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**Class and the Social Transformation of a Late Medieval  
Small Town: Lydd c. 1450-1550**

## Abstract

This thesis seeks to enter into both a long running debate and a new field of research: firstly, the debate over the primary determination of the historical process in the transition from feudal to capitalist production and productive relations; and secondly, the possible relationship between English late medieval small towns and that process. Previous studies of small towns have been limited by the surviving evidence for this type of settlement, and have mainly concentrated on a narrow range of sources for the pre-1348 period. The remarkable survival of a variety of sources for the small town of Lydd on Romney Marsh in Kent - probably a legacy of its Cinque Port heritage - has enabled this thesis to be the first to study an English small town in any great depth, and also during the period of agrarian capitalisation and the expansion of rural industry from the middle of the fifteenth century. The broad demographic, economic and governmental relations as they became manifest across the period c. 1450-1550 are analysed before focusing on three lists of names of social and political significance as they had come to be in 1528 after substantial structural changes had already taken place. The analysis then follows the process of structural change post-1528. The conclusion of this thesis is that between 1450 and 1550 the social formation of Lydd was transformed primarily through the determination of class-struggle in the context of the declining income of feudal lordship leading to the development of competitive rents and the formation of a new class of agrarian bourgeois. This class in a mutual relationship with feudal lordships had been instrumental as manorial farmers and officials in expropriating a densely populated parish of its small customary holdings that had previously served to support the household economies of a broad base of petty traders, artisans and fishermen. These initial expropriations ensured a developing symbiosis between larger commercial agrarian units and expanding rural industry in the Weald of Kent, providing for the emergence of capitalist relations. This ensured both greater rents for landowners and greater profits for big leaseholders. However, these structural changes are therefore implicated in the dearth of the 1520s and subsequent crises because of the increasing dependence and impoverishment of previously independent producers. The small town structures in both areas ensured that petty commodity production and trading relations were already in place upon which the process of expropriation could capitalise, and that the development of oligarchy in Lydd in particular fed off this growing wealth, and in turn facilitated increased capitalisation.

## **Acknowledgements**

First of all I would like to thank Mr Andrew Butcher and Dr Peter Brown for their encouragement and stimulation over the years. Peter also put my name down for a grant which gave this thesis the kick-start in the first year, without which it would not have begun. Many thanks to my friends in the Centre For Medieval Studies at the University of Kent: warm thanks especially to Dr Justin Croft and Dr Paula Simpson for their practical support and informed argument. Many thanks also to Mrs Beryl Coattes, the local historian of Lydd, for her generous hospitality, practical help, and limitless knowledge of the sources and locality. The town clerk and secretary of Lydd Borough Council also made me welcome, and I am grateful to them for also making available as much time as was possible in order to study the sources in a place that is very difficult to get at, especially without a car. I owe so much to Ivan and Rosemary Dimmock, my parents, and to Craig Dimmock, my brother, for all sorts of reasons. I might say that Craig also deserves credit for his help in the presentation of this thesis. I would finally like to pay homage to Edward Thompson, who died less than a year after I began this thesis, and whose knowledge and strength of example has been to me more than a blessing.

## Abbreviations

(Adm.)C. Act	Canterbury Archdeaconry Court Act Books
<i>Arch. Cant.</i>	<i>Archaeologia Cantiana</i>
BL	British Library, London
CCL	Canterbury Cathedral Library
CKS	Centre For Kentish Studies, Maidstone
<i>ECHR</i>	<i>Economic History Review</i>
<i>EHR</i>	<i>English Historical Review</i>
HMSO	Her Majesties Stationary Office
<i>HMC</i>	<i>Royal Commission on Historical Manuscripts, Fifth Report</i> (London: HMSO, 1896)
LPL	Lambeth Palace Library, London
Ly	Lydd Borough Archive, Lydd Council
PCC	Prerogative Court of Canterbury
PRC	Canterbury Consistory Court
PRO	Public Record Office, London

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The contribution of this thesis has two strands: firstly, through empirical engagement an assessment of the role of class in the determination of historical process or social change in the late medieval period; secondly, to add to the developing understanding of the nature of small towns in this period, and to hopefully offer some further suggestions as to possible correspondence between the survival of small towns in England into the sixteenth century and emerging capitalist forms. Both of these strands are examined with particular reference to the small town, parish, and Cinque Port of Lydd.

## 1. Social Class

### 1.1 Definitions: 'determination' and 'class'

By 'the determination of historical process', I do not refer to a process whereby the category 'class' mechanically determines the nature of other social, economic or ideological forms within that process; I mean historical or social process,

as open-ended and indeterminate eventuation - but not for that reason devoid of rational logic or of determining *pressures* - in which categories are defined in particular contexts but are continuously undergoing historical redefinition, and whose structure is not pre-given but protean, continually changing in form and in articulation.<sup>1</sup>

Determination in this sense refers to 'the exerting of pressures' and 'the setting of limits' within the historical process.<sup>2</sup> By 'social class', following Marx and Thompson, I refer to a historical category, which is derived from observation of the historical process over time. Class is not seen as a static structural category, but within a historical materialist formulation referring to co-existent dominant and subordinate political and economic relations that are bound up with a particular historic phase in the development of

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<sup>1</sup>E. P. Thompson, 'The Poverty of Theory or An Orrery of Errors', in *The Poverty of Theory & Other Essays* (London: Merlin Press, 1978), pp. 83-4.

<sup>2</sup>See the important discussion in Raymond Williams, *Marxism and Literature* (Oxford: Oxford University Press, 1977; repr. 1990), part II, chapter 2.



production.<sup>3</sup> Hence the focus in this thesis is the determination of the change from feudal to capitalist production, and the role of the corresponding productive relations in this change.

As a means of understanding class as a historical category, I would argue that Thompson develops Marx's own approach in asserting that class formations arise out of the processes of class-*struggle* and do not precede them.<sup>4</sup> For example;

people find themselves in a society structured in determined ways (crucially, but not exclusively, in productive relations), they experience exploitation (or the need to maintain power over those whom they exploit), they identify points of antagonistic interest, they commence to struggle around these issues and in the process of struggling they discover themselves as classes, they come to know this discovery as class-consciousness.<sup>5</sup>

In emphasising the experiential historical process of class formation Thompson goes on to add that, 'class eventuates as men and women *live* their productive relations, and as they *experience* their determinate situations, within "the *ensemble* of the social

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<sup>3</sup>Karl Marx, *The Poverty of Philosophy: Answer to the "Philosophy of Poverty" by M. Proudon* (Moscow: Progress Publishers, 1978), p.114; Thompson, 'Poverty of Theory', p. 159. This formulation is regarded by Thompson as Marx's 'most fertile hypothesis'.

<sup>4</sup>Marx, *Poverty of Philosophy*, pp. 113-4. For example, 'As the bourgeoisie develops, there develops in its bosom a new proletariat, a modern proletariat; there develops a struggle between the proletarian class and the bourgeois class, a struggle which before being felt, perceived, appreciated, understood, avowed and proclaimed aloud by both sides, expresses itself, to start with, merely in partial and momentary conflicts, in subversive acts.' See also 'The Class Struggles in France: 1848 to 1850', in *Karl Marx, Surveys From Exile: Political Writings: Volume 2*, ed. by D. Fernbach (London 1973: Pelican Books; repr. in Penguin Classics, 1992), pp. 35-142. For example, 'What was overcome in these defeats was not the revolution. It was the pre-revolutionary, traditional appendages, the products of social relationships which had not yet developed to the point of sharp class antagonisms - persons, illusions, ideas and projects from which the revolutionary party was not free before the February revolution, from which it could be freed not by the *February victory*, but only by a series of *defeats*', (p. 35).

<sup>5</sup>E. P. Thompson, 'Eighteenth-Century English Society: 'Class Struggle Without Class?', in *Social History*, vol. iii, no. 2, (1978), 133-65 (p. 149).

relations”, with their inherited culture and expectations, and as they handle these experiences in cultural ways’.<sup>6</sup>

It is not suggested that ‘class’ as a concept is perfect, but that ‘no alternative category is available to analyse a manifest and universal historical process’. Regarding the late medieval period which is being studied here, and contemporary views on the nature of social structure at that time, definitions of society as being made up of ‘estates’ or ‘orders’ belong to medieval elite theory in a representation of ideal social functions. Because they are categories based upon these ideals and not directly upon that society’s material production, they are therefore non-historical in terms of social process. As Thompson says, ‘we cannot (in the English language) talk of “estate-struggle” or of “order-struggle”, whereas “class-struggle” has been employed, not without difficulty but with signal success, by historians of ancient, feudal and early modern societies’.<sup>7</sup>

## 1.2 The application of ‘class’ to late medieval society

It has long been recognised that pre-capitalist, or more accurately, proto-industrial Western European societies are made up of a complexity of classes, there being in addition other gradations within these, but then becoming simplified under mature capitalism through historical process, along with the formation of class-based institutions and parties with clear and sophisticated ideological programmes.<sup>8</sup> Hence a more exploratory, analytic use of the concept class or more appropriately ‘class-struggle’ is necessarily applied to late medieval society.<sup>9</sup>

It is true that besides aristocratic wars and conflicts usually due to competition over territory and related struggles, in late medieval society, struggles and reconciliations go on within the social hierarchies of the peasantry and within the urban workshop at all

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<sup>6</sup>Thompson, ‘Class Struggle Without Class?’, p. 150. See also his ‘Poverty of Theory’, p. 106: ‘Class formations...arise at the intersection of determination and self-activity...the experience of determination and the “handling” of this in conscious ways’.

<sup>7</sup>*ibid.*, p. 149.

<sup>8</sup>Karl Marx and Frederick Engels, ‘Manifesto of the Communist Party’, in *Karl Marx, The Revolutions of 1848: Political Writings: Volume 1*, ed. by D. Fernbach (London: Pelican Books, 1973; repr. in Penguin Classics, 1993), pp. 62-98 (pp. 67-8).

<sup>9</sup>Thompson, ‘Class Struggle Without Class?’, pp. 148-9.

levels, and that everyday consciousness may have been to some extent socially 'vertical' due to expectations, identities and interest groups within village assemblies, urban trade guilds and religious fraternities, relative to the clearly more 'horizontal' consciousness of modern classes. However, the security and bonds of a horizontal consciousness across the hierarchy of subordinate classes, expressed through certain conflicts, some serious, and through expressions of shared popular cultural forms (or through shared interpretations of elite forms),<sup>10</sup> are not necessarily antithetical to a vertical consciousness. And it is probably safe to say that the two co-exist, the manifestation of which for example, social mobility and its corollaries on the one hand, or customary resistance on the other, depends upon both the moral conditioning and upon the economic and political circumstances at particular stages within the historical process. In addition are those conflicts related to family, gender, race, religious belief and morality, criminality etc., although these should not be separated from the experience of class; and the everyday minutiae of these struggles may produce the inertia for, or have the potential to effect the spontaneous development of other social, economic and ideological forms.

However I would argue that some struggles - those with clearly country-wide and international as well as historical class contours - are more *decisive* in transforming or retarding fundamentally, and at times relatively rapidly, the social and economic relations of this type of society. For example, those for the removal of serfdom; the struggle for the level of rent and taxation; the increasing domination over or removal of independent means of production whether the workshop or peasant holding, and the related development of agrarian capitalism through engrossment and enclosure. I am not suggesting that such decisive struggles should be seen as separate from the everyday; on the contrary, it would appear that as also derivative of *experience*, they are circumstances and occasions where the complex phenomena of the everyday intersects. This is particularly apparent where the unit of production is the individual household.

Without such an application of class, some historians - characteristically those with an explicitly structural-functionalist approach who dismiss the significance or even presence of such fundamental divisions within societies - have made serious errors in their interpretation of particular social conflicts, and therefore of social formations as these

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<sup>10</sup>See discussion on 'Cultural Hegemony', Chapter Three, Section 2.2 below.

were developing in the fifteenth century, including those where visual cultural forms are expressed. For example, in what is otherwise an important study, by misunderstanding the political and economic divisions in Coventry in the fifteenth century, Charles Phythian-Adams has developed a crude, normative view of culture and customary consciousness, which in turn reflects upon the limited conclusions he generates for the *cause* of that city's 'desolation'.<sup>11</sup> It has also led to an interpretation of urban conflict and its visual expression in Norwich, by Phillipa Maddern, as one based upon a crude factionalism between equal parties within the city government. She makes the same mistake in a more typically agrarian situation in Suffolk, reducing serious conflicts over land involving husbandmen and yeomen against gentry, in the immediate post-1381 period, to almost petty disturbances within a seamless 'gentry society'.<sup>12</sup>

### 1.3 The primacy of the determination of class-struggle

The assertion of the primacy of the determination of class-struggle within historical process stems from the work of Marx and Engels.<sup>13</sup> The most recent debate on this view among Marxists and non-Marxist historians has provided lively debate stemming from the essay by Robert Brenner in 1976, 'Agrarian Class Structure and Economic Development in Pre-Industrial Europe', now published in a collection of essays on the debate, and which still continues in studies and conferences to the present.<sup>14</sup> This arose

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<sup>11</sup>Charles Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge: Cambridge University Press; Past and Present Publications, 1979); 'Ceremony and Citizen: The Communal Year at Coventry 1450-1550', in *Crisis and Order in English Towns 1500-1700*, ed. by Peter Clark and Paul Slack (London: Routledge and Kegan Paul, 1972), pp. 57-85; See also Mervyn James, 'Ritual, Drama and Social Body in the Late Medieval English Town', *Past and Present*, 98 (1983), 3-29.

<sup>12</sup>Phillippa C. Maddern, *Violence and Social Order: East Anglia 1422-42* (Oxford: Oxford University Press, 1992); see the case-studies in chapters 5 and 6.

<sup>13</sup>'For almost forty years we have stressed the class-struggle as the immediate driving power of history, and in particular the class-struggle between bourgeoisie and proletariat as the great lever of the modern social revolution'. Taken from Thompson, 'Poverty of Theory', p. 103.

<sup>14</sup>Robert Brenner, 'Agrarian Class Structure and Economic Development in Pre-Industrial Europe', and his reply to the other contributors to the debate, 'The Agrarian Roots of European Capitalism', in *The Brenner Debate: Agrarian Class Structure and Economic Development in Pre-Industrial Europe*, ed. by T. H. Aston and C. H. E. Philpin (Cambridge: Cambridge University Press; Past and Present Publications, 1985; repr. 1995), chapters 1 and 10; see also his 'Bourgeois Revolution and the

as a critique of a 'neo-Malthusianism' orthodoxy which regards economic change, whether causing development or collapse, or in other words cyclical economic non-development, as being chiefly determined by demographic fluctuations, the main theoretical underpinning of which being market supply and demand. This orthodoxy itself grew out of a critique of an economic determinism which proposed a unilinear development of the market as determining economic change. In this 'neo-Malthusian' formulation, demographic fluctuation takes the form of a two phase grand cycle; the first phase being 1100-1450, and the second 1450-1720. Briefly, the first saw population growth in the twelfth and thirteenth centuries lead to - in the absence of technological improvement - overpopulation on the limited amount of available land and increased occupation of marginal land, both of which led to declining productivity. This led to demographic collapse due to famine and epidemics in the fourteenth century, which is seen as a built in Malthusian *check* to overpopulation. In this situation the laws of supply and demand for land ensured a favourable return for the land and the lords as against labour and the peasantry, ensuring falling wages, rising rents and rising food prices. After the demographic collapse or Malthusian check from the late fourteenth century, the situation provided the opposite scenario, with lack of demand ensuring rising wages, falling rents and falling food prices. The second cycle begins with the rise in population from the late fifteenth century and the situation is again reversed with a return to the established medieval pattern of declining productivity leading to a population and production crisis. Hence a recurring cycle of economic non-development is identified.<sup>15</sup>

However, Brenner argues that there are significant problems with this formulation as it stands because, crucially, it does not explain how England broke out of the cycle while the rest of Europe continued within it. While recognising the existence and significance

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Transition to Capitalism', in *The First Modern Society* ed. by A. L. Beier and others (Cambridge: Cambridge University Press; Past and Present Publications, 1989), pp. 271-304. For more recent contributions see for example, Wally Secombe, *A Millennium of Family Change: Feudalism to Capitalism in Northwestern Europe* (London: Verso, 1995), pp. 247-254; and the collection of essays, *Serfdom and Slavery: Studies in Legal Bondage*, ed. by M. L. Bush (Harlow: Longman, 1996), which record the contributions at a conference held at the University of Manchester in 1994.

<sup>15</sup>See Brenner's critiques in both of his essays, and the replies of Michael Postan, John Hatcher, Emmanuel Le Roy Ladurie and Guy Bois in *Brenner Debate*, chapters 1, 2, 3, 4 and 10; see also Guy Bois, *The Crisis of Feudalism: Economy and Society in Eastern Normandy c. 1300-1550* (Cambridge: Cambridge University Press; Past and Present Publications, 1976), especially Part I.

of these demographic fluctuations, Brenner rejects the case for objective economic and demographic factors being put forward as the *primary* determinants of medieval economic development. In asserting the primacy of class-struggle in this development he begins with the assertion that,

social-property systems, once established, tend to set strict limits and impose certain overall patterns upon the course of economic evolution. They do so because they tend to restrict the economic actors to certain limited options, indeed quite specific strategies, in order to best produce themselves - that is, to maintain themselves in their established socio-economic conditions.<sup>16</sup>

Adopting a comparative method looking at experiences of Western and Eastern Europe and countries within the different regions, in particular France and England, Brenner shows how social formations evolved in different ways when subjected to similar economic and demographic forces, of particular note being the decisive take off of capitalist relations in England in the sixteenth century. Briefly, his model sets out that the English ruling class (feudal monarchy-aristocracy) from its establishment from conquest, despite divisions and conflicts within it, maintained a more cohesive aspect as a class than that of the French. This had implications not only for the successful squeezing of the peasantry at a time of rising population and increased demand for land during its (seigniorial) economic and cultural heights in the thirteenth century in England, not achieved in France, but also in the eventual successful adaptation to unhelpful conditions post-Black Death. The French peasantry, through its historical development, was far more organised early on than in England, and hence it was able to resist impositions by lords in the thirteenth century. Lords in both France and England faced serious resistance to attempts to re-impose servile dues in the second half of the fourteenth century, resistance backed up by a favourable demographic downturn resulting in a crisis of revenue exacerbated by high wages, fixed customary rents and a high degree of peasant mobility. Serfdom therefore largely disappeared in both countries at this time. However

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<sup>16</sup>Brenner, 'Agrarian Roots', p. 225. As with Thompson's formulation, class-struggle here is primarily but not mechanically determinant as historical process is left open-ended. Hence Brenner can show that experiences of similar demographic and economic determinates have led to different effects in different countries because of the prime importance of the determining pressures exerted by given class or social formations or, as he prefers, social-property systems, and the processes of class-struggle engendered within them.

in France, in the sixteenth century, divided interests within the ruling class manifested through decentralised, competing lordships, and the growing usurpation of state taxation, ensured the dominance of small-scale subsistence peasant property at a time of opportunities for commercial profits within capitalised farms, fuelled by an increase in population, inflationary high prices and decreasing real wages. This situation led to monarchical absolutism with drastic results for improvements in production. In England the opposite occurred, because lords were more assimilated with the state apparatus and therefore in a position of strength to accumulate holdings by evicting customary tenants and develop competitive rents from the fifteenth century. This was, in the long run, resisted in France with the state protecting peasant holdings from lordship incursions in order to protect the weight of its ability to extract sufficient taxation. The lords in England gradually relinquished manorial jurisdiction from the mid-fifteenth century for the local offices of justices of the peace tying themselves closely to, but not dominated by, the Crown. This was done with an element of mutual co-operation in investment and improvement and legal-political (class) alignment with wealthier peasant tenants (yeoman and aspirant gentry), and so began to emerge in England the classic landlord, capitalist tenant, wage labourer system. This system worked in symbiosis with rural industrial development supplying raw materials and food for the increasing numbers of landless workers and the cloth industry: 'Industry fed on agriculture and stimulated in turn further agricultural improvement'.<sup>17</sup> To further strengthen his position, Brenner points to the divergent experiences between Eastern and Western Europe: at the same point serfdom disappeared from Western European feudalism, a time of population downturn creating favourable conditions for successful peasant resistance, it was severely and successfully imposed in the east, retarding that region's economic growth.

Guy Bois, also a Marxist and contributor to the debate, while attributing 'a driving role' to class-struggle 'in the development of feudal societies', has serious reservations with what he terms Brenner's pre-conceived 'political Marxism' and prefers to see more subtle class mechanisms at work in this respect. He places more emphasis on the self-perpetuating nature of the feudal economic and demographic system, and in doing so, in methodological terms at least, positions himself closely to the Malthusians. However he denies their overall premises which tend to exclude the agency of social relations.<sup>18</sup>

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<sup>17</sup>*ibid.*, p. 327.

<sup>18</sup>*ibid.*, pp. 107-118.

The theoretical and methodological underpinnings of these arguments will be evaluated in this present thesis in respect to the empirical evidence for Lydd in the period c. 1450-1550 and its subjection to my application of class. It is this period in which crucial structural changes take place in Western Europe incorporating the emergence of capitalist forms, particularly in agriculture and rural industry, although not without significant effects on the fortunes of towns.

## 2. Small Towns

The main focus of the Brenner debate has been on agrarian transformation or the symbiosis of agrarian capitalisation and developing rural industry. Despite being clearly integrated into feudal structures,<sup>19</sup> towns have received little attention as potentially implicated in these changes. Christopher Dyer points out that both Postan and Brenner, while having fundamental disagreements concerning the determination of these changes, both assign only a secondary role to trade and towns.<sup>20</sup> Towns are generally seen to have been in decline after the middle of the fifteenth century when these transformations were taking place and so this view is not surprising.<sup>21</sup> However, although the case of decline has been generally made for the larger provincial towns, it has not for smaller towns which were more closely integrated into their rural hinterlands, and this is an area that needs further investigation.

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<sup>19</sup>Rodney H. Hilton, *English and French Towns in Feudal Society: A Comparative Study* (Cambridge: Cambridge University Press; Past and Present Publications, 1992), especially chapter 1.

<sup>20</sup>Christopher Dyer, 'The hidden trade of the Middle ages: evidence from the West Midlands of England', *Journal of Historical Geography*, 18, (1992), 141-57 (p. 141).

<sup>21</sup>Charles Phythian-Adams, 'Urban Decay in late Medieval England', in *Towns in Societies: Essays in Economic history and Historical Sociology*, ed. by P. Abrams and E. A. Wrigley (Cambridge: Cambridge University Press; Past and Present Publications, 1978), pp. 159-85; R. B. Dobson, 'Urban Decline in Late Medieval England', in *The Medieval Town: A Reader in English Urban History 1200-1540*, ed. by Richard Holt and Gervase Rosser (London and New York: Longman Group Limited, 1990), pp. 265-86; D. M. Palliser, 'Urban Decay Revisited', in *Towns and Townspeople in the Fifteenth Century*, ed. by J. A. F. Thomson and others (Gloucester: Alan Sutton, 1988), pp. 1-21.



## 2.1 The significance of small market towns in medieval urban society

Rodney Hilton has asserted that small market towns, the vast majority of which were seigniorial boroughs, 'tend to fall between the two stools of urban and rural history', and have been, in the main, neglected or ignored by historians, including *urban* historians.<sup>22</sup> In fact superficial examination of the size of English towns compared to say France and Italy, may have given the impression that England was characterised in the late medieval period by a lack of urbanisation and was therefore economically backward in this respect.<sup>23</sup> However, as a result of a number of studies particularly by Hilton, Christopher Dyer and others, this impression has been necessarily overhauled.<sup>24</sup>

Hilton argues that if 'Commercialisation (the product of surpluses for sale on the market) may justly be regarded as one index of development in a primarily agrarian society', it may be misleading to concentrate attention exclusively on the bigger towns, which has been the predominant focus.<sup>25</sup> These large towns, often as political and administrative

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<sup>22</sup>Hilton, 'Lords, Burgesses and Hucksters', in his *Class Conflict and the Crisis of Feudalism: Essays in Medieval Social History*, rev. ed. (London: Verso, 1990), pp. 121-131 (p. 125).

<sup>23</sup>Hilton 'Medieval market towns and simple commodity production', *Past and Present*, 109 (1985), 3-23 (p. 3).

<sup>24</sup>Hilton, *English and French Towns*; 'Lords, Burgesses and Hucksters', in *Class Conflict*; 'Small Town Society in England Before the Black Death', in *Class Conflict*, pp. 19-40; 'Medieval market towns'; Dyer, 'The hidden trade'; 'The consumer and the market in the later middle ages', *Economic History Review*, 2nd series, 42, (1989), 305-26; 'Small town conflict in the later Middle Ages: events at Shipston-on-Stour', *Urban History*, 19, (1992), 183-210; D. Postles, 'An English small town in the later Middle Ages: Loughborough', *Urban History*, 20, (1993), 6-29.

<sup>25</sup>Hilton, 'Medieval market towns', p. 4. For studies of the larger towns, see especially the overview in Hilton, *English and French Towns*; Phythian-Adams, *Desolation of a City*; R. H. Britnell, *Growth and Decline in Colchester, 1300-1525* (Cambridge: Cambridge University Press, 1986); Robert S. Gottfried, *Bury St. Edmunds and the Urban Crisis: 1290-1539* (Princeton, New Jersey: Princeton University Press, 1982); Heather Swanson, *Medieval Artisans* (Oxford: Basil Blackwell Ltd, 1989) which concentrates on York; the introduction to *Records of the City of Norwich*, 2 vols. ed. by W. Hudson and J. C. Tingay (Norwich and London: Jarrold and Sons Ltd, 1906-10); Sylvia L. Thrupp, *The Merchant Class of Medieval London 1300-1500* (United States: University of Michigan Press, 1948; repr. 1994). See also the useful range of short studies in *Medieval Town*, especially Richard Holt, 'Gloucester in the Century After the Black Death', pp. 141-59; Caroline M. Barron, 'Ralph Holland and the London Radicals, 1438-1444', pp. 160-83; and Maryanne Kowaleski, 'The Commercial Dominance of a Medieval Provincial Oligarchy: Exeter in the Late Fourteenth Century', pp. 184-215.

centres with their provincial courts, clergy and lawyers, had other functions than marketing, and most of this commerce was geared to national and international exchange and with a particular emphasis on aristocratic markets. But the characteristic form of exchange he argues was based upon simple commodity production, engaged in by small-scale producers and petty retail-traders and hucksters in small town and village markets which were the basis of the medieval economy.<sup>26</sup> He shows that Normandy, an important region commercially in France, has 'many material and cultural resemblances to midland and southern England'. He goes on to compare it with the west midlands of England in terms of urbanisation at the market town level as things had developed by 1300. He finds that, 'the density of market town foundations in the west midlands was one and a half times to twice that of the Norman *bourgs* of an urban type'. This difference changes the impression of English commercial backwardness and Hilton concludes that 'if the commercialisation and urbanisation of a feudal society in which peasant producers were the majority is an important index of development, the market towns deserve more consideration than they have received'.<sup>27</sup> Also, and importantly for the purposes of this thesis, he argues that, 'Given the important subsequent role of England in the development of capitalism, this measure of pre-capitalist commercialization may be a useful historical background to that development'.<sup>28</sup> He points out that, merchant capital derived from foreign trade, having been prominent in the medieval economy for hundreds of years without significantly transforming it, was only later in the context of enclosure and the development of wage labour invested in industrial capital; but that, 'this could hardly have happened without the spread of simple commodity production throughout the largely self-subsistent economy at the base of society'.<sup>29</sup> Despite the serious economic decline of many of the large towns from the middle of the fifteenth century and the disappearance of over half of the village markets, most of the small towns survived intact into the sixteenth century along with developing rural industry, and this is another revealing indication of their relative importance.<sup>30</sup>

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<sup>26</sup>Hilton, 'Medieval market towns', p. 4; *English and French Towns*, pp. 60-1; 'Lords, Burgesses and Hucksters', pp. 121-2.

<sup>27</sup>Hilton, 'Medieval market towns', pp. 6-7. Postles in his article also asserts that market towns were the backbone of English medieval urban society; 'Loughborough', p. 7.

<sup>28</sup>Hilton, *ibid.*, p. 5.

<sup>29</sup>*ibid.*, pp. 22-3.

<sup>30</sup>*ibid.*, pp. 10-11.

## 2.2 Urban characteristics and functions

Most studies on small towns have concentrated on urbanisation before the Black Death and on the nature of the emergence of these towns from their foundations in the thirteenth century. Towns have been characterised as ‘a relatively dense and permanent concentration of residents engaged in a multiplicity of activities, a substantial proportion of which are non-agrarian’.<sup>31</sup> *Small* towns however, in medieval society have been shown to differ quantitatively and qualitatively from both ‘open’ villages with markets and large towns in terms of population, the range of occupations and services, trading horizons, institutions and government, the consumers they attract, and hence their political and economic relations of production.<sup>32</sup>

In a breakdown of towns in England into population categories as they were in 1370, apart from London with an estimated 40-50,000 Hilton shows that four towns had between 8-15,000, eight had between 5-8,000, and twenty-seven had 2-5,000.<sup>33</sup> More recent research based upon topographical evidence shows that London and some of the larger town populations may even have been double these figures.<sup>34</sup> The recorded number of small seigniorial boroughs or small market towns is 500, these having populations of between 500-2,000, although potentially a lot more could be added to this figure when those that did not achieve borough status are taken into account.<sup>35</sup> The criteria used as hallmarks of urban characteristics however, as suggested, are not based upon population estimates, although clearly size beyond a certain degree corresponded to qualitative differences. The fundamental characteristic is a wide range of occupations and approximately twenty or thirty non-agrarian occupations are usually regarded as a

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<sup>31</sup>Dyer, ‘The hidden trade’, p. 142, citing R. Holt and G. Rosser, ‘Introduction: The English Town in the Middle Ages’, in *Medieval Town*, pp. 1-18 (p. 4).

<sup>32</sup>See note 24 above.

<sup>33</sup>Hilton, ‘Lords, Burgesses and Hucksters’, p. 122.

<sup>34</sup>Dyer, ‘The hidden trade’, pp. 141-2.

<sup>35</sup>Hilton, ‘Lords, Burgesses and Hucksters’, p. 122. See also discussion in Dyer, ‘The hidden trade’, p. 142; and Postles, ‘Loughborough’, pp. 7-8, and note 5. The latter two studies suggest that the minimum population figure for small towns or ‘primary towns’ could be as low as 300. It is the urban *function* that is of most significance.

minimum requirement to establish an urban function.<sup>36</sup> This function varies. As we have touched upon, small towns provided services and manufactured products for a limited hinterland and nearby villages (mostly within a radius of five miles) of petty buyers and sellers of agricultural wares, although this cumulatively generated a huge demand because consumers were on the whole peasants, the largest medieval class.<sup>37</sup> The larger towns were involved in wider national and international trade dealing on a large scale and including luxury products, particularly catering for and stimulated by greater aristocratic consumption. However Dyer points out that we must not underestimate the importance of towns in provisioning their own growing populations in this period as they attracted rural immigrants that may have contributed an even larger demand than that of outsiders, and also the importance of informal rural exchange outside the official structures of lordship.<sup>38</sup>

The majority of known market towns were incorporated seigniorial boroughs, that is they received a charter giving them burghal privileges related to their tenements in the town. This gave them the rights of free tenure, free disposal of their burgages and a release from servile dues. They also gained a monopoly of the market and freedoms from market tolls. The lord retained control in the form of his steward through the borough court and in theory self-government was denied. However in practice there was some limited self-government with the leading townsmen who were chosen as bailiffs and jurors in the court leet and view of frankpledge.<sup>39</sup> Political expression may also have been made through the formation of socio-religious guilds or fraternities.<sup>40</sup> Those small towns that were unincorporated were controlled through the manorial court and the inhabitants remained and might be treated as customary tenants.<sup>41</sup> Of the large towns, over 70% were royal boroughs, and they owed the Crown an annual farm for the town in return for self-government.<sup>42</sup> However, they became in the process of development, riddled with ecclesiastical jurisdictions. Some larger towns remained under direct control

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<sup>36</sup>Hilton, *English and French Towns*, p. 33.

<sup>37</sup>*ibid.*, p. 55; Dyer, 'Shipston', p. 190.

<sup>38</sup>Dyer, 'The consumer and the market', p. 306-11; 'The hidden trade', p. 152.

<sup>39</sup>Hilton, *English and French Towns*, pp. 38-41; 'Medieval market towns', pp. 15-16; Dyer, 'The hidden trade', pp. 143-4.

<sup>40</sup>Hilton, 'Medieval market towns', pp. 17-18.

<sup>41</sup>See for example Dyer, 'Shipston', pp. 194-6.

<sup>42</sup>Hilton, *English and French Towns*, p. 42.

of the lord as seigniorial boroughs with similar limited rights as the small towns.<sup>43</sup> The large royal boroughs developed oligarchic constitutional structures usually consisting of a mayor, his co-officials and a narrow aldermanic elite or 'council of twelve' from whom the mayor and the others were chosen; in addition they contained a broader common council the powers of which varied at different times, but mainly retained only an advisory function.<sup>44</sup>

Studies consistently demonstrate a clear correspondence between occupational structures and political and economic relations of production in London and the larger provincial towns, particularly - but not only - as they were developing post-Black Death with the expansion of the cloth industry, and this correspondence has been aptly stated by Swanson:

The industrial structure of these towns was determined by the merchant class in the later Middle Ages. A politically subordinate artisan class was also dependent on a mercantile elite for many of its raw materials, for the distribution of manufactured goods and for some of its credit. Where the merchants could not wholly control supply, as in the case of the victuallers, rigid regulation was introduced to ensure that engrossing the market by groups of artisans was rendered impossible. The civic elite, virtually all of them merchants in the later middle ages drew its strength from economic domination; the political structure was based on this and was reflected in the social hierarchy.<sup>45</sup>

Regarding small towns dealing in petty production and retail before 1348, and with limited self government, naturally we find a different situation;

for in these small towns there was no small class of rich merchants, and there was not much social differentiation among the craft masters and the retail traders. The occupational structure was, of course, predominantly non-agricultural, that is, petty merchants dealing in local commodities, craftsmen and craftswomen (including makers of linen cloth) victuallers such as butchers, bakers and brewers. There was also a tendency for many families to engage in more than one occupation. Most households brewed ale and sold what was surplus to family requirements. Butchers grew flax for the linen trade, as did shoemakers and dyers. On the

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<sup>43</sup>On these last two points see the discussion in *ibid.*, pp. 41-52.

<sup>44</sup>*ibid.*, p. 100.

<sup>45</sup>Swanson, *Medieval Artisans*, p. 149.

whole the retail traders, mostly in grain, malt and agricultural products, tended to be more prominent among the jurors and officials than the manufacturing craftsmen.<sup>46</sup>

Hilton goes on to say that unlike the larger towns, 'although there are a few references to apprenticeship there were no separate craft organisations and no sets of regulations controlling craft production'.<sup>47</sup> Of note is the tendency towards a multi-occupational household economy in small towns due to lack of specialisation and the comparatively limited skills required, although Hilton suggests that multi-occupational households were characteristic of middling groups of artisans and their families in towns of all size.<sup>48</sup> Swanson also warns that the distinction between large and small towns in respect to this point should not be exaggerated, particularly in the light of increasing knowledge about the activities of women in towns which were equally central to a functioning household economy and therefore the economy of medieval urban society in general.<sup>49</sup>

This situation in the smaller towns clearly applies for the period leading up to the Black Death, but there has been little attempt to examine these towns in the capitalist dynamic that developed particularly from the mid-fifteenth century. As Postles says, 'the later fortunes of small towns have to some extent been ignored', particularly in regard to *individual* small towns.<sup>50</sup> He puts this largely down to the 'intractability of the sources', and yet he and Hilton have identified additional sources for this period in the form of accounts and assembly books which would certainly enlarge our understanding of small towns.<sup>51</sup> Hilton has of course stimulated a need for study in the later period by recognising a possible link between the prominence of small towns in England and their survival into the sixteenth century in the context of urban decline, and the emergence and take off of capitalist relations in that country. Also, considering the relative dominance of traders in agrarian produce among the jurors and officials in small towns compared to

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<sup>46</sup>Hilton, *English and French Towns*, p. 56.

<sup>47</sup>*ibid.*, p. 57.

<sup>48</sup>*ibid.*, pp. 78-9.

<sup>49</sup>Swanson, *Medieval Artisans*, pp. 116-17; and, 'The Illusion of Economic Structure: Craft Guilds in Late Medieval English Towns', *Past and Present*, 121, (1988), 29-48.

<sup>50</sup>Postles, 'Loughborough', pp. 7-8.

<sup>51</sup>*ibid.*, p. 9 note 8. Postles finds 'bridgemasters accounts' for Loughborough beginning from 1570; Hilton in 'Small Town Society', p. 20, points to the existence of 'Assembly Books' for Henley which begin in the fifteenth century.

the manufacturing craftsmen even in the early period, this has implications for developments post-Black Death in the context of large scale agrarian commercialisation and specialisation, especially as small towns were more integrated into and dependent upon these rural structures than the larger towns. Postles in his study of Loughborough in the later period has identified 'the rise of a select group of merchants' by the late fifteenth century, trading in wool and woollen cloth (although the nature of 'merchant' in such a small town probably needs qualifying), and possibly even more significant among the most affluent groups were the butchers, some of whom were rural graziers.<sup>52</sup> This was the result of the capitalisation of the surrounding hinterland and the absorption of its population into the town. These hypotheses and findings have significant implications for the nature of small towns in terms of their political and economic structures as they emerged in the sixteenth century with a possible symbiosis between agrarian structures and rural industry, and it is these implications that are taken up and enlarged upon in this thesis.

### 2.3 Urban class-struggle

Christopher Dyer's article, 'Small-town conflict in the later Middle Ages: events at Shipston-on-Stour', was put forward as 'an antidote to an excessively harmonious view of urban society'. This view he asserts overemphasizes the notion of 'peaceful co-operation' within medieval urban society and represents it as 'organic, with few profound causes of grievance, in which conflicts were either prevented or settled'. He argues that it,

underestimates the clash of interests over issues of jurisdiction, rents, services, taxes and property which gave rise to struggle. Of course social mechanisms restrained open violence - pressure from communities and fraternities, the authority of government and lordship, and the influence of religion, all helped to promote a spirit of social cohesion. But those who sought unity and peace were often papering over the cracks of a divided structure.<sup>53</sup>

He proceeds to identify long-term conflicts over questions of tenure and borough liberties between the inhabitants of Shipston and its overlord stemming from its thirteenth century foundation to around 1400, and it is important to recognise that such

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<sup>52</sup>Postles, 'Loughborough', pp. 13-14, p. 21.

<sup>53</sup>Dyer, 'Shipston', pp. 183-4.

conflicts with this chronological trajectory were typical in both urban and rural communities.<sup>54</sup> However, in addition, serious factional struggles had developed within the town allied to local gentry interests in a 'complicated political alignment' around 1400.<sup>55</sup> Hilton identifies three main lines of conflict that were specific to towns and summarises them as those 'between urban communities and the various representatives of feudal interests; those between the crafts and their allies against the mercantile oligarchies; and those within the crafts between the masters and the journeymen'.<sup>56</sup> However conflicts against merchant oligarchies also involved unskilled workers outside craft structures, and 'marginals' who made up the majority of inhabitants, and often there were splits within the central government with one side allying with craft and unskilled workers and the other relying on its mutual interests with the aristocracy. The main conflicts were over borough franchises, oligarchic abuse of taxation and its exemption, corruption at elections and last but not least common rights which were crucial to urban household economies as well as being important on principle. Those conflicts between masters and journeymen were over wages and working conditions. However the latter two groups were more likely to be allied in the causes against the central government and feudal interests, rather than having fundamentally opposed interests between themselves.<sup>57</sup>

Most of the evidence of these conflicts has been identified for large towns as can be seen with the central presence of mercantile oligarchy among them. Again the lack of studies of small towns in the period of agrarian capitalisation has left a large gap in the knowledge of conflict at this level beyond basic franchise conflicts with overlords. Despite Dyer's evidence of factional interests (and these are again rather early), because of the relative closeness of the classes in political and economic terms in small towns before the mid-fifteenth century and the prominence of a common enemy in the form of feudal lordship, *internal* class tensions were naturally limited. However, even where the later period has been analysed in a small town, and the development in the period of a wealthy oligarchy has been identified, because of the lack of evidence we get a similar picture. For example, Postles works the court rolls of Loughborough hard for any

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<sup>54</sup>*ibid.*, pp. 196-204, p. 209.

<sup>55</sup>*ibid.*, pp. 205-7.

<sup>56</sup>Hilton, *English and French Towns*, p. 127.

<sup>57</sup>*ibid.*, pp. 127-51.



patterns in debt and litigation cases. In terms of litigation, they ‘do not show any extreme dominance of interpersonal relationships’, and in terms of debt pleas, these ‘do not reveal any more concentrated patterns of commercial relationships but were with a few exceptions diffused among many individuals’. ‘Commercial transactions in the town’, he concludes, were therefore ‘probably an extension of the “good faith” economy’.<sup>58</sup> With the few and fragmented court rolls that these findings are based upon,<sup>59</sup> and the absence of an attempt to identify these interpersonal and commercial relationships within an exploratory framework of social class or even a governmental structure with its implications for social differentiation, it is very difficult to come to any conclusions from this study. With the broad range of urban, rural and testamentary records which survive for Lydd in the fifteenth and sixteenth centuries, and a clearly defined application of ‘class’, I will hopefully try to fill in some of the gaps.

### 3. Lydd and the Cinque Ports

On the extreme south-western edge of Kent, siding onto the parish of Broomhill in Sussex, the small town of Lydd sits in the centre of its parish in the south-east of Romney Marsh. The parish has a radius of about two miles, half of it surrounded by coastline, and this was true for the late medieval period also.<sup>60</sup> Although informally connected before the Conquest, by virtue of its charter of 1156, Lydd was a corporate ‘Member’ of the federated organisation of the Cinque Ports. This federation gained its authority from the Crown although typically assumed rather more in the way of self-government. The Cinque Ports in the fifteenth century were a string of small and small-to-middling sized towns along the Sussex and Kent coast, with an increasing number of affiliated corporate and non-corporate members (of varying settlement status) both along the coast and further in-land. The original five Ports were Hastings, New Romney, Hythe, Dover and Sandwich, and these along with Winchelsea and Rye by the fifteenth century had the standing of ‘Head’ Ports. Folkestone and Faversham were members of Dover, Fordwich of Sandwich, and Tenterden in the Weald of Kent - the vast expanse of forest which stretched almost from the edge of Romney Marsh well into the heart of Kent - was by the 1450s a member of Rye. Lydd was a member of the nearby Head Port

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<sup>58</sup>Postles, ‘Loughborough’, pp. 24-5.

<sup>59</sup>*ibid.*, p. 9 note 8.

<sup>60</sup>See Appendix 2.

of New Romney, situated a few miles north, to which it was subjected in terms of various naval and financial affairs. The organisation was designed to protect the Kent and Sussex coast which was particularly vulnerable to foreign invasion, and to provide in all fifty-six ships for two weeks annually for the use of the Crown, mainly for transportation purposes across the Channel. New Romney's allocation was five ships to which Lydd had to contribute one, although this was commuted by the end of the fifteenth century. In return for this service, the Ports as a whole received certain franchises applicable to all, although their implementation was dependent upon other local jurisdictional circumstances. The organisation was also significant however because it maintained and protected common economic interests of the Ports.<sup>61</sup>

#### 4. The main sources

This thesis draws on a variety of sources, many not usually available for the subject of small towns, and this is no doubt a legacy of Lydd's Cinque Port heritage. The most voluminous source is that of final testament wills. I have used some 468 of these wills from approximately 550 that survive for Lydd between 1455 and 1558, plus a few later examples. These were chosen firstly for their relationship to names in other sources, secondly for content beyond simple acknowledgements and duties which apply to all social groups, and thirdly restrictions were made due to time considerations.<sup>62</sup> These cover a range of social groups and are useful for analysing changing levels and patterns of wealth and status, household production and inheritance strategies across the period. These form Appendix 3, and are listed in chronological order. Readers should look for any references to wills here.

Lydd's urban administration in the period has left some excellent sources and these are still kept in the borough archive of the town. All of them are written in a combination of Latin and English, but with a surprising amount of English. The town custumal written in 1476, gives evidence of constitutional arrangements and detail of legal and marketing

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<sup>61</sup>K. M. E. Murray, *The Constitutional History of the Cinque Ports* (Manchester: Manchester University Press, 1935), p. 1; *Royal Commission on Historical Manuscripts, Fifth Report* (London: Eyre and Spottiswood For Her Majesties Stationary Office, 1896), p. 532.

<sup>62</sup>This method however ensured that the vast majority of surviving wills were used.

procedures and regulations.<sup>63</sup> There are three books of chamberlains' accounts which survive for our period from 1428 in a mostly complete state, although with unfortunate gaps for the crucial years of 1485-1512, and for the years 1542-48.<sup>64</sup> These give evidence of elections to urban office, collections and amounts of local taxation, and how these relate to receipts and payments for the administration of the town which are all detailed. A wide social spread of inhabitants engaged in various occupations and official business can be derived from among this detail, and I have found it worthwhile to index all names and their activities up until 1542. These accounts also contain various land conveyances, ordinances, charter confirmations, and records of serious legal and other disputes of concern to the town in these years. Churchwardens' accounts surviving for the years 1519-58 also give evidence of the appointments of churchwardens and the payments and receipts for the administration of the church. These yield similar information to the chamberlains' accounts in terms of general activities concerning inhabitants of the town and visitors.<sup>65</sup> The first chamberlains' book running from 1428 to 1485 and the churchwardens' book has been transcribed and translated by an early Lydd historian and I found this useful in the long project of indexing.<sup>66</sup> The borough court record is comparatively poor, although adequate in conjunction with the other sources. It survives in a fragmented state for some eighteen years between 1506 and 1541.<sup>67</sup> However an assembly book beginning in 1566 called, 'The Booke of Constitutions, Orders, decrees, Awardes and Judgements of ye baylyff, Jurates And Comens' is also

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<sup>63</sup>Lydd Borough Archive, Ly/LC 1. For an excellent analysis of the surviving body of customals for the Ports see Justin Croft, 'The Customals of The Cinque Ports c. 1290 - c. 1500: Studies in The Cultural Production of the Urban Record' (unpublished doctoral thesis, University of Kent at Canterbury, 1997).

<sup>64</sup>LBA, Ly/facs 1, 2 and 3.

<sup>65</sup>LBA, Ly/ZP 1. NB. Chamberlains' accounts Ly/fac 2 and 3, and the churchwardens' accounts Ly/ZP 1, have already been paginated without adhering to the system of 'recto' and 'verso', and this pagination has been used in references throughout this thesis. Hence the usual abbreviations for 'recto' and 'verso' are replaced by that for 'page' for these manuscripts.

<sup>66</sup>*Records of Lydd*, ed. by Arthur Finn (Ashford, Kent: Kentish Express Office, 1911). This transcription should not be relied upon because it has been partly modernised. However the translations from the Latin are accurate. Any references taken from this transcription that have been used in this thesis have been followed up by close examination of the original manuscript.

<sup>67</sup>LBA, Ly/JB 1, for the years 1506-14; LBA, Ly/JB 2, for 1518-22; LBA, Ly/JB 3, for 1530-4; LBA, Ly/JB 5, for 1539-41. From here the pre-fix 'Ly.' will suffice as reference to all documents in Lydd Borough Archive.

drawn upon.<sup>68</sup> The Cinque Port federation generated a representative body from the late fourteenth century which had the powers to give ordinances and settle disputes and the minutes of this assembly survive in two books known as ‘The White and Black Books’ which cover the years 1432-1572 and 1572 -1955.<sup>69</sup> A useful support to these sources comes in the form of wage regulation lists for Lydd and Kent for the year 1565, helping to discover the range of occupations in the town and their relative worth over the period.<sup>70</sup>

Besides these urban sources, important manorial records survive for the parish including a rental in 1556 for Aldington manor which contained the urban area, and also the View of Frankpledge survives for this manor in a few fragments for 1450 and the late 1480s.<sup>71</sup> Rentals also survive for other manors in the parish, although the most significant are those for Dengemarsh manor which was held by Battle Abbey.<sup>72</sup> The manorial court record for Dengemarsh survives for the years 1430-50, 1482, and in fragmented form between 1487 and 1535. Ministers accounts also survive for this manor for the fourteenth century and early fifteenth century.<sup>73</sup> These sources have been invaluable in tracing changes in landholding and production for this the most significant manor in the parish outside that of Aldington. Sixteenth-century taxation lists and maintenance accounts survive for the various Marsh Levels or Waterings that make up the parish. These also show the distribution of landholding and the involvement of the inhabitants of the town and parish in employment and administrative functions.<sup>74</sup> Various deeds also survive to reinforce these records on landholding, in terms of wealth but also location.<sup>75</sup>

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<sup>68</sup>Ly/JQs 1. See Chapter Two, Section 2.2 below.

<sup>69</sup>CKS, CP/B1-2.

<sup>70</sup>CKS, NR/Z, Pr. 43 (Lydd); NR/Z, Pr. 39 (Kent).

<sup>71</sup>Ly/ZM 1; Lambeth Palace Library, Estate Documents, 136 and 137.

<sup>72</sup>For Dengemarsh manor rentals and related taxation between c. 1310 and 1432, see Public Record Office, E 315/57, fol. 30v, fol. 32v, fol. 180r; PRO, E 315/56, fols 226r-241r; PRO, E 315/386; PRO, SC 11/347. For Dengemarsh dissolution accounts of 1538, which serve as a rental, see PRO, SC 6/Hen 8/3675. For Old Langport manor rental of 1551, see Centre For Kentish Studies, Maidstone, U1043/M4. For New Langport manor rental of 1394, see CKS, U442/M72. For Belgar manor rental of 1380, see PRO, Add. MSS. 37, 018, fols 58r-60v.

<sup>73</sup>PRO, SC 2, 180/60-65; PRO, SC 6, 889/13-19; SC 6, 890/1-8; SC 6, 1107/9-10.

<sup>74</sup>Ly/ZS, FA 1-16; Ly/ZS, FR 1-2; CKS, FAe 1.

<sup>75</sup>There are a number of deeds scattered within Ly/fac 1 (chamberlains’ accounts), and within the borough court books. See also Ly/T1-9.

Barons' or freemen's taxation or 'scot' lists for both the fifteenth and sixteenth centuries also give evidence of relative wealth and indicate the numbers of freemen in the town in different periods.<sup>76</sup> These are supported by muster lists for the middle decades of the sixteenth century and town scot lists for the same period.<sup>77</sup>

For the purpose of understanding the manifestations of cultural hegemony - which presupposes class-struggle - in Lydd in the early sixteenth century, I have drawn upon examples of letters, poems, sermons and dramatic texts that were of significance in the period.<sup>78</sup>

## 5. Method

Before analysing the way 'class' works, it has been first of all necessary to understand the nature of the social formation of Lydd in the late medieval period by looking at the social and economic units from which it was formed. The main focus is in Chapter Three which examines three lists of names in the chamberlains' accounts representing individuals and groups of varying social and political status in the town as they came together in 1528.<sup>79</sup> These lists provide an opportunity to look at representatives of virtually the whole social and occupational structure of Lydd and their relations at a particularly crucial time, thereby also providing for the analysis to be rooted in moments and structures particularly significant to all social classes of society in Lydd at this time. I do not however intend to look at the groups in the lists of 1528 in terms of a static slice of social structure relating to this year, and the fall of the evidence would make this impossible anyway. Location of the year 1528 ensures substantial evidence survival for the people in question and their families both prior to this year and subsequently, and the analysis will follow their progress over the period with 1528 borne in mind as a significant moment within a structuring process. Having examined these lists, the second half of Chapter Three will examine the evidence of class-struggle and its role in this

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<sup>76</sup>PRO, E 179, 226-9; E 179, 231-7.

<sup>77</sup>For muster lists see Ly/AL 1-5. For town scot lists see Ly/FR 1. For a more detailed use of these two sources see Sally Elks, 'Lydd 1540-1644: A Demographic Study', (unpublished masters thesis, University of Kent at Canterbury, 1989).

<sup>78</sup>See Chapter Three, Section 2.2.

<sup>79</sup>Ly/fac 2, pp. 138-9; p. 256.

structuring process. At this stage, the analysis will focus on how the structure came to be as it did in 1528, and then Chapter Four will look more systematically at developments post-1528. Chapter Two should be read as a broad introduction to the demographic, economic and governmental structures of the town across the period, thus paving the way for the more detailed analysis of class.

## Chapter Two      Demography, Economy, and Government

This chapter examines the evidence for the general demographic, economic and governmental structures of Lydd in the fifteenth and sixteenth centuries. Section 1 looks at population estimates and the trading horizons and occupational structures that make up Lydd's economy. Section 2 focuses upon the nature of government in Lydd, looking at the town's relationship with the Crown and the feudal aristocracy in this respect, and the nature of the town administration itself.

### 1.      Demography and Economy

#### 1.1    Demography

An estimate of the demographic indices for Lydd has been generated by Sally Elks for the hundred years or so following 1540 based upon the detailed examination of parish registers, wills, local taxation lists, rentals and musters. She comes to the following conclusion:

In 1540 when the [parish] register began the population was probably about 750-800, rising steadily to reach a little over 1,000 by 1556. At this point it received a setback due to the long prolonged series of epidemics from 1556 to 1559, falling back to perhaps 850 by 1560 and about 800 during the following decade...From the mid-1570s until the end of the century there seems to have been a steady rise to around 950 by 1600 and a subsequent fall to about 800-850 by 1614. Between 1615 and 1624 there was a sharp increase causing the population to rise to about a thousand again, perhaps even higher, followed by a cascading fall to about 750 in 1636, a brief upsurge and then an almost continuous decline until 1680.<sup>80</sup>

She asserts that the recovery of population in the face of these epidemics was based upon immigration opportunities caused by deaths and a high birth rate.<sup>81</sup> The population of Lydd in this period therefore seems to fluctuate between 800 and 1000. The estimated low figure of 750-800 for 1540 should not lead us to suspect that this was representative of the previous period with which this thesis is mainly concerned because there were major epidemics in 1540-1 and 1544 with some eighty-five adults and children dying in

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<sup>80</sup>Elks, 'Demographic Study', p. 143.

<sup>81</sup>*ibid.*, p. 52, p. 55.

the former and seventy-two in the latter.<sup>82</sup> This also followed food shortages and impoverishment in the previous two decades, not seen since the early fourteenth century. We can only speculate about Leland's meaning when he describes the town as consisting of a 'prety quantite' in the 1520s, but it is probable that the population was in normal conditions nearer to 1,000, similar to that achieved in the recovery by 1556.

Evidence from the Dengemarsh manorial rental of 1432 with strong landholding links to the town, and the barons' or freemen's taxation lists in the first half of the fifteenth century suggest a reasonably healthy population in Lydd at that time, and this evidence will be looked at shortly. Firstly we can see that the corresponding taxation lists which survive for the second half of the sixteenth century (which Elks does not use) show that the numbers of freemen in the town at that time fluctuated significantly. They number fifty-one in 1555, forty in 1560 (the immediate post-epidemic year), fifty-six in 1571 and thirty-seven in 1588.<sup>83</sup> Of course, the fluctuations in numbers would indicate poverty as much as epidemics, and these phenomena were clearly linked anyway, with fewer people able to take up the obligations of freeman and the extra taxation in return for the significant privileges that this status bestowed. By looking at surviving lists of freemen in the later Lydd chamberlains' accounts, Elks finds that the number of freemen was as low as seventeen by the early seventeenth century, falling from a more normal fifty or so in the first half of her period.<sup>84</sup> This of course matches up with the evidence of the barons' taxation lists.

Nine of the barons' lists survive for the fifteenth century and these fall in the years between and including 1432 and 1446. In these lists the number of barons fluctuated between sixty-four and seventy-one between the years 1432 and 1442, with an average of sixty-seven, and from there it jumped to eighty-four and eighty-one in the two

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<sup>82</sup>*ibid.*, p. 91-2. See also p. 101 where Elks re-asserts arguments that marshland communities experienced particularly harsh death rates. We must be aware, however, that many of those in the government of Lydd, particularly the most wealthy, achieved ripe old ages with eighty years being not uncommon, and that such epidemics were not the great levellers they are often assumed to be. For example, most of the wealthiest and long-standing Lydd jurats in the first half of the sixteenth century died in quick succession between the years 1549-1555, but this was in a period of recovery and when they were all elderly.

<sup>83</sup>PRO, E 179, 231/229; 237/55; 232/278, 318.

<sup>84</sup>Elks, 'Demographic Study', pp. 133-4.



surviving lists for 1446.<sup>85</sup> The absence of vacancies and the density of holdings in the nearby manor of Dengemarsh in 1432 confirms this picture of a healthy density of population in Lydd at this time.<sup>86</sup> Unlike in the sixteenth century where enclosure and agrarian commercialisation had confined the vast majority of inhabitants in the parish to the 'urban' area, this rental shows that there were some forty-two messuages outside this area in 1432. However, it is difficult to make a distinction between the town or 'urban' area and the rest of the parish - Dengemarsh in particular - because the inhabitants of this manor formed part of the constitution of the town, and also much of the property in this manor was spread in small plots among many townsmen at this stage.<sup>87</sup> So where in the sixteenth century I am really talking about the population of a limited urban area - because that was the part of the parish to which habitation was confined - in the early fifteenth century I refer to a population spread over the parish as a whole, the area of which was quite extensive. However this is not to suggest that the population within the urban area was any less dense in the fifteenth century than later on, although this area certainly was densely populated in the mid-sixteenth century.<sup>88</sup> It is probable that much of the surplus population in the parish caused by enclosure from the 1460s was forced to migrate, and in all likelihood to the rapidly expanding rural industry in the nearby Weald.<sup>89</sup>

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<sup>85</sup>PRO, E 179, 226/57, 74, 75, 84; 227/99; 228/114, 128, 138; 229/149.

<sup>86</sup>PRO, E 315/56 fols 226r-241r.

<sup>87</sup>See Hilton, *English and French Towns*, p58. Hilton has found that townsmen and women usually had small plots of land outside the town as a support for their trades and household economies. His example of the small port of Berre on the Etang de Berre, near Aix-en-Provence in France has characteristics which bear a striking resemblance to Lydd, and he finds that in the fourteenth century, 'Almost all families, and especially the craftsmen, had vineyards and small plots outside the town'. See Chapter Three, Section 2.1 for a more detailed analysis of the holders in the Dengemarsh rental, and also Section 2.2 below for the role of Dengemarsh in Lydd's constitution.

<sup>88</sup>Ly/ZM 1. This refers to the only rental of the Aldington manor and this manor which engulfs most of the town property. See the map of 1617 in Appendix 2 which indicates the lack of habitation on the land surrounding the town.

<sup>89</sup>For a detailed analysis of society in the Weald and its relationship to Romney Marsh see Michael Zell, *Industry in The Countryside: Wealden Society in The Sixteenth Century* (Cambridge: Cambridge University Press, 1994); 'A Wood-Pasture Agrarian Regime: The Kentish Weald in the Sixteenth Century', *Southern History*, 7 (1985), 69-93.

## **1.2 Economy**

### **1.2.1 Trading horizons**

An indication of a town's trading networks and therefore a major aspect of its urban function can be derived from borough court materials. These give the names and geographical origin of the debtors and creditors involved in various trading arrangements, sometimes stating the commodity at the centre of the dispute. This method has shown when applied in other studies of small towns that such trading links were mostly local within a five mile radius, therefore confirming the function of small towns as servicers of, and as a centre of exchange for, their immediate hinterlands.<sup>90</sup>

The borough court books of Lydd survive for the first half of the sixteenth century, but they by no means provide a complete series, covering only approximately eighteen years between 1507 and 1541, and the years for which they do survive are often fragmented. Nevertheless they provide enough evidence to give a good indication of the geographical scope of Lydd's trading relationships in this period. The court dealt in these years with men and women from thirty different towns and villages in Kent and beyond. These mainly concerned pleas between visitors and Lydd men and women, but also between visitors from different places, or indeed from the same place. Most of these places lay in the Marsh or strategically circling both the Marsh and the Weald with those such as Halden and Tenterden accommodating significant areas of rural industry well into the Weald itself. The relationship between these places and Lydd can be seen from a map generated from this information in Appendix 1. By far the most numerous pleas concerned New Romney, Old Romney and Rye respectively which is not surprising as these were the nearest towns and village. New and Old Romney are both about three or four miles away and Rye is about twelve, although the latter of course could be easily reached along the coast. The edge of the Marsh and Weald is a distance of about eight miles. Also, not surprisingly contacts spread along the coast with representatives of most of the other coastal Cinque Ports from Hastings in Sussex to Faversham on the other side of Kent being recorded. Contacts also stretched to Canterbury and London, places to which people from Lydd were no strangers. In addition, a Dutchman and four Frenchmen are recorded in these court books. These may have been visitors engaged in

trade, or settlers in the town itself, but either way they do represent trading possibilities with the small-town Port.

The large testamentary record for Lydd also provides good evidence of the geographical horizons of Lydd citizens, with references to debtors and creditors, property, legal and financial affairs, gifts, tithes and money for purgatorial services to other parish churches and their vicars and priests, will officials such as executors, supervisors, assigns and feoffees, and of course bequests to kin and others.

**Table 1**

<b>Town, Village, or Parish</b>	<b>Property: bequests/sales</b>	<b>Church: altar/repairs</b>	<b>Church: vicars/dirges</b>	<b>Will Officials and other business</b>	<b>Total Wills</b>
Appledore	4 1499-1549				4
Ashford				1 1505	1
Berham	1 1495				1
Bethersden		1 1494			1
Bonnington	1 1554				1
Bourmarsh	1 1523				1
Brenset	4 1484-1551		3 1494-1496		7
Brookland	10 1466-1556	3 1491-1543			12
Broomhill	2 1463-1513	3 1462-1483			5
Canterbury	7 1511-1549	4 1463-1525	1 1520	3 1551-7	15
Chartham	1 1551				1
Ebony		1 1463			1
Exeter, Devon	1 1545				1
Halden	5 1501			1 1463	2
H'bourne				1 1466	1
Harrietsham		1 1509			1
Hastings	1 1497		1 1499	1 1476	3
Hythe		1 1487			1
Ivychurch	3 1463-1556	3 1463-1515		2 1463-1555	5
Kenardington		1 1463	1 1463		1
Lenham	2 1538-1557	1 1509	2 1519-1521		5

<sup>90</sup>Hilton, *English and French Towns*, p. 55; Dyer, 'Shipston', p. 190.

Lewes, Sussx.				1 1520	1
London	1 1555			1 1555	1
Lymster	1 1509	1 1509			1
Marden	1 1513				1
Marychurch	1 1485				1
Mersam	1 1555			1 1555	1
Midley	1 1550	7 1491-1543	1 1496	3 1492-1501	12
Newchurch	3 1476-1517	1 1476	1 1476		3
New Romney	15 1496-1553	13 1463-1524	3 1519-1532	4 1464-1553	25
Old Romney	10 1501-1556	6 1483-1543		2 1512-1553	15
Orwelstone	2 1469-1503				2
Oxford		1 1520			1
Pecham				1 1494	1
Robertsbridge		1 1523			1
Ruckinge	1 1476	1 1476			1
Rye	6 1476-1549	2 1476-1493		2 1494-1555	9
Saltewood	1 1487	1 1487			1
Shadoxherst	1 1463	1 1463	1 1463		1
Snave		1 1520			1
Snargate	2 1551-1555				1
St.Mary in M.		1 1473			1
Stone	3 1554	1 1505			2
Tinterne		1 1464			1
Tonbridge	1 1499				1
Udamer				1 1463	1
Warehorne	5 1456-1555	1 1463			5
Westhead				1 1555	1
Woodchurch	2 1456-1505	3 1456-1505			3
Wrotham	1 1555				1
Wye		1 1463			1
Wickembreux		1 1501			1
Winchelsea		1 1525			1
Yalding	1 1513				1
Warwickshire	1 1545				1
Yorkshire		4 1519			1

Table 1 shows that although they are not directly connected to trade, these links largely reinforce the evidence in the court books, while providing a much larger sample of places

as you would expect with such a large source and spread over a longer time period. Some fifty-six places are recorded here but the geographical scope remains a tight one with the few exceptions of Exeter, Warwickshire and Yorkshire - the former two representing the origins of a Warwickshire yeoman and his relation, and the latter, the origin of Lydd's vicar at the time. A reference to Tinterne is a recognition by a Lydd jurat of Tinterne Abbey which held the benefice of Lydd church, and one to Oxford refers to All Souls College which held lands in Lydd parish. Unlike the court books however these wills bring out the relative prominence of Canterbury among Lydd's range of contacts. The business links with Canterbury, one of Kent's largest towns occur later on and refer to more affluent wills and their testators' legal affairs. Also some of the bequests were to monks, including a man who went there from Lydd. Most of the links in the wills are references to the ownership of property outside Lydd parish by Lydd citizens, some of these being possibly an indication of their origin,<sup>91</sup> and bequests to kin and land sales, closely followed by bequests to churches in terms of tithes and repairs - although these are obviously linked to the land sales. The next numerous are the will officials, followed by specific bequests to named vicars or requests for dirges.

In addition, there survives a number of deeds from various other sources which give indications of trading horizons. Most of the interest concerning geographical links comes in the form of women - in conjunction with their husbands - alienating or selling part or all of their inheritance property which is in Lydd parish or town, presumably because they have married and moved away either since or before they became beneficiaries.<sup>92</sup> These begin in the 1420s and again reveal similar links to the wills and court books

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<sup>91</sup>See Andrew F. Butcher, 'The Origins of Romney Freemen, 1433-1523' in *Ec.H.R.* 2nd series, 15 (1974), 17-27, for an examination of the demographic, economic and social implications of the immigration of those with the means to become freemen to the area. See his map on p. 21 which charts the geographical origins in Kent of the freemen to New Romney - including thirteen men from Lydd. Most of the recorded places here follow a similar pattern as the trading links for Lydd.

<sup>92</sup>For these women's deeds see especially the memoranda in Lydd's chamberlains accounts: Ly/fac 1, fol. 18v, fols 82v- 97v, fol. 114r, fol. 138v, fols 141r-144r, fols 176r-176v, and memoranda in the borough court books; Ly/JB 1, fol. 15v, fol. 21v, fol. 30v, fol. 32v; Ly/JB 2, fol. 9v, fol. 11v, fol. 22v; Ly/JB 3, fol. 3v, fol. 23r, fol. 23v, fol. 10v. See also the collection in Ly/T 1; and, British Library, Additional Charters, nos. 8572, 8587, 8600, 8601, 8613, 59563, 59567, 59571 and 59574. The ability for women to have this autonomy with, theoretically, no pressure from their husbands was a privilege derived from the Cinque Port franchise.

including London and places such as Cranbrook and Tenterden which were among the main market and industrial centres in the southern Weald. For whatever reason, even though we are talking about very small acreages early on in the fifteenth century, there are cases in these deeds of joint landholding between Lydd men and those from Wealden places such as Cranbrook, Tenterden, and Halden again, and these are examples of strong bonds between these two areas at the beginning of our period.

So the main structure of these commercial, property ownership and kin networks as they appear in the various source for Lydd were to a large extent in line with those of other small towns, the majority being fairly local, although the relative isolation of Lydd in the Marsh ensured that links would need to be stretched a few miles further than was usual. The peculiar nature of Lydd as a port, not in the least its affiliation as a Cinque Port, would naturally extend its trading horizons. However, these horizons could never in normal conditions approach the scale of the nearby larger Ports of New Romney and Rye, and these towns no doubt severely limited the sea-going trade and the function of Lydd in this respect by their presence.<sup>93</sup> They were in any case better suited geographically for this purpose because Lydd was landlocked by a mile or two in any direction, although New Romney and Rye would eventually both be unable to invest enough money to stop their harbours silting up, even if they wished to.<sup>94</sup> Lydd's sea-going trade had to transport commodities up a channel called the Wainway to the south-west of the parish in tugs or small lighters where it was unloaded at an inland dock some distance from the town and then carted over the marshes in wains from there. The bigger ships anchored at a place called the Camber which was on the coast between Lydd and Rye.<sup>95</sup>

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<sup>93</sup>Useful studies of these towns are, Butcher, 'Origins'; and Graham Mayhew, *Tudor Rye* (Sussex: Delta Press, 1987).

<sup>94</sup>Murray, *Cinque Ports*, pp. 208-10. See also Stephen Hipkin, 'The Impact of Marshland Drainage on Rye Harbour, 1550-1650', in *Romney Marsh: the Debatable Ground*, ed. by J. Eddison, (Oxford: OUCA Monograph, 1995), 41, pp. 138-147. Both studies, but particularly Hipkin's, show that the silting of the harbours was by no means an accident of nature, but clearly a result of the commercially driven inning or creation of new marshes by walling back the sea, especially from the second half of the fifteenth century. These changes then affected the natural scouring motion of the sea which created the harbours in the first place.

<sup>95</sup>The best evidence of this means of transportation is found in the marshland maintenance or Sewers' accounts which refer to the procurement by the Sewer officials in Lydd of large amounts of timber from

However, Lydd had other important peculiarities in that it was firstly integrated into significant areas of valuable marshland and adjacent to a vast stretch of woodland, and secondly was close enough to the shore to be able to specialise in fishing. In the context of agrarian accumulation from the middle of the fifteenth century, increasing commercial agrarian specialisation and production in sheep husbandry by Lydd farmers in the surrounding manors of the town and beyond, there would be a production of raw materials far in excess of what could be consumed by a small town and its rural hinterland, and the same is true - although to a far lesser extent - with its fishing industry. This is where the links with the Weald are crucial with its rapidly growing population and cloth industry, involving a potentially lucrative wealden-pasture regime for those in a position to exploit it.

### **1.2.2 Town occupational specialisation and diversity**

The absence of occupational censuses for small towns has meant that any examination of such a small town's occupational structure at any one time is likely to be impressionistic, and my evidence for Lydd provides no exception. Previous studies have used mainly borough court materials with useful results for the thirteenth and fourteenth centuries.<sup>96</sup> As I have mentioned, the survival of these records for Lydd is poor and fragmented, and they only survive at all for the first half of the sixteenth century. The information they give on particular economic activities beyond the formal statements of debt, trespass and broken contracts is also disappointing. Most of the urban area of the town as shall be seen was founded as part of Aldington manor and therefore subject to the View of Frankpledge. Only a few fragments of this record survive but they do provide a useful

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places such as Newenden, Ruckinge, Saltherst, Bodiam, Robertsbridge and Bethersden in nearby East Sussex and the Weald of Kent for the construction of drainage structures in the marshes of Lydd parish and along its coast. For example Ly/ZS, FA 2, fols 5v-6r. fol. 11v; Ly/ZS FA 3, fols 3r-3v; Ly/ZS, FA 6, fol. 4r, fol. 7r; for Camber, Ly/ZS, FA 6, fol. 5; for the inland dock see PRO, Exchequer Depositions, Mich. 9, Kent and Sussex 1619, in which an elderly Adrian Reade of Lydd, yeoman, in 1619 referred to 'the place called Wainway Gate where in former times goods were landed to be carried towards Lydd about 8 years now last past as he hath observed it was swerved up with a little of the top, that nothing could be there landed'. I am indebted to Jill Eddison of the Romney Marsh Research Trust for this reference. See also Ly/JQs 1, fol. 63r which shows that this channel had severely decayed by 1571. The narrowing of this natural channel was no doubt also the legacy of inning.

<sup>96</sup>See Chapter One, Section 2.1 above.

addition. The manorial court record for Dengemarsh which survives in varying degrees of quality for the years 1430-50, and for some of the years between 1482 and 1536, contains very few presentments concerning fines for occupational misdemeanours and this is possibly because such activities were mainly focused within the town, the manors ultimately providing supporting holdings for these more urban activities.<sup>97</sup> However, by cross referencing material from various additional sources, in particular from the large testamentary source, and the chamberlains' and churchwardens' accounts, these poor survivals can to some extent be fleshed out. I also intend to utilise later sources including the list of wage regulations which detail Lydd occupations and wages for 1565, and the assembly book of the town which begins in 1566 and contains the hundred court and Sessions of the Peace, as well as the View of Frankpledge for Aldington manor, in the hope of filling gaps in the earlier sources and to give an indication of the direction in which occupational organisation was heading in this town.

The applicability of the 1565 wage regulations for Lydd to an understanding of the town's range of occupations in practice in that year can be measured to some extent by means of comparison: firstly, with the regulations produced for the county of Kent as a whole, and secondly, with a list generated by myself of chance recorded individual occupations in the diverse Lydd sources between 1412 and 1560, and with a similar list (although with the superior assembly book source) generated by Sally Elks in her demographic study of Lydd for the years 1540-1644.

It is obvious the document produced for Kent was not intended to cover all the occupations in the county but probably just the classic core to which others could be compared and rated accordingly. The bailiff and jurats of Lydd - who by now had doubled up as justices of the peace - were given discretionary powers to make their own rates which were to be certified in Chancery. The resulting document was then assessed, printed and sent back after perhaps some negotiation.

The range of occupations set down to be rated in the documents for both Lydd and Kent are very similar, as is the language used, and so we can conclude that the Kent document was taken as a model. However it is the differences that are interesting and some picture of local practice may be derived from these. All of the occupations listed for Kent are

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<sup>97</sup>PRO, SC 2 180/60-65.



retained in the Lydd document including those relating to the agrarian economy which as we shall see is appropriate for Lydd and its large parish. However, the Lydd document adds to the 'servants of artificers' list the trades of cutler and lathmaker, and not surprisingly those of fisherman, kiddleman and ripier. It also changes either the wage rates, the nomenclature or the structure of occupations under the master artificer in the trades of weaver, fuller, shearman, dyer, linen weaver, tailor, tanner, glover, currier, carpenter, wheelwright, and cooper. The list of building trades and the ploughwright and millwright are included in the artificers list as paid by the year in the Lydd document and they are only referred to as paid by the day in the one for Kent, suggesting a greater permanence within the local economy of Lydd for these trades. In the Kent document there is a clause which refers to the day wages of the 'second sort' of the artificers who are predominantly in the building trades, but there is a comparable clause for Lydd which says 'Every common workman or servant having his occupation and able to work therein, in any of the said sciences'. Also, the Kent document gives the wages for 'The best Prentise of an artificer', but for Lydd we have, 'Every apprentice in any of the said sciences, able to work therein'. The Lydd document also calls the bricklayers an alias, i.e. 'master roughmasons'.

Regarding 'servants in husbandry' whose wages were paid annually - as distinct from day labourers - where the Kent document refers to 'best servant', for Lydd they are detailed as 'best plowman, seedman, hind carter, shepherd or servant in husbandry'. Also Lydd formally identifies its 'boy' servants as being between the ages of fourteen and twenty-one in comparison to Kent's less exploitative fourteen to eighteen.

In addition to these substantial changes, there is in the Lydd document a contemporary marginal note adding further detail to the printed clause for sawyers' wages, and such evidence may point towards a working document. Also, in addition to an almost identical clause produced in the Kent document which somehow justifies the reduction of wages as being due to the problem of poverty, the bailiff and jurats of Lydd say 'The particular diversity of wages aforesaid standeth partly upon the cunning knowledge and activity of the persons, partly upon the great charges of tools and instruments by them to be used, and partly also by reason of diversity of soils, etc.'. Although it is difficult to separate this last clause from the self-interest of the jurats and main employers in the town who were diversifying the wages in a downward direction, there is more than a suggestion

that some serious thought about the occupational structure of Lydd has gone into this document.

A comparison of the artificers list with those generated from the other Lydd sources (however unsatisfactory) shows that there are few occupations in the list that had not been recorded in Lydd at one time or another; and there are trades recorded in Lydd that do not appear in the list including a mercantile element with mercers, a woollen draper, a grocer, a vintner and a spicer. Also barbers, fellmongers, chandlers and a needleworker. What I would tentatively conclude therefore, is that although there is no way that we can say that this wage regulation of 1565 can give us a census of occupations in Lydd at this particular time, it probably shows the potential diversity of non-agrarian, manufacturing occupations that may be performed in Lydd at one time or another. This conclusion would therefore suggest that this small town had strong urban characteristics at this level, while taken together, the town and parish of Lydd had a pervasive agrarian aspect. What we must be aware of is that these rated occupations would include craftsmen and labour brought in temporarily from outside the parish due either to the inadequacy or absence of such skills and trades in Lydd itself. It is the degree to which this happens that will distort the possible range of occupations practised by Lydd inhabitants within the town as they are given in the wage regulation, and therefore limit the range of its urban function. Having said this, it is likely that a market centre would attract more services and hence such temporary visitors may be seen also as part of the urban function.

We can now turn to the lists generated from the Lydd sources to look for concentrations in particular occupations and specialisations. The assembly book which begins in 1566 makes a particular point of recording occupations, and this is in the context of the various statutes geared to social control in this period, of which the wage regulations also formed a part. Before this, such recording is very infrequent. However there is some congruity between the lists generated before and after this book arrives. Elks finds that the most numerous craftsmen recorded between 1540 and 1644 were thirty-two tailors, four mercers, nine shoemakers, fourteen blacksmiths, and twenty carpenters. Another important group were the victuallers with ten butchers, ten brewers, six bakers, a grocer, and twenty-six innkeepers. She finds that the most recorded group were those associated with the land, with 104 husbandmen and 100 yeomen. the next largest recorded group

were fishermen with seventy-seven identified.<sup>98</sup> My own list deals with much smaller numbers because of the lack of recording early on, but again fishing, sea-faring and significant landholders come out on top, with tailors, carpenters, blacksmiths and shoemakers standing out in the crafts along with the mercantile element of mercers. The butchers, bakers, brewers and innkeepers are prominent in the victualling element.

### **Land holding and agrarian production**

The high recording of yeomen in the later list is not surprising, because as Elks recognised, the yeomen - most of whom were very large farmers, often immigrants, and who could easily slip into the lesser gentry - had entirely taken over the central government of the town and Sessions of the Peace by 1589.<sup>99</sup> Although to a much lesser extent, they had been prominent in the Lydd government for the previous hundred years as a result of estate accumulation, engrossment of arable holdings and the turning over to pasture, and enclosure stemming from the second half of the fifteenth century. Their names frequently crop up in the assembly book as violators of anti-enclosure statutes which, despite being Crown officials, they refused to obey. The recording of husbandmen in similar numbers is less easy to explain, but it should firstly be recognised that this term was certainly an anachronism in the highly commercialised agrarian industry on Romney Marsh at this stage, referring to what were relatively small - in comparison to the yeomen - capitalist tenant farmers.<sup>100</sup> What probably made the ultimate distinction between husbandmen, yeomen, and lesser gentry was the amount of freehold the farmer

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<sup>98</sup>Elks, 'Demographic Study', p. 127.

<sup>99</sup>*ibid.*, pp. 132-3.

<sup>100</sup>See Karl Marx, *Capital: A Critique of Political Economy*, vol. III, (London: Lawrence & Wishart, 1959; repr. 1984), pp. 629-30. It is suggested in this work that a lease in nineteenth century circumstances should be no less than seventy acres in order to be profitable and in order for the tenant not to need to labour himself, thereby employing and organising other labour on a capitalistic basis. Zell in *Industry*, pp. 29-30, appears to confirm this figure by showing that the range of yeoman holdings was from sixty or seventy acres to 200 acres in the Weald in the sixteenth century. However, see F. R. H. Du Boulay, 'Who were Farming the English Demesnes at the End of the Middle Ages?', *Ec.H.R.*, 2nd series, XVII, 3 (1965), 443-55 (p. 453), showing that husbandmen were not necessarily characterised in the sixteenth century by such small leases, because in 1514 it was possible for a *husbandman* to take on a demesne lease in Kent of 300 acres from the lordship of Canterbury, and his example is provided as typical.

had as opposed to competitive leases. For example it is clear that John Berry in this period probably held more land overall than Thomas Godfrey junior, and yet Godfrey was described as a gentleman and Berry a yeoman. Berry held most of his land which was in the range of 2,000 acres from Richard Knatchbull, another yeoman who got his leases from the Archbishop of Canterbury.<sup>101</sup> It is logical that as rural industry declined in the Weald from the early seventeenth century, the enormous estates accumulated in the sixteenth century to supply that industry were fragmented to some extent into smaller leases as the bigger yeomen like those named above moved into the squirearchy and settled back as rentiers to smaller enterprises. Hence the proliferation of 'husbandmen' or relatively small capitalist tenants in the later sources.<sup>102</sup>

For statistics relating to the land holdings of Lydd inhabitants in general, useful comparisons can be made with the work of Dulley for Kent.<sup>103</sup> With the evidence in surviving wills up to 1558, Dulley has compared the bequests of real estate in four rural parishes in Kent with the four small towns of Hythe, Ashford, Sittingbourne and Milton. His results show that in the rural parishes 71% bequeathed farmland and a further 6% bequeathed houses only. For the towns the corresponding percentages are 35% and 30%. In Ashford where the farming element was most evident, the amount of people leaving lands was 49%. Dulley points out that 'a good deal of the land owned by townsmen was marsh grazing, in Romney Marsh if they lived in Ashford or Hythe, in Sheppey or nearer home if they came from Milton or Sittingbourne.'<sup>104</sup> In Lydd using the same method, 39% left land, with or without houses, and 19% left houses only, although this calculation included messuages and small tied acreages to tenements. There are clear problems with this method because tenements and messuages are not easy to define and may contain land. Also, there was a very clear tendency for the will makers of Lydd not

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<sup>101</sup>See Chapter Four below for the activities and wealth of Godfrey and Berry, the former becoming an esquire by his death in 1624, and a relation of the latter becoming an esquire on the basis of *his* inheritance. For the Knatchbulls who later became baronets having already reached the wealth of Berry and Godfrey by 1500, see F. R. H. Du Boulay, *The Lordship of Canterbury: An Essay on Medieval Society* (London, 1966), pp. 234-6.

<sup>102</sup>See the discussion on the de-industrialisation of the Weald in the seventeenth century in Zell, *Industry*, chapter 8.

<sup>103</sup>A. J. F. Dulley, 'Four Kent Towns at the End of The Middle Ages', *Archaeologia Cantiana*, 81 (1966), 95-108.

<sup>104</sup>*ibid.*, pp. 96-7.

to include property in their wills in the decades straddling 1500 and yet it is these years that more wills were produced than either previously or afterwards. Having said this, a pattern emerges here with significant differences between land ownership in small town parishes and rural parishes, although clearly landholding by the inhabitants of these towns was normal. Importantly however, Dulley says that the pattern of landholding changed over the period, because in both towns and countryside, 'there was a pronounced and steady decline in the number of testators leaving land and also, though less pronounced and steady, in ownership of other forms of real estate', and that 'land in East Kent was being concentrated in fewer and fewer hands, with a rising proportion of landless men being left to seek employment as labourers or drift to the towns'.<sup>105</sup> This decline is certainly identified in the Lydd wills, and the figures for Lydd would be more dramatic except that in the 1540s and 1550s a number of long standing jurats with much landed property died at a time when either the survival of wills was poor or what is more likely, the numbers of people making wills had reduced due to a general impoverishment and the limited numbers of people left with property to bequeath.

Regarding agrarian production, 162 of the Lydd wills (over a third) bequeathed livestock including sheep, various forms of cattle, horses, pigs, poultry and bees. The Aldington rental of 1556 also shows that dove-cots were kept in wealthy closes. This figure compares to that of only thirty-five wills bequeathing arable produce such as oats, barley, wheat, beans, malt, barley malt, oaten malt, hemp, hay and faggots. The 1556 rental also shows the presence of orchards in the more wealthy closes.

That such a variety of agrarian occupations were retained in the Lydd wage regulation of 1565 is also an indication of the extent of the involvement of the people of Lydd in this aspect of production. The Dengemarsh rental of 1432 shows that small holdings and tiny plots were held by a broad section of Lydd inhabitants. However, due to enclosure and the capitalisation of these holdings, by the middle of the sixteenth century, if not actually holding land, an increasing proportion of people would have some employment on it as servants and labourers for the increasingly wealthy yeomen, as the wills at least show.<sup>106</sup> Employment in agrarian production increasingly took the form of sheep husbandry and was therefore not labour intensive. But from 1477 when ordinances by Sewer

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<sup>105</sup> *ibid.*, pp. 97-8.

<sup>106</sup> See Section 1.2.3 below.

Commissioners<sup>107</sup> ensured a more sophisticated organisation for the maintenance of sewers, drainage and sea defence - which coincided with the new inning, commercialisation and therefore increasing value of the marshes - there would have been a not insignificant amount of employment in the maintenance and development of sewers and ditches, walls, dams and gutters on the surrounding marshes and coast. For example, up to thirty-eight labourers at a time worked upon the sea defences to the south of Lydd in the years between 1535 and 1546. Forty-three named people plus many others who are unnamed worked a total of 897 days in these years, and on these walls alone. The watercourses were frequently scoured and similar people were paid annually for doing so. 5li 15d was paid to Thomas Sefogyl, William Bryce and a certain 'Devye' for 'dykyng in ye Grette Watercoorse for xii score rodes and iii rodes' on Dengemarsh in the years 1556-9, and another 33s was paid to 'Bryse and hys Cumpany for scowerynge the Watercors' in the same years. In 1551, 25s was paid to the same William Brice and his wife 'for scowryng of the watercourse of dyngemarsh frome Belgar vnto the Myddes' and so this hard labour was not confined to men.<sup>108</sup> The laying of a new drainage 'Gut' in 1553 on the Dengemarsh coast took forty-men plus carpenters, these men working in various operations between one and twelve days each.<sup>109</sup>

### **Fishing and shipping**

The relatively large numbers of fishermen in Lydd in the source-generated lists are supported by a muster of 1567,<sup>110</sup> and by the bequests of fishing equipment in wills. This muster divides 'the commoners' as distinct from the jurats and the servants into thirty fishermen and eighty-eight 'landmen'. Elks estimates that there were probably between thirty and forty fishermen working at any one time between 1556-1605, that number declining after 1620.<sup>111</sup> On this evidence, fishermen and their families therefore amounted to something over a quarter of the town's population at this time, although it is likely

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<sup>107</sup>W. Dugdale, *History of Drainage and Imbanking* (London, 1662), pp. 47-59. See Section 2.4 below.

<sup>108</sup>Ly/ZS, FA 2, fol. 8v, fol. 14v; Ly/ZS, FA 1, fol. 8v.

<sup>109</sup>Ly/ZS, FA 1, fols 1r-3v.

<sup>110</sup>Ly/AL 4.

<sup>111</sup>Elks, 'Demographic Study', p. 124.

that many labourers and petty traders would be involved in the fishing industry in one way or another.<sup>112</sup>

This prominence is confirmed for the earlier period in the wills of 1460-1558, where seventy-one people out of the 468 wills (many of these of course leaving out property) bequeathed fishing equipment, from a single net to boats, complex fishing machinery and cabins at the Ness of Dengemarsh or Dungeness. These would form only a fraction of those involved in the Lydd fishing industry because as Dulley found in his study of Rye, and as will be shown in Chapter Three, Section 1, fishing was mainly a trade for poor families or at best those who were masters and of middling wealth, and so therefore most would not be in a position to make a will.<sup>113</sup> Murray asserts that the early barons of the Cinque Ports were dominated by fishermen and mariners who were notorious for their piracy in the English channel and celebrated, if rather reluctantly, by the Crown for their ability to strike fear into any foreigners wishing to invade. It was around the loose associations of such men that the federation of the Cinque Ports was formed.<sup>114</sup> Hence in 1412 an entry was made in the records of New Romney referring to a deal concerning the 'masters and mariners' of New Romney, and those of Lydd and piracy and the 'acquittance of ransoms' on the French coast. Thirteen 'masters and mariners' of New Romney are named, and eighteen men of Lydd are named and described as men who were 'all masters and mariners of the town of Lyde'.<sup>115</sup> Now if as Dulley says, each fishing boat of Rye contained a crew of between nine and twelve men plus a boy depending on the size of the boat,<sup>116</sup> and each crew would be under one master, then with a possible eighteen masters in 1412, the fishing population of Lydd assumed some proportions at that stage in relation to the size of the town. Of course many of the fishermen may have come from some of the villages in other nearby parishes, as well as other towns. A 1572 ordinance suggests that the fishing industry at Lydd was previously organised into groups or companies, and which were in this ordinance engrossed into

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<sup>112</sup>Swanson, *Artisans*, p. 137.

<sup>113</sup>A. J. F. Dulley, 'The Early History of the Rye Fishing Industry', *Sussex Archaeological Collections*, 107 (1969), 36-64 (p. 55).

<sup>114</sup>Murray, *Cinque Ports*, chapters 2 and 3.

<sup>115</sup>HMC. *Fifth Report*, p. 537.

<sup>116</sup>Dulley, 'Rye Fishing Industry', p. 49.

one and drawn within tighter control of the yeoman government.<sup>117</sup> This ordinance names eleven men who are described as ‘Cheffe owners and masters of the Stade’ who were organised into the leadership of the new and only fishing company, and this eleven may be compared with the earlier eighteen masters suggesting some decline in the industry or the proliferation of masters at least. Fishing was seasonal and hence reliance on a small plot of land or casual labour was crucial in such a community as Lydd. As we shall see in Chapter Three, Section 1.2.2, because of the apparent symbiosis between smallholdings and fishing within the general economy of fishing families, these families were probably among the hardest hit by enclosure. Dulley says that at Rye only about one in four fishermen, excluding servants, apprentices and boys, possessed a boat. What characterised a fisherman was his possession of nets or ‘manfares’ which he used in the boats of the masters and took a share of the catch,<sup>118</sup> and if he had to sell these nets in order to buy food that he or his family would have previously grown themselves, he could no longer fish or would be forced to become a dependent, poorly paid servant.

Early on in the fifteenth century when things were looking more healthy, these mariners were among what was a broadly representative Lydd government compared to the sixteenth century, and there are in the chamberlains’ accounts examples of shipowning fellowships among them. For example, William and Thomas Broker, Robert and Richard William, William and Richard Smith, William and Stephen Elys and William Benet were all prominent jurats and mariners. Many of these are stated to have been involved in shipowning fellowships and partnerships, but they probably *all* were.<sup>119</sup> What is interesting is that Elks records only four ‘sailors’ in the later period. I recorded nine named ‘mariners’ plus others who were mariners but without being formally identified as such in the records, although all of these appeared before 1508. Regarding numbers that could take part in voyages, in 1471-2 William Benet and his fellowship were given money from the town treasury to organise the king’s voyage to Calais which included the payment of wages of thirty-seven men at 15d each.<sup>120</sup> In 1474 expenses of the bailiff and jurats of Lydd were paid for choosing twenty-one men and a boy for the ‘ship of Lydd’.

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<sup>117</sup>Ly/ZB 9.

<sup>118</sup>Dulley, ‘Rye Fishing Industry’, p. 48.

<sup>119</sup>For example, Ly/fac 1, fol. 9v, fol. 10v, fol. 12v, fol. 13v, fol. 16r, fol. 19v, fol. 90v, fol. 94r, fol. 121v, fol. 152v. The jurats are named at the beginning of each account.

<sup>120</sup>*ibid.*, fol. 121v.



For this trip nineteen men and youths were paid 3s 9d each for fifteen days and a boy was paid 22d for the same.<sup>121</sup> This is undoubtedly an example of Lydd's obligation to the Crown as a Cinque Port member of New Romney in which it had to provide one of the five New Romney ships for fifteen days a year. In the sixteenth century smaller numbers of men were frequently drafted as mariners or soldiers for whatever reason. For example, the precept from the admiralty at Dover in 1521-2 for twelve mariners to conduct the noble estates abroad. By the mid-sixteenth-century mariners were being pressed into various other ports such as Deptford and Portsmouth.<sup>122</sup> These 'mariners' were probably unemployed 'idle' fishermen and the pressings to other ports is indicative of the decline of the maritime function of the Cinque Ports. As I have said above, individually named mariners ('nauticulus') are not mentioned in the records of Lydd after 1508, and there were certainly none in the government after this date, and yet they had been so dominant in the first half of the fifteenth century. Arguments which point to the silting up of the harbours or simply the displacement of the maritime function into other ports as reasons for this decline do not take into account the focus of investment on agrarian production, especially on Romney Marsh, from the middle of the fifteenth century, which saw the developments in enclosure and rise of the big farmers. This new focus of course coincided with - and almost certainly caused the demise, in economic *and* political terms - of these middling mariner-fishermen with their original scattered plots of land on Dengemarsh.<sup>123</sup>

In terms of trade, we know there was a fishmarket at Dungeness because certain negotiations were required in 1527 in order to keep it.<sup>124</sup> I have only one recorded example of a fishmonger who was also titled 'innholder and singingman', in the form of Nicholas Purfote in 1526 when he was pressed into a lord's retinue to protect the coast. He was also described as of London and Faversham although settled in Lydd at this time.<sup>125</sup> There is however evidence of London fishmongers at Lydd in the form of Robert Haynes in 1440 and Richard Rivett in 1470, the latter having married a woman from

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<sup>121</sup>*ibid.*, fol. 149r.

<sup>122</sup>Ly/fac 2, p. 68; Ly/fac 3, p. 6, p. 64, p. 84, p. 109;

<sup>123</sup>For detail of holders and holdings on Dengemarsh see Chapter Three, Section 2.1.

<sup>124</sup>Ly/fac 2, p. 134.

<sup>125</sup>*Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, vol. viii (London: HMSO, 1862-1932), p. 954.

Lydd.<sup>126</sup> There are also a few examples of ‘feters’ and ripiers: Nicholas Lawder from Bethersden in the Weald in 1518, John Kempe and John Butcher of Lydd in 1518, and one in the employ of a Master Thomas Harris in 1526.<sup>127</sup> Dulley has looked at ripiers’ accounts for Rye and found that these men inhabited villages between Rye and London where much of the fish was headed by means of packhorse, and like Bethersden many of these would have been in the Weald.<sup>128</sup> The ordinance of 1572 mentioned earlier shows that the Queen’s ripier occupied a cabin down at the Ness and so here we can see the importance of this trade in Lydd and also the nature of the distribution network. John Butcher was in fact a defendant in Lydd court in a plea of debt brought against him by an Edward Gyfford of London in 1513, and this may well have been related to his occupation as ripier between Lydd and London.<sup>129</sup>

### **Handicrafts and petty traders**

The proliferation of tailors in the later records has precedent early on, although it is not suggested these numbers represent a specialisation of this trade in Lydd.<sup>130</sup> The five people actually recorded as tailors in the earlier records turn up almost together in the decades straddling 1500, and there is good evidence that a tailoring area near the church and market existed in Lydd at this time. Martin Kayser’s will of 1499 shows that it was possible to develop some wealth in this trade in Lydd. His bequests amounted to the comparatively large sum of 66li in ready money. His will also indicates a possible intention to extend his tailoring business into a newly acquired adjacent tenement which abutted onto the tenement of Laurence Hamon, another tailor. These tenements were near the cemetery at the top of the high street, the commercial district near the market place. Kayser’s prosperity in this trade appears to have been rare however, although another jurat John Roper appears to have been tailoring on some scale. In his will of 1524, Roper bequeathed two of his coats and an orange coat cloth to his three apprentices. This recorded number of tailors must be regarded as a minimum of people actually dealing in cloth in one way or another as can be gathered by numerous

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<sup>126</sup>Ly/fac 1, fol. 82v, fol. 90v.

<sup>127</sup>Ly/JB 2, fols 3r-3v, fol. 7v; Ly/fac 2, p. 124; PRO, Add. Ch., no. 8597.

<sup>128</sup>Dulley, ‘Rye Fishing Industry’, pp. 53-4.

<sup>129</sup>Ly/JB 1, fol. 35v.

<sup>130</sup>Elks recorded thirty-two tailors between 1540-1644 in her list, p. 127.

references in the accounts to people being paid by the corporation to make jackets for soldiers or for some other purpose and yet not formally described as tailors. In fact Roper was one of these.<sup>131</sup> The recording of mercers in both the early and later lists, and a woollen-draper in the latter indicate a mercantile element within the cloth trade in Lydd, although of course tailors were not immune from putting work out.<sup>132</sup> Judging by examples of their wealth, the mercers in Lydd operated on a relatively small scale and were, as we shall see in Chapter Three, Sections 1.2.1 and 1.2.3, among the least wealthy jurats and the better off commoners. However the cloth trade in Lydd did produce jurats in the town before 1540.

So a clothing manufacture and retail industry was present in Lydd right across the period. However, as regards the production of the cloth itself, you have to look very hard in the Lydd records to find evidence for it. For example, a dyer in 1449, a shearman in 1519 (possibly having his shears distrained through debt and in the same year being bequeathed 6s 8d by Sir John Ward, parish clerk, presumably out of charity), a weaver in 1528, and three weavers in the later list are the only references.<sup>133</sup> One might expect some degree of cloth manufacture in Lydd with the evidence of a visit by a clothier from Halden in the Weald in 1513, and with a Lydd clothier and a clothier from Tenterden in 1623.<sup>134</sup> But the former case involved a dispute with Lydd vicar, and the latter two were in dispute over 60li, and their presence was as likely to be concerned with land and the delivery of sacks of wool than the actual manufacture of the cloth in Lydd itself. However, as I have mentioned, the Lydd authorities deemed it necessary to change the structure of servants in the Lydd wage regulation of 1565 in the trades of weaver and shearman, replacing that of 'foreman' and 'common servant' in the former trade, and 'best' and 'second servant' in the latter, with the single 'journeyman', indicating a greater level of expected skill in these trades in Lydd. Also the wages of 'the millman or tucker of cloth' in the fulling trade were reduced in Lydd, and the structure of workers in linen weaving was changed.

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<sup>131</sup>For example, Ly/fac 2, p. 10, p. 84v.

<sup>132</sup>Ly/JB 1, fol. 38r, fol. 41v; Ly/JB 2, fol. 16r.

<sup>133</sup>Ly/fac 1, fol. 41r; Ly/fac 2, p. 140; Ly/JB 2, fol. 6r.

<sup>134</sup>Ly/JB 1, fol. 45v; CKS, Te, ZB 1/3; Butcher, 'Origins', p. 23.

Evidence of leather products comes in the form of four references to shoemakers in Lydd between 1436 and 1510, and eight shoemakers, a glover and a saddler in the later period.<sup>135</sup> The 1565 wage regulation is again revealing here in showing the requirement of the fisherman common servant's fishing apparel, i.e., 'sea boots, fell and arms'. The large number of fishermen and mariners would have demanded a large amount of particularly durable and protective leather clothing and this is perhaps where the large numbers of tailors and shoemakers in such a small town come in. However, as with cloth manufacture, considering the potentially enormous supply of sheep and cattle in the locality, evidence for the processing of hides by tanners and curriers in Lydd is thin on the ground. Although the first years of the assembly book from 1566 record the appointment of two leather searchers, there are no references to tanners and only one direct reference to a currier in 1530. There is however recorded in 1571 a shoemaker being presented for currying his own leather against the statute and of a tailor letting a currier into his house to perform the work instead of letting the work out to him.<sup>136</sup> This evidence is possibly indicative of pre-statute practice where petty leather production was carried out by the clothing crafts themselves, this now being brought under tighter controls by the new regime. It is worth noting that these leather processing trades were also largely absent from Mayhew's occupational census for Rye in 1576.<sup>137</sup> Andrew Butcher suggests that Hythe, which was not far along the coast from Lydd, may have been a specialist centre in this regard.<sup>138</sup> The reference to a Lydd currier in 1574 concerned a case where he presented a tanner of Tenterden for selling red leather in Lydd of insufficient quality, and so the Weald was also a likely place for tanning.<sup>139</sup> Currying was therefore done at Lydd on an extremely small scale whether legally or illegally, but again typically for Lydd this was a finishing process after the tanning had already been done.<sup>140</sup>

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<sup>135</sup>Ly/fac 1, fol. 18v, fol. 47r; Ly/JB 1, fol. 26r.

<sup>136</sup>For leather searchers see Ly/JQs 1, fol. 22r. For the currier in 1530 see Ly/JB 3, fol. 21v. For currying against the statute see Ly/JQs 1, fol. 69r, fol. 79v.

<sup>137</sup>Mayhew, *Rye*, p. 148.

<sup>138</sup>Private communication, University of Kent.

<sup>139</sup>Ly/JQs, fol. 91v.

<sup>140</sup>For these processes see Swanson, *Artisans*, p. 53.

In the building trades carpenters in Lydd were by far the most numerous across the period, with eleven recorded in the early period and twenty in the latter. Four tilers were recorded in Lydd for the early period and surprisingly none for the latter although two thatchers are recorded in the later period. Elks recorded three masons, four bricklayers and a dauber. Masons were probably more specialist in the earlier period and were drafted in from elsewhere although they would also be employed in the task of making gun stones which were important to Lydd.<sup>141</sup> Lydd was particularly exposed to the elements and its houses would have required more upkeep than the average. The building of the larger houses of jurats in the town later in the sixteenth century would also have provided significant employment.<sup>142</sup> Carpenters were particularly numerous and their services were often required for the drainage structures on the Marsh and coast, and sawyers also. For example, at the making of a gutter on Dengemarsh in 1553, sawyers were paid 4li 8s 6d for sawing 6,650 planks. John Aton, a carpenter, his son and two others, were employed between forty-six and fifty-four days each in its construction, and also four days 'squaryng' timber amounting to some seventeen tonnes.<sup>143</sup> Although Lydd got its timber mainly from the Weald, the masons' raw materials may have been quarried locally among the stone on the edges of the marsh and scrub. Carpenters may also have been involved in boat and ship building for which there is evidence in some Lydd wills as well as Lydd's 1565 wage regulations.<sup>144</sup> Blacksmiths and ironworkers were among the most recorded craftsmen and would have been required for this purpose also. In the fifteenth century, as with the tailors, people were paid for ironwork of various forms without being designated 'blacksmith' or 'smith'.

Chandlers as providers of a main necessity were among the common craftsmen and traders annually appointed by the government from 1566 along with the victuallers as we shall see. Tallow could be derived from a variety of local animal sources, but a specialist

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<sup>141</sup>For carpenters and carpentry see throughout Ly/facs 1, 2 and 3; for tilers see Ly/fac 1, fol. 5r, fol. 75r; Ly/ZP, p. 98. For examples of masons see Ly/fac 1, fols 28v-30r, fol. 28v, fol. 52r; Ly/ZP, p. 26, p. 35, p. 43, p. 74, p. 84. In the latter example the churchwardens paid the expenses of four masons working five weeks and four days each.

<sup>142</sup>Private communication from Mrs Beryl Coattes, local historian of Lydd.

<sup>143</sup>Ly/ZS, FA 1, fols 1r-3r.

<sup>144</sup>See Chapter Three, Section 1.2.2.

merchant in Canterbury regularly provided that commodity for the church in Lydd in the first half of the sixteenth century.<sup>145</sup>

There is also some evidence of other more specialist skills and services in the town, such as barbers, a cooper, a lockerer and a ‘furbisher’.<sup>146</sup> There was also at least one smith and retailer of precious metals in the early sixteenth century in the form of Thomas Tye who helped to mend precious objects in the church, and he also appears to have been an armourer of sorts.<sup>147</sup> James Swan and his wife may also have sold silver in their shop.<sup>148</sup> The 1565 wage regulation for Lydd also included cutlers who were absent from the Kent list.

It seems as if there were foreign traders, craftsmen and fishermen in the town for most of the period. These generally seem to come to light when they are in trouble. For example in 1470 during the Wars of the Roses, a man was paid to go to the Camber ‘to know whether men of war being there were coming to town to rob our neighbours the Alyons’.<sup>149</sup> Also at a time of war between England and France in 1513 a precept came from Dover ‘for the ffrenshemen to were the whyte crosse’.<sup>150</sup> Examples of ‘aliens money’ from Lydd being sent to Dover in the first half of the fifteenth century indicates a special tax on their activities and references to a ‘Lombardyswall’ in 1453 close to the town and a ‘Gewerystreet’ in the Dengemarsh rental of 1432 suggest a special trading or even money-lending element.<sup>151</sup> Also, the presence in the town accounts of men like Hans and his son Harnold Skomakar and Hans and his son Hamo Peobilherring or Pykylheryng in the 1450s and 1460s suggest a Flemish or Scandinavian-German origin. Andrew Butcher has in fact identified a John Gylys as a man from Antwerp who having

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<sup>145</sup>For example, Ly/ZP 1, p. 44.

<sup>146</sup>For barbers see Ly/fac 1, fol. 26r; Ly/ZP 1, p. 173. For the cooper see Edward Fowle in his will of 1496. For the ockerer see Ly/fac 2, p. 182. For the furbisher see Ly/fac 2, p. 9.

<sup>147</sup>See Chapter Three, Section 1.2.1.

<sup>148</sup>See Alice Swan’s will of 1525.

<sup>149</sup>Ly/fac 1, fol. 110r.

<sup>150</sup>Ly/fac 2, p. 15.

<sup>151</sup>For the aliens’ money see Ly/fac 1, fol. 25r, fol. 27r, fol. 28v, fol. 44v, fol. 47r, fol. 48v. For the reference to ‘Lombardyswall’ see Ly/fac 1, fol. 95r.

spent 'many years' in Lydd, moved to New Romney some time in the early sixteenth century.<sup>152</sup>

From time to time when local craftsmen were either busy or not available or when more specialist work was required, the corporation sent for outsiders. For example, a building surveyor of some sort came from Maidstone in 1522, a tiler came from Rye in 1532, a goldsmith from Rye in 1534, a glazier from Rye in 1536, a carpenter from Harrietsham in 1527, a clockmaker and bell menders from Folkstone in 1519, and a carver from Sittingbourne in 1531. An organ maker in 1525 and a gilder in 1528 are also recorded although the origin of these latter two examples is unknown. It is unlikely but not impossible for them to have come from Lydd.<sup>153</sup>

### **Victuallers**

Regarding the victualling occupations, the assembly book beginning in 1566 shows that 'common' victuallers were appointed each year along with chandlers and common searchers of leather. The record begins with the appointment of six 'Common Inne keepers Tiplers and victelers for this yere', three common bakers, two or three common brewers and three common butchers. Within each appointment clause for the respective trades each appointee was bound to serve the town for *one whole year* and as was fitting for each trade. Then each of these appointees entered into recognisances for the various requirements of their particular trades which they then signed. The innkeepers etc. had mainly to agree to 'good order'; the bakers had to each make their 'provision for wheat and grayne sufficiently & competently to serve ye towne of Lydd and ye nesse...without lacke', and the price and size of loaves were set. The brewers' clause is identical except provision of 'malt and other grayne' is substituted for 'whete and grayne', and the price of measures of beer were set. The butchers were to make 'provision for good and lafull beastes veales muttons lames and other good and holsome ffleshe and thereunto do serve ye butcherye and markt of Lydd competently and sufficientlye untyll ye tyme of lent next comyng at such reasonable pryyses as shalbe sett from tyme to tyme by ye baylyf as

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<sup>152</sup>Ly/fac 1, fol. 59r, fol. 65r, fol. 99v; Butcher, 'Origins', p. 23.

<sup>153</sup>Ly/fac 2, p. 49, p. 11; Ly/ZP 1, p. 8, p. 23, p. 44, p. 45, p. 54, pp. 67-8, p. 102, p. 115, p. 133.

Clarke of ye markett accordynge to thorder of other Common markettes next adioynynge'.<sup>154</sup>

The emphasis in these clauses is on price controls and the responsibility of the appointees for making sure the raw material for their trades was available and of good quality. However, also important for our purposes was the control on the numbers of Lydd townsmen officially allowed to trade, and the fact that licences to trade have to be renewed yearly. What is striking is the very few numbers involved, and by 1574 these numbers had reduced further, from six to two common innkeepers and victuallers, three to two common bakers, from two to one common brewers and from three to one common butchers. These are not large numbers but despite this, some people overlapped into more than one appointment. What there are however are many cases of people being presented for carrying on trades *without* being licensed or without having been apprenticed to the particular trade that they were practising, showing either contempt for these controls or perhaps just a tacit understanding they will be fined each year but then be allowed to continue. The latter seems rather unlikely because the same names were not presented each year. Lists of people were also presented each year for not having masters or for going at trades 'by their own hands'. Also as the years go on it is clear that the innkeepers newly admitted were not allowed to entertain locals and only wayfaring people. This seems to have come about after a number of years of 'men's servants' and 'other' poor people behaving badly.<sup>155</sup>

That people were appointed by the town to do particular trades in the fifteenth century as well is shown in the chance survival of a few Aldington court papers containing the Archbishop's View of Frankpledge which Lydd was subject to.<sup>156</sup> These give some idea of numbers and also of the overlap in appointments in the trades of baking and brewing. On 3 April 1450, three bakers, all jurats at one point, were presented as bakers breaking the assize of bread. At the same time five 'common' brewers were presented for breaking the assize of 'service'. Two of these were the wives of two of the bakers just mentioned and one of them was the third baker. The other two were also women, one the widow of a jurat who was a carpenter. Thirty-eight years later, in two surviving

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<sup>154</sup>Ly/JQs 1, fols 17r-22r.

<sup>155</sup>See Chapter Four.

<sup>156</sup>LPL, ED., nos. 136, 137.



Views held on 15 October 1488 and 5 May 1489 the following spring, larger numbers than before were presented although women were absent. Six in the first View and five in the second - all of whom were in the first - were presented as common bakers of bread *and* at the same time common brewers of ale. In addition, eight men were presented in the first View, and ten in the second as just common brewers, a total of thirteen different names in all. So there were some nineteen brewers at one time, and six bakers with similar attributes were appointed 'common' traders that year and these were only the ones presented. Most of these were either jurats at some time or from jurat families, or other commoners. One of these, Robert Cockeram, also had shares in a ship; another, James Swan was a mercer of sorts, and both of them were significant farmers. Two of them, Laurence Hamon and John Downe were tailors.<sup>157</sup> Whether these 'common' victuallers were appointed for controlled yearly terms as later attempts intended is not known, but would seem unlikely as the later period had a very different agenda of social control as we shall see in Chapter Four. In addition to these names the recording of jurats such as John Fermour between 1459-65, John Godfrey alias Fermour in 1476 and Andrew Bate in 1512 as bakers, indicates that the victualling industries had significant centres of output in the town at an early stage.<sup>158</sup> This concentration of such production can also be seen in a grant in 1509 by Thomas Buntynge to his son Stephen of his combined brewery and bakery business in a memorandum in the court books:

I Thomas Bontynge of Lydd hathe be take and to farne hath lettyn on to Stevyn Bontynge my sone, my brewhouse wt the implementes thereto belongyng & also my bake house wt all thynges nessesary there to be be longyng And my malt house Callyd Hartes wt the barne there to be longyng wt 8 horse & mares beer Cartes & drawer wt other harness ther to belongyng fro the fest of Seynt Laurence the fyrst yere of Kyng Harre the viiith on the same fest of St Laurence next ensuyng after thys present date payng ther fore for the seyde yer 6li sterling in forme folowyng... [i.e. four payments of 30s] ...And farther more the sayd stevyn schall fynde the forseyd thomas bontynge duryng that hole yer brede & beer for hym hys wyfe & v servauntes wt hs Chyldryn sofycyently. Also the forseyd thomas bontynge hathe solde on to Stevyn vii Score semes of olde malte if ther be more to pay more and if lesse to pay lesse payng for every seme 4s 4d. and also 40 semes of whete price the seme 5s. also 4 Score semes Otes price the seme 4s & 500 hoppys price le 100 16s, to pay for thys forseyd whete malte otes and hoppys... [paid in

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<sup>157</sup>For Cockeram and Swan see their wills of 1508 and 1520, and Ly/fac 1, fol. 183. For Downe and Hamon see their wills of 1504 and 1505 and Martin Kayser's will of 1499. See also Section 1.2.3 below for these and other examples of multi-occupational households.

<sup>158</sup>Ly/fac 1, fol. 66v; Ly/JB 1, fol. 37v; Godfrey alias Fermour's will of 1476.

two payments] ...Also the seyð thomas hathe sold to the foreseyd Stevyn 20 000 belettes price the 1000 3s 4d and 600 fagottes price the 100 3s 4d and in 4 Score lode loggys price the lode 16d.<sup>159</sup>

The Old Langport rental of 1551 mentions a gatehouse and brewery, possibly originally Buntynys. William Gros, jurat, in his will in 1464 left his principal tenement which was a brewhouse to his son, and so here is another example indicating that brewing was also carried on with some concentration of production. This concentration is significant because as Swanson argues, such concentrations in brewing in particular were to the detriment of large numbers of small scale domestic brewers which was the situation Hilton found in his examination of small towns for the period before the Black Death.<sup>160</sup> Elks' twenty-six recorded innkeepers post-1540 stand out because of the assembly book record which seems to cover a wide range of small ephemeral tippling houses to probably more substantial taverns. I have only one reference to an innkeeper and that is Nicholas Purfote who was also the fishmonger mentioned above. However there are other signs of earlier ale-houses from Wareham's Visitation in 1511 which criticised people in Lydd for spending too much time in them.<sup>161</sup> 'The George' in the High Street where a hotel of the same name remains today (although the name George probably used to refer to the saint or a ship where now it refers to a bewigged post-restoration king) was a significant tavern held off the church and was alienated by Robert Cockeram, jurat, to John Gregory for 14li in his will in 1508, and it was still there in the Aldington rental of 1556.<sup>162</sup> Inns of some form or other and substantial breweries which often doubled up as bakeries, as opposed to widespread home-brewing by ale-wives, were therefore the norm in Lydd by the late fifteenth century.

Looking at the butchers, a section of the market in Lydd near the church is called in the Assembly Book recognisances 'ye butcherye'. The description of 'le Bochery' is also made in a borough court transaction in 1509.<sup>163</sup> It is interesting that there are more butchers recorded in the earlier records, i.e., fourteen to Elks' ten, even though she uses

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<sup>159</sup>Ly/JB 1, fol. 20v.

<sup>160</sup>Swanson, *Artisans*, p. 22; Hilton, *English and French Towns*, p. 56.

<sup>161</sup>*Kentish Visitations of Archbishop William Wareham and His Deputies*, 1511-12, ed. by K. L. Wood-Legh, Kent Archaeological Society, Kent Records, 24, (Maidstone, 1984).

<sup>162</sup>Ly/ZM 1.

<sup>163</sup>Ly/JQs 1, fol. 20r; Ly/JB 1, fol. 21v.

the assembly book record. There is evidence in the chamberlains' accounts of a number of butchers working at the same time earlier on. There was a complaint in 1466 by three butchers, Thomas Bocher, John Ederyk and James Hever against partners Henry and Andrew Bate, the former for selling unwholesome meat and the latter for occupying the art of butcher 'to the destruction' of these same artificers.<sup>164</sup> This was at the same time as the other grievances presented against Andrew Bate as an intimidating and destructive farmer of Dengemarsh manor at this time, and one suspects that Bate was attempting to illegally monopolise the trade of butcher along with his illegal land accumulation. The disappearance of the Godfreys and Bates from the records as butchers in the fifteenth century may be an indication that such families preferred to deal in long distance trade later on rather than small scale local provision to a local population. This would be in line with relatively large land accumulations, and the gentrification of the Godfreys in particular. It is also probable that by the 1560s at least a polarisation in wealth had taken place within the trade with a few people working on a large scale using the labour of a number of servants. For example in Rye, Mayhew found in a Cesse of 1576 that two rich men accounted for 72.4% of the combined wealth of the butchers and that it was a similar story with the other victualling trades.<sup>165</sup>

### **Servants and apprentices**

In a small town such as Lydd it is particularly difficult to distinguish between servants and apprentices. With no specialisation beyond fishing and farming, only small town demand for other services and therefore an absence of institutional trade organisations, one would expect a relatively low skill economy, and as we will see, more diversification in different trades by the inhabitants. Therefore long-term apprenticeships for learning trades in the town would probably be few and far between. They were not common even in a larger town like Canterbury.<sup>166</sup>

So what is the evidence for apprenticeships in Lydd in this period? There is no mention of them in the custumal which includes entries from 1477 up to the late sixteenth

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<sup>164</sup>Ly/fac1, fol. 129r. See also Chapter Three, Section 2.1.

<sup>165</sup>Mayhew, *Rye*, p. 152: 'The contrast between rich and poor within the food and drink trades could not be greater'.

<sup>166</sup>Private communication from Andrew Butcher, University of Kent.

century. They are however mentioned in the wage regulation of 1565. For example, as apprentices in husbandry who were paid 20s yearly or else meat, drink and cloth and every quarter 6d; and as day workers with an adequate level of skill in the building and related trades. This was presumably supporting a master in any job in which they were employed and for which they were paid less than the 'common workman or servant'. Now, apart from the three trades in the wage regulation that adopted the 'journeyman' structure, and those with a clearly designated division of particular occupations, the structure of occupations within the workshops of artificers on this list seems in most cases to be a crude and inexplicable division between the 'best' and 'second sort' of servant, or between those 'having' and those 'having thoroughly' their occupation. This structure is in contrast to the same regulation concerning Rye in which the majority of trades employed a journeyman, rather than just the few in Lydd. However, these journeymen in Rye found themselves working under a foreman.<sup>167</sup> So what was the relationship of the system of apprenticeship to this hierarchical skill structure in Lydd?

There are only two examples of apprenticeship in the Lydd records before 1566. The first one comes in jurat John Roper alias Cutthorne's will of 1524. After bequeathing two of his coats and an orange coat cloth to his three apprentices, he states that, 'to euery of my seyde prentysys I will my executours perfourme all such duties as I am bounde by indenture to them'. With other references in the will to debts for cloth and references in the chamberlains' accounts to him making clothes for soldiers etc. from the 1490s, we assume he was a tailor, and having three apprentices presumably working on some scale. There are no direct references to other workers although he has two sons, and besides those owing him debts, two men to whom he bequeathed clothing and who therefore could be likely candidates. Now this clause in Roper's will shows that importantly there were laws for indenture for apprentices laid down - although I am not sure what his obligations were except probably to find some means for them to finish their term, if at all possible. Similarly in Edmond Hogan's will of 1498. He bequeathed 10li to his daughter Alice Hogan which,

shalbe in Custody to hir vse in the handes of hir Maystur and Maystres she at theyr charge and cost hauyng exhibicion and larnyng of Shypstre Craft And that hur Mayster for that tyme beyng shall fynde sufficient suerte by dede obligatore *in dewe and sure fourme of law* to be made and

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<sup>167</sup>Mayhew, *Rye*, p. 154.

ensealed and to my Wife and John Martyn or othyr at theyr nominacion at thende of hur terme or at suche tyme as they shalbe duly Required by my wyf and the seyd John Martyn to make Repayment of the seyd Xli without any further delay.

So the presence of the organisation of legal apprenticeship contracts is clear and an apprentice would therefore, if the law was followed, be taught all aspects of a craft while helping with production. So it is unlikely that an apprenticeship indenture would refer to the youth involved as training to be a 'a second sort' or a 'boiler' or a 'common sewer' in theory, even though an apprentice may be used as a means of free or cheap labour in practice. Therefore we may assume that these few examples in conjunction with the regulation of 1565 indicate a general absence of apprenticeships and a situation where, in the main, servants learned aspects of a trade without formal indenture - some being in a position to learn more than others. No doubt, however, masters and servants had their own customary ideas about what constituted best and second sorts.

There are more indentures to be found in the assembly book from 1566, though while they are informative any conclusions derived from them must be tentative because of the changing political and economic situation of which labour statutes were a sure symptom. There were many people in Lydd who were involved in a trade without any formal training against statute law, as indicated above, and such a situation would result in a variety of skill levels. However, these apprenticeship indentures give numerous examples of legal practice which would be conducive to different skill levels in a particular trade as was reflected in best and second sort artificers, servants and journeymen. In the twenty-six recorded apprentice or covenant indentures between 1566-1593 in the assembly book, there appears to be little standard practice. To illustrate this point, approximately a third of the indentures were called 'apprenticeships', a third 'apprentice and covenant servant', although one of these says 'apprentice or covenant servant', and the other third, just 'covenant servant' or simply 'put into service'. However even those just put into service were in most cases to be taught an occupation to some unstated degree. The length of service also varied greatly between five and twelve years, as did the age of the child or youth - one entering a solid apprenticeship contract at the age of seven. In eleven of the cases the government contributed money to the master as part of the contract although sometimes a portion of this went to the apprentice at the end of the term. In two cases the apprentice paid for the contract in some way. In only four cases

was the youth paid a small sum quarterly as stated in the 1565 wage regulation. Two were paid 6d a quarter, one 2d a quarter, and the fourth was given a share of the profits of any wreck found on the seashore. In only six cases the apprentice was to receive tools at the end of the apprenticeship, and just one case in 1571 referred to the ability for a shoemaking apprentice to become a journeyman. However the latter case involved the son of a relatively wealthy family and the status of the apprenticeship would have no doubt been raised therefore to accommodate this. This was the same case as that above which allowed this boy to begin an apprenticeship at the age of seven.<sup>168</sup> Contrasting this situation in Lydd with Rye, it seems as though it was normal for the Rye apprentices to get tools after their term of indenture and this conforms to the structure of servants as apparently fully skilled ‘journeymen’ in the Rye wage regulation of 1565.<sup>169</sup> Of the sample of Lydd ‘apprenticeships’, four cases referred to the contract being according to statute. However, all stated that food and clothes were to be found by the master. The town government was clearly very active at this stage in looking to attach all those who were unattached with as little expense to themselves as possible, and a number of these indentures are examples of poverty in the town with the corporation trying to get poor fatherless children retained in any way that was possible. Such a situation reinforces Swanson’s thesis that apprenticeships were a euphemism for cheap or free labour and this was particularly apparent in times of hardship.<sup>170</sup>

So we may conclude that the term ‘apprenticeship’ in Lydd was ambiguous to say the least. The probable increase in its use in the second half of the sixteenth century was clearly due to developing strategies of social control, rather than an attempt by the government to increase skill levels in Lydd.

This evidence accounts for young servants and apprentices, but *servants* were also importantly labourers who were married and had families. The highest recorded number of servants, young and old, working for any single person in Lydd was ten and these were employed by Ralph Wilcockes and listed in his will in 1555, though he may well have had more and at times employed more temporary workers. Alan Epse mentioned eight in his will in 1551. Robert Robyn and Thomas Herte mentioned seven in their wills

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<sup>168</sup>Ly/JQs 1, fol. 65v.

<sup>169</sup>Mayhew, *Rye*, p. 154.

<sup>170</sup>Swanson, *Artisans*, pp. 114-15.

in 1551 and 1557 respectively. Henry Bate had between four and six in his will in 1478 and Vincent Danyell had seven in his in 1520. Apart from Herte, these were all among the wealthiest jurats and big farmers. A number of wills contained three or four servants, but the majority in the wills had one or two and this number is seen (along with family labour) as forming the characteristic social basis of household production among the peasantry and artisans. Thomas Buntyng's grant to his son, as we have just seen, shows an example of the requirements of a significant baking and brewery business having five full-time servants employed beyond the domestic household unit. Such a business was clearly relatively labour intensive in comparison to sheep farming although the latter to be practised on any scale required very large investments in land.

The evidence for specialisation and diversity in the Lydd's economy suggests there was a diverse range of urban crafts and services working on a small scale mainly for its inhabitants and hinterland although with the emphasis on the manufacture of finished goods rather than the processing of raw materials despite the abundance of locally available material. The town's specialisation was, not surprisingly, concerned with the sea and particularly with fishing for local and distant markets. It was apparently increasingly less concerned after the 1500s with involvement in overseas shipping. Crucially, it was also increasingly over the period dealing on a large scale in produce from the land in the form of the growing intensity of livestock grazing for raw materials, particularly wool which would have been produced almost entirely for the nearby and distant lucrative markets in the Wealden cloth industry and London. These specialisations seem to present a paradox for what is an urban settlement. This can be explained easily in geographical terms when regarding fishing involving probably most of the population in some degree. But growing specialisation in agriculture in Lydd from the second half of the fifteenth century moves beyond the earlier widespread holding of small plots and can only be explained with reference to the process of accumulation and commercialisation of holdings in this period by a narrow stratum of Lydd citizens and wealthy immigrants who would have been attracted by the political and economic opportunities available to them in Lydd by the beginning of the sixteenth century. This growing specialisation in agriculture however appears to have been detrimental to the specialisation in fishing and shipping.

### **1.2.3 Household occupational specialisation and diversity**

The nature of specialisation and diversity of individual household economies in Lydd was fairly closely bound up with social class: the wealthier specialised increasingly in agriculture and property speculation; diversity of occupations defined the more middling section of town; and the dependent poor who would have been the majority, besides the destitute marginals, were confined as servants or labourers in whatever occupation they could get, mostly as employees of the wealthy and middling classes.

#### **The town elite**

The Lydd elite with an institutional base in the town oligarchy and as justices of the peace in the sixteenth century were increasingly made up of big farmers or yeomen, some of them developing into parish gentry and even greater. This was the product of aggressive agricultural commercialisation from the mid-fifteenth century coupled with the industrialisation of the nearby Weald. A number of these were early sixteenth century immigrants from the Marsh and Weald, using the increasingly exclusive constitution of the town as a political base and also as a source of labour to facilitate their commercial interests in the marsh.

To introduce these developments we can compare the wealthiest and most detailed will of the fifteenth century, Henry Bate's in 1478, with that of Ralph Wilcocks of 1555. As we have seen, Henry Bate was a 'butcher' who was accused in the 1460s of acting towards the destruction of the other butchers in the town, along with his relation and landholding partner Andrew Bate who also had commercial ambitions in these years. His will included a ready money total of approximately 75li, including 20 marks each to his four daughters. He had lands in the parish of Lydd and elsewhere in Kent and Sussex, much of which was held by five feoffees, four of whom were also Bates. In the will these feoffees were instructed to sell a messuage which a Lydd tailor held, probably as a sublet, 5li of which was to go towards the repair of a chalice and chrismatory in the church, and the rest for his parents' and friends' souls. In addition there was other business to be done including the selling of another messuage to a vintner and the receiving back of various small plots of land he had probably sub-let. He also bequeathed two and a half acres of land to a kinsman, his principal tenement, and various plots of



three, one, ten, ten, one and a half acres to his wife, and eighty acres to be split between his four daughters. This will is characteristic of the fifteenth and early sixteenth century in Lydd where lands were sold and money given away to the church, and where the estate was made up of a number of small plots of land. However the eighty acres to his daughters was very large for this time, giving him a firm yeoman status, and he probably also held leases at one time, like his partner Andrew Bate, which could be hundreds of acres if involving manorial demesnes. The 20 marks each to his daughters' marriages was also astronomically high compared to the other wills in the fifteenth century and in line with some of the wealthy sixteenth-century jurats. However, daughters were more likely to be given money than land, and the absence of male heirs probably contributed to the magnitude of this form of bequest. At least four servants are mentioned in the will, but there are others who may also be likely candidates. His executors were his wife, a kinsman, and another member of the central government. The residue of his moveables were to go to the church for his soul.

Ralph Wilcockes curiously moved to Lydd directly after his involvement in 1549 in a dispute concerning marsh taxation in the marshes to the west of Lydd parish. His status is unstated in his will of 1555, but in the dispute of 1549 he was referred to as the lord of a fee, probably of Cheyne Court, also in the marsh to the west of Lydd. The county aristocracy who were appealed to by the marsh administrators to intervene on their behalf against a recalcitrant tenant commonalty, seem to have appointed Wilcockes to come to their rescue.<sup>171</sup> In all likelihood his migration to Lydd gave him a more secure footing in a political administration containing like-minded and landed people and in what was generally a troubled period in England. He left 60li for the execution and oversight of his will alone. This was carried out by four men. The most significant was his overseer, Sir John Baker of Cranbrook and Sissinghurst in the Weald, a member of the county gentry and Tudor state oligarchy. He had been Recorder of London, Attorney General, Chancellor of the Exchequer, and a Privy Councillor in succession under Henry VIII in which posts he acquired a number of Wealden estates at the dissolution of the monasteries as probably did Wilcockes. Baker was remembered as "Bloody Baker" by the inhabitants of Rolvenden 'for his merciless persecution of Protestants during his occupation of Halden Place under Queen Mary' and this gives an indication of his use

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<sup>171</sup>CKS, S/W, AZ 2, fols 1r-16r.

and abuse of authority.<sup>172</sup> Wilcockes' executors were Richard Knatchbull of Mersam (strategically placed on the edge of both Marsh and Weald), yeoman, John Berry of Ivychurch (in the Marsh), yeomen, and Peter Godfrey of Lydd, yeoman and jurat. These three were probably the largest sheep farmers in the area. Significantly, Berry moved from Ivychurch to Lydd and into its central government upon Wilcockes' death. Wilcockes gave 50li to his wife and 50li each to his two daughters towards their marriages. Regarding property, Berry was given all those lands Wilcockes had to farm by lease of Master Macket of Rye, paying his (Wilcockes') heirs 7li annually while discharging the yearly farm to a Master Macket of Rye. He gave his wife Sybil all his leases in all the lands and tenements he farmed in Lydd parish; also 20li annually for life on condition she 'forsake her Jointure Dowrie in widow right' in all his lands and tenements, manor rents and services which were assigned to his sons, she releasing to his son William all her right in his manor of Warehorne (on the edge of Marsh and Weald) with all lands and meadows etc. belonging. This annual payment to his wife was to be paid out of his lands yearly at his place called Itam Park at Wrotham, also in the Weald. He gave his eldest son William, besides this manor of Warehorne, all those 'lands, meadows, pastures, woods and underwoodes rents and services lying wherever they may be and all his lands in Snargate' and so again we have a combination of marsh and woodland. He gave his youngest son Edward the rest of his lands not bequeathed in Lydd, Midley and Old Romney (the latter two being adjacent parishes to Lydd) and elsewhere in Kent. The executors were also to bestow 800li 'of the residue of my moveables and cattle, debts, redie money, plate and Jewels towards the purchase of lands for Edward of good and just title'. With the residue of his goods over 800li his executors were to buy lands of good and just title for both William and Edward. He then mentions ten servants with whom he settled wages including at least two cattle-herders and three maid servants.

Bate's will by far outshone all but a few wills in the fifteenth century. Wilcockes' was also a step above the four or five elderly Lydd jurats who died in the 1550s, but he was not out of their reach. As we shall see in the Chapter Three, Section 1.2.1, in the wills of the second half of the sixteenth century, in particular the Godfreys and Berry with whom Wilcockes was closely associated, and others such as the Stuppenys and Strogulls, Wilcockes' wealth would become the norm rather than the exception among these big

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<sup>172</sup>H. Roberts, *Tenterden: The First Thousand Years* (York: Wilton 65, 1995), p. 61.

farmers in Lydd.<sup>173</sup> Even more modest men such as Robert Robyn and Alan Epse were registering inventory totals in the region of 450li in 1551 besides their significant freehold lands and leases. The combination of significant lands in both the Weald and the Marsh of course placed Wilcockes in a perfect position to exploit the commercial wealden-pasture industrial regime. His patronage of the county gentry would facilitate further accumulation as well as that he had already made, presumably out of the spoils of the dissolution of the monasteries. Small-town government could therefore contain, if not county gentry, powerful links with it. The proliferation of leases in these wills of course betrays the significant structural changes in landholding that had already taken place and which the dissolution exacerbated, and this theme will be analysed in Chapter Three, Section 1.2, and Chapter Four.

In contrast to Henry Bate's will and other of the more substantial wills of the fifteenth century, some of the later wealthy wills including Wilcockes do not just refer to the 'residue' of their goods they were passing on, but typically the residue of their 'goods, cattle, ready money, plate and jewels'. Certainly there was a development from the silver spoons of the fifteenth century to more elaborate silverware, pieces of gold and gold rings or even more ostentatious decorations such as Alice Swan's gold ring with a sapphire stone in it in 1525, and William Barrowe's girdle with 'dimisen of silver and gilt set with perle' in 1555. Other aspects of luxury were also particularly conspicuous by at least 1550. For example, regarding accommodation, in 1549 Thomas Tye who was not among the wealthiest of the Lydd elite could describe all manner of bedsteads in his house, a 'joyned presse' and the great red bed in the 'Great Chamber', and cupboards, benches, trestles and forms in the hall. William Barrowe could pass to his sons his great 'standing presse', counter table in the parlour, chest in the buttery, tables etc. in the hall, various turned and leather chairs, and his best carpets including those of 'turkeywork'. His wife could dwell in the 'Geston' chamber of his principal messuage with 'easements' in the hall, kitchen and garden. She could also enjoy various objects of silver, various painted clothes and ride on a side saddle of Naples fustian. Pointing towards the gentrification of household production of this class he bequeathed seven quarters of yarn each to his wife and daughter 'to convert into coverlettes at their pleasure'.

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<sup>173</sup>See the wills and also Elks, 'Demographic Study', pp. 132-3.

These wills are also very rigorous legal documents compared to the fifteenth century, and full of warnings and possible revocations, an indication of the mentality of this emerging class as well as of the increasing wealth and capital being passed on.

### **Middling groups**

Those of middling wealth and status in the town, out of which some of the bigger farmers had earlier developed, covered a relatively wide range of wealth and occupations throughout the period. They are very much characterised by their relative independence as compared with the poor, usually with some diversity of occupation although lacking the capital investment and patronage of the big farmers. These were the fishermen-farmers of varying degrees of wealth, and tradesmen often at once brewers and bakers with some land, and middling farmers. However sometimes the range of this occupational diversity is rather striking. For example, John Downe and Laurence Hamon were tailors, but were also presented at the View of Frankpledge in 1488 as common brewers and bakers working against the assize, as we have seen above. In addition, John Downe in his will of 1505 held two tenements, a barn and two small plots of land. John Serlys was presented as a common baker in 1449, though he had a not insignificant number of scattered holdings and significant fishing equipment in will of 1479. His wife was presented as common brewer at the View of frankpledge in 1449. Similarly with William Gros who had an inn-cum-brewery which he passed on to his son in his will of 1464. His wife was presented as common brewer and he a common baker in 1449. Thomas Jan's widow was presented as brewer in the same year and Jan had earlier been working as a carpenter.<sup>174</sup> The Williams', the Smiths', the Benets' and the Elys' who we have identified as mariners above, all had plots of land on the Dengemarsh rental of 1432 to support their trades. These, Serlys, Gros and Jan were typical of the better off middling groups throughout the period but who were nevertheless among the most prominent of the jurats in the fifteenth century. There were significant farming interests in the form of the Godfrey's, Ayllewyn's and the Bate's in the fifteenth century but these were in the as yet insignificant minority.

## The poor

The poor were typically characterised by dependence. The majority of the town would have come under this category and increasing in numbers by the early sixteenth century through land consolidation and falling real wages and later exacerbated by the wage restraints of 1565. The poor, ranged from the marginals and destitute, some of whom were lucky enough to be beneficiaries of doles of grain from the town corporation or charitable bequests from wills, to semi-dependent full-time servants and labourers with smallholdings and even able to make wills. These overlapped at the bottom end of the middling groups.

Regarding the destitute, thirty-five people received grain from the official town dole in 1528 and these are listed on a poor list which is analysed in Chapter Three, Section 1. John Pulton in his will of 1499 gave 3s 4d each year for seven years to the forty poorest people, 'pauper prima al diverca quadragesima'. Robert Robyn in 1551 instructed his son John to 'geue & distribute vnto fortie of the porist housholders or Inhabitauntes within the Towne & parishe of lyde forsaid at my berieng day to euery of them vid'. Thomas Strogull in his will of the same year says, 'I geue to xl power house holders xls that is to saie to euery of them xiid.' There is an interesting tendency to say 'householders' when referring to such bequests which would not therefore include living-in servants and obviously refer to the 'respectable' poor and families with infirmities.

Regarding the more comfortable end of the relative poverty spectrum, Clement Rolf was described as 'labourer' in his will of 1544 and a servant of Simon Tippe. Tippe was a yeoman and jurat, Rolf's master and overseer of his will. Apart from his work for Tippe, he did most of the faggot making for the maintenance of the Lydd walls in the period 1535-46 despite dying a few years before the end of this record.<sup>175</sup> He bequeathed to his son John twenty-two sheep, one lamb and one cow, and to his daughters, Elizabeth and Joanne, a cow and a lamb each. His two overseers including his master were to have half an acre of wheat if they helped his son to save the rest. He also bequeathed his tenement in which he dwelt to his son John, and this was worth 13d on the Aldington rental of 1556 probably referring to a small house with a few acres attached. As an Aldington

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<sup>174</sup>Ly/fac 1, fols 131r-131v.

<sup>175</sup>Ly/ZS, FA 1.

tenant he would have been allowed some grazing on the common Rype in the town, and use of 'the beach' and 'Holmstone'.<sup>176</sup> So Clement was a smallholding farm labourer who had managed to supplement his permanent wage with his smallholding and other labour for the Level of South Walland marsh.

Rolf and a few others like him had managed to become one of the forty-odd freemen of the town on a list in 1528 which will also be examined in Chapter Three, Section 1, and this was a serious reflection upon the general poverty of the town as a whole by this time. Their relative prosperity as labourers may to some extent have been due to their families having seen better days, and as servants of jurats given first choice when jobs for the marsh administrations were available.

We can from the wage rate list of 1565 see that many poor people would have been skilled to some extent working for artisans, builders and fishermen but dependent, and they would remain so on those wages. Most of the work, however, would have been unskilled hard labour, or the main leg work, whether on the farms, building site or in the workshop. Many may have been skilled and fallen on hard times and been forced to sell tools, particularly if they were unable to repay loans taken out in hard times and without a supportive plot of land.

## **2. Government**

The parish of Lydd in the fifteenth century was comparatively extensive and contained a number of private ecclesiastical lordships and their knight's fees - each subjecting inhabitants and landholders to their hundred or manorial courts. These manorial jurisdictions were overlapped by Lydd's franchise as a Cinque Port limb of the nearby Head Port of New Romney. Such an organisation was complex and not without conflict over jurisdictional rights, and will be examined in three sections covering the Cinque Ports, the manorial lordships, and the borough administration itself. In addition were the administrative structures involved in the maintenance of the marshes.

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<sup>176</sup>*HMC. Fifth Report*, p. 531.

## 2.1 The Crown and the Cinque Ports

The Ports as we have seen owed ship service to the Crown in return for certain franchises. Theoretically, these franchises consisted mainly of,

freedom from county jurisdiction and lawcourts in Kent and Sussex; freedom from all internal customs dues and the like within the realm; the right to hold leets and lawdays and have the profits from them; the right to hear and determine all pleas of the Crown except treason and to punish offenders by use of the stocks, pillory or the gallows and to have the goods of convicted felons; the right to hear civil pleas; freedom from all aids, subsidies and the like; freedom from arrests and attachments for service; the right to have fines of regrators and forestallers of the market and other such offenders; the right to waifs and strays, wrecks and wardship; and, finally, the power for mayors (or bailiffs) and jurats, with consent of the commons to amend the customs and practices of the individual ports. In addition, where any injustice done within a port was alleged, the Lord Warden had power to hear and determine the case, through the Chancery court at Dover.<sup>177</sup>

However, and most importantly, many of the Ports were in the hands of private lordships, and so in practice there were variations in each town's franchise and liberties because the ancient rights of these lordships appear to generally have remained dominant within this struggle for co-existence. A number of Ports did not even have the power to elect their own head officer, bailiff or mayor, including a Head Port such as New Romney. Murray asserts that these franchises were not as exceptional as they may first appear, and most of them could be found in other incorporated boroughs in England. Theoretically, the freemen or 'barons' to which the franchises applied could only be summoned to appear before the court of 'Shepway', which by the mid-fourteenth century had transferred to the Warden's courts at Dover if disputes could not be settled in their own borough courts. However, these courts were still institutions of the Crown and were attended by royal justices and ministers, and so it is debatable as to how much was gained by this diversion, especially with regard to the increasing power of the Warden from the fifteenth century. Also as Murray says, these franchises were not unassailable in practice, and one can find examples of individuals or groups being summoned to Westminster and Ports being subjected to the justices in Eyre. Independent

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<sup>177</sup>Mayhew, *Rye*, p. 91. This summary represents the confirmation of the Ports' charter in 1547 at the beginning of the reign of Edward VI.

of these courts however was the more informal institution of the Brodhull, which had developed from the fourteenth century, the main function of which was to defend the privileges of the Ports, particularly concerning the Ports' economic well being; for example, in protecting their long-standing rights in the important North Sea fishing fair at Yarmouth. If an attempt was made to encroach on the privileges of a single Port or member by other settlements and lordship jurisdictions, that Port was backed financially by the legal advice and finance of the whole federation and this would have been a great advantage over other small towns in terms of legal and economic connections. The Brodhull from the late fifteenth century increasingly, however, was able to involve itself in controlling and changing the forms and constitutions of elections within the Ports, and served to represent the official class of each town. It was in this way inimical to popular government and is therefore implicated in the political struggles in the sixteenth century which served to reinforce the economic transformation. Finally, each Head Port was represented by a member of parliament which they elected and which was remarkable considering their small size. Their affiliated members, including Lydd, contributed to the wages of these representatives, no doubt in return for patronage, although they were not involved in the elections.<sup>178</sup>

On balance, it is likely that Murray overstates her case in regarding the Cinque Port franchises as not exceptional, particularly in regard to the economic protections afforded to small towns due their backing from the larger federation of which they formed a part. Also the powers afforded to the members of a small-town oligarchy as justices of the peace by the middle of the sixteenth century could surely not be matched outside of these liberties.

## **2.2 Manorial lordships and resident gentry**

In the mid-fifteenth century, some seven manors and sub-manors claimed jurisdiction within the parish of Lydd. The archbishop of Canterbury's enormous demesne manor of Aldington engulfed virtually the whole of the urban area of Lydd and much surrounding land in the form of the half-hundred of Langport. In addition were the Aldington sub-manors of Old and New Langport alias Septvans which were held by knight's fees and covered the west side of the parish from the town, overlapping with the small parishes of

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<sup>178</sup>This is a general summary of Murray, *Cinque Ports*.



Old Romney in the north-west, Midley in the west, and Broomhill in the south-west. The Old Langport manor took in some of the urban properties on the north and west of the town as well as some of Old Langport village. Also to the south-west was the manor of Scotney, a recent foundation of All Souls College, Oxford. The other manors were: Dengemarsh to the south and east of the town to the sea, a shore limb of Wye manor held by Battle Abbey; Belgar to the north-east which belonged to Bilsington Convent and Priory; and Jacques Court, the ancient seat of the Echingham knights of Sussex, which was close to the town on the north-east side.<sup>179</sup> The church which was a benefice of Tinterne Abbey also owned a number of commercial and other properties in the town. Besides the old knightly families of the Septvans and Echinghams who seem to have disappeared by the end of the fifteenth century, there were established gentry in the form of the Derings who resided in the mansions of 'Nodde', close to the west of the town and at Westbrook, half a mile to the north-west; also the Fettiplaces who took over from the Septvans, to the south-west of the town, in the reign of Henry VI; and the Maynes to the south-east at Dengemarsh Place. The Hunds and then the Belknaps held Old Romney manor in the fifteenth century.<sup>180</sup>

Before the Conquest, the private half-hundred of Langport which was the part of Aldington manor in Lydd parish, was formally settled as three borgs or bourgs which as we have seen were the common form of settlement in Normandy. These were not necessarily urban as the name implies, although some eventually developed urban characteristics and functions.<sup>181</sup> The bourgs in Lydd parish were, before the conquest, Orwalstone in the west, Lydd in the centre, and Dengemarsh in the east of the parish. These spread settlements probably account for the relatively large size of the parish,

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<sup>179</sup>The acreage of the manors was: Dengemarsh, 660 acres plus 307 acres of demesne in 1432; Belgar, 465 acres in 1382 of which the Prior held 162 acres; Jacques Court acreage is unknown; New Langport, 283 acres in 1394 plus possibly a subinfeudation of another 320-380 acres in Broomhill and Lydd parishes; Old Langport, 1,288 acres in 1551; Aldington 'Bailiwick' containing the town and surrounds, 1,473 in 1556 besides the closes belonging to the houses in town. Some of these lands overlapped with other parishes, although the vast majority were in Lydd. Also there are probably some large leases missing from some of the rentals. Bearing these things in mind, the parish on its own provided significant opportunity for landholding within the Lydd franchise.

<sup>180</sup>E. Hasted, *The History and Topographical Survey of the County of Kent*, vol. iv, (Canterbury, 1797-1801: republ. by E. P. Publishing Ltd; Wakefield, 1972), pp. 420-39.

<sup>181</sup>Hilton, 'Medieval market towns', p. 6.

which was one of the largest in Kent. Orwalstone was itself comprised of three settlements; those of Orwalstone, Westbrook and Midley, Midley later developing into a parish of its own. At the Conquest, Dengemarsh along with the manor of Wye was, to much confusion later on, given to the foundation of Battle Abbey in Sussex by William I. Hence Langport half-hundred, as evidenced in fifteenth-century manorial court fragments and the later assembly book was after this gift made up of the settlements of Lydd, Orwalstone and Westbrook. However, by the fifteenth century, Lydd which was settled upon a raised shingle bank along which the high street runs had long since developed into the small urban borough.<sup>182</sup>

Manorial court records survive in the fifteenth and sixteenth centuries for Aldington and Dengemarsh, with some fragments of Old Langport from the 1560s. Aldington had by its jurisdiction, the View of Frankpledge relating to the bourgs individually, and the hundred court whose jury covered all three. This jurisdiction, although these bourgs no longer existed as settlements, was maintained throughout the sixteenth century at least, still chaired by the lord's steward. Dengemarsh manor held the usual manor court and View of Frankpledge. Such courts would also have been held for the other manors in the parish of Lydd, and because Lydd townsmen and women and others in the parish often held lands in more than one manor, however small, they would have been obliged to appear before these numerous courts, not only as litigants and defendants and owing suit and fines, but as jurors, constables, bailiffs, beadles, borsholders and rent collectors. Such a situation with the parish containing so many diverse jurisdictions ensured there would be no overarching domination by a single lordship; and also these lordships would have the overlapping jurisdiction of the Cinque Ports to contend with, pressing against their asserted rights.

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<sup>182</sup>Du Boulay, *Lordship of Canterbury*, pp. 141-2; *HMC. Fifth Report*, p. 531.

## 2.3 Town administration

### 2.3.1 The constitution

The town custumal, produced by Thomas Caxton in 1476-7 of which there are two surviving copies,<sup>183</sup> details at the beginning the government officials of Lydd and the nature of their election. It states that the 'Commons' or 'Commonalty', who were made up of the freemen or barons of the town, chose annually a bailiff, twelve 'jurats' (also known as 'swornmen'), and a sub-bailiff. Of these twelve jurats, eight were to represent Lydd and four were to represent Dengemarsh. The bailiff and jurats then proceeded to elect the town or 'common' clerk and sergeant. Additional information is given in the 'chamberlains' or 'treasurers' accounts showing that half of these jurats were replaced every year from among the commonalty; that is, two representing Dengemarsh and four representing Lydd. The ability of the commonalty to elect its own bailiff and therefore instil a further measure of self-government to the town had only been achieved in 1467.<sup>184</sup> Before this, the bailiff, also known early on in the fifteenth century as the constable, would have been appointed by the archbishop's officials. This ability for the town to elect its own bailiff corresponded to it from then onwards paying 7li 8s 3d rent and 30s common fine annually to Aldington manor for which it also received the various common lands of 'the Ripe', 'Holmstone' and 'Beach'. The barons were therefore from 1467, 'Lords in meane' and could now name themselves 'Bailiff, Jurats and Commons of Lydd.'<sup>185</sup> However the hundred court profits still went to the manor, and the View of Frankpledge was still overseen by the manorial steward. The motivation for this concession by the archbishop is not clear. There is for example no evidence of a struggle in order to receive this status in Lydd, something that was so bitterly fought for and

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<sup>183</sup>The reference to the custumal being written by Caxton is in Ly/fac 1, fol. 153v. The copy kept at Lydd is Ly/LC 1, but there is another at Canterbury Cathedral Library, reference Lit. MS. B2, that forms a larger manuscript called 'Thomas Godfrey's Book'. This appears to have been compiled in 1587 when Godfrey was bailiff of Lydd.

<sup>184</sup>Ly/fac 1, fol. 81r. NB. Because of the ease in which these officials are found at the beginning of each account year in the chamberlains' accounts, I have throughout this thesis inferred that the dates of a particular individual's term of office are sufficient for reference. The only exception to this is if the term of office falls in the missing years of chamberlains' accounts ie., 1485-1512, and in this case, the source for the information will be indicated.

<sup>185</sup>*HMC. Fifth Report*, p. 531; Du Boulay, *Lordship of Canterbury*, pp. 141-2.

denied elsewhere.<sup>186</sup> It does however coincide with a charter from the year before confirming the Cinque Port franchises of Dengemarsh and Lydd, although this would not be fully accepted by others as we shall see.<sup>187</sup>

The 1460s and 1470s were a time of significant changes in Lydd in both economic and political terms. The economic changes have already been touched upon above and will be examined in more detail in subsequent chapters. In terms of politics and constitutional matters, between 1428 - when the record of elections begins in the chamberlains' accounts - and 1462, the customs surrounding the election of eight jurats representing Lydd and four Dengemarsh were strictly adhered to, with half being replaced from each every year. However after 1462 the Dengemarsh jurats begin to disappear on and off from the record, and 1476-7 was the last year that Dengemarsh jurats were mentioned. 1477 coincides with the victory of the abbot of Battle over 'the town' in a dispute begun in 1466, but stretching back at least until the early fourteenth century concerning the rights of the abbot's franchises over right of wreck from the coast of Dengemarsh manor against the claims by the town of the Cinque Port franchise which also gave *it* this privilege.<sup>188</sup> What possibly set the conflict off this time was the charter in 1466 confirming the Cinque Port franchises of Dengemarsh and Lydd. It is possible that the abbot argued that Dengemarsh had never legally been a corporate Cinque Port limb of Lydd and therefore its representation after all these years within the constitution of Lydd was ended. It is true that there seems to have been some confusion over the term 'Ingemarsh' which was another name for Langport hundred and was the name to which the Cinque Port franchise was properly applied. Ingemarsh however was clearly often taken to refer to Dengemarsh, sometimes written in charters 'Dingemarsh'.<sup>189</sup> However another factor may have been the depopulation of Dengemarsh in the 1460s as a result of the activities of the abbot and his demesne farmer, the analysis of which will be dealt

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<sup>186</sup>For example, New Romney tried to set up a Mayor in 1484: *HMC. Fifth Report*, p. 547. See also the conflicts at Fordwich in Murray, *Cinque Ports*, pp. 51-2. See Croft, 'Customals', for the nature of conflicts over liberties and jurisdictions between 1290 and 1500.

<sup>187</sup>Ly/fac 1, fols. 142v-143r.

<sup>188</sup>J. R. Daniel-Tyssen and Mark Antony Lower, 'Translation of a Latin Roll Dated 31st Edward III, Relating to The Liberties and Immunities of Battel Abbey', *Sussex Archaeological Collections*, 24 (1886), 152-192 (pp. 155-163).

<sup>189</sup>See transcription of an early charter and a later confirmation in Finn, *Records of Lydd*, pp. xxviii-xxxii, pp. 284-5.

with in Chapter Three, Section 2.1. What is interesting is that despite the abbot's victory in 1477, Thomas Caxton, the town clerk who had been at the forefront of this dispute against the abbot, still wrote Dengemarsh's representation in the custumal he produced that year. It was important for the townsmen to maintain these rights for themselves because Dengemarsh manor could with some justification be described as Lydd's back garden.<sup>190</sup> Right of wreck in particular could produce very significant returns for the town as a whole and would have been assimilated in the maritime and often violent piratical culture of a large section of inhabitants.

As a result of the change in Lydd's constitution in 1467, the accounts which were previously the responsibility of the jurats, came to be those of the treasurers or chamberlains, although it was not until 1483 that the latter became offices in their own right - separate from the juratcy.

The biggest changes in the constitution of Lydd were however yet to come. What we see in Lydd in the fifteenth century, with half the jurats standing down every year, was a broad representation of freemen or commonalty within the central government. The custumal asserts that the prerequisite to become a freeman was that a man should be 'of Goode name and goode condicion' and be dwelling in the town. It was up to the discretion of the bailiff and jurats that year to decide if this was the case. Because of the broad representation of freemen in the juratcy these conditions would reflect the general wealth and status of the town, which was hardly at this stage exclusive as the large number of freemen suggests. The admission to the freedom was secured by a fine, the amount of which probably related to the wealth of the new freeman. As I have said, it was the whole body of freemen which made up the 'commons' or 'commonalty' in the fifteenth century, because there is no indication at this stage that these latter terms referred to a narrow council or group representing the general population of freemen as in the larger towns. The chamberlains' accounts show that the commonalty was regarded as the most important institution in the town government in the fifteenth century, in particular early on when it was often termed synonymously with 'the town'. Errands were made and legal activities were done 'in the name of the commonalty' and debts were owed and fines paid 'to the commonalty'. The commonalty were 'the barons' of

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<sup>190</sup>See Chapter Three, Section 1.

Lydd and the chief officers were part *of* them at least every other year when they stood down, and answerable *to* them.

However, when the accounts return after a gap between 1485 and 1512, the jurats were now permanently installed, only standing down through death.<sup>191</sup> The bailiff was changed every year from among the permanent jurats and only he was elected by the commonalty. The effect upon the numerical representation of the commonalty in the central government can be seen in a simple comparison of the number of jurats elected in the thirty years between 1454-5 and 1484-5 and the thirty years between 1512-13 and 1542-3. In the former there were seventy-eight, and in the latter only thirty-seven. In the sixteenth century it is clear that the central institution was no longer the commonalty, but the bailiff and his brethren, the jurats. The commonalty were apparently still required to assent to important decrees however, and even made decrees themselves with the assent of the bailiff and jurats. However, a further narrowing of representation of the commonalty occurred in 1526, and concerned the Ports as a whole. The Brodhull, represented by the permanent jurats and bailiff or mayor of the towns, decreed that due to a continuity of tensions that had arisen in recent years at elections, only thirty-seven freemen were to take part in elections from then onwards, these being personally chosen by the jurats from the rest of the commonalty. This section of the commonalty would then elect the bailiff from one of the jurats and the bailiff would then elect the jurats.<sup>192</sup> However the latter election was just form because in Lydd at least the jurats remained permanent. By the second half of the sixteenth century the numbers of commonalty involved in the elections was reduced to as few as twenty-one, and these were called the 'combarons'.<sup>193</sup> By the reign of James I it seems as though the commonalty had no involvement in elections at all because a charter states that the jurats who are permanent elected the bailiff, and this asserted that it was confirming existing practice.<sup>194</sup> An erratic but distinctly declining number of barons were listed for taxation purposes in the

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<sup>191</sup>There are one or two examples of jurats standing down while living, and this will be shown in Chapter Three, Section 1.2.1. These men appear to have been embroiled in serious disputes. See also Swanson, *Artisans*, pp. 121-2: the change from the 'communitas' representing the whole town to the lesser commons only, and the separation of the elite from the 'communitas' in both terminology and in practice occurred as early as the late fourteenth century in the larger towns.

<sup>192</sup>CKS, CP/B1, fols 206v-207r.

<sup>193</sup>See elections at the head of each account in Ly/fac 3.

<sup>194</sup>Ly/I 7.

sixteenth century and this may have reflected a polarisation of wealth in the town or simply disinterest due to the little to be gained by freemen of lesser means by this stage. It is noteworthy that there is no evidence of any evasion at all in regard to the posts of jurat in the sixteenth century as is usually argued for the larger towns. The wealthiest mechanically filled these places in Lydd.

Peter Clark points out that this process of narrowing oligarchy in the sixteenth century was the direct policy of Tudor government beginning in the 1480s with Henry VII and given added impetus by Wolsey's regime from 1513. The main strategy was to reduce the number, power and independence of the commonalty in order to make these strongly enfranchised towns more pliable to the Crown; and as early as 1504, 'in the Cinque Ports the first steps towards municipal government by clique' had been approved.<sup>195</sup> Hence the permanency of the jurats in Lydd by 1512 when the record of elections re-opened in the chamberlains' accounts. Such a policy was possible in Lydd at least due to the increasing wealth and political interests of a select group of individuals who shall be examined in subsequent chapters.

### **2.3.2 The borough court and other assemblies**

The borough court of Lydd is described in the custumal of 1476-7 as the 'King's court' and the bailiff and jurats as 'ye Kinges judges', presumably to stress that it was there by virtue of the Cinque Port franchise, and separate from the archbishop's lordship. It was held in the Common House on Saturdays, at fifteen day intervals unless interrupted by a solemn feast. The bailiff and deputy and two jurats were allowed to hold the court determining all actions beneath 40s, but if these actions involved more than 40s then it was only possible to proceed with the presence of more jurats.<sup>196</sup> In other small non-Cinque Port boroughs of course, actions of 40s were to be determined by royal county courts. Apart from this the court books surviving between 1500-1550 show that its proceedings were very similar to other boroughs, dealing with pleas of debt, trespass, broken contracts, unjust detention of chattels, disturbance of the peace, account, deception and false imprisonment. In addition were land transfers and disputes

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<sup>195</sup>Peter Clark, *English Provincial Society from the Reformation to the Revolution: Politics and Society in Kent* (Sussex: Harvester Press, 1977), p. 20.

<sup>196</sup>CCL, Lit. MS. B2, fols 221r-221v.

concerning the same, admissions to the liberty, appraisals of animals for debts, seizure of property for debts, memoranda concerning those acting as sureties on behalf of felons, and letters of process or withernams. The latter concerned individual disputes over trade between Lydd freemen and those from other Ports, which implicated the towns involved as a whole. The overwhelming business however concerned debt.

In 1556 the new assembly book was introduced which combined a number of courts into one record; a frequent weekly or two-weekly general assembly, a Hundred and Sessions of the Peace, and a View of Frankpledge which on one occasion was called the 'Law Day'. The latter two courts appear to have been held six-monthly or even annually, but this may be misleading as there are such courts referred to in memoranda that are not recorded, and so in this respect the record is incomplete. The 'Hundred and Sessions' court reveals that the hundred had now been absorbed back into the auspices of the Crown with the Quarter Sessions of the Peace, and that each Lydd jurat now wielded the power of justice of the peace, a significant phenomenon for a town of more or less 1,000 inhabitants. Presentments were made to these justices and the bailiff of Lydd, by a jury or 'Inquisitio magna' of twelve to fifteen men, who are named at the beginning of each Sessions. Importantly, judging by their names these men were drawn from among those freemen of lesser wealth and status and the implications of this will become apparent in Chapter Four. Certain decrees required that the narrow group of 'combarons' were present and these included a wealthy yeomen group of jurats-to-be. A similar situation was apparent with the View of Frankpledge, with a similar jury making presentments to the bailiff and jurats of Lydd, although as mentioned above, the manorial steward was present as well.

It would appear that there were few boundaries between these courts in terms of the business they undertook. However the View of Frankpledge seems mainly to have been concerned with the choosing of collectors for the manorial rent and the election of the other manorial officials for the three bourgs of Lydd, Westbrook and Orwalstone. The general assemblies focused upon the appointment of common traders and their recognisances, besides other general memoranda. The 'Hundred and Sessions' was far the most serious dealing with felonies and their sureties, the growing list of statutes concerning land-use and decaying buildings, illegal trading, employment and contracting, apprenticeships, and the endless presentments of drunkenness, gaming, affrays and scolds



and other related puritanical controls. None of these courts however dealt with the business of the traditional borough court relating to debts which must have been compiled separately, the record of which does not survive.

### **2.3.3 Finance**

The majority of the income for the town treasury was derived, particularly in the fifteenth century, from the exaction on all inhabitants with the ability to pay, of the town tax or common scot. This would be levied as many times a year as was deemed necessary by the jurats in relation to the needs in a particular year. It was levied on moveable goods including livestock, arable acreage and fishing equipment at a rate of 4d in the pound for non-freemen and 2d in the pound for freemen. This regressive taxation was enhanced by an ordinance in 1535, which despite statutes to the contrary, encouraged intensive sheep farming by reducing significantly the overall levy per 100 sheep.<sup>197</sup> Other income came from court fines and a few small properties which the corporation owned in the town. However these properties rapidly increased after a testamentary bequest of lands by Thomas Herte jurat in 1554, and this led to further accumulations in the town's name as can be seen by the growing list of properties in the receipts sections of the chamberlains' accounts.<sup>198</sup> A separate scot was levied per-acre on land occupiers - as opposed to owners or primary holders - for the purposes of the maintenance of drains and sewers in the surrounding marshes, the organisation of which became increasingly sophisticated in the sixteenth century in line with commercial developments in agriculture.<sup>199</sup>

### **2.3.4 Offices: functions and status**

#### **The bailiff and jurats**

The bailiff was chief representative of the town in formal or informal assemblies and negotiations, either through the Brodhull or in meetings with aristocracy, gentry or representatives of the law for the purpose of securing favour or advice. He was chief judge in the borough court and later the Sessions of the Peace, and was also assigned the

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<sup>197</sup>Ly/fac 2, p. 185.

<sup>198</sup>Ly/fac 3.

<sup>199</sup>See Section 3 below.

responsibilities of coroner and 'clerk of the market'. The latter ensured that customs in trading were kept. In all these activities he would have been advised and assisted by the jurats. Before the 1480s, the jurats were responsible for the financial affairs of the town including setting the rate of the common tax or 'scot', organising its collection and preparing the accounts of the town's income and expenditure. The accounts were presented annually by all the jurats, presumably to the bailiff and the commonalty. By the end of the fifteenth and into the sixteenth century the newly formed chamberlains who began to emerge from the changes in 1467 were responsible for these financial affairs and it is they who produced the accounts and presented them annually, but now to presumably the bailiff, jurats and commonalty. In the fifteenth century, because of the electoral fluidity between the bailiff, jurats and commonalty, these roles would have been regarded as a necessary but temporary division of labour, as well as authority, in order to best organise the town's affairs, and this obligation was spread among many inhabitants. In the sixteenth century this fluidity and these roles as we shall see had been petrified into the authority of an increasingly defined social class. Part of the basis for this fluidity in the fifteenth century is written in the custumal which asserts that the bailiff and jurats 'or any other 'Mynyster' may not retail any form of merchandise during their period of office 'so yt they sell neuer the derer be cause of her offyce'.<sup>200</sup> This was clearly a recognition of the potential for corruption inherent in the system of permanent government. Such a situation would also of course be detrimental to the processes of capital investment and the like, and hence serve to limit exploitation and social differentiation. It would also in terms of aspects of communal consciousness tend to focus minds on the importance of custom for the long term reproduction of the many rather than on the organisation of the market for the processes of aggrandisement of the few.

### **The town or common clerk**

The 'common clerk' became styled 'town clerk' for the first time it seems after the developments in self government in 1466-7. Suitable candidates were elected annually to this post, but in practice it was it seems permanent and salaried, and the holder could leave or be replaced after giving six months notice. He would have been literate and responsible for producing and recording the everyday documents of administration as well as recording information at the Brodhull assemblies etc. He also had other clerks

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<sup>200</sup>CCL, Lit. MS. B2, fol. 228r.

working under him to assist him in this. For more specialised productions such as the customals, towns looked for specialists and in some towns these documents were illuminated to enhance their ceremonial or hegemonic status.<sup>201</sup> Lydd's customal was produced by Thomas Caxton who although having previously been Lydd's town clerk was not so at the time of its production. His clerky skills included a certain prowess at litigation and besides being very busy in this respect for Lydd, he was sought after by the other Ports to which he gave his services.<sup>202</sup> He came from Tenterden where he seems to have been instrumental in gaining the Cinque Port franchise for that town as a limb of Rye and so had a good grounding in these issues. Before his appointment at Lydd in 1458-9, soon after this success for Tenterden, the common clerk's salary was 6s 8d a quarter, and this was tripled to 20s a quarter when he arrived. The other under clerks' stipends remained at 6s 8d a quarter. On top of these salaries however these clerks were given extra small sums for certain entries that were made in the record.<sup>203</sup> By the 1530s the clerks were Nicholas Pyx earning 6li annually, Thomas Hewett 4li, Nicholas Purfote 53s 4d, and William Robyns 26s 8d plus 3s 4d for ringing the 'Avy Bell'.<sup>204</sup> By the middle of the sixteenth century, although it had always been a post of substantial importance attracting men of more solid middling wealth, it had become the profession of yeomen and lesser gentry in the form of William Barrowe followed by John Heblethwaite. The rise in status of this occupation has been commented upon by Peter Clark as coinciding with 'the county imperialism' of the Tudor state within which the Cinque Ports were among the greatest targets.<sup>205</sup> Of the nine common or town clerks recorded between 1428 and 1485, five of them became jurats at some point, whether following their period of office as clerk or indeed during that period. The sixteenth century was dominated by the clerkships of Nicholas Purfote, William Barrowe and John Heblethwaite, the latter two becoming jurats after long periods of office as clerk. The extended periods served by individuals in this office, especially in the sixteenth century reinforces its specialist nature.

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<sup>201</sup>Croft, 'Customals', p. 45.

<sup>202</sup>*ibid.*, p. 33. See entries throughout Ly/fac 1, the first chamberlains' account book from 1458.

<sup>203</sup>See the final folio in Ly/JQs 1 which provides a list of the different court entries and the relative value of each entry.

<sup>204</sup>Ly/fac 2, p. 164.

<sup>205</sup>Clark, *Provincial Society*, pp. 139-141.

### **The common servant or sergeant**

That this post is given two names in the custumal of 1477 is appropriate because in the first place its holder was used extensively in Lydd as a messenger and mediator of letters between the town and whatever person, place or court it had dealings with. In the second place he seems to have served a security or policing function including that as keeper or 'keyholder' of the court and presumably of the prison, although like the town clerk with his special cloak and as mace bearer much of his presence on official occasions was presumably ceremonial. Like the town clerk this post was salaried, and the wages rose from 13s 4d a year in the fifteenth century to 26s 6d in the sixteenth. The sergeant was also elected annually, although it was usual for him to be re-elected on a semi-permanent basis. Of the eight sergeants in the fifteenth century, four became jurats within varying lengths of time after they had finished, and so again it was an office of no little status. Only one of seven sergeants in the years 1512-42 became jurats, although with the permanency of the jurats, wealthy immigrants, and the chamberlains waiting in the wings, this was not surprising.

### **The chamberlains**

As has been said, their crucial function was in the treasury, organising the finances of the town in terms of income and expenditure upon which the running of the administration was based. The two posts of chamberlain only finally became separate offices from the juratcy by 1483, and these were elected annually. However, increasingly in the sixteenth century they had an air of permanency about them, appearing to be posts assigned to jurats-in-waiting. Almost half of those who served as chamberlains before 1542 became jurats, although this percentage was on the decline after this, possibly coinciding with its status, because we know that later chamberlains were described as 'unlearned' and therefore the town clerk was paid for the extra work.<sup>206</sup> The office appears to have been unpaid.

### **The scot collectors**

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<sup>206</sup>Ly/fac 3, p. 44.

Two scot collectors were appointed for each collection of the town tax which of course may have been more than once a year. This seems to have been an unenviable post designed for the young sons of freemen and jurats - possibly an initiation into the system of administration and responsibility. Of 122 collectors between 1428 and 1485, 40% became jurats, and between 1512 and 1542, only 16% became jurats, again reflecting the permanency of the jurats in the later period. Most of these had to wait a number of years before they held a central government post. This status for the town scot collection is comparable to that of the collection for the sewerage tax which was manned by gentry and their deputies due to the tensions surrounding the liability for this tax. On some occasions when collection of the town scot became difficult we see the jurats stepping in here also.

### **The churchwardens**

These performed the function for the church that the chamberlains did for the town, although of course not directly on behalf of the town. In addition they were responsible for compiling the parish register from 1540 and receiving the rents from church properties in the town. There were two posts elected annually, although they do not appear in the elections recorded in the chamberlains accounts. The record only survives from 1519 to 1558 and in these thirty-nine years there was a relatively small turnover, similar to the chamberlains, with a total of twenty-seven churchwardens serving. Fourteen of these became jurats before or after 1558, some of them being simultaneously jurats.

### **2.4 The sewers administration**

For purposes of drainage administration the marshes were divided into a number of areas known as Levels or Waterings. The area to the east of the town belonged to a single Level known as Dengemarsh. Walland Marsh, the much larger area to the west of Lydd, was by the sixteenth century sub-divided into a number of separate, manageable Levels. The archives held in Lydd refer to Dengemarsh, South Walland alias Lydd Walls, Jurys Gut and White Kempe Levels, all of which apart from White Kempe which stretches over to Rye Haven, were mostly contained within the extensive parish of Lydd. These

areas altered, and in all cases expanded over the period, in line with commercial inning and increased sophistication in drainage.

Dengemarsh Level covered the area east of the town, northwards as far as New Romney, and from there southwards along the coast as far as the South Brooks although these were eventually incorporated in 1608. Apart from White Kempe, most of which does not concern us, South Walland was the largest Level. From the west side of Lydd, moving down to the Septvans and Holmstone side of the Wick and the beginning of the walls, it apparently covered the whole of the west side of the Wainway including Broomhill, and moved north into Scots Marsh, Newland, Midley, Caldecot and part of Old Romney. Jury's Gut took in a large slither running through and overlapping South Walland Level. The area of White Kempe also considerably overlapped South Walland and Jury's Gut on the north-west side of the town, drawing in part of Belgar also.<sup>207</sup>

The administrative officials were all local men, mainly from Lydd, because they reflected those holding land within the Levels, and the main officials were drawn from the largest holders. For each Level these consisted of a bailiff and his sergeant, up to thirteen jurats or swornmen, a clerk, an expeditor or spendor, and the scot or tax collectors. The posts of jurats were permanent, and the position of bailiff, which was usually rotated after each account, was drawn from these. If new jurats were required to be replaced due to death or migration they were to be appointed by the bailiff, the other jurats and, in theory, also by the manorial lords of fees.<sup>208</sup> The main function of these leading officials was to enforce collections for the maintenance of the Levels having met and viewed any pressing difficulties with the prevailing defences and watercourses on the marshes. The bailiff was responsible for collecting debts, imposing fines or bills of 'wanes' for non payment and organising new payments, and he had a sergeant and a clerk to help him do so. At least three-quarters of all the jurats and bailiffs of the Levels were also jurats or bailiffs of the town government of Lydd. The rest were the wealthier Lydd freemen. To serve as a jurat or swornman for more than one Level was common. Even from the limited evidence due to the lack of overlap in the accounts of the different Levels, it can be shown that people such as John Strogull and Clement Stuppeny served on all of them, betraying the ubiquity of their landholdings.

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<sup>207</sup>See Appendix 2.

<sup>208</sup>W. Dugdale, *History of Drainage and Imbanking* (London, 1662), p. 53.

The bailiff was also involved in the practicalities of maintenance and often worked in conjunction with the spendor. A good example of the spendor's involvement is an entry of 1565 for Dengemarsh where he was paid on one occasion 6s 8d 'for lettynge his labor for dyuerse tymes warnynge ye swornemen, prouydyng of laborers, warnyng of dragges and scuppetmen and for ouerseynge workemen at Seuerall tymes when he dyd not worke him self'.<sup>209</sup> He acted very much as a labourer himself in this post and would allocate to himself and other workers, wages for certain jobs that needed to be done and this was his main, crucial function. However along with the bailiff, with whom he worked very closely, he would also travel into Sussex and the Weald of Kent to select and procure timber, and supervise its delivery and use in construction. The post of spendor was also rotated after each account. Spendors, although counting among them a number of Level and Lydd jurats, these jurats were not the most substantial and many, in particular on Dengemarsh, were freemen commoners of less official and economic status.

The work of drawing up the accounts, scot collections and debts was carried out by the clerk of the Level, although in some cases entries were made by hands less trained, probably the spendor's. The clerk where mentioned covered all the Levels and was also the town clerk of Lydd. William Barrowe and John Heblethwaite between them covered half a century at this increasingly distinguished post. The one exception to these two was Richard Gyll for White Kempe in 1552 who was not of Lydd, although Heblethwaite soon followed.

The most numerous officials were the scot collectors, new ones being appointed when the need for collections arose. These were of the highest political and economic status including a striking amount of gentry and aristocratic involvement in conjunction with the more substantial jurats of the Levels and of Lydd. This was in contrast to the status of the town scot collectors who were almost always the sons of freemen and jurats, embarking on an administrative career.

The accounts of each particular Level were presented before the bailiff and jurats and sometimes some of the commoners or commonalty of the Level, at meetings called General or Special Lathes or Lasts. By the 1560s the accounts display a more structured

format concerning those present at these meetings. The clause referring to those present typically reads, 'Bailiff and Jurats and the Commonalty of the Level and other inhabitants and farmers or tenants' of a particular Level. Often the bailiff of Lydd was also present. Despite the role in elections assigned to the lords of fees in the earlier ordinances, only rarely were they present at these Lathes, either in person or through a deputy or retainer who was usually a substantial Lydd jurat. These were occasions when cases of importance cropped up such as the re-measurement of Levels. It was such re-measurements after the development of watercourses etc., the incorporation of more tax payers by implicating further land into the Levels, and attempts to side-step demands from distant Levels to make contributions to them, that were the topics of some lathes.<sup>210</sup> The holding of Lathes was erratic and meetings between officials must often have been unofficial because quite often a number of years would pass before accounts were presented. Sometimes the accounts just say that the meetings were held at Lydd, but often they name the house of an individual where the meetings took place. This was often the same house for each Level but it was rare for the business of different Levels to take place at the same time. On one occasion when this did occur, the meeting was held in Lydd's court hall.

Every Level was responsible for the upkeep of (where applicable) walls and sea-banks, the common watercourse or sewer, and for the maintenance of the various water-controls along it and the bridges over it. Scots or taxes were imposed upon the landholders, in other words the occupiers or lessees as opposed to the owners or lessors, on a rate-per-acre basis. These rates ranged from 1/2d to 3d per acre depending upon the amount required at a particular time by the maintenance project. The maintenance of minor watercourses or stream-dykes, walls and ditches were built into tenurial or leasing agreements between land owners and occupiers or tenants. However, these were still subject to the controls and customs of the general Level.<sup>211</sup> In cases where a particular

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<sup>209</sup>Ly/ZS, FA 4, fol. 9r.

<sup>210</sup>For example, 40s was paid to the clerk 'John Hubletwayt the xiiiith of november...1564 at the assignment of John Strogull, Clement Stopenye, John Stringer, Edmvdn Glouer & James Type Jurattes of the sayd WhitKemp watering to bear his chargies to london to sue for the mytygacion of the tax to the Camber puddle & Hauen of Rye', Ly/ZS, FA 16, fol. 21v.

<sup>211</sup>See Ly/ZS, FA 1, fol. 17v. This clause re-asserts the responsibilities of landholders to make sure their stream-dykes were not dammed up and flow into the main course.



individual's holding benefited from the drainage or defence of more than one Level, he or she would be obliged to contribute to both. Also with regard to new structures being built for the benefit of more than one Level, a composition would be made between them to pay for the work.<sup>212</sup>

Tensions in respect of this taxation were clearly endemic because the *landholders* no doubt thought it unfair that they should be forced to pay to improve land not their own. The Commission of 1477-8, which was in large measure responsible for the nature of sixteenth-century administration, was set up after reports of possible future 'inestimable losses' along the coast from New Romney to Robertsbridge in Sussex due to the threat from the sea. This situation was blamed upon defaulting landholders who had allegedly left the defences in a state of decay. Surviving evidence for North Walland Level, reveals that a crisis was reached in 1549 - a year of rebellion across England - when the dwindling number of jurats were unable to collect taxes from tenants and were moved to plead for aristocratic intervention. This accounts for the high profile of the scot collectors.<sup>213</sup>

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<sup>212</sup>For example, see Ly/ZS, FA 9, fol. 15r which records composition money between Levels to maintain Wainway Wall in 1574, and this composition money continues from this year.

<sup>213</sup>Dugdale, *Imbanking*, pp. 47-59; 'North Walland Boundary Book': CKS, S/W, AZ 2, fols 11r-16r.

Envy waxeth wonders strong,  
The Riche doth the poore wrong,  
God of his mercy sufferith long  
The devil his workes to worke.  
The townes go downe, the land decayes;  
Of cornefeldes playnes layes,  
Gret men makithe now a daye  
A shepecote in the Church.

The places that we Right holy call  
Ordained ffor Christyan buriall  
Off then to make an ox-stall  
These men be wonders wyse;  
Commons to close and kepe,  
Poor folk for bred to cry and wepe;  
Towns pulled down to pastur shepe,  
This ys the newe gyse.

'Nowadays' c. 1520.<sup>214</sup>

### **Introduction: The 1520s and 1530s**

The 1520s and 1530s saw the first serious crises of subsistence in North-Western Europe since the early fourteenth century. The process of immiseration, it is argued and generally agreed, from around the 1460s stemmed from a combination of rising population and rising prices causing a progressive decrease in the real value of wages that remained static. Structural changes in the agrarian economy from the same period, involving the engrossment and capitalisation of holdings and the widespread transfer from arable to pastoral production produced a grain shortage and increased wage dependency and vulnerability to rising prices. Bad harvests in the years 1500-3, 1519-21 and a particularly serious one in 1527, tipped the balance of increasingly bare subsistence into experiences of dearth and even famine conditions, bringing on malnutrition and epidemic disease. Royal taxation for the purpose of foreign plunder made matters worse,

and currency devaluation ensured soaring inflation from the late 1520s. The result was a widespread, mobile, uprooted poor and it is from the 1520s that centralised poor aid began to develop in the form of poor laws simultaneously across the region. Widespread popular unrest flared up in the face of these changes.<sup>215</sup>

As I have indicated, the years following the 1527 harvest after progressive decades of immiseration were particularly serious. It is therefore no coincidence that two unprecedented lists of names survive in the records of Lydd for 1528 dealing with political conflict and poverty, and it is these that will be the focus of this chapter.<sup>216</sup> This chapter is split into sections. Section 1 looks in detail at those people on these lists, their ancestors and heirs, and Section 2 looks more systematically at how they came to be on them, or more to the point, what was the main determinate of the crisis of the late 1520s and subsequently.

Before examining the lists, we must first of all look at the evidence for this process of impoverishment as it appears in the records for Lydd.

### **Prices and wages**

There is insufficient evidence for prices in the Lydd records, and so national figures for arable produce have been used as a guide in this thesis.<sup>217</sup> However, the chamberlains' and churchwardens' accounts do give numerous examples of wages paid by Lydd corporation to skilled men and their servants right across the period. These show that artificers were paid between 5d and 8d a day including food and drink, and their servants and labourers working with them, between 2d and 4d a day including food and drink. Most generally though, artificers were paid 6d a day, and servants 4d a day including food and drink (food and drink was almost as much) right across the period from 1428

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<sup>214</sup>Taken from R. H. Tawney, *The Agrarian Problem in The Sixteenth Century* (New York: Harper and Row, 1967; originally published in London by Sentry Press, 1912), p. 149.

<sup>215</sup>*Brenner Debate*; Bois, *Crisis of Feudalism*; Bronislaw Geremek, *Poverty: A History* (Oxford: Blackwell Publishers Ltd, 1994; repr. 1997); W. G. Hoskins, *The Age of Plunder: King Henry's England 1500-1547*, (London; Longman, 1976).

<sup>216</sup>Ly/fac 2, p. 139, p. 256v.

<sup>217</sup> Peter Bowden, 'Statistical Appendix', in *The Agrarian History of England and Wales, iv, 1500-1640*, ed. by Joan Thirsk (Cambridge: Cambridge University Press, 1967), pp. 814-871 (p. 817).

to 1542. Similar to the experiences of Northern Europe in general, the reduction in the value of real wages over the period would therefore have been extremely debilitating. There were variations in wages in the regulation of 1565. Artificers were to be paid between 6d and 10d a day including food and drink, although the vast majority still only received 6d-7d. Labourers were still only paid 4d a day including food and drink. All of these wages were to be reduced in the winter. It must also be pointed out that if labourers organised their own food and drink they were to be paid 9d a day. This means that a labouring man's daily food for himself alone would cost more than he could earn in a day for his family. So without a plot of land or use of common these were undoubtedly starvation wages. Servants and journeymen to artificers were paid by the year. This amount ranged from 46s 8d to 66s 8d for the best sort, and from 33s 4d to 53s 4d for the second sort or 'common servant'. The best servant in husbandry with his livery received 40s, and the second sort with his livery received 33s 4d. This of course amounted to very little but must have included accommodation and food. The fisherman's servant was paid only 30s a year if his master had to provide his extensive clothing, or 53s 4d if the servant had his own. This means that the fisherman servant's clothing alone was almost as much as a year's wages in 1565. If he did possess this clothing however he would have been among the best paid servants.

### Food shortages

From 1519 letters of proclamation were sent to Lydd from Dover and New Romney which placed restraints upon the sending of victuals overseas, except to Calais; namely corn, butter and cheese.<sup>218</sup> Dairy produce and corn of course become rare when there is such an imbalance in focus on sheep farming, and Chapter Four shows how the problem had probably become even worse by 1583. Also, in 1520-1 expenses were paid 'vppon vi persons that were assigned by master Baylif and his Brethern to goo And serche what Store of whete barley and Ootes was in mennys barnys and howsis because sum people

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<sup>218</sup>For example, Ly/fac 2, p. 42, p. 50, p. 52, p. 56, p. 165. It was presumably early institutional restraints such as these that E. P. Thompson referred to that may have prevented dearth turning into famine, as occurred in later centuries when they were deemed intrusive to the 'natural' course of political economy. Such restraints later on had to be enforced by riot in the form of a 'moral economy' of the poor. See Thompson's 'The Moral Economy of the English Crowd in the Eighteenth Century', in the author's *Customs in Common* (London: Merlin Press, 1991), pp. 185-258.

made complaynte that the towne shulde lakke corn because of Caryng ouer the Watyr'.<sup>219</sup> This is of course extremely suggestive.

### **Increasing poverty and official poor relief**

Traditional official provision of poor relief is recorded in the chamberlains' accounts as a bi-annual doling of corn, and in the churchwardens' accounts as a money dole of 3s 4d on All Souls Day. This provision was clearly erratic for most of the fifteenth century and this probably reflects a relative lack of need in this period. However the reference in 1475 to the 'writing of a new bill of the alms-people' may point towards a need for more systematic provision.<sup>220</sup> Already in 1486 a mandate was sent from Dover Castle to New Romney, enquiring into vagabonds and beggars.<sup>221</sup> This mandate would no doubt have been recorded in the Lydd records as well if the chamberlains' account record had not ceased the year before. Certainly, the sparseness of the Lydd wills in terms of content in the decades straddling 1500 and therefore a high incidence of inter-vivos devolution of property may suggest a general experience of impoverishment or at least a degree of insecurity and uncertainty.<sup>222</sup>

The evidence of increasing poverty thereafter comes mainly in the Lydd chamberlains' accounts; firstly in the form of a number of lists each year of those unable to pay the local taxation or common scot which was levied on all moveables including livestock and arable acreage. Remedy for the inability to pay came in the form of abatements of sums from people of a relatively wide social class background or in the form of 'stresses' where people of the least means were forced to sell their belongings and tools. The 1519-20 account records ominous signs for the future in the form of a 'complaynt' to the bailiff and jurats 'of Dyuerse of the Comeners for there comyn scott was to moche', the scot of course being set by the jurats and bailiff.<sup>223</sup> It is true that from here on the tax

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<sup>219</sup>Ly/fac 2, p. 53.

<sup>220</sup>Ly/fac 1, fol. 149r.

<sup>221</sup>*HMC. Fifth Report*, p. 547.

<sup>222</sup>For implications of inter-vivos transfers see R. M. Smith, 'Families and Their Land in an Area of Partible Inheritance: Redgrave, Suffolk 1260-1320', in *Land, Kinship and Life-cycle*, ed. by R. M. Smith, (Cambridge: Cambridge University Press, 1984), pp. 139-185 (p. 159).

<sup>223</sup>Ly/fac 2, p. 53

was set at a steadily high level, although nothing that was not encountered during various extended war crises and building projects in the fifteenth century. People being stressed and lists of people being in debt to the town purse was not a new phenomenon; what was new was their large numbers and their continuity. The lists of those unable to pay begin seriously in the 1520-1 account reflecting the harvest of that year but in earnest from the 1525-6 until the 1531-2 account.<sup>224</sup> After 1531-2 there are only scot abatement lists recorded (which continue until 1540), as punitive legislation was introduced in a memorandum in the accounts that year. This ordered that 'from hens forthe there shalbe no more *stresses* taken for the common scott but they wyll not paye there scottes vpon a lauffl day assigned by Master Bailiff and his Brethren that then there bodyes to remayn to warde vnto the tyme they hathe payde there scottes'.<sup>225</sup> The same account records that a letter was sent to Dover Castle concerning 'certain beggars whiche ware in warde at Lyde', indicating that this was no idle threat.<sup>226</sup> Also, when the lists of stresses and abatements appear to get more serious from the 1527-8 account, there are recorded there for the first time, frequent proclamations and precepts sent to Lydd for the punishment of vagabonds and beggars and heretics, and an air of the criminalisation of poor elements is increasingly apparent. These 'Prevy serches' for these people are recorded in the accounts until 1536-7, but they are at their most intense from 1527-8 to 1530-1.<sup>227</sup> Some bona-fide citizens of Lydd seem to have had enough or had become poor migrants themselves by the latter date as the chamberlains in the record of 1530-1 were forced to 'asketh allowance for [the scots of] dyuerse persons whiche ware departed oute of the town', as well as for the rest of the abatements.<sup>228</sup> 1531 is of course the year when the important national poor law statutes begin which among other things placed restrictions on mobility.<sup>229</sup>

Charitable bequests in the wills reinforce the evidence in the accounts. They take a decisive turn by the 1520s from contingent bequests to the poor, which are dependent

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<sup>224</sup>*ibid.*, pp. 123-68.

<sup>225</sup>*ibid.*, p. 162.

<sup>226</sup>*ibid.*, p. 166.

<sup>227</sup>For example, *ibid.*, pp. 133-4, p. 144, p. 152.

<sup>228</sup>*ibid.*, p. 157.

<sup>229</sup>*Tudor Royal Proclamations, Volume I: 1485-1553*, ed. by P. L. Hughes and J. F. Larkin (London: Yale University Press, 1969); Paul Slack, *Poverty and Policy in Tudor and Stuart England*, (London and New York: Longman, 1988).

upon the survival of the testators' heirs, and from general clauses which bequeath the residue of moveables within a generalised clause concerning charitable works, to direct, non-contingent bequests to the poor, and these continue to rise rather sharply from the 1520s onwards.

The court books give evidence of a more acute experience of debt in those crucial years for punitive legislation, 1530 and 1531. For example, a jurat, his brother, and a clerk are found calling in debts or distraining goods from their own tenants who were unable to pay their rents. James Robyn was responsible for a list of seven pleas in a row in the court book against people in debt to him. Thomas Robyn seized a woman's silver beads to pay for her rent of 6s 8d, and Nicholas Purfote distrained a number of his tenants including the tools of a carpenter.<sup>230</sup>

### **Popular unrest in the 1520s and 30s**

The situation in these years generated profound social unrest across the Ports, and this was directed against the central governments of the towns in numerous ways. In 1526 the minutes of the Ports' Brotherhood Assembly or 'Brodhull'- made up of representatives of these central governments - record,

that here to fore in many Townes or in all hath ben grett descencion variaunces vexacions & treubull in chosyng the Kynges hedde officers As Maires Bailliffes & Jurats of every of the seid Townes nott only att the say of election accustommed & vsed but Also before the day in bandes vnlawfull Confederacie & Vnlawfull assemblies And After the day by dusdayn & other greatt displesurs & grudges... to the high displesur of Allmyghtie god & also brekyng & disturbyng of the Kynges peace & lettyng of true justice to the greatt Abusyng & Vnquitnes of the Wele disposed People of the seid Townes And Also to the greatt slawnder rebuke & decay of the seid Townes.<sup>231</sup>

So, to begin with there was discontent over elections, the lack of representation that had been imposed a few decades earlier no doubt being felt more acutely now as hardship increased. Moving on a few years to 1531 again, in January of that year two serious cases of arson are recorded in the surviving court book of Lydd; one on the 13th of that

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<sup>230</sup>Ly/JB 3, fols 14v-16r, fol. 19r, fol. 30v.

<sup>231</sup>CKS, CP/B 1, fols 206v-207r.

month, and one a few weeks later on the 29th. Both concerned the burning of the houses of jurats. In the first case John Smyth, butcher, and freeman commoner set fire to the house of William Greneway, and in the second case Stephen Wyberd, fisherman, did likewise to the house of Robert Ferrour.<sup>232</sup> This John Smyth appeared on an abatement list and was constantly in debt in the courts in these years, and Stephen Wyberd was actually on the poor list of 1528. These men will be looked at in more detail below in section 1.2.2 and 1.2.3. Some years earlier arson was committed in New Romney as well. On 1 July 1518, John Chilton, jurat and gentleman of New Romney, presented two labourers, Henry Houll and Patrick Mores, 'as to the burning down of his houses'. Henry Houll was arrested and called upon to find security.<sup>233</sup> A year after the cases of arson in Lydd the court book records subversive talk by a poor man against a leading jurat and this will be examined in Section 2.2.

These were some of the more open signs of class conflict that occurred in these particular years of crisis, the more long term structural elements of which, and their concomitants, will be analysed in Section 2.1. It remains here to acknowledge that Lydd experienced much of what has been shown to have occurred in studies concerning villages and towns across England and North-Western Europe in precisely these years.

Lydd's experience may have been even more acute than others because of the immediacy of war on its outskirts, and the weight of responsibility of provision for the navy which fell upon it and the other Cinque Ports in times of war due to its franchises. The accounts in these years are full of the records of the town preparing for war, stocking ships and defending the coast against invading armies. Men of Lydd were injured and killed on the coast, and fishing cabins were burned in the early 1520s, removing main breadwinners and crucial tools from household economies.<sup>234</sup>

Finally, and again beginning in 1520-1, right under the record of the complaint about lack of corn, was the government's appropriation of the play book of the town. This was then re-worked after numerous trips to London in these years into a new and unprecedented four day play of St George, which was finally performed in 1533. The

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<sup>232</sup>Ly/JB 3, fol. 37v, fol. 38v.

<sup>233</sup>HMC. *Fifth Report*, p. 553.

<sup>234</sup>For example, Ly/fac 2, p. 82, p. 96.



implications of this development in terms of cultural hegemony within these crisis years will be examined in Section 2.2.

## 1. The lists of 1528

The significance of the year 1528 has therefore hopefully been introduced, and we can now examine the lists of names that survive for that year in the Lydd accounts.

The first contains forty-four names of freemen or commoners, six of these having been crossed out.<sup>235</sup> It was the result, initially, of the Cinque Ports' 'Brodhull' in 1526 that we have just referred to, telling of serious dissensions across the Ports occurring at and around election days. The resulting decree enacted that within each port the present mayor or bailiff and jurats should choose a certain limited number (i.e. thirty-seven) 'of the most wysist and discretist persons ther present' from among the commonalty, and these in turn should elect one of the - by now - permanently installed jurats as bailiff for the year.<sup>236</sup> However it would appear that Lydd government delayed the implementation of the decree because two years later at another Brodhull in 1528, the New Romney delegation complained that Lydd should have similar election arrangements to the rest of the Ports.<sup>237</sup> And so the list appears at this time in the chamberlains' accounts of Lydd. Forty-four names were drawn up, and six were crossed out in order to get the required number for the election. Lydd's delay may have been due to a lack of *suitable* candidates because a rush of seven freemen entry fines ensued in 1527 and 1528 and two soon after, including eight of those on the list, two of whom would become jurats.<sup>238</sup> It is the thirty-eight people whose names were not crossed out that will be examined in this section, because these were the preferred choice of the bailiff and jurats.

The second list is entitled, 'The Names of Poore People Which Haue the Almes Corne Vndyr Written'. It begins with the officials, i.e. the 'Armite (hermit) of lyde', two named clerks and the sergeant who is unnamed. These are then followed by thirty-five other names. The dating of this list is slightly more complex as it is found at the back of the

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<sup>235</sup>Ly/fac 2, p. 139.

<sup>236</sup>CKS, CP/B 1, fols 206v-207r.

<sup>237</sup>*ibid.*, fol. 211r.

<sup>238</sup>Ly/fac 2, p. 115; p. 129; p. 140.

accounts book along with the lists of stresses which were the items pawned to the government by those who couldn't afford to pay their scots.<sup>239</sup> Reference is made to these *appendices* in the body of the accounts for the late 1520s, particularly for 1528 and 1529, recognising their placement in the back and the hands in both sections are identical.<sup>240</sup> The list can also be dated between account 1526-7 when Thomas Butcher, the first poor person on the list, abated his scot, and account 1528-9 when his widow first appears abating a scot which would have been the scot he *recently* left through his decease.<sup>241</sup> The latter date seems therefore the most likely. It is these thirty-five people that will be examined in this section as representing those chosen, presumably by these listed officials, as poor and worthy of dole.

A third list must also be introduced: that of the bailiff and jurats of Lydd corresponding to the account of 1528-9.<sup>242</sup> However, in this list I have added ten of those members of the 1528 freemen list: five of whom immediately joined the juratcy that same year due to the deaths of previous jurats and lack of numbers; four who joined together in 1535 for the same reason; and one in 1538. This method is justified firstly on the basis of examining more comparatively sized samples, and secondly, and most importantly, because jurats-in-waiting within the body of commoners have a lot more in common with the other jurats as will be seen, and it would be an unnecessary distortion to analyse them separately. That such jurats-in-waiting were recognised is shown by the examples of Luke Gerves and Simon Nichol, who both having failed to enter the juratcy in 1528-9 because the top limit had been reached, together occupied the two chamberlains' offices until gaps appeared in 1535 when they were immediately appointed jurats. Having said this, it is clear that at any time there may be within the commonalty very substantial people indeed and that the commonalty was not a homogeneous social group by any means, especially by the 1520s. There were in most cases however, significant economic differences between the general run of commoners and the potential jurats or jurats-in-waiting within them.

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<sup>239</sup>*ibid.*, p. 256.

<sup>240</sup>*ibid.*, p. 132, p. 142.

<sup>241</sup>*ibid.*, p. 124, p. 142.

<sup>242</sup>*ibid.*, p. 138.

I have in the previous chapter outlined Lydd's demographic, economic and political relations in the fifteenth and sixteenth centuries. The analysis of the lists of 1528 in Section 1 of this chapter is split into two. Section 1.1 seeks to identify, however loosely at this stage, any social distinctions between the groups on the lists.<sup>243</sup> This entails brief comparative pilots looking at secondary office-holding (those below the offices of jurats and bailiff), and testamentary and debtor-creditor relations. Building upon these results, the main section, Section 1.2, will then take the form of detailed case studies of the individuals and families concerned by means of detailed cross-referencing of all sources in order to identify the social and economic units that made up the social formation of Lydd as it came to be structured in the period centred around 1528. Having established this, Section 2 will examine the evidence of class-struggle and its role in this structuring process. Chapter Four will then look more systematically at developments post-1528.

## **1.1 Some social distinctions**

### **1.1.1 Secondary office-holding**

For purposes of statistical comparison in this section, because women did not hold offices, the poor group must be reduced to twenty-one because it contains ten widows, three 'Mothers' and one woman identified in her own right. However where their ex-husbands are known, information on these will be added. I must also add that William Kempe found himself on both the commoners' and poor lists in 1528, and so there is already some overlap here.

Table 2 shows the distribution of secondary office holding between the groups. It must be borne in mind however that these figures are taken from chamberlains' accounts and there is a gap in these for the period 1485 and 1512, years in which offices may have been held by members of the groups under examination, particularly those of scot collection. However this qualification applies to all groups.

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<sup>243</sup>It is not suggested however that these boundaries are absolute by any means.

**Table 2.**

	<b>Clerk</b>	<b>Chamberlain</b>	<b>Churchwarden</b>	<b>Sergeant</b>	<b>Scot collector</b>
<b>17 Jurats</b>	0	8 (47%)	4 (24%)	0	4 (24%)
<b>28 Commoners</b>	0	4 (14%)	2 (7%)	1 (4%)	13 (46%)
<b>21 Poor*</b>	0	1 (5%)	0	0	2 (10%)

\*Clement Galion, whose widow is on the poor list was earlier a chamberlain. Gate's widow on the poor list may have been the widow of a previous jurat and mother of a future one.

So the better offices were far more frequently filled by those who were, or were to become jurats. It is important to note that of those seven who were already jurats in 1528, there was only one chamberlain and one churchwarden and these were both filled by John Caxton. Of those who became jurats in 1528 there was one scot collector, two chamberlains and three churchwardens. Of those who became jurats on or after 1535 there was three scot collectors, five (all) chamberlains and one churchwarden. These figures show that particularly those waiting to get into the juratcy were filling in time in other offices, especially as chamberlains. Of course it is probable that those original seven had scot collecting origins and possibly chamberlainships also in the missing years.

### **1.1.2 Testamentary relationships**

Out of the sample of 468 wills, of the seventeen jurats (including two intestate), wills survive for fourteen (82%) between 1532 and 1563. Of the twenty-eight commoners (including one intestate), the total is also fourteen (50%) between 1531 and 1556. Of the thirty-five poor the total is two (6%) in 1551 and 1553. So the survival of wills may say something to reinforce the generally recognised exclusivity of will making among the better off. There is a significant difference between those of commoners and jurats in this respect and the only wills of the poor of 1528 came much later due to the two individuals' economic recovery. None of the widows made wills, and the fact they were on the poor list would have denied much prospect of their re-marriage. Bequests towards marriages for the poor went to maidens rather than widows.

### Testamentary involvement of the three groups with primary office holders

As a general measure of relationships with the wealthy and most powerful, Table 3 shows the numbers in the different groups who had testamentary involvement with the jurats, who were the primary office holders in Lydd. The bailiffs were of course jurats also. Percentages are gained from those in the different groups who are actually recorded as involved in official practice rather than taking the group number as a whole. The figures represent those activities of jurats prior to their obtaining office as well as when they were actually in office. This method ensures a fuller account of these people regarding the amount of evidence available for them.

**Table 3.**

Official relationships	Jurats	Commoners	Poor
Total witnessing	12 of 17 (71%)	18 of 28 (64%)	8 of 35 (38%)
Witnessing jurats	9 of 12 (75%)	3 of 18 (17%)	0 of 8 (0%)
Witnessing with jurats	7 of 12 (58%)	5 of 18 (28%)	3 of 8 (38%)
Witnessed by jurats	8 of 13 (62%)	2 of 11 (18%)	2 of 2 (100%)
Total executors & overseers	11 of 17 (65%)	12 of 28 (43%)	1 of 35 (3%)
Executors & overseers of jurats	6 of 11 (54%)	1 of 12 (8%)	0
Executors & overseers with jurats	4 of 11 (36%)	2 of 12 (17%)	0
Executed & overseen by jurats	8 of 14 (57%)	3 of 13 (23%)*	0
Total feoffees	7 of 17 (41%)	9 of 28 (32%)	1 of 35 (3%)
Feoffees of jurats	5 of 7 (71%)	5 of 9 (56%)	1 of 35 (3%)
Feoffees with jurats	5 of 7 (71%)	6 of 6 (100%)	1 of 35 (3%)
Bequeathing to jurats	2 of 12 (17%)	1 of 9 (11%)	0
Beneficiaries of jurat bequests	5 of 9 (56%)	6 of 13 (46%)	3 of 9 (33%)

\* Two of these three jurats were masters of commoner servants

Although it was the jurats who were most involved in witnessing with 71% of those on the list involved in the surviving wills, the commoners were not far from that level with 64% involvement, and even those on the poor list had significant involvement in this activity with 38% recorded witnessing wills, even though only two had wills themselves. However, when we come to the important point of *whom* they were witnessing, significant differences emerge between the groups. Regarding those witnessing jurat wills

whether from the 1528 list or not, there was no-one from the poor list, and only 17% of the commoners did so compared to 75% of the jurats. Regarding co-witnessing *with* jurats the picture is more even although still heavily weighted towards the jurats with 58% compared to the commoners' 28% and the poor's 38%. Commoners' involvement is even lower than those on the poor list in this respect. Turning the analysis around the other way, if we look at the numbers in the groups who had their wills witnessed *by* jurats a similar picture emerges. Only 18% of the twenty-eight commoners compared to 62% of the seventeen jurats had their wills witnessed by jurats.

Regarding numbers involved in the execution and overseeing of wills besides those of their own family, the jurats have a significant lead with 65% compared to the commoners' 43% although commoners on this evidence were still very much involved. Those on the poor list however seem to drop out of this activity perhaps because of the lack of ability to take care of debts. Again, however, there is a big difference between the commoners and jurats when we see who executes or supervises jurats, with 54% of jurats and only one person or 8% of the commoners who were involved in this activity doing so, and that was very early in 1487. One additional member of the commoners was involved in co-executing a will *with* a jurat making 17%, and this compares to four people or 36% of the jurats who co-executed with other jurats. These low numbers are due to the small numbers involved in executing a will, this activity also being something very much done by family. Those having their wills executed or overseen *by* jurats amounted to 57% of the jurats compared to only three or 23% of the commoners. It must be said however that two of these three commoners had their wills overseen by their masters who were jurats. Only one poor person acted in this capacity and this was not involved with jurats.

Regarding numbers acting as feoffees of wills, the numbers are rather small because feoffees ceased for a time after 1535. 41% of jurats compared to 32% of commoners and one person (also a commoner) or 5% of poor were involved. Of these numbers 71% of jurats compared to 56% of commoners were feoffees of jurats at some stage. 71% of jurats compared to 100% of commoners were feoffees *with* jurats and so there was much co-involvement here. Because of the halt in use of feoffees in structure of wills after 1535 only one jurat on the 1528 list had a feoffee in his will though this was a jurat. This

compares to two commoners having feoffees in their wills although neither of these feoffees were jurats.

Finally regarding bequests, only two (17%) of the jurats from the 1528 list bequeathed to other jurats in their wills and only one (11%) of commoners did so. However 56% of the jurats, 46% of commoners and 33% of poor listed who were bequeathed to, were so by jurats, although as we shall see, this was for very different reasons.

And so prior conclusions point towards notable differences between the groups regarding the important official will tasks of witnessing, execution and overseeing of jurats, something which was dominated by jurats themselves and this is a significant result. In fact in virtually all pilots it is clear that jurats proportionately dominated proceedings concerning their own class and there is a very clear demarcation between them and the remaining commoners, and again between the commoners and the poor. In some cases things were more even, especially concerning *co*-witnessing or executing wills, although still a substantial gap. Links as feoffees were more complex and there were landholding implications here, involving alienations and subletting.

#### **Infra-group testamentary relations**

Table 4 shows the number of recorded relations in the wills *within* each group. As in Table 3 the percentages are taken from the number of those with recorded involvement in the activity rather than the number of the whole group.

**Table 4.**

	<b>Jurats</b>	<b>Commoners</b>	<b>Poor</b>
<b>Witnessing</b>	6 of 12 (50%)	13 of 18 (72%)	0
<b>Execution and supervision</b>	5 of 17 (29%)	0	0
<b>Feoffeing</b>	3 of 7 (43%)	4 of 9 (44%)	0
<b>Bequeathing</b>	0	4 of 13 (31%)	0

And so considering that the numbers of surviving wills begin to diminish already prior to and beyond the recording of these lists in 1528, these figures show a high degree of infra-group testamentary involvement among the jurats and the commoners on the lists

of 1528 - the poor not surprisingly having a complete lack of involvement in these activities. The commoners were significantly ahead regarding witnessing each other and co-witnessing, and this was probably to do with their lack of relations with the jurats in this respect, and also due to the nature of fellowships and partnerships within the fishing trade which is a strong characteristic of the commoners. The jurats employed each other frequently as executors and overseers of each other's wills and this practice increased rapidly among them in the middle of the sixteenth-century. This contrasted with the commoners whose more frugal wills were always unlikely to have an outsider, even as overseer, preferring to rely on family members. Involvement as feoffees is significant in both lists where this activity took place. Finally regarding bequests, these are non-existent among the jurats and not striking among the commoners either and on this evidence at least, personal involvement appears limited within the groups. However, we will build upon these results in Section 2.1 below.

### **Inter-group testamentary relations**

Firstly dealing with the relations between jurats and commoners, eleven jurats (65%), and ten commoners (36%), were involved in inter-group relations within fifteen wills, including four jurats' wills, and two commoners' wills. The other wills were made up of two other jurats and seven non-jurats. Ten of the wills involved nine jurats and nine commoners witnessing either each other's wills or co-witnessing group and non-group wills. Two wills had a commoner witnessing a jurat, one had a jurat witnessing a commoner, and the other seven involved co-witnessing by a jurat and a commoner and other non jurats. Three wills involved supervision or execution between the groups with three jurats and three commoners. There was one case of a jurat supervising a commoner, one vice-versa and the third a co-execution of a non-jurat widow's will. Three wills involved feoffeing between the groups with two jurats and two commoners. All involved co-feoffeing non-group wills, these belonging to two jurats and a non-jurat.

And so these results do show a reasonable level of this type of relationship between these groups, although the jurats were involved almost twice as much as the commoners.

Regarding the relations between the jurats, commoners and the poor: eight poor (23%), four commoners (14%) and three jurats (18%) were involved in inter-group relations



with eight poor (23%) in nine wills; six of these between commoners and poor, and three between jurats and poor. Four of the wills show five of the poor as the beneficiaries of three commoners' and one jurat's will, the commoners accounting for four of the poor, the jurat one. Five of the wills contain three of the poor as witnesses; two witnessing non-jurats with a commoner, one witnessing a commoner with another commoner, and one witnessing two non-jurats but with a jurat on both occasions.

These findings are rather significant because although there were only four commoners to three jurats, one of the commoners was involved in four of the wills including his own, i.e. fisherman Richard Maket. The others, Robert Menwood, John Dyne the elder and Robert Elys were also fishermen. This is significant because such fishing links with the poor recur elsewhere with 'hermits' and fishermen Richard Sperpoynt and John Kempe both involved. This is also a general impression of those not on the lists and this point will be fleshed out when looking at families and occupations, and when more has been brought out in the section on social structure below. It is interesting that the poor were involved with those of much higher status in the town. They appear to have been involved in witnessing wills early on before their depression into receivers of bequests.

### **1.1.3 Debtors, creditors and trespassers: pleas in the borough court**

As I have shown in Chapter Two, the borough court record survives for Lydd in a patchy and fragmented state between the years 1507 and 1542. However, there is enough information to gain a clear idea of the types of pleas that the different groups were most likely to be involved in. Table 5 firstly shows the total number of pleas that each group was involved in. Secondly, it shows the percentage ratio that each group was involved as plaintiffs or defendants in relation to this total, and the percentages of the main types of pleas in relation to this total.

**Table 5.**

	<b>Jurats</b>	<b>Commoners</b>	<b>Poor</b>
<b>No. of pleas</b>	132	190	83
<b>% as plaintiffs</b>	79%	56%	22%
<b>% as defendants</b>	21%	44%	78%
<b>% as creditors</b>	58%	38%	12%
<b>% as debtors</b>	11%	23%	58%
<b>% as trespassed against</b>	11%	11%	6%
<b>% as trespassers</b>	4%	12%	8%

These are striking results, with the ratio of jurats acting as plaintiffs and defendants in pleas in the borough court being almost the exact inverse of the same pleas involving the poor. The jurats were plaintiffs in 79% of cases and defendants in only 21% of cases, i.e. 79:21. The poor however were plaintiffs in 22% of cases and defendants in 78% of cases, i.e. 22:78. The ratio of the commoners in this respect hovered somewhere in between these two, although they were plaintiffs a third more times than they were defendants, i.e. 56:44. When we look in more detail at particular types of pleas, we not surprisingly get a similar result. For example, in terms of percentages of creditors and debtors, the ratio for the jurats was 58:11, for the poor 12:58, and for the commoners 38:23. This shows that for the wealthy the vast majority of cases were in credit, and for the poor the vast majority of cases were in debt, with the commoners having more of a variety of experiences in this respect, although still mostly in credit. Numbers involved in pleas of trespass were much less although in contrast to the jurats, both the commoners and the poor trespassed more than they were trespassed against. This was arguably as a symptom of forms of expropriation. The recorded pleas involving the members of these groups concerning pleas of broken contract, deception etc. are too few to present any valid results. In general, pleas beyond debt and trespass in the borough court books were rather infrequent.

For an initial conclusion, there is sufficient evidence in these brief pilots to show that while these groups were not socially segregated, the commoners and jurats particularly, there were clear distinctions between them in terms of primary *and* secondary office holding, testamentary, and debtor-creditor relationships. The identification of such distinctions is useful as a broad indicator of the formation of social classes within the

town at this time. Of particular note is the stark differences between the groups in relation to debt-creditor relationships, which is of course fundamental to the process of impoverishment and wealth generation in this period.

## **1.2 The social and economic units**

The method of exposition of the individual case-studies in this section is necessarily *exploratory*: because for each individual, family, trade and ultimately class, the evidence available is either different, or especially in terms of surviving wills, lacking. This clearly makes direct categorical comparisons between each case problematic. As the analysis proceeds from the higher to the lower income levels, from independence to dependence, and from the jurats down through the commonalty and finally the poor, alternative evidence will increasingly be brought into play, and this must be borne in mind.

I have structured the following analysis in a loose stratification of the different groups as they were in 1528 in terms of occupation and wealth, although closer analysis will elucidate a more fluid structure showing examples of improvement potential for those at the top and of vulnerability and adaptability lower down in the social scale. Points of overlap *between* the groups will also be apparent as well as virtually unbridgeable differences *within* them.

### **1.2.1 The jurats**

#### **Small gentry and yeomen - big farmers and rentiers**

These are Thomas Godfrey senior, Thomas Strogull, Robert Robyn, James Robyn senior, Andrew Bate, Thomas Bate, Richard Stuppeny and Thomas Smyth.

Thomas Godfrey senior stands out from the rest of the wealthy farmers at this stage. He was a jurat from 1523 until his death in 1543. Like many testators he devolved his principal tenement along with those tenements and lands *recently* bought, having already set up the eldest son with significant property during his lifetime. Godfrey had two sons. Peter was given in 1543 his principal tenement with forty acres attached lying in both parishes of Lydd and Old Romney, indicating that he lived just outside the town to the

north-west, as well as another recent purchase with the acreage unstated. This will was mainly to provide for his youngest son, Thomas junior, who was to come into his inheritance at the age of twenty, and for his daughter Katherine's marriage. Thomas junior's inheritance consisted of a tenement with eleven acres attached, along with another recently acquired twenty acres to the west of the town, and eighty acres near to the east side of town. Peter and Thomas were to share a barn and its closes with Peter paying the rents and taking the profits of all the properties until Thomas reached full age. Thomas junior was also to receive 17li, four cows, two heifers, two 'buddes', fifty sheep, and two wains - one yoked with four oxen and the other with four horses. Clearly Thomas was going to have to work for his living for a while, although he had been given enough here to prosper. Thomas senior also passed on small amounts of livestock to various people, at least nine of whom were probably servants.

This was the tip of the iceberg. Hasted finds references to Thomas Godfrey senior of Lydd as 'esquire' in 1528. It was in this year that he acquired two third parts of the manor of Old Langport, one part from the knightly Woottons. He had also benefited from three significant marriages by gaining title to lands in various parts of Kent as well as More-Court in nearby Ivychurch.<sup>244</sup> Some of the other third part of Old Langport lands can be seen in possession of his son Peter in the Old Langport rental of 1551 where although he was not the owner, he was the highest holder with over 205 acres and his gentry residence called Nodde which used to be the Derings.<sup>245</sup> The combination of modern and old rents and the profitability of certain holdings is shown here because Peter invested 34li annually for a lease of only two plots of thirty and nine acres. The nine acre plot was where the manor house of old used to be according to the rental, where as the rest of the lands (which surrounded it) and Nodde mansion only totalled 51s 5d in rent to the chief lord. This rental also indicates that Peter had lands in all the adjacent fees to Old Langport. Described as 'gentleman' in the deed for his acquisition of Nodde from the Derings,<sup>246</sup> his will of 1569 titles him as 'yeoman'. This will is possibly a classic example of an agrarian capitalist of puritanical-Calvinist persuasion. Regarding property he gave his younger brother Thomas junior a yard of land in Lydd with the fenced enclosures maintained, two messuages and twenty acres in Brookland. He gave

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<sup>244</sup>Hasted, *Topographical Survey*, pp. 426-7.

<sup>245</sup>CKS, U1043/M4; for Nodde see also Hasted, *ibid.*, p. 433.

<sup>246</sup>Hasted, *ibid.*



120li to be invested in another twenty acres of 'good marshland' in Romney or Walland marshes by his daughter and son-in-law and future jurat John Berry, his other daughter receiving 180li and a 3li 6s 8d annuity. He was already paying a 30li annuity to Robert Riestone, esquire, and a 16li annuity to John Cheseman presumably for patronage. He also patronised Sir Thomas Wotton, esquire, a lawyer. The residue of his 'landes, Leases, Tenementes, Rentes, Reuertions and Hereditamentes whatsoever they be, and wheresoever they doe or shall lye, as well in the townes, fildes or parishes of Lydde, Mydley, Newe Romney, Old Romney, Brokelande, Newechurche, as else where' was to go to *his* son Thomas at the age of twenty-one. Peter's will has a Calvinist preamble, in which he hoped to 'enioye a parte of that perpetual blessednesse that he (Jesus) hathe aforehande prepared for his electe'. Having bequeathed relief to poor people dwelling in the parishes of Lydd, Old and New Romney, Brookland and Ivychurch he goes on to detail, in a highly professional manner, his position as executor and custodian of hereditaments arising from a list of wills, and the profits arising from these; some of these moneys he apparently having passed or loaned out to others in the mean time. Money bequests are seen as investments to ensure an added surplus when they fall due, including those arising from his son's lands until he reached twenty-one for which an account was to be drawn up. This is not the will of a simple capitalist tenant farmer, but of a highly skilled property speculator, and his son and younger brother would have to be the same.<sup>247</sup>

There were numerous lines of Godfreys and Godfrey alias Fermours, many of whom were among the dominant office holders of Lydd throughout the fifteenth century. The wills of these families reveal a wide range of wealth from smallholding fishermen, mariners, bakers to substantial farmers and butchers. However, nothing was on the scale just shown and the origin of Thomas Godfrey the elder cannot really be identified among them. The only reference to him before he took up the Lydd juratcy in 1523 was as feoffee and overseer of John Godfrey in 1520. It is therefore possible that he took up a position in Lydd government having previously been content as a significant farmer adjacent to the town. The recent developments in oligarchy and status and power as justices of the peace for the Lydd jurats, at least by the middle of the sixteenth century, must have attracted men like him and men such as Richard Stuppeny, Alan Epse, Ralph

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<sup>247</sup>See Chapter Four for the extensive estate of his brother Thomas the younger who would become an esquire.

Wilcockes and John Berry from nearby New Romney, Romney Marsh and the Weald who soon followed. It is significant in terms of accumulation and related political power, that after his death, it was only Thomas Godfrey senior's sons and their heirs who produced jurats in Lydd despite all those other fifteenth-century Godfrey lines. The Aldington rental of 1556 containing most of the town and acreage close by shows minimal acreage and houses held in the town by the Godfreys indicating that they lived in mansions outside up to that point at least.

The trend of incoming wealthy outsiders was set by Thomas Strogull, possibly from the nearby Walland marshes or the southern Weald who entered the juratcy the year before Godfrey in 1522, having made a relatively very large entry fine as a freeman in 1516.<sup>248</sup>

In his will of 1551 Strogull firstly passed the leases he still held of Northlade (a parcel of Dengemarsh manor) and Bletching (attached to All Souls' Scotney manor) to his only son John. The Northlade lease was (to Battle Abbey) worth 20li annually for thirty years from 1537. This was a parcel of the demesne and tenement 'newly enclosed' at that time. He also held the other half of the demesne from Battle Abbey at 22li annually for thirty years from 1536. The whole of the demesne acreage in 1538 was 408 acres. The *Valor Ecclesiasticus* of 1535 shows he already held one of these leases worth 19li 10s (probably Northlade) in an earlier contract, Simon Gason another Lydd jurat holding the other worth 21li. These values show that the leases were going up in price.<sup>249</sup> The Bletching lease was only for twenty acres. However it was attached to the possibly 170 acre demesne of Scotney manor on the south-west side of Lydd, and Strogull leased them both for 64li in 1524. This was after he had been bequeathed a partnership in Scotney with a fellow Lydd jurat William Adam by another Lydd jurat Vincent Danyell

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<sup>248</sup>A John Strogull farmed the manor of Ebony in 1478, and there was a John Strogull in the Lydd court books from Warehorne in 1519. Thomas probably married into the town at this point because he is mentioned as the husband of the daughter of yeoman Simon Watte in his will of 1515. For leases of the lordship of Canterbury, see Gill Draper's forthcoming doctoral thesis, provisionally, 'Farmers and Capitalism on Romney Marsh in Fifteenth Century Kent', (University of Kent at Canterbury). For courts, Ly/JB 2, fol. 15, fol. 16. For Strogull's fine for his admission to the freedom of Lydd see, Ly/fac 2, p. 22.

<sup>249</sup>PRO SC 6, Hen 8/ 3675; J. Caley and J Hunter eds., *Valor Ecclesiasticus: Temp. Henr. VIII. Auctoritate Regia Institutus...*, 6 vols. ed. by J. Caley and J. Hunter (George Eyre and Andrew Strahan, 1810-33), p. 347.

in the latter's will of 1520. This lease was expensive because it included 800 ewes and 200 lambs and in 1508 the sheep were valued at 53li 6s 8d and the lambs 10li. The stock was returned at the end of the lease presumably after the farmer had profited from the lambs and the wool. Strogull also held a lease worth 20li 2s 1d for forty years called Prior's Marsh which was adjacent to Scotney in Broomhill parish from All Souls College beginning in 1533 and he still held it in 1540; and also another worth seven marks which Sir John Dudley of Halden in the Weald let to Thomas Wrythesley of London, esquire, in 1537, it having previously been in Strogull's tenure.<sup>250</sup> Regarding other property in his will, Thomas compensated his wife (she was his second wife at least) with 50li and 40s a year, twelve cows, twelve 'buddes', twelve calves, a wain, four best oxen, four horses, all his oats, half his barley, half his wheat, two 'howes of hay', all his poultry and geese, fifty ewes and all his fuel wood and other property. In return, she was to release to his son John, 'all my houses, messuages, lands and tenements in the town and parish of Lydd'.<sup>251</sup> And so although most of the emphasis is on sheep farming, a clear element of mixed farming still prevailed at this stage. He also bequested to two servants who were brothers, ten ewes and 20s each and 'every servaunt in my house', two ewes each.

Moving on to the surviving rentals, in 1551 he held a total of over eighty-two acres, made up of mainly accumulated adjacent small plots in Old Langport. These were actually occupied by other Strogulls and abutted on to other lands of his in the adjacent fees. The 18s 5d rent in Old Langport made him fourth highest holder below two gentlemen and Peter Godfrey, although eighth in order of rent. However in the 1556 Aldington rental he was the highest holder with 104 acres, plus another thirty-two acres, a barn and dovehouse together, a little close, two joined tenements in which his son dwelt with a barn worth 18d and a principal tenement in the town in which Thomas dwelt at the time of his death including a close and two barns for a very large 2s 4d rent.<sup>252</sup> This property, along with what he already held, and the residue 'elsewhere in Kent and England' made Strogull's son John the clear equal second wealthiest in terms of moveables in the town scot of 1556 along with Peter Godfrey, and below Godfrey's

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<sup>250</sup>See Gill Draper 'Farmers and Capitalists', for All Souls' leases and farmers; see also BL, Harl. 77, G 17; BL, Harl. 78, G 29; BL, Harl. Roll, S 34, for the other leases.

<sup>251</sup>See Chapter Two, Section 1.2.3 for a similar arrangement by Ralph Wilcockes in 1555.

<sup>252</sup>The rent for a basic tenement was 2d. See Section 2.1 for the implications of such low rents that had been maintained at ancient levels.

son in law John Berry who was the wealthiest.<sup>253</sup> Thomas had not finished however, and he gave his grandson Thomas a forty acre farm at Caldecot just north of the town, and his wife various lands including a barn and twenty-seven acres in 'The Sumpe' to the west of the town. His nephew John Strogull was to have a messuage 'and all lands' in Snargate, the other side of Romney Marsh, and his daughter was to occupy what was now his son John's lease of Bletching. John Strogull not surprisingly stepped into the juratcy upon his father's death.

The last of the intrants of these farmers was Richard Stuppeny who virtually jumped from the New Romney juratcy into Lydd's in 1528 and then back again in 1537 where he died in 1540.<sup>254</sup> Like Strogull he took advantage of the available leases in nearby Walland marsh, at least. He held the approximately 150 acres from Agney manor from 1498-1504 at 18li, plus some new marsh with it in 1505. He held the 227 acres of Newland in the 1520s for 27li annually, and also Ketepen or 'Stopene Marsh' further west from 1519-32 at 8li 13s 4d.<sup>255</sup> So he was at his economic peak upon joining Lydd government in 1528. As with the others, he could only have farmed these significant areas with many labourers or servants or family or be making money from sub-leasing. These were not single-farm farmers. In his New Romney will of 1540 we find that he has two sons, Laurence and Clement who were still very young and not of age. Besides an array of jewellery and silver-ware that they and his wife and daughters were to receive, Laurence was to receive all of his sheep and lambs and all the profits of his farms which he held by leases. Some of these leases he occupied himself and some were occupied by a William Walter and a John Heyward, presumably of New Romney. These men were to act as his executors and were to draw up an account of his yearly profits from his leases and when the profits reached 30li-40li they were to invest in more lands for Laurence. Both Clement and Laurence were to share all of his moveable goods and if they did not survive there were other Stuppeny families involved in the inheritance, including one

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<sup>253</sup>Ly/FR 1.

<sup>254</sup>He was in virtually all the New Romney delegations to the Brodhull from his first appearance in 1510, until July 24th 1526. The following 1 May 1527 he was absent from these and was next seen simultaneously on the 1528 commoners' list and in the Lydd juratcy of that year. He stayed in Lydd as jurat until 1536 when he disappeared from the record. However he was back at head of the New Romney Brodhull delegation in 1537 until 1539; CKS, CP/B 1, fols 137v-227r.

<sup>255</sup>Gill Draper, 'Farmers and Capitalists'.



from Bromley near London. We find that when living in Lydd, Stuppeny held a principal messuage with a brewhouse. This he left in the hands of Simon Nichol, one of the jurats on the 1528 list, and Clement was to receive all its store and implements. When he moved back to New Romney Richard dwelt in a gentry residence called 'Clitherows', Clitherow also being an earlier MP for New Romney.<sup>256</sup> His wife was to receive 20li and his daughter 25li plus household goods.

The 1551 Old Langport rental shows he formerly held some small acreage including three acres next to the manor place of Agney suggesting attempts at expansion there from his lease. Clement, his youngest son held thirty-seven acres a barn and a close at Old Romney in this rental and seventeen acres, a barn and close in the town in the 1556 rental. Clement, benefited significantly from his brother Laurence's will of 1558, who therefore died young but nevertheless as a jurat of New Romney. Clement then became a dominant jurat in Lydd in the second half of the sixteenth century, probably similar to Peter Godfrey, and one of the wealthiest according to the barons' scot by 1571.<sup>257</sup> Why he moved to Lydd is not clear, but a government position may have become available or he simply may have taken up residence in his father's former messuage there. This prosperity was no doubt also stimulated through marriage to the daughter of accomplished town clerk, Lydd jurat and small gentleman, William Barrowe of Lydd as mentioned in Barrowe's will of 1555.

The remainder of the significant farmers in the 1528 juratcy all stem from long standing Lydd roots, as far back at least to the beginning of the fifteenth century similar to the Godfreys. Like the Godfreys, the Bates, Smyths and Robyns - although the Smiths were less prosperous - provided jurats from the beginning of the record in 1428, although the Robyns' not until 1458. This tradition was enhanced during the sixteenth century.

Andrew Bate served as jurat from 1523 to 1532. In his will of 1532 he was faced with devolving his property to four sons who were all of age. However, the product was sufficient to make three of them jurats; Thomas in 1538 to 1576 at least (one of the 1528 list), William in 1553, and John by 1567-76. He mentions no leases, only freehold property although the former cannot be discounted of course. As was generally custom

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<sup>256</sup>*ibid.*

<sup>257</sup>PRO, E 179, 232/278.

he divided the property between them all, although as had become custom among this class of farmers, one was given the lion's share. Thomas Bate, who is also in our 1528 jurat list and who will also count among this top yeoman class, was already a feoffee of his father's and received his principal tenement in 1532 and all goods belonging. He also received two couples of oxen, eight horses, twelve cows and a bull, ten piglets, six heifers, 300 bearing ewes, two collars, a wain, a plough, cart and harrow, six seams of wheat, ten seams of barley, four seams of oats and one seam of beans, the latter arable delivered after the harvest. His three brothers each received two cows and 100 ewes. Similar to Strogull there was an element of mixed farming here, though again with the major emphasis on sheep. Thomas's inherited array of livestock and equipment was also not unlike that of Thomas Godfrey junior's in 1543. Andrew also bequeathed to his daughter's husband, James Robyn junior, a commoner of 1528 and brother of Robert and James senior, (both 1528 jurats), 20 nobles worth of cattle in order that he should make a legal jointure with his (James') wife of his principal tenement and attached twenty acres. Then various bequests are made to those who must have been servants and labourers. Six were male and four female, the bequests amounting to thirty-three ewes, two cows and three heifers. Interestingly he paid for a ritual transportation of his body from New Romney to Lydd, although it was unlikely that he lived there while jurat of Lydd, which he was when he died.

The later rentals show that Thomas Bate held a total of thirty acres in Old Langport which although this made him the eleventh highest in acreage, he was only twenty-first in rent no doubt because of the salty area in which he held them, actually still paying part of the rent in salt. In the 1556 Aldington rental however, like Strogull's son he was up with the big farmers and gentry in fifth place with thirty-three acres, a barn and a close for 12d, Two tenements and two closes together for 20d, a principal tenement in which he dwelt for a very large 2s 2d like Strogull, which would have been Andrew's, and another 4d tenement. Like Peter Godfrey's will of 1567, Thomas Bate's has a Calvinist preamble and his status as a farmer was similar although he just referred to himself as 'jurat' - status enough by this stage. His holdings were widespread across Romney Marsh and most of the ones he mentions were in the occupation of others, including ninety acres sub-leased to Robert Tookey who would soon become himself a jurat of Lydd. The amount of money involved and the profits being made on these holdings is indicated by the entry in the will requiring that if his wife was of child when he died it was to receive

300li out of his sons' lands at the age of twenty-one. As early as 1554 Thomas was equal fourth wealthiest in the barons' tax.<sup>258</sup> Hasted identifies him bearing heraldic arms and married to the daughter of the wealthy Edward Wilcockes, jurat of Lydd and son of Ralph, she having jointly inherited the manor of Midley.<sup>259</sup>

Along with the remainder of these big jurat farmers, Andrew Bate's father was a previous Lydd jurat and therefore he belonged to the most powerful and wealthiest line of what was for the Bates, like the Godfreys, a very large family. Again, also like Thomas Godfrey above, it would only be the heirs of Andrew who would perpetuate Bates within the juratcy, and the strategy of compromising with partible inheritance for Thomas Bate would ensure this. Andrew's father was John Bate who died in 1522 without mentioning any lands and he had probably already devolved them. In 1501 John Bate was farmer of Dengemarsh, a predecessor of Strogull, but just one of a line of Bate farmers and butchers who had held this farm, and this was probably the John in question.<sup>260</sup>

Robert Robyn was the executor of Andrew Bate's will in 1532 but this was not the only link between these families, and the historical link between both of these families in particular and the determination of change on Dengemarsh prior to the crisis period will be examined in Section 2.1. Robert Robyn who was jurat in the years 1523-51 and James Robyn senior, who was jurat from 1528 to 1545, were brothers of James Robyn junior (a 1528 commoner), and William and Simon Robyn. It is best to begin with their father Thomas Robyn, yeoman and jurat from 1478, who had also been Dengemarsh manor farmer, to his will in 1526, the beginning of the crisis, when he presented them with their inheritance - the basis of their status. The main concentration of the will is on Robert the eldest and James junior. This suggests that James senior had already been set up, and the entry in the Dengemarsh court rolls in 1533 to him selling eighty acres at 27s rent (fine) to John Mayne, gentleman, probably accounts for his share.<sup>261</sup> Robert and James junior were given large farms on Dengemarsh lying close together on either side of the road leading to the Nesse. The inheritance is recorded in the court rolls for that year, one of

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<sup>258</sup>PRO, E 179, 231/229.

<sup>259</sup>Hasted, p. 429.

<sup>260</sup>PRO, SC 2, 180/62, fol. 1r.

<sup>261</sup>PRO, SC 2, 180/64, fol. 11r.

the farms being a messuage and 100 acres at 3li rent and the other one messuage and seventy-five acres at 24s rent.<sup>262</sup> It must be pointed out that these farms were not leased parcels of the demesne, but as with the examples in Old Langport, large freeholds which Thomas accumulated from small customary parcels from, at latest, 1489, amounting to (including James senior's land) almost a half of the total assize rents in 1526. It would appear however that James junior immediately relinquished this inheritance for some unknown reason into the hands of his brother Robert, and it can be seen in the dissolution account of 1538 in the hands of Robert's son John via the gentleman John Mayne.<sup>263</sup> Robert must have sold this property to Mayne who, as was common with this farmer-lord relationship, must have sub-leased it out to a John Mireded, because Robert bought the lease back in 1537 at 20 marks a year for twenty years, no doubt then giving it to John, who had also to pay the assize rent.<sup>264</sup> In this way the gentleman makes a completely speculative profit. Thomas gave one son William 10li and the other, Simon, fifty sheep. The rest of the livestock must already have been employed on these other farms. And so again we see a selective process for the purposes of class perpetuation in terms of inheritance strategy, and Robert doubled his share enabling *his* son John to assume the reins in government from 1553 two years after his (Robert's) will in 1551, again the only line to do so.

Naturally as John held this large messuage and 100 acres outright, it was not mentioned in Robert's will. So in addition to this, Robert bequeathed to John a tenement and six acres in Lydd, all his lands in Old Romney parish, and St Nicholas parish in New Romney, two other plots of nineteen and seventeen acres he had recently bought off other jurats (one in Dengemarsh and one in the Old Romney rental) and various other plots out of which John was to pay Robert's wife an annuity of 3li. John received the residue after debts including Robert's leases, which are not described. Robert's second son Thomas received the smaller farm which Robert was bequeathed in 1526 and another twelve acres bought off his brother James junior paying his wife a 2li annuity. He also received some livestock, i.e. two steers, a cow, two heifers, two 'buddes', a mare, fifty ewes and a couple of swans. The third son Clement received a tenement in which he

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<sup>262</sup>*ibid.*, fol. 8v.

<sup>263</sup>PRO, SC 6, Hen 8/3675.

<sup>264</sup>Ly/JB 4, fols 3r-3v for Robert's transaction in 1537.

already dwelled and land belonging, which can be traced to an eighty acre plot,<sup>265</sup> and various other parcels paying Robert's wife a 11li annuity. He also received livestock similar to Thomas. The end of the will reads like a soap dynasty with procedures to be taken over any conflicts arising from Clement's entitlement to the land. This is a characteristic of many of these wills, reflecting a highly acquisitive individualism among this class. While not Calvinist at this stage, Robert Robyn had a clearly Protestant preamble to his will, the ideology of which of course has a determinate relationship with such attitudes.<sup>266</sup> Robert had seven male servants in 1547 according to the muster including his three sons and a nephew, and so the workforce was kept within the family as much as possible even on this scale.<sup>267</sup>

Robert's success was at the expense not only of James junior whose large inheritance and other land went to him (Robert), and who (James) therefore remained among the commoners, but also probably of James senior whose eighty acre plot which he sold to Mayne sounds very much like the one passed on to Clement in Robert's will, and this may account for the family conflict. We do not have a will for James junior, which is ominous, and I will say more about him below, and James senior died intestate in 1545 with an inventory total of 12li 10s and debts and legacies of 20li. This compares unfavourably to the valuation Robert had made of his goods upon his death, amounting to 440li. So after Robert's father Thomas, had accumulated much of this land from smaller tenants on Dengemarsh, Robert consolidated further from his own brothers providing his own sons, and John at least with the basis to consolidate a place within this increasingly wealthy and powerful governing class. John was a strong equal fourth in the barons' scot of 1558 and so pushing up below the smaller gentry. Without doubt, Robert was more concerned here with perpetuating the class status of his own narrow line than that of his wider family, even those as close as his siblings.

Because of the lack of a will, we do not have much evidence for James Robyn senior beyond that already mentioned. However judging by references in the chamberlains'

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<sup>265</sup>Ly/ZP 1, p. 264.

<sup>266</sup>See R. H. Tawney, *Religion and the Rise of Capitalism: An Historical Study* (Harmondsworth: Penguin, 1964); and Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, 2nd edn., (London: Allen and Unwin, 1976).

<sup>267</sup>Ly/AL 1.

accounts he must have been a butcher. For example he was paid 8d for killing a bullock in 1513, 2s 1d for meat in 1523, and 16d for flesh for a boat in 1539. A certain Vincent Robyn was among the common butchers in the assembly book after 1566 and he may have been James' son.<sup>268</sup>

The *origin* of the Robyns' wealth is less easy to trace. A Simon Robyn held a mere messuage and six and a half acres on Dengemarsh in 1432 and it was probably he who was a jurat from 1458-61. But no wills survive and there was no other jurat representation for them until Thomas in 1478. Thomas must have had the means to accumulate some 100 acres at least on Dengemarsh alone in the year 1489 including three acres from his father Simon where he and Edmund Robyn (possibly his bother) were involved in continuous violent conflicts against other tenants on Dengemarsh afterwards.<sup>269</sup> Other Robyns' wills are those of John in 1511 and Edmund in 1513 and these are tying-up wills. An Edward Robyn farmed the manor and Rectory of Fairfield and two parts of Kete Marsh from 1513-24, and as with the other main farmers Thomas must have held similar leases and invested the profits into the engrossment of large freehold farms on Dengemarsh, a process stimulated earlier by Andrew Bate, although not without conflict.<sup>270</sup>

Although reasonably prosperous in the form of Thomas Smyth, yeoman, a 1528 jurat whom we shall come to, the Smyths in Lydd had a rather mixed history prior to his appearance. Richard and William Smyth were prominent, long standing jurats from the beginning of the record in 1428 to 1458, one of them representing Dengemarsh as was possible at that time. They were both mariners, also a feature of the juratcy at that time, and this occupation and political representation was supported by relatively significant customary holdings on Dengemarsh at least. With William Bate and William Godfrey they were among the highest holders in 1432, William Smyth having a messuage and a total of thirty-three acres and Richard about twenty-two acres. Another less prosperous line of Smyths were Henry and William, sons of Simon with eight acres on Dengemarsh in 1432. In 1463, five years after Richard and William had finished in the juratcy and probably died, a Thomas Smyth became a jurat, and he was possibly a son of one of

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<sup>268</sup>Ly/fac 2, p. 16, p. 93, p. 226; Ly/JQs 1, fol. 17v.

<sup>269</sup>See Section 2.1.

<sup>270</sup>*ibid.*, and for Edward's leases see Draper, 'Farmers and Capitalists'.

them. However this was the only year he held the post, and it was not until the 1480s that a Smyth again became a jurat in the form of John, a farmer. Conflict on Dengemarsh with Andrew Bate may have had much to do with this lapse, as both the aforementioned Thomas and another William Smyth were forced to leave having been intimidated and had crops threatened by the encroaching cattle.<sup>271</sup> It was with John Smyth who became jurat in the late 1480s that the Smyths fortunes were revived to some extent. He obtained the expensive lease of Scotney manor and its sheep between at least 1486 and 1508, before probably relinquishing it to Vincent Danyell jurat, later followed by Thomas Strogull, above. These leases had to be safeguarded and farmers were integrated, not only through the juratcy, but through bonds or securities in this respect, Thomas Robyn among others providing this for John Smyth in 1497 at the renewing of the lease of Scotney.<sup>272</sup>

This is where we come to Thomas Smyth, yeoman, and his brother Laurence who were sons of John and beneficiaries of his will in 1513. The will lacks a description of holdings but on the whole appears modest. Laurence the executor received his father's message in which he dwelt and the residue of lands not bequeathed with three horses, six cows, two bullocks and a heifer. Thomas received 'all my lands I have in a place called Promhyll' (i.e. adjacent to Scotney), with three cows, two 'buddes', twenty sheep and twenty lambs. We hear no more of Laurence, and Thomas may have been passed property by Laurence. References in the courts to a Thomas Smyth, as shepherd in 1509 and husbandman in 1518 may indicate the same man and his transition after the inheritance in 1513. There is also a reference in 1519 to a Thomas Smyth, fowler, and this may be the line that produced Henry Smyth, servant of this Thomas the jurat, and in the depths of the commoners in 1528.<sup>273</sup>

Thomas was jurat in the years 1523-34, and by his will of 1534 he was described as a 'yeoman', suggesting significant improvement,<sup>274</sup> and of Westbrook which was about a mile north-west from Lydd High Street, although still in Lydd parish and liberty.

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<sup>271</sup>See Section 2.1 for closer analysis.

<sup>272</sup>Draper, 'Farmers and Capitalists'.

<sup>273</sup>Ly/JB 1, fol. 14r, Ly/JB 2, fol. 2r, fol. 16r.

<sup>274</sup>Wills tended not to overstate status unlike some records, although he was certainly not on a par with Peter Godfrey, yeoman, described earlier.

However he distributed his property more evenly than the other farmers above; to his recent and latest wife who had other heirs, and to his two sons John and William. His wife received his principal tenement for her life, six best cows with calves and twelve buddes 'sheftyde out of all ye Catell', two oxen she brought with her to the marriage, three mares, ten swans, ten lambs, four piglets, three parts of his poultry, two seams of wheat and malt, eight acres of wheat and all his hemp. Pasture was to be found for the cattle, and food and housing for her children. She also had her own lands. And so an element of mixed farming was a feature again, although a cattle herd is referred to here, probably already in the hands of his sons. Besides this probability, his two sons were to *share* the principal tenement after their stepmother's death, with a barn and close next to the common pond in town and all lands at 'further geusing'. Also the residue of the freehold lands was to be *shared* between the two sons forever.<sup>275</sup> Eight acres was to be sold to pay for a new pyx in the church. Thomas also gave small amounts of livestock to possibly seven servants, four male and three female.

Such sharing was more of a feature of the inheritance strategies of lesser jurats and commoners as will be seen below and betrays a less substantial property base and contrasting mentality to the big farmers we have already looked at who set sons up on their own. However one of Thomas's sons, William, made it into the juratcy, although not until 1559 and he died a few years later. William paid a respectable 4s scot in the 1556 common scot rating, although this was a significant rung below the other farmers.<sup>276</sup> John who as Thomas's executor was probably the eldest son, was a 1528 commoner and died in 1540 as a butcher-husbandman, and we will be looking at him below.

### **Larger traders and/or middling farmers**

These are Simon Nichol, Luke Gerves, Thomas Tye, John Caxton and William Greneway.

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<sup>275</sup>Twenty-one acres of land and other features in the Old Langport rental of 1551 appear under the title of 'heirs of Thomas Smyth'.

<sup>276</sup>Ly/FR 1.



I do not want to dwell on Simon Nichol and Luke Gerves because they were probably farmers with similarities to Thomas Smyth, although no official representation followed in their families. These two joined the juratcy in 1535 having been together as chamberlains for the previous five years. Gerves was an immigrant and judging from relationships in widow Agnes Gerves' will in 1521, who was probably his mother, he was from Lenham, she receiving 20li out of her husband's land sales, some of which she gave to the vicar there. Luke possibly invested his inheritance in the marsh. He mentions no lands in his will of 1538 which is a tie-up will, although he at least held a significant tenement from the church worth 10s (in part only) in 1529.<sup>277</sup> William Wynday a 1528 commoner was his servant in 1538, and two other Gerveses are mentioned in the will who may be his sons. Simon Nichol died intestate in 1547 but the inventory total is not known. He must have been the son of John Nichol, a jurat in the years 1478-1523 who held the Scotney lease from at least 1476 to at least 1483, before John Smyth took it up, as shown above. John Nichol's was also a tie-up will in 1523 although the 13li for his funeral forthfare was a particularly large one. Prior to this a William Nichol was town or common clerk of Lydd in the years 1469-74 and so Simon's status had a solid foundation.<sup>278</sup> Our only indication of his landholdings is in the borough court of 1533 as one of the occupiers of some of the 300 acres held off Thomas Swan, previously jurat of Lydd but by then of New Romney, who was selling to John Mayne, gentleman of whom we have heard before.<sup>279</sup> Margaret Nichol who must be the widow of John produced a wealthy widow's will in 1537, showing relations with a George Nichol of Canterbury. This must be the George who had been the main clerk in Lydd in the years 1523-7 at an unusually large salary of 9li a year.<sup>280</sup> Finally, as we have seen above, Simon Nichol held the principal tenement and brewery which Richard Stuppeny left behind when he moved back to New Romney in 1536, and so his farming activities were coupled with substantial ale-production and probably inn-keeping.

Luke Gerves's wife was referred to as 'Goodwife Jervas' in an entry in the chamberlains' accounts for expenses at a court day for which she was paid 13s.<sup>281</sup> It is this title,

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<sup>277</sup>Ly/ZP 1, p. 73.

<sup>278</sup>Ly/fac 1, fols 103-146.

<sup>279</sup>Ly/JB 3, fol. 76v; Ly/JB 4, fol. 1r.

<sup>280</sup>Ly/fac 2, pp. 97-136.

<sup>281</sup>Ly/fac 2, p. 141.

'Goodman' and 'Goodwife' which is a clear characteristic of the jurats who were larger traders in this section and their wives. It is also with these that we generally move away from large scale farming and see more involvement in other forms of trade.

Thomas Tye, John Caxton, William Greneway and their wives were, like Goodwife Gerves, all involved in organising provisions and labour for meetings and for important visitors; and also for the use of their houses for various occasions such as the choosing of soldiers, the setting of the common scot, for feeding the horses of royal officials, for the traditional venison eating, the looking over of charters, and for doling the alms corn to the poor. Most of these occasions, including the latter, involved a banquet for the jurats.<sup>282</sup> They were also *all* churchwardens at some stage: Tye and Greneway in the years leading up to their positions in the juratcy, and Caxton rather unconventionally during his.

Most of the available evidence is for Caxton and Tye, Greneway probably being a fairly recent immigrant. This evidence comes in the accounts and refers to their supply of manufactured and hardware products for the town government and the churchwardens. Tye who joined the jurats in 1528 seems to have been a skilled craftsman in armoury, doubling-up as a smith of precious metals. He rented a shop from the church from at least 1520 when the churchwardens' accounts begin. In 1521 he was paid 8d 'for a casse & gerdill for arrowis' and 2s 1d 'for 35 ellys of brode gerdillys for swordys'. In 1536 he was paid 3s 4d for 'mendyng certen harnes the same time sendyng therto nailes gurdelles & bockelles'. He was also very much involved in the organisation for the big St George play in 1533, visiting Master Richard Gibson, a Merchant Taylor of London and sergeant-at-arms of the royal household, in London a few years earlier. No doubt Tye was seeking advice on the style and material for the costumes and armour that would be needed. Tye was also continuously buying broken silver off the churchwardens. For example in 1519 and 1535 he paid 6s 8d, and in 1521 he paid 8s for such material. He used it to mend or make silver ware. Working for the churchwardens he was paid 20d in 1521 for 'mendyng best sensur', 2s 4d for mending the second senser and 3s 4d mending 'silver cruetts' in 1528; and in 1535 he was paid 13s 4d for mending the best cross. He also dealt in hardware and other materials, being paid 10d for board for the church house, and 8s 8d for ribbon and canvas. His will in 1549 reinforces his involvement with

such things, containing two-and-a-half yards of tawny damask, a horseman's harness, a gun with a firelock, his seal of silver and gilt and his striking array of intricate silver spoons, some with the apostles' heads on them and some with maidens' heads. He may of course have either made or bought these spoons although the latter seems more likely because it is difficult to understand why such a business would be set up in such a small town. However Richard Stuppeny mentioned a set of spoons with apostles on them in his will of 1540. Tye's wife was also paid 9s in 1534 for '12 ells of lynen clothe to make a surplyce and 2 rochetts' and 6d for 'whit vngkull for the new graylis' in the church house the following year, revealing her direct involvement in the business.<sup>283</sup>

John Caxton who was a jurat in the years 1525-40, was referred to as 'mercier' in the court books in 1519.<sup>284</sup> He supplied similar materials for armoury along with the more mundane hardware. For example, in 1512 the chamberlains paid him and James Swan 21d between them for 'gerdylles, poyntes and bowstrenges' and himself 14d for similar merchandise including buckles in 1523. Also in 1514 he was paid 14d for one and a half yards of fustian, and like Tye was involved in payments concerning the play in 1533. He was much more concerned with hardware though, providing the churchwardens in 1534 with a lock for the court house, 'canvas and nayles that was sett on the wyndowes when the grete wynd was', planks and board for seats in the church, 'evis borde furring peaces and lath for work of church house', and 'C [100] brekes for the lede furnes'.<sup>285</sup>

Caxton's will in 1540 however, shows he was also involved in fishing. He passed on to Augustine, one of his two sons, 'one manfare flewes [nets], one sprat net with all new Regge and a [gap] and right of my draw net'. This occupation, as we have seen in Chapter Two, Section 1.2.2, and will see more evidence of below, was not a characteristic of the more substantial townsmen, and this point is shown in significant differences between him and Tye as traders and as landholders.

The court books show that Tye often worked in partnership with the more substantial jurats. In 1531 he and Andrew Bate said that George Gryffyn of Winchelsea owed them

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<sup>282</sup>For example, Ly/fac 2, pp. 4-6, p. 48, pp. 93-94, p. 117, p. 158.

<sup>283</sup>Ly/fac 2, p. 166, p. 205; Ly/ZP 1, p. 3, p. 18, p. 63, p. 68, p. 75, p. 96, p. 114, p. 126, p. 128.

<sup>284</sup>Ly/JB 2, fol. 16v.

<sup>285</sup>For example, Ly/fac 2, p. 12, p. 173; Ly/ZP 1, p. 11, p. 101, p. 117, pp. 126-8.

3li 6s 8d, and the same year John Mores of Winchelsea, Richard Stuppeny and Nicholas Purfote of Lydd made a recognisance of a 3li 12s 8d debt to him and Robert Robyn. This was in contrast to Caxton who frequented the court claiming small debts of mainly under 10s from recognisably poor people and those of lesser means, suggesting deals of much smaller scale or possibly merchandise he allowed on tick but which was never paid. However he did claim debts from people outside the town; for example 3s 4d for canvas in 1513 from Laurence Cely of Hastings, and he instigated letters of process concerning 8s 8d and two seams of wheat in 1519 from John Fregeham of Smallhythe near Tenterden, and 40s the same year from Robert Stonaker of Winchelsea.<sup>286</sup>

The implementation of these letters may suggest that he was struggling at this stage having in 1518 sold all his lands and tenements in Lydd and Kent to William Adam and Edward Hewett, both jurats.<sup>287</sup> However he was feoffee in four surviving wills between 1524 and 1533 suggesting some recovery, albeit insecure, revertible property.<sup>288</sup> This recovery may have been due to opportunities provided by the wars for armoury, and his taking up of the fishing trade which is indicative of adaptation in this period.

The Caxtons had begun well with John's father Thomas Caxton, a celebrated litigious clerk who came from Tenterden in 1458 and became jurat between the years 1468-71.<sup>289</sup> Thomas was described as both 'yeoman' and 'chapman' in 1468 and 1472 respectively, the former relating to conflict on Dengemarsh when he was sued to Westminster by the bailiff of Battle at the instigation of Andrew Bate having sided with those whom Bate had hurt.<sup>290</sup> His political assertiveness led to him receiving a royal pardon for his role in Fauconburg's rebellion three years later, he being the named representative of others from Lydd who were also involved.<sup>291</sup> We know he was lessee of Bletching at least in the years 1468-70, although this was minute at sixteen acres, and held various tenements in the town in or near the High Street suggesting commercial property. This property laid

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<sup>286</sup>For Tye see Ly/JB 3, fol. 21v, fol. 36r. For Caxton, Ly/JB 2, fol. 7v, fol. 16v.

<sup>287</sup>BL, Add. Ch. no. 8597.

<sup>288</sup>The wills are Edward Hewett, 1524; John Roper, 1524; John Dyne the elder, 1527; Sir Simon Leche, 1533.

<sup>289</sup>See Chapter Two, Section 1.2.3.

<sup>290</sup>Ly/fac 1, fol. 122v, 179v.

<sup>291</sup>PRO, Ancient Correspondence, Chancery and Exchequer, vol. 57, no. 108.

the foundation in his will for John and his other two younger sons, William and Thomas who were all set up individually and equally in 1495. However, William died in 1513 leaving a tie-up will, and we do not know what happened to Thomas although he was presented as a brewer-cum-innkeeper in 1489. John, our jurat of 1528, in his will of 1540 gave all his lands and tenements in Lydd town to his wife for life then to be passed to his sons Augustine and Sebastian. They probably moved in to these fairly soon because their mother married Thomas Tye before his and her will in 1549. This was no doubt, among other things, a shrewd business amalgamation concerning both property and skills. Neither sons made it into the juratcy, although Augustine was in a fairly healthy position in the 1554 barons' scot with the bottom rung of the jurats, having benefited from the property of his unmarried brother who died in 1551.<sup>292</sup> Reinforcing the lesser status of this family among the jurats by this stage, a Robert Caxton appears as a fisherman partner in the will of William Lucas in 1549, and an Edward Caxton was a fisherman on the muster list of 1567.<sup>293</sup> These could well have been John Caxton's grandsons.

There were no more Tyes following in official positions because Thomas had no sons rather than because of lack of wealth. In fact the landholdings devolved in his will of 1549 were more comparable to some of the bigger farmers. First of all he passed one lease he held off John Mayne, gentleman, to husbandman William Reche. He passed to his youngest and unmarried daughter another lease which he held off a Mistress Denton along with his principal tenement in Lydd where he dwelt, and the moiety of a close, garden and orchard, along with other lands in and near the town. His eldest daughter, who was married to a man of Appledore which lay on the north-east edge of Romney Marsh, received another tenement adjacent to his principal one, his stable and hay house in the close there, and the other moiety of the property that was given to his other daughter. These various tenements are detailed in the 1556 Aldington rental including a dovehouse and a stonehouse and these are described as belonging to his heirs and as yet still unmarried daughter. His bequests of 22li to each of his daughters put him in one of the top rungs concerning dowry bequests at this stage, and having high status jurats such as William Barowe and Peter Godfrey as supervisor and executor respectively this was also an indication of high status on his behalf. Like Peter Godfrey and Robert Robyn,

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<sup>292</sup>PRO, E 179, 231/229.

<sup>293</sup>Ly/AL 4.

Tye's will also has a Protestant preamble. Robyn as we have just mentioned was a partner in trade.

The Tyes go back in the Lydd records to 1448 when a certain John Tye was paid expenses for the bailiff and jurats at the reading of the account of that year.<sup>294</sup> However it was not until Thomas's father John Tye who became a jurat by 1507 until 1512, that the Tyes entered central government, John having made the step from common sergeant.<sup>295</sup> John's will of 1512 was another tie-up as were many at this time. He simply gave his two daughters and Thomas a share in his tenement which is seen in the churchwardens' accounts in 1520.<sup>296</sup> Thomas's shop must have been passed on to him earlier, along no doubt with his trade skills from his father. It is very likely then that he built up wealth from this trade supplying the almost continuous wars with France, Holland and Scotland and investing it in property. He had at least three main servants. His rise in wealth can be uniquely traced because the chamberlains kept exempting him from paying his common scot because they were in debt to him on numerous occasions. This scot was 3s 4d in 1528-9, which was already significant by then, and enough to secure his entry into the juratcy in that year; 4s in 1531, 6s in 1532 and 7s in 1535, and yet the total town scot had remained a steady 13li throughout these years. So the relative value of his moveable property had risen significantly in these very years when most people were experiencing the opposite.<sup>297</sup>

William Greneway joined the jurats in 1528. There is little direct evidence of the trade of this man, the remaining 'goodman' in this list, and this is because he was probably a relatively recent immigrant. However, it is almost certain that he was a tailor or mercer because his son James appears as a tailor in the later assembly book. He rented a large tenement off the church for 33s 4d from at least 1522 to 1534, and rents off the church in Lydd suggest a commercial interest.<sup>298</sup> His will of 1554 mentioned landholdings only,

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<sup>294</sup>Ly/fac 1, fol. 179.

<sup>295</sup>Ly/JB 1, fol. 10r.

<sup>296</sup>Ly/ZP 1, p. 1.

<sup>297</sup>Ly/fac 2, p. 132, p. 167, p. 171, p. 198. Scot ratings on individuals represent their share within a set amount required by the town for a particular year rather than directly representing a person's total wealth. Hence, the more wealthy people there were in the town, the less scot each of them paid. The bottom line of 4d for the poorest above those on the poor list however remained the same.

<sup>298</sup>Ly/ZP 1, p. 19, p. 120.

giving his son James all his lands and tenements in Lydd (amounting to a messuage and close in the Aldington rental of 1556) and elsewhere in Kent (possibly where he came from), paying the other son John, 4li within a year out of the profits. He gave his wife two cows of her choice, implying a larger herd, and two cows each to his son and daughter. His wife was also to receive the jewels and silver platters she brought to the marriage, implying some wealth, although there is no indication of where she was supposed to live. The privileged son James became common sergeant in 1540, having taken over after the death of mercer and 1528 commoner John Mighell.<sup>299</sup> He possibly therefore already had property unless this status was assured by the forthcoming inheritance from his father. However, despite this later inheritance James never made it into the juratcy, although neither did any other such trader. Indeed, his poor showing in the 1556 common scot rating with only 12d suggests this inheritance was limited.<sup>300</sup>

Greneway also seems to have been rather unpopular in the crisis years. In 1531 John Smyth, butcher and 1528 commoner, set fire to his house.<sup>301</sup> In 1535 he also was involved in a legal suit at Dover against John Dyne senior, Richard Dyne, William Nocton and James Robyn junior, all of whom were 1528 commoners except Richard Dyne who was John's brother.<sup>302</sup> All of these except Robyn, as we shall see were fishermen, although the Dynes like Robyn also had some landholdings. Greneway was also a plaintiff in a significant 13s 4d debt against Stephen Strete, son of a fisherman in 1513, and was responsible for policing the 6li debt of Thomas Herte, fisherman to the church from 1520.<sup>303</sup> Both of these men of fishing background were on the poor list of 1528, including the widow of Herte's master Clement Galion. And so on the face of it, some conflict with the fishing trade emerges suggesting he may have been involved in some commercial capacity perhaps as a fishmonger. However the conflicts are directed to the commoners in general and so there may have been a more political-legal basis to the dispute. The suit of 1535 must have been serious because it took Greneway out of the juratcy between 1535 and 1539 when he returned to it until his death in 1554.

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<sup>299</sup>Ly/fac 2, p. 228.

<sup>300</sup>Ly/FR 1.

<sup>301</sup>Ly/JB 3, fol. 36v.

<sup>302</sup>Ly/fac 2, p. 197.

<sup>303</sup>Ly/JB 1, fol. 4r; Ly/JB 2, fol. 27r.

### **Lesser traders, fisherman-farmer and small farmer**

These are, Robert Ferrour, Thomas Gate, John Kempe and John Colyn senior.

The least prosperous section of the juratcy reveals a mixture of trades. Thomas Gate and Robert Ferrour were chandlers of sorts, John Kempe a fisherman-farmer and John Colyn a small husbandman. The limited wealth of these men reveals striking differences not only between them and the big farmers at the prosperous end of the juratcy, but by implication the enormous differences between those big farmers and the rest of the town.

Robert Ferrour was a jurat in the years 1521-32, but our last record of him is in 1536 when he abated a small 8d common scot and we do not have his will. This is the only example of a man living beyond his years as a jurat in this period and who remained in the town. Like Greneway, his house was burned in 1531, this time by Stephen Wyberd fisherman, son of a previous jurat but now on the poor list.<sup>304</sup> Interestingly in 1534, John Smyth, butcher and 1528 commoner who had set fire to the house of Greneway, answered a certain plea by Ferrour's wife, with another one of trespass.<sup>305</sup> Like Greneway, this conflict with the commoners and poor, in one way or another must have removed him from office, and this will be looked at in more detail in the next section. Thomas Gate was jurat from 1535 to 1540, the latter date being that of his will.

Our information for Ferrour's and Gate's occupation again comes from their supplies and rents to the chamberlains and churchwardens, offices they had both previously held. Ferrour made the main candle for the high beam in the church at Michaelmas and Christmas from 1519 to 1532 at 5s to 6s 8d a time. In 1526 he supplied the timber for a gin and cradle presumably to raise the beam. In 1520 he paid 4d rent for a tenement once John Tye's which was the one mentioned above, and probably his workshop; and the same year he owed 43s 4d for a small piece of land he bought from the church.<sup>306</sup> Thomas Gate was apparently doing far better supplying large amounts of wax and torches from 1527 to 1535 rather than actually making the candles. For example, in 1527 he was paid 14s for 24lbs of wax for the high beam and in 1533, 28s for half a

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<sup>304</sup>Ly/JB 3, fol. 38v.

<sup>305</sup>Ly/JB 4, fol. 1r.

<sup>306</sup>Ly/ZP 1, p. 1, p. 2, p. 8, p. 17, p. 28, p. 47, p. 55, p. 67, p. 74, p. 93, p. 98.



hundredweight. In 1527 he was paid 6s 8d for two torches and in 1535 as much as 42s 4d for four torches. He also frequently supplied nails, as many as 3,000 for 7s 6d in 1535. He also supplied 'candell, sprig & nayle' for the St George play in 1533 for 3s.<sup>307</sup>

We have no other record for Ferrours in Lydd after this. Gate's will in 1540 was a sparse tie-up mentioning no lands, although Thomas and Richard Gate, presumably his two sons, were in the barons' scot list of 1555 rated among the least prosperous commoners.<sup>308</sup> The son Thomas must have taken over his father's business, because he was appointed sole common chandler in 1566.<sup>309</sup> However, he is also described as being among the fishermen commoners in the muster of 1567, with Richard in the 'landmen'.<sup>310</sup> Whether this means Thomas, the 1528 jurat, was involved in fishing is not clear but likely. His father, also a Thomas, was a fisherman or mariner, but had to sell all his 'rechia' and all other 'craft for the see' for debts in his will of 1501, perhaps forcing Thomas to involve himself in another trade. A few decades earlier there was a Roger Gate who was a ship master in 1475-6, and a Richard Gate who was jurat in the years 1478-80, and these could have been Thomas's uncles, or one of them a grandfather.<sup>311</sup> Curiously a certain 'Gate's widow' appears on the poor list of 1528 and it is possible that she could have been Thomas's mother because of the familiarity of the entry. He of course did not make it in the juratcy until 1528, despite having been a chamberlain some eighteen years earlier. The Gates go back to the beginning of the record, owning a few acres on Dengemarsh in 1432, although not entering the government until 1478. They would not do so again after Thomas.

And so elements of the fishing trade can be seen to be creeping into the multi-occupational economies of the middling wealth of the lesser jurats, with the Gates and Caxtons. But only with John Kempe do we have a bona-fide fisherman. He was jurat from 1535 to 1563 and was about as prosperous as a fisherman ever became in Lydd. This prosperity was stimulated by a measure of good fortune in terms of inheritance and bequests from partners, and also by a measure of respectability as hermit of Lydd later

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<sup>307</sup>*ibid.*, p. 58, p. 106, p. 127, p. 133, Ly/fac 2, p. 176.

<sup>308</sup>PRO, E 179, 231/229.

<sup>309</sup>Ly/JQs, fol. 17v.

<sup>310</sup>Ly/AL 4.

<sup>311</sup>Ly/fac 1, fol. 149v.

on. In his will of 1563 he passed to his son William, who was not yet eighteen, two kedle grounds and a cabin worth 32s a year rent. He also bequeathed three nets to three other men, probably friends or partners. He also bequeathed to his son after his wife's life, his principal tenement in Lydd in which he dwelt and eight and a half acres attached. Also attached to this tenement was another small tenement, within which, in an unprecedented gesture, 'a poor body' was to dwell, the upkeep being the responsibility of the holder of the larger tenement. These two tenements can be seen in the 1556 Aldington rental, along with ten acres and another two tenements together - one of which was the hermitage and two acres - a barn, a close with a small house for 8d, and another tenement for 4d. This was quite a collection for a fisherman, and the 10li dowry for his daughter and fine clothes mentioned in the will suggest that he had become relatively well heeled for this trade. His involvement with, and particular concern for the poor can to some extent be identified in the following analysis, but is reinforced as executor of Robert Sperpoynt's will of 1541. Sperpoynt was the hermit at the time of the poor list in 1528 and who was also involved in fishing.

We can trace the origins of this modest but unusual prosperity. John Kempe was the son of a fisherman-mariner also called John. This John was in his will of 1508 forced to sell his kedle ground and cabin after his wife Isabelle had held them for a year. He had been frequently in debt in the few years leading up to his death.<sup>312</sup> However, surprisingly, *our* John received these bequests in the will of his step-father William Strete in 1512 who Isabelle must have married soon after. William had been a jurat prior to his death,<sup>313</sup> and must have set his son Stephen up earlier in a trade, although Stephen ended up on the poor list of 1528. This kedle ground was probably the same one held by John referred to in the 1538 dissolution account for Dengemarsh, and this account also shows that he had recently sold a significant 6s 6d plot of land to Thomas Strogull there. It seems that his best break came in 1535 when Richard Maket, a 1528 commoner, gave him the two half-parts of his half-boats called the Peter and Edward with their apparel. John must have been his partner owning the other half parts. This bequest fell to him after Maket's son Robert had the use and profits of them for two years. It was probably no coincidence therefore that John Kempe joined the juratcy the same year. As we shall see with the 1528 commoners, the fishing trade involved the pooling of shares and partnerships of

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<sup>312</sup>Ly/JB 1, fol. 8r, fol. 11v, fol. 17r.

<sup>313</sup>Ly/JB 1, fol. 16r.

those with limited means, as with John Kempe and Richard Maket, and it was only the better off who had boats such as Kempe now had in his sole ownership.<sup>314</sup> This would have certainly provided Kempe with an advantage. Why Maket chose to give these to Kempe rather than to his son Robert is a mystery, although Robert did receive a lot of other equipment. It may have been due to debts, but this is not stated. However, Richard Maket's will shows a significant concern for the poor and perhaps with Kempe's disposition towards the poor there was another altruistic motive here. The links between fishing and the poor will be developed later on, particularly in relation to those on the poor list, many of whom were involved in fishing. There would be no other fishermen jurats after Kempe, as the large farmers whether originally from Lydd or elsewhere had by then monopolised the government and were later to take upon themselves a more supervisory role in the fishing industry.

There was another John Kempe, son of John Kempe in a will of 1511, and this may have been he described as 'feter' in 1519 and 'carter' in 1526.<sup>315</sup> His brother Thomas who received the only tenement in this will was after this no longer heard of. William and Stephen Kempe were among the 1528 commoners, although William, a fisherman in 1518, had slipped into the poor list of 1528 as well.<sup>316</sup> He had been the son of John Kempe, a jurat in the years 1465-94, and he had shared his father's lands and tenements with his sister stemming from the will of 1494. Prior to this there had been no government representation for Kempes and this seems to have been a feature of these men at the broad, least prosperous end of the jurats in the 1528 list, from Caxton downwards. Their ancestors were mostly long standing Lydd families in the second half of the fifteenth century, but in all cases they had been unable to continue this trend, and this must have been due to the lack of a strong farming base and the formation of a more exclusive constitution leaving fewer places available in government.

John Colyn the last of the jurats on the list was jurat from 1528 to 1535. He was probably the John Colyn described as 'husbandman' in 1520, and as 'of Dengemarsh' in 1526, rather than the weaver of the same name who only appears once probably to

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<sup>314</sup>See Chapter Two, Section 1.2.2

<sup>315</sup>*ibid.*

<sup>316</sup>Ly/JB 2, fol. 23v.

distinguish him.<sup>317</sup> His family line was of surprisingly limited means. His father was Hamon Colyn, a smallholder, who in his will of 1511 passed his only tenement to his younger son Edward after his wife had held it for a maximum of sixteen years. John was inconspicuous in this will suggesting he was already working lands. Hamon's brother and John's uncle was Thomas Colyn, a poor fisherman whose will we have for 1513. Thomas's son Stephen had his fishing equipment frequently stressed in the years 1528-30 because he could not afford the common scot.<sup>318</sup> John's will of 1535 reveals his decline and limited means, having to sell his house and lands, giving 4li to his wife and the rest to the church. Dengemarsch court rolls are illustrative of his history of holdings. In 1523 he had acquired a messuage and seven acres and another five acres from non-jurats, and it must have been these that he in turn sold in 1535. The courts show the sale was made to Robert Woodrouse a similar farmer in the year of his will.<sup>319</sup> This twelve acres then came into the hands of James Robyn junior a 1528 commoner and by the will of 1551 was another of Robert Robyn's accumulations, still called 'Colyn's lease', the messuage probably having since been cleared. John had in fact been in conflict in the courts with Robert's father Thomas in 1519 claiming that Thomas Robyn had unjustly detained his sheep, a cow and eight sheats or piglets.<sup>320</sup> One gets the feeling he was fighting a losing battle. However he did gain entry into the juratcy and this shows that it was still possible at this stage to do so with what on the face of it appears to be the property of a very small farmer indeed. There may of course have been an earlier a lease or two we don't know about, but the relative poverty of his will makes it clear that if this was the case, they had been of little benefit.

In summary and initial conclusion, what is immediately striking is the vast disparities of wealth within this group of jurats in 1528, despite any allowances made for those additional few who joined in 1535 and 1538. The leading group of jurats were big farmers and rentiers who by 1528 formed about half of the jurats. This was a change of great significance from the situation in the mid-fifteenth century when they formed a small minority and without such significant disparities of wealth between themselves and the mariner-farmers. This leading group, with the exception of the Smyths who

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<sup>317</sup>Ly/JB 2, fol. 21r, fol. 31v; Ly/fac 2, p. 124.

<sup>318</sup>Ly/fac 2, p. 132, p. 142, p. 157, p. 250, p. 252, p. 255.

<sup>319</sup>PRO, SC 6, 180/64, fol. 8r, fol. 11r.

<sup>320</sup>Ly/JB 2, fol. 31v.

overlapped with middling farmers such as Nichol and Gerves, had a number of distinct characteristics. Firstly the extent of their landholdings, leasehold and freehold, which as we shall see, even in 1528 were far superior to the more middling jurat farmers as such to form a distinct class; and indeed they were big yeomen and small gentry with the opportunity for improvement through speculative investment. Their property was extensive enough to later expand enough to draw significant rents from, in the manner of gentry, and property speculation would increasingly become a feature. Secondly, although there was still in the mid-sixteenth century an element of mixed farming within their general production, the vast predominance of sheep farming by 1528 is clear and it was and would continue to be practised on an ever increasing scale to the severe detriment of the majority of people in Lydd who were increasingly dependent upon these men for dairy and arable produce because fewer and fewer people had land of their own. Thirdly, there was a clear tendency among this class to compromise with the partible inheritance custom and provide at least one son with the lion's share of inheritance. This point is probably especially true of the more modest of them like Robert Robyn who were struggling to forge and maintain their position within an increasingly improving class. This relates to the fourth point, because this compromise ensured the perpetuation of at least one line of the family within this class through a larger economic base and crucially, increasingly powerful political representation in the central government of the town. This was achieved as we have seen to the detriment of other siblings, and the wider family clearly came second after the perpetuation of status through one line. Concentration of property opened doors to greater economic, legal and political patronage, something that would be valuable when the vast amount of ecclesiastical property would come onto the market. Finally, bearing the latter in mind, family connections would be important among this class as they were of course among the longer established gentry.<sup>321</sup>

The other half of the jurats in 1528 were made up of the more middling farmers just mentioned, and traders exhibiting a variety of wealth and diversity of occupations. Thomas Tye stands out from among these traders because his success at his trade enabled him to speculate in land, and he in fact formed partnerships with and was more assimilated with the networks and horizons of the larger farmers than he was with the other traders. In fact the latter traders had a tendency to rely on fishing for some of their

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<sup>321</sup>Elks, 'Demographic Study', p. 137; Mayhew, *Rye*, p. 118.

income and this was certainly not a key to success. There was one fisherman among this group, and his case was unusual at this stage. The larger traders, including Tye, appear to have formed a loose status group within the jurats at this stage and were called individually ‘goodman’ and their wives, ‘goodwife’. This was a title, however, that seemed to reflect upon their ability to organise provisions for various civic purposes, as much if not more, than upon their main occupation and income, although these two elements were clearly linked. It was such men and women and the lesser traders who were likely to be appointed common bakers, brewers and innkeepers in addition to their main trades, as I have indicated in Chapter Two Section 1.2.3. What also stands out among the rest of the jurats below the leading group of big farmers is that none of them, apart from Thomas Smyth, produced jurats after their deaths, although Tye had no children, and clear inheritance patterns are difficult to gather from the evidence of this group. However, because of the general limitation of the property of this group, any concentration of inheritance upon one heir to attempt to perpetuate a place in the juratcy would have left the others extremely impoverished and therefore this would have been in most cases an undesirable strategy. Thomas Smyth certainly shared out his property, as did Caxton and his father before him; and so probably did Thomas Gate. The sharing of inheritance however was more clearly a strategy which characterised the commoners.

## **1.2.2 The commoners**

The commoners were made up of a few more middling farmers who were sons of jurats, fishermen who were small farmers, fishermen without an identifiable property base, and small farmers and labourers, although there is often little distinction between the latter two. In addition there was an odd one out with characteristics similar to the lesser traders in the jurats and I will begin briefly with him.

### **Lesser trader**

John Mighell was styled ‘mercier’ in the borough court of 1512, and like John Caxton he was frequently in court as a plaintiff against small debtors between 1511 and 1540.<sup>322</sup> On two occasions when the plea concerned a substantial amount, he was the defendant. For

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<sup>322</sup>Ly/JB 1, fol. 34r, fol. 38r, fol. 38v, fol. 45r; Ly/JB 2, fol. 9r, 28r; Ly/JB 3, fol. 6r, fol. 16v, fol. 18r, fol. 30v, fol. 32v; Ly/JB 5, fols 13v-14r.

example in 1518 he owed Edward Bosom for ten quarters of oats price 53s 4d, and in 1530, a Peter Fowler from another unstated Port sued letters of process against him, demanding 6li.<sup>323</sup> These were clearly his wholesale debts. He seems to have begun as a ship's purser, organising ship hire, expenses and wages in 1512. He also supplied hardware for the church, including torches, in the production of which he worked in conjunction with the sexton, John Baker who actually made them.<sup>324</sup> However, it is his position and activities as town sergeant which fills the chamberlains' record, which began probably in 1512 when his coat was made for his office, and finished on his death in 1540.<sup>325</sup> His salary for this office was 26s 4d a year. In terms of property in these years, he paid 11s 8d in 1520 for the farm of the church house in which he dwelt.<sup>326</sup> Like some of the goodmen in the jurats, although he was never styled so, he was paid for the use of his house (probably the church house) and expenses on various occasions by the government.<sup>327</sup> His will in 1540 was rather modest, passing his unstated lands and a tenement to his wife and daughter for their lives, before it went to his young son, who was to receive 10s a year from the property until then. And so there would appear to be some overlap in terms of wealth and occupation with some of the lesser jurats, and it is likely that he was well suited to the sergeantship and this kept him out of the central juratcy. It is probable he was the son of another John Mighell who died in 1508 leaving a tie-up will, this being the only other Mighell in the records before and after himself.

### **Middling farmers and butcher**

Those in the commoners who were theoretically the wealthiest and had the highest status within the remainder of the commoners, were the farmer-butchers, John Smyth and James Robyn junior. John's father was a jurat and James' two brothers were jurats, and both of these commoners came from directly preceding jurat lines. They both appear to have had problems however, and are both recorded in the courts many more times than any other, including various cases entering pleas against each other.

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<sup>323</sup>Ly/JB 2, fol. 9r; Ly/JB 3, fol. 18r.

<sup>324</sup>Ly/fac 2, p. 3, pp. 6-8; Ly/ZP 1, p. 73, p. 95, p. 114, p. 121, p. 124.

<sup>325</sup>Ly/fac 2, p. 10.

<sup>326</sup>Ly/ZP 1, p. 3.

<sup>327</sup>Ly/fac 2, p. 43, p. 53, p. 130.

Beginning with James Robyn junior, we have already heard how he seems to have given up the large farm to his brother and jurat Robert, which was bequeathed to him by his father in 1526. This may have been due to James' possession of another farm elsewhere, because in 1530 he was the defendant in a plea of a rental debt and unjust detention of 40li by 'Guy de Boos de Seynte Walley' and Franus Garneter, presumably of France.<sup>328</sup> This was of course during the crisis when debts were being called in and the systems of credit were clearly under strain. It would appear that James was therefore forced to call in *his* debts, because soon after this he was plaintiff against seven other people including a widow on the same day. Six of these were pleas of debt and one of trespass.<sup>329</sup> One of the more substantial debtors, Edward Coombs made a counter plea of broken contract. At least two of the debts were significant because John Bacon made a recognisance to pay 43s 4d debt by a certain time, and Richard Dent was bound to 3li 13s. The following four years saw James also calling in debts including repeated pleas against John Smyth with whom he was also on the receiving end.<sup>330</sup> However from 1534 until 1540 he was mainly a defendant as debtor and trespasser against significant plaintiffs including John Mayne, gentleman, in 1538.<sup>331</sup> He was still on a commoner's list in 1542, but the last we hear of him is on a 1548 muster and living on Dengemarsh where he probably still held the small messuage recorded in his name in 1538.<sup>332</sup> However, the 1548 muster shows he was still in possession of a large amount of armour and weaponry on a par with the jurats, which would indicate that he certainly was not down and out.

John Smyth was also in the courts calling in strings of debts in the years 1530-3 although he was also on the receiving end of some jurats and James Robyn junior.<sup>333</sup> 1531 was of course when he set fire to Greneway's house.<sup>334</sup> We do not have a debt or a direct motive to relate to this action, but there could have been one where there is now a gap in the manuscript. In 1533 he abated a small scot of 4d and in the following years was as much in debt as he had debtors, this certainly being a period in which he was struggling

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<sup>328</sup> Ly/JB 3, fol. 1v.

<sup>329</sup> Ly/JB 3, fols 14v-17r.

<sup>330</sup> *ibid.*, fols 26r-80v.

<sup>331</sup> Ly/JB 4, fols 1r-14v; Ly/JB 5, fols 2r-17v.

<sup>332</sup> Ly/fac 2, p. 245; Ly/AL 1-2.

<sup>333</sup> Ly/JB 3, fols 3r-86r.

<sup>334</sup> *ibid.*, fol. 36v.



and expressing some anger.<sup>335</sup> His will of 1540 however reveals a rather healthy middling farmer-butcher. He mentions no property, perhaps because he was sharing it with his brother William, and William would have had his father's complete estate from here on, thereby helping him later into the juratcy. John's use of the property is implicit in bequests of over seventy ewes, eight cows, four horses, two 'buddes' and a wain yoked with two oxen. This was mainly spread among two sons and two daughters although the eldest son who was not yet twenty-six years old received the wain. His title 'butcher' is reinforced in the will in which a bullock was to be killed for the poor, a common act among butchers. He was also paid along with John Caxton the bailiff, 45s 10d by the churchwardens for wax in 1529 which was of course a by-product of the trade. He rented his shop like many others from the church for 8s a year.<sup>336</sup> This moveable property would have given him a middling status, rather than that of a bigger farmer, and the dowry bequest of only 2li to his daughter reinforces this assertion.

### **Fishermen-farmers**

The backbone of the remaining twenty-five commoners of 1528 was a group of about five fishermen whose trade was supported by a small farming base, plus a number of other fishermen with varying means. Some do not seem to have come from fishing backgrounds, although most would have had fishing links in Lydd of some sort or other; and it may be that these were originally smaller farmers feeling the pressure from the engrossers, and out of necessity formed partnerships and fellowships in the fishing trade, these two occupations mutually supporting each other, and in some cases generating further wealth and property. More so than any other occupation, fishing and shipping was a shared experience among those of lesser means who clubbed together to buy and make boats.

The fishermen-farmers are Robert Butcher, Thomas Hall, Richard Maket, John Dyne senior and John Danyell.

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<sup>335</sup>Ly/fac 2, p. 176; Ly/JB 4, fols 1r-14r; Ly/JB 5, fols 1v-18r.

<sup>336</sup>Ly/ZP 1, p. 74, p. 112.

Robert Butcher was probably the most successful of these fishermen-farmers, his property enabling his son William to enter the juratcy by 1552. However, he was the only one of the remaining commoners to accomplish this. In his will of 1540 he firstly passed his own boat and cabin at the Ness to his son William. Robert had recently undertaken a shared investment with Thomas Hall, another commoner, in the manufacture of a boat which lay on the stocks unfinished. Robert passed *his part* of the boat to William, giving him the means to finish it, along with his part in another boat in which he had invested in a partnership with fisherman John Miller. He also sold his part in a 'tugge net' revealing another shared investment. Also concerning fishing, Robert gave the profits from his shot nets and hooks in his new boat from the next 'shotyme' season to his wife, the profits being shared by his wife and son from then on. His wife was also to receive three lines of hooks. It is not clear whether she would fish with these herself or loan them out, or perhaps use them as a share in a fellowship. Regarding landholdings, he left his wife his tenement that he dwelt in for her lifetime, then to be passed to William. William was also to receive the rest of the lands and tenements. His wife would also receive ten sheep, two 'mare stags' and ten stones of hemp, the rest of the hemp going to William presumably for making rope for boats.

And so this will amounted to a good deal, and included shares in two boats as well as sole ownership of at least one putting him at least on a par with John Kempe. However, Robert would appear to be, and have the means to be more ambitious than this, and he tried to set William up with the Northlade lease on Dengemarsh in 1536. The means could not quite have been there at that stage because the following year he had surrendered it and it was leased out to Thomas Strogull for another thirty years, Strogull having held it up to the year before. However, by 1555 William had become the fifth wealthiest in the town according to a baron scot (although at a point when a number of the wealthiest jurats had died within a few years) and in 1563 took up the Northlade lease for twenty years for the yearly rent of 22*li* with a fine of 66*li* to the exchequer, and he passed this on to his son Robert in 1575.<sup>337</sup> William's lands in the Aldington rental in 1556 included a tenement, a stable and a close together, a principal tenement once Caxtons, for 8*d*, another close for 6*d*, two tenements and two closes together for 12*d*, and a small tenement next to these. These were all near the church and in the market

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<sup>337</sup>For the Northlade references see *Calendar of Patent Rolls, Edward VI-Elizabeth I*, 16 vols. (London: HMSO, 1924-74), 1560-63, p. 467; 1569-72, p. 127; 1575-8, p. 99; 1580-2, p. 202.

area. In addition, the churchwardens' accounts show he held in 1552 two tenements from the church which were once Robert Ferrours', and in one of these he was to set up an oven.<sup>338</sup> And so William had set about accumulating tenements after his father's death including those of earlier, lesser jurats. Heavy earlier investment in fishing by his father along with profits from farming, and rents from accumulated tenements must have furnished him with these means.

Going back to William's father Robert, he and his brother John Butcher were both described as 'fisherman' in the courts of 1518, John also as 'riper' in 1517, buying and selling fish for the town. It was probably this John Butcher who was also paid small amounts for 'looking to the alms house' on some occasions, providing another link between the institutions of the poor and fishing.<sup>339</sup> These two fishermen were the sons of William Butcher, a yeoman, who may have been a jurat in the missing years of the accounts. In 1492 he bequeathed to them a share in his messuage after his wife's death. One suspects they had previously been granted other lands prior to this will, property enough to justify their father's title, although a yeoman need not necessarily have been very large in the fifteenth century. However they were still encouraged to go into the fishing trade perhaps sensing pressure on the landmarket from the larger engrossers. Their ancestors may well have been actual butchers, in the form of Gore at the beginning of the accounts, and Thomas who in 1466 was in conflict with the Bates.<sup>340</sup> It was alleged that Andrew and Henry Bate were hurting the craft of the other butchers at this time. What appears to have happened then, is that the inheritance of a small yeoman of probable jurat status was divided among two sons, similar to Thomas Smyth's above, and like the Smyths the wealth and status was therefore divided, the standard problem for those of middling wealth. However the two sons appear to have invested in the fishing trade in order to secure and re-develop their land base, which Robert and his son had successfully achieved, and which William Smyth had also done, although by another route. Only Robert Butcher and John Kempe seem to have been able to develop a land base from fishing profits, and this must have been due to the ownership of a number of whole boats, in addition to other partnerships, which would have made them significant fishing masters. The accumulation of boats would in some small measure have

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<sup>338</sup>Ly/ZP 1, p. 215.

<sup>339</sup>See Chapter Two, Section 1.2.2.

<sup>340</sup>Ly/fac 1, fol. 9v, fol. 129r.

similarities to the engrossment of holdings, because there would inevitably be a limitation on the numbers of boats allowed out. However the attitudes of fishermen appear to have been more towards solidarity through shares rather than acquisitive individualism, and this would have prevented movements in this direction as far as that was possible.

The other fisherman-farmer commoners were not so fortunate. Thomas Hall who was a partner of Butcher's in one investment, died intestate in 1545 with debts of 40li and an inventory worth only 20li. He also did not appear to come from a fishing background. None of the previous wills of the Hall family had indications of fishing in them, and the most likely candidate for Thomas' father was William who was a blacksmith of sorts, who in his will of 1517 passed his tenement to his son Thomas after the life of his wife. As a feoffee of two jurats in 1527, Thomas the 1528 commoner held land, although this was clearly revertible and therefore insecure. Another indication of his fishing links is shown in 1536 when he was overseer of Robert Mayhew's will, another fisherman-farmer commoner. He also acted as a surety for Stephen Wyberd a poor fisherman who set fire to Robert Ferrours' house in 1531, and was involved in court against Ferrour in 1534 and 1535.<sup>341</sup> He possibly had three sons, John and Richard who were rated among the lesser freemen in 1555, and Thomas who was on the fisherman commoners' list in the 1567 muster.<sup>342</sup>

Richard Maket was the partner of John Kempe who became jurat in 1535 the year of Richard's will, having benefited so well from it. Having bequeathed to Kempe his two half parts of his boats Richard still managed to give his son Robert a significant amount of fishing nets and his cabin at the Ness next to Kempe's. Regarding the farming side of his household economy, he bequeathed two freehold plots of three acres and half an acre to his wife, then to be passed to Robert along with all his other freehold lands. His wife also received four cows, all his sheep, a mare, all his pigs and poultry, a cow, all his corn, wheat and malt and 'other grene', his wood and two stones of hemp. The will in the same year of Robert Mayhew, another commoner, probably an immigrant, was almost identical. This was the basis of a self-sufficient smallholder undertaking highly mixed farming to support himself and his family out of season. Without this, a family would be dependent on seasonal fishing and other labour, perhaps like James and William Maket

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<sup>341</sup>Ly/JB 3, fol. 38v; Ly/JB 4, fol. 5r, fol. 10v.

<sup>342</sup>PRO, E 179, 231/229; Ly/AL 4.

who gained some work labouring on the sea walls to the south-west of Lydd between 1535-46.<sup>343</sup> The Makets are recorded in the 1432 Dengemarsh rental with minimal acreage like many others. Simon Maket made some accumulations on Dengemarsh in the 1440s, possibly up to thirty acres, and he and William Maket junior had made scot collectors in 1444 and 1481 respectively.<sup>344</sup> However these examples are unusual, and although the Makets furnished a number of wills up until 1519, these wills were very limited, and generally involved smallholders selling up. Again there is no indication of fishing in these wills, nor in those of Richard's parents. James Maket was a carpenter and in his will of 1486 he also had to sell his messuage. This was possibly the messuage called 'Macottes' on Dengemarsh that Thomas Robyn passed on to his son Robert in 1526. This situation may have led Richard Maket into the fishing industry, something possibly stimulated with the partnership with John Kempe, and also a marriage to a Danyell, largely a fishing family, although with striking exceptions as we shall now see.

The following two examples of John Danyell and John Dyne senior give interesting insights into inheritance strategies and family wealth and economy beyond individual households. John Danyell in his will of 1532 bequeathed to his wife a cabin, a capstan (a machine for winding in nets), 'and all things belonging at Ness'. However she abated his 4d scot soon after, which suggests hardship.<sup>345</sup> In 1521, John's brother Richard died and bequeathed to John and his mother a boat, and his married sister various nets, thus reflecting and supplying a need within the wider family. John had two tenements, one he bequeathed to his wife called 'Galondes' or Galion's, whose widow ended up on the poor list of 1528, and one in which he dwelt which he bequeathed to his mother for life, then to be passed to his daughter.

So John and his brother Richard were pretty basic smallholding fishermen at this time. Their father Richard was also a fisherman who died in 1501, being forced to sell up his boats and cabins. John was given only a sprat net, a flewes net and a manfare of shot nets. His brother possibly being older had already been set up by his father, although judging by his will in a rather limited way. Their father's brother and therefore their uncle William also died in 1501, and he also had to sell up his boats and cabins for debts; these

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<sup>343</sup>Ly/ZS, FA 1.

<sup>344</sup>PRO, SC 2, 180/64; Ly/fac 1, fol. 132v, fol. 166r.

<sup>345</sup>Ly/fac 2, p. 176.

were tools that one suspects would have been the last things to go in bad times, especially with available male heirs. However, one of their father's other brothers and therefore another uncle, was no less than Vincent Danyell, jurat, and one of the first of the big successful yeomen sheep farmers to emerge at the beginning of the sixteenth century and into the crisis period. Vincent, Richard and William were the sons of fifteenth-century jurat John Danyell. John's will in 1487 was concerned with the inheritance of his wife Joanna's previous family, the Bowis' of Hythe, including a windmill at Saltewood and a newly built messuage. It is not until his wife Joanna's will in 1490 that we realise John had three sons whom he may have already set up to some extent. However Joanna's will is interesting because she did not bequeath any real property to Vincent, just giving Richard and William a mixture of minimal livestock and arable, and a manfare of shot nets each, i.e. the property of a smallholding fisherman. The implication of this is that Vincent was probably given the lion's share of his father's estate, with Richard and William set up respectably as small farmer-fishermen. Such a strategy was designed to counteract partible inheritance and maintain class and government continuity in the family line as we have seen above. This estate obviously placed Vincent in a position to invest, and he also became farmer of Scotney manor and its sheep. However he appears to have bought up his brothers' messuages, one containing nine acres and one twelve acres which they had been bequeathed from their father, and therefore Vincent more than benefited at the expense of his own brothers, as Robert Robyn had done. The presence of Thomas Robyn with Vincent Danyell as executor or witness in Vincent's brothers' wills in 1501, and in others, is very suggestive in terms of this class formation at this time.

Vincent added another acre of his nephew John Danyell's to this haul in 1510, but returned it in his will in 1520 along with one of his best kine and 40s; and if John were to make a new boat, Vincent's executors were to give him another 40s. John's brother Richard, Vincent's other nephew, also received 40s, and in addition 10li towards the making of a new boat, but only if Richard sold his acre of land to Thomas Danyell which lay within Vincent's lands. Thomas Danyell was another of his nephews, and John and Richard's cousin. Vincent had no children, and this Thomas was favoured with his tenement and all the attached lands in Dengemarsch when he was twenty-four, that acre of Richard's no doubt being an irritation to capitalisation. Vincent therefore had a mind to engross in the process of bequeathing to his other nephews. His strategy, like his

father's was to maintain one Danyell line in yeoman and hopefully jurat status, and so Thomas also received 100 ewes, the money of another 100 ewes and twenty lambs, a couple of oxen, two mares and two cows. Ironically, Thomas died in 1554 without any children, and left all his property to his cousin, our John's daughter who was by then an Adam. That was the end of the Danyells' wealth in Lydd. Vincent in his will recognised that he had poor maidens in his lineage to whom he bequeathed 3s 4d each, and these were probably the daughters of his nephews. Compare this to the 10li each he gave to his executors for their labour in addition to much besides.

It would appear therefore that Vincent Danyell was more inclined to patronage and his class than even his close family, who from an early date in his father's inheritance probably seemed as smallholding fishermen completely different to him and they were vulnerable and forced to sell to him. Richard Maket had married one of Vincent's, and therefore John Danyell's father's sisters, and it is significant in terms of class and occupational links that Maket and John were involved as bonds for Thomas Herte's debt to the church in 1523. Herte was a fisherman servant of Clement Galion, ending up on the poor list of 1528 no doubt because of the debt, along with his master's widow.

In striking contrast was the inheritance system of John Dyne senior and that of his ancestors, which bears some similarities to the Danyell fishermen - as opposed to that of Vincent Danyell the big farmer - with the involvement of wider family in inheritance. John Dyne's father Adrian Dyne before him, set up *all* his four sons, Robert, John junior, Richard and himself the eldest John senior as fishermen in his will of 1519, including his half-boats in which he would have had partnerships with others unnamed. The three youngest were also to *share* his tenement in which he dwelt after his wife's life, which was almost immediately, John senior presumably having already been taken care of. Adrian's wife divided her substantial fishing equipment among them *equally* the following year. One of the brothers, Richard, died in 1545 and he passed all his fishing equipment to his brother Robert, splitting his boat in half between Robert and his (Richard's) wife. John senior was executor of the will. Richard's sister-in-law received his wheat and malt, and his tenement in Lydd. His lands in Brookland to the west of Lydd parish containing eleven acres went to his wife and thereafter to his two children. John Dyne senior, our commoner of 1528, had three sons, and his strategy in his will of 1548 was virtually the same as his father Adrian, although John also included his brother

Robert in the share. He gave his brother Robert the moiety of his boat called 'The Michael' - which his father had given him (John) twenty-nine years earlier - and the other moiety to his first son together with various equipment. Robert also received John's 'middle' cabin at the Ness. John's second son received the moiety of his boat called 'The John' together with two manfare of shotnetts and two of flewes, one 'bow' of small hooks and the fourth cabin at the Ness. So presumably he would have been in partnership with someone else who held the other moieties. The three sons were to share the rest of his cabins. The third son received two manfare of shot nets, two of flewes, two sprat nets and a heffer. Regarding his landholdings, he bequeathed his lands and tenements in Lydd and Brookland to his wife for her life, and then to be shared among his three sons. These properties in Lydd survive in the 1556 Aldington rental under the 'heirs of John Dyne', amounting to sixteen acres, two tenements and a close. Robert Dyne the surviving brother was on the barons' scot list of 1555 with a reasonably comfortable 12d scot.<sup>346</sup>

And so the continuity of inheritance strategies in this family in terms of the integration of siblings in all wills and the sharing, as far as was possible, *all* trade equipment and landholdings among male heirs is striking here. Attempts to improve one line are eschewed in favour of a combination of equal division and pooling of family resources beyond individual households. The Dynes were a long standing Lydd family, as was their continuity in the fishing-shipping trade. In 1434 another John Dyne was put in fetters for striking Sir William Love, Lydd's vicar. However John was removed by some shipmasters whose names were then taken to the Archbishop of Canterbury.<sup>347</sup> Dare it be suggested that such conflict with the church may have seen continuity into the sixteenth century, because Richard Dyne's will had an early Protestant preamble in 1545, and John senior was a co-overseer of the will of a probable fisherman John Inglott with another fisherman-farmer, Protestant Simon May in 1543. John senior was also involved with his brother Richard and another fisherman commoner William Nocton in that suit against William Greneway mentioned above in 1535, which temporarily took Greneway out of the government. Judging by the organisation of family relations alone, one suspects that this Protestantism took different forms than that of Robert Robyn and the later ruling Calvinism of Peter Godfrey, Thomas Bate and others.

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<sup>346</sup>PRO, E 179, 231/229.

<sup>347</sup>Ly/fac 1, fols 16v-17r.



## Fishermen

Brothers Robert and John Lucas, Robert Menwood and William Nocton were fishermen, or seamen for whom indication of farming activity is absent. However the partnerships and sharing of resources was similar to the more prosperous fisherman-farmers.

The Lucas's were sons of fisherman William Lucas, who in his will of 1507 instructed his eldest son John to share all his 'botes, cabins & see craft' with his (John's) mother Joanne. Robert received 20s. However Robert must have gained a share because in his will in 1549 he was titled 'fisherman' and bequeathed his half-boat and half-cabin after his wife's life to Robert Caxton, son of John the jurat who was presumably his partner. This has echoes of Richard Maket's bequest to John Kempe. Were these bequests to partners due to debts or friendship, or possibly even custom? Debts would normally be spelt out in a will. Robert also bequeathed a manfare of shot nets and a sprat net to his daughter to be had after his wife's death.

John Lucas was described as 'fisherman' in the borough court as early as 1512 when he appeared as a plaintiff in a debt case worth 3s against a kiddleman from New Romney. He also had a boat in the king's works in 1539, probably transporting materials for the castle-building projects of Henry VIII around the coast.<sup>348</sup> We do not have his will. In the late fifteenth century, the Lucas's counted among them a butcher, a blacksmith and a common clerk.<sup>349</sup> These were all of strong middling status, and so again we may have an indication of economic depression and a limited adaptation through fishing. The Lucas's didn't appear after this in the barons' lists of freemen.

William Nocton, in similar fashion to John Lucas, had his boat in the king's works in 1548,<sup>350</sup> but we do not have much else on him except he was frequently in debt, sometimes heavily, and accused of trespass in the years 1506-13 with numerous others,

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<sup>348</sup>Ly/JB 1, fol. 39v; Ly/fac 2, p. 226.

<sup>349</sup>For Robert, the common clerk, see Ly/fac 1, fol. 80; for the blacksmith see Thomas Lucas' will of 1501; for the butcher see James Lucas' will of 1489.

<sup>350</sup>Ly/fac 2, p. 222.

and he was involved in the later Greneway suit mentioned above.<sup>351</sup> He was in fact put in prison in 1526.<sup>352</sup> This was presumably for stabbing William Isebrand on Dengemarsh in what was a period of much violence leading up to the crisis period.<sup>353</sup> A number of years earlier, Isebrand had stabbed William Kempe, another fisherman commoner.<sup>354</sup>

Robert Menwood in his will of 1548 instructed that his half-boat be shared between his son and wife. His son also received a cabin at the Ness, two manfare of shot nets, two manfare of flewes nets, a sprat net and a sprat net gag. His wife was to get some of the profits of the cabin as long as she remained a widow. Robert's partner was John Huglen who was the most likely candidate to have been two decades earlier on the 1528 poor list. Huglen was to receive a black mare and instructed to sell the 'half Anchor' in his possession, and the money was to be divided between Robert's son and wife. It is also most probable that Robert stemmed from the 1528 poor list in the form of John Menwood's widow who must have been his mother. John Menwood had to sell his tenement in his will in 1526 leaving his wife homeless. However he did give her a flewes net gag, a pilchard net gag, and two flewes nets which she must have passed on to Robert. Robert was forced to abate a very small scot of 2d twice in 1526 and 1528.<sup>355</sup> Is it possible then that Robert Menwood and John Huglen formed a fishing partnership, pooling resources to bring them out of destitution and even into the commoners? Their families had not always been poor however. They counted among them jurats in the fifteenth century, and although there were no more Menwoods after this, Huglen's nephew actually made it briefly into the juratcy in the 1550s after numerous vacancies appeared with the death of six elderly jurats (half of them) within five years.

More will be said about those on the poor list below. Although they were in the commonalty and masters of their trade, some of the fishermen mentioned have been seen to be of limited means, with indications of a process of depression occurring among some of them in the years leading up to 1528. Although many of them had abated scots at one time or another, and this was not unusual because even some of the jurats had

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<sup>351</sup>Ly/JB 1, fols 4r-39r.

<sup>352</sup>Ly/fac 2, p. 119.

<sup>353</sup>PRO, SC 2, 180/65, fol. 8r.

<sup>354</sup>*ibid.*, fol. 3r.

<sup>355</sup>Ly/fac 2, p. 124, p. 145.

done this, the final two fishermen on the commoners' list, William Kempe and William Bette, showed more palpable indications of poverty in being stressed or having to pawn their possessions. This happened to both of them in 1527, the year before the poor list, William Kempe being on that as well as the commoners list that year. Kempe pawned a platter for 8d and Bette pawned 'a pece of new nett' as other poor fishermen did, one of the tools of their trade.<sup>356</sup>

This was the only indication that Bette was a fisherman, or a fisherman's servant at least, and he probably died soon after as there are no other references to him or other Bettes after the 1528 list. No wills survive, but earlier Bettes were of some status. William was common sergeant from the beginning of the accounts in 1428 to his position in the juratcy from 1452-68. Matthew and John who were possibly his sons were involved in official business in London, doing errands and making proclamations between 1466-85.<sup>357</sup>

William Kempe was styled 'fisherman' in the courts in 1520, but he was not directly related to John Kempe the fisherman jurat.<sup>358</sup> He was almost certainly the son of John Kempe who was jurat in the years 1465-94, and he himself was therefore probably the chamberlain of 1484-5. After this however things do not seem to have gone well for him. He was involved in an obligation of 10li with Andrew Bate junior in 1508, although the reason is not clear. The following year he was defendant in a plea of debt of 3li with wealthy jurat James Swan. Then in 1510 and 1511 he was involved in a number of trespass disputes at least one of them being a violent confrontation on Dengemarsh, as all trespass disputes were on Dengemarsh at this stage. Kempe was mostly plaintiff in these cases, and having been stabbed in the only case we have details for, it is likely that he may have been severely damaged in the other cases. By 1520 he was defendant against a small debt, a plea of account and one of broken contract, the latter two being against fishermen from whom he was probably borrowing.<sup>359</sup> His wife was given clothes from a widow in 1527 as were other poor, and she as his widow in 1531 was discharged of his

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<sup>356</sup>*ibid.*, p. 132 referring to p. 250; p. 137 referring to p. 251.

<sup>357</sup>For example, Ly/fac 1, fol. 17r, fol. 80r, fol. 175r.

<sup>358</sup>Ly/JB 2, fol. 23v.

<sup>359</sup>Ly/JB 1, fols 14r-31v; PRO, SC 2, 180/65, fol. 3r.

first scot.<sup>360</sup> He would have been of some age by this time, which may have deepened his poverty, while being recognised as a commoner with a more notable background.

### **Small farmers, labourers and servants**

These, the remaining commoners, are Henry Whatman, Andrew Alkyn, Robert Brice, Clement Rolf, Henry Smyth, William Wynday, Thomas Bawyn, William Cokered, Thomas Garard, Stephen Kempe and Thomas Makemete. A number of these seem to be of rather low status for freemen of a town, but in many cases this situation represented a distinct process of depression and even proletarianisation.

This section is plagued with a lack of wills and wills with limited detail, and this would of course reflect their economic and political status. We do not have the wills of Robert and William Elys, but they stand out among the small farmers for various reasons. They and their brother Thomas, who died in 1523, were the sons of Laurence Elys. Laurence's will of 1503 was a tie-up, he having no doubt already devolved his property. He had occupied land of Simon Rolf, the father of commoner Clement, which was sold to Thomas Robyn for 50li in 1489.<sup>361</sup> Thomas Elys was a middling farmer at least, holding one of the Dengemarsh leases in 1523.<sup>362</sup> Thomas's will in 1523 was a tie-up but mentioned at least three servants, giving these and others, possibly labourers working for him, small amounts of money or a sheep. He gave 4 marks to William's son Laurence and 100s to his wife's unborn child. He was probably a small yeoman or husbandman. Because William and Robert Elys had relations in the wills to some of the fishermen-farmers mentioned above, this may have been another example of the elder son gaining the main property of the father and the others having to incorporate fishing with small holdings. That William at least was involved in some farming is shown by Thomas's bequest of ten sheep to him. William and Robert were obviously of some status because both were churchwardens in the years 1527-30 and 1531-5 respectively, Robert also a proctor in 1533 and William also a chamberlain in 1531. The Elys' had a strong tradition in the juratcy in the fifteenth century with William, Stephen and Laurence all jurats from the beginning of the accounts in 1427, two of them representing Dengemarsh. William

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<sup>360</sup>Ly/fac 2, p. 167.

<sup>361</sup>Ly/fac 1, fol. 84r.

<sup>362</sup>PRO, SC 2, 180/64, fol. 7r.

and Stephen were mariners and Laurence a farmer who had accumulated about fifty acres of small plots on Dengemarsh between 1430 and 1450.<sup>363</sup> William, presumably one of their sons was a jurat between 1465-80, representing Dengemarsh again. This base on Dengemarsh had been sold by 1538, and we have no other indication of any property of our commoners Robert and William. A Henry Elys is described as 'yeoman' in a will of 1546 and so lands were passed on from somewhere. He was possibly Thomas's earlier unborn son. Generally speaking however, the situation of the Elys's would appear to have been in decline, with no sixteenth-century jurats. The loss of occupation of lands to jurat Thomas Robyn in 1489 may be an indication of this, along with the absence of Dengemarsh property of which the family had very strong links throughout the fifteenth century and into the sixteenth with Thomas Elys a farmer of the demesne at least for a time.

Henry Whatman appears to have strayed into Lydd from an Old Romney-based family which can be identified in the Old Langport rental of 1551, and also in the Sewers' accounts providing bush material, which was in effect a commercial crop, and labour for maintaining the Lydd walls of South Walland Level.<sup>364</sup> His will in 1531 shows that he had freehold lands in Old Romney and Lydd held by three feoffees, which he passed to his daughters after his wife's life. He was involved in a transaction in the year of his death, having the choice of buying the farm of lands from John Mayne for 13s 4d for one year or 'as full bought and sold' for 10li.<sup>365</sup> For 10li these could only have been two or three acres and this is an indication of how expensive the farms could be if you couldn't afford to buy outright, the original ground rent being only a few pennies. We may note however that his entry fine into the liberty in 1528 was above average at 16d.<sup>366</sup>

Andrew Awkyn's or Alkyn's baron scot of 1555 at 16d was also not among the lowest.<sup>367</sup> He was servant to farmer and jurat John Bate in Bate's will of 1522 and although he may have been quite young, this service may have had ambiguous implications concerning his future. Like Whatman, information on his property points

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<sup>363</sup>PRO, SC 2, 180/60.

<sup>364</sup>Ly/ZS, FA 1.

<sup>365</sup>BL, Add. Ch. no. 8597.

<sup>366</sup>Ly/fac 2, p. 140.

<sup>367</sup>PRO, E 179, 231/229.

towards small farming. In his will in 1556 he passed his tenement and its lands to his wife and then to his two sons. The Aldington rental shows Richard and Thomas Awkyn with small tenements in Lydd although they were not Andrew's sons. There is no evidence of his land elsewhere. The will mentions minimal livestock. Earlier in 1529 he had paid 8s to the church for six sheep and so was involved in some farming.<sup>368</sup> On the 1548 muster he possessed a harness which symbolised a higher status, but it is likely that this was an heirloom from a previously more prosperous family with John Alkyn a jurat in the years 1471-85 at least, and Stephen Alkyn a jurat in 1468.<sup>369</sup> If it was not for his reasonable baron scot of 16d in 1555 the evidence would point towards a smallholder-labourer.<sup>370</sup> He certainly was not much more than this in 1528 and his entry and choice in the commoners in 1528 may have been influenced by previous service to jurats. His sons however never made the later barons' scot lists and again there is evidence here of a family in decline in the early sixteenth century.

Other servants of jurats in this group included Thomas Makemete, Henry Smyth, William Wynday and Clement Rolf. Makemete was Vincent Danyell's servant and received a few sheep in his will in 1520. Three years later he and his brother John received two kine and twenty sheep each from their father William's will. William was probably a husbandman who was forced to split his modest property among his sons, turning them into smallholders. He had been a jurat in 1508 at least in the missing years of the accounts,<sup>371</sup> but was not one of the chosen few to emerge in 1513. Thomas was obviously struggling after this, being forced to pawn a platter for 6d in 1527 and abating a 4d scot the same year. He was paid 12d in 1532 for labouring on the church 'divers times' revealing his need to search for wage labour. The Makemetes had been in Lydd throughout the fifteenth century but none of them even made scot collectors. Some prosperity was achieved by William but not enough to ensure the same for his sons.

The other three were servants at the time of their deaths. Henry Smyth was servant to Thomas Smyth, although they were not close family. He was probably young and unmarried because in his will, overseen by his master, he passed all his clothes, two

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<sup>368</sup>Ly/ZP 1, p. 73.

<sup>369</sup>Ly/AL 2.

<sup>370</sup>PRO, E 179, 231/229.

<sup>371</sup>Ly/JB 1, fol. 14v.

horses and a total of about 2li, to a long list of people who were probably the sons and daughters of jurats and commoners.

The other two were mature and married. Clement Rolf represents the clearest example of a family in decline over the period. He was described as 'labourer' in his will of 1544, and servant of Simon Tippe jurat his master and overseer again. Apart from his work for Tippe, he did most of the faggot making for the maintenance of the Lydd walls in the period 1535-46 despite dying six years before the end of this record.<sup>372</sup> He bequeathed to his son John twenty-two sheep, one lamb and one cow, and his daughters, Elizabeth and Joanne, a cow and a lamb each. His two overseers including his master were to have half an acre of wheat if they helped his son to save the rest. He also bequeathed the tenement where he dwelt to his son John, and this was worth 13d on the Aldington rental of 1556 and so probably had a few acres attached. And so Clement was a smallholding farm labourer, who had managed to supplement his permanent wage with his smallholding and other labour for the Level of South Walland. Compared to some of the others he appeared to be keeping his head above water. However, the family had certainly seen better days in the form of William Rolf who was a fifteenth century farmer and jurat between 1463 and 1471. William had been in a position to attempt to supplant Andrew Bate for the lease of Dengemarsh manor in 1468 in a collective strategy with Thomas Caxton to halt Bate's attempts to modernize at everybody else's expense.<sup>373</sup> As we have just seen, Simon Rolf of Ivychurch (but probably originally of Lydd) sold his lands in Lydd parish that were occupied by Laurence Elys, to Thomas Robyn in 1489 for 50li, and he must have been one of the three sons of William Rolf who were not of legal age by the time of his will in 1473. These three were to *share* his lands after eight years, and so there may have been some debilitating, but necessary division here. These lands, or probably another farm consisting of a tenement and thirty-eight acres called 'Rolvys' turned up in the will of John Holme, jurat, in 1496, and this probably stemmed from William, a previous long-term holder of the land which was therefore named after him. Is it possible that these lands were sold for the purposes of household division between siblings or for debts or both? It is difficult to say, but the will of Clement Rolf's father Simon, who may well have been he who sold the earlier lands in 1526 was clearly limited. He had two tenements in Lydd, one he gave to his son Clement, which was

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<sup>372</sup>Ly/ZS, FA 1.

<sup>373</sup>Ly/fac 1, fol. 181v.

occupied by Stephen Strete, and the other to his daughter Agnes after his wife's lifetime. By this action, Strete was condemned to the poor list, an example of the insecurity of revertible holdings. The Rolfs did not continue in the commoners in Lydd after Clement.

William Wynday had an equally distinguished ancestor in Thomas Wynday, jurat, whose will survives for 1460. William is described as servant to Luke Gerves, jurat in the latter's will of 1538. He then appears as servant to Stephen Clerk in the latter's will of 1550, Clerk having been the son of jurat William Clerk. We do not have Wynday's will, but we know he laboured like Clement on Lydd walls for twenty days between 1535 and 1546 and that he must have been of similar smallholding status. Again there were no Wyndays in the commoners after him.

Because of the lack of substance of these men in terms of wealth, one wonders whether their choice as commoners by the jurats in 1528 was as much to do with their position as loyal or dependent servants, as with their wealth and status. Because if the latter were their overriding characteristics, and their reason for being in the privileged freemen's list of 1528, this does not reflect at all well on the prosperity of the rest of the population of Lydd at this time. If members of the commonalty - who were the representatives of the unfree poor commoners who made up the rest of the town - were servants to members of the central oligarchy, what did that say about economic and political relations in the town in general by 1528?

We have no wills for the remaining five commoners, Robert Brice, Thomas Bawne, Stephen Kempe, Thomas Garard and William Cokered, and the evidence we do have of them suggests they were managing little better. There are inventory records for Brice and Bawne although the latter's in 1542 is unclear. Brice's in 1550 shows that he had an inventory of 29li but a debt of 300 marks. He also laboured for a few days on the walls in the years 1535-46. The Aldington rental shows his heirs holding one very small tenement and two acres for 2d in 1556, and this poverty is reinforced by the absence of any equipment next to his name in the muster of 1548. Bawne was imprisoned on suspicion of felony by a petition by Robert Robyn, jurat, in 1535 which he must have survived



because he was chamberlain that year and the year following.<sup>374</sup> He was involved in some trade because William Smyth of Tenterden was attached to respond to him in two separate actions in 1539.<sup>375</sup> His wife had a natural son called Nicholas Pix who was common clerk and later jurat. A Nicholas Bawne was one of the 'poormen not paid scot' in 1525 but who made scot collector in 1534, perhaps reflecting his father's fruitful marriage.<sup>376</sup>

There is little evidence for Stephen Kempe. The history of the Kempe families has been detailed above, although Stephen's origin can not be traced.

Garard or Gerard and Cokered were both jurat names of the fifteenth century. We have little evidence for Thomas Garard except that he abated a small 2d scot in 1534.<sup>377</sup> The earlier Garard jurats were John in 1462 representing Dengemarsh, and Stephen in the years 1470-83. Stephen in his will of 1501 passed various fishing equipment to his son John. John must have received lands earlier although he was unmarried, because in his will of the same year he sold just over an acre at Cokered's bridge on Dengemarsh for the church, and the rest (possibly also on Dengemarsh) he gave to his mother for her life before they were to be sold, the money again going to the church. A Thomas Garard was witness however to the next Garard will, that of Richard in 1504. This was also an ominous will with Richard selling all his boats and cabins for money to the church. His tenement was also to be sold, again for money to the church and the rest of his lands which were freehold were to be divided equally between his sons and daughters after his wife's death. These heirs were unnamed. Thomas was possibly a feoffee. So again there is a process of land sales and property division, and again on Dengemarsh, which does not bear well for the future.

William Cokered was possibly the poorest commoner in 1528 when he may have died having been stressed or forced to sell a platter for 8d in 1527, and a salet and two platters for 8d and 6d in 1528.<sup>378</sup> The process of sale of property for debts may be

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<sup>374</sup>Ly/JB 4, fol. 13v.

<sup>375</sup>Ly/JB 5, fol. 2r.

<sup>376</sup>Ly/fac 2, p. 111.

<sup>377</sup>*ibid.*, p. 191.

<sup>378</sup>Ly/fac 2, p. 132 referring to p. 250, p. 252

indicated by the fact that commoner James Robyn junior paid rent to the church for a parcel 'sometime Cokered's' in 1528, passed to him by Thomas Robyn who held it in 1520 for a 12d rent.<sup>379</sup> It is highly likely that he was the son of William Cokered who was jurat in the years 1486-1521, or may even have been the man himself, having fallen on hard times, and dropping back into the commoners, there being no will. The Cokeredes were long-standing on Dengemarsh, having the main bridge over the sewer named after them, although the name was later corrupted or transferred to 'Cockerels', a later jurat. John Cokered had been jurat within the years 1446-68 and Richard also in 1454, both representing Dengemarsh. A Roger Cokered was a farmer on Dengemarsh and another on the receiving end of Andrew Bate in 1468 when Bate's cattle destroyed his mead land depriving him of twenty-one cattle and six mares, and forcing him to leave.<sup>380</sup> Perhaps John left as well, because he finished in the juratcy in that year. The origins of this family's decline may possibly be found here. They were not on the 1538 rental of Dengemarsh or in any other rental.

In summary and initial conclusion, the disparity of wealth among the commoners of 1528 mirrors that of the jurats. They overlap in terms of wealth and status with the least prosperous section of the juratcy at one end, and with the poor at the other. From strong independence at one end to utter dependency at the other, with different levels of dependency in between; and as I have said the dependency of a substantial section of this group is a reflection on that of the rest of the town as a whole because this group was taken from among most substantial of the citizens. At a time of rising prices, reduced real wages, and the increasing withdrawal of the land-base upon which many of this middling group were dependent - particularly the fishermen because of the seasonal nature of their occupation - this situation ensured the impoverishment of many of these. The relationship between the institutions and members of the poor and the fishermen commoners may therefore be of some significance.

Apart from Mighell, there is little indication of traders among these commoners in 1528. They were made up mostly of fishermen, small farmers and the servants of jurats. The commoners or commonalty was very much the domain of the master fishermen, and although fishing was practised among the lesser jurats, there can be identified in this

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<sup>379</sup>Ly/ZP 1, p.1, p. 60.

<sup>380</sup>Ly/fac 1, fol. 130r.

regard a clear distinction reflecting the political and economic structure of relations in the town. This was in addition to the servant-master relationship between some of the commoners and big jurat farmers. This distinction is also seen in terms of inheritance patterns. Fishermen generally shared everything among heirs. Tools and property would be separated equally among heirs if this was economically possible, but otherwise property would be passed to them all intact as a whole. This communal approach and the pooling of resources would work against the impoverishment of certain members of the family, and as seen in the case of the Dynes could work very well. However, any significant economic investment and political promotion would not be possible, even if it were desirable. Where this was possible, in the case of Robert Butcher, it would appear that he came from a modest fifteenth-century yeoman family, which through the necessity of divided inheritance, forced Robert to move into other forms of industry to re-develop his land base, which he did successfully for his son. These related political and economic distinctions would have been reflected among the rest of the Ports and may have been therefore a point of conflict with the reins of government increasingly in the hands of big farmers. This conflict may have had a lot to do with the 1526 conflicts over elections in the towns and the bailiffs to Yarmouth. Because, unlike farm labourers, these fishermen commoners were not directly exploitable and therefore controllable within farm production relationships with which the jurats were mainly concerned. Also, as we have seen, the fishing industry was made up of tightly knit families and groups with shares and common interests. Therefore, controls had mainly to come through political domination.

Although there were success stories among fishermen, these were rare, and it is the next section that probably provides examples of the most common experiences in Lydd at this time.

### **1.2.3 The poor**

Examples and elements of poverty have already been identified among the freemen commoners of the town as they were in 1528. A total of five of them had to pawn possessions in 1527-8, one of these being a fisherman's net, the others being platters. As has been shown, one commoner, William Kempe actually ended up on the poor list, and I suspect William Cokered would also have done. Also as has been shown, a process of

depression had taken place among many families in the commoners from the fifteenth century, through violent intimidation, the necessary division of patrimony, and the selling of property and tools for debts and for obligations to the church. This process of course coincided with the accumulation by the wealthiest of the jurats.

The only difference between a number of commoners and many of those on the poor list appears to have been that this process was felt even more acutely by those on the poor list. We have little or no evidence for a number of family names on the poor list, and this may suggest a more marginal element which was supported by the town. But many more can be shown to have recently seen better days.

The poor on the 1528 list are, in order of analysis, 'Galion's widow', Thomas Herte, William Kempe, John Menwood's widow, John Huglen, 'Huglen's widow', Stephen Strete, Harry Notie, Stephen Wyberd, Margaret Danyell, 'Gate's widow', 'Lowes widow', John Bloksom, John and Thomas Alway, Robert Campeny, Robert a Downe, John Pers, John Sprott, Thomas Newman, Edmund Wytherley, Robert Fletcher, 'Edmund Donnes widow', Robert Holme, Thomas Browne, John Pargate's widow, 'Watte's widow', Thomas Butcher, Mother Goore, Mother Chyck, Mother Deme, John Fyppys' widow, Richard Pemsey's widow, John Westmarland and Robert Tomsett.

There were at least ten people on the list from a fishing background, including widows, many of whom we have come across before in dealing with the commoners. 'Galions widow' must refer to the widow of Clement Galion or Galyon. We know he was a master fisherman because he was styled so in 1520 and his servant was Thomas Herte, fisherman.<sup>381</sup> Clement had been chamberlain three years running in the years 1518-21 and was therefore a freeman of some status. He was involved in the courts between 1508 and 1521. In most of these cases he was plaintiff, ten of them being against debtors. Many of these debtors were people who I can not identify and so were possibly marginal labourers and servants. In addition he had pleas of unpaid rent and broken contract against William Kempe and Henry Notie in 1520 and 1521 who were on the poor list and who were both fishermen.<sup>382</sup> However in 1513 he was faced with charges of trespass

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<sup>381</sup>Ly/JB 2, fols 19v-20r.

<sup>382</sup>*ibid.*, fol. 15v, fol. 23v.

against him to the value of 100s both times and these may have been violent.<sup>383</sup> In 1520 he had to pay 6li to get his servant Thomas Herte out of jail where he was condemned against John Gregory of Dover.<sup>384</sup> It may have been this penalty that forced him soon after to call in his debts against the other fishermen. These were the years he had held the chamberlainship, but after 1521 we hear no more of him. The only reference to a Galion thereafter was Robert Galion in 1534 who was bequeathed a lamb from Thomas Smyth, jurat. Thomas Herte may then have been left to pay the 6li himself because William Greneway the churchwarden at the time was charged with policing the repayments until 6li had been paid to the churchwardens, otherwise Thomas was to return to jail. He had to pay it to the church because Gregory bequeathed this debt to it. The churchwardens' accounts detail four payments in 1524-5, 1526-7, 1528-9 and 1529-30 amounting to only 22s. Interestingly however it was his wife who paid the debt in 1527-8 which may have been when he was on the poor list and possibly in the alms house, the commoner fishermen Richard Maket and John Danyell standing bond for him.<sup>385</sup> Clearly it was this debt that made him destitute, and yet he had relationships with commoners and so was not marginalised. He had clearly been poor for some time however, because in 1520 he was in debt to Thomas Hykkes of Brenset for 6s 8d, and the previous year Hykkes brought in to the court Herte's gown and asked if it could be appraised at 7s.<sup>386</sup> This situation may have led Margery Herte, possibly Thomas's wife in 1517, to be presented in Dengemarsh court for being armed against Thomas Browne, breaking entry and carrying off some wheat.<sup>387</sup> Prior to this he had been in debt three times; in 1508 and 1509 to two jurats and to another of middling status. The last we hear of him is as plaintiff in a plea of debt in 1532 against John Pers (alias Wynch) who was also on the poor list.<sup>388</sup> A Simon 'Hart' was also stressed in 1523 for 4d and so poverty was clearly experienced among a wider family. However, a Thomas 'Hart', baker and farmer, turns up from nowhere on the freeman's list of 1542 and it is probably he who became jurat briefly between 1553-7.<sup>389</sup>

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<sup>383</sup>Ly/JB 1, fol. 32r.

<sup>384</sup>*ibid.*, fols 19v-20r.

<sup>385</sup>Ly/ZP 1, p. 5, p. 31, p. 50, p. 78. For Greneway's policing see Ly/JB 3, fol. 20r.

<sup>386</sup>Ly/JB 3, fol. 27r.

<sup>387</sup>PRO, SC 2, 180/65, fol. 6r.

<sup>388</sup>Ly/JB 1, fol. 17r, fol. 19v, fol. 22v; Ly/JB 3, fol. 57v.

<sup>389</sup>Ly/fac 2, p. 89, p. 245.

William Kempe and John Menwood's widow we have heard much about above, and these both represented fishermen who had undergone a process of depression. A Kempe (John) and a Menwood (Robert), almost certainly John's son, as has been shown, did manage to get themselves out of trouble, probably through a measure of good fortune and through fishing partnerships. As touched upon above, the relationship between the fishing commoners and those on the poor list appear strong perhaps due to the recognition of the vulnerability of the occupation, and there would seem to be an informal welfare organisation here in this trade no doubt encouraged by the collective nature of the trade itself.

John Huglen, a name that can be spelt Hughlen or Howghlyn, was the partner of Robert Menwood to whom Robert gave a mare in his will in 1548. He was stressed a pan in 1527-8 for 6d, yet by 1531-2 he was a scot collector, and so the partnership may have begun here.<sup>390</sup> 'Huglens widow' who was also on the poor list was almost certainly John's mother, because in 1534-5 he repaid 5s 8d which his father had earlier borrowed from the church and so must have died with the debt leaving them both poor.<sup>391</sup> John had an older brother Richard (who may have bailed him out) who, with Protestant fisherman Richard Dyne, the brother of John, a commoner, had a precept against them sent from Dover Castle in 1531.<sup>392</sup> Richard Huglen died in 1541 leaving his only son John Huglen two oxen, two mares with a wain and harness to be had when he reached the age of twenty-two. This John would become a jurat briefly by 1555 due to an unprecedented number of deaths of long-standing jurats in the previous five years. Our John from the poor list died in 1553 still rather poor. In his will of that year, he passed his tenement in which he dwelt with its lands - worth 12d in the Aldington rental of 1556 and so not even a smallholding - to his wife for life, and then to his daughter Rachael. If Rachael had no heirs it was to be divided between four men who were probably poor. He also repaid a 20s debt to John Stringer of Old Romney with a cow in the will. Stringer was a big farmer and later jurat, and because he supervised the will it is likely he was John's employer and master, something we have seen earlier among some of the poorer

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<sup>390</sup>*ibid.*, p. 137.

<sup>391</sup>*ibid.*, p. 111.

<sup>392</sup>*ibid.*, p. 166.

commoners.<sup>393</sup> His nephew John was a witness. Any fishing equipment may have been sold earlier because he never had any sons.

The Huglens had long-standing roots in Lydd with Thomas being a jurat in the 1430s. A Nicholas Huglyn was scot collector in 1445 but may have had any prospects of entering the juratcy dashed like others in the conflict with Andrew Bate in the 1460s. Bate had offered him money for his lands after the encroachment of his (Bate's) cattle had destroyed a part of them, but Nicholas said he preferred to sell them cheap elsewhere rather than to Bate, this being part of the collective strategy against him I mentioned earlier. Again, it is not unlikely that the Huglens' problems like the others directly stemmed from here, and larger historical problems would also develop from it.<sup>394</sup>

Stephen Strete was the son of William Strete, jurat and fisherman, whose will survives for 1512. Stephen was stressed a 'mawnd' for 6d and a sheet for 6d in 1527-8. He was discharged of the first scot in 1531-2 and his widow abated a 1d second scot having owed 4d from the first scot in 1535-6 when he must have died.<sup>395</sup> He had a series of debts in the years 1518-20, including 13s 4d against William Greneway, 40s against wealthy butcher John Adam, and a plea of account against Peter Type. Strete and a Robert Type assaulted each other on Dengemarsh in 1508, the Types being prosperous jurat farmers by the 1530s. Having probably come off the poor list, he was in debt again to John Smyth, commoner, a John Gray and Thomas Cuttard, a later jurat, in 1530 and 1531. Like Thomas Herte above however, in 1531 John Pers (alias Wynch) of the poor list was in debt to *him*.<sup>396</sup>

As we have seen, Stephen Strete's half-brother was John Kempe who was to become a jurat in 1535, having received a cabin and kedle ground off his (Stephen's) mother. Stephen must have been set up with equipment before his father's will in 1512, just receiving 40s and household goods, and 20s going to each of his and his wife's youngest children. Interestingly, William Cokered, the poor commoner, was executor and John Menwood was one of the witnesses of this will, and so a circle of poverty may begin to

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<sup>393</sup>For Stringer see Watering scots, Ly/ZS, FR 2.

<sup>394</sup>See Section 2.1 below.

<sup>395</sup>Ly/fac 2, p. 132 referring to p. 250, p. 142 referring to p. 252, p. 167, pp. 197-8.

<sup>396</sup>Ly/JB 2, fol. 24r, fol. 22v, fol. 30r; Ly/JB 3, fol. 2r, fol. 31v, fol. 34r; PRO, SC 2, 180/65, fol. 1r.

be drawn. Is it possible that there was a fishing fellowship involving these people which gradually failed. John Kempe remember had strong links with the poor and this may have been the origin of it.

Apart from his debts and stresses, another indication of Stephen's depression came in 1526 when he was forced to depart his dwelling which he held from Simon Rolf so that Simon's son Clement (as we have seen) could occupy it on his death. Stephen's stresses then began the following year. The same thing happened to his father in 1496 when Michael Godfrey wished to pass the dwelling on in his will which he occupied. The insecurity of alienated, revertible property is highlighted in this family.

Thomas and Edward Strete may have been Stephen's sons. Thomas abated his scot in 1530 and after this we hear no more of him. Edward was involved in a surety with John Butcher (brother of Robert), fisherman-riper, in 1533 who was a supervisor of the alms house, and he (Edward) was also a witness of the hermit Robert Sperpoynt in 1541 reinforcing the above-mentioned links with the poor. Edward also made scot collector in 1538 and like other fishermen he went to the king's works at Deal in 1538.<sup>397</sup> An Elizabeth and a 'Mother' Strete were bequeathed clothes by a jurat's widow in 1550. A family having a 'Mother' in it and being bequeathed clothes by wealthy widows, almost without exception, was a sign of poverty, and sometimes the last one hears of that family. For example, regarding the families of those on the poor list, Mother Fletcher was bequeathed to by widows in 1543 and 1550 and this was the last known reference to the Fletchers. Mother Adowne was bequeathed a petticoat off a widow in 1527 and there were no other references to Adownes or Downes in the record after Robert on the poor list. And 'old Mother Alway' received a bequest from Thomas Tye and his widow in 1549, she being the last known Alway. There were in fact three 'Mothers' on the poor list, and we hear nothing of the families of two of them after their presence on the list. John Deme, possibly the earlier husband of Mother Deme who was on the list, was another witness of William Strete's will in 1512, and so the possible fellowship widens. The Stretes however had some continuity with John who was the 'boy' servant of jurat Thomas Herte in 1557, although ominously still a servant in the muster ten years later.<sup>398</sup>

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<sup>397</sup>Ly/fac 2, p. 157, p. 178, p. 221.

<sup>398</sup>Muster, Ly/FR 1.



Harry Notty, or more usually Henry Notie, suffered from a combination of his father Richard's debts and the division of patrimony. Richard had been a fisherman of some note until his death in 1510, having apparently, in his will of that year, as much fishing property as any other we have come across. However for his debts and legacies he was forced to sell as much as two boats (batellas), four cabins, two manfare of shot nets and three sprat nets. His wife was then to share all his 'ffysheriscrafte' into four equal parts between her and their three sons Henry, Laurence and Thomas. They each received two sprat nets, a manfare of flewes and a manfare of shot nets, which paled in significance without the boats and cabins.

The Noties had their share of battles on Dengemarsh. Richard stabbed Stephen Mekyn in 1504, and in 1514 Henry's wife armed against the widow of John Ray, broke entry and stole her and her husband's goods.<sup>399</sup> This continuous violence and criminality is a striking indication of serious troubles caused by hardship in this period. Henry's recorded debts began in 1518 with a 6s debt, three in the following year totalling 27s and a plea of account, and the following year he had three more totalling 19s 9d and a plea of account, mostly against commoners and jurats.<sup>400</sup> He abated his 8d scot in 1528-9 twice but was forgiven the second time presumably because he was on the poor list.<sup>401</sup> The only other record to Noties after this was in 1541 when Elizabeth was bequeathed bedding by Sperpoynt, the hermit, and in 1549 when Margaret was bequeathed a ship's chest by Philip Martin. If there were any males left, they were too poor to appear on the muster of 1548 and later.

We have come across Stephen Wyberd before, setting fire to jurat Robert Ferroure's house in 1531.<sup>402</sup> He was titled 'fisherman' in the memorandum in the court book relating to this action, and was stressed a net in 1527-8 to reinforce this. A Peter Wyberd, possibly his brother was also stressed a lavere of laten in 1527-8. Peter also abated his scot that year, and the following year, and in 1534-5.<sup>403</sup> Peter was particularly

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<sup>399</sup>PRO, SC 2, 180/63, fol. 4v; SC 2, 180/65, fol. 4v.

<sup>400</sup>Ly/JB 2, fol. 8v, fols 20v-21r, fol. 21v, fol. 22v, fol. 25v, fol. 29r, fol. 31v.

<sup>401</sup>Ly/fac 2, p. 142, p. 145.

<sup>402</sup>Ly/JB 3, fol. 38v.

<sup>403</sup>For Stephen's and Peter's stresses and abatements see Ly/fac 2, p. 132 referring to p. 250, p. 137 referring to p. 251, p. 142, p. 191.

moved to violent acts which are recorded in Dengemarsh manor court in 1508, 1510, 1511 and 1532, assaulting four different men with sticks and knives. The earlier assaults were at a time when Peter was frequently in the borough court as both plaintiff and defendant in mainly debt and trespass cases. In one case in 1510, Thomas Rey, jurat, had taken three sheep and three lambs from him, valuing them at 6s presumably for a debt, but Peter made a counter plea of unjust detention of chattels for 20s.<sup>404</sup>

The first we hear of Stephen Wyberd is in a 1508 court where 'single man' John Godfrey owed him 4s.<sup>405</sup> John Wyberd was executor of the same Godfrey's will in 1510 and a witness of a more substantial John Godfrey's will in 1520. Peter Wyberd had been scot collector in 1525, and so this was by no means a marginal family. However Stephen was bequeathed a ewe and a lamb and a blue coat by John Boldyng in 1521 who had managed to get into the juratcy in the missing account years of 1485-1512 and was a Dengemarsh husbandman. And in 1523 Stephen was bequeathed a russet coat by John Watte. In this context these bequests are most probably symptoms of Stephen's poverty. The next we hear of Stephen after the poor list is in 1535 when he was granted a tenement by a Lydd woman who had married a man in New Romney and moved there.<sup>406</sup> On the Aldington rental of 1556 this tenement is described as 'a small tenement' worth only 6d, registered under his 'heirs'. In 1549 he turns up as servant in jurat Thomas Tye's will when he was given 40s (servant's wages) and 6s towards a new coat if he remained with his (Thomas's) wife for a year. The picture is therefore of the impoverishment of a skilled family, with the example of Stephen Wyberd reduced to a servant of a Lydd elite family, and only able to pass on to heirs a small cottage with a few acres, leaving them at best destined to serve and wage labour.

'Lowes widow', John Blocksom, Margaret Danyell, 'Gates widow' and John and Thomas Alway, were all probably in some way involved in fishing.

We have looked at the histories of the Gates' and Danyells' above. Margaret Danyell is most likely the unmarried daughter of one of the struggling fishing Danyell families, the

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<sup>404</sup>PRO, SC 2, 180/65, fol. 1r, fol. 2v, fol. 3v, fol. 10r; Ly/JB 1, fol. 4r, fol. 22r, fols 27v-28r; fols 35r-35v, fol. 36v, fol. 39v, fol. 40v.

<sup>405</sup>Ly/JB 1, fol. 8r.

<sup>406</sup>Ly/JB 4, fol. 14v.

poverty of maidens among the Danyells being ironically mentioned by Vincent Danyell in his will of 1520. The Gates also had a strong fishing-shipping background which was continued with Thomas among the lesser jurats as mentioned above. Again these were not marginal families.

Regarding the Lowes or Lewis family, some of them are present in the Lydd records from 1428 to 1470, mainly being paid for labouring and carting tasks by the town, but none even made the post of scot collector.<sup>407</sup> In 1490 John Lewys' will was rather sparse, giving his lands, which he does not describe, to his wife. The widow on the poor list may well have been previously married to 'Lowes, fisherman' who was in debt to John Pulton, jurat in 1508. This would again point to the impoverishment of a skilled producing family, although unlike some others of previous official status. The widow however was not the only person that remained of this family. Robert Lowys held to farm five acres in the Old Langport rental of 1551 for 15s in 1551. His lack of other holdings here or lack of evidence of holdings elsewhere may point to him being forced to borrow to pay over the odds for a temporary modern rent in order to keep afloat.

John Bloksom or Blokson may have previously been a fisherman or fisherman's servant, or he may have been encouraged to enter the trade by the commoner fisherman Richard Maket's bequest of his 'best sloppys' in 1535. These were expensive fishing garments which would increase his chances of being taken on by a master. There are no other references to Bloksons.

The Always were probably a poorer branch of the Ayllewyns, the latter playing a dominant role in Lydd government in the first half of the fifteenth century. Nevertheless, they still produced three fifteenth-century jurats, i.e. Simon in the years 1435-7, John in the years 1466-76, and his brother Edward in 1476. Simon was probably John and Edward's father. All of them were involved in fishing or shipping in some way. Simon and John were paid for fish by the town on some occasions, and Edward loaned his boat to the town two years running from 1471.<sup>408</sup> John had two sons, Robert and Edward to whom in 1479 he bequeathed his lands and a tenement after his wife's life. John bequeathed his third 'Flewys net' to a non-family member and so the other nets and more

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<sup>407</sup>For example, Ly/fac 1, fol. 8v, fol. 54r, fol. 61r, fol. 152v.

<sup>408</sup>*ibid.*, fol. 78v, fol. 121v, fol. 124r, fol. 134v.

must have gone to his sons prior to the will. A girdle with silver in the will reinforces his not insignificant status. Robert had a son called John and this must be the one on the poor list. In 1507 Robert bequeathed to John his principal tenement after his wife's life, which was the following year, and a share in his household when he reached twenty-five. The principal tenement implies that John had probably been set up earlier along with fishing equipment or boat shares. We know that Robert in 1493 was with Robert Cockeram, jurat, the co-shipowner of 'The Hayne of Lydd', and the designation of its origin and its preparation for royal service suggests a large vessel.<sup>409</sup> Cockeram was All Souls farmer of the Hope All Saints lease and he also held 'The George' Inn.<sup>410</sup>

Things were therefore looking quite good at this point for the Always. However, Beatrice Alway, Robert's sister-in-law, gave her son of a previous marriage and her executor Thomas Redisdale her tenement and cabin in her will of 1508. Three years later in 1511, Redisdale was in court charging John Alway of trespass to the value of 20li and it may be that this had something to do with the inheritance.<sup>411</sup> The same year John's wife Alice was bequeathed clothes from a widow and this was ominous. In 1523 John was bequeathed 6s 8d from jurat Robert Horseley, whose will contained fishing equipment and who had been the executor of the will of John's mother Joanne in 1508. The next time we see John he was abating a paltry 1d scot in 1526-7, 2d in 1528-9 and again that year but forgiven because he was on the poor list; 2d again in 1529-30 and 4d in 1532-3.<sup>412</sup> This is the last record of him. And so something drastic must have happened between 1508 and 1511, and this may be seen in the context of all the troubles at this time.

The other Alway on the list, Thomas, was probably either John's or his brother Edward's son. Perhaps because of John's predicament, Thomas was employed as a messenger, fetcher and labourer for the town from 1513 when the account record recommences to 1538.<sup>413</sup> He had been in debt three times between 1506 and 1511, twice for 4s and once

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<sup>409</sup>Ly/fac 1, fol. 183r.

<sup>410</sup>See Draper, 'Farmers and Capitalists', for All Souls leases; for 'The George' see Cockeram's will of 1508.

<sup>411</sup>Ly/JB 1, fol. 32r.

<sup>412</sup>Ly/fac 1, pp. 124-5, p. 145, p. 153, p. 176.

<sup>413</sup>Ly/fac 2, p.16, p. 23, p. 45, pp. 52-3, p. 58, p. 72, p. 85, p. 111, p. 119, p. 173, p. 198.

for 3s 4d.<sup>414</sup> In 1527 his wife was bequeathed sheets from a widow obviously due to their hardship. However he did not abate his scot, just owing his 6d first scot and 3d second scot in 1535.<sup>415</sup> This is the last reference to him in the records. The only other reference to Always from then on is in 1549 when ‘old Mother Alwey’ was bequeathed 2s and clothes from Thomas Tye and his widow, the term ‘Mother’, as I have argued, being the sign of a poor or relatively poor family. And so we witness the impoverishment of another skilled fishing-shipping family of middling status towards 1528.

Robert Campeny’s servant was assaulted by Thomas Elys on Dengemarsh in 1505, and along with his witnessing of a will of John Bate’s in 1498, this suggests he may have had some independence on Dengemarsh at this point. His wife and John Campeny, possibly his son, were bequeathed clothes from a widow in 1511, and they may have also been supported by the alms corn later on. Robert was bequeathed 6s 8d by John Dyne senior in 1548 and John Campeny by Richard Maket in 1535, and the Hermit Sperpoynt in 1541, which suggests a fishing involvement at this later stage at least.

Evidence of the impoverishment of skilled craftsmen comes in the form of Robert a Downe or Downe and John Pers (alias Wynch). In 1517 Robert a Downe was paid for blacksmith work around the courthouse and common house but by 1525 he was one of the ‘poormen...not paide’ scot.<sup>416</sup> He is recorded in the court books four times between 1506 and 1512; three times as a debtor amounting to 45s 2d, and once with a plea of deception against him.<sup>417</sup> A William a Downe, who abated a 6d scot in 1530, also appears to have been a blacksmith, selling fire-pans and a key to the churchwardens in 1528, and also paid for iron work on the main church bell.<sup>418</sup> These two were possibly the sons of Peter a Downe who was son of tailor John a Downe who we have seen in Chapter Two, Section 1.2.3, as being of middling means. John Pers who prior to his appearance on the poor list was stressed in 1526 ‘a catell of ii Galondes’ may have been ‘Perys the furbischer’ who in 1512 was paid 6s 1d for mending armour for soldiers before they went to France. This may however have been William Pers who was a

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<sup>414</sup>Ly/JB 1, fol. 4r, fol. 32r, 40v.

<sup>415</sup>Ly/fac 2, p. 198.

<sup>416</sup>*ibid.*, fol. 111.

<sup>417</sup>Ly/JB 1, fol. 5r, 17v, 40r.

<sup>418</sup>Ly/fac 2, p. 157; Ly/ZP 1, p. 70.

carpenter, but who was also stressed axes in 1526 and 1527.<sup>419</sup> John Pers was frequently in the courts with pleas of debt against him from 1530 to 1533. Sometimes he appears as 'Pers alias Wynch' and if we can include references to 'John Wynch' as referring to Pers then these debts go back to 1506 and he would be the person with the most recorded debts in this period with twenty-four separate cases. In 1536 a 'John Piers' was imprisoned for felony, and this was probably the John Pers from the poor list.<sup>420</sup>

Others on the list were labourers and those involved in agricultural trades. A number of farm labourers and other labourers can possibly be identified in this group, i.e. Robert Fletcher, Thomas Newman, John Sprott and Edmund Wytherley. The latter three were all stressed mowing scythes in 1526-7. Wytherley was also stressed a mowing scythe in 1527-8 along with a pan, and again in 1530. Newman was in addition stressed a pewter dish in 1527-8 and a platter in 1528-9 which suggests he had seen better days.<sup>421</sup>

The entry in the accounts of Sprott's stress doesn't indicate his Christian name and so it could as easily refer to William Sprott who in 1525-6 was one of the 'poormen...not paid' their scot.<sup>422</sup> Alice Sprott was bequeathed clothes by Alice Newman, widow in 1540 and here is another example of family poverty beyond the individuals on the list. Also in her will, Alice Newman gave John Huglen, formerly on the list, 13s 4d and all her timber, wood and hemp in order for him to keep her sons Thomas and Bartholomew. She was possibly the widow of Thomas Newman from the list, these being their sons, because 'Newman's widow' abated a 4d scot in 1534-5 when her husband must have died.<sup>423</sup> Thomas is recorded in the courts four times. Firstly in 1519 as defendant in cases of debt worth 2s 4d, and of trespass worth 40s against a later jurat Thomas Cuttard. In 1531 he was defendant in a plea of broken contract by Nicholas Purfote, clerk and later jurat. Finally he and another man were involved as plaintiffs in a plea of debt with Robert Ferroure against Thomas Hall in 1535 and they may have been Ferroure's servants.<sup>424</sup> There were other Newmans though, with Agnes and John bequeathed a pewter dish by a

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<sup>419</sup>Ly/fac 2, p. 9, p. 123 referring to p. 258, p. 132 referring to p. 250; Ly/ZP 1, p. 114.

<sup>420</sup>For courts, Ly/JB 1-3; for imprisonment, Ly/fac 2, p. 205.

<sup>421</sup>*ibid.*, p. 124 referring to p. 258, p. 132 referring to p. 250, p. 157 referring to p. 255, p. 252.

<sup>422</sup>*ibid.*, p. 111.

<sup>423</sup>*ibid.*, p. 191.

<sup>424</sup>Ly/JB 2, fol. 11r; Ly/JB 3, fol. 58r; Ly/JB 4, fol. 12r.

widow in 1507, and John also later in 1532 receiving two ewes off Andrew Bate, jurat, possibly being his labourer. Other female Newmans were also bequeathed clothes and plates by widows between 1507 and 1537. However George Newman, singleman was of sufficient means to bequest his best coat and scythe to Henry Elys and a cow to his sister Alice in 1546. The last we hear of a Newman is with Edward whose name was crossed out in the servants' and singlemen section of the 1567 muster.

Edmund Wytherley and Robert Fletcher were both frequently employed by the town to do various odd jobs. Fletcher in particular filled the churchwardens' accounts between 1519 and 1534 with jobs such as lighting candles, clearing gutters and keeping dogs out of the church. Edward Fletcher also did one such job in 1526.<sup>425</sup> In this respect they were no doubt trusted poor and worthy of dole. Wytherley had not been a feature in the courts, the only reference being in 1519 when Thomas Butcher, also on the poor list owed him 22d.<sup>426</sup> We hear no more of Wytherley or any of his family after 1534.

Fletcher on the other hand had been in court nine times and always as a defendant between 1506 and 1513. He was in debt to farmers, fishermen and poor alike and his destitution can be read in these.<sup>427</sup> He was bequeathed a green coat by Richard Maket in 1535 who had also bequeathed to Blocksom reinforcing his continued poverty. A number of female Fletchers were bequeathed clothes from widows between 1527 and 1550, including 'Mother Fletcher' in 1543 and 1550, again an indication of continued poverty within this family. One of these women, Alice Fletcher, had irons struck on her in 1537 for reasons unknown and this continues the association of criminality with some of the commoners and the poor.<sup>428</sup>

Alice Duny, a relation of 'Edmund Donnes widow' of the poor list, and servant to John Watte was actually brought into court by Robert Ferrour, jurat, for breaking a statute in 1518, probably in relation to service. Matthew Donny had been in debt to Peter Tryppe that year by a significant 11s 4d, and these actions may be related.<sup>429</sup> Matthew was one

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<sup>425</sup>Ly/ZP 1.

<sup>426</sup>Ly/JB 2, fol. 17r.

<sup>427</sup>Ly/JB 1, fol. 11v, fol. 18v, fol. 30v, fol. 33v, fol. 37v, fol. 40v, fol. 45r.

<sup>428</sup>Ly/fac 2, p. 212.

<sup>429</sup>Ly/JB 1, fol 1r, fol. 2r.

of the 'poormen..not paid' their scot in 1525 and he must have died the following year because the chamberlains paid Robert Fletcher 18d to look after his child in 1526.<sup>430</sup> So as with Newman and Huglen above, the poor fostered children of other poor.

These were, therefore, probably poor labourers of long standing who had sunk further. Possibly originating from a more secure background were Robert Holme and Thomas Browne.

Robert Holme was stressed something worth 4d in 1528-9, the year of the list, and he abated another 4d in 1530-1.<sup>431</sup> Seeing a Holme on the list is surprising after John Holme was a jurat from 1477 until probably his death in 1496. John Holme's will was second in terms of wealth only to Henry Bate, but only just. For example, he gave 10li each to his two sons William and Thomas. William's money was for his schooling at the age of twenty and this is the first example in Lydd of this happening. The sons were also to share a tenement called 'Rolvys' and thirty-eight acres (mentioned above) after the death of his wife. His wife also had eight cows, 100 sheep, one yoked wain, and various jewellery. His daughter received 20 marks at the age of fifteen (which reflected the standard big farmer) and the church was to get 20 marks for dirges and 5li for repairs, which was also very high at this stage. Thomas died soon in 1504 leaving a significant principal tenement and adjacent lands to his wife and daughter, but also 7li 6s 8d a year for dirges from the sales of his other lands. Like his father therefore, he patronised the church heavily. A Gregory Holme was also jurat in the missing account years of 1485-1512,<sup>432</sup> but he also had no sons, selling most of his lands before, and the rest after his wife's death, the money again going to the church.

Robert's lineage cannot be traced, unless he was the son of William who was paid to go to school but of whom we no longer hear. Another William Holme survives on the muster list of 1548, although inconspicuously, and he may have been Robert's brother. Continued poverty among the Holmes is indicated in John Huglen's will of 1553 where Nicholas and Vincent Holmes along with two other men were to share Huglen's small tenement if his daughter died without heirs.

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<sup>430</sup>Ly/fac 2, p. 111, p. 120.

<sup>431</sup>*ibid.*, p. 142 referring to p. 252.

<sup>432</sup>Ly/fac 1, fol. 85v.



Thomas Browne in his will of 1551 gave a pan to a Thomas Holme which was his (Thomas Holme's) father's, who may well have been Robert. Just as commoner and labourer Clement Rolf had been the main employee making faggots for South Walland walls, Browne had been the main labourer for the wall construction itself in South Walland Level, working over sixty-seven days between 1535-46 which may have helped him out of serious poverty.<sup>433</sup> His will reads like a poor labourer's. He gave two kine to his wife and two ewes and two lambs to James, one of his three sons. His tenement and its attached lands were to go to his wife and then to his two other sons, Vincent and Clement. This can be seen in the Aldington rental under 'heirs of Thomas Browne' as a tenement and close, and so it was probably a labourer's cottage. The heirs of his other son James also had a tenement on the rental although this was very small with a close worth only 2d rent. The 1548 muster indicates that James was a servant of a 'Master Bate', probably Thomas, and so this tiny cottage may have been tied to the job.

Having said this, it is possible that Thomas Browne underwent an economic collapse, something like the Holmes, although even more sudden. Because Vincent Danyell bequested to a Thomas Browne in 1520, 100 ewes, a wain and oxen, and 20 nobles. Browne was also to continue to occupy Vincent's lands on Dengemarsh until Vincent's preferred nephew Thomas Danyell (as mentioned above) was twenty-four, and to have Vincent's lands in the Small Brooks on the south-west side of Dengemarsh. My first reaction was to say that this was a different Thomas Browne, and the appearance of a Laurence Browne in the freeman's list from nowhere in 1542 and the presence of a George Browne, gentleman, on the Old Langport rental of 1551 reinforced this. However, because Vincent Danyell's nephew Thomas Danyell was one of Browne's will witnesses in 1551, and because Browne had called one of his sons Vincent, I suspect this reaction may be unfounded.

John Pargate's widow and Watte's widow were also from families who had seen better days. This was true of Thomas Butcher also, although other Butchers as we have seen had developed in the fishing industry. His problems were no doubt compounded when he had a plea of trespass against him in 1506 for 10li, and in 1523 he was one of the first to

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<sup>433</sup>Ly/ZS, FA 1.

be stressed.<sup>434</sup> The remainder of the poor list were Mother Goore, Mother Chykk, Mother Deme, John Fyppys widow, Richard Pemsey's widow, John Westmarland and Robert Tomsett. There is little or no information on these or their families. I have already suggested the implication of 'Mother'.

And so in summary and initial conclusion, apart from possibly some of the latter, the general picture of those on the poor list receiving dole in 1528 is that they were not an 'underclass' of perennial poor within the social formation of Lydd in 1528. Like a number of the commoners, the majority were clearly members of families who had undergone a process of impoverishment, particularly from the final years of the fifteenth century. Also like virtually all of the commoners, there would be no apparent recovery for the vast majority of these families from 1528, and one finds evidence of continued poverty among them in the evidence of widows' bequests after 1528. A number were respectable elderly, but this too says something about the fate of their families. A main feature of this impoverishment, and how it manifests itself in the surviving records is debt and inability to pay tax, and sometimes imprisonment. What is clear is that many of those on the poor list and a number of commoners also were being forced to sell their property in order to pay even the small 4d common scot which was the bottom rate for those who were not freemen, and that the majority of these sales occurred around 1528. There are many ways and reasons for people to get into debt in all periods, but the structural changes at this time would serve to intensify the debt, not in the least the strain on formal and informal credit systems. The violence on Dengemarsh and elsewhere would indicate that relationships had changed. The reduction in real wages and proletarianisation through the consolidation of holdings and breakdown of manorial structures were putting a great strain on the ability of much of the population of 1528 to reproduce themselves within their accustomed livelihoods as they had done previously.

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<sup>434</sup>Ly/JB 1, fol. 5v; Ly/fac 2, p. 89.

## 2. Class-Struggle and Cultural Hegemony

### 2.1 Class-Struggle

To assert that capitalism thrive on unjust expropriations is a monstrous and malicious slander. Security of property and tenure answered capitalism's first and most heartfelt need. Where insecurity reigned, it was because of the absence, not of the advent or presence of capitalism.<sup>435</sup>

Kerridge, writing a few years before the beginning of the Brenner debate is frequently quoted in the latter's articles, although surprisingly the deeply flawed premises of his polemic against Tawney, whose *Agrarian Problem* in my view remains overall the best work in the field, are never mentioned and skimmed over elsewhere.<sup>436</sup> It is because of these flaws and because my own findings bear close congruence to Tawney's that their 'debate' will feature as an introduction in the following analysis. This is also necessary because this question of tenure has not, in my view, received sufficient treatment within the Brenner debate.

That the emergence of capitalist structures was accompanied by an increase in the incidence of poverty and widespread insecurity and crisis by the 1520s has been shown in the previous section in mine and in other more distinguished works. Whether this emergence was aided by 'unjust expropriations' will be among the processes looked at here with the evidence of class-struggle for Lydd. Useful comparisons will be made between Christopher Dyer's work on the west midlands, an area with conservative attributes, and Eleanor Searle's work on Battle Abbey which held Dengemarsh manor in Lydd parish, and which inclined towards more bourgeois tendencies in its staffing and operations. Dyer, although finding much evidence of force and implications of force and intimidation, asserts that most engrossment and enclosure in this area was probably the result of vacated holdings due to customary or servile tenants fleeing to areas with more

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<sup>435</sup>Eric Kerridge, *Agrarian Problems In The Sixteenth Century And After* (London: George Allen and Unwin Ltd, 1969), pp. 92-3.

<sup>436</sup>E. P. Thompson appears to be the only real exception: i.e. 'The Grid of Inheritance: A Comment', in *Family and Inheritance: Rural Society in Western Europe 1200-1800*, ed. by Jack Goody, Joan Thirsk and E. P. Thompson (Cambridge: Cambridge University Press; Past and Present Publications, 1976), pp. 329-360; and his 'Custom, Law and Common Right' in the author's *Customs in Common* (London: The Merlin Press Ltd, 1991), pp. 97-184.

freedoms and economic opportunities. Searle identifies changes with a more ruthless management of resources by Battle Abbey and more particularly during the fifteenth century by its 'functionaries'.<sup>437</sup>

This section is split into two parts. 2.1 examines the methods and processes of engrossment and enclosure, namely 'primitive accumulation';<sup>438</sup> and 2.2 examines the processes of cultural hegemony, alongside the political and economic, which may have had a determinate relationship with these changes.

First of all let us locate the chronology of enclosure, which because of the processes of accumulation assumed a different character as time went on, and not in the least because of the social changes enclosure engendered right from the outset.

Marx asserts that, 'The prelude of the revolution that laid the foundation of the capitalist mode of production, was played in the last third of the 15th, and the first decade of the 16th century', with a 'newly formed nobility' emerging out of the civil war evicting the peasantry within the context of the growth in the Flemish cloth industry.<sup>439</sup> Professor Ashley similarly located the period of rapid change in the period 1470-1530, and the greatest popular outcry against enclosures in the years 1548-1550. Hales, a contemporary, said that most of the 'destruction of towns' occurred before the reign of

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<sup>437</sup>Christopher Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540* (Cambridge: Cambridge University Press; Past and Present Publications, 1980); Eleanor Searle, *Lordship and Community: Battle Abbey and Its Banlieu 1066-1538* (Toronto: Pontifical institute of Mediaeval Studies, 1974).

<sup>438</sup>For an analysis of this term see Karl Marx, *Capital: A Critique of Political Economy*, vol. i, (London: Lawrence & Wishart, 1954; repr. 1956-83), pp. 667-724; 'The capitalist system pre-supposes the complete separation of the labourers from all property in the means by which they can realise their labour. As soon as capitalist production is on its own legs, it not only maintains this separation, but reproduces it on a continually extending scale. The process, therefore, that clears the way for the capitalist system, can be none other than the process which takes away from the labourer the possession of his means of production; a process which transforms, on the one hand, the social means of subsistence and of production into capital, on the other, the immediate producers into wage labourers. The so-called primitive accumulation, therefore, is nothing else than the historical process of divorcing the producer from the means of production. It appears as primitive because it forms the pre-historic stage of capital and of the mode of production corresponding to it', (p. 668).

<sup>439</sup>*ibid.*, p. 672.

Henry VII.<sup>440</sup> Searle and Dyer identify these changes from around the middle to late fifteenth century.<sup>441</sup> Tawney says that manorial courts show that ‘the consolidation of holdings and collisions between the interests of commoners and sheep farmers were quite common early in the fifteenth century’, which he sees as ‘premonitory rumblings to suggest the coming storm’, beginning ‘on a small scale before they attain dimensions sufficiently striking to attract attention’.<sup>442</sup> The first legislation against unrestricted enclosure began in 1489, which reinforces these assertions, and continued to fill the statute book from here, although apparently largely unheeded.<sup>443</sup>

Tawney produced a useful, concise summary of the nature of enclosure and the actors involved, as seen by contemporary writers such as Latimer, Crowley and Bacon in the sixteenth century:

The movement originates, they agree, through the covetousness of lords of manors and large farmers, who have acquired capital in the shape of flocks of sheep, and who, by insisting on putting the land to the use most profitable to themselves, break through the customary methods of cultivation. The outward sign of this is enclosing, the cutting adrift of a piece of land from the common course of cultivation in use, by placing a hedge or paling round it, and utilising it according to the discretion of the individual encloser, usually with the object of pasturing sheep. This is accompanied by land-speculation and rack-renting, which is intensified by the land-hunger which causes successful capitalists who have money in trade, to buy up land as a profitable investment for their savings, and by the sale of corporate property which took place on the dissolution of the monasteries and the confiscation of part of the gild estates. The consequence is, first, that there is a scarcity of agricultural produce and a rise in prices, which is partly (it is supposed) attributable to the operation of the great graziers who control the supplies of wool, grain, and dairy produce, and secondly and more important that the small cultivator suffers in three ways. Agricultural employment is lessened. Small holdings are thrown together and are managed by large capitalists, with the result that he is driven off the land, either by direct eviction, or by a rise in rents and fines, or by mere intimidation. At the same time the commonable areas, consisting of common waste, meadow, and pasture of the manor is diminished, with the result that the tenants who are not evicted suffer through loss of the facilities which they had previously had for grazing beasts without payment. There is, in

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<sup>440</sup>These assertions are taken from Tawney, *Agrarian Problem*, pp. 11-12.

<sup>441</sup>Dyer, *Lord and Peasants*, especially chapters 13-15; Searle, *Lordship and Community*, especially Part Five (p. 368).

<sup>442</sup>Tawney, *Agrarian Problem*, pp. 11-12.

<sup>443</sup>Hughes and Larkin eds., *Tudor Proclamations*.

consequence, a drift into the towns and a general lowering in the standard of rural life, due to the decay of the class which formerly sent recruits to the learned professions, which was an important counterpoise to the power of the great landed proprietors, and which was the backbone of the military forces of the country.<sup>444</sup>

Although Tawney suggests initial caution in assuming these polemical denunciations of enclosures to be completely consonant with fact, his analysis and most other studies considerably bear out some, if not all, of these contemporary impressions. Their application to the evidence of my own study will be borne out in due course.

Apart from the unbridgeable ideological gulf between the premises of Kerridge and Tawney, Kerridge's main bone of contention against Tawney concerns the security of customary tenure. Tawney was concerned to show that in the context of the early fifteenth century decline of villeinage, developing competitive rents through demesne leasing and assarting, the orality of customary possession, early peasant differentiation due to long-term petty accumulations breaking original communal bonds, short term tenures, and above all the confusion among contemporaries about the protection afforded to customary tenants in the lord's court, that customary tenants were not as secure as freeholders and they were therefore more vulnerable to expropriation. Crucially, Tawney suggests that where customary tenure was strong, this would induce evictions through more persistent persuasion, intimidation and manipulation of the law and its lawyers, and this would have implications for freehold tenure as well.<sup>445</sup>

Kerridge's main flaw is that he begins, intentionally or not, from the premise that written law can be taken as actual practice, with on the face of it, little recognition of the role of power relations in not only the creation of laws but in their actual implementation. Where he does digress from this position he finds conflict. However these examples of conflict are dismissed as blips in an otherwise equitable process of composition and agreement over enclosures between lords and tenants. Hence, nowhere does he try to accommodate the writings of contemporaries and the reasons for some of the laws passed in the late fifteenth and throughout the sixteenth centuries against enclosure.

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<sup>444</sup>Tawney, *Agrarian Problem*, pp. 6-8.

<sup>445</sup>*ibid.*, Part II, chapters 2 and 3.

Kerridge's views had in fact been dealt with by Tawney some fifty years before Kerridge's attack, when Tawney says that:

To suppose that contemporaries were mistaken as to the general nature of the [enclosure] movement is to accuse them of an imbecility which is really incredible. Governments do not go out of their way to offend powerful classes out of mere lightheartedness, nor do large bodies of men revolt because they have mistaken a ploughed field for a sheep pasture.<sup>446</sup>

In trying to show that customary tenure was as secure as freehold, Kerridge ends up showing how insecure *both* forms were to the machinations of capitalists and landlords. For example he says, 'That some customary tenants were disturbed in their possession does not argue any insecurity of tenure, for even frank tenants, whose security is never to be doubted, were sometimes disturbed'.<sup>447</sup> Also, 'the protection afforded the customer by equity suffered from a minor procedural flaw. Faced, for example, by an injunction from the court of Requests to quit the premises, a man (lord) might scorn the writ, declaring it "a counterfeyte and made under a busshe." Even Chancery decrees and processes, especially the service of subpoenas, were occasionally resisted violently, by fortifications, guns, long bows, pistols, great stones and scalding water. Although such contempts did not pass with impunity and were punishable by imprisonment for an indefinite period at the discretion of the court, they might occasionally delay restitution'.<sup>448</sup> Furthermore, in a characteristic loop he first of all says that, 'The lord can only have his way if it does not conflict with custom, with common law, or with equity'. But in the following sentence he says, 'it was not unknown for a lord or steward to attempt to browbeat a jury or threaten them with a fine for perjury. The lord, too, might well be a justice of the peace and perhaps might then contrive to use his power and influence to refractory suitors or witnesses'.<sup>449</sup> These digressions give ample indications as to the unequal nature of the power relations surrounding the law. Used originally as disclaimers from his general argument, Kerridge seriously undermines his own position.

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<sup>446</sup>*ibid.*, p. 244.

<sup>447</sup>Kerridge, *Agrarian Problems and After*, p. 82.

<sup>448</sup>*ibid.*, p. 74. Of course a delay in restitution, would mean a cessation of the tenants' independent productive capacity and therefore impoverishment, and therefore inability to continue the case.

<sup>449</sup>*ibid.*, p. 78.

What Kerridge's central argument attempts to convey is that, whether there was conflict or not, and no matter what happened as a result, tenants did have legal opportunity to redress in the manorial court; and if satisfaction was not received there they could go to Chancery, particularly with provisions made by the state in this respect in the sixteenth century. Such redress of course depended upon whether tenants could afford the prohibitive costs and survive the delay in production, and upon the power of the state to control engrossers, the latter being a class often acting as crown officials themselves which Kerridge acknowledges.<sup>450</sup> It of course was not Tawney's intention to say that customary tenants did not have theoretical redress at court. His point was that there was not a level playing field when they got there, even if they decided to bite the bullet.<sup>451</sup>

Finally, Kerridge's highly restrictive and flawed project is clearly exposed in his lofty assertions that, 'Bondmen apart, everyone had security of tenure as befitted their estates, and nearly all were quite untroubled in their possessions, never needing even to defend them in law or equity. Had it been otherwise, had farmers not been secure in their farms, they would hardly have undertaken any improvement, let alone the agricultural revolution they actually achieved', and that, 'The security of copyhold has been legally proved, but even if it had not been, it would be fair inference from the well-known fact that knights, esquires and other gentlemen took up copyholds both of inheritance and of lives; they would not have done so had these estates been indefensible'.<sup>452</sup>

First of all, I suspect that no reality or truth can be *legally* proved. Secondly, in both of these assertions, Kerridge sees before him only the written status of the plot of land rather than the class actually holding or occupying it, and therefore the differentiation in the material resources and patronage available to different classes in order to increase and protect their property. Thirdly, besides this, the point is that it was the farmers, (and by these Kerridge means improving *capitalist* farmers), and aristocratic lords who, often

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<sup>450</sup>*ibid.*, p. 80.

<sup>451</sup>Kerridge in fact lists other obstacles that may be put in their way by the lord, such as the seizing of copies of court rolls and books, without which documentation there could be no case. However, he counteracts this by suggesting that customary tenants had 'fraudulent intentions' as well, and that 'Customers who did that kind of thing deserved to forfeit all their holdings for infidelity', *ibid.*, pp. 79-81.

<sup>452</sup>*ibid.*, pp. 92-3, p. 76.



in collaboration as we shall see, were doing the evicting and improving at the expense of the smaller holders. Such farmers and aristocracy would hardly be vulnerable to eviction by their own hands.

The processes engendered through class-struggle in these changes are clearly apparent whether expropriations occurred 'illegally' or not; because lords could 'legally' uproot much of the customary tenantry from the soil after the lives of a copyhold were finished or term of years was up, based upon its economic-political-legal class or social-property position over the peasantry - in its interest and against the interests of the peasantry. What needs to be looked at further is how secure from eviction these copyholders or customary tenants were *within* their terms of years or lives in the face of impatience on behalf of the lords and capitalist farmers; or more immediately for our purposes, we need to look at how secure those customary tenants were in Lydd who held by inheritance, the level of security of which, theoretically, was on a par with freehold.

To bring these arguments further into relief I will begin my analysis of the empirical evidence by focusing on the changes that took place on the manor of Dengemarsh within Lydd parish, particularly between the 1460s and 1538, and then I will look at comparative developments elsewhere in the parish.

Searle in her work on Battle Abbey examines the pre-history of the nature of the abbey's demesnes prior to the widespread withdrawal from direct management in the late fourteenth century. She shows that Dengemarsh manor, lying between Lydd and Dungeness on the coast, was one of a number of provision manors for Battle Abbey which lay some thirty miles away in East Sussex. Its production was for the abbey's direct consumption. This was distinct from those manors at a further distance, the produce of which was sold for a money income. It was in these provision manors that the monks had concentrated their purchases in the widespread lordship drive to direct management in the second half of the thirteenth and early fourteenth centuries; and after it had finished with its farmer in 1257 Dengemarsh became much enlarged during this process. All of the provision manors sent 'birds, fish, animals, honey, dairy products and corn', with some 53% of liveries being in corn. Between the 1340s and 1380s Battle manors saw a decline in income of 27%. From as early as 1346 Dengemarsh manor began to be farmed out, although as the numerous surviving ministers accounts bear

witness, at this stage it was frequently back in the lord's hands. Hence Dengemarsh was still supplying corn liveries to the abbey in the late fourteenth century, and Lydd itself was up to then one of the main markets in which the abbey travelled to buy its corn. And so it would appear that the marshes around Lydd, Dengemarsh in particular, were traditionally engaged in significant arable cultivation.<sup>453</sup>

Probably the last time the manor was taken back into the hands of the abbey was between 1429 and 1431 for which two accounts survive.<sup>454</sup> From then onwards the abbey business was dominated by secular functionaries, the burgesses of Battle, of whom we shall hear more in due course. These accounts are damaged in many places making a comprehensive analysis impossible. However important aspects of the two years can be brought out. They show the employment of three sets of plough teams, sometimes at different times of the year, sometimes overlapping, and also the employment of labourers for threshing and mowing and scattering hay over pasture. Arable produce amounted in 1429-30 to fourteen quarters of wheat, twenty-four quarters of barley, ten quarters of beans, thirty-five quarters of oats, and fourteen quarters of barley malt. The accounts are often damaged where details of the acreage sown are given. However indications that a quarter measure was produced per acre would suggest that the acreage sown that year was in the range of 100 acres. Much of this produce was 'sold' to the abbey along with other livestock such as fish, fowl, swans, lambs, and cows. In 1430-1, the total livestock of the manor consisted of one horse, six mares, four colts, one bull, thirty-nine cows, thirty-two bullocks and heifers, eight pigs and twenty-nine piglets. This does not present a large amount of livestock but the demesne also seems to have provided pasture for sheep from elsewhere and from which some revenue was gained. In 1429-30 this amounted to 4li for 282 sheep owned by three men, but dropping to only 3s 4d for thirty sheep owned by one man in 1430-1. More significant revenue was gained by 'agistment in broco', or renting out scrub land. For example, 8li 10s in 1429-30, and 6li 12s in 1430-1.

And so, despite the temporary nature of the arrangement, a balanced mixed farming was still evident at this time on the manor and providing some employment. It seems the

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<sup>453</sup>Searle, *Lordship and Community*, pp. 251-9; for minister's accounts see, PRO, SC 6, 889/13-27; SC 6, 890/1-6.

<sup>454</sup>PRO, SC6, 890/7-8.

manor had been previously leased to a John Pevensey, because the 1429-30 account details much of the stock and produce being seized back into the hands of the abbey, and so this and the following account possibly survives as a re-organisation by the abbey for the purposes of re-leasing to a more substantial farmer. Searle points out that unlike Westminster and Ramsey Abbeys, in the fourteenth century, Battle was more interested in farmers who could take over the entire manor, including 'rent roll, demesne, stock, equipment and buildings for terms that varied from five years to lifetime leases, most being ten year terms'.<sup>455</sup> We know that a John Bate was farming it by at least 1441 and possibly as early as 1432.<sup>456</sup> The 1430-1 account details a substantial 14li 12s spent on a new embankment 'apud les brokes' which were south of Lydd towards the coast, and this was no doubt to make the lease more attractive.

Tawney has shown that capitalization of customary agricultural holdings stems to a large extent from developments of the demesne, i.e. its changing relationship to the rest of the manorial 'assize' acreage, and its management and commodity production.<sup>457</sup> A number of rentals and scots of varying quality and usefulness survive for Dengemarsh manor and for the drainage of the marshland it belongs to, in the hundred years or so before 1432. For the year 1432 two related rentals of particular detail survive, and these give us a picture of the nature of holdings on the manor prior to the change to come. Besides an early rental and custumal that was produced c.1310-15, there survives one dated 1402, and one, judging by the names, from a generation earlier, possibly even from the 1370s. Some time must have elapsed between the two, because only half of those on the earlier list survive on the 1402 list. Having said this, a quarter of them still survived from the early list to 1432.<sup>458</sup> Only the c. 1370s rental gives the demesne acreage, this being 307 acres 3 roods. This lists the occupiers of land on the Battle manor within the 'Watering' of Dengemarsh who were therefore subject to taxation for the maintenance of drainage. Confirmation of this amount of demesne acreage is gained from another undated

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<sup>455</sup>Searle, *Lordship and Community*, pp. 258-9.

<sup>456</sup>I have unfortunately mislaid this reference.

<sup>457</sup>Tawney, *Agrarian Problem*, pp. 253-66.

<sup>458</sup>For c. 1310-15 see PRO, E 315/57, fol. 32v. This rental will be looked at more closely below. For 1402 see PRO, SC 11/347, and for the earlier one approximately dated Edward III, see PRO, E 315/57, fol. 108r. For the related rentals of 1432 see PRO, E 315/ 56, fols 226r-241r, and E 315/386. The former is enshrined within a large book containing all the Battle rentals and the latter is a compact book of its own.

memorandum relating to marshland taxation, which includes some of the tenants from that of the c. 1370s rental, the total demesne recorded being 306 and 1/2 acres. This memorandum shows that 120 acres of it was farmed out in nineteen separate plots, which made the occupiers, rather than the abbey, liable to the tax for these plots.<sup>459</sup> The total manorial acreage in the c.1370s rental amounts to 967 acres and three roods including the demesne. In the most detailed rental of 1432, acreage amounts to 642 acres, sixty-three roods, six dayworks, (including at least forty-two messuages, eight kidells or fish traps), plus one acre of 'new rent' and eighty-eight acres in the adjacent 'Wyke'.<sup>460</sup> If we subtract the demesne acreage from the total of the earlier rental we get 967 acres, three roods minus 307 acres three roods leaving 660 acres. Acreage in 1432 amounted to the same at 658 acres, three roods and three dayworks, plus the eighty-eight acres in the Wyke which was treated separately.<sup>461</sup> This clearly shows that there was no change between the size of the demesne and the rest of the manor, and indeed the size of the manor as a whole, between the c.1370s and 1432.

Next we come to the assize holdings. The early fifteenth century is generally characterised by a process of the re-occupation by tenants of better land due to the gaps in holdings created by serious population downturn.<sup>462</sup> However Romney Marsh it seems was characterised by a vigorous reclamation of new land and recovery of submerged old reclaimed marsh land.<sup>463</sup> Paradoxically, adjacent to these developments of competitive rents, lay the more anciently settled small parcels of various manors including the assize holdings of Dengemarsh, and the 1432 rental for Dengemarsh reads as if the process of *morcellement*, characteristic of the population peak in the late thirteenth century, had taken place. The overwhelming majority of the 658 acres besides the demesne, was split

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<sup>459</sup>PRO, E 315/57, fol. 30v. These marshland 'scots' were levied by authority of the Sewer Commissioners on the land occupiers, as opposed to the owners or chief holders.

<sup>460</sup>This exact figure is taken from the more detailed rental, E 315/56, fols 226r-241r.

<sup>461</sup>The Wyke would not have been included in the rental of the c. 1370s because this rental related to Battle Abbey's lands in the 'aquagium' or 'Watering' of Dengemarsh in regard to marsh maintenance. The Wyke was outside of this Watering. See Appendix 2.

<sup>462</sup>See for example, R. H. Hilton, 'A Crisis of Feudalism', in *Brenner Debate*, pp. 119-137 (p.133). 'It is clear that there was a re-grouping of settlement, both within and between villages, so that the worst land from the point of view both of natural fertility and convenience of access (to the farm and to the market) would be abandoned to pasture'.

<sup>463</sup>Draper, 'Farmers and Capitalists'.

into a few roods or a few acres. Plot size ranged from half a rood to seventeen acres, there being only one example of the latter and two cases of ten acres. These plots were organised on the tenementum system within seventy-one tenementa and divided among eighty-one occupying holders, plus two small holdings of which Battle Abbey held one and the churchwardens of Lydd held the other.<sup>464</sup> The '56' rental lists under the name of the *tenementum* holder or 'former' tenementum holder, the collection of occupiers' holdings, (although a tenementum may only contain one holding), with the names of the occupiers, the acreage they held, and the location both in terms of a named field or area within the manor, and in exact relation to the other holdings within the tenementum. The total rent of the sum of these occupiers' holdings and therefore that of the tenementum as a whole is given next to the name of the tenementum holder or 'former' tenementum holder. However the '386' rental shows that these occupiers probably paid their rents individually, as their plots were individually valued in this document. The tenementum holder or 'former' holder therefore corresponded with the original holder (at one time) of all the plots within it, some or all of which had subsequently been either sold or sublet to their occupiers, or distributed to his or her family.

It is almost certain that the figure of seventy-one tenementum holders and 'former' holders (the latter numbering thirty-two) in 1432 is comparable with the number of holders listed in the 1402 rental. The number of holdings in 1402 was eighty-one, and these were held by seventy-eight holders, three of these holding an additional plot for their wives or for someone else. However the '56' rental of 1432 also includes, as we have seen above, eighty-eight acres and these were divided among nine holdings and holders in the Wyke. Most of these holders and holdings in the Wyke in 1432 bear close correlation to the same holders or their heirs and holdings in 1402 where the holdings in the Wyke are not distinguished. So if these nine holders in the Wyke are subtracted from the original eighty-one holders in the 1402 rental, the total in 1402 then becomes seventy-two and therefore almost identical to the seventy-one tenementa in 1432. This leads us to believe that both rentals refer to the same tenementa. I might point out that thirty-two of the holders outside the Wyke in 1402 were still tenementum holders in 1432, and another thirty were titled 'former' holders by 1432. The names of the latter 'former' holders had been retained in the rental presumably for reference and continuity. The holdings however in the c.1370s rental number ninety, held by eighty-five holders,

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<sup>464</sup>For an examination of the tenementum system in an earlier period see R. M. Smith, 'Families'.

and these would not include the Wyke as they refer to the abbey's acreage within Dengemarsh *Watering or Level* as mentioned above. Indeed, as we have seen, the acreage in this rental is identical to that of 1432 minus the Wyke. Because of this high figure and its comparability with the eighty-three *occupiers* in 1432, it is highly likely that this earlier rental refers to the occupiers within it rather than the tenementa. This is confirmed by the fact that the c.1370s rental was a Watering scot which was levied on occupiers rather than owners and alienators. Having established this, some interesting points begin to emerge. The eighty-five holders in the c. 1370s were divided between fifty-one different family names. However the eighty-one holders besides the abbey and the churchwardens in the 1432 rental were divided between as many as sixty-four different family names. Regarding the structure of holdings held by each individual or their heirs, the highest in c.1370s was fifty acres and the lowest one rood. In 1432, the highest was fifty-nine and a half acres, and the lowest, half an acre. Within these similar outer limits, the structure of holdings appears, at first, virtually identical. The traditional smallholding is regarded generally as being no more than fifteen acres. The limited number of the eighty-five people in c.1370s holding sixteen acres and more were eleven, and of the eighty-three in 1432, there were twelve who did so. Those holding *below* six acres in c. 1370s was fifty-one, and in 1432 it was fifty. However, those holding less than three acres in c.1370s was thirty, where in 1432 it was up to thirty-seven. Those holding less than two acres in c. 1370s was twenty-five, but up to twenty-nine in 1432. And finally those holding less than one acre in c.1370s was eight, but exactly double that number in 1432. This evidence of a large increase in family names, and a significant increase in numbers of people holding below three acres of land between c.1370s and 1432, appears to suggest that there was an increasing demand for land between the years of these two rentals and a resulting fragmentation of holdings at the bottom of the holding scale in a period generally characterised by the opposite tendency. It also suggests that most people were not holding much acreage at all and we shall analyse this fact in due course.

In summary therefore, there appears to have been no change in the size of Dengemarsh manor and the relationship in size between the demesne and the assize holdings between c. 1370s and 1432. However there had been an increase in family names among the occupiers in the years between these rentals, along with the fragmentation of holdings below three acres by 1432.

Concentrating now on the nature of the holdings in terms of location and production on Dengemarsh in 1432, virtually all occupiers with more than one plot held them in more than one tenementum, some in as many as six. Even *within* a tenementum a particular occupier's plots were well scattered as the detailed description of locations and individually named fields reveal. Importantly, tenementa do not correspond to fields or single enclosed units. Although many plots were clearly adjacent to one another, generally the plots in each tenementum (something made much clearer in the larger ones) were spread over different locations. Most of the tenementa over six acres contained some 'mede' or 'lese'. By far the most mentioned mead is 'Southmede' which appears to have been a substantial district in the south of the marsh containing many locations and named fields in its own right. Southmede finds its way into most of the larger tenementa, which were of course not very large and this suggests that the reason for the spread of plots within a particular tenementum was to cover diverse land use. For such a large district, the plots within Southmede seem the smallest, the biggest being only two acres. In one example the nine occupiers within a tenementum containing twenty-five acres were allotted half an acre each of 'lytelgavelmede' presumably for the purposes of pasturing animals for manure etc. The entry does not say this pasture was held jointly and so it would appear that this and the other pastures were held in very small severalty. 'Commons' are not mentioned in the rental and because of the close description of adjacent locations they probably would have been if they existed. This may have been influenced by the relationship of the holders to the main manor of Aldington which included the urban area of Lydd which had significant commons including 'beach' and 'holmstone', as well as the large Rypes for pasturing. The only thing that was common on Dengemarsh was the large watercourse which ran from north to south, and another old watercourse 'vetera aquagium', and which were subject to sewerage tax levied by the acre upon individual occupiers as opposed to the lord. Certain grazing rights for particular plots are mentioned in the c.1310-15 Dengemarsh custumal, and this will be developed later with the analysis of tenures.

Looking at the geographical proximity of the demesne lands to the assize holdings, the 'Abbot and Convent of Battle's lands' are mentioned in thirty-six or half the tenementa. In translation and abbreviation, this occurs mostly in the form of 'between lands of A+C' and another; 'leading up to A+C', and also 'lying next to lands of A+C'. There are also

references, although less common, to tenants lands *within* those of the 'A+Cs', 'surrounded by lands of A+C', 'enclosed on all sides by A+C lands' and interestingly 'within Le Batayllongate'. This evidence shows that the demesne must have been dispersed to some extent, in line with a protracted process of accumulation in the late thirteenth century, and that a large proportion of tenants lands came into direct contact with it. The lack of commons and the proximity of the demesne has possible implications for engrossment and resistance which will be analysed in due course.

Regarding the structure of holdings, as indicated above, seventy-one holders or 86% of the total held less than sixteen acres with most of these concentrated at the bottom of the scale. For example, as many as fifty holders or 60% held less than six acres, thirty-seven or 45% less than three acres, twenty-nine or 35% less than two acres, and sixteen or 19% held less than one acre. A knight, the heirs of significant gentry, and a lawyer held between fifty and fifty-nine and a half acres each. Further in terms of demography and the household utilisation of these holdings, the eighty-three occupiers represented larger families, and in addition fourteen of these occupiers are referred to as 'heirs of' a particular person, reflecting a shared partible inheritance, and so more than one nuclear family may be implicated here. Landholding in Lydd's large parish was not restricted to individual manors however, and this structure of holdings should only loosely be taken to indicate social differentiation. A thorough analysis of the social and economic background of the holders is not possible for this early period, although the implications due to the high number of holders and small holdings is that they represent all but the most poor. Not surprisingly there is a clear tendency for those who have the largest holdings to occupy the highest offices in Lydd. For example, of the top seventeen occupiers, below the three gentry, i.e. those holding above ten acres, eleven were jurats between at least 1427 and 1431 with five representing Dengemarsh. There were however still thirteen jurats among the others, eight of these being in office before 1433, and six of them representing Dengemarsh. It is important to point out that John Bate held only two acres and yet by 1441 and probably much earlier he was to farm the whole manor and to be succeeded by his son Andrew. He would have had land in other areas of the parish and perhaps even in other parishes, and judging by his son, he had a profitable occupation as a butcher in the town with which he was able to generate money for the lease and entry fine.



The tiny fragmentation of plots and lack of common lands on Dengemarsh must have been a function of the special relationship of this manor and the town of Lydd, many of the holdings acting as supporting plots to more urban occupations and the important fishing industry. Because besides the identification of all of these Lydd jurats (twenty-four) among the holders in 1432, there were in addition, twelve holders who performed scot collection for Lydd at least once. Given the limited nature of the record at this early stage, there is a very high correspondence between the people involved in the town and this manor, and one could possibly go as far to say that the manor acted as the town's back garden. However it must be remembered that some forty-two messuages lay in this manor, outside the urban area at this stage, but there would hardly be a distinction between the two areas, particularly as they belonged to the same liberty and political constitution. Dengemarsh seems to have been the link between the urban area of the town and the fishing station at Dungeness on the coast, providing holdings for fishermen and townspeople alike, and these were usually one and the same person.

This phenomenon of fragmented plots and density of population in a period generally characterised by the reverse conditions, may be due to a number of reasons. Bois for example found that the population in Normandy tended to concentrate on the coasts which had the attraction of a diverse economy, especially important of course being fishing as a support to agrarian subsistence and vice-versa.<sup>465</sup> Also, as Hilton has found, people in towns tended to have extra-mural gardens to support their urban occupations.<sup>466</sup> And Dyer has shown that demand for land was greater in the manors near towns and market centres in the fifteenth century because of their greater opportunities and lack of tenurial servility, and this is an important point at a time when people were deserting areas of harsh feudal lordship and this will be dealt with below.<sup>467</sup>

The large size of Lydd parish, possibly due to its peculiar settlement of the various bourgs, ensured significant opportunities in landholding for townsmen.<sup>468</sup> The attractions

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<sup>465</sup>Bois, *Crisis of Feudalism*, p. 161.

<sup>466</sup>Hilton, *English and French Towns*, p. 6, p. 58.

<sup>467</sup>Dyer, *Lords and Peasants*, pp. 107-8.

<sup>468</sup>Compared to Halesowen parish however which contained a small town, Lydd's was rather small and hence in Halesowen there may well have been some distinction between the town and the surrounding

of urban employment in addition to the coastal economy at Lydd may also be a factor in the density of population in this period. The franchises available at Lydd and Dengemarsh due to Cinque Port status, must also have been a factor. For example in 1462 the Crown, in an attempt to re-populate the *rural* area in Romney Marsh proper, a few miles to the north of Lydd, gave it a charter of privileges similar to the Cinque Ports.<sup>469</sup> It is possible that this area had emptied with an earlier drift towards Lydd, New Romney and the Weald.

There were, as I have said, forty-two messuages recorded in the rental, and these were well spread throughout the structure of occupiers including seven messuages among the eleven occupiers with only half an acre attached, and this shows a large concentration of habitation just outside the urban area of the parish at this point. There was also a central Dengemarsh mill and bakehouse which was possibly linked to customary use, and indications of an early trading area with a street called 'Gewery street' and a 'Lombardyswall', possibly harking back to an earlier function.<sup>470</sup> Importantly, apart from the concentration of population, the relative and general well-being of the population of Lydd town and parish in the 1430s is indicated to some extent in terms of the desire or ability to pay taxes for significant church enhancement projects and wars in these years, and also in the very high numbers of freemen by 1446 in contrast to a hundred years later.<sup>471</sup>

Regarding the subject of tenurial status: before the 1520s when Dengemarsh properties (as well as the other manors from 1503) began to be left in wills 'in fee simple', references in wills and deeds say that they were subject to the services, laws and customs of the chief lord of the fee.<sup>472</sup> The 1432 rental and ministers accounts show that the lordship of Dengemarsh by virtue of its franchises could claim all profits from wreck on the coast along with other fishing profits; but no general services are mentioned. The

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hamlets, despite being within the same manor. See Hilton, 'Small Town Society', p. 21; and, 'Lords, Burgesses and Hucksters', p. 127.

<sup>469</sup>M. Teichman-Derville, *The Level and Liberty of Romney Marsh in the County of Kent* (Ashford, Kent: Headley, 1936), chapter 3.

<sup>470</sup>See Chapter, Section 1.2.2.

<sup>471</sup>See the first twenty years of the chamberlains' accounts, Ly/fac 1; for the barons' tax see PRO, E 179, 226-229.

<sup>472</sup>See the numerous deeds in Ly/fac 1.

c.1310-15 Dengemarsh custumal gives details of the 'servitia et consuetudines' applying to it, but they are not many. They involve carrying services although these have reciprocal obligations. For example the tenants holding the thirty-six acres of 'Gretegavelmead' were to provide sixteen horses and riders for certain services, and in return were allowed sixteen sheep per-acre-held to graze upon the stone. 'Cottars' were also allowed five sheep on the stone in return for certain carrying services.

The 1432 rental shows that eleven plots of nine occupiers were held 'in servicio' and so there may have been some continuation of this tenure. Alongside these were also eight plots of seven occupiers held in 'feod firma'. These were probably holdings which fell back into the lord's hands, being held presumably for a term of years; and so a complexity of forms of tenure were present. The vast majority, however appear to have been non-servile customary holdings. Restrictions on the heritability, alienation and sale of holdings do not appear to apply to them as the busy court rolls bear witness.<sup>473</sup> Entry fines would appear to be relatively low at the equivalent of a year's rent. There were frequently significant differences in these fines in regard to the amount of acreage they relate to, but this can be put down to the diverse range in the quality of the land in question, some of it including stone and salt, and the size of the messuage involved would also be an important factor in this respect. For example in 1432 the lowest rent worked out at 0.38d per acre and the highest 12d including messuages. However most rents were between 4d and 6d, with the main base being 4d. The rent-based fines remained the same at Dengemarsh throughout the period 1430-1535 for which we have manorial records, and these were identical to the rents in the 1551 rental of Old Langport. However some areas of the latter manor had developed very high farm rents which shall be discussed below. The Aldington rental of 1556 which included the urban area of Lydd shows rents had remained even lower in this manor, working out at only 1d an acre and 2d for a basic tenement. This however was probably because the corporation had taken over the ancient 'farm' in 1467 when the barons became 'lords in meane'.<sup>474</sup>

These customary holdings on Dengemarsh in 1432 would therefore appear to be among the strongest possible; they were not copyholds for lives but of inheritance held 'imperpetuum'. In legal theory therefore, and in practice at this stage, the tenants'

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<sup>473</sup>PRO, SC 2, 180/60-5.

<sup>474</sup>See Chapter Two, Section 2.2.

tenurial status would appear to be secure from either eviction or rack-renting or arbitrary fines, unless these were dealt with outside the court rolls. The only way they could be removed, was first of all through collaboration between wealthier farmers and lords through the buying up of lands becoming available upon tenants' deaths due to debts etc. material and spiritual, through agreed conversion to competitive rents (which was hardly an option for smallholders), or through fear of violence or violence itself.

Pre-dissolution accounts detail the rents and farms of Dengemarsh in 1538, and in these a very different situation is apparent.<sup>475</sup> The demesne is recorded as containing 408 acres, split into two farms of 22li and 20li a year, the latter being Northlade, 'a parcel of the marsh newly enclosed'. The tenure of the assize rents is described as 'free'. Mostly, the rent only is given making the ability to count assize acreage impossible. However, including a few tenements described in the Wyke, the holdings and messuages amounted in 1538 to only 11li 3s 11d. There were in addition, kiddles at 13s 5d for five and a part, held by two men and a collective of fishermen. The fishermen also owed 25s for a 'seam' of fish in 'gift', presumably to do with the abbot's franchise which we will come to. This compares with the holdings and messuages rent in 1432 which amounted to 12li 13s 2d. In addition in the 1432 rental were kiddles at 17s for nine and a quarter part. This means the holdings and messuages rents were 29s 3d more in 1432 than they were in 1538, and we know that rent values were static right across the period. At a crude calculation of 4d an acre, this extra amount would reflect an acreage reduction of eighty-seven acres and three roods. This figure is not dissimilar to the acreage the demesne had *increased* by in 1538 with its 'newly enclosed' parcel in Northlade, i.e. from 307 to 408 acres. However, this comparison of rents must be treated very loosely because there is no way of telling if the assize holdings had been developed or reduced in the past 100 years or so, and, as will be seen, the number of messuages recorded was drastically reduced which may or may not have lowered the rent value. Also the demesne may have increased northwards to some extent from Northlade, which was at the extreme north of the manor, taking in other manors such as Belgar. We do know from surviving ministers accounts for Wye manor in 1470 and 1480, that the farm of the central part of the demesne in 1470 was 22li as in 1538, but that the farm of Northlade was only 10li, and so significant developments had been made to it by 1538. Indeed, by 1480 it seems to have risen further to 13li with the central manor farm reduced to 17li. An extra 4li farm was also

due from the farmer but it is not clear which farm this relates to, although probably that referring to 17li.<sup>476</sup> As we have seen, part of the demesne was leased out in separate plots until at least the 1370s and many of these were dispersed among the assize holdings. The ministers' accounts for Dengemarsh show that a total farm of 100s was paid for 'diverse land and pasture' at Northlade in 1358-9 but this was not consolidated land.<sup>477</sup> It is almost certain that this not insubstantial and growing farm at Northlade in the 1470s and 1480s was only first developed and consolidated from the 1460s. This was a result of predatory engrossment spreading from the demesne to the densely packed assize holdings, and these developments will be looked at in more detail below.

The number of tenants recorded in 1538 was reduced to thirty, plus the church of Lydd, and the number of holdings to thirty-five, plus an 'edifice' built on the sea shore, and certain lands of a single tenant rented at 23d which had been damaged by the sea and not included. Of these thirty to thirty-one tenants, six were gentry, and at least fifteen were Lydd jurats and their families, revealing a striking increase in the exclusivity of landholding among the increasingly wealthy political elite. This also documents the increase in gentry speculation in this period. The rents had also therefore been highly consolidated among the remaining tenantry who amounted to not much more than a third of the original number between 1370 and 1432, years in which their numbers had seen a striking continuity. It could be argued that the recorded thirty tenants obscure the reality of subletting which as we know was very prevalent early on. This is extremely unlikely when we take into account what we know about the accumulation of holdings and creation of farms from the previous section, and in which I will go into more detail below. However it is true that the 1538 account may mask leaseholding arrangements as also seen in the previous section. For example it shows that John Robyn held two plots of 56s and 4s originally consolidated by his grandfather, but more recently held by John Mayne, gentleman. However we know that Mayne was *leasing* out this plot to John Robyn at this time, leaving Robyn to pay the assize rent as well as the farm.<sup>478</sup> Also, it may still be the case at this stage, despite large consolidations in some areas, that many holdings were fragmented as earlier, and the holding of Andrew Windsor, gentleman is a

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<sup>475</sup>PRO, SC 6, Hen 8/3675.

<sup>476</sup>PRO, SC 6, 1107/9-10.

<sup>477</sup>PRO, SC 6, 889/17.

<sup>478</sup>See Section 1.2.1 above.

case in point. The 13s 6d he held in 1538, formerly the heirs of Thomas de Echingham, is rather similar to the 13s 9d rent for a tenementum containing fifty-five acres and one rood in which Thomas Echingham himself held all but one plot in 1432. Many of these plots in this, the largest tenementum were already adjacent however.

The rents in 1432 ranged from 2d for five acres and one rood - with 3d for 1/2 acre being more usual - to 13s 9d for fifty-five acres and one rood, although the largest actual plot was seventeen acres; whereas in 1538 they ranged from 8d to 56s, the latter we know being a large farm of a 100 consolidated acres. Having said this, beyond the gentry and the Robyns' farms, the majority of rents that were left were still relatively small, and so small plots and large farms co-existed. Some of those with the smaller plots however also held leases and land in other manors which they dominated. And so still, at this stage, further consolidations were possible although the rough landscape in some areas may have prohibited this. We know for example that the Robyns' farms, judging by a walk around the manor today, occupied some of the best land away from the salt and stone in the mid- to-north west of the marsh towards the town. Finally, only six messuages and one edifice on the sea shore are recorded in the 1538 rental as opposed to at least forty-two messuages in 1432.

So what exactly happened on Dengemarsh in the years between 1432 and 1538 which allowed consolidations among the assize rents, the enlargement of the demesne and a drastic removal of housing and reduction in the number of tenants? We may look at the problem of demesne expansion first because this seems to have occurred earliest and possibly set the precedent for the later consolidations.

We have already touched upon the fact in Chapter Two, Section 2, that between 1466 and 1477 there was conflict between the Abbot of Battle and Lydd concerning the Abbot's claim to right of wreck and other franchises from his Dengemarsh manor against the claims of Lydd that Dengemarsh received its franchise from the Crown as a Cinque Port limb. As with many such disputes, they stemmed from precedents from the late thirteenth and early fourteenth centuries when the lordship drive was in full swing, many of them receiving expression in 1381 and beyond. The abbot it seems won the dispute, and from 1477 Dengemarsh jurats were no longer referred to in the chamberlains' accounts, where previously they had made up a quarter of the total. However, these

Dengemarsh jurats appear only intermittently from as early as 1462 when they first disappeared having been consistently mentioned without fail since the records began in 1428. They returned again in 1464 to 1466 which is when the Abbot decided to take the dispute to Westminster, and then intermittently thereafter until 1477. Whether this change was purely a constitutional one with Dengemarsh losing its Cinque Port status or the effect of other social changes, or both, is not entirely clear but can be weighed up with the evidence to follow.

Most significantly, the beginning of the abbot's depositions in Westminster in 1466 coincides exactly with the beginning of the surviving evidence for resistance to violent demesne expansion by the abbey's farmer of Dengemarsh manor, Lydd jurat and butcher, Andrew Bate. There is no surviving borough court record in these years, and the only reason we have this evidence is because some or all of it was copied as memoranda into the chamberlains' accounts, probably by Thomas Caxton, who had formally been Lydd's litigious town clerk, or by one of his scribes.

The first depositions by landholders on Dengemarsh against Bate begin on 23 November 1466 around the time of the beginning of the abbot's depositions, and these will be examined below. However, if we are to assume a conscious collaboration between Battle Abbey and Andrew Bate, the latter thereby acting against the interests of his town, we need to establish first of all evidence of the relationship and its motive.

On 21 September 1467, Andrew Bate the farmer of Dengemarsh manor was in Lydd borough court, and he,

before the baylyff Jurates and comminalte of lyde seid, that he never distressid westrenmen [western men] At the Ness nor no other in his Name But suche ffysch As he then hadde he hadde be yefft [gift] And money Also of every man fre gevyng.<sup>479</sup>

A few weeks later on the third of October,

Laurens Holdernes Examynyd...Confessid before the Baylyff And Jurates that whilis he occupyd for bedell he distreynyd Westrenmen be the vertu of his office be the assignement of Andrew Bate. Also the seid Laurens sayth that the seid Andrew Chargid hym that he shold not

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<sup>479</sup>Ly/fac 1, fol. 181v.

distresse none IndWellere nor never the seid laurens the distressid for ony Cabons [fishing cabins]. But he sayth that yf ony man give ony heryng or ffysch to the said Andrew they gave hit sayng that they gave it ffirely But for no dewte [duty]. And so rehersyng Also he confessid that in sume yeres he had A Mille [1000] drey fish, And oo [one] yere XIII C [1400] ffysch And Where he lakkyd oo yere he distreynyd the same Westrenmen for II [two] yeres suyng [following] Also he said he was assigned every Bote of the Westrenmen of be the seid Andrew di C [50] ffysch or ell [else] Vid.<sup>480</sup>

Laurence Holderness, as bedell, was a manorial official similar to a town sergeant, and here clearly received his orders from the manor's farmer. The 'westrenmen' were fishermen who came from time to time from Devon and Dorset to fish in the waters around the coast of Dengemarsh and Lydd parish.<sup>481</sup> Whether the duty on the fishing boats or catch was to go to Lydd or the abbot by virtue of franchise, Bate denied that he distrained the fishermen, although Holderness said he did and tried to rope him (Holderness) into the deceit also. Directly underneath this entry in the chamberlains' accounts is a very different, neat, monkish hand with a general summary of aspects of the dispute and attempted remedies, presumably put to the abbey by Caxton in the name of the town.<sup>482</sup> Here is the entry in full:

Memorandum it ys sayd that the ffermoure of dengemerssh toke off sum Westermen CC [200] dryes Whytyng of some C dryed Whytyng And Compellys hem to pay yt ayenst theyre Wyll. Item that the sayd fermoure schuld cause a Cabon or ii to be take by Endenture of the abbot in prejudice of the Comyn ryght.

Item that there be Wastyd & put away from dengemerssh Lxx [70] housold. And that there Resorte in theys days to the stone not VIII men of dengemerssh to defend the kinges Enemeys.

Item that Wm Rolf by the meanys of Caxton offrys for the maner of dengemersh [more] money than Andrewe payd there fore.

Also he offrys all manere ffraunchez and lybertees to be reservyd to the lord as in Wreckys ffyschynges Wefes Strayes and the profytes off the Cabons, &c.<sup>483</sup>

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<sup>480</sup>*ibid.*

<sup>481</sup>See Chapter Two, Section 1.2.2.

<sup>482</sup>Caxton was very much involved in the dispute in London against the abbot and in the interest of 'the commons', Ly/fac 1. fol. 100.

<sup>483</sup>Ly/fac 1, fol. 181v.



The most striking clause is that referring to seventy households being 'Wastyd & put away from dengemerssh', and we shall come back to this. To summarize the remaining clauses, Caxton - in all likelihood it is him - is putting the case that Andrew Bate as farmer of Dengemarsh manor, has illegally distrained fishermen of much of their catch and taken profits from the fishing cabins 'by Endenture of the abbot in prejudice of the Comyn ryght'. In view of the destruction Bate was wreaking on many of the tenants of Dengemarsh, which will be analysed below, William Rolf, a Lydd jurat and Dengemarsh landholder, by the instigation or with the help of Caxton, tried to buy him (Bate) out by offering the abbey more for the lease of the manor. And along with this, presumably with the consent of the Dengemarsh landholders - who included many of the townsmen who were also paying for the expenses of this suit - offered to give up their claim on these various important franchises for which the Cinque Port town and abbey were in conflict and had been on and off since the late thirteenth century.

The abbey however was obviously well satisfied with Bate because the offer was not taken up. This is clear in another entry which appears relating to a few months later on 16 January 1468. It states that on that date,

came John Andrew Bailiff of the liberty of the Abbot of Battle by the instigation of Andrew Bate of Lydd and delivered a certain distringham which follows in these words: I will distrain John Serlis of Lydd yeoman, and Thomas Caxton of the same yeoman, by all there lands, &c., and of the issues, &c. So that I have their bodies before the Justices of the lord King of Westminster in the Octave of St. Hilary to answer to John abbot of the monastery of St. Martin of Battle in a plea of trespass. By the Sheriff of Kent to John Andrew bailiff of the liberty of the abbot of Battle.<sup>484</sup>

Caxton's and Serlis' 'crime' was physically 'bearing away 10,000 wytyng at Dungeness'. This was clearly done in the name of 'the commons' of Lydd because Caxton came back from London on 2 February to inform them of the situation regarding this suit, and then went back again with their answer.<sup>485</sup> It was the farmer Andrew Bate who instigated this plea, bringing in the abbey's bailiff from Sussex, and also it seems, the Sheriff of Kent. Searle has shown that by the mid-fifteenth century, the burgesses of Battle were, like those in the other larger towns, a self-perpetuating ruling clique of merchants and

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<sup>484</sup>*ibid.*, fol. 179v.

<sup>485</sup>Ly/fac 1, fols. 100-100v.

lawyers, and were benefiting by the 1430s from large accumulations of land in the East Sussex countryside at least, and these accumulations increased in the 1450s and 1460s. As sub-stewards of the abbey they also, by the 1470s, dominated the administration of the abbey itself. In the fourteenth century, the abbey's manors were farmed out wholesale, including demesne, rent roll and court perquisites. Also due to a cost-cutting drive the aristocratic retainers were cut from the budget. But by the 1470s these sub-stewards were riding out and collecting the rents again, and were involved as business partners with other officers speculating in land accumulation. These collections were also made possible by the return of great maintainers, and the involvement of the Sheriff is indicative in this respect. Besides the unlikely coincidence of the abbey's and Bate's projects occurring at the same time, extra light is thrown on Andrew Bate's willingness to involve these people of Battle against the interests of the commons of Lydd by a deed of 1460, showing himself, his relation and fellow Lydd butcher Henry Bate, and John Bokeland of Battle as co-holders of land in Lydd parish. Bokeland was a Battle attorney holding the two offices of abbot's chamberlain and Battle sub-steward from the 1470s and with a significant interest in engrossing land around the town of Battle at least. He turns up in the Lydd records in the form of the above deed and as accountant of the Wye ministers accounts in 1480 that I have just mentioned.<sup>486</sup>

Caxton and Serlis were not large yeomen, but relatively small farmers and tradesmen of more middling wealth. Serlis was a baker, brewer, and fisherman; Caxton, a chapman and litigious town clerk, although both had some holdings on Dengemarsh and elsewhere in Lydd parish.<sup>487</sup> They were very much representative of the 'commons' of Lydd which as a body was the most significant in political terms in Lydd at this time as I have asserted in Chapter Two, Section 2. The jurats were by no means permanent officials as half of them were rotated each year and taken from a broad section of the commons to whom they were responsible. The Sheriff of Kent aside, the middling and lesser commons of Lydd were here in conflict with a significant aristocratic institution, its increasingly powerful and accumulative burgess officials, and its opportunistic farmer, who with other farmers over in the west of Lydd parish was no doubt growing in stature in this period and well aware of the future in such a lucrative enterprise. It comes as no

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<sup>486</sup>Searle, *Lordship and Community*, pp. 365-80, pp. 418-37; For the deed of 1460 see Ly/fac 1, fol. 96v.

<sup>487</sup>See Chapter Three, Section 2.3; see Serlis' will of 1476, and his wife Joanne's in 1486; see the section on the Caxtons in Chapter Three, Section 1.2.2.

surprise therefore that in 1477, Henry and Andrew Bate were chosen as head officers by the aristocratic Royal Sewer Commissioners to develop a more complex marshland administration in the face of tenants defaulting in their land tax payments.<sup>488</sup> The broad lines of conflict are therefore clear, and bear all the hallmarks of the nature of class-struggle in general in this period across urban and rural society which were increasingly intimately linked.

This brings us to the expansion of the demesne. First of all we must take into account the clause which probably Caxton put to Battle Abbey about seventy households being removed from Dengemarsh, and the danger posed by enemies of England due to the reduction of inhabitants around the coast. At the outset, this development was presented as an act of violence with the terms ‘Wastyd’ and ‘put away’.

The representation in the sources of this conflict begins on 23 November 1466, as I have said coinciding with the abbey’s dispute about the franchises, with ironically the demesne farmer and aggressor Andrew Bate acting as *plaintiff* in what must be Lydd borough court (though not always mentioned) against John Sedley in what looks like a case of defamation. It begins:

On St. Clement’s day 6 Edward IV Andrew Bate before the Bailiff and Jurats offered quarrel against John Sedele for that the said John said of the said Andrew that the same Andrew was an *extortioner + that had dryve away halff dengemarsh*. And the said John defends and says that he did not so say, but he said that the said Andrew *shold dryve men owt of dengemarsh as men said*.

*Memorandum that John Alewey John Bagot James Harry + Thomas Moryng say that the seid John Sedele seid that Andrew Bate shold a wroke men owt of the northend of dengemarsh as men said.*<sup>489</sup>

John Sedley was a Lydd jurat, again representative of the commons, who soon after this moved to nearby New Romney. His accusation it appears was made with an element of communal theatre in order to involve a number of witnesses who were themselves of

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<sup>488</sup>Dugdale, *Imbanking*, pp. 47-55.

<sup>489</sup>Ly/fac 1, fol. 129v. This clause in the original is a jumble of Latin and English. I have represented the English in italics from my own transcription, and the Latin translation has been taken from Finn, *Records of Lydd*, p. 278.

similar middling status or less.<sup>490</sup> It would therefore seem very likely that Sedley intended to be brought to court, where a number of depositions by tenants (see below) could be made to support his accusation. What is important here is that Sedley or one of the tenants did not sue Bate in court at the outset for their grievances. A possible explanation is that, if they would have done so, the case would have had to take place within the Dengemarsh manorial court, of which Bate would have wielded significant influence, and because of the background conflict with the abbot.<sup>491</sup> There are clearly links between the Lydd borough court and Dengemarsh manorial court concerning trespass cases between Lydd men and women on Dengemarsh and so personal cases stemming from there, such as the defamation case shown above, could appear in Lydd borough court, presumably because of the overlapping liberties. Here follow the supporting depositions on the same day, 23 November 1466:

Memorandum..Wm Smyth Enfourmyd the Baylyff And Jurates that be his days the Abbot hath A herde in the northend of dengemarsh to kepe his catell for & hurtyng of the people there dwellyng. And be his ffeyth yf he myght An had his good without hurtyng of the Catell of Andrew Bate And for becawse of his hurtyng he departed from the occupyng of his landes And putte his seid londes to fferme.

Rogger Cokered Also sayth that he be the overpressyng of the Catell of the seid Andrew he lost XXI Keene and VI maris whiche he myght have saved yf he had his medelond whiche wast distroyid be Andrew Bate. And dare not occupy his londis for the destruccion of Andrew Bates Catell.

Nicholas Howlyn sayth that yf he myght hadde his place And lond in pees for hurtyng of Andrew catell he Wold not have sold hit. And Also hes distruccion in a quarter be the said Andrew Catell cavsid him to sell his place XIIIls IIIId better Chepe that the said Andrew before profred.

Laurens garard And Agnes the wyff of Thomas cliprank saye that the seid Thomas departyd from dengemarsh be the hurt of Andrew Bate And Also he be his lyff said to Stephen hoigge + the seid Laurens that he wold never Adeparted from dengemarsh except the overpressyng of the seid Andrew, And offt dretinyd [threatened] and fforsid [forced] the seid Thomas.

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<sup>490</sup>It seems however that Sedley may have increased in wealth within the New Romney juratcy after this move. See Butcher, 'Origins', pp. 24-5.

<sup>491</sup>Manorial court rolls do not survive for this period. The legal sanctity of manorial courts in the context of their domination by demesne farmers is clearly in question here.

Thomas Smyth said that he wold not have sold his landes At dengemarsh for dowble pe selver yf he myght have occupyd in pees As neyghbourid requyrid and that be the Catell of Andrew Bate he was greuously hurtid thorow whiche he lost yerely his corn whiche was the cavse that he sold his lond. Itm the seid Andrew drove his mare in to the Mire whiche was Cawse of here deth. And Also the seid Andrew spAke to the seid Thomas And Axith yf he Wold sue hym, & then he dretnyd [threatened] hym yf he Wold sue hym he Wold pAy hym At sume onother place.

Thomas SchallWell Also sayth that the seid Andrew hath hurtid hym off tyme to the valu of XX noblis. And for his cavse yerly hath forbor his soWyng of his lond + occupying of the same. And but yf he myght leve in better pees that to fore this tyme he Will departe from dengemarsh.<sup>492</sup>

Two days later on 25 Nov 1466 three Lydd butchers came to court and asserted,

that Henry Bate sold a sow and a ewe that were not wholesome. Also Henry, servant of Henry Bate, says that the aforesaid sow was not healthy. Also the said butchers present that Andrew Bate uses the art of a butcher to the hurt and undoing of the artificers there.<sup>493</sup>

And so the opposition to Andrew Bate and also his relation and partner Henry Bate had mounted in more than one quarter, with more to come concerning the conflicting franchises with which Bate was very much involved on the abbot's side as we have seen. These depositions along with the other memoranda provide good evidence of violent engrossment within an arena of class struggle. As with the evidence of conflict over accusations of driving men out of Dengemarsh and over franchises, these plaintiffs were among the commons and 'barons' of Lydd, some having experience in the Lydd juratcy. The one example where this was not the case was that of Thomas Cliprank, whose fear apparently led his wife to seek help from Stephen Hoigge, one of the more experienced commoners and jurats in Lydd government, and also a landholder on Dengemarsh.<sup>494</sup> We need to bear in mind that Cliprank was probably representative of many, if not the majority, of those households removed from Dengemarsh, and we know that many were probably small cottages tied to small plots, but that these plaintiffs would certainly have been regarded as representatives and leaders of these poorer commoners, and would

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<sup>492</sup>Ly/fac 1, fols 129r-130r.

<sup>493</sup>*ibid.*, fol. 129r. Finn's translation in *Records of Lydd*, p. 277.

<sup>494</sup>See his will of 1489 as Stephen Cheseman alias Hogge senior.

have carried much authority in Lydd borough court. It is of course possible that there were more depositions in the original borough court book and indeed of course in the manorial records, but that these were selected as the most important to be copied in the memoranda of the chamberlains' accounts. These accounts were also used as records of new ordinances relating to the town, and so would be the ideal place to document these events which would have such important implications for the town.

The cause of the complaints was stark and consistent. Serious damage was being done by Andrew Bate's cattle and the abbot's 'herd', (which was probably farmed out to Bate), by 'overpressing' from the demesne onto both the cultivated corn lands and the mead lands or pasture of the tenants at the 'north end' of the marsh at least. As mentioned above, this was of course the location of Northlade where the new farm was developed by 1470 out of formally scattered plots and enclosed by the early sixteenth century at latest. Both arable and pasture were of course crucial in the maintenance of a balanced farming regime for the consumption of individual households, especially those of limited means of subsistence, and the engrossment of only one form of productive enterprise may therefore seriously affect this balance, and cause people to leave. In the depositions of the wife and representatives of Thomas Cliprank who was 'offt dretyned' by Bate and of Schallwell who 'yerly hath forbor his sowyng', because of the cost of the hurt caused by Bate, it appears that the problem had been going on for some time without redress, perhaps as early as 1462 when Dengemarsch jurats begin to disappear from the written constitution in the chamberlains' accounts. This again would point to lack of justice in the manorial court, despite the legal theory, because of the imbalance in relations of power.

Clear in the depositions is the violence of this farmer, not only in terms of his personal threats and use of force, but in the symbolic capital he carried with him as an agent of a powerful lordship. How else would one man be able to drive so many away, including those with experience in government and knowledge of the law. Both aspects of this violence placed him in a formidable position. The weight behind Bate's threat against Thomas Smyth concerning the possibility of Smyth taking legal action was originally heeded, and Smyth at that time was forced to sell up. Only with this collective, highly organised show of resistance, was Smyth now able to seek redress, although as we know this must have been unsuccessful. In the face of this power and will of socially dominant

classes in this period, the question of the *legal* security of tenure is highly problematic. As Tawney argued, where security of tenure was strong there would be an inducement to violence and intimidation, and this is clearly borne out by the evidence on Dengemarsh.

Resistance through class-struggle here takes the form of the coming together of individual complaints, although with a common theme and common enemy, into a collective drive in the borough court. What is apparent is that Bate's aggression was targeted at individuals, and the stories in court were of individual problems drawn out over a period of time after which each made their own decision to sell up, sublet or leave Dengemarsh altogether. There was at first no local war over the absorption of the commons and therefore common rights which affected the tenants of whole manors all at once. This was because of the nature of production on the manor itself, the urban-rural complex which operated within the parish and its occupational structure in general. Firstly, as indicated above, pasture was organised in severalty as was normal in Kent, and particularly in forest and marsh, usually due to the nature of original settlement. As Roger Cokered said, it was *his* mead land which was destroyed, not *our* commons. Secondly, Dengemarsh was very much tied to the holdings of the inhabitants of the town and large areas of commons were available here within the manor of Aldington, limiting its requirement on Dengemarsh as well. Notably these commons were held intact until much later.<sup>495</sup> Also, those who held these plots had access to other forms of income within the town and particularly through fishing which may have reduced the collective dependency on commons. Related to this context, the high degree of alienated property may also have weakened the initial collective resistance. Violent illegal engrossment, as opposed to violent legal engrossment, was made easier under these conditions, making small individual holdings extremely vulnerable, especially those next to or surrounded by demesne holdings like they were here. Du Boulay wrongly assumes that such production in severalty was an indication of an 'atmosphere of individualism and private enterprise' or at least he overestimates the implications of production in this way.<sup>496</sup> Because it is clear that after the initial retreat of vulnerable individuals, a collectivity asserted itself, drawing into it other related grievances such as those of the smaller butchers, with a common aim against this menace. Even those vulnerable individuals were aware of the

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<sup>495</sup>See Chapter Four.

<sup>496</sup>Du Boulay, *Lordship of Canterbury*, p. 134.

expansionist project of the farmer and the threat it posed to their neighbours; and as indicated in the depositions, if they had to sell up it was 'better Chepe that the said Andrew before profred'. They would not sell to *him*, although persistent violence and backing of lordship would ensure he got hold of it eventually. The menace was so great that the commons were willing to forego long fought for customary rights to the abbey if one of them could take over the farm, as seen above. This was of course not what the abbey had in mind. One strongly suspects that if the abbey was sympathetic there would have been a collective drive to reverse this engrossment of which these initial depositions were the beginning. This would of course have been completely out of step with the relentless process that had begun in the opposite direction towards capitalisation with the development of competitive rents elsewhere in the parish which we shall come to.

Tawney eloquently describes this process of collaboration between lordships and their demesne farmers in the development of capitalist productive relations. Besides showing that this situation was identified by contemporaries he says:

the manorial documents suggest that landlords were usually rather parties to changes in the methods of cultivation than themselves the agents who carried them out, because, at any rate in the case of the larger landowners, the demesnes were usually leased. The actual process of experiment and innovation took place on most manors through the instrumentality of the lessee. The large farmer, who on many manors is found managing the demesne, is much the most striking character in the rural development of the sixteenth century. His fortunes wax while those of the peasantry wane. Gradually he thrusts them, first copyholders and then yeomen, into the background, and becomes in time the parent of a mighty line, which later ages, forgetting poor Piers Plowman, whose place he has usurped, will look on as the representative of all that is solid and unchanging in the English social order. In our period he plays in the economics of agriculture the part which was played in industry by the capitalist clothier, and his position as the pivot of agrarian change is so important that it will repay close attention.<sup>497</sup>

Regarding the changing nature of resistance post 1381 and 1450, Hilton pointed out that 'Rich peasant families, now graziers and demesne farmers holding largely by leasehold

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<sup>497</sup>Tawney, *Agrarian Problem*, pp. 201-2.



tenure, no longer stood as mediators between the lords and customary tenants. They were no longer the leaders of the resistance.<sup>498</sup>

As I have indicated above, this collective resistance was not a manifestation of infra-governmental faction fighting; nor simply a temporary amalgamation of disparate elements coming together for a temporary purpose; nor a separate vertical or horizontal interest group in the town. Within the rapidly developing relations of production and power in this period, the resistance broadly represented an economically and politically subordinate class, confronting an increasingly economically and politically dominant class and there was a great deal at stake within this struggle as has been seen above in relation to the crises of the 1520s.

So far then we have seen that in the 1460s, some violent inroads had been made into the assize holdings from the demesne and thereby the beginnings of the enclosure of Northlade as seen in the 20li lease of 1538. So what of the consolidations of the *assize* holdings by 1538? The Wye ministers' accounts show that in 1470 a young Thomas Robyns had replaced Andrew Bate as farmer of the central demesne for 22li a year, the same value as in 1538, and that Bate was holding Northlade for 10li. A decade later in 1480, Thomas Robyns, having two years previously begun his career in the Lydd juratcy, had taken over both leases, Northlade having increased to at least 13li.<sup>499</sup> Thomas Robyns therefore took the baton from Bate in regard to the demesne leases, and then proceeded to engross the assize holdings.

The survival of the Dengemarsh court rolls after 1450 are limited to a fragment relating to 1482 and then survive intermittently from 1487.<sup>500</sup> These court rolls show Thomas Robyn acquiring well over 130 acres in eighteen transactions from eighteen different

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<sup>498</sup>Hilton, *Brenner Debate*, p. 135. See also J. M. Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820* (Cambridge: Cambridge University Press; Past and Present Publications, 1993), p. 257. Under a similar process, but at a later date, Neeson senses a strong sense of betrayal between the general run of commoners and their richer elements, the latter having now become agents of the landowners in the process of the final absorption of the commons and destruction of their way of life. This mutual relationship between lord and lessee is also of course well observed by Brenner. See summary in Chapter One, section 1.3 above.

<sup>499</sup>PRO, SC 6, 1107/9-10.

<sup>500</sup>PRO, SC 2, 180/61-5.

holders on Dengemarsh in 1489 alone.<sup>501</sup> To be more accurate they add up to 129 acres plus four more transactions, the entries for which the acreage is unreadable. One of these readable transactions was of three acres which he succeeded to on the death of his father Simon Robyns. The surviving fragment relating to courts in 1482, some seven years earlier, show four earlier acquisitions by Robyns amounting to thirteen acres.<sup>502</sup> However one of these also refers to his inheritance of three acres on the death of his father Simon, and this repetition leads us to believe that some or all those transactions detailed in 1489 may have taken place in at least the preceding seven years. In all likelihood many other acquisitions were made by him in these years, the record for which does not survive. In relation to the magnitude of these accumulations on Dengemarsh, we are aware of three consolidated farms that were in the possession of his three sons; two of them bequeathed by him in his will 1526, written in 1520, to two of the sons, and the other appears in a transaction made by another son which we may assume that he received off his father prior to the will. These farms amounted to one messuage with seventy-five acres, one messuage with a hundred acres, and eighty acres respectively. The first two were situated together in two large consolidations divided by the road leading from the town to Dungeness.<sup>503</sup>

These accumulations therefore occurred in the 1480s at latest and probably in the 1470s, when in both decades Thomas Robyn was the farmer of the manor. The process of withernam he initiated against William Essex of New Romney for the recovery of twenty-five quarters of wool 'of merchant ware' in 1487 betrays his involvement in substantial commercial production well before 1489.<sup>504</sup> In the light of the evidence of the previous farmer's relationship with the rest of the assize tenants and given that Robyn later farmed alongside him, are we to assume that these later accumulations occurred without any intimidation? Particularly as they occurred so suddenly and at the time of Robyn's powerful position as Battle Abbey farmer.

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<sup>501</sup>PRO, SC 2, 180/61, fols 3r-3v. This was of course, the year of the first anti-engrossment legislation.

<sup>502</sup>*ibid.*, fol. 1r.

<sup>503</sup>See analysis of the Robyns in Section 1.2.1 above.

<sup>504</sup>CKS, NR/JW 3.

We can move beyond speculation in this regard by comparing the Dengemarsh court record before 1450 with post-1487 when it returns.<sup>505</sup> Between 1430 and 1450, forty-two cases of trespass and eighty of debt are recorded, some of these debts and trespasses being clearly linked in some pleas. There was in addition one case of assault with a stick which drew blood in 1448. In these cases and in terms of land acquisitions, no-one dominated proceedings and there were no indications at this stage of particular social trends for example between wealthy accumulators and poor debtors. Where accumulations were made by individuals, which we shall come to in due course, these were not translated into aggressive trespass in the court rolls.

Now whether there had been significant changes in the administration of such matters in the court by 1487 it is difficult to say.<sup>506</sup> However, there were sixty-eight cases of trespass after this date, mostly before 1520 when the record as everything else dwindles where people are concerned on Dengemarsh. *All* the cases of trespass were violent. These involved assaults with sticks and knives or armed individuals or groups breaking entry and driving out or carrying off other people's animals, breaking into buildings and carrying off cloth or canvas, or taking stuff from wrecks on the coast. Significantly, twenty of the sixty-eight cases involved Thomas Robyn and other Robyns, although mainly Thomas. Some of these conflicts with the Robyns involved members of Lydd government and jurors of Dengemarsh court, remembering that the institution of Lydd government had before at least 1505 resisted oligarchy. Particularly interesting was a series of conflicts with the Holdernesses between 1505 and 1507 with cows and lambs being driven from the property of both sides along with assaults on separate occasions between them. Thomas Holderness, an earlier Lydd jurat, was Thomas Robyn's servant at one point in this struggle, though presumably not afterwards. Laurence Holderness had deposed against Andrew Bate in 1467 and the Robyns attacked him a number of times in these years. Also in 1513 Thomas Robyn was armed and broke entry against John Bolding and carried off half a sheaf of barley. Bolding was a husbandman and Dengemarsh juror. Many trespasses involved people who were not in Lydd government

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<sup>505</sup>For Dengemarsh court records in years 1430-1450 see PRO, SC 2, 180/60.

<sup>506</sup>Debts were no longer recorded for example. Dyer has shown that certain types of business including debt and trespass were taken to other courts by tenants as a means of bypassing manorial jurisdiction, and court rolls became increasingly short because of it. Other forms of assembly were developed with the richer peasants dominating again: *Lords and Peasants*, p. 269, p. 329, pp. 368-72.

or any other record and were therefore probably among the poorer elements of the parish. For example, on 10 October 1491, Robert Brokman armed against Thomas Robyn broke entry and drove off six cows. On 10 December 1492, Richard Tuppe and Henry Tuke armed against Thomas Robyn and his wife Isabelle, broke entry and stole some of their goods. On 10 August 1510, John Crowde armed against Thomas Robyn rescued thirty sheep and drove them away. In 1517 Margaret Pelland armed against Thomas Robyn broke entry and carried off canvas. In August 1508 there was a case involving a Thomas but with the surname rubbed out. He was armed and broke entry against 'divers tenants of Dengemarsh'.<sup>507</sup> These years were the two decades after Robyn's main accumulations. These attacks on him by subordinate groups, even by his own servant, who himself had spent a year in the juratcy, go a long way to point towards Robyn's unpopularity, and towards the nature of class-struggle in the aftermath of his accumulations and at a time of increasing hardship.

To be fair, the majority of these trespasses in the surviving court rolls did not involve the Robyns. Nine however involved the lordship of Battle with individuals or groups of men either breaking into the abbot's property, which were possibly buildings for storage, or taking goods from wrecks on the coast, the latter accounting for six of the nine cases.<sup>508</sup> Added to this number was one occasion in 1515 when Thomas Robyn himself committed trespass against Battle property when he was no longer farmer.<sup>509</sup> Most of these cases involved jurats, and those such as Thomas Holderness again who had been a jurat at one time, and these trespasses bear witness to the continuing tensions over the recent victory of the abbot regarding Battle Abbey franchises and right of wreck in particular which the barons of Lydd would clearly not accept. The other thirty-nine cases reveal no clear patterns of conflict between those of different wealth and status, and very few of those involved were jurats. Of the twenty cases involving the Robyns, only four were separate incidents of assault as opposed to breaking and entering property. However some twenty-three of the thirty-nine other cases were separate incidents of assault and bear witness to significant changes in relations on Dengemarsh in the late fifteenth and early sixteenth century. These conflicts and tensions followed the accumulations and it would be in my view a mistake not to attribute them to a product of the revolutionary economic

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<sup>507</sup>PRO, SC 2, 180/61, fol. 6v; 180/63, fol. 3r; 180/64, fol. 1r; 180/65, fol. 2v, fol. 3r, fol. 4r, fol. 6r.

<sup>508</sup>PRO, SC 2, 180/61, fol. 2r, fol. 5v, fol. 7v; 180/63, fol. 1r; 180/65, fol. 5v.

<sup>509</sup>PRO, SC 2, 180/65, fol. 5v.

changes that had occurred in the previous decades which would have substantially affected the livelihood of the majority, eroding their independence, causing resentment and encouraging criminality. However, within this recorded criminality and aggressive behaviour, which did not exist prior to the accumulations of the assize holdings and expansion of the demesne, *class was being defined*, because an overwhelming disproportion of activity was directed towards or initiated by the actors implicated in the accumulations and expansion. In fact if we take those trespass cases which were directly related to *property* theft involving these actors, which contain therefore clearer elements of class conflict, then they account for twenty-five out of the forty-one of such recorded cases, and so provide an even greater disproportion of the whole. Remember that by 1538 there were only a limited number of tenants, mainly wealthy, left, and that earlier concepts of neighbourliness and custom were a hindrance to speculation.

By 1538 the tenure of Dengemarsh had changed to freehold. The first Dengemarsh records of freehold tenure appear in the wills of 1520, this becoming the norm by the late 1520s. Elsewhere in the parish, freeholds are recorded in the wills from 1503. Kerridge asserts that these changes in tenurial status were often bought by the tenants in the sixteenth century, although this would have caused little change to the relations on Dengemarsh by that time.<sup>510</sup> They were perhaps another source of revenue for the lord, and a status more befitting those tenants remaining.

Historians have found that a process of accumulation was begun on a limited scale from the late fourteenth century by the peasantry, outside the demesne and within assize holdings. These were the skilled agriculturists, not the lord, and were taking advantage of depopulation for the purpose of increasing their productivity. This took the form of the consolidation of parcels of better land, after the reorganisation of previously scattered parcels among the open fields. This was done without overtly compromising other villagers, although admittedly there were implications here for differentiation and the breakdown of open field customary structures. Dyer goes as far to say that 'the landlords who expelled tenants in the decades around 1500 were merely tidying up and completing a process that had begun by the peasants themselves', thus promulgating a

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<sup>510</sup>Kerridge, *Agrarian Problems and After*, p. 53.

model of change from below.<sup>511</sup> This resulting high peasant productivity benefited the peasant only, and it was the strategy of lordship therefore to either penetrate this increasing productivity through increasing rents and fines if this was possible, or through of course the collaboration and the raising of aspirations of the wealthiest. The former strategy came up against great resistance at the local level in the 1430s and 1440s and also at the national level in 1450. The latter strategy of collaboration as we have seen worked well in Lydd parish.

On Dengemarsh, we are not dealing with a wholly rural parish, and the presence of the small town affected the nature of its rural manors as we have seen. Also, as we have seen, Dengemarsh at least had no gaps to consolidate, and in fact a process of increased fragmentation of plots among newcomers took place which must have been the result of increased demand for land between c.1370 and 1432. Dyer has shown that it was market areas and freer conditions and the diversity of occupational opportunities found in those places which attracted fleeing servile tenants in the west midlands in this period.<sup>512</sup> It seems that Lydd was one of those places.

The mostly complete Dengemarsh court rolls of 1430 to 1450 reveal a busy landmarket, although these transactions generally took the form of a balance of buying and selling by those most involved. There is only one example of a person accumulating in any significant way in this period, that of Laurence Elys. Laurence was one of three Elys's who spent time in the Lydd juratcy from 1427 when the accounts begin, two of them including Laurence representing Dengemarsh. William and Stephen were both mariners and Laurence seems to have focused on farming. In the 1432 Dengemarsh rental he held eleven acres and three roods plus his messuage which he lived in, and Stephen held five and a half acres and three roods plus a messuage. Laurence however acquired some of these acres in the previous two years, with two acquisitions from the Smyths, one of them of three and a half acres and the other unreadable. After these he was involved in another fifteen transactions right up until his death in 1450 at the end of the record. Thirteen of these were acquisitions off twelve different people and two were sales. Many

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<sup>511</sup>Christopher Dyer, 'Were There Any Capitalists in Fifteenth-Century England?' in *Enterprise And Individuals in Fifteenth-Century England*, ed. by J. Kermode (Stroud: Alan Sutton, 1991) pp. 1-24 (p. 21).

<sup>512</sup>Dyer, *Lords and Peasants*, pp. 244-63, pp. 352-4.

of the fines and acreage acquired are unreadable, but the ones that are readable show them to be very small as seen in the 1432 rental; the highest fine recorded was 3s and the highest acreage recorded was one acre and three roods. The two sales brought fines of 3s and 6d. In 1450 an entry shows his heirs together inheriting his property, but the fine is partially rubbed out leaving only the figure '15'. It is highly likely that this refers to 15s and if so may correspond to an acreage in the region of sixty acres, placing his heirs among the highest holders. However this acreage was shared between them and was not passed on as an individual farm as was the case with Thomas Robyn. Also there is no indication that these plots were in any way consolidated. If they were they were not developed by the Elys's at least and their formation was not translated into violence in the court rolls. Dengemarsh was clearly therefore not a typically rural manor.

A different picture would seem to emerge however on the extreme western regions of the parish and beyond. In a developing but revealing study of farmers' accounts for the lordship of Christ Church Priory in Canterbury, and for All Souls College in Oxford, Gill Draper has uncovered some of the complex processes involved in such early accumulations in this marshland from the late fourteenth century. She has identified a dual process of investment by these ecclesiastical lordships in new innings in the form of reclamation, and the recovery of formerly reclaimed land on the one hand, and in accumulation and consolidations of old tenements in collaboration with gentry and wealthier peasants on the other. She shows how archbishop Chichele came to endow All Souls College in 1443 (having only been founded in 1438) with significant areas of consolidated marshland in and around Lydd parish. With surviving deeds, wills and bonds she shows how Thomas Godfrey 'husbandman' accumulated a number of small plots between 1390 and 1423 amounting to in the region of 100 acres. He was of New Romney at this stage before moving to Lydd and is most likely the direct line to the wealthy Godfreys of the sixteenth century which we have seen in section 1.2.1 above. In 1427 he granted this land to Sir Andrew Ayllewyn, clerk, Richard Glover, John Shalwell and John Galewey. The latter three were all Lydd jurats, and the Ayllewyn family in the form of Thomas and James were the most prominent in the Lydd juratcy at this stage. These men as feoffees and intermediaries then immediately passed on this land to Chichele. When these lands became part of an All Souls College endowment, Sir Andrew Ayllewyn became, with Richard Clitherow, esquire and MP of New Romney, the College's first lessee of 'Rumney & Newland'. A very conscious process appeared to be

going on here in terms of a collaboration between prominent Lydd and New Romney citizens and farmers, gentry and ecclesiastical lords, and this is only one of the examples that Gill Draper cites for Romney Marsh. She finds that some of these feoffees were working in some official capacity for the lord as stewards, collectors and beadles. The land was being consolidated by small farmers and subsequently sold to a lordship which then leased it out at a competitive rent. In the late fifteenth and sixteenth centuries these farms were enlarged considerably further using the same process. Lessees such as Ayllewyn, clerk, and John Engham, gentleman, who did not live on the marsh, attached other surrounding holdings into the lease, enlarging it for the lord to re-lease it to them on a more profitable arrangement to them both. They then either occupied it themselves or drew rents from it.<sup>513</sup> This large-scale investment by lordship in the Marsh so early in the fifteenth century is in contrast to what was going on in the west midlands and may be indicative of developing market opportunities in the Weald in regard to the rural manufacture of woollen cloth, or at least an attempt to increase rents if it was too early for the Weald.

Similar elements of class collaboration can be seen to have been going on here as later on Dengemarsh and the former may have stimulated the latter. Andrew Bate of course did the same thing in drawing surrounding tenements into the lease, although not without a struggle.<sup>514</sup> The sources for this process in the west of Lydd parish are again limited concerning evidence of conflict in regard to these changes, but with the evidence of other sources, in particular again the town's chamberlains' accounts we see that these accumulations in this other area were not without conflict, or at the very least their effects on the town were not.

Gill Draper has identified an All Souls map of 1589 which shows that the original endowment of All Souls College in 1443, which had been significantly enlarged by then, was split into three and held by the names Harlackynden, Fettiplace and Godfrey, all new gentry. Harlackynden a family from Woodchurch in the Weald was described in an

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<sup>513</sup>Gill Draper, 'Farmers and Capitalists'.

<sup>514</sup>For the assimilation of *vacant* customary holdings to demesne leases and conversion to competitive rents see Brenner, 'Agrarian Roots', in *Brenner Debate*, p. 294. What we are finding in Lydd and Romney Marsh however, is the absorption through 'purchases' (with pressure) of occupied customary holdings into the competitive leases.



Archbishop Visitation at All Saints church in Woodchurch in 1511, as ‘a common oppressor of his neighbours, whom none loveth’.<sup>515</sup> This sounds ominously like the relationship Andrew Bate had with his neighbours. Draper found that Bate had in fact deputised for Harlakynnden as a collector of the land scot in 1478, and that such farmers acted as bonds for one another. And so we have evidence of conflict in this area for the second half of the fifteenth and early sixteenth centuries.

There are however serious conflicts concerning Sir Andrew Ayllewyn and his family against the town which are recorded in some detail in the 1440s. Remember that Ayllewyn had become first lessee in 1443 of Newlond and had been involved since at least the 1420s in land deals in Lydd parish. There were two main elements in his conflict with the town. Firstly he appears to have had an interest in the apparent resignation of William Hebbinge in 1441, who had been vicar of Lydd since 1435, and who was replaced by the absentee Prosper Colonna, Cardinal-deacon of St George-at-the-golden-veil in Rome; this being against the will of the majority of Lydd government who wanted a resident vicar. Indeed in 1442 Ayllewyn was known as ‘vicar of Lydd’ but it is clear that the town did not want him.<sup>516</sup> Secondly, he refused to pay the town scot for his property within Lydd parish for which he was in arrears for five years relating to the years 1442-7. These were of course the first five years of the beginning of his lease. Both of these and related conflicts are detailed together in the account for 1447.<sup>517</sup>

To begin with, regarding the conflict over the vicar, many Lydd townsmen had been in London to gain counsel for the re-installation of William Hebbinge as their vicar, and if this was not possible then to get another one. During this process, Sir Andrew it was alleged, impeached a number of Lydd men to the Archbishop of Canterbury and also had one William Bette, a commoner, arrested in London and put in jail. The alleged cost to the town of these problems including the release of William Bette was 100li, a very large sum at that time for this small town. Regarding Ayllewyn’s landholdings in Lydd parish the clause reads:

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<sup>515</sup>Gill Draper, ‘Farmers and Capitalists’. The quote is taken from P. Fleming, ‘Charity, Faith and the Gentry of Kent, 1422 - 1529’, in *Property and Politics: Essays in Later Medieval English History*, ed. by T. Pollard (Gloucester, Alan Sutton, 1984), pp. 36-58 (p. 42).

<sup>516</sup>Canon Scott Robertson, ‘Churches on Romney Marsh’, *Arch. Cant.*, vol. xiii (1880), 427-50.

<sup>517</sup>Ly/fac 1, fols 31r-31v.

Also the summe of x [ten] scottys gederyd by the tyme in the whiche the said sir Andrew dwellyd here in Lyde and hilde here dyuerse temporell fermes, That is for to say for his catell goyng and beyng vpon the foresaid ferme And vpon his owne purchasid lond from the yere of the regne of Kyng Herry the with the xxvi to the xxvii [1442-7] of the sayde Kyng nexte there folowyng. The summe of x scottys comyth too iiC li xiiii xviis [214li 17s]

Of the whiche summe the said sir Andrew was taxid and sette + required dyuerse tymys for to pay his parte therof- vli. Of the whiche vli he nevyr payd but xiiis and iiiis.

However:

Whiche Scottes soo to the town due We myghte not compelle to be payed for the grete mayntenaunce of dyuerse personys being wt ynne vs. And a gaynys due correccion of the towne.

Also the forsaid expenses by sir Andrew caused soo to bee made Was nevyr done Wt oute grete mayntenaunce beyng wt ynne vs. And that is opunly knowe.

The description of events continues with the plea that,

also the sayd mayntenours that causid this good soo to be spendid aWaste sayn and enformyth the comyns that the suorne men [jurats] toke a false querell the Whiche shulde desire Maistur William Hebbenge + non othur for her Vyker. Wher to we say and reporte vs vpon the bille of peticyon putte to oure lord of Canterbury That we desired a Vicare here resident And nought only hym but if the laWe Wolde geve hit hym To the Whiche we myghte not say nay by right if the laWe will yeve hit hym.

Also We Sworne men certifie you comyners that this forsaid good hadde neuer be spendid ne wt holde nade be sir Andrew and his maynetenaunce beyng in this towne. ffor We reporte vs to the moste parte of you that we nolde neuyr haue goo owte of towne ther fore nade We be compellid ther too that we moste nedys doo hit.

And if hit like yow to here the copie of the bille of petition that was putte to oure lord of Canterbury the copie is here redy.

In the previous account year, James Ayllewyn, one of the most prominent jurats of Lydd regarding his involvement in town business, and who must have been a close relative of Andrew Ayllewyn, if not his brother, was also in dispute with the rest of the town. He

went behind the town's back in taking a grievance he had against the town constable William Melale and a commoner William Growte to the Lieutenant of the Cinque Ports at Dover. The town rightly said he 'aughte of righte by oure customs to haue complaynd hym to the swore men of his greve....the Whiche he dyd noht but hedly by his owne Wilfulnesse sued hem to douorre [Dover] a yens oure customs and vsages'.<sup>518</sup> After asserting the Cinque Port customs which were being broken here the charge continues:

Wher as now late the same Jamys reviled myssayd and straungely rebuked diurse sworne men Wt tedyous and odyous langage And also in drawing of his dagger a yens the Kinges pees summe of hem smote. And further more the said Jamys stondyng non officere here And no processe afore neuyr vn to vs ther of directed ne awardyd toke vp on him and arested on Jone Iuysshe And putte her in to the comyn place. And ther hild her in prison a day and a nyghte Wt Owte any cause resonable.

Also the sayd Jamys toke vp on him to areste dyurse goodys here by the coste y sauyd in Whose handys that they come the Whiche arestys longon to vs Bailif & Jurees by oure sayd lordys [Kings] comaundement and to non othur mann but ghif hit be for defawte of right of vs doying, And ther vp on lawfull processe a Wardyd. The whiche Iniuries and Wrongis We Woulde not hastely putte in execucion for by cause of his grete manasse on Owre lordys by halue.

James Ayllewyn was bound over after the inquisition by the Lieutenant of Cinque Ports to keep the town customs, these in this case being also those of the Cinque Ports.

These Ayllewyns, like the Bates soon to follow, with the important backing of their 'great maintainers' - a clause which reverberates through Andrew Ayllewyn's case at least - and on the basis of their own improving material base, sought to arrogate power to themselves in the flouting of popular town customs and usages. Attempt was also made to create divisions in the broad commonalty which was the main governmental body at this stage including the rest of the jurats they were up against. As with the Bate conflict, it was the commonalty to whom the memoranda were directed. It is not difficult to say on this basis that a similar violent, cavalier attitude and maintenance would have been employed by Sir Andrew Ayllewyn at least (as by Bate) when drawing in holdings

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<sup>518</sup>For this entry and the following entries see Ly/fac 1, fols 137v-138r.

to create and develop his leases in these very years.<sup>519</sup> If these men did not recognise the customs and power of a Cinque Port why should they recognise those of the small holders who were getting in the way of their strategies for improvement. James Ayllewyn's exploits on the coast also recall to mind Bate's and the abbot of Battle's struggles against the town's customs.

These and the later conflicts with Bate, reveal a similar pattern and similar class contours to those conflicts in the larger provincial towns, such as Coventry and Norwich, also in the 1440s, and in London, Exeter etc. These took the form of a small focus of improving wealthy governors with the backing of the ecclesiastical aristocracy seeking to arrogate power to themselves and override the popular customs, the latter being sometimes represented by the majority of the jurats and the commoners, or at other times, by all those below a closed magistracy. In these cases of larger towns there was a movement towards merchant oligarchy with landed interests of course; here in Lydd was the movement towards big yeoman oligarchy, although both cases involved the formation of a powerful agrarian bourgeois class growing in symbiosis with the development of rural industry and the capitalist clothiers. Unlike the servile customs of the countryside from which many were fleeing, those in the towns were popular, and were attacked by elites for being so.

The beginning of the enclosure movement can therefore be seen in this early development of competitive rents from the demesne and the waste; these were land rents subject to the market rather than community checks. These developed side by side with the customary lands and would have brought enormous pressure to bear on their dissolution especially in times of hardship. Also the longer time went on and customary rents remained fixed, especially in the latter third of the fifteenth century when prices

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<sup>519</sup>See I. M. W. Harvey, *Jack Cade's Rebellion of 1450* (Oxford: Clarendon Press, 1991), especially Chapter Two and pp. 83-4. Opportunist gangs of gentry who were major office holders in Kent were attempting to exploit the growing prosperity of the county in the 1440s, no doubt given a loose reign by the seigniorial reaction which was maintained up until 1450. This is of course exactly the time we are dealing with. Men such as Stephen Slegge and Robert Est were among these 'great extortioners' and were among the main hate figures in the 1450 rising. These two were in fact in Lydd in the years leading up to the rising. Lydd sent up a porpoise to Cade when camped on Blackheath, something that Harvey calls a 'highly complimentary gesture', usually reserved for kings. One can hardly not draw parallels with the Ayllewyns from this.

began to rise, those with customary holdings would be gaining a significant unearned increment at the expense of the lords. This would of course not happen without a struggle or help from the wealthier peasants, or without large investments in land reclamation and the development of competitive rents in that way. It was the struggle of lordship to bind agriculture to the market and benefit with their capitalist tenants from the inflation of profits when prices and populations began to rise, coupled with the maintenance of low wage levels. Examples of developing competitive rents have been shown; but elsewhere on Romney Marsh even larger projects were being undertaken by Wealden lay gentry. For example, the creation by Sir Richard Guildford of Guildford Marsh on the other side of Walland Marsh towards Rye. Begun significantly in the 1460s and 70s as with the clearance of Dengemarsh, and completed at the turn of the century, this served to block up Rye harbour, and there were many appeals in the mid-sixteenth century against Guildford and his 'insatiable covetous inning'. This would have been leased out by Guildford in large parcels to big farmers, like Eldrington's Innings nearby, and these farmers would have supplied wool to Wealden industry where Guildford had industrial interests. This is just one example of the recognition of the way forward by landlords and farmers alike.<sup>520</sup>

These structural changes in the social formation of Lydd and elsewhere on Romney Marsh in the second half of the fifteenth century speak directly to the nature of the lists of 1528, and the social conflict and dearth of the 1520s and 1530s.

These findings have shown that violence and intimidation by a nexus of dominant social classes was the agency that engendered enclosure and emerging capitalist forms of production in Lydd from the middle of the fifteenth century. However it is usually recognised that peasant flight from servile dues was as important a factor.<sup>521</sup> Christopher Dyer, shows that on the conservative estates of the Bishopric of Worcester in the west midlands, although aggressive engrossing tenants and enclosing landlords were a factor in undermining these villages, that much enclosure took place after tenants had voluntarily vacated their holdings and moved elsewhere. The densities of deserted

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<sup>520</sup>See Ly/ZS, FR 2, fol. 31r for Eldrington's Innings. For Guildford see Hipkin, 'Rye Harbour'; and H. Roberts, *Tenterden*, pp. 68-9.

<sup>521</sup>Brenner, 'Agrarian Class Structure', in *Brenner Debate*, p. 46; Dyer, *Lords and Peasants*, especially chapter 11.

villages in Warwickshire, Worcestershire and Gloucestershire were among the highest in England and were a result of this migration. His model very much suggests that accumulations were generally made by wealthy peasants due to depopulation rather than evictions in the fifteenth century and that lordships finished the job in the early sixteenth century through evictions and enclosure agreements with the *principal* tenants because of the stimulus of prices and population increases which very much favoured them. Hence poverty and increased landlessness was a result of limited availability of land when the population rose again from the late fifteenth century.<sup>522</sup> Dyer says this voluntary withdrawal may have been due to a number of factors. For example the deserted villages tended to be 'subsidiary settlements' remote from facilities such as parish churches, and before abandonment most of them consisted of half yardlands or yardlands, without smallholdings, therefore leading to an imbalance in the equilibrium between social relations. This also reflected the remoteness of the villages from influences that helped create smallholdings such as manorial and market centres. However most significant is that these villages were 'overwhelmingly made up of customary tenants', although this was also reflected in their remoteness from market centres.

Now these customary tenants struggled as late as the early fifteenth century with heavy servile dues and direct management reflecting the conservatism of the area. Indeed it was an area characterised by much slavery before the conquest, with dues tightened up again in the late thirteenth century. Sometimes these dues were commuted, but these were on top of the ground rents which were already higher than those in Lydd. Lordships were well aware that it was heavy handedness that was causing small tenants to leave. As elsewhere, 1450 was a time of rebuffed lordship resurgence. Hence relatively low rents were maintained.<sup>523</sup> However, the important question remains as to where these migrants were going to: clearly to areas of freer tenure and economic opportunities. Those who had free tenure generally stayed. Significantly, Dyer remarked upon the peculiarly small plots in the manors around the towns such as Bristol and Worcester in the pre-enclosure period, and that early enclosure was typical in these market areas, particularly in the small market town areas of Henbury and Whitstones, the demesne of the former providing 'the most complete example of peasant enclosure'. These were also areas of the greatest resistance to landlord encroachments with much trouble concentrated at

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<sup>522</sup>Dyer, *ibid.*, p. 243; 'Any Capitalists' pp. 20-1.

<sup>523</sup>Dyer, *ibid.*, pp. 277-8.

Henbury.<sup>524</sup> And so similar to Lydd there was high demand for land and population pressure in these market areas where there were more economic opportunities and early on at least, relatively popular government and customs. As Dyer says, it was in these areas that engrossers developed the greatest amount of wealth post-1470.<sup>525</sup> To say that a conservative outlook would have deterred lords from evicting tenants who were their main source of wealth through rents (demesnes were small here) would not apply in these market areas where evictions as seen in Lydd would be necessary to develop leases and greater rents.

Because of enclosure and customary conflict in the towns in this period, Kerridge suggested that enclosure was a particularly urban phenomenon.<sup>526</sup> However the west midland urban centres and surrounding manors would have been full of tenants who would have just escaped from servile dues who would not likely be restricted again without resistance. Enclosure occurred in both market and more rural areas, but in market areas earlier such as Henbury. What this means is that if tenants were not evicted in the countryside because of voluntary withdrawal, they may have been in the towns or on the surrounding manors of towns and markets. Also, many of those who were not evicted in the early fifteenth century may have been in the early sixteenth century, as callous measures by the gentry were taken to make money out of the demand for land and inflation.

My point is that all groups had interests in market areas in this period for various reasons. Lesser peasants and artisans for tenurial freedom and occupational opportunities. Wealthier peasants for labour, commercial demand for produce and marketing contacts. Lords, to aim to penetrate these, especially in the face of declining income and the desertion of holdings in the countryside. Hence, the fifteenth century increasingly sees collaborations between lords and farmers and merchants in order to wrest the initiative from popular government and independent peasant and artisanal production.

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<sup>524</sup>*ibid.*, pp. 107-8, pp. 279-81.

<sup>525</sup>*ibid.*, pp. 352-4.

<sup>526</sup>Kerridge, *Agrarian Problems and After*, p. 98.

## 2.2 Cultural Hegemony

On 15 June 1532, town clerks of Lydd, Nicholas Pyx and Thomas Hewet deposed in the borough court that:

John Bacon of Lyd sayde vnto them on Saynt Georges day last past yt Thomas Strogull was a cankeryd chorle and always enuyous agaynst the said John Bacon and more ouer said and yf that the forsaid Thomas Strogull had as he hathe deserved he [would have] had behaved long [bef]or thys tyme wt other [m]or fytyng wordes.<sup>527</sup>

Following this entry is a plea made by Strogull referring to Bacon's actions as being contrary to the peace. The little we know about Bacon is as follows. He never held an office in Lydd, but he was clearly a fisherman or mariner of sorts, being paid 13s 4d with two others in 1512 to take up a ship for the town to do the king's service.<sup>528</sup> However he may have had other skills because William Cheyney, a currier from Hastings owed him certain tools in 1530.<sup>529</sup> By 1527 he, like so many others, began to abate his scot. He abated it for 2d in 1527 and for 2d in 1528, but was then forgiven it presumably because of his lack of means. By 1530 he was being stressed a 'laten bason', and the following year he had a flewes net appraised in court before the bailiff and jurats for 5s, apparently being in debt to widow Agnes Plomer.<sup>530</sup> This brings us to within a year of his outburst against Strogull, a time when he was clearly experiencing some poverty. In fact right up until the time of the presentment for the outburst, he had two pleas of trespass and debt against him at the previous court two weeks earlier on 1 June 1532, one of these by Sir Edward Guildford, knight.<sup>531</sup> These however were the culmination of a string of debts stretching back to 1509, and some of these were quite significant. For example he owed Robert Horseley 4li 6s 8d in 1519, John Caxton 24s 6d in 1518 and James Robyn junior 43s 4d in 1530.<sup>532</sup> Thomas Strogull, as we have seen, was a pillar of the government of Lydd, and one of the wealthiest yeomen in the town. However, after Strogull's plea we no longer hear of Bacon who was dead by the following chamberlains' account which

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<sup>527</sup>Ly/JB 3, fol. 47v.

<sup>528</sup>Ly/fac 2, p. 4.

<sup>529</sup>Ly/JB 3, fol. 21v.

<sup>530</sup>Ly/fac 2, p. 137 referring to p. 251, p. 145. p. 157 referring to p. 255; Ly/JB 3, fol. 21v.

<sup>531</sup>Ly/JB 3, fol. 47r.

<sup>532</sup>Ly/JB 3, fol. 14v, 17r; Ly/JB 2, fol. 9v.



records his widow abating his minimal scot.<sup>533</sup> What happened to him we do not know, but it is curious that the case never came to trial until at least two months after the offence occurred. It is possible that this was part of a general case built up against him. As we know it was at this time in January of the same year that houses of Lydd jurors were being burned and poverty and the repression of the poor were high on the political agenda.<sup>534</sup>

What is possibly more intriguing for the purposes of this section is that during the crisis years of the 1520s an unprecedented four-day play of St. George had been developed by the town government with its performance being recorded in the account of 1532-3. This account ran from 22 July 1532 to the same date in the following year, and so would have begun some months after Bacon's attack on Strogull. It is likely that the performance would have taken place around St. George's day, i.e. 23 April, even if it was the year after the attack. What is interesting however is that it was St. George's day that Bacon chose to finally voice his long held opinion, a day when some government-organised ritual would have taken place, and in which after the many years preparation, the new play would have been very much on the agenda and in people's minds. The implications of Bacon's verbal attack are highly subversive, even treasonable.

In order to assess the significance of this play for social relations in Lydd at this time I will first of all, briefly, give an indication of the nature and proliferation of dramatic performance in Lydd in the fifteenth and early sixteenth centuries.<sup>535</sup> Secondly I will trace the development of the new play and suggest a text from which it may have been generated and analyse its contents. Thirdly I will look for comparative examples in other late medieval towns and examine the arguments relating to the reasons behind such cultural productions and their reception. Finally I will look at the implications of these findings for the processes of cultural hegemony in Lydd in the crisis of 1528.

The chamberlains' accounts of Lydd reveal a dense network of travelling players and other performers who worked not only under the auspices of royalty and aristocracy, but

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<sup>533</sup>Ly/fac 2, p. 191.

<sup>534</sup>See 'Introduction' to Chapter Three above.

<sup>535</sup>See the forthcoming volume of *Records of Early English Drama*, for a comprehensive record of dramatic performance and literature in Kent for this period.

also of town and village assemblies. Lydd's own players who performed a St. George play come up in other town accounts frequently, yet the only reference to them playing in Lydd before 1533 is for the year 1455-6 because of the recorded expenses of visiting dignitaries who came to watch.<sup>536</sup> Besides the records of players coming to Lydd, there were minstrels who covered a wide range of entertainment and other performers such as bear wards and ape handlers, jugglers, puppet players, footballers and Morris dancers. The geographical spread of the visiting performers to Lydd, besides those of the general national sweep of the English aristocracy, encompassed in the main Kent, including Dymchurch, Ivychurch, New Romney, Appledore, Brookland, Chart, Faversham, Sittingbourne, Hythe, Dover, Bethersden, Lymne, Wittersham, Ruckinge, Stone, Hamme, Herne, Benenden, Tenterden, Canterbury, Maidstone and Rochester. In Sussex, Rye and Winchelsea. In Essex, Billericay and Colchester, and also players came from France and Poland. The visitors were usually given a standard sum of 6s 8d plus refreshment and so these were rather small scale, and probably performed with minimal props such as you might find in mummings or perhaps at best, the morality plays. In the fifteenth-century, Lydd experienced between one and five of these visiting performances each year, but there seems to have been an explosion in numbers of visiting performers in the first decades of sixteenth century when between 1515 and 1521 no less than seventy groups came. This was a time of serious war and may be an indication of the political and diplomatic importance of these players at such times. Lydd would no doubt have been particularly pleased with its patronage of St. George as a diplomatic and civic identity because it was in 'Lydd' that St. George was buried, albeit a place of the same name in the Classical East in the early fourth century. Lydd's vulnerability to attack from the sea, especially from the French, also made St. George appropriate for its identity.

Now it is as early as the 1520 account that we first get some stirrings that changes in the nature of performance were afoot when 4s was paid to Thomas Buntyng, at that time town clerk and soon to be jurat, 'for the boke of the play of St George the whiche he said that he wrote hym selfe'. Under this reference another referred to somebody being paid the substantial sum of 11s 6d 'in reward for brengyng of the said boke of the Sainte Georgis play in to the Custody of the towne againe, where as it was in the keypyng of other men'.<sup>537</sup> So there appears to have been a need or desire for the town government

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<sup>536</sup>Ly/fac 1, fol. 46v.

<sup>537</sup>Ly/fac 2, p. 56.

to take command of the town's play when by implication it did not have or perhaps did not require this command before. The same occurred at New Romney four years earlier in 1516 when 'Le Pleyboke' was delivered to the common clerk 'there, safely and securely to be kept to the use and behoof of the said town'. The following year a sergeant of the Lord Warden came with a mandate that the barons of New Romney 'ought not to play the play of the Passion of Christ until they had the king's leave'.<sup>538</sup> And so emerges a pattern of the expropriation of *cultural* production into the hands of the town oligarchies, although ultimately under the auspices of the Crown. This coincided of course with the imposition of oligarchy, and followed the expropriation of customary holdings.

However, nothing is recorded concerning the new play of Lydd until the 1526-7 account when various trips were made to London by the bailiff and jurats and Wardens of the St. George play, and other men numerous times for the business and the apparel for the play. Money for patronage and expenses was laid out for frequent similar trips up until and after the performance in 1533. The main focus of this patronage and counsel concerning the play was Master Richard Gibson, a Merchant Taylor of London and sergeant-at-arms of the royal household who had been involved in military expeditions including the Field of the Cloth of Gold, and was therefore someone who was well versed in the merits of political symbolism. He was also the solicitor of the Cinque Ports and M.P. for New Romney in 1529, and along with Lydd jurats and lawyers in the town's employ was also involved in particular work concerning the town's special charters in these years.<sup>539</sup>

What is also interesting in the 1526-7 account is that 2s 4d was 'paid for a newe booke for "the lyfe of Saynt George"'.<sup>540</sup> And the fact that Nicholas Purfote was paid 'for wrytyng of the pley boke' in the account after the performance in 1533-4, and that the book only cost 2s 4d, we must conclude that what was being referred to was a book of empty paper to be filled with a text called the 'lyfe of Saynt George': not a new play book bought outright and complete with text.<sup>541</sup> In 1531 a town clerk went to London to

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<sup>538</sup>HMC. *Fifth Report*, p. 552.

<sup>539</sup>Ly/fac 2, pp. 119-182; *The House of Commons 1509-1558*, 3 vols., ed. by S. T. Bindoff (London: Published for The History of Parliament Trust by Secher and Warburg, 1982), vol. ii, p. 207.

<sup>540</sup>Ly/fac 2, p. 122.

<sup>541</sup>*ibid.*, p. 182.

take the ‘old play book’ to Gibson and in the next account the same clerk went twice again to Gibson for ‘the play boke’, presumably the new one that was being worked upon.<sup>542</sup>

The other evidence directly concerning the play consists of money loaned by elites including Thomas Strogull and the vicar, Dr Peter Ligham, for the play and work done and materials bought for props.<sup>543</sup> The reason we know it was a four-day play is that 3s 4d was paid ‘for 3 barelles of syngyll bere the first 3 playe daies and afyrkyn the last playe day’.<sup>544</sup> We also know from the churchwardens’ accounts that in 1549, during the removal and sales of the items of idolatry in Lydd church that had begun in 1547, 10s was received from William Barrowe ‘for ye seelynge of Sayncte George skaffold, and of Mr. Tyype for a bord yt ye George dyd stand on, 4d’.<sup>545</sup> This scaffold may have been a survival from the play in 1533.

Now the evidence for the making of the play was not my first port of call from which I then grabbed around the accounts and other evidence for explanations. I was drawn into a method of reading the accounts from the start in the 1420s as a form of narrative, being aware of changing themes and structures of people, their relationships and institutions as the years went on. In the process of reading, the play itself grew out of certain themes running through the accounts that increasingly appeared to fuse together prior to and along with the play’s development in the 1520s. These themes were the experience in Lydd of poverty and war which I have detailed in Section 1 above relating to the crisis of 1528.

We can move now to the possibilities of identifying the text used for the new play book. The manual for surviving writings in Middle English identifies six works of St. George’s story in one form or another. The *South English Legendary* of the early fourteenth century; the *Scottish Legendary* dated 1400-50; *Mirk’s Festial* which has manuscript copies most of which survive for the fifteenth century; *Speculum Sacerdotal*, again from the fifteenth century; Lydgate’s *Legend of St George* for which copies survive between

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<sup>542</sup>*ibid.*, p. 161, p. 165.

<sup>543</sup>*ibid.*, pp. 167-8, p. 171, p. 173, p. 175, p. 176, p. 180.

<sup>544</sup>*ibid.*, p. 175.

<sup>545</sup>Ly/ZP 1, p. 198.

1430 and 1483; *The Golden Legend*, a translation of the earlier *Legenda Aurea*, dated 1438 which was printed by Caxton in 1483, and again by de Word in 1512; and finally, Alexander Barclay's *The Lyfe of Saynt George*, printed by Pinson in 1515.<sup>546</sup>

The majority of these manuscripts are very short life-summaries within collections of Saints' lives, some only covering the dragon story. The best and fullest of these summaries is 'The Life of St George' in the Golden Legend which is also the work which identifies Lydd as the burial place of George. Apart from the Barclay text the other work that possibly stands out is the Lydgate because studies suggest that it was designed to go along with pictures, or that the verses were designed to be read out with murals as a backdrop. Both the Lydgate and Barclay are based upon the Golden Legend version and both are written in rime-royal stanzas. However the similarities stop there. The Lydgate is called the 'Legend of' and not like the Barclay 'The Lyfe of Saynt George' - which incidentally was the exact spelling of Lydd's new play as it was entered into the accounts - and its length of thirty-five stanzas just covers the material in the Golden Legend, this being mostly a story in the third person and lacking dialogue or speech enough to fill a mummers' play.

The Barclay however contains 395 stanzas with a length and structure entirely suited to the four-day play in question.<sup>547</sup> It splits nicely into four parts covering firstly, the early life of George as a knight with superhuman qualities who converts to Christianity; secondly the dragon story; thirdly George's transformation into a poor friar where he undergoes horrific torture under Dacian, a pagan tyrant; and finally the events surrounding his final martyrdom and the death of Dacian. The story contains many dramatic confrontations, many interesting characters involved in long verbal exchanges, simple but visual and moving allegorical scenes, popular sermonising, and sections of commentary which could be accomplished by a standard chorus or messenger. With the language simple and accessible the text is virtually a play as it stands. Also interesting is

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<sup>546</sup> Charlotte D'Evelyn and Frances A. Foster, 'Saints' Legends', in *A Manual of the Writings in Middle English 1050-1500*, vol. ii, ed. by J. Burke-Severs (U.S.A: The Connecticut Academy of Arts and Sciences, 1970), pp. 410-57.

<sup>547</sup> *The Life of St. George*, by Alexander Barclay, ed. by William Nelson, EETS, Orig. series, 230 (London, New York and Toronto: Oxford University Press, 1955; repr. 1960).

that the book seems to be referring to itself in some respects, encouraging performance and display. For example, after the dragon devil has been slain, the people baptised and the land made fertile with the rivers full of fish, murals were painted on the walls of the city, a play was developed and images of George and the saved virgin were made as memorials. There is one surviving copy of the original printed book in Trinity College Library, Cambridge. It originally contained fourteen woodcuts, with nine only remaining due to five having been ripped out along with some of the text. Their construction and symbolic imagery are clearly applicable to performance and so in more than one way the book is visually dramatic.

So I think that these attributes make at least a plausible case for this book to have been used for the Lydd play especially when you consider the time spent in London by the Lydd elite, and the strong legal and commercial ties Lydd as well as the other Ports had with London. It is likely at least that they would have known of such a book. The book's own production in 1515, as a translation of the Latin prose of the fifteenth century humanist Spanish author, Baptista Spagnuoli the Mantuan, suggests it was part of a general cultural drive in this period of instability, not unrelated to the Crown's nationalist designs. This year of production was only five years before the old Lydd play book was taken in, and eleven years before writing commenced.

Some of the more detailed subject matter of course now becomes very interesting if we know that a parish community and no doubt many visitors possibly had access to it in dramatic form. The traditional, conservative themes of Holy Poverty and Holy Chivalry are exalted, in particular, faithfulness, meekness and patience against extreme and unimaginable suffering. Very importantly, bearing these themes and concepts in mind, is the stress on *unity* between all ranks of society and the nationalist implications of George being the patron Saint of England implying a common purpose and identity for *all* subjects. This unity is shown in particular in the scenes where when faced with the dragon, and the ruin of the city, all classes are equally responsible for drawing lots and providing, from their own class, the dragon with sacrifices in order to divert the evil influence it has over the city. The *accountability* of government and royalty to the people is also promulgated and thrown into relief when the king has second thoughts when his own daughter is chosen, he eventually bowing to the 'grutching and murmuring' of the 'whole comonte'; the 'whole comonte' describing all rich and poor below the king, and

distinguished from the 'comonte' which describes the lower sort only - the latter bearing the brunt of the first lots to be chosen for sacrifice.

So what are we to make of this unprecedented development at this crucial time. Was it simply to keep people happy, to raise morale at a time of poverty and war, or can we push this further and point to more significant political and cultural forces at work? Particularly concerning the struggles and the changing balance of class forces prior to this crisis.

E. P. Thompson in *Witness Against the Beast* asserts that,

in most societies we can observe an intellectual as well as institutional hegemony, or dominant discourse, which imposes a structure of ideas and beliefs - deep assumptions as to social proprieties and economic process and as to the legitimacy of relations of property and power, a general 'common sense' as to what is possible and what is not, a limited horizon of moral norms and practical probabilities beyond which all must be blasphemous, seditious, insane or apocalyptic fantasy - a structure which serves to consolidate the existent social order, enforce its priorities, and which is itself enforced by rewards and penalties, by notions of 'reputability' and...by liberal patronage or by its absence.<sup>548</sup>

As Thompson discovered in the society to which he applied it, this intellectual hegemony, co-existed with a pervasive *anti*-hegemony which 'constituted in quietest periods a defence against the reigning hegemony, in more active periods a resource for an active critique not just of policies or personalities but of deep assumptions of the social order.'<sup>549</sup> The Moral Law as propagated by the established church was regarded as 'the Beast' and its self-justifying rule as 'serpent whisperings'.

Comparable to the eighteenth-century antinomian sects such as Thompson describes, a late medieval popular intellectual anti-hegemony would be a popular Lollardy, or alternatively but related, a popular, radical interpretation of the story of Christ, particularly as these ideologies manifested themselves in the period of seigniorial reaction

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<sup>548</sup>E. P. Thompson, *Witness Against The Beast: William Blake and the Moral Law* (Cambridge: Cambridge University Press, 1993), pp. 108-9.

<sup>549</sup>*Witness*, p. 109. See also Bourdieu for the concept of 'Doxa' and the class-struggle for dominion over the taken-for-granted or 'common sense', in Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge: Cambridge University Press, 1977; repr. 1985-92), chapter 4.

and of the ascendancy of a merchant-gentry oligarchy in England from the late fourteenth century into the first half of the fifteenth century. However, anti-hegemony did not just work on an intellectual plane, but was mostly informed by a creative counter-cultural hegemony from below that displayed a broad range of violent and symbolic action, commonly manifested in a traditional re-affirmation of custom and common right, against elite encroachment.<sup>550</sup>

But structural-functionalist historians such as Charles Phythian-Adams and Mervyn James, in effect, take this elite hegemony (although they of course do not use this term) to be the imposition of an all embracing domination on those it rules, to the extent that such a structure of ideas as formulated by elites and performed by late medieval, pre-humanist or pre-Protestant 'communities' through drama, ritual and ceremonial was largely internalised at face value by *all* social classes. Urban conflict between orders of the social structure, in the formulations of these historians, was most seriously manifest, in effect, in an assumed system of competitiveness for higher office, and therefore it arose within a normative value system based upon a competitive ladder of opportunity, the form of which in normal circumstances was ultimately dictated by the market.<sup>551</sup> Hence, along with a display of moral and spiritual responsibility, wealth, honour and respectable seniority through age, lay the justification of power for those at the top in the eyes and minds of the rest of the town.<sup>552</sup> Among these attributes it would appear that wealth was the main justification of power, and Phythian-Adams implies that without the merchant elite there would be no town, or at the very least the rest of the town revolved around *them*.<sup>553</sup> Phythian-Adams points out that social mobility was limited further up the scale into the twenty-four families of the civic elite which had national and international contours in terms of business and patronage, but nevertheless, such

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<sup>550</sup>For some excellent examples and discussions on popular counter-cultural hegemony see the collection of articles in Thompson's *Customs in Common*.

<sup>551</sup>Phythian-Adams, 'Ceremony and Citizen'; James, 'Social Body'.

<sup>552</sup>Phythian-Adams, *Desolation*, pp. 137-141.

<sup>553</sup>*Desolation*, p. 47. Note This, however, is of course a tautology because without crafts in the town to exploit there would be no merchant elite. See Barron, 'Ralph Holland', p. 160: The tailor John Bale in 1443 exclaimed, 'the prosperity of the City of London depends not upon the merchants but upon the artisans' who formed the original government before the increased commercialisation of the cloth industry.



aspirations towards vertical mobility are seen as largely forming the normative urban consciousness which is therefore wholeheartedly 'bourgeois'.<sup>554</sup>

I shall argue against this showing that rather than drama, ritual and ceremonial 'reflecting' a normative, elite-couched consensus in late medieval urban society, it was performed within the arena of class-struggle which we have identified in the previous section, and in which took place a contest for symbolic authority between opposing values and interests, rather than in terms of wholly competitive bourgeois values and interests.

It is no coincidence that the cult of Corpus Christi developed on a massive scale in large provincial towns during the seigniorial reaction of the late fourteenth century, and anti-clericalism particularly against what was seen as a corrupt, wealthy ecclesiastical aristocracy, (hence the beheading of archbishop and others), and also at a time of an ascendant merchant gentry oligarchy. Regarding this and other rituals in this period, Pythian-Adams concedes that, 'many of the ceremonies instituted in the late fourteenth or fifteenth centuries, one suspects, were incidentally contrivances by the elite to enhance their position and so to preserve the social order on which their influence rested'.<sup>555</sup> Traditional popular rituals, often of rural origin were assimilated within an elite formulated calendar where they could be monitored, controlled and even used to reinforce the existing social order. Popular cultural forms in this way could only therefore be expressed through elite forms, such as the story of Christ and the cult of the Eucharist, the Corpus Christi. However popular culture had at its heart, materially based customary rights, upon which the reproduction of subordinate classes depended, and these were not to be so pliable. By assimilating popular cultural forms, elite forms were subject to inversion in the contest for symbolic authority as we shall see.

In the festival of Corpus Christi a hierarchical procession reflecting an ideal social order based upon elite interests and ordinances was followed by the drama of the Mystery Plays where the story of the bible and particularly that of Christ from the Creation to Doomsday was performed by all the crafts of the city, arguably in no particular order.<sup>556</sup>

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<sup>554</sup>*Desolation*, pp. 139-40.

<sup>555</sup>*Desolation*, p. 275.

<sup>556</sup>Elites often played, 'Doomsday' or 'Judgement Day' however.

James says that this hierarchical procession or 'structure of social differentiation' was therefore balanced by the 'egalitarianism' of the drama which portrayed 'a community of equals', and a 'creative tension' between these two forms contributed to social integration and reinforced the status quo.<sup>557</sup>

Now to begin with James' formulation is predicated on, firstly that this social differentiation was informed by no fundamental lines of conflict arising from relations of exploitation based upon relations of production within it, and although there were serious social inequalities these were in many ways justified for reasons given above; and secondly that hierarchical processions were taken seriously at face value by subordinate classes, and that the drama was viewed as egalitarian and portraying 'a community of equals' by them. We will deal with the first notion soon, but examine the second first.

It is clear to begin with that popular cultural forms were just as capable of imagining *anti*-processions as they were the conventional ones, and that this anti-procession was a strong feature within popular culture generally, through rough music, charivari etc. However the latter were often institutional forms such as enforced skimmingtons and other such shaming rituals although these could just as easily be used against authority without sanction. There are other more serious examples however such as Gladman's insurrection in 1443 where the traditional procession at lent was performed outside of the sacred calendar and without the presence of the elite and representatives of the church, and used as the symbolic core of an insurrection based upon customary conflict stretching back to the previous seigniorial drive in the late thirteenth century.<sup>558</sup> Such anti-processions were also used in 1381 where the severed heads of elites were paraded around on poles.<sup>559</sup>

Also, some of the Mystery Plays have a highly subversive content which goes beyond a naive 'world turned upside down' game. If it was the intent to assimilate these forms into elite culture and a dominant discourse in order to control them, it is not clear from the

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<sup>557</sup>James, 'Social Body', p. 4.

<sup>558</sup>*Records of the City of Norwich*, vol. i, pp. 328-56.

<sup>559</sup>*The Peasants' Revolt of 1381*, 2nd. edn., ed. by R. B. Dobson (Hampshire and London: Macmillan Academic and Professional Ltd, 1983; repr. 1986-91), p. 236.

content of these plays which culture, popular or elite is manipulating which. We may first of all take the lead from contemporary Lollardy c. 1430:

Wicked men ben as the fervent see that mai not rest in his herte til he be gretter than his neihebure, whos flodes turnen into defoulynge - that is, of the comyn peple thorou here cursid extorciouns. And in this brestyng vp of vnkyndeli flode, that is wicked pride amonge lordes and knighttis, that causith this opressing of the pore peple, maketh now so gret a noyse and soun that it is a gret clamour in al this rewme, in everi schire ther of, of the extorcioneris that dwellen therinne, whiche beth as tiraunte kyngis, overlodynge the peple as Pharao ladde the children of Israel.<sup>560</sup>

The relations of exploitation are here portrayed within an apocalyptic framework and given sanction by biblical precedent. However, John Ball's letters in the rising of 1381 reveal how in the popular mind-set such an apocalyptic end would not come only through a bolt from the blue but would be asserted by human agency, again through biblical sanction:

Jon Balle gretyth yow wele alle and doth yowe to understande, he hath rungen youre belle. Now ryght and myght, wylle and skylle. God spede every ydele. Now is tyme. Lady helpe to Ihesu thi sone, and thi sone to his fadur, to make a gode ende, in the name of the Trinite of that is begunne amen, amen, pur charite, amen.<sup>561</sup>

This theme is taken up just as powerfully in 'The Second Shepherds' Play' from the Wakefield Mystery Cycle, c. 1415. Similar to the Lollard sermon the backdrop is the apocalyptic flood, which is described in the soliloquies of the three shepherds upon their introduction. The third exclaims:

Cristys cross me spede, and Sant Nycholas!  
Ther of had I nede; it is wars than it was.  
Whoso cunthe thake hede and lett the warld pas,  
It is ever in drede and brekyll as glass,  
And slythys.  
This warld fowre never so,  
With mervels mo and mo,  
Now in wetll, now in wo,

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<sup>560</sup>Lollard Sermons, ed. by G. Cigman, EETS, 24 (Oxford, 1989), sermon 2, lines 561-70.

<sup>561</sup>Dobson, *Peasants' Revolt*, p. 382.

And all thyng wrythys.

Was never syn Noe floode sich floodys seyn;  
Wyndys and ranys so rude and stormes so keyn;  
Som stamerd, som stod in dowte, as I weyn;  
Now God turne all to good! I say as I mene,  
For ponder.  
These floodys so thay drowne,  
Both feyldys and in towne,  
And berys all downe,  
And that is a wonder.

Within this framework very particular grievances and oppressors are attacked:

Bot we sely shepardes that walkys on the moore,  
In fayth we ar nere handys outt of the doore.  
No wonder, as it standys, if we be poore,  
For the tylthe of oure landys lyys falow as the floore,  
As ye ken.  
We are so hamyd,  
For-taxed and ramyd  
We are mayde hand tamyd  
With thys gentlery men.

Thus thaye refe us oure rest, oure Lady theym wary!  
These men that ar lord-fest, thay cause the ploghe tary.  
That men say is for the best, we fynde it contrary.  
Thus ar husbandys opprest, in pointe to myscary  
On lyfe.  
Thus hold thay us hunder;  
Thus thay bryng us in blonder;  
It were greatte wonder  
And ever shuld we thryfe.

For may he gett a paynt slefe or a broche now on dayes,  
Wo is hym that hym grefe or onys agane says!  
Dar noman hym reprefe, what mastery he mays,  
And yit may noman lefe oone word that he says,  
No letter.  
He can make purveyeance

With boste and bragance,  
And all is through maintenance  
Of men that are gretter.<sup>562</sup>

The targets for reproach are the 'lord-fest', 'gentlery men' decked in their hegemonic finery or 'painted slefe'. These were the estate officials, the improving tenant farmers, and the merchants indulging in 'imbraceries' (as argued in Norwich), with the aristocracy their great maintainers. This line of attack has a striking resemblance to that in Lydd and Dengemarsh in the middle decades of the fifteenth century as we have seen. This theatrical hegemony does not fool the shepherds and they refuse the representations their oppressors have made to them (intellectual hegemony) about their situation which arguably seems like the turning over to pasture of previous 'tylthe' land, i.e. 'That men say is for the best, we find it contrary' and 'may noman lefe oone word that he says'. However, before the annunciation and nativity of the birth of Christ - which appears later in the play in relation to the apocalypse - the shepherds feel helpless in their situation; 'Wo is hym that hym grefe or onys agane says!' And it is in relation to the birth of Christ that the force of the play's meaning moves beyond standard grievances and into something more serious. For the first section of the middle stanza indicates to us that freedom from these specific oppressions and oppressors is directly related to the fortunes of Mary and the birth of her son Jesus. The apocalyptic symbolism of the plough and the husbandman or ploughman is crucial here as propagated in the works of Lollardy and other popular Ploughman literature in this period, particularly of course Piers Plowman who was equated with Christ, and the consciousness of this character helped to stimulate the rising of 1381.<sup>563</sup> Therefore the restrictions placed upon these husbandmen within the given system of productive relations is transformed into a spiritual allegory referring to the anti-Christian act of blighting the coming of Christ, and within this formulation, these oppressors are strikingly portrayed as the anti-Christ. This class consciousness becomes more alarming as a shepherd warns Mary, 'oure Lady theym wary', that she is 'in point to myscary/On lyfe', or in danger of giving birth to a stillborn Jesus at the hands of this anti-Christ. There could be no more damning indictment of specifically targeted authority than this, as seen from below, and that the entrance of the rebels in London was on Corpus Christi day in 1381 indicates that such ideology was not merely on an

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<sup>562</sup>*English Mystery Plays: A Selection*, ed. by Peter Happe (London: Penguin English Library, 1975; repr. Penguin Classics, 1985), pp. 266-71.

intellectually idealist plane, but was deeply integrated within the popular mind-set and agency to rebel.

Such rebellions were rare of course but that does not mean that this form of the agency of the apocalypse was not always an element within the popular consciousness and culture as these plays indicate. As mentioned above however, rather than face difficult odds against military force, popular culture pressed against the bounds of the possible within the elite formed dominant discourse through a struggle for symbolic authority, in which it was able to exert its symbolic capital - of which apocalyptic agency was but an element - in order to achieve the assertion of its values and protection of its material interests. The way it did this was by injecting an element of symbolic ambiguity to spontaneous riots or insurrections and other violent acts, and this is also seen to a certain extent in the content of the Mystery Plays outlined above.

Now the serious conflicts of 1381 and the first half of the fifteenth century were typically those surrounding customary use-rights which had been taken in the seigniorial drive against freedoms in the late thirteenth century. Gladman's insurrection was in a long tradition of conflict over such rights which were retaken from the commoners by a typical collaboration of merchant oligarchy and ecclesiastical lords. In the insurrection, the memory of another insurrection in 1272 when part of the cathedral was burned down, was almost re-enacted as earth from the gates was dug up to facilitate the burning of logs and bushels under them, and guns were used to threaten to kill the prior and the monks. These threats were in order to create pressure for the rights to be returned. As I have said, the symbolic core of the anti-procession took place well out of calendar, and yet because traditional solemn Lenten symbolism was used within it in the form of the King of Christmas (albeit inverted), five years later it was able to be portrayed as a harmless reinforcement of elite Catholic orthodoxy and celebration of Lent, and it was asserted that the accusations against the rioters were misconceived and unfounded.<sup>564</sup> In a related dispute over fishing rights, some twenty years before this insurrection, some men from the town caught fish from the river in dispute, and symbolically distributed them among the inhabitants of the town.<sup>565</sup> In terms of political

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<sup>563</sup>Dobson, *Peasants' Revolt*, p. 381.

<sup>564</sup>*Records of Norwich*, pp. 340-46.

<sup>565</sup>*ibid.*, pp. 320-4. See also Maddern, *Violence and Social Order*, p. 181.

symbolism: on the political right, this act depicted a dramatic re-enactment of an orthodox biblical scene; in the middle it was a straightforward but now illegal re-assertion of use-rights; and on the left it skirted a millenarianist utopia. When confronted by the violence of authority, it could be justified by the first proposition while at the time threatening and meaning the last. Similarly in 1381 a chronicler described a march on the monastery at St Albans where,

Some ribald people, breaking their way into the Abbey cloisters, took up from the floor of the parlour doorway the millstones which had been put there in the time of Abbot Richard [late thirteenth century] as a remembrance and memorial of the ancient dispute between the Abbey and the townsmen. They took the stones outside and handed them over to the commons, breaking them into little pieces and giving a piece to each person, just as the consecrated bread used to be broken and distributed on Sundays in the parish churches, so that the people seeing these pieces would know themselves avenged against the Abbey in that cause.<sup>566</sup>

These millstones were taken from people's houses in the 1270s so they could not grind corn independently in their own homes and had to pay the lord for the use of his. The stones were then used, in a cynical gesture to pave the lord's parlour. These stones became therefore the direct symbol of this particular class conflict, again based upon relations of production, which remained again in the popular memory for over a hundred years, and the symbol used to express the victory over this struggle was the apocalyptic symbol of the Eucharist, the body of Christ.

The symbol of the body of Christ in this way, at least as much represented fundamental long-term conflicts based upon exploitative productive relations as it did the unified integration of urban communities, as the structuralists would have it. What was improvement for one group was an erosion of independence for another, and the struggle to reproduce this independence was one which was fought for generations.

Now the Corpus Christi procession was arranged in a hierarchy of privilege and authority with the clergy of the town carrying the Eucharist (the wheaten disc of the Corpus Christi), usually in an ornate container under an elaborately embroidered canopy,

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<sup>566</sup>Taken from, Rosamund Faith, 'The Class Struggle in Fourteenth Century England', in *People's History and Socialist Theory*, ed. by Ralph Samuel (London: Routledge and Kegan Paul, 1981), pp. 53-65 (p. 59).

surrounded by the mayor and other elites. The lesser men of the town were then arranged further and further away from this ultimate symbol of power.<sup>567</sup> It is integral to Phythian Adams' project to reject the existence of any fundamental divisions in society based upon relations of production, and this form of social relation is hardly attended to. In this way he is able to assert that,

the order of the march laid down in 1445 for the massive processions of Corpus Christi and Midsummer was based not on a system of precedence reflecting some *economic* class division of society (which for example would have allotted an inferior position to the handicraftsmen) but on occupational groupings whose order was determined apparently by the contribution of each to civic office holding.<sup>568</sup>

Here is the procession layout of that year as written in *Coventry Leet Book*:

The furst craft. ffyshers and Cokes. Baxsters and  
Milners. Bochers. Whittawers and Glouers. Pynners,  
Tylers and Wrightes. Skynners. Barkers. Coruisers.  
Smythes. Weuers. Wirdawers. Cardmakers, Sadelers,  
Peyntours and Mason[s]. Gurdelers. Taylours, Walkers  
and Sherman. Deysters. Drapers. Mercers.<sup>569</sup>

So if this arrangement had nothing to do with an '*economic* class division of society' it is rather surprising, to say the least, to find the wealthy merchant drapers and mercers that dominated the magistracy of every large provincial town in this period, at the end of the procession with the Eucharist, and - in a striking contradiction to Phythian-Adams' assertion - the handicrafts or commonalty from the Deysters or Dyers onward allotted an inferior position further away from its efficacious political influence. The merchants would therefore only by virtue of their economic class hegemony provide the greatest 'contribution...to civic office holding', their source of political class hegemony. Similarly, Mervyn James asserts:

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<sup>567</sup>Miri Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge: Cambridge University Press, 1991), pp. 255-58.

<sup>568</sup>Phythian-Adams, 'Ceremony and Citizen', p. 63.

<sup>569</sup>*Coventry Leet Book or Mayor's Register, Parts I-II*, ed. by Mary Dormer Harris, EETS, Orig. series, 134-5 (London: Kegan Paul, Trench, Trubner & Co., Ltd, 1907-8; repr. Kraus Reprint Co. New York, 1971), p. 220.



Although in these towns there was no necessary or inevitable conflict between the crafts and the ruling elites, friction could arise between aspirants to civic office, arising within and supported by one or other occupational fellowship, and the established ruling group, as a result of the veto which might be exercised by the latter over particular aspirants to office. Those thus excluded were liable to mobilize their following in the craft, and among the rank and file citizens and the poor, to contest elections, and raise disorders in connection with issues in which popular passions became involved, such as the disposal of town common pastures.<sup>570</sup>

He goes on to show the continuous disorders that occurred in York and Coventry, both of which experienced serious decline in the period of these disorders. And so in James' formulation these riots were supposedly the result of a competitive drive by some groups to civic office and the mobilizing of an irrational mob with peripheral customary interests. Phythian-Adams also says that it was only with 'the confusion' of the disputes of those on the edge of the magistracy against the magistracy with other issues (by these he means customary rights and enclosure) could there be a danger to the social order. These are highly elitist propositions.

If there was 'no necessary or inevitable conflict between the crafts and the ruling elites' how is it, and Phythian Adams does not tell us this, that the *Coventry Leet Book* reveals that throughout the whole of the fifteenth century, there was only one mayor elected from a handicraft guild, the rest being of course merchants in the form of mercers and drapers. This exception was William Saunders, a dyer, and this was in 1469.<sup>571</sup> That he was a dyer is significant, because this was the most wealthy and influential handicraft in the town, and in many towns, and consequently at the head of conflicts with the merchants that restricted its political representation. However against James, it was not just its political representation that was restricted, because as Phythian-Adams shows, it was in this period that merchants were encroaching upon the dyers' craft and eroding it. Merchant-drapers took the opportunity to break into the dyers' realm of production when there was a situation of trade problems in dyestuffs in the trade depression of 1448-76. They sought to exploit unskilled dyers within this realm undercutting the craft as a whole. When dyers attempted ordinances to protect their interests, in order to reproduce rather than further themselves, these were annulled by the civic elite, the same

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<sup>570</sup>James, 'Social Body', p. 25, note 81.

<sup>571</sup>*Coventry Leet Book*, p. 339.

merchant-drapers.<sup>572</sup> As we have seen, it was merchant strategy in general in large towns in this period to cultivate and increase their domination over all aspects of production and to reduce handicraft independence, and it was this that contributed to their ascendancy in the first place. In addition, customary use-rights were not a peripheral source of conflict among the so-called 'rank and file', because again as Phythian-Adams shows there were serious complaints in Coventry revealing the need for pasture to maintain master crafts households with servants, and these were clearly therefore deeply integrated into general household production within the town. For example, 'It was truly said that without the right of pasturing their cattle and horses on the city's common lands "the commoners & inhabitants...cannot well liff & meynteyn ther occupacions & menyall servauntes"' .<sup>573</sup>

In these years (1470s-90s) the central figure in this mobilisation of the whole commonalty was William Saunder's son Laurence. At one point Laurence showed his and his followers contempt for, and solidarity against, the merchant magistracy by exclaiming, 'Sirs, here me! we shall neuer haue oure ryght til we haue striken of the hedes of iii or iiii of thes Churles hedes that rulen vs; and yf thereafter hit be asked who did that dede hit shal be seid me & they & they & me...' .<sup>574</sup> Note the word 'churl' is used again, and there is a sense of betrayal in this term; because this example can be compared to the desire to hang all the 'riche churles' and 'newe comme uppe and be heardemen' of Norfolk and Suffolk, by which the commons referred to wealthy yeoman clothiers, and the 'lord-fest' and 'gentlery-men' of Wakefield as we have seen, and the 'imbraceries' and 'maynteinances' in Norwich between some of the city elite and the aristocracy, and last but not least, Thomas Strogull, the 'cankeryd chorle' of Lydd who was always 'enuyous agaynst' the now impoverished John Bacon.<sup>575</sup>

Phythian-Adams stresses that the rituals and myths of a town were like its 'living mirror' as they were peculiar to each town and they gave it its identity and honour.<sup>576</sup> Despite his

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<sup>572</sup>*Desolation*, p. 41-2.

<sup>573</sup>*Desolation*, p. 134.

<sup>574</sup>*Coventry Leet Book*, p. 556.

<sup>575</sup>D. MacCulloch, *Suffolk and the Tudors: Politics and Religion in an English County 1500-1600* (Oxford: Clarendon Press, 1986), pp. 310-11; *Records of Norwich*, p. 344.

<sup>576</sup>*Desolation*, p. 178.

recognition that many of these rituals and myths were the product of merchant creativity during its ascendancy in the late fourteenth century, he believes in contradiction as we have seen that they formed a normative culture within which all urban classes and experiences ultimately derived the same meanings and celebrated them for those meanings. One such myth was that of Lady Godiva or ‘Dame Good-Eve’ who was linked with the commercial independence of the town.<sup>577</sup> In 1492 after the terrific struggle between the commonalty of the town and the oligarchy, Laurence Saunders was put in jail. Following this, three lengthy bills were nailed to the town hall. Here is the beginning of one:

Be it knowen & understand  
This cite shuld be free & nowe is bonde.  
  
Dame Goode Eve made it free;  
& now the custome for woll & the draperie.<sup>578</sup>

These stunning verses which Phythian-Adams dismisses as ‘doggerel’,<sup>579</sup> shows the degree of sophistication to which popular resistance could resort backed of course by the physical threat of numbers. It uses the town’s central mythical figure ‘dame Good Eve’ not to express a consensus within a normative urban culture, its singular identity or ‘living mirror’, but as a powerful warning and protest against the central oligarchy, expressing at the same time its values and material needs which vehemently contradicted those of the oligarchy. The bill explicitly states that the city is ‘now the custom for woll & the draperie’ revealing that the protesters saw the political and economically class-based draper-mercator oligarchy as having customs and values of its own and which were its facilities of repression and exploitation. In a note, Phythian-Adams tries to imply that relations were characterised by subordination and deference. He says, ‘The word “hierarchy” is in danger of losing the full force of its meaning, so widely is it used nowadays. Contemporary reality, however, is heavily underlined by the language of deference used towards Coventry’s elite. Two petitions to the Leet variously address the mayor and his colleagues as “youre worthynesse”, “youre maistershipps”, “worshipfull maisters” and “full worshipfull men of the gret e[n]quest”. A versified critique of

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<sup>577</sup>*Desolation*, p. 177.

<sup>578</sup>*Coventry Leet Book*, p. 567.

<sup>579</sup>*Desolation*, p. 45.

corporation policies, moreover, implies that it was customary to bid the aldermen a deferential “good morrow” when passing in the street”.<sup>580</sup> However he does not tell us that the couplet which ‘good morrow’ formed a part in this ‘versified critique’ emphatically undermines its genuineness as deference which Phythian-Adams takes at face value as ‘contemporary reality’. Here is the sequence:

And ever ye have nede to the Cominalte  
Such favour as ye shewe vs such shall ye see.

We may speke feire & bid you good morowe  
But luff with our hertes shull ye have non.

Cherish the Cominalte & se they have their right  
ffor drede of a worse chaunce be day or be nyght.<sup>581</sup>

This clearly shows that far from obedience to the towns rulers and its rituals of deference being justified in the eyes of the commonalty,<sup>582</sup> and the rest of the population of labourers and poor whom the commonalty represents, it was just a thin mask that rendered protest anonymous, allowing defensive and offensive popular cultural strategies to exist underneath it, pushing the limits of the system in its own way, in the face of the military force of the country which the magistracy was able in the last instance to command. Such was an indication of the form of hegemony and anti-hegemony in Coventry; ‘We may speke feire & bid you good morowe/But luff with our hertes shull ye have non’.<sup>583</sup>

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<sup>580</sup>*ibid.*, p. 141 note 19.

<sup>581</sup>*Coventry Leet Book*, p. 578.

<sup>582</sup>Phythian-Adams describes the commonalty as ‘the broad ruck’ of skilled craftsmen and journeymen above the unskilled labourers and poor, *Desolation*, p. 129.

<sup>583</sup>These mis-formulations should be taken a step further in a critique against Phythian-Adams’ whole interpretation of the ‘desolation’ of Coventry. The decline of Coventry from the mid fifteenth century, eventually precipitating a crisis from 1518 and an insurrection in 1525 over the ploughing up of common lands which had recently been enclosed, was in Phythian-Adams’ view a product of external forces out of the control of the citizens of the town. No real cause is imputed, just a descriptive list of things that were going on. For example, ‘it is only possible to re-assert the unequivocal evidence for the decay of Coventry by 1518 in terms of a declining population, a reduced entrepreneurial and employing class, the fear of rural competition, and the reluctance of outsiders to settle in the city’ (p. 50). His dismissal of the application of the term ‘class’ to late medieval urban communities as ‘an anachronism’

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leaves him conveniently bereft of any element of social conflict as a *cause* (p. 73). When the crisis came along with the most serious insurrection in 1525, it is just seen by him as one effect of the general breakdown of the essence of medieval relations which were generally of concord and unity, but an effect for which we have no cause. Briefly, to try to remedy this deficiency, we may begin by re-introducing class-struggle into the analysis. When we do this we can see that the main conflicts, which were not related to short-term competitive interests, were centred on long-term disputes over the common lands of the town. As Phythian-Adams says, 'When either private person, be he Prior or self-styled gentleman, surcharged or encroached upon the commons; or ward-juries, chosen for their compliance by the city government, sought to enclose on behalf of the city; trouble was likely to follow. Forcible entry or riot by the citizens had become traditional as in 1421, c.1430, 1469, 1473, 1495 and 1509' and finally in 1525 (pp. 182-3). We have already given some detail on the seriousness of the additional conflict in the 1480s and 1490s. In 1524 enclosures were thrown down and on Lammas Day (August 1st) the day of the opening of the commons in 1525 things appear to have got even more serious when,

the formal party (composed since 1474 of hand-picked upholders of the status quo), seems to have been followed by a group of commoners who tore down gates, hedges and one particularly obnoxious ditch which had been breached by the chamberlains. Meanwhile an angry crowd had gathered within the city presumably to await the ceremonial re-entry of the chamberlains through the New Gate. 'Almost smothered in the throng', was the Mayor, Nicholas Heynes, who having had little personal reason to support the policies of the city government now 'held with the Commons'. No doubt emboldened by this backing, one part of the crowd shut the New Gate against the chamberlains' procession - an audacious act of defiance towards officials of the city, while another group with even greater temerity actually broke into the city treasury in St Mary's Hall and seized the Common box which contained the rents for the closes (pp. 254-5).

It is significant that Heynes the mayor 'who held with the Commons' came from a handicraft, as was becoming more frequent in the sixteenth century with the movement into the country of the merchant-gentry civic elite, such as 'John Bonde, an ex-mayor of the city who seems to have bought his way into the gentry via a country estate in Lancashire, by 1537-8, and who had borrowed the sum from his son-in-law's uncle' (p. 150). To Phythian-Adams' astonishment, using terms such as 'audacious' and 'temerity' to limit its long term significance, this riot involved the taking of the obviously hated deeds of ownership of common lands, similar to the targeting of court rolls in 1381. This riot, was therefore highly articulate, and informed by a long process of struggle and focused needs within that struggle. Phythian-Adams diminishes its significance by regarding it as an enclosure protest which '*deteriorated* into an ugly insurrectionary riot' implying irrationality (p. 254). Rather than an *effect* of the desolation of the town, this conflict over these lands may have been deeply implicated into its *cause*. We have already seen the importance of common lands for the majority of the towns' household production, and it seems that they were the last means of landed resource this majority had left to turn to in the context of agrarian economic change. Crucially, Phythian-Adams points out that:

The conception and the development of the performance of Lydd's unprecedented four day play of 'The Lyfe of Saynt George' was undoubtedly the product of crisis; that of the 1520s, and in particular from 1526. So bearing in mind what has been said about the construction of cultural hegemony by elites in order to draw popular consciousness

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Coventry's geographical position, furthermore, made it peculiarly vulnerable at times, since the grain surpluses locally available for urban markets in former years had probably been considerably reduced over the previous century by enclosure for sheep and cattle farming. The hundred of Knightlow, in which the county of Coventry was physically situated, closely followed by its southern neighbour, Kineton hundred, was the hardest hit in the whole of Warwickshire. Not only did Knightlow contain the highest percentage of deserted villages in the county, but it suffered most between 1488-1517...Over the period covered by the 1517 commissioners, some 88.8 per cent of the land concerned in Warwickshire was converted to pasture, a greater proportion than in any other midland county. Some of it became unproductive parkland at the hands of the local gentry or rich merchants like John Bonde, who ironically found himself mayor of the city at the peak of the Dearth' (p. 57).

And so local gentry and merchant speculation in land, having engrossed and turned all the arable in the surrounding fields of the City into pasture, the merchants facilitated by their government powers wished to plough up the common lands (after long term attempts at encroachment) *within* the city, at a time of grain shortage and serious subsistence crisis due to high grain prices and inflation. In this context one can more clearly get to grips with the motivations of the commonalty. Typically Phythian-Adams sees enclosure simply as a reason for high grain prices without attending to the changing class relations which correspond to such phenomena. It is this balance of class relations that needs attending to with particular regard to the changing rural-urban landholding complex caused by agrarian engrossment and enclosure; and the desolation of towns such as Coventry and other towns such as York in this period may require re-formulating with this in mind. The conflict was not simply an effect of outside, objective forces but of long term class-struggle over material resources and independence against elite encroachment and ultimately reflected in the need for political representation. If merchants left the town, it was because they had impoverished and alienated the producers, and in doing so threatened to impoverish an important source of exploitation and their own source of wealth. Also how can epidemics be assumed to be a major variable factor in the desolation when Coventry's ascendancy occurred through large scale immigration in the late fourteenth century after the worst epidemic of them all. Finally, the slump in the cloth industry affected rural industry as well as industry in large towns hence the input of the small cloth towns in the Weald of Kent and Wiltshire in the risings of the 1450s. The problem of the 'desolation' of Coventry therefore appears to be far more deeply inherent than simply a collection of dubious objective variables.

within the dominant elite discourse in order to justify its dominance, this play takes on some significance.

What is significant is the changing balance of class forces and the arena of class struggle from within which this production was engendered. It would appear to be a symptom of the structural changes that had taken place and that were still taking place, both economically and politically. One sees here the beginnings of the crystallisation of consciousness of a new economically and politically dominant class. Just as the larger urban-based merchants had developed new ceremonial and ritual along with the church in the late fourteenth and early fifteenth century in order to cushion or even mystify its rising dominance, so the aspirant yeomanry of the small town of Lydd attempted to shroud its even less plausible rising dominance of the early sixteenth century in ultra-traditional causes.

The growing experience of poverty in the early decades of the sixteenth century, as we have seen was coupled with class-based criminality and violence. This suffering would be exacerbated many fold by preventable food shortages and war. With the knowledge of expropriation fresh in peoples' minds, and with that process continuing in probably a more indirect way in the form of sales through debt, and with the recent removal of popular representation in government, the embryonic authority of this new class would have been under some threat.

The possible appeasement of conflicting social relations through such ideological concessions as the moral equality of poverty and chivalry and the promise of accountable government (despite the whiff of dictatorship on the surface) as were possibly expressed in the performance of 1533 would very much have benefited this new class at that time. Because what was being demanded in return for what were only ideological concessions, was a recognition of political authority and newly gained property, with the flow of material benefits this recognition would provide. Appeals for unity and common purpose in defending the realm within the ideological framework of the performance may also serve to reinforce political hegemony, because this would demand a recognition of the authority of this new class as it was masquerading under the banner of The Order of the Garter.

To what extent such representations could be internalised by the commonalty and poor is another matter. Would this recently closed constitution make itself appear accountable? It was certainly less so than it had been thirty years earlier, and as we shall see it was, with greater powers, even less so thirty years later. Un-edited in its pure Barclay form, the play could have the opposite of the desired effect in the popular consciousness, with the poor identifying themselves with the poverty of George in a way that they would have with Jesus in the Mystery Plays. But instead of seeing in that poverty something holy for which they would be respected by their rulers, they may have interpreted George as subversive representative of the righteous oppressed against the rich and evil state and its agents who had recently removed their last vestiges of independence through enclosure. This was certainly the formula of the Mystery Plays, although these had clearly popular and in some cases, highly subversive writers.

This brings us back of course to Bacon's lack of appreciation for Strogull on St. George's day the year before the performance, and the burning of two jurats houses a few months earlier. But this was of course *before* the performance.



In 1583 a certain James Browne of Burnynges<sup>584</sup> dictated a letter sent to Sir Thomas Bromley, Knight and Lord Chancellor of England,<sup>585</sup> After introducing himself he continues:

Whereas your poore Oratour hath of late exhibyted into the Quenes Court of Common persons at Westminster certayne Informacions against John Berry of Lydd, Yeoman and Thomas Godfrey the yonger of Lydd aforesaid Gentleman complayninge thereby against them for havinge aboute two thowsand shepe of there proper Chattelles which in parte of this seasane at one tyme numberinge six score to eury hundreth contrary to a statute in that case providen in the xxvth yere of the raigne of the late Kyng of famous memory Kinge Henry theight, And also for not keping of melche kyne and not rearing of calves accordinge to a proportion lymitted to be kept by them that for the greatest parte of the yere shold kepe aboute lx shere shepe and six score shere shepe in ther seuerall pastures wherin noe menn had common for any manner cattell at the tyme of makinge of a lawe in such cases lately prouided and for the like proportion to be vsed for eury tenne and eury twentye of Oxon, kyne, Runttes, steres, heifors and such like lymytted also to be kept by the sayed lawe made in the second and therd yeres of Kinge Phillip and Queene Mary and reuiued and made Perpetuale in the xiiith yere of the Quenes Magestie Raigne that nowe is, as by the same Informacions remayninge of record in the sayed Court of Common pleas as large maye appere. Vnto which said informations the sayed defendantes haue seuerallye pleaded not guiltye, end the matters ar to receaue due triall at her Magesties Court of Common pleas aforesaid at Westminster which such expedicion as the proofes, and the othyer circumstaunces thervnto necessarye may be gathered together for the same. And for as much as her magestie is to receiue a great benefitt vppon the conuyncing of the said Defendants and also for that they beinge men of wouderfull Wealth, and tenauntes to diuers of the most worshipfull gentlemen of the said Countye of Kent of theier marshe lands in Romney Marshe and therabouts, Whose ayed and frendship the said defendantes so greatly expect that they thinke to coloure vp there great faultes which are in trueth the ingrossinge vp of the greatest part of the mershe landes in those parties, into there owne handes and turning yt all to grasing, So that tillage for bread, keping of melch kyne for butter and chese, is not there vsed Whereby the Countries adioyninge are destytute of both bread butter and chese, a generall hinderaunce to the poore people therabouts dwelling and also therby maney the townes in the mershe there are distroyed and layed wast, And for so much also as the chief witness to prove your poore oratoures matters be verye aged menn and Shepardes or keepers of mershe groundes, not able to travell in winter, whan the matters shalbe tryed and likely to dye before, for extreme

<sup>584</sup>I believe this place was a small settlement in Walland Marsh and White Kempe Watering.

<sup>585</sup>PRO, C2, Eliz 1, B20/17. The date is written in the margin is therefore debatable although it certainly fits into line with other developments that are detailed below.

age and weakenes and also some of them be bayliefes and domesticale servauntes to the defendants Who will against that tyme send them either beyond the seas or so farr frome beinge to be founde, that your poore orater shall be prevented marvailously in the premissis to the great Hinderance of her magestie and also of your poore orater, except your good Lordship will graunt that he may haue some of the saied speciall aged persons, and domesticall servauntes examined in Perpetuam rei memoriam, for the testyfyng of the trueth in the saied matters May yt therefore please Your honour vppon consideracion of the premissis to graunt vnto Your poore orater her magesties proces to be directed to the said John Berry and Thomas Godfrey the younger commaunding them therby with in a certayne tyme to come and shew sufficient cause in her highnes Court of Chancery why your poore orater ought not to examien Witnessses touching the premisses orelles that the same maye be done at your poore Orators request according to the auncient customes and Laudable vsage in such cases vsed in the said her highnes Court of Chancery. And your poore orater will daily pray to god for your lordships health with mares of much honour.

Stapled on to this letter is the formal response, entitled 'The Joint and seuerall answers of John Berry and Thomas Godffraye defendantes to the byll of Complaint of James Browne Complainant'. This states:

The said defendantes say on that the saide bill of complaint exhibyted againste them unto this honorable Courte by the saide Complainant is altogether vncerten vntrue and Insuffycyente in the lawe to be answered vnto and that the matters therin contayned are alltogether devised fframed and Imagyned Rather vppon Malyce then vppon anye Juste cause of suyte therby sekinge to put these defendantes and the saide persons whom the saide Complainant sekethe to examyn to greate troubles vexacions and expences in the laws and forasmuche as the saide Complainant dothe in his saide byll of Complaint are determinable by him at the Comon Law of this Realme and doth allso further therin declare that the matters Contayned in the said bill of Complaint are allredye at yssue and redye to rescyve tryall before her magesties Justyces of the Comon plees vppon the tryall Wherof the Complainant myghte haue had the benefyttes of his supposed Wytnesses yf hee had proceded in the same which was stayed by the onelye negligences and defalte of the saide Complainant and may allsoe procede by tryall at the next assises to be holded within the Countye of kente which ys neare vnto the place where his saide Wytnesses doe dwell therefore these defendantes aswell for that cause as for dyvers other Causes and Imperfeccions in the saide Imperfect byll Contayned doe demur in lawe and demande Judgemente of this honorable Courte to make anye ffrurther or other answer to the saide Insuffycyente byll of Complaint or yf they shalbe Compelled by the Order of this honorable Courte to make anye ffrurther or other answer to the saide Insuffycyente byll of Complaint or yf the saide Complainant shalbe permitted to examyn anye witnesses in Perpetuam rei memoriam all which matters these Defendantes are redye to aver and prove as this honorable Courte shall

awarde and prayen to be dysmyssed with their resonable Costes and expenses in that behalfe by the meanes of the saide Complaint allredye Wrongfully sustayned.

To summarise, these documents appear to represent some point within an ongoing suit between James Browne who may be a local attorney possibly representing a petition for inhabitants of Lydd and Romney Marsh against the activities of Thomas Godfrey junior, gentleman, and John Berry, yeoman. These activities were allegedly against the statutes of the Crown and causing local suffering due to the imbalance within agrarian production and supply, and which was allegedly going on unchecked because of the wealth and political connections of the defendants. This was occurring within a situation of an increasing dependence by the local population upon fewer and fewer farmers who were engrossing larger proportions of the surrounding marshes into their own hands. The defendants were large-scale sheep graziers, major tenants to the county gentry, and prominent in the government of Lydd as jurats and justices of the peace. It appears that Browne was seeking to transfer the suit to a higher court i.e. that of Chancery, beyond that of the Common Pleas within which the suit was presently being tried. It also appears that because of the age and lack of means of the 'chief' local witnesses, and the indications are that these may have been employees of the defendants, Browne wished to examine them locally, outside of the court, which was a usage that Chancery allowed; and that this needed to be done swiftly because of the pressure that may have been brought to bear upon the witnesses by the power of the defendants in the mean time. The reply to Browne's allegations and suggestions appears to be a legal construction designed to show that the complaints against the defendants had no basis in fact but only in malice, and were therefore insufficient in the law thereby putting pressure on the Chancellor to throw them out. Also in an attempt to undermine Browne's suggestions the reply suggests that if they must proceed, that the trial could take place in an even lower court than the Common Pleas whereby the witnesses would not have far to travel, and in this respect the defendants allegedly had the witnesses interests at heart.

Of course the implications are that the issue of travel for the witnesses was only one aspect of the problem and that Browne recognised that the further away from local courts and the grip of the maintainers of the defendants in Kent the better, and the defendants, who were justices of the peace themselves, would recognise this. It is possible that the highest court would have been less partial, in particular concerning the

upholding of its recently formed statutes, besides containing a different usage which would benefit Browne's method. It could be argued that Browne may have had personal grievances relating to the accumulations of these men in Romney Marsh, but one is strongly inclined towards his version of events on the basis of this evidence alone, because he would surely not go through so much trouble against such powerful men if he did not have a case. Nevertheless, his case gains further support with an examination of the court assemblies of Lydd in the decades leading up to this suit.

This chapter will firstly deal with the evidence in the Lydd records in respect to this case; secondly look at the nature of changing aspects of accumulation from the immediate post 1528 period; and finally look at the evidence for class struggle within these processes.

### **1. The case of 1583**

The defendants were in fact quite close family, with Berry having married Godfrey's older brother Peter's daughter Katherine. Godfrey was probably still a child in his father's will of 1543. His father was Thomas Godfrey senior, he termed 'esquire', and Thomas junior would be classified as such by his will as a very elderly man in 1624. In his father's will he was furnished with a solid yeoman's property as we have seen in Chapter Three, the vast majority of the estate having previously been given to his older brother Peter. But as we know, by the 1580s he was described as gentleman, his brother having died in 1567. As we have seen, Berry moved to Lydd from Ivychurch in order to take up the vacant space in the juratcy left by the prosperous and influential Ralph Wilcockes in 1555, and he and Thomas's older brother Peter were the executors of Wilcockes' will of that year.

I have already indicated that by the 1550s the social and occupational make-up of the jurats had moved almost completely away from petty trade, manufacturing and fishing interests which were still prevalent below an increasingly dominant yeomanry up to 1528 at least, and this change coincided with the increasing wealth of its membership as evidenced in wills such as Ralph Wilcockes, Robert Robyn and Thomas Strogull. As Elks points out, *all* of the jurats were large yeomen and gentry by the 1580s.<sup>586</sup> A fortunate survival of a series of marshland or 'Watering' scots in varying degrees of

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<sup>586</sup>See Chapter Two, Section 1.2.2, and Chapter Three, Section 1.2.1.

completion for the 1580s enables us to gain an idea of the type of wealth Browne was talking about when he says Berry and Godfrey were ‘men of wounderfull wealth’. They show that Thomas Godfrey junior had 341 acres of his own freehold lands in South Walland Marsh which was mainly situated in the west of Lydd parish. Add to this another forty acres in the same area held off Fettiplace, esquire, and Mr Anthony Cook (lord of Old Langport).<sup>587</sup> In addition he held 490 acres in White Kempe Watering to the north and west: this was made up of 362 acres held off William and Thomas Swan, gentry, ninety-two acres off Peter Godfrey his nephew and thirty-nine acres of Mr Stringer.<sup>588</sup> Apart from his large personal acreage, Godfrey’s holdings in this area on this evidence were modest compared to his relation John Berry. Apart from 353 acres which Berry held in Lydd parish,<sup>589</sup> most of his farms were to the west of the parish in White Kempe, a Watering which extended right over towards Rye, where including 207 acres of his own lands, his holdings amounted to 1,978 acres in 1586. These were made up of 990 acres held off Mr Richard Knatchbull, 470 acres off a Mr Bird, 210 acres off Sir Richard Baker, forty-nine acres off Harlakynnden, gentlemen, thirty acres off Mayne, gentleman, nineteen acres of Mr Wootten, lawyer, and three acres of our Mr Thomas Godfrey junior.<sup>590</sup>

This evidence refers only to the marshes in Lydd parish and White Kempe Watering, all of which were below the Rhee wall, that is a line running just south of New Romney across to Appledore. However, Berry’s will of 1592 shows he had messuages, lands, tenements and hereditaments and reversions in the parishes of Lydd, New Romney, Newchurch, Old Romney, Ivychurch, Brenset and Brookland and Fairfield ‘or elsewhere in Kent and within the realm of England’ which he bequeathed to his cousin John Berry, presumably because he died childless. *This* John Berry was to become an esquire on the basis of this wealth. Our defendant John Berry’s will shows that he had strong links with London and woollen-drapers, and his wife Katherine, Thomas Godfrey junior’s niece, reveals her close links with a clothier from Cranbrook in her will of 1612. This evidence shows their important lucrative trading links with London and the Weald as well as the nature of the product. Thomas Godfrey junior bequeathed in 1624 various indentures for

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<sup>587</sup>Ly/ZR 2, fol. 1r, fol. 11r.

<sup>588</sup>*ibid.*, fols 7r-8r; fols 21r-22r;

<sup>589</sup>*ibid.*, fol. 13r.

<sup>590</sup>*ibid.*, fol. 21r.

all his 'manors, messuages, lands, tenements and hereditamentes in Kent and Sussex'. His bequests to the poor of the parishes of Lydd, New Romney, Old Romney, Brookland, Snargate, Ivychurch, Newchurch, Iden in Sussex, and Warehorne in the Weald give some indication of the geographical spread of his property, as well as its nature. The addition of 'manors' to this list of properties is clearly significant and a feature of the growing wealth of this class in Lydd in this period.

But Berry and Godfrey were by no means the only jurats with big estates at this time. Most who were Lydd jurats by 1591, leased over 200 acres.<sup>591</sup> However there were others in Lydd moving into the same league as these two. In 1586 Peter Godfrey, jurat, probably the nephew of Thomas Godfrey junior, held 653 acres in a general Queen's Provision marshland scot of 1586. Matthew Knight, jurat, held 698 acres in the same, William Dallet, jurat, some 720 acres in Jury's Gut Watering alone which cut through the west of Lydd parish overlapping South Walland - 510 acres of this being leased from another jurat, Clement Stuppeney - and Thomas Harnenden, jurat, who held some 908 acres in a general Queen's Provision scot, much of this in Belgar and Northlade, the latter of course as we have seen having grown out of the north of Dengemarsh and apparently continuing to grow.<sup>592</sup> Clearly most of Lydd's extensive parish by the 1580s was in the possession of this handful of Lydd jurats, some in the form of freehold, but mostly on competitive leasehold from significant gentry or subleased between each other.

This evidence accounts for the 'wonderful wealth' of these men, or part of it, along with that of others of their group. Browne was clearly not exaggerating here when he alleged they were 'ingrossinge vp of the greatest part of the marshe landes in those parties, into there owne handes'; but what about the lack of tillage and dairy cows, and the other accusations of resulting poverty and decay. Here we turn to the assembly book of 1566-1604. In this we find continuous presentments against these very men for all the things Browne accused them of.

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<sup>591</sup>The various collections between 1583-6 in Ly/ZR 2 show that John Bateman, Thomas Knight, Alexander Weston, Robert Tookey and John Wells held 262, 260, 221, 240 and 248 acres respectively in Dengemarsh and South Walland Waterings in these years.

<sup>592</sup>*ibid.*, fols 7r-8r, fol 2r, fol. 10r.

Besides the array of presentments for nuisance, affrays, illicit activities, unretained servants, unlicensed trade, scolds and felonies to which we shall return, there are presentments for decaying houses - particularly manor houses, the cutting adrift of the minimum twenty acres allowed around these houses by statute, bridges left to decay so that common ways are blocked, enclosure of land across common byways, the continuous encroachment of rails and posts onto the highways and commons, the grazing of an illegal number of sheep, and a related imbalance of arable and dairy products in favour of wool.

We are already aware that most of the smaller properties on Dengemarsh would have been removed in the fifteenth century to make way for the big freehold farms of the Robyns and the demesne leases. Also that a number of dwellings from Old Langport manor had been removed, and in addition so had the manor place of that manor been removed and replaced by an expensive marshland lease sometime before 1551, and that this lease was in the possession of our defendant's brother Peter Godfrey at that time.<sup>593</sup> I will present the evidence from 1566 chronologically, because this shows how the other manor places were probably cleared for pasture. As shown in Chapter Two, Section 2.3, the presentments took the form of a jury of lesser commoners of Lydd presenting cases to the justices of the peace who were the bailiff and jurats of Lydd in an attempt to uphold the statutes of the Crown. In the opening year of the assembly book, the Hundred and Sessions court of 15 September 1566 heard,

yt ye maner of belgar is gretely Runne to Ruyn and decaye and ye landes Seuerd from ye same contrary to ye statute yt is thought good yt a gentell letter shalbe made to Edward Myddylton and Arthure Myddleton owners of ye same to gyue them aduertisement of ye same presentment and to admonyshe them to re edefye & Repayre ye same on thissydes and before ye ffeast of Saynte bartyamewe ye appostell next cumminge So yt for defaute of amendment & Repayrynge ye same the Townshippe haue no cause to enter vppon ye same and to take ye profyttes tyll yt be reedefyed accordynge to ye statute in that behalf provyded.<sup>594</sup>

This 'gentell letter' had no effect at all it seems because the following September the jury again presented 'ye maner house of belgare for yt is in Ruynos & in dekeye'. At the same time they presented in the same area 'ye lane ledunge from Costelore to belgare and so

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<sup>593</sup>See Chapter Three, Section 1.2.1.

<sup>594</sup>Ly/JQs 1, fol. 27v.

forthe to the See to be incroched by ye farmers of belgare'. The same year Jacques Court manor and Sir Walter Hendley's tenement were presented because they did not have twenty acres employed to them.<sup>595</sup> Belgar was presented again in October 1568 and April 1570 because the manor house mansion was ruinous and had not twenty acres employed to it.<sup>596</sup> On 26 January 1572 the presentments show that the problem had spread, but the focus was now changing to the more immediate problem of lack of tillage or arable produce for consumption for the poor as the jury presented that 'the maners of Jackes Corte, Scottney & belgare & also Mr Swanes fferme that Mr Berre dwellythe in haue byne more vsed in tyllage then thaye are at present contrary to ye statut'.<sup>597</sup> In October of the same year fifteen men, including *all* the jurats and some other farmers, were told that they 'haue earable land accordinge to ye nature of ye soyle & ought to sowe by ye Statute all there arable landes at ye least yerely within ye liberte besydes that they doe sowe', and each man was appointed to sowe a particular number of extra arable acres. These appointments amounted to between five acres and forty acres, making a total of 299 acres *extra* required in Lydd parish alone. Berry was to sow forty more acres and Godfrey twenty more, and so these were among the biggest offenders, particularly Berry. At the same time (October 1572) Thomas Godfrey junior was presented 'for that he hathe foure hundred Shepe and should kepe vi kene & bred euery yere iii Calues & dothe not accordinge to ye Statute'.<sup>598</sup> His capital investment had blossomed by the trial of 1583 where he and Berry were said by Browne to have over 2,000 sheep. We have a clear indication of the accuracy of Browne's allegations against Godfrey at least, and that Godfrey seemed to need to take little heed of the law, in an entry in the assembly book of 9 May 1591, eight years later, when he was again presented for 'keping above two thousand shepe', and Matthew Knight now also 'for the lyke'.<sup>599</sup> Knight had taken over the leases of Belgar and Northlade.<sup>600</sup> Godfrey, Berry and various other jurats had clearly taken no notice of the other presentments against them in 1572, because they were presented again in 1573 and 1574 for lack of tillage, and Godfrey and his nephew were again presented in 1575 'for want of tyllage & yt they

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<sup>595</sup>*ibid.*, fols 29v, fol. 30r, fol. 32r.

<sup>596</sup>*ibid.*, fol. 40r, fol. 53r.

<sup>597</sup>*ibid.*, fol. 72r.

<sup>598</sup>*ibid.*, fols 79r-79v.

<sup>599</sup>*ibid.*, fol. 145v.

<sup>600</sup>See the Cesse of 1596, *ibid.*, fols 171r-4r.



kepe noe kene nor bred calues'.<sup>601</sup> In the mean time Belgar was presented again as ruinous and was joined by Mr Anthony Mayne, esquire's mansion on Dengemarsh, and John Bateman, jurat's two places, one at Westbrook presumably held off Fettiplace, esquire, and one originally of the knightly Septvans in New Langport.<sup>602</sup>

And so within nine years of the opening of the assembly book we are already aware of a catalogue of cases in line with Browne's allegations against Godfrey and Berry, although similar cases could be made against a number of others. It seems as if the jury of commoners in Lydd had no power in the face of the jurats of Lydd and it must have been difficult for these men of little resources continuously presenting the justices of the Crown to themselves for infringing the statutes of the Crown. Hence the need for the matters to be taken out of Lydd and into a higher court, and this was no mean feat in itself considering the theoretical immunity of barons of Lydd from such courts by virtue of the Cinque Port franchise. Those who attempted this faced serious consequences from the Brodhull, and taking on two jurats from Lydd would amount to taking on all the jurats in all the Ports, as well as their aristocratic maintainers.

Between 1575 and 1582, the years leading up to the trial, the presentments cease and we shall come back to the possible reasons for this below; but the indications are that matters had come to a head regarding conflict between the big farmers and certain other sections of the town at least. A few cases of decaying manor houses continued after 1582 with Thomas Harnenden, jurat, presented for the decay of the Dering's gentry mansion called 'Nodde', previously in the possession of Peter Godfrey, and Belgar again.<sup>603</sup> But after 1587 there were no more presentments for such decay. Instead of directing operations from the old manor houses outside the town, new substantial houses were built in the town by this class, which still remain, and the marshes were mostly left to the limited number of shepherds and marsh keepers to dwell.<sup>604</sup> Between the years 1587-9 the focus in the presentments continued concerning the need for tillage, and the jurats and other farmers were presented with acreage in multiples of sixty acres which

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<sup>601</sup>*ibid.*, fol. 83r, fol. 87v, fol. 92r.

<sup>602</sup>*ibid.*, fol. 81v, fol. 83r.

<sup>603</sup>*ibid.*, fol. 110v, fol. 125r.

<sup>604</sup>Private communication from Mrs Beryl Coattes, local historian of Lydd, based upon her unpublished work for the late sixteenth and early seventeenth centuries.

were 'apt for tillage'.<sup>605</sup> After 1589 nothing is mentioned, and we enter into 1590 and a crisis of epidemics and rapidly increasing poverty on an even larger scale than 1528. Sally Elks has noted a steady increase in expenditure on poor relief from 1590-1613 as evidenced in the overseers accounts of Lydd which survive only for those years. In 1590 the amount received was 46li 18s 5d and by 1612 this had risen to 74li 15s 8d. By the 1630s it was said to be '140li yearlie and doth daylie increaseth'.<sup>606</sup>

Evidence for institutional provision of the poor also comes in the form of appointments of buyers and sellers of corn and grain specially to sell to the poor, but without making excessive profits from these sales.<sup>607</sup> On 6 October 1574 provision was made for 'a markett of corne to be kepte euery Satterdaye for ye Relife of ye power wt in ye towne not beinge Able to travell to forren markets for there Corne', and all the jurats and thirteen of the wealthier commoners and jurats-to-be were listed and allocated a particular amount of corn to supply this market each year.<sup>608</sup> On 20 November 1595, during those crisis years, another revealing decree was made by the bailiff, jurats and six of the richest commoners;

that provyion of corne should be made to the intent that the poore inhabitaunts of Lydd foresaid myght at or vpon any daye in the week hencforth vntill [gap] haue all manner of Corne and graine for their money at such prices as in other markettes & the Charges & expences had aboute the same to be borne by the Common Charge of the towne as well in & aboute the provyding to the towne in Carryeng & bringing of the same Corne so provyded to the town and also all such Losses as shalbe by reasone of the Retailing of the same by smale measures as tolvetes, peckes etc to be borne as is aforesaide.<sup>609</sup>

These two decrees spanning the decades around the 1583 case and the serious crisis of the 1590s, besides the other presentments above, are a good indication that these big

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<sup>605</sup>Ly/JQs 1, fols 126v-134r.

<sup>606</sup>Elks, 'Demographic Study', pp. 74-5.

<sup>607</sup>For example, Ly/JQs 1, fol. 123v: 'Memorandum that at this Cession lycence Was graunted to Mathyu Knyght of lidd & GeorgeTugle to buye for the provycion of the pore inhabitantes of lydd All manner of Corne & grayne And the same Corne & grayne is bought to sell Agayne to the pore inhabitantes dWellyng Wythin lydd Aforesayd & not to Anye other they not takyng Anye excessiue gaynes for the same'.

<sup>608</sup>*ibid.*, fol. 90v.

<sup>609</sup>*ibid.*, fol. 168r.

farmers of Lydd who dominated the town and parish economically and politically, could not or would not grow enough corn, despite their enormous accumulations, to supply their own increasingly dependent and impoverished inhabitants with basic food. The decrees show that firstly, in order to get corn there was pressure on the inhabitants to travel outside the parish to other markets which was expensive, and secondly that the inhabitants could not afford to buy corn in bulk which apparently is the only way these farmers would trade in order to ensure a maximum profit, despite the suffering. There is a suggestion in the latter decree that the market prices for grain were even higher in Lydd than elsewhere, hence the decree would ensure that the losses in these respects would be borne not by the farmers, but through taxation of the town and the poor as a whole. What is interesting is that when the epidemic arrived in Lydd in 1590-1 the relationship between diet and disease was well understood because a butcher was given licence to sell meat in lent in 1591 in order to comfort the sick and diseased.<sup>610</sup> The attitude of these wealthy agrarian bourgeois however, as indicated by this evidence, certainly casts a shadow over the genuineness of their charitable strategies - of which these decrees are no doubt seen as a part - but which really only occur in their wills it seems for purposes of self-salvation and hegemony, and these were hardly spectacular.

Regarding decaying bridges, which were the legal responsibility of the landholders to repair, or bridges that had been illegally removed thereby blocking customary byways, between 1566 and 1604 there were some 140 presentments of fifty-eight people. A number of these were repeat presentments for the same bridges - the previous warnings concerning these having gone unheeded. Twenty-four of these fifty-eight people were Lydd jurats, four were gentry from outside the parish, and the rest were mainly other farmers of means from the combarons and families of the jurats. The jurats themselves however bore the relative brunt of the presentments, in particular Thomas Godfrey junior who was presented sixteen times for this offence in his lands which were all over the west of Lydd parish. Peter Godfrey was presented seven times, Thomas Harneden seven times and John Bateman nine times. Berry was only involved on a few occasions, but then most of his lands were outside the liberty. Unlike the presentments for decay, these for bridges continued throughout the period, indicating that the common ways would not yet be completely sealed off.

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<sup>610</sup>*ibid.*, fol. 144r.

Regarding the continuous encroachment and pushing out from closes and enclosures of pails, rails and posts onto the highways and commons, there were sixty-four presentments involving thirty-six people. Thirteen of these people were jurats and three were external gentry. This was a strategy that eventually worked for Harneden and Berry, who in certain cases clearly refused to amend the situation of their posts and in the end they were allowed to keep the enlargement, paying for their encroachment as an extra rent. Thomas Ederyk of New Romney actually threatened the jury for presenting him for a similar offence.<sup>611</sup> This evidence indicates a growing mentality with a complete disregard for customary arrangements and landmarks.

Therefore the evidence from this assembly book alone provides a strong reinforcement of Browne's case to be one of fact and not borne out of something that was 'vncerten vntrue and Insuffycente in the lawe' or 'devised fframed and Imagyned' as the defendants maintained from their lofty positions as justices of the peace for the liberty. The very detail that Browne goes into in 1583 regarding accumulation, decay, food scarcity, poverty, exemption from the law and the culpability of the defendants in these respects reads as a summary of the presentments in the assembly book in the preceding decades.

## **2. The process of accumulation post-1528**

Before examining the evidence of class-struggle relating to the activities of the farmers detailed above, I want first of all to draw together some of the threads that I have touched upon in previous chapters regarding an identifiable second stage in the process of accumulation in Lydd parish which appeared to occur from the 1530s. This was just preceding and coinciding with the dissolution of the monasteries. Because it was this stage that was generated by the incursions of the lay gentry who sought to capitalise, not only on the earlier developments by Lydd yeomen in the consolidation and capitalisation of holdings and the emergence of competitive rents at a time of great demand and lowering real wages, but also as recipients of grants of monastic property from the Crown. And it was this next stage of accumulation in the immediate post-1528 period that paved the way for the measure of engrossment we see in the second half of the

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<sup>611</sup>*ibid.*, fols 116r-116v, fol. 212r.

sixteenth century - mainly of leases that had been appropriated and expanded by lay gentry in the preceding decades.

We have already seen how farmers, mainly of small-yeoman to small-gentry status, developed competitive rents and the size of their demesne leases on behalf of their ecclesiastical lordship lessors by drawing in the neighbouring assize holdings by means of class-struggle. Also how significant farms were developed by yeomen and butchers such as the Robyns as consolidations were made within the assize holdings by similar means. However we have also seen that by 1538 the consolidations of the Robyns were sold to bigger lay gentry such as John Mayne, esquire, and then leased back to the same yeomen at a competitive rent. It is the latter phenomenon which appears to characterize the nature of change in and from the 1530s and 1540s, coinciding with the dissolution of ecclesiastical property. In fact the gentry's increasing interest and widespread forays into such property pre-dated and anticipated the dissolution with Mayne buying up 300 acres off Thomas Swan in 1533, an earlier jurat who probably moved to New Romney after being bailiff of Lydd in 1525, and son of one of the wealthiest Lydd jurats at that stage, James Swan; and also eighty acres from James Robyn, jurat, in the same year before setting about the larger transaction with Robert Robyn, jurat, shortly before 1538. In 1533 Thomas Strogull, another important Lydd jurat, held the farm of 'Prior's Marsh' in the parish of Broomhill, which adjoined Lydd to the south-west, from Robertsbridge Abbey in Sussex. However in 1537 an indenture was made between Sir John Dudley, knight, of Halden in the Weald, and Thomas Wriothesley of London, esquire 'for all those marshes aswell fresshe as salt now being in the tenure & occupacion of one Thomas Strogull of Lydd lying in parishes of Lydd & Promhyll'. In the same area, two years later in 1539 an indenture was made between Sir Walter Hendley of Cranbrook, esquire and John Boys as executors of the recently deceased Sir William Hawte, knight, also from the Weald, and Thomas Culpeper of Goudhurst in the Weald, esquire, concerning Scotney farm and marsh and all its sheep at a value of 506li 15s reserving 400 sheep to Hawte's widow.<sup>612</sup> The relationship between the supply of wool from Romney Marsh to the Weald and London has been mentioned earlier but the increasing investment in the Marsh by such gentry from both places at this time is highly significant in relation to demand and its continuing relationship has already been witnessed in the

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<sup>612</sup>See analysis of the Robyns and Strogulls in Chapter Three, section 1.2.1. For Mayne's purchase off Thomas Swan in 1533, see Ly/JB 3, fol. 76v.

wills of Berry and his wife above.<sup>613</sup> Strogull's other farm of Northlade in Dengemarsh, that he held from Battle Abbey by indenture from 1536, was granted to Sir Walter Hendley in 1547 after Battle Abbey was dissolved. Hendley was a senior official in the Court of Augmentations and he probably therefore granted it to himself.<sup>614</sup> However Strogull still held this lease in 1551 and so this involved just a transfer of ownership with the lessee apparently unaffected. This evidence however does show that these smaller gentry and yeomen of Lydd did not have it all their own way and one detects an element of class-struggle at a higher level here, masked by the all-embracing term 'competition', in which only the bigger fish such as Godfrey and Berry and wealthy intrants would survive. For why should the Robyns wish to sell their hard fought for freehold farms in return for dependence on a lease, more characteristic of husbandmen? And what happened to them in the later period? A jury presentment in 1572 is revealing arguing that 'ye waye ledynge betwene Standford Lane & Northelade & to othere places of Dengemarsh thereabout Ledinge thorowe ye Landes late ye heyres of Thomas Robins is Shut vppe by John Lordinge ffermer of ye same & hath byn vsed to be Lefte open by all there me[mory]'.<sup>615</sup> The lease had clearly been sold to someone else in the Lydd combarons, an immigrant, who then proceeded to try and enclose it further.

Such further expansions in the size of holdings and engrossment as indicated in Browne's allegations was also a feature of this period. Perhaps the classic case is that of Northlade. Having developed from a cluster of ecclesiastical demesne holdings in the fourteenth century at a value of 5li a year, it was by the Cesse of 1596 in the region of an enclosed 350 acres, bringing in a rent of 160li to a Mr Edward Bakon the absentee lessor at that time, ensuring that the lessee Matthew Knight would be presented for having over 2,000 sheep.

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<sup>613</sup>For more information on these men and their relationship with the Weald, the Marsh and the county oligarchy, see Clark, *Provincial Society*, pp. 52-4, p. 70; Roberts, *Tenterden*, pp. 59-61; Zell, *Industry*, pp. 22-3, pp. 33-7.

<sup>614</sup>*Calendar of Patent Rolls*, vol. i., Edward VI, Part V, p. 157.

<sup>615</sup>Ly/JQs 1, fol. 76v.

### 3. Class-Struggle Post-1528

In Chapter Two I have shown the transformation of government in Lydd from fifteenth century self-government and broad representation to oligarchy and little representation from the early sixteenth century. This representation was tightened even further in 1526-8 along with conflicts over elections, and again by the early 1550s with the reduction in the numbers of commonalty able to elect the bailiff. The commonalty eventually lost all power in elections by the end of the century. In Chapter Three, I have shown how poor elements were criminalised along with poor law developments in the crises of the 1520s and 1530s, and also the manifestation of criminality on Dengemarsh - although class was being defined in these crimes.

Before looking at evidence of more serious conflicts, we may look at the general presentments in the assembly book of 1566-1604, which takes up again this aspect of the criminalisation of the poor. Because of the changing nature of the evidence it is difficult to make comparisons with the earlier record in this respect. However the crimes committed in this later period do reflect the changes that had taken place from 1528 and the information yielded from the assembly book is therefore important for our purposes. Among the most common presentments were of men and women without masters who were 'idle' or 'out of covenant'; sometimes illegally 'going at their own hands' with a trade for which they were unlicensed or to which they had never been apprenticed. Up to ten people at a time were presented for these offences and Elks points out that the numbers of such presentments were increasing towards the end of the sixteenth century.<sup>616</sup> Such controls on contracts and apprenticeships were highly punitive, restricting independence and consigning people to many years of unpaid service and subordination - often to the jurats and farmers themselves. Servants were a focus of notoriety, and a combination of these, apprentices, 'idle persons', vagabonds, and 'other poor', were continuously presented in substantial numbers for illegal lewd behaviour. This included late night drinking, tavern haunting, night walking, affrays, unlawful games, passing on stolen goods and for not following their living or not having the means to live. These presentments and those involved deserve a study in their own right, but are outside the scope of this thesis, except to say that the atmosphere in these years was one of highly charged suspicion and the need for controls by government and

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<sup>616</sup>Elks, 'Demographic Study', p. 75.

employers on what was implicitly an increasingly alienated and dependent wage-labouring and servant population.

Such an attitude and atmosphere was clearly apparent in a new clause that was added in the custumal in the 1550s stating 'yt euery poore man wtn this towne haue of his owne in his howse or close at michilmas euery yere three lodes of ffuel wood at ye least vppon payne of imprisonment and to be founde suspicyous of hedge pykyng & wood stelyng'.<sup>617</sup> Was there ever a clearer example of the equation of poverty with criminality? Of course the hedges and wood being referred to were usually those forming the enclosures of the jurats. Where the poor were to get their fuel wood is not clear because it was also made an offence to collect wood from the common 'Holmstone' to the south of the town, a scrub wood area, for which numerous people were presented. This was probably made an offence because the drainage and sea defence accounts clearly show that materials were running out in the 1560s for the sea defences and increasingly broom was used from the Holmstone which had previously been part of the town's commons.

Government suspicion of the poor was certainly not unfounded, and the property of jurats and other yeomen was the main target for theft. For example there were presentments of 'Wattes wydowe for pluckinge of ye Woll of a Shepe of John Hebylthwaytes in his land' in 1570; on 8 April 1570, 'ye sunne and ye daughter of John Bygges Carpenter for pykyng of hedges'; on 1 July 1570, 'William Golding for a priuy pycker & for a suspicius Lyuer' and later for a vagabond; in 1571, 'John Bygges because he hathe nott prouided wood for his winter store'; and the same year, 'Beade bargro, Henry Vyam, Thomas Knox, Thomas Meere and Nicholas Asinden for keeping dogs suspicious for killing sheep'; and in 1572, 'Rycraftes wyf for Stelynge of Rayles from Mr Berres (our defendant) land' and 'ye daughter of ye saide Rycraft for stelynge barle oute of Mr Batemans barne'. Rycraft was earlier one of those presented for being out of covenant. Also the same year, 'Cristofer Lambert for Steling of wood out of Mr Batemans close; and 'Robert Masly for flayinge of Mr Strogulls Shipe & John Bornes Shipe'. Stephen Mellowe, husbandman was indicted in 1576 for feloniously driving away three ewes of William Dallet, jurat, to the value of 20s at Lydd; also Stephen Huddeswell, husbandman, for feloniously taking a sheep from John Strogull senior. Robert Kempe, labourer, was indicted in 1586 for feloniously driving away a ewe of

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<sup>617</sup>Ly/LC 1, fol. 31v-32r.



Vincent Puckell, butcher and the following year ‘for stealynge of one Yextrenger & one Staple from John Strogles Court’; also Clement Downe ‘for that he sold to William Whyte ii Chekes of a ploW Whych Are suspected to be stolen by hym from Mathye Knyght’; and James Wood of Ivychurch, husbandman was indicted for stealing six sheep and two lambs off Thomas Godfrey junior [our defendant] at Lydd. On October 1576, the jurors presented ‘William Lucas, Palmers Wyfes son for pyckyng of hedges in the tyme of devyne service’. On 12 May 1593 it was ‘John Carpenter alias Lockier for Picking other mens hedges in the night tyme’ and also William Hooke’s boy and John Skiptoone for the same. The same year George Furner was presented ‘for Retayning of mens servantes and receaving of goods stollen by them’.<sup>618</sup> Wealthy merchants from elsewhere were also preyed upon. On 18 December 1581, a recognisance appeared showing that that George Drake, Merchant of Exeter was to appear in an indictment against John Harrys, yeoman, Richard Awkyn, labourer, Richard Gates, labourer, Simon Boye, mason, Bartholomew Showshart, fisherman and labourer, and Saloman Adams, tailor, ‘for stealing of serten goodes & merchaundizes’ off him within the liberties. Many of these were imprisoned or humiliated in the market place.<sup>619</sup>

These are representative of the examples in the presentments that enter the names of the victims as well as the thieves and these offences were committed almost without exception by those of husbandman status and below, and against jurats and yeomen - or as we have seen in the last case - against a merchant from Exeter. And so class is again being defined here in these criminal acts, possibly even more sharply here than earlier. This is only as one would expect, as social relations were becoming more defined, politically and economically. In addition were the persistent hedge-pickers who were probably all poor. Also there are numerous memoranda of what appear to be more serious felonies by ‘malefactors’ which included some of the above thieves who were imprisoned, but without describing the actual offences and their victims. However the offenders followed similar lines to the above. The jurats also bore the brunt of the recorded verbalised ill-feelings of tavern-haunters and poor. For example on 24 January 1574, William Bennes ‘was committed to ward & fyned & punyshed according to our Custome for euell Reportinge & myscallinge of John Berre Jurat’. Bennes had earlier

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<sup>618</sup>Ly/JQs 1, fol. 52r, fol. 55r, fol. 60r, fol. 67r, fol. 78r, fols 80r-80v, fols, fols 123v-125r, fol. 132r, fol. 147r, fols, 158v-159r, fol. 160r, fol. 162r.

<sup>619</sup>*ibid.*, fols 105v-106r.

been presented for stripping dead men without burying them. In 1588 William Griggesbye was presented ‘for Abusing Mr Baylyff of lydd by Vnreverent & Vnsemelye Wordes behynde hys back’. Griggesbye was a notorious tavern-haunter and brawler, although he was by no means the only one.<sup>620</sup>

There are indications of potentially more serious disorders pertaining to anti-enclosure riot and electoral discontent in the first half of the 1570s. These occurred amid the layers of presentments already detailed with their implications for class-struggle. These began in 1572 when on 12 March there came to court, ‘Wyllyam Smythe jurat, Thomas Bresland, William Nox & others & informeth ye sayd baylif & jurates of Dyuers Dysorders Done at Dyuerse mens Dores at xii a clocke in ye nyght by serten persons wch were punnyshed by there bodyes & fyned at xs a pece videlicet Arnold Barrowe xs John Eppes xs Robert Huglen xs William Bresinden xs and Saloman Adams xs’. We find out five weeks later what they were up to when the jury presented ‘thos that pulled vpp Mr Bayliffs [John Bate] and Mr Harnedens posts & Rayles’, and the same names are listed.<sup>621</sup> Significantly, the same Arnold Barrowe was presented a few years later on 22 October 1575, ‘for making of a rescue against the Queenes officers in this Town’.<sup>622</sup> However we do not know what this ‘rescue’ entailed unless it was related to other disturbances that are worth mentioning. Because this was the same year, (exact date unknown), that Barrowe appears in the *Black Book* of the Cinque Ports detailing the minutes of the Brodhull following a complaint by Lydd bailiff John Heblethwaite:

Whereas by relacion of John Heblethwayte Jurat late baylif of lidd yt appearith vnto this assemble that one Arnold barrowe an inhabitant in lidd of late bounde in the somme of vli for his good behaioure by reason of his former abuse and yll dealinge was commytted to ward by the seid John Heblethwayte whilist he was baylyff and Jurates are not ignorant neuerthesse the same baylyff and Jurates as this assemble are informed have lett the seid arnold barrowe at large wt out bonde haueinge in ther sight and herthe manassed the seid John Hebylthwayte and some other of the jurates or other officeres their sayeinge these wordes some of you shall repent yt a verie yll example.<sup>623</sup>

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<sup>620</sup>*ibid.*, fol. 72v, fol. 91r, fol. 131v.

<sup>621</sup>*ibid.*, fols 73r-73v.

<sup>622</sup>*ibid.*, fol. 97r.

<sup>623</sup>CKS, CP/B 2, fols 18v-19r.

He was bound over for a certain sum of money or else to be imprisoned. What is intriguing is what Barrowe meant Heblethwaite and some of the jurats to *repent*. Could it possibly have been related to the ending of common rights on the town's common lands in the previous year, i.e. 26 September 1574?<sup>624</sup> At this time the commoners agreed to forego their rights of common on the Rype to be replaced by a flock of sheep for the use of the town. As an act of benevolence the bailiff, jurats and commoners contributed 392 ewes to the flock, and John Heblethwaite was singled out in the recording of this act, not only because he was bailiff at the time, but because he deserved extra praise for his contribution of six sheep 'notwithstanding his great loss in sheep last year'. What are we to make of this? First of all every tenant in the town was by custom allocated a certain amount of sheep to graze on the Ripe, and so are we to assume that this enclosure would have been assented to by all? It was said that the bailiff and jurats had the commoners assent in this act, but as we know the range of consent that this covered was extremely narrow at this time. Secondly, the nature of division of the profits is not stated. Thirdly what was the motive of the jurats' in this development? Two spring to mind: i.e. a further reduction in independence of Lydd inhabitants ensuring a freer supply of labour to their own estates resulting in more control in economic and political terms, and the maintenance of low wages and increased profits; or along with the increasing profits of the corporation through the accumulation of property, a source of more profit for town expenditure especially with the increase in expenditure on poverty in the town. Or both. Is it plausible to think that this act was carried out with the blessing of the whole town? Neeson has shown the devastation reaped by similar 'agreements' over the profitable use of the commons for 'commoners' who were characteristically themselves part-peasant part-artisan in the immediate pre-industrial period in Northamptonshire. It resulted in an almost immediate sell up by those with less than forty to fifty acres, and profit for those with above this figure, especially for the larger landholders. The division between those who opposed it and those who were for it followed more or less similar contours of ownership and for obvious reasons.<sup>625</sup>

Whether Barrowe's conflict in 1575 was related to this enclosure in 1574 or not, he and his fellows were certainly protesting against the central government a few years earlier in 1572 and in both acts the bailiff was targeted. We do have scraps of information against

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<sup>624</sup>*HMC. Fifth Report*, p. 531.

<sup>625</sup>Neeson, *Commoners*, especially pp. 185-294.

these 'rioters'. William Bresinden was described as an Innholder and Saloman Adams, a tailor and the latter was also involved in the theft against the merchant from Exeter described above along with two labourers (one of whom was also a fisherman), a mason and a yeoman - although the latter was certainly not conspicuous in the records of landholding nor in the government. Arnold Barrowe had a slightly more illustrious background as the son of William Barrowe who had been for a long time clerk and then jurat in Lydd before his death in 1555, and who was of small-gentry status. Arnold's brothers, William junior and Thomas, had both been in the combarons, and William in the juratey for one year in 1567 when he either died or moved away. The vast majority of William senior's estate went to Arnold's brothers who were possibly of some age. Arnold, however, was still not yet eighteen in 1562 when his brother Thomas made his will. However Arnold was to have some of the residue of William senior's lands in Lydd town and parish which his brothers had sub-let, and the profits were to go to Arnold when he was 21. Thomas made his will in 1562, although he did not die until 1569, and he carried out his responsibilities to his brother Arnold by providing him 30li - presumably from the profits of Arnold's lands - for him to go to school, or else 15li and the taking-in-hand of his inherited lands. And so Arnold, while certainly not achieving the status of his brothers because of the nature of inheritance in his family, may well have been educated, and been middling in the way of property. John Eppes and Robert Huglen also carried the surnames of fairly recent jurats but were families which certainly no longer had a place within the central government. And so this group was a combination of middling property and skilled manufacture and innkeeping, at least one of whom was probably formally educated or undergoing some education. There was at least some potential here for conflict between such men and an increasingly powerful and intensely speculative landed class which could threaten to undermine middling property and to remove an agrarian support to the economy of skilled tradesmen. They had of course been doing this all along.

What may also be very significant is that on 6 April 1575, some six or seven months after the foregoing of common rights, a Special Guestling (a form of special Brodhull) was held and the contents of its proceedings are recorded in the Lydd assembly book. There were two main subjects on the table: the first concerned problems in trade with London merchants who were not happy about the Cinque Port liberties in this respect; and the second which is probably more significant for our purposes states:

At This Assemblye yt is enected & decreed yt from hensfforthe none shalbe chosen to be hedd officier in any of ye Portes too townes or there members Corporation but suche one As shalbe Jurate inhabitant in ye sayd Porte or member Vppon payne yt euery Commoner Geuinge his election to ye Contrarye to forfayte xls for euery tyme soe offendinge half to ye vse of ye Corporation of ye Cinqz Portes at ye Brotherhed howse to be assembled & theother moyete to him yt Complanelthe ye same in ye brotherhed howse.<sup>626</sup>

The implications are that despite the commoners having by enforced constitution to choose a bailiff from the present and permanent set of jurats in a particular town, some of them at least were flagrantly upsetting this procedure in choosing someone outside the government, possibly one of their own favourites of the like of Arnold Barrowe. Barrowe in fact appears again in 1584, presented 'for an idle & Susppycious person'.<sup>627</sup> To go to this end suggests a great deal of discontent among even some of the narrow range of chosen commoners and is even more serious than the situation in 1526. Can it be a coincidence that for seven years after 1575 there are no jury presentments recorded at all in the assembly book and just memoranda and allocations for tipling houses and apprenticeships. They return again in 1582 just prior, or indeed coinciding with the beginning of the trial of Godfrey and Berry.<sup>628</sup>

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<sup>626</sup>Ly/JQs 1, fol. 95r.

<sup>627</sup>Assembly p 117a.

<sup>628</sup>See Clark, *Provincial Society*, pp. 139-141, for analysis of rising discontent across the Ports in the 1560s and 1570s.

### 1. The role of class

In assessing the role of class in the changes that occurred in Lydd in the period c. 1450-1550, it will first of all be necessary to point out what appear to be serious methodological errors on the part of some of the contributors to the Brenner debate, in particular, those of the neo-Malthusian persuasion.

In their defence of the charge of ascribing to demographic fluctuation the chief determining force of changes in this period and earlier, Postan and Hatcher reject Brenner's account, saying they (in the third person), 'have not attempted to account for the abiding features of the medieval economy and society, its structure, institutions or attitudes, by demographic factors alone'. However their assertion in the following sentence that, 'when examining or describing an economic situation, they have almost invariably tried to fit it into its social situation', does not inspire confidence.<sup>629</sup> Herein seems to lie the problem, with demographic and economic determinations being worked out in abstraction to the prevailing social relationships, and then '*almost invariably*' afterwards assimilated with or *brought to* them, instead of the situation being analysed where all determinate factors are seen work together simultaneously, and with no artificial separation of the political, social, and economic, or in other words, the subjective and objective conditions. It is not enough to simply cover, or 'invoke' class relations.<sup>630</sup>

Bois, a Marxist, while coming to similar conclusions in terms of historical content as Brenner in his comparison of Normandy and England, is also prone to this methodological error, and in doing so lays *himself* open to Malthusianism. His aim, however, is to try to develop an economic mechanism for the feudal mode of production

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<sup>629</sup>M. M. Postan and John Hatcher, 'Population and Class Relations' in *Brenner Debate*, pp. 64-78 (p. 65).

<sup>630</sup>As Brenner also points out, the neo-Malthusians 'have been obliged to introduce class relations in an *ad hoc* manner to cover trends in income distribution which their model cannot explain; but to do this is, of course, to beg the question.' In following this method they have made, 'class relations a dependent variable in their population-centred models'; 'Agrarian Roots', pp. 218-19.

as supposedly exists in the capitalist mode. He need not require reminding that Political Economy does not equate with capitalism which refers to a social formation in the totality of its relations and with a mode of production that is determinate, but is basically a bourgeois construct around the abstract sanctity of the Market. As Thompson argues in *Poverty of Theory*, Marx had moved away from historical materialism in his analysis of Political Economy, by developing an *anti*-Political Economy the categories of which were therefore often necessarily equally abstract, and hence his (Marx's) analysis in this respect similarly pointed towards stasis.<sup>631</sup> Bois in his critique of Brenner, strongly criticises his epistemological approach, accusing him of analysing other peoples' work with a pre-conceived 'political Marxism' theory, while Bois assures us that his own approach ensures a constant interaction between heavily researched empirical data and partial hypotheses in order to guard against both empiricism and speculation. However, in practice, Bois seems to want increasingly to move from this empirical data towards further abstraction. For example, 'thus it is by the progressive elucidation of the mechanisms of the feudal economy according to a process of increasing abstraction and generalisation that a global vision of the system can be achieved. And it is by this course alone that we will finally come to understand by what subtle mechanisms the class-struggle plays a driving role in the development of feudal societies'.<sup>632</sup> Despite its generation through empirical engagement this increasingly abstract conceptual structure will inevitably - to gloss Thompson's phrase - hang over its material referent and dominate it.<sup>633</sup>

However, as Bois says in the new preface to his *Crisis of Feudalism*, Brenner makes a similar mistake in overstating his case by asserting that the new capitalist emergence meant the separation of 'the age old fusion' between political and economic surplus extraction leading to the notion of the 'autonomy of the economic'. In my view this emergence was, as Bois says, basically a change from direct to indirect extra-economic extraction of the surplus.<sup>634</sup>

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<sup>631</sup>Thompson, *Poverty of Theory*, pp. 60-2; 163-4.

<sup>632</sup>Guy Bois, 'Against the Neo-Malthusian Orthodoxy' in *Brenner Debate*, pp. 107-118 (pp. 115-17).

<sup>633</sup>Thompson, *Poverty of Theory*, p. 13.

<sup>634</sup>Bois, *Crisis of Feudalism*, p. x. Bois also makes the important point; 'Does he [Brenner] believe that factories can be worked in the absence of the laws and the overall political structures which guarantee

Apart from this, my position veers over to Brenner's side.<sup>635</sup> Because it is quite clear that the societies in question were structured in class ways within a given balance of power relations and property structures, and in my view it is the way these classes *dealt* with such demographic and economic experiences - in terms of feelings and values within their culture as well as in attaining their economic interests - which is the real issue. Technically and metaphorically speaking, 'demographic changes exerted an effect on income distribution in medieval Europe only as they were, so to speak, refracted through the prism of changing social-property relations and fluctuating balances of class forces'.<sup>636</sup>

My findings correspond to this hypothesis in the following ways. The evidence for Lydd suggests significant changes in the organisation of production and its corresponding political and economic relations in the period c. 1450-1550. To at least 1460 most rents of assize, that is, holdings outside of the demesne, particularly in the important manor of Dengemarsh, were unconsolidated customary plots of a very small size. These holdings supported a reasonably prosperous population of petty traders, small craftsmen, fishermen and mariners for which the small plots were an important element in regard to household economies. There is no evidence of manufacturing or trading specialisation in Lydd, and indeed the most prosperous traders and artisans were engaged in a variety of activities such as brewing and innkeeping as well as small agrarian production. Some of the master mariners and fishermen who were boat owners were relatively prosperous, although their trade was seasonal and they would have been particularly dependent on holdings. They also benefited from their ancient expertise as pirates in the Channel, gaining money from ransoms and wrecks on the shore of the parish, and in this they were characteristic of the barons in general across the Cinque Ports. Fishing was the main

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property and the relations of capital and labour?' In no way however does this reflect positively on Bois' own approach.

<sup>635</sup>Brenner's position is also supported in all fundamental aspects by Hilton: for example, 'the point is, of course, that the crisis of feudalism as a social order was not a crisis of subsistence or a crisis caused by the scissors effect of rising industrial and falling agricultural prices. However important these features of the situation might be - and there can be no disguising their significance - the central feature was a crisis of relationships between the two main classes of feudal society, which had begun before the demographic collapse and continued, even if in somewhat altered forms, during and after it.' Hilton, 'A Crisis of Feudalism' in *Brenner Debate*, p. 132.

<sup>636</sup>Brenner, 'Agrarian Roots', p. 218.



specialisation of the town and parish at this stage; but this trade mainly consisted of those of lesser means whose form of production was characterised by small partnerships and shares. Some middling peasants were present without consolidated acreage, and among them may have been one or two relatively large farmers with the availability of leases from the late fourteenth century and with the example of Thomas Godfrey who had accumulated holdings on the western edge of Lydd parish from the same period. Despite general demographic downturn this situation was one that was pretty constant to the middle of the fifteenth century, with no vacant holdings, and indeed quite the reverse, with evidence of immigration and plot fragmentation. As far as the nature of production was concerned, the evidence from Battle Abbey ministers accounts show a high degree of corn-growing on the demesne well into the fifteenth century. Up until the early part of the fifteenth century before leases become more permanent, Lydd appears to have been one of the main markets for corn for the purchasers of Battle Abbey.

This prominence of petty trading and small-scale production was clearly reflected in the political structure of the town and parish, with a broad commonalty of growing numbers of freemen, up to the middle of the century at least, being regarded as the most significant element in the town administration. Before 1467 when virtually complete self-government was obtained, the archbishop of Canterbury maintained controls through his appointment of the town's head officer, the bailiff, and through his steward in the hundred court; but apart from this, the central government of sworn men or jurats were no more than a temporary division of labour for the purpose of the administration of the town, half of whom were replaced each year from among the other freemen in the commonalty. Domination of the government by any particular occupational or other social group, and exploitation or the cornering of the market through political machinations was limited in this way.

Already by 1528 there is evidence of the substantial increase in the acreage of the parish covered by competitive rents caused by the expansion of demesnes into the assize rents, and the development of competitive leases from the waste which also drew in surrounding customary assize holdings. Even more important were very large consolidations of farms among the customary holdings themselves and the wholesale clearance of tenements and messuages. Hence the number of people holding even small plots of customary land which were crucial to household economies, and which were not

subject to the market and inflation, had been reduced dramatically by 1528. While on the other hand the number of big farmers had increased, whether coming from Lydd itself or coming in from the nearby Marsh or Wealden areas to take advantage of the increasing opportunities available for such people. Those who lost their houses would be forced to live either in more packed accommodation in the town, become servants in the growing households of the farmers, or migrate, possibly to join the growing industrial proletariat in the Weald. The main form of production was also now sheep farming for the supply of wool to the expanding rural industry in the Weald. These changes would ensure a speculative market in land, thereby increasing land values, and therefore increasing food prices and particularly corn and dairy prices. This situation left many people without landed support and vulnerable to the real reduction in the value of wages which they would be more obliged to seek, particularly in the face of harvest failure and grain shortages as were experienced in the 1520s and especially in 1528.

This process of capitalisation continued unabated with the new and increasing involvement of the lay gentry from the 1530s, stimulated by the grants from the dissolution of the monasteries and state offices. The farms that had developed in the customary assize rents on Dengemarsh had been sold by the 1530s and leased on a commercial basis as well. The rest of the century would be characterised by further engrossment, the decay of manor houses, and the increasing expansion of wealth and status of the big farmers in Lydd. It would also be characterised by an increase in poverty and repression of the poor, the situation becoming particularly acute by the 1590s. This relentless process of agrarian capitalisation in the sixteenth century was most probably curtailed however and forced to adapt from the early seventeenth century due to the decline of the Wealden industry.

The economic prominence of the big farmers already by 1528 was reflected and in turn ensured by the political structure of Lydd as it had developed by this stage. The jurats of whom the big farmers now composed half were all permanent. The bailiff was still chosen annually by the commonalty, but he had to be selected from the permanent jurats. The number of freemen in the commonalty fluctuated but were ultimately in decline throughout the sixteenth century, those being legitimate to vote for a bailiff being reduced by ordinance of the Brodhull in 1526. By 1600 they would no longer even have this voting function.

So how and why did these changes come about? We may begin with Hilton:

It hardly needs emphasizing that it was the product of this peasant economy, or rather that part of the product which the peasant household was not able to retain within the holding (whether in labour, kind or cash), which provided the necessary support for the whole social and political superstructure of nobles, clergy, towns and state... We therefore have a landowning class whose very existence depended on the transfer to it of the surplus labour and the fruits of surplus labour of a class which was potentially independent of it, over which it exercised political, military and judicial power, but in relation to which it fulfilled no entrepreneurial function.<sup>637</sup>

We have seen that Battle Abbey which held Dengemarsh, the most important manor in Lydd parish outside of Aldington manor which contained the urban area, experienced a relentless decline in income, along with feudal lordship in general from the late fourteenth century. Rent values were static, wages were high and the market for agricultural produce which it could generate from its demesnes was slow and prices were low. Therefore, feudal lordship income in the form of surplus extraction would continue to decline if nothing was done about it. The only way lords could increase their income or at least bring it back to a more comfortable level was by either squeezing their tenants through increased customary dues on their holdings whether in kind or cash, or by increasing the size of their demesnes by reclamation or through expansion into the assize rents - thereby increasing the magnitude of rents from leases. They could also like Battle Abbey cut costs on display and patronage, but these functions in most cases would no doubt be the last things to go. The general seigniorial reaction was attempted but failed in the face of organised or fleeing tenants, receiving its last gasp in 1450. The lordships of Canterbury developed leases through accumulations and reclamation in the west of Lydd parish from the 1430s and 1440s, and Battle Abbey did so by aggressively expanding the demesne into the assize holdings on Dengemarsh in the 1460s. In both cases this was done through the instrumentality of intermediaries, the clearest example being that of Battle Abbey's farmer of the manor, Andrew Bate.

The motive of lordship here was to reproduce itself in the manner in which it was accustomed and in which it could function properly, and it raised the aspirations of the wealthier farmers in a collaboration that benefited both. In order to reproduce themselves

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<sup>637</sup>Hilton, 'A Crisis of Feudalism' in *Brenner Debate*, p. 121, p. 127.

economically at a reasonably prosperous level, the holders of customary lands resisted as we have seen but failed. With the weakening of customary resistance and communal ties stemming from the capitalisation of production, the uprooting of many, and the collaboration of the previous class of leaders of the peasant resistance against landlord encroachments, successful organised resistance or even attempts at a reversal of this situation would be seriously curtailed in Lydd and England in general by 1528. However resistance there was, but the contours of struggle had become more complex, and less articulate. As Marx asserted, and as I have noted earlier, at the outset of the emergence of the bourgeoisie as a dominant class, and of the proletariat that it engenders, the class-struggle 'expresses itself, to start with, merely in partial and momentary conflicts, in subversive acts'.

The aggressive expansion of the Dengemarsh demesne and then consolidation of the assize holdings from the 1460s, it could be argued, was economically-determined directly through demand from rural industry. However rural industry could hardly take off without the potential supply of wool from its neighbouring marshland in the first place. The nature of the development of rural industry would depend upon the nature of supply. It could function on a scale limited by the size of demesnes that had remained as they were in the early fourteenth century; or it could, as it did, take off with the supply from much larger commercial units based upon significantly expanded demesnes and other large consolidated farms bound to the market. But this take off depended upon the expropriation in Lydd parish of most of the customary holders, and the further generation of demand would exacerbate this process.

The poverty and dearth of the 1520s and 1530s in Lydd and elsewhere, it could be argued, was caused by a rise in population causing greater demand for land and food, hence higher prices and lower real wages. However, there is no evidence for a rise in population in Lydd beyond 1450. In fact there is only some evidence of population pressure before 1450, with the increase in freemen, the increase in family names holding plots on Dengemarsh and the fragmentation of plots below three acres. The clearance of Dengemarsh would in fact point to *de*-population after the 1460s, and the population of Lydd never got above a thousand in any case. The decline in freemen in the sixteenth century is also indicative of population fall-off, but this was more likely the result of impoverishment. If there were corn shortages in Lydd parish and hence resulting

astronomically high prices, this was not just because of harvest failures, but because most of the land as was possible was employed on a capital intensive basis in the production of wool for the enrichment of the farmers and lords alike, and because more people were dependent upon external suppliers because they had no supporting plot of land of their own.

Christopher Dyer has asserted that consolidations of vacant holdings by many of the peasants themselves in the period of population downturn in the countryside of the west midlands caused by epidemics and fleeing serfs in the fifteenth century, would have seriously reduced the amount of land available when the population recovered in the sixteenth century, and hence landlessness and therefore poverty and dependence would to a large extent be a tragic result of this more innocent, protracted process. However in Lydd there is very little evidence of such vacancies and consolidations, particularly on Dengemarsh. This parish appeared to be a popular one with its range of economic opportunities of which fishing was predominant, and such popularity has been shown for such places on the Normandy coast by Bois. It also had strong franchises and tenures which would have been highly attractive. As Dyer has found in the west midlands, it was small-town market areas similar to Lydd where enclosure occurred earliest and yet these were among the most populated places.

The primary determination of these structural changes in production and productive relations which combined with the centralised political structure of England helped to ensure the breakthrough of capitalist relations in England in this period, as evidenced in Lydd parish, was therefore emphatically that of class-struggle, fought out mainly in terms of agrarian expropriation. Whether such engrossment and enclosure was a success or not was dependent upon the power wielded within the balance of class forces as they were manifested in the parish of Lydd at the time. In this case, the mutual relationship between the well-to-do peasantry and ecclesiastical aristocracy, along with any other 'great maintainers', was too much for a broad commonalty of middling tradesmen and fishermen-mariners, despite being possessors of significant franchises and strong tenures, and well versed in the law through its representatives. If the latter had gained the upper hand it is unlikely there would have been any engrossment *at all* at this stage in Lydd, and if that were to be true in general, it would have had serious implications for the future of the English aristocracy. Enclosure and therefore similar structural changes also

took place in areas such as the west midlands which had been already de-populated by fleeing customary tenants trying to escape harsh tenures. However, this was also emphatically an act of class-struggle, and that struggle would continue wherever tenants settled.

The imposition of oligarchy on the political structure of Lydd in the first decade of the sixteenth century was carried out by the Crown in order for it to spread its imperialistic tentacles further into the provinces in the aftermath of the aristocratic wars and already substantial enclosure. However such a policy could not have been carried out, and it would not even have been viable, without the local class of select individuals of increasing wealth and political aspirations that had emerged from the accumulations of the previous decades. It would hardly have made sense to make an oligarchy of petty traders and fishermen. By the middle of the sixteenth century all of the jurats of the town would be justices of the peace for the Crown. So the political structure fed off the economic changes which then facilitated the will of this growing agrarian bourgeoisie.

Hence any 'legal' attempt to remedy the situation would have to appeal to the class that had been instrumental in its cause. When this class did face a threat to its political hegemony when still in the process of its emergence in the 1520s and 1530s, it possibly tried to exert a cultural hegemony by couching its newly won authority in appeals to traditional origins, in order to appear as charitable and respectful to the poor (or those it deemed worthy of charity and respect) and as upholder of English sovereignty.

## **2. Small market towns and the emergence of capitalist relations of production**

Up until now, a thorough examination of the survival and nature of small market towns as they emerged into the sixteenth century has been limited by poor records and untested hypotheses. The remarkable survival and variety of sources for Lydd, which was certainly not among the largest of the 'small town' category, has allowed some flesh to be put on the bones.

Christopher Dyer has found that 'Among the success stories of the period of late medieval urban decline were market towns with populations of 1,000 or so which could cater for a large hinterland of rural customers, and those which developed specialities,

like Walden's saffron, or Walsall's horse-bits, allowing them to trade beyond their traditionally restricted commercial territory'.<sup>638</sup> Hilton argues that capital investment in industry, 'could hardly have happened without the spread of simple commodity production throughout the largely self-subsistent economy at the base of society', and that 'by and large the shift towards cheaper textiles was manifested in the relocation of the industry in small towns and villages, taking advantage of, and at the same time strengthening, the growth of small-scale commodity production in the countryside'.<sup>639</sup> In the case of Lydd and the small cloth towns such as Cranbrook and Tenterden in the Weald, there was no need to move beyond traditional trading territory in order to succeed, except perhaps in relation to London. When production and relations of production in these towns began to be transformed from the second half of the fifteenth century, simple commodity production and petty trading relations between the Weald and Romney Marsh were already in place alongside kinship and migratory networks. Therefore, the development of new inning in some areas of the Marsh such as Guildford Marsh, and the expropriation of the small customary holders in other parts such as Lydd parish, not only ensured a surplus labour supply for Wealden industry, but opportunities to invest in agrarian specialisation in order to supply it with raw materials. Hence, 'Industry fed on agriculture and stimulated in turn further agricultural improvement'.<sup>640</sup> Hence by the sixteenth century big clothiers in the small towns and villages of the Weald were being supplied by big sheep farmers and small gentry from the small town of Lydd and elsewhere on Romney Marsh, and capitalist relations had begun to crystallise.

Postles of course has also identified the rise of a select oligarchy of rural graziers and wool traders in Loughborough in the sixteenth century. Instead of taking advantage of a wealden-pasture regime, these had developed from a market location at the centre of different rural *pays*, with the town having absorbed the population in the surrounding hinterland implicitly after enclosure had taken place. However, Postles' tentative conclusions in regard to commercial and interpersonal relationships in the context of these changes are not borne out at all in the evidence for Lydd which shows that debtor-creditor relationships were to a striking extent defined by social class. How commercial transactions in the town could be an 'extension of the "good faith" economy' in the

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<sup>638</sup>Dyer, 'The consumer and the market', pp. 325-6.

<sup>639</sup>Hilton, 'Medieval market towns', p. 22-3; 'A Crisis of Feudalism', in *Brenner Debate*, p. 136.

<sup>640</sup>Brenner, 'Agrarian Roots' in *Brenner Debate*, p. 327.

context of enclosure and growth in wealth of a select group of 'merchants' also defies logic.<sup>641</sup>

In the context of capitalisation from the second half of the fifteenth century, the pre-1348 small-town social formations described by Hilton may have been transformed, especially in regard to social differentiation. The marginal prominence of retailers of agrarian produce in the small towns that he shows in his examples, may have been strengthened out of all proportion by the sixteenth century. The example of this present thesis has shown how agrarian specialisation through class-struggle led to the formation of oligarchy in conjunction with the needs of the Tudor state, even in such a small town as Lydd, and that the power and status of the membership of this oligarchy by 1566 was that of county justices of the peace - twelve of them plus the bailiff for a population of no more than a thousand adults and children. This ensured their domination of the Marsh and the friendship of the most worshipful gentry of the county, and also ensured that the state reaction to enclosure and poverty need not be administered in Lydd parish and beyond.

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<sup>641</sup>Postles, 'Loughborough', pp. 13-25.



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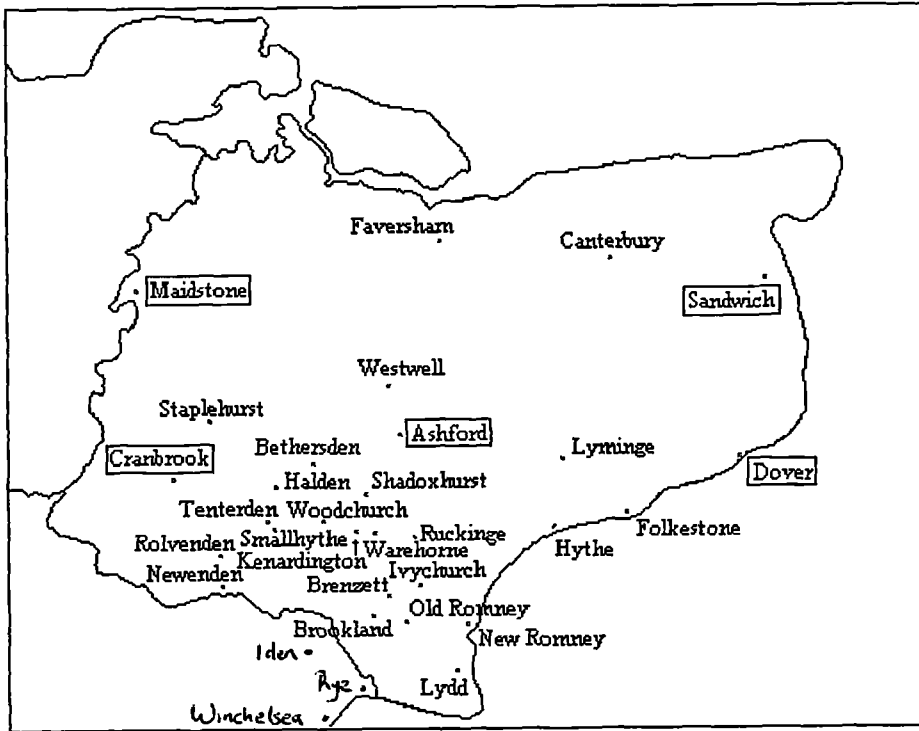
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## **Appendix 1**

A computerised map showing the origins of people in Kent involved in pleas in the borough court of Lydd c. 1506-42. Other significant towns in Kent have been shown in a different key. See Table 3 for the inclusion of Ashford and Cranbrook in Lydd's geographical horizons.

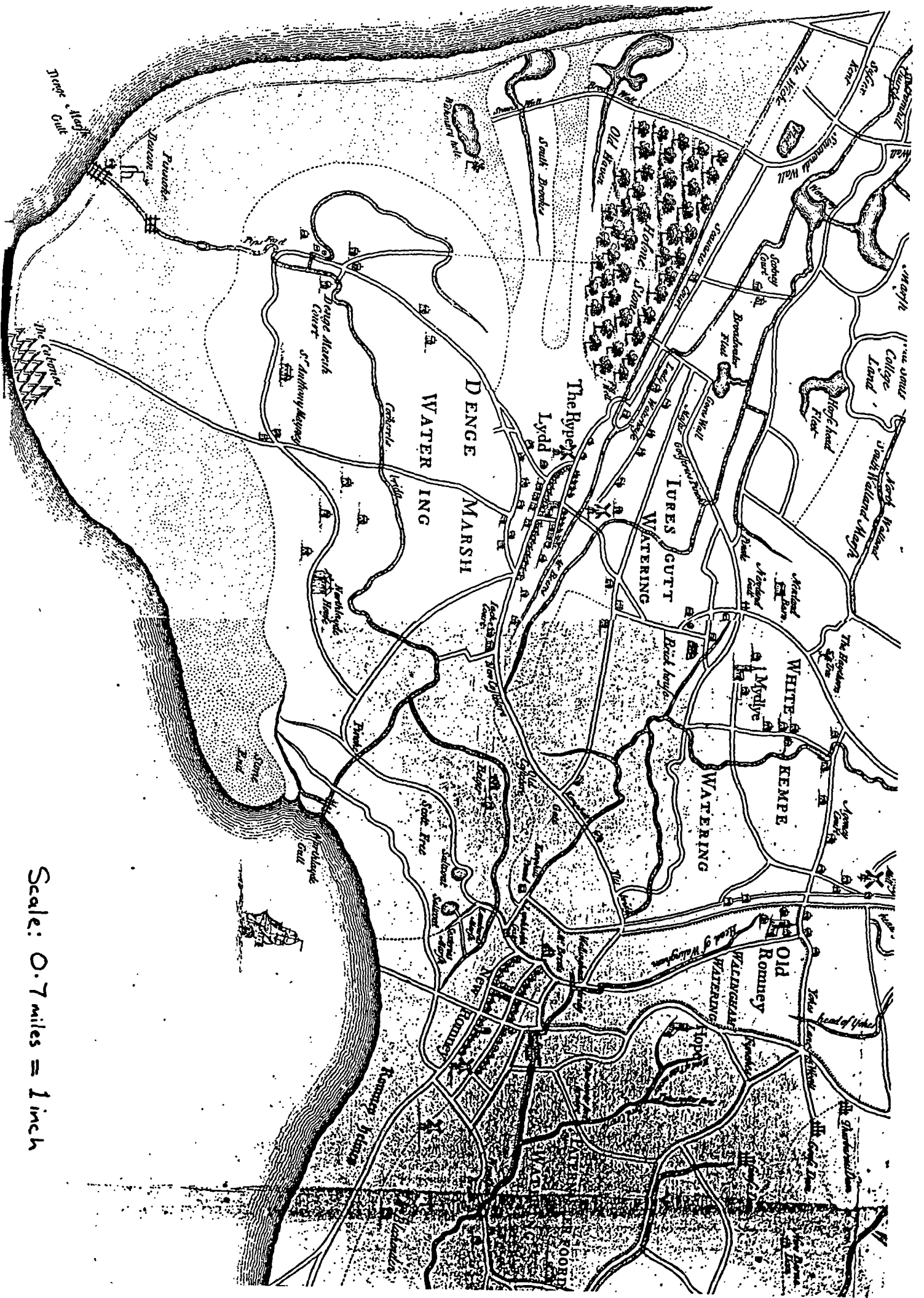




Scale: 11 miles = 1 inch

## **Appendix 2**

A map of Lydd parish and beyond, originally drawn c. 1619 to show the location of drainage landmarks and the Waterings.



Scale: 0.7 miles = 1 inch

### **Appendix 3**

A sample of 468 final testament wills of the inhabitants of Lydd recorded between 1455 and 1558, plus some later examples.

Date	Name	Class	Vol.	Fol.
1455	Richard Cokered	PRC	1	73
1455	William Godfrey alias Fermour	PRC	1	74
1456	Henry Aleyn	PRC	1	98
1459	John Bate	PRC	2	6
1459	Agnes Howe	PRC	2	6
1460	Thomas Howgh	PRC	2	8
1460	Alice Bate	PRC	2	8
1460	Agnes Fermour	PRC	2	11
1460	Thomas Fermour	PRC	2	11
1460	Thomas Wynday	PRC	2	28
1461	James Ayllewyn	PRC	2	50
1462	John Lovecock	PRC	2	66
1463	Simon Fermour alias Godfrey	PRC	2	129
1463	Roger Jeken	PRC	2	84
1463	Richard Simon	PRC	2	132
1463	Juliane Tofte	PRC	2	133
1463	Simon Aleway	PRC	2	129
1463	William Danyell	PRC	2	130
1463	John Hunt	PRC	2	124
1464	John Pulton	PRC	2	275
1464	William Gros	PRC	2	143
1466	Thomas Ayllewyn	PRC	2	172
1469	William Stocham	PRC	2	197
1471	John Alchorn senior	PRC	2	214
1471	John Smyth	PRC	2	221
1473	William Rolf	PRC	2	264
1474	Richard William senior	PRC	2	268
1474	Simon Fisherman	PRC	2	286
1475	John Howe	PRC	2	305
1476	John Maket	PRC	2	322
1476	William Langhode	PRC	2	330
1476	William Wanstall	PRC	2	341
1476	Richrd Pulton	PRC	2	357
1476	John Serlis	PRC	2	353
1477	Joanne Wanstall, widow	PRC	2	365
1477	William Cok	PRC	2	37
1477	William Benet	PRC	2	390
1477	James Galeway	PRC	2	374
1478	William Benet	PRC	2	389
1478	Thomas Bradford	PRC	2	429
1478	Henry Bate	PRC	2	392
1479	John Cokered senior	PRC	2	429
1479	John Alwey	PRC	2	477
1479	Richard Rey	PRC	2	431
1480	William Elys	PRC	2	486
1480	Henry Colyn	PRC	2	525
1482	James Bagot	PRC	2	559
1482	William Broker	PRC	2	539
1483	Thomas Howslyd	PRC	2	550
1483	William Richard	PRC	2	551
1483	James Harry	PRC	2	575
1483	Henry Aleyn junior	PRC	2	584
1483	Henry Potyn	PRC	2	558
1483	Robert Clerke	PRC	2	563
1483	Thomas Blossom	PRC	2	572
1484	Joanne Houglot, widow	PRC	2	613
1484	Thomas Wynday	PRC	2	613
1484	Margery Pulton, widow	PRC	2	598

1484	Thomas Yong senior	PRC	2	608
1484	John Godfrey alias Fermour senior	PRC	2	597
1484	William Aleyn	PRC	2	617
1484	William Hayton	PRC	2	621
1484	Thomas Holderness	PRC	3	67
1484	Thomas Danyell senior	PRC	2	606
1485	Vincent Sedele	PRC	3	143
1485	John Godfrey	PRC	3	75
1485	William Symond	PRC	3	88
1486	Thomas Beket	PRC	3	96
1486	Joanne Broker, widow	PRC	3	97
1486	James Maket	PRC	3	92
1486	John Galaunt	PRC	3	92
1486	Agnes Moryng	PRC	3	122
1486	Thomas Bate	PRC	3	90
1486	William Maket junior	PRC	3	82
1486	John Waren	PRC	3	82
1486	Joanne Serlis	PRC	3	93
1487	John Danyell	PRC	3	135
1487	Robert Bownde	PRC	3	135
1487	Agnes Howlyn, widow	PRC	3	176
1487	Robert Howgh	PRC	3	135
1487	John Stocham	PRC	3	173
1488	John Hunt	PRC	3	196
1488	Henry Pulton	PRC	3	201
1488	John the men Sutor	PRC	3	202
1488	Margery Cokeram	PRC	3	203
1488	William Wattes	PRC	3	213
1488	John William	PRC	3	188
1488	Robert Lambard	PRC	3	192
1488	Thomas Bagot	PRC	3	192
1489	John Lucas	PRC	3	225
1489	James Lucas	PRC	3	226
1489	John Peret	PRC	3	227
1489	Stephen Colyn	PRC	3	225
1489	Stephen Cheseaman alias Hogge senior	PRC	3	219
1490	Joanne Danyell, widow	PRC	3	248
1490	Margaret Bate, widow	PRC	3	275
1490	John Roper	PRC	3	275
1490	John Lewys	PRC	3	245
1490	Thomas Bate	PRC	3	278
1490	William Gylberd	PRC	3	288
1491	Joanne Cokered, widow	PRC	3	289
1491	William Nicholl	PRC	3	289
1491	Simon Menwood	PRC	3	302
1492	Alexander Clerke	PRC	3	321
1492	James Bate	PRC	3	311
1492	Richard White	PRC	3	326
1492	Thomas Shalwell	PRC	3	340
1492	William Butcher	PRC	3	330
1493	John Walter	PRC	3	353
1493	Thomas Hall	PRC	3	345
1493	John Pollard	PRC	3	354
1494	Richard Benefeld	PRC	4	3
1494	Robert Benton	PRC	4	17
1494	Richard Broker	PRC	4	18
1494	James Hills	PRC	4	2
1494	John Crocheman	PRC	4	31
1494	Stephen Wyderden	PRC	4	4
1494	Stephen Spooner	PRC	4	29

1494	Margaret Colyn	PRC	4	19
1494	John Swan	PRC	4	20
1494	Richard Rolf	PRC	4	65
1494	John Kempe	PRC	4	80
1495	John Parker senior	PRC	4	41
1494	John Ederyk	PRC	4	55
1494	Isabelle Wyderden, widow	PRC	4	56
1494	William Laurens	PRC	4	65
1495	Thomas Caxton	PRC	4	44
1495	William Maket	PRC	4	43
1496	William Gerard	PRC	4	176
1496	Stephen Sefogyl	PRC	4	99
1496	Agnes Roper, widow	PRC	4	91
1496	Michael Godfrey	PRC	4	136
1496	Thomas Godfrey	PRC	4	146
1496	John Holme	PRC	4	91
1496	Edward Fowle	PRC	4	93
1496	John Deme	PRC	4	101
1496	James Base	PRC	4	126
1496	John Wolvyn	PRC	4	135
1496	Nicholas Lucas	PRC	4	135
1496	Richard Huglott	PRC	4	145
1496	John Cottor	PRC	4	146
1497	Joanne Wolyn, widow	PRC	4	159
1497	John Decon	PRC	4	146
1497	John Payn	PRC	4	145
1497	Laurence Gros	PRC	4	178
1497	John Adam	PRC	4	135
1497	Stephen Lovecock	PRC	4	174
1498	Elizabeth Dyne, widow	PRC	4	208
1498	Peter Cheseman	PRC	4	185
1498	John Bate	PRC	4	185
1498	Elena Howe	PRC	5	3
1498	Nicholas Kenet	PRC	4	188
1498	Edmund Hogan	PRC	4	189
1499	John Blossom	PRC	5	17
1499	Elena Stephen, widow	PRC	5	17
1499	John Pulton senior	PRC	5	32
1499	Thomas Tol kyn	PRC	5	32
1499	John Alchorn senior	PRC	5	33
1499	Marion Durdson, widow	PRC	5	33
1499	William Crocheman	PRC	5	35
1499	Thomas Sefogyl	PRC	5	35
1499	Thomas Pargate	PRC	5	36
1499	Thomas Godfrey	PRC	5	31
1499	Margery Bate, widow	PRC	5	34
1499	Martin Cayser	PRC	5	36
1499	William Stephen	PRC	5	26
1499	Agnes Lucas, widow	PRC	5	60
1500	James Johnson	PRC	6	1
1501	Thomas a Gate	PRC	7	6
1501	Thomas Shalwell	PRC	7	6
1501	John Symon	PRC	7	6
1501	Thomas Lucas	PRC	7	7
1501	William Ardern	PRC	7	8
1501	Roger Bekynton	PRC	7	8
1501	Matthew Hauler	PRC	7	19
1501	Thomas Barre	PRC	7	19
1501	Thomas Brokhyll	PRC	7	20
1501	Stephen Gerard	PRC	6	32

1501	Thomas Galeway	PRC	6	34
1501	John Breggis	PRC	6	24
1501	Thomas Gros	PRC	7	5
1501	John Gerard	PRC	7	7
1501	William Danyell	PRC	7	11
1501	Thomas Danyell	PRC	7	19
1501	Richard Danyell	PRC	7	21
1503	William Godfrey alias Fermour	PRC	8	25
1503	Thomas Ederyk	PRC	8	25
1503	Thomas Pemsey senior	PRC	7	53
1503	John Alkyn	PRC	7	58
1503	John Hamond	PRC	7	63
1504	Thomas Thorpe	PRC	8	19
1504	Henry Palmer	PRC	8	25
1504	Thomas Holme	PRC	8	30
1504	Laurence Elys	PRC	8	44
1504	Richard Gerard	PRC	8	54
1504	John Harry	PRC	8	55
1504	Stephen Hogge alias Cheseman	PRC	8	59
1504	John Amys	PRC	8	59
1505	John Hayton	PRC	8	69
1505	John Godfrey	PRC	8	93
1505	Thomas Holderness	PRC	8	129
1505	John Olyver	PRC	8	71
1505	Laurence a Downe	PRC	8	71
1505	John a Downe	PRC	8	72
1505	Alys Richard	PRC	8	73
1505	John Hynxell	PRC	8	89
1505	John at Wood	PRC	8	91
1505	William Brokhill	PRC	8	91
1505	Joanna Kenet, widow	PRC	8	130
1505	Alice Brokhill, widow	PRC	8	131
1505	Agnes Alchorn, widow	PRC	8	131
1505	Clement Maykyn	PRC	9	62
1506	Margaret Ederyk, widow	PRC	9	4
1506	William Hoorne	PRC	9	5
1506	John Mayne	PRC	9	5
1506	Simon Alkyn	PRC	8	130
1506	Edward Alway	PRC	9	11
1507	William Cokered	PRC	9	73
1507	Robert Alway	PRC	9	68
1507	Joanne Alway, widow	PRC	9	60
1507	Joanne Gros	PRC	9	51
1507	Laurence Holderness	PRC	9	44
1507	Agness Shalwell, widow	PRC	9	43
1507	William Lucas	PRC	9	10
1507	Agnes Ame, widow	PRC	9	15
1508	John Swetyng	PRC	9	61
1508	Beatrice Alway	PRC	9	44
1508	Isabelle Cokered, widow	PRC	9	63
1508	John Kempe	PRC	9	77
1508	Joanne Swetyng, widow	PRC	9	62
1508	Alice Thorpe	PRC	9	63
1508	Stephen Ederyk	PRC	9	63
1508	Robert Cockeram	PRC	9	78
1508	James Inglott	PRC	9	85
1508	Richard Dyne	PRC	9	86
1508	Margaret Tofte	PRC	9	86
1508	John Mighell	PRC	9	115
1509	William Boinfilde	PRC	9	124



1509	John Maykyn	PRC	9	154
1509	Stephen May	PRC	9	173
1509	Thomas Hunt	PRC	10	22
1509	Richard William	PRC	9	133
1509	Sir John Walker, priest	PRC	10	32
1510	Agnes Holme, widow	PRC	10	38
1510	John Stockton	PRC	10	38
1510	Henry Inglott	PRC	10	53
1510	Richard Notye	PRC	10	53
1510	Simon Wolvyn	PRC	10	75
1510	John Godfrey junior	PRC	10	55
1510	John Crocheman	PRC	10	31
1510	Thomas Inglott	PRC	10	113
1511	Hamon Colyn	PRC	10	137
1511	John Robyn	PRC	10	134
1511	Margery Robyn, widow	PRC	10	133
1511	Thomas Godfrey	PRC	10	120
1511	Joanne Horsley	PRC	10	113
1511	John Alchorn	PRC	10	121
1511	Thomas Bulle	PRC	10	128
1511	Alice Barbour, widow	PRC	11	15
1511	John Kempe	PRC	11	2
1512	Thomas Simond	PRC	11	9
1512	John Tye	PRC	11	9
1512	Margaret Pulton, widow	PRC	11	39
1512	William Strete	PRC	11	52
1512	Robert Colyn	PRC	11	40
1512	Isabelle Godfrey	PRC	11	52
1513	John Smyth	PRC	11	63
1513	Edmund Robyn	PRC	11	78
1513	Andrew Bate	PRC	11	59
1513	Robert Michill	PRC	11	67
1513	Thomas Hamon	PRC	11	67
1513	William Caxton	PRC	11	68
1513	John a Fyld	PRC	11	68
1513	William Heed	PRC	11	76
1513	William Longe	PRC	11	77
1513	John Fynem	PRC	11	77
1513	Thomas Colyn	PRC	11	77
1513	John Raye	PRC	11	78
1513	William Thorpe	PRC	11	84
1513	William Wanstall	PRC	11	88
1513	Eden Adam, widow	PRC	11	116
1513	John Pulton	PCC, Cant.23 Fetisplace, quire 17		
1514	Edward Maket	PRC	11	117
1513	Reynold Colt	PRC	11	97
1515	Simon Watte	PRC	12	1
1516	Stephen Marden	PRC	12	25
1516	Isabelle Fermour	PRC	12	4
1517	Thomas Danyell the elder	PRC	12	27
1517	Agnes Godfrey, widow	PRC	12	35
1517	William Hall	PRC	12	35
1518	William Maket	PRC	12	70
1518	Margaret Martin	PRC	12	104
1519	Henry Maket	PRC	12	153
1519	Richard Laurence	PRC	12	160
1519	Sir John Ward, clerk	PRC	12	170
1519	Adrian Dyne	PRC	12	171
1520	John Godfrey	PRC	13	7
1520	Nicholas Bate	PRC	13	29

1520	Vincent Danyell	PRC	13	32
1520	James Swan the elder	PRC	13	35
1520	John Crosse	PRC	13	6
1520	Florence Dyne, widow	PRC	13	40
1520	Margaret Bosom	PRC	13	49
1521	John Boldyng	PRC	13	42
1521	Aimes Jerveyse (Gerves), widow	PRC	13	70
1521	William Clerke	PRC	13	86
1521	John Bate	PRC	14	7
1521	Richard Danyell	PRC	13	84
1522	John Bate	PRC	13	115
1522	Thomas William	PRC	13	140
1522	William Warde	PRC	13	120
1523	Simon Byrkyn	PRC	13	153
1523	William Makemete	PRC	13	153
1523	Simon Dodde	PRC	13	153
1523	Robert Horseley	PRC	13	155
1523	Peter Bakke	PRC	13	169
1523	John Watte	PRC	13	179
1523	John Nicholl	PRC	13	154
1523	Thomas Elys	PRC	13	209
1523	John Becham	PRC	14	138
1524	John Claiche	PRC	14	94
1524	John Benton	PRC	14	27
1524	Edward Hewet	PRC	14	56
1524	John Cutthorn alias Roper	PRC	14	67
1524	John Elyott	PRC	14	89
1525	Richard Watte	PRC	14	108
1525	Alice Swan, widow	PRC	14	122
1526	Thomas Robyn	PRC	14	140
1526	John Menwood	PRC	14	153
1526	Simon Rolf	PRC	14	178
1526	Robert Stuard	PRC	14	154
1527	John Bruer	PRC	14	190
1527	Robert Huglott	PRC	14	191
1527	John Brand	PRC	14	192
1527	Alice Brand, widow	PRC	14	233
1527	Richard Gunter	PRC	14	222
1527	John Dyne the elder	PRC	14	222
1527	John Langley	PRC	15	5
1527	Thomas Godfrey alias Fermour	PRC	14	223
1527	William Hyx	PRC	15	3
1527	William Adam	PRC	15	40
1528	Agnes Clache	PRC	15	25
1528	John Bate the elder	PRC	15	58
1528	Roger Myles	PRC	15	27
1529	John Godfrey	PRC	15	70
1530	Richard Style	PRC	15	114
1531	Henry Whatman	PRC	15	135
1531	Julyan Bate	PRC	15	162
1532	John Danyell	PRC	15	70
1532	Andrew Bate	PRC	15	219
1532	James Bowmforth	PRC	15	171
1532	John Playden	PRC	15	171
1532	John Barmyng	PRC	15	192
1532	John Everden	PRC	15	193
1532	John Mychell	PRC	15	194
1533	Henry Smyth	PRC	15	193
1533	Alice Huglyn	PRC	15	192
1533	Sir Simon Leche	PRC	15	206

1533	Alice Inglott, widow	PRC	15	231
1534	Thomas Inglott	PRC	15	231
1534	John Purduwax	PRC	15	266
1534	William Style	PRC	15	267
1534	Ame Everden	PRC	15	231
1534	Thomas Smyth	PRC	15	264
1535	John Colyn	PRC	15	280
1535	Richard Maket	PRC	15	317
1535	Robert Mayow (Mayhew)	PRC	15	367
1536	Agnes Mayowe, widow	PRC	15	348
1537	Robert Potman	PRC	15	365
1537	Thomas Bate the younger	PRC	15	380
1537	Margaret Nicholl	PRC	15	377
1538	Thomas Bate the elder	PRC	17	28
1538	Lukes Jerves (Gerves)	PRC	17	25
1538	Robert Woodrouse	PRC	17	14
1538	Andrew Boye	PRC	17	28
1538	William Lawless	PRC	17	28
1540	Thomas a Gate	PRC	17	60
1540	John Johnson	PRC	17	86
1540	John Smyth	PRC	17	59
1540	John Caxton	PRC	17	95
1540	John Mighell	PRC	17	94
1540	Thomas Michell	PRC	17	96
1540	John Moyse	PRC	17	97
1540	Richard Dent	PRC	17	103
1540	Joanna Mighell	PRC	17	103
1540	Alice Newman, widow	PRC	17	103
1540	Robert Butcher	PRC	18	7
1540	John Hasilden	PRC	18	3
1540	Richard Stuppeny the elder (N. Romney)	PRC	17	68
1541	Thomas Payne	PRC	18	16
1541	Alice Boye, widow	PRC	17	91
1541	Robert Sperpoynt	PRC	17	93
1541	Isabelle Bate, widow	PRC	18	1
1541	Richard Huglyng	PRC	18	48
1542	Thomas Clache	PRC	19	3
1542	James Miller	PRC	18	14
1543	Margaret Dyne	PRC	19	13
1543	John Inglott	PRC	19	18
1543	Thomas Godfrey the elder	PRC	19	14
1543	Marion Hewett	PRC	19	13
1544	William Maykyn	PRC	20	11
1544	Clement Rolf	PRC	19	51
1545	William Cheriton	PRC	20	21
1545	Richard Dyne	PRC	19	67
1545	Simon Bate	PRC	20	30
1545	Thomas Hall	(Adm.)C.Act	1	55
1545	James Robyn	(Adm.)C.Act	1	55
1545	William Bate	(Adm.)C.Act	1	60
1546	William Marden	PRC	20	38
1546	Margery Cockerel, widow	PRC	20	70
1546	George Newman	PRC	20	32
1546	Thomas Welche	PRC	20	39
1547	Simon Nicholl	(Adm.)C.Act	1	79
1547	Agnes Cockerel, widow	PRC	21	52
1548	Robert May	PRC	22	12
1548	John Dyne the elder	PRC	21	98
1548	Robert Menwood	PRC	22	133
1549	Robert Lucas	PRC	22	12

1549	James Bate	PRC	22	90
1549	Philip Martin	PRC	22	20
1549	William Reche	PRC	22	28
1549	Thomas a Tye	PRC	22	16
1549	Joanne a Tye, widow	PRC	22	80
1550	Margaret Gerves, widow	PRC	22	120
1550	Stephen Clarke	PRC	22	129
1550	Simon Typpe	PRC	22	131
1550	Sir William Langley, curate	PRC	22	98
1550	Simon May the elder	PRC	22	92
1550	Elizabeth Gerard, widow	PRC	22	127
1550	John Bate	(Adm.)C.Act	97	97
1551	Peter Elys	(Adm.)C.Act	1	99
1551	Robert Robyn	PRC	24	9
1551	Edward Godfrey	PRC	24	14
1551	Sebastian Caxton	PRC	24	56
1551	Edward Austin	PRC	23	24
1551	Thomas Browne	PRC	23	44
1551	John Dyne the elder	PRC	23	35
1551	Robert Miller	PRC	23	36
1551	Alan Epse	PRC	24	2
1551	Thomas Strogull	PRC	24	16
1552	George Ember	PRC	24	87
1552	Margaret Playden, widow	PRC	24	25
1552	William Pett	PRC	24	31
1552	Richard Sebrand	PRC	24	33
1552	John Saunder	PRC	25	3
1552	Agnes Elys, widow	PRC	24	35
1553	Robert Caxton	PRC	25	14
1553	Thomas Robyns	(Adm.)C.Act	2	22
1553	Robert Bitover	PRC	25	13
1553	Thomas Harley	PRC	25	14
1553	John Huglen	PRC	25	34
1553	Robert Clarke	PRC	25	53
1553	Nicholas Adam	PRC	25	54
1554	Robert Bolland	PRC	25	58
1554	Simon Mott	PRC	25	58
1554	William Colyn	PRC	25	67
1554	Richard Awgosse	PRC	25	58
1554	William Greneway	PRC	26	8
1554	Thomas Danyell	PRC	26	7
1555	William Barowe	PRC	26	66
1555	Ralph Wilcockes	PCC, Cant.38 More, quire	37	37
1556	Robert Colyn	PRC	26	122
1556	Andrew Awkinge	PRC	26	170
1556	Thomas Pisinge	PRC	26	123
1557	Thomas Colyn	PRC	27	24
1557	Thomas Harte	PRC	26	155
1558	Nicholas Owrel, priest and curate	PRC	27	123
1558	Laurence Stuppeny (New Romney)	PRC	27	11
1560	Thomas Cuttard	PRC	28	1
1560	Augustine Caxton	PRC	28	68
1563	John Kempe	PRC	29	105
1565	John Robyn	PRC	29	281
1566	William Smyth	PRC	29	409
1569	Peter Godfrey	PRC	32	124
1577	Thomas Bate	PRC	33	87
1588	John Hebylthwaite	PRC	36	92
1592	John Berry	PRC	38	313
1612	Katherine Berry	PRC	42	241

