take the risk. Any borrower seeking long-term loans had to obtain them by threading together a series of short-term mortgages. The terms are very different from the freeholder mortgages in Vernham Dean described later in this chapter and probably those of larger scale estate mortgages. Many of the freeholder terms were in hundreds of years – like a lease. It is of course possible that their shorter term mortgage records have not survived.³

8.3 Interest Rates

As outlined in the introductory chapter, legal maximum interest rates were set by the Acts relating to usury and were 8% in 1623/4 and then 6% in 1651 and 1660. Shortly after the end of the study period in 1713 they were lowered again to 5%.⁴ So against this background there was not a free market in interest rates, and Table 8.3. shows the mean rates actually charged in the manors. The Table is set out using the decade intervals used in the rest of this thesis. However, as the Acts of 1651 and 1660 formally reduced the interest rate from 8% maximum to 6% in those years, the same data has also been presented again in Table 8.4. using a different decade division so that 1651 and 1661 begin a decade, to see whether the effects, if any, of the Acts, were evident.⁵ The total number of mortgages in the sample is lower than in the overall numbers in Table 8.1 above as some interest rates were omitted; could not be calculated with certainty, or were illegible.

³ The long term 200 year mortgages would have needed to be preserved as successive generations took them on.

⁴ 1623/4 21 Jas.1 c 17; 8 August 1651 Act in the Commonwealth ; Usury Act 1660 12 Car. II. c. 13 confirmed 6%; 1713 Ann 13 c 15 reduced to 5%.

⁵ This means that the last column only covers 5 years to 1705.

Table 8.3. Mean interest rates charged on mortgages per decade 1645-1705

| <i>Manor</i> | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 | No in sample |
|--------------|---------|---------|---------|---------|---------|-----------|--------------|
| Crawley | 5.7% | 5.1% | 6.0% | 5.5% | 4.9% | 5.4% | 70 |
| H. Ampner | 6.8% | 5.9% | - | - | 5.2% | 5.0% | 16 |
| Meonstoke | 6.8% | 5.9% | 5.8% | 5.0% | 4.5% | 4.4% | 233 |
| V.Dean Cpy | 6.0% | - | - | - | 5.5% | 5.2% | 10 |
| Chilbolton | - | - | - | - | 5.0% | 5.5% | 4 |

Table 8.4. Mean interest rates charged on mortgages per decade 1641-1705

| <i>Manor</i> | 1641-50 | 1651-60 | 1661-70 | 1671-80 | 1681-90 | 1691-1700 | 1701-05 |
|--------------|---------|---------|---------|---------|---------|-----------|---------|
| Crawley | 5.7% | 6.0% | 5.4% | 5.8% | 5.1% | 5.2% | 5.0% |
| H. Ampner | 7.6% | 5.9% | 5.9% | - | 5.2% | 5.2% | 5.0% |
| Meonstoke | 7.3% | 5.8% | 5.9% | 5.5% | 4.7% | 4.6% | 4.2% |
| V.Dean Cpy | - | 6.0% | - | - | 5.5% | 5.2% | 5.0% |
| Chilbolton | - | - | - | - | - | 5.3% | 5.0% |

Sources Manorial court rolls conditional surrenders

The tables show that all the manors except Crawley show a gradual lowering of decade average rates from above 6% before 1651 to around or just below 5% by the end of the seventeenth century. In the second table the move downwards to below 6% after 1651 is particularly clear. The largest data sample size by from Meonstoke, shows a gradual decline in each decade except for a very small dip during the Commonwealth period. The reasons for the different and variable pattern in Crawley are not clear, but a son-of-the-village-made-good, William Godwyn, who was holding the demesne lease in Cheriton some ten miles away, was offering mortgages in the 1680s and may have offered preferential rates.

The results confirm that there was little correlation between changes in interest rates and patterns of mortgage borrowing: interest rates show a linear decline whilst mortgage borrowing (as shown in Fig 8.1 above) shows many peaks and troughs. This suggests that although rates must have been a factor in determining whether a tenant could afford a mortgage or not; there was no competition in rates. The capping of interest rates by the various Acts, and the lack of alternatives such as, for example, banks, during the study period, mean that interest rate analysis is thus not able to inform aspects of the lending market for mortgages as they might for a later period. Aspects such as whether it was a borrowers' or a lenders' market, and the elasticity of demand in the market cannot be extracted.

8.4. Mortgage borrowers

Table 8.5. summarises the number of mortgages agreed within each manor and the total number of different individual tenants involved in this borrowing.

Table 8.5. Number of borrowing tenants and their mortgages 1644-1705

| <i>Manor</i> | <i>Total no. of different tenants</i> | | <i>Of which women tenants were</i> | |
|---------------------------|---------------------------------------|------------------|------------------------------------|------------------|
| | <i>borrowers</i> | <i>mortgages</i> | <i>borrowers</i> | <i>mortgages</i> |
| Crawley | 26 | 73 | 2 | 5 |
| Meonstoke | 63 | 255 | 9 | 18 |
| H. Ampner | 13 | 20 | 0 | 0 |
| V Dean Cpy | 8 | 19 | 0 | 0 |
| Chilbolton | 3 | 4 | 0 | 0 |
| | 113 | 371 | 11 | 23 |
| <i>Mean morts per ten</i> | | 3.3 | | 2.1 |

Sources: Mortgage surrenders in manorial court rolls

According to these figures the overall mean number of mortgages which the borrowing tenants took out was 3.3 each. Women formed 6% of the tenant borrowers with a lower average of 2.1 mortgages each. (It should be noted that under the bishop's lordship, Crawley women were required to surrender to their husbands so that manor's figures conceal the true situation: only widows would show there.) However such average figures are crude and it was important to examine how many mortgages the tenants each actually took out, and the results are presented in table 8.6.

Table 8.6 Number of mortgages in series taken out by individual tenants 1644-1705

| <i>Manor</i> | <i>No. in series</i> | <i>1 only</i> | <i>2</i> | <i>3 or 4</i> | <i>5,6 7</i> | <i>8,9,10</i> | <i>11-15</i> | <i>16-20</i> | <i>20+</i> | <i>Total</i> |
|--------------|----------------------|---------------|----------|---------------|--------------|---------------|--------------|--------------|------------|--------------|
| Crawley | | 12 | 5 | 4 | 3 | 1 | 1 | | | 26 |
| Meonstoke | | 28 | 11 | 13 | 4 | | 2 | 1 | 4 | 63 |
| H. Ampner | | 9 | 2 | 2 | | | | | | 13 |
| V Dean Cpy | | 2 | 2 | 4 | | | | | | 8 |
| Chilbolton | | 2 | 1 | | | | | | | 3 |
| | | 53 | 21 | 23 | 7 | 1 | 3 | 1 | 4 | 113 |
| | | 46.9% | 18.6% | 20.4% | 6.2% | 0.9% | 2.7% | 0.9% | 3.5% | |

Sources: Mortgage surrenders

The table shows that almost half of the borrowers took out only one mortgage. Presumably this was to cover a short-term need. A further fifth had two mortgages in succession and another fifth had three or four. So 86% of mortgage borrowing occurred

using between one and four mortgages although as only Meonstoke and Crawley figures are based on a long run of records, there may have been runs of mortgages in the other manors which are hidden from view. Extensive and long-term continuous borrowing with mortgages was rare.

It was next relevant to consider what proportion of the tenants were involved in mortgage borrowing at any one time. Table 8.7. provides an estimate of this.

Table 8.7. The minimum and maximum number of tenants borrowing in any one year

| <i>Manor</i> | <i>Mean No Cust tens</i> | <i>Min no of tenants in a yr</i> | | <i>Max no of tenants in a yr</i> | |
|--------------|------------------------------|----------------------------------|----------|----------------------------------|----------|
| | | <i>No.</i> | <i>%</i> | <i>No.</i> | <i>%</i> |
| Crawley | 36 | 2 | 5.6% | 5 | 13.9% |
| Meonstoke | 59 | 5 | 8.5% | 14 | 23.7% |
| H.Ampner | 27 | 3 | 11.1% | 4 | 14.8% |
| V Dean | 28 | 4 | 14.3% | 5 | 17.9% |

Sources: Mortgage surrenders

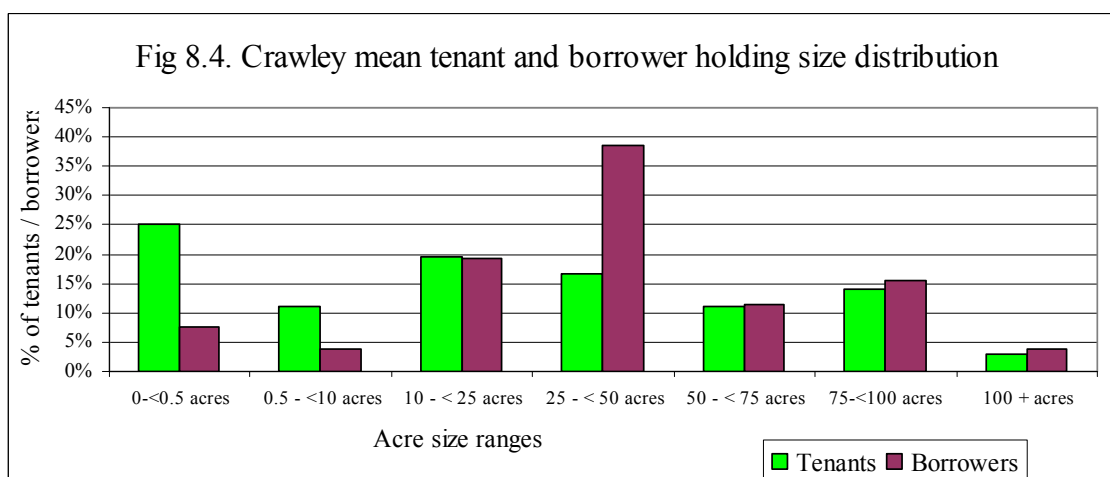
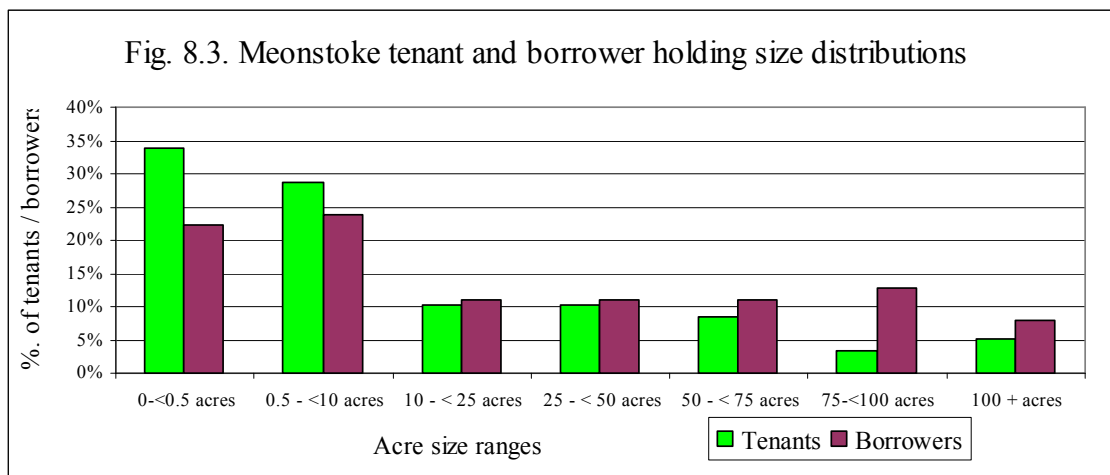
The first column in the table shows the mean number of customary tenants in each manor. In reality this changed over time, but the variation was small, and so for the purposes of this analysis a mean tenantry figure was used. The next columns show the minimum and maximum number of individual tenants who had part or all of their holding under a mortgage at any given moment. The results show that the number varied between 5.6% and 23.7% of all tenants, but that in the majority of years between 10% and 20% of the tenants were using mortgages. This may sound to be a small proportion or quite a high one depending upon one's expectations. In one sense it is only between a tenth and a fifth of tenants and therefore small; but if compared with the fact that few researchers have previously found any significant number of mortgages for customary tenants at this time, the proportion is quite large.

8.4.1. Profile of tenants who borrowed

The holding size of tenants who borrowed was known from the court roll holding reconstructions. By this is meant the size of total holding that a tenant possessed at the time of raising the mortgage, irrespective of how much of it was used in a mortgage. A profile in terms of size of borrower holdings could then be calculated and compared with the overall tenant holding profile within their manor. Figs 8.3 and 8.4 below then illustrate how far the holding profile of the tenants of the manor compared with the

profile of those who borrowed. Percentage proportion figures were used for comparability. Meonstoke and Crawley are shown as examples.

Figs 8.3. & 8.4. Meonstoke and Crawley tenant and borrower holding size distributions compared



The profiles show that borrower tenants came from all holding size categories, and that the use of mortgages was not restricted to a particular group of larger or more wealthy tenants. However there were fewer borrowers in the categories of holding below 10 acres than the manor profile would suggest; and there were more in the size categories above 25 acres (significantly so in Crawley for the 25-< 50 acre group). Hinton Ampner and Vernham Dean showed the same pattern. This could imply that it was the middle-sized tenants who were feeling economically pressurised, *if* the mortgages were taken out for reasons of financial distress. A later section in this chapter will study motivation.

8.4.2. Capital raised by borrowers

The maximum amount borrowed by each tenant was analysed as an indication of the upper limit to their loans. If a series of mortgages was arranged, then this maximum usually occurred towards the end of a loan period, either because the lender and borrower were trying each other out with a smaller amount at first; or because the borrower was having difficulty repaying the original loan and needed to increase the amount to cover unpaid interest or other debts. Table 8.8. shows the results, and the mean rate per acre for each manor has been added at the bottom of the table together with the acreage equivalent needed to raise £300.

Table 8.8 Maximum amount borrowed in one mortgage by each borrower

| <i>Max amount borrowed</i> | <i>Crawley</i> | <i>H Ampner</i> | <i>M'stoke</i> | <i>V Dean</i> | <i>Totals</i> | <i>% of Tot</i> |
|--|----------------|-----------------|----------------|---------------|---------------|-----------------|
| £500+ | | 1 | 1 | | 2 | 1.9% |
| £400 - <£500 | | 1 | | | 1 | 0.9% |
| £300 - <£400 | 2 | 1 | 5 | 1 | 9 | 8.3% |
| £200 - < £300 | 3 | 3 | 11 | | 17 | 15.7% |
| £100 - <£200 | 8 | 1 | 11 | 3 | 23 | 21.3% |
| £50 - <£100 | 8 | 1 | 7 | 2 | 18 | 16.7% |
| < £50 | 5 | 3 | 28 | 2 | 38 | 35.2% |
| | 26 | 11 | 63 | 8 | 108 | |
| <i>Av. rate per acre</i> | £4.02 | £6.29 | £8.79 | £5.76 | | |
| <i>No. acres needed to borrow £300</i> | 75 | 48 | 34 | 52 | | |

Sources: Mortgage surrenders

The picture presented in the table shows that 89% of the loans were for amounts below £300, although in Crawley almost all were, because its rate per acre was so much lower. It is relevant to consider whether the limit was set by lenders according to what they had available and the level of risk that they were prepared to take; or whether it was constrained by the amount of property that the borrower had, and was in their turn prepared to risk. The former interpretation seems the most plausible as several tenants who apparently needed to borrow larger sums took out multiple mortgages in units of below £300. For example in 1672 John Collins of Meonstoke had in force four mortgages covering his entire 89 acre holding from four different lenders for a total of £630. The highest single mortgage was for £280. It seems likely that the limit was set by lender's ability, or wish not, to provide sums over £300.

The differences in mean price per acre between the manors is striking. The rate for Meonstoke is more than twice that for Crawley and at least a third more than the closest in Hinton Ampner.⁶ It appears that Crawley was less attractive to lenders. This may have been the relatively poor nature of Crawley land. It was high chalk with thin soils, whereas Meonstoke had a good range of river meadows, valley arable land and chalk down. On the other hand Meonstoke and Hinton Ampner were entirely enclosed by this period, whereas some of Crawley and much of Vernham Dean was not.⁷ Enclosed land would be more attractive to a lender and command a higher price. The rates per acre used by the Parliamentary Survey officials in 1649 were at least double for enclosed closes when compared with open field plots. This theory of differential land valuation in mortgages is supported by French and Hoyle's findings in Slaidburn where old enclosed land commanded a higher principal sum per acre than those with new improvements.⁸

8.4.3. Land values as suggested by mortgage borrowing

Table 8.8. above showed how the mean rate per acre which a tenant could hope to raise varied by manor. The issue was next analysed in more detail to see if such rates could shed more light on land values at the time. Clearly not all tenants would ask for a maximum, but it seems reasonable to suppose that the rate agreed would often approximate to the value of land at the time. Failure to repay would be followed by a forfeit and the lender would not wish to be out of pocket. However, different kinds of land may have been valued differently. The Parliamentary Survey valuations outlined in the rents and fines section earlier in this thesis showed that, for example, pasture and wood were valued differently from arable land. Unfortunately the descriptions of land mortgaged were not detailed enough to permit analysis of this type. However a broad division could be made between those portions of holdings mortgaged which consisted of land only; those which had land and a 'messuage' or buildings such as a barn; and those which were just dwellings with a small garden. Table 8.9 illustrates the results for Meonstoke and Crawley which were the manors with a sufficient run of records to be examined in this way.

⁶ The results for Crawley are more in keeping with those found in Slaidburn which varied between £3.3 and £4.1 per acre for this period. FRENCH and HOYLE 'Slaidburn',

⁷ see figures on degree of enclosure in chapter 4 of this thesis.

⁸ FRENCH and HOYLE 'Slaidburn', p 369.

Table 8.9 Average borrowing rates per acre per decade, Meonstoke & Crawley 1645-1705

| <i>Mortgage type</i> | <i>Decade</i> | 1645-55 | 1656-65 | 1666-75 | 1676-85 | 1686-95 | 1696-1705 | <i>Total Sample</i> |
|-----------------------------|--------------------|---------|---------|---------|---------|---------|-----------|-------------------------|
| | <i>Manor</i> | | | | | | | |
| Land + dwelling | Meonstoke | £7.53 | £6.94 | £5.56 | £6.18 | £9.58 | - | |
| | <i>Sample size</i> | 11 | 3 | 18 | 4 | 3 | 0 | 39 |
| | Crawley | £1.19 | £3.29 | £3.90 | £3.24 | £3.56 | £3.40 | |
| | <i>Sample size</i> | 1 | 4 | 4 | 12 | 14 | 5 | 40 |
| Land Only | Meonstoke | £6.39 | £5.75 | £8.31 | £9.90 | £8.86 | £10.06 | |
| | <i>Sample size</i> | 14 | 9 | 44 | 46 | 29 | 13 | 155 |
| | Crawley | £2.87 | - | £4.31 | £5.64 | £6.18 | £4.63 | |
| | <i>Sample size</i> | 2 | 0 | 5 | 5 | 6 | 2 | 20 |
| Dwellings With < 2 acres | Meonstoke | £30.59 | £33.78 | £15.92 | £19.45 | £22.93 | £26.48 | |
| | | 9 | 3 | 11 | 7 | 14 | 7 | 51 |
| | Crawley | £21.25 | - | £20.00 | £30.67 | £35.00 | - | |
| | <i>Sample size</i> | 2 | 0 | 2 | 3 | 1 | 0 | 8 |

Sources: Mortgage surrenders

The table shows that apart from the first two decades during the Commonwealth, the price per acre was slightly more for a land-only portion of holding, than one which included dwellings and buildings. This suggests that perhaps land without the encumbrance of buildings was regarded as a more attractive lending opportunity. If a default on repayment occurred it might be easier to sell on or to add to the lender's own estate. In general rates per acre increased over time, but there is a connection between these figures and interest rates, as when the interest rates declined – as demonstrated earlier in this chapter - then more capital could be borrowed against the same acreage and so the rate per acre would increase.

The rates for the few mortgages found in Hinton Ampner and Vernham Dean show that Hinton Ampner's were similar to those in Meonstoke, whilst Vernham Dean's was lower – towards the level of Crawley. The reason for these latter may well have been the unenclosed nature of their land as discussed in chapter 5. The rates used for the four Chilbolton mortgages were in the region of £3 per acre – which was low; but it was not fully enclosed and as the land was tied up in three lives it might not have been an attractive option.

It was inappropriate to use a rate per acre for dwelling-only holdings or those with less

than 2 acres.⁹ They were therefore separated and the table above shows their pattern. Tenants could raise a mortgage of between £15 and £35, which roughly accords with the sale price for dwellings found in chapter 5. The pattern in Meonstoke was one of a dip after the Commonwealth maximum, but then shows a gradual rise towards the end of the century. The dip may reflect Meonstoke's lordship's preoccupation with preventing multiple occupancy as mentioned in previous chapters. The relevant poor law legislation was amended shortly after the Restoration, and so perhaps the borrowing rate on dwellings then declined as they did not become quite so valuable a commodity. It is of interest to note that whereas the rate for land was much lower in Crawley, its dwellings seem to have fetched a higher price than in Meonstoke. It was much closer to Winchester – within easy walking or horse commuting distance - and so perhaps this affected prices.

8.4.4. Proportion of a holding used by a borrower in a mortgage

Table 8.10. Maximum percentage of a holding used in mortgages by individual borrowers

| <i>Overall size of holding</i> | <i>Percentage of holding used for a mortgage</i> | | | | <i>Total No Morts</i> | <i>% using 100%</i> |
|--------------------------------|--|-----------------------|----------------------|----------------|-----------------------|---------------------|
| | <i>100%</i> | <i>75% -< 100%</i> | <i>50% -< 75%</i> | <i><50%</i> | | |
| 100 + acres | 0 | 0 | 0 | 6 | 6 | 0% |
| 75-<100 acres | 2 | 1 | 2 | 8 | 13 | 15% |
| 50 - < 75 acres | 2 | 2 | 5 | 3 | 12 | 17% |
| 25 - < 50 acres | 10 | 5 | 4 | 6 | 25 | 40% |
| 10 - < 25 acres | 8 | 2 | 5 | 2 | 17 | 47% |
| 0.5 - <10 acres | 17 | 1 | 0 | 0 | 18 | 94% |
| 0-<0.5 acres | 19 | 0 | 0 | 0 | 19 | 100% |
| <i>Totals</i> | 58 | 11 | 16 | 25 | 110 | |
| | 52.7% | 10.0% | 14.5% | 22.7% | | |

NB Table excludes Chilbolton & V Dean free

Sources: Mortgage surrenders

Table 8.10. shows the maximum percentage of their total holding that individual borrowers used in a mortgage. (Chilbolton has been omitted, because under the three lives tenure, they had no option but to mortgage the entire holding. They could not split it up.) Just over half of them used 100% of their holding – which must have carried a high risk in the event of a failure to pay and then being subject to forfeit. However the pattern is clear. The smaller the number of acres placed under mortgage, then the higher the proportion who used 100% of their holding. There are two cut-off points. With

⁹ Dividing by zero was a problem which occupied mathematicians for generations.

holdings of less than 10 acres more than 90% of mortgages raised used the whole holding; between 10 and 50 acres – about half the borrowers used the whole holding; and tenants holding more than 50 acres tenants only used a much smaller proportion of their total acreage. This is doubtless linked, in the case of the larger holders, to the limits on lending mentioned above.

8.4.5 Rates of defaulting by borrowers

Rates of defaulting on mortgages were examined, as they were high during the medieval period. They proved difficult to investigate because although forfeits were obvious, there were very few of them. Many tenants merely renewed a mortgage in order to pay off the debt if they could not repay, or sold off the property to raise the funds. Whichever way the analysis was carried out, the percentage which ended in forfeit or desperate sale was at maximum one quarter. This was much lower than the higher proportion found by Whittle and quoted in the introductory section above, and the ‘at least one third’ rate found by French and Hoyle.¹⁰ It suggests that even if in the medieval period mortgages were most often used in situations of personal financial crisis, that many of the tenants in the seventeenth century had moved on and greatly widened the range of use of mortgage loans. The issue will be dealt with further in the next section.

8.4.6. Borrower’s motives for taking a mortgage

The reasons why tenants borrowed capital with a mortgage were not recorded, but it is possible in many cases to make an educated guess. The court rolls showed when a tenant sold the property just after the mortgage; or had just purchased or inherited land before it. Sometimes a marriage settlement or entail had recently been made. A number of other documentary sources were also available to extend this information. For example, wills provided information about legacies or conditions which the heir might need to pay or satisfy. Parish registers showed baptism, marriage and burial details when the tenants lived in the manor. The registers were particularly helpful in estimating when marriage portions may have fallen due and death records for those tenants who had set up an entail or conditional surrender when their death was not necessarily recorded at the manorial court.

¹⁰ FRENCH and HOYLE 'Slaidburn', p 374 They used sale records as an indicator in their absence of records of ‘satisfaction’ as mentioned earlier.

From this combination of sources, the following categories of motives for raising a mortgage were identified :

- Purchase – this was suggested if the mortgage followed immediately after the purchase of a new property.
- Refurbishment or building – this was assumed if a tenant was admitted to a property which had previously been criticised at court for being in poor repair; if the tenant had recently built a new cottage; or if an elderly tenant had lingered on and failed to upkeep his property. An example of the latter was in Meonstoke in 1687 when John Budd bought the house occupied by the ailing George Lowes who had lived in it for nearly 50 years. Budd was a bricklayer and well positioned to refurbish the house using a mortgage for capital costs.
- Business and/or investment purposes. These were more difficult to identify with certainty and relied upon ancillary information. For example if the tenant were a merchant and not resident in the manor then presumably mortgaging land was a way of extracting capital from it. Malachi Horner was an example of a draper in a local town who seems clearly to have been purchasing land in the Meon valley to raise mortgage capital for his business activities.
- Marriage portions or provision for children. These were where a mortgage could be linked to a marriage settlement; or if it was clear that provision was being made *inter vivos* for another child than the heir in an associated activity such as a conditional surrender.
- Legacies and inherited debts. Mention of the need to pay these could be found in wills, and also in conditional surrenders made *inter vivos*. An example was William Richards of Meonstoke who saddled his youngest son John with conditional surrender requirements to pay – after William’s death - £40 to a daughter; £80 to another son; and £40 per year to his widow. Inevitably his estate was insufficient. John Richards had to take out mortgages immediately after his father’s death.
- Financial desperation and debt¹¹ The indicators for this included a pattern of

¹¹ The term desperation is used to indicate financial crisis. It is not the same as ‘desperate debt’ which has a specific economic meaning.

mortgages taken out on ever increasing proportions of the holding, which culminated either in forfeit of the premises; or the tenant suddenly sold everything - apparently to pay off the mortgages. There was often an associated rapid switching between mortgage lenders in an attempt to find someone who would risk a loan.

- Not Known (NK) is the final category into which all those were placed for whom none of the above reasons could be estimated. This could include all those who raised mortgages in order to invest in their own farming – which was a reason for borrowing that could not be assessed with the available records.

These apparent reasons for mortgage borrowing are summarised in Table 8.11. below. The percentages are calculated as a proportion for that reason of all the mortgages for which a reason could be estimated; whose total appears in the penultimate column. The final column shows the percentage whose reasons were not known and calculated as a proportion of all mortgages in that manor. As this latter formed a reasonably consistent mean of about a quarter of all mortgages, it means that the proportion with reasons is also reasonably consistent, so that comparisons between manors are on a similar baseline. The exception is Chilbolton which had a very small number, and whose reasons could be estimated so its percentages appear high in any one category.

Table 8.11 Apparent reasons for mortgage borrowing by manor 1645-1705

| <i>Manor</i> | | <i>Purchase</i> | <i>Refurb or building</i> | <i>Business Invest & Savings</i> | <i>Marriage and/or children</i> | <i>Legacies & debts inherited</i> | <i>Desperate finances</i> | <i>Other</i> | <i>Total with reasons</i> | <i>Reasons Not Known</i> |
|---------------|------------|-----------------|-------------------------------|--|---|---|-------------------------------|--------------|-----------------------------------|----------------------------------|
| Crawley | <i>No.</i> | 6 | 4 | 12 | 6 | 5 | 18 | 3 | 54 | 19 |
| | <i>%</i> | 11.1% | 7.4% | 22.2% | 11.1% | 9.3% | 33.3% | 5.6% | | (26%) |
| Meonstoke | <i>No.</i> | 25 | 12 | 62 | 8 | 40 | 34 | 0 | 181 | 74 |
| | <i>%</i> | 13.8% | 6.6% | 34.3% | 4.4% | 22.1% | 18.8% | 0.0% | | (29%) |
| H Ampner | <i>No.</i> | 1 | 1 | 5 | 1 | 4 | 5 | 0 | 17 | 3 |
| | <i>%</i> | 5.9% | 5.9% | 29.4% | 5.9% | 23.5% | 29.4% | 0.0% | | (15%) |
| V Dn Cpy | <i>No.</i> | 0 | 0 | 2 | 7 | 6 | 0 | 0 | 15 | 4 |
| | <i>%</i> | 0.0% | 0.0% | 13.3% | 46.7% | 40.0% | 0.0% | 0.0% | | (21%) |
| Chilbolton | <i>No.</i> | | 1 | 1 | | | 2 | | 4 | 0 |
| | <i>%</i> | 0.0% | 25.0% | 25.0% | 0.0% | 0.0% | 50.0% | 0.0% | | (0%) |
| <i>Totals</i> | | 32 | 18 | 82 | 22 | 55 | 59 | 3 | 271 | 100 |
| | | 11.8% | 6.6% | 30.3% | 8.1% | 20.3% | 21.8% | 1.1% | | (27%) |

Sources: Mortgage surrenders and holding histories derived from the court rolls.

The overall percentages given in the bottom row of the table suggest that nearly one third of mortgages for which a reason could be estimated, were associated with investment or business activities; one fifth with the payment of legacies and debts; another fifth associated with desperate finances and just under a fifth for purchase and building/refurbishment. Only about 8% were attributable to marriage and/or provision for children.

However there were differences between the manors. Crawley and Hinton Ampner had a much higher rate of mortgages associated with desperation finances than did Meonstoke where investment was the highest (perhaps because of the higher value of its land as found earlier). Vernham Dean had a completely different pattern from the others with no mortgages apparently associated with purchase or building, but almost all focussed on legacies, marriage and child provision. This may be a reflection of the difficulty of sale and purchase in a Lives manor, or the fact that much land was still unenclosed in the manor and so was unattractive to investors.

Unfortunately it was difficult to assess how many mortgages were used specifically for farming activity – such as investment in equipment; buildings or animals. One case study of the Wyatt family is described later in this chapter. Otherwise, those relating to the purchase of a holding might fall into this category for set-up costs. However the picture presented above is one not unlike the trends of the permanent transfers for manors with inheritance tenure described in chapter 5, where tenants were using their land to raise capital for a range of activities from legacies and marriages to building and extending their holdings, or simply investing.

An analysis was carried out within these categories to see whether there were different patterns by size of holding; amount borrowed; and when the mortgages were agreed. The results are presented in Annexes 8.1 and 8.2 and show the percentage of tenants in the various groups compared with a cross-section profile of actual tenant holdings. At the bottom of each section is given the number of mortgages with the calculation of the mean number of mortgages per borrower involved in each category. The timeline charts in Annexe 8.2 show the pattern of mortgaging over the period of the study. All the results should be used with some caution as by sub-dividing the mortgages in this way, the sample sizes were small.

In summary the purchase-related mortgages were found to be spread across the time

period of study and across the spectrum of tenants, but with more in the 25-50 acre group than in the manor profiles. A higher proportion than expected were for small sums under £50 and most were one-off mortgages as the mean number of mortgages per tenant was 1.5. They were presumably used to cover the immediate fine, payment and capital costs. The results for the tenants who used mortgages for building and refurbishment are not illustrated with a timeline as they were very similar. However, they were focussed heavily into the group of tenants holding less than 10 acres and the mean number of mortgages per tenant was higher at 2.6. It suggests that cottage building and refurbishment was the most popular motive for using a mortgage in this way and that more than one mortgage was needed. Perhaps the finances of the smaller holding tenants were more finely balanced so that they could not easily absorb building or refurbishment costs without raising a loan. They used 86% of the mortgages in this category whereas they only formed 47% of the tenant profile. About 72% of their mortgages were for less than £50 and all of them were for less than £200. Alternatively some of the cottage building may have been carried out by those engaging in property development who were not farmers.

The investment mortgages were usually in series and any one borrower may have taken out four or five or even twenty over a long period of time. The mean was 4.3 per tenant. The activity was mainly found in the tenant groups with larger landholdings and 80% of the tenants involved held more than 10 acres. The amounts borrowed were focussed in the £100-£400 band and peaked during the 1670s. It is not clear whether this latter correlates with a peak in transfers found in the same period after the shake-up of the plague years in the later 1660s. Perhaps land was available and could be bought up for investment and business purposes.

The mortgages associated with legacies and inherited debt payment had a different pattern. The activity was most often undertaken by tenants with more than 25 acres, and the timeline shows a concentration from the mid 1670s onwards. Many of the mortgages were for sums under £100, and the mean number of mortgages per tenant were 2.5 suggesting a need to borrow more than once, but that after that they would either have paid off their dues or had to sell up in order to do so. Borrowing for marriage settlements or child provision had a similar timeline to the legacies, and a very similar tenant holding size profile. However, but the sums borrowed were higher and focussed in the range £100 to £300. The two categories of mortgage raising in this paragraph are linked in terms of the overall motive of providing for the family, so their

similarity is not a surprise. The timeline fits in with the discovery in the section about conditional surrenders in the transfer chapter, where it was found that those conditional upon maintenance, payment or marriage settlements were more common from the 1680s onwards.

Finally the mortgages which were raised in apparent financial crisis were spread throughout the period of study and did not noticeably peak at any one time, although there were few after the mid 1690s. It is not clear if this was a temporary downturn or reflected the rise of banking and other sources of finance. Of particular interest is the fact that there was a significant predominance at 37% of tenants holding land in the 25 to 50 acres group. (Their presence in the manor tenant profiles was only 15.3% so they were over-represented by a considerable margin). This correlates well with the finding in the transfers chapter that this size of holding was being squeezed out. Their borrowing was all focussed in the lower amounts below £300, which might reflect the fact that their condition and thus higher risk was known, so that lenders might be prudent in terms of amounts lent. However at a mean of 3.1 mortgages per borrower the point made earlier is reinforced, that tenants in trouble tended to use mortgages as part of a general decline over time. A sudden and dramatic crisis would have required the property to be sold.

The category of 'not known' were spread across the timeline (not illustrated) and the tenant profiles suggesting that they were probably a random collection of the other categories where reasons were not obvious.

The difference between the categories shows that one-off small mortgages were used predominantly for purchase, building and refurbishment; a mean of about two mortgages for the payment of legacies, marriage and children provision; and a mean of three and more than four mortgages per tenant were used for dealing with gradual financial decline and for long-term investment. The building and refurbishment mortgages occurred in the smallest sized tenant holder group and the legacy and child provision in the larger more wealthy groups. The apparent focus of critical financial borrowing in the middling 25-50 acre holders accords with the size polarisation movement found in the transfer chapter.

8.5. The mortgage lenders

The lenders or providers of mortgages were always named in the documents as the conditional surrender was a form of contract. However, the extent of any further information was varied. Sometimes just names were given, and on other occasions the occupation and residence were also recorded. The place of payment of the mortgage sums were often named as 'at the house of..x' where x was the lender, and the location of the house was therefore given.

Table 8.12. shows the total numbers of different individual lenders providing mortgages by manor, and table 8.13 breaks this down further to indicate how many lenders provided multiple mortgages and to how many different borrowers.

Table 8.12. The number of lenders and the mean number of loans per lender 1644-1705

| <i>Manor</i> | <i>No. mortgages</i> | <i>No. lenders</i> | <i>Mean mortgages per lender</i> |
|---------------|----------------------|--------------------|----------------------------------|
| Crawley | 73 | 36 | 2.0 |
| Meonstoke | 255 | 122 | 2.1 |
| Hinton Ampner | 26 | 15 | 1.7 |
| Vernham Dean | 19 | 13 | 1.5 |
| Chilbolton | 4 | 4 | 1.0 |
| <i>Totals</i> | 377 | 190 | 2.0 |

Table 8.13. Breakdown of lenders according to number of mortgages offered 1644-1705

| <i>Manor</i> | <i>Multiple mortgages</i> | <i>>1 mortgage to 1 borrower</i> | <i>One-off lender only</i> | <i>Total</i> |
|---------------|---------------------------|-------------------------------------|----------------------------|--------------|
| Crawley | 7 | 8 | 21 | 36 |
| Meonstoke | 32 | 24 | 66 | 122 |
| Hinton Ampner | 1 | 2 | 12 | 15 |
| V Dean cpy | 2 | 1 | 10 | 13 |
| Chilbolton | | | 4 | 4 |
| | 42 | 35 | 113 | 190 |
| | 22.1% | 18.4% | 59.5% | |

Source: Mortgage surrender records

The first table shows that there were a large number of lenders, and that on average they provided no more than two mortgages each. The second table then shows that almost 60% of lenders only provided one mortgage to one person. A further 18% provided more than one mortgage to one person and only 22% provided multiple mortgages to more than one borrower.

The conclusion from these figures is that this is not a pattern dominated by professional money-lenders. Rather it suggests a considerable degree of individual arrangements between borrower and lender to suit the occasion. Although the manors of study are only a sample from the region of Hampshire, they were examined to see whether lenders in one manor reappeared as lenders in another. This would have indicated whether more multiple lending was occurring and/or the presence of organised money-lenders. They did not. Each group of lenders was discrete.

8.5.1. Occupations of lenders

Muldrew discovered that credit relationships occurred 'all over the social scale'.¹² To test this finding, the manorial mortgage lenders under study were investigated for their occupation and apparent status. The occupations / status could only be identified for 78 or 41% of the total lenders, but the sample is large enough to give some idea of the types of people who were providing mortgages. It is possible that the results are skewed away from the groups of lenders in particular categories which were not recorded. The results must therefore be used with caution. However in Table 8.14 below showing their occupations or status, the proportion of multiple; more than one mortgage to one person; and one-off mortgages categories is almost exactly the same as in Table 8.13 above for all lending. This suggests that a reasonable cross-section has been sampled.

The table shows a high number of women acting as lenders. A total of 30 out of 78 or 38.4%. However the figure is misleading as it was almost always stated whether a lender was female, and hence they are almost all represented in the figures. If the 30 females represent all the women out of the total of the original 190 lenders, then the proportion of women overall was just under 16%. The two thirds proportion of these who were spinsters is of interest and suggests inheriting daughters with money to invest. This fits with the work of Spicksley who found that investment by single women enjoyed widespread acceptance during the seventeenth century, when fathers increasingly left cash legacies to their daughters rather than goods.¹³

¹² MULDREW *Economy of obligation*, p 97.

¹³ SPICKSLEY 'Usury legislation, cash and credit', p 295.

Table 8.14 Occupation or status groups of 78 lenders 1644-1705

| <i>Occup or status</i> | <i>Multiple</i> | <i>> 1 mortgage</i> | <i>One-off</i> | <i>Totals</i> | |
|-------------------------|-----------------|------------------------|-----------------|---------------|----------|
| | <i>Lenders</i> | <i>to 1 borrower</i> | <i>mortgage</i> | <i>No</i> | <i>%</i> |
| Trader ¹⁴ | 4 | 3 | 7 | 14 | 17.9% |
| Yeoman | 7 | 3 | 6 | 16 | 20.5% |
| Husbandman | | 3 | | 3 | 3.8% |
| Lawyer | | | 1 | 1 | 1.3% |
| Cleric | 1 | 1 | 2 | 4 | 5.1% |
| College/Cathedral staff | 1 | 1 | 2 | 4 | 5.1% |
| Gent. | | 2 | 4 | 6 | 7.7% |
| Widow | 2 | | 8 | 10 | 12.8% |
| Spinster | 1 | 2 | 17 | 20 | 25.6% |
| | 16 | 15 | 47 | 78 | |
| | 20.5% | 19.2% | 60.3% | | |

Source: Mortgage surrender records

The yeomen provided roughly the same number of mortgages as the tradesmen, and together they formed nearly 39% of the lenders. Representation from the other groups was much lower in number with ‘professional’ men constituting about 12% and anyone suffixing ‘gent’ to his name about 8%. The pattern is not one of wealthy investors providing money, but rather the middling sort who were not that far removed in status from many of the tenants themselves.

The groups were then examined to see whether certain occupations lent more or less amounts of money; and whether different occupational groups predominated in certain decades during the study period. The results showed a remarkable evenness of distribution by both amount and date. A gent lent a tenant £40 and a spinster lent £400. Yeomen and tradesmen lent anywhere between £20 and £300. It is shown elsewhere in this chapter that loans from cathedral or college staff were usually only made in a degree of *extremis* on the part of the tenant, so these were the only exceptions.

One interesting example was found in a will of John Friend ‘yeoman’ who was a sub-tenant in Chilbolton at his death but apparently held land in Braishfield – a parish several miles away. ¹⁵ The inventory attached to his will totalled a modest £17-9-6, and yet in his will Friend left legacies to the total of £346. At the end of the will is written

¹⁴ The group categorised as ‘traders’ came from the following occupations : tailor, blacksmith & clothier; (2 of each) and draper; girdler; malster; miller; combmaker; papermaker; carpenter & butcher (1 of each).

¹⁵ H.R.O.: 1700 P/16, 'Will of John Friend of Chilbolton', 1700.

“ All these monies (*ie legacies*) to be paid within two years after my decease out of the moneys I have now given upon a mortgage upon Richard Colman’s land in Braishfield”. In other words he had apparently invested the large capital sum by offering a mortgage to Colman. However this sum does not appear in probate details at all and he appears to have thereby circumvented its inclusion in inventory valuations. If this was common practice at the time, it is small wonder that mortgage lending would be popular.

This analysis of the occupation of lenders – albeit less than half of them – lends further weight to the earlier conclusion that there was a wide spread of lenders, with no real concentration into a few hands. It confirms Muldrew’s finding, and reinforces the earlier finding that there was no particular ‘Middleman’ or ‘Agent’ structure to mortgage provision. All the lending activity seems to have been carried out amongst members of rural society themselves and did not involve large amounts of capital from London and elsewhere. However to test this last statement, the next investigation focuses on where the lenders were living.

8.5.2. Location of lenders in relation to the manors

The location of residence of the lender was known for 346 of the mortgages. In most cases it was stated in the court rolls; or occasionally it appeared in other parts of the court records. It was possible then to plot the distance by road or track between the manor of the borrower and the lender. Some tenants did not live in their manor of course, but there was insufficient information to plot all their locations. Table 8.15. summarises the findings. The distance between the manor and the lords in Winchester is shown in travelling road miles in the right-hand column.

The overall pattern which emerges from the table is that 20% of mortgages were acquired from lenders in the same village, and 40% from adjoining manors up to 5 miles away. A further 27% were in places between 5 and 10 miles away. This means that the lenders were overwhelmingly local and only a tiny number lived outside the county of Hampshire. (Many of those who did so were only just across the border in Sussex, Surrey or Wiltshire.) The results confirm the suggestions made earlier, that borrowing and lending was chiefly a local activity. They also fit well with French and Hoyle’s results where they found that up until the 1730’s mortgage lending was

“essentially local”.¹⁶ The arrangements were doubtless at least partly a matter of developing trust. Lenders would need to assess risk, and it would be easier to discover the background and opinion about a potential borrower if they were known locally.

Table 8.15. Distance of the residence of the lender in miles from the manor of the borrower

| <i>Manor</i> | <i>Distance:</i> | <i>In vill</i> | <i>>0-5m</i> | <i>>5-10 m</i> | <i>>10 - 15</i> | <i>>15-30m</i> | <i>outside</i> | <i>Total</i> | <i>Distance from Winchester</i> |
|--------------|------------------|----------------|-----------------|-------------------|--------------------|-------------------|----------------|--------------|---------------------------------|
| Crawley | <i>No</i> | 6 | 3 | 40 | 14 | 2 | 5 | 70 | 7.5 |
| | <i>%</i> | 8.6% | 4.3% | 57.1% | 20.0% | 2.9% | 7.1% | | |
| Meonstoke | <i>No</i> | 61 | 123 | 44 | 1 | 0 | 6 | 235 | 10 |
| | <i>%</i> | 26.0% | 52.3% | 18.7% | 0.4% | 0.0% | 2.6% | | |
| H Ampner | <i>No</i> | 0 | 11 | 4 | 1 | 1 | 1 | 18 | 8.5 |
| | <i>%</i> | 0.0% | 61.1% | 22.2% | 5.6% | 5.6% | 5.6% | | |
| V Dean all | <i>No</i> | 4 | 0 | 5 | 3 | 4 | 3 | 19 | 25 |
| | <i>%</i> | 21.1% | 0.0% | 26.3% | 15.8% | 21.1% | 15.8% | | |
| Chilbolton | <i>No</i> | 1 | 0 | 0 | 3 | 0 | 0 | 4 | 12.5 |
| | <i>%</i> | 25.0% | 0.0% | 0.0% | 75.0% | 0.0% | 0.0% | | |
| | | 72 | 137 | 93 | 22 | 7 | 15 | 346 | |
| | | 20.8% | 39.6% | 26.9% | 6.4% | 2.0% | 4.3% | | |

Sources: Court rolls and travelling distance websites

However the percentage section of the Table shows that there were differences between manors. One factor was the distance of the manor from Winchester as there was always a proportion of lenders located there associated with the cathedral and college lordships. For example, the high percentage in Vernham Dean who lived at a greater distance than 15 miles is explained by this as Winchester was 25 miles away. Hinton Ampner is significant for having had no mortgages provided by anyone in the same manor. Whether this was by accident or design is not clear. There were certainly residents in Hinton Ampner with funds to be potential lenders. Crawley had a high percentage in the >10 – 15m radius, but this can be explained by the lending activities of one man, William Godwin, who was a son of the village but occupied a large demesne lease property in Cheriton some 11 miles away.

The data was next examined to see whether the amount loaned differed according to the distance away of the lender. Table 8.16. summarises the results.

¹⁶ FRENCH and HOYLE 'Slaidburn', p 372.

Table 8.16. The distance of the residence of the lender from the borrower's manor in miles, against the amount loaned for a mortgage

| <i>Max amount lent per mortgage in £</i> | <i>In vill</i> | <i>>0-5m</i> | <i>>5-10 m</i> | <i>>10 - 15</i> | <i>>15-30m</i> | <i>outside</i> | <i>Total morts</i> |
|--|----------------|-----------------|-------------------|--------------------|-------------------|----------------|------------------------|
| £500+ | | 1 | | 1 | 1 | 1 | 4 |
| £400 -<£500 | | 2 | | | | | 2 |
| £300 -<£400 | | 7 | 7 | 1 | 2 | 1 | 18 |
| £200 -<£300 | 3 | 20 | 14 | 3 | 1 | 2 | 43 |
| £100 -<£200 | 13 | 53 | 32 | 5 | 1 | 7 | 111 |
| £50-£99 | 23 | 22 | 22 | 7 | 2 | 2 | 78 |
| < £50 | 33 | 32 | 18 | 5 | 0 | 2 | 90 |
| | 72 | 137 | 93 | 22 | 7 | 15 | 346 |

Sources : Mortgage surrender records and distance websites

The table shows that loans provided by lenders within the same village or manor were almost all below £200, and that they provided the highest number of small mortgages under £50. Lenders resident more than 15 miles away provided almost no low mortgages – but interestingly the very highest mortgages were split across lending distance and were not concentrated at a particular further distance. Mortgages of between £100 and under £400 were concentrated in providers within a >0 – 10 miles radius of the manor. A sub-analysis examined whether the above pattern varied through time, but it did not. The pattern within each decade was about the same.

8.6. Relationships between lenders and borrowers

Borrowing and lending involved considerable risk, and so risk assessment must have been essential. The issue of trust has been raised above, and Muldrew has commented that most credit was based upon it in the early modern period before the development of a central bank; and when the supply of coinage was considerably less than demand.¹⁷ It is therefore relevant to examine the extent to which kin or other relationships may have existed between borrowers and lenders in the manors of study.

The court roll records of conditional mortgage surrenders do occasionally include reference to a relationship. In other cases a relationship was known from wills or genealogical information gathered separately. Lenders bearing the same surnames as known manorial tenants suggest, but do not prove, that there was probably a kin connection, and finally there were lenders connected to the lords – the College or

¹⁷ MULDREW *Economy of obligation*, . p 99.

Cathedral staff and stewards. These would have had access to information about the borrower and be able to judge their need and trustworthiness.

The relationship information, where it could be assessed, was analysed by manor and the results are shown in Table 8.17.

Table 8.17 Relationship ties between borrower and lender

| <i>Manor</i> | | <i>Known kin</i> | <i>Strong vill ties</i> | <i>Same vill surname¹⁸</i> | <i>Link to Lords</i> | <i>No ties known</i> | <i>Total</i> |
|---------------|------------|----------------------|-----------------------------|---|--------------------------|--------------------------|--------------|
| Crawley | <i>No.</i> | 5 | 9 | 2 | 2 | 18 | 36 |
| | <i>%</i> | 13.9% | 25.0% | 5.6% | 5.6% | 50.0% | |
| Meonstoke | <i>No.</i> | 14 | 46 | 11 | 5 | 46 | 122 |
| | <i>%</i> | 11.5% | 37.7% | 9.0% | 4.1% | 37.7% | |
| Hinton Ampner | <i>No.</i> | 3 | 1 | 2 | 1 | 8 | 15 |
| | <i>%</i> | 20.0% | 6.7% | 13.3% | 6.7% | 53.3% | |
| Vernham Dean | <i>No.</i> | 1 | 3 | | 3 | 6 | 13 |
| | <i>%</i> | 7.7% | 23.1% | | 23.1% | 46.2% | |
| Chilbolton | <i>No.</i> | | 1 | | 3 | | 4 |
| | <i>%</i> | | 25.0% | | 75.0% | | |
| | | 23 | 60 | 15 | 14 | 78 | 190 |
| | | 12.1% | 31.6% | 7.9% | 7.4% | 41.1% | |

Sources; Manorial and parish documents

The results show that only a mean of 12% were known kin suggesting that lending within close family was not popular. However a further 8% had kin surnames and almost a third of lenders had known strong village ties. A smallish 7% mean had a link to the lords, except in Chilbolton where no mortgages were deemed possible until the very end of the study when the Dean and Chapter may have allowed a few experimental mortgages to be tried out with cathedral-related persons offering the loan. The remaining mean of 41% had ‘no ties’ known to the village. This should be regarded as a minimum position, as some at least of the ‘no known ties’ probably were kin or closely related, but the connection was not revealed during the rather short span of time of the study.

The above table was further analysed to see whether the pattern changed according to whether the lender was a multiple or one-off lender. It did so. Of the multiple lenders only around 20% had ‘no known ties’, whereas closer to 60% of one-off lenders had no known ties. This is not surprising as if a lender were to offer money to several people in

¹⁸ This means that the lender had the same surname as someone else in the borrower’s village

a manor, they were surely more likely to have a personal connection and knowledge of the borrowers.

It can therefore be said with some confidence that more than half of all lending was undertaken by persons with kin or strong ties to the manor tenants – and possibly the great majority were so arranged. This fits well with Muldrew's findings quoted above, on the need for trust in credit dealings before the era of banks.

8.7. Vernham Dean freeholder mortgages

The Vernham Dean customary freeholders need to be considered separately from the Lives tenants who shared their manor. Survival of mortgage details are limited to a few contained in bundles of property deeds deposited in the Hampshire Record Office. It is impossible to tell how representative they are of any other mortgages taken out by the freehold tenants whose details have not survived.

The most striking difference was the term of years agreed; between 200 and 500 years. The amount of money raised on a modest amount of land was then much higher than with the copyholders – because of the very long term. For example in April 1666 Richard Wells, yeoman of Vernham Dean agreed a 'mortgage by demise' for £260 over 200 years on a property called Cross House in East Vernham street.¹⁹ This holding in the court rolls consisted of about 20 acres. The lenders were William Kent of Vernham Dean, yeoman and his widowed mother Alice Kent. The mortgage subsequently had a history of either changing lender or borrower as they died or 'assigned' the mortgage to someone else. The last one during the research period was in 1698 for £200 over 500 years agreed between John Rickards of Vernham Dean who had now acquired the premises and Joseph Hinxman's widow Martha (who had just inherited it) plus two spinsters Grace and Mary Pococke of Chieveley, Berks.²⁰

The other mortgages took a similar form and involved yeomen customary freeholders in Vernham Dean on the one hand and other yeomen or 'gents' of reasonably local residence. The amounts of land involved were around a virgate in size and for 200 or 500 years. The whole pattern seems to be one of the use of the mortgage analogous to a modern leasehold, rather than the shorter-term capital raising of all the copyholder

¹⁹ H.R.O.: 18M48/5, 'Mortgage by demise', 1666.

²⁰ H.R.O.: 18M48/13, 'Mortgage by assignment', 1698.

mortgages described in the rest of this chapter. It is not clear whether such short-term activity also went on amongst the freeholders, but that records have not survived; and that it is only the long-term agreements whose records needed to be kept. The examples of the long-term mortgages are too few in number to draw constructive conclusions, but they are recorded here to illustrate a very different approach to, and use of a ‘mortgage’ which may, or may not have been more widespread amongst freeholders in general.

8.8. Case studies

The figures and charts provide a statistical picture, but the way in which mortgages were used by the tenants can be further illustrated by some case studies which include the various categories of apparent motives for borrowing. They are all taken from Meonstoke which had by far the greater number of tenants using mortgages.

8.8.1. The Wyatts – a planned use of mortgages for long-term investment

The Wyatts were a long-established Meonstoke family, and in 1645 William Wyatt held the largest holding in the village of 142 acres. In March 1646/7 he took out a licence to let 77 of those acres for a term of 21 years, which left him with 65 acres to farm directly himself. From 1650, he then embarked upon a series of mortgages using lands not included in the sub-tenure licence. At first 22 acres raised £150 at 7% interest from John Horner in next-door Exton. In 1653 the area was increased to 29 acres with the addition of a coppice, after which a series of six more mortgages for £200 at 6% followed until 1667. The repayments seem to have been regular and there was no sign of difficulty.²¹ Wyatt is not known to have had an occupation other than farming, and his children were young at this time, so it is probable that his capital was being used for agricultural purposes.

In 1667 three things occurred: the sub-letting licence had run its term; as had the most recent mortgage; and his eldest son William junr reached 21 years of age. William sen promptly surrendered 52 of his acres to this eldest son. A fine of £20 was paid; a rental split between father and son agreed and recorded at court; and a mortgage was raised on 27 acres of the son’s land for £100 at 6% interest over 2 years. William sen then

²¹ If the multipliers in Table 6.11 of the chapter above on sub-tenure are used, then Wyatt should have received at least £20 a year sub-rent, which would have been ample to pay off the mortgage interest and his customary rent.

renewed his own previous mortgage of the 29 acres for £200 at 6% over 2 years, but there is no evidence of a new licence to sub-let.

The purpose of all this must surely have been succession planning on the part of the parents for their eldest son who would not inherit by custom.²² By surrendering a reasonably large portion of land to him; paying the admittance fine, and taking out a mortgage on half of it, it appears that the father was setting up the son in farming and teaching him how to invest. A portion of the £100 capital raised in the son's mortgage may well have been used to pay the surrender fine, but it may also have contributed to a marriage then arranged for William jun. He was married by 1671.

William junr bought another 14 acres of land in 1674 which brought his holding up to 66 acres in total – an area similar to that which his father had previously been farming directly himself. He continued to renew the mortgage on the 27 acres. Meanwhile his father mortgaged his 29 acres with a Nicholas Bulbeck of East Meon and began a new one on a further 42 acres for only £60 at 6% for 1 year from Maria Lambert of Winchester. He now had a total of 71 acres at mortgage for a principal total of £260. He renewed the Lambert mortgage four times and the Bulbeck once before he died in November 1676.

William Wyatt sen had been such an important senior tenant in Meonstoke, that an extra court was convened on 17th December 1676 to deal with his inheritance.²³ His inventory was valued at £228 but he left total legacies of only 20 shillings.²⁴ It is particularly relevant to note that the inventory and probate account do not mention the two outstanding mortgages, thus confirming the issue raised in the introduction that customary mortgages do not appear in these records. Eldest son William was not mentioned as he had already been provided for. It was the youngest son Thomas who paid £5 in heriot and a £25 fine to be admitted. He was aged 22 years and inherited the 90 acres and the two mortgages which were in term to Bulbeck and Lambert.

Young Thomas Wyatt mortgaged his entire 90 acre inheritance over the next two years in five separate mortgages for £50; £60; and three at £100 – totalling £410, all at 5%

²² Meonstoke, like all the manors of study had Borough English, so this eldest son was not in line to inherit under custom.

²³ WC: Item 23055 p 150, 'Court Book', 1676a.

²⁴ HRO 1676 P37 /1-2.

interest. This was considerably in excess of the total outstanding mortgage amount of £260 on his father's estate plus the fine and heriot, and there were no legacies to pay. Two years later in 1678, Thomas took out a licence to sub-let 35 acres for 7 years and sold the other 55 acres to Malarchy Horner – a draper in Bishop's Waltham, who bought it as an investment. Thomas had thus reduced his holding to 35 acres, and as they were all sub-let he clearly had no intention of farming. Perhaps he had all along intended not to farm. His occupation is not known. Perhaps he was merely a young adult needing to sort out the expenses associated with the aftermath of his father's death. Possibly Thomas had been too young to receive the long-term advice about financial and land management that the older brother received from his father; or he was simply of different character from his careful, thrifty father and brother.

Thomas Wyatt kept his 35 acres over the ensuing 27 years until after 1705 and settled into a routine of four licences to sub-let and nine more mortgages (up to £230 total) on all his land. He would thus use his remaining land as an investment in a different way by deriving income from sub-rental and capital from mortgages. His actions highlight the fact that the College landlords seem to have allowed its tenants to sub-let and raise mortgages on the same land at the same time, which must have considerably extended their prospects for raising capital and income to the maximum.

The fate of his older brother William after 1678 was different. In 1678 he was granted a licence to let for 35 of his 66 acres leaving himself with some 31 acres which were presumably directly farmed. In 1682/3 he raised two mortgages on the same land portion which was sub-let, and in 1686 took out a third mortgage on 15.5 acres of his coppice holding from a neighbouring widow. This brought his mortgaged total to 74% of his entire holding, of which 50% was also sub-let. However in May 1687 William suddenly died. He managed to effect a deathbed surrender to his wife Mary. A few weeks later she came to court and immediately sold everything to Susannah Shallet, widow of neighbouring Exton. The inheritance so carefully planned and arranged for his elder son by William Wyatt senior, was no more.²⁵

This case study illustrates a customary tenant who began the study period as the largest single landholder; used mortgages in tandem with sub-letting to provide regular and planned capital for use in his farming; and also aimed to provide for an older son on an

²⁵ There are no baptisms of children for William Wyatt junr in the parish register so he may have been childless.

equal level with the youngest. His high probate valuation suggests that he was an active and successful farmer and was not seeking mortgage monies to prop up an ailing enterprise. Neither, however, is there evidence that he wished to invest in expansion of his land or upgrading of his dwelling.²⁶ He seems to have been too careful to take serious risks and only mortgaged a smallish part of his holding at one time, until the point where he could hand half of it to his son. The area of 65 acres seems to have been the unit of production size preferred by both father and son. The mortgage lenders were mostly yeomen in neighbouring parishes, not wealthy Londoners, with a good sprinkling of spinsters and the occasional widow. The sums involved were in the hundreds of pounds. After his death the eldest son continued in his father's style with mortgages and sub-letting until his own death and sale of his property. The youngest son sold off the greater part his inheritance and combined sub-letting and mortgages on the remaining small portion, presumably to fund whatever his occupational activity was. By 1705 the total Wyatt holding had fallen from 142 acres in 1645 to a mere 35 acres.

8.8.2. John Moore – a small purchaser

John Moore of Meonstoke was at the other end of the social scale from the Wyatts. In 1688 he purchased a 'cottage with curtilage and garden' whose annual rent was 6d and the fine paid was 10 shillings. The condition of the cottage was probably very poor. The previous owner had died in possession in 1671 and no heir came forward to claim entitlement until 1687. Almost 20 years of abandonment suggests the property may have degenerated into a ruin. In any event, Moore immediately took out a mortgage on the premises for £25 at 5% for 1 year from John Hatch of Meonstoke. The mortgage was renewed in 1690, but for £30; again in 1692 for £26, and then finally in 1695 for 3 years for £26, all at 5% and from the same lender. The mortgages then cease, and were presumably paid off. It may be significant that from 1692 the description of the dwelling changes from 'cottage' to 'house' suggesting that Moore had indulged in a significant rebuild. The mortgages could represent the price of purchase, refurbishment and building.

8.8.3. Thomas Lee: business investment opportunity or a gamble ?

Thomas Lee was a clothier in Bishop's Waltham some 5 miles from Meonstoke. In 1676 he purchased 70 acres there with annual rent of 24s 5d from Clement Kent.

²⁶ He only occupied a 2 hearthed dwelling in the Hearth Tax despite being Meonstoke's largest tenant.

Neither purchaser nor seller were resident farmers. Lee immediately took out two mortgages on the entire holding. One on 20 acres was for £200 at 5% and the other on 50 acres including dwellings for £300 at 5%; both from men in a neighbouring parish. The total £500 raised may have covered the purchase price plus capital for his business. In 1678 he renewed both mortgages for 2 years at 5%, but this time he only used 80% of his land and the total sum was reduced to £400.

However, Lee had either over-reached himself, or he had intentionally purchased the land for a few years in order to sell it later at a profit. In 1679 he split up the holding and sold off all except 10 acres, which was mainly coppice. At the same time other records lodged in the Hampshire Record Office show that in 1679, he was raising a mortgage of at least £200 on “The George Inn and all stables, outhouses etc,” in Wickham which he repaid in 1680.²⁷ So it would appear that the Meonstoke mortgages and land sales were part of a wider portfolio of business activity.

After a pause, he mortgaged 4 acres of arable remaining to him for £80 at 5% over 3 years, but sold it only one year later. This left him with a coppice of 6 acres – which he duly mortgaged in 1686 for £50 at 5% for 3 years from Anna Knight of nearby Droxford. However, the amount was not repaid and Anna’s heir claimed a forfeit of the premises in 1690. Lee himself died in 1692.

The pattern of purchase, mortgaging and sale here is suggestive of business investment and opportunism, with a possible financial crisis towards the end. Whether it all became too much in 1679/80 or whether that was part of the plan and Lee was moving his investments around into other villages and small towns too is not known.

8.8.4. George Lowes – decline and fall

George Lowes’ ancestors had lived in Meonstoke from at least the mid sixteenth century, and, as detailed earlier in this chapter, his grandfather Richard Lowes had taken out the first recognisable mortgage in the court records in 1616. After he failed to repay and forfeited the portion of his holding, he surrendered all his remaining land to his son Richard Lowes jun, who had just become a father of a son George.²⁸ It therefore appears that the Lowes family began the 17th century in a difficult financial position; which may have been grandson George’s unfortunate inheritance.

²⁷ HRO 45M69/136.

²⁸ WC: 'Item 32049 Court Book p 19 & 94',

By 1645 Richard Lowes jun. had died leaving a widow Alice and son George as tenants of 48.25 acres at an annual rent of 14s 7d. The holding included a dwelling (a comfortable 3 hearths in the Hearth Tax) with garden and barn; a cottage; eight closes of 40.75 acres, and a further 7.5 acres of coppice.²⁹ Alice held it under her widow's rights, but George appears to have managed it for her. His occupation was described as a 'husbandman'.³⁰ George had meanwhile married and between 1643 and 1653 the parish registers show that he had baptised and buried five children. It seems that he was left with no family.

In 1644, the cottage and 3.5 acres were mortgaged for £35 at 8% interest rate for a one year term. This was renewed in 1645 and 1646, until in 1647 a loan of £40 was negotiated with a cleric for 3 years at only 5% interest. This was a very good deal at that time, and the increased sum should have covered any unpaid interest on the previous loans. However it ended with a surrender to another tenant (who was not the mortgage lender) in 1649, so a degree of financial crisis is indicated.

The continuing need for more funds was evidenced by George taking a new mortgage for £20 later in 1649 on a close of 2.25 acres from a tailor in neighbouring Droxford. This was renewed in 1651 for £35 from a local spinster Sarah Budd at 5% over 3 years. In 1654 she loaned him £40 against a larger close of 9.75 acres and renewed it in 1657 for £44 – presumably to cover the interest and principal from before. However, either she had marriage plans for herself, or was becoming wary of George's inability to repay her, as she inserted a clause into the 1657 mortgage to say that if she needed the capital of £44 back during the 3 year term, then provided she gave a quarter of a year's notice, Lowes must repay her.

During the 1660s Lowes switched his lender to Richard Hawkesworth of neighbouring Soberton. The first mortgage was for £130 at 6% over 2 years on 21 acres and in 1662 it was increased to £180 for 30.75 acres. He now had two thirds of his holding under mortgage. Subsequent renewals continued during the 1660s and rose to a principal total of £280 in 1668 raised on 44 acres or 94% of George's holding. It appears that Lowes had greatly over-reached himself and was unable to pay off any of the capital let alone the interest. In 1670/1 the 30 acres were forfeited to Hawkesworth for non-payment, and

²⁹ Acreages of the holding converted from the seed acres given in the court roll text by a factor of 3/4.

³⁰ WC: 'Item 13582 Heriot bond',

in 1670/1 the 14 acres were surrendered to a local tenant, although not technically as a forfeit. George Lowes was now left with only a house and an adjoining 2.75 acres close.

During the 1670s he began to mortgage what little he had left to him. In 1670/1 he mortgaged Barn Close of 1.5 acres for £25 at 6% from Robert Baker of Exton and by late 1671 he was mortgaging everything including the house for £40 lent by Patrick Farwell of Winchester. These mortgages then ran for one and two years throughout the 1670s and early 1680s. Finally in 1683 George obtained a mortgage for £90 from Edward Nicholas the son of the Warden of Winchester College (the landlords). This action suggests that the lords may have felt sorry for him, and perhaps he had extenuating personal circumstances such as illness or limited intellect. In 1687 George surrendered up everything to John Budd, bricklayer of Meonstoke (who worked for Winchester College under contract) with the condition that he and his wife should be allowed quietly to inhabit half the house for the rest of their lives. He died the next year.

It is difficult to interpret this story as anything but a tale of sad decline over a period of more than 40 years. The 24 mortgages described above seem to have been a desperate attempt to keep afloat and do not represent any managed plan of investment. The final conditional surrender is a very sad one. There is no evidence of any obvious need of funds for husbandry or purchase of premises, and there were no children to provide for. It is possible that the family indebtedness was passed on to him, but no wills for him, his father or grandfather can be traced.

8.9. Conclusions

This analysis of mortgage borrowing by the customary tenants of manors in Hampshire has shown that they had become an important component of their economic activities which has hitherto – apart from those found by French and Hoyle – lain undiscovered. Mortgages were not simply the preserve of the rich and ambitious. A cottager could raise a loan as well as a wealthy yeoman. However the activity was limited firmly to those manors where the customary tenure was secure enough to permit it: customary of Inheritance tenure primarily and otherwise those with Lives where the first life could act alone. Any tenants living in a manor with the less secure tenures of Lives could not participate in mortgage borrowing.

The relaxations in the laws of usury passed during the sixteenth century set the scene for full-scale and open exploitation of the mortgage with interest payments during the seventeenth century. Although the level of activity varied considerably between years and decades, at any one time between 10% and 25% of the tenantry might hold one. The peak of borrowing in the period covered by this thesis was reached during the 1670s and 1680s; but no particular correlation between this pattern and the movement of grain prices was found. This accorded with Muldrew's conclusions from his study of litigation relating to credit during a similar period. Interest rates were not a significant influence either, as they were capped by statute and were the same for all. They gradually declined during the study period from 8% in 1640 to close to 5% by 1700. The pattern of mortgage lending did not correlate with this.

All social levels were involved in both borrowing and lending. Most took only a few mortgages for terms between 1 and 3 years, and few individual borrowings were for more than £300 capital. However, some held several loans of this size at the same time so that their personal total was higher. This suggests that the limit to the borrowing amount was probably set by the lenders who either could not, or would not, risk more in one loan. Very few tenants took a mortgage on more than 50 acres at any one time. The smaller the holding, then the higher the probability that the tenant offered up 100% of their holding for loan. This seemingly much higher risk does not seem to have deterred many.

The analysis attempted to investigate why borrowers may have needed capital, and the results suggest that the majority of uses of mortgage funds were not notably capitalist in their intent. Those who used the capital for purchasing or building and refurbishing came mainly from the cottager and small holding sector of the tenantry who apparently needed funds to pay for a purchase and repairs. More than fifty percent of their loans were for less than £50. There was a modest business and investment motivation, but many of these were accounted for by one or two individuals like Wyatt who had a regular series of many mortgages spread over several decades, seemingly as a form of savings planning. Very few were land speculators or town business people like Lee. A wide range of tenants were involved in trying to pay off legacy requests or inherited debt from the previous generation - particularly in the later decades of the century. There was a link between these and a small number of mortgages which were clearly taken out to provide marriage portions or shares for older children who would not

automatically inherit. Finally there were the tenants in financial difficulties who formed about one fifth to one quarter of the whole. They had either been unable to pay off earlier loans, or had somehow found themselves in serious debt of their own making or accident. Sometimes it was quick; and sometimes the agony extended over several decades as in the case of George Lowes. Often the circumstances are lost to modern view. One court roll entry referred enigmatically to “this poor shattered tenant”.³¹

The rates per acre which were used as collateral for the mortgage are an interesting indication of differing land prices at the time. Although the rates rose steadily over time (after a dip in the 1650s-60s) a general pattern was observable. A cottage could fetch between £15 and £35; land with a dwelling might fetch up to £9 per acre; and land alone up to £10. However these figures were for enclosed and fertile lands in a village like Meonstoke. Rates for unenclosed open fields on poor thin chalk soils like those of Crawley could often command only £3-£4 and not over £5 per acre. These results fit well with those for the different parts of Slaidburn studied by French and Hoyle where the old enclosed lands fetched the higher prices, while the newer lands had lower rates. Mortgage loans took into account the type of land being offered.

The examination of the lenders of mortgages revealed no evidence of professional middlemen or agents. Rather it showed a wide participation in lending by a large number of individuals. Sixty per cent of lenders only lent once to one borrower and a further eighteen per cent offered more than one mortgage, but to only one lender. This is not a pattern suggestive of professional lenders. The close kinship and village ties were demonstrated between lender and borrower; the overwhelmingly locally resident nature and ‘middling sort’ of status of the great majority of lenders suggests that personal ties were the strongest factor in lending. Risk assessment would be carried out and loans offered only to those who were well known. Women were well represented amongst the lenders – either as widows with a legacy to invest or as spinsters presumably with an inheritance. This accords with the research by Spicksley who found that during the seventeenth century fathers increasingly provided for daughters in cash and that it became almost popular for them to place this capital out to credit such as mortgage

³¹ 'Cath: W54/6/2, Survey or holding register, 1660-1760.', p.86 apparently referring to Lomer Shallet. His fine was abated by £10 for this reason.

lending. In this way they extended their personal support and also their prospective portions if they were to marry.³²

Finally the difference between the types of mortgage raised by customary copyhold tenants was found to be very different from those few found in the freeholder moiety in Vernham Dean. There the principal sums raised were far higher, but also for far longer in a format more similar to a modern lease. This chapter has demonstrated that customary tenants had their own type of mortgage of more modest scale, but one which must have contributed significantly to the rural economy and which has hitherto lain hidden from historians' view.

³² SPICKSLEY ' Usury legislation, cash and credit ', pp 295-7.

Chapter 9 Conclusions

This study has examined the transfers of land and dwellings made by customary tenants in the Hampshire downlands in the second half of the seventeenth century. It has included both permanent and temporary transfers associated with inheritance; sales and purchase; exchange of reversion lives; sub-letting; and mortgages. In particular it has done so in a group of manors with different customary tenures, in order that the effects of these could be assessed for the first time in the early modern period. The tenure characteristics controlled which transfer options the tenants had, and hence the nature and scale of their activity. Yet many of the tenants were clearly of common purpose in seeking to maximise the use of their land in the economic sense: they just had to take different means to that end.

There were certain aspects where – as French and Hoyle remarked in Earls Colne – the findings were sometimes notable for what did not happen, rather than what did.³³ For example, in manors of ecclesiastical and college lordship, the rates for rent and fine were low, stagnant in amount, and did not change during the period of study. The lords made no attempts to alter them. Fines were in principle variable, but although those for the Lives manors were higher than those for inheritance tenured manors, they were still modest and were not raised during the half century. Charges for licences to sub-let did rise slightly, but were even so still modest; and for mortgages, the interest rates were effectively prescribed by statute. So the overall effect of these parameters of rent, fine and interest was to create a form of constant background for the transfers, rather than a source of pressure for changing prices. Tenants were not under pressure from rises, and - as Van Bavel and Hoppenbrouwers have pointed out - the land market price mechanisms did not therefore fit a purely economic definition of a ‘market’.³⁴

The calculation of a series of annual Winchester grain prices from the corn element in lease payments, showed that there was a fluctuating pattern throughout the period, but no overall strong trend. There was little evidence of a correlation between numbers of transfers or mortgages and these prices. A weak correlation was found with wheat prices in the last two decades from 1686. The conclusion is that the land market in these manors was not responding to these factors at this time. This was similar to a result

³³ FRENCH and HOYLE 'English individualism refuted', p 616.

³⁴ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, p 20.

noted by Muldrew for litigation in the credit market too.³⁵ It seems probable that particularly in manors mainly owned by ecclesiastical lords, that political factors associated with the post civil war confiscation of the manors; the subsequent Restoration reviews and the following serious plague years, outweighed any influence of agricultural prices for the first thirty years of the study period.

The relative meekness of the corporate lords was at least in part caused by these political upheavals. They nowhere pressurised tenants to convert copyhold to lease; or let lives run out so that the copyhold could be purchased by themselves, as some secular lords tried to do. They themselves were not aggressively accumulating gentry or newly-rich with an eye for developing a large estate. Enclosure was not an issue in these manors at this time either. The majority of the manors had already been enclosed and only some minor further agreements occurred during the study period, which sought to divide up portions of down or wood already tilled by the tenants under licence. It was all arranged in apparent agreement with the tenants. These particular lordly pressures did not, therefore, exist in the Hampshire manors of study, and this needs to be borne in mind if comparing them with manors elsewhere. However, as Beckett and Turner have observed, a benign system benefitted both lords and tenants.³⁶ Provided that rents, fines and dues were paid – then little was demanded of the lords in terms of troublesome management, and the tenants could behave independently with their holdings and take part in land transfers as and when they wished or needed to, without lordly pressures. The picture which emerges should be close to that of free action within the constraints of custom and tenure.

Although pressure to enclose was not present, its ramifications did appear principally in its effect on land values in the different manors. At the outset, the Parliamentary Surveyors demonstrated that their valuation of enclosed land was almost double that in open field strips. In chapter 5 it was found that of the three inheritance tenured manors, Crawley was not as popular with purchasing investors as were Meonstoke and Hinton Ampner. Crawley was the manor not yet fully enclosed, and as a result the land appeared to be a less attractive opportunity; and land values were in consequence lower. It is possible that this was partly behind the larger family vs extra family ratio of transfers in that manor. The picture was mirrored and reinforced in Chapter 8 which

³⁵ MULDREW *Economy of obligation*, . pp 228-9.

³⁶ BECKETT and TURNER ' Freehold from copyhold and leasehold. '. p 284.

showed that the price per acre which could be raised in mortgage was also lower in Crawley – for the same reasons. Either more land had to be mortgaged to raise a particular sum, or less capital was acquired with the same acreage as in the two manors. Weight was lent to this picture by the finding that the 3livesbut1 tenure manor of Vernham Dean, also an unenclosed manor, had similarly low rates . This finding fits with French and Hoyle's research on Slaidburn where old enclosed lands fetched a higher price, and Allen's that leasehold rents for enclosed land were higher than for open field land.³⁷ This provides a strong reminder that in any study of land prices in the land market for customary land, the status of enclosure is important to know.

A major aim of the research was to examine whether the type of customary tenure affected the activities of the tenants with their land. In the introduction it was explained that life leases developed in different ways after the mid fourteenth century, but there have been no studies of the way copyhold for lives worked during the early modern period. Almost all previous studies have used records of either freeholders or customary tenants of inheritance. Clay and Gritt studied life leasehold, but other references to copyhold for lives have been very occasional and limited.³⁸ Yet it is probable that it existed and continued in parts of the west and south of England at least through into the nineteenth century. A study of it was overdue.

The study of land transfer in chapter 5 established what the options for the tenants were according to tenure. The manors of inheritance had the familiar range of possibilities associated with secure customary tenures. They could leave their holdings to the inheritance of the customary heir after their death; or they could sell their property *inter vivos*. They could sell all of it; split it into portions; surrender it within the family or to unrelated persons. Conditional surrenders could be used to provide for old age or payments to wives or children other than the heir; and a few were surrendered to will. Entails could be set up, or the surrender could be part of a marriage settlement. In addition to these permanent transfers, the temporary transfer of sub-leasing was possible and finally the holding could be used as collateral to raise a loan in mortgage. By the second half of the seventeenth century there was this wide range of options for the

³⁷ FRENCH and HOYLE ' Slaidburn ', p 369.

³⁸ CLAY ' Lifeleasehold ', ; GRITT ' Life Leasehold ', and copyhold for lives in YATES *Western Berkshire*,

tenants in manors with inheritance tenure. French and Hoyle's study of Earls Colne has presented the results of transfers in a manor most closely comparable to these.³⁹

In contrast, the Lives manor tenants were far more restricted. When they died it was the Life 2 reversioner who inherited and not a customary heir. Hence the 'custom' of inheritance was effectively irrelevant in these manors. It was not possible to sell the holding *inter vivos* because there were three lives involved. The tenants who had the 'three lives but the first can act alone' tenure could sell all the lives at once if Life 1 wished to do so. However it was not possible with either type of lives tenure to make any conditional surrenders, or entails; or to use the holding for a mortgage loan. In particular it was not possible to split up the holdings into different sized portions and thus to create a range of sizes, or small parcels for cottage building without land. In fact the 3livesbut1 tenure did sometimes do the latter and so some small cottagers were to be found there. The result of these restrictions was effectively to fossilise the pattern of tenants' holdings into the larger virgate-based sizes which had probably existed for up to two centuries or more. It is a feature of Lives manors which is important for any future researchers using records of such manors to understand.

The two main options for *inter vivos* transfers open to Lives tenants were to alter the reversion and remainder lives, or to sub-let their property. In chapter five the permanent transfer activity with reversion and remainder lives was examined. Technically with these it was only rights to a life in the queue which were transferred and not the property itself. It therefore invited the question as to whether reversions should be included in transfer and land market studies. The answer is a resounding yes. They were found to be primarily the addition of a new life after a death and exchanges of lives *inter vivos*. The latter usually aimed to replace children or kin of a deceased with children of the new Life1; to replace the lives of daughters who had reached maturity and wished to marry and / or receive financial support to her by cashing in her life; or simply to alter the succession. There was occasional evidence of outsider attempts to buy or pressurise their way into reversion lives with their own children in place of the existing family. A widow was bribed. The picture was one of a land market in reversion and remainder lives, and one where the Lives tenants were to a degree using them in a manner not dissimilar to the sale/purchase activities of the tenants in inheritance tenured manors.

³⁹ FRENCH and HOYLE *Earls Colne*, Allen, Enclosure and the Yeoman, p.172.

The issue raised the question of how and when to include the reversion lives in an analysis designed to compare the differently tenured manors. When all the reversion activity was added to the Life 1 tenant activity the levels of turnover were not dissimilar to those of manors with Inheritance tenure. However if only the main Life 1 tenant transfers statistics are used, then the activity level of transfers is very low compared with inheritance tenured manors and has a high proportion of after death succession rather than the *inter vivos* predominance found in exchanges of lives and in Inheritance manor transfers. This may well lie behind the observations of historians such as Whittle and Yates that the frequency of transfers was lower for the ‘Midlands’ type of manors (ie Lives manors). It may have been that only Life 1 was included in those studies.⁴⁰ This research has shown that the reversion lives need to be included as well, as they were very much part of the transfer activity. However to make them comparable with other types of tenured manors elsewhere, the reversions data need to be presented separately with that of Life 1 tenants so that their different natures and effects upon overall results can be assessed and identified.

The case study in chapter 5 of the Baker family in Exton and Meonstoke illustrated the way in which tenants with land in two manors could take advantage of the different options under the different tenures. Land in Meonstoke was bought, sold, mortgaged and conditionally surrendered; whilst land in Exton had its reversion lives exchanged to achieve a longer term succession and provide for spouses. However, it became clear that an important consideration in the activities must have been the time-scale involved. In Meonstoke with tenure of inheritance land could relatively quickly be mortgaged if capital was needed, or in extremis sold off to raise funds. It was surrendered to will to provide for different children. However organising succession and capital raising in the lives manor of Exton was very different. If they wished to ensure a succession for their chosen heir, then the strategy of placing reversion lives in the queue might need to be very long term. The case of the Swards in Ovington showed that it could take thirty or forty years to bear fruit. It would have been almost impossible to respond quickly and immediately if financial problems or some other crisis requiring capital arose unexpectedly. The Lives manor tenants were burdened with inflexibility.

⁴⁰ WHITTLE A reassessment of land transfer patterns. ; YATES *Town and countryside in Western Berkshire, c 1327 - c 1600*, ; WHITTLE and YATES Pays reel or pays legal ? ,

The tenants in Lives manors were then left with sub-letting as the only means of making income from their holdings, although this was also a long-term strategy. It could not raise capital sums quickly as mortgaging might do. However chapter 6 showed that it was well used – either because it was the only option, or because the holdings could not be sold as described above. Tenants who in inheritance-tenured manors might have sold up when moving away or taking up other occupations than farming, may have felt tied to their tenancies in a Lives manor even if they no longer needed them. They would have seen sub-letting as a good way to maximise income from them. The results of the analysis in chapter 6 showed that up to 80% of the acreage in Chilbolton and at least two thirds of the acreage in the other two Lives manors were sub-let under formal licence by the end of the century; whereas only a mean of 15% of acreage was sub-let in the inheritance tenured manors at that time. The 3Livesb1 manors were down towards the level of the Inheritance manors at 24%. This is a striking illustration of the different way in which the tenants had to operate with their land according to tenure.⁴¹ The Lives tenants appear to have been compensating for loss of options for sale or mortgaging to gain income or capital from their land, by large-scale sub-letting.

With regard to the more specific aspects of the results of the data analysis of permanent transfers of land in all the manors, the volumes of turnover were found to be high. Although the figures were shown to depend upon what was, and what was not, included in them – a problem identified previously by van Bavel - the scale of turnover fitted closely with that found by Glennie, Whittle and French and Hoyle's results at around 4-5% per annum of farmed area.⁴² This adds weight to the view that English rural tenants really were more active with their land than most of their Continental counterparts at this time.⁴³

Changes in holding size over time have been a repeated theme in historical studies of rural tenants, and in this study some increased polarisation of size was detected, but only in the manors with inheritance tenure. The Lives manors were stuck in a fossilised holding profile. Specifically the finding in inheritance manors was that holdings in the

⁴¹ This contrast between manors was not to do with the value of land, which has been shown to have related to enclosure rather than type of tenure.

⁴² VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, ; GLENNIE 'Lea Valley', ; WHITTLE *Land and labour in Norfolk*, ; FRENCH and HOYLE 'English individualism refuted', ; FRENCH and HOYLE *Earls Colne*,

⁴³ VAN BAVEL and HOPPENBROUWERS (eds.) *North Sea Area*, ; GLENNIE *Lea Valley*, ; WHITTLE *Land and labour in Norfolk*, ; FRENCH and HOYLE *Earls Colne*,

middle size decreased in number, particularly the 25-< 50 acre size group. Much of the increase was in the smallest holding size, rather than in the largest. However if the results from chapter 5 are placed together with those of chapter 6 about sub-letting of land, there is evidence that the formal size of holding was by this date a poor and misleading parameter by which to measure the effects of the land market. The finding of the high level of sub-letting in the lives tenured manors, means that the size of farmed unit was almost certainly very different from the formal legal holdings. It would therefore be misleading to draw conclusions about polarisation and the progress of agrarian commercialism from the holding size analysis at this date.

This issue of how to establish actual farmed size – the unit of production – as distinct from the land holding size – the unit of ownership – is one of the vexations in early modern agrarian history. The actual farmed area profile can be very difficult to ascertain. This study did uncover some pointers, which fell broadly into three categories. Firstly if a tenant had a larger sized holding than he wished, or was able, to farm himself (with or without extra labour), then he might sub-let a portion equivalent to what he regarded as surplus acreage leaving a comfortable size for himself. Secondly a few indications of how much land a farmer might gather together by renting as a sub-tenant were found; and thirdly there was some evidence of the farmed unit which tenants might accumulate by using land in more than one manor where they appeared in adjacent manors in this study. Examples of the first of these were William Wyatt and his son in Meonstoke described in chapter 8, and Richard Baker in Exton described in chapter 5. Both appeared to keep between 60 to 65 acres for their own farming and sublet the remainder. This result fits with that found by Allen, who thought that a family could operate between 50 and 60 acres without hired help.⁴⁴ An example of the second was provided by the will of Philip Allingham in Exton described in chapter 6, who was not a formal tenants, but appears to have gathered up to 200 acres as a sub-tenant. He seems to have been more commercially minded than Wyatt or Baker. Thirdly there was Susannah Shallett of Exton described in chapter 5 who inherited her husband's 67 acre holding in Exton after his death and proceeded to buy up another 60 acres of holdings in Meonstoke. She and her several sons clearly farmed the 127 acres themselves, but this large amount would have been hidden from view if only the records for Exton or only those for Meonstoke had been studied. She appeared in the records of both manors as a middle-sized tenant with around 60 acres. The Masons in Vernham Dean also

⁴⁴ ALLEN *Enclosure and the yeoman*, p 56.

accumulated 101 acres across the two halves of the manor with their two types of tenure and appear to have farmed this themselves. The point about all these tenants is that the size they were actually farming was different from their holding sizes. The first group were farming less than they held, but probably using an amount of acreage which they could farm without much outside help; whilst the second and third were farming more than they held; probably on a more commercial scale, and either sub-renting or using land in more than one manor.

A linked issue affecting outcomes was the documentary problem of the measurement of much of the transfer activity using only the manorial records. The constraint meant that most frequently the *pays légal* results were obtained, rather than the *pays réel* as Whittle and Yates had earlier observed.⁴⁵ For example, as it was found that a mean of half of all the tenants in 1705 were not resident in the manor; and that most of them plus some who *were* resident, undertook the sub-letting of their land, it is inevitable that the farmed size will have been very different from the formal tenant holding profile. It is difficult enough to obtain information about sub-letting, but to determine who the sub-tenants were and how much land they rented was not possible. Occasionally other records can provide a small window on reality, such as the previously quoted example of Phillip Allingham in Exton whose probate inventory suggested that he farmed as much as 200 acres there, without ever appearing in any formal court records or tenant listings. More work is needed in the future to examine this difficult issue of identifying units of production, and to try to find ways of determining the reality.⁴⁶

The examination of transfers which occurred after a death, showed that, when reversions were included, all the manors had a mean of one third after-death permanent transfers compared with two thirds *inter vivos*. This accorded with the findings of Whittle in Norfolk and Glennie in the Lea Valley for the sixteenth century, and suggests that Hampshire was following a similar pattern.⁴⁷ The customary inheritance in all the manors was Borough English – the customary heir was the youngest. However this was shown to be irrelevant in Lives manors where Life 2 inherited. The pattern of who succeeded after a death was therefore different. All the heirs in inheritance manors were kin, but up to twelve per cent of those who came next in the Lives manors were

⁴⁵ WHITTLE and YATES ' Pays reel or pays legal ? ',

⁴⁶ At the time of submission of this thesis in 2013, I am told that Joseph Barker has recently submitted a thesis to Cambridge University which uses tithe and poor law records to examine this issue. These records are not available in the Hampshire manors of study for 1645-1705.

⁴⁷ WHITTLE *Land and labour in Norfolk* ; GLENNIE ' Lea Valley ',

unrelated to the deceased, as their lives had been placed in reversion prior to the death. Often this happened a very long time before the death as previously evidenced by the Seward family in Ovington who placed sons in reversion and remainder in 1660-1, but who did not succeed to the holding until the 1690s.

The pattern of family inheritance after a death in Earls Colne was found to have been 41.1% to the children of the deceased and 28.2% to grandchildren, siblings or cousins.⁴⁸ In chapter 5 of this study the comparable figures for the Hampshire manors were 69% and 24% for Inheritance manors; 60% and 22% in 3Livesb1 manors, and 54% and 27% in Lives manors. This difference might lead to the conclusion that Hampshire was still more family-focussed at this time than a manor in Essex. However, there were a number of factors which may have affected the results. Firstly the Hampshire figures are those who ultimately inherited the holding after a widow had died. Figures which include the widows as the heir are much lower in respect of children inheriting immediately after the death. Secondly, this study had the benefit of more genealogical information about the tenants from parish registers and wills, and was probably better able to identify more kin. These factors aside, the lower inheritance rates for children in the Lives manors was noteworthy as there was more opportunity for wider kin or even unrelated persons to be nominated to reversions and thus ultimately to inherit.

The overall figures of *inter vivos* transfers demonstrated that in all the manors, more land was transferred outside the family than within it. The mean ratio of familial transfers to extra familial was 45% : 55%. This was in line with the results of Whittle and Glennie for a century before, so that the extent of family participation in transfers had remained near that level.⁴⁹ In the manors with inheritance tenure, 10% of the transfers and 18% of the acreage involved conditional surrenders which were either for the purpose of providing for old age or for requesting payments to be made for maintenance or support to family members. Lives tenants meanwhile shuffled reversions in order to maintain their family links with their land, and the inhabitants of Crawley had a veritable plethora of entails. Mortgage borrowers encountered in chapter 8 such as the Wyatts, seem to have trained up their sons in the use of the loans for investment purposes. The case study in chapter 5 of the Baker family daughters showed how incoming husbands and new children were accommodated and accounted for with

⁴⁸ FRENCH and HOYLE *Earls Colne*, p 185.

⁴⁹ WHITTLE A reassessment of land transfer patterns. ; WHITTLE *Land and labour in Norfolk*, ; GLENNIE *Lea Valley*.

a variety of transfers. The use of reversion exchanges to help women approaching marriageable age was found in Lives manors. There was therefore a variety of evidence to suggest that, as in the medieval period, the land-family bond was still important to some tenants in the later seventeenth century.

An interesting slightly contrary finding was that there was little evidence of the use of transfers on any large scale to provide for children other than the heir, apart from the conditional surrenders just referred to. Some parents like George Lane of Meonstoke did divide up their holdings between their daughters; and a few like Daniel Budd tried to protect their first family when marrying again. Dorothy Lacy in Hinton Ampner and William Wyatt in Meonstoke ensured that their holding was divided equally between two sons. However they were the exception. It is also interesting to consider whether a land-family bond can claim to have existed in the Lives manors by the end of the century, when so much of the land was sub-let. The bond appears to have been an economic one to use the land to provide income, rather than an emotional familial attachment.

Another indicator sometimes used when assessing a land-family bond is the extent to which holdings remained in the same family over time. This was examined in chapter 5 to compare with French and Hoyle's findings in Earls Colne where 40% of the holdings in 1650 were in the same hands in 1700.⁵⁰ The overall Hampshire mean of 46% was close to this, but the range was very wide from 27% to 71% in different manors. When this result was combined with the high levels of sub-tenure found in chapter 6, it was concluded that the degree to which land legally remained in the same family may not be a reliable indicator of family-land attachment.

In terms of motivation for *inter vivos* transfers outside the family, it was not easy to estimate the reasons in the way in which chapter 8 examined them for mortgages. Primarily involving manors with inheritance tenure, the sale of holdings above 32 acres in size was found to be related to financial difficulties on the part of the seller. Although the strong market in smaller parcels and dwellings could also be related to financial problems, there was a much wider variety. Some were small artisans establishing themselves; others were exchanges of small road-side parcels for cottage building or to alleviate access problems. The purchasers were divided between those who were trying

⁵⁰ FRENCH and HOYLE 'English individualism refuted', p 609.

to accumulate; those who wished to invest; and those who merely wished to move into the village and accommodate themselves. Meanwhile in the Lives manors the *inter vivos* activity was primarily amongst reversions and involved shuffling and exchanging lives so that grown siblings were replaced by children or even grandchildren of Life 1 and sometimes by outsiders – with or without bribery. The market for lives was shown to have been modest and mainly within the wider family.

The outcomes of the permanent transfer study showed that accumulation and engrossment of holdings was not a predominant trend. Rather, in the manors with inheritance tenure, if accumulation in one generation occurred, it was usually dispersed again in the next. Once again this mirrors the findings of French and Hoyle in Earls Colne at this period.⁵¹ The experience of tenants in the Lives manors was different. Accumulation was hardly possible to effect in them unless they indulged in thirty years of forward planning like the Swards in Ovington. So engrossment and the building of large holdings was not a trend in those manors.

A feature which all the transfer activities in all the manors had in common was its overwhelmingly local nature. Purchasers of land and lenders of mortgages were almost all from within the county, and most of them from within a twelve mile radius. Where the odd London-based provider or purchaser appeared, it was most often a son of the village who had moved up to the city and retained family connections. There was no sign at all of large-scale investment by professional merchants, traders or gentry from the large towns and cities. In addition to London, investors from the large ports of Southampton and Portsmouth were also absent. Where the middling sort of town traders were involved, they were living in local small towns such as Bishop's Waltham or Alresford and of course Winchester. With mortgages there was no sign of professional money-lenders acting as a group, and whilst there may have been middlemen agents who introduced prospective borrowers to lenders, the activity was as widely spread and local as were the purchasers of holdings. This pattern fits well with French and Hoyle's findings in Essex that activity was local until at least the early part of the eighteenth century.⁵²

Another feature in all the manors revealed in chapters 5 and 7, was that the residency rate of the tenants declined as the century went on. In 1665 in the Hearth Tax a mean of

⁵¹ FRENCH and HOYLE *Earls Colne*, p 233 & 240.

⁵² *Ibid.*, p 372.

two thirds of the tenants were resident and by 1705 only half were. The changes were largest in the Lives manors, perhaps because it was difficult to sell the holdings, so that more of them were retained and sub-let after moving away. The implications were for increasing rates of sub-tenancy, and that outsiders were probably moving in with more investment purchasers. French and Hoyle noted that yeomen families of the late seventeenth century were no longer resident in the eighteenth, but that they retained their land after they had moved out for a while at least.⁵³ The Hampshire manors may have been following the same trend.

The use of tax records in combination with the manorial, was able to throw a new light in chapter 7 on the previously unstudied subject of the sub-letting of dwellings. In 1665 one third of the tenantry were found to have been letting dwellings – which were either their own if they resided elsewhere, or if resident, then multiple cottages built on their own holdings. As the overwhelming proportion of sub-tenants were living in the smallest dwellings, and more than half of them did not bear surnames linked to families in the village, the pattern suggested accommodation for a workforce of landless labourers. It therefore also suggested the commercialisation of agriculture using either waged labour or workers who were paid in kind via accommodation provision. Their whole presence in the manors would have been completely undetected using manorial records alone. There were, however, tenurial differences in the pattern. Tenants in the manors with inheritance tenure were able to split off small portions of land for cottage building occupied by small farmers or labourers, who were then able to become tenants in their own right. In consequence the tenant profiles provided in the manorial records and the taxation were quite similar. Lives manor tenants, however, could not split off small portions for cottage building and so tended to develop multiple dwellings on their holdings in which the labourers were accommodated. Their formal manor social profile of tenants with larger blocks of holdings was very different from that revealed in the Hearth Tax wherein a whole class in society of cottage dwellers was revealed.

The subject of mortgage loans taken out by customary tenants has only rarely been covered by other historians, and when they have been, it was chiefly in terms of numbers and scale, such as those tabulated by French and Hoyle in Slaidburn and Earls Colne.⁵⁴ There has been little detailed study of them, partly because records have either

⁵³ Ibid., p 36.

⁵⁴ FRENCH and HOYLE 'Slaidburn', ; FRENCH and HOYLE *Earls Colne*,

not been found, as in the extensive study of credit undertaken by Muldrew, or the records of satisfaction with mortgages or otherwise the fate of the loan were not available as French and Hoyle found.⁵⁵ As changes in the laws of usury allowed interest to be charged after 1598, the dates of this study were particularly suitable for an examination of how the tenants adapted to the new form of credit facility and what they did with it.

Chapter 8 showed that mortgages were very much a part of the capital raising activities of customary tenants with all sizes of holdings in the manors with inheritance tenure. Although only between ten and twenty percent of tenants were identified as having a mortgage loan in force at any one time, this represented a considerable volume over time. Although the motivation for, and use of, the mortgage capital was never stated, it could in many cases be inferred. About one third of loans were assessed as connected with investment of some kind; a fifth each for paying legacies, purchasing and refurbishing, and crisis finance; and the final eight percent for marriage and children. Some tenants took out a long series of mortgages like the Wyatts or John Collins. Most took out only one or two. It was possible to mortgage the same land as was sub-let in Meonstoke at least, and so mortgages could be used as an instrument in combination. The study shed some light on the limits to lending which was about a maximum of £300 for any one loan. This seems to have been set by the lender, as some borrowers took out multiple mortgages if they wished to acquire a total of more than that sum. As with the permanent transfers mentioned earlier, some of the rates of mortgage lending suggested differential land values such as higher levels for enclosed land. It also demonstrated a wide difference between the low rents being paid and a possible market value. A cottage with annual rent to the lord of between 2d and 6d per annum could fetch up to £35 in a loan.

The whole scale of the mortgage activity was such that further research in other parts of England are needed to shed further light upon how representative this Hampshire experience was. It would confirm – or question - the place of the mortgage in the rural economy at a time when institutional sources of lending such as banks had yet to be established, so that loans in the seventeenth century remained a largely inter-personal activity. It would also add weight to the view which has emerged from this study, of a relatively advanced and widespread raising of capital from mortgage loans by the

⁵⁵ MULDREW *Economy of obligation*, ; FRENCH and HOYLE 'Slaidburn', p 374.

English copyholders at a period when it was previously only thought to have been a feature of the merchant and trading classes, or the rural tenants of some of our Continental counterparts – particularly the Dutch.⁵⁶ However the use of mortgages was restricted to those with either freehold or customary tenure of inheritance. This tenurial restriction, combined with the use of manorial court rolls to record them, means that, when comparing them with the opinion of van Bavel *et.al.* quoted in the introduction, they were found still to be subject to ‘fragmented registration’ even if not entirely ‘divided rights’.⁵⁷

In summary this study has found that rural customary tenants in the Hampshire downlands were very active with their land and dwelling transfers in the second half of the seventeenth century. The way in which they were active was determined by their customary tenure. Those living in manors of inheritance tenure could take advantage of a full range of options, whereas those in lives-tenured manors were restricted effectively to after-death transfers and shuffling reversion and remainder lives. However they adapted, and whereas inheritance manor tenants adopted mortgages with enthusiasm, the Lives tenants sub-let on a large scale. Both thereby acquired income from their land of a substantial nature, even if the time-scale and amount of it was different. The sub-letting of dwellings enabled the Lives tenants to engage and accommodate a landless workforce when their holdings could not be split, and at a time when subsistence family-only farming had been left behind. Allegiance to family was still apparent, and there was evidence of attempts to provide for more than one child; for provision for the elderly; and marriage portions for daughters. The land-family bond had not disappeared, but was probably strongest in terms of economic use rather than emotional attachment. Aggressive land grabbing was absent, and where accumulation occurred it tended to disperse again in the next generation. Purchasers and mortgage lenders were overwhelmingly local and large-scale investment from the cities was not in evidence. Some polarisation of holding size was found in inheritance manors, but change was not often possible in Lives manors leaving them fossilised in larger virgate-based holdings. However with so much sub-letting it is very probable that the formal profile of tenant holdings as found described in the court rolls, was no longer a reliable indicator of the unit of production. Actual farming units may have been much larger and closer to the

⁵⁶ VAN ZANDEN, ZUIJDERDIJN and DE MOOR 'Small is beautiful: the efficiency of credit markets in the late medieval Holland',

⁵⁷ As quoted in the introductory chapter : VAN BAVEL, DIJKMAN, KUIJPERS and ZUIJDERDIJN 'The organisation of markets', pp 354-5.

commercial scale which developed in the following centuries. More work is needed on this issue. Finally, the difference between the manors according to tenure cannot be over-emphasised and is vital to understand for any future studies of comparable manors elsewhere. Further research is needed if the wide range of customary tenants who continued through to the nineteenth and even twentieth century are to take their place in our knowledge of agrarian change and the commercialisation of agriculture.

ANNEXE 5.1. Transfers in the manors by type, and with Life 1 and reversion lives separated 1645-1705

| Manor/tenure/life | | Type of transfer | Transfer after death | | Surrenders inter vivos | | | | | Other transfers inter vivos | | | | | | | | | | Totals | | | |
|-------------------|------------|------------------|----------------------|-----------------------|------------------------|-------------|------|-------------|------|-----------------------------|------|-----------|------|------------|------|---------|------|--------|------|--------|------|------------|-------|
| | | No | Acre | Direct ⁴⁹⁶ | | Conditional | | Entail/Marr | | Exchange | | New split | | Lord grant | | Forfeit | | Finish | | | | Truncated* | |
| | | | | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre | No | Acre |
| Chilbolton | Life 1 | 42 | 1712 | 12 | 263 | | | | | 4 | 171 | 3 | 19 | 1 | 56 | 2 | 105 | 2 | 66 | | | 66 | 2392 |
| DC 3Lives | Reversion | 18 | 753 | 8 | 321 | | | | | 37 | 1036 | | | | | | | | | 19 | 680 | 82 | 2789 |
| | Man Total | 60 | 2465 | 20 | 584 | | | | | 41 | 1207 | 3 | 19 | 1 | 56 | 2 | 105 | 2 | 66 | 19 | 680 | 148 | 5181 |
| Littleton | Life 1 | 12 | 582 | | | | | | | 1 | 128 | | | 2 | 36 | 1 | 36 | 1 | 36 | | | 17 | 818 |
| DC 3Lives | Reversion | 1 | 8 | 1 | 128 | | | | | 12 | 1095 | | | 1 | 128 | | | | | 1 | 25 | 16 | 1384 |
| | Man Total | 13 | 590 | 1 | 128 | | | | | 13 | 1223 | | | 3 | 164 | 1 | 36 | 1 | 36 | 1 | 25 | 33 | 2202 |
| Ovington | Life 1 | 29 | 857 | 12 | 407 | | | | | 8 | 295 | | | 1 | 77 | | | 2 | 75 | | | 52 | 1710 |
| DC 3Lives | Reversion | 0 | 0 | 5 | 154 | | | | | 43 | 1362 | | | 1 | 181 | | | | | 9 | 225 | 58 | 1922 |
| | Man Total | 29 | 857 | 17 | 560 | | | | | 51 | 1657 | | | 2 | 257 | | | 2 | 75 | 9 | 225 | 110 | 3632 |
| Exton | Life 1 | 38 | 1025 | 22 | 562 | | | | | 5 | 105 | 6 | 0 | | | 2 | 30 | 1 | 0 | 0 | 0 | 74 | 1722 |
| DC 3Lb1 | Reversion | 28 | 508 | 10 | 212 | | | | | 44 | 725 | | | | | | | | | 3 | 48 | 85 | 1492 |
| | Man Total | 66 | 1533 | 32 | 774 | | | | | 49 | 830 | 6 | 0 | | | 2 | 30 | 1 | 0 | 3 | 48 | 159 | 3214 |
| VDean Copy | Life 1 | 44 | 773 | 25 | 356 | 1 | 24 | | | 8 | 93 | 6 | 29 | | | 3 | 58 | 2 | 27 | | | 89 | 1361 |
| WC 3Lb1 | Reversion | 10 | 173 | 48 | 380 | | | | | 76 | 1164 | | | 1 | 42 | | | | | 14 | 121 | 149 | 1879 |
| | Man Total | 54 | 946 | 73 | 737 | 1 | 24 | | | 84 | 1257 | 6 | 29 | 1 | 42 | 3 | 58 | 2 | 27 | 14 | 121 | 238 | 3240 |
| H. Ampner | DC Inher | 42 | 1186 | 48 | 820 | 4 | 191 | 8 | 88 | | | 5 | 1 | 1 | 0 | 2 | 2 | | | | | 110 | 2287 |
| Crawley | B Inher | 43 | 999 | 43 | 835 | 14 | 544 | 30 | 1104 | 3 | 138 | 4 | 2.5 | 1 | 0 | 3 | 34 | 2 | 3 | | | 143 | 3659 |
| Meonstoke | WC Inher | 88 | 1500 | 145 | 1563 | 22 | 623 | 22 | 547 | 1 | 101 | 14 | 57 | 3 | 14 | 12 | 201 | 3 | 38 | | | 310 | 4644 |
| VDean Free | WC Free | 45 | 1229 | 34 | 615 | | | | | | | 1 | 0 | 2 | 1 | 1 | 14 | | | | | 83 | 1859 |
| Totals | Life 1 | 383 | 9862 | 341 | 5420 | 41 | 1382 | 60 | 1738 | 30 | 1032 | 39 | 108 | 11 | 184 | 26 | 480 | 13 | 245 | | | 944 | 20452 |
| | Revers | 57 | 1441 | 72 | 1195 | | | | | 212 | 5381 | | | 3 | 351 | | | | | 46 | 1098 | 390 | 9466 |
| | All Totals | 440 | 11304 | 413 | 6615 | 41 | 1382 | 60 | 1738 | 242 | 6413 | 39 | 108 | 14 | 534 | 26 | 480 | 13 | 245 | 46 | 1098 | 1334 | 29918 |

Source: Transfer database compiled from manorial records.

⁴⁹⁶ A transfer termed ‘direct’ is a straightforward one between two people with no conditions. * A ‘truncated’ one occurred in Lives manors before or at the end of the study period.

Annexe 5.2 Grain prices in d. per qt. in Winchester at the Annunciation* 1645-1720

| <i>Year</i> | <i>Wheat</i> | <i>Malt</i> | <i>Oats</i> | <i>Year</i> | <i>Wheat</i> | <i>Malt</i> | <i>Oats</i> |
|-------------|--------------|-------------|-------------|-------------|--------------|-------------|-------------|
| 1645 | 400 | 208 | 96 | 1684 | 496 | 252 | 192 |
| 1646 | 384 | 256 | 224 | 1685 | 608 | 316 | 192 |
| 1647 | 672 | 320 | 240 | 1686 | 312 | 308 | 160 |
| 1648 | 816 | 432 | 288 | 1687 | 480 | 280 | 180 |
| 1649 | 728 | 336 | 256 | 1688 | 312 | 228 | 152 |
| 1650 | 704 | 360 | 240 | 1689 | 328 | 160 | 144 |
| 1651 | 656 | 272 | 192 | 1690 | 392 | 200 | 152 |
| 1652 | 472 | 232 | 128 | 1691 | 352 | 180 | 120 |
| 1653 | 400 | 288 | 240 | 1692 | 576 | 240 | 168 |
| 1654 | 304 | 192 | 144 | 1693 | 719 | 323 | 216 |
| 1655 | 224 | 168 | 128 | 1694 | 912 | 354 | 204 |
| 1656 | 400 | 192 | 144 | 1695 | 456 | 236 | 150 |
| 1657 | 384 | 288 | 192 | 1696 | 768 | 306 | 216 |
| 1658 | 600 | 288 | 236 | 1697 | 752 | 306 | 168 |
| 1659 | 672 | 320 | 240 | 1698 | 784 | 360 | 144 |
| 1660 | 608 | 320 | 240 | 1699 | 840 | 450 | 216 |
| 1661 | 624 | 288 | 192 | 1700 | 512 | 354 | 240 |
| 1662 | 896 | 432 | 240 | 1701 | 448 | 256 | 162 |
| 1663 | 464 | 320 | 224 | 1702 | 336 | 252 | 168 |
| 1664 | 512 | 240 | 160 | 1703 | 336 | 207 | 144 |
| 1665 | 432 | 224 | 160 | 1704 | 624 | 284 | 180 |
| 1666 | 408 | 288 | 180 | 1705 | 360 | 224 | 180 |
| 1667 | 320 | 204 | 160 | 1706 | 288 | 288 | 216 |
| 1668 | 320 | 208 | 144 | 1707 | 304 | 258 | 180 |
| 1669 | 512 | 264 | 156 | 1708 | 360 | 310 | 240 |
| 1670 | 368 | 256 | 156 | 1709 | 720 | 308 | 198 |
| 1671 | 432 | 276 | 204 | 1710 | 1008 | 410 | 168 |
| 1672 | 384 | 184 | 120 | 1711 | 552 | 360 | 156 |
| 1673 | 368 | 224 | 168 | 1712 | 600 | 282 | 180 |
| 1674 | 768 | 330 | 192 | 1713 | 464 | 284 | 168 |
| 1675 | 624 | 346 | 216 | 1714 | 720 | 309 | 180 |
| 1677 | 464 | 276 | 203 | 1715 | 432 | 335 | 180 |
| 1678 | 656 | 324 | 192 | 1716 | 576 | 288 | 180 |
| 1679 | 672 | 288 | 144 | 1717 | 544 | 236 | 168 |
| 1680 | 480 | 216 | 120 | 1718 | 432 | 234 | 180 |
| 1681 | 448 | 216 | 192 | 1719 | 360 | 256 | 204 |
| 1682 | 412 | 320 | 240 | 1720 | 424 | 360 | 204 |
| 1683 | 496 | 304 | 224 | | | | |

* The Annunciation was March 25th.

Prices in red are estimated

Sources : Winchester College Lease income – grain element in court rolls; and Items 22716 - 22719 Domus III Audit Books for period 1683-1692 where the lease income had gaps.

Annexe Table 5.3. All *inter vivos* transfers by manor and by decade, and showing Life1 and reversions separated in Lives tenured manors

| Decade | | | 1645-55 | | 1656-65 | | 1666-75 | | 1676-85 | | 1686-95 | | 1696-1705 | | Totals | |
|-------------------|-----------|----|---------|-------|---------|-------|---------|-------|---------|-------|---------|-------|-----------|-------|--------|-------|
| Manor/Tenure/Life | | | No | Acres | No | Acres | No | Acres | No | Acres | No | Acres | No | Acres | No | Acres |
| Chilbolton | Life 1 | No | 3 | 96 | 3 | 105 | 1 | 35 | 2 | 35 | 3 | 40 | 12 | 369 | 24 | 680 |
| | | % | 3% | 4% | 3% | 4% | 1% | 1% | 2% | 1% | 3% | 1% | 14% | 14% | 27% | 25% |
| | Reversion | No | 3 | 172 | 24 | 917 | 9 | 253 | 10 | 304 | 8 | 190 | 10 | 200 | 64 | 2036 |
| | | % | 3% | 6% | 27% | 34% | 10% | 9% | 11% | 11% | 9% | 7% | 11% | 7% | 73% | 75% |
| Littleton | Life 1 | No | 2 | 72 | 0 | 0 | 1 | 0 | 1 | 36 | 1 | 128 | 0 | 0 | 5 | 236 |
| | | % | 10% | 4% | 0% | 0% | 5% | 0% | 5% | 2% | 5% | 8% | 0% | 0% | 25% | 15% |
| | Reversion | No | 1 | 128 | 4 | 169 | 3 | 303 | 2 | 256 | 3 | 264 | 2 | 256 | 15 | 1376 |
| | | % | 5% | 8% | 20% | 10% | 15% | 19% | 10% | 16% | 15% | 16% | 10% | 16% | 75% | 85% |
| Ovington | Life 1 | No | 4 | 188 | 6 | 275 | 3 | 58 | 0 | 0 | 5 | 200 | 5 | 134 | 23 | 853 |
| | | % | 5% | 7% | 7% | 10% | 4% | 2% | 0% | 0% | 6% | 7% | 6% | 5% | 28% | 31% |
| | Reversion | No | 4 | 189 | 16 | 536 | 11 | 392 | 2 | 57 | 19 | 600 | 6 | 148 | 58 | 1922 |
| | | % | 5% | 7% | 20% | 19% | 14% | 14% | 2% | 2% | 23% | 22% | 7% | 5% | 72% | 69% |
| Exton | Life 1 | No | 3 | 27 | 6 | 226 | 8 | 136 | 9 | 145 | 2 | 63 | 8 | 100 | 36 | 697 |
| | | % | 3% | 2% | 6% | 13% | 9% | 8% | 10% | 9% | 2% | 4% | 9% | 6% | 39% | 41% |
| | Reversion | No | 7 | 100 | 14 | 268 | 8 | 230 | 12 | 180 | 6 | 50 | 10 | 158 | 57 | 985 |
| | | % | 8% | 6% | 15% | 16% | 9% | 14% | 13% | 11% | 6% | 3% | 11% | 9% | 61% | 59% |
| VDean copy | Life 1 | No | 9 | 150 | 7 | 166 | 5 | 55 | 6 | 65 | 9 | 52 | 11 | 245 | 47 | 732 |
| | | % | 5% | 7% | 4% | 7% | 3% | 2% | 3% | 3% | 5% | 2% | 6% | 11% | 26% | 32% |
| | Reversion | No | 28 | 424 | 25 | 203 | 28 | 317 | 18 | 223 | 19 | 246 | 19 | 150 | 137 | 1562 |
| | | % | 15% | 18% | 14% | 9% | 15% | 14% | 10% | 10% | 10% | 11% | 10% | 7% | 74% | 68% |
| H. Ampner | DC Inh | No | 7 | 81 | 14 | 269 | 15 | 274 | 10 | 36 | 8 | 243 | 14 | 199 | 68 | 1101 |
| | | % | 10% | 7% | 21% | 24% | 22% | 25% | 15% | 3% | 12% | 22% | 21% | 18% | | |
| Crawley | B Inh | No | 12 | 238 | 17 | 386 | 15 | 336 | 19 | 311 | 12 | 528 | 25 | 862 | 100 | 2660 |
| | | % | 12% | 9% | 17% | 15% | 15% | 13% | 19% | 12% | 12% | 20% | 25% | 32% | | |
| Meonstoke | WC Inh | No | 50 | 432 | 30 | 445 | 20 | 274 | 38 | 798 | 56 | 955 | 28 | 241 | 222 | 3144 |
| | | % | 23% | 14% | 14% | 14% | 9% | 9% | 17% | 25% | 25% | 30% | 13% | 8% | | |
| VDean Free | WC Fr | No | 8 | 98 | 10 | 161 | 6 | 77 | 4 | 46 | 4 | 59 | 6 | 190 | 38 | 630 |
| | | % | 21% | 15% | 25% | 26% | 16% | 12% | 11% | 7% | 11% | 9% | 16% | 30% | | |
| | | | 141 | 2392 | 175 | 4127 | 133 | 2739 | 133 | 2490 | 155 | 3616 | 156 | 3250 | 894 | 18614 |
| | | | 16% | 13% | 20% | 22% | 15% | 15% | 15% | 13% | 17% | 19% | 17% | 17% | | |

Annexe 5.4. *Inter vivos* transfers by manor & type, with Life1 and reversions separated 1645-1705

| | | | <i>Surrender</i> | | <i>Exchange</i> | | <i>Split/forfeit</i> | | <i>New</i> | | <i>Totals</i> | |
|------------------------|--------------------|------------------|-------------------|------|-----------------|------|----------------------|-----|--------------|-----|---------------|-------|
| | | | <i>sale/purch</i> | | <i>of Lives</i> | | <i>finish</i> | | <i>grant</i> | | | |
| Chilbolton | <i>Life 1</i> | <i>No</i> | 12 | 14% | 4 | 5% | 7 | 8% | 1 | 1% | 24 | |
| <i>DC 3 Lvs</i> | | <i>Acres</i> | 263 | 10% | 171 | 6% | 190 | 7% | 56 | 2% | 680 | |
| | <i>Revers</i> | <i>No</i> | 8 | 9% | 37 | 42% | 0 | 0% | 19 | 22% | 64 | |
| | | <i>Acres</i> | 321 | 12% | 1036 | 38% | 0 | 0% | 680 | 25% | 2036 | |
| | <i>Totl man</i> | <i>No</i> | 20 | 23% | 41 | 47% | 7 | 8% | 20 | 23% | 88 | |
| | | <i>Acres</i> | 584 | 21% | 1207 | 44% | 190 | 7% | 736 | 27% | 2716 | |
| Littleton | <i>Life 1</i> | <i>No</i> | 0 | 0% | 1 | 5% | 2 | 10% | 2 | 10% | 5 | |
| <i>DC 3 Lvs</i> | | <i>Acres</i> | 0 | 0% | 128 | 8% | 72 | 4% | 36 | 2% | 236 | |
| | <i>Revers</i> | <i>No</i> | 1 | 5% | 12 | 60% | 0 | 0% | 2 | 10% | 15 | |
| | | <i>Acres</i> | 128 | 8% | 1095 | 68% | 0 | 0% | 153 | 9% | 1376 | |
| | <i>Totl man</i> | <i>No</i> | 1 | 5% | 13 | 65% | 2 | 10% | 4 | 20% | 20 | |
| | | <i>Acres</i> | 128 | 8% | 1223 | 76% | 72 | 4% | 189 | 12% | 1612 | |
| Ovington | <i>Life 1</i> | <i>No</i> | 12 | 15% | 8 | 10% | 2 | 2% | 1 | 1% | 23 | |
| <i>DC 3 Lvs</i> | | <i>Acres</i> | 407 | 15% | 295 | 11% | 75 | 3% | 77 | 3% | 853 | |
| | <i>Revers</i> | <i>No</i> | 5 | 6% | 43 | 53% | 0 | 0% | 10 | 13% | 58 | |
| | | <i>Acres</i> | 154 | 6% | 1363 | 49% | 0 | 0% | 406 | 15% | 1922 | |
| | <i>Totl man</i> | <i>No</i> | 17 | 21% | 51 | 63% | 2 | 2% | 11 | 14% | 81 | |
| | | <i>Acres</i> | 560 | 20% | 1657 | 60% | 75 | 3% | 482 | 17% | 2775 | |
| Exton | <i>Life 1</i> | <i>No</i> | 22 | 24% | 5 | 5% | 9 | 10% | 0 | 0% | 36 | |
| <i>DC 3 Lbl</i> | | <i>Acres</i> | 562 | 33% | 105 | 6% | 30 | 2% | 0 | 0% | 697 | |
| | <i>Revers</i> | <i>No</i> | 10 | 11% | 44 | 47% | 0 | 0% | 3 | 3% | 57 | |
| | | <i>Acres</i> | 212 | 13% | 725 | 43% | 0 | 0% | 48 | 3% | 985 | |
| | <i>Totl man</i> | <i>No</i> | 32 | 34% | 49 | 53% | 9 | 10% | 3 | 3% | 93 | |
| | | <i>Acres</i> | 774 | 46% | 830 | 49% | 30 | 2% | 48 | 3% | 1682 | |
| V Dean cpy | <i>Life 1</i> | <i>No</i> | 26 | 14% | 8 | 4% | 11 | 6% | 0 | 0% | 45 | |
| <i>WC 3 Lbl</i> | | <i>Acres</i> | 380 | 17% | 93 | 4% | 114 | 5% | 0 | 0% | 587 | |
| | <i>Revers</i> | <i>No</i> | 48 | 26% | 76 | 41% | 0 | 0% | 15 | 8% | 139 | |
| | | <i>Acres</i> | 380 | 17% | 1164 | 51% | 0 | 0% | 163 | 7% | 1706 | |
| | <i>Totl man</i> | <i>No</i> | 74 | 40% | 84 | 46% | 11 | 6% | 15 | 8% | 184 | |
| | | <i>Acres</i> | 761 | 33% | 1257 | 55% | 114 | 5% | 163 | 7% | 2294 | |
| H. Ampner | <i>DC Inher</i> | <i>No</i> | 60 | 88% | 0 | 0% | 7 | 10% | 1 | 1% | 68 | |
| | | <i>Acres</i> | 1098 | 100% | 0 | 0% | 3.14 | 0% | 0 | 0% | 1101 | |
| Crawley | <i>B Inher</i> | <i>No</i> | 87 | 87% | 3 | 3% | 9 | 9% | 1 | 1% | 100 | |
| | | <i>Acres</i> | 2483 | 93% | 138 | 5% | 39 | 1% | 0 | 0% | 2660 | |
| Meonstoke | <i>WC Inher</i> | <i>No</i> | 189 | 85% | 1 | 0% | 29 | 13% | 3 | 1% | 222 | |
| | | <i>Acres</i> | 2734 | 87% | 101 | 3% | 295 | 9% | 14 | 0% | 3144 | |
| V Dean free | <i>WC Fr</i> | <i>No</i> | 34 | 89% | 0 | 0% | 2 | 5% | 2 | 5% | 38 | |
| | | <i>Acres</i> | 615 | 98% | 0 | 0% | 14 | 2% | 1 | 0% | 630 | |
| <i>Totals all</i> | | | | | | | | | | | | |
| | <i>First</i> | <i>Life trsf</i> | <i>No</i> | 442 | 79% | 30 | 5% | 78 | 14% | 11 | 2% | 561 |
| | | | <i>Acres</i> | 8541 | 81% | 1031 | 10% | 833 | 8% | 184 | 2% | 10589 |
| <i>Totals revers</i> | <i>only</i> | <i>No</i> | 72 | 22% | 212 | 64% | 0 | 0% | 49 | 15% | 333 | |
| | | <i>Acres</i> | 1195 | 15% | 5382 | 67% | 0 | 0% | 1449 | 18% | 8025 | |
| <i>Totals all trsf</i> | <i>incl revers</i> | <i>No</i> | 514 | 57% | 242 | 27% | 78 | 9% | 60 | 7% | 894 | |
| | | <i>Acres</i> | 9736 | 52% | 6413 | 34% | 833 | 4% | 1632 | 9% | 18614 | |

Annex 5.5. Family and extra-family *inter vivos* breakdown of transfers for sale/purchase and exchange of Lives 1645-1750

| | | Surrender sale/purch | | | | | Exchange of Lives | | | | Total transfers | | | | Totals | |
|------------------------|----------|----------------------|-----|-----------|-----|------|-------------------|------|-----------|-------|-----------------|------|-----------|------|--------|-------|
| | | Family | | Unrelated | | | Family | | Unrelated | | Family | | Unrelated | | | |
| | | No | Acr | No | Acr | | No | Acr | No | Acr | No | Acr | No | Acr | | |
| Chilbolton DC 3 Lvs | Life 1 | No | 4 | 120 | 8 | 143 | 1 | 31 | 3 | 140 | 5 | 151 | 11 | 283 | | |
| | | % | 7% | 7% | 13% | 8% | 2% | 2% | 5% | 8% | 8% | 8% | 18% | 16% | | |
| | Revers | No | 4 | 180 | 4 | 141 | 18 | 550 | 19 | 486 | 22 | 730 | 23 | 627 | | |
| | | % | 7% | 10% | 7% | 8% | 30% | 31% | 31% | 27% | 36% | 41% | 38% | 35% | | |
| | Totl man | No | 8 | 300 | 12 | 284 | 19 | 581 | 22 | 626 | 27 | 881 | 34 | 910 | 61 | 1791 |
| | | % | 13% | 17% | 20% | 16% | 31% | 32% | 36% | 35% | 44% | 49% | 56% | 51% | | |
| Littleton DC 3 Lvs | Life 1 | No | | | | | 1 | 128 | | | 1 | 128 | 0 | 0 | | |
| | | % | | | | | 7% | 9% | | | 7% | 9% | 0% | 0% | | |
| | Revers | No | | | 1 | 128 | 4 | 71 | 8 | 1024 | 4 | 71 | 9 | 1152 | | |
| | | % | | | 7% | 9% | 29% | 5% | 57% | 76% | 29% | 5% | 64% | 85% | | |
| | Totl man | No | 0 | 0 | 1 | 128 | 5 | 199 | 8 | 1024 | 5 | 199 | 9 | 1152 | 14 | 1351 |
| | | % | 0% | 0% | 7% | 9% | 36% | 15% | 57% | 76% | 36% | 15% | 64% | 85% | | |
| Ovington DC 3 Lvs | Life 1 | No | 3 | 126 | 9 | 281 | 4 | 186 | 5 | 139 | 7 | 312 | 14 | 419 | | |
| | | % | 4% | 6% | 13% | 13% | 6% | 8% | 7% | 6% | 10% | 14% | 21% | 19% | | |
| | Revers | No | 1 | 25 | 4 | 129 | 16 | 548 | 26 | 785 | 17 | 573 | 30 | 914 | | |
| | | % | 1% | 1% | 6% | 6% | 24% | 25% | 38% | 35% | 25% | 26% | 44% | 41% | | |
| | Totl man | No | 4 | 151 | 13 | 409 | 20 | 734 | 31 | 924 | 24 | 885 | 44 | 1333 | 68 | 2218 |
| | | % | 6% | 7% | 19% | 18% | 29% | 33% | 46% | 42% | 35% | 40% | 65% | 60% | | |
| Exton DC 3 Lbl | Life 1 | No | 11 | 505 | 11 | 57 | 2 | 53 | 3 | 52.95 | 13 | 557 | 14 | 110 | | |
| | | % | 14% | 31% | 14% | 4% | 2% | 3% | 4% | 3% | 16% | 35% | 17% | 7% | | |
| | Revers | No | 7 | 209 | 3 | 3 | 18 | 536 | 26 | 189.2 | 25 | 745 | 29 | 192 | | |
| | | % | 9% | 13% | 4% | 0% | 22% | 33% | 32% | 12% | 31% | 46% | 36% | 12% | | |
| | Totl man | No | 18 | 714 | 14 | 60 | 20 | 588 | 29 | 242 | 38 | 1302 | 43 | 302 | 81 | 1604 |
| | | % | 22% | 44% | 17% | 4% | 25% | 37% | 36% | 15% | 47% | 81% | 53% | 19% | | |
| V Dn cpy WC 3 Lbl | Life 1 | No | 5 | 56.5 | 21 | 324 | 3 | 25 | 5 | 68 | 8 | 82 | 26 | 392 | | |
| | | % | 3% | 3% | 13% | 16% | 2% | 1% | 3% | 3% | 5% | 4% | 16% | 19% | | |
| | Revers | No | 9 | 66.5 | 39 | 314 | 54 | 780 | 22 | 384 | 63 | 847 | 61 | 697 | | |
| | | % | 6% | 3% | 25% | 16% | 34% | 39% | 14% | 19% | 40% | 42% | 39% | 35% | | |
| | Totl man | No | 14 | 123 | 60 | 638 | 57 | 805 | 27 | 452 | 71 | 928 | 87 | 1089 | 158 | 2017 |
| | | % | 9% | 6% | 38% | 32% | 36% | 40% | 17% | 22% | 45% | 46% | 55% | 54% | | |
| H. Ampn. | DC Inher | No | 26 | 595 | 34 | 503 | | | | | 26 | 595 | 34 | 503 | 60 | 1098 |
| | | % | 43% | 54% | 57% | 46% | | | | | 43% | 54% | 57% | 46% | | |
| Crawley | B Inher | No | 57 | 1995 | 30 | 488 | 2 | 134 | 1 | 4.5 | 59.02 | 2128 | 31 | 493 | 90 | 2621 |
| | | % | 64% | 76% | 33% | 19% | 2% | 5% | 1% | 0% | 66% | 81% | 34% | 19% | | |
| Meonstoke | WC Inher | No | 82 | 1552 | 107 | 1182 | 1 | 101 | 0 | 0 | 83 | 1653 | 107 | 1182 | 190 | 2835 |
| | | % | 43% | 55% | 56% | 42% | 1% | 4% | 0% | 0% | 44% | 58% | 56% | 42% | | |
| V Dn free | WC Fr | No | 6 | 135 | 28 | 480 | | | | | 5.5 | 135 | 28 | 480 | 34 | 615 |
| | | % | 16% | 22% | 84% | 78% | | | | | 16% | 22% | 84% | 78% | | |
| Totals | | No | 214 | 5564 | 299 | 4172 | 124 | 3141 | 118 | 3272 | 338 | 8705 | 417 | 7444 | 755 | 16149 |
| | | % | 28% | 34% | 40% | 26% | 16% | 19% | 16% | 20% | 45% | 54% | 55% | 46% | | |

Source: Transfer database compiled from manorial records

Annexe 5.6 Lives manor *inter vivos* transfers by giver/receiver relationship & possible motivation
1645-1705

Life 1 surrenders & exchanges

| <i>Recipient</i> | <i>Chilbolton</i> | | <i>Littleton</i> | | <i>Ovington</i> | | <i>Exton</i> | | <i>V Dn Cpy</i> | | <i>Totals first life</i> | | | |
|-------------------------|-------------------|------------|------------------|------------|-----------------|------------|--------------|------------|-----------------|------------|--------------------------|------------|------------|-------------|
| Familial | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No%</i> | <i>Acr%</i> |
| Son/dau | 1 | 12 | | | 2 | 51 | 8 | 352 | 2 | 31 | 13 | 445 | 13% | 18% |
| Sibling | 1 | 63 | | | 2 | 67 | | | 2 | 0 | 5 | 129 | 5% | 5% |
| Grandchild | 1 | 35 | | | | | | | | | 1 | 35 | 1% | 1% |
| Nephew/niece | 1 | 11 | | | | | 1 | 70 | 1 | 14 | 3 | 95 | 3% | 4% |
| Relative other | 1 | 31 | 1 | 128 | 3 | 195 | 4 | 136 | 3 | 37 | 12 | 526 | 12% | 22% |
| <i>Total Family</i> | 5 | 151 | 1 | 128 | 7 | 312 | 13 | 557 | 8 | 82 | 34 | 1230 | 34% | 51% |
| Extra-familial | | | | | | | | | | | | | | |
| Family dispersing | | | | | 3 | 115 | 1 | 0 | | | 4 | 115 | 4% | 5% |
| Financial probs | 4 | 103 | | | | | | | 7 | 127 | 11 | 230 | 11% | 9% |
| Restoration sorts | | | | | 1 | 45 | 3 | 53 | | | 4 | 98 | 4% | 4% |
| Investors | 2 | 51 | | | 6 | 137 | | | 1 | 2 | 9 | 190 | 9% | 8% |
| Other | | | | | | | 2 | 27 | 3 | 32 | 5 | 59 | 5% | 2% |
| NK | 5 | 129 | | | 4 | 122 | 8 | 30 | 15 | 231 | 32 | 512 | 32% | 21% |
| Total unrel | 11 | 283 | | | 14 | 419 | 14 | 110 | 26 | 392 | 65 | 1203 | 66% | 49% |
| First Life total | 16 | 434 | 1 | 128 | 21 | 731 | 27 | 667 | 34 | 473 | 99 | 2433 | | |
| <i>Of whom</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | | |
| <i>Female : No</i> | 2 | 1 | 1 | 0 | 6 | 2 | 9 | 6 | 9 | 5 | 27 | 14 | 27% | 14% |
| <i>Acres</i> | 94 | 11 | 128 | 0 | 185 | 46 | 233 | 158 | 109 | 71 | 749 | 285 | 31% | 12% |

Reversioner surrenders & exchanges

| <i>Recipient</i> | <i>Chilbolton</i> | | <i>Littleton</i> | | <i>Ovington</i> | | <i>Exton</i> | | <i>V Dean Copy</i> | | <i>Totals Reversions</i> | | <i>%</i> | <i>%</i> |
|------------------------|-------------------|------------|------------------|------------|-----------------|------------|--------------|------------|--------------------|------------|--------------------------|------------|-----------|------------|
| Familial | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> | <i>No</i> | <i>Acr</i> |
| Son/dau | 5 | 143 | | | 4 | 105 | 1 | 22 | 12 | 142 | 22 | 412 | 14% | 11% |
| Sibling | 6 | 269 | | | 3 | 89 | 3 | 187 | 18 | 149 | 30 | 694 | 20% | 19% |
| Grandchild | | | 2 | 16 | 1 | 25 | 1 | 48 | 4 | 94 | 8 | 183 | 5% | 5% |
| Nephew/niece | 7 | 200 | 2 | 55 | 7 | 284 | 16 | 458 | 17 | 286 | 49 | 1283 | 32% | 36% |
| Relative other | 4 | 118 | | | 2 | 70 | 4 | 31 | 11 | 151 | 21 | 370 | 14% | 10% |
| <i>Total Family</i> | 22 | 730 | 4 | 71 | 17 | 573 | 25 | 745 | 62 | 823 | 130 | 2940 | 46% | 45% |
| Extra-familial | | | | | | | | | | | | | | |
| Relation new Ho1 | 11 | 262 | 1 | 128 | 13 | 384 | 25 | 177 | 10 | 212 | 60 | 1163 | 39% | 32% |
| Family dispersing | | | | | 1 | 39 | 2 | 0 | 4 | 22 | 7 | 61 | 5% | 2% |
| Financial probs | 7 | 186 | | | | | 1 | 1 | 13 | 127 | 21 | 314 | 14% | 9% |
| Restoration sorts | | | 4 | 512 | | | | | | | 4 | 512 | 3% | 14% |
| Investors | 3 | 143 | 3 | 384 | 5 | 117 | | | 2 | 0 | 13 | 645 | 8% | 18% |
| Other | | | 1 | 128 | 3 | 110 | | | 1 | 25 | 5 | 263 | 3% | 7% |
| NK | 2 | 37 | | | 8 | 264 | 1 | 14 | 32 | 335 | 43 | 650 | 28% | 18% |
| <i>Total unrel</i> | 23 | 627 | 9 | 1152 | 30 | 914 | 29 | 192 | 62 | 721 | 153 | 3606 | 54% | 55% |
| Reversion Total | 45 | 1357 | 13 | 1223 | 47 | 1487 | 54 | 937 | 124 | 1544 | 283 | 6547 | | |
| <i>Of whom</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | <i>giv</i> | <i>rec</i> | | |
| <i>Female : No</i> | 13 | 10 | 2 | 0 | 19 | 13 | 24 | 15 | 37 | 49 | 95 | 87 | 33% | 31% |
| <i>Acres</i> | 396 | 224 | 175 | 0 | 606 | 454 | 486 | 263 | 566 | 577 | 2228 | 1518 | 34% | 23% |

Overall total 61 1791 14 1351 68 2218 81 1604 158 2017 382 8980

Source: Transfer database compiled from manorial records

Annexe 5.7 Holdings size profiles in the manors in 1645, 1665, 1685 and 1705

Size of holdings profile in 1645

| <i>Holding size</i> | Chilb | Littl | Oving | Exton | VD cy | H Amp | Crawl | Meons | VD Fr | <i>Totals</i> |
|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------------|
| 100 + acres | 1 | 1 | 0 | 2 | 0 | 1 | 1 | 3 | 0 | 9 |
| 75-<100 acres | 0 | 0 | 0 | 1 | 0 | 3 | 1 | 2 | 1 | 8 |
| 50 - < 75 acres | 10 | 0 | 1 | 1 | 1 | 1 | 6 | 3 | 3 | 26 |
| 25 - < 50 acres | 6 | 4 | 9 | 5 | 6 | 8 | 12 | 6 | 10 | 66 |
| 10 - < 25 acres | 5 | 0 | 7 | 4 | 13 | 3 | 8 | 9 | 9 | 58 |
| 0.5 - <10 acres | 1 | 1 | 2 | 4 | 5 | 9 | 6 | 22 | 12 | 62 |
| 0-<0.5 acres | 0 | 0 | 1 | 4 | 5 | 2 | 4 | 13 | 0 | 29 |
| <i>Totals</i> | 23 | 6 | 20 | 21 | 30 | 27 | 38 | 58 | 35 | 258 |

Size of holdings profile in 1665

| | Chilb | Littl | Oving | Exton | VD cy | H Amp | Crawl | Meons | VD Fr | <i>Totals</i> |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------------|
| 100 + acres | 2 | 1 | 1 | 1 | 0 | 2 | 0 | 3 | 0 | 10 |
| 75-<100 acres | - | 0 | 1 | 2 | 0 | 4 | 4 | 2 | 2 | 15 |
| 50 - < 75 acres | 7 | 0 | 1 | 2 | 2 | 0 | 5 | 5 | 3 | 25 |
| 25 - < 50 acres | 7 | 4 | 4 | 4 | 5 | 7 | 11 | 6 | 9 | 57 |
| 10 - < 25 acres | 6 | 0 | 7 | 4 | 11 | 4 | 8 | 6 | 6 | 52 |
| 0.5 - <10 acres | - | 1 | 2 | 5 | 6 | 5 | 6 | 17 | 12 | 54 |
| 0-<0.5 acres | - | 0 | 1 | 5 | 5 | 4 | 5 | 20 | 3 | 43 |
| <i>Totals</i> | 22 | 6 | 17 | 23 | 29 | 26 | 39 | 59 | 35 | 256 |

Size of holdings profile in 1685

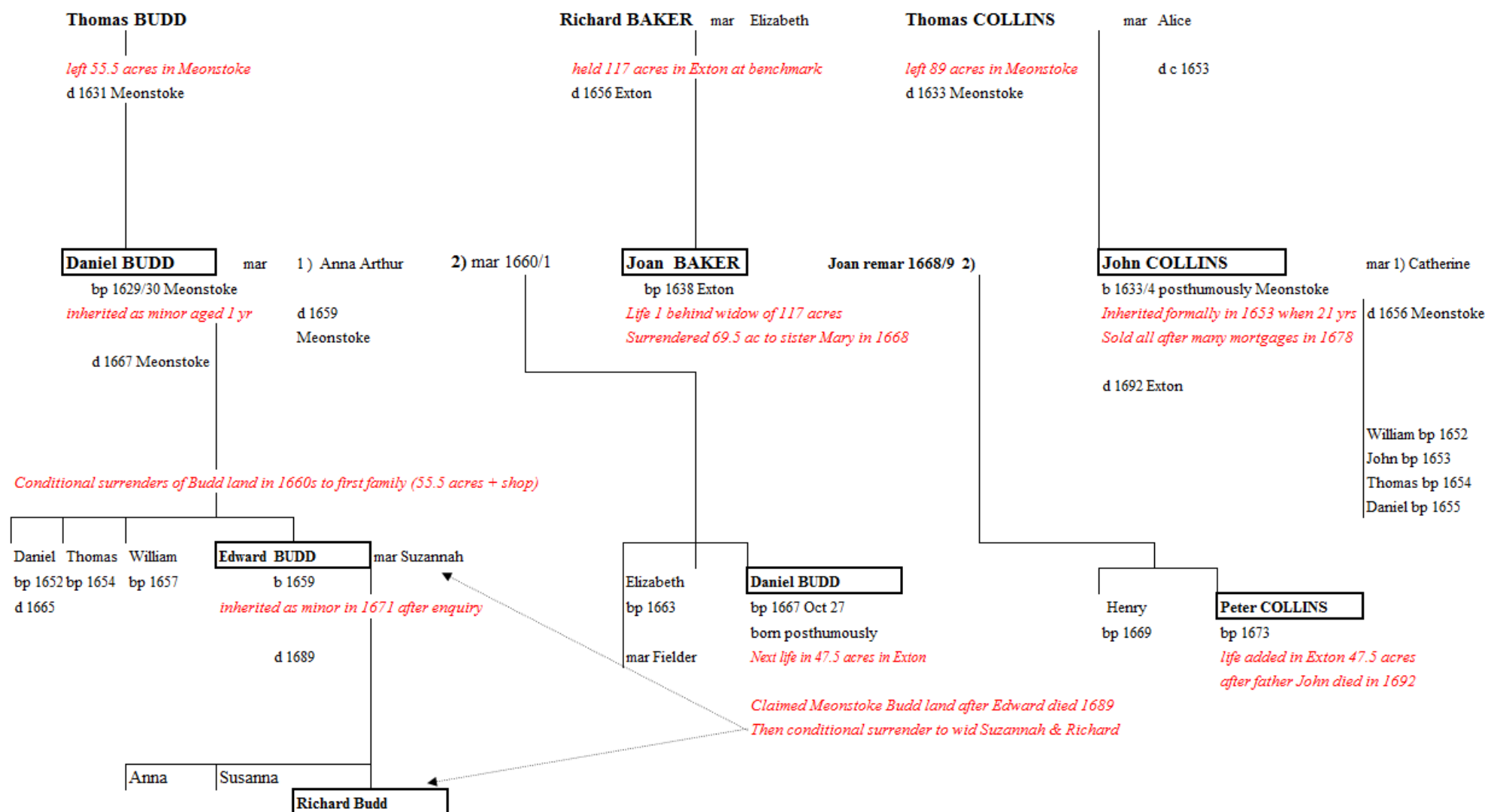
| | Chilb | Littl | Oving | Exton | VD cy | H Amp | Crawl | Meons | VD Fr | <i>Totals</i> |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------------|
| 100 + acres | 1 | 1 | 0 | 0 | 0 | 2 | 1 | 2 | 0 | 7 |
| 75-<100 acres | 0 | 0 | 2 | 2 | 0 | 4 | 5 | 2 | 2 | 17 |
| 50 - < 75 acres | 9 | 0 | 1 | 3 | 3 | 0 | 4 | 7 | 3 | 30 |
| 25 - < 50 acres | 7 | 4 | 5 | 5 | 4 | 8 | 6 | 5 | 9 | 53 |
| 10 - < 25 acres | 6 | 0 | 7 | 4 | 10 | 3 | 7 | 12 | 7 | 56 |
| 0.5 - <10 acres | 1 | 1 | 2 | 4 | 4 | 7 | 4 | 24 | 11 | 58 |
| 0-<0.5 acres | 0 | 1 | 1 | 6 | 4 | 5 | 9 | 20 | 3 | 49 |
| <i>Totals</i> | 24 | 7 | 18 | 24 | 25 | 29 | 36 | 72 | 35 | 270 |

Size of holdings profile in 1705

| | Chilb | Littl | Oving | Exton | VD cy | H Amp | Crawl | Meons | VD Fr | <i>Totals</i> |
|-----------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|---------------|
| 100 + acres | 1 | 1 | 0 | 0 | 0 | 2 | 3 | 3 | 0 | 10 |
| 75-<100 acres | 0 | 0 | 1 | 2 | 0 | 4 | 2 | 3 | 2 | 14 |
| 50 - < 75 acres | 8 | 0 | 1 | 3 | 4 | 0 | 4 | 4 | 3 | 27 |
| 25 - < 50 acres | 6 | 3 | 6 | 5 | 2 | 7 | 6 | 6 | 8 | 49 |
| 10 - < 25 acres | 7 | 0 | 4 | 4 | 12 | 3 | 8 | 5 | 8 | 51 |
| 0.5 - <10 acres | 2 | 1 | 2 | 4 | 5 | 6 | 7 | 20 | 11 | 58 |
| 0-<0.5 acres | 1 | 0 | 1 | 8 | 6 | 5 | 6 | 21 | 3 | 51 |
| <i>Totals</i> | 25 | 5 | 15 | 26 | 29 | 27 | 36 | 62 | 35 | 260 |

Source: Holdings analysis from court rolls and database of transfers

Genealogy of the Budd, Baker and Collins families of Meonstoke and Exton c 1631-1700

Specifically as they relate to landholding shown in red

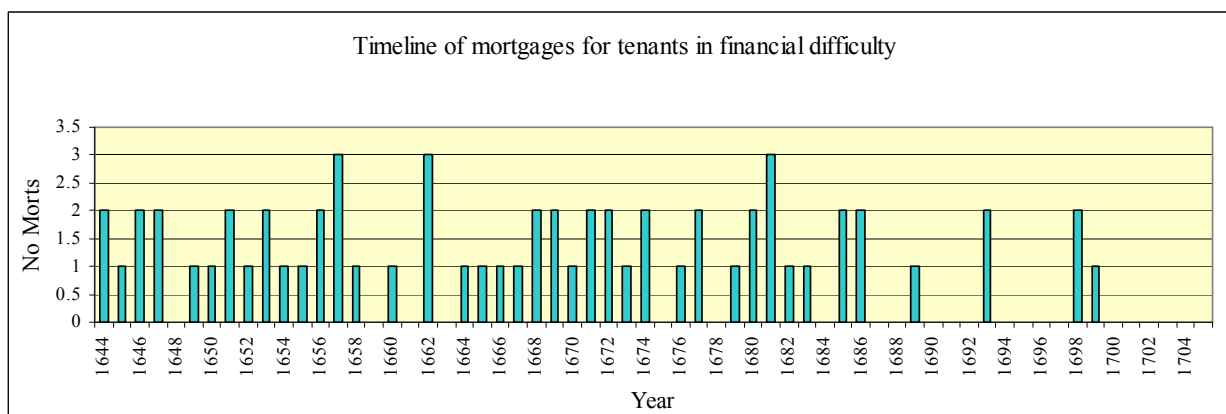
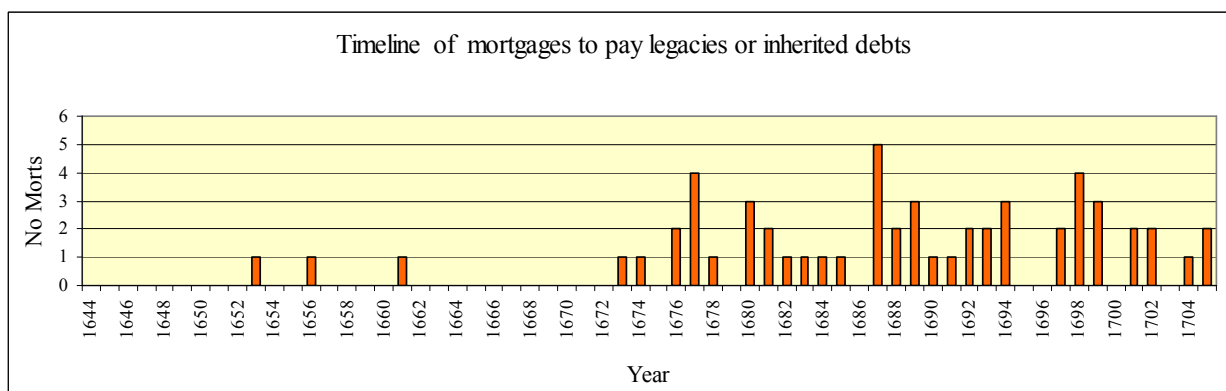
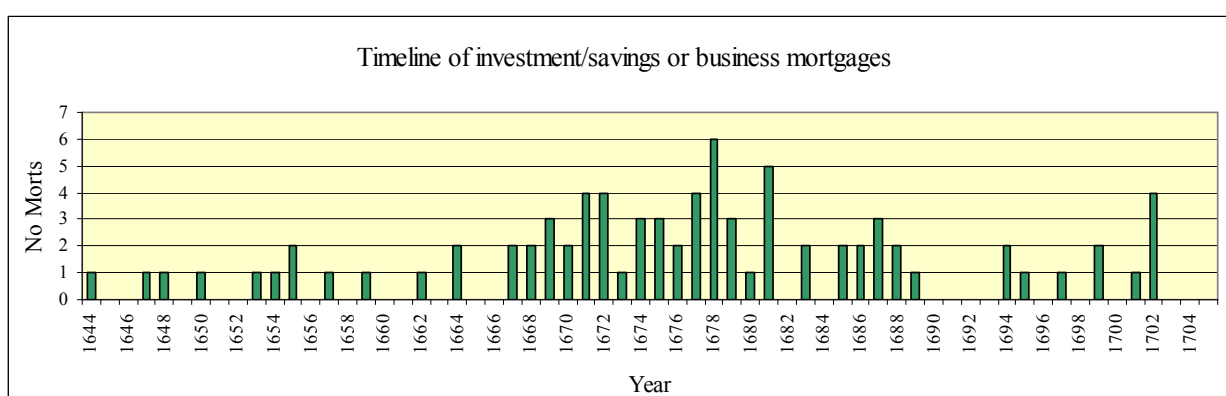
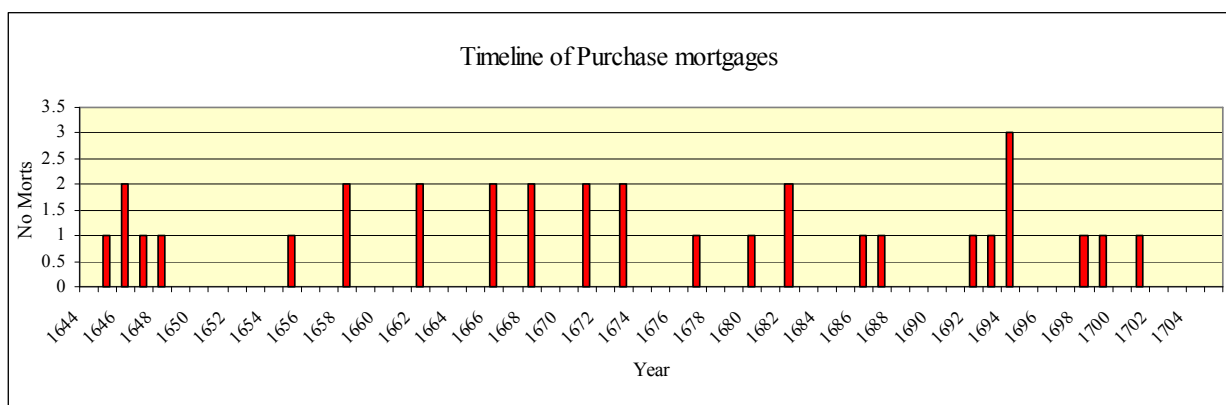
Sources: Manorial court rolls, parish registers, wills.

Annexe 8.1 Profile of mortgage borrowing by type of apparent motivation compared with the manor tenant profile 1645-1705

| <i>Size of tenant holding</i> | <i>manor profile</i> | <i>Purchase</i> | | | <i>Build or refurbish</i> | | | <i>Invest or business</i> | | | <i>Legacies & inht debt</i> | | | <i>Marrge & children</i> | | | <i>Financial problems</i> | | | <i>Motive not known</i> | | |
|----------------------------------|----------------------|-----------------|----------|-------------|---------------------------|----------|-------------|---------------------------|----------|-------------|---------------------------------|----------|-------------|------------------------------|----------|-------------|---------------------------|----------|-------------|-------------------------|----------|-------------|
| | | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> | <i>No</i> | <i>%</i> | <i>diff</i> |
| 100 + acres | 4% | 1 | 5% | 1% | | | -4% | 2 | 11% | 7% | 3 | 14% | 10% | 1 | 13% | 9% | 1 | 5% | 1% | 1 | 4% | 0% |
| 75-<100 acres | 7% | 1 | 5% | -3% | 1 | 14% | 7% | 2 | 11% | 3% | 4 | 18% | 11% | 1 | 13% | 5% | 2 | 11% | 3% | 1 | 4% | -4% |
| 50 - < 75 acres | 8% | | | -8% | | | -8% | 4 | 21% | 13% | 2 | 9% | 1% | 1 | 13% | 5% | 2 | 11% | 3% | 5 | 19% | 11% |
| 25 - < 50 acres | 15% | 6 | 27% | 12% | | | -15% | 1 | 5% | -10% | 6 | 27% | 12% | 2 | 25% | 10% | 7 | 37% | 22% | 5 | 19% | 3% |
| 10 - < 25 acres | 18% | 5 | 23% | 5% | | | -18% | 6 | 32% | 14% | 2 | 9% | -9% | | | -18% | 3 | 16% | -2% | 4 | 15% | -3% |
| 0.5 - <10 acres | 21% | 4 | 18% | -3% | 3 | 43% | 22% | 1 | 5% | -16% | 3 | 14% | -8% | 1 | 13% | -9% | 3 | 16% | -6% | 7 | 26% | 5% |
| 0-<0.5 acres | 26% | 5 | 23% | -3% | 3 | 43% | 17% | 3 | 16% | -10% | 2 | 9% | -17% | 2 | 25% | -1% | 1 | 5% | -21% | 4 | 15% | -11% |
| <i>Total borrowers</i> | | 22 | | | 7 | | | 19 | | | 22 | | | 8 | | | 19 | | | 27 | | |
| <i>max.mortgage</i> | | | | | | | | | | | | | | | | | | | | | | |
| £500+ | 4% | | | -4% | | | -4% | | | -4% | | | -4% | | | -4% | | | -4% | 1 | 4% | 0% |
| £400+ | 7% | | | -7% | | | -7% | 1 | 5% | -2% | | | -7% | | | -7% | | | -7% | | | -7% |
| £300 + | 8% | | | -8% | | | -8% | 4 | 21% | 13% | 4 | 18% | 10% | | | -8% | | | -8% | 1 | 4% | -4% |
| £200+ | 15% | 4 | 18% | 3% | | | -15% | 3 | 16% | 0% | 2 | 9% | -6% | 2 | 25% | 10% | 2 | 11% | -5% | 2 | 7% | -8% |
| £100 + | 18% | 4 | 18% | 0% | 2 | 29% | 11% | 7 | 37% | 19% | 2 | 9% | -9% | 3 | 38% | 20% | 6 | 32% | 14% | 3 | 11% | -7% |
| £50-£100 | 21% | 3 | 14% | -8% | | | -21% | 1 | 5% | -16% | 6 | 27% | 6% | | | -21% | 4 | 21% | 0% | 8 | 30% | 8% |
| < £50 | 26% | 11 | 50% | 24% | 5 | 71% | 45% | 3 | 16% | -10% | 8 | 36% | 10% | 3 | 38% | 12% | 7 | 37% | 11% | 12 | 44% | 18% |
| <i>Total borrowers</i> | | 22 | | | 7 | | | 19 | | | 22 | | | 8 | | | 19 | | | 27 | | |
| <i>% of categ of all motives</i> | | 18% | | | 6% | | | 15% | | | 18% | | | 6% | | | 15% | | | 22% | | |
| <i>Total mortgages</i> | | 32 | | | 18 | | | 82 | | | 55 | | | 22 | | | 59 | | | 100 | | |
| <i>% of cat of all mortgages</i> | | 9% | | | 5% | | | 22% | | | 15% | | | 6% | | | 16% | | | 27% | | |
| <i>Av no morts per borrower</i> | | 1.5 | | | 2.6 | | | 4.3 | | | 2.5 | | | 2.8 | | | 3.1 | | | 3.7 | | |

NB Compared with the figures presented in Table 8.11 the 3 'other' category have been omitted here
Sources : Manor court roll tenant holding profiles and mortgage records

Annexe 8.2. Graphical timelines for some of the mortgage motive for borrowing categories showing the pattern of mortgages per year 1645-1705



Source : Mortgage surrenders in manor records

Bibliography

1) Original Documentary Sources

| <i>Archive</i> | <i>Item Reference</i> | <i>Date(s)</i> | <i>Description</i> |
|---|--------------------------------|----------------|-----------------------------------|
| Estate records covering all the relevant manors: | | | |
| Bishopric | | | |
| H.R.O. | 11M59/E2 / 415808 | 1617 | Customs |
| H.R.O. | 46M72/M19 & 11M59/E2/380751 | und 18th cent. | Customs |
| H.R.O. | 11M59/E1/123/1 et seq.. | 1643-1705 | Fine Books, |
| H.R.O. | 11M59/E1/155643-4 | 1660-1705 | Leases |
| H.R.O. | 11M59/E1/series | 1598 et.seq. | Mortgage registers, |
| Dean & Chapter ¹ | | | |
| Cath | W54/6/2 | 1660-1760. | Survey or holding register |
| Cath | W57D/5-15 | 1660-1705 | Lease Ledgers & Receiver Books |
| Cath | W52/76 | 1647-50 | Parliamentary Survey |
| Cath | W52/82 | 1647-50 | Parliamentary Survey |
| Winchester College | | | |
| WC | 23052 - 23057 | 1631-1710 | Court Books |
| WC | 22272 | 1692-1705 | Compti Accounts |
| WC | 23053 -5 | 1645-1705. | Leases |
| WC | 23150 | nd 18th cent | Customs notebook |
| WC | 13360 | 1764 | Fine rates discussion |
| Specific manor documents : | | | |
| Crawley | | | |
| H.R.O. | 11M59/B2/9/142 | 1684-5 | Account roll |
| H.R.O. | 11M59/B2/14/4 ; /17; /20 | 1643;61; 1664 | Account rolls |
| H.R.O. | 11M59/C2/101 | 1649-57 | Court Book |
| H.R.O. | 11M59/C2/105 | 1658-59 | Court Book |
| H.R.O. | 11M59/C2/107 | 1660 | Court Book |
| H.R.O. | 11M59/C2/96-99 | 1643 -47 | Court Books |
| H.R.O. | 11M59/E1/125/3 - 5 | 1661-68 | Fine Book |
| H.R.O. | 11M59/E1/126/4 | 1668-72 | Fine Book |
| H.R.O. | 11M59/E1/125/158141-2 | 1673-74 | Fine Book |
| H.R.O. | 11M59/E2/158144 | 1675 | Fine Book |
| H.R.O. | 11M59/E1/127/4-10 | 1676-79 | Fine Book |
| H.R.O. | 11M59/E1/127/10 | 1680 | Fine Book |

¹ Many of the records used in this thesis which were in the cathedral library have now been transferred to the Hampshire Record Office which is in process of re-cataloguing them. Their references will change.

| | | | |
|-------------------|------------------------------|-----------|-------------------------------|
| H.R.O. | 11M59/E1/128/1-10 | 1680-85 | Fine Book |
| H.R.O. | 11M59/E1/129/4-10 | 1686-89 | Fine Book |
| H.R.O. | 11M59/E1/130/1-7 | 1690-97 | Fine Book |
| H.R.O. | 11M59/E1/131/3-6 | 1698-1701 | Fine Book |
| H.R.O. | 11M59/E1/132/1-4 | 1702-05 | Fine Book |
| H.R.O. | 11M59/E2/158819/4 | 1661-64 | Index to fines |
| H.R.O. | 11M59/E1/139/3 | 1641 | Mortgage surrenders |
| H.R.O. | 11M59/E1/139/6 | 1648 | Mortgage surrenders |
| H.R.O. | 11M59/E1/140/9 | 1661 | Mortgage surrenders |
| H.R.O. | 11M59/E1/140/7 | 1679 | Mortgage surrenders |
| H.R.O. | 11M59/B1/323 | 1679 | Pipe Roll Accounts |
| H.R.O. | 11M59/E2/248945 | 1786 | Survey & Valuation |
| H.R.O. | 11M70/B7/98 | 1794 | Crawley Enclosure map |
| H.R.O. | 38M48/181 & 6M63/12 | 1794 | Crawley enclosure text |
| H.R.O. | 11M59/E1/125/6 | 1662-4 | Hats in the ring story |
| H.R.O. | 44 (7 in B series rest in P) | 1640-1720 | Wills and admons ² |
| T.N.A. | PROB 11/258 | 1656 | Will Godwin |
| T.N.A. | PROB11/280 | 1657 | Nathaniel Pile |
| T.N.A. | PROB11/305 | 1661 | William Jefferyes |
| T.N.A. | PROB11/251 | 1655 | John Cole |
| Chilbolton | | | |
| Cath | T4/2/2/72 | 1661 | Court roll |
| Cath | T4/1/3/25A | 1662 | Progress Book |
| Cath | T2A/2/1/65C | 1641-2 | Court roll |
| Cath | T4/1/3/24-6 | 1661-70 | Progress Book |
| Cath | T4/2/2/73 | 1668 | Court roll |
| Cath | T4/1/3/27-40 vols 6-17 | 1670-1705 | Progress Books |
| Cath | W54/6/3/82-114 | 1663-1760 | Survey/Holding registers |
| Cath | T2A/2/1/56-7 | 1661-85 | Warrant bundles |
| H.R.O. | 107M90/11 | 1838 | Chilbolton enclosure |
| H.R.O. | 38 in P series | 1640-1720 | wills and admons |
| Exton | | | |
| Cath | W54/6/2/86-109 | 1663-1760 | Survey/Holding registers |
| Cath | T2A/2/1/65C | 1641-2 | Court roll |
| Cath | T4/1/3/24 (Book 92) | 1647-48 | Progress Book |
| Cath | T4/1/3/25 | 1661-67 | Progress Book |
| Cath | T4/1/6/27-33 | 1668 | Court roll |
| Cath | T4/1/3/27-40 (vols 4 - 17) | 1670-1705 | Progress Books |
| Cath | T2A/3/1/2 | 1661-79 | Warrant bundle |
| H.R.O. | Q22/1/1/232 | 1799 | Land Tax |

² All wills and admons for the manors 1640-1720 were skimmed for relevance, but often only served to, for example, disentangle cousins with the same surname, so it has been decided not to list all of them separately. Just those individual wills which are referenced in the text. The Hampshire Record Office maintains will indexes by manor and surname. A series = Archdeaconry court ; B series = Bishopric court ; P = Peculiar; N.A. & PROB = P.C.C. wills in the National Archives (where many of these manor wills were proved during the Commonwealth).

| | | | |
|---------------------------------|--------------------------|--------------|-------------------------------|
| Cath | T4/1/3/24 (Book 92) | 1647 | Survey |
| Cath | W54/6/2 | 1687 or 1692 | Rental Survey |
| H.R.O. | 106M87/B7/1 | 1609-1711 | Bundle of deeds |
| H.R.O. | DC/J1/8/14 | c1695 | Survey of Woods |
| H.R.O. | 28 in P series | 1640-1720 | Wills and admons |
| H.R.O. | 1656P/01 | 1656 | Will of Richard Baker |
| H.R.O. | 1680P/36 1-2 | 1680 | Will of Edmund Shallett |
| H.R.O. | 1689P/29 | 1689 | Will of Nicholas Pratt |
| H.R.O. | 1701P/24 | 1701 | Will of Mary Pratt, widow |
| Littleton & Ovington | | | |
| Cath | T2A/2/1/65C | 1641-2 | Court roll |
| Cath | T4/1/3/24 (Book 92) | 1650-59 | Progress Book |
| Cath | T4/1/6/73-4 | 1660-61 | Progress Book |
| Cath | T4/1/3/25A | 1661 | Progress Book |
| Cath | T4/1/3/25 | 1660-67 | Progress Book |
| Cath | T4/1/6/75-6 | 1668-73 | court rolls |
| Cath | T4/1/3/25 vols 8-9 | 1675-76 | Progress Books |
| Cath | T4/1/6/77-86 | 1677-1702 | court rolls |
| Cath | T4/1/3/40 | 1703-05 | Progress Book |
| Littleton | | | |
| Cath | W54/6/2/111-116 | 1663-1760 | Survey/Holding registers |
| Cath | T4/1/3/25/1 | 1667 or 1685 | Survey |
| H.R.O. | Q22/1/1/244 | 1799 | Land Tax |
| Cath | T4/1/3/24-32 | 1651/2 | Harfell suicide investigation |
| Cath | W52/76 pp 40-46 | 1649 | Parliamentary survey |
| H.R.O. | 49M95/558 | 1843 | Enclosure Award |
| H.R.O. | 8 in P series; 1 in N.A. | 1640-1720 | Wills and admons |
| H.R.O. | 1671A/047 | 1671 | Will of John Fifield |
| Church Hall | Manor map | 1736 | Survey map of Littleton |
| Ovington | | | |
| Cath | W54/6/2/55-77 | 1663-1760 | Survey/Holding registers |
| H.R.O. | 21M65/E15/95 | 1696 | Glebe terrier |
| Cath | T4/1/3/25/1 | 1667 or 1685 | Survey |
| H.R.O. | Q22/1/1/235 | 1799 | Land Tax |
| H.R.O. | Q/23/1/2 | 1824 | Enclosure award |
| H.R.O. | 33 in P series | 1640-1720 | Wills and admons |
| Hinton Ampner | | | |
| Cath | T4/1/3/21-23 | 1635-39 | Progress Book |
| Cath | T2A/2/1/65C | 1641-42 | Court roll |
| H.R.O. | 47M48/1 | 1643-44 | Presentments |
| Cath | T4/1/3/24-32 | 1648-57 | Court book |
| Cath | T4/1/3/25 (vols 2-16) | 1661-1702 | Court books |
| Cath | T4/1/3/40 vol 17 | 1704-06 | Court book |

| | | | |
|---------------------|-------------------------------|-----------------|------------------------------------|
| H.R.O. | 47M48/1 | 1661;67; 71; 79 | Presentments |
| Cath | T4/1/3/24-32 | 1650 | Hinton Ampner tenant services |
| Cath | T4/1/3/25 box loose vol 8 | 1684 | Survey |
| H.R.O. | 47M48/3 | 1689 | Ship money |
| H.R.O. | 21M65 / E15 /60 | 1696 | Survey of glebe |
| H.R.O. | 47M48/1 | 1702 | Quit rent list |
| H.R.O. | Q22/1/1/235 | 1799 | Land Tax |
| H.R.O. | 47M48/25-26 | 1654-1688 | Quitclaims |
| Cath | T4/1/3/33 vol 10 (back of) | 1661-1722 | Licence to let lists |
| H.R.O. | 32 in B series | 1640-1720 | Wills and admons |
| Meonstoke | | | |
| WC | 23051 | 1631-1635 | Court Book |
| WC | 23052 | 1636-1643 | Court Book |
| WC | 23053 | 1644-1655 | Court Book |
| WC | 23054 | 1656-1667 | Court Book |
| WC | 23055 | 1668-1682 | Court Book |
| WC | 23056 | 1683-1698 | Court Book |
| WC | 23057 | 1698-1705 | Court Book |
| WC | 23176 | 1563-1619 | Index to copyholds |
| WC | 13582-13590B | 1646-1714 | Heriot bonds |
| WC | 13349 | 1680 | Down enclosure listings |
| WC | 13552 | 1673 | Rental list |
| WC | 13555-7 | nd. 1673-1680 | Surveys of tenants & rents |
| WC | 23144 | 1790 | Steward's progress Book |
| WC | 23147 | 1679-1684 | Court notebooks |
| WC | 13323-6 | und late 16th c | Widows customs |
| WC | 13350-7 | 1695-1700 | List of tenants & some rents |
| WC | 13553-4 | 1679/80 | Stoke Down enclosure |
| WC | 13582-8 | 1646-1695 | Obligations re letting |
| H.R.O. | E179/176/565 | 1664/5 | Hearth Tax original |
| H.R.O. | Q22/1/1/439 | 1803 | Land Tax |
| H.R.O. | 36A03/PD1 | 1863 | Enclosure award |
| H.R.O. | 5M54/56 | 1733-1927 | Meonstoke Parsonage, court records |
| H.R.O. | 55 ; 7 in B series, rest in P | 1640-1720 | Wills and admons |
| H.R.O. | 1667P/08 | 1667 | Will of Daniel Budd |
| Vernham Dean | | | |
| WC | 23039 | 1560 | Court Book |
| WC | 9162 | c 1594 | Both moieties -rental |
| WC | 23052 p 61 | 1639 & 1640 | List of all tenants |
| WC | 23052 | 1636-1643 | Court Book |
| WC | 23053 | 1644-1655 | Court Book |
| WC | 23054 | 1656-1667 | Court Book |
| WC | 23055 | 1668-1682 | Court Book |

| | | | |
|--------------------------------|--------------------|----------------|-----------------------------------|
| WC | 23056 | 1683-1698 | Court Book |
| WC | 23057 | 1698-1705 | Court Book |
| WC | 23187 | 1761 | Tenant holding register |
| WC | 9385-93 | nd -1704 | List of all tenants & inhabitants |
| WC | 22272 | 1694-1720 | Compti - corn rent |
| WC | 23170a | 1639-1803 | Fines for leases |
| WC | 26501-7 | 1641-1708 | Lease of manor farms |
| WC | 9091-2 | 1691 & various | Manor farm letters |
| WC | 26536 | 1691 | Lease of manor farm |
| WC | 26537 | 1699 | Lease of Botts farm |
| WC | 9126 & 9131 | 1734 | Manor survey |
| WC | 9116 | 1638/9 | Conveyance of manor moiety to WC |
| WC | 21343-4 | 1776 | Manor Survey |
| WC | 5622 | 1689 | Quit rent roll |
| H.R.O. | Q22/1/1/331 | 1800 | Land Tax |
| HRO | M362 | 1664/5 | Hearth Tax original |
| H.R.O. | 4M64/1-5 | 1658 | Indenture - property |
| H.R.O. | 18M48/17-18 | 1680; 1698 | Indentures:lease & release |
| H.R.O. | 18M48/5 | 1666 | Mortgage by demise |
| H.R.O. | 18M48/13 | 1698 | Mortgage by assignment |
| H.R.O. | 41 in A series | 1640-1720 | Wills and admons |
| Woodmancott | | | |
| WC | 19629 | 1604 | Survey |
| WC | 23053-55 | 1645-1682 | Court Books (lease corn rent) |
| WC | 22716-22272 | 1684-1720 | Compti - corn rent |
| WC | 19633 | 1722 | Terrier |
| Other manors | | | |
| H.R.O. | 11M59/E2/155645 | 1647 | East Meon Parl. Survey |
| H.R.O. | 11M59/E2/155645 | 1649 | Hambleton Parl. Survey, |
| H.R.O. | 36M 68 /1 | 1668 | Kilmeston Survey |
| H.R.O. | 1694A/076 | 1694 | Will of Ralph Page (H Worthy) |
| Hearth Tax - all manors | | | |
| N.A. | Series E179 | 1661-1674 | Hearth Tax original return |
| H.R.O. | 20AO2 films M991-3 | 1664-1674. | Hearth Tax microfilms |

2) Digital transcriptions

Hampshire Genealogical Society - provided spreadsheets of transcriptions of baptism, marriages and burials

The Roehampton Hearth Tax research group provided a CD of Hampshire hearth Tax transcriptions.

3) Secondary Sources

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