

PEASANT DISCONTENT ON THE MANORS OF TITCHFIELD ABBEY, 1245-1405

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ABSTRACT

The article considers the significance of evidence of peasant discontent for our understanding of the nature of social relationships in medieval England. Evidence is drawn from the records of Titchfield Abbey in Hampshire. The nature of the evidence is discussed, and events on eight of the abbey's estates between 1245 and 1405 are described: these include a major dispute on the 'ancient demesne' status of Titchfield in the years 1271 to 1276, and a prolonged wrangle about an illicit chapel at the hamlet of Hook near Warsash from 1377 to 1405. The effect of the Black Death on the causes of dispute is considered, and tenants' opportunities to escape customary burdens are described. The relevance of localised events such as those at Titchfield to the revolt of 1381 is discussed. The article concludes with some general observations on the light which the Titchfield evidence may throw on our interpretation of social and economic developments in the period.

INTRODUCTION

The six hundredth anniversary of the Peasants' Revolt of 1381 has renewed interest in our understanding of the relationships between lords and their tenants in medieval England. In the case of Hampshire, surprisingly little research has been done on the events of 1381 since Réville published extracts - translated and heavily edited - from the original sources in 1898 (Réville 1898). Derek Keene's forthcoming study can be expected to throw welcome light on the rising in Winchester (Keene forthcoming). But what of the Hampshire countryside? Does the absence of evidence imply a contented peasantry? Or were perhaps the local peasantry thoroughly cowed, the apparatus of control by local lords especially effective? And how far were economic and social changes, developing trade and industry, and new technology, altering the relationships between men and their lords at that time? The present article does not set out to

settle these issues, but to describe evidence from the records of the Premonstratensian Abbey of Titchfield which may contribute to formulating some of the answers.

Titchfield Abbey was founded in 1232 by Peter des Roches, Bishop of Winchester, and in the late fourteenth century held fifteen manors in Hampshire and Berkshire (Watts 1958). This article describes events in eight of these manors during the period 1245-1405: at Titchfield itself, in Swanwick, Stubbington, Crofton, Fontley, Portchester, Wallsworth and Cadland, and at the abbey's small estate at Hook near Warsash which was administered through the manor of Fontley. Most of the evidence used in the article is drawn from four register-books, now deposited in the British Library, which were compiled by the canons between 1379 and 1405 from the mass of accounts, court rolls and other documents then in their possession (BL MS Loan 29/55, 56, 58, 59). These original manuscripts, for the Hampshire manors, have since been lost; where they survive, for the Berkshire manor of Inkpen, we can see the marks of the compiler as he struck out matters he considered to be of passing interest and identified those of lasting concern for transcription (BRO M53-56). What we have particularly in the Court Book, therefore, is a detailed record of all the incidents which give evidence of the status of village families and the descent of peasant properties between the first entry, for Titchfield, in 1245, and the last datable Court Book entry for 1379. The volume which contains the Abbey's library catalogue also contains long extracts relating to a particular dispute with the hamlet of Hook up to 1405, to be discussed below. A third register, called the *Rememorative*, includes lengthy extracts relating to other prolonged controversies and law suits of the thirteenth and fourteenth centuries, among

them the major dispute between the abbey and the villagers of Titchfield which I shall call the 'monstraverunt' case', and which hinged on whether the manor of Titchfield was 'ancient demesne'.

ANCIENT DEMESNE

The particular status in medieval England of 'ancient demesne' was classically described by the Russian historian Paul Vinogradoff ninety years ago, though his interpretation has since been modified by the American R S Hoyt (Vinogradoff 1892; Hoyt 1950; see also Faith 1981). Briefly, a manor which had once been in the hands of the king – and the criterion was by the thirteenth century taken to be possession at the time of the Domesday Book in 1086 – remained to some extent within the king's particular jurisdiction, however often it afterwards changed hands. Customary tenants on ancient demesne lands, unlike customary tenants elsewhere, could make direct use of the royal courts in disputes involving possession of land or the performance of duties (so, of course, could tenants on land still in royal hands). In particular, they could seek two special writs – the 'little writ of right close according to the custom of the manor' (*secundum consuetudinem manerii*) and the writ 'monstraverunt' – to bring disputes with their immediate lords before the king's court for adjudication. Hoyt cites a number of such Hampshire cases from the thirteenth century, and Vinogradoff a case from Tavistock in Devon which was being considered in the King's Bench Court at exactly the same time as that from Titchfield, and in which Chief Justice Ralph Hengham also delivered a curious verdict: the events at Titchfield have not previously been described.

TITCHFIELD: THE MONSTRAVERUNT DISPUTE

In the autumn of 1271 the villagers of Titchfield sued out a writ of *monstraverunt* against the abbot (BL MS Loan 29/55, ff 1a–7b). They claimed that they had held their tenements from William Rufus by fixed services: these were to

do one day's ploughing on the demesne for the sowing, and then to harrow the sown lands; to do three days' work during the harvest; to pay a sum of double the annual rent as an entry fine on taking up their tenements; and to give 40 shillings a year in respect of all 'gifts' and 'aids'. They complained that in addition to these customary renders the abbot had by distraining their goods forced them to plough and harrow on newly-purchased land, to carry hay and corn, and to pay entry fines at will. The names of 31 Titchfield tenants appear in the writ which named their attorneys, one of whom was a villager and the other apparently a stranger to the village. Fifteen tenants are named in a later writ, and twenty appeared as the plaintiffs at Winchester before the justices in eyre. Some 40 individuals are named in one document or another, probably the majority of the tenants of the regular villein holdings in the village.

Two entries in the Court Book suggest that this dispute was the culmination of differences over a number of years. In 1246, fourteen years after the foundation of the abbey, the tenants of those Titchfield holdings which pertained to the barony had paid two and a half marks to be released from the duty of carrying hay and corn, and in 1256 the men of the tithings of Posbrook and Meon had been amerced for failing to perform the same service. However during the *monstraverunt* case the abbot did not claim that such disputed services had been customary; he – at least at first – merely said that the manor was *not* ancient demesne and therefore that he could demand services at will. The early stages of the case therefore turned upon the history of the manor.

The jury which appeared before the justices at Winchester gave (as it seems to us in retrospect) a curiously ill-informed verdict. They agreed with the abbot that Titchfield was not ancient demesne, but said that the tenants had never done any services except those which they themselves recognised, and ought not to do so now. They in fact awarded 60 marks damages to the villagers, which the abbot, as afterwards appeared, paid.

After consideration, however, the abbot reopened the case. He pointed out that if, as the

jury had said, the manor was not ancient demesne, then the villagers were not the king's 'sokemen', they were at the will of the lord, and so they had not been entitled to a writ of *monstraverunt* in the first place. The villagers could only repeat their contention that the manor was indeed ancient demesne. The abbot then said that once a verdict such as that of the jury had been brought in the shire court a plea to the contrary could not be accepted. At this point the court accepted the abbot's case, ordered the return of the damages, and in turn amerced the villagers for making a false claim.

But the villagers made difficulties over the repayment of the damages, and stubbornly persisted with their suit. Writs of May and June 1272 directed the sheriff to raise the money from the villagers' chattels and to bring them before the King's Bench. Walter de Merton's writ opening the proceedings in the New Year reviewed the case, and for the first time quoted Domesday Book, which at last showed that the manor was unquestionably ancient demesne.

There seems to have followed a series of inconclusive manoeuvres marked by further writs and by notes entered in the *Rememoratorium*. The vagaries of the case may in fact suggest that the concept of 'ancient demesne' was then still in process of evolution. It was not until April 1275 that the abbot's lawyers found a way out of their difficulties. Titchfield had been called a 'berewick' of the royal manor of Meonstoke in Domesday Book. It was, therefore, part of Meonstoke (though detached from it ten miles to the south), and its fixed customs should, they claimed, be those of Meonstoke. It is most unlikely of course that Titchfield had had any connection with Meonstoke since the manor had been sold by William Rufus, and the Meonstoke villagers themselves said that they knew nothing of any privileged status for themselves. A jury nevertheless described 27 services and payments of Meonstoke, clearly the customs of villeins, one of them being three days' week-work. The judges – Hengham, Walter de Hopton, Thomas de Clare and Walter de Hellyon – accepted this latest version of the abbot's case and once again amerced the villagers.

The sheriff was again ordered to go to Titch-

field to recover the rest of the damages and to take the new amercements. But when the abbot promptly demanded the new services he was defied. The villagers made a further appeal, and the abbot was ordered to take only the recognised services until the case was heard again. The Titchfield tenants now produced a new argument. Although the Meonstoke tenants had paid tallage, merchet and relief at will, the Titchfield tenants pointed out that the customs of royal sokemen were fixed. As a result a final arrangement was made at Worcester in 1276. Tallage at Titchfield could be exacted only when the king tallaged his demesne, merchet was fixed at two shillings, and the entry fine at three times the rent, not double as the tenants had originally insisted. Perhaps most important, families which had taken up their holdings since the foundation of the abbey were to hold them on the conditions then arranged, not on those now declared to be customary. These 1232-1276 customs came to be called the 'old customs' and were significantly distinguished from the 'customs of Meonstoke', also called the 'new customs'.

TITCHFIELD: THE MANORIAL COURT

The Court Book gives detailed evidence of the progress of the *monstraverunt* case. Tenants were amerced in 1273 and 1274 for refusing to do services and in 1276 for the first time a tenant was amerced for selling a beast without licence. In 1297 William Kech proffered relief according to 'new custom' and although it was declared that the predecessor of whom he had been adjudged the heir had not taken it in that way (but had presumably paid at will), William was allowed to have the tenement by 'new custom' after an appropriate payment to the lord.

In 1310 a jury was called upon to describe the customs of Richard de Puteo, the tenant of a ferling by 'old customs'. These were reported as a few fixed services and renders similar to those which had been described at the opening of the *monstraverunt* case. Richard, and, as it afterwards appeared, eight of his fellows, had not done the ploughing and sowing services for twenty years, that is, not since the end of the case. The

enquiry into this matter and the exaction of arrears and amercements went on through 1310 and 1311. It is quite clear that these tenants by the so-called 'old customs' were the comparative newcomers to the village. These men had taken up holdings between 1232 and 1276, and had been allowed to keep the customs, at that time those of all the customary tenants, which they had accepted. It was the older (pre-1232) village families who had been required by the *monstraverunt* verdict to accept more onerous services: but they stubbornly insisted on calling them the 'new customs'.

The abbot did his utmost to distort custom in his own interest while at the same time regarding himself as bound by it. In 1312 a tenant was accused of concealing for many years the fact that he owed two days' harvest work. He claimed that he was only liable for one day's work and cited the entry of his relief in a court roll of 1306. This did (and still does) show that he took the holding by customs which included one day's harvest work. The cellarer, however, said that whatever it said in the roll the tenement could not be granted except on the terms which were customary for such holdings, and these, it was generally admitted, included two days' work. The man had to pay the arrears, but was excused the payment of a further render also mentioned in the roll. But the point of this apparently generous remittance became clear immediately. The court held that the payment of this particular render showed that the tenant was of a privileged status and did not have to join a tithing. We can guess that the tenant's successor would have had to have answered yet another piece of special pleading when he appeared to claim that privileged status. Both abbot and tenants were trying to squeeze as much as they could from the letter of the customary law.

Renewed discontent among the Titchfield tenants came to a head in 1319. Robert le Small and his three sons John, William and Roger were brought into court and were made to admit that they were villeins. Roger was amerced for contempt of Canon William de Claverly, and William for bad behaviour in the court in front of the cellarer and the steward. In the next

court, Roger's land and chattels were at first taken in hand, and only returned to him at the plea of one of the more important free tenants. At the same time, nine other men were amerced for holding a meeting (the word used is 'conventicle') among themselves 'to the damage of the lord's rights and liberties'. Twelve other men were later called upon to answer the same charge, and in the spring of the next year all twelve members of a jury of free tenants were amerced for refusing to give a verdict in the case, by now described as a conspiracy to disturb the king's peace.

Nothing more is said about this particular incident in the Court Book, but it seems probable from the cases which did appear year in and year out in the early years of Edward III that the abbot had by now fully established his formal rights. The villagers were now adopting a different tactic. They found it less expensive to ignore the lord's rights when they wished to than to oppose them. Amercements for leasing land out of court, overburdening pastures, felling trees, and for failure to do services appear in the rolls with such regularity and so little comment that they seem to be no more than retrospective licences.

The legal position was more often tested in the fourteenth century by individual tenants involved in cases of disputed villeinage. In 1307 John Kech, an enterprising member of a large Titchfield family, had to admit in court that he was a villein, that his goods were at the will of the lord, and that he did not have what he had called 'warrant of free state'. In 1328 a villein acquired a cottage by charter but was then required to take it up in court by customary services; he was nevertheless allowed the commoning rights of a free cottager. In 1332 the chattels of another villein were distrained upon because he acquired the land of a free tenement by charter and then claimed to be free. In a later court this man was allowed to buy his own manumission for ten marks, to be paid in six annual instalments. One of the two female claimants of a vacant tenement in 1339 accused the other of being married to a free man from another manor. This man when questioned refused to give up his free holding, and the

Titchfield tenement was given to the rival claimant to hold by villein customs. As in cases in which a liability to perform services has been concealed for many years, so cases like these often show that a villein had been acting as if were free for some time before the fact was discovered. That such abuses could go on for several generations is made clear by a particular series of extracts from the court rolls entered in the register to show that certain tenements which were held freely were in fact customary holdings.

Records of disputes about status and services appear much less frequently at Titchfield during the 1320's and there seems to have been a lowering of tension there in the twenty years before the Black Death. The local manor of which this was not true, the small estate at Fontley, had only become part of the demesne lands of the abbot in 1338. In 1348 the tenants there refused to pay recognition, and the abbot had to produce the court rolls of his predecessor in court before the tenants were willing to agree that the payment was customary.

SWANWICK

At the manor of Swanwick, three miles to the west of Titchfield, there was a long history of discontent. In the 1240's, almost immediately after the manor became part of the abbey's estates, a dispute – referred to as a *querela* – developed between the tithing and the abbot. The Court Book gives us no details of the dispute, telling us only that it was taken to London. Thereafter a series of minor fines in the Swanwick courts foreshadow the outbreak of the *monstraverunt* dispute at Titchfield. It was in 1272 that the disagreement at Swanwick became open. The villagers were persuaded to admit that they ought to do suit at the two law-days of the hundred at Titchfield, and the court ordered that they should do so in future. But further they would not go. Before the abbot, the cellarer, the canon-vicar of Titchfield parish, the freemen and the lord's officers, the Swanwick tithingman, John Cok, with the support of the whole tithing, refused to say that they were only able to marry their daughters by licence and at the will

of the abbot and his council, and therefore that they were villeins. The abbot was in fact not particularly interested in the marriage issue: his real motive was to establish the status of the tenants because he was asking for an aid 'as it had been given in his time and in the time of his predecessors', and the tenants had said that they were not accustomed to give aids before the construction of the abbey. A compromise was only forced upon them after prolonged dispute. They admitted that they were bound to give 40 shillings in aid, of which they sought relief on this occasion from twenty shillings, a concession which the abbot granted at the instance of the free men of the manor. The villein tenants were stubborn, however; when the Michaelmas court came round the tithingman reported that no one had appeared for the law-day or had any intention of doing so, and that he could give no answers to the articles of presentment. For his part he was amerced. In the following year, the abbot ordered the tithing to hang their thieves as he pointed out he was privileged to do by his charter of liberties, but the persistent tithingman, by his own authority, forbade the hangings and was again amerced. Later in the same year the court was required once again to take note that the tenants had admitted in the previous year that they owed 40 shillings for each aid. It is possible that at this stage the grievances of the men of Swanwick became linked with those of the men of nearby Titchfield; that the Swanwick manor was tallaged in 1307 specifically when the king tallaged his demesne suggests that the village had been included in the *monstraverunt* compromise of 1276. A heavy amercement of three and a half marks paid by a tenant involved in a minor dispute of 1276 'for the good will of the lord and the settlement of the issues between them' has the appearance of an attempt to reestablish the lord's authority at that time. In 1280 the tenants tried to reopen the aid issue declaring yet again that they were not bound to give any aid, but with the confession of 1272 on the rolls the abbot seems to have been able to silence them.

Thereafter discontent at Swanwick showed itself only sporadically. In 1291 all but four of the tenants refused to carry the lord's manure;

in 1307 Robert Sexi refused to carry a cask of wine to Wells even though he was offered payment; and in the following year three tenants failed to do their harvest works. During these years there were continual offences against the lord's milling privileges and as at Titchfield there were several cases of disputed villeinage. In 1310 John atte Wolle insulted one of the lord's servants and had to be pledged by the whole tithing. The Swanwick tenants had a minor victory in 1313 when they successfully established that they were obliged to carry hurdles for the lord's fold only twice in the year. Cases of 1313, when four men failed to stand guard as they were summoned on a night when the abbot's kitchen was broken into, and 1319, when neither the tenants nor the messor would see to the upkeep of a holding which had belonged to a leprous woman, suggest a persistent neglect of the lord's interests by the Swanwick tenants in those years. But as at Titchfield, the 1330's and 1340's at Swanwick were relatively uneventful years.

CADLAND

Just as at Titchfield and Swanwick the tenurial structure of the large manor of Cadland on the fringe of the New Forest across Southampton Water was complex, though not because of ancient demesne status. It appears from several cases that the Cadland tenants believed that they were divided not into the conventional two but into three categories – villeins, 'ordinary' tenants, and free men – of which the villeins formed the smallest group. The 'ordinary' tenants may have thought of themselves as sokemen; in 1294 a Cadland tenant in fact sued out a writ *secundum consuetudinem manerii* only to be told that the manor was *not* ancient demesne.

At Cadland the abbot quite obviously tried to make the position clear from the outset. In 1247, shortly after he acquired the manor, he summoned a jury to declare that the previous lord had tallaged his men 'high and low', and a short survey of the tenants was made in the court to establish the status of each. On the basis of this survey the abbot took action against individuals.

In 1249 five men were distrained, by the chattels which they had left with their relations, to return to the manor, and two others were amerced for refusing to perform a carrying service. During the following ten years the 'homage' as a whole and groups of tenants in particular paid heavy fines for a number of offences; in 1253 for instance five people paid 'for having peace' and one because of disobedience, and in 1255 the tithing paid a mark *pro querelis relaxandis*. To establish his rights the abbot used ingenious methods similar to those of the Titchfield courts. In 1259 William Curnays, a substantial freeholder, was declared to be guilty of many defaults of court. In reply he said that he was only bound to come to the law-days and offered to show his charter. When the charter was produced at the next court it did indeed confirm his claim; but it also showed that he could not sell land without licence, and so he was promptly amerced for various offences of this nature.

After the general skirmishing of the 1250's the Cadland court became concerned with some particular issues. One of these was the position of the customary tenants, the men whom the abbot later established to be villeins. In 1261 six of them were called upon to describe their services, which were not dissimilar to the 'old' customs of Titchfield, and they were then fined for concealing them. A year later, the vill as a whole described a rather different set of customs, and the man who was later to appear as the most prominent of the villeins, Richard Toppe, was amerced for refusing to perform them. At the same time another tenant was persuaded to declare before the whole court that he had given the abbot a certain sum of money on his daughter's marriage and that all the tenants were bound to do the same. In 1261 thirteen men of the village of Staneswood were amerced for an offence in connection with a 'conspiracy', about a matter which they clearly thought of more importance than the marriage fine, the unlicensed transfer of land.

Throughout the period there had also been constant friction about the election of a reeve. In 1262 the tenants tried to end the dispute by agreeing with the abbot that they need not have

a reeve as long as they paid twenty shillings a year. It was an agreement not destined to last. In addition, the abbot now resumed his attempt to tame Richard Toppe. Toppe was subjected to a long series of fines which culminated in 1269 in a fine for refusal, together with another man, to obey the order of a canon, and in 1271 with an unprecedented amercement of twenty shillings for marrying without licence. It would seem that it was only after the obdurate Richard's disappearance from the courts that the abbot fully established the status of this particular group of customary tenants.

In the fourteenth century the election of the reeve became the principal issue between the abbot and the 'ordinary' tenants of Cadland. The agreement of 1262 clearly broke down, and in 1301 the tenants chose a certain Gregory atte Huthe to be reeve. Gregory refused to stand and claimed, with some historical evidence, that the abbot's tenements in his home village of Huthe (presumably Hythe) were held freely. The matter dragged on, both Gregory and the tenants in Huthe being amerced for not bringing evidence of their status, but it was in fact finally allowed that they were free. In 1310 the homage once again refused to elect a reeve, and the personal intervention of the Abbey's cellarer seems to have been necessary before a name was produced. The matter dragged on and on. Two men were amerced for impeding the holding of a court of 1323 in which a reeve was elected. When in 1329 two men from whom the lord was to choose a reeve were elected by the court, one of them was declared to be too poor to take the office, and the other promptly left the court. He was distrained upon and was reported to have taken up the office, but in a later court it was noticed that he did not carry out his duties. In 1344 John le Hayward and Thomas le Mulleward were elected. John, who was in court and knew himself to be elected, went away, and the unfortunate Thomas had to take the oath. It was later reported by the canon-warden and by the bailiff that John had taken himself off to another manor with his produce and his chattels. During the years after 1349, when disputes of a different kind had arisen on nearly all the other manors, the old, old grievance

reappeared at Cadland; when in 1365 John Daneman was elected as reeve and Roger Uprych as tithing-man, they both refused to serve.

PORTCHESTER

Two-thirds of the royal manor of Portchester had been acquired by Peter des Roches for his new foundation of Titchfield, so the abbey's manor there was unquestionably ancient demesne. The villein sokemen were accustomed to taking all serious disputes before the royal courts; in 1267, for instance, a tenant was ordered to pay the expenses which the abbot had incurred in going before the justices during a dispute between them. There are a number of references to the writ *secundum consuetudinem manerii*, and in one instance a tenant sought a writ of record to establish his claim to land acquired by surrender and admittance in the abbot's court. The absence of more serious cases from the court rolls makes it impossible to say whether the instances of default and concealment of works which do occur have any general significance. One major – if unexplained – dispute with the abbot was, however, recorded. In 1309 eleven tenants paid fifteen marks of a tallage of 1282, and promised to pay the expenses of the suit which had been before the justices. The abbot on his part withdrew the writ pending in the King's Bench, and reduced the expenses to be paid to twenty shillings.

WALLSWORTH

The tenants of the manor of Wallsworth, which straddled Portsdown Hill to the east of Portchester, had a long record of opposition to the customs and services which the abbot demanded of them. Tenants failed to do their harvest works in 1262 and their carrying services in 1272. In 1273 arrears were paid for services which had not been done, and land was taken in hand for which no rents had been paid or services rendered. Only four of the tenants did suit of mill there in 1286. In 1319 there were several pasturing offences, and a tenant unlawfully shut in the lord's sheep. In 1331 26 tenants and in 1333 25 tenants were amerced for not

performing various services. All the tenants except two were amerced in 1334 for not 'collecting stubble' (possibly gleaning) for the lord. In 1336 six were amerced for not enclosing the pasture, and all for once again not collecting stubble. In 1339 eleven committed pasturing offences, thirteen did not wash the lord's sheep, nineteen did not carry his dung, three his corn, and one his wood. In 1342 and 1342 there were more milling offences. The reason for this persistent opposition to services by the Wallsworth tenants is made clear by the rental of 1379; the value of their services (which were finally commuted in 1366) was as much as their rents, and the combined burden much greater than that of the tenants of any other of the abbey's manors.

AFTER THE BLACK DEATH

During the years immediately following the Black Death offences such as leaving the manor and refusing to return, refusing to take up land, failure to pay rents and to do services, were very common, but they were the product of the exceptional conditions of the time and not necessarily significant of the normal relationship between lord and tenant. The enforcement of the Statute of Labourers, however, did bring a renewal of concerted opposition.

The tenants of Wallsworth for instance were in 1353 ordered to reap three acres of demesne, which William Shephouse had held when he died in the plague and which the reeve had sown with oats – but they refused. In the next year one man at Wallsworth was elected to serve as miller; and three as holders and three as drivers of the ploughs; a ploughman was also elected in the manor of Crofton in 1360. Threshers were elected at Crofton in 1352, Titchfield and Stubbington in 1354, and Swanwick in 1355. Those at Stubbington because, it was said, of the shortage of *garçones* crossing the sea although forbidden to do so, four of the eleven elected there threshing each week, doing each week ten quarters under pain of severe distraint. Two men ordered to thresh at Titchfield refused to do so, and individual cases of default and contumacy occurred elsewhere. At Swanwick there was

more deliberate opposition: 'It was formerly decided because of the shortage and defaults of servants that, as in the statute ordained by the lord king, each of the tenants should thresh the lord's corn taken by the quarter, and since the tenants, denying this ordinance, openly refused to thresh to his great damage, and in addition when charged in this court by common consent admitted the contempt and would not deny it, they are amerced 100 shillings'.

These difficult years created problems for both lord and tenants. At Titchfield in 1352 three men were temporarily excommunicated, and heavily amerced for whipping and insulting John Pouke, receiver of the abbot's money; Pouke was a stranger to Titchfield who had been taking up land there since the plague. Two years later he turned up at Portchester, where he had apparently also been reeve for some years. A jury there accused him of various crimes. During the plague, it was alleged, William Campays had transferred his land by surrender and admittance to John de Acres; both had died, and the rent, relief and heriots had not been paid over, and the reeve Pouke had kept both tenements himself. He had concealed the transfer of other land, was keeping the rent he was collecting from it, and he had kept yet more rents amounting to one hundred shillings. The court agreed that he was to repay all this, and to renew the lord's rental in which he had attempted to conceal the value of the rents. Elsewhere in 1350 the tithingman of Wallsworth, several members of whose family had been in constant trouble for leaving the manor and settling elsewhere, refused to summon the court. At Portchester when in 1363 John Bolle was elected reeve he preferred to give up all the villein land in respect of which he was bound to serve, so depriving the abbot of both a reeve and a tenant.

ESCAPING MANORIAL BURDENS

The vigorous and continuous resistance of the customary tenants (both sokemen and *nativi*) to the lord's demands does not, however, imply that they were merely frustrated by the immutability of their lot. It was in fact relatively easy

and inexpensive to arrange to live away from the manor or to buy one's freedom outright. Payments of the sums called chevage, capitage, or recognition, both by *nativi* living inside the manor but without a villein holding, and by those living outside the manor, were very commonly recorded in the court rolls of the Titchfield manors, as in those of other estates. At Stubbington, a village of at most 40 families, there were in 1313 seventeen young men, living with their parents, who were distrained upon for annual capitage. It was a status which enabled a man to live in little more than nominal contact with the manor. At Wallsworth in 1260, for instance, Peter son of Peter *Pistor* paid a mark, and undertook to pay recognition, for licence to live in divers other places and to take his chattels from the lord's land. In 1324 Peter *Bercarius*, a villein who had acquired a free tenement at Kingston in the liberty of Portsmouth, gave a half mark and undertook to pay three shillings and four pence as chevage for leave to stay where he wished except on the king's demesne, it being carefully noted that this did not imply that he was free. Twenty two years later Peter *Bercarius*, now called le Eyr, reappeared and gave 100 shillings to take himself and his chattels unconditionally from the demesne. In 1336 Walter younger son of Peter atte Putte paid two shillings to remain outside the manor with his chattels until the death of his mother, meanwhile appearing at the court with his tithing once a year. At Swanwick in 1331, John le Cok undertook to give an annual ploughshare as chevage while living outside the manor until the abbot should provide him with land. During the shortage of tenants after the Black Death, William Sexi was persuaded to agree to a more elaborate arrangement. In 1355 he was licensed to travel overseas by ship, but he solemnly undertook, and was pledged to do so by his kinsmen and neighbours, that if he should return alive he would come before the abbot and the cellarer and serve the lord in agriculture. At Crofton in 1359 William Hoggyn, similarly pledged, undertook to have his home in Crofton and to pay chevage, and was licensed to go outside the manor *ad officium naute*. In 1379 Nicholas son of John Salterne of Crofton was paying six-

pence annual capitage to stay at Dartmouth or Plymouth at the will of the lord.

For many daughters and widows of villeins the place of the payment of chevage was taken by the fine paid to marry outside the manor. This not merely allowed a woman born in the villeinage to live freely; as many cases of disputed villeinage show, it might also have a favourable influence on the family and the holding left at home. Like chevage, the marriage fine was a comparatively light payment; merchet was fixed at two shillings for the Titchfield tenants by 'new' custom, and at Wallsworth in 1289 Richard Malger paid two shillings for his daughter to marry a freeman. The numbers of girls who took advantage of merchet to leave the manor were large in relation to the probable population of these villages. Between 1272 and 1349 seventeen girls of Stubbington (and the same number of Wallsworth) were married outside the manor. At Crofton there were eleven such marriages in the dozen years before the Black Death, and in Titchfield 22 during the reign of Edward II, and 34 in the first twenty years of Edward III.

Commutation or the annual sale of works has frequently been regarded as a two-edged process in which the villein tenants were relieved of a day-to-day subjection to the lord only to find more onerous the annual burden of rent. In some cases this was obviously true. It is most unlikely that the Titchfield tenants who were called upon to do the services of Meonstoke ever in practice did most of them; the judgement gave the abbot the right to make the tenants do particularly burdensome tasks such as carting the hay and corn, but otherwise merely provided him with an additional source of revenue. As the abbot's tenants in Portchester were in the fourteenth century, so the king's tenants there in the thirteenth century were paying double rent in lieu of services, and it was said that the valuation was more profitable to the lord than the services (PRO SC11/592).

But, although the burden of extra payments might be heavy, the entries of commutation and sale in the courts show that there were usually no prescribed methods of release. An individual could pay for release from a particular service or

group of services; he could pay extra rent or a separate fine for annual release; he might pay a high entry fine and rent to hold his land free of services, his heir having some claim to exemption as a result; or the vill or tithing might pay for a general release from a particular service or from services for particular terms. Not only do custumals themselves show by careful descriptions of the methods of commutation that services were not regularly performed, but in some cases the fact that descriptions of customs were made in court is significant of their neglect. It is clear that neither Robert Herbert and his fellows at Cadland in 1270, nor Richard de Puteo and his fellows at Titchfield in 1310 had been performing their full services for some time and that no one knew what their proper obligations were. The flexibility which resulted had significant implications. The village community as a whole might labour under some fixed burden, but for the ambitious individual and the man who found it difficult to make a living from agriculture (and it is upon the position of these men that R. H. Hilton places a good deal of emphasis) there were many methods of escape even within the framework of the manor.

For the ambitious individual there was an even more effective way out of his obligations, that of manumission. This might be initially expensive, but the greater the burden of rents, services and customary exactions the more profitable it must have seemed. The cases of Peter *Bercarius* who bought what amounted to manumission at Wallsworth for 100 shillings, and of a villein who acquired free land at Titchfield and was later allowed to buy his manumission for ten marks, have already been noted. Manumission might, however, be comparatively cheap. At Titchfield in 1289 William the Carpenter gave ten shillings for the manumission of William son of Henry the Tailor for licence for him to leave the manor. In 1306 twenty shillings was paid in court and a further 46s. 8d. was to be paid in instalments for the manumission of Roger Walkelin and his whole family, with leave to go freely, to marry where they wished, and to take their chattels and dispose of them at will. Later in the same year

Walter Reynold gave twenty shillings in two payments for manumission; he remained on the manor, taking up land for the unusually high entry fine of 60 shillings. In 1312 a tenant gave 23 shillings for the release of his family from servile exactions forever. At Wallsworth in 1287 ten shillings was given for the manumission of Robert le Mulleward *nativus*, and at Swanwick in 1307 William Tissi paid a mark for William his eldest son to come and go freely, to marry without claim, and to dispose of his chattels where he wished.

These sums, though substantial in fourteenth century terms, were by no means extortionate. Most of the tenants on these manors, as the heriot payments make clear, had several animals, large and small. The tolls exacted on animal sales were low, and no impediment to sale; and the average prices of animals in these years are well known. We can see therefore that any of the larger tenants, of 16 or 32 acres, could raise the price of his manumission by the sale of several smaller beasts such as bullocks or calves, without having to touch his draught animals or breeding stock. A modest tenant of 5 or 8 acres might have to sell his one horse or cow. But it is clear that except in times of particular economic difficulty the richer tenants could at any time either buy or commute most of their services and dues, or if they preferred could buy their manumission outright. The smallest, poorest tenants, unable to raise the price of manumission by selling goods could nevertheless 'sell' their tenements by the normal procedure of surrender and admittance, and then for a small annual payment live in a nearby town or go to sea. There is no evidence that the endurance of humiliating servile status formed the kind of lid-on-the-kettle or cork-in-a-bottle for the customary tenants on these manors the release of which would in itself give rise to riot or revolt.

HOOK

Economic changes after about 1360 seem to have brought about a reduction in the friction between lord and tenants over agrarian or tenurial issues. But the continual independent mindedness of the tenantry, their capacity to

take concerted action, and their readiness to resort to violence in defence of their own interests long after the 1381 revolt is exhibited in the extraordinary affair of the illicit chapel at Hook (BL MS Loan 29/56, ff. 47b-86b). Hook, now an insignificant hamlet, was then a growing mercantile community on a small estuary (the 'fleet') at the mouth of the river Hamble. Although in the parish of Titchfield and only three miles from that village, Hook was not wholly in the hands of abbey. As well as the abbot's tenants there were also in the hamlet tenants of two other estates - Hook Mortimer and Hook Valence - held by absentee lay lords. The hamlet seems to have been roughly equally divided between its lords, and this divided jurisdiction was one source of the community's independence. Another was the wealth and status derived from trade. William Maple, the principal figure in the chapel dispute, was a burgess of Southampton, and his executors included both another Southampton burgess and a citizen of London. The affair in fact provides some good examples of the problem of gauging the status of the tenants listed in medieval rentals. One of the Hook protagonists, John Toller, for instance, was a villein tenant of the abbey holding a messuage and eighteen acres; another, William Warren, appears only as a cottager with one acre (BL MS Loan 29/58, f. 39).

In or about 1377, William Maple, burgess of Southampton, built an ostensibly private chapel in or attached to his house in Hook. We first hear of its existence in Wykeham's register for that year (Kirby 1899, 282-4). Whether it was intended from the first to have more public functions we cannot say. Certainly we know from quite a different case that there was friction about local wedding and funeral parties walking across the fields towards Titchfield (BL MS Loan 29/55, ff. 122b-126a). In any event the abbot sought to suppress the chapel, and on 23 December 1377 an officer of the bishop rose after mass in Titchfield parish church to announce its closure. He was greeted with pandemonium. The tenants of Hook and their chaplain Robert Wheeler had clearly packed the church for the occasion (26 are named): the bishop's officer

was shouted down, someone calling out, according to the record, '*alta voce et pomposa*'. The defiance was successful. The chapel remained in existence, and perhaps the events of 1381 dissuaded the abbot from further action.

It was probably the death of William Maple which twenty years later precipitated a new phase in the dispute. In his will he left moneys for the maintenance of the chapel as a chantry. But it was clearly more than a chantry chapel, and early in 1400 Abbot John de Romsey sent officers to Hook to suppress it. They were met with armed resistance. The then chaplain William Cake, William Warren and others appeared with bows and arrows, and successfully repelled the intruders. Now the matter took an even more alarming turn. The tenants of Hook, with their mercantile connections, were able to send someone to Rome to obtain a papal bull, a bull which described them as burgesses, their hamlet as an *oppidum*, and gave their chapel full parochial rights. The abbot had no alternative but to send his own man (whose itinerary and expenses are noted in detail) to obtain another bull countermanning the first. Armed with his own bull, and with the renewed support of the Bishop of Winchester and the Archbishop of Canterbury, the abbot was able in 1402 to force a compromise on Hook. The chapel could remain but only as a private chapel: apart from his duties as a chantry priest, the chaplain was to be permitted to minister only to the old and infirm in their beds. In all other respects the inhabitants of Hook were to be parishioners of Titchfield, with the substantial financial burdens that this implied (each tithing in the parish, for instance, maintained a section of the churchyard fence, an obligation which rankled until the eighteenth century).

The arrangement however was only a patched-up one. In the next two years the chaplain and the people of Hook persistently went beyond its terms. The argument was certainly about pastoral care: but from time to time it was evident that it was about other issues as well. It is clear, for instance, that crossing the tiny stream into the relatively cosmopolitan world of Hook was one of the ways in which Titchfield people were slipping away from cus-

tomary status. It is also evident that providing spiritual comfort for wealthy visiting merchants had pecuniary advantages.

We do not know how the affair ended. The scribe in the library register wearily wrote that he had recorded everything that had happened between 1 April 1400 and 1 April 1405. Then the record stops, and for Hook as for all the other Titchfield estates, the fifteenth-century evidence, as we have it at present, is patchy and inadequate. By the time we next have detailed evidence, at the dissolution of the abbey in 1537, the chapel at Hook had disappeared, and no archaeological traces of its location are known. Even by 1405 historical change had been a more potent enemy to Hook than the abbot. The population of the countryside around had fallen; Southampton, for which Hook was an out-port, was to go through a series of vicissitudes; ships were getting bigger and the 'fleet' was silting up. In 1981 a handful of nineteenth century cottages and a disused forge at the head of the dried-up estuary are the only monuments to what for a few months in 1402 was virtually the free port of Hook, defying the Archbishop of Canterbury, the Bishop of Winchester and the most powerful local lord, standing ground with arms, and supplicating the papal court.

SUMMARY

The evidence from the Titchfield estates which has been discussed here suggests that in the early 1240's the abbey began a deliberate, conscious policy of insisting on the performance of services supposedly due or of requiring payment for the commutation of those services. It may be no coincidence, in fact, that the detailed records we still use survive from precisely that time. Energetic skirmishing between lord and tenants began at Titchfield, Swanwick and Cadland in the 1240's, and at Portchester and Wallsworth somewhat later. In the early 1270's a second phase began, whether as a result of increasing pressure by the lord, of more concerted opposition by the tenants, or of events at a national level, we do not know. But it is unlikely to be a coincidence that Halesowen, the Premonstratensian mother abbey of Titchfield,

was involved in an almost identical – and better known – dispute in the same years (Hilton 1949, 83). The *monstraverunt* controversy at Titchfield was paralleled by disputes at Swanwick, Portchester, Cadland and Wallsworth. These disputes and their aftermath stretched over a period of forty years: their repercussions were still being felt in 1310, 1311 and 1312. A third phase, centred on the year 1319, can perhaps be associated with the disruption caused by the famine of 1315–1317: Hanawalt identifies a crime wave at this time (Hanawalt, 1979). Thereafter at Titchfield and Swanwick, the manors nearest to the abbey, disputes seem to have died down: it may be that the tenants there had found that the fixed though onerous services established by the 1276 judgement had represented a better deal in the long run than they had at first thought. At two manors further from the abbey, Wallsworth and Cadland, where no bargain had been struck, disputes dragged on through the 1320's and 1330's, right up to the onset of the plague (a fourth phase). After the Black Death, particularly in the 1350's, there were disputes everywhere, though the occasions for them were often different from those earlier (a fifth phase). Finally, in the later 1360's and 1370's there were relatively few disputes about land or services on these estates (a sixth phase). The evidence from studies of economic circumstances, which I have described elsewhere (Watts, 1967) and of peasant discontent suggests strongly that in those years the abbey was withdrawing from close involvement with estate management and leaving the farming communities increasingly to themselves. The codification of the abbey's records at that time appears to be more part of a programme of retrenchment than of a renewed phase of active management. Only the dispute at Hook tells us that the temper of the people was unaltered, even if their priorities appear to have been changing.

DISCUSSION

In the past thirty years a number of historians both in Britain and Europe have engaged in lively debate about the significance of the evi-

dence of peasant discontent in the thirteenth and fourteenth centuries, and some have drawn wide-ranging conclusions (Fryde 1981; also Dyer et al., 1981). In his seminal essay 'Peasant Movements in England before 1381', for example, R H Hilton said: 'just as the land-owning classes were obliged to serve their economic purposes by contriving a depression of the social and legal status of the peasantry whom they controlled, so the peasants in fighting against economic oppression were also fighting for wider human rights' (Hilton 1949, 90). It does not seem to the present writer, however, that much of the evidence will bear the weight of ideological interpretation which has been placed upon it. Certainly in the case of the evidence from the Titchfield estates, conclusions of a more pragmatic kind would seem to be appropriate.

In the thirteenth century Titchfield Abbey acquired a number of estates which had for many years been inefficiently administered in the interests of absentee lay lords. Thereafter, established at Titchfield within an easy day's ride of nearly all its estates, saddled with the cost of its own community, with a large building programme and with heavy public obligations, the abbey quite logically set out to maximise its income from rents, commuted services and the local courts, as well as from sales of corn and wool. That in the process the canons were from time to time prepared to exploit or distort law and custom for their own ends should not surprise an historian of medieval England (or indeed of the estate records of any period). For their part, the peasants on these estates (if that indeed is the right word for them, *cf* Macfarlane 1978) put up an unsurprising resistance to the abbey's policies: in the process they display a capacity for truculent self-assertion which at one end of a spectrum seems to foreshadow a healthy political independence but at the other shades into criminality. In the currently most widely read book on medieval society, Ladurie asks whether the people of Montaillou and Sabarthès were especially delinquent (Ladurie 1978, 329). Hanawalt's recent study of crime in early fourteenth century England makes it clear that they were not (Hanawalt 1979). We could put it even

more simply by saying that Chaucer's reeve and Chaucer's miller were alive and well in fourteenth century Titchfield. That unruly independent behaviour amongst the lower orders was not a characteristic only of the fourteenth century is made clear by studies such as MacFarlane's of seventeenth century Cumbria (MacFarlane 1980). But in a review of MacFarlane's book, R C Richardson has rightly drawn our attention to an aspect of such events which is as true of medieval as it is of early modern society: that beneath all the swaggering, bullying and cheating there is on both sides a profound respect for the processes of law and custom (Richardson 1981).

It does not seem to the present writer that any of this implies a state of political consciousness amongst the peasantry. It does of course help to explain what happened in 1381. Medieval local communities, most of them by now made up, as was Titchfield, of a volatile mixture of substantial farmers, enterprising smallholders, craftsmen and thriving merchants, were quite capable, as we have seen, of organizing effective resistance to what they saw as unjust policies or impositions either by their own landlords, by neighbouring landlords, by the agents of bishops or kings, or indeed by any powerful 'off-comer' who threatened their interests. It was customary to carry a weapon of some kind and to be prepared to use it: the cases of the three Titchfield men who whipped the rent-collector in 1352 and the Hook tenants who appeared with bows and arrows in 1400 can be paralleled by very many similar instances from court records throughout the country. The financial exactions, political errors and emotionally-charged atmosphere of the years 1377 to 1381 in a number of counties precipitated the endemic truculence, violence and criminality of the time into a dramatic revolt. A handful of contemporary ideologues such as Tyler and Ball attached slogans to that revolt which are revealing less of the state of mind of the populace than of the thinking of a tiny minority of intelligentsia (*cf* Faith 1981). In any event, the shift of economic power which had resulted from population losses in the plague had already by 1381 begun to make the particular kinds of landlord-tenant confron-

tation of the thirteenth and early fourteenth centuries largely irrelevant. The Hook affair, just like Cade's rebellion, shows us that confrontation could still take place, though now on rather different ground. But the Titchfield evidence suggests that for more than a century after 1400 the tenants on these estates were to enjoy a great deal of freedom to develop farming practices and their small-scale industrial and commercial ventures in very much the way they wished. It was not until the 1540's that the

underlying economic factors once again began to shift the relationship between lord and tenant. By that time of course the new-broom policies of Titchfield Abbey and the resistance they had provoked had left no more than a distant memory – and page upon page of increasingly unreadable registers. In any case, new and very different landlords – the Wriothesley Earls of Southampton – had meantime arrived at the Abbey: but that, of course, is another story (Watts 1982).

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Abbreviations (see also p4)

BRO Berkshire Record Office, Reading.

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The four registers used are BL MS Loan 29/55; the volume called the *Rememoratorium de Tychefelde*, which contains the extent of the abbey's manors in 1381 and much miscellaneous material; BL MS Loan 29/56, which consists of the abbey's library catalogue and more miscellaneous materials up to 1405; BL MS Loan 29/58, which consists of a rental of the manors in 1379 and a little miscellaneous material; and BL MS Loan 29/59, the Court Book, a massive volume made up of an edited transcript of the manorial court rolls from 1245 to 1379. I have not attempted in this article to give folio references for incidents mentioned in the Court Book: an analysis of the pagination and chronology of that volume can be found in my BLitt thesis 'The Estates of Titchfield Abbey, 1245–1381' (Oxford 1958, unpbl).

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