A SMALL TOWN AND ITS HINTERLAND: HALESOWEN IN THE EARLY MODERN PERIOD

by

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ABSTRACT

This thesis examines the socio-economy of the parish of Halesowen in the early modern period. Halesowen was a large parish consisting of several townships, a small borough, and three manors. The first aim is to establish whether its location on the borders of geographic, geological and administrative areas were factors in its lack of development into a major industrial town, compared with others within the west midlands area at this time. Its second aim is to identify the role of the middling sort in the economy and administration of the various communities within the parish. As such, it is a contribution to debates on industry in the countryside and on urban studies, particularly small towns.

Halesowen's manorial and borough records of the medieval period have been a major resource for study. Early modern Halesowen has received some attention from historians, though this has generally consisted of references to its industry or its sixteenth century, published, churchwardens' accounts. This micro-history is largely based on unpublished primary sources, mainly manorial and probate records, from national and local archives. They were used to create databases to enable analyses combining agriculture, industry and governance of small towns. The analyses identified the importance of agriculture and the textile industries, as well as the iron industry, in the local economy, which can be associated with its geographical location. The strength of the manorial courts and the lack of attempts by the lords of the manor to renew the borough's charter or obtain parliamentary representation, enabled the middling sort to continue having major control of agriculture, governance and disorder.

This study provides a picture of a socio-economy that is distinctive rather than typical of the industrial west midlands.

Dedicated to the memory of Dave Williamson.

ACKNOWLEDGEMENTS

My sincere grateful thanks go to my supervisor, Prof Richard Cust, for his endless patience, encouragement and advice, throughout the whole period of my research and writing.

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I should to express my gratitude to the staff of the following repositories: the Main Library and the Cadbury Research Library at the University of Birmingham; the Archives, Heritage and Photography Service at the Library of Birmingham; the British Library; Dudley Archives and Local History Service; University of Nottingham Libraries, Manuscripts and Special Collections; the Bodleian Library at the University of Oxford; Sandwell Community History & Archives Service; The Shakespeare Birthplace Trust; Shropshire Archives; The National Archives; Warwickshire County Records Office; and Worcestershire Archives and Archaeology Service. Their patience and support was endless, particularly with assisting with the difficulties relating to Halesowen's frequent falling between multiple administrations.

Thanks also go to the members of the postgraduate students support group, mostly former students on the MA in West Midlands Studies at Birmingham University, for their support.

Finally, my thanks go to my family for their interest and encouragement, particularly my sister-in-law Linda for setting me on the path to higher education.

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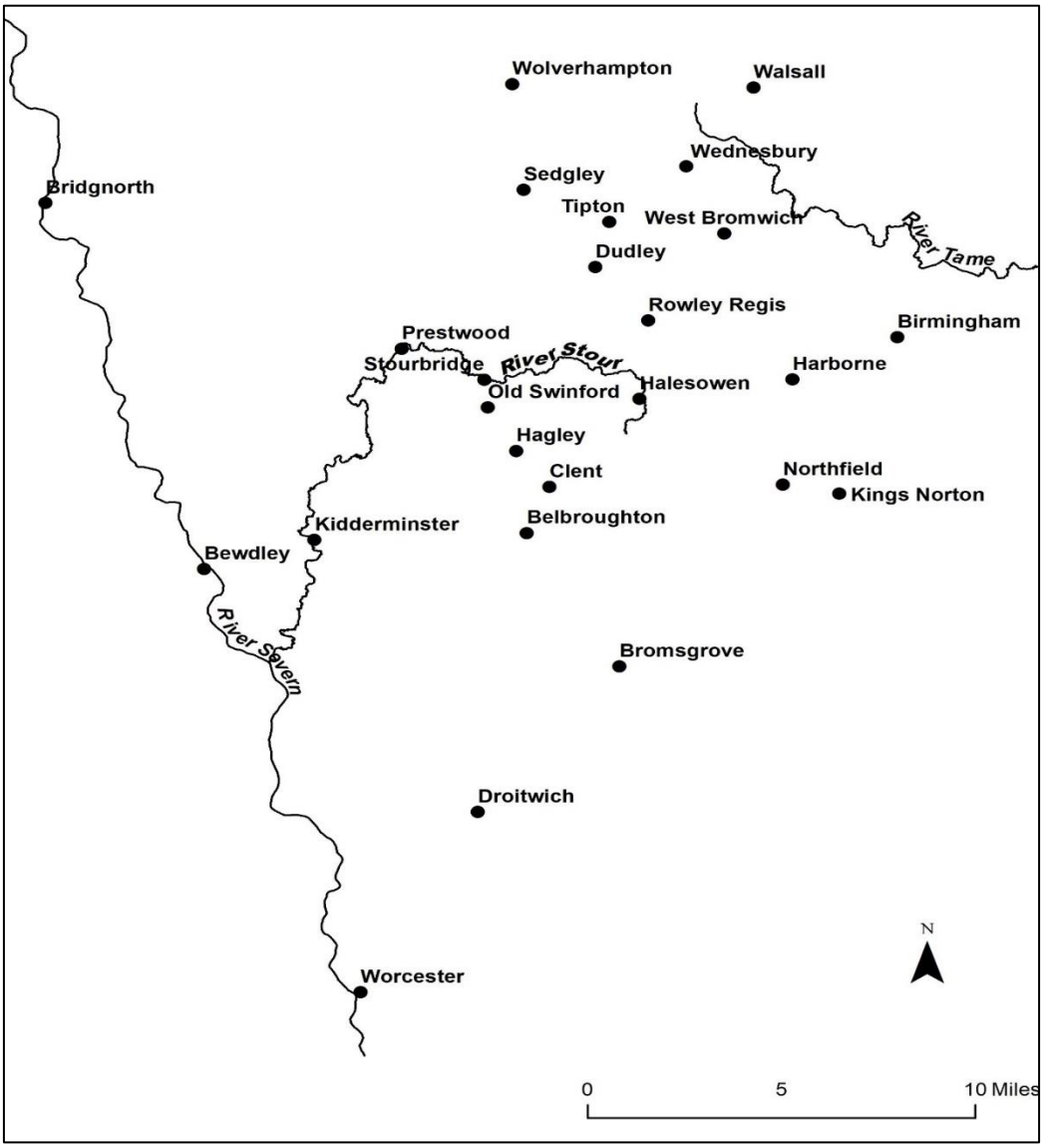
LIST OF ABBREVIATIONS

AHEW	*The Agrarian History of England and Wales* volume IV 1500-1640 (Cambridge, 1967)
AHPLOB	Archives, Heritage and Photography Service at the Library of Birmingham
CMCR	Cradley Manor Court Rolls
DALHS	Dudley Archives and Local History Service
HBCR	Halesowen Borough Court Rolls
HCA	Halesowen churchwarden's accounts
HMCR	Halesowen Manor Court Rolls
MSCUNL	Manuscripts and Special Collections, University of Nottingham Libraries
SA	Shropshire Archives
SBT	Shakespeare Birthplace Trust, Stratford-upon-Avon
TNA	The National Archives
VCH	Victoria County History
WAAS	Worcestershire Archive and Archaeology Service

CHAPTER 1: INTRODUCTION

Map 1 The west midlands area [1]



[1] Adapted by J C Sullivan from P F W Large, 'Economic and Social Change in North Worcestershire in the Seventeenth Century' (Unpublished D Phil thesis, University of Oxford, 1980), 25 and D Dilworth, *The Tame Mills of Staffordshire* (Chichester, 1976), ii

OUTLINE OF THE THESIS

This thesis investigates two research questions. The first is to investigate how far the situation of Halesowen on the fringes of geographic and administrative regions contributed to its failure to develop into either a major industrial or market town. The second is to examine the function of the local elite in this process, through an analysis of their economic and administrative roles. The thesis will gather evidence, mainly from manorial and probate records, so as to link the economic and social aspects of agriculture, industry, demographic change and office-holding. This evidence will be compared with earlier research on the industrial areas of the west midlands and the agricultural areas of Worcestershire, Staffordshire and Warwickshire. Unfortunately, lack of space prevents the consideration of the impact of religion on the inhabitants, so this is a subject for further research.[2]

This will be a contribution to the historiography of industry in the countryside and of the west midlands, but also to urban studies, and in particular, what Dyer described as small towns of hybrid status between incorporated and unincorporated, and Goddard as small boroughs in their related hinterland.[3] A town is defined as a marketing centre which provided social and economic functions to its neighbouring villages, and where most inhabitants followed non-agricultural occupations. Small towns have been classified as having less than 800 inhabitants in 1700, when it has been estimated that more than half the population of

[2] The author's MA dissertation 'The impact of the reformation on the economic and religious life of a large rural parish: Halesowen in the sixteenth century' (University of Birmingham, 2015) covered part of this subject.
[3] A D Dyer, 'Small Market Towns 1540-1700' in P Clark (ed), *The Cambridge Urban History of Britain vol 2 1540-1840* (Cambridge, 2000), 444; R Goddard, 'Small Boroughs and the Manorial Economy Enterprise Zones or Urban Failures?' *Past and Present* no 210 (2011), 3-31, particularly 4-5, 16-24

England lived in small towns. Many inhabitants in small towns had links with agriculture, either in their burgage plots or in holdings in the neighbouring fields.[4]

The parish of Halesowen comprised a borough with a hinterland of sixteen settlements each with a varying mixture of agriculture and industry.[5] Its diversity enables the analysis of a complex, inter-related community. This study will examine the whole parish, covering the borough and Halesowen and Cradley manors, with some reference to Frankley manor. This will provide a micro-history of a small borough with associated townships in a large, disparate parish. Micro-history is defined as the "close study of individuals, localities and events in their precise historical context" in order "to combine perspectives, to study society without ignoring institutions, to combine history from below with institutions".[6] Research into primary documents is used to fill a gap or to add more detail to historical knowledge. This period of national political, economic, religious, and social change had cumulative consequences that affected all communities, for which regional studies have been a fruitful resource.

Halesowen is located on the borders of the South Staffordshire coalfield, the Birmingham plateau and the north Worcestershire agricultural zone. Halesowen manor was an island of Shropshire within Worcestershire, to which the other manors within the parish belonged; the parish was on the northern edge of the diocese of Worcester. As such it was open to conditions and influences from many directions, and was a community that did not conform to a specific, discrete pattern.

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[4] A D Dyer, 'Small Market Towns', 426-7; R Goddard, 'Small Boroughs', 6-8
[5] J Thirsk, 'Industries in the countryside' in J Thirsk (ed), *The Rural Economy of* England (London, 1984), 217-33; A Everitt, 'By-employment' in J Thirsk (ed), *AHEW* (Cambridge, 1967), 425-9
[6] F de Vivo, 'Prospect or Refuge? Microhistory, History on the Large Scale' *Cultural and Social History* vol 7 no 3 (2010), 387, 394

Halesowen had been an important medieval settlement but did not grow into a major market or industrial town such as Birmingham, Walsall, Wolverhampton, Kidderminster or Bromsgrove, or a social hub such as Birmingham or Stourbridge.[7] The borough of Halesowen falls into the group of towns with hybrid status between incorporated and unincorporated to which little academic attention has been paid. Goddard argued that seigneurial boroughs should be studied as 'commercial or industrial sectors within a managed agrarian economy', which will be a policy of this thesis.[8] Though it received its charter in the thirteenth century, there was no renewal in the early modern period, and no attempt to gain borough seats in the House of Commons. The involvement of the lords of the manor inhibited independent corporate control by the borough, so it continued as a seigneurial borough with links to its original manor.

Chapter 2 contains a brief manorial and parochial history and describes the administrative systems in the manors and borough. This is followed by an analysis of trades in the borough and manors.

Chapter 3, on population and social structure, examines the rate of population change in Halesowen to discover how it compares with similar communities in the sixteenth and seventeenth centuries. The doubling of the population of England was punctuated by checks in the 1550s and rapid population increase in the 1570s to 1590s.[9] The increase was far greater in the industrializing areas such as Birmingham and in pastoral areas with waste that could be occupied by incoming craftsmen and labourers.[10]

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[7] P Large, 'Urban growth and agricultural change in the west midlands during the seventeenth and eighteenth centuries' in P Clark, (ed), T*he Transformation of English Provincial Towns 1600-1800* (London 1985), 171-2
[8] A D Dyer, 'Small Market Towns', 444-5, 447-8; R Goddard, 'Small Boroughs', 3-31, especially 5
[9] C G A Clay, *Economic Expansion and Social Change: England 1500-1700* vol 1 (Cambridge, 1984), 16-8
[10] M A Faraday, *Worcestershire Taxes in the 1520s: The Military Survey and Forced Loans of 1522-3 and the Lay Subsidy of 1524-7* (Worcestershire Historical Society New Series vol 19) (Worcester, 2003); M A Faraday, The Lay Subsidy for Shropshire 1524-7 (Keele, 1999); A D Dyer and D M Palliser (eds), *The Diocesan Population*

Chapter 4 investigates the agriculture prevalent in Halesowen in the early modern period. It had a woodland-pasture pattern of scattered settlements and ancient enclosures, but also had thriving common field systems, so did not follow the norm. The types of livestock and crops are analysed and changes in the pattern of agriculture identified.

The west midlands iron industry has been considered a classic example of industry in the countryside, so Chapter 5 will examine the nature and extent of metalworking. The study will be extended to include the textile and leather industries. They will be considered in the light of by-employment and its relations with agriculture. Evidence for the roles of the elite, the middling sort and the poor in the different industries will be considered. It will therefore provide a more rounded account of the economic and social life of a community on the borders of very different geographic zones, and so add an extra dimension to the understanding of the wider area.

Chapter 6, on governance, status and the control of disorder, examines the role of local elites through their officeholding in the manors, borough, church and civic parish. It will then analyse the main concerns for the control of disorder. The motivation for these concerns will be discussed, with regard to the varying models described by Wrightson and Spufford, namely the influence of a puritan elite imposing godly behaviour, or the economic fears of increasing population and poverty, so adding another contribution to the debate on the reasons for social control.

Returns for 1563 and 1603 (British Academy Records of Social and Economic History New Series 31) (Oxford, 2005); TNA E 179/201/312 Hearth tax for Worcestershire 1664M-1665L; TNA E 179/255/23 Hearth tax for Shropshire 1662; R Cust and A Hughes, 'The Tudor and Stuart Town' in C Chinn and M Dick (eds), *Birmingham: The Workshop of the World* (Liverpool, 2016), 103-5; M Rowlands, 'Continuity and change in an industrialising society: The case of the West Midlands industries' in Hudson, P (ed), *Regions and Industries: A Perspective on the Industrial Revolution in Britain* (Cambridge, 1989), 103-131

THE HISTORIOGRAPHY

This section discusses the historiography of the main themes of the thesis, and of the local area. Individual chapters contain a section on the historiography relevant to it.

The ability of peasant labourers with a small amount of land, particularly in the woodland-pastoral areas of England, to increase their family income through by-employment was formulated by Thirsk and expanded by Everitt. Thirsk's essay on industry in the countryside concentrated on the linking of pastoral farming with rural handicrafts, including the metal and extractive industries of Staffordshire. She considered that by-employment was a pre-condition for eighteenth century industrialisation. She identified common factors such as a community of small farmers with freehold or customary tenancies in a pastoral economy which left time for extra employment. This occurred most frequently in upland areas with easy access to natural resources, fast-moving streams to provide power, weak manorial control and large areas for grazing. Landholdings were generally small, so by-employment provided extra income for families at quiet times of the agricultural year, and was both a stimulus for and a result of population growth, provided by increased birth rate and immigration. Agriculture could be combined with mining, metalworking and textile processing; some activities such as care of livestock, cheesemaking and spinning were carried out by women and children.[11] Everitt analysed probate inventories to show the importance of by-employment for the income of farm labourers. He found that two-thirds of labourers who left one were involved in by-employment.[12] This has been supported by further research.[13]

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[11] J Thirsk, 'Industries in the countryside'; J Thirsk, 'Horn and Thorn in Staffordshire: the Economy of a Pastoral County' (1969), reprinted in J Thirsk (ed), *The Rural Economy*, 163-182

[12] A Everitt, 'By-employment' in J Thirsk (ed) *AHEW* (Cambridge, 1967), 425-9

[13] Such as M Overton, J Whittle, D Dean and A Hahn, *Production and consumption in English households, 1600–1750* (2004); M Rowlands, 'Society and Industry in the West Midlands at the End of the Seventeenth Century'

However, Kiebek and Shaw-Taylor argued that inventories gave a false impression of the extent of by-employment, as so few relate to labourers. They also stressed that such work was often done by the whole household rather than male head.[14] Although this thesis relies extensively on inventories, it also refers to other sources that support their argument.

The concept of proto-industrialisation was developed as an explanation for the increase of rural, family-based industry, combined with agriculture, which targeted external markets, in contrast with handcraft manufactures which concentrated on local markets. It was the first stage towards the establishment of a factory-based, capitalist economy, with the Industrial Revolution being the second stage.[15] This resulted in economic and demographic change. Rural industry gave workers a more regular income which enabled earlier marriage and increased fertility, whereas agricultural fluctuations inhibited population growth because marriage was dependent on landholding. Population increases provided wage-dependent workers who became a rural proletariat, working for entrepreneurs who financed goods production on a putting-out basis and sold the finished items to merchants, so accumulating capital. The process increased independence from both manorial landholding structures and guild control of urban industry.

Midland History vol 4 part 1 (1977), 48-60; P Frost, 'Yeomen and Metalsmiths: Livestock in the Dual Economy in South Staffordshire 1560-1720' *The Agricultural History Review* vol 29 no 1 (1981), 29-41

[14] S A J Keibek and L Shaw-Taylor, 'Early modern rural by-employments: a re-examination of the probate inventory evidence' *Agricultural History Review* vol 61 no 2 (2013), 244-81

[15] F Mendels, 'Proto-industrialization: The First Phase of the Industrialization Process' *The Journal of Economic History* vol 32 no 1 (1972), 241-261, particularly 242-3, 252. Proto-industrialisation is described as 'the simultaneous occurrence of three ingredients within the framework of a region: rural industries, external destinations, and symbiosis of rural industry within the regional development of a commercial agriculture' [F Mendels, 'Proto-industrialization: Theory and Reality. General Report: 'A' Themes'. Eighth International Economic History Congress (Budapest, 1982), 79, quoted in D C Coleman, 'Proto-Industrialization: A Concept Too Many' *The Economic History Review* New Series vol 36 no 3 (1983), 437

Simultaneously, commercial agriculture developed to feed industrial workers. This stage was essential for the development of factory-based industry.[16]

However, other studies have found that there was no specific relationship between agriculture and proto-industry; many proto-industrial regions subsequently de-industrialised; population increase could prevent as well as stimulate proto-industry, as productivity could be reduced. Not all proto-industrial areas experienced population growth, which also occurred in some agricultural regions. Larger families reduced demand because a greater proportion of income was spent on food, so there was less capital to invest in machinery. Cheap labour could be a disincentive to invest in labour-saving machinery. Entrepreneurs invested profits in land, status or political power. Proto-industry alone could not create industrialisation, and industrialisation could occur without proto-industry.[17] In the west midlands, Frost found that metalworking areas on exposed areas of the Staffordshire coalfield were proto-industrial, while Sullivan pointed out that many involved in early modern industry were yeomen farmers.[18]

King believed that proto-industry and industrialisation could co-exist, mainly if proto-industry is defined as involving little investment in machinery. As such it was carried out by metal-processors, spinners and weavers working in the home. He argued that iron production involved industrialisation rather than proto-industrialisation, as some work had to be carried

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[16] S Ogilvie, 'The proto-industrialization debate' in S Ogilvie, *State Corporatism and Proto-Industry: The Württemberg Black Forest, 1580–1797* (Cambridge 1997), 17-8

[17] S C Ogilvie, 'Proto-industrialization in Europe', *Continuity and Change* vol 8 no 2 (1993), 159-179; S Ogilvie, *State Corporatism,* 20-33

[18] P M Frost, 'The Growth and Localisation of Rural Industry in south Staffordshire 1560-1720', (Unpublished PhD thesis, University of Birmingham, 1973), vol 2, 340; J C Sullivan, 'Paying the Price for Industrialisation: The Experience of a Black Country Town, Oldbury, in the Eighteenth and Nineteenth Centuries' (Unpublished PhD thesis, University of Birmingham, 2014), 42

out in water or steam powered blast furnaces or mills, rather than in the home. Investment in furnaces and mills required as much full-time working as technically possible.[19]

This debate will provide a context for the examination of the socio-economic links between industry and agriculture in Halesowen, a distinctive society that was on the borders of two differing environments.

A classic study by Wrightson aimed to explain the character of early modern English society and its changes. He found that there were two strands: the development of a cohesive, national society and economy, and an intricate variety of communities. Wrightson further argued that there were fluctuations in relationships between the forces of social identification (such as neighbours or co-religionists) and social differentiation (such as rich and poor), and that order became a varying correlation between good neighbourliness and external legislation.[20]

Wrightson and Levine's study of Terling provided an example of widening polarization of society, where the effects of population increase were exacerbated by poor harvests, shortage of land and inflation. The middling sort, who formed the village elite, were puritans who were inspired by a desire to achieve a godly society and a 'reformation of manners'. This was particularly revealed in attitudes towards the poor and immigrants into the community, such as prosecutions for bastardy, unruly or illicit alehouses and Sabbath-breaking.[21]

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[19] P W King, 'The iron trade in England and Wales 1500-1815: the charcoal iron industry and its transition to coke' (Unpublished PhD thesis, University of Wolverhampton, 2003), vol 1, 37

[20] K Wrightson, *English Society 1580-1680* 2nd ed (Abingdon, 2003), particularly 21; K Wrightson, 'The Social Order of early modern England: Three Approaches' in L Bonfield, R M Smith and K Wrightson, *The World We Have Gained: Histories of Population and Social Structure. Essays presented to Peter Laslett on his Seventieth Birthday* (Oxford: 1986), 177-202; K Wrightson, 'Two concepts of order: justices, constables and jurymen in seventeenth-century England' in J Brewer and J Styles (eds) *An Ungovernable People: The English and their law in the seventeenth and eighteenth centuries* (London, 1980) 21-46;)

[21] K Wrightson and D Levine, *Poverty and Piety in an English Village: Terling 1525-1700* (Oxford, 1995)

In contrast, Spufford's study of three Cambridge villages showed that, though there were similar problems and solutions facing the communities, the motivation was socio-economic rather than religious. The forced surrender of land that had supported a family led to the break-up of traditional values. Spufford also argued that the demographic and economic pressures of the thirteenth and fourteenth centuries were comparable to the period under study, with similar punishment by wealthy village officeholders of those who could not afford to marry early so were more at risk of premarital pregnancy.[22] Spufford used Halesowen as an example of a fourteenth century community dominated by a small group of families similar to those early modern communities described by Wrightson and others, maintaining that 'this variable did not change over time'.[23]

Wrightson and Levine argued that the increase in governance was achieved by delegating responsibilities to local officeholders, who adapted their values to those of the gentry. They formed an elite 'middling sort' which became a self-perpetuating oligarchy apart from other inhabitants. Goldie agreed that local officeholders, as lesser agents of central government, were involved with county elites such as justices of the peace. Fletcher argued that gentry also influenced the demands of government, by varying their implementation to suit the local situation.[24] This resulted in a working compromise between centre and communities, as the gentry relied on the cooperation of local officers, who in turn had to live with their neighbours. Counties dominated in regulating activities through the Quarter Sessions, so

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[22] M Spufford, *Contrasting Communities: English Villagers in the Sixteenth and Seventeenth Centuries* (Cambridge, 1974); M Spufford, 'Puritanism and Social Control?' in A Fletcher and J Stevenson, (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), 41-57

[23] M Spufford 'Puritanism and Social Control?', 47-50

[24] K Wrightson and D Levine, *Poverty and Piety*; M Goldie, 'The Unacknowledged Republic: Officeholding in Early Modern England' in T Harris (ed), *The Politics of the Excluded, c 1500-1850* (Basingstoke, 2001), 155; A Fletcher, *Reform in the Provinces: the Government of Stuart Engla*nd (London, 1988)

increasing the vertical links between societies.[25] Kent suggested that economic criteria were inadequate to identify the middling sort: values and activities such as local office-holding, were more appropriate. There were ranges rather than fixed descriptions, so officeholders often formed an elite within their social group.[26]

The relevance of manorial courts in the Tudor and Stuart periods has been much debated. Wrightson believed that magistrates were 'the ubiquitous local agents of the central government', whilst manorial courts, if still active, were used to control immigration.[27] Sharpe argued that by the late sixteenth century the business of manorial courts was reduced to controlling misdemeanours as more cases were heard in the ecclesiastical courts.[28] King stressed their value for researching 'the daily activities of little people'.[29] On the other hand, Harrison, in his study of Staffordshire, argued that many manorial courts were active in dealing with crime and as foci for social and political influence.[30] McIntosh judged that many manorial courts were still very active in this period, and that local leadership was a greater influence than central authority. She analysed the cases brought before the local courts to establish the causes for concern within communities, grouped into three clusters, disharmony, disorder and poverty. She found that disharmony and disorder cases peaked in the early sixteenth century, but the poverty cluster increased in size towards the end of the century.[31] In contrast, Harrison argued

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[25] K Wrightson, *English Society*, 220; K Wrightson and D Levine, *Poverty and Piety*, 207
[26] J R Kent, 'The Rural 'Middling Sort' in Early Modern England circa 1640–1740: Some Economic, Political and Socio-Cultural Characteristics', *Rural History* vol 10 no 1 (1999), 19-54; H French, 'Social status, localism and the "middle sort of people" in England 1620-1750' *Past and Present* (2000) vol 166, 66-99
[27] K Wrightson, *English Society*, especially 160,174
[28] J A Sharpe, 'The History of Crime in Late Medieval and Early Modern England: A Review of the Field' *Social History* vol 7, no 2 (1982), 191-3
[29] W J King, 'Untapped Resources for Social Historians: Court Leet Records' *Journal of Social History* vol 15 no 4 (1982), 704
[30] C Harrison, 'Manor courts and the governance of Tudor England' in C Brookes & M Lobban (eds), *Communities and Courts in Britain 1150-1900* (London, 1997), 43-59
[31] M K McIntosh, *Controlling Misbehaviour in England, 1370-1600* (Cambridge 1998)

it is impossible to carry out a complete statistical analysis of the importance of manorial courts in the criminal justice system, due to the partial and random survival of legal records. Instead, he advocated more local studies to get a 'feel' about their role.[32]

Hindle's work on the governance of rural parishes analysed the social status and attitudes of office-holders, as well as social relations within parishes. He argued that the state was dependent on the local provision of peace, justice and welfare, involving the middling sort in the governance of their communities and the use of law: these factors made their relationship with their fellows more complex.[33]

Recent regional studies of the west midlands include Rowland's survey which covers population, agriculture, industry, politics and religion, and has an extensive bibliography.[34] Hooke's work on the region concentrates on the landscape and its effects on settlement patterns, buildings and industry.[35] Essays on the Birmingham area, published for the 1950 meeting of the British Association for the Advancement of Science, provide geographic and historical surveys, with chapters on geology and settlement and industry before 1700.[36] The economy and administrative structure of north Worcestershire in the seventeenth century has been researched by P F W Large, showing the role of the manor and customary property rights in supporting the change from pastoral to mixed farming and limiting the growth of industry,

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[32] C Harrison, 'Manor courts and the governance of Tudor England', 43-59, especially pp 58-9

[33] S Hindle, *The State and Social Change in Early Modern England, c1550-1640* (Basingstoke, 2000); S Hindle, 'The Political Culture of the Middling Sort in English Rural Communities, c 1550-1700' in T Harris (ed), *The Politics of the Excluded, c1500-1850* (Basingstoke, 2001), 25-152; S Hindle, 'Exclusion Crises: Poverty, Migration and Parochial Responsibility in English Rural Communities c1560-1660' *Rural History* vol 7 no 2 (1996), 125-149

[34] M Rowlands, *The West Midlands from AD1000* (Harlow, 1987)

[35] D Hooke, *England's Landscape The West Midlands* (London, 2006)

[36] L J Will, 'Geology' and R A Pelham, 'The Growth of Settlement and Industry c. 1100-c.1700' in M J Wise (ed), *Birmingham and its Regional Setting* (Wakefield, 1970), 15-36 and 135-58

which kept Kidderminster's wool trade small-scale, whereas the organisation of the Droitwich salt trade was subject to outside influences on the corporation.[37]

Studies of local cities and large towns include such as Worcester and Shrewsbury, and of smaller towns such as Stratford-upon-Avon.[38] A recent study of Birmingham gives a collection of essays on the history of the town from a bottom-up, perspective, in contrast with earlier studies which concentrated on the industrial or political history.[39] Individual villages have also featured, such as Highley in Worcestershire and Myddle in Shropshire, as well as distinct areas such as Arden in Warwickshire.[40]

A classic work on early modern towns by Clark and Slack provides studies of new industrial towns and London as well as county and country towns.[41] Clark's other research into towns of this period cumulated in his editorship of the second volume of *The Cambridge Urban History of Britain*, covering 1540 to 1840.[42] This includes Alan Dyer's chapters on the midlands and small market towns, in which he commented on the little research on those described as being of a hybrid status between incorporated and unincorporated.[43] A study of Loughborough,

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[37] P F W Large 'Economic & Social Change'; P Large, 'Urban growth and agricultural change', 169-89

[38] Such as A D Dyer, *The City of Worcester in the Sixteenth century* (Leicester, 1973); B Coulton, 'The Establishment of Protestantism in a Provincial Town: A Study of Shrewsbury in the Sixteenth Century' *The Sixteenth Century Journal* vol 27 no 2 (1996), 307-335; A Hughes, 'Religion and Society in Stratford upon Avon, 1619-38' *Midland History* vol 19 (1994), 58-84

[39] C Chinn and M Dick (eds), *Birmingham The Workshop of the World* (Leicester, 2016)

[40] G Nair, *Highley The Development of a Community 1550-1880* (Oxford, 1998); D G Hey, *An English Rural Community Myddle under the Tudors and Stuarts* (Leicester, 1994); V Skipp, *Crisis and Development: An Ecological Case Study of the Forest of Arden 1570-1674* (Cambridge, 1978)

[41] P Clark and P Slack, *English Towns in Transition* (Oxford, 1976)

[42] P Clark (ed) *The Cambridge Urban History of Britain 1540-1840* (Cambridge, 2000)

[43] A D Dyer, 'Small Market Towns 1540-1700' in P Clark (ed), *The Cambridge Urban History of Britain vol 2*, 425-50, especially 444; A D Dyer, 'Midlands' in P Clark (ed), *The Cambridge Urban History of Britain vol 2*, 93-110

an unincorporated town, stresses the links between the town and the wider parish to which it belonged, so forming a comparison with Halesowen.[44]

There have been a few histories of Halesowen, often quoting the published manorial court rolls and the churchwardens' accounts.[45] The eighteenth century antiquarian Nash included Halesowen in his history of Worcestershire; this was followed in 1831 by a history of the town. Both of these have formed a basis for subsequent works.[46] Another history of the town published in 1932 concentrated on the administrative and religious institutions.[47] A recent history by Hunt includes chapters on ironworkers and shopkeepers, but the majority of the book covers the late seventeenth century onwards.[48]

Halesowen manor and borough have been intensively studied in the medieval period thanks to its long runs of manorial court rolls. These include works by Hilton and Razi.[49] Razi's work in particular, on demography, has given rise to further research and debate.[50] The court rolls of Romsley township have recently been published, but for the period under study they

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[44] D Postles, 'The Politics of Diversity in an Early Modern Small Town', *Canadian Journal of History/Annales Canadienne d'Histoire* vol XLV (2010), 1-20

[45] J Amphlett and S G Hamilton (eds), *Court Rolls of the Manor of Hales 1270* – 1307 parts 1 and 2 (Worcestershire Historical Society, First Series 30 and 31) (1910 and 1912); R A Wilson (ed), *Court Rolls of the Manor of Hales part 3 containing additional courts of the years 1276-1301* (Worcestershire Historical Society, First Series 32) (1933); M Tomkins (ed), *Court Rolls of Romsley 1279-1643* (Worcestershire Historical Society, New Series 27) (2017); F Somers (ed), *Halesowen Churchwardens' Accounts (1487-1582)*, (3 vols), (Worcestershire Historical Society, 1952, 1953, 1955)

[46] T R Nash, *Collections for the History of Worcestershire* (2nd ed, 2 vols, 1799); W Harris, *History and Antiquities of the Borough and Parish of Halesowen* (1831)

[47] F and K M Somers, *Halas, Hales, Hales Owen* (Halesowen, 1932)

[48] J Hunt, *Halesowen: A History* (Chichester, 2004)

[49] For example, R H Hilton, 'Small Town Society in England before the Black Death' in R H Hilton, *Class Conflict and the Crisis of Feudalism* 2nd ed (London, 1990), 19-40 deals with the borough court rolls, and Z Razi, *Life, Marriage and Death in a Medieval Parish: Economy, Society and Demography in Halesowen 1270-1400* (Cambridge, 1980); Z Razi, 'The Myth of the Immutable English Family' *Past and Present* no 140 (1993), 3-44, which are both based on the manor court rolls.

[50] For example, L R Poos, Z Razi and R M Smith, 'The Population History of Medieval English Villages: A Debate on the Use of Manor Court Records' in Z Razi and R Smith, *Medieval Society and the Manor Court* (Oxford, 1996), 298-368; M Kelly and C O'Grada, 'The Preventive Check in Medieval and Preindustrial England' *The Journal of Economic History*, vol 72, no 4 (2012), 1015-1035

record only the courts baron, most of the entries referring to land transfers.[51] Research of the later period includes Sullivan's study of the industrialisation in the eighteenth and nineteenth centuries of Oldbury, formerly a township within the manor of Halesowen, which includes a section on its earlier history. She argues that reasons for its late industrialisation include the problem of accessing the deeper coal in the south of the coalfield and the lack of interest of the lords of the manor.[52] Flint's study of industrial inertia in Halesowen also refers to the eighteenth and nineteenth centuries, but notes that in the sixteenth century Halesowen's poor transport connections and poor quality iron were disincentives for investment.[53]

The estates of the Lyttelton lords of the manor, including Halesowen, in the early modern period have also been studied.[54] Studies of the late medieval and early modern church have included references to the published churchwardens' accounts, which have provided an example of a parish where pre-reformation practices continued for a considerable period in the Elizabethan era.[55]

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[51] M Tompkins (ed), *Court Rolls of Romsley*. There is a gap between 1535 and 1556, which has one court baron, and another gap until 1569, after which only the records of the courts baron are transcribed. There are other gaps of one or two years, and another between 1592 and 1609. Romsley township was included in the Hales manor court rolls from at least 1556.

[52] J C Sullivan, 'Paying the price for industrialisation'

[53] D C Flint, 'Industrial Inertia in Halesowen', 8. Industrial inertia is defined as the continuation of an industry in a location even though the reasons for its existence, such as raw materials, no longer apply [Capstone and Capstone staff, *The Capstone Encyclopaedia of Business : The Most up-To-Date and Accessible Guide to Business Ever*, (2003), 236-7 https://ebookcentral.proquest.com/lib/bham/reader.action?docID=822173&ppg=236 [Accessed 27 August 2021]

[54] J M J Tonks, 'The Lytteltons of Frankley and their estates 1540-1640' (B Litt thesis, University of Oxford, 1978)

[55] F Somers, (ed), *Halesowen Churchwardens' Accounts (1487-1582*). An example of the work using this source is R Hutton, *The Rise and Fall of Merry England: The Ritual Year 1400–1700* (Oxford, 1994). The parish retained images until 1547, and ownership of Catholic vestments and vessels and the ringing of the bells for All Hallows continued until 1577-8 [Somers, HCA, 93, 12, 129]

PRIMARY SOURCES

The sources utilised in this study have both strengths and weaknesses. Those most used are manorial court records, churchwardens' accounts, parish registers, probate records and tax records. Unfortunately, of the first three, there is a gap for the period c1590 to c1610.

Manorial court rolls recorded the lord's financial interests in his land and tenants. Courts baron registered transactions about customary land and the feudal services connected with the holdings, and also dealt with the administration of the common fields and disputes between tenants. They were a record of estate management: land transactions, inheritance, control of the open fields, and matters relating to common pasture and waste, gaps, fences, boundaries, ditches and roads. Great courts, with views of frankpledge, were held by lords who had been delegated the powers of the hundred courts to administer minor criminal cases, such as disturbance of the peace, infringement of by-laws and the assize of bread, ale and victuals. They recorded the election of manorial officials such as constables, aletasters and tithingmen.[56]

The rolls provide information about customary government of local communities, their economic activity and social conditions in the manors, and about individuals, their land holding, status, occupation and behaviour. They are a source for studies of landholding, including the transfer from copyhold to leasehold tenure; crime and the administration of justice; demography; community reconstitution; agriculture, and the administration of communities, including dealing with the poor and the existence of social oligarchies.[57]

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[56] E A J Winchester & E A Straughton, 'Sources in local history: finding and using manorial records', *The Local Historian* vol 37 no 2 (2007), 123-4; M Ellis, 'The Manor Court and its Records' in M Ellis, *Using Manorial Records* (Public Record Office Reader's Guides no 6) (London, 1997), 47-51

[57] W J King, 'Untapped Resources for Social Historians: Court Leet Records' *Journal of Social History* vol 15 no 4 (1982), 699-705; M Ellis, *Using Manorial Records*; E A J Winchester and E A Straughton, 'Sources in local history: finding and using manorial records', 120-6. Examples are: M K McIntosh, 'Social Change and Tudor Manorial Court Leets' in J A Guy and H E Beale (eds), *Law and Social Change in British History: Papers*

There are limitations of court rolls as a source. Statistical analysis can be difficult, even within one manor, so hindering investigation. Survival rate can be patchy, with those relating to institutional landlords more likely to survive than those belonging to local lords, often dependent on their stewards. Even when there are good surviving runs, there can be gaps. They were written in abbreviated Latin, with varying contractions and terminology. As they are records of copyhold landholding, they contain little information about freehold or leasehold land, women, landless cottagers or servants, so limiting their value for bottom-up history of a community.[58] Unlike the thirteenth century rolls, many from the early modern period tend to document verdicts and amounts of fines, with little other detail. Wrightson considered that manorial courts dealt with little but immigration.[59] In contrast, for example, Harrison's work on the manor court of Cannock and Rugeley, Staffordshire, found that the civil and criminal work of the court was thriving.[60] McIntosh used manorial and other court records to analyse types of misbehaviour in over 250 communities from the medieval period to 1600, though she counted the numbers of courts recording at least one case, rather than the number of cases, perhaps therefore distorting the picture. Nevertheless, it is a basis for comparison with local studies.[61]

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presented to the Bristol Legal History Conference, 14-17 July 1981 (London, 1984), 73-85; C Harrison, 'Manor courts and the governance of Tudor England' in C Brookes and M Lobban (eds), *Communities and Courts in Britain 1150-1900* (London, 1997), 43-59; R Goddard, 'Small Boroughs', 3-31; J R Kent, 'The English Village Constable, 1580-1642: The Nature and Dilemmas of the Office' *Journal of British Studies* vol 20 no 2 (1981), 26-49

[58] M Spufford, *Contrasting Communities*, 78; B Waddell, 'Governing England through the Manor Courts, 1550—1850; *The Historical Journal* Vol 55 No 2 (2012), 284-5

[59] K Wrightson, *English Society 1580-1680*, 174-5; K Wrightson and D Levine, *Poverty and Piety*, 111-4

[60] C Harrison, 'Manor courts and the governance of Tudor England', 46-7

[61] M K McIntosh, 'Social Change'; M K McIntosh, *Controlling misbehavior*

Good runs of manorial court records exist for Halesowen manor and borough and Cradley manor. All three held six-monthly joint views of frankpledge and court baron, so there is detailed recording of petty crime and social and economic offences. For Halesowen and Cradley manors there are also some courts baron dealing with land transfers, and a few courts baron for Romsley, Warley Wigorn and Frankley townships.

Probate documents provide records of the transmission of goods on death.[62] Halesowen has over 350 wills and over 360 inventories proved in the Worcester diocesan consistory court, and over thirty wills and one inventory proved in the Prerogative Court of Canterbury over the period 1550-1650. There are also a few probate accounts, giving some idea of debts.[63] They are a numerous source of information for many areas of study, including wealth; status; agriculture; occupations including tools or stock-in-trade; family structure; inheritance patterns such as evidence for primogeniture and the provision for younger children; material culture; vernacular architecture and the changing nature of religious beliefs.[64] They can be suitable for statistical analysis: for example, wills were used to establish the occupational structure of Worcester, which highlighted the strength of the cloth trade.[65]

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[62] The early modern probate system is described in J Cox and N Cox, 'Probate 1500-1800: A system in transition' in T Arkell, N Evans and N Goose (eds), *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England* (Oxford, 2000), 14-37

[63] Inventories exhibited at the PCC are rare or inaccessible.

[64] Such as A Everitt, 'By-employment' in J Thirsk (ed), *AHEW*, 425-9; J A Yelling, 'Probate Inventories and the Geography of Livestock Farming: A Study of East Worcestershire, 1540-1750' *Transactions of the Institute of British Geographers* no 51 (1970), 111-126; L Weatherill, *Consumer Behaviour and Material Culture in Britain, 1660-1760* (London, 1996) C Richardson, T Hamling and D Gaimster, *The Routledge Handbook of Material Culture in Early Modern Europe* (London, 2017)

[65] A D Dyer, *The City of Worcester*, 81-5. Cloth workers comprised 42% of testators up to 1589 and 54% in 1590-1620; artisan-retailers 25% and 18%; pure retailers 12% and 3% and food and drink suppliers 12% and 14%.

However, there are several drawbacks with probate documents. Few wills or inventories relate to the poor: there was a bias towards wealthier, male testators.[66] In 1570s Halesowen, for example, there were 126 male burials but only 26 wills (21%) and 28 (22%) inventories; for women the numbers were 116, six (5%) and six (5%) respectively. Male testators are represented by 85% of surviving Halesowen wills and 89% of inventories. Married women generally could not make wills: 79% of wills and 85% of inventories relating to widows; the remainder to single women.[67]

Wills made no allowance for children who had already received provision, and did not mention copyhold land which passed to an heir through the manorial system. Apart from the opening phraseology and the naming of executors, overseers and witnesses, there was no standard format which can make analysis difficult.

Inventories can vary considerably in detail and method of recording, particularly, bulking of items and values, which can hinder interpretation. They excluded income, items such as the widow's possessions, debts owed by the deceased, freehold and copyhold land, and root crops. Some goods may have been taken by a legatee, missed or included in a bulk valuation. They took no account of the life-cycle of testators who had passed on their estate during their lifetimes.[68] However, in combination with wills they may provide a more rounded representation.

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[66] Though there has been a presumption that inventories valued at less than £5 did not have to exhibited at the ecclesiastical courts for probate, legal authorities of the time stated that this was compulsory [J Cox & N Cox, 'Probate 1500-1800', 25].

[67] Survival rate of inventories has been estimated at between 20 and 30% of deaths, this number also being dependant on the accuracy and detail of burial registers. The norm for the late seventeenth century has been estimated to between 20 and 30% [T Arkell, 'Interpreting Probate Inventories', 72-4]

[68] M Spufford, 'The limitations of the probate inventory' in J Chartres and D Hay (eds), *English Rural Society 1500-1800: Essays in Honour of Joan Thirsk* (Cambridge 1990), 139-174; S A J Keibek and L Shaw-Taylor,

Studies of probate inventories include that by Trinder and Cox on Telford, which includes iron, cloth- and leatherworkers as well as colliers and large and small farmers. Although it covers the period from 1660 to 1750, it deals with a major industrial area.[69] Alcock's study of Stoneleigh comprises three centuries but is mainly considered with the physical buildings.[70] The transcribed probate documents from a Worcestershire metalworking village in the early modern period are a useful comparison with those of Halesowen.[71] Skipp's analysis of inventories of the Warwickshire Arden provide a wider-ranging point of reference for agriculture, as do Frost on south Staffordshire and Yelling on Worcestershire.[72]

Churchwardens' accounts have been described as providing a record of 'the corporate body of the parishioners … their common property, the church stock, from the hands of those to whom it had been entrusted with an account of the income and expenditure of the parish during their period of office'.[73] They have been studied to identify the relationship between ecclesiastical authorities and the parishioners, through the development of the reformation, changes in religious practices, and the process of repair or alteration in churches.[74] They can assist in the study of parish elites and the growth of oligarchy; the local economy; local artisans;

'Early modern rural by-employments: a re-examination of the probate inventory evidence' *Agricultural History Review* vol 61 no 2 (2013), 244-81

[69] B Trinder and J Cox, *Yeomen and Colliers in Telford: Probate Inventories for Dawley, Lilleshall, Wellington and Wrockwardine* (Chichester, 1980)

[70] N W Alcock, *People at Home: Living in a Warwickshire Village, 1500-1800* (Chichester, 1993)

[71] J S Roper (ed), *Belbroughton Wills and Probate Inventories, 1539-1647* (Dudley, 1967-8)

[72] V Skipp, *Crisis and Development: An Ecological Case Study of the Forest of Arden 1570-1674* (Cambridge, 1978); J A Yelling, 'Probate Inventories', 111-126; P M Frost, 'The Growth and Localisation'; P Frost, 'Yeomen and Metalsmiths: Livestock in the Dual Economy in South Staffordshire 1560-1720' *The Agricultural History Review* vol 29 no 1 (1981), 29-41

[73] C Drew (ed), *Lambeth churchwardens' accounts, 1504-1645* (Surrey Record Society, XVIII, XX 1941, 1943) xii-xiii, quoted in J S Craig, 'Co-operation and Initiatives: Elizabethan Churchwardens and the Parish Accounts of Mildenhall', *Social History* vol 18 no 3 (1993), 370

[74] J S Craig, 'Co-operation and Initiatives', 371,372

poor relief.[75] They can be used in the writing of micro-history of communities.[76] They provide scope for statistical analysis over time and between localities. However, they are liable to omissions and errors, particularly mathematical. Analysis can be complicated by the method of recording expenditure: some parishes recorded items individually, others as total sums. The spread of surviving accounts is biased towards parishes in the south and south-west, towards urban parishes, wealthier parishes and those under institutional, ecclesiastical or royal patronage.[77] Halesowen's accounts do not necessarily include all income or expenditure: there are only occasional mentions, for example, of the receipt of burial fees and bequests.[78] The Halesowen accounts provide information in default of other records about the development of a parish vestry, and the workings of the early poor law, including visits to justices and payments to vagrants.[79]

Parish registers of baptisms (births under the Commonwealth), marriages and burials are used for aggregative analysis for demographic studies, such as population counts, trends in marriages and baptisms, and the identification of mortality crises. However, there were frequently gaps, omissions and errors. Differing methods of recording make analysis less accurate. Some entries, for example, do not record the names of mothers of baptised infants,

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[75] S Sweetinburgh, 'The Economic Impact of the Reformation on two Canterbury Parishes' in V Hitchman and A Foster (eds), *Views from the Parish: Churchwardens' Accounts c 1500-c1800* (Newcastle-upon-Tyne, 2015), 47-62

[76] One example is E Duffy, *The Voices of Morebath: Reformation and Rebellion in an English Village*, (New Haven and London, 2003)

[77] A Foster, 'Churchwardens' accounts of early modern England: some problems to note, but much to be gained' in K L French, C G Gibbs and B A Kümin (eds), *The Parish in English Life 1400-1600* (Manchester, 1997), 77-81, 82-4

[78] Fees for burial within the church were sometimes, but not necessarily, recorded. Bequests for lights may have been included in general income. Richard Dickens' bequest of 6s.8d annually was recorded as being received in 1621, 1622 (twice), 1630 and 1633. The only example of a refusal to pay is that of the executor of Henry Wall who had been buried inside the church in 1579.

[79] For example, DALHS PR21/3/2/1 ff 22v, 45v, 136

or distinguish whether burials were of adults or children.[80] Halesowen registers start in December 1559, and are unusual in surviving throughout the Commonwealth.

Tax records consulted in this study were surviving lay subsidies of the 1520s and the hearth taxes of the 1620s. They can be used to estimate population levels, and help identify elite families and levels of affluence between different localities. The subsidies of the 1520s included those assessed on wages as well as land and good, so giving a slightly broader picture. Hearth tax records are a major source on population for the early modern period and assist with the study of vernacular architecture and social structure. Many tax records are probably under-estimates due to evasion, undervaluing, misinterpretation, or the incompetence of the assessor or scribe: this is particularly clear regarding the lay subsidies. There may be little to identify the exempt poor.[81]

Allowing for the limitations of these sources, they provide major information on the social, economic and cultural life of a community, especially when used in combination.

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[80] R Schofield, *Parish Register Aggregate Analyses* (Local Population Studies supplement, 1998); A D Dyer, *The City of Worcester*, 19-48

[81] N Goose and A Hinde, 'Estimating Local Population Sizes at Fixed Points in Time: Part II—Specific Sources' *Local Population Studies* no 78 (2007), 74-88; E Parkinson, 'Understanding the Hearth Tax Returns: Historical and Interpretive Problems' in P S Barnwell and M Airs (eds), *Houses and the Hearth Tax: the later Stuart house and society* (York, 2006), 7-17; M A Faraday, M A (ed), *Worcestershire Taxes in the 1520s*, xxiv- xxxii; M A Faraday (ed), *The Lay Subsidy for Shropshire 1524-7*; Watkins-Pitchford, W (ed), *The Shropshire hearth-tax roll of 1672: being a list of the householders of the county* (Shropshire Archaeological and Parish Register Society, 1949);

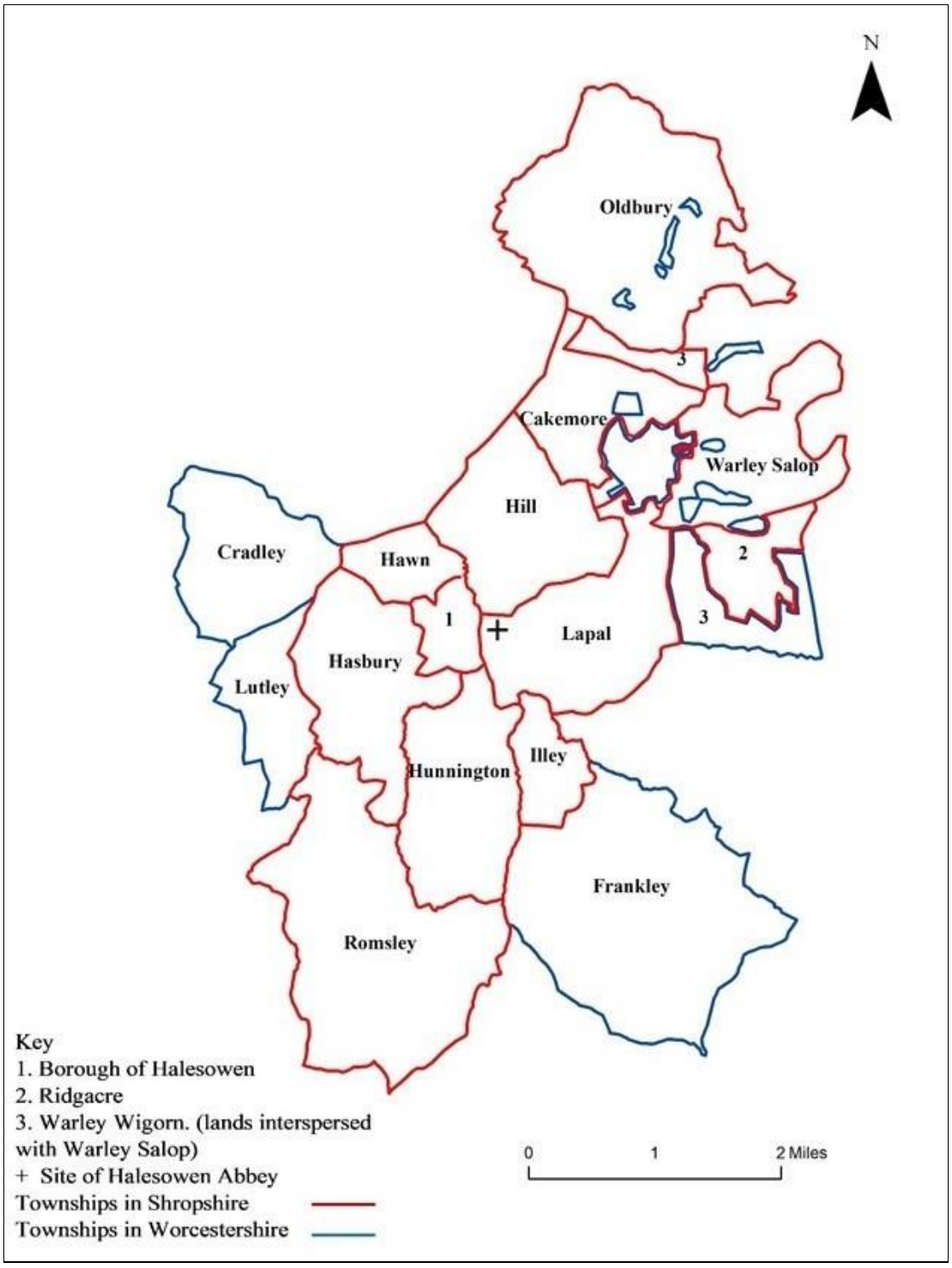
CHAPTER 2: THE MANORS AND BOROUGH OF HALESOWEN

Map 2 Part of Saxton's map of Worcestershire, 1610, showing Halesowen[82]

This chapter explains the background to the administrative structure of Halesowen, to provide a framework for the thesis. The manorial courts had a major influence on agriculture, economy and control of disorder, with both manors and borough continuing to be seigneurial.

[82] The estate shown at Illey should in fact be the moated estate of the Lytteltons at Frankley. It also shows Cradley, St Kenelm's chapel at Romsley and Warley Hall, the home of the Warley family

Map 3 Townships in the parish of Halesowen[83]



[83] Adapted by J C Sullivan from F Somers, *HCA* Introduction, facing p 12

GEOGRAPHY AND GEOLOGY

The ancient parish of Halesowen was large, containing besides the borough of Halesowen, fifteen townships, having a total area of 11,290 acres in 1831, as shown in Map 3.[84] It is situated on the western fringe of the Birmingham plateau. The highest areas in the east, in Warley and Oldbury townships, is about 220 metres above sea level. The headwaters of the river Stour and its tributaries, which flow north and then westwards to the Severn, have cut deep clefts. It was not navigable, but its force allowed mills to operate. The geology is mainly sandstone, mudstone and conglomerate. Though Halesowen is on the southern edge of the South Staffordshire coalfield, the thirty foot coal seam dips steeply below the surface so that shallow coal could only be obtained in areas such as Oldbury and the Coombes Wood area of Hill. This was unlike the area to the north, where the seam outcropped close to the surface, and iron and limestone could also be mined, so enabling the development of the industrial towns of the Black Country. To the east was the growing town of Birmingham with its industry and markets, and to the south and west the mixed pastoral and arable farming of Worcestershire.[85] The parish was away from all major routes, lying west of Watling Street, east of the Bristol-Worcester- Bridgnorth road, and north of the road from Worcester to Coventry. The only part of the parish to be included in Ogilby's maps was Oldbury, which was on the Birmingham-Shrewsbury road between Birmingham and Dudley (see Map 4), and was also adjacent to the industrialising town of West Bromwich.[86] This shows the chapel, mill and Blakeley Hall, which in the seventeenth century was a home of the Robsart family.

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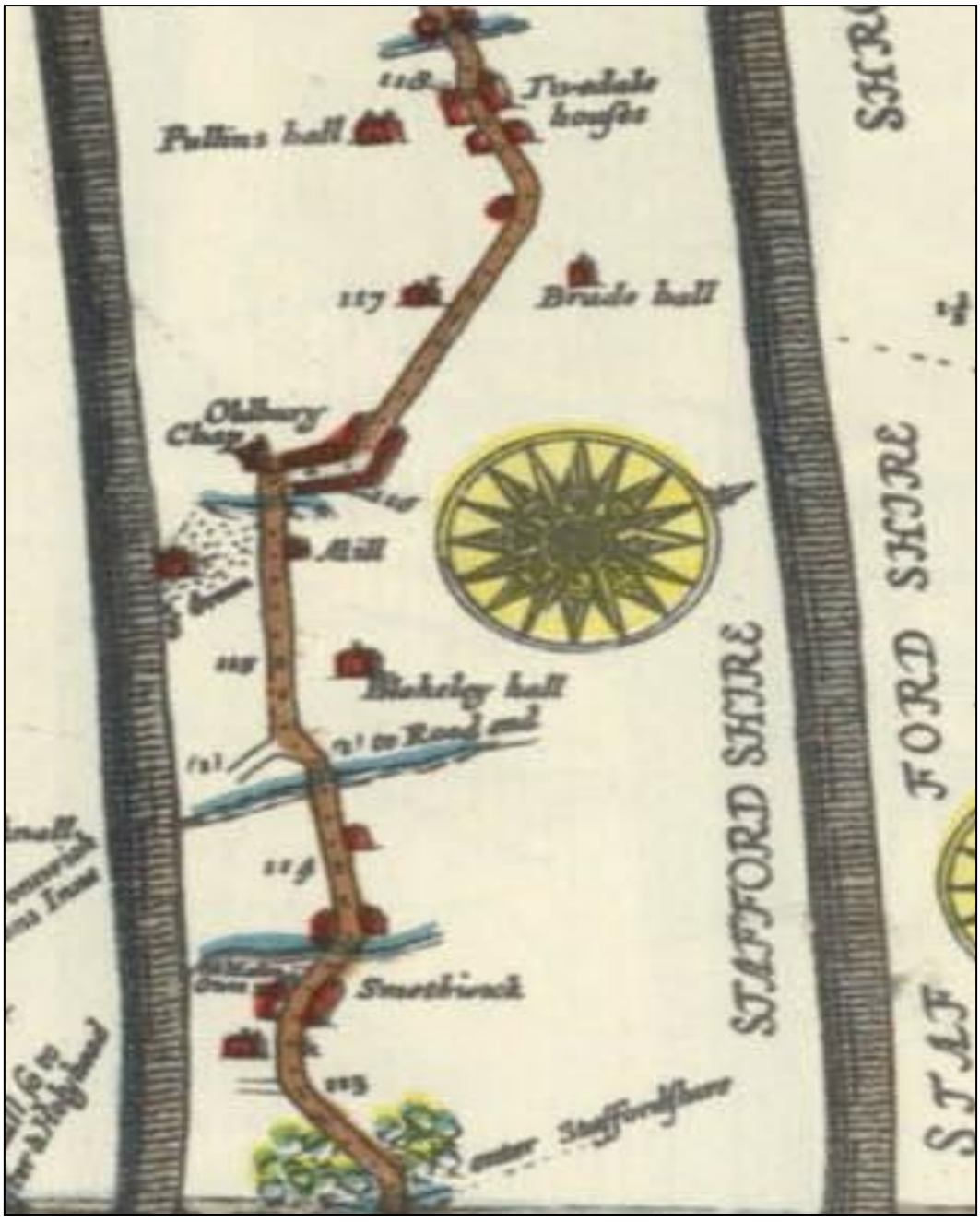
[84] 'Parishes: Halesowen: Introduction, borough and manors' in *VCH Worcester* vol 3 (London, 1913), 136
[85] G T Warwick, 'Relief and Physiographic Regions' in M J Wise (ed) *Birmingham and its Regional Setting: A Scientific Survey* (Birmingham, 1950) 5-7, 13
[86] 'John Ogilby's Britannia, 1675 Plate 50 London to Shrewsbury', in C Mullen, *The visual telling of stories* http://www.fulltable.com/vts/m/map/ogilby/c/50.jpg [Accessed 16 April 2019]

Map 4 **Extract from plate 50 of Ogilby's *Britannia*, showing Oldbury**[87]



[87] Mullen, C, *The visual telling of stories* http://www.fulltable.com/vts/m/map/ogilby/c/50.jpg [Accessed 6 June 2020]

The parish was part of the Kidderminster deanery in the diocese of Worcester. At the time of Domesday there was a church with two priests: the large parish which lasted until the nineteenth century probably indicates that the church was a minster.

Halesowen was anciently in Worcestershire but was split between two counties after the Norman conquest. The major section, the manor of Hales, later Halesowen, was part of the grant to Roger Montgomery, Earl of Shrewsbury, who transferred it to Shropshire as a detached portion of Brimstree hundred. This contained what was later to become the borough of Halesowen, and the townships of Cakemore, Hasbury, Hawne, Hill, Hunnington, Illey, Langley-Walloxhall, Lapal, Oldbury, Ridgacre, Romsley and Warley Salop. The remainder of the parish, comprising the townships of Cradley, Frankley, Lutley and Warley Wigorn, remained in Clent hundred in Worcestershire; later it formed part of Halfshire hundred.

MANORIAL HISTORY

In the thirteenth century, the manor of Halesowen was granted as part of the endowment of a new Premonstratensian abbey in Halesowen, situated in Lapal township. The abbot was later licensed to create a borough within the manor. The abbey maintained strong seigneurial control, the borough never developing a genuine corporate body. After the dissolution, the manor, borough and abbey were acquired by John Dudley, Duke of Northumberland, with the townships of Lutley and Warley Wigorn. After his execution in 1553 most passed to his wife and then to his son Robert. He devised part of Oldbury and Langley-Walloxhall to his wife, which then descended to the Robsart family: this later was considered a separate manor. In 1558 Dudley sold the rest for £3,000 to two of his household, Thomas Blount of Kidderminster

and George Tuckey. Blount was the chief steward of Halesowen and Tuckey the bailiff.[88] Tuckey had been granted the lease of a house (presumably the manor house) and lands in Halesowen in 1549.[89] Within a few months they sold many profitable holdings, granted a number of 1000 year leases, and sold the remainder to John Lyttelton of Frankley for £2,000.[90]

Frankley was a separate manor which was acquired by the Lytteltons in the fifteenth century. Lutley belonged to the Collegiate church of Wolverhampton until it was granted to John Dudley. Queen Mary refounded the college and restored its lands, presumably including Lutley, to the Dean and Prebendaries of Wolverhampton. Warley Wigorn was part of the estate of the Lords Dudley until it also came into the possession of John Dudley. The manor of Cradley was owned by the St Leger family until it was sold to Sir John Lyttelton in 1564.[91] Therefore, by the time of the period under study here, nearly the whole of the parish was under the manorial control of the Lyttelton family. It does, however, mean that administration was complicated, with multiple manors in two counties.

Sir John Lyttelton acquired several manors and lands in the west midlands through inheritance, marriage and purchase. He had extensive involvement in the county government

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[88] Blount was MP for Worcestershire in 1559 and 1563, a justice of the peace from 1561 and a member of the Council of the Marches of Wales by 1560. A relative of the Duchess of Northumberland, he was comptroller of the duke's household and probably 'my cousin Blount' who was asked by Robert Dudley to investigate his wife Amy's death. He was the father of Sir Christopher Blount, a catholic who married Robert Dudley's widow, Lettice Knollys, and who was executed for his part in the Essex rebellion. P Hyde, 'Blount, Thomas (d.1568), of Kidderminster, Worcs' http://www.historyofparliamentonline.org/volume/1558-1603/member/blount-thomas-1568' [Accessed 24 June 2015]; J E M, 'Blount, Sir Christopher (d.1601), of Kidderminster, Worcs; later of Drayton Bassett, Staffs'. http://www.historyofparliamentonline.org/volume/1558-1603/member/blount-sir-christopher-1601[Accessed 24 June 2015]

[89] T R Nash, *Worcestershire*, vol 1, 517, Appendix p xxvii

[90] S Adams, 'The Dudley clientèle' in G W Bernard (ed), *The Tudor Nobility* (Manchester, 1992), 250-2, 263; J M J Tonks 'The Lytteltons', 18-9. An example is the sale of a messuage and 200 acres of pasture in Warley to John Willyatte(s) of Rowley AHPLOB MS 3810/197

[91] *VCH Worcs* vol 3, 120-3, 135-46

of Worcestershire: he was a justice of the peace, three times sheriff, and custos rotulorum and deputy lieutenant by 1577. He was a member of the Council in the Marches of Wales from 1574. He had Catholic sympathies, and married a daughter of Sir John Packington of Harvington. He was knighted in 1566.[92] Blount and Tuckey had valued Halesowen manor at £140 per year after the payment of a fee farm of £20 to the crown; in the first four years Lyttelton received an average of £200 per year, and by the end of the century the income had more than doubled.[93] After his death in 1590, the estate passed to his son Gilbert, who had been a member of Parliament for Worcestershire in 1570–1571 and sheriff of Worcestershire in 1583. He was notorious for his quarrelling and gambling: it was estimated that his debts were £10,000 when he died in 1599. He was generally a non-resident landlord, having his main residence in the midlands at his estate at Prestwood, near Wolverhampton.[94]

Gilbert was succeeded by his son John, who was married to Meriel Bromley, a daughter of Sir Thomas Bromley of Worcestershire, Lord Chancellor of England. John was condemned after the Essex rebellion, but died in prison in 1601. His estates were confiscated but were restored to his widow, who promised to bring up their children as members of the Church of England. She made their house at Hagley her main residence, rather than Frankley. She was a prudent landlord during the minority of her eldest son Thomas, and cleared the debts of her husband and his father. She was a major influence in the locality as she continued the day-to-day management of the estates until her death in 1630.[95] Thomas was frequently in London or

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[92] http://www.historyofparliamentonline.org/volume/1509-1558/member/lyttelton-john-1519-90 [Accessed 24 June 2015]
[93] J M J Tonks, 'The Lytteltons', 20
[94] J M J Tonks, 'The Lytteltons', 47-9, 59-60; http://www.historyofparliamentonline.org/volume/1558-1603/member/lyttelton-gilbert-1540-99 [Accessed 24 June 2015]
[95] J Hunt, *Halesowen*, 15;

abroad, and the demesne lands in Frankley and Halesowen were leased by 1650.[96] Thomas, who was made a baronet in 1618, was a member of Parliament for Worcestershire in the 1620s and 1640. During the English Civil Wars, he raised a regiment of horse and foot for the king and was governor of Bewdley, where he was captured by 'Tinker' Fox in 1644. He was imprisoned in the Tower of London and fined £4,000 for delinquency. The house at Frankley, having been occupied by Prince Rupert, was destroyed, allegedly to prevent its falling into Parliamentary occupation. Sir Thomas died in February 1650 and was succeeded by his son Henry.[97]

THE MANORIAL COURT SYSTEM IN HALESOWEN

There were normally two kinds of manorial court. The court baron or small court was the system of internal management of the manor, where transactions relating to copyhold land were recorded, arrangements made for the smooth running of the common fields, and abuses of manorial custom punished. It was also the place where tenants could bring cases against other tenants for trespass, debt, or other disputes, but in Halesowen no such cases survive after the 1550s. Courts baron were normally held every three weeks, but only a few records of these courts survive in Halesowen in the sixteenth and seventeenth centuries.

The view of frankpledge and court leet, or great court, was held in manors where royal jurisdiction had been delegated to lords of the manor. In the view of frankpledge, the lord replaced the sheriff in the twice-yearly inspection of tithings, originally groups of ten men who were mutually responsible for the good behaviour of each one. All the views of frankpledge in

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[96] J M J Tonks, 'The Lytteltons', 119, 132-3

[97] https://www.historyofparliamentonline.org/volume/1604-1629/member/littleton-sir-thomas-1595-1650 [Accessed 1 June 2021]; J Hunt, *Halesowen*, 16; J M J Tonks, 'The Lytteltons', 119, 122-3

Halesowen were held jointly with a court baron. Routine matters included the administration of the assize of bread and ale, which monitored their quality, measures and price. The annual election of manorial officials took place during the view of frankpledge. All three courts were concerned with law and order.[98]

Halesowen and Cradley manor courts dealt mainly with agricultural matters, such as disputes about boundaries, the condition of roads, diversion of water courses and overstocking the commons. The borough court, though controlling its common fields, gave priority to regulating trade and the maintenance and cleanliness of the town.

The court proceedings were conducted by the lord's steward or deputy steward, who supervised the management of the whole estate. The steward was frequently a member of the gentry or a relative of the lord of the manor: William Chaunce and Ralph Taylor were exceptions.[99] In the records of Halesowen manor and borough, no steward is named before William Bell appears in 1577 until this run of records ends in 1596.[100] In Cradley, Henry Sparry was named steward in May 1565, and John Hayward in October 1565; thereafter no steward was named until 1576 when William Bell took charge.[101] The gap in the court rolls is possibly due to retention of the records by an unknown steward. William Chaunce was recorded as steward between 1609 and 1621, and Edward Lyttelton (Meriel Lyttelton's son-in-law) between 1621 and 1627.[102] He was succeeded by Ralph Taylor, who had previously been a deputy

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[98] The organization and running of manorial courts is described in P D A Harvey, *Manorial Records* (British Records Association) (London,1984), especially 44-8, 55-64

[99] J M J Tonks, 'The Lytteltons', 123-4

[100] For example, AHPLOB 277992 fol 4r HBCR 8 October 1577; AHPLOB 377992 fol 138r HBCR 13 October 1585; AHPLOB 377993 fol 96r HMCR 11 October 1592

[101] AHPLOB 346788 CMCR 5 May 1565; AHPLOB 346789 CMCR 8 October 1565; AHPLOB 377991/93 CMCR 20 October 1576

[102] For example, AHPLOB 377994 fol 10 CMCR 28 September 1609; AHPLOB 377994 fol 50 CMCR 7 October 1613; AHPLOB 377994 fol 143 CMCR 11 October 1621; AHPLOB 382958 fol 1 CMCR 3 September 1622;

steward, until the run of court records finishes in 1643.[103] John Tyrer, gentleman, was steward in the surviving records from the 1650s.[104]

In courts baron, the bailiff was listed as being present, plus a few customary tenants. In views of frankpledge, a jury or homage was sworn to act for sovereign and the lord of the manor. Generally, jurors were well-respected tenants but not necessarily of long-standing: for example, Thomas Haden junior, from the neighbouring manor of Rowley Regis, was admitted to lands in Halesowen manor in January 1633-4, and was a member of the jury at the view of frankpledge the following October.[105] The jury presented the deaths of tenants, stating what was due to the lord and naming the next heir, and ruled on disputes between tenants. They also presented people who had committed breaches of order or custom which had not been presented by the tithingmen.

The position of bailiff varied between the manors. Generally, he was the agent of the lord of the manor, whose tasks included collecting rents and collected goods which were distrained by the court. In the borough, he was the chief official and was elected annually. The bailiff of the manor of Halesowen was appointed by the lord of the manor, apparently as a long-term position, and was usually a high status tenant: John Sparry gentleman, a member of a Clent family who held land in Cradley and Romsley, was recorded as bailiff in 1565.[106] In

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AHPLOB 382959 fol 68v CMCR 14 September 1627; https://www.historyofparliamentonline.org/volume/1604-1629/member/littleton-edward-ii-1590-1645 [Accessed 1 June 2021]

[103] For example, AHPLOB 382958 fol 73v CMCR 18 April 1628; AHPLOB 382958 fol 221v CMCR 11 October 1638; AHPLOB 377987 CMCR 19 October 1643

[104] For example, AHPLOB 346511 HMCR 9 April 1651

[105] AHPLOB 382958 fol 164v and 172v HMCR 22 January 1633-4 and 2 October 1634

[106] AHPLOB 46509 HMCR 9 May 1565. Francis Taylor was bailiff in 1613 and John Darby in 1615. Richard Darby was named as bailiff between 1629 and 1643. M Tomkins (ed), *Court Rolls of Romsley* 315; AHPLOB 382958 fol 98v HMCR 30 September 1629; AHPLOB 382959 fol 14 HMCR 27 September 1643; J M J Tonks, 'The Lytteltons', 121.

Frankley manor, the bailiff was also a permanent appointment: in 1596 William Smith said he was "aged 83 years and upwards and hath byn Baylif of the Mannor of Frankley … for theis 46 yeres". In the 1603 lay subsidy for Frankley he was of six people assessed at £1 on land, only the Lytteltons holding more.[107] In Cradley, the bailiff was chosen by the tenants, and selection was usually based on a rota system amongst sixteen heriotable holdings: if two people shared a holding, each served for six months. Women and underage tenants had to find a replacement.[108]

In the borough and Cradley, people often, but not always, served in the offices in turn, for example, George Buffery of Cradley was elected tithingman in 1628, aletaster in 1629 and constable in 1630.[109] In Halesowen manor, it was occasionally recorded that the jury elected the constable and aletasters.[110] Those who had served as chief bailiff in the borough were considered to be aldermen and were expected to advise the steward and bailiff on court procedures if necessary. In 1584 this ruling was applied to burgesses.[111] Burgess privileges included free access to the market and monopoly of trade.[112]

The election of constables in Halesowen was still a manorial function as late as 1651; in many places this responsibility had been taken over by the parish vestry. Constables were responsible for law and order with the manor, including care of the stocks and lock-up, whipping vagrants, arresting prisoners and escorting them to the assizes. They collected the

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[107] J M J Tonks, 'The Lytteltons', 121; J Amphlett, (ed), *Lay Subsidy Roll 1603 for the County of Worcester* (Worcestershire Historical Society 1901)

[108] AHPLOB 377992 fol 156 HBCR 12 October 1585; AHPLOB 377994 fol 131v HBCR 4 October 1620; AHPLOB 377994 fol 141 HBCR 10 October 1621. Sir Thomas Lyttelton attempted to appoint his own bailiff for Cradley, but the traditional method of choosing the bailiff by the tenants was confirmed by the court. M Bradley & B Blunt (eds), *The History of Cradley: Court Rolls Part 3*, 7; J M J Tonks, 'The Lytteltons', 122. The case documents are at TNA C2/ChasI Cr/62 Customary tenants of Cradley vs Littleton

[109] AHPLOB 382958 ff 82, 83, 94 CMCR 3 October 1628, 22 September 1629, 1 October 1630

[110] AHPLÓB 377994 ff 132, 141 HMCR 4 October 1620, 10 October 1621

[111] AHPLOB 377991 fol 19r HBCR 1 Dec 1573; AHPLOB 377992 fol 139 HBCR 13 October 1584

[112] R H Hilton, *English and French Towns*, 41. The borough privileges were based on those of Hereford.

county rates for the house of correction and repairs to roads and bridges, and made payments to lame soldiers and vagrants with passes.[113] Constables were unpaid and sometimes lax. In Halesowen borough in 1612 the constable was in default because he had not detained vagabonds, and in Frankley, Samuel Mole, the constable in 1637, had to answer at the Worcestershire sessions for allowing a prisoner arrested for felony to escape. Their accounts do not survive for Halesowen, though some payments to soldiers and vagrants with passes are listed in the churchwardens' accounts.[114] There were also auxiliary constables, but little is known of them: in 1587 in Halesowen manor, the inhabitants were ordered to assist the auxiliary constables in the execution of their duty, whilst in 1626 three borough men were fined for refusing to act as auxiliary constables.[115]

Tithingmen in Halesowen and Cradley manors presented offenders to the jury. There was one in Cradley, and one in each of the townships within Hales manor, though Hawne and Hasbury were usually combined.[116] Aletasters, later often described as ale and bread tasters or victual tasters, checked and reported on the price and quality of ale and bread. Although there were presentments against brewers, bakers, butchers and fishmongers for selling goods against the assize or of poor quality, this was generally considered to be a regular taxation. Within the borough in the seventeenth century there were also two supervisors of the ringing of pigs and

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[113] AHPLOB 346511 HMCR 1 Oct 1651; D Hey (ed), *The Oxford Companion to Family and Local History* (Oxford, 2008), 337

[114] AHPLOB 377994 fol 38v HBCR 22 April 1612; WAAS 1/1/62/115 Worcestershire Quarter Sessions. Quarter Sessions Rolls 13 Charles I

[115] AHPLOB 382958 fol 49 HBCR 3 Oct 1626; AHPLOB 377992 fol 192v HMCR 3 May 1587

[116] For example, AHPLOB 377994 fol 38 CMCR 19 September 1611; AHPLOB 377992 ff 95-6 HMCR 18 October 1581

two examiners and sealers of leather, indicating the importance of the leather trades to the town.[117]

The court rolls do not state where the courts were held, but a note from Meriel Lyttelton, dated 1614, refers to the court baron of Hales manor, to be held at the Grange, the former home of George Tuckey, who had been bailiff to Sir Robert Dudley.[118]

THE BOROUGH

The borough of Halesowen was a typical small market town, whose charter had been granted to the abbey in 1220; in 1344 a new charter changed the market day to Monday and established four-day fair at the feast of St Barnabas (11 June). The manorial system remained seigneurial with a functioning view of frankpledge and little contact with county jurisdiction.

As will be discussed in the chapter on governance, the borough continued to operate through its manorial court. Unlike towns such as Stratford-upon-Avon, Halesowen failed to acquire incorporation as a self-governing borough; likewise, there were no trade or religious gilds to provide a structure or provide men with experience of leading corporate bodies.

The churchwardens recorded the making of a new street and the building of a market house in 1539: it was described in 1831 as being a 'spacious building, with a large and commodious room over it for public business; a prison was attached to it.' (Figure 2.1).[119]

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[117] For example, AHPLOB 382958 fol 27 HBCR 30 September 1624

[118] AHPLOB 382958 fol 133A Note concerning property in Halesowen dated at Frankley, 16 Jan 1614

[119] J Hunt, *Halesowen*, 49-50; the quotation is from William Harris' *The History And Antiquities Of The Borough And Parish Of Hales-Owen* (1836). In 1800 the market house was offered to the town of Halesowen by Lord Lyttelton for a peppercorn rent if the inhabitants would maintain it. As the offer was not accepted the building was demolished.

Figure 2.1 Halesowen Market House, drawn in 1771[120]

The borough court controlled the market by licensing tradesmen, including non-burgesses, and making regulations. Non-burgesses paid 4d annually to exercise the liberties of the borough: in 1569-79 there were twenty-seven; the only ones with a trade mentioned were three butchers. At the same court, an order was made that 'no person or persons shall sell any flesh in the borough except it be in shops standing or market place under penalty of every one making default 12d'; in 1583 the jury made three orders: everyone keeping a cart underneath the market hall should remove it, under penalty of 3s.4d for every week; no one should winnow

[120] I am grateful to the late Mr Ron Woodall of Halesowen for giving me a copy of this picture. Unfortunately, he did not know the source.

grain under the hall, under penalty of 12d; and the aletasters should clean under the hall weekly, under penalty of 3s.4d.[121]

Sabbatarianism during the early seventeenth century affected more than attempts to control the selling of alcohol during church services. In 1608 Meriel Lyttelton caused a proclamation to be read in Halesowen and the nearby market towns that the borough of Halesowen

> 'had long tyme a small meeting on the Sabothe daye for the buyinge and selling of butter, cheese and fruite, which was nott allonely merely repugnante and contrarye to the Word of God, but also to our kinges majestyes Laws and that the Right Honble Mrs Lyttelton was displeased with the breakinge of the Sabothe daye.'[122]

It was ordered that the market should take place on Mondays instead. It also mentioned the fair at St Barnabas tide, for the selling of 'mares, geldings, colts, sheep, swyne and all other trades and merchandise'.

SHOPKEEPERS AND SMALL TRADERS/CRAFTSMEN

Traders with brief mentions in court rolls or probate documents were millers, glovers, shoemakers, tailors, a pewterer, a carpenter, drapers and a cooper, which indicate that the borough was a fairly typical small market town. Butchers, brewers, fishmongers, bakers and tanners paid a fine annually as a licence to trade. Frequently the same person was fined for being a butcher, a baker and a fishmonger, so presumably they were victuallers. William Warde, for example, featured regularly in the borough court records as a fishmonger; he was a juror in the 1570s and bailiff in 1576. However, his probate inventory dated 1580 described him as a mercer, whose goods in his shop were valued at £6. He also ran a tavern, whose

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[121] AHPLOB 377989 folio 14r-15v HBCR 9 March 1569-70; AHLPOB 377992 fol 109v HBCR 16 April 1583
[122] AHPLOB 351498

contents included thirteen salt fish valued at 13s; his other goods included two pairs of fishpots, two old fishknives and 'the fyshbordes standynge in the street', indicating his market stall rather than a permanent shop. There was also equipment for cloth processing and dairying. His house had at least eight rooms, excluding his shop and the tavern. His goods were valued at £39.16s.2d.[123]

Roger Russell was a mercer in the borough who died in 1617. His inventory is a rare example of itemised goods in his shop, such as three types of dried fruit, sugar, nine types of spices including saffron, mace, turmeric, nutmeg and ginger, as well as silk and silver lace.[124] The variety of spices, dried fruit and other groceries compares well with the range of similar goods sold in other towns, showing that inhabitants of Halesowen had access to high-grade luxury foodstuffs.[125]

BREWERS

Inns generally provided meals and accommodation as well as being potentially a centre for business and transport, and so catered for a higher quality clientele. Taverns were drinking houses, catering for the middling sort, but also acted as a focus for business. Alehouses were generally run and frequented by the poor. According to the 1577 census of victuallers, taverns formed about 2% per cent of listed premises, whereas alehouses comprised 86%; they catered for the great majority of the population.[126]

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[123] WAAS 008.7 BA3585 1580 no 2f Inventory of William Warde
[124] WAAS 008.7 BA3585 1617 no 144a Inventory of Roger Russell
[125] J Stobart, *Sugar and Spice: Grocers and Groceries in Provincial England, 1650-1830* (Oxford, 2012), 26-7
[126] P Clark, *The English Alehouse*, 7-15; K Wrightson, 'Alehouses, Order and Reformation in Rural England, 1590-1660' in E and S Yeo (eds), *Popular Culture and Class Conflict 1590-1914* (Brighton, 1981), 1- 27

Brewing was the most frequently mentioned service industry in Halesowen, mainly due to regulations to control the trade. There are few indications in the Halesowen court rolls regarding the number of each category, but it can be assumed that most were alehouses, either on a temporary or permanent basis, as alehouse-keeping could be a means for widows or the poor to earn a living. The number of people who were charged a fee for being a brewer, or who were presented in the three courts either for brewing against the assize or contrary to the order, but excluding those who brewed specifically-named love ales, was counted. The results are shown in Figure 2.2. Each period has gaps. Generally, brewers were presented at most of the views of frankpledge for brewing against the assize or similar, so in practice the charge was twice-yearly. They were sometimes also presented for other reasons such as selling ale without consent or without a licence. There is no apparent uniformity in the presentments and charges, so it is likely that they were in response to unknown causes such as disorder, or to attempts to raise income. Unlike earlier periods, when there were many more women brewers than men, by the late sixteenth century women formed approximately 10% of those appearing in the records, though it is possible that husbands were named while their wives did the work. Many of the women recorded were poor widows. Older widows were regarded with more tolerance as alehouse-keepers than were younger women, who were thought more liable to be a source of further disorder, whereas widows had the possibility to earn a living and were more likely to run a respectable house.[127] This situation was apparent in Halesowen.

[127] P Clark, *The English Alehouse*, 78-80

Figure 2.2 Brewers in the three manorial courts of Halesowen

Court	No. of courts	No. of names	Range per court	Mean
Hales borough 1569-95	24	172	5 to 10	7.2
Hales borough 1609-42	54	514	6 to 14	9.5
Halesowen manor 1570-96	11	122	1 to 9	3.6
Halesowen manor 1610-43	6	36	3 to 9	6.0
Cradley manor 1565-96	21	50	1 to 5	2.4
Cradley manor 1609-43	1	148	1 to 6	2.9

Although Halesowen was not on a major road, the economy of the borough was sufficient to maintain at least three inns: the Star, the Crown and the Talbot.[128] The Star in Birmingham Street was alienated by John Alchurche in 1571 to John Jones, the butcher. He transferred the inn to Adam Melley in 1576; in the same court he was ordered to bring to court 'and there relinquish 2 measures and tripods and 2 benches called forms ... under penalty 6s.8d.' He forfeited the penalty in the following April as he had not brought them. The Star remained in Adam's ownership until his death c1615, when it was left to his youngest son Edward, the occupant.[129]

Halesowen manor has few references to brewers: they all were from townships that were either distant from the central borough, or up a considerable hill from the town. An exception is Ridgacre, one of the smaller townships, where there were forty presentments of brewers

[128] There was also the Lyttelton Arms in the High Street, which was occupied by Isabel Weston, widow, in 1648; she does not appear in the court rolls [J Hunt, *Halesowen*, 83]
[129] WAAS 008.7 1615, no 167 Will and inventory of Adam Melley. The Star and the Red Lion, also in Birmingham Street, featured in Chancery documents c1594 TNA C 1/1228/24/25 and C 2/Eliz/H10/4

between 1570 and 1595, involving nine people, of whom five were mentioned once, and a sixth person three times. The majority of the mentions were between 1570 and 1577, and between 1581 and 1585. Unfortunately, the poor survival rate of records for Halesowen borough and manor in the 1550s prevents any firm conclusion about the amount of regulation. Cradley alesellers were frequently fined for infringements such as selling in unauthorised and unsealed measures. In 1625, Worcestershire Quarter Sessions recorded the presentment of 'Humphrey Hill, a nailer, a driver into the country with nails. Although a man of sufficient substance he sells ale in Cradley without a licence, to the hurt of those persons which be licensed to sell.'[130]

The records of the borough and Halesowen manor licensing alesellers are authenticated by the Shropshire Quarter Sessions record for Trinity Sessions 1616, which names two innholders and four alesellers 'as are certified by the Lord, Bailiff and Burgesses of the Burrowe of Hales Owen allowed to sell ale within the said Burough'. The naming of seven from the manor in 1615 show that this applied also to the Shropshire townships in Halesowen manor.[131] This gives further confirmation of the independence of the manor and borough from county control.

CARRIERS

There were no named carriers in Halesowen during this period, but it is likely that many people could carry goods to local markets or other short journeys. Many people had wains, carts and tumbrils. Sixteen people – all from the seventeenth century – had dassels (paniers),

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[130] J W Willis Bund (ed), *Calendar of the Quarter Sessions Papers vol 1 1591-1643* (Worcestershire County Council 1900), 397

[131] SA Q/fiche 63 & 64 [QE/2/2/1] Register of badgers, drovers and alesellers licensed 1613-31

and twenty-four had pack saddles, mostly one, but one couple had three. Walter Webb was owed £4 for carriage when he died in 1632.[132]

THE PROFESSIONS

There are only two known records of surgeons in Halesowen records. In 1653 a messuage in Prickingham Street in the borough, occupied by William Coley, a chirurgion, was conveyed to him. A century earlier, William Toye, surgeon was bequeathed 26s.8d 'for his pains taking' by Thomas Whelar, though it is not known whether he lived in the parish.[133]

There is little evidence for schooling in the parish before a free school was founded in the 1650s. John Wilson, clerk, was appointed schoolmaster in 1582 and may have been based at the chapel in Oldbury: he was an appraiser of an inventory in 1606. 'Mr Pritchett the schoolmaster' was mentioned in an Illey inventory dated 1601.[134] Higher education was very rare in the parish apart from the Lytteltons. Two sons of Humphrey Lowe of Cakemore, Humphrey and Richard, were admitted to the Inner Temple in 1639 and 1647 respectively.[135] Samuel Whyle, son of Nicholas Whyle gentleman of Halesowen, was admitted to Lincoln's Inn in 1649-50.[136]

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[132] WAAS 008.7 BA3585 1632 no. 256 Inventory of Walter Webb; WAAS 008.1 BA3590/3/2 1550 fol 168 Will of Thomas Whelar

[133] DAHLS Z111 Conveyance of Michael Wheeler of Wyrdsley, Staffordshire, scythesmith, to William Coley of Halesowen, Salop, Chirugion (surgeon) of a messuage in which William Coley was living in Prickingham Street (abuttals) and ¼ acre of arable land in the Highe Field in Halesowen

[134] *The Clergy Database* https://theclergydatabase.org.uk; WAAS 008.7 BA3585 1606 No. 90e Inventory of Thomas Deeley 1606; WAAS 008.7 BA3590 vol. 7 fol. 128 Will of George Hall 1601

[135] *Inner Temple Admissions Database* http://www.innertemplearchives.org.uk/address_data.asp?date1=1547&date2=1660&address=halesowen&sort=bydate&searchtype=names [Accessed 10 August 2018]

[136] *Lincoln's Inn Admission Register 1420-1799* https://archive.org/stream/VOL114201799/VOL%201%201420-1799#page/n265/search/hales+owen [Accessed 10 August 2018]

The borough of Halesowen did not attract major charitable spending during the period under study. In contrast with Halesowen's free school, a grammar school was founded in neighbouring Stourbridge in 1552, based on the former chantry. Almshouses for children and adults were established after 1623, and another free school in 1667 by the Foley family who moved to Stourbridge in 1627.[137]

CONCLUSION

The manors within the parish of Halesowen varied considerably in size and administrative structure. The borough was a small market town formed from Halesowen manor and still had close links with it. It had the usual trades of similar towns, but even the richest inhabitants did not have the wealth of those in growing towns such as Birmingham, Stourbridge and Dudley.

The most prevalent trade within the manors was ale-selling, with most alesellers being in the borough. The small manor of Cradley had more brewers for its size than most of the townships in Halesowen manor. Apart from bakers and millers, most traders were in the borough. Indirect evidence shows that several people engaged in carrying goods.

The town's long history as a seigneurial borough under the tight control of the abbey and a lack of trade or religious gilds made it stagnate so it did not stimulate investment or incorporation.

137 N Perry, *A History of Stourbridge* (Chichester, 2001), 24, 46, 51

CHAPTER 3: POPULATION AND SOCIAL STRUCTURE

This chapter is in two sections. The first uses counts of baptisms, marriages and burials from parish registers to provide actual and adjusted numbers of population change, identifying peaks or troughs that indicate demographic crises (such as disease or famine) or significant movements in population size. Taxation records and other censuses are used to calculate estimated population size at fixed dates, to compare population changes with national data. The second section uses taxation records to determine degrees of wealth and social structure across the parish as a whole and in the townships. The data will be used to identify the proportion of the poor, the middling sort and the gentry, and to compare this with other studies in the region. Evidence of house size from hearth tax returns and of luxuries from probate inventories will be considered in the identification of the middling sort in particular, to form a background for research into their role in the economy and the governance of Halesowen.

THE HISTORIOGRAPHY

Wrigley and Schofield's *The Population History of England 1541–1871* is the classic modern work on the demography of England, which analysed numbers of baptisms, marriages and burials. Back projection from a known population total was used to calculate population size and statistics such as life expectancy, fertility rates based on age at marriage, and migration. The authors could then link these to economic factors such as wages and prices.[138] They calculated the population of England to have increased from 2.774 million in 1541 to 5.092 million a century later, with a check in 1556-60. However, the back projection is dependent on

138 E A Wrigley and R S Schofield, *The Population History of England 1541–1871* (Cambridge, 1981)

a large number of statistical adjustments and assumptions which are therefore open to error. The work is long, complex and difficult to follow, but forms the basis for much later research.[139]

Goose and Hinde discuss the methodology and sources for estimating population size, including the use of multipliers to calculate this from the raw data of tax returns and other sources.[140] These include lay subsidy returns, hearth tax returns and religious censuses.[141] Campbell criticises earlier interpretations of the lay subsidies of the 1520s, whilst Moore's discussion of the sources for population counts in the midlands disregards them. He used chantry certificates and the 1563 census to provide evidence that the population fell by a fifth in 1548-63, which he attributed to the sweating sickness and influenza epidemics of the 1550s.[142]

Local studies of population movements include that by Dyer, who included comparison of Worcester and its hinterland with a large area around Birmingham, and by Cust and Hughes, who summarised the population and pyramid of wealth and status in Birmingham.[143] Palliser itemised the incidence of disease in Staffordshire. This provides useful correlation with

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[139] M W Flinn, 'The Population History of England, 1541-1871' *The Economic History Review* New Series vol 35 no 3 (1982), 443-457. The population count for 1541 onwards is on page 447.

[140] N Goose and A Hinde, ' Estimating Local Population Sizes at Fixed Points in Time: Part I—General Principles' *Local Population Studies* no 77 (2006), 66-74; N Goose and A Hinde, 'Estimating Local Population Sizes at Fixed Points in Time: Part II—Specific Sources' *Local Population Studies* no 78 (2007), 74-88

[141] Printed sources for Worcestershire and Shropshire include M A Faraday (ed), *The Lay Subsidy for Shropshire 1524-7* (Keele, 1999); M A Faraday (ed), *Worcestershire Taxes in the 1520s: The Military Survey and Forced Loans of 1522-3 and the Lay Subsidy of 1524-7* (Worcestershire Historical Society, New Series 19) (2003); A D Dyer & D M Palliser (eds), *The Diocesan Population Returns for 1563 and 1603* (British Academy Records of Social and Economic History New Series 31) (Oxford, 2005); J Amphlett (ed), *Lay Subsidy Roll 1603 for the County of Worcester* (Worcestershire Historical Society, First Series 17) (1901); A Whiteman (ed), *The Compton Census of 1676: a Critical Edition,* (British Academy New Series of Records of Social and Economic History vol X) (Oxford, 1986). Online transcripts of some hearth tax returns were formerly available at http://www.hearthtax.org.uk; some are now available at gams.uni-graz.at/archive/objects/context:htx/methods/sdef:Context/get?mode=records

[142] J S Moore (2009), 'The Mid-Tudor Population Crisis in Midland England, 1548–1563', *Midland History* vol 34 no 1 (2009), 44-57

[143] A D Dyer, *The City of Worcester*, 19-48; R Cust and A Hughes, 'The Tudor and Stuart Town', 110-2

Halesowen.[144] Fieldhouse used the 1524/5 lay subsidy for Yorkshire and probate inventories to identify social structure.[145]

Classic studies of social stratification from lay subsidies and tax returns are provided by Wrightson and Levine, and Spufford.[146] Wrightson also provides a useful summary and historiography of three methods of social stratification for the early modern period: contemporary perceptions; a socio-distributional approach, and through patterns of social distribution, chiefly of interpersonal bonds or conflict. He concluded that there was a wide range of local social stratification and perceptions of social order which could evolve over time.[147] He noted that a division of people into the richer or better sort against the poorer or meaner sort in the sixteenth century developed into a third category, the middling sort.[148] French summarised the later debate, and suggested that this group were frequently referred to as the 'chief inhabitants' of their community. He analysed examples of their office-holding and wealth, so they came to dominate their communities. He later argued that identification of 'chief' enabled them to dominate their communities. Only the most influential could afford the material consumption that enhanced their status into a bourgeoisie.[149] A local example of this status is provided by Kent, who includes Pattingham, Staffordshire, in her study.[150]

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[144] D Palliser, 'Dearth and Disease in Staffordshire, 1540-1670' in C W Chalklin and M A Havinden (eds), *Rural Change and Urban Growth 1500-1800: Essays in English Regional History in Honour of W G Hoskins* (London, 1974), 54-75

[145] R Fieldhouse, 'Social Structure from Tudor Lay Subsidies and Probate Inventories: A Case Study: Richmondshire (Yorkshire)', *Local Population Studies*, no. 12 (1974), 9-24

[146] K Wrightson and D Levine, *Poverty and Piety*, especially 31-42; M Spufford, *Contrasting Communities*, especially 10-45

[147] K Wrightson, 'The Social Order of early modern England', 177-202

[148] K Wrightson, ' "Sorts" of people in Tudor and Stuart England' in J Barry and C Brooks (eds), *'The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), 28-51

[149] H French, 'Social status, localism and the "middle sort of people" in England 1620-1750' *Past and Present* vol 166 (2000), 66-99; H R French, *The Middle Sort of People in Provincial England, 1600-1750* (Oxford, 2008)

[150] J R Kent, 'The Rural 'Middling Sort' in Early Modern England, circa 1640–1740: Some Economic, Political and Socio-Cultural Characteristics' *Rural History* vol 10 no 1 (1999), 19-54

POPULATION

The calculation of population levels in the early modern period has been the subject of historical debate, partly because of the loss or unreliability of the sources, and partly because of uncertainty whether some returns refer to heads of households or adult males.[151] The Halesowen registers are no exception, with major gaps between April 1593 - April 1597 and October 1601 - October 1609. There are also gaps of twenty-four months in the 1610s, seven months in the 1620s and forty-two months in the 1640s. The actual numbers of baptisms, marriages and burials are shown in Figure 3.1, with the surplus of baptisms over burials and the cumulative increase. The numbers of burials and baptisms were then adjusted to give a projected total for each whole decade, as shown in Figures 3.2 and 3.3

Figure 3.1 Actual count of baptisms and burials, 1560-99 and 1610-39

Period	Baptisms	Marriages	Burials	Baptisms as % of burials	Surplus baptisms over burials	Cumulation
1560-9	396	134	181	218.8	215	215
1570-9	541	165	299	180.9	242	457
1580-9	469	112	263	178.3	206	663
1590-9	277	83	235	139.6	93	756
1610-9	404	104	225	179.6	179	935
1620-9	576	128	425	135.5	151	1086
1630-9	478	105	335	142.7	143	1229
1560-1639	3192	831	1963	162.6	1229	1229

Counting surplus baptisms over burials provides a crude indication of population growth. There is an additional margin of error in the addition because any inaccuracy is carried forward. The count shows that there was an approximate increase of 1229 (adjusted total:

[151] N Goose & A Hinde, 'Estimating Local Population Sizes Part II'

1402) in the population. A factor in this is the immigration of outsiders who were baptised elsewhere but buried in the parish. Some would have arrived as young people who subsequently married and had children. This is particularly apparent in the 1570s, when there was a peak in the number of marriages. The likelihood of an influx of young people in the 1570s coincides with a peak in disorder, which will be discussed later. It is unfortunate that there is another gap in the registers between 1601 and 1610, as this was obviously a period of change.

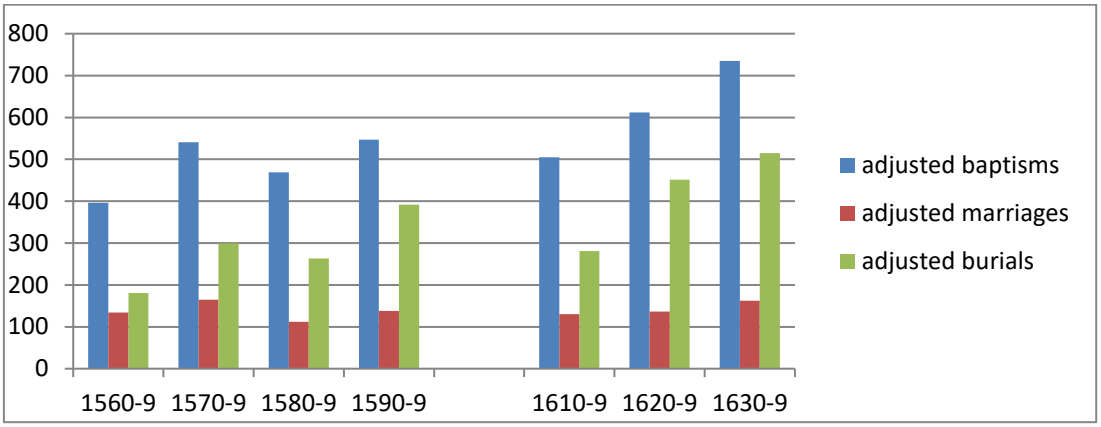
Figure 3.2 Adjusted totals of Halesowen baptisms and burials, 1560-99 and 1610-39 (*adjusted decades)

Period	Adjusted baptisms	Adjusted marriages	Adjusted burials	Baptisms as % of burials	Surplus baptisms over burials	Cumulated increase
1560-9	396	134	181	218.8	215	215
1570-9	541	165	299	180.9	242	457
1580-9	469	112	263	178.3	206	663
1590-9*	547	138	392	140.0	155	818
1610-9*	505	130	281	179.7	224	1042
1620-9*	612	136	451	135.7	161	1203
1630-9*	735	162	515	142.7	220	1423
1560-1639	3805	977	2325	163.6	1423	1423

The table shows an increase in population despite the decades when mortality was higher and births lower than average. Under-recording in the registers indicates either an unknown crisis or lost or poor documentation; there is also a gap in the churchwardens' accounts after 1582.[152]

[152] Burials in 1570-9 range between 20 and 41, with a mean of 29.9, whereas in 1580-9 the range is 13 to 38 with a mean of 22.6. The 13 burials were in 1586. There is a 2-month gap in early 1585, after which the recording changes (names only, not son/daughter/wife of), which continues until Dec 1589, suggesting a period of stress or a change in clerk. There was a change of vicar in 1584 so perhaps he was less conscientious. Palliser says there was high mortality in Staffordshire in 1587-9 following poor harvests in 1585 and 1586 [D Palliser, 'Dearth and Disease in Staffordshire, 60]

Figure 3.3 Adjusted totals of Halesowen baptisms, marriages and burials, 1560-99 and 1610-39



The first indication of demographic crisis is in the 1590s, when burials rose and baptisms fell, with gaps in the registers. This corresponded with the long period of bad harvests, followed by disease and starvation. The peak in recorded burials was fifty-five in 1599, but it is likely that there were higher numbers in the years of gaps in the registers. Baptisms did not pass the 1590s total until the 1620s. In the 1610s, the situation was stable. Halesowen does not seem to have been greatly affected by the plague which had left many destitute and nearly 150 orphan children in nearby Dudley. A second period of crisis occurred in the 1620s, with a peak of fifty-seven burials in 1625, almost double the previous year's total. Palliser also reported dearth in Staffordshire then.[153]

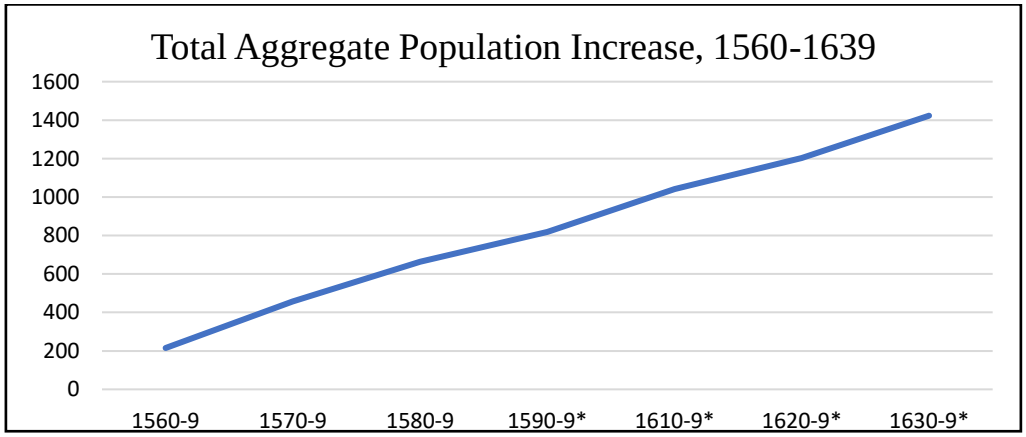
The worst mortality period occurred in 1636-39, with eighty-three burials in 1636, fifty-four in 1637 and twenty-five in the first four months of 1638, after which there was a gap until February 1639. Thirty-nine burials were recorded in the next nine months. There were seventy-two burials in 1642, and eighty-three in January to August 1643. There is no indication in the

[153] D Palliser 'Dearth and Disease', 63-4

registers of any epidemics, but by June 1642, Halesowen had defaulted three times on its payments towards the defence of Shropshire, which gives added support to the difficulties of the time.[154]

Figure 3.4 shows the trend of population growth, which shows a steady but not extremely steep increase. This is in marked contrast with the graphs for Worcester and the Birmingham area, the first of which showed swings over the period, while the second showed a smooth but much steeper increase.[155]

Figure 3.4 Total Aggregate Population Increase (*adjusted numbers), Halesowen 1560-1639



It is possible to obtain breakdowns of population between the townships in the different counties, though the division of the parish into two counties makes an accurate count less possible. The numbers for the Halesowen townships in Worcestershire for the Military Survey of 1522 and for the whole parish for the 1524 and 1525 lay subsidy assessments are shown in Figure 3.5.[156]

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[154] J Worton, *To Settle the Crown: Waging Civil War in Shropshire, 1642-1648* (Solihull, 2016), 138. The parish paid dues for the defence of both Shropshire and Worcestershire.

[155] A D Dyer, *The City of Worcester*, 24-6, 262-3 note 5. The parishes in the Birmingham area were Alvechurch, Aston, Birmingham St Martin's, Handsworth, Harborne, Kings Norton, Northfield, Solihull and Yardley.

[156] 'Halesowen and members' refers to the townships that were in Shropshire; the others were in Worcestershire. Unfortunately, different methods of record-keeping occurred, as the Shropshire returns were made in one list,

Figure 3.5 Numbers of names in the lay subsidy assessments for Halesowen, 1522-5

Township	County	1522/23	1524	1525
Halesowen & members	Salop	80	100	81
Cradley	Worcs	47	31	34
Frankley	Worcs	32	17	18
Lutley	Worcs	17	8	8
Warley	Worcs	27	14	14
Total		203	170	156

The estimated population of the whole of Halesowen based on the 1524 total would be 1154 if the numbers are heads of households, or 777 if they are adult males.[157] The net fall in the number of taxpayers in all Halesowen from 1524 to 1525 was 16%. Most of this is probably due to differences in collection or to tax avoidance in the Worcestershire townships, though some may be attributed to mortality or emigration.

The 1563 ecclesiastical return gives the number of households in the parish of Halesowen as 280, which made it the fourth most populous parish in the diocese.[158] Using a multiplier of 4.75, this gives an estimated population of 1,330.[159] The estimated population

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whilst the Worcestershire returns are by township. Those who were known to be non-resident in 1522 (landlords and clergy) have been omitted. Landholders are included in the Worcestershire Military return of 1522, but only goods and wages are listed for 1524 and 1525; land, goods and wages are assessed for Shropshire in 1524 and 1525. M A Faraday, (ed), *Worcestershire Taxes*, 133-5, 219-20; M A Faraday, (ed), *The Lay Subsidy*, 32-3, 103-4; P J Thompson, (ed), *The Shropshire Rolls of the Lay Subsidy Granted by Allotment to King Henry VIII in 1523* (privately printed, Berkhamsted, 1994) Shropshire Archives qC63 Shropshire lay subsidy

[157] N Goose & A Hinde, 'Estimating Local Population' Part II, 79-80

If named people are heads of households, multiply by 4.75 to include family members plus 30% to allow for evasion or those below the threshold

If males over sixteen, estimate that 37.5% of population is males under sixteen, therefore multiply by 100/62.5 and multiply by 2 to add females, plus 30% to allow for evasion or those below the threshold

[158] A Dyer & D M Palliser, *The Diocesan Population Return*, 287. Footnote 26 states that the number for Halesowen probably includes Cradley, Hunnington, Oldbury and Romsley. The editors believe that the numbers for Worcester diocese are the most accurate for 1563 (p 282). The larger parishes were Stratford-upon-Avon (320 households), Bromsgrove with Chadwick and Mosley (303 households) and Warwick St Mary (288 households)

[159] The use of this multiplier has been much debated – see A D Dyer & D M Palliser, *Diocesan Population Return* xli –l; Goose & Hinde, 'Estimating Local Population' Part II, 81-3 and J S Moore 'The Mid-Tudor Population Crisis', 44–57

therefore increased by at least 15%, despite a likely drop in the 1550s due to poor harvests and epidemics of influenza and other diseases.[160] Twenty-three of the twenty-nine probate inventories from the 1550s were dated 1557-9, showing supporting evidence of this.

Sources for calculation of estimated population levels in Halesowen in the seventeenth century are unfortunately limited. The 1603 return of communicants does not survive, nor do the 1641-2 Protestation returns.

The 1662 hearth tax records 311 households for the Shropshire townships. The 1664-5 hearth tax records 147 households for those in Worcestershire.[161] The total population is under-recorded, as most Shropshire counts do not mention those exempt through poverty, though it includes ten people who had not paid. The Worcestershire exempt were recorded by hundred, rather than by parish, so cannot be included. The results are shown in Figure 3.6. Oldbury and Romsley were the largest townships by area, and Cradley and Oldbury the most industrialised.[162]

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[160] J S Moore, 'The Mid-Tudor Population Crisis', 54-5. The population of Worcestershire was estimated to have fallen by between 16 and 20% during 1550s, and of Shropshire by between 26 and 27%. This was caused by epidemics of sweating sickness followed by a combination of influenza and typhus, and perhaps dysentery and plague.

[161] TNA E 179/255/23 Hearth tax for Shropshire 1662; TNA E 179/201/312 Worcestershire hearth tax 1664M - 1665L http://www.hearthtax.org.uk/communities/Worcestershire/Worcs_hearth_tax_surname_index.pdf [Accessed 12 August 2016]

[162] See Chapter 5 for metalworking in Cradley; it was also the location of a forge owned by Lord Dudley and operated by Dud Dudley; this was subsequently leased to the Foleys. Littleton vs John Lowe re sinking a coalpit in Coal Pit Leasowe cites the frequent digging for coal in Oldbury (TNA E 134 5JasI Hil 17). The Turton family of West Bromwich owned a blade mill and lands in Oldbury [D Dilworth, *The Tame Mills of Staffordshire*, 162-7, 180-3]; the will of William Turton the younger (1621) refers to the blade mill (TNA PROB 11/137/495)

Figure 3.6 Taxable households by township in hearth tax returns[163]

Tax year	Township	County	Number of households
1662	Borough	Salop	63
1662	Cakemore	Salop	18
1662	Hasbury	Salop	19
1662	Hawne	Salop	7
1662	Hill	Salop	17
1662	Hunnington	Salop	10
1662	Illey	Salop	11
1662	Lapal	Salop	16
1662	Oldbury	Salop	68*
1662	Ridgacre	Salop	17
1662	Romsley	Salop	40
1662	Warley Salop	Salop	21**
1664-5	Cradley	Worcs	56
1664-5	Frankley	Worcs	29
1664-5	Lutley	Worcs	14
1664-5	Warley Wigorn	Worcs	40
Total			446

The Compton census of 1676 asked parishes for the numbers of conformists, professed papists and nonconformists. The Halesowen results are listed in Figure 3.7. The returns, signed by the churchwardens, stated that the numbers referred to inhabitants.[164] Arkell's suggestion of comparing the Compton total with a near-contemporaneous hearth tax return to establish whether adults or males were reported can only be used for Frankley, where the Compton count

[163] *includes two poor and one not paid
**includes seven poor

[164] To use these totals to obtain an approximate total population, Whiteman suggested that a multiplier of 1.5 should be used if all adults over 16 were counted, and a multiplier of 3.0 if men only. She considered that in Worcester diocese generally males over sixteen or households were counted. A Whiteman, 'The Compton census of 1676' in K Schurer and T Arkell (eds), *Surveying the People*, xxxiv-xxv, lxiv, lxviii, 180-1

of thirty-five is compared with twenty-nine taxable households in 1664-5. It is therefore likely that householders were counted, so the multiplier of 4.75 is used.[165]

Figure 3.7 Inhabitants of Halesowen parish in the Compton census, 1676

Place	Conformists	Professed papists	Non-conformists	Total	Population based on households
Halesowen	554	3	4	561	2665
Frankley chapelry	34	0	1	35	166
Total	588	3	5	596	2831

Figure 3.8 combines three sets of available totals for the whole parish to give an estimation of demographic change over 150 years, using a multiplier of 4.75.

Figure 3.8 Estimated population of Halesowen parish, 1524-1676

1524 (based on 170 heads of households)	1563 (based on 280 households)	1676 (based on 596 households)
1154	1330	2831

The number of households increased by 350% between the 1520s and the 1670s; though high, this is much less than in Sedgley, where households increased from forty-nine to 492 (1000%) and in Rowley Regis, which grew from thirty-three households to 249 (755%) in the same period; both had extensive wastes where settlement and enclosure was permitted.[166]

[165] Arkell suggests dividing the Compton total by the hearth tax total: a ratio of about 1 indicates households were counted in the Compton census; a ratio of approximately 4.3 indicates inhabitants, whereas a ratio of around 3 suggests all adults, and a ratio of 1.5 adult males. He recommended a multiplier ranging between 3.7 to 5.2 to estimate population from the number of households (T Arkell, 'A method for estimating population totals from the Compton census returns' in K Schurer and T Arkell (eds), *Surveying the People*, 103-4

[166] C G A Clay, *Economic Expansion* vol 1, 2; P M Frost, 'Growth and Localisation', 166, 283

SOCIAL STRUCTURE

The doubling of the population of England between the beginning of the sixteenth and the end of the seventeenth centuries was a major factor in the huge increase in the numbers of the poor over the period. Shortage of land and inflation caused prices to increase sixfold between the 1540s and the early decades of the seventeenth century, particularly in relation to foodstuffs and cheaper grain. This led to a large increase in the number of wage-dependent labourers, either landless or with a small amount of land that was insufficient to provide a living.[167]

A classic example of social structure is that of Terling, Essex, one of England's richest counties, where 12% of people assessed in the 1520s were taxed at over £10, and 28% were in the poorest category (under £2 in land or wages). The picture in the west midlands was very different. In Halesowen, the wealthiest comprised less than 2% of taxpayers, and in Birmingham 9%. The proportion in the poorest category in Halesowen was 38% and in Birmingham 69%.[168] Most small craftsmen such as metalworkers would be included in this category.

During the mid-seventeenth century, hearth tax assessments provide an indication of house size, though bakers and metalworkers could have occupational hearths. The range of numbers of hearths for each Halesowen township is shown in Figure 3.9. The Shropshire numbers exclude those who were exempt through poverty, whilst three Worcestershire townships include them. The percentages of taxable hearths are listed in Figure 3.10.

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[167] C G A Clay, *Economic Expansion* vol 1, 17
[168] K Wrightson and D Levine, *Poverty and Piety*, 34; R Cust and A Hughes, 'The Tudor and Stuart Town', 110

Figure 3.9 Numbers of hearths as assessed in the Halesowen hearth tax returns for Shropshire townships (1662) and Worcestershire townships† (1664-5)[169]

Township	Total houses	6 hearths	5 hearths	4 hearths	3 hearths	2 hearths taxed [exempt]	1 hearth taxed [exempt]
Borough	63	0	2*	2	7	19	33
Cakemore	18	0	0	1	2	2	13
Cradley †	56	0	0	3	3	9 [2]	26 [13]
Frankley†	29	0	0	1**	2	6	18 [2]
Hasbury	19	0	0	0	0	7	12
Hawne	7	1	0	0	0	4	2
Hill	17	0	0	1	3	4	9
Hunnington	10	1	1	0	1	2	5
Illey	11	0	0	0	0	2	9
Lapal	16	0	0	1	2	7	6
Lutley†	14	0	0	0	1	3	7 [3]
Oldbury	68	1	0	4	3	15	45
Ridgacre	17	0	0	1	1	1	14
Romsley	40	0	0	0	2	6	32
Warley Salop	21	0	1	1	3	1	15
Warley Wigorn†	40	1	0	1	1	4	33
Total taxed	426	4	4	16	31	92	279
Total exempt (3 townships)	20	0	0	0	0	2	18
Total	446	4	4	16	31	94	297

[169] TNA E 179/255/23 Hearth tax for Shropshire 1662; E179/201/312 Hearth tax for Worcestershire 1664M-1665L; M Bradley and B Blunt (eds*), Cradley Court Rolls* Part 3, 14

* the vicar claimed a chimney had been taken down, so he only had three hearths; a baker claimed hearths were for baking and brewing only

** the previous return listed eight hearths

Figure 3.10 Percentages of taxable hearths in Shropshire townships (1662) and Worcestershire townships (1664-5)

Township	Total houses	6 hearths	5 hearths	4 hearths	3 hearths	2 hearths	1 hearth
Borough	63	0%	3%	3%	11%	30%	52%
Cakemore	18	0%	0%	6%	11%	11%	72%
Cradley	38	0%	0%	8%	8%	24 %	61%
Frankley	27	0%	0%	4%	7%	22 %	67%
Hasbury	19	0%	0%	0%	0%	37%	63%
Hawne	7	14%	0%	0%	0%	57%	29%
Hill	17	0%	0%	6%	18%	24%	53%
Hunnington	10	10%	10%	0%	10%	20%	50%
Illey	11	0%	0%	0%	0%	18%	82%
Lapal	16	0%	0%	6%	13%	44%	38%
Lutley	11	0%	0%	0%	9%	27%	64%
Oldbury	68	2%	0%	6%	4%	22%	66%
Ridgacre	17	0%	0%	6%	6%	6%	82%
Romsley	40	0%	0%	0%	5%	15%	80%
Warley Salop	21	0%	5%	5%	14%	5%	71%
Warley Wigorn	40	3%	0%	3%	3%	10%	83%
Total taxed	423	1%	1%	4%	7%	22%	65%

Spufford and Wrightson and Levine emphasise the necessity of using the number of hearths as a general guide to status and wealth only, as there are examples of individuals where the evidence of hearth tax and inventories is contradictory.[170] However, some comparisons can be made, even though the total exempt number for Halesowen is not available.

Differing recording methods make comparison with other areas difficult. However, in Halesowen less than 1% of the taxable houses had six hearths, whereas in Birmingham in 1670, 1% of households had ten or more**.** Houses taxed on three, four or five hearths comprised 12% of Halesowen assessments, and 23% of Birmingham households. In Halesowen 65% of

[170] M Spufford, *Contrasting Communities*, 37-45

taxpayers had one hearth (60% in north Warwickshire in the 1670s), and 29% had two or three hearths (30% in north Warwickshire). In contrast, in Terling in 1671, 51% of households had one hearth or were exempt, 17% had two hearths, 24% had three to five hearths, and 8% had between six and twenty hearths.[171]

This analysis shows that was comparatively little polarization of society in Halesowen in the mid seventeenth century, with smaller groups of wealthy and middling sorts. The evidence also shows that two thirds of the Halesowen population were cottagers and therefore at risk of poverty. Generally, the middling sort formed the upper echelons of society in the absence of resident gentry: this coincides with the evidence from the manorial court and churchwardens' records. As will be discussed in the chapters on the economic life of the parish, they were not merely yeomen, but also involved in industry, and so many had developed a sense of business and administration which enabled them to be the local elite which dominated local government.

THE POOR

The lay subsidy records from the 1520s name people who were assessed for tax based on their landholdings, their goods or their wages over a pound, so approximate ratios for each category can be calculated. Figure 3.11 shows that in 1524, people in Halesowen assessed at a pound formed 38% of the taxed population. This contrasts with Faraday's calculation for Halfshire hundred in Worcestershire (including four Halesowen townships) of 24%.[172] The higher percentage of poor in Halesowen supports the thesis that many holdings were too small

[171] V Skipp, *Crisis and Development*, 78-9; R Cust and A Hughes 'The Tudor and Stuart Town', 111; K Wrightson and D Levine, *Poverty and Piety*, 32-6

[172] M A Faraday, *Worcestershire Taxes*, xxiii. The number for 1525 is made up of 1.2% assessed on wages of £1 and 27.7% assessed at £1 but unspecified.

for subsistence, and also that people were attracted into the area in the hope of acquiring waged labour.

Figure 3.11 Numbers of people in Halesowen townships assessed for taxation per category, 1524[173]

Location	Total	£1	%	£2	%	£3-£9	%	£10-£19	%	£20+	%
Salop	100	35	35	35	35	29	29	1	1	0	0
Worcs	70	29	41	17	24	22	31	1	1	1	1
Total	170	64	38	52	31	51	30	2	1	1	>1

The tax returns of the 1520s and 1660s for the four townships in Worcestershire provide evidence for the change in the proportion of the poor within the total population of each township. The 1522 lay subsidy includes those too poor to be taxed, as do three of the 1665 hearth tax returns. Figure 3.12 shows the numbers assessed at nil or less than £1 for the 1522 assessment, and at one hearth for the 1665 assessment. The Cradley number includes two poor people with two hearths. The Warley 1664-5 assessment did not list any exempt, so this is a minimum percentage.[174]

Figure 3.12 Poorest assessments in Worcestershire townships, 1522 and 1665, as percentage of total assessed

Year	Cradley		Frankley		Lutley		Warley Wigorn	
	No.	%	No.	%	No.	%	No.	%
1522	22	44	4	15	3	27	15	50
1665	41	73	20	69	10	71	33	83

The table clearly shows the large rise in the number of the poorest inhabitants of the townships over 140 years, both in numbers and in the proportion of the total population. Figures

[173] M A Faraday, *Shropshire Lay Subsidy*, 32-3; M A Faraday, *Worcestershire Taxes*, 17-8, 37-8
[174] M A Faraday, *Worcestershire Taxes*, 6, 17-8, 37; TNA E179/201/312 membranes 8,9,12,16,19,20

3.13 to 3.16 show the breakdown by township of the 1522 lay subsidy (lands and goods only) and 1664 Hearth tax returns for the Worcestershire townships. As well as the increase in the poor, they demonstrate the decrease in the number of wealthier taxpayers.

Figure 3.13 Cradley 1522 lay subsidy and 1664 hearth tax assessments

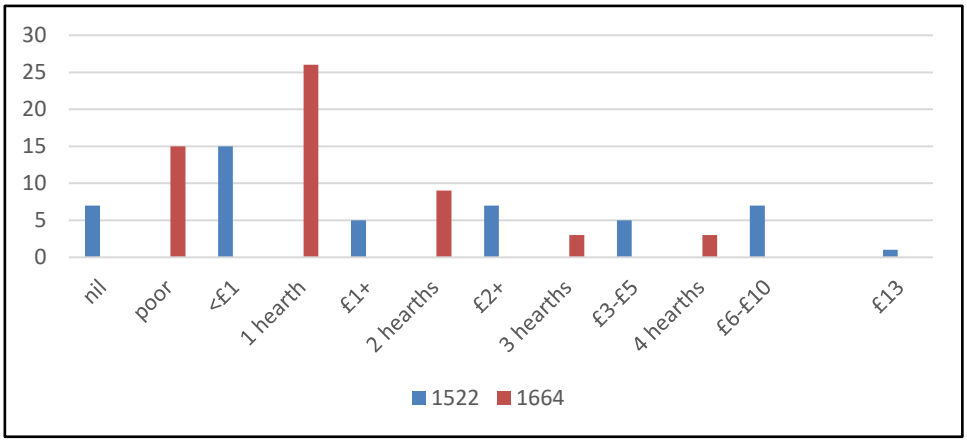


Figure 3.14 Frankley 1522 lay subsidy and 1664 hearth tax assessments

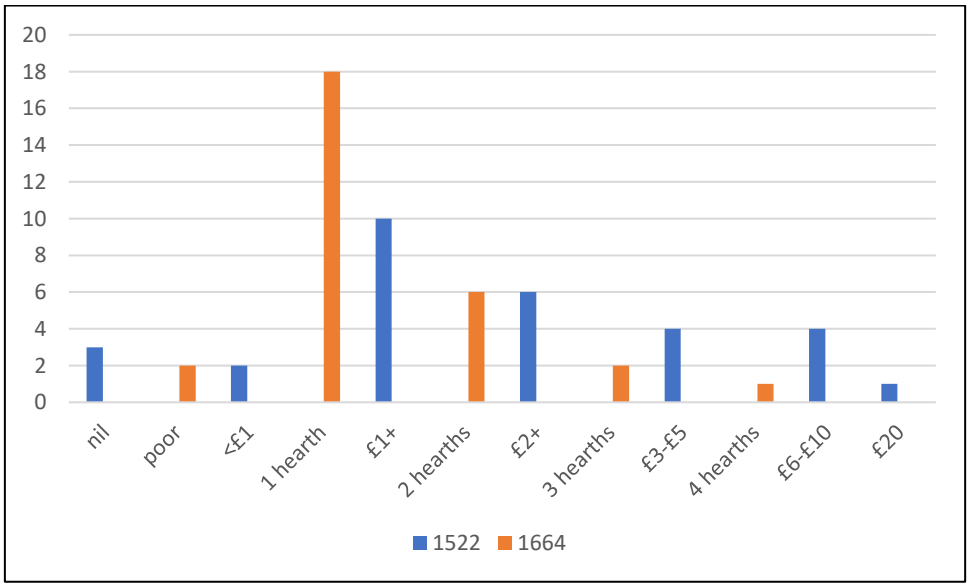


Figure 3.15 Lutley 1522 lay subsidy and 1664 hearth tax assessments

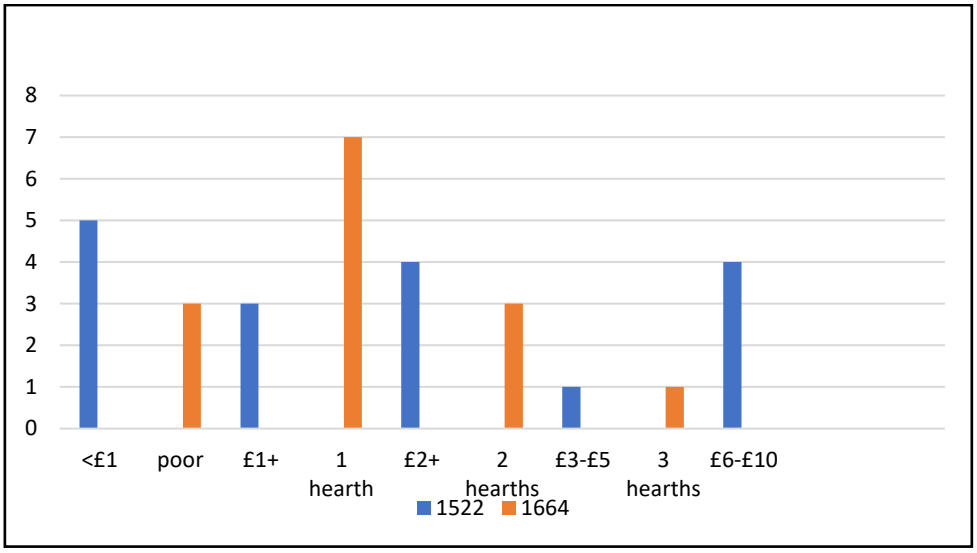
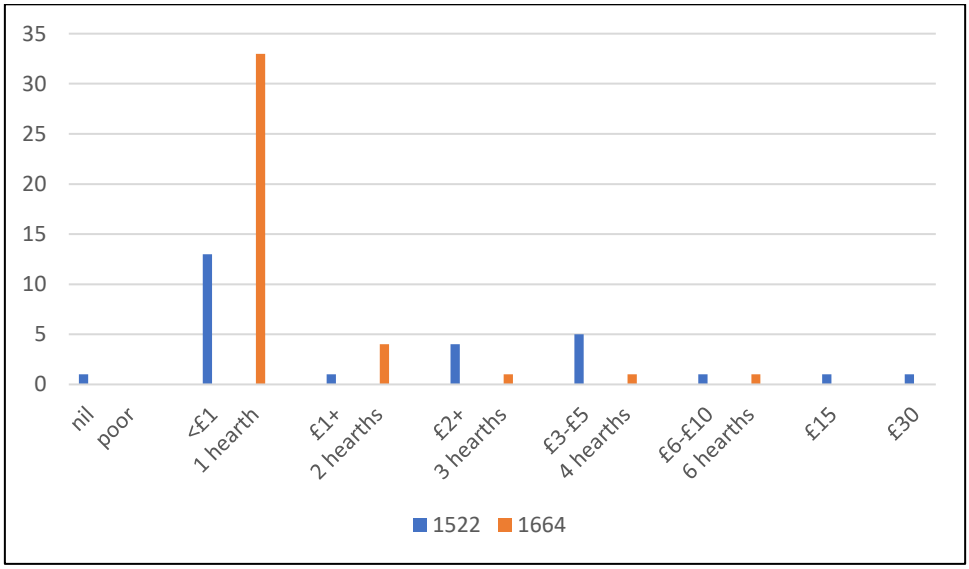


Figure 3.16 Warley Wigorn 1522 lay subsidy and 1664 hearth tax assessments



In Cradley, 27% of households were exempt from the Hearth Tax, compared with 38% in West Bromwich in 1666, 40% in north Warwickshire in the 1670s, and 47% in Birmingham

in 1670.[175] The Cradley inhabitants petitioned the Worcestershire justices in 1613 for Lutley and Warley Wigorn to assist with payments towards the poor of Cradley, but the request was refused, as the problems associated with the increase in the number of the poor were not limited to Cradley.[176] Although the situation of the poor in Cradley was undoubtedly difficult, it was less severe in more industrial towns. The pressure on communities to support their poorest members increased, which caused the richer inhabitants to attempt to control spending on the poor, thus accentuating the division between the two groups.

THE GENTRY

The lords of the manor for most of the period under study, the Lyttelton family, were heavily involved in county and national politics. Though their main house was at Frankley, they also had houses at Hagley, Worcestershire and Prestwood, Staffordshire. In 1601 Frankley was described as their 'chiefest house... a verie fayre brick house'.[177] As mentioned previously, they were connected by marriage with the chief families in Worcestershire and nationally.

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[175] *VCH A History of the County of Stafford*: Volume 17, Offlow Hundred (Part), West Bromwich 1-4. British History Online http://www.british-history.ac.uk/vch/staffs/vol17/pp1-4 [Accessed 14 June 2021]; V Skipp, *Crisis and Development*, 78-9; R Cust and A Hughes 'The Tudor and Stuart Town', 111. The actual numbers for West Bromwich were 194 chargeable houses and 117 exempt, and for Birmingham 365 exempt houses out of 780 in total. The comparable percentages for Frankley were 2% and for Lutley 21%, but the total populations of these townships were very small.

[176] WAAS 1/1/21/89 Worcestershire Quarter Sessions. Quarter Sessions Rolls. 11 James I

[177] M Wanklyn (ed), *Inventories of Worcestershire landed gentry, 1537-1786* (Worcestershire Historical Society, New Series 16) (Worcester, 1998), 103-8. The 1601 inventory listed goods seized by the sheriff of Worcestershire after the condemnation of John Lyttelton, and included the Frankley, Prestwood and Areley properties as well as livestock, crops and industrial goods. Prestwood had eight rooms plus cellar, two dairies, chamber over the dairy and a brewhouse. At Areley there were 'certayne thowsandes of brick, the nomber not knowen'. The 1602 inventory of the goods sold by the sheriff to Meriel Lyttelton, which related to the Frankley house only, lists many more rooms than the earlier survey, as follows: arras chamber, closset within the arras chamber, lower waynscote chamber, inward chamber to the same, waynescott chamber, inward chamber to the same, greate parler, lytle parler, buttrey & pantrey, hall, olde gallerie, still house chamber, parsons chamber, faulkner chamber, chamber next to yt, staire head by the aras chamber doare, nurserie chamber, lytle chamber next the nurserie, brushinge roome, upper waynscott chamber, lytle inward chamber at the gallery doare, chamber adioyning to that, turrett chamber, chamber within the gallery, great chamber, inward chamber to the same, brushing place, gallerie, armorye, store house, kitchin, brewhouse, boultingehowse, inward chamber to the upper waynscot chamber, day howse, cellers, barne, rome at the stayre head, and baylies chamber.

Comparatively few men in Halesowen in the period under study were known by the rank of gentlemen. Some lived elsewhere, played no part in the running of the parish or manor and subletting their holdings, such as Lord Dudley.[178] One gentleman living in the borough was Richard Dickines. He was appointed by Meriel Lyttelton as her attorney in 1607, so was obviously a trusted man of affairs.[179] He is recorded as having served once as a juror in the borough court, in 1576. In 1609, he paid 6s.8d to become a burgess and was elected bailiff at the same court. Afterwards he was a juror in all the borough courts until his death in February 1619-20, and was a churchwarden in 1615. He left property in the borough, Illey and Lutley, as well as in Hagley. His goods were valued at £317. He left an annuity to the churchwardens for the repair of the church and another for the poor of the town. His wife Joyce, who died in 1629, was one of the four daughters and coheirs of William Hassold, who held freehold Ridgacre farm. Her property in the borough included two leased houses and two freehold shops, which she bequeathed to two of her servants for life. She too left considerable charitable bequests and others to relatives, friends and servants.[180]

THE MIDDLING SORT

The 'middling sort' have been described as 'the local notables who were both the principal beneficiaries of change and the brokers who mediated between forces active in the larger society and their polarizing local communities'.[181] They had particular influence if there were no resident gentry in a district. The term 'middling' has been taken to refer to occupation

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[178] For example, AHPLOB 377992/10 CMCR 11 October 1577

[179] AHPLOB 280320 Appointment by Meriel Littleton of Frankley, widow, of William Bartley and Richard Dickins as her attorneys for premises in Dudley co. Worc

[180] WAAS 008.7 BA3585 1619 no 128 Will and inventory of Richard Dickyns; WAAS 008.7 BA3585 1629 no 53 Will and inventory of Joyce Dickins; eg AHPLOB 377994 fol 8 HBCR 27 September 1609

[181] K Wrightson, *English Society,* 234

or wealth, but also to attitudes of mind that were shared by some members of the community, which influenced their actions within that community. Wealth was not the sole criterion, as it did not account for stages in the life-cycle. Education or entry into a trade or profession could place a young man in a higher social stratum.[182] The middling group of yeomen, craftsmen and traders could sublet fields, cottages or farms, and employ labourers. These circumstances gave them authority which would be increased if they also occupied posts such as overseer of the poor, which enabled them to allocate funds and order the lives of paupers.

As discussed earlier, taxation records give an indication of middling status. Probate inventories give a snapshot of wealth, perhaps including numbers of rooms, jewellery and silver or other luxury items, and books, which give an indication of literacy. Figure 3.17 lists the inventories that identified the greatest number of rooms, including kitchens and other offices.

Figure 3.17 Occupants of houses with five or more rooms. Those marked * had 1000-year leases

Name	House or Township	Year	Status	Named rooms
*William Lea	The Grange, Hunnington	1611	tanner	16
*John Smith	Holly Hill, Frankley	1645	yeoman	13
*William Haswald	Warley Wigorn	1606	yeoman	10
*John/Humphrey Pearsall	Hawne & Hasbury	1644	yeoman	10
Richard Wight	borough	1644	tanner	10
Samuel Westwood	Cradley	1644	scythemaker	9
Roger Parkes	Ridgacre	1649	yeoman	8
William Paston	Hawne	1607	yeoman	8

[182] K Wrightson, *English Society*, 36-46; J Barry, 'Bourgeois Collectivism? Urban Association and the Middling Sort' in J Barry and C Brooks, (eds), *'The Middling Sort of People: Culture, Society and Politics in England, 1550*-1800, (Basingstoke, 1994), 85; J Kent, 'The Rural 'Middling Sort' in Early Modern England, circa 1640–1740: Some Economic, Political and Socio-Cultural Characteristics' *Rural History* vol 10 no 1 (1999), 20-21; H French, 'Social status, localism and the "middle sort of people" in England 1620-1750' *Past and Present* vol 166 (2000), 70-1

Isabell Theaker	borough	1601	fishmonger's widow	8
William White	Lutley	1623	yeoman	8
Ellen Moore	Goodrest, Hunnington	1592	yeoman's widow	7
William Warde	borough	1580	mercer	7
*John Pearsall	Hawne	1645	yeoman	7
Hugh A'Moore	Goodrest, Hunnington	1589	farmer, cooper	6
Joan Collins		1648	widow	6
William Harris	Goodrest, Hunnington	1647	yeoman	6
Richard Mansell	Cradley	1634	yeoman	6
John Maynard		1614	yeoman	6
William Roe	Hasbury	1605	yeoman	6
William Underhill	Hill	1617		6
Alice Wight		1638		6
Richard Lowbridge		1641	nailer/yeoman	6
John Collins	Hasbury	1647		5
Richard Dickines	Borough	1619	gentleman	5
Thomas More	Goodrest, Hunnington	1561	yeoman	5

The purchase of thousand-year leases necessitated a capital investment: the yeoman John Ives, for example, who occupied the Grange, paid £125 in 1558 for the lease of the house and lands, at 12d annual rent.[183] The marriage of his daughter and heiress to the tanner William Lea shows that there was no social distinction between yeomen and wealthy tradesmen. The inventory of his son-in-law, in 1611, named sixteen rooms, including a cockloft, mill house and tanhouse. The house contained the greatest number of luxuries: a looking glass, a pair of playing tables, and four bedsteads of wainscot.[184] Only three other inventories listed looking glasses.[185] A few inventories listed silver, gold or jewels. The most valuable were James

[183] WAAS 2522/191 Lease from Thomas Blunt, Esq and George Tuckey, Esq to John Ive for 1000 years
[184] SBT DR 37/2/Box 90/19 Archer of Tanworth. Probate copy of the inventory of William Lea late of Halesowen, tanner 1613
[185] WAAS 008.7 BA3585 1625 No. 29 Inventory of Francis Barnet 1625; WAAS 008.7 BA3585 1625 no. 186 Inventory of John Richards 1625; WAAS 008.7 BA3585 1641 No. 15 Inventory of Humphrey Burton 1641

Browne's silver bowl and ten silver spoons, valued at £3, and Ann Haughton's purse, girdle, silver and jewels valued at £3.2s.[186] Crops and livestock took priority over household goods and luxuries, which agrees with Weatherill's conclusion that those in agricultural occupations generally had sparse domestic possessions.[187]

Literacy was an indication of education and status. This is reflected in the number of seventeenth century probate documents that mentioned books, as listed in figure 3.18.

Figure 3.18 Probate documents listing books

Name	Occupation	Year	Books
William Taylor	priest	1545	certeyne books of the canon lawe with other olde bookes 20s
Nicholas Greeves	priest	1575	books 13s.4d
William Hadley	yeoman	1592	books 4s
George Harris	clerk	1598	7 books 40s
John Lowbrydge	nailer	1601	three old books
William Westwood	yeoman	1601	bible & other books 10s
Isabell Theaker	fishmonger's widow	1601	a bible & other prayer books 5s
John Melley	scythesmith	1605	books 10s
Richard Darby	husbandman	1610	three books
John Haughton	woollen draper	1613	bible & other books 13s.4d
John Maynard	yeoman	1614	bequeathed all his books to his son
John Partrich	yeoman	1616	one old bible & other books 10s
John Grove	grinder	1618	two books 2s.6d
John Alexander	gentleman	1619	all the books 10s (the most expensive item – total value £3.16s.6d)
Elnor Pardoe	lockyer's widow	1622	a bible and other books
Francis Barnet	?Lyttelton household	1625	one coffer of books 30s
James Browne	yeoman	1635	books 20s
Thomas Parboe	yeoman	1637	books 2s.8d
Richard Lowbridge	nailer/yeoman	1641	books
John Underhill	yeoman	1644	one bible & 3 other books 5s

[186]WAAS 008.7 BA3585 1635 no. 23 Inventory of James Browne; WAAS 008.7 BA3585 1605 no. 106 Inventory of Ann Haughton

[187] L Weatherill, *Consumer Behaviour*, 191-2

Joan Underhill	yeoman's widow	1644	one bible & 3 other books 5s
Humphrey Pearsall	yeoman	1644	a bible 10s
John Smith	yeoman	1645	books £1
John Pearsall	yeoman	1645	all the books in the house £1
Richard Witton	scythemaker	1645	a bible 3s.4d
Henry Hurley	yeoman	1648	books 6s.8d

Three of the four inventories from the sixteenth century that included books, were of priests. Before the founding of a free school in the 1650s, John Wilson, clerk, had been appointed schoolmaster in the parish in 1582, and a Mr Pritchett, schoolmaster, was mentioned in 1601.[188] Most of the documents relate to people of yeoman or similar status such as skilled craftsmen or retailers.

Although the number of books was generally small, the significance in which books and education were held by some is reflected in the will of John Maynard dated 1614: the first bequest was 'To my son John £20 and all my books, desiring that he may be kept to school till he be of stature and ability fit for a trade or other course of life, whereunto God shall make him most fit.'[189]

CONCLUSION

The limitations of the surviving primary sources mean that population counts can be estimations only, but following the guidelines of Goose and Hinde, they show that the population of Halesowen increased by about 145% between the 1520s and 1676. The increase of 1500 between 1563 and the 1660s is similar to the increase calculated from the numbers of baptisms and burials between 1560 and 1639.

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[188] http://db.theclergydatabase.org.uk/jsp/DisplayAppointment.jsp?CDBAppRedID=195049 [accessed 27 June 2017]; WAAS 008.7 BA3590 vol. 7 fol. 128 Will of George Hall

189 WAAS 008.7 BA3585 1614 no. 96 Will of John Maynard

This shows a much larger percentage increase than the estimated percentage increase for England as a whole, which doubled between 1540 and 1660. However, the numbers do not compare with neighbouring industrialising parishes such as Rowley Regis and Sedgley, both of which had extensive wastes. These numbers confirm that the availability of land for permitted settlement was a major influence on population levels.

Analysis of taxation returns show there was increasing numbers of poor in Halesowen. In 1524, 38% of taxpayers were assessed at £1, 31% at £2 and 30% at £3-£9. By the 1660s 65% had one hearth, and 33% had two to five hearths. However, the number of exempt households in the hearth tax returns show that, for Cradley at least, there were far fewer very poor than in the neighbouring industrial towns of West Bromwich and Birmingham.

Taxation returns and probate inventories indicated that there were few gentry in the parish, with the middling sort being amongst the wealthiest inhabitants. The proportion of the wealthiest decreased, though those who retained wealth managed to increase their holding and capital. Most of the middling sort were yeomen, but some metalworkers, a tanner and tradesmen also occupied large houses. Some owned a small quantity of luxury items and books, but they were typical in investing their capital in farming rather than household goods. They represented the core of local society but could not be included in the elite in a wider context of education and ownership of luxury possessions.

These analyses show that Halesowen does not fit the demographic pattern of typical industrial communities of the west midlands of the time. It was a community that showed a smaller population increase and was less polarized than some neighbours. Although there is no information about the poorest members of the Shropshire townships in the hearth tax returns, the evidence from Worcestershire suggests there was not a very large contingent of the very

poor, suggesting that many labourers could earn a sufficient living. This will be investigated further in Chapters 4 and 5.

CHAPTER 4: ECONOMY Part 1: AGRICULTURE

This chapter examines the importance of both pastoral and arable farming in Halesowen, by analysing probate inventories to establish, as far as their limitations allow, the extent of livestock ownership and crop cultivation. This will help establish whether the location on the borders of the Worcestershire agricultural zones and nearby industrial areas influenced the type of agriculture taking place. This is supplemented by considering the size of holdings and the role of the manorial courts in controlling agriculture. The conclusions will be linked with those of chapter 5, on industry, to establish reasons for the lack of development of a specialist metal industry in the early modern period.

THE HISTORIOGRAPHY

Volume 4 of the *Agrarian History of England and Wales* provides both background information and specific detail on agriculture. For this thesis, sections on the west midlands, farming techniques, the yeomanry, farm labourers and marketing were particularly helpful.[190] Other essays by Thirsk include local studies of Staffordshire, which provides a useful comparison, and of seventeenth century advances, which includes a section on pastoral farming and on the growing of hemp and flax.[191]

Davie argued that the division of farming by agricultural regions was too blunt, and more consideration should be given to social structures, landholding patterns and farming systems, such as security of tenure, inheritance systems, seigneurial control and the quantity of commons and wastes. This would give a continuum against which communities or regions

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[190] J Thirsk (ed), *AHEW* vol 4 1500-1640 (Cambridge, 1967)
[191] J Thirsk, 'Horn and Thorn', 163-182; J Thirsk, 'Seventeenth Century Agriculture and Social Change' in J Thirsk (ed), *The Rural Economy*, 183-216

could be measured.[192] This model provides a basis for the study of agriculture in Halesowen as a district bordering different landscape types.

A useful summary of farming in the sixteenth century has been provided by Overton.[193] There have been many studies of agriculture in specific communities: a classic work by Spufford on the differing socio-economic experiences of three parishes in different landscapes of Cambridgeshire has formed a foundation for studies of agrarian diversity.[194] Yelling's essays on agriculture in Worcestershire provide statistical analysis for comparison, as do Dickson on Hartlebury and Frost on by-employment in Staffordshire.[195] Works by Skipp and Alcock give similar information on Warwickshire.[196] Large's study of Ombersley examined the importance of heritable copyhold for the protection of small landowners.[197] Tonks provided analysis and background on landholdings on the Lyttelton estates.[198]

PRIMARY SOURCES

Manorial records have provided information on holdings, land tenure, inheritance customs and the control of the common fields. These have been supplemented by the surveys of the Lyttelton estates after the attainder of John Lyttelton, which provide snapshots of

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[192] N Davie, 'Chalk and Cheese? "Fielden" and "Forest" Communities in Early Modern England', *Journal of Historical Sociology* vol 4 no 1 (1991), 1-31

[193] M Overton, *Agricultural Revolution in England: The transformation of the agrarian economy 1500-1850* (Cambridge, 1996)

[194] M Spufford, *Contrasting Communities*

[195] Such as J A Yelling, 'Probate Inventories', 111-126; J A Yelling, 'The Combination and Rotation of Crops in East Worcestershire, 1540–1660' *The Agricultural History Review* vol 17 no 1 (1969), 24-43; J A Yelling, 'Changes in Crop Production in East Worcestershire 1540-1867' *The Agricultural History Review* vol 21 no 1 (1973), 18-34; S A Dickson, 'Land and Change'; P Frost, 'Yeomen and Metalsmiths'

[196] V Skipp, *Crisis and Development*; N W Alcock, *People at Home*

[197] P Large, 'Rural society and agricultural change: Ombersley 1580-1700', 105-135

[198] J M J Tonks, 'The Lytteltons'

manorial tenants and their holdings.[199] Some wills have described inheritance patterns and the provision for younger children.

Probate inventories are the main source of information for agriculture in Halesowen. Valuations varied according to the time of year, the age of livestock, the amount of detail given by the appraisers, and the possibility that some items such as tools or livestock may have been taken by an heir between the death and the appraisal.

LANDHOLDINGS

Primogeniture was the normal practice in Halesowen; those who left wills tried where possible to ensure that younger children were supported by the bequest of equipment for a trade, or payments from the sibling with land. Occasionally they were bequeathed small areas of land. This practice meant that holdings could become too small to keep a family. Female heirs were generally subject to partible inheritance.[200]

In the 1590s Gilbert Lyttelton converted some customary holdings to other tenures: twenty-five leases were sold between 1590 and 1593. Copyholders of inheritance was considered to be secure, so were interested in maintaining their customary rights, including fixed fines. They were ordered to compound with him to hold their tenements at will. The customary tenants entered a plea in Chancery to try to protect their rights. Nevertheless, Gilbert

[199] TNA E 178 1900 Exchequer: King's Remembrancer: Special Commissions of Inquiry. Inquisition of the possessions of John Lyttelton; TNA LR1 137 Office of the Auditors of Land Revenue and Predecessors: Enrolment Books. Alexander King, Auditor, 1586-1603 vol 9; TNA LR2 185 ff 100-143 Office of the Auditors of Land Revenue and Predecessors: Miscellaneous Books – Surveys and Rentals vol 6 Warw, Staffs, Heref, Salop, Worcs. Work on these surveys is included in J M J Tonks, 'The Lytteltons'.

[200] Eg AHPOLB 377994 fol 132v ff HMCR 4 October 1620. Daughters and co-heirs of Robert Austen

increased entry fines: the average amount charged by him was £7.15s.7d, nearly triple what his father had charged.[201]

In 1601, of 294 holdings in Halesowen manor, 84 were copyhold of inheritance, four copyhold for lives, 64 at will, 64 held by indenture, and 78 were freehold. In Cradley, there were 33 copyhold of inheritance, nine freehold and one by indenture.[202]

Multiple holdings and subletting were common. Thomas Higgens, for example, had eight holdings, comprising messuages, houses, arable, pasture and meadow land; five were freehold, two were held by thousand year leases, and one at will. The size of holdings held by tenants of the Lyttelton estate in 1602 is shown in Figure 4.1.

Figure 4.1 Numbers and size of landholdings of the Lyttelton estate in Halesowen 1602[203]

Area	Virgate or more >26 acres	Half virgate 10-25 acres	Nook 5-9 acres	<4 acres	Cottage	Urban property	Not stated	Total
Cradley	7	5	1	2	6	0	7	28
Frankley	4	2	5	2	1	0	8	22
Warley	3	4	1	2	3	0	4	17
Halesowen	26	21	10	7	50	20	44	178
Total	40	32	17	13	60	20	63	245

[201] J M J Tonks, 'The Lytteltons', 63-6; TNA C 2/Eliz/H13/28 Tenants of Halesowen vs Littleton. The tenants claimed that fines were fixed at 26s.8d for a yardland, 13s.4d for half a yardland and 6s.8d for a nook of land, though nothing came of the case.

[202] LR2 185 ff 100-143 Office of the Auditors of Land Revenue and Predecessors: Miscellaneous Books – Surveys and Rentals vol 6 Warw, Staffs, Heref, Salop, Worcs [Survey of the lands of John Lyttelton, 1601-2]

[203] J M J Tonks, 'The Lytteltons', p 109. The numbers for virgates include any holding of twenty-five acres or more; that for half virgates includes ten to twenty-five acres, and for nooks include five to nine acres. The numbers are based on the Crown Receiver's survey ref. TNA LR2/185 ff 100-160, Office of the Auditors of Land Revenue and Predecessors: Miscellaneous Books – Surveys and Rentals. Tonks stated that some holdings were excluded from his table.

The Erection of Cottages Act 1588 stated that cottages should have at least four acres of land; Everitt considered that most labourers with holdings of less than five acres required paid work to supplement their income, so labourers holding four or five acres were fortunate. His survey of smallholdings of five acres or less showed that 16% of holdings in west midlands manors consisted only of a cottage and garden.[204] In the Halesowen townships there were seventy-three non-urban smallholdings of four acres or less in 1602, which means that at least 32% of all non-urban property was considered inadequate to provide a living. Of 162 known sizes of non-urban holdings, virgates comprised 25%, half virgates 20%, and a nook or less 56%.

The trend towards loss of holdings was intensified during periods of dearth caused by poor harvests, as in the 1590s. Pastoral farmers paid inflated prices for grain for food, and mixed/arable farmers had less grain to sell to provide cash for their other needs. Lack of income could lead to debt or abandonment of holdings, and so to increased dependence on waged labour. Consequently, the gap between rich and poor widened.

LIVESTOCK FARMING

Yelling's study of livestock farming in east Worcestershire counted numbers of livestock. He found that cattle and oxen were the most numerous animals listed in inventories, showing that arable forming was an important component in mixed farming. Many Halesowen inventories did not state the actual number of animals, but where available they are summarised in Figure 4.2, and are compared with Yelling's.

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[204] A Everitt, 'Farm labourers', 398, 401-2

Figure 4.2 Livestock listed in woodland Worcestershire and Halesowen inventories[205]

Area	Period	Oxen	Cattle	Sheep	Horses	Pigs
Halesowen	1540-1599	7%	34%	41%	8%	11%
Woodland Worcestershire	1540-1599	25%	44%	12%	15%	4%
Halesowen	1600-1649	5%	31%	51%	6%	7%
Woodland Worcestershire	1600-1660	12%	51%	16%	18%	3%

In Halesowen there were more sheep than cattle, the number increasing in the seventeenth century, so that over half the number of animals counted in Halesowen inventories were sheep. There were few oxen.

However, when the numbers of people owning livestock at death are studied, a very different picture emerges. Frost, in her study of livestock-rearing in south Staffordshire, calculated the percentages of inventories which included different types of livestock. Her findings and those for Halesowen are summarised in Figure 4.3.

In Halesowen, dairying was more significant than sheep-rearing, though flocks of sheep could be larger than herds of cattle. In the seventeenth century, the percentages of inventories including livestock generally were lower than in the earlier period. Only mentions of sheep remained static. This suggests that more people found keeping livestock difficult or uneconomic. These findings agree with Everitt's conclusion in his study of the midland forest area that, as the population rose and land became scarcer, most labourers replaced cattle with animals that required less extensive grazing. Poor labourers became poorer, with fewer owning livestock; the better-off were able to keep more livestock and became richer.[206]

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[205] J A Yelling, 'Probate Inventories', 120-3; WAAS 008.7 BA 3585 and 3590 Probate inventories for Halesowen and townships. Inventories where numbers of animals are not stated are excluded

[206] A Everitt, 'Farm labourers', 417-8

Figure 4.3 Livestock listed in Halesowen and south Staffordshire inventories[207]

Area	Period	Oxen		Cattle		Sheep		Horses		Pigs	
		No.	%	No.	%	No.	%	No.	%	No.	%
Halesowen 166 inventories	1550-1599	39	23	138	83	82	49	98	59	107	64
Staffordshire 250 inventories	1560-1600	96	38	224	90	186	74	165	66	167	67
Halesowen 204 inventories	1601-1649	27	13	153	75	98	48	108	53	107	52
Staffordshire 419 inventories	1601-1640	76	18	301	74	170	64	244	58	215	51

CATTLE

Cattle were listed in 78% of Halesowen inventories over the whole period. The fall in percentages in the early seventeenth century was slightly less than that in south Staffordshire (90% to 74%) and much less than in Hartlebury (73% to 44%). In south Staffordshire in the seventeenth century, the proportion of metalworkers who kept cattle fell from 75% to 56%, and the median size of herd also fell.[208] The numbers and size of herds and flocks in Halesowen are summarised in Figures 4.4 and 4.5.

[207] P Frost, 'Yeomen and Metalsmiths', 34-7
[208] S A Dickson, 'Land and Change', 251-2, 233-5; P Frost, 'Yeomen and Metalsmiths', 35, 38

Figure 4.4 Size of herds and flocks in Halesowen inventories, 1550-1649

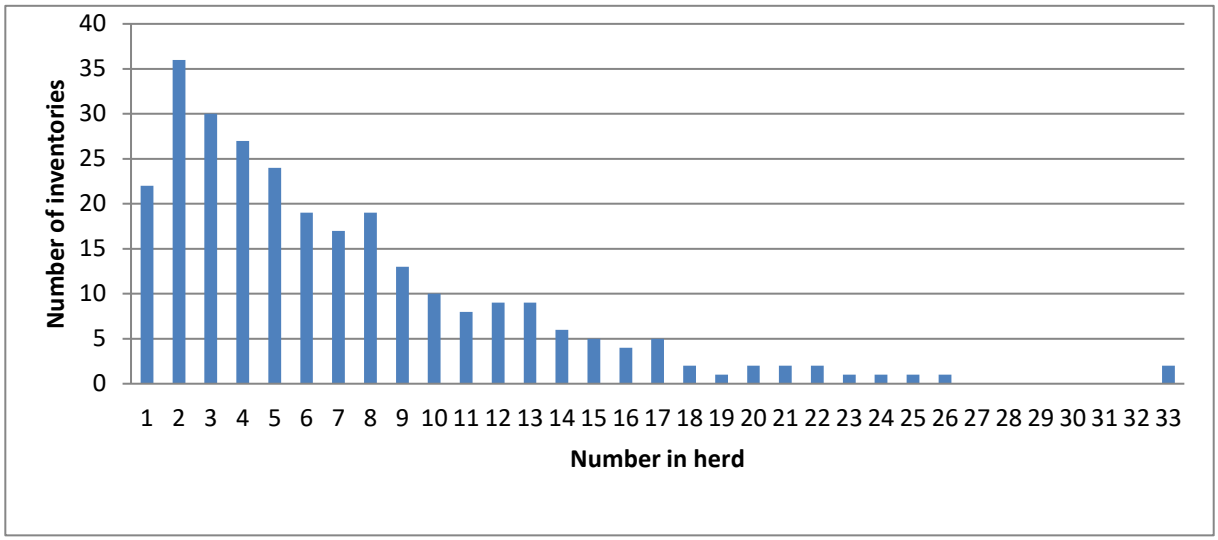
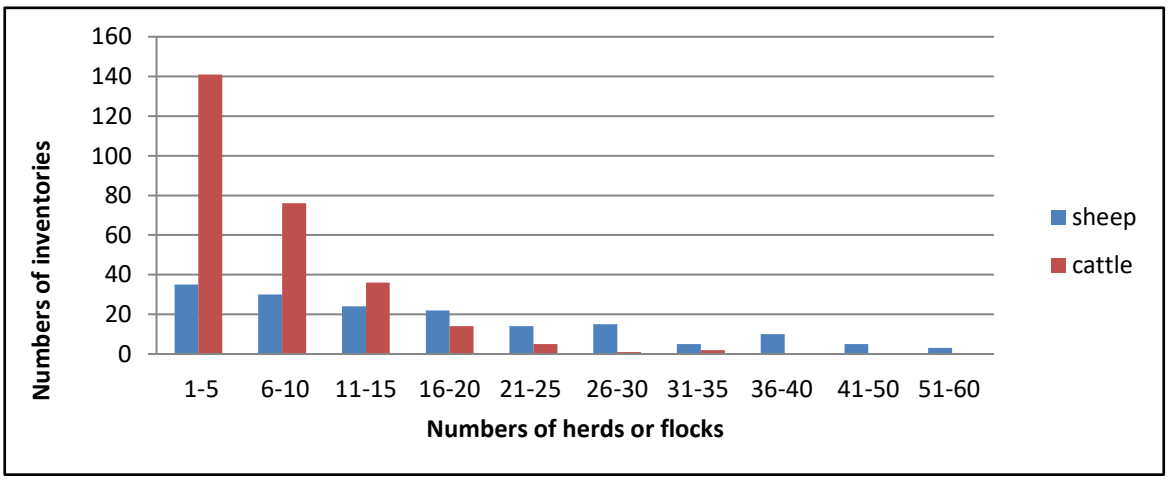


Figure 4.5 shows the numbers of cattle in those inventories which specified them. Of the 278 legible inventories, fifty-eight (21%) had one or two cows. The average number of cattle per owner was seven, compared with six in Staffordshire.

Figure 4.5 Total numbers of cattle per inventory in Halesowen, 1550-1649[209]



[209] This number excludes two inventories where cattle numbers were not specified, and thirteen where the quantities were partially or totally illegible or lost. It includes one inventory where there was a half share in one cow: this was counted as one animal. It exclude the survey of the confiscated property of John Lyttelton, which

Both examples show that large herds were unusual in Halesowen: only ten people had more than twenty cattle, which was similar to the situation in south Staffordshire, where only two men had more than thirty cattle.[210] This obviously is due to the small holdings.

Figure 4.6 summarizes the size of herds by decade. The smallest herds (under 5 head) were the most common during the period under study; the proportion increased from 45% to 54%. The proportion of largest herds (over sixteen) fell from 12% in 1550-1599 to 5% in 1600-1650, suggesting that fewer people were able to keep larger numbers of cattle, perhaps because land became concentrated in fewer hands. This would account for numbers of herds of six to ten head falling and numbers of herds of eleven to fifteen head increasing. It indicates a greater polarization between those with sufficient land and those without.

Figure 4.6 Herd sizes listed in Halesowen inventories, 1550-1649

Period	Number of inventories with known herd size	1-5 cattle		6-10 cattle		11-15 cattle		16 plus cattle	
1550-59	23	9	39%	9	39%	0	0%	5	22%
1560-69	8	4	50%	0	0%	2	25%	2	25%
1570-79	30	15	50%	7	23%	4	13%	4	13%
1580-89	27	11	41%	10	37%	4	15%	2	7%
1590-99	41	19	46%	13	32%	6	15%	3	7%
1550-99	129	58	45%	39	30%	16	12%	16	12%
1600-09	29	15	52%	7	24%	5	17%	2	7%
1610-19	33	18	55%	9	27%	5	15%	1	3%
1620-29	31	17	55%	7	23%	5	16%	2	6%
1630-39	23	12	52%	7	30%	2	9%	2	9%
1640-49	33	19	58%	9	27%	4	12%	1	3%
1600-49	149	81	54%	39	26%	21	14%	8	5%

stated that he had twenty-one cows and heifers and five runt oxen or bullocks at Halesowen, as well as nine plough oxen and five cows at Frankley [M Wanklyn (ed), *Inventories of Worcestershire landed gentry, 1537-1786* (Worcestershire Historical Society, New Series 16) (Worcester, 1998), 98-9]

[210] P Frost, 'Yeomen and Metalsmiths', 34

It is impossible to identify for certain the balance between cattle rearing for domestic use, breeding for meat, or fattening of purchased stock. Cattle-rearing for meat did occur in Halesowen, probably on a small scale for the local market. For example, in the 1550s Thomas Rowe, a butcher of Halesowen, claimed that William Sowthall of Frankley had defaulted on an agreement to sell him calves and 'beefs', and sold them elsewhere for a higher price.[211] Over half (58%) of those whose cattle were categorised in their inventories, kept heifers, yearlings, and calves. Bulls were listed in 12% of these inventories.

An increase in dairying is traceable over the period under study. Cheese first appears in an inventory in 1566, as a small amount. The next mention was in 1572, when Thomas Hadley had sixteen cheeses and three quarts of butter valued at 5s. Cheese-making equipment, including cheese presses, boards or sutors, ladders and racks or cratches, are first listed in the late 1580s. By the turn of the century, over 40% of Halesowen inventories listed cheese or cheese-making equipment, though some must have been for domestic use. Figure 4.7 analyses these references. The increases in the 1580s and 1590s correspond with the reduction in the number of large herds, arguing that cheese production was an activity carried out by those who could afford to keep larger herds, with the aim of catering for the needs of increasing numbers of industrial workers.

[211] TNA C 1/1466/57 Rowe vs Sowthall 1556-58

Figure 4.7 Cheese and cheese-making in Halesowen inventories, 1560-1649

Period	Total inventories	Inventories mentioning cheese or cheese-making equipment	%
1560-69	11	1	9%
1570-79	34	1	3%
1580-89	36	6	17%
1590-99	52	21	40%
1600-09	39	17	44%
1610-19	47	21	45%
1620-29	48	25	52%
1630-39	28	14	50%
1640-49	44	23	52%

This is supported by Figure 4.8, which details the inventories with the largest quantities or values of cheese, and those that mentioned dairies. Fifteen inventories listed what might be termed commercial quantities, between sixteen and forty-seven cheeses, while two more valued cheeses at £4 and £9. Most of the people listed were of yeoman or equivalent status and wealth; both the tailor and the nailer had extensive farming interests.

Figure 4.8 Halesowen inventories showing major involvement in cheese-making

Year	Name	Status	Dairy products and equipment	Dairy listed
1572	Thomas Hadley	yeoman	16 cheeses and 3 quarts of butter 5s	
1589	Hugh A'Moore	yeoman	milk pans, cream pots, churns, cheffatts & all such other stuff	yes
1591	John Harris	yeoman	30 cheeses 10s	
1592	Ellen Moore	yeoman's widow	cheese vats; 38 cheeses 37s	yes
1600	John Grove		7 cheese vats; 18 cheeses	
1603	Richard Hassold	yeoman	a great skeel, 2 pails 2 barrels and two close buckets	yes
1606	William Haswald	yeoman	47 cheeses	yes
1609	John Wight	yeoman	1 cheese press; 20 cheeses 13s.4d	yes
1613	John Haughton	woollen draper	butter & cheese 52s	

1613	William Lea	tanner [yeoman]	6 cheese shelves; 32 cheeses 40s; a cheese ??coule a cheese press; parts of a cheese press	yes
1614	Richard Gest	yeoman	1 cheese press; butter & cheese 38s	
1614	John Maynard	yeoman	cheeses £4	yes
1615	George Bissell	nailer	cheese vats saters, milk pans, butter pots & such like & the butter and cheese; cheese press, cheese cratch	yes
1615	John Franke		30 small cheeses 15s	
1623	William White	yeoman	a cheese press; 6 cheese vats; 20 cheeses & 2 gallons of butter	
1624	John White	glover	cheese & butter 20s; milk pans cheese vats	
1624	Thomas Hadley	yeoman	1 cheese press; a cheese cratch [rack] & 22 cheeses 31s.4d	
1632	Richard Warter	tailor	one great trough and a cover with hinges, one kimmell, one churn, one cheese press, three pails, one skeel	yes
1632	Richard Harris	yeoman	cheeses £9; 1 cheese press	
1639	William Geste	yeoman	1 cheese press; 24 cheeses & implements £4	
1642	William Bradlie		30 cheeses 15s	
1645	John Smith	[yeoman]	vessels	yes
1649	Roger Parkes	yeoman	3 cheese vats; 50 cheeses £2.10s	

Cheese-making in Halesowen was of greater importance than in south Staffordshire, where the first mentions of large-scale cheese-making did not occur until 1615; a dairy was first mentioned in 1639.[212] In contrast, in Birmingham, the earliest mentions of cheese-making equipment and a 'dey house' were in the 1550s.[213] In Sheldon, Warwickshire, the first mentions were in the 1530s: between 1570 and 1609 approximately half the peasants were involved in

[212] P Frost, 'Yeomen and Metalsmiths', 34, 36
[213] J A Geater (ed), *Birmingham Wills and Inventories*, 112, 135

cheese-making. Three Stoneleigh inventories from the 1630s listed 100, 136 and 215 cheeses, all far in excess of Halesowen quantities of the time.[214]

These comparisons show that some farmers in Halesowen were able to take advantage of the pastoral conditions to profit from cheese-making, but it was a small-scale business that did not compare with the quantities produced in Stoneleigh. Milk production obviously took place but there is little evidence of its economic importance. The dairy was women's work, enabling them to make a modest but consistent contribution to the family economy, either for home consumption or to generate cash income.

SHEEP

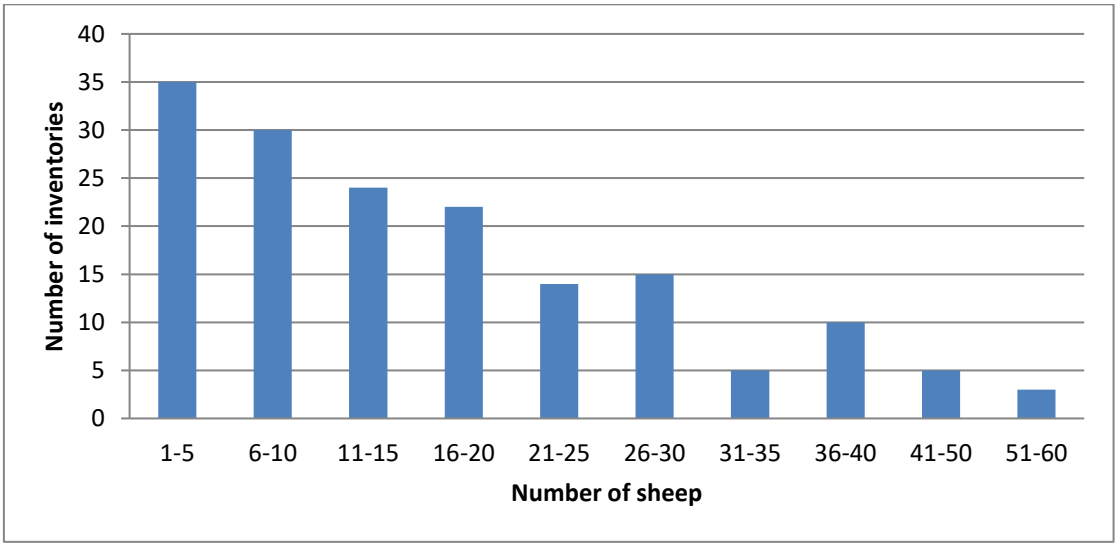
Sheep were raised for wool and meat, but generally flocks were small, as shown in Figures 4.9 and 4.10. Sheep-rearing fell slightly in Halesowen during the period under study as a whole, from 50% of inventories in 1550-1599 to 48% in 1600-1649, compared with 74% and 64% respectively in Staffordshire.

Figure 4.9 analyses the 163 inventories where the number of sheep was stated. The average flock size was seventeen, compared with twenty-seven in Staffordshire. The number ranged between sixty and two, the mode being five. A relevant factor would be the time of year when the inventories were written, which would affect whether lambs were included. There was a greater number of the largest flocks in the second half century than the first, increasing from 8% to 20%: this again shows that those most able to take advantage of the market increased their investment. This contrasts with the next largest flock size, which fell to nearly half the earlier number. However, the number of people keeping six to ten sheep rose from 15% to

[214] V Skipp, *Crisis and Developmen*t, 50; N W Alcock, *People at Home*, 192

21%, suggesting that this group had access to some extra land, or were able to utilise the stint (see below).

Figure 4.9 Size of flocks in Halesowen inventories, 1550 to 1649



Of the fifteen people who had flocks of forty or more sheep, there were eleven of yeomen status, one gentleman, one husbandman, one nailer and a tanner. These flocks were, however, minute compared with those of John Lyttelton, whose sequestration inventory listed eighty-five ewes, two hundred wethers and fifty young sheep in Halesowen.[215] He was the only large-scale commercial wool-producer in Halesowen.

[215] M Wanklyn (ed), *Inventories*, 99

Figure 4.10 Analysis of flock sizes listed in Halesowen inventories, 1550-1649

Period	Number	1-5 sheep		6-10 sheep		11-15 sheep		16-20 sheep		21-30 sheep		31 plus sheep	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
1550-59	13	5	38	0	0	2	15	5	38	1	8	0	0
1560-69	6	0	0	3	50	1	17	0	0	2	33	0	0
1570-79	19	4	21	2	11	5	26	1	5	6	32	1	5
1580-89	19	2	11	3	16	3	16	4	21	3	16	4	21
1590-99	19	6	32	4	21	1	5	1	5	6	32	1	5
1600-09	19	2	11	5	26	4	21	2	11	4	21	2	11
1610-19	17	3	18	0	0	2	12	3	18	2	12	7	41
1620-29	23	7	30	8	35	1	4	2	9	1	4	4	17
1630-39	9	1	11	2	22	1	11	1	11	0	0	4	44
1640-49	19	5	26	3	16	4	21	3	16	4	21	0	0
1550-1649	163	35	21	30	18	24	15	22	13	29	18	23	14

The number of people keeping sheep and / or cattle are summarised in Figure 4.11. Though cattle-rearing was considerably more important, sheep did play a significant part in mixed livestock farming.

Sheep were cheaper and required less ground and work than cattle, so were easier for the elderly and women to keep. Of the nine people who had sheep but no cattle on death, two were women. One man was John Jones, an elderly butcher who left seven sheep, two pigs and an acre of pease.[216]

[216] WAAS 008.7 BA3585 1581 no. 59c Inventory of John Jones

Figure 4.11 Inventories listing numbers of cattle compared with sheep, 1550-1649

Decade	Total inventories	Cattle	Sheep	Both	Cattle only	Sheep only
1550-9	24	23	10	9	14	1
1560-9	8	8	6	6	2	0
1570-9	32	31	20	19	12	1
1580-9	29	27	21	19	8	2
1590-9	42	42	20	19	23	0
1600-9	30	29	20	19	10	1
1610-9	33	33	17	17	16	0
1620-9	35	34	22	21	13	1
1630-9	24	23	12	11	12	1
1640-9	37	35	24	22	13	2
Total	294	285	172	162	123	9

Sheep-rearing was a useful source of income in Halesowen but, apart from the Lytteltons, there were no major wool-producers within the parish. The largest flock sizes (more than twenty-one sheep) remained constant over the period at 32% of all flock sizes, while the medium group (eleven to twenty sheep) fell from 28% to 26%, and the smallest flock sizes (one to ten sheep) increased from 38% to 41%. It is possible that one reason for fewer sheep was the poorly-draining soils in much of the district, which could lead to foot-rot. The ratio between numbers of people keeping cattle and sheep remained fairly constant over the period under study, which makes it less likely that the changes in demand for wool would have had an impact. It is likely that small-scale wool production and the raising of sheep for meat and skins were the economic basis for sheep-rearing.

HORSES

Horses were versatile and could be used for lighter farm work such as harrowing and carting. Only three of those who had oxen (excluding steers and bullocks) did not also own one or more horses. Numbers of horse-owners and numbers of horses per inventory are shown in

Figure 4.12. Yelling assumes that all the horses in his study were used in farming; the Halesowen inventories show that most people owning horses also had foals or colts, indicating that many were kept for stock-rearing and sale to local markets. This is a continuation of the medieval practice.[217] Of the 206 inventories between 1550 and 1649 that included horses, 166 (81%) specified one or more mares and fifty-five (27%) listed colts, fillies or foals. The majority of owners had one or two young stock. Only eight inventories identified geldings, though 24 listed 'nags'.

Figure 4.12 Numbers of horses in Halesowen inventories, 1550 to 1649

Decade	Inventories including horses	Number of horses							
		Total	1	2	3	4	5	8	9
1550-59	20	42	4	12	2	2	0	0	0
1560-69	7	20	1	4	1	0	0	1	0
1570-79	22	36	11	9	1	1	0	0	0
1580-89	18	36	7	6	4	0	1	0	0
1590-99	32	57	16	10	4	1	1	0	0
1600-09	20	27	14	5	1	0	0	0	0
1610-19	23	37	11	10	2	0	0	0	0
1620-29	23	45	12	5	2	3	1	0	0
1630-39	15	25	9	4	1	0	1	0	0
1640-49	26	58	17	1	2	4	0	1	1
Total	205	383	102	66	20	11	4	2	1

Mentions of pack and hackney (riding) saddles in some Halesowen inventories shows that horses were worked in other occupations such as carrying. A typical example was William

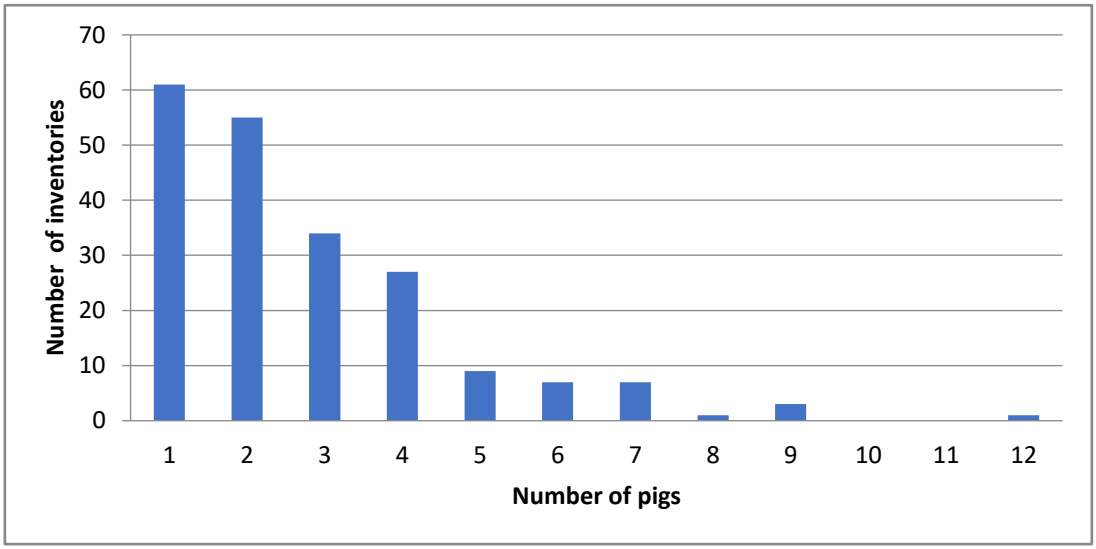
[217] R H Hilton, *A Medieval Society*, 43, 51

Warde, a mercer, who owned a mare, a hackney saddle, two pack saddles and an old horse sled, which may indicate that earlier in life he was a chapman or peddler.[218]

PIGS

Pigs were included in 214 Halesowen inventories; the number of pigs of all kinds could be identified in 205, as shown in Figure 4.13 The majority of people (56%) had one or two animals. Thirty people were recorded as keeping store pigs, acquired for fattening. They could be fed on whey or peas, rather than just kitchen waste.[219]

Figure 4.13 Numbers of pigs in Halesowen inventories, 1550 to 1649



The keeping of pigs was a perennial problem for the manorial courts, who regularly presented people for not having their pigs ringed, fining them 2d for each pig. In 1578, both the manor and the borough courts banned the collection of acorns except from tenants' own property, imposing a fine of 12d in the manor and 4d in the borough; the manor repeated this

[218] WAAS 008.7 BA3585 1580 no. 2f Inventory of William Warde
[219] J Thirsk, 'Farming Techniques', 192-3

law in 1590, with a fine of 10s.[220] The borough court elected two supervisors of pigs from at least 1609.

PASTURELAND AND STINTS

Grazing rights on common land referred to shared pastures, arable lands after harvest, and areas of waste, and were linked to holdings. This limited the number of animals that could be fed over winter, or bought for fattening for the market, unless the owner could buy or grow fodder. Another feature in the west midlands was the droving trade, whereby Welsh cattle were walked to livestock markets in England. Stinting was used to control the numbers of animals on the common land, linked to the size of a holding and the type of animal that would be put there. If this balance varied, either because of enclosure or an increase in animals, each person's quota had to be adjusted, or the owner who had flouted his quota was punished.[221] Blyth believed that stinting had three advantages: it prevented the land being ruined by those who could put large numbers of animals there, so impoverishing the poorer owners; it helped reduce the incidence of sickness in animals; and a poor tenant could lease his stint and so gain income.[222]

Despite the large number of individual crofts, closes, pastures and meadows that existed in Halesowen, there was pressure on the availability of land for pasturing animals that is revealed in the manorial court rolls, partly due to the sales of land in 1558. The sale of 200 acres of pasture was mentioned in Footnote 89. Within Halesowen manor, stints were organised by township. The number of pigs per tenant permitted in the common fields of Cakemore in

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[220] AHPLOB 377992 ff 47, 51 HMCR 8 October 1578 and 7 October 1590; AHPLOB 377993 ff 23-4 HBCR 7 October 1578

[221] J Thirsk, 'Farming Techniques', 182-6

[222] Quoted in A J L Winchester and E A Straughton, 'Stints and Sustainability: Managing Stock Levels on Common Land in England, c 1600-2006' *Agricultural History Review* vol 58 no 1 (2010), 36

1561 was limited to twelve: only one person in the surviving inventories had that number, suggesting that commercial pig-rearing was more common than would be more envisaged from the probate evidence.[223]

In Cradley in 1578, the stint was thirty sheep per half virgate (approximately two sheep per acre). By 1610, the increase in the number of cottagers led to an order that cottagers could not keep more than six sheep within the manor, unless they held other lands. Additional pasture was rented in the neighbouring manor of Swinford, which led to several disputes in the 1560s. In 1581 the Cradley court ordered that all the inhabitants were to be assessed for payment of a sum to cover the cost of a legal defence of the right of access to the common there.[224] In the more rural township of Romsley, the stint in 1615 was five sheep or two beasts per acre held.[225] In north Worcestershire, stints and exceeding stint were the commonest presentments in the seventeenth century. In contrast, in Staffordshire, stints were very generous.[226]

In this respect, Halesowen was unlike other wood-pasture areas which were noted for the amount of waste that could be utilised for agriculture or housing incomers. Sub-division of holdings and the building of cottages resulted in shortage of land for subsistence farming. Adam Cox of Cradley was subtenant of a cottage, garden and croft. He was presented at least five times between 1595 and 1630 for overgrazing, and for building a house for his son adjoining his own.[227]

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[223] AHPLOB 346508 HMCR 1 October 1561

[224] Cradley tenants were still claiming ancient right of common when Pensnett Chase was enclosed in 1784. M Bradley & B Blunt (eds), *Cradley Court Rolls* part 2, 8.

[225] M Tomkins, *Court Rolls of Romsley*, 316. This was not a new problem: 189 people were fined for overstocking in Halesowen manor between 1431 and 1509 [R H Hilton, *The English Peasantry in the Later Middle Ages: the Ford Lectures for 1973 and related studies* (Oxford, 1975), 204]

[226] P F W Large 'Economic & Social Change', 43-4; P M Frost, 'Growth and Location', 154

[227] M Bradley & B Blunt (eds), *Cradley Court Rolls part 3*, 42, 101, 105, 135; TNA LR2 185 ff 100-143 Office of the Auditors of Land Revenue and Predecessors: Miscellaneous Books – Surveys and Rentals

The frequent repetition of bylaws about stints and the presentments for overstocking reflect an effect of population increase, and the resultant pressure on land. Breeding or fattening stock for the market and catering for the demand for dairy products were major incentives to push the use of commons to the limit. The numbers in the stints also indicate the limitations of inventories for analysis of agriculture.

ARABLE FARMING

It is difficult to analyse adequately the quantities of arable crops, not only because this was dependent on the time of year and the farming season, but also because the appraisers used different methods of valuation. Crops on the ground were appraised by days' earth (the amount of ground that could be ploughed in a day) or acreage, or simply given a monetary value; crops in the barn were not measured, though small quantities, such as strikes (generally half a bushel), often were.

Yelling found that in the woodland area in northeast Worcestershire, on the edge of the Birmingham plateau, the soils were less suitable for arable farming, with rye and oats being the main crops. Early enclosure and assarting meant that by the mid sixteenth century the open field system was of less importance, with dispersed farmsteads predominating.[228] Most areas of south Staffordshire had poor soils, either heavy clay that was difficult to work, or thin soil suitable only for grazing. Only a small proportion of land was devoted to common fields, with Rowley having none.[229]

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[228] J A Yelling, 'Common Land and Enclosure in East Worcestershire, 1540-1870' *Transactions of the Institute of British Geographers* no 45 (1968), 157, 164-8

[229] P M Frost, 'Growth and Localisation', 104, 130-1, 137-40

In Halesowen, the borough and most townships had common fields, which were controlled by the manorial courts, particularly regarding the opening and closing of fences, and admission of animals.[230] There were enclosures within the common fields, such as that mentioned in the will of Alse Moseley, 'a medd[ow] pleyke in a common field of Haylesowen called the Hyefield'.[231] Piecemeal enclosures did occur by agreement, such as that of Birchy Field, probably in Oldbury, in 1614.[232] There is no evidence of ploughing the commons for four or five years before allowing it to revert to common, as occurred in parts of Staffordshire.[233] The soils in Halesowen are a variety of combinations of clay, silt, sand and gravel. They are slightly acidic and pebbly in places, with varying fertility, and are good for pastureland and some arable crops, particularly animal fodder.[234] Dung and marl were used to improve the soil and reduce its acidity. As agricultural techniques improved during the seventeenth and eighteenth centuries, a greater variety of grain could be grown.[235]

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[230] There were three open fields in the borough, High Field, New Field and Tenter Field, and two in Hill, Horseletts and Tamworth Field. There were three fields in Romsley, Nurfurrow, Holloway and Broadway, and four in Cradley, Nether Woefield, Over Woefield, Colman Field and Burfield, whilst Oldbury had five. J Hunt, *A History of Halesowen,* 10-11; M Bradley & B Blunt (eds), *Cradley Court rolls part 2*, 7; Z Razi, *Life, Marriage and Death*, 6 n. 26

[231] WAAS 008.7 BA3585 1558 no. 406 Will of Alse Moseley

[232] AHPLOB MS 234408 Specification of pasture land enclosed, divided & allotted to certain people in Halesowen parish

[233] J Thirsk 'The West Midlands', in J Thirsk (ed), *AHEW*, 100

[234] Cranfield Centre for Environmental & Agricultural Informatics, Cranfield University, *LandIS - Land Information System, Soilscapes* 6, 8, 10 and 18
http://www.landis.org.uk/soilscapes/index.cfm#; http://www.landis.org.uk/soilscapes/soilguide.cfm [Accessed 5 June 2019]

[235] W M Mathew, 'Marling in British Agriculture: A Case of Partial Identity' *The Agricultural History Review* vol 41 no 2 (1993), 97-110. In 1813, it was stated to be used on the sandy and gravelly soils of north and north-east Worcestershire [W Pitt, *General View of the Agriculture of the County of Worcester1813* (Newton Abbot, 1969), 199]

GRAIN

Winter-sown corn included wheat, rye and maslin (a mixture of wheat and rye, also called muncorn, hardcorn or wintercorn), whereas spring-sown or lent corn comprised barley, oats, dredge (generally a mixture of rye and oats) or dredge malt (a mixture of rye and barley). Figures 4.14 and 4.15 analyse the number of inventories that identified the type of grain. The most commonly grown crops listed individually were rye, oats and barley. Rye was frequently grown in small quantities and was best on free-draining soil; it could withstand cold winters. When mixed with barley as dredge malt, it was used for brewing. Rye and maslin were grown for bread. Oats were the only grain that would grow on very poor or wet soil. It could be used for bread, oatmeal and brewing. Barley could grow on less fertile soil and was used for malt, bread and for feeding to stock.[236]

Figure 4.14 Halesowen inventories listing corn and winter-sown grain

Period	Number	Corn	%	Rye	%	Wheat	%	Maslin	%
1550-59	15	9	60%	4	27%	2	13%	2	13%
1560-69	7	3	43%	5	71%	1	14%	1	14%
1570-79	14	6	43%	7	50%	0	0%	1	7%
1580-89	17	10	59%	8	47%	0	0%	1	6%
1590-99	38	20	53%	13	34%	0	0%	9	24%
1600-09	21	8	38%	13	62%	0	0%	2	10%
1610-19	29	11	38%	17	59%	2	7%	2	7%
1620-29	32	17	53%	12	38%	2	6%	1	3%
1630-39	22	13	59%	4	18%	2	9%	6	27%
1640-49	30	15	50%	12	40%	7	23%	6	20%
1550-1649	225	112	50%	95	42%	16	7%	31	14%

[236] J Thirsk, 'Farming Techniques', 168-71

Figure 4.15 Halesowen inventories listing corn and spring-sown grain

Period	Number	Corn	%	Barley	%	Oats	%	Dredge	%
1550-59	15	9	60%	3	20%	5	33%	2	13%
1560-69	7	3	43%	1	14%	2	29%	1	14%
1570-79	14	6	43%	1	7%	6	43%	0	0%
1580-89	17	10	59%	4	24%	6	35%	2	12%
1590-99	38	20	53%	7	18%	14	37%	6	16%
1600-09	21	8	38%	10	48%	14	67%	1	5%
1610-19	29	11	38%	12	59%	14	48%	3	10%
1620-29	32	17	53%	9	28%	17	53%	0	0%
1630-39	22	13	59%	9	41%	8	36%	2	9%
1640-49	30	15	50%	20	66%	21	70%	1	3%
1550-1649	223	112	50%	76	34%	107	48%	18	8%

The analysis is distorted by the appraisers' use of the generic term 'corn'. The word is used in half the inventories, of which sixty (27%) describe the crops by this word alone. Fifty-three (24%) stated either 'all manner of corn' or 'corn of all sorts', or both corn and a specific type or types of grain. There is no apparent social or chronological trend in the use of the term, which was used even in the inventories of yeomen and husbandmen, where more specialised farming might perhaps be expected. An example was that of Humphrey Pearsall, which listed 'corn in the barn' worth £8 and 'corn in the ground of all sorts' worth £46.[237]

Dickson, in her study of Hartlebury, assumed that every mention of corn meant rye and barley.[238] However, in this study mentions of corn have been counted separately and not included in the individual analyses except where there were specifically-named crops. This is because the inventories that listed both corn and specific crops mentioned differing grains, so identification could not be assumed.

[237] WAAS 008.7 BA3585 1644 no. 104a Inventory of Humphrey Pearsall
[238] S A Dickson, 'Land and Change', 274, 276. Yelling does not mention the matter, and Frost does not discuss arable crops.

The emphasis on rye and oats as the main winter and spring grains is paralleled by that found in areas of light soils or higher relief in north-east Worcestershire between 1540 and 1600. Yelling calculated that each crop occupied 39% of the acreage. In 1600-1660, rye occupied 31% and oats 56%.[239] In south Staffordshire, Frost found that spring corn, mainly barley and oats, was replacing winter-sown corn in the seventeenth century. She attributed this change in emphasis to the increased demand for cheaper food provided by the spring grains.[240] In contrast, in late sixteenth century Hartlebury, Dickson found that rye was the most usual winter-sown grain, and barley the commonest spring-sown. The proportion of rye being grown fell during the seventeenth century. Few in Hartlebury grew oats or dredge, which Dickson believed were fed to livestock.[241]

Figures 4.16 and 4.17 show the changing trends in grain stocks in Halesowen. These clearly show that there were periods of shortage of grain in the 1570s, except for oats which, as mentioned, grew well in wet soils and were a major food source. This period corresponds with an intensification of control of anti-social behaviour, and the prosecution of vagabonds and illegal inmates in the manor courts, so providing further evidence for the increase in distress facing the local community at the time.

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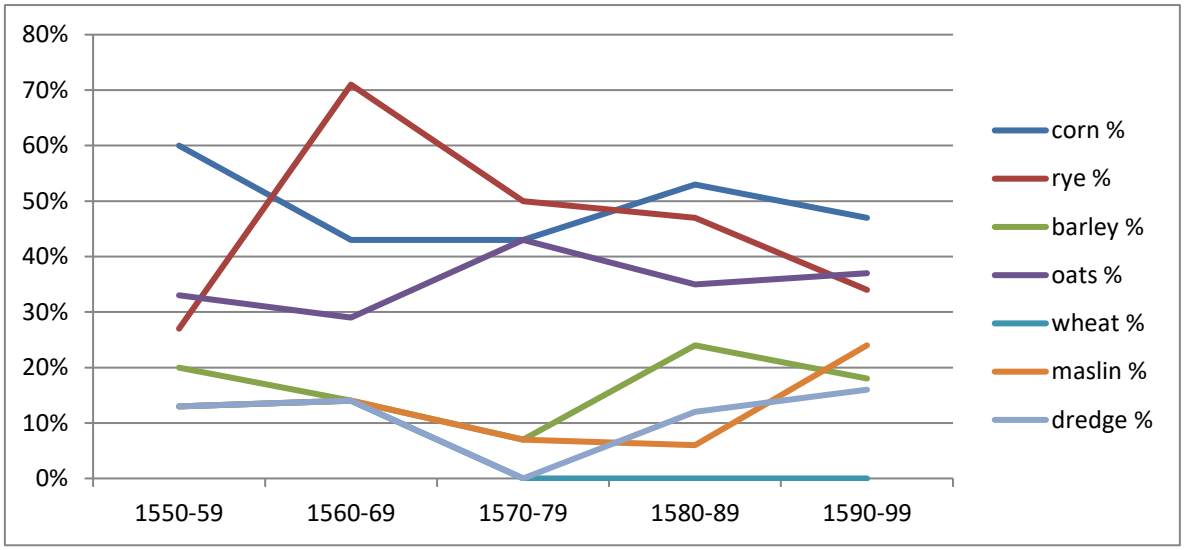
[239] J A Yelling, 'Combination and Rotation', 27, 30, 40 He accounted for the change by the increased cultivation of wheat rather than rye and the use of oats as fodder crop.
[240] P Frost, 'Yeomen and Metalsmiths', 33
[241] S A Dickson, 'Land and Change', 273-282

Figure 4.16 Percentages of Halesowen inventories specifying types of grain, 1550-1599



In periods of dearth, such as the 1590s and 1630s, there were fewer mentions of rye and barley and an increase in the stocks of oats and maslin (mixed wheat and rye). Mixed grains were frequently used by the poor to make bread, especially in times of shortage. Stocks of rye fell considerably in the 1620s and 1630s: Palliser suggests there was a subsistence crisis in the early 1620s not reflected in the price of corn, because it affected the highland regions rather than lowland, where the most grain was grown.[242]

The situation in the seventeenth century is much more confused. Rye, barley and oats continued to predominate, though wheat, having been a minority crop, became more popular in the 1630s and 1640s, rising from nothing in the first decade to 23% in the 1640s. Wheat did not grow well in free-draining, acidic soils, as in Halesowen, but the agricultural writer Blith reported that after applying marl his land that was 'rye land most naturally, but it turned to

[242] D Palliser 'Dearth and Disease', 63-4

wheat, barley and pease'.[243] This enabled farmers to take advantage of the increasing consumer demand from towns and cities for better-quality grain.

Figure 4.17 Percentages of Halesowen inventories specifying types of grain, 1600-1649

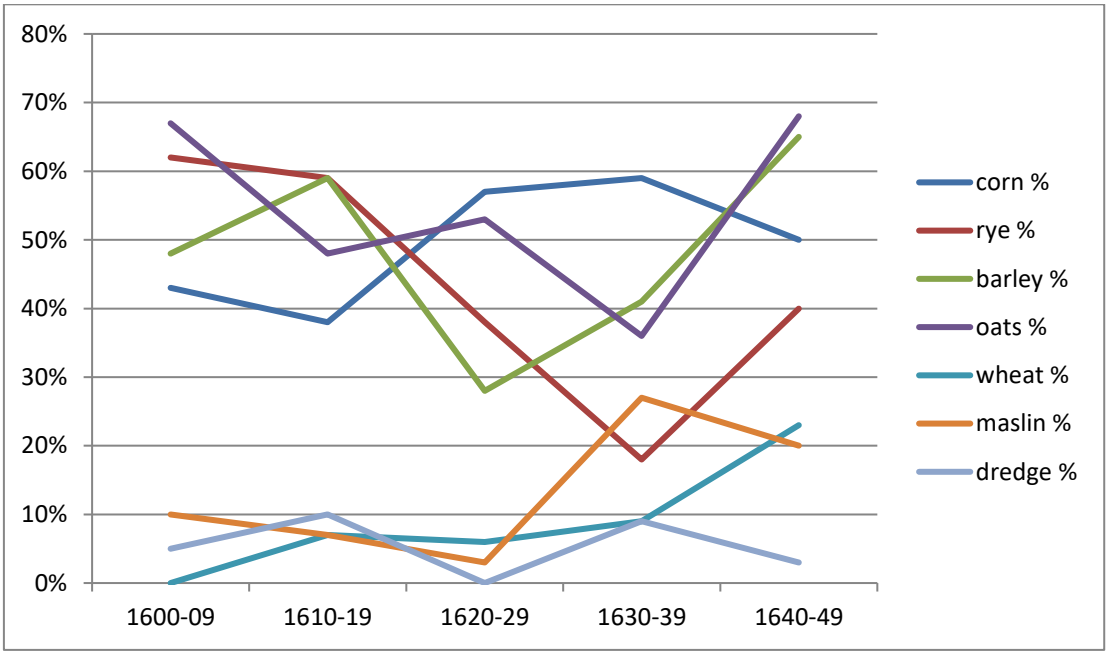
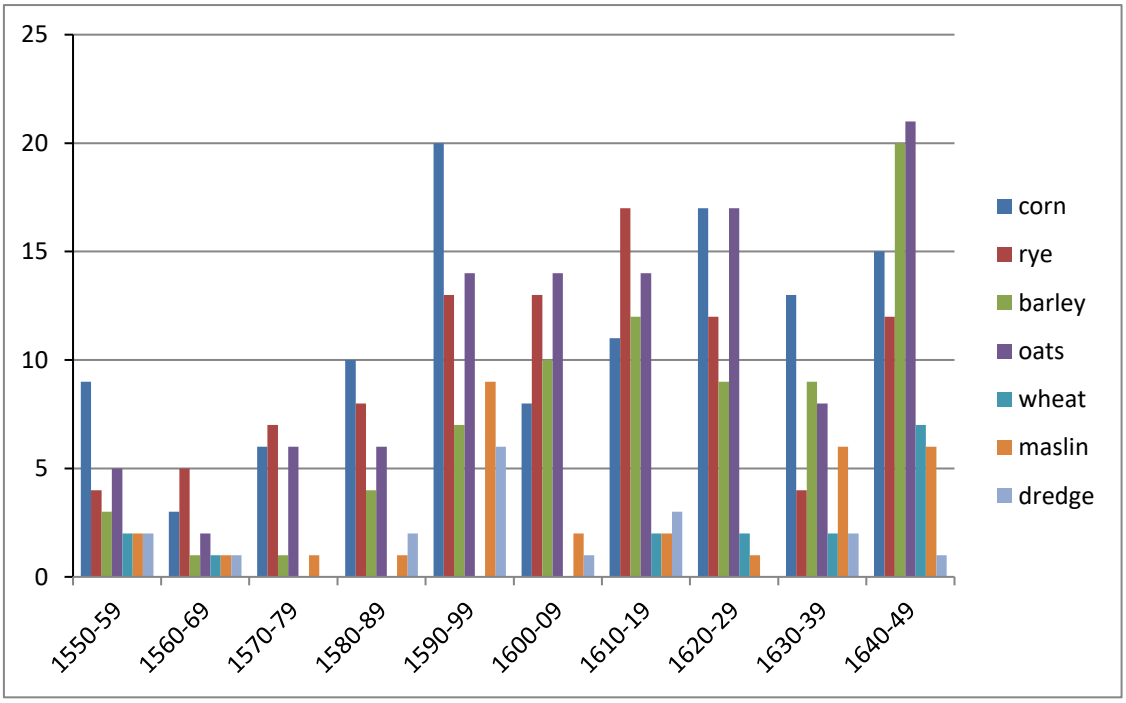


Figure 4.18 shows the number of mentions of grain stocks in inventories by decade. There was a major increase in the growing of grain from the 1590s. This date is surprising, considering it was generally a period of poor harvests. However, a likely explanation is the conversion by Gilbert Lyttelton of many copyhold tenancies to leasehold, of which twenty-five were at Halesowen. Leaseholders were permitted to improve the land by burning the turf and soil 'for the increase of corne'.[244]

[243] W M Mathew, 'Marling', 107-8; W Blith, *The English Improver Improved*, 138, quoted in J A Yelling, *Common Field and Enclosure*, 187

[244] J M J Tonks 'The Lytteltons', 63-4. Gilbert succeeded his father Sir John Lyttelton in 1590.

Figure 4.18 Mentions of grain crops in 223 Halesowen inventories, 1550-1649



The amount of ground sown with crops was usually not mentioned in the inventories, but generally, where stated, the acreages were small. These are tabulated in Figure 4.19 which further indicates that oats and rye are seen to be the most important. These results are similar to Yelling's findings for north-east Worcestershire, the area closest to the southern part of Halesowen parish.[245]

Figure 4.19 Acreages of arable crops in Halesowen inventories

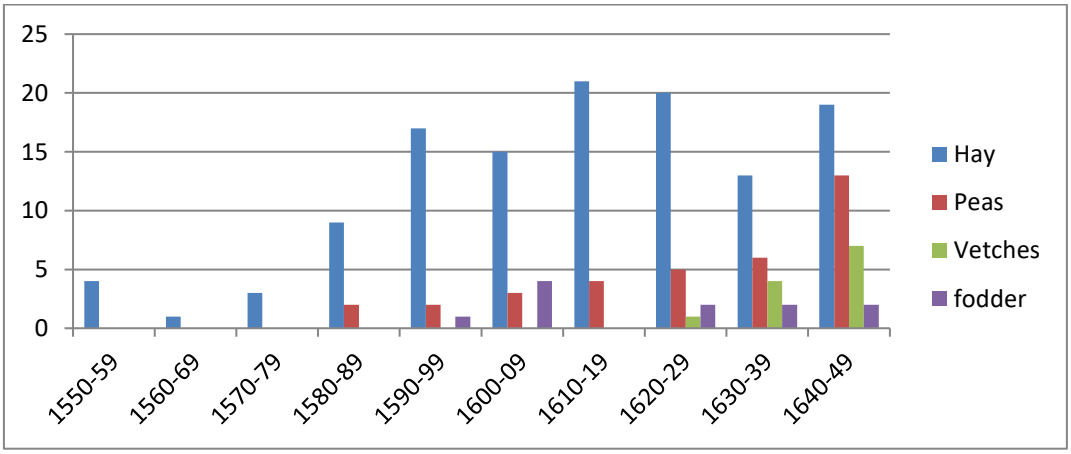
Crop	No. of inventories	Maximum acreage	Minimum acreage	Mean acreage
Rye	52	7	0.5	2.5
Barley	25	12	0.5	2.3
Oats	43	18	0.25	4.0
Wheat	11	8	0.5	1.8
Muncorn	14	6	1.0	2.4
Dredge	6	4	1.0	2.4
Corn	10	6.5	0.25	3.0

[245] J A Yelling, 'Combination and Rotation', 39-41

PEAS, VETCHES AND FODDER

New crops such as peas and vetches helped replace the nitrogen in the soil. Previously peas, if grown, were intended for human consumption, now they also became the principal fodder for livestock.[246] The use of these crops helped reduce the need for an arable field to be left fallow, with grazing livestock providing the manure to replenish the nitrogen further. This increased crop yields, whilst the use of fodder, in addition to hay, could improve livestock. Figure 4.20 records hay and fodder cultivation from the 1580s, leading to a six-fold increase for peas in the seventeenth century, and the introduction of vetches in the 1620s. The amounts grown, where stated, were small, varying between part of an acre and two acres. Although the number of mentions is statistically tiny, several were in inventories of people with considerable farming interests, showing their desire to modernise their farming techniques and the increasing emphasis on commercial livestock rearing.

Figure 4.20 Mentions of hay, peas, vetches and fodder in Halesowen inventories



[246] M B Rowlands, *The West Midlands*, 121

An earlier incidence of growing peas is recorded in the Cradley court rolls for May 1565, when Thomas Holmer was presented because he 'enclosed, ploughed and sowed with peas three acres of land of his own land in the field called Brodcroft that was supposed to lie fallow'. Eight others were presented in the same court for sowing crops in common fields which were supposed to be fallow, two sowing oats and flax. At the next court in the following October, it was ruled that no one should farm individually in the common fields.[247] These examples suggest that convertible, or up-and-down husbandry, was being practised, to increase grain production by alternating arable and pasture in small enclosures. Frost found that mentions of temporary leys in the communal fields of Wolverhampton occurred from 1580, so this is an earlier example of the practice.[248]

HEMP AND FLAX

Hemp was grown for industrial use as rope and sacking as well as for household linen and bedding: hempen sheets, tablecloths, napkins and towels were valued between flaxen and hurden cloths, and were frequently mentioned in Halesowen inventories throughout the period under study. The processing of hemp and flax is discussed elsewhere: it is uncertain but likely that those who grew these crops also processed them into yarn.

Both plants were promoted throughout the sixteenth and seventeenth centuries as being ideal crops for the poor, as they could be grown with little capital outlay in small patches of ground. Dressing of hemp and flax domestically, including by children, was also recommended

[247] B Bradley & B Blunt (eds), *Cradley Court Rolls* part 2, 12-13
[248] P Frost, 'Yeomen and Metalsmiths', 33-4

as a suitable employment for the destitute. Home-grown hemp and flax reduced the import of cheap foreign stocks, both dressed and undressed, and also oil.[249]

There is little mention of locally-grown hemp and flax in the historiography: Thirsk states that the processing of hemp and flax developed in the pastoral areas where handcraft industries were well-established, particularly in the west midlands. She wrote that hemp processing in Staffordshire was prevalent in rural and urban areas, with assembly of final goods taking place in the towns.[250] Yelling does not mention hemp, but has one reference to flax being grown near Bromsgrove in the 1640s. Frost does not mention either crop being grown in south Staffordshire.[251] There were occasional references in Birmingham inventories that may indicate the growing of hemp and flax in the sixteenth century, and one in 1660 in Stoneleigh.[252] However, Dickson discusses the inclusion of hemp and flax in probate inventories in Hartlebury near Kidderminster in the sixteenth to eighteenth centuries, though the distinction between the cultivation and processing is not always clear.[253] Skipp found that in his Arden parishes, hemp and flax were not included amongst growing crops until after 1600.[254]

Hemp was grown in small plots of land, often called hemplecks or hemplands which were often adjacent to cottages: in Halesowen, for example, John Lydd enclosed a parcel of the lord's waste in Hill township at Combes Smithies in 1590 and made a garden and hempleck.[255]

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[249] J Thirsk and J P Cooper (eds), *Seventeenth Century Economic Documents*, 22,136, 215, 254, 432

[250] J Thirsk, *Economic Policy and Projects: The Development of a Consumer Society in Early Modern* England (Oxford, 1978), 74-5; J Thirsk, 'Horn and Thorn', 175-6. The industry was centred on Bilston near Wolverhampton in 1700, where it was considered second only to metalworking. In Rowley Regis, adjoining Halesowen, the specialities were rope and thread.

[251] J A Yelling, 'Combination and Rotation', 40; P Frost, 'Yeomen and Metalsmiths', 29-41

[252] J A Geater, (ed) *Birmingham Wills and Inventories*, 91, 302, 329, 367; N A Alcock, *People at Home*, 113

[253] S A Dickson, 'Land and Change', 285-9

[254] V Skipp, *Crisis and Development*, 57

[255] AHPLOB 377993 fol 23r-24v HMCR 7 October 1590. Presumably John Lydd took land adjacent to the existing smithy and cottage

There were presentments for hemp being grown on the waste without licence in 1575 and 1576.[256]

Figure 4.21 lists the numbers of Halesowen probate inventories listing hemp and flax, together with the numbers listing their cultivation.

Figure 4.21 Halesowen inventories mentioning hemp or flax, 1550-1649

Decade	Hemp	% of all inventories for decade	Growing of hemp	Flax	% of all Inventories for period	Growing of flax
1550-9	1	3.2	0	2	6.5	0
1560-9	1	9.1	0	0	0.0	0
1570-9	6	18.2	2	0	0.0	0
1580-9	8	21.6	0	4	10.8	0
1590-9	30	57.7	6	17	31.5	4
1600-9	14	35.9	1	9	23.1	0
1610-9	18	38.3	1	7	14.9	0
1620-9	24	50.0	0	13	27.7	0
1630-9	17	60.7	5	13	46.4	6
1640-9	20	48.8	0	11	26.8	0

It is impossible to be certain from many of the inventories whether the hemp or flax appraised were actually grown, so the numbers indicate only the crops listed as being grown, unthrashed, in barns, undressed, or as seed. The short growing season for flax means that only those inventories written during the late spring and summer would specify crops on the ground.[257]

The Halesowen inventories show that in the second half of the sixteenth century, the growing or processing of hemp was mentioned in 28% of inventories, and flax in 13%, with

[256] AHPLOB 377991 fol 64r-66v HMCR 8 June 1575; M Tomkins (ed), *Court Rolls of Romsley*, 305
[257] Legally, hemp and flax in the ground should not have been listed in inventories, as the crops were pulled rather than cut, so these numbers may be under-represented.

major increases in the 1570s and 1590s, both times of crisis. In Hartlebury, the proportions were 31% and 15% respectively.

However, in the period 1600 to 1650, there was a major difference between the two parishes, in that the Halesowen the proportion of inventories mentioning hemp increased to 48%, and flax to 26%. In contrast, mentions of hemp in Hartlebury almost halved to 17%, though mentions of flax rose to 15%. Dickson suggests that a likely reason for the change of emphasis from hemp to flax in this period was the development of linsey-wolsey in nearby Kidderminster, which used linen for the warp and wool for the weft. She also states that only one inventory mentions the actual growing of flax, whereas in Halesowen several mention flax being grown. In both parishes, most inventories listing flax also listed hemp.[258]

The increase of the growing or processing of hemp and flax in 1590s, the 1620s and 1630s, shows its importance during periods of depression and poor harvests as a source of income for the poor in times of crisis.

[258] S A Dickson, 'Land and Change', 285-9. The percentage of Hartlebury inventories mentioning flax in 1550 to 1600 has been extrapolated from the given quantities. Legally, flax should have been omitted from probate inventories as there was a distinction between crops such as flax, which were harvested by pulling, and those that were harvested by cutting, such as grain and hemp. This distinction seems to have been often ignored in Halesowen, but there must have been many instances where growing flax was disregarded.

CONCLUSION

At the start of the seventeenth century, 32% of non-urban Lyttelton holdings in Halesowen which mentioned a size were of less than four acres, in contrast with the Erection of Cottages Act 1588. This was exacerbated by sub-letting and the building of cottages without landholdings, due to population growth and inward migration. This in turn led to the increasing number of poorer people in the parish and the greater need for paid employment in local industries or as labourers. The effects of inflation, the increase in entry fines, and the policy of Gilbert Lyttelton to convert copyhold tenements to leasehold which could be sold for lump sums, made many holdings affordable only by wealthier tenants.

The people of Halesowen practised mixed agriculture, with emphasis given to livestock, including breeding or fattening of cattle, horses and pigs, as shown by the frequent valuation of animals by age in inventories. People were more likely to keep cattle than sheep, but the number of large herds (sixteen or more) fell considerably from the 1580s. At the same time, cheese-making became recorded, which developed from almost nothing, presumably to help feed local industrial workers. Although there were many who supplied the demand from local towns for meat, dairy produce and animal by-products such as skins and wool, these totals demonstrate that generally people in Halesowen generally kept smaller numbers of livestock than the surrounding areas, such as found by Yelling.

Numbers of people keeping animals fell noticeably towards the end of the century, particularly for cattle in the 1580s and sheep in the 1590s. This reflects the shortage of common pasture and waste for grazing. In contrast with south Staffordshire, stints were frequently

enforced, showing the shortage of grazing land. This is enforced by the efforts of the Cradley court to retain the right of common in the neighbouring parish of Swinford.[259]

The differing results found by comparison of the methods utilised by Yelling and Frost, counting numbers of livestock or numbers of people owning livestock, illustrates the difficulty in establishing the distribution of pastoral farming, particularly as many Halesowen inventories did not specify the number of animals. In this instance, the numbers of owners provides a better estimation. The importance of breeding raising cattle, horses and pigs has been shown to be important, presumably for the local markets in the Birmingham area.

Arable farming was of lesser importance, but still significant in the common fields, though as pressure on land increased, some people were able to take advantage of the land market. New crops such as peas were introduced, and wheat became more widely grown as the soil was improved. The growing of hemp and flax was undoubtedly under-recorded, as it was a crop grown by the poor.

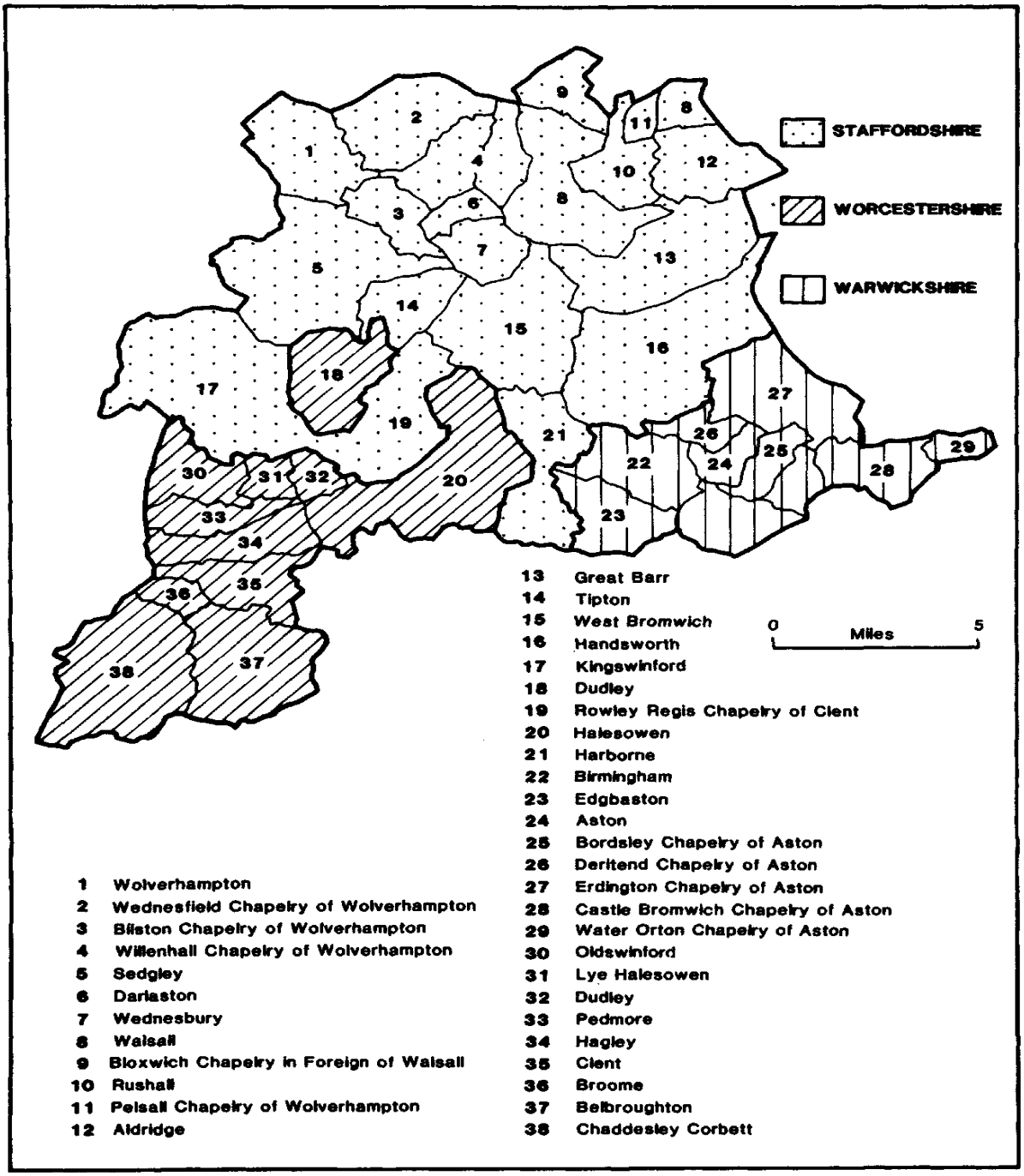
The continuation of common fields in most, if not all, of the townships meant that control of agriculture through the manorial courts was strong. There were large numbers of enclosed crofts. However, the majority of holdings were small, so many inhabitants for whom we have evidence were small-scale producers. In contrast with the view that wood-pasture regions had large areas of waste that could support incomers, there was considerable pressure on pastureland. Mixed farming, therefore, was an important aspect of the economy in this area between the industrial regions of Birmingham and Staffordshire, and rural Worcestershire. Halesowen therefore does not conform with the standard criteria for pastoral woodland

[259] M Bradley & B Blunt (eds), *Cradley Court Rolls* part 2, 8

agriculture, thus providing extra evidence in support of Davie's argument in favour of a continuum combining social structures and economy with agriculture.

CHAPTER 5: ECONOMY Part 2 – INDUSTRY

Map 5 The parishes of the West Midlands manufacturing area 16th to 19th centuries[260]



[260] M Rowlands, 'Continuity and change', 104

This chapter discusses the evidence for the existence and development of industry in Halesowen in the early modern period. In particular, it will analyse inventories to investigate the nature of by-employment, identified as a major factor in the economic life of woodland-pasture areas. It will assess the importance of the metalworking, mining and textile industries in the economic and social life of the community. This will be linked to the arguments for and against the concept of pre-industrialisation, for which the west midlands was cited as an example. The results will be compared with the economic life of south Staffordshire and north Worcestershire to identify possible reasons, firstly, for the lack of development of specialist iron trades in Halesowen, in comparison with other towns in the area, such as the making of ironwork for harnesses by lorimers in Walsall, or be a major occupation, such as nailmaking in Sedgley, shown by occupational identifiers in the parish registers.

Probate inventories are the main source for occupations in Halesowen as they mention tools or stock-in-trade.[261] Surviving inventories show that Halesowen provides evidence of industries in the countryside, which was identified by Thirsk in pastoral areas where there was both time available in the farming year for other work, and also pressure on land due to rising population.[262] The lack of documents for the poorest members of society and the failure of others to survive give a distorted picture, accentuated by the absence of occupational identifiers

[261] M Rowlands, *Masters and Men*, 1. Both were situated on the South Staffordshire coalfield. Sedgley registers recorded occupations from 1579, and in the first two years nailers and metalworkers comprised more than a third of all people named. West Bromwich registers gave the occupation of 212 people between 1608 and 1658, of whom 122 were nailers and twelve bucklemakers. Halesowen parish registers mention occupations in one or two instances only.

[262] J Thirsk, 'Industries in the countryside'; A Everitt, 'By-employment' in J Thirsk, (ed,) *AHEW*, 425-9

in most inventories, the inability to identify the relative importance of a trade in the family economy, or to distinguish active or retired workers.

THE HISTORIOGRAPHY

Works by Schubert and Gale remain standard technical histories of the metals and manufacturing industries.[263] Regional studies include works by Court and Rowlands which give a good summary supported by detail.[264] P W King's thesis on economic and technological production of iron includes the work of the Dudley and Foley families, with mentions of Halesowen. It presents a statistical analysis of the economic history of the iron trade, and has been supplemented by other, related, research.[265]

Frost's thesis on the growth and localisation of domestic industry in south Staffordshire in the sixteenth and seventeenth centuries, together with her article on the importance of pastoral agriculture in the growth of metalworking in that area, contributed to the debate on proto-industry in an area cited as an example of a stage in the development of industry, and as such is a useful basis for comparison.[266] Studies for the later period include an analysis of the Dudley estate by Raybould, and one on the town of Oldbury by Sullivan. This includes a section on the earlier period.[267]

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[263] H R Schubert, *History of the British Iron and Steel Industry from 450 BC to AD1775* (London, 1957); W K V Gale, *The British iron & steel industry: a technical history* (Newton Abbot, 1967)
[264] W H B Court, *The Rise of the Midland Industries 1600-1838* (Oxford, 1938); M B Rowlands, *Masters and Men*; M Rowlands, 'Society and Industry', 48-60; M Rowlands, 'Continuity and change', 103-131
[265] P W King, *The Iron Trade in England and Wales 1500-1815: The Charcoal Iron Industry and its Transition to Coke* (Unpublished PhD Thesis, University of Wolverhampton, 2003); P W King, 'Development of the Iron Industry in South Staffordshire in the Seventeenth Century: History and Myth' *Staffordshire Archaeological & Historical Society Transactions 1996-7* vol 38 (1999), 59-76; P W King, 'Black Country Mining before the Industrial Revolution' *Mining History* vol 16 (2007) 34-49
[266] P M Frost, 'Growth and Localisation'; P M Frost, 'Yeomen and Metalsmiths', 29-41
[267] T J Raybould, *The Economic Emergence of the Black Country* (Newton Abbot, 1973); J C Sullivan, 'Paying the Price for Industrialisation: The Experience of a Black Country Town, Oldbury, in the Eighteenth and Nineteenth Centuries' (Unpublished PhD thesis, University of Birmingham, 2014)

A standard work on the early modern woollen industry by Ramsay is supplemented by regional studies such as Mann on the west of England cloth industry, for a later period, and by Evans on the early modern linen industry of East Anglia, which provides detailed information on the growing and processing of hemp, and the policies of reducing the need for imports of raw materials, providing work for the poor, and increasing production for the use of the navy. The discussion, based in part on analysis of probate documents, included comparison with the work of Frost and Skipp, but found that the continuing strength of pastoral farming in East Anglia in the seventeenth century, contributed to the failure of the linen industry to develop.[268] Local studies on the wool industry and its influence on the local agriculture and economy include those by Dyer on Worcester, Dickson on Hartlebury and Large on north Worcestershire.[269] The importance of women and the family in the textile trades is discussed by Muldrew and Shepard.[270]

The leather trades in England have been studied by Clarkson. He argued that these trades were of major significance, evidenced by the amount of legislation relating to them, and provides an overview of regional variations. He also provided a description of the processes, structure and economy of the trades.[271]

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[268] G D Ramsay, *The English Woollen Industry, 1500-1750* (Basingstoke, 1982); J de C Mann, *The Cloth Industry in the West of England from 1640 to 1880* (Oxford, 1971); N Evans, *The East Anglian Linen Industry: Rural Industry and Local Economy, 1500-1850* (Aldershot, 1985)

[269] A D Dyer, *The City of Worcester*; S A Dickson, 'Land and Change', particularly 241-2; P F W Large, 'Economic and Social Change', particularly 176-88; P Large, 'Urban growth and agricultural change', 169-89

[270] C Muldrew, ' "Th'ancient Distaff" and "Whirling Spindle": measuring the contribution of spinning to household earnings and the national economy in England,1550–1770' *Economic History Review* vol 65 no 2 (2012); A Shepard, 'Crediting Women in the Early Modern English Economy' *History Workshop Journal*, Vol 79, No 1 (2015), 1–24

[271] L A Clarkson, 'The Leather Crafts in Tudor and Stuart England' *Agricultural History Review* vol 14 no 1 (1966), 25-39; L A Clarkson, 'The Organization of the English Leather Industry in the Late Sixteenth and Seventeenth Centuries' *The Economic History Review* New Series vol 13 no 2 (1960), 245-256

METALWORKING

This section focusses on the differing levels of status and wealth of people in Halesowen who had some connection with the metal trades, whether the production of iron, processing iron into nails and other goods, or as ironmongers – the intermediaries who supplied the iron to nailers and sold on the finished products. Unlike Sedgley and West Bromwich, where parish registers identified occupations, the main evidence is provided by probate inventories.

By the sixteenth century, there had been mineral extraction in the west midlands for more than two centuries. Two 'great forges', a coal mine and a coal and iron mine were included in the inquisition post mortem of Roger de Somery, lord of the borough of Dudley, in 1281.[272] Nicholas le Irenmonger featured frequently in the Halesowen court rolls from the 1290s, and the abbot of Halesowen leased a coalmine in 1307 for £4 a year. This could have been used to work iron: charcoal from the then abundant woodlands was available to smelt it. In 1312 the abbot licensed Richard Faber of Dudley, then living in Halesowen, to 'found and build a forge near the bank of Haymill, and to raise tin from which he may forge hatchets and other arms for the term of his life'.[273]

The coal fields in Shropshire, south Staffordshire and Warwickshire were a major influence on the growth of metalworking in the area. Coal, limestone, fireclay and ironstone were mined in south Staffordshire along the line of the Ten Yard seam which outcropped near the surface, so was dug by hand from shallow pits which were then abandoned. At Halesowen the coal seams dipped considerably below the surface, making digging it difficult and less viable: some surface mining was possible in the north of the parish, though there were

[272] R H Hilton, *A Medieval Society*, 216
[273] J Amphlett (ed), *Court Rolls of the Manor of Hales 1270-1307*, part II, 234ff ; J Hunt, *Halesowen*, 23-4

considerable problems with flooding. Coal was used in domestic smithies. Limestone provided flux for blast furnaces. Fireclay came to be used for bricks in furnaces and glassmaking. The earliest references to the use of coal in association with smithies in Halesowen probate inventories is in 1535; an 'old coalewayne' is mentioned in 1558. The first mentions of coal as fuel in Birmingham inventories were in the 1550s.[274]

The metal industries relied on domestic production and the putting-out system, either by artisans, their journeymen and apprentices, or by waged labour. Exploitation of mineral rights in the sixteenth century was frequently dependent on local landowners, such as the lords Dudley.[275] Capital was needed to construct water-powered mills, bloomeries, furnaces and blade mills, to purchase raw materials, and to provide credit to individual craftsmen or pay wages. In a bloomery (also called string hearth), charcoal was burned in hearths to heat iron ore before being hammered to drive out impurities, making blooms (ingots or lumps) of iron. The iron was then sold on to other smiths. Bloomeries were gradually replaced by blast furnaces in the Black Country by 1597: they were able to produce several hundred tons of iron annually, compared with the twenty tons and upwards produced in a bloomery.[276] A good head of water

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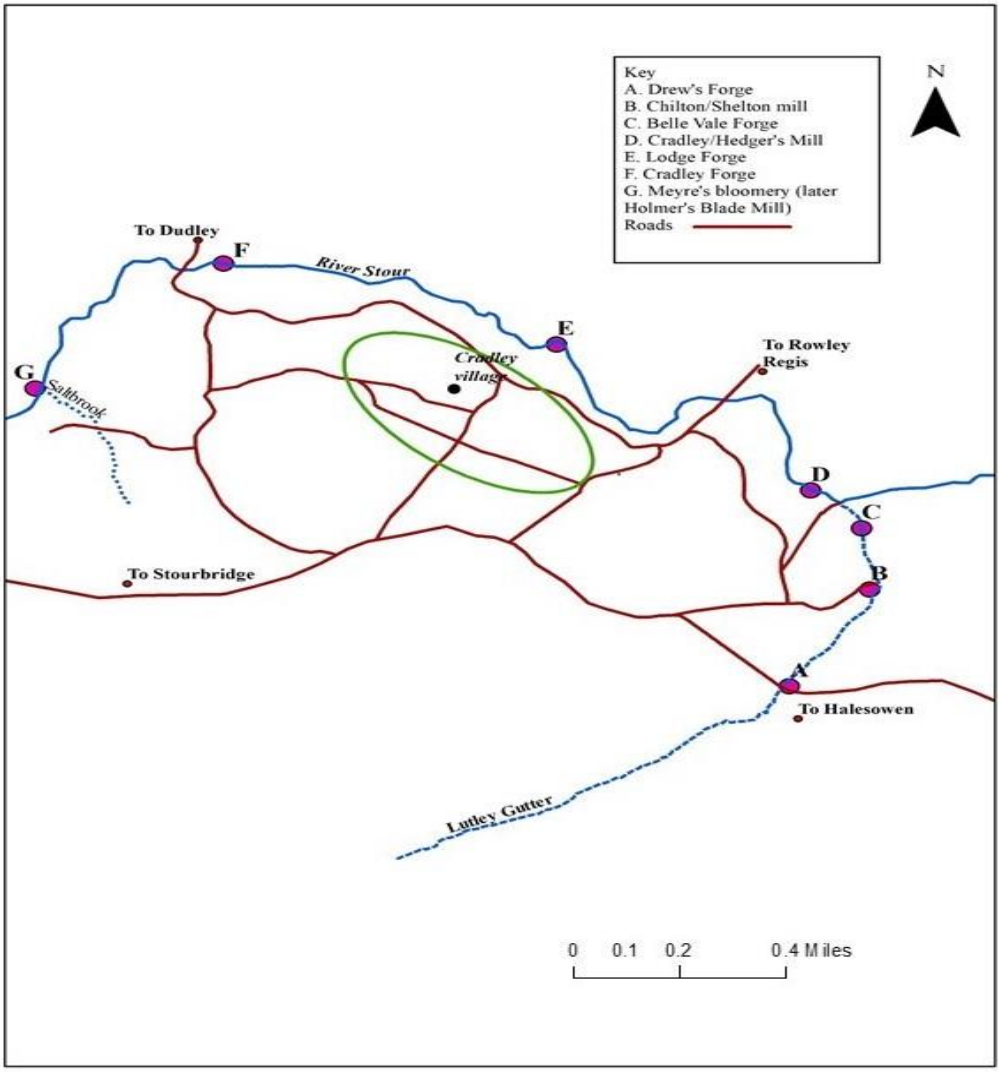
[274] WAAS 008.7 BA3585 1535 no. 163 Inventory of Richard Perkys; WAAS 008.7 BA3585 1558 no. 225 Inventory of Richard Whyte; J B Geater, *Birmingham Wills and Inventories 1512-1603*, 88, 95

[275] Other local landowners who invested in ironworks in the sixteenth century were William Whorwood of Sandwell Hall, the Willoughbys of Oakamoor and the Pagets of Cannock. Besides the Foleys, professional ironmasters of the seventeenth century included the Parkes family of Wednesbury and the Chetwynds of Cannock Chase. P W King, 'Development of the Iron Industry in South Staffordshire in the Seventeenth Century: History and Myth' *Staffordshire Archaeological & Historical Society Transactions 1996-7* (1999) vol 38, 64, 75; M Rowlands, *The West Midlands*, 125-7. Leland wrote in the 1530s that Birmingham smiths obtained their iron from Staffordshire and Warwickshire and their sea coal from Staffordshire. [R A Pelham,'The Growth of Settlement and Industry,145]

[276] H R Schubert, *History of the British Iron and Steel Industry from 450 BC to AD1775* (London, 1957), 162-3; M Rowlands, *Masters and Men*, 8; W H B Court, *Midland Industries*, 83-6. This was considerably later than elsewhere: blast furnaces were introduced into the Sussex Weald c1496, into Shropshire around 1560, and in Cannock Chase by 1583.

was required to operate furnaces.[277] The importance of the river Stour and its tributaries as a source of waterpower for the development of the iron industry in the area has already been mentioned. Map 6 shows its particular significance for Cradley, as the township was surrounded on three sides by forceful streams.

Map 6 Water mills in Cradley in the sixteenth and seventeenth centuries[278]



[277] P W King, 'The Iron Trade of England and Wales', 12
[278] Adapted by J C Sullivan from M Bradley and B Blunt, *Cradley Mills on the Stour: A study of the development of Cradley water mills from agricultural to industrial to extinction* (Cradley, 2009), 2

The inventories which give evidence of metalworking reveal a great variance both in the degree of involvement of those in the trade, and in their wealth and social standing. Figure 5.1 lists the number of inventories with references to metalworking by date. The peaks in the 1590s and 1620s in the percentages of all metalworking inventories may be attributed to the years of dearth then, but the numbers are so low it is difficult to draw statistical conclusions.

Figure 5.1 Halesowen inventories 1550-1649 containing metalworking references

Decade	Total inventories	No. of metalworking inventories	% of metalworking inventories	% of inventories for the period
1550-59	33	1	1.5	3.0
1560-69	11	1	1.5	9.1
1570-79	34	4	5.9	11.8
1580-89	37	2	2.9	5.4
1590-99	52	10	14.7	19.2
1600-09	40	5	7.4	12.5
1610-19	45	7	10.3	15.6
1620-29	48	14	20.6	29.2
1630-39	28	10	14.7	35.7
1640-49	41	14	20.6	34.1
Total	369	68	100.1	18.4

These inventories, which form only 18% of the total number of inventories for the parish in the period under study, include all types of metalworking, not just craftsmen or nailers. These results are slightly lower than Frost's finding that 20% of surviving inventories for south Staffordshire between 1560 and 1720 related to metal craftsmen, two thirds of whom were nailers.[279] The number of metalworkers in Halesowen must be under-represented, as evidenced by the statement of John Sanders of Harborne, that he gave employment to 'neer 60 nailors' in

[279] P Frost, 'Yeomen and Metalsmiths', 29

Halesowen.[280] Similarly, Richard Baxter wrote of 'the exceeding populousness of the Country, where the Woods and Commons are planted with Nailers, Scithe-Smiths, and other Iron-Labourers, like a continued Village'.[281]

Turning to the value of the metalworking inventories, Figure 5.2 shows the range of total values of Halesowen inventories with evidence of involvement in metalworking during this period.

Figure 5.2 Total values of Halesowen inventories showing involvement in metalworking, 1550-1649[282]

Total value	Number of inventories	% of metalworking inventories
Under £10	3	4.4
£10 - £19	9	13.2
£20 - £29	14	20.6
£30 - £39	7	10.3
£40 - £49	15	22.1
£50 - £59	2	2.9
£60 - £69	2	2.9
£70 - £79	3	4.4
£80 - £89	5	7.4
£90 - £99	1	1.5
£100 - £149	3	4.4
£150 - £199	2	2.9
Over £200	2	2.9
Total	68	99.9

This shows that 71% of metalworking inventories had total values under £50, indicating that metalworking was a contributory factor for the incomes of a wide range of poor and

[280] John Sanders of Harburn, *An iron rod put into the Lord Protectors hand, to break all antichristian powers in pieces.* (Thomason Tracts British Library Thomason / 128:E.842[23] Images 27-28, pages 45-6) https://search-proquest-com.ezproxye.bham.ac.uk/docview [Accessed 9 April 2018]
[281] R Baxter, *Reliquiae Baxterianae* ed M Sylvester (1696), 14, quoted in P F W Large, 'Economic and Social Change', 4
[282] WAAS 008.7 BA 3585

middling people in this period. Nevertheless, these inventories comprise only 13% of the total number of inventories for the period, showing again the limitations of this source for metalworkers, as presumably most did not leave inventories. It also confirms that metalworking was not so ubiquitous in Halesowen as in south Staffordshire.

Despite this limitation, some information about the metalworkers in Halesowen can be gained from the surviving inventories, particularly when they can be linked to other sources. A more detailed analysis shows a varied picture of the involvement in metalworking made by the people concerned, as shown in Appendices 1, 2 and 3, which also include livestock, arable farming and references to cloth working. These tables list probate inventories with totals under £20, between £20 and £99, and over £100. They demonstrate not only the involvement of many groups of society in metalworking, but also the hierarchy of those involved. Textile working was also a significant part of household economy for many, as only fourteen inventories did not mention any involvement in this activity. Spinning and carding were the main occupations. Again, this shows the importance of two or three sources of income for families at this time.

Bloomeries are recorded in Halesowen during the early sixteenth century. In Oldbury, William Chambers alias Ireland operated a smithy and a string hearth at Oldbury and in 1558 bequeathed the smithy to his son and a bloom of iron to each of his four married daughters.[283] Sir John Lyttelton had little concern with the iron industry. He built a bloomery at Halesowen in the 1560s, considerably later than neighbouring landowners.[284] The 1602 survey included

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[283] WAAS 008.7 BA3585 1558 no. 415 Will of William Chambers alias Ireland; TNA E 134 5JasI Hil 17 Littelton vs John Lowe

[284] H R Schubert, *British Iron and Steel Industry*, 181, quoting AHPLOB 351958 Roll of the estates of Sir John Littelton, knt., in cos. Worcester, Salop and Stafford, including premises in Northfield and Handsworth Michaelmas 8 Eliz. [1566] to Michaelmas 12 Eliz. [1570] ; T J Raybould, *The Economic Emergence of the Black Country*, 27-8

amongst the items 'in the smithes' about fifty loads of charcoal worth £16.13s.4d, forty wainloads of ironstone worth £6, and tools and implements worth £3.6s.8d. This compares with the 335 sheep at Halesowen, valued at £53.13s.4d.[285]

There was a major change of policy under Meriel Lyttelton, the widow of Sir John Lyttelton's grandson. She maximised returns from the estates to pay off the debts of her husband and her father-in-law. By 1606, she had built a blast furnace in Halesowen, and in 1609 leased some ground from Lord Dudley to mine ironstone.[286] In 1620 she and her son Sir Thomas leased the furnace and forge for ten years. The rent was £1200 per year, with the Lytteltons supplying a thousand loads of charcoal annually.[287] In the same year, Dud Dudley, one of the fifth Baron Dudley's illegitimate children, took charge of his father's ironworks, including two forges at Cradley, with a later furnace.[288] By 1636 these were leased to Richard Foley, who had become a leading inhabitant of the neighbouring town of Stourbridge.[289] Foley introduced a slitting mill to the area, which speeded up and reduced the cost of production of iron rods for the nailers.[290] By 1647 his son Thomas was operating the works.[291] However, the

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[285] TNA E 178 1900 Inquisition of the possessions of John Lyttelton

[286] AHPLOB 351727 Lease from Thomas Sutton, alias Duddeley of Russells co. Worc., esq., and Geoffrey his son, to Meriell Littleton of Haggeley, co. Worc., widow, of a piece of ground in Duddeley [Dudley co. Worc.] with permission to mine for ironstone. 22 June 7 Jas. I.

[287] TNA C 2/ChasI/C88/59 Coleman v Chetwind. The lessees were Thomas Chetwynd and Walter Coleman of Cannock and their sons

[288] H R Schubert, *British Iron and Steel Industry*, 227-9; S Timmins, *Birmingham and the Midland Hardware District* (London, 1866, reprint 1967), 55. The main source is Dud Dudley's *Metallum Martis* (1665). Owing to the lack of coppice wood for turning into charcoal to burn, in 1618 Lord Dudley granted to John Robinson or Rovinson a licence for thirty-one years to produce iron using coal; in 1621 Lord Dudley was granted a patent to make iron with pit coal, which aroused opposition from local charcoal iron manufacturers, as Dud claimed he could sell his iron more cheaply. Dud was granted further patents in 1624 and 1638 but as he supported the Royalists during the civil war he lost his patents and lands during the Commonwealth.

[289] TNA SP 16/321/42 Attorney General v Richard Foley

[290] P M Frost, 'Growth and Localisation', vol 2, 445, 448; J M J Tonks, 'The Lytteltons', 133

[291] TNA PROB/11/201 Will of Richard Holmer 1647. A hammer pool in Cradley, held by Lord Dudley and Foley, was bequeathed by Richard Holmer to his daughter. She also received a blade mill and warehouse in the nearby parish of Kingswinford.

Foleys closed the forge at Halesowen, leaving just the furnace, and later gave up Cradley furnace.[292]

The growing involvement of the Lytteltons in iron-smelting caused hostility because of escalating competition for resources, particularly coppice wood for conversion into charcoal to fuel the furnaces. In 1602 there were 635 acres of coppice on the Lyttelton estate, whereas it has been calculated that 13,000 acres of woodland were required to run a large blast furnace and fire the ore for a year.[293] Another cause of conflict was the increasing value placed by landlords on mineral rights on their copyhold lands. Though mining was of less significance compared with other areas of the west midlands, the ability to dig for surface coal was an advantage for many tenants. Whilst mining for domestic coal was ignored by lords when there was little financial benefit, when it became a commercial proposition, such traditions became a matter of control.

The best examples of commercial rivalry and competition for wood and fuel in Halesowen relate to the Lowe family, yeomen who belonged to the local elite, and the Lytteltons. In the early years of the seventeenth century, Meriel Lyttelton began mining for ironstone in Colepitt Leasowe in Hill, held by John Lowe. When her workmen struck coal, she ordered them to stop working. Lowe then began to mine and sell the coal. Mrs Lyttelton

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[292] P W King, 'The iron trade in England and Wales' vol 1, 80, 93-5

[293] When landowners had direct control of ironworks, they obtained wood for charcoal free from their own lands. After the ironworks were leased, the landowners could charge the ironmasters for the wood. J M J Tonks, 'The Lytteltons', 133-4; G Hammersley, 'The Charcoal Iron Industry and Its Fuel, 1540-1750', *The Economic History Review*, vol. 26, no. 4, (1973), 606

brought a suit against him in the Court of Exchequer in 1607-8.[294] Having lost the case, in 1615 Lowe requested a licence in Halesowen Manor court to dig sea coal.[295]

John Lowe's brother Humphrey owned a furnace in Halesowen for the production of sow iron, and was the tenant of Lord Dudley's furnace in Dudley for the production of sow and bar iron, for which he had entered into bonds to pay £200 a year rent.[296] Also in 1607, Humphrey started proceedings against Meriel Lyttelton about access to wood for charcoal.[297] It is not known how the case was resolved, but at Halesowen Borough court in 1609, Humphrey Lowe was declared an outlaw. An inventory of his confiscated property included his string hearths and bloomeries.[298]

Both these lawsuits evidence both the competition for resources after the Lytteltons started investing in industry, and their efforts to restrict the development of industry by their tenants. Meriel Lyttelton complained in an undated letter to a kinsman that 'my tenantes of Halesowen carrie them selfes towardes me more like men that mean to be lordes over me, rather than I to be a poore mistris over them'.[299]

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[294] AHPLOB 346507 HMCR 20 August 1560; TNA E 134 5JasI Hil 17 Lyttelton vs John Lowe. She cited disputes about entry fines, subletting and the committing of waste, including mining of coal, freestone and ironstone and cutting of timber, and argued that a licence was required from the lord of the manor before such works could proceed. The defence was, firstly, that copyholders of inheritance had the freedom to dig coal and ironstone and cut timber without licence, and secondly, that a case before the Court of the Marches of Wales had heard a similar case from the tenants of Oldbury, which had until the 1550s been part of the manor of Halesowen, and so had created a precedent in favour of the defendants. A number of substantial copyhold tenants were willing to testify that coal or firestone had been dug in Halesowen in the sixteenth century, albeit on a very small scale. They had also habitually cut down woods and altered buildings without the need for a licence.

[295] AHPLOB 377994 fol 86v-87r HMCR 6 December 1615. Unfortunately, the page is damaged and further details are illegible

[296] No mention of the transaction appears to survive in the Dudley estate archives.

[297] TNA STAC 8/202/3 Lowe v. Litleton, Walker, Barkeley, Smith, Grove and others.

[298] AHPLOB 377994 fol. 2v HBCR 19 April 1609

[299] WAAS 705:104 BA15492/119/3/1 Letters of Meriel Lyttelton

Despite this involvement in industry, even by the end of the century Halesowen was not included in Richard Baxter's list of named metalworking towns: 'Dudley and Stourbridge and Brummigam and Walsall and Wednesbury and Wolverhampton and all the country.'[300]

NAILERS AND THEIR BY-EMPLOYMENT

Early nailers were skilled craftsmen before the mechanisation of iron rod production in slitting mills; previously the iron blooms, weighing approximately 30-40lbs, were hammered into sheets, cut by hand into rods which were cut and shaped into nails. During the sixteenth century nailmaking migrated away from Birmingham, partly because more highly-skilled metalworkers concentrated there, so forcing out domestic nailers who were paid lower piece rates.[301]

The comparative cheapness of tools enabled many poor people to work as nailers. Of the forty-nine inventories where valuations of smithy tools were identifiable, twenty-two were £1 or under, and twenty-seven between £1 and £10. The lowest valuation was 18d.[302] The inconsistency in the valuation of the smithy tools may indicate variations in the age and quality of the tools, but also the degree of investment of the deceased's time and capital in metalworking. In five inventories where the deceased was described as a nailer, there is no mention of any metalworking tools. They may have been labourers who worked in another's smithy, such as that of Richard White, who owned four stiddies [anvils].[303] Some were elderly

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[300] Quoted in M Rowlands, *Masters and Men*, 16
[301] W H B Court, *Midland Industries*, 102; P Frost, 'Growth and Localisation', vol 2, 454-5
[302] WAAS 008.7 BA3585 1631 no. 215 Inventory of Thomas Yardley 1631: the total of £45.0s.2d included £7.10s in money and farm animals valued at £17; WAAS 008.7 BA 3585 1620 no. 126 Inventory of Thomas Hill: the valuations are unclear, but the total is less than £10; WAAS 008.7 BA3585 1620 no. 206 Inventory of Thomas Burnett 1620: there is a mention of a smithy with bellows and iron stuff valued at 18d, but the inventory shows that farming was far more important
[303] WAAS 008.7 BA3585 1598 no. 152a Inventory of Richard White 1598

and had given up their nailing work: at least two people listed in Appendix 1 owned freehold property. George Attwood, for example, whose goods totalling £14 included desperate debts of £9 owed to him, had passed on his freehold, leasehold and at will property to his sons before his death.[304]

Listings of stock in trade or materials generally indicated a specialism. One of the poorest was Thomas Groves, a grinder who died in 1620. Sharpening of blades would have been outsourced to him by scythesmiths. His tools included two grindstones, with an emery plate and a glazier for giving the final polish. His tools, stock of knives and scythes were valued at £3.1s.4d, and the rest of his goods at £1.18s.[305]

Most of the inventories provide evidence for the prevalence of by-employment. Most of the poorest metalworkers with inventories were also engaged in agriculture of some kind, with textile working often a third income source. Ten of the thirteen inventories in Appendix 1 included livestock, six with cattle, five with horses, and five with sheep. Three inventories listed cheese-making equipment. Six had grain, three hay and two pease. Six inventories also included stocks of hemp, flax or wool for processing.

Nailmaking could easily be combined with the agricultural work, particularly in a pastoral economy where the care of livestock could be left to women and children.[306] Access

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[304] WAAS 008.7 BA3585 1620 no. 209e Inventory of George Attwood; AHPLOB 377994 fol 141 HBCR 10 October 1621; TNA LR2 185 ff100-143. The freehold property was the Crown Inn and two other houses in the borough; the leasehold was a meadow and twenty acres in the common fields of Halesowen and Hasbury, and the at will was the Old Hall tenement. The other freeholder was John Paston, who owned at least two houses in Cradley which were sub-let and another house in Rowley [WAAS 008.7 BA3585 1623 no 134 Will and inventory of John Paston 1623; AHPLOB 382958 fol 16v CMCR 20 Sept 1623]

[305] WAAS 008.7 BA3585 1620 no 215j Inventory of Thomas Groves

[306] J Thirsk, 'Industries in the countryside', 219. It is impossible to be certain if this last assumption of gender difference in workload was significant in the sixteenth and seventeenth centuries, bearing in mind that by the nineteenth century there were many women nailmakers

to land enabled metalworkers to practice subsistence agriculture, but as few feature in the 1601-2 surveys of Lyttelton tenants, the majority must have been sub-tenants with little or no land. Such an example is Richard White, who died in 1598. He had two cows, five sheep, a horse, a pig, and an acre of rye. His metalworking tools, including four anvils and some iron, were valued at 32s.10d. The total value of his goods was £17.18s.4d. His probate account showed five debts totalling £14, and a heriot of 50s: the administrator of his estate paid £1.8s.2d of his own money.[307] There is little evidence for landless cottagers or those totally dependent on wages. In 1603, Staffordshire metalworkers petitioned for support, describing themselves as 'poor and oppressed', and in 1655 John Sanders of Harborne argued that the 'rich covetous and uncharitable Ironmongers' should 'give better prises *2d, in 12d* to poor workmen, that they may not have cause to hate you, many hundreds of them enjoying nothing but misery and want'.[308]

The problems experienced by communities who had to deal with the poverty of many of their inhabitants, are clear from the example of the township of Cradley, represented by four of the eleven inventories of the poorest metalworkers listed in Appendix 1. A significant indication of the likelihood of poverty in the parish is that at the time of the 1602 survey of the Lyttelton estates, out of the 21 holdings in Cradley where the size was recorded, six (29%) were cottages and three (14%) were nine acres or less. Twenty-eight tenants occupied 818 acres, whereas in the more rural Lyttelton manor of Hagley, twenty-nine tenants occupied three times the land.[309] The petition by the inhabitants of Cradley to the Worcestershire Quarter Session in

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[307] WAAS 008.7 BA3585 1598 No. 152a Inventory of Richard White; WAAS 008.7 BA3585/839/350 Probate account of Richard White 1604-5

[308] J Thirsk and J P Cooper (eds), *Seventeenth Century Economic Documents*, 188; J Sanders of Harburn, *An iron rod for the naylors and tradesmen neer Brimingham* (1655) Thomason Tracts, British Library 669.f.19[72] https://proquestcom 2240940343 [Accessed 10 August 2017]

[309] Based on numbers in J M J Tonks, 'The Lytteltons', 109. The numbers are taken from the Crown Receiver's survey ref. TNA LR2/185 ff 100-160. 25.7% of the holdings listed in the survey did not mention the size.

1613, asking that the inhabitants of the other Worcestershire townships in the parish should contribute towards the cost of supporting the increased numbers of the poor in Cradley, has already been mentioned. In 1633, twenty cottages were described as having been erected on either customary or freehold land or the lord's waste, and two other houses had been converted into two dwellings.[310]

Further evidence of the combination of metalworking with other occupations is provided by the inventories listed in Appendix 2, totalling between £20 and £99. Eleven of the 49 deceased had occupations such as smith, tailor or baker. Many were from families of yeoman status. Some, such as John Underhill, and others described as nailers may have been employers or putters-out, and so more able to accumulate some capital. The inventories show a wide range of involvement in agriculture followed by most of the people in this group. Grain was mentioned in 39 of 47 legible inventories, nine included hay, and five hemp or flax, though one listed hay as the only crop. Cattle were included in 35 inventories, sheep in 32 and pigs in 31. They range from William Hadley (died 1592), a substantial yeoman, to William Parks (died 1632) with one pig and an acre of rye.[311] This confirms that the combination of agriculture and metalworking, and sometimes also clothworking, was prevalent through all social groups leaving inventories.

IRONMONGERS AND SCYTHESMITHS

The inventories in Appendix 3 belonged to members of well-established yeoman families. Most had extensive farming interests, and all but one had some involvement in textile-

[310] M Bradley and B Blunt (eds), *Cradley Court Rolls* Book 3, 100-1.
[311] WAAS 008.7 BA3585 1592 no. 107 Inventory of William Hadley; WAAS 008.7 BA3585 1632 no. 186 Inventory of William Parks. Parks lived in a house with a hall, a parlour, three chambers and a buttery.

working. Greater wealth enabled a more entrepreneurial involvement in the manufacture and marketing of iron and of metal goods, and presumably as employers of metalworkers and agricultural workers.

Ironmongers and scythesmiths were the elite of the metalworking trade. Ironmongers bought iron on credit from ironfounders. They either sold it to the nailers and bought the finished nails, or provided the iron and then paid for the work done. The nails were then sold, either to ironmongers with greater trading links, or directly to major customers. John Sanders of Harborne described his work as an ironmonger in Halesowen, where he 'kept great trading, and many horses to send ware up unto other Countries, for to serve whole sale to many Chapmen.'[312] A good example of a Halesowen man who successfully combined this with large agricultural interests is William White, a yeoman who died in 1623. He had a 'warehouse with nails of divers sorts £40 and 6 quarters of slit iron' as well as a [work]shop with tools valued at £7, and an eight-room house. Besides being a wholesaler, he was likely to have been a manufacturer or employer of labouring nailers as his will, unfortunately badly damaged, mentions an anvil in another person's house.[313] He sold nails to the Halesowen churchwardens and also did work on the bells.[314]

Scythesmiths were skilled workers who welded together iron and steel to make blades for scythes, axes, hatchets, bills and reaping hooks, each item requiring individual treatment to obtain the necessary balance and proportion. The actual sharpening was done in blade mills,

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[312] John Sanders of Harburn, *An iron rod,* Image 28, page 45 and Image 29, page 46 [Accessed 9 April 2018]
[313] WAAS 008.7 BA3585 1623 no. 202 Inventory of William While, yeoman; J Amphlett (ed) *Lay Subsidy Roll 1603*, 15. His inventory which listed seven acres of rye, two acres of wheat and eight acres of oats growing, valued at £20, as well as rye, barley, oats and hay valued at £40, and sixty sheep, six cows, two oxen and two mares valued at £42. His land was assessed at £1 in the 1603 lay subsidy
[314] DALHS PR21/3 HCA 1610-1641, for example, fol 90 selling nails; fol 37 going to Birmingham and Wolverhampton to buy metal; fol 49 work on the bells

operated by waterpower. Some scythesmiths owned blademills, but others outsourced the work to grinders.[315]

Samuel Westwood is an example of a wealthy scythesmith, blade mill owner (E in Map 6) and farmer who played a prominent role in the administration of the manor of Cradley and the parish of Halesowen. In 1611 he was admitted as tenant of a messuage and lands in Cradley, occupied by another scythesmith. In the next court Westwood was a juror. During the following thirty years he was admitted to eight other copyhold holdings and bought freehold land. He served regularly as juror and affeerer, assessing the value of fines, and also served as churchwarden.[316] He was one of seven copyhold tenants who presented a bill of complaint against Sir Thomas Lyttelton regarding tenants' rights.[317] It is likely that he was the same Samuel Westwood who was a defendant in the 1618 case brought by the Attorney General, accused of importing steel contrary to patent. Some of the other accused had local connections.[318] If this is correct, it shows the importance of his trading networks.

Westwood died in 1644 whilst in Devon, presumably selling his wares. His probate inventory totals £151.12s.4d. It describes a nine or ten-roomed house. His smithy tools were valued at £8.6s.8d, but there is no mention of any stock or work in progress. Debts owing to him totalled £40; he owed debts by bill and bonds to men in Halesowen, West Bromwich and

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[315] M Rowlands, *Masters and Men*, 30-2

[316] M Bradley and B Blunt (eds), *Cradley Court Rolls* Book 3, 35-136 passim. It is not known for certain when he came to Cradley. He is not listed in the 1603 Lay Subsidy.

[317] TNA C 2/ChasI/C4/62 Customary tenants of Cradley vs Littleton; AHPLOB 357391 Papers and documents in a cause between the customary tenants of Cradley and Sir Thomas Littleton, Lord of the Manor, concerning rights of tenants within the manor

[318] TNA STAC 8/25/17 Attorney General v Herwyn. Importation of steel contrary to the patent of William Ellyottes and Matthew Meisey for making steel with pit-coal in reverberatory furnace; disparagement of the patentees' steel and agreement not to buy it.

Worcestershire totalling £154.10s.[319] These may have been his trading credit. Later ownership of the blade mill is uncertain, but it was still in existence in 1750.[320]

As well as the large credits and debts which were used by scythesmiths to operate their business, there were wide trading networks amongst them. An example of a Cradley scythesmith with such a range of links is Richard Witton junior, who died in 1644, the year in which he first served the manorial court as tithingman. His inventory included debts due to him from Nottinghamshire, Leicestershire and Warwickshire totalling £17.15s.6d; his stock of scythes and iron at £19 and his tools at £13.8s.0d.[321] However, even these two examples do not compare with the estates of some scythesmiths in the local area: for example, the goods of Richard Prin of Belbroughton, a noted area for scythe-making, were valued at £180.19s.6d in 1605, including £100 for finished scythes.[322]

THE TEXTILE INDUSTRY

Wool production was an important industry in much of England throughout the middle ages. High quality wool was produced in Worcester from Welsh fleeces. Coventry, Birmingham, Stafford and Lichfield were centres for marketing wool, while Wolverhampton and Dudley had Drapery Halls in the fifteenth century. There were weavers and dyers in Halesowen by the thirteenth century and a fulling mill by the reign of Edward I.[323]

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[319] WAAS 008.7 BA3585 1644 no 135 Inventory of Samuel Westwood 1644; WAAS 008.7 BA3585 /837 bdl 1 Probate account of Samuel Westwood

[320] M Bradley and B Blunt, *Cradley Mills on the Stour*, 2009), 24

[321] WAAS 008.7 BA3585 1645 no. 87 Inventory and administration of Richard Witton 1645. There is a gap in the Halesowen parish registers from August 1643, so it is impossible to say if Richard Witton was in Halesowen when he died.

[322] J S Roper, *Belbroughton Wills and Probate Inventories, 1539-1647*, (Dudley, 1967-8), 51

[323] *VCH Worcs* vol 3 http://www.british-history.ac.uk/vch/worcs/vol3/pp136-146. Thomas the Skinner drowned himself in the Walkenmullenpol.

Woollen cloth was of two basic kinds: broadcloths and the smaller and lighter kerseys. From the 1560s, 'new draperies' were made, which were also smaller and lighter in texture, and so relatively cheap. By the 1580s, all English wool was taken up by the home market. Despite legislation banning the sale of wool to any but clothmakers and merchants of the Staple, a government enquiry of 1577 revealed that middlemen were common, who sorted the wool and provided it to the spinners or weavers.[324]

The industry became ruralised where cheap labour was available. By the end of the sixteenth century fulling mills in Birmingham were being replaced by blade mills which were more suited to the trades there.[325] In Worcestershire, the industry migrated from Worcester and the major boroughs. Legislation was passed in 1533-4 to protect the cloth trade in Worcester, Bromsgrove, Droitwich, Evesham and Kidderminster by banning the sale of cloth made outside them, with a penalty of 40s per broadcloth.[326] These towns undoubtedly absorbed the wool products of local farmers.[327]

The textile industry in Halesowen has received little attention, yet its importance is revealed in Figure 5.3, which shows the number of inventories mentioning clothworking equipment or material by decade. These inventories formed 50% of the total, whereas metalworking inventories comprised 18%. One explanation for this difference is that most

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[324] G D Ramsay, *The English Woollen Industry, 1500-1750*, 10-21

[325] M B Rowlands, *The West Midlands*, 80-2; *VCH Warwicks* vol 7 Birmingham 'The Growth of the City', 4-25. British History Online http://www.british-history.ac.uk/vch/warks/vol7/pp4-25 [accessed 26 April 2018].

[326] 'An Act for the Clothiers in Worcestershire' in O Ruffhead, Statutes at Large volume 2 from the first year of King Edward IV to the last of the reign of Queen Elizabeth 25 Henry VIII cap 18 (London 1763), 189 https://ia600303.us.archive.org/5/items/statutesatlargef02grea/statutesatlargef02grea.pdf [Accessed 26 April 2018] In Hartlebury, a man was fined £80 in 1561 for offences against the act. (*VCH Worcs* vol 2, 289)

[327] S A Dickson, 'Land and Change', 241-2; P E Edwards, 'The Decline of the Small Farmer: The Case of Rushock, Worcestershire' *Midland History* vol 21 no 1 (1996), 76. The business of a Halesowen man who became a mercer and wool exporter in Worcester in the early sixteenth century is described in A D Dyer, *The City of Worcester*, 106-8 and 186

spinning and carding was done by women and children as a contribution to family income, showing the importance of this by-employment for the local economy.

Figure 5.3 Halesowen inventories mentioning clothworking, 1550-1649

Decade	Total inventories	Number of cloth-working inventories	% of total cloth-working inventories	% of inventories for the period
1550-59	33	5	2.7	15.2
1560-69	11	3	1.6	27.2
1570-79	34	9	4.9	26.5
1580-89	37	15	8.2	40.5
1590-99	52	33	17.9	63.5
1600-09	40	20	10.9	50.0
1610-19	45	21	11.4	46.7
1620-29	48	34	18.5	70.8
1630-39	28	19	10.3	67.9
1640-49	41	25	13.6	61.0
1550-1649	369	184	100.0	49.8

The increases in the 1580s, 1590s and 1620s correlate with the mortality crises in the dearth periods, which indicate that these items were considered important at those times. This agrees with Skipp's findings that growth in an industry often coincided with periods of agricultural crisis. It became an essential by-employment, particularly in communities with a large proportion of the poor, as Halesowen, as discussed in Chapter 3.[328]

That a higher proportion of poor families was involved in clothworking than metalworking is confirmed by the total values of clothworking inventories, as listed in figure 5.4, which analyses the values of probate inventories with evidence of clothworking, where

[328] V Skipp, *Crisis and Development*, 7 57, 78-9

possible. It shows that 69% of these inventories had total values of less than £50, with 23% valued at less than £20. Similar results for the metalworkers were 70% and 20%.

Figure 5.4 Values of Halesowen inventories 1550-1652, showing involvement in clothworking

Total value	Number of cloth-working inventories	% of cloth-working inventories
Under £10	15	8.2
£10 - £19	27	14.8
£20 - £29	33	18.0
£30 - £39	18	9.8
£40 - £49	18	9.8
£50 - £59	14	7.7
£60 - £69	4	2.2
£70 - £79	10	5.5
£80 - £89	9	4.9
£90 - £99	8	4.4
£100 - £149	10	5.5
£150 - £199	7	3.8
£200-£299	7	3.8
Over £300	3	1.6
Total	183	100.0

Of the twelve Halesowen inventories valued at less than £20 which had evidence of metalworking, 25% also mentioned clothworking, and of the forty-one valued between £21 and £99, 22% included clothworking references. On the other hand, six out of the seven wealthiest (86%) also had clothworking interests. These examples indicate a commitment by the wealthier inhabitants to invest in and profit from every possible activity.

DRAPERS, WEAVERS AND SHEARMEN

As with metalworkers, there was a hierarchy amongst those who worked in the cloth trade. Near the top were the drapers, who bought the finished cloth and sold it in shops or to merchants or exporters. Below them were the weavers. They needed a network of spinners

who provided yarn, and some may have had apprentices or journeymen who operated extra looms. Shearmen trimmed the nap on the finished cloth. In Halesowen, probate documents survive for two woollen drapers, two dyers/shearmen and eight weavers. These are listed in figure 5.5, which also shows their involvement in farming.

Figure 5.5 Probate documents of Halesowen drapers, weavers, shearmen and dyers 1550-1649

Name	Occupation	Year	Inventory value	Clothworking	Livestock	Crops
Hugh Reade of Romsley	weaver	1551	n/a	left looms & other tools to son Richard	cattle & sheep	
John Julians	dyer & shearman	1553	£4.10s.4d	3 pair of shearman's shears, a sharboard, 3 doz ?handles	1 mare, 3 pigs	
John Wyddows of Borough	weaver	1585	£9.5s.2d	4 pair of weavers looms; weaver's gear belonging to looms	1 pig	
Richard Reade of Romsley	weaver	1591	£19.14s	20 ells linen cloth; 6 ells hempen; linen yarn; flax; 6lb wool; 2 spinning wheels	3 cattle; 2 sheep; 2 pigs	7 acres oats; rye; hemp & flax
Richard Underhill	weaver	1592	£98.12s.2d	8lb wool, 40lb of yarn, 10 knitchen of hemp & flax; in the shop a pair of looms with yarns	11 cattle; 28 sheep; 1 colt; 2 hogs, 2 store swine	rye, oats, barley, hay
William Haughton of Borough	woollen draper	1599	£88.12s.2d	goods in his shop £30; wool and tow in the house 20s	5 cows, 30 sheep, 2 packhorses	7.5 acres crops
Roger Hadley of Borough	shearman	1605	£17.13s.2d	a single rack for a shearman; 5 pair of shearman's shears; handles sharboard press etc £3.14s.8d	1 cow	1 acre dredge; 1 acre pease
Francis Rowley	weaver	1606	£2.3s.4d	a little remnant of yarn & tow		
John Haughton of Borough	woollen draper	1613	£267.8s.4d	cloth & wares in his shop £40; 4 stone of wool £3.5s; hemp & flax £3	5 cows; 37 sheep; 3 horses; 2 pigs	Corn & hay £34.6s.8d
Kenelm Reade of Romsley	weaver	1622	£30.1s.0d	In 2 shops, 4 looms, 2 warping troughs & 2 warping bars	4 cattle; 3 sheep	hay, hemp

William Cookes of Frankley	weaver	1626	£29.13s.4d	Spinning wheels; pieces of linen cloth; 3 pair of looms & implements	8 cattle; 2 pigs	
Richard Reade of Romsley	weaver	1645	£21.14s.0d	none		

The two drapers were both members of the Haughton family: William, who died in 1599, and his son John, who died in 1613. They were among the borough elite in the late sixteenth and early seventeenth centuries. They were wealthier than many yeomen and their equals in status, and were able to establish their family members in comfort. They also had extensive farming interests with fairly large numbers of sheep and arable land. William served as juror frequently between 1569 and the1590s, and as watchman, aletaster and sub-bailiff. He was elected a burgess in 1578 and again in 1593. He also served as churchwarden in 1576. Though he was comfortably off when he died, the majority of his wealth was attributed to his stock in trade, his farming interests and the un-itemised debts in his debt book, which totalled £20.[329] John's inventory showed him to be one of the wealthiest men in the parish. He owned some more luxury items, including books. Two of the appraisers of the inventory were the high bailiff of the borough and John's brother Edmund, described as clerk. Edmund was probably one of the first Halesowen people to attend university and, if so, is an example of the rise in social status that could be achieved by even small-scale entrepreneurs.[330]

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[329] WAAS 008.7 BA3585 1599 no. 73 will and inventory of William Hawghton; AHPLOB 377992 fol 27r-v HBCR 15 April 1578 and 377993 fol 136r-138r HBCR 12 October 1593; Somers, *Halas*, 117. The second occasion states that the status applied to William and his heirs; he paid 6s.8d for the privilege, which may have been part of Gilbert Lyttelton's efforts to increase his income from his estates. The same applied to three other burgesses at the same court.

[330] WAAS 008.7 BA3585 1613 no. 120 Will and inventory of John Haughton 1613. It is likely that Edmund attended Oxford University and was rector of Abberley, Worcestershire in 1597 and perhaps vicar of Tarrington, Herefordshire in 1602.

Generally, weavers were not wealthy but occasionally held parish or manorial office. John Wyddows, a borough non-burgess, served three times as a juror and once as aletaster; he had an apprentice and perhaps a journeyman when he died.[331] Four weavers were members of the elite Reade family of Romsley, some at least younger sons. They combined their trade with agriculture and were in the lower ranks of the middling sort.

One shearman, Roger Hadley, belonged to a long-established family and served regularly as a juror in the borough court between 1569 and 1595 at least, and twice was bailiff. He was elected churchwarden in 1575. On a few occasions in the 1590s he was a probate appraiser: on one of these, he was described as a dyer, so it is apparent that he combined the two occupations.[332]

Trading networks for cloth are indicated by the will of John Baker, who left money to the poor of Halesowen, Kidderminster and Coventry. Trading debts due to him totalled over £90, of which four debtors were from Coventry, two from Stratford and one from Kidderminster.[333]

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http://db.theclergydatabase.org.uk/jsp/DisplayAppointment.jsp?CDBAppRedID=102219; http://db.theclergydatabase.org.uk/jsp/DisplayAppointment.jsp?CDBAppRedID=102256 [both accessed 10 May 2018]; Edmund Houghton [Haughton] pleb St Mary Hall matriculated 19 July 1588 age 22 [Ancestry.com. Oxford University Alumni, 1500-1886 [database on-line] (2007)] [Accessed 10 May 2018]. Five of Edmund's children mentioned in Ann Haughton's will were baptised in Abberley between 1606 and 1621, plus two others [Ancestry.co.uk, accessed 10 May 2018]

[331] WAAS 008.7 BA3585 1585 no. 68 Will of John Wyddows; AHPLOB 37792 fol 71 HBCR 25 Oct 1580; fol 74 HBCR 11 Apr 1581; fol 93 HBCR 17 Oct 1581; fol 109 HBCR 16 Apr 1583. He died young, having married in 1581

[332] WAAS 008.7 BA3585 1605 no. 103 Will and inventory of Roger Hadley; eg AHPLOB 377992 fol 171r-172r HBCR 2 Oct 1594; WAAS 008.7 BA3585 1605 no. 103 Inventory of Richard Burlton

[333] TNA PROB/11/63 Will of John Baker of Halesowen, 1581. He gave no occupation in his will, but the contents suggest he was a woollen draper. The Coventry debtors included Thomas Nicholls, alderman and draper; one Stratford debtor was Nicholas Banester/Barnhurst, alderman and woollen draper, https://shakespearedocumented.folger.edu/file/bru21-council-book-1555-1594-page-259

CARDING AND SPINNING

Carding and spinning were usually carried out by women and children; it was frequently a vital contribution to household income. Muldrew calculated that the average weekly income of a wife who span, in addition to her housekeeping and childcare work, could be 1s.3d in the 1590s, whereas an agricultural labourer's average weekly wage was 4s; in the 1630s, a day labourer generally earned 9d per day, whilst a wife who span would on average earn 2s a week.[334] It has been estimated that in the midlands about half the cottage-farming population engaged at least some hours in woollen industries, mainly carding and spinning.[335] Generally they were self-employed: it was not until the 1590s that it became more common for spinners to be employed by clothiers in Worcester.[336]

Figure 5.6 gives the numbers of Halesowen inventories that contained evidence of spinning and carding.[337] These are minimum numbers, as the value of the equipment was very low and may have been included with other unspecified goods. During most of the period, evidence of spinning and carding featured in 14% of all inventories, though many of the numbers are so low as to be statistically unreliable. However, there was a marked increase in the 1580s and 1590s, with over half of the inventories including the equipment. This again

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[334] C Muldrew, ' "Th'ancient Distaff", 510. Her earnings would be lower if she had very young children and if she worked in the fields during harvest and other periods of high-intensity activities agricultural year, but the family income would be higher if she had older children who could also work in carding, combing and spinning.

[335] A Everitt, 'By-employment', 425

[336] A D Dyer, *The City of Worcester,* 97. A report of 1588 on the Yorkshire woollen industry stated that thirty people span and carded to make enough yarn for twelve weavers to make one broadcloth of about 86 lbs, whereas forty spinners were needed for eight weavers to make kerseys; in a week, spinners could spin and card 56 lbs of wool for broadcloth or 42 lbs for kerseys. C Muldrew, 'An early industrial workforce: spinning in the countryside, c.1500-50' in R Jones and C Dyer (eds), *Farmers, Consumers, Innovators: The World of Joan Thirsk* (Hatfield, 2016), 84-85. The numbers were quoted from R H Tawney and E Power, *Tudor Economic Documents* vol 1 (London, 1963), 216-7

[337] Searches were performed using the following terms and variants thereof: wheels, cards, reels, combs, hatchels, tutoes, brakes, swingletree, bucking

suggests that, for this period at least, the work became more significant, either because more people engaged in it or because it provided a greater contribution to family incomes at times of dearth.

Figure 5.6 Halesowen inventories with evidence of spinning or carding, 1550-1649

Decade	Number of cloth-working inventories	Inventories mentioning spinning & carding	% of cloth-working inventories
1550-59	5	3	60.0
1560-69	3	1	33.3
1570-79	9	4	44.4
1580-89	15	9	60.0
1590-99	33	18	54.5
1600-09	20	15	75.0
1610-19	21	16	76.2
1620-29	34	16	47.1
1630-39	19	10	52.6
1640-49	25	13	52.0
TOTAL	184	105	57.1

Sixteen inventories listed both great wheels (for spinning wool) and small (for hemp and flax); five recorded only small wheels. The remaining inventories which included spinning wheels did not specify the type, though mentions of wool, hemp, flax and tow indicate that all types of yarn were spun. Less than half the inventories mentioned wool compared with hemp, which is discussed below. Where numbers of wheels were given, the commonest was two or three, and the largest was five. There was one mention of a distaff, which was used for spinning flax and hemp when moving.

HEMP AND FLAX PROCESSING

The increasing importance of the growing of hemp was discussed in Chapter 4. Its processing was complicated and unpleasant, involving long periods of washing which polluted the water. A borough byelaw in 1575 banned the washing of any cloth, wool or flax in the river Stour where it flowed through the town centre. Throughout Halesowen, nineteen people were presented in the various courts for washing hemp in the river, including fourteen Cradley people in 1619.[338] Of these, only three are recorded elsewhere as having any involvement with spinning or the processing of hemp, showing that it was far more prevalent than can be established from inventories.

Figure 5.7 tabulates the inventories indicating the processing of hemp (including hurden, noggen and tow) and flax. The same equipment could be used for both flax and hemp, so it is difficult to differentiate between the fibres.[339] Numbers include dressed and undressed crops and yarn, as well as little spinning wheels and other equipment. Valuations varied between 20d of Edmond Dethericheand £4 of the yeoman Humphrey Pearsall, showing the involvement of the middling sort, whose spinning was presumably carried out by servants.[340] Only three inventories mentioned flax without hemp; two of them also mentioned wool.

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[338] AHPLOB 377991 fol 62r-63v HBCR 7 June 1575; AHPLOB 377992 fol 145 CMCR 10 October 1584; AHPLOB 377993 fol 140r-142v HMCR 12 October 1593; AHPLOB 377994 fol 124 CMCR 7 October 1619. The fines were 4d each. Several of the fourteen men had served as jurors.

[339] A slipping of yarn was a skein; a ley/lea was a measure of 120 yards; tow was the short fibres removed from hemp or flax, and was the lowest quality; hurden and noggin were coarse flax or hemp. Differences between male or female plants affect the quality of the fibre, as does the quality of the soil – poor soil results in finer fibres, and good soil in stronger fibres suitable for rope and canvas.

[340] WAAS 008.7 BA3585 1584 no.78 Inventory of Edmond Detheriche; WAAS 008.7 BA3585 1644 no 104a Inventory of Humphrey Pearsall

Figure 5.7 Inventories listing hemp and flax processing

Decade	Number of cloth-working inventories	Inventories including hemp or flax processing	% of cloth-working inventories
1550-59	5	3	60.0
1560-69	3	1	33.3
1570-79	9	6	66.7
1580-89	15	12	80.0
1590-99	33	26	78.8
1600-09	20	19	95.0
1610-19	21	18	85.7
1620-29	34	23	67.6
1630-39	19	17	89.5
1640-49	25	18	72.0
1550-1649	184	143	77.7

The lower number in the 1620s perhaps reflects the decline in home-dressed flax and hemp due to cheaper Dutch imports.[341] It has been suggested that tow from locally-grown hemp and flax was used for match for guns during the Civil Wars.[342]

One example of the importance of hemp domestically is provided by bedsheets. Of 143 inventories categorising them, 124 included flaxen sheets, 121 hempen, 65 hurden and 55 noggen. Even the relatively poor could have one or two flaxen sheets for best, for example Thomas Deeley the nailer, who had one flaxen sheet, a pair of hempen sheets and six pairs of noggen. The wealthy had coarse sheets, presumably for servants: William Lea the tanner had seven pairs of flaxen sheets, nine pairs of hempen and thirteen pairs of hurden.[343]

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[341] J Thirsk and J P Cooper (eds), *Seventeenth Century Economic Documents*, 254-5

[342] P Edwards, 'Turning Ploughshares into Swords: The Arms and Military Equipment Industries in Staffordshire in the First Civil War, 1642 – 1646' *Midland History* vol 27 no 1 (2002), 58

[343] WAAS 008.7 BA3585 1606 No. 90e Inventory of Thomas Deeley. His goods were valued at £13.17s.6d; SBT DR37/2/Box90/19 Inventory of William Lea

LEATHER INDUSTRIES

Leatherworking was still a major industry in the early modern period, especially in pastoral farming districts such as the west midlands, where cattle hides and sheepskins were readily available for processing into leather for clothing, shoes, buckets, saddles and other horse gear. Tanning was important in Birmingham and the Walsall area: tanners were some of the wealthiest men in Birmingham in the sixteenth century.[344]

Tanning did not require expensive equipment, but capital was needed to allow for the long processing period. Tanning was the method used on tougher hides such as cattle. As the process removed the oils which kept the skin supple, these were replaced with train oil and tallow by curriers, who also shaved the hides to the thickness required. Lighter skins, such as those of sheep and calves, were dressed using train oil or tawed with alum. Tanned leather was used for heavy work including boots and shoes, whilst dressed or tawed leather was used for gloves or clothing. This led to the division of the leather industry into heavy or light leather crafts.[345]

There are eight probate inventories for Halesowen tanners in the period under study, as listed in Figure 5.8. Three do not mention any goods relating to tanning, so presumably these people were no longer active in the business. Six were members of the Wight family who leased the tanhouse in the borough. The property was owned by the parish church, and during the seventeenth century became part of the endowment of the free school.[346]

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[344] M B Rowlands, *The West Midlands*, 82

[345] L A Clarkson, 'The Organization of the English Leather Industry in the Late Sixteenth and Seventeenth Centuries' *The Economic History Review* New Series vol 13 no 2 (1960), 245-247

[346] WAAS 008.7 BAQ3585 1584 No. 110 Will of Richard Wighte; PR21/3 HCA 1610-1641 fol 2; TNA C 93/21/25 Inquisition into Halesowen charities, 1652; J Hunt, *Halesowen*, 43

Figure 5.8 Probate inventories of Halesowen tanners 1550-1649

Name	Date	Inventory value	Stock of hides and bark	Tools etc
Roger Wyghte	1582	£38.15s	in tanning £16.16s; cattleskins 15s; twinter skins 6s.8d [skins from a 2 year old animal]; pigskins 4d; 3 loads bark 20s	
Richard Wight	1584	£131.5s	leather £43; 7 doz calfskins £3; 12 wainloads bark £5	tools & lime £3.4s
John Wyght	1586	£74.16s.4d	no mention	
William Lea	1613	£661.11s.6d	In tanning £200; calfskins £28.13s.4d; 14 loads bark £10.10s	2 bark mills (1 at Kings Norton)
Richard Bache	1621	£4.15s.8d	no mention	
Thomas Mansell	1627	£38.11s.6d	bark & hides £12	
John Wight	1628	£114.11s	no mention	
William/John Wight	1628		leather, bark & green skins £13.13s.4d; leather & hides £9.10s.0d	
Richard Wight	1644	£144.16s.4d	hide, skins, tools, bark £13	

The tanners were important in the administration of the town, manor and parish and formed a significant part of the elite. The Wyght family served regularly as jurors, aletasters and bailiffs in the borough court. Richard Wyght (died 1584) served six times as churchwarden, including a four-year spell in the 1570s during the fundraising for and building of a new aisle in the church. Another Richard (d.1644) had livestock valued at nearly three times his leather stocks. The relatively high level of capital investment required in the business was an indication of their wealth: their lay subsidy assessments in the seventeenth century class them at the same value (£3 in goods) as others who were ranked amongst the yeomanry and wealthier iron workers.

The tanner with exceptional wealth was William Lea, who died in 1613. Through his wife he became owner of the Grange, the former home farm of the abbey. He served as a juror in Halesowen manor court in 1586, 1590, 1591 and 1594. Lea was identified as a tanner in his probate inventory; there is no mention in the court rolls of his having to pay a fee as a borough tanner, so it may have been in Kings Norton, Worcestershire, where he owned a messuage.[347]

Several Halesowen tanners are listed in the Gloucester port books as sending goods via Bewdley down the river Severn to Gloucester and Bristol. Richard Lee, merchant of Halesowen, is also mentioned: one load lists 156 dozen calf skins, five packs of wool and one pack of cottons.[348]

An example of a currier (a dresser and colourer of tanned leather) was John Russell who died in 1627. His inventory totalled £115.6s.4d, of which £100 was the value given to his ready money and the debts owed to him. His will showed that he had family connections in London, and left £50 in land for charitable purposes. Half of the income was to be given to the poor, and the other half spent on the schooling of the poorest children in the town.[349]

CONCLUSION

The evidence from the probate inventories shows that those who were involved in the metal and textile trades in Halesowen were typical of the many people in the pastoral farming

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[347] WAAS 2422/19 i Lease for 1000 years dated 25 June 1558. The lease was granted by Thomas Blount and George Tuckey to John Ive/Ives/Eves of Halesowen, yeoman, for a consideration of £125 and 12d a year. Ives passed the lease on to his daughter Joyce and her husband; it is not mentioned in his will and inventory of 1604 (WAAS 008.7 BA3585 1604 no. 12). William Lea's will reference TNA PROB 11/122/151 and his probate inventory SBT DR 37/2/Box 90/19.

[348] D Hussey, M Wanklyn, G Milne and P Wakelin, *Gloucester Port Books, 1575-1765*. [data collection]. UK Data Service. SN: 3218, http://doi.org/10.5255/UKDA-SN-3218-1 (1996) [Accessed 12 January 2019]. Richard Lee does not appear in other Halesowen records; he may have been the brother of William Lea [TNA PROB/11/56/203 Will of Thomas Lea of Kings Norton]

[349] WAAS 008.7 BA 3585 1627 no 132 Will and inventory of John Russell; HCA 1610-1641, folio 23v, 28r; F Somers, *HCA* 1487-1582, 108

economy who combined two or more types of employment. These ranged from the poor cottagers to yeomen with extensive farming interests who were able to take advantage of the growing demand for iron to earn a comfortable living and provide for their children. The many nailmakers who do not appear in the inventories are evidenced by the testimony of John Sanders of Harborne who employed 'neer 60 nailors': they and agricultural labourers are likely to have been wholly dependent on either the putting-out system or wages. The absence of occupational identification in parish registers (contrasting with West Bromwich and Sedgley), and the finding from Chapter 3 that only 22% of burials in the 1570s could be matched with inventories, show the lack of information about the poorest members of society. This supports the argument of Keibek and Shaw-Taylor that the wealth bias inherent in inventories provide little evidence for those who were not involved in by-employment.[350] They were the poorest cottagers without land who were dependent on waged labour, and, as in many areas, their presence in increasing numbers put extreme pressure on local resources. However, in general, it is likely that the Halesowen economy was sufficiently diverse for many of the poor to earn a living through multiple employment in agriculture, metalworking or textile processing.

In Halesowen, agriculture continued to be of importance in the economy, which restricted the reliance on metalworking as a sole income by full-time waged employees. This is in contrast with south Staffordshire, where pastoral farming declined in the seventeenth century, particularly amongst metalworkers, leading to an increasing dependence on cash income.[351] The continuation of metalworking as a by-employment during this period, the

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[350] S A J Keibek and L Shaw-Taylor, 'Early modern rural by-employments', 244-8, especially p 278. Their argument was based on evidence from early eighteenth century Cheshire and Lancashire, both areas of pastoral farming.

[351] P Frost 'Yeomen & metalsmiths', 40-41

evidence does not indicate development into a proto-industry. The ongoing importance of agriculture undoubtedly provided employment for labourers which could be combined with metal and textile working. The involvement of yeomen in these trades supports this. The example of Samuel Westwood the scythesmith shows that, despite owning a blade mill, his profits from manufacturing were often invested in land rather than industrial development.

Although there is evidence for the involvement of yeomen and others, such as the Lowe brothers and Samuel Westwood, to fill the gap left by the failure of the Lytteltons to invest in industry during the sixteenth century, and so to expand industry in Halesowen, there was pressure from above to restrict their access to resources, whether wood, coal or imported steel. This is in marked contrast with the investment by others, such as Lord Dudley.

Despite the emphasis generally given to metalworking as the prevalent by-employment in the region, the evidence from Halesowen has shown the importance of textile-working, through the wide range of involvement in the industry, and from all sectors of society. Interestingly, several weavers who belonged to middling families left low-valued inventories: this may have been due to old age. This importance is also in contrast with Frost's findings from south Staffordshire that cloth industries were of minor importance compared with nailmaking, though she acknowledged that metalworkers with sheep were likely to be involved in spinning, carding and weaving.[352]

Half of inventories between 1550 and 1649 mentioned clothworking, nearly a quarter of which were valued at less than £20. This is undoubtedly an underestimate due to the lack of inventories for the very poor. It accentuates the value of the textile trades to the family income,

[352] J Thirsk, 'Horn and Thorn', 175-6; P Frost, 'Yeomen and Metalsmiths', 36, including note 30.

particularly at times of agricultural crisis such as the 1590s. The processing of hemp and flax was particularly widespread locally, with 78% of clothworking inventories mentioning the process.

Tanners and leather workers comprised a small but important trade in the town, with national and local trading links. They were able to take advantage of the expanding livestock market and the demand for leather goods and protective clothing. The tanners in particular were wealthy by Halesowen standards and had extensive agricultural interests. The Wight dynasty and William Lea took an active role in the administration of the borough and parish, so forming part of the local elite.

Halesowen does not fit the standard historical pattern of industrial towns of the west midlands in the early modern period. A combination of factors is likely for this. It did not show the widespread involvement shown in south Staffordshire, as described by Frost, or develop a specialist industry, such as lorimers in Walsall. The continuing importance of agriculture and textile working enabled many to combine both occupations, and the wealthier invested in land. As such, the economy of Halesowen remained an example of proto-industry rather than showing evidence, at this time, of development into a factory-based economy.

CHAPTER 6: STATUS, GOVERNANCE AND CONTROL OF DISORDER

Governance in the early modern period has been described as individual control over social behaviour; badly-governed people were outcasts from society because they ignored community values.[353] This chapter will expand the findings of Chapters 2 and 3 by examining the status of officeholders within the manor and parish of Halesowen, and then investigate the involvement of the manorial courts in upholding order within the parish. It will analyse the main concerns of the courts and how these changed over time. These findings will be examined as a contribution to the historiographical debate on the "reformation of manners" in the late sixteenth and early seventeenth centuries. This is in line with Harrison's advocacy of more local studies to get a 'feel' about the role of manorial courts in the criminal justice system, as he argued it is impossible to carry out a complete statistical analysis.[354] This study includes the proceedings taken against alehouses (which were blamed for drunkenness, violence, sexual misbehaviour, unlawful games, idleness and leading people astray), and vagabonds and inmates (subtenants), who were mistrusted because they had little or no loyalty to the community. Attempts will be made to identify whether the major motivation for the control of disorder were endeavours by elite puritans to achieve a godly society, or the economic stresses of increased population and poverty.

THE HISTORIOGRAPHY

The relevance of manorial courts in the Tudor and Stuart periods has been much debated. Wrightson and Levine found that the manorial court played little part in the

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[353] B A Hanawalt, '"Good Governance" in the Medieval and Early Modern Context' *Journal of British Studies* vol 37 no 3, 'Controlling (Mis)Behavior: Medieval and Early Modern Perspectives' (1998), 248
[354] C Harrison, 'Manor courts and the governance of Tudor England', 43-59, especially pp 58-9

administration of justice in Terling by the 1560s, being replaced almost entirely by local magistrates and the church courts. Wrightson believed that magistrates were 'the ubiquitous local agents of the central government', whilst manorial courts, if still active, were used to control immigration.[355] King stressed their value for researching 'the daily activities of little people'.[356] Sharpe argued that by the late sixteenth century the business of manorial courts was reduced to controlling misdemeanours as more cases were heard in the ecclesiastical courts.[357] In contrast, Harrison in his study of Staffordshire argued that many manorial courts were active in dealing with crime and as foci for social and political influence.[358]

McIntosh judged that many manorial courts were still very active in this period, and that local leadership was a greater influence than central authority. She analysed the numbers of cases brought before the local courts to establish the causes for concern within communities, grouped into three clusters, disharmony, disorder and poverty. She found that disharmony and disorder cases peaked in the early sixteenth century, but the poverty cluster increased in size towards the end of the century, due to reactions to population increase, inflation, disease and poor harvests.[359]

Wrightson and Levine argued that from about the 1590s Puritan adherents amongst the magistracy in Essex worked to establish a godly society, particularly to punish sexual misconduct, regulate personal behaviour and control alehouses.[360] Wrightson acknowledged

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[355] K Wrightson, *English Society*, especially 160,174
[356] W J King, 'Untapped Resources for Social Historians: Court Leet Records' *Journal of Social History* vol 15 no 4 (1982), 704
[357] J A Sharpe, 'The History of Crime in Late Medieval and Early Modern England: A Review of the Field' *Social History* vol 7, no 2 (1982), 191-3
[358] C Harrison, 'Manor courts and the governance of Tudor England', 43-59
[359] M K McIntosh, *Controlling Misbehaviour in England, 1370-1600* (Cambridge 1998)
[360] K Wrightson and D Levine, *Poverty and Piety*, particularly 116-137

that such godly initiatives were not the sole motivation for behavioural reform, and they were unlikely to be prevalent in different kinds of settlement such as "open" parishes with larger populations, scattered settlements, even distribution of wealth and less-developed institutional structures, as it was less likely there would be a tight local oligarchy controlling all aspects of social and economic life. He considered there was a 'complex causal connection' between social and religious concerns.[361]

Clark agreed with these findings, but included better-off members of the community, and also referenced attempts by government to control the consumption of grain by alehouses during periods of food shortage, particularly in the 1590s, as grain used in brewing could have fed the poor. He attributed alehouse licensing to the expansion of royal administration, which threatened the traditional forms of local control, and so stimulated county elites to active involvement in local government.[362]

Spufford disagreed with Wrightson and Levine's thesis, arguing that similar conditions of population increase, starvation and inflation in the late thirteenth and early fourteenth centuries led to similar controls, without the impetus of puritanism. She also stated that the oligarchy in Halesowen, for example, at that time comprised yardlanders and similar groups, so the composition of the village elite, and the economic and demographic situation were similar.[363]

In the sixteenth century there were many divisions within society, for example, between the rich and the poor, the learned and the ignorant, or, more particularly, between the better sort

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[361] K Wrightson, *English Society*, 179-81; M J McIntosh, *A Community Transformed*, 297-349, 404; K Wrightson, 'Postscript: Terling Revisited' in K Wrightson and D Levine, *Poverty and Piety*, 199, 204-5, 213
[362] P Clark, *The English Alehouse*, 166-72.
[363] M Spufford, 'Puritanism and Social Control?' in A Fletcher and J Stevenson (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), 41-57, particularly pp 47-50, 54-5

and the meaner or baser sort. These differences could be economic, social or cultural. The division could relate to the whole country or to village or urban communities. Sir Thomas Smith commented that power was not concentrated but was an intricate network of responsibilities and involvement in local politics and government, so that not only did yeomen's involvement in local government remove them from the lowest ranks, but 'even such low and base persons' as 'poore husbandmen … copiholders … artificers …be commonly made Churchwardens, alecunners and manie times Constables, which office touch much more the commonwealth'.[364]

Wrightson argued that these distinctions formed 'a terminology pregnant with actual or potential *conflict*' because the better sort in a small community were those who considered themselves to be fit and proper people to serve on juries, be in positions of authority, keep the mass of the population in good order, and be buried inside churches.[365]

In Terling, it was the yeomen, the wealthier husbandmen and craftsmen who controlled village government by being elected as churchwardens and vestrymen. Those who occupied the next status down filled the lower ranking roles of constable or sidesmen.[366] In Pattingham, Staffordshire, ninety of the constables between 1583 and 1642 were large or middle-sized farmers, craftsmen or tradesmen; many of them also served as churchwardens, manorial jurors or vestrymen.[367] Kent argued further that by the late seventeenth century it was the involvement in office-holding and local politics, particularly the parish vestry, that defined their thinking

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[364] A Wood, ' "Poore Men Woll Speke One Day": Plebeian Languages of Deference and Defiance in England, c.1520-1640' in T Harris (ed), *The Politics of the Excluded, c 1500-1850* (Basingstoke, 2001), 73; S Hindle, 'The Political Culture', 125, both quoting T Smith, *De Republica Anglorum* (Cambridge, 1982), 74-7
[365] K Wrightson, ' "Sorts" of people in Tudor and Stuart England', 31-40
[366] K Wrightson, *English Society*, 39-40, 43-4
[367] J Kent, 'The English Village Constable, 1580-1642: The Nature and Dilemmas of the Office' *Journal of British Studies* vol 20 no 2 (1981), 28-9

and gave rise to the 'middling identity'. She found that there was considerable diversity in standards of wealth and material consumption within the middling sort, including within their life-spans.[368]

MANORIAL AND PARISH OFFICERS

Systems for choosing parish officers during Charles I's period of personal rule in the 1630s were studied by Langelüddecke.[369] He found that there were examples of election by either open or closed vestries, but in the majority of cases, local custom prevailed, including rotas, proxy and double-year service to enable continuity. In many places there was no differentiation of wealth, landholding or gentry status. Where there was a rota, women exceptionally could be appointed. The systems in place in the different manors within Halesowen was discussed in Chapter 2.

After the death of Sir John Lyttelton in 1590 there were no permanently resident magistrates in Halesowen, and the role of the court leet or great court in the maintenance of law and order, delegated from the royal (hundredal) courts, continued throughout the period under study.[370] It was therefore very different from the situation in Terling. The borough did not renew its charter, as had Stratford-upon-Avon, facilitated by Sir John Dudley at the same time as he was lord of the manor of Halesowen. In Stratford, former members of the gilds in the parish became members of the corporation and advanced their status as elite leaders in the

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[368] J Kent, 'The Rural 'Middling Sort' in Early Modern England, circa 1640–1740: Some Economic, Political and Socio-Cultural Characteristics' *Rural History* vol 10 issue 1 (1999), 20-1,22, 24, 26

[369] H Langelüddecke, '"The pooreste and sympleste sorte of people"? The selection of parish officers during the personal rule of Charles I' *Historical Research* vol 80 no 208 (2007), 225-260

[370] In the early seventeenth century, the nearest magistrates for Worcestershire were Sir Richard Grevis of Moseley Old Hall, approximately ten miles away, and Richard Skynner of Cofton Hackett, nine miles away. For Shropshire, the nearest was Thomas Wolryche of Dudmaston (a relative of Meriel Lyttelton), seventeen miles away.

town.[371] A significant result of the manorial system in Halesowen is that there was no development of a self-perpetuating oligarchy who dominated the jury. This contrasted with the situation in Droitwich, for example, where the role of bailiff rotated round a group of six or eight burgesses.[372]

Generally, Halesowen borough jurors were yeomen, craftsmen such as nailers and tanners, and shopkeepers. For Halesowen manor, jurors were mostly yeoman or husbandmen. Taking an example at random, from 1561, of the sixteen jurors, twelve were from yeoman families, two husbandmen, one a miller and major landholder in Cradley.[373] In Cradley, the choice of jurors seems to have been wider. The thirteen jurors in April 1635, for example, included two scythesmiths/yeomen, three yeomen, two cottagers, two nailers/cottagers/brewer, and one miller, reflecting the less wealthy profile of the inhabitants.[374] This is a continuation of the medieval practice, whereby a range of inhabitants provided jurors and manorial officers.[375]

Churchwardens had many duties, including responsibility for the church fabric, the running of services and the keeping of the parish registers. They were required to keep accounts of their income and expenditure, to supervise the relief of the poor, to attend the archdeacon's courts and to present offenders to the ecclesiastical courts. The seventeenth century accounts record payments to poor travellers.[376]

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[371] R Bearman, 'The Early Reformation Experience in a Warwickshire Market Town: Stratford-upon-Avon, 1530-1580' *Midland History* vol 32 no 1 (2007), 68-109, especially pp 85-8
[372] P F W Large, 'Economic and Social Change', 196-7
[373] AHPLOB 346508 HMCR 1 October 1561
[374] AHPLOB 382958 fol 181 CMCR 3 April 1635
[375] R H Hilton, *English and French Towns in Feudal Society a Comparative Study* (Cambridge, 1995), 55-6
[376] For example, HCA 1610-41 ff 44r, 61r, 74r. Fol 129 mentions going to Mr Wooldriche of Dudmaston Hall, near, Bridgnorth, the nearest Shropshire magistrate. There are no other surviving poor law records or accounts.

Churchwardens were elected annually by the church vestry or the parish as a whole. In Halesowen generally, churchwardens were chosen from the elite of the parish, and most served also as jurors in the manorial or borough courts. Members of the Pearsall, Lowe, Hassold, Haughton, Westwood, Wall and Wight families often served: churchwardens had to be competent to manage the financial and administrative aspects of the work. Most served one year at a time, but fifteen served for two consecutive years. There were usually two wardens, but in 1569 there were four, three of whom served in the following four years: during this period there were major building works in the church.[377]

Unusually, the accounts for 1619 list twelve men who were recorded as choosing the wardens.[378] All were of yeoman status. The list suggests the existence of a cadre of men in the parish who were responsible for the selection of those who were to take office. It cannot be assumed that these men formed a permanent vestry: it may have been a 'proto-vestry' or an ad-hoc group. Such a group is also suggested by the recording in the accounts of names of those who witnessed leases of church lands, viewed the church goods for an inventory, viewed and passed the annual accounts, or met to agree the value of a 'lewne' (rate) for raising money for work on the church.[379] Twenty-seven of these men had been churchwardens. An example is Henry Melley who inherited several holdings in 1615, was churchwarden in 1616 and overseer of the poor for Romsley Quarter in 1624. In 1611 he witnessed a lease of church property, and in 1617 was one of the named people who chose the churchwarden. In 1618 he was the Romsley sidesman responsible for raising the township's share of the church lewne.

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[377] F & K M Somers, *Halas*, 116; F Somers, *HCA*, 112-7
[378] DALHS PR21/3/2/1 HCA 1610-1641 fol 29R
[379] These lists are dated 1610, 1611, 1624, 1617 [this may be incorrectly written for 1619], 1637 and 1638. DALHS HCA 1610-1641 ff 6v, 11r, 58r, 147r and an unnumbered folio between ff 141 and 142

THE CIVIL PARISH

The development of the civil parish from its religious counterpart provided opportunities for the practice of government and power amongst those who were able to take advantage, particularly if there were no resident gentry. Vestries usually comprised the incumbent, the churchwardens and either an appointed or self-appointed body of vestrymen in a closed system, or an elected body in an open system. Frequently, however, manorial structures remained an effective means of administration within localities, as in Halesowen. The newly-instituted vestries were supposed to take responsibility for the poor, the highways and the appointment of constables, and were prevalent where the manorial system was weak. Although it has been considered that the vestry was the successor to the manorial court, as they were often run by the same people, Hindle considered that in practice the vestry was not a successor as it did not have the democratic structure of its predecessor and tended to oligarchy. The status of vestrymen was greater, he argued, because they exercised authority on behalf of external powers.[380]

Office-holding was generally considered to be part of the duties of being a citizen, and instilled a sense of shared responsibility for carrying out instructions from national and county government.[381] Parish officers used the accumulated experience and tradition of administration gained in church and manor to manage the civil obligations devolved to them. The group was formed of men of the middling sort, capable of managing complex legal and financial matters, who increasingly had to deal with external authorities such as magistrates and so formed

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[380] S Hindle, 'The Political Culture of the Middling Sort', 126, 128, 137

[381] M Goldie, 'The Unacknowledged Republic: Officeholding in Early Modern England' in T Harris (ed), *The Politics of the Excluded*, 153-175

connections with county and national government, whereas involvement with manorial authority was more reliant on local knowledge. They were also more aware of outward appearance, for example through their purchase of seats in the church, as when six prominent inhabitants bought seats together 'between the ould chancell and the arches of the steeple.'[382]

They developed a sense of their responsibility for the betterment of their neighbours and realised the advantages of actions which would have a lasting impact on this process. Whereas in the sixteenth century the middling sort had bequeathed sums of money to the church or to the poor man's box, now they bequeathed property for a regular income to be given either to the poor, or to fund preachers, or endow a free school. [383]

The poor law legislation of 1598 and 1601, for example, placed the onus on collection of poor rates and relief of the poor on churchwardens and overseers of the poor. It is impossible to say for certain how much the passing of these acts affected the administration of the parish of Halesowen and the manors within it, due to the lack of surviving records at this period. The names of the collectors for the poor were included in the churchwardens' accounts from 1612, one each for the borough, Romsley Quarter, Oldbury Quarter and Cradley Quarter. Each of the last three took responsibility for the townships within their area. There were frequently expenses in the churchwardens' accounts for journeys to Shrewsbury for the Quarter Sessions, to Bridgnorth for monthly meetings with the justices, or in reference to the poor.[384]

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[382] DALHS HCA 1610-1641 fol 28v
[383] For example, TNA PROB 11/151/331 Will of Thomas Parkes (indexed as Vackes); WAAS 008.7 BA 3585 1627 no 132 Will of John Russell; WAAS 008.7 BA3585 1645 no. 59 Will of John Pearsall the elder
[384] For example, DALHS HCA 1610-1641 ff 27r, 44v, 61r, 99r

Names of the wardens for the highways were recorded in the churchwardens' accounts from 1617: there were two for the town and two for the parish.[385] Sidesmen were appointed, one for each township, to collect money for the lewnes that were agreed to raise money for work on the church. Sometimes these were former churchwardens, but generally they were men of repute in their townships, often having served as jurymen. The parish constable was usually the representative at the county sessions: it was stated that this alternated either between the manor and the borough, or the manor and Oldbury.[386]

Hindle argued that there was greater scope for the involvement of village elites to become involved in the governance of civil parishes because of the declining tendency of local gentry to be permanently resident.[387] This applied in Halesowen, where it became more usual for the landlord to be non-resident after 1590.[388] However, the Lytteltons continued to control their tenants. The borough remained seigneurial, without any attempt by the burgesses to increase their powers. The tenants of Halesowen and Cradley manors made unsuccessful attempts at law to maintain the custom of fixed entry fines.[389]

The borough of Halesowen had no direct representation in parliament, so there was little impetus to invest time and money for political advantage, as in Droitwich, for example, where

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[385] The borough court record for 1590 states that Walter Russell was fined 20s because he refused to serve as supervisor of the highways. AHPLOB 377993 fol 21r-22v HBCR 7 October 1590

[386] "Halesowen: Introduction, borough and manors," in *VCH Worcs Volume 3*, (London, 1913), 136-146, quotes ref Exch. Dep. East. 31 Chas. II, no. 5.

[387] S Hindle, 'The Political Culture of the Middling Sort' 126

[388] J M J Tonks 'The Lytteltons', 119, 123-4

[389] TNA C 2/Eliz/H13/28 Tenants of Halesowen vs Littelton, which argued for the continuation of fixed entry fines and the right to demise copyhold lands for three years; TNA E 134 5JasI Hil 17 Lyttelton vs John Lowe cites the case of an Oldbury tenant who pleaded successfully to the Council of the Marches of Wales against Arthur Robsart's attempt to have arbitrary entry fines; AHPLOB HH 357391 customary tenants of Cradley v Sir Thomas Lyttelton, complaining of arbitrary entry fines, prevention of subletting and other tenants' rights.

local gentry acquired burgess status in order to elect bailiffs and members of parliament.[390] Links with the county were few, usually being limited in the seventeenth century to monthly meetings between churchwardens and magistrates. Halesowen continued to be of little significance politically.

GOVERNANCE AND THE ELITES

The manorial courts were the focus of control over the lord of the manor's interests and also bad governance. From the sixteenth century there were increasingly external regulations introduced by the government, such as the control of alehouses and vagabonds.

The question of the amount of influence the lord of the manor through his steward had over the manorial courts in his jurisdiction, compared with that of the jurors and affeerers, is open to debate. McIntosh suggested that a resident lord could affect the punishment of misbehaviour by poor inhabitants by influencing the families whose members formed the jury.[391] However, the administration of the court depended on the involvement of officials elected by the jury or the inhabitants, particularly in agricultural activities, the resolution of disputes about boundaries and obstructions to roads, and the control of misbehaviour.[392] Sir John Lyttelton, the lord of the manor from 1558 to 1590 (Cradley from 1564-5) was an active landlord who rarely delegated. It has been suggested that his stewards became increasingly powerful in the manor courts.[393] The steward controlled the land and property market and

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[390] P F W Large, 'Economic and Social Change', 190-7. The Earl of Shrewsbury and Lord Windsor were both members of the corporation in the late sixteenth century; John Wilde, Chief Baron of the Exchequer 1646-53 was the MP for Droitwich, and also recorder of the borough between 1625 and 1660.
[391] M K McIntosh, 'Social Change and Tudor Manorial Court Leets', 81
[392] This is discussed for an earlier period in C Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester 680-1540 (Cambridge, 1980)*, 355-60, 368-72
[393] J M J Tonks, 'The Lytteltons', 22-5

presentments of matters that affected the lord's income, such as poaching and damage to woodland.

Byelaws passed in the manorial courts institutionalized the control of bad behaviour rather than permitting the taking of the law into one's own hands. They show the development of ideas of good governance in the borough. In contrast to Terling, the manorial courts in Halesowen were very active. Views of frankpledge, such as applied at all three Halesowen courts, gave the lord of the manor rights over petty police jurisdiction, otherwise administered by sheriffs and the Quarter Sessions, though Worcestershire and Shropshire were also under the jurisdiction of the Council of the Marches of Wales.[394] The joint manorial court of Cannock and Rugeley was similar, dealing with hundreds of criminal cases between 1584 and 1602, while the justices dealt with nine cases of assault, eighteen cases of theft and seven cases of poaching from the same area.[395] There were few mentions of Halesowen cases in surviving Shropshire and Worcestershire sessions records: in Worcestershire there were three references to personal violence cases from Halesowen.[396]

Punishment in the Halesowen courts was rarely mentioned apart from fines. There was a gaol in the borough and stocks in some, at least, of the townships. There are occasional presentments of townships for not having stocks; Cradley had a pillory.[397] These were used for

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[394] P D A Harvey, *Manorial Records* (London, 1984), 47; R H Hilton, *A Medieval Society*, 231-2. For the Council of the Marches of Wales, see R Flenley (ed), *A calendar of the register of the Queen's Majesty's Council in the dominion and principality of Wales and the Marches of the same (1535) 1569-1591 (from the Bodley ms. no. 904)* (The Honourable Society of Cymmrodorion, London, 1916)

[395] C Harrison, 'Manor Courts and the Governance of Tudor Britain' in C Brooks and M Lobban (eds), *Communities and Courts in Britain 1150-1900* (London, 1997), 43

[396] J W Willis Bund (ed) *Calendar of Quarter Sessions Papers* vol 1, 50, 100, 262

[397] AHPLOB 382958 fol 68v CMCR 14 September 1627; AHPLOB 377992 fol 122 HMCR 16 October 1583; AHPLOB 346511 HMCR 1 October 1651 Cakemore, Warley Salop, Lapal, Romsley, and Illey. Romsley was fined 4d, the others 2d.

minor infringements as well as for punishing vagabonds. The borough court, for example, ordered in 1580 that the taking of wood was to be punished by a day and night in the stocks, and in 1573 that playing or permitting gaming was punishable by three days and nights in the stocks on bread and water. The borough and both manors, therefore, had a well-developed jurisdiction over criminal offences which may not appear in the court records.

Members of the elite were not exempt from governance by the courts. In 1584 Robert Robsart (who owned the manorial rights to Oldbury) was presented for freeing a man from the stocks in Warley Salop.[398] John Warley, a gentleman who had inherited Warley Hall and lands in Warley Wigorn, was frequently presented for fighting. In 1596 he, two sons and two servants broke open the pound to recover eighteen of his animals, during which one of his sons wounded two men. He was presented twice for poaching, for offences relating to the land, and for refusing to do his share of road maintenance and watch-keeping.[399]

The vicar Ralph Mallet was presented for assault in 1581, and for affray in 1593, and twice in 1594, when he was described as "the unworthy vicar of Hales".[400] Mallet was in Halesowen from at least 1581 until his death in November 1598, covering the period when influential puritans elsewhere campaigned through preaching and punishment for a godly

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[398] AHPLOB 377992 fol 70 HBCR 25 October 1580; AHPLOB 377991 fol 19 HBCR 1 December 1573; AHPLOB 377992 fol 140 HMCR 14 October 1584; *VCH Worc*s vol 3, 136-46 [Accessed 28 May 2021]

[399] John Warley married into the Middlemore family of Kings Norton. When his son Gilbert was christened in 1576, Gilbert Lyttelton was one of the godfathers. Gilbert Warley was baptised 24 February 1576 at St Nicholas, Kings Norton. Gilbert Lyttelton's biography would suggest that friendship with John Warley did not enhance John's character (http://www.historyofparliamentonline.org/volume/1558-1603/member/lyttelton-gilbert-1540-99)

[400] AHPLOB 377993 fol 136 HBCR 12 October 1593; AHPLOB 377993 fol 151 HBCR 7 May 1594. He was a curate in Halesowen by 1581 and was vicar from 1584 until his death in 1598. http://db.theclergydatabase.org.uk/jsp/search/index.jsp [accessed 14 June 2017]; F Somers, *HCA*, 4. However, when he obtained a marriage bond in 1584 he was said to be of Bromsgrove [Fry, E A (ed), *A Calendar of Wills* vol.1 1451-1600 (London, 1904), 288]

reformation.[401] There was unlikely to be any diocesan leadership in favour of godly behaviour when Edmund Freake was bishop of Worcester between 1585 and 1591: he had a reputation for attacking radical preachers, and described Gilbert Lyttelton as 'a gentleman well-conditioned'.[402]

The courts acted against sabbath-breaking from the 1570s. At the borough court in 1575, the churchwardens were ordered to record in writing the names of absentees from church, and Richard Grove, draper, was fined for non-attendance. At Halesowen manor court the next day, the churchwardens were similarly ordered that they 'must see well that the inhabitants of this lordship come to church on Sundays and holy days, that they keep and hold the laws of God and his English church and that they all behave soberly and discreetly there, and continue all the time of divine service there and do not leave for common talk in assembly places nor anywhere else during the said times.'[403] There is no suggestion that this was due to puritanism, and was in accordance with visitation articles of the time.[404]

ALEHOUSES

There were no national restrictions on the selling of ale until 1495, when magistrates were authorised to license alehouses, obtain sureties from ale-sellers for good behaviour, and close unruly premises. Constables were expected to report to Quarter Sessions on the alehouses

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[401] K Wrightson, *English Society*, 216

[402] C. S. Knighton, 'Freake, Edmund (*c*.1516–1591)', *Oxford Dictionary of National Biography* (Oxford 2004) online edn, Jan 2008 http://www.oxforddnb.com/view/article/10136 [accessed 24 Aug 2017]; Lyttelton, Gilbert (c.1540-99), of Frankley, Worcs. and Prestwood, Staffs.
http://www.historyofparliamentonline.org/volume/1558-1603/member/lyttelton-gilbert-1540-99
Subsequent bishops of Worcester were Richard Fletcher (1593-95) and Thomas Bilson (1596-97). Bilson identified both Catholics and Protestants in the diocese [W Richardson, 'Bilson, Thomas (1546/7–1616)', *Oxford Dictionary of National Biography* (Oxford 2004) http://www.oxforddnb.com/view/article/2401 [accessed 24 Aug 2017]

[403] AHPLOB 9377991 HBCR fol 76v 18 October 1575; AHPLOB 377991 fol 79 HMCR 19 October 1575

[404] W H Frere (ed), *Visitation Articles and Injunctions of the Period of the Reformation* vol 3 1559-1575 (London, 1910), 266, 288-9, 299, 307, 335

in their parishes; however, in many manors, including those in Halesowen, the manorial courts continued to control them. Wrightson discussed the conflict between the county authority and the duties of local officers who had to live in as well as police their neighbourhoods, especially in those areas where keeping an alehouse enabled the poor to earn a living. Local magistrates were often aware of the need for this provision, and also for the benefits to themselves of the exercise of patronage in granting licences.[405]

The numbers of presentments of unlicensed and disorderly alehouses in the three courts are summarised in Figures 6.1 and 6.2. Presentments for breaking the assize are included only if they are in addition to the annual fee charged to brewers.

Figure 6.1 Presentments of alehouse keepers in Halesowen Borough court, excluding annual charges, 1550-1649

Decade	Halesowen Borough		
	No. of courts	Unlicensed/ against assize	Disorderly house
1550-9	0	0	0
1560-9	3	0	0
1570-9	13	8	9
1580-9	11	0	11
1590-9	12	13	0
1600-9	2	0	0
1610-9	20	49	2
1620-9	14	19	2
1630-9	18	0	0
1640-9	6	0	0

[405] Wrightson, K 'Two concepts of order: justices, constables and jurymen in seventeenth-century England' in J Brewer and J Styles, *An Ungovernable People: The English and their law in the seventeenth and eighteenth centuries* (London, 1980), 21-46, especially 21-2, 24-5, 30-1; R Cust and P Lake, 'Sir Richard Grosvenor and the Rhetoric of Magistracy', *Bulletin of the Institute of Historical Research* vol 54 (1981), 50-1, quoted in M Hailwood, *Alehouses and Good Fellowship in Early Modern England* (Woodbridge, 2014), 81

Figure 6.2 Presentments of alehouse keepers in Halesowen Manor and Cradley Manor courts, excluding annual charges, 1550-1649

Decade	Halesowen Manor			Cradley Manor		
	No. of courts	Unlicensed/ against assize	Disorderly house	No. of courts	Unlicensed/ against assize	Disorderly house
1550-9	9	0	0	14	6	0
1560-9	4	2	0	3	0	0
1570-9	13	2	3	10	0	5
1580-9	12	1	6	9	3	2
1590-9	13	3	2	6	3	0
1600-9	2	0	0	1	0	0
1610-9	20	8	1	19	2	0
1620-9	14	0	1	18	8	0
1630-9	18	1	0	17	0	0
1640-9	5	0	0	5	4	0
1650-9	3	6	0	0	0	0

Figure 6.1 shows that campaigns by the borough court against disorderly alehouses peaked in the 1570s and 1580s and against unlicensed alehouses in the 1590s and again in the 1610s and 1620s. This lack of consistency is paralleled in Shrewsbury, where in the 1620s less than a third of ale-sellers charged with offences against the assize were licensed, whereas by the mid-seventeenth century unlicensed sellers were suppressed.[406]

There is little correlation between the three courts, but in Halesowen manor in the seventeenth century it became the norm for brewers in the townships to be charged an annual fee, as in the borough court, whereas earlier this tended to occur in Ridgacre only.

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[406] P Clark, *The English Alehouse*, 41-2, 48, 60 notes 5 and 8. There is no total for Shropshire, whilst the Worcestershire return (excluding Worcester) listed only 447. The Staffordshire return listed alehouses only. However, the return for Warwickshire, including the major boroughs, listed twenty-nine inns, eight taverns and 447 alehouses. Flenley suggested that the failure of eight counties (including Shropshire) and one county town under the jurisdiction of the Council in the Marches of Wales to report their numbers was an indication of the inefficiency of the Council in local administration and suggests that value of the counts that were supplied is open to question. [R Flenley (ed), *A Calendar of the Council of Wales and the Marches*, 171, note 1]

In the borough's attempts to prevent disorder by controlling alehouses during the 1570s, 1580s and 1590s, the fines varied between 3s.4d and 40s. There was no consistency in the treatment of alehouse-keepers, though the level of fines may have been related to the alehouse-keeper's ability to pay. In Halesowen manor there was only one presentment for selling ale without a licence, in 1632. Unusually, in 1625 Humphrey Hall, a Cradley nailer of substance, was charged at Worcester Quarter Sessions for selling ale without a licence, 'to the hurt of those persons which be licensed to sell'.[407]

There were occasional presentments of alehouse-keepers for selling drink during church services, in 1575, 1585, 1588 and 1592 in the borough court, and in 1576 in Halesowen manor court. The last presentment for selling during divine services was in the borough court in April 1618, when eleven alesellers were fined 6d each. Another ongoing problem, also highlighted by McIntosh, was the selling of ale to people deemed likely to develop bad habits or waste limited resources. In 1573 the court ordered that 'no man's sons servants journeymen nor apprentices of what degree so ever the[y] be' were to be sold ale on workdays, and in 1586 five were presented for selling ale to servants after 8pm.[408]

Alehouse-keepers were punished for illegal gaming, for example at dice, tables and hazard. The number of cases is summarised in Figure 6.3. Eleven of the Cradley cases were linked to Philip Blakemore's alehouse, while William Dankes, a Ridgacre alehouse-keeper, was involved to cases in the 1570s, 1580s and 1590s.[409]

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[407] WAAS QS papers 110 48/192 1625

[408] M K McIntosh, *Controlling Misbehavior*, 13; AHPLOB 377990 folios 41r-42r HBCR 5 May 1573; AHPLOB 377992 ff 174-5 HBCR 11 October 1586

[409] For example, AHPLOB 377991 ff 60, 93 CMCR 3 June 1585 and 20 October 1576; AHPLOB 377991 ff 64 HMCR 8 June 1575; AHPLOB 377992 fol 75 HMCR 12 April 1581

Figure 6.3 Presentments for allowing or taking part in illegal games, 1550-1649

Decade	Halesowen Borough		Halesowen Manor		Cradley		Total	
	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases
1550-9	0	0	9	1	14	0	24	0
1560-9	3	1	4	0	3	0	8	0
1570-9	13	3	13	8	10	15	37	26
1580-9	11	0	12	17	9	0	33	17
1590-9	12	0	13	8	6	0	33	8
1600-9	2	0	2	0	1	0	5	0
1610-9	20	0	20	11	19	0	59	11
1620-9	14	0	14	1	18	0	49	1
1630-9	18	0	18	1	17	0	53	1
1640-9	6	0	5	0	5	0	16	0

Alehouses became focal points for social activities after they had been stopped in churches as part of the reformation against the traditional rituals and festivities; alehouses were also part of the youth culture of the time.[410] One member of an elite Romsley family exclaimed, 'I will bowl at weddings or at merriments in despite of him or whoever will say nay', for which he was fined 12d.[411]

Again, the peak in presentments occurred in the 1570s and 1580s, during the period of increased population and fear of the influx of landless people who would be a drain on the resources of the community. Punishment of illegal games was less prevalent in the seventeenth century, perhaps only being considered if a case were blatant, such as the presentment of eleven men in Halesowen manor court for playing bowls in 1612.[412] These findings agree with

[410] M K McIntosh, *Controlling Misbehavior*, 97-9, 102-6; P Clark, *The English Alehouse*, 153-7; D MacCulloch, *Building a Godly Realm: The Establishment of Protestantism 1558-1603* (London, 1992), 26
[411] AHPLOB 377992 fol 76 HMCR 12 April 1581
[412] AHPLOB 377994 fol 45 HMCR 22 April 1612

McIntosh's conclusion that local courts considered they could control their gamblers, and that gaming was not thought by the higher courts to be a major cause of disruption.

LOVE ALES

Love ales, or bride ales, were wedding festivities that involved the brewing of ale on a large scale by private individuals rather than licensed alehouse-keepers. They were particularly common in, but not restricted to, Wales and Scotland.[413] They could last for several days, and it is apparent that sometimes the ale was sold at below the price fixed by the courts, leading to increased drunkenness and disorder, and devaluing the authority of the court in controlling alehouses. The numbers of presentments at the three Halesowen courts are shown in Figure 6.4.

Figure 6.4 Presentments for love ales, 1550-1599

Decade	Halesowen Borough		Halesowen Manor		Cradley Manor	
	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases
1550-9	0	0	9	8	14	1
1560-9	3	0	4	0	3	0
1570-9	13	19	13	11	10	0
1580-9	11	9	12	1	9	0
1590-9	12	1	13	4	6	0
Total	36	29	51	24	42	1

In May 1573 it was recorded that:

> … no p[er]son or p[er]sons that brewe any weddynge alle to sell shall not brewe above xii strike of malte at the most and that the said p[er]sons so marryed shall not kepe nor have above viii mess of p[er]sons at his dynn[er] within the burrowe and before his bryddall daye he shall keep no unleful games in his howsse nor sell no alle or beare in his howsse nor out of his howsse in peine of xxs nor at all shall not kepe no unleful games in the peine aforesaid.[414]

[413] F Heal, *Hospitality in Early Modern England* (Oxford, 1990), 369-70
[414] AHPLOB 377990 ff 41r-42r HBCR 5 May 1573

The Council in the Marches of Wales, whose authority included both Shropshire and Worcestershire, had passed an order in March 1573, which directed the sheriffs and the justices of the peace to 'discuss by what means good order may be continued, alehouses, vagabonds and unlawful games suppressed, the poor relieved and artillery maintained.'[415] The lord of the manors, Sir John Lyttelton, was appointed to be one of the twenty councillors of the Council in the Marches in 1574.[416] As he was the only magistrate in Halesowen, the increase in presentments would appear to support this order. In 1581 the jurors of Halesowen borough court drew up a list of orders to deal with the:

> 'sondrye misdemeanours [that] have bene and are daily committed and done within the Boroughe of Halesowen as well by the negligence of officers appointed for the government of the Boroughe As by sondrye Bryde Ales and Love Ales disorderly taken up and used within the said Borough'.

No one was to keep a bride ale unless it was thought 'convenient and nedefull' by the bailiff and five of the most substantial people of the borough, and approved by the lord of the borough. Brewing and selling of ale for a wedding was permitted only between one day before the marriage and one day afterwards, unless the lord allowed extra; ale had to be sold in accordance with the same assize and price as the town victuallers. The jury then ordered victuallers and ale-sellers to operate a curfew of 8pm in the summer and 7pm in winter.

Finally, the jury ordered that 'sondrie lewde Riotous and disordered persons' were to be kept in jail until they found sureties of £5 that they would keep the peace, and also to pay any fine imposed by the jury at the next court. As there had been 'great abuse' committed against

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[415] R Flenley (ed), *A Calendar of the Register of the Council of Wales and the Marches*, 102-3

[416] *History of Parliament* online http://www.historyofparliamentonline.org/volume/1509-1558/member/lyttelton-john-1519-90 [accessed 14 August 2019]. Sir John was a justice of the peace for Worcestershire, and a member of the quorum of justices with greater legal knowledge. In 1573-4 he was sheriff of Worcestershire, and was appointed custos rotulorum and deputy lieutenant for Worcestershire by 1577

the chief officers, anyone giving 'reprochefull wordes' to them would forfeit 3s.4d. Anyone striking or resisting an officer or others assisting the officers would forfeit 6s.8d; if they could not pay the fine, they would be imprisoned in the stocks for three days and nights.[417]

In the same court as these byelaws were made, ten people were presented for assault or affray. The emphasis was partly on the control of the regular alehouse trade, and partly the prevention of the drunkenness that occurred over several days before and after a wedding. A major intention, however, was to reinforce the communal responsibility for good order. The orders provide evidence for a fear of riot or sedition that was increasing element of life in late Elizabethan England, but this example is earlier than the disorder discussed by Sharpe, which he blamed on the disastrous harvests of 1594-7, exacerbated by rising population, inflation and war.[418]

These campaigns were twenty years prior to those in Terling, and were in response to disorder, probably related to the presence of many young incomers, as discussed in Chapter 3. Attempts were made by the borough court to prevent marriage celebrations of aliens or outsiders, and later to ban their presence at any brewing of ale.[419] This legislation agrees with Beier's description of the restrictions that were becoming more frequent as the later part of the century progressed, and are almost certainly associated with the fear of social disorder that in many people's minds was associated with the increasing number of vagrants, the majority of whom were young single males with no local roots.[420] The lack of cases in Cradley is probably

417 AHPLOB 377992 fol 94Br. HBCR 17 October 1581 See Appendix 1
418 J Sharpe, 'Social strain and social dislocation, 1585-1603' in J Guy (ed), *The Reign of Elizabeth I: Court and culture in the last decade* (Cambridge, 1995) 192-211
419 AHPLOB 377991 fol 76 HBCR 18 Oct 1575; AHPLOB 377992 fol 138r-139r HBCR 13 Oct 1584
420 A L Beier, *Masterless Men: The vagrancy problem in England 1560-1640* (London, 1985), xxi, 20, 52

due to its nearness to the borough; most of the cases in Halesowen manor occurred in more distant townships.

The custom of love ales had either died out, been regulated, or was generally ignored by the seventeenth century: there was one presentment in Hales manor court in 1609 for a love ale held without a licence, and one in the borough court in 1615.

VIOLENCE

In the 1573 borough court mentioned above, there were forty-one presentments for assault or affray on others, involving twenty-three people. One man was presented five times. The local elite were involved: eight belonged to prominent local families, including three burgesses. John Jones, the tenant of the Star in Birmingham Street and a frequent juror, was presented twice. Outsiders included a man from Birmingham, and a Welshman. It is likely that they were live-in servants, as two prominent inhabitants stood pledge for them.[421] Whatever the relationship, this provides evidence for the effects of tension resulting either from the youth of the troublemakers or from the lack of social cohesion shown by those with no real connection to the town.

The recording of pledges for the good behaviour of the accused was a rare occurrence in this court. On this occasion, sixteen people provided pledges for one or more people, giving further indication of the seriousness of the trouble. Two of the fights took place in the constable's house. It is impossible to say what triggered the disturbance, but as one of the

[421] Many Welsh people migrated to the area: in the city of Worcester, it was said in 1584 that most of the poor came from Wales. The Welshman could have been passing through, possibly in connection with cattle droving. [A D Dyer, *The City of Worcester*, 170-1; P R Edwards, 'The Cattle Trade of Shropshire in the Late Sixteenth and Seventeenth Centuries' *Midland History* vol 6 (1981), 80, 82

people involved was Thomas Cutt junior, who had married in the previous January, this may have been the cause.

Over the whole period, the pattern of presentments for affray and assault is different from that of love ales. Violence was a major problem in the borough and Cradley courts. In Halesowen manor, they peaked in the periods of stress in the 1570s, 80s and 90s; it is possible that minor cases were managed within townships rather than being referred to the manor court. The numbers are summarised in Figure 6.5.

Figure 6.5 Presentments for affray or assault, 1550-1649

Decade	Halesowen Borough		Halesowen Manor		Cradley Manor	
	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases
1550-9	0	0	9	16	14	16
1560-9	3	8	4	11	3	13
1570-9	13	90	13	119	10	41
1580-9	11	114	12	99	9	37
1590-9	12	91	13	48	6	12
1600-9	2	14	2	0	1	9
1610-9	20	170	20	7	19	29
1620-9	14	83	14	2	18	27
1630-9	18	31	18	7	17	14
1640-9	6	1	5	0	5	1

Yet again it can be seen that the greatest incidences of cases were in the 1570s and 1580s. In the 1570s in Hales manor, 88 of the cases were in eight courts between 1573 and 1576, and 31 of the Cradley cases were in two courts in 1575. In the borough court the peaks were much less marked, but occurred at the same time: thirteen in December 1573 and fourteen in June 1575. This is further evidence for the pressures related to increased population, especially of the young.

VAGABONDS AND INMATES

Beier argued that vagrancy laws were meant to deal with a new problem, of a large number of itinerant, landless people without ties and expectations, whose status as "masterless men", meant they were seen as threats to the social order.[422] McIntosh found that by the sixteenth century vagabonds and those who gave them hospitality were considered as being badly-governed. She calculated that a maximum of 21% of courts reported such cases in the 1520s and 1530s, which fell to nearly half after 1540; she attributed this drop to the appearance of similar charges in the church courts and quarter sessions. She found that byelaws to control the presentments or orders referred to specific people rather than particular types of behaviour, and eviction was a frequent punishment.[423]

There is no evidence in the three Halesowen courts that there was any major concern with dealing with undesirable people before the 1570s. An example showing a great deal of forbearance was in Cradley: in June 1575 Margaret Forest and Henry Wall were ordered to remove William Whyte and Thomas Richards from their houses. However, in October it was agreed that the two men could remain if the jurors were satisfied that they:

> 'act good to their neighbours and amend their bad conversation and any objection and other of their bad ways, they would be permitted to remain, if they have been good. ... if ... the same William and Thomas ... conduct themselves badly or incur a complaint of a plea of debt against them in the court ... William and Thomas not paying the punishment according to their offence, they be wholly removed.'[424]

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[422] A L Beier, *Masterless Men*, xxi

[423] M K McIntosh, *Controlling Misbehavior*, 68-9, 78-81

[424] M Bradley and B Blunt (eds), *Cradley Court Rolls Part 2*, 25, 27, 29-31, 36, 43, 45 Despite these orders, at the next court in October 1576, Thomas Mansell was ordered to remove William Whyte from his house, because William was 'of ill fame and suspect living', under penalty of 10s; anyone housing William would be fined 10s per month. Thomas forfeited the penalty (reduced to 2s.6d) at the next court, as William was still living in the house. The trouble was obviously resolved as William was essoined for absence in April 1578 and was apparently still living in Mansell's house in October 1581, when he was ordered to scour his ditches there. However, in October 1586 Whyte was ordered to remove an unacceptable woman from his house as the situation was 'a grave scandal and an offence to their neighbours.' Nevertheless, he served as juror in the following October and for several subsequent years.

In the borough, the peak again came in the 1570s, as shown in Figure 6.6. Local residents without obvious means of support were also suspected, including young people living at home without employment. Local courts technically could not deal with these cases, so they concentrated on punishing those who took in vagabonds. All the cases in the borough court referred to people, frequently sons or daughters, being ordered to put themselves to a master, following a byelaw passed in May 1570. One man was given the alternative of taking a suitable shop to exercise his trade within the borough.[425] A bylaw passed in 1573 banned trading in the borough by non-occupants unless they compounded with the lord's bailiff, which may reflect employment and population pressures as well as control and protection of businesses.[426]

Figure 6.6 Presentments for living idly, 1550-1599

Decade	Halesowen Borough		Halesowen Manor		Cradley Manor	
	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases
1550-9	0	0	9	2	14	0
1560-9	3	0	4	0	3	0
1570-9	13	11	13	2	10	0
1580-9	11	0	12	2	9	0
1590-9	12	0	13	0	6	0

An earlier example of hardening of attitudes towards the non-resident poor or those who were likely to be a burden or a source of trouble, is shown by a byelaw made in Halesowen manor court in April 1557 banned the lodging of any suspect person, particularly pregnant women, under penalty of 20s. Vagrant pregnant women, especially if unmarried, were feared

[425] AHPLOB 377991 ff 15, 25, 47, 63, 86 HBMC 9 Mar 1570, 10 Oct 1570, 12 Oct 1574, 7 June 1575, 16 Oct 1576
[426] AHPLOB 377991 ff 18-20 HBCR 1 Dec 1573

in case they gave birth in the parish or abandoned the baby, leaving a burden on the parishioners. Cases often rose at times of economic strain as marriage was less possible. The women were considered a threat to a well-governed, without loyalty to the local community.[427] There is no mention of any cases of pregnant women in the sixteenth century court records. Generally, there is scant and indirect evidence in the court rolls for the punishment of vagabonds who were not from the manor. The presentment of Hawne township at the Hales manor court in April 1615 for not having stocks for the punishment of vagabonds suggests that migrants were punished on an ad hoc basis, rather than in the court. In 1612 and 1613 the borough constable was held to be in default for not detaining vagabonds.[428]

Further evidence of a crisis within the manor in 1573 appears in the borough court, which passed two byelaws, one forbidding the taking in of inmates, or subtenants, under penalty of 6s.8d, and the other forbidding innkeepers and alehouse-keepers to accommodate any stranger or itinerant person for more than one day and one night unless there was a cause of distress. In October 1583 the borough court increased the penalty to 20s. Halesowen manor court banned subtenants in 1584, and the following year banned giving hospitality to healthy beggars.[429] The presentments are tabulated in Figure 6.7.

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[427] K Wrightson and D Levine, *Poverty and Piety*, 124-34; P Slack, *Poverty and Policy in Tudor and Stuart England*, (Harlow, 1988), 102-3; A L Beier, *Masterless Men*, 52-7

[428] AHPLOB 377994 fol 78 HMCR 13 April 1615; AHPLOB 377994 fol 38v HBCR 22 April 1612; AHPLOB 3779944 fol 50 HBCR 24 March 1612-3. In 1613 the sub-bailiff was also presented for not presenting all affrayers and blood-drawers.

[429] AHPLOB 377991 ff 19-20 HBCR 1 Dec 1573; AHPLOB 377992 fol 118 HBCR 15 Oct 1583; AHPLOB 377992 fol 136 HMCR 6 May 1584 (Existing subtenants were to be removed by Michaelmas, under penalty of 20s, and none were to be admitted in future under penalty of 40s); AHPLOB 377992 fol 157-9 HMCR 13 Oct 158

Figure 6.7 Presentments for having inmates or subtenants, 1550-1649

Decade	Halesowen Borough		Halesowen Manor		Cradley Manor	
	No. of courts	No. of cases	No. of courts	No. of cases	No. of courts	No. of cases
1550-9	0	0	9	2	14	0
1560-9	3	0	4	0	3	0
1570-9	13	3	13	4	10	4
1580-9	11	4	12	7	9	4
1590-9	12	1	13	8	6	1
1600-9	2	2	2	0	1	1
1610-9	20	14	20	13	19	15
1620-9	14	19	14	13	18	5
1630-9	18	20	18	3	17	4
1640-9	6	0	5	0	5	1

In addition, Romsley courts baron recorded three removal orders in 1611, two in 1616 and one in 1636, the last two banning incomers as tenants without indemnity. This shows that rural townships were not immune from the fear of the burden of paupers.[430]

The byelaws anticipated the act of 1589, which banned the building of cottages with less than four acres of land, but also ordered 'that there shall not be any inmate of more families or households than one dwelling ... in any one cottage', supported by a fine of 10s per inmate per month.[431] This anticipation is similar to that experienced in other parts of the country, such as Essex.[432] It was accepted by the courts that taking in lodgers was a means for the very poor to make a living, and the fines imposed on them reflected this: Joyce Perkes, a widow and brewer, was fined 4d in Halesowen manor court in 1593 for the offence.

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[430] M Tomkins, *Court Rolls of Romsley*, 314, 323, 332

[431] S Hindle, 'Exclusion Crises', 128; 'An act against erecting and maintaining cottages' clause VI 31 Elizabeth I c.7 in O Rufford, *Statutes at Large* vol 2, 664

[432] M K McIntosh 'Social Change and Tudor Manorial Leets' in J A Guy and H E Beale, (eds) *Law and Social Change in British History: Papers presented to the Bristol Legal History Conference, 14-17 July 1981* (London, 1984), 80-1

The emphasis in the sixteenth century was on the removal of people who were seen as threats to good order. In the seventeenth century, however, the presence of inmates without consent or surety were considered a burden on the parish and was sufficient to order their removal: even the vicar was presented in the borough court in 1631 for having two inmates.[433] McIntosh found that the number of courts presenting problems with subtenants or inmates increased considerably during the sixteenth century, from 1% to 27%.[434] This occurred particularly after the establishment of parish poor rates in 1552 and 1563, when byelaws were passed by courts ordering tenants to expel their subtenants unless they were prepared to indemnify the parish against any charge on the poor rates made by the subtenant. The percentages are similar in Halesowen, and it was not until the 1610s that numbers increased considerably. However, it is clear that inmates and idle people were seen as another factor that was putting pressure on the local economy, in addition to the population increase and the reduction in the size and availability of landholdings. This is reflected in the shift in attitude as vagrants and landless labourers were added to those liable to be a burden on the poor law.

CONCLUSION

This chapter has considered three closely-linked aspects of the historical debate about the 'reformation of manners' of the late sixteenth and early seventeenth centuries: firstly, the role of the local elite in the governance of the community and in the control of disorder; secondly, the degree and type of action taken against alehouses and disorderly living; thirdly, whether there was any evidence in Halesowen for the concerns that might prompt the punishment of unruly behaviour.

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[433] AHPLOB 382958 fol 114v HBCR April 1631
[434] M K McIntosh, *Controlling Misbehavior*, 239

The continuing significance of manorial courts within the manors and borough of Halesowen confirms the findings of both McIntosh and Harrison, and contrasts with the example of Terling, where magistrates were more important. Factors for this include the lack of magistrates within the parish, the tradition of views of frankpledge and the consequent absence of close control by Quarter Sessions, and also the distance from magistrates and the county towns of both Worcestershire and Shropshire.

The courts followed local custom for the appointment of jurors and officials. Although many yeomen were jurors, generally there was little differentiation regarding wealth, and status or occupation does not appear to have been a bar, particularly to the lesser offices. The main exception was the position of bailiff, which in Cradley followed a rota of those who held certain heriotable properties, and in the borough was appointed by the jury. In Halesowen and Frankley manors the bailiff was appointed by the lord. Within the borough, lack of burgess status did not preclude manorial office, but seems to have been necessary for that of bailiff, particularly as the bailiff and burgesses controlled access to the market. Without parliamentary representation, the borough remained of minor significance, so there was little impetus towards a self-interested oligarchy.

However, there is evidence for the development of a ‘proto-vestry’ within parish government which was reliant on men of higher local standing because of their ability to manage finances, projects and legal business, as well as to cooperate with county officers which would give them greater status both locally and in county affairs.

Examination of the manorial court records shows that in Halesowen, unlike Terling, they were active in the control of disorder, similar to the situation in Staffordshire.[435] Analysis of the action against alehouses, love ales and disorderly behaviour in Halesowen peaked in the 1570s and 1580s. It was a reaction to socio-economic stresses caused by increased population, particularly of young people, as shown by the increase in marriages and baptisms in the period. This in turn contributed to pressure on landholdings which led to an increase in landless wage-earners without ties to the community. The evidence supports Spufford's thesis that concern about disorder preceded puritan influences. It contrasts with the experience in Terling, where prosecutions for drunkenness, disorderly alehouses and assault peaked two decades later, in 1595 and the early 1600s, at a time of dearth and subsequent indebtedness.[436] The local elite followed the practice of centuries in controlling behaviour through the manorial courts, though they, including some clergy, were just as likely to be presented at court as the general population. There is no evidence of an active puritan presence in Halesowen in the 1580s and 1590s that might have generated a similar campaign to reform the ungodly poor, apart from some orders for the closure of shops and alehouses during church services. Although it is impossible to say how much violence was tolerated, when these cases were brought to court, there was no obvious prejudice against the poor.

The other main concern of the courts was the punishment of inmates. Action against them started in the 1570s, in advance of the act which banned the occupation of cottages by more than one family, again in the period of increasing population.[437] However, action was

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[435] C Harrison, 'Manor courts', 43-59
[436] K Wrightson and D Levine, *Poverty and Piety*, 135-7; K Wrightson, *English Society*, 157-8
[437] S Hindle, 'Exclusion Crises', 128

generally taken if the inmates were troublemakers; by the seventeenth, action was taken against inmates as such.

The conclusion must be that in Halesowen in the period under study, attempts to control disorderly behaviour were a reaction to wider social and economic pressures. Particular pressures were population increase and the consequent shortage of accommodation for landless workers in the local economy, unlike parishes with extensive wastes. This provides further evidence for the disparity of communities in the industrial areas of the west midlands, and so proves the value of further research into individual localities.

CHAPTER 7 CONCLUSION

This thesis has shown the importance of studying micro-history, to identify the individual characteristics of a community that affect its socio-economy, in contrast with regional generalisation, in this case with the industrialising areas of the west midlands. A significant factor in early modern Halesowen was the continuing importance of the manorial courts. They were operated by the middling sort, who therefore regulated much of the agricultural life of the community and controlled misbehaviour. Halesowen was a classic example of industry in the countryside: nailmaking was fairly common, but not limited to the poor. Textile-working was widespread, probably because much was done by women. This and tanning were undoubtedly due to the prevalence of pastoral mixed farming in the area. Halesowen was not an example of proto-industrialisation, as investment was in land or small-scale industry by the middling sort, rather than by lords of the manor.

The specific interest of Halesowen is three-fold: its economic situation as a small market town within a large parish, surrounded by a number of rural townships; its geographical location on the margins of the developing industrial areas of the west midlands and of the agricultural areas of Worcestershire; and its administrative situation, divided between the counties of Worcestershire and Shropshire, split between several manors and on the northern edge of the diocese of Worcester The parish and the chief manors were formerly under monastic control, but by the mid sixteenth century were mostly under the same lay lord. As such, it was a borderline community with varied geological, geographic, administrative and religious connections.

This study has gathered a body of evidence from manorial, probate and ecclesiastical sources that can be compared with similar data from the west midlands area and elsewhere, thus

providing confirmation or contrast. The continuation of the manorial court system at this later period provides a comparatively rare perspective on the lives of the inhabitants: the evidence demonstrates the importance of geography and administrative structures in individualizing the development of industry in the area.

The population of the parish increased by about 145% between the 1520s and 1676, which was larger than the national figure but much less than neighbouring industrialising towns such as Sedgley and West Bromwich, where there were extensive wastes which permitted settlement.

Analysis of the parish registers shows there was a peak in marriages and baptisms in the 1570s, suggesting that many incomers were young who subsequently settled in the parish. Most were poor: analysis of the hearth tax returns shows that 65% of taxed houses had one hearth. This would have had a marked impact on the social structure and economy of the parish. The wealthiest people were of yeoman or similar status.

The agriculture of the parish was mixed pastoral farming, in a combination of common and enclosed fields. The continuing importance of the borough and manorial courts in controlling agriculture was a major factor in the economic and social life of Halesowen. They regulated both crops and grazing in the common fields. Grazing was controlled through presentments and regulations about overgrazing and the size of stints. Halesowen was therefore similar to north Worcestershire, where customary property rights and strong manorial structures encouraged the change from pastoral to mixed farming and hindered the development of industry.[438] In contrast, in south Staffordshire, generally, manorial control was weak, arable

[438] P F W Large ‘Economic & Social Change’; P Large, ‘Urban growth and agricultural change’ 169-89

farming in common fields of little importance, waste land extensive and open to settlement, and stints, where they existed, very generous: conditions closely associated with development of proto-industrialisation.[439]

Probate inventories provide further evidence of farming. Important crops were rye and oats, though agricultural improvements led to the increasing growing of wheat and fodder crops, which improved livestock. Raising cattle and horses was important, with cheese production becoming more significant. The borough market sold "butter, cheese and fruit", with an annual fair selling horses, sheep and pigs.[440] There was a ready market amongst the industrial workers in neighbouring towns where farming was declining. Hemp and flax were increasingly grown to provide income for the poor: apart from national demand, flax could be sold to the weavers of Kidderminster a few miles away. Most holdings were small, with 56% of non-urban holdings of known size containing nine acres or less.[441] These were inadequate for feeding a family, making by-employment essential for many. Wealthier farmers often had a combination of types of holding, freehold, copyhold of inheritance or for lives, or leasehold. Several had leases of 1000 years, paying nominal rents. The land market was strong, often with small pieces of land changing hands to support younger children: the subdivision of holdings contributed to the increase in numbers of families unable to support themselves without waged labour.

The many small holdings and cottages forced the adoption of waged labour and by-employment, so Halesowen provides a classic example of industry in the countryside. By-employment was not limited to the poor, as many yeoman families also combined different

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[439] P M Frost, 'Growth and Localisation', 140, 154; P Frost, 'Yeomen and Metalsmiths', 29-
[440] AHPLOB 351498
[441] J M J Tonks, 'The Lytteltons', 109

employments. Pastoral farming has been considered a requisite for the development of industries in the countryside, as time was available for extra work, while women and children could tend livestock or spin wool, flax or hemp.

Domestic industry was a pre-requisite for proto-industrialisation. However, Halesowen did not fit the model, despite its population of wage-dependent, landless workers and access to water power. Agriculture and manorial control of it were strong; access to charcoal or coal was limited. Local yeomen accumulated some capital, but invested in land. Though there is some evidence of investment in industry, such as blade mills and blast furnaces, and of workshops employing nailers, these were on a small scale.

A major impediment for proto-industrialisation in Halesowen was the lack of investment by the Lyttelton lords of the manor, unlike other major landholders such as the lords Dudley. Most of the Lyttelton estates were agricultural; the indebtedness of Gilbert Lyttelton, and the confiscation of the property under his son, John, would have contributed to the lack of investment. Competition for resources was strong, particularly after Meriel Lyttelton built a blast furnace in the early seventeenth century; she acted as a check on investment by her tenants.

Metalworking in the west midlands has been regarded as a typical example of by-employment. Probate inventories for Halesowen represented less than a quarter of recorded male burials, but the testimony of John Sanders of Harborne, that he employed sixty nailers there, provides evidence of poor metalworkers not available elsewhere.[442] Over the period under study, 18% of probate inventories had evidence of metalworking, peaking in the 1620s

[442] John Sanders of Harburn, *An iron rod* , Images 27-28, pages 46-7 [Accessed 9 April 2018]

to 1640s, when approximately a third of all inventories did so. Few revealed wealth: 70% had total values under £50.

Probate evidence suggests textile-working was more widespread than metalworking, presumably because spinning and carding were carried out by women or children. This provided a useful contribution to family income, particularly during times of dearth, such as the 1580s, 1590s and 1620s, when references peaked, suggesting their inclusion was considered important. Overall, 63% of inventories mentioning clothworking were totalled at under £50: this included weavers, dyers and shearmen. The wealthier inventories belonged to drapers and a weaver, as well as yeomen and others of yeoman status. Tanners were few in number but generally wealthy, and included the wealthiest man in Halesowen.[443]

The evidence shows a pattern of multiple employment that was fitted into the agricultural year, suggesting a diverse economy. The ongoing importance of agriculture and textile industries explain the lack of specialisation and growth in the metal industry, and makes Halesowen atypical of the traditional view of the industrial west midlands at the time. The evidence provides the early modern context for Flint's and Sullivan's theses on the industry of Halesowen and Oldbury.[444]

The second research question, on the role of the elite, revealed that the middling sort were significant in the governance of the manors, borough and parish, both religious and civil. The lack of a strong parish gild meant there had been no opportunity to develop structures of governance independent of the manor. Therefore, there was less prospect of the acquisition of

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[443] SBT DR 37/2/Box 90/19 probate inventory of William Lea. His is the only inventory traced associated with a PCC will.
[444] D C Flint, 'Industrial Inertia in Halesowen'; J C Sullivan, 'Paying the Price for Industrialisation'

a new borough charter. The unsuccessful court cases challenging the lords' attempts to reduce the manorial tenants' rights undoubtedly compounded this. Nevertheless, the combination of enclosed and open field agriculture encouraged both independence and experience of working through the manorial courts. The yeomen and others of the middling sort comprised the majority of officeholders within the manors and parish. This was in fact a continuation of the practice in the medieval period.[445]

There were no resident magistrates after the death of Sir John Lyttelton, so the local courts continued to administer justice in minor cases of crime, and were responsible for licensing alehouses. Analysis of the manorial courts showed that there was concern with disorder in the 1570s and 1580s, much earlier than that experienced in Terling. Violence led to regulations to control disorder and alehouses, including the imposition of curfews and fines on alehousekeepers.[446] This was linked to restrictions on bride ales, allied to the peak in marriages in the 1570s, giving further evidence for the increase of young people in the parish. There was a secular concern with the wasting of time and resources, and a consequent increase in poverty. A second catalyst was the presence of inmates: in the sixteenth century inmates were punished if they were troublemakers; later they were punished simply for being inmates. This relates to the number of incomers, and as such, Halesowen is in accord with Spufford's contention that the motivation for control was fear of the disruptive effects of poverty and rising population.[447]

Though the borough shops could supply some luxury goods, the lack of an extensive service sector and professions, and of resident wealthy gentry, meant there were few visitors

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[445] R H Hilton, *English and French Towns*, 55-6
[446] Eg AHPLOB 99774 fol 42 HBCR 5 May 1573
[447] M Spufford, 'Puritanism and Social Control?', 41-57

from outside, and little investment in the social development of the town, such as a free school**.** With most of the parish being a separate island of Shropshire within Worcestershire, it was not an administrative centre for either county. The absence of efforts by the Lytteltons to obtain a new charter for the borough or parliamentary representation meant that there was little interest from the county elite in its economic and administrative development. Halesowen therefore is an example of the small towns described by Dyer as hybrid between incorporated and unincorporated.[448]

This thesis has contributed to the historiography of the west midlands and its industry, by showing that there was considerable diversity in its economy: the industrial west midlands should not be considered a single entity.

This study has also contributed to the historiography of urban studies, particularly of small towns. The unpublished manorial court records, though not as detailed as the fourteenth century rolls, are a valuable resource for the borough and the manors to which it was linked. The unpublished churchwardens' accounts also provide a contribution towards the study of the transition to a parish vestry, and so are useful for further research.

This thesis has identified a complex community with a fairly balanced economy, supported by its peripheral geographic and geological situation. Mixed pastoral farming provided food and employment, as well as supplying the local market and supporting its textile and tanning industries. Its situation on the edge of the South Staffordshire coalfield provided mineral resources, though not as easy of access as elsewhere. The growing importance of Birmingham as a market and industrial centre would have reduced both the impact of the market

[448] A D Dyer, 'Small Market Towns', 444

in Halesowen and the development of a specialised metal industry. The hybrid status of the borough, the lack of representation in parliament and the absence of a permanently resident gentry meant not only that the town, manors and borough were administered by the middling sort of yeomen and craftsmen, and but also that the cultural life of the town was inhibited. Lack of investment in industry and the borough by the lords of the manor in particular meant Halesowen lagged behind its neighbours. Consequently, this combination of geographic, geological, economic, administrative and cultural factors hindered the development of Halesowen as a major industrial or market town.

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APPENDICES

APPENDIX 1

Halesowen probate inventories totalled under £20 showing metalworking values with agriculture and clothworking interests

Name	Occupation	Year	Value	Metal industry	Live-stock	Crops	Cloth industry
William Hawkes	nailer	1596	£10.4s.11d	None listed	None		
John Richards of Oldbury		1597	£10.6s.7d	Tools 14s.2d	1 horse, 1 calf	hay	yes
Richard White	nailer	1598	£17.18s.4d	Tools 28s.10d; iron 4s	5 sheep, 1 mare, 1 pig	rye hay	yes
Thomas Deeley of Oldbury	nailer	1606	£13.7s.6d	A pair of bellows, 4 nail stocks, stiddies [anvils] hammers & tools 20s	None listed	wheat	
John Knowles alias Tuncke	nailer	1617	£3.18s.4d	None listed	None listed	None listed	
George Attwood of Borough	Nailer brewer	1620	£14.3s.0d	None listed	None listed	oats peas	
Thomas Forest of Cradley		1620	£13.12s.6d	Tools 20s	16 sheep	corn	
Thomas Hill of Cradley		1620	£4.13s.8d	Tools 2s	None listed		
Giles Bloomer of Cradley		1622	£10.9s.0d	Tools 6s	4 cattle, 1 horse	rye	
John Paston of Cradley	Nailer	1623	£18.5s.0d	Nil	3 cattle, 11 sheep		
Humphrey Shipway of Hill	smith	1640 -1	£12.9s.6d	Tools & iron £7.18s.4d	2 horses		

APPENDIX 2

Halesowen probate inventories totalled between £20 and £99 showing metalworking values with agriculture and clothworking interests

Name	Year	Inventory value	Metal industry	Livestock	Crops	Cloth-working
William Chambers alias Ireland	1558	£83.18s.2d	Smithy gear, iron stone & coals. String smithy & 4 blooms of iron in will	Damaged	Corn	
John Lytley alias Parsons	1560	£40.15s	Iron & nails £6.13s.4d; bellows & smithy gear 26s.8d	10 cattle, 7 pigs, 20 sheep		
Humphrey Mucklowe of Hill	1570	£21.16s.4d	Tools 40s Interest in blade mill left to sons	7+ cattle, 26 sheep, 2 horses, 3 pigs		
Agnes Lytley als Parsons	1575	£36.0s.0d	Nails 46s.8d, bellows etc 20s	7 sheep, 4 horses, 4 pigs	Corn	
Henrie Wall	1579	£40.3s.3d	7 bloom of iron £8.4s	2 steers, 30 sheep, 1 horse, 3 pigs	Corn	
John Persall of Hawne	1582	£83	Smithy tools & iron 10s	12 sheep	Rye	
Richard Grove	1589	£31.10s.11d	Smithy tools 40s	6 steers, 1 mare, 9 pigs	Barley, hay	Hemp, wheels, tools
William Hadley	1592	>£80	A pair of smith's bellows, an anvil, smith's tools for a town smith, etc 42s.8d	8 oxen, 10 cattle, 8 sheep, 4 horses, 3 pigs	Corn, oats, hemp seed	Hemp, tools
John James	1592	£62.16s.4d	1 pair smithy bellows 20s; 1 pair of weights 20d	5 sheep, 2 horses, 3 pigs	Rye, oats, barley, hemp, flax	Wheels, tools
Roger Hadleye	1593	£44.2s.4d	Tools & 1 grindstone 42s.8d	31 sheep, 1 horse, 2 pigs	Rye, oats, barley, hay, hemp, flax	Hemp cloth, yarn, tools
Richard Parkes	1597	£49.5s.2d	Bellows, 3 cwt of iron, tools 30s	13 cows, 2 horses, 23 sheep	Hay, corn, oats	Wheels, tools, hemp. tow, yarn
William Hadley	1598	£49.4s.6d	Smithy tools 26s.8d	7 sheep, 1 horse, 1 pig	Corn	
Robert Smyth	1599	£24.0s.8d	Tools 20s	7 sheep	Corn hay	Hemp, flax, wool, tools, wheels
Thomas While	1599	£25.13s.9d	A pair of bellows, anvil, tools 20s; 8 dozen arrow heads	15 sheep, 1 horse	Corn, rye, oats, hay, barley,	Wheels, tools, hemp,

			3 dozen forked heads, a longbow & arrows 5s.6d			cloth at weaver's
Thomas Taylor alias Smith	1600	£45.16s Debts due to him from Oxon, Beds & B'ham	Shop tools 46s.8d; pitchfork parts 41s	Damaged	Damaged	
John Melley	1605	£55.15	Tools £3; 2 anvils & 2 hearths in will	22 sheep, 1 cow		
William Bloomer	1605	£28.6s.2d	Smithy bellows & tools 20s	Damaged	Damaged	
John Grove	1606	£23.10s.8d	Smithy tools £4; spindles for a blade mill 10s	5 cattle, 1 horse, 1 pig	Rye, oats, barley, hemp	Hemp, flax, yarn, tools, wheels
William Grainger	1612	£48.17s.2d	Smithy bellows, coals and iron tools £2.6s.8d	6 cattle, 2 horses	Wheat, oats, barley	
John Brinton	1614	£39.5s.9d	Smithy bellows & smithy tools, iron and nails 20s	2 cattle, 4 sheep, 1 mare		Hemp, hurd, wool
William Feldon	1617	£95.15s	Pair of bellows & other smithy tools 40s	8 cattle, 15 sheep, 1 horse, 2 pigs	Corn, rye, oats	Wheels, tools, linen cloth, yarn
Robert Moore	1617	£28.11s.8d	Smithy tools & nails 3s.4d	3 cattle, 39 sheep, 2 horses, 1 pig	Corn, oats	Wool, tow
Thomas Burnett	1620	£44.0s.8d	Pair of bellows and other iron stuff 18d	3 cattle, 4 sheep, 2 horses	Rye, barley	
John Bromwell	1621	£26.18s.4d	None listed	5 cattle, 3 sheep, 1 horse	Corn	
Edward Pinor	1622	£36.16s.8d	Shop tools £3	5 cows, 1 horse	Hay	Wheels, tools
John Deely	1622	£79.5s.8d	A pair of smithy bellows, a pair of hand bellows 3s.4d	Cattle, 1 mare, 7 sheep, 4 pigs	Corn, oats, hay	Wheel, tools, hemp, yarn, hemp cloth
William Smythe	1622	£33.18s.4d	Two pair of bellows & other smithy tools 36s.8d	3 cattle, 6 sheep, 2 horses, 2 pigs	Corn, wheat	
John Granger	1627	£29.13s.8d	Shop tools 13s	6 cattle	Rye, oats, barley	
Charles Parkes	1628	£41.1s.6d	Smithy tools £1.6s.8d; [2¾cwt] of iron 12s	4 cattle, 10 sheep, 2 horses, 1 pig	Oats, barley	Wool, hemp, flax, tow
Peter Smyth	1631	£26.8s.8d	Shop tools & coals 10s	6 cattle, 2 horses, 16 sheep, 2 pigs	Corn, hay	Wheels, linen yarn, tow

Thomas Yardley	1631	£45.0s.2d	Nailer's tools 2s	4 cattle, 12 sheep, 2 horses, 1 pig	Oats, barley, flax seed	Wheels, tools, flax, yarn, cloth
Richard Warter	1632	>£38.8s.11d	Smithy tools	6 cattle, 1 pig	Corn, oats, barley	
William Parks	1632	£23.18s.4d	Bellows, shop tools, a pair of balances £1.2s, nails & iron £2	1 pig	Rye	
George Harris	1633	£52.18s.4d	A pair of nailer's bellows, 3 anvils, 4 bowes 13s.4d	1 nag, 1 mare, 1 yearling bull, 2 heifers, 1 store swine	Corn, hay, hemp, flax	
Edward Forest	1633	£79.0s.4d	Bellows & tools 11s	3 cattle, 40 sheep, 1 pig, 2 horses	Corn	
John Greene	1636 [exhi-bited 1648]	£25.1s.10d	Smithy bellows & tools 26s.8d; iron & ware ready-made 10s	2 kine,1 mare	Corn	Flax & wool yarn
John Detherich	1637	£44.13s.9d	Tools in smithy	2 old kine		
John Taylor alias Smith	1640	£47.14s.8d	Smithy bellows tools & pair of balances 13s.4d	3 cattle, 21 sheep, 1 pig	Corn	
George Green	1641	£66.5s.2d	Anvil, bellows, two vices & smith tools £7.10s	2 cattle, 1 horse		
Humphrey Burton	1641	£23.15s.10d	Bellows & smithy tools 31s	13 sheep, 1 horse	Rye, barley	
Edward Kings	1641	£46.19s	Shop bellows & tools 28s.4d; 16,000 nails 16s	2 cattle, 1 pig	Corn	
John Underhill	1644	£80.2s.4d	Nails & money owing for nails £22.14s.8d; 10 bundles of iron £4.10s	7 cattle, 10 sheep, 4 horses, 3 pigs	Wheat, rye, oats, barley muncorn, pease, vetches	Wool, tow, hurd
Joan Underhill	1644	£86.11s.4d	Nails & money owing for nails £22.14s.8d; 10 bundles of iron £4.10s	7 cattle, 19 sheep, 4 horses, 3 pigs	Wheat, rye, oats, barley muncorn, pease, vetches	Wool, tow, hurd
Richard Parkes	1646	£79.13s.8d	Bellows & shop tools £1	13 cattle, 4 sheep, 3 horses, 2 pigs	Corn, oats, barley	
Henry Parkes	1646	£49.3s.6d	Smithy bellows & tools £1	6 cattle, 1 horse, 1 pig	Corn, rye, oats	
Henry Reade	1646	£29.11s.4d	None listed	2 cattle, 30 sheep, 1 horse, 1 pig	Corn	Wheels, tow, yarn

Richard Coxe	1647	£47.3s.10d	Bellows anvils etc £3; ware in storehouse to sell £4.16s	8 cattle, 3 horses, 1 pig	Oats, barley, hay	
Richard Knowles	1648	£22.11s.10d	Shop tools 10s	3 cattle, 12 sheep		

APPENDIX 3

Halesowen probate inventories totalled over £100, showing metalworking values with agriculture and clothworking interests

Name	Year	Inventory value	Metal industry	Livestock	Crops	Textile industry
George Bissell of Oldbury	1615	£134.0s.8d	Smithy tools & coal 25s; nails and iron £18.6s	7 cattle, 1 horse	Rye, barley, hay	Wheels, tow, linen yarn
John Partrich of Warley Wigorn	1616	£110.12s.6d	2 smithy bellows 26s.8d	9 cattle, 16 sheep, 1 pig	Oats, barley, hay	Wheels, tools, yarn, hurd, hemp
William White of Lutley	1623	£205.0s.0d	3cwt of bar iron 30s; warehouse with nails £40; 1½cwt of slit iron 7s; shop with tools £7	Cattle, oxen, sheep, pigs, horses £42	Rye, barley, oats, hay £60	Wool, woollen yarn
Thomas Hadley of Lapal	1624	£283.14s.3d	Smithy tools £3.6s.8d 71 cords of coal wood £10.13s[449]	Cattle, oxen, sheep, horses £57.13s.4d	Hay, oats, rye, barley £34.10s	Wheels, linen yarn, hemp, flax
Hugh Reade senior of Romsley	1631	£119.10s.8d	2000 horsenails & some bushell nails 37s; shop tools & bellows 32s, coals	Cattle, sheep, horse, pig £30.15s	Corn, oats, hay £15	Hemp, cloth, tools, linen yarn
John Smith of Frankley	1645	£159.5s.0d	Nails £10 No smithy tools	Cattle, horses £38	Corn, oats £11.10s	None listed
Samuel Westwood of Cradley	1645	£151.12.4d	2 anvils £5; tools & old iron £2; 2 pair smithy bellows £1.6s.8d	Cattle, horse, pigs £16.6s.4d	Oats, barley, hay £30.4s.6d. 3 barns	Tow, flaxen yarn

[449] A standard cord of cordwood consisted of sticks four foot long piled in a stack eight foot long and four foot high making 128 cubic feet or about 98 cubic metres, but other sizes were known (P W King, 'The iron trade in England and Wales', 9