

MINCHINHAMPTON LOCAL HISTORY GROUP

ANNUAL BULLETIN NUMBER 5

THE MANOR OF HAMPTON IN THE 12th & 13th CENTURIES

by

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October 1988

PREFACE

The seed of this essay was sown when Mr. John Cooper called my attention to a recently published book in which the Customals for the Manor of Hampton in the 12th Century were printed in extenso. As I read these I was fired with the desire to know more about life here at that time. I sought to find other contemporary documents and set about a course of background reading. All for my own pleasure. But with the need to publish a new Bulletin for the Local History Group, Mrs. Diana Wall gently pressurized me into writing up the material. So this essay grew and took shape.

The customals from which it is drawn precede by a hundred years the customal of 1300 which the Rev. C. Ernest Watson translated, printed and analysed in his lengthy article in the Transactions of the Bristol and Gloucestershire Archaeological Society for 1932.

There is a further set of customals and rentals for the manor of Minchinhampton in the early 16 hundreds. These are very detailed and merit analysis and using for a description of life here at that time. We also have wills and churchwarden's accounts to give other details. These all put together would then give a further picture of our manor in the seventeenth century.

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THE MANOR OF MINCHINHAMPTON IN THE 12th & 13th CENTURIES

DESCRIPTION OF THE MANOR

"In Langtree Hundred. This same Abbey holds Hantom. The Countess Goda held it in the reign of King Edward. Here there are 8 hides. In demesne there are 5 ploughs and 22 villeins and 10 borders with 24 ploughs. There is a priest and 10 serfs and 8 mills of 45 shillings yield and 20 acres of pasture. The wood is two leagues long and half a league broad. Value 28 pounds."

So Domesday describes the manor of Hampton -later to be Minchinhampton (i.e. Nun's Hampton) which William the Conqueror gave, along with other manors, to the Abbey aux Dames at Caen. A few years later when a customal — a list of services and dues owed by tenants - was prepared for the Abbess the description was "The firmarii of Hampton received 26 and a half virgates of land, of these 17 are to labour and 9 and a half to rent. There are 11 bordars, 2 swineherds who look after 20 pigs, 7 mills with millers and 1 mill in ruins, 6 freemen, 1 priest, 5 ploughs with 8 oxen, 2 horses, 27 animals of which 6 are cows, one however in milk with a calf of one year. 300 less 16 sheep, 200 less 17 wethers of one year, 5 sows, 1 boar, 14 pigs of one year."

Some points to notice about this. A virgate is 30 acres, so the arable land of the manor would be 795 acres. A bordar, known later as a cottar, held no land but that round his cottage, which was at the will of the lord of the manor, in this case the Abbess. The reference to 6 cows, compared with 40 oxen, indicates the value placed on them -they were mainly producers of oxen. Finally the hundred is the long hundred of 120, so the number of sheep is 344.

The manor was extensive, stretching from the Downs to Rodborough, and from Cowcombe and Chalford to Nailsworth and Avening. To describe it we can break it up into woods, with isolated clearings, arable and pasture land, and the village of Hampton.

THE WOODS

The manor was surrounded by a ring of woods and scrubland. On the last was the large thorny brushland of the Downs and Lowesmore described as 'spinetum', with some meadow on which at certain times of the year one-year-old grazing animals could be pastured for which the peasants paid 2 denarii (pennies) one at St. Peter as Vincula (August 1st) and one at Vigilia Domini. Non-grazing animals i.e. fowl were excluded; any unlicensed intrusion or damage brought a fine e.g. in 1274 the Courth fined Adam de Golthinch 12 denarii for trespass ('transgressus') on the spinney, and Edilha Hyrdman also 12 denarii for damage there.

To the north were the woods of "Colecumbe" "Norbeg" and "Lincub", then after a gap came the wood of "Burleia" as far as "Muggemore" with a clearing at "Burimor" then there was a long stretch from "Brechecombe", "Rodeberowe" "Trulwelle" (now Box) enclosing the great clearing of Muggemore which, with thorn land as far as the Bulwarks, would become our Westfield.

All these woods were important for the manor, with beech, oak and ash expressly reserved, In 1272 William de la Mare was Lined one day's carting service for cutting down and selling a tree. They provided charcoal which, with the absence of coal, was needed. This was another jealously maintained right of the Abbess. Thus in 1274 Roger of Holcroft was brought before the court charged that he made a fire in the wood and cut down branches for making charcoal. The woods provided pannage for the lady's pigs, and also for the peasants' animals, though they paid a rent of 1 denarius for each pig, and an obolus for each six-month old animal.

For the peasant there was the Custom of the Manor which allowed him to take 'by hook or by crook' timber from the custom wood — that is our present Common — to repair his cottage or fences. This was known as housebote and was another right of the lord carefully controlled. In later customals the right to claim Custom of the Manor was refused to incoming tenants. These woods were a temptation to peasants in need of timber for the fire or to sell so as to augment their meagre allowance, and the Court Rolls are full of fines for "transgressus bosei". In 1272 Osebius was fined 3 denarii for lopping wood in autumn.

ISOLATED CLEARINGS

Within the woods on the lower slopes of the hills were small settlements of two or three peasants, some cottagers and some successful - for the period - farmers. In "Colecumb" there was Alveredus, a cottar, who paid 8 denarii in rent and did harvest service in August and Ricardus with a virgate (30 acres) of land for which he paid 5 solidi and did "customary duties as Adam". (Adam Spilman of Rodborough was a freeman with a substantial holding of a virgate and a half, for which he owed the duty of ploughing three times a year and reaping once with his servants.)

"Hida" had another Ricardus with a half virgate for which he paid 2 solidi and did August work (haymaking); Godwinus with a quarter of a virgate for 2 solidi, and Reginaldus the most substantial freeman of all with 5 virgates for which he paid 10 solidi and did customary duties as Adam. In "Beseburi" was Adwinus with only a cottage whose services were like those of Wulvericus, the harpist. (These are detailed and will be discussed in a later section.) "Burleia" had Alwoldus and Rogerus both with half a virgate and paying 2 solidi and doing customary services. Next at "Bremescumbe" was Henricus with half a virgate. Alwinus was at Suul (now Swell's Hill). There was a large group at Rodborough with Adam Spilman, a freeman. At "Hareston" there was Edricus who had half a virgate, paid 7 solidi rent, and looked after the manor pigs. There was an assart at Trulwell (Box) which, later, Galfridus Murant took over at an entry fee of 4 denarii.

The introduction to the customal refers to seven mills, but only two are given in the list of tenants. One of these, held by Godardus was at "Stoford" (or Astoford) which was at a ford across the Frome near Cowcombe. The other held by Radulfus was at Chalford.

Undoubtedly the villeins would have been expected to take their corn there to be ground, as hand-worked querns were forbidden, but there is no reference to tenants having to use the mills.

ARABLE AND PASTURE LAND, ASSARTS, DEMESNE

The arable land of Hampton lay to the east of the village in the area now known as Hampton Fields, though much more extensive and containing between six and seven hundred acres. Since Hampton seems to have been farmed on the three-field system, we must picture this large field as divided into three more or less equal sections, one of which, in turn, lay fallow for a year. Not that the work ceased on it. It was ploughed three times in the year, in April when the ground would break up well, in June sufficiently deep to destroy thistles, and in October deeply in preparation for the winter sowing. In between ploughing the swineherd would drive on to it his neighbours' animals to pick what herbage they could from the growing weeds.

Each field was divided into strips of about an acre in area, with little to show their boundaries, and every villein possessed one third of his total land in each field, but certainly not in one piece. So we may picture Alricus of the Well in Hampton, who had a virgate, setting out from his cottage with his neighbours to plough, harrow, reap and cart when necessary on his few scattered strips in each of the cultivated fields for that year. There was no direct access to individual strips, and once the year's work began, neither animal nor cart could get to any one particular strip without going over neighbouring strips. Hence all work on the fields has to be done in common, and no-one could sow a crop which needed attention at different times from the other crops. In one instance the customal recognises this problem when, in reference to the men of Eston (Aston), it states that when waccenhulle is sown they will provide a road for themselves which animals can pass on.

To protect the fields from cattle hedges were erected. An old writer on husbandry, John Fitzzherbert, gives these instructions for them:

"Thou must get the stakes of hearts of oak for these be best; crab tree, blackthorn and alder be good; ash, maple, hazel and whitethorn will serve for a time. And set thy stakes within two foot and a half, except thou have good 'eddering' (i.e. long, flexible binding wood). And if it be double eddered it is much the best and great strength to the hedge. And lay thy small thornes that thou hedgest withal over thy quickset that sheep do not eat the spring nor buddes of thy settes."

So there were opportunities for complaints and quarrels with which the Court had to deal. Here are some examples from the Rolls of 1272 to 1274. G. Murant was accused of unjustly putting up a wall where there should have been a hedge. This is a question of permanence. He demanded what we should call a site meeting and

all was found to be in order. Alanus of Forewude was charged that he carried away some of the hedge from the Westfield. In reply he said that some women and others had already carried off some before he came, and that he had a right to collect any that was loose, but the bailiff declared that Alan was quite capable of making his fence. Benedict of Hampton failed to close Wysdeingate and was fined 6 denarii. Alan Acke was found to have moved a boundary, and Elyas Godard had broken down a hedge.

Hedges were of course essential to keep animals out of growing crops, and strays brought their owners to court. Hugo Palmer's horse was caught in a meadow, which cost him a fine of a day's carriage duty; James Falyth's one hen and one cow were found in the corn; four cows belonging to Radulfus of Westrop were in Lowesmore pasture - result a day's carriage duty to the manor; Margeria of Brechecumbe let four averi (draught animals) get onto Burimor pasture - another day's carriage duty.

As well as the common arable land there was the demesne land i.e. that reserved for the lady's use and profit. This included our Park, which was being enclosed in the 12th century by Simon of Felsted. The men of Hampton reckoned that the damage to hedges in making the enclosure was 6 marks - a national coin with 13/4. (Query? - had other hedges been torn down to provide material?) The demesne extended across the hilltop to the Bulwarks which formed its western boundary. Walk along the Bulwarks as far as Box, mentally exclude all buildings to the south and you will get some idea of the area of the demesne. All this land was worked for the lady by the villeins who were required to give labour throughout the week, except for Saturdays, and had to give boon days, additional to customary work, in August during the busy season, and at other times as necessary, The beadle would tell them in the morning of this special need. This came as an unexpected duty which put work on their own strips out of kilter.

Pasture for the animals was most important and was in the hands of the lady, though the villeins might, by custom of the manor, and in accordance with the size of their holdings, put their animals out to graze at certain times. There was a meadow at Seincle expressly stated as being in the demesne of the lady for her own profit "ad proprium lucrurn" as was the pasture under Brechecumbe. Grazing on the downs was also reserved for her until after the feast of All Saints (November 1st) when villeins could have their animals there until the Purification (February 2nd). Pasture was always a problem. Virgators were unable to put their cattle on their own land, to provide manure to keep it in heart, so that the fields were impoverished, and return on seed sown was very small by our standards.

There were a few other small areas. These were the turbaries from which the turves for roofing came. They are given a separate section in the customal which lays down that each virgate in Hide was to enclose five perches, each virgate on the hill will enclose ten perches, whilst those who do not enclose by Ascension Day will forfeit a sheep and a lamb.

There was much waste scrub-land within the manor, particularly on the west, our Common. Here the villeins could, with licence, make an assart or clearing, though, since all land belonged to the lady Abbess, then they paid rent when the clearing was completed. In 1275, Robert, son of William de la Mare, entered into a new messuage and an assart, and paid 2 solidi and 6 denarii for it. The advantage of an assart was that it could be used for crops that could not be sown in the common fields, it could provide herbage for animals and a cottage might be built upon it. Besides the case given above, which occurred because of William's death, there was also Godwinus of Hide who had a plot of land near Pechesputte (this might be the area later called Pigs Pitt) and Wulvricus had a house and garden near Cucestane.

In this way the woods and the wasteland were gradually nibbled away and became arable and pasture.

THE VILL

More or less central to all this was the vill of Hampton - it had not yet gained the prefix Minchin - with a scatter of cottages around the church. We know nothing of the appearance of these, since all have been destroyed, or collapsed in ruins even to their foundations, which are hidden under subsequent buildings. But excavations in deserted villages have shown that these small dwellings were single-roomed, about ten feet square, made by planting timber (boughs) in the ground and filling the gaps with brushwood and mud. They were roofed with turves, leaving openings to the sky. The window space was covered with oiled skin, and the floor was beaten earth. Such structures decayed rapidly, but a new one was quickly built with boughs from the custom wood. Still there must always have been deserted and half-ruined cottages to be seen. There is evidence of this in the services demanded of Ricardus the cleric viz. that he should send one man from each house on his land from which smoke came "unde fumus exit" which suggests that there were unused cottages.

There was usually some plot around each cottage. The customal notes that Wulvricus the reeve has a close before his door, that Rabite has extended his croft

to half an acre; that the croft of Willelmus has been enlarged and that Sara of Burleia has an outhouse before her door. The villein could use this land as he liked, free from the requirements of communal agriculture he could grow the few known vegetables, perhaps have a fruit tree or grow herbage for an animal. He would certainly have hens since one of the services which each house “unde fumus exit” had to carry out was to give the lady a hen at Christmas and five eggs at Easter, though if the hens escaped into the arable fields there was trouble. In 1272 Henry of Bridleg was in mercy for one of his hens caught among the corn - he was fined 6 hens.

We know very little about the Hampton peasants personal possessions, if we can use such a word, as in theory the lady owned everything on the manor, but this note in the Court Rolls for 1273 indicates how little they had: ‘Memorandum that in the night before the feast of St. Peter ad Vincula theives (“ladrones”) came to the house of Godessoth, broke in and carried away one sheet and one woman’s smock (“camisia”). The essential and most costly items were cooking pots and pans, often valued at 2 solidi or more; hearth equipment such as tripods, gridirons, trivets and were made by the local smith, valued at from 6 to 12 denarii. We can assume bed, stool and table of the trestle variety. A chest is sometimes recorded but tableware hardly ever because it was relatively cheap - clay tableware for the King’s household cost 12 denarii for a hundred pieces! Clothing was very expensive and none other than virgators would have more than one outfit.

There was, of course, an inn in Hampton provided by the lady, who laid down that all tenants owing labour service were to make malt for it, presumably from their own grain, though when it was drying they were free from other work. At brewing time they were to provide a dish, and everyone owed one denarius or a pennyworth of ale as a tax.

THE ADMINISTRATION OF THE MANOR

No Abbess of Caen visited Hampton to supervise the manor, so the control of this and other Caen properties was left to stewards, as was common where a number of manors might be in the hands of a great lord or an ecclesiastical body. All then relied on the efficiency and honesty of the appointed man. The Abbess was unlucky with one steward, Simon of Felstead who was here during the disturbances of Stephen’s reign, 1135 - 1154, and took advantage of the lack of supervision. The customal contains a report from the villeins of the delapidation which he made.

He seized Lowesmore, which they valued at 10 marks and kept all the profit. He twice drove the cattle of the manor - cows, sheep pigs and horses - to Gloucester to the Abbess’ detriment whereby she lost 30 solidi. He laid waste the woods to an estimated value of 47 marks whilst his enclosure of the park caused 6 marks damage to hedges. Moreover, he allowed charcoal burners and potash makers into the woods, cut down and sold timber, and made gifts, so that where 2000 swine could previously find pannage, now less than 1000 could. In the end Simon’s son, William, came to terms with the Abbess in 1192 and for £100 renounced the properties. Thereafter the manor was supervised by annually appointed stewards, with bailiffs to see to the day to day working.

One such bailiff was William of Rodborough. In the absence of the steward the bailiff called the three-weekly manor court and there made clear his authority. In 1274 Radulfus, the son of John le Wythe, promised that he would not marry without the consent of the Lady and the bailiff; and in the same year Willelmus le Paula, the hayward of Avening, was fined 6 denarii because he released some animals, caught in the fields, without the licence of the bailiff. His duties were the supervision of the manor, to check the ploughs and see that all work was carried out correctly and finished. Any errors and defaults he brought to court.

Other servants of the manor were to be found among the villeins. Of these the most important was the reeve, “praepositus”, chosen for his knowledge of the land and of his fellow villeins. He was responsible for the cultivation of the arable land, its ploughing, sowing and reaping. In 1170 the reeve was Alvricus who held half an acre for customary work. If as ‘head’ of the villeins he was successful he was most likely kept on for several years. Another villein officer was the beadle whose work was to levy distraints and to take pledges. The customal refers to him only as Bedellus (in one entry it equates him with the reeve) and notes that he has half a virgate for his duties.

The third official noticed is the Haiwarderia - hayward - also known as the messer. He had some holdings in Gatcombe and Cowcombe for which he gave as rent 6 solidi and one hen and 200 eggs - a large quantity. His duties were extensive - look after woods, corn and meadows, superintend the sowing, overlook the mowers and attend to fences and hedges. It was the kind of job which could cause much ill-feeling, which is probably what lies behind this entry in The Court Rolls for 1273:

"Ricardus Syred is in mercy for that he struck John Elwyn, the messer, in the village" Ricardus of the Ford was charged that he held John while Richard Syred struck him. Richard Ford denied this and went to law (i.e. asked for an inquiry) and was found not guilty whilst Syred was 6 denarii. A later entry though reads, "John Elwyn in mercy for making a false claim against Ricardus da Forda."

Such was village life.

THE PEOPLE OF THE VILL AND THEIR DUTIES

The customal lists 85 men in Hampton. Using the figure of 4½ as a multiplier (accepted by J. Titow in "English Rural Society") this gives 380, give or take a little, as the population of Hampton in the 12th Century. They can be divided into two groups, the free and the unfree.

THE FREEMAN

The origins and the conditions that show that a man is free have been a source of discussion for ages, but perhaps the best definition is that it frequently means that a man is free from onerous services such as week work, though a freeman may hold service land and therefore do duties for that land. He is also free of such burdens as the need to seek a licence from the Lord of the Manor before he can marry off his children; and of the requirement to attend the three-weekly court.

The customal of 1170 opens with a list of 65 franklins ('francilani'). A second customal, slightly later, elaborates on this starting with Adam Spileman who has 1½ virgates of land for which he has to plough three times (i.e. each of the ploughings of the year) and reap with his servants once, and carry once. There follow the names of two people who do the same services - Helias the son of Avus with 2¾ virgates, and Johannes son of Fulc with 1 virgate, but there is a difference creeping in, as Helias has another virgate for which he pays 2 solidi, and Johannes has another virgate at 3 solidi rent and pays a further denarii for the land before his door. Then we have a long list of men who are free yet pay rent and do the same services as Adam. Some of these are substantial farmers like Thomas with 2½ virgates, Willelmus Helivant with 2 virgates, Reginaldus of Hida with 5 virgates, whilst Eilaf and his son have 1½ virgates and & a mill.

THE UNFREE

These are the villeins bound to the Manor who do customary services and boon work. They can be divided into groups - those who hold land and carry out duties; and those with little or no land, the cottars.

Of those who hold land, twelve have a virgate, twenty-eight have half a virgate and nine have only a quarter of a virgate - hardly enough to live on. The services on the Manor, as distinct from work on their own lands, is carefully laid down.

Each will work on the Manor each week, and all the week, except Saturday (but note that this work may only take the morning, and may be done by grown children). When necessary they will plough and harrow; three acres of such work will be boon work i.e. outside and additional to customary services; and they will thresh the seed of those three acres having reaped it. They will also carry four cart-loads in harvest home. They will perform three “bedripes” at reaping time and their wives will also do “wivenrip”. These are boon days. A two-virgator will bring a horse once a year and carry cheese and bacon to Southampton to be shipped out to Caen. If he sells a horse he will pay 2 denarii as a toll and the buyer also paid 2 denarii. The sale of a cow brings a tax of 1 denarius. Everyone who has a wife (except a freeholder) will give 1 denarius a year to St. Peter. With no wife he will give an obolus. The Lady will collect this and make it up to 5 solidi and send it to St. Peter (Rome). This was later known as smoke-farthing and continued until after the Reformation. When a villein died his best and most costly animal was taken by the Abbess as a heriot. Should the deceased have no animal then the heriot was the best inanimate object. e.g. in 1272 Alicia, the widow of Robortus de Fonte, when she pledged to maintain her house and land in the same state as her husband had kept it, gave as heriot an axe “delabrus”. A little later though, Henry, her son, sought entry on to the land after his mother had surrendered it, and paid 2 solidi, There is no reference to the house, “domus”. Did Alicia keep it for herself?

The freeman had to give his horse with saddle and reins and “alius pertinenciis ad equitandum” (other things pertaining to riding). The customal obviously does not mention the “death duties” payable to the parson, who took as “mortuary” the second-best beast and also claimed annually the great tithe on corn, and the lesser tithe on virtually everything else. The Church also required church-scot, light-scot and mass pennies.

The heirs of the dead man had not only these duties to pay, but had also to arrange to be allowed to take over the holding. Thus William, the son of Hugo Wynd, asked that he might have his father’s holding; he swore “fidelitate”, paid 4 solidi entry, “introitus” and agreed to do all services. In 1274 Matilda, the widow of John Civeloc, surrendered his holding to the Lady, then Henry, first born son “primogenitus” sought entry and paid 3 solidi. The Court was not concerned as to what would happen to Matilda. Indeed, it was rarely that the court was interested in widows - unless she happened to be able to undertake the holding, as Widow Fitun. could her quarter of a virgate, for which she paid 18 denarii and did “bedripes”, or in the father who, too old or infirm to labour, surrendered his holding to his son; I have found only one example in the Court

Rolls from 1272 - 74 of consideration for the retired parent. In June 1274 Robert, son of William of Brechecumbe sought entry into the land and tenement of William of Fulwelle who had surrendered into the hands of the Lady. It was granted for 2 solidi (key money?) on consideration that the house and croft around the house should remain to William for the rest of his life, and should he die before his wife, she should keep one third of the tenement.

Another charge the unfree faced was having to pay for permission to marry off their sons and daughters. It is recorded under the heading of “Redemption”, but is generally known as merchet. Thus, John of Bridley asked for a licence to marry his daughter to William of the Spring (Well Hill) - redemption 18 denarii. Gunilda of Bremescumbe asked for a licence to marry her daughter Juliana to Robert Acke of Avening - redemption 3 solidi. This was because she was going out of the Manor of Minchinhampton.

THE COTTARS

These are the poorest people in the vill. They range from Edit the shepherdess and Aldwin who have each a home and 2 acres in each field, “in utroque campo” (Note that this would suggest a two-field system of agriculture and conflicts with the statement about the pasture of Seincle, which pays 4 solidi for the two years on which it is sown and nothing for the year in which it lies fallow) - down to such as Gille who has only a home and croft around the cottage. These cottars or bordars have no means of growing crops for themselves. They are the pool of available labour for the substantial tenants, they are the tied workers on the demesne, and they are the providers of services. Among them we find Omer the fowler, Roger Parmenter the tailor or furrier, Edricus the skinner, the son of the potter (who is not specifically named), Wulvricus the harpist, Walter and Widow ?, his mother, have a mill.

Among the cottars the customal gives seven people as lundi i.e. “lundinarii”. This means that their holdings were too small - probably under a quarter of a virgate - for them to be liable for customary services but they will do work on a Monday.

The duties and services owed by these people are carefully detailed. Edricus has to work on demesne two days a week, he must help in the brewhouse - when he does he will be free of a day-time duty and he, and other helpers with him will have a measure of ale - he is to search for missing animals, will help the shepherds especially at lambing time, will guard the cheese at night (presumably when it is setting) will help the pigman with the pigs, and with the ploughman will guard

against thieves. The latter service foreshadows Henry III's order of 1242 that in each village there should be held a watch by four to six men aged from fifteen to sixty who had been selected by the sheriff and two accompanying knights. There should also be one or two constables to keep the peace. One tenant in Hampton in 1170 is named as Constable with half a virgate for 2 solidi; he works in August and also does the same duties as Adam. Does his name represent his duties?

Wulvricus the harpist does the same duties as Edricus but, in addition, has to drive livestock wherever he is ordered.

The services of Faber, the smith in Hampton, were presumably the same as those for Alwoldus of Eston, the smith of Avening. He had to produce the irons for four ploughs, if there were as many in Lowesmore, also seven scythes and seven hoes; he was to hang the doors of two barns and one cattle shed and may make charcoal at the Abbess' order. He will produce the nails for two horses before he shoes them, but the iron must not be new iron, but old iron got from the horsekeeper.

THE MANOR SERVANTS

Some men have specialised duties on demesne land. These are the ten ploughmen, two shepherds, cowherd and swineherd. The duties for the first three groups are carefully described.

Each of the ten ploughmen has 5 acres of land. On Saturdays each will plough for himself i.e. at the three ploughing times. Each will have one sheaf from each cart-load and one acre of grain (see below for discussion of this) in August from the Lady's own field. From Hockaday to August each will have the milk from two sheep every Sunday, except on the day of Pentecost; they will have every third acre in ten, and the third lamb. (presumably these are divided amongst the ten, the customal gives no guide.) Their wives will milk the sheep with the shepherds and will work one Monday each week after the Feast of St. Michael, until it is time to milk.

There are two shepherds, each of whom has a virgate of land. They will guard the sheep each day of the week except Saturday, when they will have the vessel in which cheese is pressed full of salt. On the twelve days of Christmas they will have the fold on their own land. This was an invaluable concession since it meant some manure at least, but note the need to provide fencing. They will have milk at Pentecost, and be free of boon work, although their sons and daughters will do this, and their wives will do two boon days. In return each will have one fleece

and one lamb.

The cowherd, Hustmarus, who has half a virgate, looks after fifteen cows and non-draught animals, and will have the oxen with them. He will milk them and make cheese in his own house as the shepherds do. He will provide the fold in Spring and Autumn. Otherwise he will perform the customary services.

THE MANOR COURT

"He whose turbary is not enclosed by Ascension Day will owe a sheep and a lamb as forfeit." "All who hold land by Elseleya (which seems to be near Burimoor) whose land is not between two fields will enclose it each year with a wall", and if this is not done by Ascension Day the forfeit is again a ewe in lamb. This is one of the offences for which the customal lays down the penalty. Others which can affect the well-being of the Manor are also referred to.

Trespass was a serious offence, "for crossing over the wall of Burnsgrave (I think near Burleigh) both for entry and again for leaving". The wall might be damaged and allow access to animals so the penalty should be 10 solidi. Trespass in the woods brought the same penalty. As mentioned in the section about woodlands, the Court usually demanded a lesser fine.

Shedding blood also brought a penalty of 10 solidi. This was a serious offence, really a matter for the King's Courts. If blood was shed in the attack on John Elyat, then Ricardus Syred got off lightly. The customal does allow that the ? champion, who held no land, could cause bloodshed without penalty. There is no indication as to what his duties were.

There were two offences recorded for which women might be penalised. One was for daring to trade. If she did, then she needed to excuse herself in court with five women to pledge for her. Otherwise she was fined 10 solidi. The offence was due to the legal position that everything belonged to the Lord or Lady of the Manor, and nothing to the villein, who could not sell the Lady's property. In practice licence would probably be granted. The other offence was for an unfree woman to be answerable "de stupro" which is perhaps best described as lewdness. This could be a serious matter if a child was born a bastard. The court would lose the mother's labour on the land; and the Royal Courts were beginning to see the bastard as a non-person, and in consequence, would be lost to the Manor.

All these offences would come before the Manor Court which it was the right of

every landlord to hold for his tenants. It was usually chaired by the steward if he were present, or by the bailiff. The law it administered was based on the customs of the Manor. Thus it regulated tenure, settled disputes according to custom, dealt with surrender of holdings and entry, punished failure to carry out duties and services imposed customary payments, dealt with problems connected with the cultivation of the fields and settled arguments. All tenants were required to attend, and though essoins, i.e. apologies for absence were accepted for up to three consecutive meetings no more were allowed and any default of attendance put the culprit "in mia" i.e. in mercy to the Lord. In practice the Court usually imposed a fine - hence our word amercement. Some examples are:- Robertus de Longford in mia for default of court (his son Robertus) stood pledge for him) fined one day's carriage duty; Jacobus de Hull default of court - fined one boon day in Autumn; Willelmus Mercator Junior (i.e. merchant) for default of the Hundred Court - fine 12 denarii. This was a higher court attended by reeves from the various Manors in the Hundred, together with some villeins; it should deal with matters beyond the jurisdiction of the Manor Court, but in practice the latter were extending their powers.

The court's decisions, which all tenants had heard and had been concerned with, were recorded on the Court Rolls. Hence it became a court of record whose findings could be referred to, which were particularly valuable if tenants were in conflict with their landlords over rights and duties.

In the course of this article several cases that come to court have been mentioned. Here are some others from the Rolls of 1272 to 1274 to show the extent of its jurisdiction. The court tried to see that its rulings were carried out. In 1274 Elyas Godard was charged with having broken down the Lady's hedge. He denied this but put himself on the law, i.e. asked for jurors to settle the case. John of Chalford stood surety for him. However, he failed to appear at the next court and some of his goods were distrained, i.e. seized and held until he should appear. At the same time John was fined one day's carting because he did not bring Elyas to court. Distraint was the ultimate means of bringing a culprit to court, but was not always successful. In 1272 the persona (parson) of Avening, having failed to attend several courts, was distrained for this and for "pluribus" (many) trespasses in the woods. He did not appear at the next court, and thereafter drops out of the record.

The court concerned itself that bread should be of the correct size as laid down in the Assize of Bread, i.e. that a quarter of flour should make eighty loaves. Son in 1274 Ricardus Mile was amerced 6 denarii because his koket bread (cocket or

low-grade unleavened bread) was underweight by 6 solidi and 4 denarii. William Piscator (Fisher) was fined the same sum for bread underweight by 5 solidi and 8 denarii, while several others - Matilda de Cruc, Radulfus de Grene and Willelmu Scyre were fined for wheaten bread underweight. It was quite customary to give weights in coins and a pennyweight was long in use. The weight of fine white bread should have been fourty two solidi. Agnes Dodew and her daughter, also Agnes, were put in mercy for receiving stolen corn. There was also Emma Herper in mercy for bread not well cooked. There seems to have been a crack-down that year.

Robberies were reported to the court as shown in the case of Godessoth's house. Here all they could do was to raise a hue and cry after the robbers. With theft within the Manor they were on firmer ground. In 1274 John, son of Alexander, was fined two day's work in Autumn for making an assart in the woods and carrying of f the earth to put on his own land. Later in the same year William Parker of Avening was found, after an inquiry, to have carried off a bushel of the Lady's oats and sown them on his own land - fined 4 solidi. But there were repercussions to this, Hugo Caracarus saw him do it and did not tell the bailiff - fined 2 solidi. Roger Strongbone knew all about it and harrowed William's land with his service horse when he should have been at work on the Lady's land - fined 12 denarii. In another case Robertus Watere and Gunnild his wife during the night before the feast of Saints Peter and Paul broke into the Lady's sheep pen and took her sheep. No fine is entered. This was an offence which would have meant consideration by the jurors who were sworn in at the beginning of the court.

The court may not have considered the welfare of elderly parents, but they did try to protect the young child. Thus Richard, the son of Henry Elyat, entered into the land and tenement of his father, but he was only nine year of age so the court left him in the custody of his mother "remansit in custodio matris" who took all the oaths and duties for him until he should become ten years old.

Another concern of the court was the state of the roads. In 1273 the decenarius - tything -of Rodborough was charged with concealing the stopping up of a road, and a little later the tything of Avening informed the court that the road below Gatcombe and Avening had deteriorated. The decenarius was a group of men and boys, aged 12 and over, originally ten in number, who were responsible for each others good conduct. Their elected head was the tythingman, usually chosen from those with a half-virgate holding. After the Conquest the term 'tything' came to mean an area of the parish - it was long used in this way in Minchinhampton - and

the tythingman became the constable. The various tythingmen met in a separate court for View of Frankpledge to ensure that all eligible men and boys were in a group. Only one such court appears in Hampton Court Rolls. This is dated as 1276 on the Thursday next before the Purification of the Blessed Virgin. Unfortunately except for the names of the four local tythingmen - Willelmus Linthmere of Hampton, Willelmus de Cumbe of Rodborough, Walter Olward of Avening and Hugh le Palmer of Eston - much of the rest of the record is illegible.

A final interesting case in the Roll is that of Alice Bird who worked as a dairy maid "in officio daiero". She should have been clean, know her business well, make cheese and help in winnowing. Instead she milked badly and was fined 2 solidi.

The court dealt with many items at each of its meetings. The Roll for October 1271 records over sixty cases. Though there are a number of occasions when the same man's name appears more than once charged with different offences, yet this total suggests that a large proportion of the population would be brought before the court in any one year, and it is probable that no peasant would avoid being in mercy several times in the course of his life.

At the end of the meeting the court totalled, up its fines, and these range from the busy meeting of October 1271, when the total was 31 solidi, 8 denarii, 1 obolus and two hens through to 21 solidi, 9 denarii 1 obolus, 18 chickens and 3 days labour (May 1273) down to 8 solidi, 1 denarius, 1 hen and 4 days carriage duty (December 1273). All of which would go to the profit of the Lady of the Manor.

THE YEAR'S WORK

Except for three brief references which show the "clericus" or clerk owing services to the Manor - he will plough three times a year and plough once (this was not necessarily done by him personally); has a garden near his house, and as a favour has seven oxen and two sheep on the downs - the customal is not concerned with the Church, but it does show how the turning points of the year were determined by the Church calendar. Here is the cycle:

Michaelmas (September 29th) - the start of the new year's cultivations, ploughing of fields sowing of winter wheat.

All Saints (November 1st) - start of winter, cattle brought into byre, pigs brought in from swine-pens in the woods and housed in pig sty, preparation of food for winter, slaughtering, threshing.

Twelve Days of Christmas - the first 'holiday'

Plough Monday (first Monday after January 6th) end of holiday with jobs to be done around the fields, hedging, ditching, repairing as necessary.

Candlemas (February 2nd) - Spring ploughing, straw and manure from the Lady's stables, byres and barns carried onto the demesne field and ploughed in, probably with heavy 8 oxen ploughs, for which the peasants had to provide beasts. On the communal fields the peasants spread what little manure they could find (manure was costed at half the price of corn) on their own strips and ploughed with light ploughs, used in common and drawn by 4 oxen. There is some evidence that on light soils a 2 oxen plough would be used. Ploughing over, there was sowing of oats and barley (or peas and beans which were dibbled in) and harrowing. Those not engaged in the fields would be at work in the manor garden (leeks, onions, peas) or orchard (apples for cider).

Easter to Hockaday (second Tuesday after Easter) Spring ploughing, except for fallow field, weeding, shearing. Second 'holiday'.

Nativity of John the Baptist and St. Peter ad Vincula (August 1st) - beginning of harvest, haymaking, mowing and harvesting of the various crops. Wheat and rye cut high to allow for ploughing in of straw. This was the heavy season of the year when many boon days were called for and when the

court gave autumnal work as a fine.

And so back to Michaelmas when the steward would arrive at the Manor, accompanied by his auditors to demand of the bailiff a detailed account of the items of income and expenditure throughout the year - rentals £16/11/3 in Hampton in 1298, pelts sold 19/5, fleeces sold 23/6/8, milk and cheese sold 3/6/8. With other items income came to £45/13/3½. Expenditure came to £39/3/0¾. So the manor was run at a profit that year.

During all the agricultural year the virgator, whether with 30, 15 or 7½ acres, would have been at work, not only on his own strips but also for three days a week on the Lady's demesne, though the latter work might be done by the peasant's children and help on the common field might come from paid labour from the group of landless cottars.

PEASANT'S STANDARD OF LIVING

With the end of the year's cultivation the Lady's tenants could take pleasure in a good crop or concern at a poor one and, with the cottars, worry about getting through the winter. About the year 1200 Europe was entering into a period which has been called "a little ice age", average temperatures fell and there is evidence from England of a great deal of rain. Local conditions would vary, of course, but tenants with long memories, though few lived to a ripe old age, would undoubtedly talk of better crops in the past.

All this brings into question the standard of living in the vill of Hampton. Obviously the customal tells us nothing about this, but records from other manorial documents make it possible to produce a picture which could apply to Hampton.

The crops grown were wheat, oats and barley; wheat, hopefully, for sale, oats for such cattle as they had, and barley for food and drink. The land was impoverished, there was little manure and its only chance to recuperate was during the fallow year when in any case the growing weeds were nibbled off by cattle and sheep. They put little back - it was reckoned that an acre of fallow could support only two sheep. Hence the return on seed sown was only about four and a half. So the return on an acre, after deducting two and a quarter bushels for next year's seed, and the tenth required by the Church would, in a good season, be about five bushels of oats, or seven of wheat or ten of barley. J.Z. Titow in his recent book on English Rural Society, basing his figures on the amount allotted to manor servants for their maintenance, and that provided for the widow in some courts, and the corn sold to pay the Lady her rent, comes to the conclusion that the minimum land required to feed one person would be two and a half acres, given a three-field system. Notice that in comparison the ploughmen of Hampton have five acres, which in a three-field system would give a little over three in cultivation and the rest fallow. The next problem is the size of a peasant's family. Here the multiplier is usually suggested as four - remembering that this is an average and does not take into account individual differences. On this figure, then, the minimum land required for an average family is ten acres, i.e. a fifteen acre holding when fallow is considered. Hence a full virgator will have crops to spare, a half virgator will just manage and quarter virgator or less will be on the poverty line, if such a term can apply to medieval society.

What then would be the peasant's diet? It was largely a heavy, non-protein one. He ate quantities of coarse, dark bread (koket), supplemented with occasional

dishes of pottage, mainly of oats with some vegetables when available from his croft, washed down with draughts of weak ale made from barley and oats. If his croft would allow it, and a cow, ewe or goat were there, then there might be the occasional supply of milk, cheese or butter. The Manor's requirement of eggs at Easter as part of the service owed means that there would certainly be hens. In this connection, notice the court often fines culprits hens or chickens, and also for hens being found among the corn. Also there could be a pig, since the customal lays down a tax on pigs.

All things considered, the peasant's diet was a heavy, carbohydrate one.

The Manor, i.e. the nuns of Caen, fed better. At intervals supplies of cheese made from sheep's milk and bacon were sent over, travelling by cart to Southampton. Quantities of eggs, particularly at Easter, would go and the Manor profit in coins, carried in bean bags (because of the weight) on horseback by one of the freemen of the Manor.

THE PEASANT ECONOMY

All the peasants, whether richer or poorer, had to face outgoings of cash - several solidi or several denarii as rent to the Lady, and usually denarii but sometimes solidi for fines for the Manor Court. Besides these there was the cost of such items as they could not themselves provide - shoes at 2 denarii a pair, cheap cloth at 1 to 1½ solidi a yard, and the necessary utensils for cooking and fire. For these we must picture them visiting the local tradesmen; in 1170 Roger Parmenter, tailor or furrier, and especially Willelmus the mercator or petty-trader. They were not bound to the Manor the whole time; they might be sent with loads or messages to nearby towns. Thus the Manor made specific arrangements for those who received loads for carrying to Gloucester or to Bristol when they were relieved of a full day's customary work, and the Lady would, if necessary, provide accommodation for them to put up horses and loads.

This also gave opportunities to sell, mainly from their animals and arable husbandry i.e. meat, poultry, dairy produce, hides, wheat. The price of wheat varied between four and five solidi a quarter, and an ox could fetch thirty solidi. With the sale of his surplus the full virgator might well earn some four pounds a year. The small virgator would have little to spare, while the cottar would have to rely on his purchasable labour. The average wage for this was one to one and a half denarii a day. Beyond this there would be what he could make as a craftsman - smith, carpenter, or on special jobs - fuller. The miller is in a special class. The peasants would have little to live on.

An example of what might happen comes from the Hundred Court held in Hampton in 1273. (A Hundred was a division of the County, whether of a hundred families, tythings or acres of land is not sure. We live in the Hundred of Langtree). Here came various deccnarii who stated that "on the Tuesday before the feast of the Conversion of St. Paul (January 25th) Thomas de Bridley, seeking bread ("querendum panem") because of infirmity and cold, fell dead on the way near Bolenany in Hampton, and that no-one is to blame."

Life was hard in Hampton in the 12th and 13th centuries.

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