

SETTLEMENT, LAND USE AND POPULATION
in the
WESTERN PORTION OF THE
FOREST OF ARDEN, WARWICKSHIRE,
BETWEEN 1086 AND 1350.

A Study in Historical Geography,

by

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SYNOPSIS.

The Arden area of north-west Warwickshire developed its regional personality during the early Middle Ages as the result of being by-passed by the main wave of Anglo-Saxon colonisation. From the eleventh to the early fourteenth centuries the area saw a vigorous colonising movement whose character was determined partially by the extent of early settlement, and hence the amount of woodland and waste surviving, and partially by seigniorial policy. This movement differed from the Anglo-Saxon colonisation, which led to the establishment of common open fields, in that clearing was a matter of private initiative and resulted in the creation of enclosed severalties. Manorial lords were compelled to offer some form of inducement to settlers, and this took the form of a less rigid application of the manorial regime, so that the typical tenure of Arden was free socage, and dues were largely rendered in cash. These concessions encouraged the movement of population into the area, especially those manors where free tenure was predominant, and led indirectly to the appearance of a vigorous land market. The processes of fragmentation, agglomeration and exchange which resulted from this encouraged social mobility, and led to the emergence of sub-manors in the hands of wealthy free tenants, and to a reduction in the number of small independent freeholdings. While the economy of Arden was based upon true mixed farming, it is likely that pastoralism produced much of the capital available to both lord and peasant.

VOLUME I

Introduction and Chapters One to Five.

Rogatus de humiliter omnibus bonis et amicis suis presentibus et futuris salutem. Sciatis me de
vixisse et gaudisse et hac carta mea presentia confirmasse seligendo vobis Robrum archiepiscopum et servitorem suo terram
terram meam in ombrellade quam fulgus tenuit. ipsi et heredes sui de me et heredibus meis tenenda
et habendam libere et quiete et honorifice in bosco implano in pacis impasculis in viis et seminis igitur.
et omnibus libertatibus et libris consuetudinibus. reddendo sex denarios pro annuatim pro omni servitio. et faciendo
portum seu servitium quantum ad portum terram preuat. et hos prelatos et naves ad festum sancti quicquid reddere
habeant. Robro et exetia. Rogo et castello. heremo et castello. Masio et bosco. Robro et bosco. helya et
bosco. De illo clivo. Masio clivo. Rogo clivo illam cartam scilicet et Masio filio Alueris.

Frontispiece 1.

Gift; Roger de Ullenhale to Seliit (his daughter) wife of Robert Archer, of all his land in Ombresslade (Umberslade) which Fulqui held. Rent, 6d. per annum and forinsec service such as pertains to the land.

Date; c.1184 - 1204.

(Archer Collection, Stratford upon Avon,
Tanworth charter T.8.)

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ABBREVIATIONS.

List of certain abbreviations frequently used in the thesis:

Anct. Deeds.	<u>Descriptive Catalogue of Ancient Deeds in the Public Record Office, 6 Vols.</u>
B. Cl.	Baddesley Clinton charters, Ferrars Collection, Stratford upon Avon, Birthplace Library.
B.R.L.	Birmingham Reference Library.
D.	Solihull charters in the Archer Collection, Stratford upon Avon, Birthplace Library.
P.N.D. Warwickshire.	J.E.B. Gover, A. Mawer, and F.M. Stenton, <u>The Place Names of Warwickshire, (1936).</u>
P.R.O.	Public Record Office.
St. on Avon.	Stratford upon Avon.
Studies.	E.A. Kosminsky, <u>Studies in the Agrarian History of England in the Thirteenth Century (1956).</u>
T.	Tanworth charters in the Archer Collection, Stratford upon Avon, Birthplace Library.
W.D.	Wingfield Digby charters, Birmingham Reference Library, relating to Coleshill.

Part I. Introduction and Source Materials.

INTRODUCTION AND SOURCE MATERIALS

Introduction

In Europe of the Middle Ages peasant life existed within a double framework, partly natural, the physical environment, and partly human, the varied social and economic organisations created by man. Within this environment the reclaiming of land went on from the very first settlements into later ages and was a powerful force tending to mould society and extend the limits of its technological and economic life.

The geographical endowment of Western Europe with all its regional diversities of soil and climate, elevation and slope, natural vegetation and animal life provided the varied, though limited, opportunities which the medieval peasant communities sought to exploit, in accordance with their technical ability. In general terms, a strong contrast existed between the wide plains and the uplands. Physical conditions in the former were such as to be able to support intensive arable cultivation, a feature normally associated with nucleated settlements, open fields, communal cultivation and strong lordship. In contrast, in the upland areas the limited amounts of available arable land tended to discourage the growth of large nucleations, except at favoured points, stimulate a fuller growth of pastoral farming, and be associated with looser and less arduous ties of lordship than prevailed upon the plains. Thus, one writer goes as far as stating that "the physical framework in which the medieval peasant passed his life, modified sometimes by cultural and historical factors, conditioned not only his occupation but the kind of settlement in which he lived, his personal status, and his relations with his lord".¹

The organisational framework of Western European society in the Middle Ages was the result of a peculiar connection between two units, on the one hand the village, on the other the manor, which more or less harmoniously co-existed. The village was a community, with the overwhelming majority of its inhabitants consisting of small-scale peasant farmers living banded together in clusters, a community whose coherence was closely linked with the development of co-
aration within the open common fields surrounding the settle-
ment.²

Uhlig, in his lucid examination of primitive settlement forms and field systems in Western and Central Europe, implies that the nucleated villages and common field systems had developed from hamlets associated with infield-outfield cultivation which in turn had followed shifting cultivation in areas where conditions were favourable.³

The emergence of these forms appears to have taken place after the collapse of the Roman Empire, but in certain areas developments were rapid enough for the complex three-fold rotation to have developed by the ninth century.⁴

The manor, in simple terms, consisted of an estate of a great magnate, lay or ecclesiastical, which was in some way attached to a settlement, and dependent upon the labour supplied by the peasants. These landlords, possessors of estates sometimes comprising hundreds of villages, could demand rents and dues from their peasant tenants; and they could also call upon their labour for agricultural operations on a large scale and bring to bear forces of management far exceeding the capacity of the peasantry.⁵

The period between the collapse of the Roman Empire and the ninth century saw the development of many of the features of the "manorial system", a development that was closely linked with the rise of feudalism. Feudalism has roots in

both German and Roman culture; socially it implied the loss of the ordinary man's independence, and the institution of a military aristocracy under the pressure of a need for collective security, while financially it involved a state of affairs in which the only financial reality was land and the produce of land because money was in short supply. The manorial system with its emphasis on landed wealth was the economic basis of feudalism.⁶

In general, in an agricultural district a manor usually contained a home farm associated with a number of peasant proprietorships, whose tenants were subjugated legally, socially and economically to an aristocratic landlord to whom they owed predial services for the cultivation of this farm.⁷ In a pastoral district a manor consisted largely of rights over a large number of scattered homesteads and a heavy exaction of dues in kind. In the former case the home farm and the peasant tenures were bound together in a single economic system by the labour services, and also by the fact that, in theory at least, the lord, no less than the peasants, was subordinated to a common routine of cultivation in the open fields and bound to recognise rights of usage in the waste. Thus, the village was in one sense a unit of co-operative husbandry in which lord and peasant shared, an agricultural association consisting of lord and serfs; in another sense it was a community of co-owners.⁸

Just as feudalism and the "manorial system" together with the Medieval church emerged from the wreckage following the disintegration of the Roman Empire, so the settlement patterns, field systems and village communities emerged from the admixture of cultural traditions involved in this cataclysm. To separate manor and vill is often impossible, but one clear point emerges, the peasant was, in many areas,

not only the inhabitant of a manor (and the manorial hold could be loose enough), he was a villager, a member of a community with a close and active life of its own.⁹ It is unfortunate that this aspect of life can only be dimly perceived through the medium of documents of manorial origin, and the regulations of the village community only survive in the form of customs.

Life in rural areas was, however, throughout the Middle Ages being affected by three movements; first, the rise of towns. Medieval society was basically rural in character, but nevertheless needed markets, traders and craftsmen. Great landowners might have agricultural surpluses to market and expect a standard of living which made them ready customers for a diverse range of both luxuries and necessities. Peasants, too, had needs (for pottery, salt or iron, for example) which their own land could not satisfy; and to get money to buy what they wanted (or pay their rents and dues) had to sell some part of the yield of their land. These needs stimulated urban growth, and towns developed at points favoured by routeways, defensive features of administrative facilities. While industry and commerce played only a subordinate part in the economic life of the people, and the agricultural element was at first everywhere of pre-eminent importance in the life of a borough, the rise of the towns, together with the growth of the burgess class, providing new markets and new demands, was ultimately to act as a powerful solvent on the established patterns of rural life.¹⁰

A second factor causing change was the spread of clearance or colonisation; throughout the Middle Ages the increase in population led to an expansion of farmland, farmland often held on liberal terms and which was frequently held in severalty so that it was separate from the communal

agriculture of the old established villages. Thirdly, there was a gradual disintegration of the manor as a unit of organisation, and a gradual transition from the manorial system to tenant farming. With a gradual decline in the need for collective security on a purely local scale, the functional aspect of the military aristocracy hardened into privileges, the rise of commerce and a money economy encouraged the decay of the former bonds of society, and the economic pressures, reinforced by a series of natural disasters and peasant uprisings, combined to cause the slow decay of the feudal and associated systems. It is in fact impossible to divorce these three movements, the growth of towns and colonisation were closely linked in many areas, and both can be regarded as solvents causing the decay of the manorial system. The ultimate result of these movements was a complete decay of the manor and of the associated agricultural practices, although relics survive even to the present. ¹¹

The agricultural great estate and the peasant village, then, were the initial growing points of the medieval economy. The reclamation of land continued steadily throughout the Middle Ages, in the words of Slicher van Bath "a veritable fever of land reclamation raged from the eleventh century to the end of the thirteenth." ¹² In spite of the importance and widespread nature of this movement, as Nielson pointed out "the use of the waste for assart and colonisation has received even less attention than its use for common pasture and will prove a most interesting field of work. Where a large territory lay open to settlement there was room for a definite policy". ¹³

In England of the early Middle Ages there was ample opportunity for growth and expansion; even Roman Britain had been none too densely settled, ¹⁴ and the ensuing raids and

invasion no doubt brought inevitable regression. In Anglo-Saxon England settled and cultivated land constituted no more than a series of islands, divided and flanked by land that was waste, unoccupied, and uncultivated. It would, nevertheless, be unwise to overstress the amount of waste surviving in 1086 for as Lennard has pointed out England at the time of the Norman Conquest was an old country, a country whose society had passed beyond the colonial stage, and although by modern standards population was scanty and the area of wood and waste was very large, Anglo-Saxon farmers were not nibbling at the edges of a wilderness that was still unsubdued.¹⁴ The villages were small; and in many cases the fields of one village were separated from those of another by a tract of waste, but villages, hamlets or farmsteads were to be found throughout the length and breadth of the country, and even the waste and wood were not wholly unutilised, but provided supplies of firewood, timber and game and were to some extent a source of food for sheep and pigs. The framework of rural England as we know it was already laid out.

Nevertheless, in some parts of England there remained blocks of virtually untouched woodland and marsh far larger than anything to be found in modern England; thus, natural woodland covered most of the Kent and Sussex Weald, drowned fen occupied most of the land between Cambridge and the Wash, and the high and windy uplands of the highland zone still for the most part deterred the pioneer. Even in relatively densely settled areas in lowland England tracts of lightly settled woodland still survived, Arden, Sherwood and Selwood for example.¹⁵ There was room to expand and, as more settled times came from the eleventh century onwards, forces were at work which stimulated enterprise. Landlords might be stimulated to make the most of their property; while a

slow, steady growth of peasant population demanded that new land be won to fill the stomachs of more people.¹⁶

These circumstances made the period from the eleventh to thirteenth century, particularly, one of agricultural colonisation. Everywhere the boundaries of the woodland and waste were in retreat.¹⁷ Arable fields were pushed up the hillsides,¹⁸ and growing flocks and herds were pastured on the mountain heaths.¹⁹ Fens and marshes were dyked and drained and even the sea was thrust back.²⁰ In this essay it is proposed to make a study of the colonisation of one of the tracts of woodland surviving in lowland England, the forest of Arden, between the Norman period, 1086, and the end of the high Middle Ages, 1350, focussing on the theme of land reclamation.²¹

Source Materials and Methodology.

A fundamental problem facing any student of the Middle Ages is the availability of source material, its accuracy and the degree of usefulness for his special interest. This latter problem is particularly sharply defined in the case of the historical geographer, for whereas the historian can, theoretically at least, use any material which survives, the geographer, interested in mapping and examining phenomena spatially, is limited severely by the character of the source material available to him. His requirements can vary greatly, according to the approach being used, but normally the geographer wishes to consider space relations, the arrangement of things on the face of the earth and with the associations of things that give character to places.²²

Thus, not only must the principal source be relevant to a theme, it must vary, significantly and reliably, in intensity, value or quantity over the area which forms the focus of the study. Such stringent requirements, however,

severely limit the range of historical source material upon which the geographer can draw for his basic framework, although once the requirements have, at least to some degree, been satisfied, he has before him the whole rich range of historical evidence available in these islands.²³ It may be said, without exaggeration, that from no other country in the world has been preserved from so distant an age a collection of historical evidence comparable to that which illustrates the history of England during the Middle Ages. Although this evidence is copious, it is, nevertheless, far from complete, for time has taken revenge on even what remains, and there survive but a few fragments of a picture which in its totality was infinitely complex.²⁴

Two major difficulties beset every historical study, purely historical or geographical, firstly, a shortage of evidence and an unevenness of distribution, both in time and place; and secondly, the problem of penetrating beyond the technical jargon of the recording clerks to the realities of the period. There is an inevitable tendency to view the past purely in terms of artificial frameworks imposed on reality both contemporaneously and in retrospect. Beyond the frameworks of village and manor, fee and honor, hundred and county lies a pattern of great confusion and infinite variation. The very human tendency to reduce to simplicity the multifarious complexity of reality, together with a propensity, resulting from a knowledge of the result of the process examined, to see this result implicit in its beginnings, produces an image of the past that is at best distorted.

It is convenient to divide the documentary evidence relating to the period between 1086 and 1350 into two principal classes; national, the records resulting from the

state administrative machinery, and local, the product of local administrations and the needs of private individuals. This division is undoubtedly crude, but has the advantages of simplicity and convenience for the present purpose. ^{22a}

Under the heading "national" fall those documents arising from the processes of government, ranging from the Domesday Book to the Close Rolls, from the Patent Rolls to the Lay Subsidies, and from the Pipe Rolls to the Nonae Returns, to name but a few. ^{23a} Broadly speaking, however, this great group of official records can again be divided into two, on the one hand are those documents with a wide national significance and coverage, Domesday Book, the Hundred Rolls and the Lay Subsidies for example, while on the other there are those records produced by the central administration and yet concerned with minutae, having great significance on a local scale, the Patent, Close and Charter Rolls being perhaps the chief representatives of this class, consisting of all the out-letters issued by the king's chancellor, and sealed with the king's seal.

The second major class of records and archives can be termed "local", and comprise, in the period being studied, almost in entirety, either documents of manorial origin, minister's accounts, court rolls, rentals and surveys, or private documents such as land charters. Documents such as these have long been used by such workers as Dugdale, ^{24a} Vinogradoff, ²⁵ Seebohm and Gray, ²⁶ and at once the artificiality of the distinction made above between "national" and "local" records becomes evident; in effect all history is local history. This point is well illustrated by such records as Domesday Book, Inquisitions post mortem, and the Feet of Fines, all products of the central government, but which can only be fully understood on a local scale, and

which emphasise that the history of England includes every single estate or manor within the county. ²⁷

Geographers have successfully utilised a wide range of this source material, without doubt the most significant work being that initiated by H.C. Darby. Following the lead given by Maitland, Darby has rearranged the substance of Domesday Book and reconstituted the villages and hundreds in a series of maps. ²⁸ It is salutary to recall the words of Lennard that "in spite of its defects, Domesday Book tells us more about the human geography of the country in the eleventh century than will ever be known about the condition of any other part of the world in that early period." ²⁹ Glasscock has utilised the Lay Subsidy Rolls in a comparable manner, emphasising large scale regional contrasts, ³⁰ while possibly the most fruitful technique has been evolved by J.B. Harley, who, following Kosminsky's lead, contrasted conditions as they were in 1086 with those prevailing in 1279 as shown by the Warwickshire Hundred Rolls of that year, presenting this data in a series of maps, and incorporating a wide range of additional information. ³¹

The large volume of miscellaneous data provided by more localised records has perhaps most successfully been used in the form of place-name evidence, ³², but detailed studies by such scholars as Yates, ³³ Eyre, ³⁴ Sheppard ³⁵ and Jones ³⁶ have revealed how much material may be used to throw light on local variations of settlement and agricultural development. Perhaps the most far ranging use of what is basically heterogeneous data has been by Donkin in his studies of the Cistercians. ³⁷

In addition to these two major groups of records the historical geographer concerned with the Middle Ages has two other sources of information at his disposal, first, the study of past landscapes as they survive into the present,

settlement forms and field systems for example, and secondly, the information derived from micro-studies of past landscapes in the form of archaeological excavations.³⁸ In the first case certain difficulties occur; in particular, it is dangerous to project back through time conclusions reached on the basis of more recent evidence, the classic example of this being the attribution of the complete medieval common field system to the Anglo-Saxons.³⁹ Nevertheless, such information, when used in association with the documentary evidence which is available can provide an infinitely richer picture of medieval life.⁴⁰

When a large body of source material exists for a particular area, evidence can be drawn from both national and local records, comparative studies of settlement forms or field systems, together with archaeological and field evidence, but the problem of combining this varied data into a coherent whole becomes sharply defined. The form of the study must depend upon two factors of equal importance, first, the scope of the study in both space and time and secondly the methodological approach used.

Harley pointed out the need in historical geography for the detailed analysis of all the available evidence within a defined area and period.⁴¹ The period which it is proposed to examine has already been defined, the period of vigorous agricultural colonisation between the eleventh and early fourteenth centuries, two and a half centuries during which the landscape of Europe was radically transformed as a result of the destruction of woodland and waste, the expansion of cultivated land and the gross increase in population numbers. The area selected for study constitutes the western half of the forest of Arden, a region termed in this study "Western Arden", and although the criteria for selection were to some degree arbitrary, this zone includes

that part of Arden not documented by the Warwickshire Hundred Rolls of 1279 and hence not studied by Harley. Other factors were involved but these will be discussed later in this section. The aim of this essay is basically to make a study of the regional geography of part of Warwickshire in the period between 1086 and 1350.⁴²

Secondly, there is the problem of utilizing a wide range of sources and yet providing a coherent theme. Following Bowen "the Hartshornian dictum that regional geography is the study of the totality of inter-related phenomena has been ignored, because we are convinced that an area contains a multitude of inter-related phenomena, and all of them cannot possibly be described and explained in their totality. The aim of regional geography is to select for every region a specific theme, in the development of which the geographer can demonstrate the interaction of systematic phenomena, rather than present a catalogue of scientific contributions made to the understanding of the region by each systematic field in turn."⁴³ In general, it may be said that the smaller the area of study the more detailed can be the analysis of the phenomena and their interrelations, a fact that applies with particular force if the study is historical, for it is only within a very limited area that it becomes possible to find available large numbers of local documents and relate the picture these reveal to the national material and the present landscape.

The aim of this essay then is to make a study of the regional geography of part of the forest of Arden, Warwickshire, between 1086 and 1350, developing the study around the central theme of colonisation. One other difficulty remains, however, a difficulty arising from the duality of source material, the general and the detailed. The study originally developed out of an examination of one parish,

Tanworth in Arden, Warwickshire, using a remarkable collection of early documents which have survived as part of a collection made in the seventeenth century by the antiquary Sir Simon Archer.⁴⁴ In particular, a technique has been devised for utilising the large number of land charters which survive for Tanworth between c.1150 and 1350, a period when other source material is virtually non-existent. Thus the general study of Western Arden provides a framework within which the more detailed Tanworth material can be examined, and permits the specific example to be placed within its wider regional setting. This technique was adopted because it was felt that a study based upon one parish could easily become purely local history, and in any case, it would be impossible to use such a study as the basis for broad areal generalisations that would add to our knowledge of the regional geography of Warwickshire in the Middle Ages.⁴⁵

In practical terms, a series of detailed studies of individual parishes and townships have been made, using land charters, extents, rentals, and any other material available. These have then been integrated within the wider study based on such sources as the Domesday Book, Taxatio Ecclesiastica, the Lay Subsidies, place-name evidence, together with sources which can be used introspectively and the great bulk of information available in the Victoria County History of Warwickshire. The technique specially evolved for utilizing the Tanworth land charters is a new one and warrants a full description at this stage of the study.

The Medieval Land Charter and its Analysis.

In the field of English historical geography there is a hiatus in studies in the period between 1086, Domesday

Book, and the late thirteenth century when such records as the Hundred Rolls become available,⁴⁶ and yet, as has been shown, these two centuries are both interesting and significant in that they saw the great colonising movement of the later Middle Ages. A rich and by no means fully utilised source of information for this period is to be found in land charters, and studies by Gray,⁴⁷ Stenton⁴⁸ and Douglas,⁴⁹ based principally upon these have yielded to the historian important results in the study of local agrarian conditions.

A charter may be described broadly as a form of open letter, giving notice that an important transaction, a grant of land or privilege, has taken place.⁵⁰ It is usually couched in the past tense, for in the period being studied it does not in itself constitute a legal act, but is testimony that a legal act, namely the delivery of seisin, has already taken place. This ceremony normally took place when both parties went upon the land^{and} the grantor solemnly delivered to the grantee some corporeal part of the land, for instance a twig, rush or clod of earth, in the presence of a number of witnesses, generally neighbours who had a personal interest in the boundaries. The new owner was then considered to be seised in the piece of land, which means that he was in possession of an estate in that land thought worthy to be held of a freeman, and which could be inherited by his heirs, i.e. he became a tenant in fee simple. Until 1677 no written evidence of the conveyance was necessary, but, in the words of one monastic charter "man is a forgetful animal" and from the eleventh century onwards such transactions were committed to writing for the sake of greater durability.⁵¹ Charters are in fact the most numerous of all medieval documents, and under favourable conditions can survive in thousands, either as

originals or as part of a cartulary, copies of originals. One of the basic sources of pre-Conquest agrarian history, the land charter remains the most abundant form of evidence in the twelfth and thirteenth centuries, and is still important in the fourteenth century even when tending to be eclipsed by the more spectacular documents produced by the highly organised manorial administrations.

A charter attesting the sale or grant of a dozen acres of land in a village, can, in the words of Hilton, be regarded as a minute fragment of the total reality of English agricultural life at the time when the land was granted,⁵² but in addition, from the viewpoint of the geographer, it can, in the majority of cases, be regarded as a minute fragment of the English agricultural landscape. Charters assume a special significance in that the information they provide is not confined to any one type of landed property, as tends to be the case with documents of manorial origin, but in its nature it is more closely akin to such documents than to the government surveys in that it is more directly concerned with the peasants and lesser lay landowners, whose activities otherwise tend to be undocumented. Containing valuable information about the composition of estates, especially small non-ecclesiastical ones, about rents, tenures, forms of alienation, and agrarian conditions, land charters provide a means of studying the dynamic aspects of the estates to which they relate. However, when dealing with an original source it is essential first of all to comprehend fully the purpose for which it was made, its forms and its legal quality. Only after this has been done does it become safe to approach the larger question of the nature and the limitations of the information it may reasonably be expected to provide.

The normal feudal charter of the twelfth, thirteenth

and fourteenth centuries opens with an address; it continues with the words of grant, describes the land or privileges bestowed, often in great detail, and records the payments and services demanded. Closing with a list of witnesses it is authenticated with a seal. Nevertheless, throughout the whole period private charters are very miscellaneous in character and form, and sometimes they lack precision. In more detail a fully developed charter will contain the following clauses:

1. The Premises.

Introduced by "Sciant presentes et futuri quod" ('Know men present and future that') in the case of a grant or gift or by "Noverint universi per presentes me" ('Know all men by these presents that I') in the case of a quitclaim (see below), this clause states that, AB gives, grants or quitclaims to CD certain lands or privileges which are described. This part of the charter must correctly name the grantor and grantee, correctly delineate the pieces of land which are being transferred and recite any material facts or former transactions that may be necessary. It is this clause which contains the all important words of deposition, the words after which the particular form of conveyance is named; dedi in the case of a gift or grant; quietum clamavimus in the case of a quitclaim; or dimisit in the case of a lease.

This clause also contains the all important description of the property involved, and becomes more precise and hence more elaborate during the late twelfth and early thirteenth centuries. Nevertheless, there are great variations in form from document to document, and the details given range from merely the name of the piece of land or the previous tenant, to extremely intricate descriptions of the abutments

of various small pieces of land, which may become progressively more abbreviated as the scribe tires ! A typical premise of c.1250 might run as follows; "Know (men) present and future that I, William de la Lee have given and granted and by this my present charter confirmed to Thomas, my son, all that parcel of land lying in the furlongs called Apelton and Stervenhale in Tanworth, that is, that piece of land lying between the land which John Archer of Tanworth held on the one hand, and the land which Nicholas de Edrich of Tanworth held on the other."

2. The habendum and tenendum clause ("to have and to hold").

This clause defines and limits the nature of the estate that is changing hands, whether fee simple or fee tail, and expresses the tenure by which the land is held. Its form was altered by the Statute of Quia Emptores of 1290, which replaced subinfeudation by substitution and ordained that in all grants, sales, or transfers of land the new holder should hold the land with all its liabilities of service, as from the chief lord of the fee and not from the grantor, the object being to keep the direct control of the land, together with the rights to its services, fines, escheats etc. in the hands of the landholding magnates with the king as their head.

Although Quia Emptores was primarily designed to prevent the fragmentation of knight's fees and manors and not the peasant acres, it is an important social fact that in the thirteenth century a man's status was not reflected in the formulas that were issued in his name, and a free man holding by free tenure, and indeed as Professor Postan has recently shown, a villein engaging in conveyancing, would cast the record of his transaction in the universal common form. Hence, the effect of Quia Emptores rapidly spread

to peasant charters, irrespective of the title by which the land was held, and although this spread was more rapid in some areas than in others, the change in form provides an invaluable datum for dealing with undated charters. The effect of the statute was to change the pre 1290 habendum et tenendum clause from "de me et heredibus meis pro homagio et servicio" ("of me and my heirs for homage and service") to "de capitalibus dominiis feodi per servicia inde debita et de jure consueta" ("from the chief lord of the fee for due and customary service"). A typical clause of c.1250 runs "to have and to hold to him and his heirs, of me and my heirs, by hereditary right, freely, quietly, wholly, fully, with all liberties and easements pertaining to the aforesaid land".

3. The reddendum, the rent.

This clause reserves to the grantor some rent payment, consideration, or services to be rendered. Before 1290 it is usual to find a rent per annum specified, which may either be real or purely nominal, together with the time appointed for such a rendering. Occasionally a rent to the chief lord may be specified, but in the absence of such a specification the rent may be taken as passing to the donor. A second sum is often mentioned, the consideration, gersuma, or cash payment, a lump sum payable at the time of the transaction, a premium. One would like to assume that these considerations denote the real value of the property passing, but it would in fact be dangerous to make such an assumption, for the sum may well have been nominal or wholly fictitious. ⁵³

One effect of Quia Emptores was to make it impossible lawfully to reserve a rent service upon an estate in fee simple, and this is reflected in the charters by an abrupt

decline in references to rents and considerations, although these do still occur. Although reference is normally made to "due and customary service to the chief lord of the fee" that the land was transferred rent free and without any payment may be doubted, and many so-called "land grants" in the early fourteenth century may in fact be a form of lease. In any case there is evidence for the increase in leases and demises for life, lives or a period of years rather than in perpetuity.

A typical reddendum clause of c.1250 might run as follows: "rendering thence annually to me and my heirs one silver penny on the day of the Assumption of the Blessed Virgin Mary, for all service, exaction and demand, both foreign (service) of the lord king, and other (service)".

4. The clause of warranty.

By the end of the twelfth century a charter generally contained a clause of warranty which was intended to commit the grantor to the duty of proving his title, if required, to the lands which were the subject of his gift. It implied that, upon failure to establish a good title, he would give the grantee in exchange for the land lost through his default, lands of equal value. A general clause of warranty states that the grantor will warrant and defend (warantizabimus et defendimus) the land against all men, and in the early thirteenth century warranty against all men and women becomes common. A warranty may also be specific, against a particular person or persons, religious men and Jews for example. A typical clause might run (c.1250) "and verily I and my heirs will warrant and defend against all people the aforesaid wood to the said Walter and his heirs for ever".

5. A sealing clause, "In cuius rei testimonium ("In witness wherof").

This clause, by no means always present, states that the parties, and in some cases the witnesses, have appended their seals to authenticate the document. By the second quarter of the thirteenth century, such a clause has become a matter of form.

6. The dating clause.

Prior to the latter years of the thirteenth century private charters rarely bear a date, and indeed are not systematically dated until the second period of the fourteenth century. Charters which bear a date during the thirteenth century are frequently leases for a period of years. Generally the date is expressed in terms of regnal years and saint's days.

7. The "hiis testibus" clause ("these being witnesses").

As was indicated above, these are usually persons with an interest in the land, whose testimony could be relied upon, neighbours, relations, feudal superiors, or clerics.^{54a}

8. The authenticity of the document was established by the appending of the grantor's seal. The use of a seal, originally confined to persons of high rank, has been proved to have been general amongst the peasantry of the north of England by the end of the twelfth century, and "before the end of the thirteenth century the free and lawful man usually had a seal". By implication this excludes the villeins who had no legal right to such a liberty, but as Postan has shown there is no doubt that villein charters were sealed, and there is some evidence that at least one Tanworth villein possessed a seal.^{54b}

It is likely that seal matrixes often passed, with or without alteration of the name, from father to son, while

those bearing only a device may have changed hands even more frequently, a practice encouraged by their durability. A seal might even be borrowed expressly for sealing a charter, thus a charter relating to Elmdon carries the memorandum that the grantor on the execution of the deed had not his own seal and borrowed the seal of Henry de Stanydelft, his steward.⁵⁵ A detailed study of the seals involved would probably throw much light on the status not to mention the aspirations of the participants, but lies outside the scope of this study.

9. Endorsements.

A charter, the evidence of the title to a particular piece of land, was in constant demand as evidence during litigation in earlier times, but from the seventeenth century onwards it has acquired an ever increasing anti-quarian significance. Throughout their history, however, charters have tended to accumulate a variety of endorsements, notes added to them for a variety of reasons throughout the centuries which may range from an extensive amplification of one point to a mere initial. This class is so miscellaneous that generalisation is impossible, but several broad divisions may be distinguished:

1. Medieval endorsements, which are generally few in number and may consist of no more than a note of the property mentioned, the field name, together with the rent due.
2. Endorsements by later holders of the property, often adding a note which identifies the land in question at the period of the endorsement, an important point in that some indication of changes in field names may thus be obtained.
3. Endorsements by nineteenth century antiquaries; thus, in the Archer collection, to be defined below, William Hamper (1776-1831) was accustomed to mark all the Tanworth charters with a "T", occasionally adding the date in modern terms,

while James Saunders, a later scholar, placed his monogram upon those documents he copied. ⁵⁶

The security of conveyances executed by charter was a continuous source of worry to landowners, for both theft and forgery were common. One of the more practical forms of security was the use of a cyrograph, an early form of indenture. Two (or three) copies of a document, divided by the word CYROGRAPHUM in large capital letters were written on a large sheet of parchment. The sheet was then cut through the word with a ragged cut, producing two (or three) authentic copies. Such documents may be contrasted with deeds poll, which had a smooth or polled top edge. ⁵⁷

As has been indicated above the word of deposition in the premise indicated the nature of the particular conveyance; ⁵⁸ prior to 1350 the following groups of instruments are recognised, gifts, grants, quitclaims, exchanges, partitions, leases for life and years, and marriage settlements, although this list is by no means exhaustive. Before discussing the cartographic analysis of land charters developed in this study, it is necessary to describe briefly these major forms.

Gifts.

A gift, in legal terms, was a means of conveying an immediate title to a corporeal hereditament in fee simple, corporeal hereditaments including most types of landed property, arable lands, pastures, meadowlands, woodland, mills, houses, etc. The commonest form of conveyance in the Middle Ages, charters of this type call the world to witness that AB has given and granted some piece of land in such a place to CD, and that he hereby confirms the gift.

Sometimes the lands conveyed were minutely described, the acreages being specified, and the abuttals given in detail; on other occasions the grantor vaguely refers to "all the land" which he has in a certain place, without further qualification.

It was a general rule, by no means invariably observed, that dedi should not be used in charters which were only the confirmation of an earlier gift, and which are termed "confirmations".

Grants.

Grants were the means of conveying incorporeal hereditaments, that is, various forms of intangible landed property such as rents and rights. These are distinguishable by the fact that since they had no substance no ceremony such as livery of seisin was required to give complete effect, but apart from their content, this class of instrument was otherwise indistinguishable from a gift.

Quitclaims.

The quitclaim, or release, was primarily an instrument whereby a person not in possession discarded, for the benefit of some other person, an interest or claim which he had, or might have had, in a particular tenement. A releasor was frequently a near relative of him who had conveyed the lands released to the releasee, for example, sons are often seen quitting their claim of lands granted by their fathers to others. Nevertheless, occasional aberrations such as a "quitclaim for life" do appear in the Tanworth charters, and, as is the case with so many features, charters have an originality and variety that refuses to be fitted into any regular classification. In practice the

author has always asked "What does this document purport to do ?", and accepted it at face value, rather than applying an accepted classification.

Exchanges and Partitions.

These two terms are more or less self explanatory; by an exchange each party was supposed to take an interest of equivalent value to the other's, while a partition was a means of affecting a clear division of several shares of an estate held in co-ownership. The most common form of partition is the case of co-heiresses who inherited an estate through the failure of the male line.

Leases for lives and years.

Where a landlord conveyed his property for a limited period he did so by means of a lease, and this term was used whether the period of alienation was indefinite, i.e. for one or more lives, or fixed, i.e. for a specified number of years. In either case the lessee normally paid rent to the lessor, but rentless leases occur with some frequency and are termed "demises".

Marriage Settlements.

These are self explanatory, and in the period under consideration comprised gifts of land to the bridegroom by the father of the bride.

A number of other forms appear, for example, bonds, consisting of private undertakings to pay a specified sum of money on an appointed day; receipts; charters of manumission granting freedom to villeins; agreements; and acquittances, all of which are self explanatory.

To the historical geographer such material presents a challenge, especially when it survives in quantity, for to examine the charters is to examine a past landscape and read of arable lands and meadows, pastures and heaths, waste and woodlands, new land and assarts, selions and crofts, marlpits, streams and fishponds. For the parish of Tanworth in Arden some 700 charters, ranging in date from c.1150 to 1350, have survived, and on discovering this material the author felt that it ought to be possible to use it to reconstruct the geography of Tanworth in the later Middle Ages. Each charter provides a minute fragment of a total picture, and in view of the quantity of material surviving it seemed probable that it would be possible to relocate the individual charters and recreate, at least partially, this total picture.

The method of study was influenced by a paper published in 1959 by Miss E.C. Vollans, a paper concerning some charters relating to the central Chilterns; ⁵⁹ this suggested a basic classification of the material under two headings, a grouping by terminology, and a grouping by topography. However, in view of the aim to locate the charters, a more comprehensive classification was desirable, and in practice a large card index was created which listed separately every individual person, every place-name, and every significant category of information, as well as containing a transcript of the document. This enabled each charter to be studied in three ways; first, by using the place-names and locational clauses it proved possible to locate the charters within Tanworth parish and reconstruct the geography in the period c.1150 to 1350; secondly, by using the names of the parties involved, together with the abuttal references, it was possible to reconstruct holdings and estates and to study their development throughout the period;

thirdly, by considering the various categories of information one was able to study systematically the various facets of the historical geography of Tanworth, common land and severalties, arable, waste and woodland, mills, fishponds, marlpits, houses and cottages, together with the nature of the rents and services associated with these.

Thus, with the aid of internal evidence, later charters, surveys and court rolls,⁶⁰ together with the Tithe and other maps,⁶¹ it has proved possible to locate 80% of the charters, many with great precision, while of the remainder, in the majority of cases the locality is known generally. Once this situation had been achieved it was possible to begin mapping, but a number of objections and problems may be raised concerning the method. In particular the basic assumption that the information contained within the charters can be synthesised to form a coherent whole may reasonably be challenged.

The study of the Tanworth material is in fact based upon a number of principles; in the first place, the collection of charters is known to relate to the manors within the parish of Tanworth, that is, Tanworth itself, together with Monkspath, so that the initial problem of location in a wide sense is already solved. Secondly, the charters relate to various properties within these two manors, a finite number of properties, and two of the charter groupings described above, place-names and parties, were designed to re-group the documents under property headings. Finally, as a corollary of these two points, only a limited number of persons are likely to be involved, and these frequently fall into families which are known to be associated with the parish. It is in fact the remarkable size and completeness of the collection which is its strength, and permits reconstructions to be based upon it.

It might ~~be~~ also be argued that the very nature of the land charter, recording the alienation of a piece of land, makes it impossible to use them to reconstruct an entire holding. This would indeed be so if it were not for the completeness of the collection, which makes it possible to trace the growth or disintegration of a holding from the initial grant, which in many cases has survived. Yet again, there was clearly the danger of the confusion of two persons of the same name; in general, however, this problem could be resolved, the volume of supplementary available evidence is sufficient to counteract any such problem, and the relatively small area being examined, one parish, was an additional factor favouring identification. In work of this type there is always a danger that some vital piece of evidence was missing, a piece of evidence that could completely alter the picture provided by such evidence as does survive. This is an ever present danger in historical studies, and can never be fully taken account of, but in the case of Tanworth, the large volume of evidence which was supplementary to the charters provided a valuable means of cross-checking, in particular, two surveys to be described below. Finally, as far as possible, throughout the whole study the principle has been to avoid arguing too closely from the wording of one charter, and basing all conclusions on the evidence of a group of charters.

This technique of detailed analysis has been fully applied to the charters of the Archer collection which relate to Tanworth, while modified versions of the technique have been used in Solihull, Baddesley Clinton, Coleshill, Lapworth, Hatton and Shrewley using additional material that will be noted below. In general the techniques used in mapping the data are self explanatory, but one technique must be mentioned specifically. As has been demonstrated, the information

contained in any one charter can be both complex and detailed, and it was discovered that when estates were being considered one map was insufficient, so that a system of triplicate mapping was adopted so as to be able to record all the necessary information.

The most common form of charter in any of the collections studied can be reduced to the formula "I AB give to CD, land X, for rent Y and for payment or services Z". When considering a holding all these facts are significant, and maps of the type found in Figures 28-31, 33-35 etc. have been designed to show as many of these facts as possible, in particular, the instrument, the principal parties involved, the direction of the conveyance, i.e. from whom to whom, and finally the nature of the property. Rents and considerations vary according to so many unknown factors that for the purposes of this study they have not been mapped. Thus, of the sets of three maps, the first, headed Instrument records the nature and direction of the transaction, indicating (Figure 28) the instruments used, and the direction of the transaction with reference to the subject of the map, i.e. in the case of Figure 28 William Archer I. Also incorporated within the key of this map is a table headed A, B, C, T, D, which may be interpreted as follows:

- A the number of charters it has proved possible to locate to which the subject of the map is a party;
 - B the number of charters which it has proved impossible to locate securely enough to map them.
- Below the actual figures each is expressed as a percentage of A + B.
- C indicates the number of incorporeal hereditaments which relate to the subject, while
 - T is the total number of charters to which the subject was party, while

D indicates the number of abuttal references which are always shown on the second map relating to Parties.

This technique has only been used on the maps relating to the larger landowners as the peasant holdings presented special difficulties. ⁶²

The second map of the set, headed Parties, enables any special facts concerning the grantors and grantees to be brought out, in particular this map reveals the direction of inter-family transactions not brought out by the first map, and indicates if the subject has been acquiring land from one person in particular. Finally, the third map shows the nature of the property, land (terra), meadow, waste, etc.

Ideally four or even five maps are desirable, so that the rent and consideration could be mapped, but this would have made their analysis even more complex. The techniques briefly described here have been modified and adapted in practice to suit a wide range of circumstances, but these are all self explanatory or are described when they are used. Reference must be made briefly to an objective method used in a number of maps (Figures 22 and 26 in particular) by plotting data on the basis of one quarter kilometre squares derived from the National Grid, a method adopted when mapping data for the whole of Tanworth parish, and utilizing a large number of charters. ⁶³

The more detailed sections of this thesis are based upon a number of collections of charters, the more important of which may be listed as follows:

The Archer Collection.

This collection, made between c.1600 and 1662 by Sir Simon Archer, is lodged in the Birthplace library at Stratford upon Avon, and consists of the family muniments of the

Archer family together with a considerable volume of miscellaneous material which Sir Simon was able to acquire. Relating primarily to Tanworth parish, this collection also includes material from Solihull, Wooton Wawen, Nuthurst, Snitterfield, together with scattered charters from Preston Bagot, Sheldon, Hampton in Arden, and many other parishes. It is impossible to give numbers, as the collection is so far uncalendared, but a rapid count suggests that for Tanworth parish alone some 2500 charters survive between c.1150 and 1800, of which 637 date between c.1150 and 1350.

The fact that this collection is not yet fully catalogued and calendared presents a considerable problem in that it is very difficult to refer to a specific charter. The method that has been adopted in this study is to cite the author's own catalogue number together with the date of the charter. It is probable that the author's card index will one day be lodged with the Archer collection, as it will certainly not be destroyed, and although in retrospect this catalogue can be seen to be far from perfect, it does provide a basis for examining the early part of the collection. ⁶⁴

In addition to charters the Archer collection includes an enormous collection of court rolls, ⁶⁵ rentals, ⁶⁶ account rolls, ⁶⁷ surveys, ⁶⁸ and miscellaneous notes. ⁶⁹ Perhaps the most important additional documents are two surveys which were discovered and interpreted as the work proceeded. The first of these dates to c.1500 and its contents are briefly listed in Appendix V. As Figure 32 reveals this survey covers about one third of the parish, the Archer estates, and lists every field giving detailed abuttals. It provides an invaluable link between the medieval field names and those upon the Tithe Map of 1842. Worthy of a study in itself this survey, although not by

any means unique, is unusual, and its discovery may be accounted a remarkable stroke of good fortune. ⁷⁰

In view of this discovery it was startling to discover that the Archer collection contained a second even earlier survey, which may be approximately dated to c.1446. This second document is laid out in three columns, and under the heading of the tenant's name in c.1446 it lists, down the centre of the page the land charters and court roll entries that relate to the holding, i.e. it cites the charters the author has studied, giving references to the charters down the column at the right hand side, and the court rolls down the left hand column ! This document thus provides a link between the pre-1350 charters and the survey of c.1500, and enabled the author to cross check upon many of his identifications based upon the charters alone. These two documents have been respectively termed the Archer Survey of c.1500 and c.1446.

In addition, within the Archer collection is a great volume of court rolls, rentals and miscellaneous notes which have been used in the compilation of this thesis, on occasions it must be admitted, without reference being made to them, for the point was reached when the author, as a result of working through the collection, could no longer be fully certain as to the source of a particular piece of information, for example concerning the location of a particular place. Comprehensive note taking was totally impossible, and inevitably the significance of all documents was not fully appreciated at the time of examination. Many of Sir Simon Archer's own notes upon the parish of Tanworth have proved to be invaluable, and there are times when his testimony is accepted, even when his source is not clear.

In addition to the Archer collection the following

material has been utilised:

The Ferrars Collection.

This collection is again of seventeenth century date and was made by Sir Henry Ferrars of Baddesley Clinton. It is deposited in the Birthplace library at Stratford, and has been calendared by Mrs. E. Berry, so that the charter number does in this case constitute a reference. In all, some 86 charters fall before 1350, the majority between 1300 and 1350. ⁷¹

The Wingfield Digby Collection.

Relating to Coleshill this material is deposited in the Birmingham Reference library, and has again been calendared by Mrs. E. Berry. In all, there are 305 charters before 1350. ⁷²

The Lapworth Charity Deeds.

In the Birmingham Reference library is a calendar compiled by R. Hudson which lists the "Deeds of the Lapworth Charity Trustees, c.1190 to 1520". Of these 47 date before 1350. ⁷³

Catalogue of Ancient Deeds.

The largest single collection of material is listed in the Catalogue of Ancient Deeds within the Public Record Office, which provides a summary translation of large numbers of private charters. Although the translations vary very much in detail, these six volumes provide a valuable supplementary source. All the material within these volumes relating to Western Arden before 1350 was examined, and if sufficient charters were present to make a detailed study they were transcribed. In this way 118 charters relating to Solihull were collected, which when added to the 94 available at Stratford, and a further 29 at Warwick, formed a useful working collection. Similarly 36 charters

relating to Hatton and 27 relating to Shrewley were assembled, together with a host of miscellaneous references and some Tanworth material. ⁷⁴

In view of the use to which the Tanworth material is to be put it is worthwhile indicating how remarkable are the large number of charters which survive for this parish.

Table 1.

Western Arden: Number of Land Charters surviving before 1350.

Parish	Number	Acreage of parish (000s of acres)	Charters per 1000 acres
Tanworth	637	9.4	68
Baddesley Clinton	86	1.3	66
Coleshill	305	6.2	49
Lapworth	47	2.9	16
Solihull	241	11.0	22

Tanworth is in fact outstanding because the figure for Baddesley Clinton gives a very wrong impression as this collection relates to a very limited number of holdings within the parish. The Coleshill collection is in fact the only one comparable, but time forbade a full analysis of this material.

In addition to these collections a variety of other source material has been consulted, both medieval and later; in particular, considerable use has been made of the evidence of late map sources, of late eighteenth and early nineteenth century date, mainly Tithe and Enclosure maps.

The more general sources, Domesday Book, etc. will be described as they are used, but reference must be made at this juncture to the use of the extents attached to Inquisitions post mortem for providing general background

material. In the absence of a government survey such as the Hundred Rolls, it was logical to seek a source that, however unevenly, might provide comparable information. Inquisitions post mortem were enquiries made by a county official called an escheator on behalf of the crown in the case of the death of a tenant-in-chief of the crown to ascertain what lands he held, what rents or services he rendered for the same, and finally, who and of what age was his heir. On the death of such tenants a payment called a relief had to be paid before the heir could have possession, and the heir had also to do homage before he could inherit. The extents or surveys associated with these enquiries, describe the demesne, normally give the acreage of the arable land and meadow, and then proceed to list other sources of income, notably the rents and services due from the tenants, both bond and free.⁷⁵ Although these accounts vary very much in detail and quality, as well as in date, all those which relate to Western Arden between c.1250 and 1350 have been assembled and used to compile a series of general maps on the basis of the information summarised in Appendix IIB.

To return to the criteria for the selection of the forty parishes forming the area termed "Western Arden" in this study, their selection was the result of a number of factors; first, as has been stated, this area embraces that portion of the forest of Arden not considered by Harley using the Hundred Rolls; secondly, they include what will in this essay be termed the Arden core, together with transition zones to the north and south, and finally surround the parish of Tanworth and provide contrasts with it, so that the developments taking place within Tanworth may be placed within their medieval regional setting.

Finally, in defence of this rather long introduction, it was considered necessary to make a full statement concerning the particular method of charter analysis used in this study because it is not a conventional technique of historical geography. There is a danger of a study based upon a very small area being myopic, but nevertheless, it is felt that a detailed analysis such as is presented below, within a defined area and period and utilising all the evidence available, provides glimpses of the reality of the Middle Ages. The region selected for study may be viewed as a laboratory within which certain problems can be solved, and this must ultimately contribute to the better understanding of those areas where the survival of evidence has been less complete. 76

Footnotes

- 1) E.E. Power, "Peasant Life and Rural Conditions", Cambridge Medieval History, Vol. VII (1932) pp.716-740.
For an account of the colonising movement in Europe see R. Koebner, "The Settlement and Colonisation of Europe", in The Cambridge Economic History of Europe, Vol. 1, The Agrarian Life of the Middle Ages, (1942), ed. J. Clapham.
- 2) A basic discussion of the relationship between the manor and the vill is to be found in the following works:
P. Vinogradoff, The Growth of the Manor (1905), pp. 307-331.
P. Vinogradoff, Villeinage in England (1892), pp.352-54; 396; 397-408; especially p. 405.
- 3) H. Uhlig, "Old Hamlets with Infield and Outfield Systems in Western and Central Europe", Geografiska Annaler, Vol. XLIII (1961), Nos. 1-2, pp. 285-312.
See also
J. Thirsk, Review of the "Symposium on the Morphogenesis of the Agrarian Cultural Landscape", Geografiska Annaler, Vol. XLIII (1961) No.s 1-2, in Agricultural History Review, Vol. XI (1962) Part 1, pp. 62-63.
- 4) Lynn White Jnr., Medieval Technology and Social Change (1962), pp. 69-76.
- 5) A useful modern discussion of the manorial system on a European scale is to be found in
B.H. Slicher van Bath, The Agrarian History of Western Europe, A.D.500-1850 (1963), pp. 40-53.

- 6) A standard work on feudalism is by F.L. Ganshof, Feudalism (3rd. English edition 1964), while a brief but useful discussion is to be found in the following: G.G. Coulton, Medieval Panorama (Fontana Library, 1961), pp. 57-70.
- 7) Vide R.H. Hilton, "Life on a Medieval Manor", Amateur Historian, Vol. 1, No. 3 (Dec.-Jan. 1953), pp. 82-89, where a brief definition of a manor is given.
- 8) P. Vinogradoff, op.cit.
- 9) This point is developed by P. Vinogradoff, op.cit. See also H. Cam, "The Community of the Vill", in Medieval Studies presented to Rose Graham, p. 1, "The township was an entity both older and longer lived than the lordship, and even in the heyday of feudalism, the township, the villata, the community of the vill imposes itself upon our attention - not only as an indispensable unit in the governmental system, but also in many parts of the country, as a community conscious and active in its own right". This last remark applies to Eastern England, particularly East Anglia, of which D.C. Douglas was able to write "The distinction between the manorialised and the non-manorial sections of this district postulates the antithesis between village and manor in its most extreme form".
The Social Structure of Medieval East Anglia (1927) p. 209.
- 10) A discussion of urban growth during the Middle Ages can be found in the following works:
C. Stephenson, Borough and Town (1933).
H. Pirenne, Medieval Cities (Translation, 1925)

E. Lipson, The Economic History of England, Vol. 1, Chapters 5 and 6.

The effect of towns on rural life is discussed by E. Power, op.cit.

- 11) A good short account of the rise, flowering and decay of the manor in England is to be found in the following essay:

L.C. Latham, "The Manor and the Village", in Social Life in Early England, G. Barraclough (ed.) (1960) pp. 29-50.

E. Power, op.cit. also discusses these trends, as does B.H. Slicher van Bath, op.cit.

- 12) B.H. Slicher van Bath, op.cit., p. 151.

- 13) N. Nielson, "English Manorial Forms", American Historical Review, Vol. XXXIV, p. 733.

There are but few studies which set out to examine land reclamation in the Middle Ages, the most notable being:

T.A.M. Bishop, "Assarting and the Growth of the Open-Fields", Ec. Hist. Rev. Vol. VI, No. 13, (1935).

R.A. Donkin, "The English Cistercians and Assarting", Analecta Sacri Ordinis Cisterciensis, Vol. XX, Parts 1-2 (1964), pp. 49-75.

H.E. Hallam, "The New Lands of Elloe", Department of English Local History, Leicester, Occasional Papers, No. 6, (1954).

- 14) A.L.F. Rivet, however, in Town and Country in Roman Britain (1958), makes a pregnant comment; pointing out that numerous Roman towns all revived after the Dark Ages and are still county towns today, he continues "The implication of this must surely be that these

places, both as administrative centres and markets, were as well sited as they could be in relation to the agricultural exploitation of Britain not only in Roman conditions but in the conditions that prevailed in the Middle Ages and later; and, as a corollary, that the exploitation of Britain's agricultural wealth in Roman times was neither so limited nor so primitive as we sometimes tend to assume. The pattern is strikingly modern".

- 14) R. Lennard, Rural England, 1086-1135 (1959), p. 3.
- 15) The distribution of woodland in England and Wales during the Dark Ages is shown upon the Ordnance Survey Map of Dark Age Britain (South Sheet, 1935), while a brief summary of the major areas of woodland in the Anglo-Saxon period is to be found in P. Hunter Blair, Anglo Saxon England (1960), pp. 248-50. The best account is to be found in R. Lennard, op.cit. Chapter 1.
- 16) E. Miller, "The Colonisation of Europe", The Listener, Jan. 16th, 1964, pp. 109-111.
- 17) Vide W.G. Hoskins, The Making of the English Landscape (1955).
W.G. Hoskins, Leicestershire: The Making of the Landscape (1957).
H.P.R. Finberg, Gloucestershire: The Making of the Landscape (1955).
R.H. Hilton, "The Medieval Agrarian History of Leicestershire", Victoria County History, Leicestershire, Vol. II, pp. 148 ff.
K.C. Newton, Medieval Essex (1962), Essex County Council.

- C.E. Watson, "The Minchinhampton Custumal", Trans. Bristol and Gloucestershire Arch. Soc. Vol. 54, (1932), pp. 203-384.
- N. Nielson, Cartulary and Survey of Bilsington, Kent, (1928), British Academy, Vol. VII, Introduction.
- E.M. Yates, "History in a Map", Geographical Journal, Vol. CXXVI, Part 1 (1960), pp. 32-51.
- J.Z. Titow, "Some Differences between Manors and their Effects on the Condition of Peasant in the Thirteenth Century", Agricultural History Review, Vol. X (1962), Part 1, pp. 1-13.
- 18) W.G. Hoskins, Devon (1954), Chapers III, IV, and V.
 W.G. Hoskins and H.P.R. Finberg, Devonshire Studies (), pp. 315-24.
 R. Millward, Lancashire, The Making of the Landscape, (1955).
 W.G.V. Balchin, Cornwall, The Making of the Landscape (1954).
 Rennell of Rodd, Valley on the March (1958).
 H.J. Hewitt, "Medieval Cheshire", Chetham Soc. Vol. 88 (1929), Chapter II.
 R. Cuncliffe Shaw, The Royal Forest of Lancaster (1956).
 S.R. Eyre, "The Upward Limit of Enclosure on the East Moor of North Derbyshire", Trans. Institute of British Geographers, No. 23 (1957), pp. 61-74.
- 19) R.B. Smith, "Blackburnshire", Dept. of English Local History, Leicester, Occasional Papers, No. 15.
 G.H. Tupling, The Economic History of Rossendale (1927).
 R.A. Donkin, "The Cistercian Order in Medieval England; Some Conclusions", Trans. Institute of British Geographers, No. 33 (1963), pp. 181-198.

- 20) H.C. Darby, The Drainage of the Fens (1956).
 H.E. Hallam, "The New Lands of Elloe", Dept. of English Local History, Leicester, Occasional Papers, No. 6.
 J.A. Sheppard, "The Medieval Meres of Holderness", Trans. Institute of British Geographers, No. 23 (1957) pp. 75-86.
 J.A. Raftis, The Estates of Ramsay Abbey (1957).
- 21) It is impossible to dis-associate the present study from one made by J.B. Harley, entitled Population and Land Utilization in the Warwickshire Hundreds of Stoneleigh and Kineton, 1086-1300 (University of Birmingham, Ph.D. 1960, abbreviated to "Population and Land Utilization, 1086-1300" in this thesis).
 This study is fundamental to an understanding of the early historical geography of Warwickshire, and is based on a statistical comparison of conditions in 1086 with those in 1279 as revealed by the Warwickshire Hundred Rolls of that date. The area covered by Harley limits the portion of Arden examined in this study on the eastern side, while many of the conclusions are also confirmed by the additional source material examined in this study. One difficulty has in fact been to avoid following Harley's plan and method too closely, but in this case it was advantageous to be using very different source material, and although similarities in method and approach do occur it is hoped that these are integrated within a general framework which differs substantially.
- 22) P.E. James, "The Field of Geography" in American Geography, Inventory and Prospects (1954), eds. P.E. James and C.F. Jones.

- 23) The most cursory examination of H.C. Darby's volume An Historical Geography of England before A.D. 1800 (1951) will quickly reveal both the range of documentary evidence available to the scholar and that part of it which is susceptible to cartographic analysis.
- 24) Vide R.H. Hilton, "Content and Sources of English Agrarian History before 1500", Agricultural History Review, Vol. III (1955).
D.C. Douglas, English Historical Documents, 1042-1189 (1953), where a wide range of source material is cited in translation, together with invaluable comment, especially the section on Land and People", p. 799.
- 22a) This division is plainly not comprehensive, for example, it does not satisfactorily take account of bishop's registers, although strictly, as these relate to localised events, they are local.
- 23a) Vide H.M.S.O. Record Publications, Sectional List No.24 (1957), where a full list of published records is given.
- 24a) Sir William Dugdale, The Antiquities of Warwickshire (1656).
- 25) P. Vinogradoff, op.cit.
- 26) F. Seebohm, The English Village Community (1884).
H.L. Gray, English Field Systems (1915).
- 27) P. Styles, in "Sir Simon Archer, 1581-1662", Dugdale Society Occasional Papers, No. 6 (1946), cites Dugdale concerning the interrelation of national and local records, a distinction already made by the seventeenth century when the former were called "Records" and the latter "Evidences". See also
V.H. Galbraith, The Historian at Work (B.B.C. publication (1962)).

- 28) F.W. Maitland, Domesday Book and Beyond (Fontana edition 1960), p. 596.
H.C. Darby (ed.), The Domesday Geography of England, (1952) onwards. Five volumes - Eastern, Midland, South-Eastern, Northern and South-Western - are to cover the country, and a sixth volume is to include the general conclusions, while a seventh volume will provide a Domesday Gazetteer with maps and an index to all place-names.
- 29) R. Lennard, op.cit. p. 4.
- 30) R.E. Glasscock, "The Distribution of Wealth in East Anglia in the Early Fourteenth Century", Trans. Institute of British Geographers, No. 32 (1963) p. 113-123.
- 31) Vide supra, note 21.
- 32) A.H. Smith, English Place Name Elements, 2 vols. (1956).
H. Thorpe, "The Growth of Settlement before the Norman Conquest", Birmingham and its Regional Setting, British Association for the Advancement of Science (1950), pp. 87-112.
- 33) E.M. Yates, op.cit.
- 34) S.R. Eyre, op.cit.
- 35) J.A. Sheppard, op.cit.
- 36) G.R.J. Jones, "The Distribution of Bond Settlements in North-West Wales", Welsh History Review, Vol. 2, No. 1 (1964), pp. 19-36. In this article numerous footnotes mention other studies by the same author, controversial studies concerning the problem of continuity between the Iron Age, the Romano-British period and the Anglo-Saxon period, to which the reader is referred.

- 37) R.A. Donkin, op.cit.
- 38) A good example of how archaeological techniques can be used by the historical geographer can be seen in the following article
 Sven-Olof Lindquist, "Some Investigations of Field-wall areas in Östergötland and Uppland", Geographafiska Annaler, Vol. LXIII, Parts 1 and 2 (1961), pp. 205-220. Comparable work in the British Isles is being carried out at Gwithian in Cornwall.
 A.C. Thomas, Gwithian; Ten Years Work, 1949-58, West Cornwall Field Club (1958).
- 39) This is a recurrent error in text-books.
- 40) Vide M.W. Beresford and J.K.S. St. Joseph, Medieval England: an aerial survey (1958).
- 41) J.B. Harley, Population and Land Utilization, 1086-1300, pp. discusses the impossibility of examining all the evidence available, even for quite a small area.
- 42) The author is in accord with the view expressed by J.B. Harley, op.cit. that more detailed studies in regional historical geography are needed.
- 43) Vide E.G. Bowen, "Le Pays de Galles", Trans. Institute of British Geographers, No. 26 (1959), pp. 1-23, where he states this view.
- 44) A good account of Sir Simon Archer is to be found in a paper by
 P. Styles, "Sir Simon Archer, 1581-1662", Dugdale Society Occasional Papers No. 6 (1946), and this essay is also invaluable background material to the Archer collection as a whole which was re-discovered by Mr.

Styles after being lost for a number of years. Until he found it at Hewell Grange, Worcestershire, the collection had hitherto been supposed to have perished in the Birmingham Reference library fire of 1879.

- 45) A similar problem, that of uniting into a coherent whole a mass of heterogeneous material, was faced H.C. Darby in his chapter "The Economic Geography of England, A.D. 1000-1250", in An Historical Geography of England before A.D. 1800 (1936); this "cross-section" embraces very nearly as broad a time span as that used in the present study, and Darby solved the problem of coherence by breaking the evidence down into three classes, waste and forest, the English village, and towns and commerce, and using the complete cross section formed by Domesday Book in 1086 as a central theme around which to make systematic studies of the three principal facets of the economic geography he had selected for examination.
- 46) The geographical studies cited within this chapter all tend to hinge on either Domesday Book of 1086 or the taxation records of the latter half of the thirteenth and first half of the fourteenth century, and using these as a framework within which to discuss the heterogeneous evidence found in the intervening period.
- 47) H.L. Gray, English Field Systems (1915).
- 48) F.M. Stenton, Types of Manorial Structure in the Northern Danelaw (1910).
- 49) D.C. Douglas, The Social Structure of Medieval East Anglia (1927).
- 50) No one comprehensive account of private land charters

is available, but the following sources have been used to compile the account of land charters within this chapter.

R.B. Pugh, "Antrobus Deeds before 1625", Wiltshire Archaeological and Natural History Society Records Branch, Vol. III, pp. xxxii-lv.

A.G. Foster, "Conveyancing Practice from Local Records", Thoresby Miscellany, Vol. 12, part 2, pp. 1-16.

F.M. Stenton, "Gilbertine Charters", Lincolnshire Record Society, Vol. 18, pp. xvii-xxiv.

D.C. Douglas, The Social Structure of Medieval East Anglia (1927).

R.H. Hilton, "The Content and Sources of English Agrarian History before 1500", Agricultural History Review, Vol. III (1955), pp. 10-11.

F.M. Stenton, The Latin Charters of the Anglo-Saxon Period (1955).

F.M. Stenton, Documents Illustrative of the Social and Economic History of the Danelaw (1920), "Danelaw Charters".

H. Hall, A Formula Book of Official Historical Documents (Part 1, 1908), pp. 15-49.

H. Hall, Studies in English Official Historical Documents (1908), pp. 208-69, 355.

J.P. Gilson (essays in memory of), Legal and Manorial Formularies (1933), pp. 1-10.

Of these Pugh and Stenton (Danelaw Charters) are perhaps the most useful in that they provide information on the content of charters and establish lines of investigation. The legal background to the private charter is examined in the following works

A.W.B. Simpson, An Introduction to the History of the Land Law (1961). This has to a certain degree replaced an older work;

W. Holdsworth, An Historical Introduction to English Land Law (1927). A brief but very valuable account of land law written in non-technical terms is to be found in the following work;

D.R. Denman, Origins of Ownership (1958).

A good short introduction to the language and technical terms of the charters is to be found in

E. Gooder, Latin for Local History (1961).

- 51) G.G. Coulton, Medieval Panorama (Fontana edition 1961) p. 60.
- 52) R.H. Hilton, op.cit. (note 50 supra), p. 10.
- 53) Vide E.A. Kosminsky, Studies in the Agrarian History of England in the Thirteenth Century (1956), pp. 249-50, 252. Kosminsky raises a problem frequently discussed in this study, namely the problem of the accumulation of these sums.
- 54a) Wingfield Digby Collection, Birmingham Reference library, No. 132:
"Gift 1) John de Collesleye to
2) John Bacon, of
all the donor's land lying between the land of Henry de Blyth on the one side and the land of Nicholas Bacon on the other, and stretching from the land of Robert Fremon as far as the lane: to hold of chief lords for service thence due and accustomed: witnesses, Henry de Blyth, Nicholas Bacon and Robert Fremon".
- 54b) Vide C.N.L. Brooke and M.M. Postan (eds.) "Cartae Nativorum", Northamptonshire Record Society, Vol. XX (1945-6, appearing 1960), pp. xvii-lviii.
- 55) P.R.O. C.1602.

- 56) It is, in the author's view, necessary to understand fully the history of a collection of charters before they can be utilized, for example, this study will gradually reveal the importance of appreciating the historical background of the Archer collection. The endorsements are in fact a record of the vicissitudes of the charter collection, and the author regrets that he was unable to make a close study of them.
- 57) V.H. Galbraith, The Historian at Work (B.B.C. Publication, 1962), plate XII.
- 58) Vide R.B. Pugh, op.cit. (supra note 50).
- 59) E.C. Vollans, "The Evolution of Farm-lands in the Central Chilterns in the Twelfth and Thirteenth Centuries", Trans. Institute of British Geographers, No. 26 (1959), pp. 197-241.
- The author was also influenced by the technique used by, E.M. Yates, in "History in a Map", Geographical Journal, Vol. CXXVI, Part 1 (March 1960), pp. 32-51.
- An interesting study of conditions in Kent using cartographic techniques to present thirteenth and fifteenth century data is to be found in an article by A.R.H. Baker, "Open Fields and Partible Inheritance on a Kent Manor", Economic History Review, 2nd Ser. Vol. XVII, No. 1 (1964), pp. 1-23.
- See also
- M.W. Beresford, "Dispersed and Grouped Settlement in Medieval Cornwall", Agricultural History Review, Vol. XII (1964), pp. 13-27.
- 60) Vide infra.
- 61) The author would like to express his gratitude to

Mr. H. Gentleman: for allowing him access to an accurate and fully detailed tracing of the Tanworth Tithe Map (lodged in Warwick C.R.O.), and for permitting him to take copies from this. Without this map, the task of locating the charters would have been infinitely more difficult, and much time would have been consumed in transcribing the data from the award.

- 62) Two maps, in particular Figures 37 and 39 record a sum of money adjacent to a holding, set within a square; this records the amount paid in 1327 by the individual as part of the Lay Subsidy of that year, and the significance of these will be discussed below.
- 63) In view of the detailed evidence available for Tanworth it may appear surprising that with the exception of the "small-landowners" (Figure 36) no attempt has been made to map the actual areal extent of holdings. There is no doubt in the author's mind that this could be done, but a study would have to be projected back retrospectively from the Tithe Map to do this satisfactorily, and although an attempt to map actual holdings was made in the course of the work, it was felt that a few isolated examples could have but little significance. The basic problem was in fact the time factor.
- 64) In view of the absence of catalogue numbers for the Archer collection referencing this study is difficult but the following procedure has been adopted; the charters in the Archer collection relating to Tanworth were numbered as follows

c.1150-1250 1 etc.
c.1250-1300a1 etc.
c.1300-1350b1 etc.
c.1350-1400c1 etc.

When a charter is cited in the text or referred to, the reference number has been given as follows in the case of a charter which is undated.

T. a41, c.1280-90.

where T. implies Tanworth charter, Archer collection
a41 is the author's own catalogue number
c.1280-90 is the provisional date.

If the charter is dated it will generally be cited as follows

T. 4th May, 1323, b21.

In some cases the date is mentioned in the text so that only the number is mentioned. Charter reference numbers have frequently been cited in the text rather than in footnotes simply to avoid excessive numbers of these latter. In addition to the notations given above the following have been used

Add. = additional, a charter discovered at a later stage of the work and so not included in the correct order in the main sequence.

sd. = lacking a provisional date at Stratford, although probably dated by the author.

At Stratford the Tanworth charters are lodged in date order in boxes of 50 and in general it should be reasonably easy to locate a cited charter. In all cases other than Tanworth sufficient details have been cited in the footnotes to permit the document to be located, for example, a Nuthurst charter will be specified as follows

Archer Collection, Stratford upon Avon, Nuthurst,
3rd May, 1341.

- 65) Court rolls have been referenced by citing the collection, the manor, and the date, which should be sufficient. See Appendix IV.

- 66) Rentals have been generally referred to specifically, as only a few examples fall within the period being considered.
 - 67) Bailiffs' account rolls are cited by reference to the manor and the date.
 - 68) Two major surveys have been used, both described below, and referred to as the Archer survey of c.1446 and the Archer survey of c.1500.
 - 69) This class of evidence has proved particularly difficult to reference, but generally an accurate and careful description has been given in the footnotes.
 - 70) A summary account of this document is given in Appendix V. Such surveys do survive in quite a number of collections of estate records (ex. inf. Miss M. Midgley).
 - 71) Sir Henry Ferrars was a friend of both Sir Simon Archer and Sir William Dugdale, and his career is discussed by P. Styles, op.cit. (note 44 supra).
- In this case a referencing system comparable to that devised for Tanworth has been used, only with B. Cl. as the key letters (Baddesley Clinton), and in this case the actual number refers to the calendar number at Stratford.
- 72) In this case the key letters W.D. have been used, while the number relates to the typescript calendar.
 - 73) Birmingham Reference Library (B.R.L.) Mss., 184962.
 - 74) Charters from this collection are cited as follows: P.R.O. (Public Record Office), C.1342 (catalogue number).

- 75) A full and critical account of these documents is to be found in
 E.A. Kosminsky, Studies in the Agrarian History of England in the Thirteenth Century (1956), pp. 46-67.
 See also
 H.L. Gray, "Commutation of Villein Services before the Black Death", English Historical Review, Vol. 29 (1914), pp. 623-641.
 R.A. Latham, "Inquisitions post mortem" Amateur Historian, Vol. 1, No. 3 (1953), p. 77.
 C.D. Ross and T.B. Pugh, "Materials for the Study of Baronial Incomes in Fifteenth Century England", Economic History Review, 2nd Ser. Vol. VI, No. 2 (1953), pp. 185-194.
- 76) A brief note is needed upon place-and personal-names in this essay. Where possible, place-names follow the form appearing in the P.N.D. Warwickshire, but in other cases a standardised form has been adopted. Medieval scribes spelt the names phonetically, so that a great many variations occur, and no one form is correct. Personal-names are more difficult, they can appear either in English, "atte Wode", or in Latin, "de Bosco". In general the most common form used in the charters has been adopted, thus "John de Cimiterio" has not been termed "atte Churchyard" because the form "de Cimiterio" is the form always used in the Tanworth charters.
- Difficulties do arise, for example, the form "de Ullenhale" has been used when part of a personal name, but the place-name has always been spelt "Ullenhall", although in fact the medieval form is the more correct.
- In short, the task of standardising all the place and personal names would have been difficult and in

some ways undesirable, so that with the exception of those place-names appearing in the P.N.D. Warwickshire, some form of conventional spelling has been adopted for place-names while, in general, personal names are cited as they appear in the charter or charters.

One final point must be made, in an attempt to avoid detailed references to specific localities within Tanworth parish, certain blocks of territory have been considered as units, and have been referred to by a number. These "Sections" are mapped in Figure 49, and have proved to be particularly useful.

Part II. Settlement, Land Use and Population.

CHAPTER 1.

INTRODUCTION: SETTLEMENT BEFORE 1150.

Medieval society developed within a double framework, one physical, the result of the influence of relief, geology and soils, the other human, the complex framework of settlement forms, field systems and social and economic organisations. One authority goes so far as stating "the physical framework within which the medieval peasant passed his life, modified by cultural and historical circumstances, could condition not only his occupation, but the kind of settlement in which he lived, his personal status and his relations with his lord." ¹ The purpose of this chapter is first, to outline the nature of these two environments within Western Arden, discussing firstly the physical geography of the area, and then examining certain aspects of man's occupance before 1150. This latter discussion will be carried to Chapter 2 on the administrative geography of Western Arden in the early Middle Ages. Secondly, within the framework of this discussion a number of problems will be raised concerning the rather speculative process of reconstructing early settlement forms, patterns and field systems, since these points have a bearing both on this chapter and other sections of the main body of the thesis. Finally, a certain rather ambiguous body of material relating to the nature of Arden will be discussed as this can only be understood in the full context of Chapters 1 and 2.

In general terms the Arden area of north-west Warwickshire may be said to consist of a synclinal lowland with a north-south axis, formed of gently flexed Triassic rocks

enclosed between two upfaulted blocks of Carboniferous age, the South Staffordshire Plateau, and what is being termed in this essay the Eastern Arden Plateau.² The western portion of this Triassic sheet, the Western Arden Plateau, is, however, high enough to be considered as a sub-unit of the South Staffordshire Plateau. As Figure 1 demonstrates, to the south Arden ends abruptly with the heights overlooking the Avon valley and marking the edge of the Birmingham Plateau, although this break of slope reflects no geological changes (Figure 3).

The topography of Arden cannot be explained without reference to its drainage, which is characterised by two sets, one mature, the other with all the features of rejuvenation. The area is crossed by part of the main watershed of England, at first in a west-east direction across the Western Arden Plateau, but turning northwards near Wroxall to follow the north-south line of the Eastern Arden Plateau (Figure 1, Inset). The lowest point on this watershed, at 336 feet O.D., constitutes the Kingswood Gap (Figure 2) which separates the Western from the Eastern plateau; and has in recent times formed a convenient routeway for canal and railway, although significantly the ancient road crosses it at right angles. Nevertheless, important as this watershed is, it is not as a rule a dominant feature of the Warwickshire landscape, but wanders irregularly from one broad swell to another.

Geologically Western Arden is dominated by two series, the sandstones and shales of the Upper Carboniferous rocks of the Eastern Arden Plateau, and the Keuper Marl of the synclinal lowland (Figure 3), but some diversification is provided by the outcrop of the Upper Keuper or Arden Sandstone in the south, giving rise to scarp and

vale topography where the rejuvenated headstreams of the Alne-Avon drainage have cut deeply into the plateau edge, and produced a landscape where steep slopes contrast markedly with the gentler slopes and level surfaces to the north. In addition, as Figure 3 shows, much of the northern parts of Western Arden are overlain by drift deposits of varying character and thickness.

On the basis of relief, drainage and geology Western Arden has been divided into four physiographic regions (Figure 2) which form well marked features, but which, nevertheless, will be described in relation to the wider physiographic divisions of the Birmingham Plateau as defined by Warwick in 1950.³

The Western Arden Plateau,

In terms of relief this feature constitutes an integral part of the South Staffordshire Plateau but is distinctive in that it is not underlain by Carboniferous rocks, being cut entirely in marls and sandstones of Triassic age (Figure 3). The plateau surface as a whole is remarkably flat and lies between 400 and 450 feet in height, although in the extreme west a higher ridge, the Portway Plateau, rises some 500 feet. Drainage is to the north, to the Tame, and although in the west the Cole valley forms a marked landscape feature, the area is drained mainly by the Blythe and its tributaries. Characterised by broad open valleys with rather sluggish streams and wide flood plains, this drainage system divides the plateau into a series of flat-topped ridges. Near the main watershed, however, (Figure 1, Inset), the drainage lines are particularly indistinct and give rise to a section between Hockley Heath and Wood End, in Tanworth parish (Figure 48), where for an area of

about three square miles the landscape is virtually flat.

The whole plateau is overlain by a sheet of drift deposits, variable in character, ranging from very light fluvio-glacial sands to stiff, heavy, intractable boulder clays. Description is rendered difficult by the fact that no drift map exists for the south of the area and Figure 3 is based on available evidence and field observations. The material can be broadly classified as "Western Drift" and is composed of a large proportion of local Midland rocks such as Bunter pebbles and Triassic sandstones, together with a varying proportion of other rocks, such as Welsh igneous rocks, Carboniferous Limestone and dolerites. An occasional yellow flint or chert may occur. This composition contrasts with the material of Cretaceous and Jurassic origin found in the drifts of the Eastern Arden Plateau, the "Eastern Drift". Often of no great thickness this superimposed material has been stripped off the edges of the plateau by stream action, so that Keuper Marl has frequently been exposed in the valley sides. As a result of this the drift is largely confined to above four-hundred feet, and survives only as a capping to the ridge tops and spur ends, and as a veneer on the plateau surfaces. It would perhaps be valid to state that heavy boulder clays are in a minority and there is a tendency for the drifts to be somewhat lighter in character than the underlying Keuper Marls. On the southern and eastern edges of the plateau the action of the rejuvenated headwaters of the Alne has exposed the Upper Keuper or Arden sandstone producing steep south facing excarpments, while glacial melt-waters formed the Kingswood Gap, a typical steep-sided flat-bottomed overflow channel.

The wide flood plains of the Blythe and its tributaries are marshy in character often being underlain by a closely packed mass of coarse pebbles resulting from the erosion of the drift deposits on the adjoining ridges. Peats are known to have occurred in some valley bottoms, but these are occasionally the result of human activity, for instance, the damming of valleys to produce fish and mill ponds.⁴ Some peat was certainly dug on Shirley Heath where it had possibly formed in a kettle hole in the drift, and may have been analogous to the mosses of Cheshire, while in Rowington parish, near Finwood, peat deposits occur which are probably to be associated with an overflow channel down to the Alne.⁵

The Eastern Arden Plateau.

The eastern boundary of Western Arden is a block of high land, termed the Eastern Arden Plateau, which forms one of the most prominent physiographic regions in north Warwickshire. As Figure 1 shows, much of the land in this region lies between 400 and 500 feet above sea level, the Berkswell Plateau, but the highest point rises to just over 600 feet in the Corley Plateau. Composed largely of Middle and Upper Coal Measure rocks in the north, the south-western section has developed purely on Keuper Marl. In general, the western slopes are steeper than their eastern counterparts, consisting of a bluff, well marked in the north, above Shustoke, becoming indistinct further south, but re-appearing as the eastern side of the Kingswood Gap, and the north-eastern edges of the two outliers further south (Figures 1 and 2). To the east, the plateau surface slopes down gradually to the valleys of the Pickford, Finham and

Inchford brooks. The south-western section of the plateau is broken up into the Wroxall-Shrewley Plateau and the Claverdon Plateau, the former being separated from the Solihull section of the Western Arden Plateau by the Kingswood Gap. The Claverdon Plateau is clearly a remnant of a formerly continuous surface which has been isolated by the headward erosion of the tributaries of the rejuvenated Alne, but which was once continuous with both the Wroxall-Shrewley section and the south-western portion of the Berkswell Plateau, where it merges gradually with the upper Blythe valley and the slightly lower divide between the Alne and the Avon valleys.

As a comparison of Figures 1, 2 and 3 will demonstrate, the majority of the Eastern Arden Plateau is drift free, except for isolated patches, but the south-western extension from Berkswell to Claverdon has a veneer of fluvio-glacial sands and gravels which forms a capping to the ridges and spurs above 400 feet in height. This same capping spreads into the higher land between the Alne and the Avon. In contrast to the drifts of the western plateau, which contain a large proportion of Triassic material, the drifts of the Berkswell-Claverdon ridge, while still containing a varying amount of Triassic rocks, also include abundant flint, chalk, Leicestershire igneous rocks and Jurassic rocks of eastern origin, termed "Eastern drift". As Brodie states "Rounded pebbles and boulders of various sizes and mineral composition are scattered in greater or lesser abundance over the whole of this tract." ⁶

The Blythe Basin.

The Blythe Basin, or more correctly the lower Cole and Blythe Basin, forms a broad flat-bottomed trench separating the two major plateau units of Western Arden,

the Blythe being cut into the lowest portion of the Keuper Marl syncline. Practically all the streams of Arden north of the main divide flow inwards to the lowest part of this syncline and converge on a point some two miles north of Coleshill in the Tame valley, where the appearance of peat at Shustoke suggests that formerly marshy conditions were present.

The vale of the Blythe itself is remarkably broad and open, and in former times the floodplain was subject to frequent flooding. Slightly above the floodplain and as far upstream as Solihull river terraces provide dry, level sites. It is possible to recognise two distinct sections to the valley; below Barston the mature, sluggish streams meander slowly through the broad open valleys, and the gently rolling interfluves are frequently capped by glacial deposits of a sandy or gravelly nature. A comparison of Figures 1 and 3 shows that contrast is occasionally provided by an outcropping of the Arden or Upper Keuper sandstone brought to the surface by some minor flexure, and giving rise to such sharper relief features as the small hill upon which Coleshill stands.

Upstream from Barston the valley sides close in, and although the relief is still subdued there is a firmness in the succession of ridges and valleys that is totally absent from the rather monotonous rolling country of the lower Blythe. In this middle section of the valley the alluvium is largely confined to a narrow belt along the stream (Figure 3) and the larger terrace features of the lower valley are absent. The edges of the plateau, as Figure 3 shows, are often sharpened by an outcropping of the Arden sandstone exposed in the denuded anticlinal flexure which forms the Kingswood Gap, and the drift cappings tend more and

more to be merely extensions of the veneer overlying the flat surfaces to the west and east.

The Alne Valley.

The Alne valley is largely cut in Keuper Marl but nevertheless forms a very distinct region separated from the rest of Western Arden by relatively high ridges. The steep slopes and well defined relief, so characteristic a feature of this region, are the direct result of incision by the streams of the rejuvenated Avon system, but the presence of Arden sandstone, already flexed and folded, and exposed and sharpened by stream action has resulted in a belt of characteristic scarp and vale topography. In the extreme south-east of this zone (Figure 3) is a narrow exposure of Lower Lias Limestone, but in this particular instance it gives rise to no marked relief features. As Figure 3 shows, drift is largely confined to small patches of sand and gravels on the highest points and to a scatter of outwash associated with the Kingswood Gap, while alluvium is largely limited to that section of the valley below Wootton Wawen.

The Avon Valley.

The Avon valley forms a relatively low-lying area separating the higher ground of the Feldon to the south from the higher plateaus of Western and Eastern Arden to the north. It lies mainly below 300 feet, and is drained by the river Avon and its tributary streams. As Harley points out, the valley is asymmetrical in form, rising steeply on the north-west side of the river, while to the south a softly rolling plain extends southwards to the Rhaetic-Lias escarpment at a distance of three to five miles.⁷ The southern portion of the

area termed in this study "Western Arden" occupies the steep slope down to the river, and it is possible to distinguish three main morphological elements at this section:

first, a summit level at approximately 300 feet forming the watershed between the rivers Avon and Alne. This feature comprises a flat-topped drift covered ridge, presenting a steep edge to the south (Figures 2 and 1), while the rapid headward erosion of the rejuvenated Sherbourne brook has resulted in the virtual isolation of another ridge to the south-west;

secondly, below this ridge is a steep drop of between 100 and 150 feet to the third element, the terrace and alluvial tract along the river. Dissected by brooks such as the Sherbourne and Fulbrook this slope, comprised of Keuper Marl, is virtually drift free;

thirdly, the terrace and alluvial tract associated with the river Avon, of which only a small portion falls within the study area. The materials forming the terraces are in origin a mixture derived from local sources, in particular the Western and Eastern drifts, but some modifications do occur locally as the result of an admixture of snow sludge.

It is evident from this brief summary that the physical landscape of Western Arden presented the medieval peasant with a variety of opportunities, but no part of the area was subject to extreme physical controls, either of relief or, indeed, climate. The whole of the area was potentially reclaimable. At this point in the discussion no attempt will be made to discuss either the soils or the former vegetation of the area, since the latter must of necessity be highly hypothetical in nature, but the next stage will be to outline briefly

what is known of the settlement of Western Arden before the mid-twelfth century, placing this within the broader pattern of settlement within the county, and raising certain problems with regard to the nature of this settlement.

In 1950 Thorpe described the growth of settlement in the Birmingham region prior to the Norman Conquest in the light of the evidence then available.⁸ He demonstrated beyond doubt that in the period between the Neolithic and the Early Iron Age occupation was concentrated in two contrasting regions, one lying below 400 feet comprising the terrace belt of the middle Severn and Avon-Sowe; the other, above 400 feet including important clusters of finds in Cannock Chase, the Clent Hills and the Eastern Arden plateau. The map it was then possible to construct suggested that the valley settlements maintained their importance during the Roman period, and the region was opened up further by the construction of military roads such as the Fosse Way and the Watling Street. Settlement on the plateau itself, i.e. above 400 feet, was encouraged by two roads, one from Droitwich in Worcestershire, to Wall in Staffordshire, and the other from Alcester in Warwickshire to Wall, both of which cut right across the upland, and met to the south-west of Birmingham at Metchley. Evidence from the Anglo-Saxon period reveals an intensification of settlement in the river valleys and a gradual expansion of occupation over the plateau surfaces.

While this general picture is undoubtedly still basically valid it is now no longer possible to write an adequate account of the early settlement; furthermore it is now improbable that this will be possible for many years. Work by Baker and Pickering⁹ using

aerial photography has revealed since 1960 hitherto unsuspected quantities of occupation sites along the terraces of the Severn, Avon and Trent. At the time of writing the Tame, Cole and Blythe valleys have not been surveyed, but it is distinctly possible that sites also exist there in some numbers. The features which generally appear as crop marks, are at the moment in process of being mapped. Of the many hundreds of sites at present known, few can be accurately dated, but they must range in date between the Neolithic period and the twentieth century, although there is a prima facie case for arguing that the bulk of them may reasonably be considered to be pre-Norman in date. This is strongly suggested by the forms visible, thus, the Neolithic and Bronze ages are represented by what appear to be henge monuments and curseae, the Iron Age and Romano-British periods by Little Woodbury type farmsteads, and possibly hamlets and field systems, although these latter cannot at the moment be distinguished from similar features which must date from the Dark Ages or the Middle Ages. One of the more curious features to be discovered are pit-alignments which run for miles across the countryside, sometimes cutting across, sometimes merging with existing hedge lines. These may reasonably be interpreted as boundary lines, possibly of Anglo-Saxon or early Medieval date, but their significance will only emerge when they can be studied in detail. ¹⁰

This evidence of occupation in unexpectedly great densities and over a wide period of time inevitably has important and lasting repercussions on any appraisal of the early historical geography of Warwickshire. For the present the details must remain obscure, and at

this stage little can be added to Thorpe's basic arguments concerning Neolithic and Bronze Age occupation in the county, but in view of the recent discoveries some attempt to re-assess the situation from the Iron Age onwards is undoubtedly necessary. A rapid examination of the farms, hamlets and villages visible in the photographs suggests that many date between the Iron Age and the period A.D. 650 to 850, by which date, as Thorpe demonstrated, it is likely that many of the present village sites were occupied, a point partially confirmed by place name evidence. In the light of this, and the fact that many of the air-photographs reveal sites overlain and scarred by ridge and furrow, probably of medieval date,¹¹ it is not unreasonable to suggest that Early Iron Age, Romano-British and Dark Age occupation in the major valleys surrounding the Birmingham Plateau was considerably denser than has hitherto been suspected. This fact must be taken into account when considering the early settlement of the Arden area.

The most obvious features of Iron Age settlement in Warwickshire are the hill forts. In spite of the arguments presented by Glanville-Jones,¹² little can be proved concerning the nature of the territorial organisation associated with these, but nevertheless a certain amount of speculation in the light of the known facts is unavoidable. In view of the care lavished on their construction and of the evidence derived from excavation, it is reasonably certain that hill forts were at least in part permanently occupied. It is probable that they can be viewed as the strongholds of the class of British society which Caesar termed "Equites" who possessed large numbers of retainers.¹³ While a certain number of these followers would be in

permanent residence within the forts, it is likely that there was also a peasantry, living in scattered farmsteads and hamlets which were not normally fortified, but who, nevertheless, had to bear their part in the work of fortification and would be called in to defend the place in time of trouble. Thorpe has argued, on the basis of three rather inadequate excavations, that "many of the hill-forts were constructed, perhaps hurriedly, to oppose the Roman advance across the Midlands." This is possible, but the more detailed Wessex evidence suggests that there, hill forts were not part of a coherent, tribal, strategy, but the individual concern of separate groups or septs within the tribe. ¹⁴

Turning to the distribution and siting of the hill-forts within Arden, if, as seems probable, the majority of the Celtic population in the Midlands was established in the river valleys, the forts were clearly peripheral to this, often being sited in what may have been densely wooded regions on the edges of the Arden plateau. ¹⁵ For instance, a cluster of four camps can be seen in the basin of the upper Alne, which certainly remained heavily wooded until 1086, as Figure 17 demonstrates. While this siting may be for defensive purposes and part of a policy, the presence of a substantial population in the Avon and other valleys advises caution, especially in view of the fact that this explanation is not generally invoked for the rest of the country; in fact, any concentration of folk might be expected to produce hill-forts.

In Chapter 3 evidence will be presented to suggest that by the late twelfth century extensive areas of heath were already present in Arden, heaths which were clearly the product of man's disturbance of the natural

habitat. As will be argued below, even the lighter soils of the area probably carried woodland originally, and it is possible that the process of woodland degeneration was well under way by the end of the Iron Age, and in addition to clearings around the forts and perhaps other settlements, the deliberate firing of stretches of woodland in order to create pastureland may have occurred. In this context the siting of the hill-forts on the edge of the plateau may have been significant, they were sited between the permanent settlements and the pastures.

The Roman period clearly saw some changes in the existing settlement pattern in and around Arden, in particular the establishment of a series of semi-civil settlements at Tripontium, Manduessedum, Venonae, and Letocetum along the Watling Street,¹⁶ together with the purely military settlements at Shenstone and Metchley. In the Avon valley and the Feldon towns were established at Alcester, on the Ryknield Street, and at Chesterton, on the Fosse Way. Villas and hamlets were also present, but their density is unknown. However, the scatter of miscellaneous finds in the Avon and Alne valleys, together with the aerial photographs, combine to suggest the existence of a substantial rural population within the central part of Warwickshire, although the degree to which the heavy clays of the south of the county and of Arden in the north were settled in Roman times must remain an open question.

One feature of the Roman occupation is, however, worth remarking on, namely, the presence of tile and pottery kilns on the edge of the Arden area. A number of pottery kilns, for example, have been found in the Hartshill area, and two kilns are known further south,

one near Chase Wood in Kenilworth, the other south of the Iron Age site of Harborough Banks in Lapworth.¹⁷ The location of these industrial sites must have been dependant on the availability of suitable supplies of clay and timber; pottery is a fragile product, and unless of exceptionally high quality, such as Samian ware, was rarely transported large distances, while tiles were invariably for local use. These kilns must therefore have been serving the substantial local market, and it is probable that more will be discovered. Their effect on the surrounding woodland can only be guessed, but it is clear that the extraction of timber for kiln firing and other purposes, together with possibly some charcoal burning, must have continued the process of woodland destruction within Arden begun in the Iron Age.

While it is impossible to attempt any real assessment of the extent of clearing in Roman Warwickshire it is essential to realise that the earliest Anglo-Saxon folk were not settling complete wasteland, nor were they moving into a depopulated void; Roman Warwickshire was undoubtedly a landscape of fields and farms, as well as of woodland.

There is evidence for the colonisation of the Midlands by two main groups of Anglo-Saxon folk, West Saxon tribesmen moving in from the south-west, and Anglian groups penetrating from the north-east and east.¹⁸ A cultural overlap clearly occurred in the Avon valley, but of the relative importance of each group little is known. Amongst the early burials in the valley not only can the distinctive features such as large saucer brooches associated with the West Saxon culture be identified, but there is plentiful evidence for the presence of Anglian elements in some strength.

Some indication of the progress of settlement can

be obtained from the Anglo-Saxon Chronicle; in 628 it records that "Cynegils and Cwichelm fought against Penda at Cirencester, and then they came to an agreement."¹⁹ Penda appears to have been king of the Middle Angles and it is reasonable to interpret this passage as a border quarrel between the proto-Mercia and the proto-Wessex. West-Saxon expansion into the lower Avon valley was clearly facilitated by the victory of 577 at Dyrham, near Bath, when Ceawlin defeated strong British resistance around the former Roman towns of Cirencester, Gloucester and Bath. After this a slow but steady infiltration probably continued despite the setbacks suffered by the house of Wessex in 584 and 592-3.²⁰ If Hoskins is correct, by 614 the energies of the kings of Wessex were directed towards expansion to the south-west,²¹ and it seems reasonable to conclude that the "agreement" of 628 may have been the result of clashes between the advancing West Saxons and those Anglian settlers who must have been already established in the Avon valley by the last decades of the sixth century. The "agreement" may in fact have been no more than a truce, for Penda was engaged in a war against Northumbria in 633, but in 645 he turned his attention south and expelled the king of Wessex.²² Finberg on the other hand suggests that the "agreement" of 628 was in fact a treaty which removed the Cotswolds permanently from the orbit of Wessex into that of Mercia. "There is every reason to believe that the principality of the Hwicce dates from this time, and was indeed Penda's own creation."²³ It would be rash to construct elaborate theories on such evidence, but, nevertheless, one fact emerges as indisputable; by the early decades of the seventh century Anglian colonists were present in

the Midlands in sufficient strength to seriously challenge, indeed halt, the northward expansion of Wessex, and it remains to see if any confirmatory evidence for this conclusion can be derived from other sources.

The grave furniture associated with the early burials in the Avon valley provides some additional information, and while a fifth century penetration of the area cannot be claimed, some of the material clearly suggests some Saxon influence from the upper Thames valley before 577.²⁴ Other material, however, clearly indicates the influence of Anglian or Anglo-Saxon communities from further east, again prior to 577, and indeed suggests that a high proportion of the cultural connections of the Avon valley settlers were Eastern English and Anglo-Saxon or Anglian rather than Saxon. The settlement of the Midlands must be thought of in terms of sporadic influence from the north, east and south, influence which began after A.D. 500 and which was most often eastern in origin. Archaeological evidence would then appear to confirm the presence of colonists in the Avon valley before 577.

Pre-Dyrham settlement is also implied by the scattered occurrence of -ingas and -ingaham place names, and the distribution of these and other early forms such as -ingaton, together with -ton and -ham provides some guide to the principal areas of settlement.²⁵ Names incorporating these elements occur mainly below 400 feet in the Avon valley and those of its tributaries, the Stour, the Alne and the Leam-Itchen, but also spread southwards to the Jurassic Marlstone escarpment. A secondary concentration appears in the Tame-Blythe basin to the north, but such names are noticeably absent from the western half of the Arrow valley and those portions

of north Warwickshire lying above 400 feet. In these areas they are replaced by such elements as -leah (-ley), -worth, and -field, especially in the Eastern Arden Plateau, elements representing secondary settlements resulting from the expansion from the areas of primary colonisation.

This brief examination of the pattern of Anglo-Saxon settlement within Warwickshire is based on the place names attached to existing villages^{and hamlets}, and hence implies tacitly that these settlements lie essentially upon their original sites. Little positive proof can be presented for this assumption, however, although it is reasonable prima facie deduction in the light of the evidence of place names, the Domesday Book and other later sources, but the possibility of both minor changes in site and in the character of the early settlement pattern, after the primary colonisation cannot be ignored. While there is little doubt that the equation of the settlement mentioned in 1086 with the village or hamlet of the name surviving today is generally valid, it will be suggested below that this assumption is sometimes made rather uncritically.

In general terms, however, the Domesday Book of 1086 must be viewed as a summary of the colonisation of the area prior to 1086, and the early pattern of settlement within the focus of this study must now be examined in a little more detail. Figure 5 maps the principal place-name elements appearing in Western Arden, and the broad contrast between the primary elements of the Avon and Blythe valleys and the secondary elements of the plateau surface is clear. The map emphasises, however, the hiatus in the area of the Western Arden plateau (Figure 2), a hiatus that clearly persisted in 1086, a point that is brought out even more clearly by Figure 6.

These two maps confirm the pattern which might be expected in the light of the more general analysis of settlement in the whole of Warwickshire, namely, the greatest densities appear in the Avon valley with moderate densities fringing this belt to the north. The Blythe-Tame Basin forms a tract of very lightly settled country, while the plateau surfaces appear to have been virtually devoid of permanent settlements of sufficient size to be recorded in the documents.

This distribution will be returned to at a later stage of this essay as the intention in this chapter is merely to establish the general settlement history of Western Arden prior to 1150. With this in mind it is now proposed to outline the main regional divisions of Warwickshire as suggested by Domesday Book. By 1086 it is clear that three principal regions could be recognised within the county, regional divisions which closely reflected the settlement history. The three regions may be detailed as follows:-²⁶

The Feldon of south Warwickshire, a region characterised by relatively intensive settlement, with large numbers of recorded tenants per vill, rich in terms of plough-teams, and, as a result of the relatively intensive early settlement, virtually woodless except for the scarp face of the Rhaetic-Lias Limestone.

The Avon valley of Mid-Warwickshire, where although the overall density of villswas higher than in the Feldon, the number of recorded tenants and teams in eachwas smaller. As might be expected in view of the known long history of occupation this region had no recorded woodland.

The Arden of north-west Warwickshire, where although some settlements did reach a moderate size in terms of

recorded tenants, on the whole, population was very much lower than in the other two regions and the number of recorded plough teams was low. Furthermore, in sharp contrast to the Feldon and Avon valley, Arden in 1086 was still heavily wooded (Figure 17, Inset).

This pattern is clearly explicable in terms of the distribution of Anglo-Saxon primary settlements, for the Avon valley was the focus of the earliest settlements, and from this region colonists first spread southwards to occupy the limestone tract of the Rhaetic-Lias and the heavy clays of the Feldon, and secondly, at a later stage northwards to the forests of the Arden area. Why Arden should have been largely by-passed by the earliest waves of Anglo-Saxon folk is an open question; there is no evidence, for instance, to suggest the survival of a Celtic enclave.²⁷ Two factors would seem to be of relevance, however, first, the area tended to be remote, a watershed zone, well away from the main river valleys, and from the Roman routeways of the Fosse and the Watling Street. It seems likely that the Fosse Way, following the line of the Rhaetic-Lias escarpment, was a powerful factor in encouraging the early settlement of the Feldon, especially when seen in relation to the Jurassic way running parallel but somewhat further south. It is perhaps significant that the earliest penetrations of Arden from the south seems to have been along the Arrow valley, traversed by the Ryknield Street, and so up the Alne valley. Secondly, as Figure 2 shows clearly, the steep southern edge to the Arden plateau when wooded may have presented an initial barrier to movement from the south, while to the north, the marshy conditions prevailing in the lower Blythe and Tame valleys probably made penetration difficult.

The bulk of "Western Arden" lies within the Arden region of 1086, but the southernmost tip of the area being studied lies within the Avon valley. Figure 7 presents the information derived from Domesday Book concerning population and plough-teams. Population was clearly highest in the south, the symbols in the north tending, with some exceptions, to be somewhat smaller in size and less densely concentrated. The central zone of Arden with no recorded settlements stands out particularly clearly, although it is probable that the exceptionally large population recorded at Hampton in Arden was scattered across this tract. It is also clear from Figure 7 that at this date the south, i.e. the Avon valley, possessed a more diverse social structure than Arden, with more serfs and bordars.

The greater development of the south is emphasised by the occurrence of larger numbers of plough teams, and it is significant that in 1086 seigniorial agriculture was but poorly developed in Arden for the demesne plough-teams were in a minority. The distribution of Domesday woodland has been plotted as part of a more complex map (Figure 17) but the inset reveals the importance of woodland in this period, more especially in view of the fact that the central area, containing no recorded settlements, must have still been heavily wooded.

In summary, the picture in Warwickshire prior to 1150 is of the establishment of primary settlements in the Avon valley and those of its tributaries, followed by the spread of secondary settlements from these into the surrounding woodland, especially that of the plateaus of the north-western part of the county. This pattern of development had its origin in prehistoric times and was successively strengthened by Romano-British and

Anglo-Saxon colonists so that by 1086 the regional distinctions that were to persist throughout the Middle Ages had already emerged. These regional differences were the product of the varied settlement history of the three main zones.

There is a regrettable tendency in English scholarship to divorce studies based on Domesday Book from studies of settlement forms and field systems such as those undertaken by continental scholars; indeed the formal study of settlements and field systems is one in which English scholars have until recently been conspicuously absent.²⁸

This is all the more regrettable when it is remembered that "in spite of its defects, Domesday Book tells us more about the human geography of this country in the eleventh century than will ever be known about the condition of any other part of the world at that early period."²⁹

This need has been sharply highlighted by the use in this study of two widely differing classes of evidence, the broad patterns revealed by such documents as Domesday Book, and the microscopic detail revealed by the land charters. The discussion which follows is an attempt firstly, to provide a link that may help to bring these two different classes of evidence together, and secondly, to provide a link between the general evidence of the period before 1150 and the detailed evidence of the late twelfth century and later. Once again the discussion must necessarily be concerned with a wider setting than just Western Arden, for it is only within this framework that the full significance of the more localised developments can be understood.

One of the main problems of historical geography at the present time is the evolution of the open field

system, and in particular the origin of the highly organised regular two-and three-field systems.³⁰ There is no reason for associating the Anglo-Saxons with the highly organised and complex field systems of the later Middle Ages and the post-medieval period.³¹ A series of recent studies on the morphogenesis of the agrarian cultural landscape suggests that the more complex field systems originated in simpler forms consisting merely of strip-plots associated with a small hamlet, as for example the hamlets or "clachans" associated with infield-outfield cultivation in north-west Europe, and Drubbe and Esche settlements in north-west Germany.³² The emergence of more complex forms of common fields is to be linked with the extension of arable land which occurred most often in periods of rising population, and it is in densely populated areas where the fragmentation of holdings and the full development of a pattern of furlongs (Gewannen) was most common. Further factors leading to the morcellation of strip-holdings were inheritance, in particular partible inheritance, and type of plough, for the heavy and cumbersome mould-board plough of Northern Europe tended to encourage cultivation in long narrow strips.³³ Under such influences the comparatively simple hamlets associated with a form of strip-cultivation present in Europe by the sixth century were in turn superseded by true villages and a common field system as new furlongs were added to an ancient core of arable under the pressure of a rising population.

Furthermore, it is important to note that although a field may be divided into strips, it need not be held in common, neither need village lands so divided be subject to a two-or three-field rotation, even though superficially the village arable may be divided into

two or three fields. Conversely, a three-course rotation need not be linked with a regular three-field system, i.e. it may be a free as opposed to a regulated three-course rotation. It is normal to think of a two-or three-course rotation as being regulated, with every villager taking part in the communal activities, and being subject to the various restrictions concerning grazing, harvesting, etc., and it used to be thought that these were of very ancient establishment, but recent work is suggesting that in England, France and Germany these restrictions are nowhere older than the twelfth and thirteenth century, and were everywhere preceded by a free three-course rotation, without restrictions, in which the husbandman was free to choose what crop he would grow.³⁴ The reasons for this change are complex, but a powerful causal factor was undoubtedly the rising population of the early Middle Ages while a unifying factor is probably to be found in the rise of estate agriculture and the emergence of strong seigniorial control.

The three-course rotation was a development of the Mediterranean two-course rotation, and probably passed from France to Germany in the seventh and eighth century, while the complex field systems of the Middle Ages were clearly the product of several centuries development. There is therefore little likelihood that the Anglo-Saxons brought the three-field system to England since it was not then known in their continental homeland. Common rights however may exist even where a field system only takes a very simple form; in particular, the references from Anglo-Saxon documents examined by Gray could well be interpreted as relating to a form resembling the primitive Esche of the North German plain,

the "old hamlet-settlement with permanent infield in open strips" of Uhlig. As Gray clearly states, "Apart from their implications regarding the existence of common arable fields our earliest sources tell us little. No reference to a three field township is vouchsafed, and only twice, in the tenth century, is there probable reference to a two-field township Only with the definite evidence of the twelfth and thirteenth century do we first come upon townships whose arable fields were clearly two or three." ³⁵

In the light of this continental evidence it is reasonable to conclude that the great complex field systems found in Midland England in the middle ages and later had their origins in a more primitive system, consisting initially of one arable field divided into long strips, and associated with a small hamlet. This field was gradually expanded by the addition of other "fields" or arable blocks, which when subdivided and forming part of a more developed field system are termed "furlongs." While the two-field system, and possibly the two-course rotation may have existed before the Norman Conquest on some estates, there are reasons for suggesting that the twelfth and thirteenth centuries saw much reorganisation of both field systems and rotations under the pressures of a sharply rising population and strong seigniorial control. ³⁶

It now remains to focus the discussion more sharply and consider the implications of these trends with reference to what is known of developments within Warwickshire. Is it possible, for example, to suggest the form which the settlements present in 1086 took? This has a direct relevance to the study of Arden in that one can recognise within the Arden landscape of

the period c.1150 to c.1350 certain fossil features which must date from the pre-Norman period, and which can only be understood in the light of the developments being outlined in this chapter. The discussion cannot be carried to a full conclusion at this juncture, but the points raised will be returned to in Chapter 8.

Post-Medieval sources show quite clearly that south Warwickshire was a region of large nucleated villages and associated common fields,³⁷ and the evidence of such documents as the Red Book of Worcester (1299) shows that this type of organisation may reasonably be projected back into the Middle Ages.³⁸ Land charters show that the complex arrangements of furlongs so clearly pictured by maps of the eighteenth and early nineteenth centuries were also a feature of the organisation.³⁹ By comparing data derived from the Hundred Rolls of 1279 with that derived from Domesday Book Harley was able to suggest that by 1086 south Warwickshire had reached near saturation level relative to the technical organisation of medieval agrarian resources, and that population in this region remained static between 1086 and 1279.⁴⁰ In view of the fact that thirteenth century material proves the existence of open, common, fields it is probable that they were already present some two centuries earlier, albeit slightly less extensive and somewhat simpler in structure. While Domesday Book throws no light on the forms it does suggest a high degree of development by 1086, development it may be inferred, taking the form of open common fields which were themselves the product of expansion from simpler systems during the centuries preceding 1086.

The form of settlement associated with these early field systems must remain, however, an open question. The bulk of the evidence for settlement forms in the Feldon and Avon valley is derived from maps of eighteenth and nineteenth

century date, and it is clear from these that while some hamlets were present, the area was dominated by nucleated villages often of a large size. It is improbable, however, that these latter were to be found in 1086; work based on sources of the Tudor period and later suggests that the settlement pattern of the middle ages may well have consisted of a great density of smallish villages and hamlets.⁴¹ No doubt some, at least, of these settlements reached a considerable size prior to the Black Death, but it seems reasonable to postulate that the settlement of south Warwickshire in the early Middle Ages took the form of relatively small hamlet settlements associated with common field cores. These may have been thicker on the ground than the pattern of villages revealed by late source material might suggest. Some of these hamlet patterns survived to be recorded by the early cartographers; for example, in the parish of Burton Dasset, apart from Dasset itself there were three hamlets, Hardwick, Knightcote and North End, together with possibly a "Suthend Derset"; four hamlets are recorded at Tysoe, three or four at Brailes, and two or three at Chesterton.⁴² There are, however, in addition many unitary settlements, i.e. one in which the parish contains a single, usually large, nucleation bearing the parish name. This juxtaposition of two such sharply distinct settlement patterns must raise certain questions, in particular the relationships between the postulated early nuclei to townships, parishes and manors as they are revealed by post-medieval sources, for such a line of enquiry may be expected to throw some light on the co-existence of the "unitary" and what might be termed a "composite" parish, i.e. one composed of several townships, each with its own hamlet settlement, in contrast to the "unitary" parish which

contains but one large nucleation.

A full examination of this problem lies beyond the scope of this essay but a number of points are worth raising briefly in that they help when the evidence from Western Arden is being considered; in particular some discussion of the relationship between township, parish and manor will be valuable.

The basic unit of settlement was the township consisting of a cluster of dwellings with associated fields which together formed a functional whole; the cluster of dwellings may be large enough to be termed a vill, or may be merely a hamlet. The township then can probably be equated with the vill of medieval records. A parish may be defined as a township or a cluster of townships having its own church and clergyman to whom its tithes and ecclesiastical dues were paid.

It is clear that the township was the earlier of the two forms of organisation and may perhaps be equated with the original hamlet postulated earlier in the chapter.⁴³ These basic units were used in the foundation of parishes, occasionally one township being large enough to support a church, in other areas two or more townships were needed. The fundamental ecclesiastical division was, however, the diocese. It was Theodore of Tarsus, archbishop of Canterbury from 668-690, who divided England into dioceses, on the basis of forming a diocese out of either each kingdom, or where that was too large, its tribal divisions. Thus, the division of Warwickshire between the dioceses of Coventry and Lichfield, and Worcester reflects the disposition of the two main tribal groups within the county, the Anglians in the northeast and the Saxon Hwicce in the south-west. It is not without significance

that this boundary cuts across the heart of Western Arden reflecting its location as something of a no-man's-land.⁴⁴

Within each diocese the pastoral work of the church was carried on from churches called "minsters" and as the minster usually owed its foundation to the king, this church was in a royal vill and looked after the royal estate associated with this vill.⁴⁵ Some minster "parishes" covered an enormous area, and almost all of them contained a number of villages and centres of population. There were no boundaries in the modern sense; a minster's "parish" merged into the surrounding forest and waste. In the eighth century, owing to the shortage of priests, village churches were few and far between, but from the ninth century onwards as more churches were established by noble families and monastic foundations the true "parish" church became more and more common, "parish churches" at first serving several townships, but gradually increasing such that it was possible in the more favoured regions for each township unit to possess its own church. There was room for infinite variations, but a particularly significant point is that many of these early churches were constructed by the noble "lord" of a vill to serve his own estates. This meant that parishes, constructed from the basic township units, are also related to landownership patterns, i.e. rural estates, which existed in the pre-Conquest period. The process of church foundation continued until well after the Norman Conquest by which date the rural estate was being termed a "manor".

Kosminsky has shown how complex could be the relationship between vill or township and manor; manors were superimposed anything but symmetrically upon the

township pattern, for example, in 1279 they only coincided in just over 40% of the townships in Stoneleigh and Kineton Hundreds in Warwickshire.⁴⁶ Aston in his paper on the origins of the manor in England argues, on the basis of but little evidence, that the -ingas settlements, representing the earliest phase of Anglo-Saxon colonisation, must originally have been unitary, estate and village, manor and township being one.⁴⁷ It would be fair to argue that many later settlements must have been the same. Discrete estates, estate units covering more than one significant settlement would be formed as an early and inevitable consequence of the expansion of population and settlement, Aston claims that "Expansion of settlement, sales, mortgages, leases and rewards, inheritance and family arrangements, forfeiture, piety, and illegality; these and other factors gave to the estate and village history (during the Anglo-Saxon period) a vitality and movement which could not fail to complicate the relative simplicity of the early estate and ultimately destroy that unity of lordship and settlement upon which it was based."⁴⁸

It is tempting to carry this argument to a logical conclusion and attempt to relate the patterns of settlement found within such an early settled region as south Warwickshire to the known pattern of manors. For example, in 1279 the "village" of Tysoe possessed a particularly complex manorial organisation, for in it there were five manors, each consisting of a number of tenants grouped around a manorial demesne. Of these, one manor was clearly a fragment recently broken off another so that four were probably of ancient foundation. It would be exceedingly interesting to know the relationship between these manors and the four hamlets of Upper, Middle and Lower Tysoe, together with Hardwick

in Tysoe.⁴⁹ The single entry in 1086 may in fact hide many complications, 23 hides and 32 ploughs must surely represent more than one vill?⁵⁰ A likely explanation is that all the manors present in 1086 were still held in demesne by Robert de Stafford and so the four hamlets, each perhaps representing one manor, were grouped under the single heading Tysoe. If, however, some of these manors had been held by sub-tenants in 1086 separate entries would have probably appeared in Domesday Book.

This essay is again not the place to carry these arguments to their logical conclusions; briefly, the author feels that there is a need to attempt to assess the entries in Domesday Book in the light of what is known of the actual pattern of early settlements within given areas. Is it in fact accurate to "re-assemble" the three entries for Chesterton? Are these not better carefully considered in the light of the two or possibly three hamlets known to have existed in the parish in the Middle Ages? Difficulties arise, however, in the case of a parish such as Napton, a unitary parish with only one township recorded in the surviving evidence, but which has three entries in 1086. Has there been a process of settlement agglomeration at some unrecorded date? The possibilities are endless but cannot be discussed in the present context.

It is clear from this discussion that the emergence of township, parish and manor, together with associated settlement and field systems was an extraordinary complex process, and no single generalisation can ever be all embracing or completely satisfactory. In summary, although the Anglo-Saxon period saw the beginnings of the colonisation of Arden, by 1086 the regional characteristics of the area were already firmly established;

population was lower than in the early settled south of Warwickshire, and there was considerably less arable land per unit area. Large areas of woodland and waste still remained to be cleared, and the presence of these reserves was the fundamental characteristic of Arden; it is the colonisation and development of these in the period between 1086 and 1350 that constitutes the theme of this essay.

At this point it is proposed to discuss certain information relating to Arden which cannot conveniently be examined elsewhere and which can best be viewed in the light of the discussion above. No definition of Arden is possible, indeed the nature of Arden must remain somewhat of an enigma, but a series of rather obscure references exist which appear to throw some light on this matter. Undoubtedly the widespread fame of the area is due to its association with William Shakespeare and his setting of "As You Like It." Although the area is popularly known as the "Forest of Arden" it has never in fact been part of any royal forest at any period, and the title "Forest" is one acquired by prescription.

In the Midlands of England distinctive names for such large tracts of woodland as Arden do not appear in the documentary record until after the Norman Conquest, probably because it was only after clearing was fairly advanced that the expanses of woodland became sufficiently defined to merit special names. The name "Arden" probably derives from the Celtic stem "ardu", meaning "high" or "steep" and is appropriate to the high ground which forms the district of Arden.⁵¹ There can be little doubt that the name is identical with that of the Ardennes, the silva Arduenna of Caesar,

To the west and north the woodlands of Arden must have been continued by the royal forests of Feckenham, Kinver, Morfe and Cannock. It is probable, however, that Arden was never closely defined; Camden and Leland, for example, clearly regard it as that part of Warwickshire lying to the north-west of the Avon.⁵²

A number of settlements are specifically described in medieval documents as being "in Arden", Hampton, Stoneleigh, Henley, Coleshill and Morton Bagot in Warwickshire, together with Yardley and possibly Moundsley in King's Norton, Worcestershire.⁵³ All of these places, however, lay on the edge of what can perhaps be considered to be the true core of Arden, namely, those parishes not mentioned in Domesday Book in 1086, Tanworth, Packwood, Knowle, Baddesley Clinton and Wroxall, together with Foshawe in Solihull, the hamlets of Nuthurst and Bushwood, and, although it does appear in 1086, Lapworth (Figure 11).

The earliest known reference to Arden is in a copy made in c.1200 of a charter, purporting to be a document dating to c.1088, in the Cartulary of Abingdon Abbey where a "Turkill de Eardene" appears as party.⁵⁴ There is little doubt that this man is none other than the "Turkil de Warwick" of the Domesday Book. Turchil may have been termed "de Warwick" in 1086 because his father, AElfwine, was the Saxon sheriff of the county, but if he ever succeeded his father he was soon replaced by a Norman sheriff, the landowner Robert d'Oily. Turchil finally adopted the surname "de Arden" and this was continued by his son Siward. In the charter of c.1080 Turchil was referred to as "a certain Englishman, a nobleman amongst them, dwelling in the district of Arden."⁵⁵ It is possible that Turchil's residence may have been at his

largest demesne manor of Curdworth.

Two other references to Arden occur before 1150, the Pipe Roll of 1130 contains the following entry;

"(Gaufridus de Clinton, (Sheriff of Warwickshire) debet XX m. arg. et i. m. auri. ut Rex firmet in cartha Eccle sue de Ardena om̃s res q^as Cõm de Warwic ei dedit ad op⁹ ei⁹ dē Eccle." ⁵⁶

A literal translation of this would appear to run as follows; "Geoffrey de Clinton owes 20 marks of silver and 1 mark of gold, in order that the king will grant in the charter of his church of Arden all those things which the Earl of Warwick gave him for the use of his church."

It is abundantly clear, however, that a literal translation does not adequately translate this passage. The church in question was probably Coleshill church, the deanery church of Arden deanery, and the ancient minster church of Arden sited at a royal vill. This deanery was coincident with the Domesday Hundred of Coleshill, later renamed Hemlingford. The author of the Victoria County History for Warwickshire suggests that Coleshill was passed by the crown to the de Clintons in the reign of Henry I (1100-1135) and it is possible that this entry is connected with this alienation. ^{56a}

The reference to the Earl of Warwick is at first sight puzzling, but the ancient parish of Coleshill is recorded as including the settlements of Lea Marston, Over Whitacre and Nether Whitacre. The earls of Warwick were the overlords of Over Whitacre, so that a grant of "things" by them to the parish church is understandable. ^{56b} In the light of this information it would seem that the Pipe Roll entry implies first, that Coleshill had been granted to the de Clintons by

1130, and secondly, that the king was demanding from de Clinton a "consideration" in return for certain rights or profits which were derived from the advowson of Coleshill church, and had originally been granted to the church by the Earl of Warwick. It has to be admitted that it is by no means fully clear from the entry whose church it in fact was, the King's or de Clinton's. This reference is in fact exceedingly difficult to explain.

The second reference is dated 1148 and appears in the grant of land by Robert, Earl Ferrars to Merevale Abbey in the extreme north of Warwickshire. He endows the monastery with "all my forest of Arden" (totam forestam meam de Ardena) which Sir William Dugdale plausibly translates as his "outwood in that part of the woodland, which then bore the name of Arden."⁵⁷ This is generally considered to be the woodland entered under Grendon in 1086. Once again the significance of this reference is obscure, but there is no good reason for not doing as Dugdale does and simply accepting it at its face value. A declaration of 1154 states that there was then "no forest (i.e. royal forest) in the county of Warwick, nor was any part of the forest of Feckenham in that county."⁵⁸

An important group of references relate directly or indirectly to the "Law of Arden" and it is necessary to cite the most important of these in full for in spite of all that has been written about this the author is by no means convinced that the interpretations are correct, and much depends on the context. In 1221 the following case appeared before the Justices in Eyre in Worcestershire:⁵⁹

"Novel disseisin, whether Suan of Bordesley, etc. (18 other names) have disseised Thomas de Swanshurst of his free tenement in Yardley.

They have all come, and say that the assize ought not to be taken therein because a jury was at one time taken before King John in his eyre at Nottingham between the same men and the king himself and Robert of Ropesley (Lincolnshire) who then had that barony in his hand, so that it was declared by that jury where and within what boundaries they ought to have common. and since Thomas afterwards raised hedges within the common which they recovered by that jury, that is within the perambulated boundaries, they cast down those hedges. And they vouch the court and the rolls to warranty therein that the jury was so taken and that they recovered their seisin.

Thomas says that no jury was ever taken against him. Ralf de Limesi, his lord, says that if the jury were taken it ought not to harm him, because he was under age and in Robert of Ropsley's custody. Moreover, he fully acknowledges that they ought to have common in that pasture, but such is the law in Arden that where there is a great pasture, he whose pasture it is may well make buildings and raise hedges and ditches within that pasture (facere edificia et levare sepes et fossata in pastura), provided it be not in their exit or entry or to their hurt. He fully admits that in accordance with that custom he raised that bank not to their hurt, and he fully admits that the aforesaid jury was taken, and that they ought to have common in that pasture, but they cast down his bank contrary to the custom of that country.

The others say that the bank was in their exit, and that by the aforesaid jury they recovered that common in such a way that he could not set buildings or banks in any part of that common, since those that were then raised were cast down by the aforesaid jury, and therein they vouch the court to warranty.

The case is adjourned to Westminster."

From this confused mass of accusation and counter-accusation the true facts are by no means clear, but the litigants, the injured peasants, seem to be somewhat surer in their presentation than the defendants, and their repeated appeals to the former "jury" would surely be unwise if such a case had not in fact been heard? The plea of the existence of a "law in Arden" cannot in fact be supported by any other references, although three rather ambiguous clauses may throw some light on the problem. Two of these are from the Worcestershire Hundred Rolls of 1276:

"'Item Bartholomus de Sulleys fecit de novo quoddam cunicularum in bosco de Mandeveley (possibly Moundsley Wood in King's Norton) qui fuit libera ardena tempore Rex Henrici primis domini Rex nunc sine war'.'

Bartholomew de Sulley made a new rabbit warren in Moundesley Wood which lay in free arden in the time of Henry I without licence." ⁶⁰

"'Item dominus Willelmus de Bello Campo fecit quamdam warennam in libera ardena apud Yerdeleg Yardley, Worcestershire) sine war'.'

Sir William de Beauchamp made a certain warren in free arden at Yardley without licence." ⁶⁰

Finally, in the Calendar of Charter Rolls in 1238 there is a "Grant to the Abbot of Bordesley (Bordesley,

Worcestershire) and the monks there, that they may have their closes within the Forest of Feckenham and those, which were made with a dike and hedge at Michaelmas 21 Henry III (1237), in the state which John Biset, justice of the forest, admeasured them, saving the close about the abbey, provided that the king's beasts of the chase shall have everywhere free entry and exit, and that on the side of the enclosures towards Arden, the height shall be such that the beasts of the chase can escape towards liberty (versus liberatam); and if the monks shall make or repair their enclosures in violition of this the justice of the forest shall amend them." ⁶¹

These references are particularly frustrating, superficially they seem to tell one so much, and yet in practice they permit no satisfactory hypothesis concerning their significance to be constructed. They are, it has to be admitted, almost an embarrassment in their intractability. To theorise on the basis of such information would be fruitless and unwarranted, but at this stage of the argument two points can be made: first, the area known as Arden was clearly not royal forest, the Bordesley charter makes this obvious; secondly, Arden was recognised as being distinctly free of anything resembling forest laws, and beasts moving into Arden passed from forest jurisdiction. Is this in fact the significance of "free Arden", the area lay outside royal forest? A decision must be deferred until certain other facts have been examined.

The "law in Arden" remains as elusive as ever: it is clear from evidence to be discussed in Chapter 3 that from 1150 onwards lords were in fact granting land to freeholders who established enclosed severalties, but occasionally this right was challenged, and the fact that it was frequently done without hinderance may be

no more than a reflection of the relative super-abundance of waste in the late twelfth and early thirteenth centuries. On the other hand, a body of customary law may well have existed; for instance, two widely separated charter references do hint at the presence of customary measures within Arden. One, from Solihull and dating to c.1200, records the grant of "two furlongs by the great measure of Arden" in Widney, while the other from Chilvers Coton, on the Eastern Arden plateau, records the grant of "four acres of land according to the measure of Arden, lying upon the moor of Chelverdescote," and probably dates from the early thirteenth century.⁶² Once again, however, it is impossible to attempt to generalise from these few disjointed references.

The term Arden, however, does appear in another context, in 1270 there was a reference to the "deanery of Arden" (decani de Ardena) appearing in the Cartulary of Burton Abbey (Staffordshire)⁶³ and in 1291 the Taxatio Ecclesiastica indicates that this lay in the north-west of the county and, significantly, was co-extensive with the ancient hundred of Coleshill.⁶⁴

This introduces a class of evidence which it is particularly difficult to use and assess, namely, the ancient divisions of the Arden area. The problem will be examined more fully in Chapter 2, but a beginning can be made at this point. The significance of the deanery is best approached by considering first of all the progress of missionary activity within the Midlands. After the death of Penda, king of Mercia, in A.D.655 heathenism gradually disappeared from his kingdom, although much of the missionary work took place after 669 when Chad became bishop.⁶⁵ The unwieldy size of the original Mercian diocese speedily led to its

subdivision on the basis of tribal limits; the south-western part of the county, the tribal territory of the Hwiccas became part of Worcester diocese, while the remainder became part of a Middle Anglian diocese focussing on Lichfield, the partition taking place in 680. By 1291 the two dioceses of which Warwickshire was part had been further subdivided into rural deaneries, rural deaneries that were clearly based on the hundredal divisions of the county present in 1086.

Reference has been made already in this chapter to the "minster" churches of Anglo-Saxon England, and Medd has argued that prior to the division of the kingdoms into true parishes there existed what he terms a "minster system".⁶⁵ The earliest churches he contends were established by bishops such as St. Chad at first in royal vills, since the bishops were virtually royal chaplains and often accompanied the king on his peripatetic wanderings. These churches became the mother churches of ecclesiastical areas co-terminous with the local government territory associated with the royal "tun", and many of these ancient units became hundreds and possibly decanates. As the evangelising process continued priests would be established in other smaller centres, often a difficult process, later termed parishes, frequently focussing on a simple wooden preaching cross. As has been demonstrated already, this process is impossible to disassociate from the spread of settlement and the increase of seigniorial power, so that the resulting patterns are exceedingly complex.

If the Warwickshire evidence is examined with these generalisations in mind the parallels are striking;⁶⁷ of the six rural deaneries within the county all are

closely related to the pattern of hundreds. 68 Three, Stoneleigh, Kineton and Arden were clearly linked with royal vills, Stoneleigh, Kineton and Coleshill, while Warwick deanery was surely associated with the shire town fortified by Aethelflaeda in 914. Coventry deanery must have focussed on the Cathedral Priory, while Marton, the obvious focus of Marton deanery, was in 1086 in the hands of the Count of Meulan. The reference of 1130 to "my church of Arden" must surely refer to the deanery church of Coleshill, the mother church of what was to become Arden deanery. It is curious that in 1086 the hundred was not called Arden hundred, but it is possible that the King's officers thought that the term was too vague.

While the general course of settlement within the county is firmly established it is very clear from the discussions in this chapter that much work remains to be done, particularly in the field of early administrative divisions and the relationship between these and settlement history. Domesday Book proves beyond doubt, however, that not only had the principal regional divisions of the county been established by 1086, but that Western Arden itself could be divided into three sections (Figures 7 and 17); in the south, associated with the Avon and Alne valleys, where settlement and population densities were in accord with the south of the county, and where the woodland had already been substantially reduced; in the north, focussing on the Blythe valley, was a partially developed zone with scattered settlements surrounded by much woodland; finally, in between these two zones lay an area the fringes of which were partially settled, but whose centre probably still consisted of thick woodland,

This was the core of the Forest of Arden.

The material relating to the nature of Arden and customary law within the area is too disjointed and ambiguous to permit a coherent picture to be formed at this stage, but attempt will be made in the conclusion of the next chapter to draw some of this evidence together, and present it within the context of developments within the county as a whole. All that can reasonably be stated at this point is that by the late twelfth century Arden was without doubt something more than a vague place-name referring to a tract of woodland.

Footnotes.

- (1) E.E. Power, "Peasant Life and Rural Conditions, 1100-1500," in Cambridge Medieval History, Vol. VII, (1932), pp. 716-719.
- (2) The principal reference concerning the physiography of the Arden area is the section by G.T. Warwick, "Relief and Physiographic Regions," in Birmingham and its Regional Setting, British Association for the Advancement of Science, (1950), pp. 3-14.
The East Warwickshire plateau as defined by Warwick is termed the Eastern Arden plateau in this essay on the grounds that it does not lie in east Warwickshire but in north-central Warwickshire. As the term Western Arden plateau seems a reasonable way of describing what Warwick called the Solihull plateau, Eastern Arden is a concise description for the upland so designated. Apart from these two changes the terminology adopted by Warwick in 1950 has been followed. C. Lapworth, "The Birmingham County: Its Geology and Physiography", British Association for the Advancement of Science, (1913), p. 551 f. is still a valuable account of the area. See also A.W. McPherson, Warwickshire, (Land Utilisation Survey, 1946), pp. 657-674.
- (3) In addition to the references cited in the footnote above, the following sources have been used in this section:
C. Lapworth, "The Geology of the Birmingham District", Proceedings of the Geologists Association (1898) pp. 313-416.

F.H. Edmunds and K.P. Oakley, "The Central England District," British Regional Geology (1947).

L.J. Wills, "Geology", in Birmingham and its Regional Setting, British Association (1950), especially pp. 28-36.

The following papers are also essential:

C.A. Mateley, "The Upper Keuper (Arden) Sandstone Group, etc. of Warwickshire," Quarterly Journal of the Geological Society, Vol. 68 (1912), p. 252.

F.W. Shotton, "The Geology of the Country around Kenilworth", Q.J.G.S., Vol. 85, (1929) p. 217.

M.E. Tomlinson, "The River Terraces of the Lower Valley of the Warwickshire Avon", Q.J.G.S. Vol. 81 (1925) p. 137.

M.E. Tomlinson, "The Superficial Deposits of the Country north of Stratford upon Avon", Q.J.G.S. Vol. 91 (1935), p. 423.

The section by G.T. Warwick entitled "Geomorphology", in Birmingham and its Regional Setting, British Association (1950) pp. 37-46, is also valuable.

- (4) Vide P.E. Martineau, Solihull Field Sheets (6" to one mile) deposited in the Department of Geography, University of Birmingham, where a number of examples can be detected.
- (5) A case concerning turbary on Totlesmoss (Shirley) Heath occurs in the court roll for Markspath, 24 Sept. 1335, Archer Collection, Stratford upon Avon. The knowledge of the peat at Finwood was acquired from local farmers.
- (6) P.B. Brodie, "Drift in part of Warwickshire", Q.J.G.S. (1867), p. 209.
- (7) J.B. Harley, Population and Land Utilisation, 1086 - 1300, pp. 17.

- (8) H. Thorpe, "The Growth of Settlement before the Norman Conquest", Birmingham and its Regional Setting, British Association (1950) pp. 87-112.
- (9) These photographs have been largely taken by private enterprise, and no reference is possible. It is probable that the Department of Geography, History and Archaeology at Birmingham University will be an adequate reference for a number of years. At the time of writing the author is aware of a number of photographs and maps in the possession of Professor H. Thorpe of the Department of Geography and Dr. G. Webster of the Department of Extra-Mural Studies.
- An account of comparable discoveries on the gravels of the Welland valley is to be found in the booklet A Matter of Time, (H.M.S.O. (1960))
- (10) Council for British Archaeology (Group 8), West Midlands Archaeological News Sheet, No. 5 (1962), pp. 2-3, where the addresses of A. Baker and J. Pickering are also cited.
- (11) It is impossible to summarise briefly the nature of ridge and furrow ploughing. Readers are referred to a Ph.D. thesis (in progress 1965) by Mr. D.J. Pannett, University of Birmingham. Briefly, much of the ridge and furrow characterised by ridges of over 6 yards width and a reversed-S curve is likely to have its ultimate origin in the Middle Ages.
- (12) The salient articles are:
 G.R.J. Jones, "Early Territorial Organisation in England and Wales," Geografiska Annaler, Vol. 43 (1961), Nos. 1-2, pp. 174-189.

- G.R.J. Jones, "The Pattern of Settlement on the Welsh Border", Agricultural History Review, Vol. VIII (1960), pp. 66-81.
- G.R.J. Jones, "Settlement Patterns in Anglo-Saxon England", Antiquity, Vol. XXXV (1961), pp. 221-232.
- (13) The best short account of the British Iron Age is to be found in:
A.L.F. Rivet, Town and Country in Roman Britain, (1958), Chapter 2, "The Celtic Background". See especially pages 37-46 where hill-forts are discussed.
- (14) A.L.F. Rivet, op.cit. p. 42.
- (15) H. Thorpe, op.cit. Figure 19.
- (16) I.e. Caves Inn, Shawell (G.R. 42/535795, Tripontium); Mancetter (42/328969, Manduessedum); High Cross (42/473887, Venonae); and Wall (43/101065, Letocetum).
- (17) H. Thorpe, op.cit., pp. 99-100, Figure 19.
- (18) H. Thorpe, op.cit. contains a valuable and basic summary of these movements, pp. 100-112, and this has been used throughout the section.
- (19) G.N. Garmonsway, The Anglo Saxon Chronicle (1953), sub anno 628.
- (20) G.N. Garmonsway, ibid.
- (21) W.G. Hoskins, "The Westward Expansion of Wessex", Department of English Local History (Leicester) Occasional Papers, No. 15.
- (22) G.N. Garmonsway, op.cit.
- (23) H.P.R. Finberg, "Roman and Saxon Withington", Department of English Local History (Leicester) Occasional Papers, No. 8, p. 31. Sections 10 and 11, pp. 29-40 are also of relevance to the discussion.

- (24) The most useful summary of this is to be found in H. Thorpe op.cit, but E.T. Leeds, A Corpus of Early Anglo-Saxon Great Square-Headed Brooches (1949) has been used to check the original material. The author is indebted to Mr. D. Whitehouse for certain valuable comments on this material.
- (25) J.E.B. Glover, A Mower and F.M. Stenton, The Place-Names of Warwickshire (1936), Introduction and Maps. See also A.H. Smith, English Place Name Elements, 2 vols. (1956) under the specific elements mentioned.
- (26) Two accounts of the Domesday Geography of Warwickshire appear in print, both by R.H. Kinvig: "The Birmingham District in Domesday Times", in Birmingham and its Regional Setting, British Association (1950), pp. 113-134. "Warwickshire" in The Domesday Geography of Midland England, eds. H.C. Darby and I.B. Terrett (1954) pp. 270-308. Both of these accounts have been used in the present thesis, and it is from these that the summary is derived.
- (27) The number of Celtic place-names within the county is in fact very small and such as are present are widely scattered. ^{Warwickshire} P.N.D. Intro. p. XX.
- (28) In this context the small English contribution to the Vadstena Conference symposium on "The Morphogenesis of the Agrarian Cultural Landscape", may be noted (Geografiska Annaler, Vol. 43 (1961), Parts 1 and 2). One of the more notable

English contributions to this field is H. Thorpe's "The Green Villages of County Durham", Transactions of the Institute of British Geographers, No. 15 (1951), pp. 155-180. There is nothing in English comparable to S. Helmfrid "Ostergotland, Vastanstang", Studien uber die Altere Agrarlandschaft und ihre Genese." Geografiska Annaler, Vol. 44 (1962), pp. 1-277.

- (29) R. Lennard, Rural England, 1086-1135 (1959) p. 4.
- (30) E.M. Yates, Review of "The Morphogenesis of the Agrarian Cultural Landscape", Geographical Journal, Vol. 129 (1963), Part 1, p. 105.
- (31) A discussion of this point is to be found in H.R. Loyn, Anglo-Saxon England and the Norman Conquest (1962), pp. 150-163.
- (32) Vide S. Helmfrid, ed. "The Morphogenesis of the Agrarian Cultural Landscape", Geografiska Annaler, Vol. 43 (1961), Parts 1-2, especially the article by H. Uhlig, "Old Hamlets with Infield and Outfield Systems in Western and Central Europe", pp. 285-312. A review of this publication by E.M. Yates has been cited above in footnote 30. To this may be added a review by J. Thirsk in The Agricultural History Review, Vol. XI (1963), pp. 62-3.

- (33) An interesting discussion of this topic is to be found in Lynn White, Jr., Medieval Technology and Social Change (1962), pp. 39-78, while a particularly valuable discussion of the European material relating to agricultural systems, ploughs and shape of plot together with rotations is to be found in B.H. Slicher van Bath, The Agrarian History of Western Europe, A.D. 500-1850, Part II, Chapter 3.
- (34) B.H. Slicher van Bath, ibid, p. 61.
- (35) H.L. Gray, English Field Systems (Reprint 1959). p. 62.
- (36) H.L. Gray, ibid, pp. 50-62, and pp. 79-80.
B.H. Slicher van Bath, op.cit. p. 61.
- (37) This is particularly clear from the work of D.J. Pannett who has worked systematically through all the manuscript maps available for Warwickshire and has produced a summary map showing villages and field systems in c.1700. This map is an inestimable help in reconstructing conditions in the Middle Ages, and it is on a section of this map that part of Figure 40 is based.
- (38) M. Hollings, ed., "The Red Book of Worcester", Worcester Historical Society (1934-50). The description of the demesne lands of Hampton on Avon

may be cited (p. 263):

Terra. Et habet in dominico ccciii^{xx} viii acras
et dimidiam terre arabilis. Et dividitur
dominicum in duos campos quorum unus vocatur
Overefeld et alter vocatur Netherfeld.

- (39) Archer Collection, Stratford upon Avon, Miscellaneous charters; Avon Dasset 3 October, 1310. In this charter 7 acres of arable land are transferred, $3\frac{1}{2}$ in Eastfield, $3\frac{1}{2}$ in Westfield, each separate parcel being minutely described, and located within the fields.

The hamlet of Crimscote in the parish of Whitchurch still had open fields in 1844 when these were superbly shown on the Tithe Map Warwick C.R.O. CR 569/261. See also Warwick C.R.O. CR. 539/bn.28.

- (40) J.B. Harley, Population and Land Utilisation, 1086 - 1300, pp. 87 - 88.
- (41) Mr. D.J. Pannett has compiled a map of part of the Feldon plotting all known settlements, i.e. settlements surviving today, and deserted villages visible on air photos. The resulting settlement pattern was remarkably even, with settlements every one or two miles. While work has still to be done on the size of these in the Middle Ages

the author is of the opinion that large villages were probably a rarity.

(42) P.N.D. Warwickshire, pp. 268-9; 284-285; 276-278; 251.

(43) Vide H. Cam, "The Community of the Vill", in Medieval Studies presented to Rose Graham (), p. 1. "The township was an entity both older and longer lived than the lordship, and even in the heyday of feudalsim, the township, the villata, the community of the vill imposes itself on our attention - not only as an indispensable unit in the governmental system but also, in many parts of the country, as a community conscious and active in its own right".

(44) P.N.D. Warwickshire, Introduction, pp. xiv-xviii. G.W.O. Addleshawe in "The Beginnings of the Parochial System" and "The Development of the Parochial System from Charlemagne (768-814) to Urban II (1088-1099)", St. Anthony's Hall Publications (York) Nos. 3 and 6, discusses parochial origins.

(45) The minster system is to some extent discussed by G.W.O. Addleshawe (note 44 above). See also P.G. Medd, "The Old Minster System in Early England",

Church Quarterly Review, (Jan-March, 1962), pp. 14-28,
and P.G. Medd "Rood and Stow - The Cross and the
Holy Place as factors in Anglo-Saxon Parochial
Evangelization", Church Quarterly Review (April-
June 1962), pp. 151-166.

These two articles are particularly valuable
introductions to the problems of minster and
parochial origins, and both contain maps.

- (46) Vide E.A. Kosminsky, "Studies", pp. 73-75.
J.B. Harley, Population and Land Utilisation,
1086-1300, pp. 191 - 195.
- (47) Vide T.H. Aston, "The Origins of the Manor in
England", Transactions of the Royal Historical
Society, 5th series, Vol. 8 (1958), p. 75.
- (48) T.H. Aston, ibid. p. 77.
- (49) One of the hamlets, Lower Tysoe, was formerly
known as Temple Tyshoe and was clearly associated
with a manor held by the Knights Templar in the
parish. Vide P.N.D. Warwickshire, pp. 284-5.
- (50) Domesday Book, fo. 2426.
Vide F.W. Maitland, Domesday Book and Beyond (1897)
pp. 32-40, where this difficult point is discussed.
He goes as far as stating (p. 40¹², note 2¹) that
"when more than five and twenty team-lands or

thereabouts are ascribed to a single place, we shall generally find reason to believe that what is being described is not a single vill."

Brailes may be cited as an example of this (fo. 238a) for of the 46 hides and 60 ploughs listed some at least, in addition to the woodland, probably lay at Tanworth, while the remainder may well have been distributed between Upper Brailes, Lower Brailes, Winderton and Chelmscote. (P.N.D. Warwickshire, pp. 276-7.).

- (51) P.N.D. Warwickshire, pp. 11-12.
- (52) Leland's views are commented on by R.A. Pelham, in "The Growth of Settlement and Industry, c.1100-c.1700" Birmingham and its Regional Setting, British Association (1950) pp. 144-145 where the edition of his Itinerary by L. Toulmin Smith is cited. He was describing the situation in c.1540. Camden wrote in the late sixteenth century and his comments on the division of Warwickshire are printed in V.C.H. Warwickshire, Vol. II, p. 269.
- (53) P.N.D. Warwickshire, p. 11, where the date of the earliest reference is given as follows:

Hampton in Arden t.Hy.1.

Yardley "in Arden" (Wo.) 1221

Stoneleigh 1259

Henley in Arden 1343

Coleshill	1394
Morton Bagot	1280
Moundesley	1275 *

* See footnote 60 below.

- (54) J. Stevenson, Chronicon Monasterii de Abingdon
(Rolls Series, Vol. 2, 1858), Vol. 2, pp. 8 & 21.
- (55) V.C.H. Warwickshire, Vol. II, pp. 276-277, Note 1,
p. 276.
- (56) J. Hunter, Magnus Rotulus Scaccarii de anno 31^o
Henrici I, (Record Commission, 1833), p. 105.
- (56a) V.C.H. Warwickshire, Vol. IV, p. 50.
- (56b) V.C.H. Warwickshire, Vol. IV, pp. 56 & 256.
- (57) W. Dugdale, Monasticon Anglicanum, ed. Caley, J.
Ellis, H. and Bandinel, B. (1846), Vol. V, pp. 481-2.
- (58) V.C.H. Warwickshire, Vol. II, p. 289.
- (59) Rolls of the Justices in Eyre for Lincolnshire
(1218-19) and Worcestershire (1221), Seldon Society,
Vol. 53, p. 448.
- (60) W. Illingworth and J. Caley, Rotuli Hundredorum,
Vol. II, pp. 284b and 285a.
- (61) Calendar of Charter Rolls, Vol. I, p. 236.
- (62) Archer Collection, Stratford upon Avon, Solihull
charters, D.1. Ely. Henry III, c.1230. (Gift;

Philip de Cumtuna to William de Parles).

Newdigate Collection, Warwick, C.R.O. 136, Box c13,
Deed C.719,; No date.

In the City of Coventry Archives (Estate Plans,
Private, No. 5) is a "Plot of Coventrie Little
Park" by Richard Bankes dated January 28th, 1639.

On the map is the following information:

"This Park Contayneth after Forrest Measure 11ac.
0 rod. 12 poles - 1 Pole = 24 feet. And it
Contayneth after Wood Measure - 19ac. 2 rod. 31
poles - 1 Pole = 18 feet.

And it Contayneth after land measure 16 foote and
a half to the pole 23ac. 1 rod 0 poles."

I am indebted to Mr. D.J. Pannett for drawing my
attention to this.

- (63) P.N.D. Warwickshire, p. 11.
- (64) S. Ayscough and J. Caley, Taxatio Ecclesiastica
Record Commission (1802).
- (65) V.C.H. Warwickshire, Vol. II, pp. 1-2.
- (66) P.G. Medd, op.cit, footnote 45.
- (67) Vide V.C.H. Warwickshire, Vol. II, p. 50, where
a map of the rural deaneries is given based on
the Valor Ecclesiasticus of 1535.

(68) The link is not as direct as the examples cited might indicate, in particular with the sole exception of Arden, Coventry and Morton which appears to have been virtually the Domesday Hundreds of Coleshill, Brinklow and Marton, the hundreds of 1086 were regrouped to form the rural deaneries; thus Kineton Deanery was made up of the Domesday Hundreds of Barcheston, Tremlau, and parts of Fexhole and Pathlow; Stoneleigh Deanery was made up of Stoneleigh and Honesberie Hundreds; Warwick Deanery was made up of Fenecumbe Hundred, together with parts of Pathlow and Fexhole Hundred. These administrative boundaries would well repay detailed study and mapping as the minor changes may well be of considerable significance to the deeper understanding of the general patterns. Some account of the hundreds of Warwickshire is to be found in the relevant volumes of the Victoria County History.

Chapter 2

TOWNSHIP, PARISH AND MANOR IN WESTERN ARDEN.

It is clear from Chapter 1 that one of the more difficult problems of the historical geography of the Middle Ages concerns the relationship between the three units of organisation and administration, the township, the parish and the manor. One school of thought has tended to regard the manor as a feature superimposed from above upon the pre-existing pattern of townships or vills,¹ but Aston has recently pointed out that the origins of both the township and the manor may well lie in a very remote period.² The brief analysis of the Warwickshire evidence in the preceding chapter, limited in scope as it was, certainly points to a conclusion that is in accord with Aston's viewpoint, while still recognising that the manor is in fact, in many areas, a purely^a concept superimposed upon reality. It is now necessary to examine in more detail the pattern of administrative units within Western Arden, once again viewing them within the wider context of the county where this is necessary. Of the three patterns, township, parish and manor, only that of the parishes can be ascertained with any certainty.

Kosminsky has shown that in many areas the manors were superimposed anything but symmetrically upon the pattern of townships,³ and although in this sense the manor was an artificial or superimposed unit it was the legal framework within which the lord exercised his control of the cultivators of the soil. By the late thirteenth century the manor was a very real and important unit of production, especially in those areas where the pattern of manors conformed to a large degree with the pattern

of vills, and hence the township was subordinated to the manorial administration more than in areas where the manor tended to be purely a legal entity, not coinciding with the township. The manor is particularly important in that it provides the mirror through which medieval life is seen since the manor both produced and preserved the records upon which the historian and historical geographer depend. For this reason the pattern of manors in Western Arden will be briefly examined first of all.

Chapter 1 showed that by 1086 settlements had been established in all but the central portion of Western Arden, and these are described in the Domesday Book as a series of separate manorial estates. Figure 8 shows the distribution of these and by using parish boundaries attempts to show also the pattern of landownership.⁴ This is difficult to justify objectively, but in the writer's experience parish boundaries in Western Arden do tend to coincide with landownership boundaries, particularly when the estates of overlords are being considered. It is, as will be shown, possible that the area was divided up amongst landowners before ecclesiastical parishes were created, so that the boundaries of these tend to follow property boundaries.⁵ Figure 8 undoubtedly has many weaknesses but, nevertheless, it does permit a number of conclusions to be drawn.

Within Western Arden there are forty parishes and in 1086 eight of these parishes, forming a compact block of country on the plateau surface between Foshawe in Solihull and Berkswell, did not appear in Domesday Book. Of the remainder, Figure 8 shows that one (Wootton Wawen), contained six manors, one four, two had three, four had two, and the remaining 24 one manor each. In all some 48 manors were listed in 1086 and of these some 60% (29) were held by the overlord in demesne, some 52.5% of the

northern group and 65% of the southern (Figure 8).

The landownership pattern was dominated by four principal landowners, all it may be noted having extensive estates outside Arden; Turchill de Warwick, the Count of Meulan, Robert de Stafford and Hugh de Grantesmaison. As Harley has shown, the Count of Meulan was holding in Warwickshire a higher proportion of manors in demesne that was Turchill de Warwick,⁶ and this accounts for the variation in the importance of demesne manors between the north and south of Arden noted above. It is of some significance to note that of all the landowners holding land in Arden only one, Turchill, had the majority of his demesne manors in this area; no less than three of his four demesne manors, Bickenhill, Curdworth and Minworth lay in the north-west of the county. The early charter reference to Turchill has already been discussed in Chapter 1 and this emphasises his close links with Arden.

In 1086 ecclesiastical influence in Western Arden, as Figure 8 (Inset) shows, was limited to two manors within Fillongley, one township in the south-east, Beausale, together with Hampton on Avon in the Avon valley. It is a general rule that the old established Benedictine houses did not own large estates within frontier areas,⁷ and Hampton on Avon was granted to the Bishop of Worcester as early as 781 by Offa, King of Mercia.⁸ Beausale on the other hand was in ecclesiastical hands as the result of the Conquest for although it had formerly been held by Edwin the sheriff, in 1086 it was held by the Bishop of Bayeux.

Figure 10 is an attempt to summarise landownership in Western Arden in the early fourteenth century. The most striking feature of the map is the great multiplication of manors in the centuries between 1086 and c.1350, but none the less remarkable is the comparative stability of

the pattern of overlordship within the area. The estates of Turchill de Warwick and the Count of Meulan were, shortly after 1086, combined to create the Earldom of Warwick, which in the early fourteenth century formed the dominant element in the landownership pattern, more important in fact than Figure 10 suggests, for no less than 55% of the Earl's demesne manors lay in Western Arden.⁹ The area of the two fees of 1086 had been added to by the acquisition of the great manor of Tanworth which was probably included in the grant of Brailes by the king to Henry de Newburg, Earl of Warwick, prior to 1130, while in addition to Tanworth, the Earldom acquired Ullenhall from the de Staffords.

With this sole exception the de Stafford manors in Western Arden survived from 1086 to 1350 with no change. Other changes in the pattern of overlordship tended to be slight; the Limesi Barony expanded its control over lands in Solihull and Maxstoke, while the ancient royal manor of Coleshill was granted to the de Clintons, sheriffs of Warwickshire. The most notable change in the pattern of overlordship between 1086 and c.1350 was the break up of the holding of Hugh de Grantesmaison.

In a consideration of landownership patterns within the whole of early medieval Warwickshire Harley concluded that the period 1086-1350 saw the devolution and fragmentation of the secular estates, the Earldom of Warwick being the sole exception to this general trend.¹⁰ This was the result of the normal process of subinfeudation, the granting of fiefs by an overlord to mesne tenants, a point to be discussed fully in Chapter 3. Figures 8 and 10 show clearly that this was happening in Arden; for instance, of the 108 manors shown on Figure 10, only 13% (14) were the demesne manors of overlords as compared with 60% (29)

of the 48 manors in 1086. A second conclusion by Harley was concerned with the stability and expansion of the ecclesiastical estates in the county. Although this trend was perhaps less strong in Western Arden than elsewhere a marked spread of ecclesiastical influence nevertheless took place (Figure 10, Inset), and it is possible to recognise two facets of this expansion: first, the acquisition of property in Western Arden by ecclesiastical bodies whose centres lay outside the area, indeed often outside the county. For instance, the Knights Templar were granted lands in Barston and Balsall by the de Mowbrays, Westminster Abbey acquired Knowle, Reading Abbey Rowington, while Packwood was granted to Coventry Priory. Secondly, property was acquired, generally on a small scale, by indigenous communities such as Henwood, Wroxall, Pinley and Maxtoke, a trend again to be examined more fully in Chapter 3. These ecclesiastical lands in c.1350 formed a compact block in the eastern part of Western Arden and were largely composed of properties either not mentioned in 1086, or manors which at that date were in only a very backward stage of development (Figure 10, Inset).

To the cultivators of the soil the immediate lord was of more direct significance than a distant overlord, hence Figure 10 also attempts to show the various levels of subinfeudation, and indicates the intricate and fragmented pattern of tenures and sub-tenures which had developed between 1086 and c.1350. This fragmentation constitutes the most marked and important change in land-ownership patterns in the period being studied.

The assumption made at the beginning of this chapter was that landownership, i.e. the manor, was co-extensive with the parish, and although in theory manor, township

and parish could be quite distinct, in practice it is frequently difficult to distinguish between the boundaries of these three organisations. This is likely to be a more valid generalisation, however, in the case of an overlord than at the lower rungs of the feudal ladder, where ownership must frequently have overlapped parish and township boundaries. Certainly, there is no reason for believing that Figure 10, using parish boundaries, does not provide an essentially valid picture of the patterns of overlordship within Western Arden. A parish is normally defined as a township or cluster of townships having its own church and priest, to whom its tithes and ecclesiastical dues are paid while a township is a local division or district containing a village^{or hamlet}, usually having its own church. More particularly, a township is a small nucleation having a field system that is distinct from the surrounding systems. Nevertheless, it is doubtful, if any rigid definition could be adhered to; for example, the parish of Bickenhill, in Western Arden, originally contained five separate small nucleations and five field systems, but only one had a church, and all five were in fact separate manors. ¹¹

Parish boundaries are in practice very ancient and significant features and are worthy of close examination. If the parish boundaries of Warwickshire as a whole are studied, Arden stands out clearly as an arc of rather larger units in the north-west of the county, Solihull, Tanworth, Knowle, Balsall, Berkswell, Meriden and Fillongley in Western Arden, together with Allesley, Stoneleigh, and Kenilworth in Eastern Arden. ¹² Other isolated, somewhat larger, units appear, Nuneaton and Chilvers Coton, Aston and Sutton Coldfield for instance, and a superficial examination strongly suggests that

these larger parish units occupy the zone of late colonisation.¹³ The position is in practice considerably complicated by the existence of certain other evidence which for the purposes of discussion can be divided into two groups, hundredal relationships, and "super-parishes".

Hundredal Relationships.

It has long been recognised that certain parishes within Arden were related in some way to parishes in south Warwickshire and hence fell into the same hundred. For example, in 1315 Tanworth was described as being a hamlet of Brailes, which parish was a member of Kineton Hundred in south Warwickshire.¹⁴ Although Tanworth was a separate parish as early as 1202 it has always been accounted part of Kineton Hundred, a reflection of the earlier relationship with Brailes. Similarly, Packwood and Lapworth also form detached portions of Kineton and it is reasonable to search for comparable relationships. In 1279 Packwood was described as belonging to the Prior of Coventry and being a member of Wasperton, a parish in Kineton Hundred.¹⁵ Unfortunately, no comparable relationship can be established for Lapworth, but the name itself means "a detached portion" and appears as "Hlappawurthin" in a charter of 816, when it was mentioned in association with Hallow in Worcestershire,¹⁶ and was one of a scattered group of estates granted by Coenwulf, king of the Mercians, to Deneberht, Bishop of Worcester. Kingswood in Lapworth, however, was attached in 1279 to the distant manor of Wellesbourne Mountfort, a member of Kineton Hundred, itself a berewick of Kineton, and a royal vill in 1086.¹⁷

Other examples of an Arden parish developing from the detached hamlet of a parish in the south of Warwickshire

can be cited; for example, a charter of 1001 relating to Long Itchington refers to Arley as belonging to that manor, and Arley appears later as a detached portion of the hundred within which Long Itchington lies, namely Marton Hundred.¹⁸ Bushwood (Figure 11) associated with the manor of Old Stratford, was the outwood of this manor, and hence was later part of Barlichwey Hundred,¹⁹ while Nuthurst, a detached portion of Coleshill or Hemlingford Hundred (Figure 11), was referred to in 1230 as a hamlet of Hampton in Arden.²⁰ However, in c.705 it was the woodland "aet Hnuthyrste" associated with Shottery in Old Stratford.²¹ Similarly, the large parish of Wootton Wawen was a detached portion of the Hundred of Pathlow, but no definite link with a parish in the southern part of this hundred is known.²² Wootton was first mentioned when Aethelbald, King of the Mercians, gave to Earl Aethilric twenty hides of land for a minster between the years 723 and 737, "land in the district called Stoppingas near to a river called Aeluuinnae (Alne)."²³

Dugdale argued, correctly, that the woodland mentioned at Brailes in 1086 in fact lay at Tanworth, and the same argument can be applied to Wasperton. It is possible that a detailed examination of landownership patterns within the county in 1086 would throw further light on these detached portions of hundreds, for it is clear from the examples cited above that these were originally detached portions of estates. In particular, such Anglo-Saxon estates as can be reconstructed, on the basis of former owners mentioned in Domesday Book, strongly suggests that it was not uncommon for a landowner to have the bulk of his estates in the south of the county while possessing one or two woodland manors to the north. In view of the evidence of hundredal

pattern cited above, this can hardly be accidental. One example of this must suffice, prior to 1086 Lapworth was held by Baldwin's son of Herlwine, who held in addition, Butler's Marston, Pillerton Hersey, Tachbrook Mallery, and Easington in the south of Warwickshire, Billesley in the Arrow valley, Thurlaston on Dunsmore Heath, and in Arden Whitacre, Rowington and Lapworth,²⁴ a scatter that can hardly be due to pure chance.

The most reasonable explanation of these observable facts is that they represent traces of a former division of some parts of Arden amongst estates focussing in the Avon valley and Feldon, i.e. the early settled zones, and in a number of cases the Arden property was clearly at first merely an outwood. This division had taken place before the Norman Conquest, possibly as early as c.705, and may be compared with the system of "Denns" owned by parishes surrounding the Weald.²⁵ Any attempt to clearly separate townships from manors and parishes in this context is doomed to failure.

"Super-parishes."

Although in c.705 Nuthurst can be linked with Shottery, by 1230 it had become part of the parish of Hampton in Arden. This great parish originally consisted of the township of Hampton, situated in the Blythe valley, together with the contiguous hamlet of Diddington, while associated with it were the members Temple Balsall, Knowle, Baddesley Clinton, Nuthurst, and Kinwalsey (Figure 11, Inset).²⁶ In 1086 the manor was held by Geoffrey de Wirce, and the unusually large population and plough team numbers then recorded suggest that the outlying members were included in the total. The manor passed to the de Mowbrays, and during the reign of Stephen they granted to the Knights Templar the estate

of Balsall which, nevertheless, still remained a chapelry of Hampton parish. Knowle, first referred to in c.1200, remained a chapelry of Hampton till 1396, while Baddesley Clinton, described as a chapelry in the twelfth century, became an independant parish in 1298. Hampton in Arden seems to have had attached to it all the portions of the Western Arden plateau not appropriated by other parishes, a point not without significance. Large original parishes such as Hampton are being termed "super-parishes" in this study, and those within Western Arden are mapped in Figure 11 (Inset).

Solihull was in effect a composite parish composed of the three townships of Ulverley, Longdon and Kington, but including also the waste tract of Shirley, Fulford and Forshawe heaths. In this particular case the point of establishing separate chapelries was never reached. Wootton Waven was another such example, being composed of the townships of Wootton, Edstone, Offord, Ullenhall and Whitley. Once again the individual hamlets never seem to have acquired the status of chapelries, in spite of the large size of the parish and the presence of an early minster there. Bearley was a chapelry granted to Wootton in the twelfth century, and may have been attached originally to Snitterfield or Aston Cantlow. ²⁷

A number of true "super-parishes" are known in addition to Hampton, some of which broke up at an early date, others which survived until the late nineteenth century. For example, Berkswell and Barston were linked until 1894, ²⁸ but Hatton was originally a parish including Shrewley, Beausale and Wroxall. ²⁹ Nothing is known of Haseley, which is recorded as having a priest in 1086, but an examination of Figure 11 shows

that it was likely to have been part of the Hatton "super-parish". Honiley may well have been also included, but since the advowson was in the hands of the de Arden family, who acquired Hampton in Arden, it is possible that some link with Hampton existed.³⁰

Langley, Norton Lindsey and Wolverton, all chapels of Claverdon, formed yet another "super-parish" in the plateau edge (Figure 11 and Inset),³¹ and there is no doubt that these larger units were once more widespread, Kenilworth, for example, was linked with Stoneleigh in 1086 and in the reign of Edward the Confessor Baginton, Ryton and Stretton were also members of Stoneleigh.³¹ As the period becomes more remote it is less possible to disentangle the parochial and manorial patterns. Many of the estates in south Warwickshire mentioned above, formed of adjacent manors may originally have comprised super-parishes which broke up at a very early date. The problems involved in this process must necessarily lie beyond the scope of this essay, but the discussion so far suggests that the following tentative conclusions may be drawn.

First, evidence exists for the subdivision of at least portions of Arden amongst estates in the southern part of Warwickshire. Secondly, parallel to this, and inextricably linked to it, are a group of what have been termed "super-parishes", i.e. large original parishes, many of which broke up before the Norman Conquest, but whose substance has been preserved by certain ecclesiastical links between the various parts. It was in the heart of the late settled zone that these original parishes survived the longest.³² Finally, the largest of these, Hampton in Arden, has the appearance of being the residue of the Arden woodland after the extraction of the various members of the southern estates

and those Arden townships which were able to form separate parishes.

These facts must all be considered in the light of the points made in Chapter 1, especially the ambiguous references concerned with the nature of Arden. So little is really known about early territorial organisations at the level of township, parish and manor that it becomes exceedingly difficult to distinguish the normal from the abnormal. Because of the difficulties involved it has been necessary so far to present the facts concerning the early organisation of Arden without really attempting to explain them, but merely adding a certain amount of amplification where possible. It is clear that by the twelfth century a pale shadow of a former organisational framework remained, together with a few statements concerning customary law. While it is probable that no one comprehensive hypothesis can be made that will explain every known fact, it is now essential to attempt to arrive at some kind of a conclusion concerning the early arrangements within Arden. In view of the fact that much of this must be based on inadequate evidence and hence must be little more than speculation, the points are made as a series of propositions, so designed that the validity of all does not depend on the accuracy of one. For the sake of brevity a number of supplemental points, not already raised, will be presented in this section.

I. The initial Anglo-Saxon settlement throughout Warwickshire took the form of small nucleations linked with an associated common field core. This formed the basic township. While some of these became royal vills, others passed into the hands of lay and ecclesiastical magnates.

II. With the adoption of Christianity by Mercia after 653 a minster system comparable to that described by Medd in Wessex developed, the minster church at first being sited in a royal vill and serving the territory associated with this. With increasing population, the expansion of settlement and a vigorous evangelising movement it became necessary to establish priests at smaller centres. Increasing "seigniorial" power meant that in certain cases the lord himself would build a church, and the first priest would in effect be his chaplain, while in other cases village communities themselves would have borne the cost. It is easy to envisage how "unitary" and "composite" parishes could arise depending on circumstances, but it is certain that many parishes were "composite", i.e. they were "super-parishes" before becoming "unitary" as a result of the establishment of more churches.

III. At a date that may well have been earlier than A.D.705 certain landowners with estates in south Warwickshire were able to acquire, probably as a result of an increasing number of alienations of royal land, grants of woodland within Arden, at this stage probably only very thinly settled.

IV. The patterns of "natural development" were formalised in the period 901 to 925 by the creation of the shire system in the West Midlands to meet the Danish threat.³³ The focus of Warwickshire was the fortified "burh" of Warwick, and, while the precise position is uncertain, it is likely that there was some form of tributary relationship between this town and the rural hinterland of the shire. At the time of Domesday Book the county contained a number of hundreds, territorial divisions coming intermediately between the shire on the one hand and the vills or townships on the other.

Although there is no record of the Warwickshire hundreds before 1086 it is probable that they originated in the tenth century, and were influenced by the territories under the control of royal vills, early ecclesiastical divisions and finally, by the disposition of estates.

V. The latter part of the Anglo-Saxon period saw further colonisation, but this was interrupted by Danish raids which probably had a considerable effect on settlement patterns. An increasing market in land saw an intensification of the patterns of landownership, while a rising population, together with increasing "seigniorial" control saw the building of more churches and the appearance of more parishes.

VI. By 1086 a highly intricate pattern had emerged, and as far as can be ascertained from the Domesday Survey the parish system was well advanced by the end of the eleventh century. The Norman period saw the regrouping of many estates, some were disposed of piecemeal, others were part of block grants to magnates. The new social order was firmly based on the concept of territorial lordship, and seigniorial control became absolute.

VII. The period after 1086 and prior to 1150 saw a number of developments; first, although the work of reclamation continued, as will be demonstrated, strong seigniorial control directed it along paths very different from those followed in the pre-Norman period, and several clearing became general; secondly, a rising rural population saw in the early settled areas, the emergence of large nucleated villages with developed and intricate common-field systems, often arranged in two-or three-field rotations; thirdly, under the influence of the new concepts of tenure further land transactions saw the appearance of an exceedingly fragmented pattern

of landownership, a process that continued unchecked until 1290; finally, the period saw the appearance of something approaching a complete and defined pattern of parishes and chapelries.

VIII. Finally, by the twelfth century only a few rather ambiguous traces of the pre-Norman arrangements remained. These may be listed as follows:

- a) In spite of the post-Conquest changes in the pattern of hundreds it is probable that these preserve traces of very early administrative units, both secular, the units associated with royal "tuns", and ecclesiastical, the minster parishes.
- b) Certain "super-parishes" persisted, in particular those in the late settled zone where, as will be demonstrated, the development of village communities was arrested by the Norman Conquest so that fragmentation into smaller units never occurred.
- c) Some traces of the connections between parts of Arden and estates in the south of the county persisted, and these suggest an arrangement comparable to the "Denes" of south-eastern England. It is possible that the whole of Arden may not have been so subdivided, and the remainder may have been subject to certain customary laws.
- d) Traces of these laws persist into the late thirteenth century, and that part of Arden not divided up amongst estates may have been "free Arden", i.e. a tract of true common waste within which surrounding villages, of both Warwickshire and Worcestershire, had rights of common. In particular, "free Arden" was that part of the plateau through which the county boundary cut. This was incorporated within Solihull and Yardley by the late thirteenth century. The outlying portions of the great parish of Hampton in Arden may at some stage have fallen

within this category. "Free Arden" may also reasonably be considered to be that area in Arden where the making of enclosures was difficult, in contrast to the part where "he whose land it is may well make buildings and raise hedges and ditches." Never royal forest, Arden was in truth an area where the beasts of the chase could escape "towards liberty".

These propositions seem to draw together all the threads of the argument begun in Chapter 1 and continued within the present chapter. The reader must be left to judge for himself how adequate or satisfactory is the hypothesis presented.

It may be said that the author himself regards it as no more than an interim examination of a topic that would well repay deeper research and the examination of a wider territory.

Although there is no doubt that the township, despite the process of feudalisation, remained throughout the medieval period a coherent unit of agricultural production, of organisation and administration, the manor was the legal framework within which seigniorial control operated, and was undoubtedly a very real and important unit of production. In a sense the manor is an artificial, imposed unit, but the manor was not strictly superimposed on a pre-existing pattern of landownership, rather the pre-existing pattern was adapted to conform with the concept of the manor. This is not mere semantics,^{for} the pattern of manors was the result of a pattern of landownership which had developed in a period before the manor as such was recognised, i.e. largely before the Conquest, and as a result is intimately associated with the pattern of townships and parishes.

The final section of this chapter will be concerned with a brief preliminary examination of the character of manors in Western Arden in the period c.1250 to c.1350.

With the exception of Domesday Book no comprehensive survey of all Western Arden manors exists, but for the purpose of examining their character at a date after 1086 all the extents associated with Inquisitions post mortem between c.1250 and c.1350 have been extracted, their contents summarised in Appendix IIB, and the data presented in map form in Figures 12 to 15. These maps permit the establishment of a number of broad generalisations concerning manors in Western Arden, and have the great advantage that they do not only relate to one particular group of estates, ^{but} all lay tenants in capite, from great to small, are involved.

In terms of income (Figure 12) manors range in size from £1. 11s. (Shrewley) to £97. 16s. 8d. (Temple Balsall), but the most common size lay between £10 and £20 per annum. As a comparison of Figures 13, 14 and 15 will reveal, there were great variations in internal structure, the income from the demesne farm expressed as a percentage of the total income varies between a negligible amount to 84%; villein rents from nothing to 64%; and free rents from nothing to 78%. The medians lie respectively at 30%, 33% and 37%. While, as might be expected, there is a definite correlation between the variation in the importance of each item on a given manor, when these variables are compared with manor size there is no evidence of any significant correlation. A comparison of Figures 12 to 15 will reveal the great variations which do occur within Western Arden, and one of the problems of this essay is to make these rather skeletal maps meaningful in terms of the regional geography of Western Arden between 1086 and 1350.

In conclusion, the administrative geography of Western Arden in the period 1086 to 1350 had developed as the result of a long history of settlement in which township, parish and manor became inextricably mixed. It is, however, the manor for which the bulk of the formal records survive, and it has been possible to follow Harley and show that a relatively stable pattern of landownership established by 1086 persisted with few changes till 1350. At a lower level of the feudal scale two trends are evident, on the one hand the extension and consolidation of ecclesiastical power, and on the other the development of extreme fragmentation.

Less evidence is available for parishes, and the boundaries used are derived from post-medieval sources, but it is evident that these are closely related to landownership, particularly overlordship, from the appearance of two features, first the clear evidence for the subdivision of parts of Arden amongst estates in the early settled south of Warwickshire, and secondly, the existence of former "super-parishes", large parish units reflecting early patterns of ownership.

The discussion in this and the previous chapter concerning the pre-Norman arrangements within Arden was brought to a conclusion by a series of propositions concerning the early settlement history of the county, which led towards some tentative conclusions concerning the nature of Arden. Finally it was shown that the manorial structure of Arden indicated by thirteenth and early fourteenth century extents was in detail very variable. It is against the background of these complex patterns that the colonising movement of the period 1150 to 1350 has to be viewed, and the next two chapters turn from rather speculative discussion on the early settlement

of Western Arden to a systematic appraisal of this colonising movement, attempting to establish a chronology, and to provide a basis for understanding the emergence of regional patterns together with the causal factors underlying these.

Footnotes.

- (1) Vide L.C. Latham, "The Manor and the Village", in Barraclough, G. (ed.), Social Life in Early England (1960), pp. 29-30. "The origin of the manor and of the township or village is distinct, and it is a well known fact that the boundaries of the two need not necessarily, and frequently do not, coincide."
- (2) T.H. Aston, "The Origins of the Manor in England," Trans. Royal Historical Society, 5th ser. Vol. 8. (1958) p. 59.
- (3) E. A. Kosminsky, Studies, pp. 73-75.
- (4) The parish boundaries used on this map are those of the early nineteenth century, before the changes of the 1880's, and the author would like to express his gratitude to Mr. M.J. Stanley and Mr. D.J. Pannett for giving him free access to their work on this subject. Particularly useful is a series of 1st Edition O.S. 1" maps in the Birmingham Reference Library (No. 429549 etc.) upon which have been superimposed parish boundaries derived from Tithe Maps.
- (5) The earliest Tanworth charters may be cited in evidence for this, thus the parish boundary between Tanworth and Solihull is described in c.1153-84 (T.1) as "the bounds of John de Limesi", while another charter of the same date (T.2) refers to the "bounds of Packwood", (metas de Pakewode), surely referring to the parish boundary. Archer Collection, Stratford upon Avon, Tanworth, Charters, c.1153-84, 1 & 2.

- (6) J. B. Harley, Population and Land Utilization, 1086-1300, pp. 40 - 42.
- (7) For a map of both Benedictine and Cisterian foundations in England and Wales see R.A. Donkin, "The Cisterian Order in Medieval England: Some Conclusions", Trans. Institute of British Geographers, No. 33 (1963), p. 185. Even where the Cisterians were established in the lowlands the site in question normally tended to be rather remote. R.A. Donkin, *ibid*, pp. 183-185.
- (8) V.C.H. Warwickshire, Vol. III, p. 102.
- (9) Vide J. B. Harley, "The Settlement Geography of Early Medieval Warwickshire," Trans. Institute of British Geographers, No. 34 (1964), pp. 115-130, Figure 2.
The majority of the comments on landownership within this chapter ^{were} derived from the relevant volume of the Victoria County History for Warwickshire, and hence each reference will not be footnoted in detail.
- (10) J.B. Harley, "The Settlement Geography of Early Medieval Warwickshire," op.cit., pp. 120-122 has a brief resume of the salient changes in landownership within Warwickshire in the period under discussion.
- (11) V.H.T. Skipp, Discovering Bickenhill, University of Birmingham, (1963).
- (12) A map of the parish boundaries in Warwickshire as a whole is to be found in

J.E.B. Glover, A. Mawer and F.M. Stenton, "The Place Names of Warwickshire", English Place Name Society, Vol. XIII (1936), (Abbrev. P.N.D. Warwickshire); in pocket. The author has had the advantage of consulting a yet unpublished map by Mr. D.J. Pannett which also shows the boundaries of individual townships. On the map the Arden core stands out particularly clearly.

- (13) These parishes appear in the documentary record as follows (P.N.D. Warwickshire);

Solihull	12th c.
Tanworth	1201
Knowle	c.1200
Balsall	t.Hy.I.
Berkswell	1086
Fillongley	1086
Meriden	1230 (Alspath 1086)
Allesley	1176
Stoneleigh	1086
Kenilworth	1086
Chilvers Coton	1086
Aston	1086
Sutton Coldfield	1086

All of the parishes in Warwickshire not mentioned until after 1086 have been mapped in

J.B. Harley, Population and Land Utilization, 1086-1300, Figure 19.

- (14) P.R.O. C134/49. Extent of Tanworth, MS. 22, where Tanworth is specifically described as a hamlet of Brailes. Sir William Dugdale recognised the significance of this statement in 1656 by deducing that the woodland entered under Brailes

- in the Domesday Book in fact lay at Tanworth.
Vide Sir William Dugdale, The Antiquities of Warwickshire (ed. W. Thomas, 1730), p. 774.
 A brief discussion on the hundreds of Warwickshire is to be found in
V.C.H. Warwickshire, Vol. 3, pp. 1-4.
- (15) Vide S. Ayscough and J. Caley, Taxatio Ecclesiastica Angliae et Walliae (Record Commission, 1802), p. 218. "The Prior of Coventry has two carucates of land at Packwood quod est membrum de Wasperton." In 1279 the Prior held Wasperton and Packwood under the charter of Edward the Confessor, V.C.H. Warwickshire, Vol. V. p. 130, citing Exch. K.R. Misc. Books, 21, fol. 213. (The Warwickshire Hundred Rolls of 1279).
- (16) H.P.R. Finberg, The Early Charters of the West Midlands (1961), p. 186.
Vide, Birch, Cartularum Saxonicum, 356.
P.N.D. Warwickshire, p. 288.
- (17) V.C.H. Warwickshire, Vol. V. p. 112; Vol. I, p. 301.
- (18) P.N.D. Warwickshire, p. 123, ftn. 1.
- (19) Ibid, p. 232.
- (20) Vide V.C.H. Warwickshire, Vol. IV, pp. 99; cf. P.R.O. C133/15(5), Ms. 4.
- (21) H.P.R. Finberg, op.cit, p. 200.
Vide Birch, Cartularum Saxonicum, 123.
 Neither the reason for nor the date of the transfer from Shottery to Hampton is known.
- (22) Vide H.C. Darby and I.B. Terrett, The Domesday Geography of Midland England (1954), Figure 91.

- (23) V.C.H. Warwickshire, Vol. III, p. 197.
- (24) Ibid, Vol. I, pp. 317a, 3256, 326a, 326b, 327a.
- (25) Vide W.G. Hoskins, "The History of Common Land and Common Rights", in Royal Commission on Common Land, 1955-1958, Report (H.M.S.O. 1958), Appendix II, pp. 149-150, where inter-commoning is discussed.
- (26) Vide P.N.D. Warwickshire, Vol. IV, pp. 81, 16. In 1276 (P.R.O. C133/15(5), Ms. 4) the following are described as hamlets "bordering on" (adiacentibus) the manor of Hampton, Kinwalsey, Diddington, Elmdon, Bickenhill, Sheldon, Ulverley, Honiley and Nuthurst. How literally this is to be taken is open to question; certainly free rents were possessed in these hamlets by William de Arden.
- (27) V.C.H. Warwickshire, Vol. III, p. 44.
- (28) Ibid, Vol. IV, p. 33.
- (29) Ibid, Vol. III, pp. 115 and 217.
- (30) Vide footnote 26 above.
Ibid, Vol. III, p. 73.
- (31) Ibid, Vol. I. p. 301-2 and p. 294. ftn. 5.
- (32) The term "super-parish" is not wholly satisfactory and has been retained in inverted commas. "Proto-parish" might perhaps be better, but such a term could well be applied to an early ill-defined parish which never developed chapelries and subsequently broke up. In the sense of an inflated over-large parish the term "super-parish" might be used but the topic needs more careful

discussion than is possible in this essay.
in particular the implications of applying the
term outside Arden.

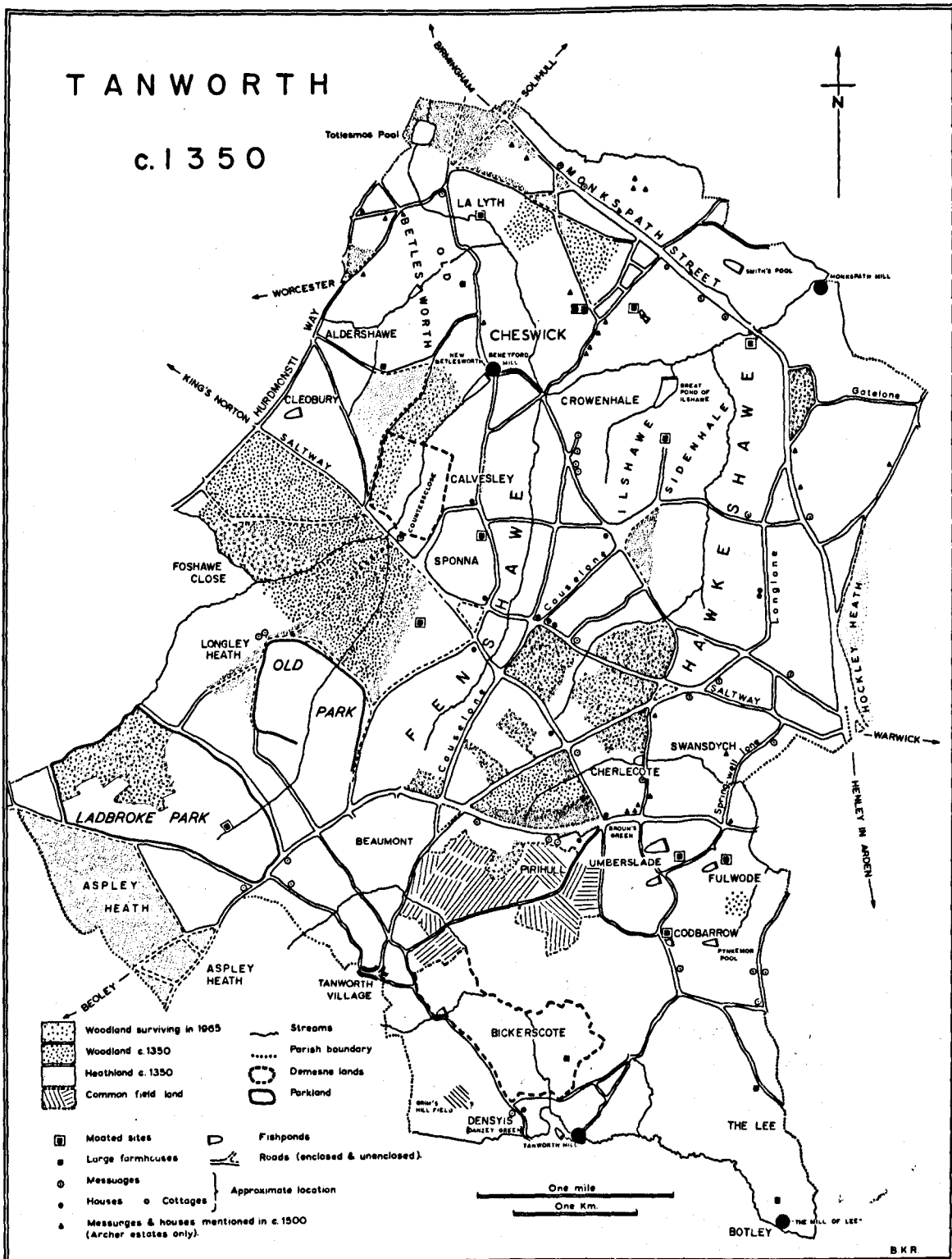
- (33) Vide G.N. Garmonsway, "The Anglo-Saxon Chronicle
(1953) sub anno 914, and C.S. Taylor, "The
Origin of the Mercian Shires," in H.P.R. Finberg
(ed) Gloucestershire Studies (1957), pp. 17-51.

Tanworth c.1350; A Reconstruction.

This map is a duplicate of Figure 48 and is inserted at this point in the text for reference purposes, to provide a key to some of the localities mentioned in Tanworth charters cited in the text.

TANWORTH

c.1350



THE CREATION OF NEW LAND

In this chapter the information provided by the charters, instead of being considered as part of a particular estate or holding, will be used systematically to examine in general terms the progress of colonisation in Western Arden between 1086 and 1350. Commencing with an appraisal of the soil and vegetation conditions with which the colonists had to contend, and the legal and technical problems involved in approving the waste, the majority of the chapter comprises an analysis of the various forms of colonisation. The discussion continues into chapter four with an examination of the effect of this colonising movement on three particular aspects of the social and economic geography of Western Arden.

Soils

The task of describing the soils of Arden is made difficult by the absence of both detailed soil and drift maps for much of the area. In Western Arden a great complexity of drifts results in a wide range of soil types, whose separation and delineation demand close and careful investigation. The earliest published account of the soils of Warwickshire appeared in 1813¹ and described six categories based on texture and quality. In 1946 MacPherson recognised eleven major classes, broad groups of soils derived from the same parent material or one with a similar lithological character,² but such groupings can at best give merely an outline of the major series occurring in the county. They do not take into account the fact that these series are further sub-divided into types based on their textural characteristics, a fact often of considerable utilitarian importance. In addition,

there is the problem of the degree to which these modern appraisals of soil characteristics reflect conditions prevailing in the middle^{ages,} as well as the actual appraisal of the soil by the farmers of this period. For this reason, when the distribution of soil types in Arden is being considered, emphasis will be laid on the farming characteristics of each soil, rather than its profile and chemical characteristics. Its texture, warmth and quality were of more importance to the medieval farmer than details of the profile, and it is through his eyes that we must attempt to view the soil. The character of a particular soil is the summation of all pedogenic factors including parent material, climate, vegetation and soil history. Due emphasis must be placed on the latter, the history of the use of the soil by man, for it will be argued that radical changes in soil type have taken place within Arden as a result of human activity in the medieval period.

With these limitations in mind, the area has been sub-divided into five main soil zones (Figure 16).

I. Alne-Avon Zone

The soils of this area are of mixed character and derived largely from drift overlying the Keuper Marl. The Worcester series is dominant, and although the outstanding characteristic of this group compared with the other soils in Arden is their heaviness, it is possible to recognise three textural classes, medium loam, heavy loam and clay. Although drainage tends to be imperfect, this soil today gives rise to good general purpose farmland being of good depth and workable for most of the year.³ A shallow phase appears on some of the steeper slopes, while in depressions a wet phase is recognisable. Patches of Triassic drift on the higher ground in the area (Figure 3) give rise to lighter and more acidic soils of the Wem and Rodern series. In the extreme south-west

a band of rather shaley Lower Lias limestone results in a small patch of heavy intractable soils, but as the map indicates (Figure 16) this is very limited in extent.

II. The Avon Terraces.

The soils of these terraces, occupying a strip of land of varying width along the river, must be recognised as a distinctive region. They are largely of a light texture, easily worked at all seasons, warm, with generally free drainage, and their importance in former times is amply demonstrated by the large concentration of archaeological sites revealed by air-photography along this tract. Variations of quality occur according to the amount of modification caused by snow sludge mixed with the terrace material. Producing good quality farmland today, their continuous arable use in the immediate past is testified by the almost total absence of traces of former cultivation such as of ridge and furrow ploughing, ⁴ for this latter only survives in those areas which have had a long history of use as permanent or rotation grass so that traces of former cultivation are preserved.

III. South-Eastern Plateau Fringes.

This region is composed of a mixture of soils based largely on Western drift, but with some admixture of Eastern drift, overlying Keuper Marl and Arden Sandstone. Considerable variations occur but three main series are present:

Newport Series: developed on glacial and fluvio-glacial sands of Triassic origin, these soils are found on flat or gently undulating ground and consist mainly of a brownish coarse-to-fine sand with pebbles occurring in varying quantities. Light and easily worked, these soils drain freely, having a tendency to become acidic and require today frequent dressings of organic matter, lime

and fertilizers to maintain their fertility.

Salop Series: appearing on heavy Triassic boulder clay on flat or gently sloping ground, these soils consist of a practically stoneless medium or heavy loam and show evidence of impeded drainage.

Flint Series: again formed on heavy Triassic boulder clay on flat or rolling country, these soils drain more freely than the Salop Series, and, normally consist of reddish-brown, medium-heavy loams.

Wem Series: a sandy boulder-clay mixture of Triassic origin with a sandy overwash forms the parent material for this series which is usually found on flat or gently undulating land, and consists of a loamy sand, normally with impeded drainage.

These three series as a whole give rise to farmland today considered to be of medium quality.

The Arden sandstone^{outcrop} normally forms sloping ground as a comparison of Figures 1 and 3 will demonstrate, but since such land tends to be either wooded or covered with a thin veneer of drift little is known of the soil development on this outcrop. Except on the steeper slopes, the formation gives rise to good if occasionally rather heavy farmland. ⁵

IV. The Eastern Arden Plateau.

This is a region characterised by an almost complete absence of drift, and the soils of the Keele Complex are on the whole of remarkably uniform high quality being composed mainly of the Shifnal and the Lilleshall Series, which are based on the sandier and marly phases respectively of the Keele and Corley beds of the Upper Coal Measures. Both are freely drained, good quality soils, considered today to be amongst the best in the region, apparently equally suitable for cultivation or grassland.

V. The Western Arden Plateau and Blythe Basin.

This last region embraces an extremely wide range of soils, but no obvious criteria exist for further regional sub-divisions. As Figure 16 indicates, these soils are developed on a wide variety of drift deposits over Keuper Marl and on river-terraces and alluvium along the Tame-Blythe valleys. Soils of the Salop series predominate but Newport, Wem, Flint, Charlton Bank and Crannymore are amongst the more important series represented. There is a tendency for three groupings to occur depending on relief; the ridge-tops, often capped with glacial and fluvio-glacial sands and gravels, carry soils of the Flint and Wem series; the valley slopes and such areas of the plateau surface as are underlain by boulder-clay are distinguished by soils of the Salop and Newport complex; and the valley bottoms, often flat and marshy, are characterised by alluvium which tends to become more pebbly in character as the headwaters are approached.

Figure 4 shows the soils appearing in Tanworth parish, the focus of this study. Falling into areas I and V, the parish exhibits a great variety of soil conditions, but in general the situation is summarised by the paragraph above. The most favoured soils are in fact those developed in the south on the Arden Sandstone where free draining medium loams form the best soils in the parish, and which provided the basis for the early settlement.

The next stage of the analysis will be used to examine the nature of the vegetation of Arden, with particular reference to conditions prevailing in the Early Middle Ages.

Vegetation Conditions in the Early Middle Ages.

Two stages of analysis will be used to examine the nature of the vegetation of Arden. First, an assessment will be made of the types of "natural" vegetation that might be expected to develop as a result of the geology,

landforms and climate of the area,⁶ and secondly, an evaluation will be attempted, using documentary material, of the influence of man on this "natural" landscape by the Early Middle Ages, emphasising in particular modifications of the climax vegetation resulting from grazing, burning and felling.^{7a}

The climax vegetation over the greater part of lowland Britain is generally held to be oakwood, and Tansley considers that broadly speaking, except on the most sterile sands, on shallow limestones and on permanently wet soils, oak is the natural dominant up to an altitude of 1,000 to 1,500 feet, except in places constantly exposed to violent winds. It has been repeatedly shown that on all clays, loams and better sands, oaks will colonise abandoned arable or grassland and ultimately establish oakwood wherever there are enough parent trees in the neighbourhood to produce the necessary seed. To this day oak forms the basis of almost all the "natural" and "semi-natural" woodlands in the Midlands. Associated with the oak is birch, ubiquitous in colonising not only felled oakwood in the area but also grassland or heath. In Arden some interesting relicts of the indigenous woodlands still survive in woodlands that have been protected to some degree from grazing, burning and felling, the rare wild service and the small leaved lime.^{7b} The presence of the latter provides almost incontrovertible proof that woodland has never been completely cleared. The small leaved lime which is a climax dominant, only sets fertile seed once or twice in a century and any marked degradation of the ecological conditions will prevent it from regenerating, but where stocks still exist it also perpetuates itself by layering. These two characteristics combine to make the tree a valuable indicator of relict woodland. A long lived tree, outlasting oak, specimens survive on the Continent which were recorded as already large enough to

attract attention around 1,000 years ago, and the general rule is that longevity in a species increased towards the northern part of its range. Although one cannot provide absolute proof^{that} any of these veterans originated in the primaeval forest most of them cannot be more than one generation removed from it. Such trees survive in Arden in Hartshill Hay, Oakley Wood and Hay Wood where they persist as sprouts from extremely old stools, and are said to be a characteristic feature in the majority of other ancient enclosed woods in the Midlands.

Over many of the lighter soils in Arden the balance between woodland and heath is rather fine and disturbance of this has produced many variations. Many of the original woodlands on such areas may have been rather heathy in character, with oak and birch as dominants, but with a field layer of pure bracken, a situation still visible in Sherwood Forest and in that part of Arden known as Coughton Wood. Birch is a recognised colonist of areas that are reverting to woodland, but in Sherwood there is no evidence that oak is anywhere actually succeeding birch. On drift gravels which have a layer of quartzite pebbles closely packed, some twelve to eighteen inches below the surface, thereby presenting an obstacle to the establishment of the deeper rooting trees, there is pure birchwood in close canopy, and this may well be the climax type on such a soil. Such conditions occur in Arden on the gravelly ridges and there birch woodland may have been important.

In the eighteenth century large tracts of heathland were present in Arden (Figure 17) and the possibility of these being semi-natural has to be considered. As has been emphasised earlier the balance between heath and woodland is very delicate. Once an area has been cleared there is a tendency for most of the characteristic woodland plants to dwindle away, rank grasses, bracken, and even heather to take possession, and if the exposure of the soil continues

for any period of time leaching takes place, and a podzol develops. The result is a rapid degeneration in the vegetation, the reversal of which can be extremely slow.

The question of the effects of natural fires in deciduous woodland is one that has not yet been satisfactorily answered, ⁸ but it is ^{im}probable that the Arden heaths were the result of these. The most common factors initiating this degeneration of woodland to heathland are man induced burning and grazing. Grazing by cattle, swine, goats and ponies, and at a later stage in the degeneration of the woodland, sheep, if present in sufficient numbers, effectively prevent regeneration. In the New Forest, however, recent experience suggests that large areas of heath, in spite of grazing, tend to revert to woodland quite strongly, and burning has had to be introduced to maintain the heathland. Although deer, especially in winter, can be particularly destructive to young woodland, the New Forest evidence, and that from nature reserves, ^{9a} suggests that young trees will spring up on those areas of heath and moor from which they are excluded. It is possible, therefore, that deer induced certain changes even in "natural" woodland. They would be attracted to patches of natural fertility, where feed was better, and would graze these heavily, but at the same time dung them, so producing what in the New Forest are termed "lawns". ^{9b}

In summary it seems reasonable to conclude that the climax vegetation of the Arden area was mixed oak-birch woodland, together with an admixture of ash, holly, hawthorn and such rarities as the small leaved lime and the wild service. In the wetter localities alder and hazel might dominate, while on the lighter drift soils almost pure birch woodland might have existed. Within this woodland it seems reasonable to suggest the existence of "lawns", heavily dunged and grazed by deer. Heaths, if present at all, probably only appeared on the poorest areas

where exceptionally light soils were subject to excessive leaching, or where an accidental fire had devastated a tract of woodland.

The documentary evidence concerning vegetation conditions in the period 1086-1350 must now be examined in the light of these conclusions, and Figure 17 incorporates all the references to vegetation in this period which it has been possible to locate with any certainty. Place-names have been excluded because of the problems involved in the precise dating of this class of evidence, but the map includes the present extent of woodland^{and} the former extent of heathland as revealed by eighteenth and nineteenth century sources, since both distributions are of value when considering conditions in the Middle Ages. Three elements have been selected for special consideration, woodland, parkland and heathland.

Woodland.

There is little doubt that the majority of the woodland surviving in Western Arden today is old established. The botanical evidence has already been cited, and this conclusion is confirmed by an examination of the documents. All of the present woodland blocks in Tanworth existed in 1693, and many can be traced back to 1377 or even earlier. ¹⁰ In Berkswell, woods still present were mentioned as early as 1315 when they formed the demesne woods of the manor. ¹¹ Particularly ancient are those woodlands whose names contain the element "hay" (Latin, "haia", a hedge or fence) a "hay" being originally an enclosed area of woodland from which domestic stock were excluded in order to give sanctuary to deer. Hay Wood in Baddesley Clinton and Birchy Hays Wood in Fillongley are examples of this, while Chelmsley Wood in Coleshill originally appears in 1200 as "Chelmundesheia." ¹² The English form of the word "hay" is "Close" or "Clows" and wood names with this element appear in Meriden and Solihull. The earliest reference to such a feature is in

1086 when a "hay" is recorded at "Donnelie", ^{Hatton,} near Warwick, half a league square. It is evident that while some grazing within hays were permitted, goats in particular were excluded. A charter of c. 1200, for example, records that Ralph de Bisege granted to Thurstan de Bisege "free entry and exit to the enclosure called Haywode (in Baddesley Clinton) with all his farm animals for feeding, except goats, and also sufficient wood from the said enclosure for repairing houses, making hedges and firing."¹³ Controlled grazing was not detrimental to woodland, but the exclusion of goats was wise, for they are particularly destructive, peeling bark and browsing down all the young growth. The nature of the hay is clearly shown by a charter of c. 1300 by which a croft in Baddesley Clinton is granted "extending in length from the wood called Haywodeparc.... to hold the said croft with the surrounding ditches now being made, which said ditch shall be seven feet in width towards the said park". (c.1300, B.Cl.11) An examination of the ground reveals the existence of a ditch seven feet wide from lip to lip and at least six feet deep. (G.R. SP/206711). No doubt scoured and perhaps re-cut several times this still follows the line demarcated in c.1300.

Field examination of the majority of the Arden woods surviving today often reveals traces of such former banks and ditches. The evidence available strongly suggests that all of the present woodland, with the exception of later plantations, represents former demsne woodland, enclosed at some stage of their history to protect them from indiscriminate grazing, and preserved from clearance by the action of the lord of the manor. It has not proved possible to make any distinction between a "hay" and an "enclosed wood", the use of the terms may depend on no more than the caprice of a scribe. For instance, in 1291 Thomas de Clinton permitted the creation of an

enclosed wood in Beausale, and probably in the same context he granted "a bank between Cherlecote Wood (the enclosed wood), and the great assart of Clinton in order that de Cherlecote (the owner of the wood), might make a brushwood fence upon this bank." ¹⁴ This wood has since disappeared, and its location is unknown, but it was clearly comparable to Haywood in form, being surrounded by a bank and no doubt a ditch.

There are no grounds for suggesting that any Arden woodland has persisted because of its great extent, indeed the documents cited above suggest that by the Middle Ages woodland had to be preserved. Further evidence for deliberate preservation comes from Tanworth where in 1345 (4 May 1345, T.6258) the lessee of a wood containing "oak-trees, underwoods and all manner of undergrowth" permitted the lessor to take housebote and haybote but to do no felling. This suggests that only the extraction of the smaller timber was permitted; a grant of 1349 (12 July 1349, T.b316) specifically allows the removal of underwood. ¹⁵ An agreement of 1281 (10 Nov., 1281, T.a135) is worth citing at some length; Robert de Ullenhale grants to Simon and Isabel de Mancestre, for life "all fire-wood in the said close excepting oaks, ashes, and growing apple-trees, to be taken from all the wood in the said close, to sell, grant or burn at their pleasure, as their own. If the said Simon and Isabel wish to have one or two parcels of choice oaks to sell or cut down, they may do this at the right time of the year, and then enclose this land so that more trees may grow." This clearly implies firstly, that the grantees may only extract a limited amount of large timber, and secondly, that enclosure was necessary for woodland regeneration. This high value of timber is shown by a charter of 1346 (1 Nov. 1346, T.6282) which refers to "a grove of thirty oak-trees marked with certain numbers"

and used as security for a loan of £20, a figure comparable with the sum total of the free rents of the manor of Tanworth in 1315.¹⁶

The most consistent record of woodland in Arden in the Middle Ages is provided by the Domesday Book which gives for each recorded manor the amount of woodland in terms of two linear measurements, x leagues by y furlongs. Kinvig's map of Warwickshire using this data has shown that by 1086 a strong contrast already existed between the wooded north and west of the country, and the cleared south and east. However, a few scattered references to woodland do occur in the south, mostly along the line of the Lower Lias Limestone escarpment, but the most striking anomaly is at Brailes, where woodland three leagues by two is recorded. Dugdale deduces, and there is no reason to doubt him, that this woodland in fact belongs to Tanworth which in 1315 was described as a hamlet of Brailes. When the extent of Domesday woodland in Western Arden shown in Figure 17 (inset) is compared with the other distributions shown one fact has to be kept in mind, namely that the woodland recorded in 1086 has been located at the settlement with which it was associated. Consequently, woodland mapped from other sources appears to have a complementary distribution, which is quite erroneous, since the woodland of 1086 probably lay some distance from the actual settlement.¹⁷ In spite of this it is reasonable to conclude that in 1086 woodland still covered extensive areas of Arden, the recorded amounts ranging from one furlong square to four leagues square.¹⁸ From the distribution of woodland shown on Figure 17 (inset) one may identify four distinct subdivisions.

- 1) the south, comprising the Avon valley and the south-eastern plateau fringes, where it is probable that as the result of many centuries of human activity woodland was virtually absent. The extent to which the plateau edge was cleared by this date must remain

an open question, but the distribution of woodland in the post-medieval period clearly suggests that (in 1086) it was the Alne-Avon watershed which remained wooded.

- 11) The Alne valley was still well wooded at this date, but once again, it probably extended and thickened on the Alne-Avon interfluvium and on the spurs jutting southwards from the main plateau. If this hypothesis is correct, and the disposition of surviving woodland (Figure 17) certainly suggests that it is, in 1086 the watershed between the Alne and the Avon still remained thickly wooded, a fact partially confirmed by the small size of settlements such as Langley, Wolverton and Norton Lindsey.
- 111) The central tract of Arden contained few settlements and, as was emphasised earlier, there is much to support the contention that the woodland three leagues long and two leagues wide returned for the manor of Brailes refers to Tanworth. Similarly, Packwood was probably the outwood of Wasperton, while on a more local scale the woodland four leagues long and four leagues wide at Hampton in Arden no doubt lay on that part of the plateau surface later to become Temple Balsall (cf. Figure 11). The woodland four leagues long by one wide returned for Ulverley in Solihull probably comprised the curious south-western extension of Solihull parish, the Whitlocks End - Forshaw ridge. (Figure 11).
- 1V) In the Blythe valley woodland still lay thick on the interfluvium, and the hiatus in settlement in the Maxstoke-Alspath zone suggests clearly that the western side of the valley, together with the eastern part of the Eastern Arden plateau, was still heavily wooded. Later evidence and the present distribution of woodland

confirms this. The extent to which the Domesday information can be related at a parochial level to the evidence from the thirteenth, fourteenth and later centuries is remarkable.¹⁹

One may conclude therefore that in 1086 woodland was extensive in Western Arden and evidence cited earlier shows that the large extents of surviving woodland within the area in the Middle Ages were to a large degree deliberately preserved. One important factor in this preservation was undoubtedly the creation of parkland.

Parkland.

Parks of old foundation are exceptionally numerous within Arden, and their distribution is indicated in Figure 17. A comparison of this map with Figure 10 suggests that although scattered in profusion throughout the whole of Western Arden, they occur most frequently in those areas where lay landownership predominated.²⁰ Although the profits of the park are normally included in extents, they are rarely a major item of income, comprising generally a small collective value for pannage, nuts, pasture, timber underwood and firewood together with venison. Wedgenock, one of the ancient parks attached to the castle of Warwick provides a good example of the variety of profits issuing from parkland. Wedgenock probably included parks in Beausale and Hatton; the woods in Hatton, called Wedgnock Donele, were certainly included in the park in the reign of Edward III by Earl Thomas de Beauchamp. In the reign of Henry III (1216-1272) the tithes of the assarts and also of the pannage and venison were given to the hospital of St. Michael, Warwick.²¹ In 1316 the underwood of this park was returned as yielding no less than 26s. and 8d. per annum, the herbage 10s. and the pannage with the nuts 6s.8d., a sum which represented in total, however, only 0.25% of the total income derived from the manor and castle of Warwick.

Many of these parks were heavily wooded, for instance

in 1326 no less than 300 acres of woodland were said to exist in Henley Great Park, in contrast to Kenilworth Park, which in 1279, although being 300 acres in extent, only possessed 40 acres of woodland.²² As further proof, one finds that in 1324 the woodland of Claverdon Park is described as high woodland (boscus silvestris). It is clear that the creation of parkland was instrumental in preserving tracts of woodland from grazing and felling, although the grant of the tithes of assarts cited above demonstrates that such preservation was not necessarily in perpetuity. The active creation of parkland, however, did not slacken throughout the period under examination, for as late as 1344 we find that the outwood of Maxstoke, valued in an extent of 1294-5, was emparked by William de Clinton.

Parks, like the hays and enclosed woods, appear to have been surrounded by a ditch and a bank surmounted by a pale. The ditch was often on the inside, hence "the ditch seven feet wide towards the park" of a Baddesley Clinton charter, a device which was designed to permit the ingress of deer while retaining those that were already inside.

The discussion has so far been concerned largely with the survival of woodland in the Middle Ages or later, woodland which in 1086 was present in considerable quantities. A further constituent of the medieval landscape has now to be examined, namely the wastes and heaths, and their relation to the areas of former woodland. A close examination of Figure 17 will show that while for the most part woodland and waste or heath have complementary distributions, a few examples can be found where woodland recorded prior to 1350 occurs in areas of heathland enclosed in the eighteenth century. The problems of the relationship between woodland, waste and heath must be considered.

Waste and Heathland.

The commons and wastes enclosed in Western Arden in the eighteenth and nineteenth centuries have been mapped in Figure 17 and their distribution strongly suggests that they were the survivors of far more extensive tracts that formerly covered the higher ground. In view of the fact that many of these at the time of enclosure carried the place-name heath, Balsall Heath, Shirley Heath and Colehill Heath, for example, it is reasonable to assume that woodland was an unimportant part of their vegetation, the term heath usually implying in the colloquial sense simply open uncultivated ground, overgrown with heather and brushwood. As previously suggested heaths are not likely to be a natural feature of Arden^{but must be} considered either as a seral community preceding woodland or, when it is stable, as a biotic or fire complex on light and sandy soils. It is probable that the removal of woodland encourages some degree of soil degeneration as a result of greater leaching. That the clearing of woodland on the grey-brown forest soils of Warwickshire does permit the entrance of heath plants can be seen in Coughton Wood, where the recent (i.e. since 1954) clearance of oak-birch woodland with pure bracken as field layer has produced an area that could well be described as heath, being subsequently colonised by oak, birch, hawthorn and bracken. Increased light has permitted the appearance of small patches of common heather (calluna vulgaris) and these are gradually spreading. It is probable, that if the area were left, oak-birch woodland would eventually re-establish itself in spite of a degraded soil and a reduction in the numbers of characteristic woodland plants. Conversely, such factors as the extraction of firewood, deliberate firing to induce young growth and grazing would encourage the heath to develop more fully. In consequence of this "common" in the sense of common grazings and "heath" are

virtually synonymous in Arden, and indeed elsewhere.

It has proved impossible to demonstrate from the charter evidence any difference between the terms "heath" (brueria) and "waste" (vasta), but as an examination of Table 3, will show the former term was usual in the period before 1240, the latter term in the period 1250-1300. It is now impossible to tell precisely what factors induced scribes to select a particular term even if terms were in fact used consistently, an unlikely assumption. While it is possible to argue that the chronological difference in the use of the two terms for describing land involved in grants is of significance, a grant by Earl William de Beauchamp (1268-98) of "one and a half acres of waste in Tanworth on the heath called Hockelowe (Hockley)" (T.a32, 1268-98), provides a warning against placing too much emphasis on arguments based on the details of terminology. ^{23a}

As was suggested in Chapter one of this section, the process of woodland degeneration in Arden has been continuing since the Iron Age. Evidence exists to suggest that some at least of the commons and wastes shown on the map (Figure 17) were wooded until comparatively recently. For example, there was a reference in 1628 to the "large common at Shrewley with many hundreds of trees thereon". ^{23b} Similarly, Earlswood Common in Tanworth was formerly a demesne wood, the name indicates this, and in 1566/7 (T.20 March, 1566/70) there was a reference to the sale of oaks, "sapling trees and timber trees, growing on the waste common ground called Earlswood." By 1603 Earlswood was listed along with Shirley Heath as one of the "commons and wastes" of the manor. It is clear from this that some of the heath and waste shown in Figure 17 may be of comparatively recent origin, but nevertheless a careful examination of the land charters does suggest the presence

of large tracts of heath by at least the late twelfth century, and furthermore there can be no doubt, as the evidence cited below will show, that much of the thirteenth century colonisation actually took place in heathland.

Three problems have to be examined, first, was heath present in Arden when the first detailed documentary evidence appears; secondly, was heath in fact created by felling and grazing during the period being considered, 1086-1350; and finally, was the heathland surviving to be enclosed in the late eighteenth and nineteenth century merely the residue of exceedingly extensive tracts that were already present before 1350? It can in fact be stated at this point that no evidence has come to light suggesting that any of these late enclosed heaths were the result of a recession of settlement after 1350, and comprised secondary growth over former fields, but it would, however, be incautious to exclude this possibility completely until a thorough examination of all the available documentary evidence has been made, with this specific problem in mind.

Unless they occur within a parish that has been studied in detail references to heath are usually difficult to locate with certainty, so that it has proved impracticable to map all the early references in Western Arden (Figure 17). In order to preserve the balance of Figure 17, the material derived from detailed studies has not been included. Detailed maps have been compiled, however, for the parish of Tanworth, Figure 18, and these will be used to give greater depth to the argument based on the general evidence.

Proof concerning the existence of heath at an early date is found in mid-twelfth century monastic foundation charters relating to the Arden area. Early in the reign of Henry II Ketelberne de Longdon founded a small nunnery at a place called Estwell, later Henwood, in the manor

of Longdon (Figures 19 and 20) near a "fair spring". The perambulation refers to Hinewudeshed (High-wood's heath), the name clearly indicating that woodland had been converted to heathland at some date previously. Further south in Arden, at Wroxall Abbey, further evidence is available, for here, in the early twelfth century Hugh Fitz-Richard of Hatton granted to the nuns "the whole heath". This clearly lay on the flat plateau surface in the north of the parish (Figure 11), and may have formed part of an extensive tract. A reference to "the whole wood" reaching to the "bounds of Rowington" indicates that part of the plateau edge were still wooded, and indeed, the plateau surface was not entirely heathland, for the charter refers to the "high-grove" in connection with Nunley, in the north of the parish, while as late as 1322 the nuns were petitioning against being disseised of some four hundred acres of wood and one hundred acres of waste in that part of Wroxall abutting Temple Balsall (Ryland 36 and 37).

At Henwood Nunnery, the name Henwood's heath implies that the degeneration of woodland to heathland had taken place prior to c.1150, and this trend clearly continued, for the presence of woodland at this date is suggested by the name Timbresceage ("Timber-grove") in an area later known as Copt.Heath.²⁴ A similar change is indicated by the "wood del Lee" in Solihull in 1279-90 (Solihull, St. on A. 19) which appears in 1367 (P.N.D.) as "Leewode Heth". Felling must have been a strong contributory factor in this process, but it is significant that both the Henwood and Wroxall foundation charters make specific references to grazing rights; Ketelberne de Longdon granted to Henwood "pasturage for all cattle, horses, sheep, goats and hogs in every place where his own used to feed", while Fitz-Richard granted the nuns of Wroxall "pasture and common for their cattle and the cattle of

their men, everywhere, in wood and plain, freely, quietly, and without disturbance." Grazing must undoubtedly have been an important factor in preventing woodland regeneration and, where it was particularly intensive, in woodland destruction.

The association of heathland with the extensive plateau surfaces and ridge-tops above 400 feet is clearly indicated by Figure 17, and such medieval charter evidence as is available is in accordance with this. The detailed Tanworth material, however, permits a closer examination of this relationship between relief, woodland and heath to be made, and this evidence is presented cartographically in Figure 18. Map A presents a variety of evidence from post-medieval sources, in particular the Tithe Map, showing woodland then existing (in 1842), and the evidence of former conditions as suggested by field names. The inset, based on a survey of 1603, shows diagrammatically the extent of common and waste at that date. Map B presents the evidence of charters from about 1150 to 1350, and Map C is composite. References to heath occur in charters of late twelfth and early thirteenth century date, indicating that some degradation of the woodland must have taken place already. For example, Tanworth Heath, lying immediately to the north of the common field area, can reasonably be considered as a former common pasture, overgrazed as a result of its proximity to the settlement. The remaining heaths are by no means easy to explain, but place names clearly suggest some early occupation of the north of the parish.²⁵ The full analysis of such a map would be a difficult and lengthy process, so that six points have been selected as worthy of particular emphasis:

- i) Both heath and woodland occur in close association, neither showing preference for any particular type of physical location (cf. Figure 4). This suggests that the heath is not natural but is a result of man's activity.

- ii) As might be expected the medieval distribution is complementary to that suggested by later sources.
- iii) References to groves are more common in the south of Tanworth, where as will be shown, their early appearance reflects the early clearance of this area. They are important, in that the term grove appears to be used with reference to a small patch of woodland left standing as the frontier of cleared land advances.
- iv) The parish is divided into two by a broad belt of woodland running WNW-ESE, there being a tendency for heaths to flank this to the north and south.
- v) Some relationship appears to exist between the heath tracts and the road pattern (Figure 49). Calvesley Heath, Ilshawe Heath, Hockley Heath and Totlesmos or Shirley Heath all lie at points where roads of some importance cross level surfaces.
- vi) Finally the absence of charters for section 14, 19, 29 and 30 is demonstrated by the map (Figure 49). The western portion of section 19 shares with section 7 the distinction of being omitted from the John Archer survey of c.1500, and the most probable explanation is that they were both still woodland, the west of section 19 possibly being "the wood of Cheswick".

The distribution of heath is partially confirmed by the grants of waste, not all of which are specified as heath, for as has been indicated above the precise significance of the term "waste" is questionable (Figure 22A).

The chronology of the development of heath poses problems to which the material examined provides no complete answers. ²⁶ Domesday Book seems to indicate a landscape that was largely dominated by woodland, at least on the plateau surfaces and spurs, while evidence already cited shows that much of the woodland surviving in

Arden was artificially preserved. Where preservation did not take place human interference with the natural habitat resulted in the development of heath, which was certainly present in some quantity by the mid-twelfth century and for which there is some slight evidence in the Anglo-Saxon period.²⁷ It is not the purpose of this essay to trace the history of this heathland fully, its origins, as was hinted in chapter I, may well lie in the Iron Age or Romano-British periods. The charter evidence can only provide some of the answers to the many problems involved. A general conclusion would seem to be that as heathland appears predominately on the flat plateau surfaces overlain by drift soils, often light in character, it was the result of the introduction of fire, felling and grazing animals into former mixed oak-birch woodland. Its growth was clearly synchronous with the spread of settlement, and although heath was undoubtedly present by the mid-twelfth century, some evidence exists to demonstrate its development in the period 1200-1350. Those heaths which survived into the eighteenth century may reasonably be seen as areas of former woodland which were not directly under the protection of a lord of the manor and hence suffered from uncontrolled grazing (Figure 17).

A variety of factors, chance, natural accidents, variations in policy or fortune resulted in wide differences in the amount of woodland or heathland surviving within any one manor. The complicated pattern indicated by Figure 17 is the reflection of a wide range of seignioral policies towards the land. Together, however, woodland and heathland formed the "manorial waste" that portion of the township or parish which was uncultivated and undeveloped. The character of this "waste" prior to colonisation determined to no small degree the subsequent pattern of development, but even as waste it was not useless, and its value as a source of natural products led to the development of a

considerable body of customary law controlling its utilisation.

The Legal Aspects of Common Land. 28

While it is legally possible to distinguish between "common" waste and "manorial" waste it is probable that within Arden these two terms were syn^{ny}onymous, namely, such land as remained after villages, common arable and meadows, demesne lands, several farms, closes, parks and enclosed woods had been formed. The term "common waste" is used to distinguish such land from the common arable and meadow which must be included within the general term "common land". It may be defined as that land lying beyond the frontier of cultivation and improvement and has, through the centuries, been steadily reduced in area. Such land was subject to common rights, namely those rights by which, while one person owns the soil, other persons have the right to a share of its natural produce, "the right to profit which a man hath in the land of another; as to feed his beasts, to catch fish, to dig turf, to cut wood, or the like." 29

The history of common rights in England may be viewed as that of an increasing limitation of rights to a more sharply defined class of user. It is clear from Domesday Book that by 1086 in many parts of England the surviving common wastes had been divided between different manors and had been appropriated to various lordships, a process which in many cases had taken place at the same time as the demarcation of the countryside into ecclesiastical parishes. By this date, 1086, a shortage must already have been felt in those areas where settlement was densest and agricultural population was increasing most rapidly, and here subdivision of such common waste as remained and the definition of rights must have occurred at a pre-Conquest date and have preceded the division of the area into manors or ecclesiastical parishes. 23 In areas

where common land was more abundant, particularly in the Highland Zone, but also in such less densely settled areas of the Lowland Zone as Arden, conditions remained much more fluid right into the thirteenth century or even later. Although such rights were common to a particular community, most of the documentary material relates to an age when the control of the commons and wastes had passed unquestionably to the lord of the manor. Occasionally, however, even as late as the fourteenth century, townships can be seen acting collectively in order to preserve lands over which they had rights of common from the encroachments of the lord. In the absence of convertible husbandry³¹ such rights were a necessary part of agriculture, and although by the fourteenth century they were but a mere shadow of the substance they had once been, they were a shadow that had to be fought for and jealously guarded.

These common rights would be determined by the custom of the manor.³² They would almost certainly include rights of pasture for commonable beasts. appurtenant to the customary tenements of the manor and appendant to the freeholds.³³ They might include right of pasture for beasts not commonable (e.g. rights to put pigs under beech and oak, i.e. pannage). They could also include rights of turbary, or rights to take turf or peat for fuel (but probably not for sale); rights of piscary, or fishing in the stream; estovers, or the rights to take underwood and small branches for fuel or for repairing houses (husbote), fences (haybote), and agricultural implements (wainbote), to take gorse for fuel and fern for litter; and rights in the soil i.e. to dig for sand, stone, coal and other minerals. The persons who had these rights would normally be the freehold and customary tenants of the manor, whose rights would be appurtenant to their lands, and the tenants of cottages without land of their own. There might be rights appurtenant to freehold lands not in the manor, or rights in gross, not appurtenant to any lands, Moreover,

if the waste of one manor was contiguous with the waste of another, without any effective barrier between them, there would be rights of pasture by reason of vicinage (par cause de vicinage). By the thirteenth century when the waste was considered to be vested in the lord of the manor, a lord could grant common of pasture much as he could grant land. For example, Robert de Ruhaut of Langley granted to Bordesley Abbey, in an undated charter (of 13th century date?) "the common of pasture of all his land beyond the water between Langley and Songar".³⁴ An agreement of c.1140 between Ingulf, warden of Rowington (on behalf of Reading Abbey) and Hugh fitz-Richard of Hatton shows the importance of common pasture in Arden, being concerned with "what common of pasture there ought to be between us" in Shrewley and Rowington.³⁵

Two main interests were centred on the common waste, that of the village community, interested in preserving the common as a vital adjunct to their arable and meadow holdings, and that of the lord, frequently interested in exploiting the common for his own purposes, a policy that clashed with that of the villagers. The doctrine that the lord was owner of the waste was firmly entrenched by the time of Bracton (1245-68), but extensive approvement of the wastes and commons had been taking place from the twelfth century onward, under licence or charter from the lord. The lord was considered legally as tenant in fee simple of his demesne and the lands of his customary tenants, but in the latter case he was bound by the custom of the manor to allow the customary tenant to take produce from his holding, and it was, indeed, the lord's own interest to do so. The freeholder on the other hand, presumed to have a grant from the lord of the manor was "owner of the soil", a tenant in fee simple. By the thirteenth century, the waste was also considered to be vested in the lord of the manor in fee simple, but his tenants, both villein and free, had rights in it.

There was no legal barrier to the inclosure or fencing of the common, arable, meadow or waste, by any tenant who was owner of the soil, for subject to the rights of commoners he could do as he pleased with his own. In particular, by a rule of the common law affirmed by the Statute of Merton, 1235 (Commons Act, 1236) the lord could fence, inclose, or approve any land of the waste as against his free tenants holding rights of pasture appendant or appurtenant, providing that he left them sufficient pasture of their beasts levant and couchant.³⁶ The reason for this act is made clear in the preamble "Because many great Men of England, which have enfeofed Knights and their freeholders of small Tenements in their great Manors, have complained that they cannot make their profit of the residue of their Manors, as of Wastes and Woods, and Pasture, whereas the same Feoffees have sufficient pasture (there) as much as belongeth to their tenement". Prior to this act, a lord was liable to have an action of Novel Disseisin brought against him by his freeholders if he attempted to approve, against which it was no defence to show that there still remained pasturage for all users. However, it frequently happened that the waste was subject to common rights by neighbours, and to them this statute did not apply. They could still maintain disseisin against the lord and it was not until 1285 that he acquired right of approvement against them.

These remarks apply to England as a whole. Conditions in Arden are frequently considered to have been unusual and the de Swanshurst case of 1221, already cited at some length in Chapter I is given as evidence for this. In answer to a Novel Disseisin brought against one of his men by a group of peasants, Ralf de Limesi claims that there is "a law in Arden" such that "where there is a great pasture, he whose land it is may make buildings, and raise hedges and ditches."³⁸ Two points need to be made, however, firstly that the Novel Disseisin was itself barely

sixty years old so that the "law of Arden" was probably only a disinclination by tenants to litigate over such matters in an area where waste was moderately abundant, and secondly, the other references to "free Arden" suggest that the problem is a much wider one.³⁹ The Quo Warranto rolls indicate that in spite of the "law in Arden" it was illegal for the lord to construct warrens without royal licence.⁴⁰ De Limesi's claim may in fact be no more than an ingenious attempt to avoid the action of the writ of Novel Disseissin based on vague traces of customary law surviving from former times.

Arden freeholders were certainly willing to challenge the rights of their lords to approve. In 1220-21 Elias de Nunneley brought an assize of Novel Disseissin against the Prioress of Wroxall concerning disseissin of common pasture; two juries decided that she did not disseise him "because he never had seisin thereof", but unfortunately this case cannot be used to carry the argument concerning the law in Arden any further, because the final clause introduces other factors.⁴¹ The Novel Disseissin could be used by the lord to his advantage, preventing unwanted encroachments, and Ryland cites a local case from the Curia Regis Rolls.⁴² In this, the Abbot of Reading successfully brought such an action against two men touching common of his pasture in Shrewley and Lapworth. One of these men, a freeholder, had been adding to his tenement by taking in common waste; "The jurors say that he disseised the Abbot of his common. Judgement: Let the Abbot have his seisin. And Herbert (the Chaplain) is in mercy for disseissin. The mercy (fine) half a mark. Damage 2s."

It was sometimes possible for lord and tenant to come to an agreement concerning the waste, especially if the tenant was of some status. For instance, in 1251-2 Ela, Countess of Warwick granted to the monks of Bordesley, "land of new purpresture in Claverdon next to the brook of Chelewellsych, in settlement of a plea of Novel Disseissin

between the said parties touching purprestures and assarts made by the Countess and her men in the common of pasture of the grantees in Claverdon, contrary to the tenor of a charter which the grantees have from her lord, Thomas, late Earl of Warwick (1228-1241); reserving to the grantor common of pasture over the said land during the open time, the grantees to be allowed pasture for their cattle and sheep in the grantors said purprestures and assarts after the crops were carried; the grantor to make no fresh purpresture in the said common of pasture of the grantees without the consent of each party." ⁴³ Earl Thomas appears to have specifically granted common of pasture free from danger of assarting within it. The Countess evidently felt that she could assart freely, either because of the custom of Arden or because of the Statute of Merton (1235), which recognised this right generally, but because of the clause in the original charter she was compelled to grant the monks rights in her several closes and those of her men.

The legal position with regard to approvement in Arden may now be summarised. There is no conclusive evidence to prove that Arden lords had any specific right to enclose the common, prior to 1235, indeed there is some evidence to suggest this was not the case, for freeholders who would no doubt have been aware of the existence of any such law were willing to risk bringing actions against lords. The distinction between manorial and common waste has not been dwelt upon, simply because insufficient facts are available upon which to base a discussion, but it is possible that the creation of manors prior to about 1200, largely involved manorial rather than common waste. By the early thirteenth century, however, lords were beginning to encroach on this latter, at first with difficulty in the face of local opposition, but finally with the sanction of Royal Authority, the Statute of Merton. By 1276 it was possible for the escheator to record that William de Arden, Lord of Hampton in Arden, was then holding ninety acres of new land, taken from the common pasture. ⁴⁴

The Technical Problems of Clearing Woodland.

At this juncture an appraisal of some of the technical problems involved in clearing woodland and bringing the land into cultivation is necessary. The points made below largely depend on experience gained by the Ministry of Agriculture in the clearing of derelict woodland,⁴⁵ together with the author's own experience of clearing brushwood from archaeological sites. In view of the total absence of evidence from Arden relating to these problems in the period 1150-1350 it is impossible to translate modern practice into medieval terms. To cite one specific example, burning must have formed an important part of reclamation, but there is absolutely no evidence in the material examined by the author to suggest when or how this was done.

In general terms it is possible to recognise four distinct phases of reclamation.

Phase I. This phase involved the felling of the large timber over one foot in diameter and the extraction of the stumps. This operation probably included the lopping of the branches of the standing tree, digging out the roots, and then using the weight of the trunk as a lever to extract the stump. Unless this was done the removal of the stump was a lengthy process that would take a number of years.

Phase II. The extraction and clearance of trees and bushes less than one foot in diameter but ranging up to thirty feet in height was now necessary. The time and labour necessary for clearing a given area would vary greatly with the presence or absence of this element. In moderately open woodland with an undergrowth of brambles and small bushes clearing can be done remarkably quickly with only a small labour force, and involves tools no more complex than a bill-hook, small axe and forked stick, the latter being used to roll the cut debris into bundles as a preliminary to burning.

Phase III. The removal of roots and small wood from the soil then followed and the final preparation of the site for normal farming processes took place.

Phase IV. Finally, there was the collection and disposal of rubbish, normally by burning.

It is highly probable that burning did play a vital role in this process of reclamation, since it converted timber into ash and provided a potash dressing for the soil, and evidence from Finland suggests that this technique resulted in phenomenal yields for the first few years of cultivation.⁴⁶ In practice, Phases I and II, the clearance of large tree stumps and thicket would normally have taken place together, but because they present different problems, it is probably valid to distinguish two phases, which although based on modern practice, are equally applicable to medieval woodland clearances.

The cost of the reclamation of woodland depends on five factors:

- 1) weather conditions at the time of clearing and burning;
- 2) the number, size and kind of large timber;
- 3) the density of small trees and bushes;
- 4) soil type, condition and lie of land;
- 5) the skill and number of workmen, and the equipment at their command.

Even in the Middle Ages it is probable that the cost of clearance, in terms of time and effort, was probably directly related to the density of small trees and bushes, and, in the case of secondary growth, the number of old stumps present. Virgin woodland with a closed canopy, little underwood, and a low proportion of small and medium sized timber was probably easier to clear than woodland with denser underbrush and many small trees. Since medieval clearing was dependent on such tools as axes, bill-hooks, saws of indifferent quality, spades, the labour of men and oxen, and fire, the problems of clearing have

to be considered in these terms. Woodland, that might have been attractive to substantial groups of colonists because of the indication it gave of soil quality would present insurmountable difficulties to the individual, working with only his family or a few others. In addition, wood was valuable, and was never ubiquitous enough in Arden to be granted to the peasant merely for clearance. Where good quality timber had to be cleared there was a strong inducement for the lord to undertake the task himself, for in addition to the profits, accruing from the sale of the timber, if he did not farm the land himself, it could be sub-granted.

The heath tracts, on the other hand, on lighter and apparently less productive soils, offered more opportunity to the individual colonist, with his limited capital. Here, fire would be a valuable asset, but it is probable that any timber suitable for fencing or other uses would be extracted first, together with at least some of the heather or bracken, since this would have some value as bedding for animals if not human beings. Such vegetation as remained would no doubt be slashed, permitted to dry, and then at a favourable time, fired. Such work was probably best done in the months between November and March, after the sap had fallen and before it rose, but would be dependent on the character of the weather over this period. Enclosure and drainage would be effected by raising a bank and a ditch, as the deSwanshurst case admirably indicated, and a fence, that in time might become a live hedge, would be constructed on the bank. ⁴⁷

The Creation of New Land.

The conquest of England in 1066 by William, Duke of Normandy, permitted him to establish one of the strongest forms of feudalism possible by allotting the lands of the Englishmen who had fought against him to his various followers. The nature of this division is not the concern of this essay,

but the variations in the intensity of Anglo-Saxon settlement within Warwickshire described in the introduction to this section (Chapter One) meant that some of these men acquired estates in Arden which, as indicated by Domesday Book, still contained a very high proportion of woodland. The nature of the Conquest forever demarcates landholding under the Normans from the proprietary notions of Old England. Those rights which Saxon landowners had over their tenantry were sharpened, tenure became closely woven into the fabric of society, and seignorial power became more absolute. With this came an increase in the power of the landowner to affect the course of events on his estates. A number of alternatives presented themselves to the Norman lord of an Arden manor desirous of increased profits and these may be summarised as follows:-

- 1) permitting the communities such as were already established to expand when and how they wished;
- 2) utilising the waste for his own purposes by taking it into his demesne;
- 3) subinfeudating part of the waste to a layman thereby creating a new estate;
- 4) granting land to a religious community;
- 5) creating new land to be re-let to tenants of peasant status;
- 6) granting waste land to individual peasants.

The first of these courses was occasionally followed in Arden, but will be discussed in a later chapter since the evidence for it is singularly insubstantial. It only took place where particularly strong and vigorous communities were already established prior to the Conquest. The second of these courses will also be examined in detail in a later chapter, but has to be seen in relation to the very clear liberation of land from the direct control of overlords by the process of subinfeudation. In 1086 some 60% (29) of the manors in Western Arden were demesne manors in the hands

of overlords, but by 1350, of the 107 manors then present only 13% (14) were still held by overlords. Some new lands were of course added to the demesnes, for example the ninety acres at Hampton in Arden already cited, but this aspect will be considered more fully when the character of the demesne farms is examined.

Subinfeudation to lay landowners.

Subinfeudation is the process by which a tenant is allowed to sub-grant his estate and reserve service of the same or a different nature from the service he renders to his immediate lord. By the mid-thirteenth century this process had created a vast, intricate complex of estates, and growing confusion led to the Statute of Quia Emptores of 1290. This act ordained that in all grants, sales and transfers of land the new holder should hold the land, with all its feudal liabilities of service, as from the chief lord of the fee and not from the person then directly transferring the land.⁴⁸ The result was that de jure no new manors should be created, although de facto some did come into existence, either by the usurpation of manorial rights to an existing estate, or by the sub-division of an older unit. The further increase of lords, vassals, and sub-vassals was prevented. Analysis of all the manors and sub-manors appearing in Arden prior to 1450 has shown that 48.5% were in existence by 1086 (Figure 8), 62% by 1200 (Figure 9), 82% by 1300 and 93% by 1350 (Figure 10).⁴⁹

The tenants-in-chief during the Norman period largely held their estates for knight service, that is to say they were charged with the burden of providing equipped knights for the feudal host or for castle-guard. In their turn, tenants-in-chief, who might be charged with providing 5, 10, 20, 50 or even 60 knights, sub-granted portions of their estates to mesne tenants demanding by way of service 5, 3, 1 and ultimately even a fraction of a knight, which service must have been rendered in terms of money. The

process, together with some indication of the chronology is illustrated by reference to the estates of the Earl of Warwick. The Cartae Baronum of 1166 records that while prior to 1135 $97\frac{5}{6}$ knights' fees had been created, (the old enfeoffment), between 1135 and 1166 only two fees, one in fact consisting of four fractional fees, were established, and by 1167-8 the Earl was answering for a total of $102\frac{1}{3}$ fees. The bulk of the enfeoffments had clearly taken place before 1135, and this trend is in fact true of most honours, the fees of the new enfeoffment (1135-1166), showing only an insignificant addition to those which had been created by the old enfeoffment.⁴⁰ One would also expect to find reference in the Cartae Baronum to the number of knights "on demesne", i.e. the number of knights due to make up the servitium debitum as opposed to the actual enfeoffments. However, this is not recorded in the case of the Earl so it is probable that he had enfeoffed more knights than were demanded, implying that to him such knights were a source of profit, rather than being the liability that they were to many ecclesiastical lords. The difficulty of raising the feudal levy led very early to the commutation of knight service to a money payment, and the fractional enfeoffments after 1135 reflect the use of scutage. Ultimately lords can be seen spreading the burden on to tenants who were in fact holding by socage. The establishment of knight service upon a territorial basis belongs in the main to the time before the death of Henry I (1135). The effect of scutage in permitting the existence of fragmentary fees has been carefully studied by Harley in relation to the Warwickshire estates of the Earl of Warwick.⁵¹ He has calculated that out of over ninety entries, in 1315, relating to enfeoffed manors, in only twenty-eight cases are whole knights fees recorded, twenty-nine listing half fees, the remainder fractional fees, as small as one eighth, one tenth and one sixteenth. The Cartae Baronum, relating

to all the estates of the Earl, provides a simpler picture, for it shows that four tenants were holding ten or more fees, four between five and nine, the remainder, some twenty-four landowners, holding three fees or less.

The territorial result of this activity has already been examined briefly, the enfeoffments by overlords being responsible for some of the increases in manors within Western Arden indicated by Figures 8, 9 and 10. Some of these increased involves the splitting up of Domesday manors, but within the central tract of Arden new units were being created from the waste. Subinfeudation by overlords must be regarded as an integral part of the colonising movement, an important part, since it divided Arden amongst the various sub-tenants of the tenants-in-chief, and it was the policies of the immediate lord rather than of the overlord that had the greatest effect on the subsequent development within a particular manor. Charter evidence shows that these men received grants of manors that were either partially or wholly wasteland. One finds, too, that there was a definite tendency for the larger scale enfeoffments of the Earl of Warwick to include within them some Arden manors reflecting the earlier arrangement of estate organisation described in Chapter One of this section. Thurstan de Montford, whose estates were not confined to Warwickshire, held the Arden manors of Edstone and Beaudesert, with additional land in Fulwood in Tanworth, in addition to Whitchurch, Cherlecote and Wellesbourne Mountfort in south Warwickshire.⁵² A clearer example is provided by Hugh fitz-Richard of Hatton who in 1135 was holding ten fees from the Earl, with twelve separate manors in Warwickshire of which four lay in Arden.⁵³

Not all of the Arden waste in his possession was sub-granted by the Earl. He still retained the manors of Tanworth, Berkswell and Claverdon in demesne, but was willing to grant portions of these to lesser sub-tenants. The

nature of colonisation by subinfeudation is clearly illustrated from an examination of the Tanworth charters. Table 2 shows the percentage of charters for each period in which the Earl of Warwick appears, predominately as a grantor, and suggests that the Earl's role becomes less important as the thirteenth century passes. Indeed a fundamental difference may be discerned between the charters of the twelfth and those of the thirteenth century, for those of the twelfth century are all grants to individuals of some status, for example to Robert de Ullenhale, and Seliit Archer his daughter, whereas those of the thirteenth century mainly involve small pieces of wasteland granted to individual freeholders and represent a different method of converting the waste to profit.

TABLE 2

Percentage of Tanworth charters involving the Earl of Warwick.

Period	Number	% of Total
pre 1200	7	78 %
c. 1200-20	2	6.5 %
C. 1200-30	19	33.5 %
c. 1240-70	0	0 %
c. 1260-90	13	9 %
c. 1290-1310	1	1.2 %

The grants to Robert de Ullenhale, made by William Earl of Warwick (1153-1184) enfeoff him in a manor some 2500 acres in extent, the property being described as "land and woodland" and being held as a quarter of a knight's fee. Since this holding is not mentioned in the Cartae Baronum it is probable that these grants are post-1166 in date, a possibility supported by the fact that such Tanworth charters as there are before 1200 suggest that a new phase of colonisation was beginning in the last two decades of the

twelfth century. The evidence of the Cartae Baronum together with the charter material suggests that on the estates of the Earl of Warwick there was a distinct hiatus in colonisation in the mid-twelfth century, the period before this being characterised by large scale sub-infeudations, the period after by fragmentary grants of parts of knights' fees or small pieces of land. The cause of this is perhaps the civil war of 1135-1154. Warwickshire certainly felt the effects of this for in the Pipe Roll of 2 Henry II, which gives the figures for the Danegeld levied in each shire, it is recorded that nearly two thirds could not be levied because of the devastation. Warwickshire is in fact the county that appears to have suffered the most. The area saw active fighting in 1147 when the Earl of Chester besieged Coventry, and earlier, in 1141, when the army of the Earl of Gloucester marched across England to the relief of Lincoln, it passed through Warwickshire and Leicestershire, no doubt using the Fosse Way, and leaving behind a wide train of devastation. Yet in view of the fact that other counties are recorded as suffering much more fighting it is hard to see why Warwickshire should record the most waste in 1156. Some unrecorded devastation is possibly the explanation. In 1162 a new Danegeld was levied and by then the item "waste" had practically disappeared. Six years of ordered government had done much to restore the wasted land, and medieval agriculture did not suffer permanently by war unless plough teams and livestock were actually destroyed in large numbers.⁵⁴ As was suggested in an earlier chapter, although it was sporadic, often local, and relatively ephemeral, repeated devastation was an ingredient of no mean importance in the life of England in the earlier Middle Ages, and such periods of desolation were too frequent to be overlooked in any reconstruction of the economic geography of that period.

It has been argued above that the bulk of enfeoffments

to knights' fees took place prior to 1135, but one finds that fragmentary fees were created as late as the last two decades of the twelfth century. The recipients of these grants sub-granted land to smaller tenants, and we have already seen in Chapter One that in Western Arden there was a considerable increase in the amount of land in ecclesiastical hands between 1086 and c. 1300-50. Harley examined this process on a wider scale and concluded that over this period the most marked feature of the landownership pattern was the stability and expansion of the ecclesiastical estates as opposed to the devolution and fragmentation of the secular estates.⁵⁵ In Arden, some of this land acquired by the church was in fact waste, waste that had formed part of the estates granted by large scale enfeoffments to laymen, and these sub-grants can be regarded as another facet of the colonising movement.

The Granting of Land to Religious Communities.

Within Western Arden three small religious communities are indigenous, resulting from grants made in the early or mid-twelfth century by Arden landowners. A distinction must be made between these and other manors in ecclesiastical hands, such as Temple Balsall or Hampton^{on} ~~Army~~, since in these latter cases the Arden property only formed a very small proportion of the total estate, the bulk of which lay outside the area. While the indigenous communities only held a small proportion of the total ecclesiastical property, they are none the less an important element of the colonising movement, for in these cases, the waste was, quite literally, being used for the salvation of the grantor's soul. As has been demonstrated already the foundation charters of two of these houses, Henwood and Wroxall, afford valuable evidence concerning vegetation conditions in twelfth century Arden.

Commencing with Wroxall Abbey, a community of Benedictine Nuns, we find that it was founded in about 1130,

by Hugh Fitz-Richard of Hatton.⁵⁶ The grant, consisting of part of the parish of Hatton, appears to have involved the 1850 acres that were to become the ecclesiastical parish of Wroxall (Figure 11), and was a portion of the ten knights' fees held by Hugh from the Earl of Warwick in 1135. In addition to lands already in cultivation, described as "the land which belonged to Aytrop, the whole land which belonged to Ordric and Arnwy, a virgate in Hatton," and possibly "the land between the two streams", the grant contained a substantial amount of woodland and heath, the latter for "ploughing or for feedings." The sweeping northern boundary of Wroxall, cutting across the flat plateau surface, is graphically described as "the whole of Nonneley, and especially the whole plain as far as the high grove of the hedges of the aforesaid Hugh, and of all that is enclosed by the circuit of the hedges, and as far as the bounds then drawn and marked." The grant was concluded by reference to "land of the place of Wroxall (Wrochesale), the whole of Killecote, and a wood extending to the bounds of Rowington, "these together forming the south-western portion of the parish, "the place of Wroxall" clearly being the site of the nunnery. In addition Hugh provided the nuns with the nucleus of a labour force, including in the grant six villeins, two of them married. The families they established would of course remain in the hands of the nunnery.

With this grant, the onus for the development of the waste passed from Fitz-Richard to the nuns, but little is known of the method by which it was brought into cultivation. That the nuns did take new lands into demesne is indicated by a Papal Bull of 10 June 1163, by which the nunnery was established under the rule of St. Benedict and the lands bestowed upon it were confirmed by the Church, "No cleric or layman at all shall presume to exact tithes from you of your newly tilled lands which you are cultivating with

your own hands or (at your own) charges or for the nourishment of your beasts." ⁵⁷ Some land was certainly let to sub-tenants; a rental of Wroxall dated 1327-8 records nineteen villein tenants and thirty-one cottars (four of which held "at will"). ⁵⁸ Of these some eleven villeins and twelve cottars held small pieces of new land. Holdings were invariably small, those of the villeins ranged between three and ten acres, the largest being sixteen acres, and with one exception the cottars held below three acres. The extent of the new land is limited, the largest piece being four and a half acres, the majority not exceeding three roods, unless any of the "divers parcels" are considerably larger. Where new land is specifically described separately, it is noticable that both the villeins and cottars rendered to the nuns reaping services for it. On the estates of the Bishop of Worcester such land was normally let for a money rent only, ⁵⁹ and the specific demand at Wroxall for reaping services suggests that the nuns were making a deliberate attempt to cut down on the hiring of labour for harvesting.

The author has at the time of writing no evidence to suggest the occurrence of extensive colonisation at Wroxall in the period 1150/1350; indeed on a map of the manor in 1714 the regularity of the closes strongly suggests post-medieval enclosure. This map is early and detailed enough for the small somewhat irregular closes resulting from medieval piecemeal colonisation to appear had they ever been present. ⁶⁰

The foundation charter of the second nunnery, Henwood, has already been cited briefly. Again a small Benedictine foundation, it was established in the reign of Henry II between 1149 and 1161 by Ketelberne de Longdon, in his manor of Longdon, within Solihull parish. ⁶¹ The site, "near a fair spring" was known as Estwell at the time of granting. The extent of this is indicated in Figures 19

and 20, and it is probable that it consisted of a mixture of cultivated land and waste. Ketelberne was the sub-tenant of a Hugh de Arden, the same man as the Hugo de Ardene holding five and one third knights fees from the Earl of Warwick in 1135.⁶² To this original holding were added other pieces of land by various lay landowners, some of which was probably waste and had to be brought into cultivation. For example, Ralf de Launde granted "all the land and wood in Hauckeseard", and his son, James, granted "certain lands and houses called Suthey". In addition, in 1304-5 Westminster Abbey, by then the overlord, bestowed a further fifteen acres of wasteland on the little nunnery (Figure 20).

The third of the houses established within Western Arden was Pinley, a small priory of Cisterian nuns, founded prior to 1125 by Robert de Pillardinton, who endowed it with all the lands he held from Robert Boteler (Pincernae) of Overley.⁶³ Numerous small pieces of land of an unspecified character, but probably mainly in cultivation, were added to this. Pinley appears to have been a very small establishment and probably could not undertake assarting itself. Thus in about 1220 Nicholas de Crudshale of Claverdon granted "all his assart between the wood of Claverdon and the land of the nuns of Pinley".⁶⁴

All these nunneries had holdings that were widely scattered throughout the county and elsewhere, thus Wroxall held lands in Shuckburgh, Henwood in Radbourneⁿ, and Pinley in Whitchurch and at Clyve in Worcestershire, but nevertheless they were only of local importance. The eastern portion of Arden, on the other hand, saw the establishment of larger and more powerful religious communities. Stoneleigh, Combe and Merevale Abbeys were all houses of Cisterian monks founded in about 1150. As has been shown, Merevale was endowed with part of Arden forest. The estates of Stoneleigh Abbey have been

examined by Harley and Hilton,⁶⁵ who showed how the ancient royal manor of Stoneleigh was developed by the Cisterians through the normal pattern of establishing large granges. Here, improvements from the waste in the thirteenth century were occasionally of considerable extent, no less than sixty-four acres in Westwood (Stoneleigh) and forty acres in Dalle wood (Stoneleigh), fifty acres in Allesley on the Eastern Arden plateau and four hundred acres in Radford, near Coventry. The priory of Austin Canons at Kenilworth was another religious house founded in the waste, for even though cultivated lands were probably included, the grant by Geoffrey de Clinton in 1122 of "all his lands and woods" clearly involved some wasteland.⁶⁶

The largest block of ecclesiastical property within Western Arden, however, belonged to the Knights Templar. The manor of Balsall was given to this order during the reign of Stephen by Roger de Mowbray, and at the same time a considerable estate in the adjacent manor of Barton^s was also granted. Balsall does not appear in the Domesday Book, and although the Anglo-Saxon origin of the name suggests that some settlement had taken place before 1086, the bulk of the manor was probably waste at this date, composing the woodland entered in Domesday Book under Hampton in Arden. In spite of a survey of 1185, one of 1338 (when the estates had passed to the Hospitallers), together with a great series of enrolled bailiff's accounts for the second decade of the fourteenth century, very little is known of the development of this estate, and although it may reasonably be inferred from the large income from rents in 1338 that new land was brought into cultivation in the thirteenth century, no proof can be offered.⁶⁷ This great estate, however, dominates much of central Arden (Figure 10) and must be examined more fully when the demesne farms are being considered.

As Harley points out, the contribution of indigenous

houses, i.e. those whose site lay in Warwickshire, to the ecclesiastically owned lands within the county should not be over estimated, for only thirteen owned property of township status and only five (Coventry, Kenilworth, Combe, Stoneleigh and the Knights Templar), owned a group of manors large enough to be termed as an estate. Land appropriated to the church in Warwickshire as a whole lay predominantly in the anciently settled areas, and his maps show a relative paucity of ecclesiastical estates in the north-west of the county. ⁽⁶⁸⁾ The twelfth century saw the establishment of a relatively large number of religious houses within the bounds of Arden for of the eighteen religious houses (excluding friaries, hospitals and colleges) founded in Warwickshire between 1100 and 1350, twelve (67%) lie within Arden, and all but one of these was established before 1160. ⁽⁶⁹⁾ These foundations constitute a distinct phase of the colonising movement.

The results of this process of sub-infeudation to secular and ecclesiastical sub-tenants are summarised in Figure 21, showing the increase of manors in Western Arden between 1086 and 1350, and which is based on Figures 8, 9 and 10. A comparison of these maps demonstrates clearly that the period between 1086 and 1200 saw the establishment of manors in the central tract of Arden which in 1086 had contained no recorded settlements, in particular the parishes of Tanworth, Solihull and Maxstoke and the chapelries of Packwood, Knowle and Temple Balsall. Other older settled parishes such as Hampton^{on}Avon, Bickenhill and Packington, saw either the establishment of new units or the break up of earlier ones. In the period 1200-1350 increases were far more localized, and in the western part of the area under consideration between Wootton Wawen and Solihull a further multiplication of manorial units took place, with Coleshill forming another. In each of the two periods Tanworth particularly is noticeable for

the large number of manors appearing in the record suggesting the presence of abnormal conditions. By 1350 a broad contrast existed between the east and west of the study area, for as a comparison of Figures 10 (Inset) and 21 will demonstrate, the increases in the period 1200-1350 were almost totally absent from those parts of Western Arden under the control of ecclesiastical lords.

The full effect of these sub-infeudations is clear from a comparison of Figures 8 and 10, for by 1350 the multiplication of manors had resulted in a landownership pattern of great variety and complexity. As will be demonstrated, within this map lies the answer to many of the variations in settlement, social structure and economy found throughout Western Arden.

The Granting of Waste to Individual Peasants. 70

The evidence for the granting of wasteland to individual peasants comes mainly from Tanworth, and is presented in Table 3:

TABLE 3

Tanworth: Land Grants by the Earl of Warwick to Peasants.

No.	Parties	Ac.	L.U.	Rent	Rent/a	Conson	S of C.	Scut
<hr/>								
	EARL HENRY (1220-1229)							
43	Henry de la Lee	8	?	16d	2d			
44	Richard de Middlemor	12	?	4s	4d	40s		
	EARL THOMAS (1229-1239)							
55	Richard Dispensarius	3	H	3d	1d			
56	Richard Dispensarius	10	H	2d	?			
57	Richard Dispensarius	10	?	20d	2d			
59	William Archer	2/+	?/H	5d	?			
51	William Archer	10	?	20d	2d	1 mk		
63	Henry de la Lee	6	H	12d	2d			
64	Henry de la Lee	3½	H ?	7d	2d			
65	John de Hulehale	6	?	12d	2d			
68	William de Wystanescroft	4½		13½d	3d			
69	William de Wystanescroft	24½		£8(?)		20s	15th c. copy error ?	
	WILLIAM DE BEAUCHAMP (1268-1298)							
a20	Nicholas de Lystersley	4	W	16d	4d	*	*	
a21	Roger de Bordsley	2a.1r	W	9d	4d	*	*	

No.	Parties	Ac.	L.U.	Rent	Rent/a	Conson	S of C.	Scut
a22	Simon Archer	9a.	$\frac{1}{2}$ r	W	3s $\frac{1}{2}$ d	4d	*	*
a23	Richard de Spona	3		W	12d	4d	*	*
a24	Roger Gerin	3a.	3r	W	15d	4d	*	*
a25	Richard de Alreshawe	Cot+5		W	2/6d	? 4d ?	*	*
a26	John Archer	80ac		W	26s8d	4d	40mks *	-
a27	Adam Beneford	3r		W	3d	4d		
a28	John de Pertegrene	6		W	2s	4d		
a31	Robert de la Heth	11ac3r		W	3s11d	4d		
a32	Henry le Wainer (Warner?)	1 $\frac{1}{2}$		W	6d	4d		
a33	Randolf de Tanworth	1		Bounded land	4d	4d		
	Thomas le Parker	22		W	7s4d	4d		
	(Add MSS. BM. 28024 102v.)					2/6d		

H. Heath. W. Waste. Rent/a. Rent per acre.

Conson. Consideration. S. of C. Suit of Court.

Scut. Scutage. Ac. Acreage. L.U. Land Use.

Cot. Cottage.

Mks. Marks (one mark 13s4d).

This charter evidence indicates that beyond all reasonable doubt within Tanworth the Earls of Warwick were pursuing a definite and deliberate policy of colonisation, granting wasteland at a regular rate. This is particularly evident in the late thirteenth century when William de Beauchamp was demanding for every acre of waste four pence per annum rent, suit of court twice a year and the payment of scutage when due at a rate of one penny per acre. References within surviving charters suggest the former existence of other examples, which have now disappeared, for instance when Roger de Swansditch granted a rood of land to Henry de Yardley he stated that it was bought from William de Bello-Campo (Beauchamp) "of the new waste in Tanworth," and that one penny chief rent was owed, (1268-98, T. a19). By contrast in the early thirteenth century there is strong evidence for a rate of two pence per acre. A consideration was demanded in a few cases only and the lands involved were normally described as heathland in the early period and waste in the later period. This rise from 2d to 4d per acre is a result of rising land prices, to be discussed in the next chapter.

There is no means of assessing what proportion of these grants by the Earl have survived, ^{for} the two dozen charters listed in Table 3 may only represent a very small proportion of the grants made. Furthermore, it is possible that while the Earls were using charters to grant land to freeholders, grants to villeins and cottars were recorded in the manorial court rolls. Unfortunately, only one court roll survives relating to the manor of Tanworth, dated 1289-90. It contains no references to grants of waste, but on the dorse is a list of names, holdings, rents and occasionally services. This list is plainly copied from another source, for the first entry refers to services and concludes with "etc". Normally, the services indicated by the "etc" would be stated in full in the first entry,

which in this instance is plainly missing. In the 17th century a copy of this document was made by Sir Simon Archer, who added to his transcript a heading stating that it was a "rental of the chief rents reserved from the lands taken from the waste by William de Beauchamp, in the time of Henry III" (1268-72; William de Beauchamp Earl from 1268-98; document probably 1268-90, the latter date being fixed by the date of the court roll).⁷¹ Sir Simon gives no source for this statement, yet he was clearly copying the ~~donee~~ of the court roll for in his notebook the rental follows the transcript of the roll itself. He may, however, have seen the original, and such fragments of the frayed top as remained led him to the conclusion indicated by his title. There is no good reason for not relying on his judgment in this matter, and his conclusion, that the rental appended to the Tanworth court roll of 1290, is in fact a list of tenements taken from the waste will be accepted.⁷²

A comparison of this rental with the surviving land charters reveals only one grant common to them both, John de Pertegrene was granted six acres of waste for two shillings rent, suit of court and scutage when due. (See Table 3 , grant T.a28). In the rental this appears as "Robert de Pertegrene holds a piece of new land for two shillings and two appearances in court." Robert was the son of John de Pertegrene and had acquired the holding by 1290. However, this is the only example of there being a link between the rental and the surviving grants of waste. In view of this, and the fact that of the forty-three tenants appearing in this roll, twenty-one, just under fifty per cent, do not appear in the land charters at all, not even in abuttals, it seems reasonable to conclude that we have in the rental a list consisting mainly of the small tenants, free and villein, who had acquired land from the Earl, and who in most cases were not holding by formal charter. If

the rate of four pence per acre is *assumed* a reasonable assumption, it is clear that the grants are all small, the majority being six acres or less. This explanation does not accord, however, with the presence of one person, William de Sydenhale, paying 6s.8d. for new land. Other evidence, presented in Chapter 5, clearly demonstrates that de Sydenhale was a freeholder of some substance, and he is likely to have been holding by charter. Some evidence does exist, however, for the non-survival of the bulk of the de Sydenhale charters prior to 1300. Why William was included in the list is purely a matter of guesswork; it may have been merely an error on the part of a scribe. The evidence is by no means strong but it does seem probable that the rental of 1289-90 does indeed represent a list of holdings taken from the waste.

The surviving charters show without doubt that the Earls were pursuing a deliberate policy of colonising the waste, granting land on exceptionally easy terms, presumably in order to encourage colonists,⁷³ and, if the interpretation of the rent roll is correct, this process may have been more extensive than the charters indicate. The evidence is clearly too fragmentary to attempt any assessment of the amount of land involved, but as will be argued it was certainly considerable. While there is no doubt that regular rents are particularly associated with the Earl of Warwick's grants (Table 3), Table 4 indicates all the rents per acre which it is possible to ascertain prior to 1300:

TABLE 4

Tanworth: Rents per acre 1150-1300.

8d per acre	7%
6d per acre	18%
4d per acre	38%
2d per acre	14%
Irregular	23%

100%

(These calculations exclude the grants by the Earl of Warwick, Table 3 . For the period 1150/1300 all the exact statements of rents per acre which it was possible to ascertain have been collected, and the proportion of each of the four dominant rents has been expressed as a % of the total).

Rents of four pence per acre clearly predominate, with the twopenny rent considerably less important. However, the sixpence per acre rent emerges as another regular rate, and can possibly be regarded as an inflated twopenny or fourpenny rent. There is no question of these rents varying in relation to land quality, nothing suggests this. The twopenny rents all date from the early thirteenth century, the others, 4d, 6d and 8d, largely from the late thirteenth century. The variations clearly relate to chronology, lordship and rising land prices rather than land quality. Thus, William de Wistanescroft in c. 1270-80 (T. a90) when he granted to Thomas de Hauekesawe three acres of land, was probably re-granting for sixpence land himself held from the Earl at the rate of fourpence. Philip Durvasal of Spernoure was letting waste from his estate in the north-west of Tanworth at a rate of sixpence, for in two charters (T. a100, c.1270 and T. a44, c.1270-90) he demands this rate for all service save scutage, and, in sharp contrast to the Earls, a consideration. In another charter he demands the same services and tenpence rent for one and a half acres of waste (T. a45, c. 1270-90). It is probable that much of this land, being sub-granted, was originally acquired from the Earl at a lower rate of payment.

The evidence for the progress of colonisation in Tanworth parish is shown in Figure 22. The grants from the Earls range in size from three roods to eighty acres but as Figure 22 B shows they most commonly fall between two and ten acres, and these small thirteenth century grants contrast markedly with the larger twelfth century block

grants made by Earl William. They are scattered over the plateau surface, and with two inexplicable exceptions, lie within the Earl's manor of Tanworth.⁷⁴ Concentration occurs in two zones:-

i) To the north of the Aspley-Nuthurst road, lying as Figure 22 C indicates, to the north of the earliest zone of occupation, and representing no doubt the frontier moving northward into the waste across the flat plateau surface. As Figure 22 A shows, these grants consist of waste, but Figure 18 suggests that this was in fact heath, and represented an area damaged by felling and grazing. Two large grants in the eastern part of this zone transferred a considerable portion of Section 3 to the Archer family, but smaller men, such as the de Swansditches, the de Cherlecotes and the de Wistanescrofts also had property there. Three grants of Earl Waleran lie to the south, in an area of older settlement, and as Figure 22 A indicates they involved no waste.

ii) To the north of this lies a second, less distinct zone, running north-west to south-east, following the King's Norton-Warwick road, the Saltway (Figure 49), and terminating in the west at Sponna and in the east at Hockley. The large block associated with this road, to the north of Section 3, was in fact probably never cleared, surviving even today as Aylesbury Land Coppice. In the north west at Sponna, near Calvesley Heath (Figure 18) a gravel capped ridge was being colonised piecemeal by small freeholders.⁷⁵

A number of minor grants appear elsewhere, the thin scatter reflecting no doubt the disappearance of a great many charters. Four distinct gaps are visible:-

- i) in the north of the parish due, as will be argued elsewhere, to the early clearings adjacent to the village, clearings which largely date before 1200;
- ii) in the west of the parish, the Ladbroke area (Sections 39, 40 and 41). Much of this zone, together with Section

37 was parkland and woodland which survived here in some quantities until the early seventeenth century. The western portions of Sections 40 and 41 probably consisted largely of heath, ⁷⁶

iii) much of Sections 34, 35 and 25 were probably demesne woodland, although there had been some clearing in the area.

The thirteenth century colonising movement (Figures 1, 3 and 4), was taking place on the drift capped ridges of the northern part of Tanworth parish and in the south on the more favourable sections of the main plateau surface. It plainly involved the reclamation of land that had already been worked over, the place names Calvesley and Hockley are both Anglo-Saxon in origin, indicating some occupation in this period, Calvesley being a true "leah" name, probably meaning "Calves-Clearing". Strong reasons exist for believing that the majority of these grants to freeholders involved heath. In the case of the grants by Earl Thomas, even when the land is not specifically described as heath, heath normally appears as an abuttal. The relationship between seignorial land grants and heath is easily seen from a comparison of ^{Figures} 18 B and 22 B. The Earls were settling the colonists in areas where the woodland had already been so degraded, by the thirteenth century, as to be otherwise useless, except for grazing. They jealously reserved for their own purposes the west of the manor which was still heavily wooded. (Figures 18 and 47).

Tanworth, as has been indicated in an earlier chapter, was a demesne manor of the Earls of Warwick and it is here, under strong lordship, that such evidence of a deliberate policy of land settlement might be expected. Some small pieces of evidence exist, however, to suggest that such policies were in fact more widespread. For instance, it is probable that the free tenants at Langdon in 1276 specifically described as holding "by charter" fall into this category. ⁷⁷ Three Solihull charters exhibit characteristics comparable with those of Tanworth:

TABLE 5

Solihill: Charters suggesting deliberate colonisation.

Parties	Acres	L.U.	Rent/ acre	Rent.	Conson.	Service
Nicholas son of John de Billesleye to Richard son of Adam Levyet (CR/13, CR/16)	6	New land	4d	2s.	-	for all service
<u>Nicholas de Oddingseles</u> to Adam Levieth (CR/84/6)	1	-	4d	4d	-	for all service
Adam Leviat (Levieth) (CR/84/5)	6	H	4d	2s.	-	for all service

Were it not for the Tanworth material these would have excited little comment, but they plainly fall into the same class. They have survived because they relate to one property, originally held by the Leviat family, and the deeds for this have fortunately been preserved in Warwick County Record Office. Solihill, containing nine manors was, in many ways, comparable to Tanworth, although the de Oddingseles were of less importance than the Earl of Warwick. More of this type of evidence might have been expected, but Tanworth material clearly shows that the bulk of such grants occurred prior to 1300 and the Solihull charters before this date are few in number. Single grants, such as that from "Nicholas, Lord of Sheldon to Richard son of William le Newecomen, for a certain sum of money, a piece of my waste

in Sheldon (adjacent to) the piece that Henry de Uulnale smith, bought of me and enclosed from the waste," 78 or that from John Pecche to Thomas de Erscote of "a plot of land ... in my waste at Coppethorne, on the heath called Ketelesheth" (Catherine de Barnes Heath in Solihull) 79 clearly suggest comparable seignorial encouragement of settlement, but without a large collection of charters it is impossible to maintain that a deliberate policy was sustained. There is a strong presumption that it was. Examples could be multiplied; in a grant at a date prior to 1290, "Richard Ammundeville, lord of Berkswell, granted to Richard de Bruera (of the Heath) three acres of land formerly held by William Lyyde lying between the land formerly held by Jordan del Schawe on the one hand, and the wood of Berkswell on the other." 80 The donee is to pay nine pence silver for all service save two suits of court and scutage when due, reminiscent of the services demanded at Tanworth. More certain evidence is, however, available from Baddesley Clinton as the following table shows:

TABLE 6

Baddesley Clinton: Charters suggesting deliberate colonisation

Deed Parties Nos.	Acre age	L.U.	Rent acre	Rent	Conson.		Par cels
<hr/>							
JAMES DE CLINTON to William Godman							
10 of Wroxhale	1½	W	4d	6d	20/-	Suit of court + scutage	1
14 Nicholas Clerk	1	W	3d	3d	1 mk	-	1
16 Roger AtteWood	2	W	4d	8d	3 mks	-	2
17 Geoffrey s. of Roger atteWode	½ + 8 portions	W	4d	2d	11/-	Scutage	
18 Thomas atteFenne	2½	W	4d	10d	-	-	1
19 Adam Gamel (3.7.1315)	½	W	8d	4d		Scutage	1
THOMAS DE CLINTON to							
29 Thos.atte Forde (24.6.1324)	one piece	W		6¼d	-	-	3
36 Cecilia widow of James de Clinton (11.11.1325)	piece	W	-	-	-	-	2
43 William de Moreye (4.3.1326/7)	1 rood		8d	2d	-	-	1

In this group of charters more occur than in the Tanworth series, in particular, a consideration is frequently demanded, but the presence of regular charges per acre for wasteland is evident. Grants are on the whole very much smaller than those in Tanworth, and, as will be demonstrated in chapter eight, a very different landscape was being created.

The chronology of the Tanworth land grants can be established with some precision since the Earldoms are securely dated.

TABLE 7

Tanworth: Chronology of Seignioral Land Grants.

Earl William,	c.1153-84	(Large grants)
Earl Waleran,	c.1184-1204	3
Earl Henry,	1204-1229	3
Earl Thomas	1229-1239	10
William de Beauchamp	1268-1298	13

With the sole exception of a grant of one and a half acres of waste land by Earl Guy de Beauchamp (1298-1315) for six pence rent, suit of court and suitage when due (T.a 158) there is no evidence of systematic granting after 1298. A series of grants from Coleshill are all probably late thirteenth century in date, while the Baddesley Clinton material is somewhat abnormal in that it ranges between c.1300 and 1327. The bulk of this type of seigniorally sponsored settlement appears to have taken place prior to 1300. The paucity of evidence in Solihull is no doubt attributable to the comparatively few deeds surviving before 1300.⁸² While it is impossible to argue from negative evidence, it is notable that in Bickenhill, Hatton, Shrewley and Lapworth, all parishes with some quantity of early evidence surviving, there is no material that even hints at the presence of comparable policies.

Conclusions must necessarily be cautious and limited, but the evidence presented indicates beyond reasonable doubt that in two, possibly three parishes (Tanworth, Baddesley Clinton and Solihull), lords were encouraging the settlement of the waste by granting land to colonists for regular rents

and services. These grants were taking place in the heaths, which appear by the thirteenth century to have been extensive. Evidence for this is directly proportional to the number of thirteenth century charters surviving and even in Tanworth, with its locally incomparable collection of material before 1300, seignioral grants of the type discussed here only form some 7% of the total number. Tanworth is not completely unique, however, as will be shown below, for in Coleshill, seigniorially sponsored colonisation was assuming another form.

Sub-granting of Seigniorial Assarts.

In certain circumstances it may have been to the lord's advantage to clear wasteland at his own expense and then sub-grant it in small pieces to peasants. Evidence for this is, however, by no means common; in one parish only, Coleshill, can real proof be offered, so that the practice may have been more widespread than the evidence indicates. For example, the tenants of the Bishop of Worcester at Bushwood may have been holding assarts created by the Bishop, and the "forlond de novo assarto" held by the peasants at Berkswell in 1324-5 may be seigniorial in origin. ⁸³ Clearing of this character is clearly implied at Coleshill in a series of charters involving John de Clinton, senior, and his younger son, Thomas. The relevant land charters are summarised on the next page.

TABLE 8

Coleshill: Seigniorial Land-grants.

Charter No.	Donee	Acre age	Rent	Conson	Rent a/c	1	2	3	4	5
11	William de Didindona	1½	6d	20/- silver	4d	*	*	*		
25	Osbert Bakun	1½	6d	25s. silver	4d	*	*			
26	Walter, son of Osbert	½	2d	No conson	4d	*		*		
33	Thomas Mayn	½ rod	½d	2s.6d.	4d	*		*		
42	William Chaplain	2a. 3r	11d	46s.3d silver	4d	*		*		
43	Jurdan Gonn	1½	6d	24s. silver	4d	*		*		
<u>Waste</u>										
128	John de Collesley	5	20d	-	4d			*	*	*
130	Simon atte Welle	½ ac	2d	-	4d			*	*	*
135	John le Baker	1 piece	12d	-				*	*	*
31	Richard Donvile	1	5s. (silver)	13s.4d		*	*		*	
87	Agnes Spake	½	5s.2d. (s)	53s.4d		*	*	*	*	
38	John de Sesindor	Land + message	6d. 16s.			*	*	*		

Wingfield-Digby Collection.

- (1) No alienation to religious men or Jews.
- (2) Haybote in the outwood by view of foresters.
- (3) In lieu of all demands except foreign service.
- (4) Other terms specified.
- (5) Suit of court demanded.

The first group has been isolated for several reasons. All the grants involve a stated number of acres from the lord of the manor to an individual tenant; a money rent is demanded in each case, clearly of a rate of four pence per acre; in some cases the grant is qualified by stating that the land is not to be alienated to religious men or Jews, and a cash payment is normally demanded in lieu of all services except foreign service. A comparison with the Tanworth material suggests that this form of grant is normally associated with grants of wasteland (Table 3), but in Coleshill waste is not specified, and the charters are unusual in demanding very high considerations. However, the vague descriptions of the property, together with an absence of references to place-names and former tenants, combine to suggest new land. It seems reasonable to explain this situation by assuming that the land had in fact been cleared by the lord before being sub-granted. Four problems have to be examined; first, can this contention be substantiated; secondly, what encouraged the lord to do this; thirdly, is it possible to distinguish between seigniorial and tenant assarts, and finally, what were the effects of this method of colonisation ?

Some light is thrown on these questions by two grants from Thomas, younger son of John de Clinton.

"Grant: Thomas de Clinton to Philip de Ambresley: a burgage tenement in the manor of Coleshill, formerly held by William de Mertona, an assart in the wood belonging to the said Thomas and ten acres of enclosed land with the crop, between the land of Thomas the priest, and between the assart of John Drake in length, and between the assart of Richard Freemon and between the assart of Gilbert de Scholeya, and between the small heath in breadth. Rent, a pair of white gloves at Easter." (W.D. 59). Pre, 1290.

"Grant: Sir Thomas de Clinton to Peter Brun of La Lee: 10 acres of land with ten feet surrounding them in the wood of the donor in Chelmondeshay, with the crop standing thereon, and lying near the road from Sterkenford towards Beltesleg in length, and stretching from the road to Colleshill to Oldecotenhall (Aldcote Hall), in order to ditch and enclose them and make his profit thence annually for ever. Rent 40d. Consideration, 16 silver marks and 15 shillings." (W.D. 61). Pre 1290.

The second of these has the same characteristics as the grants of John de Clinton, namely four pence per acre rent, a high consideration, vague locational details, the power of free alienation (except to religious men or Jews), housebote and haybote by view of the donor's foresters, and the rent is in lieu of all service except foreign service. The land is "in the wood of the donor in Chelmondeshay" and the most likely explanation is that a piece of cleared land is being granted, with the crop on it. The "ten feet around it" can best be interpreted in the light of the clause "in order to ditch and enclose", the ten feet being to provide space for the ditch and bank.⁸⁴ The first of the documents cited is granting land under similar circumstances, but includes in addition, an assart, (i.e. a clearing) in this case for a nominal rent. Although the sense does not necessarily imply this, "the assart of John Drake" could fall into the same category, but the phrase "land in that assart which Simon Marsh bought from Thomas de Clinton" is even more suggestive of the sale of land cleared by the lord.⁸⁵ That the de Clintons were undertaking assarting is further proved by a reference to the "lord's assart" in a charter of the late thirteenth century.⁸⁶ The reference in 1261 to the "great assart of Clinton" in Beausale raises questions as to the extent to which this method was a family policy, but in this case there is no proof of sub-letting to tenant farmers.⁸⁷

These two charters (W.D. 59 and 61) also throw light on the second problem, namely what encouraged the de Clintons to clear land at their own expense rather than grant the waste to individuals as the Earl of Warwick did? One factor appears to be that they were obtaining crops from the freshly cleared land prior to selling it, and it is probable that very high yields were being obtained, for as was indicated earlier in this chapter, newly cleared land was exceedingly productive. Furthermore, in comparison with Tanworth, early references to heath are comparatively rare in Coleshill, and the very use of the word assart suggests that woodland had been cleared. The timber obtained would have been valuable, and this may have been the original reason why the de Clintons did the assarting themselves. ⁸⁸ There were three ways of recouping the initial capital outlay, the sale of timber, the profits from the crops, and the substantial considerations, which they were able to demand when the land was sub-granted. All this was in addition to the rent of four pence per acre which appears to have been standard throughout the area. No doubt the Earl of Warwick would have followed such a policy had he been able to, but the simple sub-grant to a freeholder was for him the most profitable way of utilising the heath tracts of central Arden.

It has been stated that an assart whose name involves a personal name in the genitive case was in fact made by that person. ⁸⁹ A number of such names appear in Coleshill, Marchesfield, Boacheresruding, Brankeresrudyng and Merersrudyng. Marchesfield, however, almost certainly has its origin in the "assart which Simon Marsh bought from Thomas de Clinton, Knight" (W.D. 48), a fact which must cast some doubts on the origin of the others. In view of the comparatively large size of the Wingfield-Digby collection, the virtual absence of specific grants of waste from the lord of the manor to individuals must be taken as strong evidence for their rarity in this parish prior to 1350. ⁹⁰

The evidence available indicates that reasonable grounds exist for suggesting that the de Clintons were assarting on their own behalf, some cleared tracts being retained, at least for a short period, in their own hands, while others were sub-granted to tenants. A strong inducement to follow this course of action was to be found in the greater profits. Further discussion of the effects of this type of colonisation must be deferred until later, for as will be shown the result was not always a several field; in Coleshill at least, it sometimes resulted in something practically indistinguishable from old-established common field.

Clearing and Enclosing.

Two types of clearing can be broadly recognised on the bases of the evidence examined above, seigniorial and peasant. In Arden as a whole the use of the term "assart" is uncommon, it appears only infrequently in the Tanworth, Baddesley, Clinton and Solihull charters, and only rarely in any of the other material examined for Western Arden. It is most common in Coleshill, where it is applied to the seigniorial clearings, and it would appear that the definition of the word by the author of the "Dialogue of the Exchequer" is valid, "that is, when groves or thickets in the forest suitable for pasture or lairs for animals are cut down, and after the trees have been felled and torn up by the roots, the land is dug up and cultivated." ⁹¹ Assarts involved the felling of woodland, and this would explain the complete absence of the word in Tanworth where heaths were being broken up. It is a far more common term in wooded areas, as at Stoneleigh for example, and in particular in Royal forests. ⁹²

The definition of assart from the "Dialogue" vividly describes land reclamation, and reinforces the suggestion that the individual peasant colonist probably found the heathland easier to reclaim with his limited resources.

For clearing heavy woodland draught oxen would have been needed to extract the roots and remove the timber, while in heath, fire would be the most valuable tool, leaving merely the small trees to be dealt with. It is possible that with a small plot, preparation for cultivation would first have been performed with a spade, for the vicar of Chilvers Coton in 1286 had no tithes from the sheaves of the curtilages cultivated by foot, (exceptis garbis curtilagiorum pede cultorum).⁹³ The lighter less productive soils of the heaths could, as later evidence will show, be improved by the addition of marl or even pond mud.

There is no contemporary evidence to indicate how new land was brought into cultivation, but enough has been said already to suggest the techniques that were probably used. Such evidence as does exist is oblique. Thomas, Earl of Warwick granted to Richard Dispensarius, certain heathland described as "ditched and enclosed", implying that the first process of reclamation was enclosure by means of a ditch, and presumably a bank. Three acres are involved, one lying adjacent to an older enclosure, no doubt a common practice, but the other two lie "in the heath" adjacent to a road (1229-39, T.55). This course was not always followed, however, as a reference to two acres in the heath "to be ditched and enclosed" indicates (Pre 1290, c.1275, T.Add. a 4). The fact that in Tanworth, and elsewhere grants of waste or heathland almost invariably state the acreage with only a vague indication of the bounds, strongly implies that no clear bounds existed.

One of the most interesting references to the nature of enclosures, has already been cited in another context, namely the charter from Coleshill by which Sir Thomas de Clinton granted, in the late thirteenth century, "ten acres of land and ten feet surrounding the, in the wood of the donor in Chelmondshay, with the crop standing thereon.... in order to ditch and enclose them." This clearly implies

reclamation prior to enclosure, though some form of fence to protect the crop from deer must surely have existed. This grant may be compared with that of "an assart in the wood of the said Thomas, and ten acres of enclosed land with the crop." The ten feet suggests that enclosure was to be by means of a substantial bank and ditch. Something of the practical side of reclamation is demonstrated by the Exchequer accounts of the lands of the Knights Templar in Chilvers Coton. The account for 1312 records under income "£7 from coppice wood and twenty-two oaks called 'sturdies' (robores) sold" while on an entry under expenses one finds "and in the making of 132 perches of fence (sepum) around the close of the manor, price of a perch 1½d, and 47 perches of ditch around the wood there, 2d for a perch, 20s.". ⁹⁵ It would appear that a small area of woodland has been cleared, the new field is hedged, and the wood is again enclosed within its protective bank and ditch. The value of the woodland to the lord of the manor is clearly a vital factor in determining who shall clear it.

References to the precise nature of the enclosures and agreements concerning their maintenance are disappointingly infrequent; no doubt these latter problems fell under the aegis of the manorial court, and were only rarely the subjects of formal agreements. It is reasonable to assume that the earliest enclosures were in fact palings, formed of the debris resulting from the clearance, but the term "pale" occurs only twice in the documents, one reference in Tanworth (Longcroftespale in c.1200-10, T.25) and in Widney Manor in 1289, a specific reference to a meadow enclosed by a paling, hedge and ditch. ⁹⁶ Frequently the material used in this pale would sprout, and this, together with the growth of brambles, bushes and other plants, would within a very short time produce a hedge. Specific references to live hedges are also rare, a Tanworth

charter of c.1290 (T.a 151) mentions "a certain piece of arable land with meadow and hedges (or fences) pertaining to it as it is surrounded by a live hedge", while a Sheldon charter of 1315-16 refers to a live hedge in association with a piece of waste and newly enclosed ground.⁹⁷ These are but isolated cases, however, and the vast majority of references refer to "haia" or "sepes", which as Miss Vollans points out are ambiguous unless qualified by the adjective "live", (viva haia, viva sepes), and are probably best translated as "fence" although many must [have] in fact been true hedges.⁹⁸

A few references to hedge or fence maintenance occur; in an exchange of lands in the south of Tanworth in c.1230-40 one of the parties, William son of Waring, was to keep the hedge in order "where it is between the exchanged lands," while in c.1270-80 (T.a 88) the grantor of two and a half acres of land lying between the old land of Alreshawe and a certain new acre of land had to maintain half of the hedge between this land and that of the grantee. In practice in areas such as Arden agreements or disagreements over the maintenance of hedges must have been frequent but were no doubt most commonly recorded in court rolls rather than in charters.

Field-work throws some light on the problem of early enclosures, but these must remain as isolated observations until more work has been done on the degradation of hedgerows. There is nothing remarkable about the earliest enclosures in the south of Tanworth. The hedges, often now very much degraded, stand on a bank, and traces of a slight^{ditch} remain in cases where a modern drainage line is not maintained. Excavation of documented stretches would possibly provide some answers, although a hedge line can suffer many vicissitudes in eight centuries. It is subjected to a process of constant erosion and renewal, and the surviving feature is the result of the balance achieved at any one time. Rain wash, root action, rabbits and stock are all factors

tending to reduce the height of the bank and infill the ditch, while against this has to be set the process of maintenance. Where ditches are regularly scoured, unless the scourings are thrown over the field, the bank will tend to maintain its height. The form and persistence of the hedgerow would also be affected by the nature and general standard of husbandry in the area.

The survey of John Archer in c.1500 provides a very detailed picture of the closes of Tanworth, but as Figure 23 indicates it is still difficult in many cases to associate the closes present in c.1500 with the existing fields, or even those of 1842. In Section 17, however, the strong north-south hedge lines, dividing the area into a series of strips can be securely dated by the survey, and in Section 16 the medieval pattern of closes is preserved on the Tithe Map and in the present landscape, since these can be related directly to those described in c.1500. It is likely that the present hedgerows preserve the line, if not the forms, of those of c.1500. Furthermore, a charter of 1332 (T.b 168) suggests that Section 16 was then woodland in process of being broken up. Any hedgerows present in c.1500 possibly reflect the form of the original enclosures.

An examination of the ground today reveals a series of imposing hedgebanks, carrying a fair amount of timber, together with a marked ditch, some five feet wide by eighteen inches deep. Probing suggests the existence of three feet of silting, and in its original state the feature must have consisted of a bank four feet high by five at the base, with a ditch some five feet wide by just over four feet deep. These measurements may be compared with the ten feet left for enclosing a clearing at Coleshill, and with the ditch in Baddesley Clinton to be seven feet wide.⁹⁹ While no positive proof exists it is probable that these features are the result of medieval enclosure, and the phrase used in the de Swanshurst case of 1221 would appear to support

this, referring to the raising of "hedges" (fences or more probably banks) and ditches (levare sepes et fossata). Comparable features, often much degraded, are widespread in Arden, and in Tanworth are particularly noticeable within the known areas of thirteenth century colonisation, Sponna (Section 33) and Aldershawe (Section 26) for example, but not all date from such a remote period, however, for large hedgebanks appear on Shirley Heath on land that in c.1500 has every appearance of being newly enclosed. ¹⁰⁰

The piecemeal colonisation resulted in a pattern of small rather irregular closes, the nature of which is indicated by Figure 23, covering the Cherlecote area. A reconstruction of the pattern in 1825 is possible, and this has some relationship to that indicated by John Archer's sketch map of c.1500. It would be unwise to argue from any discrepancies, but it may be noted that the relationship is clearly not simple. The entire field pattern of the parish of Lapworth has been mapped in Figure 24, and this illustrates well the intricate pattern of small closes developed in Arden. It is possible in certain areas to distinguish between what is probably thirteenth and fourteenth century enclosure and later closes, squarer in form, indeed a "frontier" can be seen. A small park also is clearly visible in the south-west of the parish.

The discussion will be terminated at this point because to continue would necessitate an examination of the minutiae of detail in charters, and the precise significance of such terms as close, croft and field, ¹⁰¹ which lies beyond the scope of this essay. A number of conclusions are possible:

- i) new severalties created from the waste were invariably enclosed, this process occasionally taking place before reclamation but more usually after;
- ii) no evidence exists for the demarcation of the plot of waste granted in the form of marks or boundary stones,

and it is probable that a grant of "three acres of waste" in fact implied "three acres of waste, more or less".

No doubt the Earl's bailiff took note of the amount and saw that it was not excessive;

iii) enclosure was apparently effected by means of a bank and ditch, the former being topped by a brushwood fence which very rapidly became a hedge. Occasionally quick hedges were deliberately encouraged. The bank would serve to act as a double barrier to deer and stock, while the ditch, in addition to being a barrier also formed a field drain;

iv) the size of these original clearings was normally small as Tables 3 and 6 indicate, and the surviving field patterns, that of Lapworth for example (Figure 24), suggest that the piecemeal enclosure resulted in an irregular and intricate pattern of small closes.

The Increase in Area of Occupation.

The principal result of this activity was to increase considerably the amount of improved land within Western Arden, and while a quantitative assessment of this is impossible, some assessment must be attempted of the extent of occupation achieved by 1350. The colonisation of Arden in the two centuries after 1086 can be considered mainly in terms of infilling, for although the evidence of place names in twelfth century charters indicates that some Anglo-Saxon settlement had taken place a hiatus in settlement is clearly shown by Domesday Book (Figure 7). Figures 8, 9 and 10 show that the manorialisation of this zone occurred prior to 1200, and this process implies the spread of settlement. Complementary evidence comes from Figure 6, based on recorded place-names, and as the insets illustrate, after 1200 the movement was entirely one of infilling. In other words, all of the major settlements in Arden, those that give their names to parishes or

townships, were present by 1200. and those names that appear in the documentary record after this date are almost without exception minor names. It may be reasonably argued that many of these were in fact present at an earlier date, and their appearance reflects the better documentation of the thirteenth century. This class of evidence becomes far less reliable after 1300 since Lay Subsidy rolls are the principal sources used, and the appearance of a personal name in a parish, apparently derived from a local place-name, is open to more errors than a simple specific reference to a place. As Figure 6 indicates the distribution of such names is very uneven ¹⁰² and reflects the number of minor names that have survived and can be identified. Clearly, however, the process of infilling was continued in the early fourteenth century. (Figures 6, 8, 9 and 10).

The spread of manorial estates (Figures 8, 9, 10) with the evidence of place-names (Figure 6), together constitute complementary evidence for the course of colonisation in Western Arden, for both types of evidence are derived from a wide variety of documents. Both indicate that by 1200 the entire area had been settled, mainly as a result of the large scale enfeoffments to secular and ecclesiastical landlords prior to this date. The result of this activity was the sub-division of the Western Arden plateau into a series of estates. Two principal factors influenced the course of post-twelfth century colonisation, firstly, the extent of development prior to this date, and secondly, the policy of the lord of the manor towards such tracts of waste as existed within his jurisdiction. It was within this framework that peasant colonisation took place, and as has been shown the course of this movement was strongly influenced by the co-operative policies of the feudal lords. The fact that peasant clearing did take place suggests that

population within the area was growing, both by natural increase and immigration, a point to be returned to later.

The progress of this peasant clearing can only be illustrated in detail by Tanworth, Figure 22C, where the earliest charter relating to each quarter kilometre square of the National Grid covering the parish has been plotted. Prior to 1200 occupation was scattered, the main concentration being in the south, but the following half century saw a rapid colonisation of a broad north-east to south-west belt in the south-east of the parish, with outliers in the south-west and north. Some at least of this must be the result of better documentation, but the distribution of grants of waste and seigniorial land grants (Figure 22A and B) suggests that the period did indeed see an intensification of the process of colonisation. The period 1250-1300 saw further gains, especially with the encouragement by Earl William de Beauchamp, and it is clear that by 1300 occupation had spread over almost the whole parish. The voids that remain on the map are due to two factors - surviving woodland, parkland and heathland, and inadequacies in documentation. Significantly, the great volume of charters in the period 1300-1350 adds but little to the pattern, they relate in fact to those areas that had been occupied prior to this date. Five areas or groups of areas (Figure 22C) remain;

A, comprising Ladbroke Park, together with parts of Old Park (Figure 47), Aspley Windmill and Langley Heaths (Figure 18);

Bi, Bii and Biii are due respectively to the presence of Earlswood, Newfallings Coppice ¹⁰³ and Countess Close with Lady Heath (Figures 18 and 47);

Ci results from the absence of the early de Sydenhale charters, and the charters for Cii are also totally lacking. Ciii indicates the site of Ilshawe Heath (Figure 18) while Civ is another locality where the documents are missing;

Di and Dii comprise the hiatus resulting from the lack of the early deeds relating to Light Hall (Di) while the northernmost section is that section of the parish occupied by Totlesmos or Shirley Heath;

Ei and Eii are again the result of missing charters.

The pattern appears fully explicable ¹⁰⁴ and clearly confirms the chronology of settlement suggested by the evidence of place-names (Figure 6) and the analysis of the specific grants of waste; by 1300 the main force of the movement was spent. Wasteland and woodland still survived, but such was the impetus of the movement that although absolute proof is at the moment lacking, it is probable that the pattern of occupance then established persisted in all its essentials till the late eighteenth century. From early established nuclei a great wave of colonisation was thrust deep into the woodlands and wastes of many manors. The nature of these nuclei has yet to be ascertained.

Footnotes.

- 1) A. Murray, A General View of the Agriculture of Warwick, (1815), pp. 14-19, Map.
- 2) A.W. McPherson, Warwickshire, Land Utilization Survey, Part 62, (1946), pp. 683-698.
E.S. Twyman, "Soils" in Birmingham and its Regional Setting, British Association for the Advancement of Science (1950), pp. 55-64.
D.A. Osmond, etc. A Survey of the Soils and Fruit in the Vale of Evesham, 1926-1934, Ministry of Agriculture and Fisheries, Bulletin No. 116 (1949).
- 3) The comments on the quality of land have been taken from a publication of the West Midland Group on Post-War Reconstruction and Planning, Land Classification in the West Midland Region, (1947) and A.W. McPherson, op.cit. In the Department of Geography map library, Birmingham, is a $\frac{1}{2}$ " soil map of Warwickshire in manuscript, compiled by A.W. McPherson.
- 4) I am indebted to Mr. D.J. Pannett for making his map of ridge and furrow in Warwickshire available to me. Compiled from air photographs this map reveals strikingly the degree to which ridge and furrow is limited to the heavy clay lands of South Warwickshire, and is virtually absent from the soils of the Avon valley. The recent oblique air photographs taken by Baker and Pickering clearly show ridge and furrow as a soil mark overlying the earlier sites.
- 5) This formation varies considerably from fairly thick grey sandstone to blue grey shales.
- 6) Two principal sources have been used for this section, A.G. Tansley, The Vegetation of the British Isles, (1939), in particular pp. 130-2, 142-3, 181, 352-7;

W.J. Rees and A.D. Skelding, "Vegetation of the Birmingham Region" in Birmingham, and its Regional Setting, British Association for the Advancement of Science (1950), pp. 65-76;
 Coventry and District Natural History and Scientific Society, The Coventry District, A Naturalists Guide (1960).

- 7a) I am indebted to Mr. J.S.R. Chard and Mr. T.W.G. Coulson of the Forestry Commission for much valuable information on this problem, in particular, Mr. Chard for two lengthy letters, and Mr. Coulson for a conducted tour of woodlands in Arden in the hands of the Commission.
- 7b) According to the officers of the Forestry Commission the wild service and small leaved lime are both rareties which tend to disappear from woodland which has at some stage been completely cleared. The latter is a very long lived tree and will outlast oak.
- 8) This problem, with particular reference to the Great Plains of North America is discussed by O.S. Stewart in "Fire as the First Great Force Employed by Man", in Man's Role in Changing the Face of the Earth, ed. W.L. Thomas (1956). H.C. Darby in his contribution "The Clearing of the Woodland in Europe" makes no mention of natural fires. In the British Isles their influence was probably small, but it cannot be discounted. For example, the Anglo-Saxon Chronicle sub-anno 1078 describes graphically how fire could spread; "This year it was a dry summer, and wildfire spread into many shires, burning down many villages, and many boroughs were destroyed by fire." D.J. Shove and A.W.G. Lowther in "Tree Rings and Medieval

Archaeology", Medieval Archaeology, Vol. 1 (1957), pp. 81-2 seem to have no doubt in envisaging forest fires, occurring particularly in periods of drought. R.H. Brown in his Historical Geography of the United States (1948), pp. 11-19 discusses the effect of Indian clearings, Indian old fields and burnings on the early historical geography of North America.

J.G.D. Clark in Prehistoric Europe, pp. 92-3 discusses Neolithic clearance and states that "in this process (of clearance) burning played a vital role, since it converted timber into ash and so provided a potash dressing for the virgin soil." It is difficult not to attribute the heath tracts of Arden to man's activity, but it must again be stated that the author has found no evidence at all to suggest they represent former outfields.

- 10) Archer Collection, Stratford upon Avon. Letter, dated 1st April, 1691, containing a brief summary survey of the Archer estates, and signed by Ed. Ludkin or Ladkin. The earliest Tanworth Minister's Account is dated 30th September, 1377.
- 11) P.R.O. C134/49, C134/51.
- 12) P.N.D. Warwickshire, p. 43. The name is of Anglo-Saxon origin, meaning the "enclosure of Ceomund". The reference in question appears in a fine dated 1195-6 and this document clearly shows that at this date much of the south-west of Coleshill was wooded (cf. Figure 43). Margery de Clinton claimed, by right of dower, one third of the wood of Coleshill, in particular the wood called Chelemundesheia, and all the wood called Witemore, and, beyond the water, the wood from the oak called costleoak to Lutleshaie

Vuerend (?), and thence to Wirsetemedede and thence to Bromwiche Blackley, and (in addition) all the wood of Hoppele". It is significant to note that she cannot fell or sell any of these said woods, so as "to make waste of them". "Warwickshire Feet of Fines", Vol. 1, No. 73, Dugdale Society, Vol. XI (1932).

The clear distinction between an enclosed wood and other woodland is made in a charter of 1339-40 relating to Bushwood (Lapworth) which refers to "all the grantor's wood in the outwood of Bysspewode growing without the enclosure" (totam boscum nostrum in forinceco de Bysspewode extra clausum crescens)

P.R.O. A.7245.

- 13) Ferrars Collection, Stratford upon Avon, Charter 1.
- 14) V.C.H. Warwickshire, Vol. III, p. 117.
- 15) The Latin term subboscus is normally translated "underwood" or "coppice-wood", and consisted in all probability of hazel, sweet chestnut, ash, oak, beech and birch, grown from stools or stumps. In a medieval context it may, however, have consisted of all the smaller timber. An entry in the Close Rolls for 1318 (p. 556) records the grant of such "underwood as is necessary for making the sluices of (Feckenham mill)", suggesting that "underwood" did include timber of some size. Generally speaking, however, underwood was the small timber used for faggots, hurdles, stakes, fencing stakes, rick pegs, hop poles, and other small jobs about the farm. Vide C.E. Curtis, Estate Management, various editions, (1895), Chapter IV. A sharp distinction probably existed between underwood and high wood containing the larger timber (robores).
- 16) Specific references to types of trees are by no means

common; as might be expected oak is most frequently referred to, followed by alder and ash. Variety is, however, suggested by a reference to "growing apple-trees" in Tanworth in 1291 (T. a135, 10 Nov. 1281). A picture of a wooded valley that must have been very similar to many in Arden is provided by the pollen analysis of an old land surface found beneath a thirteenth century moated homestead at Gannow Green, near Rubery, Warwickshire. The clays and sandstones of the Keele beds are there overlain by glacial deposits, very variable in character, but giving rise generally to medium or heavy soil conditions. The site lies in a broad shallow valley, a headwater of the river Rea and is in many ways comparable in form to the valleys forming the Blythe headwaters. The pollen spectrum clearly indicated woodland conditions, with the pollen of woody species greatly exceeding in proportion that from the light-demanding herbs. Alder was the most abundant species, but hazel and oak were also well represented, whilst a high proportion of fern spores would accord with the interpretation of this as a damp mixed woodland in closed canopy. However, if the identification of some bracken rhizomes is correct, this cannot be regarded as a waterlogged site. This reconstruction was confirmed by the presence of macro-scopic remains. Pollen analysis cannot contribute anything significant to the dating of the site; archaeological evidence suggests the construction of the platform sealing the old land surface took place in the mid-thirteenth century. Pollen analysis, however, could contribute greatly to an understanding of the ecological setting of such medieval sites. For example, at Sidenhailes Farm, in Tanworth parish, an old land surface is

known to exist, possibly buried at the time the moat was built. This occurs some 18 inches below the surface of an adjacent croft, and was discovered during the excavation of a ridge. The site may well date to c.1250.

The author is indebted to Dr. G.W. Dimbleby for kindly analysing the Gannow Green samples.

- 17) This is very difficult to prove, but it is logical that the woodland lay within the village territory rather than adjacent to the settlement. The author feels that it is reasonable to conclude that the woodland blocks it is possible to detect from thirteenth century sources are in many cases the same blocks which were present in 1086, with the proviso that the interim saw much woodland clearance.
- 18) These measures recorded in Domesday Book are clearly very conventional, but a number of cases will be cited in the text which suggest that they refer to the general dimensions of a block of surviving woodland which formed an obvious feature of the landscape in 1086 and which may, in part at least, have survived well after this date.
- 19) It is exceedingly difficult to draw aside the veil of time and judge the Domesday evidence in its own terms. A close examination of Figure 17 suggests strongly that the woodland of 1086 can only be seen in the light of the later evidence. This is in fact a topic that would well repay closer research.
- 20) Vide J.B. Harley, Population and Land-Utilization, 1086-1300, Figures 6, 7, and 29, together with Figures 8 and 17 of this study.
- 21) P.R.O. C.134/49.
- 22) V.C.H. Warwickshire, Vol. II, p. 290.

- 23a) A.H. Smith, English Place-Name Elements, 2 vols.

(1956) gives the following definitions:

haeð; a tract of open uncultivated ground, a large tract of waste land, such land overgrown with heather and brushwood, a heath (p. 219).

Buchanan, in "Historical Aspects of Land Use in Worcestershire", Worcestershire, Land Utilization Survey, Vol. 68, p. 491, note 6 comments on a probable distinction between land properly cleared (assartum) and woodland improperly felled (vastum).

This point about terminology is made by E.C. Vollans, "The Evolution of Farm-lands in the Central Chilterns in the Twelfth and Thirteenth Centuries", Trans. Institute of British Geographers, No. 26 (1959), pp. 236-238, where she admits that "heth" and "brueria" cannot be defined botanically. "Vasta" on the other hand implies land devastated, land to waste. It is difficult, however, not to conclude that in the Tanworth charters the two terms are not used rather loosely.

- 23b) V.C.H. Warwickshire, Vol. III, p. 115.

- 24) P.N.D. Warwickshire, p. 69. The foundation charter of Henwood Nunnery is to be found in W. Dugdale, Monasticon Anglicanum, 6 vols., 1817-30, Vol. IV, pp. 210-214.

- 25) This is admirably illustrated by the two early grants relating to Monkspath (c.1153-84, T.1 and 2) where the place names Listerley, Tralebroc, Deopewelle, Scelvesleia (Shelley), Mildesmore (Middlemore), Manekeespeth, and Packwood, la merewei, Totlesmos and Betlesworth occur, all probably of Anglo-Saxon origin. The names Hawkeshawe, Fenshawe and Sponna and Cheswick are also probably pre-Norman.

- 26) As the introductory discussion suggests that the origins of this heath in fact lie in the very remote past and before the position can be satisfactorily reconstructed more work is required in the analysis of pollen containing deposits from the Arden area. In chapter 1, when the settlement before 1150 was being discussed, it was hinted that the origin of the heaths may well lie in the Iron Age. In actual fact they were not formed at any one period, but have gradually spread as settlement has taken place, and consisted in many cases of disturbed land lying just beyond the limit of improved land. A comparison of Figures 17 and 40 will quickly reveal this.

In practice many heaths are associated with place-names containing the element "leah", Calvesley in Tanworth for example, and at first sight a link between this element and heaths seems to exist. A comparison of Figure 17 with Figure 5, which shows the distribution of all names in Western Arden containing the element "leah", representing in all probability a name associated with late Anglo-Saxon clearance, reveals a complicated situation. In the whole of Warwickshire slightly under one third of the place names containing this element appear in Domesday Book (30.5%), while in Western Arden this percentage rises to one third (33.3%). These names have no relationship to heath tracts, except in the cases of Honiley, Shrewley and Haseley, where much heath was present in the parish and it is difficult to locate the name accurately. All, in fact, by virtue of their appearance in the survey may be taken to refer to settlements which had by this date reached a certain degree of development.

A second group of "leah" names can be recognised,

which although not appearing in 1086 seem to be associated with areas of clearing, and bear little little relationship to heath areas. In Western Arden these form some 30% of the "leah" names.

The third group consists of "leah" names associated with areas of heath, Hockley, Shirley, Bentley, Pinley, and Shelley for example. In the Place-Name dictionary these comprise the remaining 33.3%, but in reality they probably form a larger proportion since detailed work reveals others, not mentioned, Calvesley, Langley, Beltesley for example, where the name apparently refers to the heath itself.

The difficulty lies in the fact that the termination "leah" is found in names that range in date from the entrance phase to after the Norman Conquest. All that can be stated with any certainty is that those "leah" names associated with heaths can be taken as further evidence that they are degraded woodland, and this particular group of "leah" names may well be post-Conquest in date.

- 27) Two Anglo-Saxon charters, one relating to Aspley, (the northernmost township of Wootton Wawen, B.C.S. 1111), the other to Ullenhale (B.C.S., 124) both refer to "færn leage", a name strongly suggesting the presence of heath in this area as early as 963. This seems to have disappeared by the Middle Ages (Figure 17), although Wawensmoor survives as a place-name today.
- 28) A most useful and important discussion of common land, its nature, present distribution, history and legal significance is to be found in Royal Commission on Common Land, 1955-1958, Report, Cmd. 462, H.M.S.O (1958)

- 30) The corollary of this statement would seem to be that the township developed earlier and most strongly in areas of early settlement.
- 31) Convertible husbandry is used in this essay to designate land which was cultivated for several years and then turned over to pasture for a period.
- 32) F.M. Stenton in Danelaw Charters, (1920), p. xliii makes the point that the rights of common of pasture which belonged to the holder of an arable tenement must have been determined by local custom for they were seldom defined in charters.
- 33) Common appurtenant may be defined as a right of common of pasture which depends on express grant by the owner of the soil, or on prescription, and is attached to a particular holding. The right may be granted to a person who is not a customary tenant of the manor, e.g. a freeholder who is tenant in fee simple, and may exist in respect of land which was not part of the ancient arable land of the manor. Common appendant is a right of common given by law to the freeholders of a manor (those who held land granted as freehold arable by the lord of the manor before the Statute of Quia Emptores in 1290) to depasture their commonable animals on the waste of the manor. After 1290, the right could be claimed by prescription only.

For the explanation of these and other terms see R.A. Butlin, "Some Terms used in Agrarian History", Agricultural History Review, Vol. IX, Part II (1961) pp. 98-104, and Royal Commission on Common Land, 1955-8, Cmd. 462, H.M.S.O. pp. 272-276.
- 34) Vide P.R.O. Anct. D. B.1867.

- 35) J. Ryland, Row Rec, Appendix, MSS. 5 and 6. The enclosure of common land by the lord occasionally led to direct action by villagers. The Patent Rolls of March 30th, 1332 record that in 1328 the inhabitants of Solihull, Yardley and King's Norton were prosecuted by Roger Mortimer, Earl of March, because they had cast down a certain ditch which the Earl had made in King's Norton wood where these towns had common of pasture. They were fined £300, but this was later reduced to 20 marks.
- 36) Those commonable animals which were "levant" and "couchant" on a tenement, i.e. those commonable animals which could be maintained throughout the winter on the land to which the right was appendant. The Statute of Merton is to be found in Statutes of the Realm, Record Commission, Vol. 1.
- 37) One of the new actions for the recovery of land introduced by Henry II was a novel disseisin, which protected the freeholder against disseisin, dispossession, providing that he took prompt action against the disseisor, and could prove that the disseisin was new or recent, i.e. novel. A jury was summoned to answer a simple question of fact, did the tenant disseise the demandant within the short period of limitation in force? The simplicity of this action made it very popular, and it had the effect of removing such cases from seigniorial courts into royal courts.
- 38) Selden Society, Rolls of the Justices in Eyre for Lincolnshire (1218-19) and Worcestershire, (1221) Vol. 53, p. 448.
- 39) This problem has already been discussed in chapters 1 and 2.

- 40) The two references relating to "free Arden" from these rolls are cited in Chapter 1.
- 41) Ryland, J, Rec. Wrox, MSS. 11; Citing Assize Rolls (Warwick) no. 948, m.3 (5, Henry III).
- 42) Ryland, J., Row Rec, MSS. 15; Citing Curia Regis Rolls, John VIII, No. 43, 6 Oct. AD.1206.
- 43) P.R.O. Anct. D. D.150.
- 44) P.R.O. C133/15(5), cf. J. Ryland, Row Rec, Ms. 15.
- 45) Many of the comments in this section have been based on The Reclamation of Derelict Woodland for Agricultural Use, Ministry of Agriculture, Fisheries and Food, Technical Report, No. 1 (1957).
 J. Mortimer, The Whole Art of Husbandry, (5th ed. 1721), p. 52 describes the problems of bringing lands that "have lain long untilled" into cultivation. In this case he advises first, the paring off of the turf by means of a breast plough, followed by the burning of the debris. The ash is then scattered and the field shallow ploughed.
 P.J.O. Trust in Land Reclamation (1946) describes graphically in Chapter IV the problems encountered in clearing land covered with a dense scrub, in this case a secondary growth containing a large amount of white thorn, whose long roots were very difficult to extract.
- 46) H.C. Darby, "The Clearing of the Woodland in Europe", W.L. Thomas ed. Man's Role in Changing the Face of the Earth (1956), pp. 218-10.
 See also
 J.G.D. Clark, "Farming, Clearance and Cultivation", in Prehistoric Europe: the Economic Foundations, (1952), Chapter IV, p. 93.

- 47) The evidence for the nature of medieval enclosures is discussed more fully at the end of this chapter.
- 48) Quia Emptores, 1290 (Statute of Westminster III), Statutes of the Realm, Vol. 1, p. 106. By this statute substitution became the only mode of alienation available to the owner who wished to transfer his fee simple estate, and is one of the foundations of the English Land Law. Vide A.W.B. Simpson, An Introduction to the History of the Land Law, (1961), pp.21-22.
- 49) Based on figures compiled from the V.C.H. Warwickshire, Vols. III, IV and VI.
- 50) D.C. Douglas, English Historical Documents, 1042-1189, (1953), p. 903 f. contains a discussion of the Cartae Baronum and some useful comments on knight service. The text is to be found in H. Hall (ed.), The Red Book of the Exchequer or Liber Rubeus, Vol. 1, Rolls Series, Vol. 99, p. 186; see also pp. 18, 39 and 149. The earliest complete list of fees is to be found in The Book of Fees (1920-31), pp. 955-959. The author feels that much more work in this field could be done by historical geographers and the early development of fees, estates and honours be examined cartographically.
- 51) J.B. Harley, Population and Land-Utilization, 1086-1300, pp. 50-52 and Figure 11.
- 52) This situation may be compared with that present prior to the Norman Conquest discussed in chapters 1 and 2.
- 53) H. Hall (ed.) Red Book of the Exchequer, Vol. 1, Roll Series, Vol. 99 (1896), p. 186. See also V.E.H. Warwickshire, Vols. III-VI.

- 54) The figures cited are taken from H.C. Darby, A Historical Geography of England before 1800 (1951), pp. 172-3. The original reference is to be found in J. Hunter (ed.), The Great Rolls of the Pipe, 2,3,4, Henry II, Record Commission (1844), pp. 44-45. In 1155 waste to the value of £80. 11s. 0d. was recorded in Warwickshire, but when the entry for 1156 is examined (pp. 86-87) waste to the value of £1. 8s. 8d. only was recorded. This recovery seems remarkably rapid, and the question of the validity of the entry for 1155 must necessarily be raised. Vide H.W.C. Davis, "The Anarchy of Stephen's Reign", in English Historical Review, Vol. XVIII (1903), p. 630 for an account of the fortunes of the Midlands in the Civil War. In 1141 the army of the Earl of Gloucester marched through Warwickshire, probably along the Fosse Way to the relief of Lincoln, and may have done considerable damage on the way. In 1147 Coventry was besieged by the Earl of Chester, also no doubt resulting in local damage.
- 55) J.B. Harley, Population and Land-Utilization, 1086-1350, p. 222.
- 56) A copy of the foundation charter of Wroxall Nunnery is to be found in J. Ryland, The Records of Wroxall Abbey and Manor, 'Rec. Wrox' (1903), Ms. 79, where a confirmation recorded in a Patent Roll of 20 Oct. 1378 (2.Rich.II, pt. 1, m.21) lists the terms of the original grant in some detail. A summary of the nunnery's possessions is to be found in Ms. 4 of the same work, where a Papal Bull establishing the Order under the rule of St. Benedict is cited (B. Mus., Harleian Charters, 82, a21).
- 57) J. Ryland, Rec Wrox, Ms. 4.

- 58) Ibid, citing P.R.O. Rentals and Surveys, no. 697.
- 59) M. Hollings, ed. "The Red Book of Worcester"
Worcester Historical Society (1934-50), Introduction,
 (Part IV) p. vii. M.M. Postan in his essay "The
 Famulus" in Economic History Review Supplement, No.2,
 p. 36, discusses briefly the degree to which the
 creation of serving smallholdings was one way of
 establishing households on the land, while safe-
 guarding the essential supply of servants for the
 demesne.
- 60) J. Ryland, Rec. Wrox; the field name "Breeches" does
 appear, which derives from the OE brec and implies
 land broken up for cultivation, either, as in the
 Breckland temporarily, or more permanently. T.A.M.
 Bishop in "Assarting and the Growth of the Open Fields",
Economic History Review, Vol. VI, No. 13 (1935), p. 17,
 note 3, gives a useful summary of terms implying
 newly reclaimed land.
- 61) Vide W. Dugdale, Monasticon Anglicanum, ed. Caley,
 Ellis and Bulkerley, (1817-30), Vol. IV, pp. 210-214.
- 62) The Earl of Warwick may possibly have been the over-
 lord of this whole fee.
- 63) Vide W. Dugdale, Monasticon Anglicanum, ed. Caley, etc.
 Vol. IV, pp. 113-118, and E.G. Wheeler Galton,
Claverdon (1934), Warwick County Record Office (Type-
 script and mss. copy). Some material is also
 preserved in the Wellstood Manuscripts, Stratford
 upon Avon, Birthplace Library.
- 64) E.G. Wheeler Galton, op.cit, p. 9.
- 65) J.B. Harley, Population and Land-Utilization, 1086-1300.
 pp. 48-50 and Figure 10.
 R.H. Hilton, "Stoneleigh Leger Book", Dugdale Society,

Vol. 24 (1960), Introduction.

R.H. Hilton, "Old Enclosure in the West Midlands",
Geographie et Histoire Agraires, Nancy, 1959, p. 278.

- 66) V.C.H. Warwickshire, Vol. II, p. 86.
- 67) B. Lees, ed. Records of the Templars in England,
British Academy, Vol. IX (1935).
L.B. Larking, ed. "The Knights Hospitallers in
England", Camden Society, Vol. LXV (1857).
- 68) J.B. Harley, Population and Land-Utilization, 1086-
1300, Figures 6 and 7.
- 69) Prior to 1350, the following religious houses were
founded within Warwickshire, excluding Friaries,
Hospitals and Colleges:

Religious Houses in Warwickshire, pre.1350.

	Established	Arden
Alcester Abbey	1140	
Alvecote Priory	1159	
Arbury Priory	Ely.t.Hy.II	*
Balsall Preceptory	1135-1153	*
Combe Abbey	1150	
Coventry Cathedral Priory	1043	
Henwood Nunnery	1149-1161	*
Kenilworth Abbey	1122	*
Maxtoke Priory	1331	*
Merevale Abbey	1148	*
Monks Kirby (Alien house)	1077	
Nuneaton Priory	1100	*
Pinley Nunnery	1100-1135	*
Polesworth Abbey	Pre. 925	
St. Sepulchre, Warwick	1109	
Stoneleigh Abbey	1154	*
Studley Priory	Ely.t.Hy.II	*
Warmington (Alien house)	t.Hy.I	
Wolston (Alien house)	1086-1194	
Wootton Wawen (Alien house)	t.Hy.I	*
Wroxall Abbey	c.1135	*

V.C.H. Warwickshire, Vol. II, pp. 51-101.

- 70) The majority of this section is based on the Tanworth land charters in the Archer Collection, Stratford upon Avon, and in particular those relating to the period 1200-1300. The system of referencing described in the introduction will be followed, namely where a charter has no date the author's code number will be given followed by the date, and vice versa in the case of a dated document.
- 71) Archer Collection, Stratford upon Avon, Court Rolls, Tanworth, 1289-90. The copy on the dorse of the roll may in fact be earlier than 1290, and be taken from an earlier document, a date between c.1270 and 1290 seems most probable.
- 72) If this decision seems somewhat incautious on the basis of the evidence presented, it is based largely on the fact that Sir Simon Archer thought that the roll ought to bear that title, and the author is sufficiently aware of his intimate knowledge of the Tanworth material, careful judgement, and patient scholarship to feel that his conclusion can be relied upon.
- 73) The origins and status of these colonists will be discussed in more detail below. In this study the origin of the 1d per acre for scutage has not been followed up, but
- F. Seebohm, The English Village Community (1883) pp. 37-8 comments that the normal amount of scutage levied on a knight's fee was 40s. The normal fee was assumed to consist of 4 hides, and as 4 virgates went usually to each hide, so each virgate should contribute $\frac{1}{16}$ of a scutum, i.e. $\frac{1}{16}$ of 40sd. He cites several instances of virgates paying 2/6d, and if a regular virgate of 30 acres is assumed, this is

a rate of 1d per acre, the amount charged in the Tanworth charters. A full discussion of this, however, lies beyond the scope of this essay.

Evidence for a rent of 4d per acre for waste land comes from Rosendale, where C.H. Tupling, in The Economic History of Rosendale (1927), p. 35, cites a number of cases of waste being charged for at this rate, and

H.J. Hewitt, in Medieval Cheshire, states that assart land was normally held for 8d per acre. The best evidence for a state of affairs comparable to Tanworth comes from Gloucestershire, where H.P.R. Finberg in The Making of the English Landscape, Gloucestershire (1955), p. 65, cites the following passage from J. Smyth, Lives of the Berkeleys, who relates that Thomas, Lord of Berkeley (1220-43) "reduced great quantities of ground into enclosures and severalty, by procureinge many releases of Common from freeholders, wherin hee bestowed much labour, And the like in Exchanges of grounds with them, some in greater, some in lesser quantities, some less than a quarter of an acre". This magnate "much pared the skirts of his chace in Michaell-wood (really Micklewood, - the great wood) by granting in fee thereof to divers men, at threepence, fourpence and sixpence the acre."

- 74) The particular problem with regard to the two exceptions is that they be within Monkspath, a manor alienated completely by the Earl. Such problems must, however, be expected to arise when such a variable source as charters is being used, the Earl may well have acquired some rights in the area in question by means of a charter which does not survive.

With reference to Figure 22 B two points must be made, firstly there is considerable doubt as to the precise location of the northernmost of the 20 acre plus grants. The charter involved (7 March 1285/6, T. a14) is a confirmation by William de Beauchamp (Bello-Campo) Earl of Warwick of a grant of 45 acres of waste by Ela (de Lungespere) Countess of Warwick to William de Ayllesbury. This is tentatively located in the area called Ayllesbury Land on the Tithe Map of 1842. The area certainly bore this name in the survey of 1693 (Archer Collection, Stratford on Avon, Letter, 1st April, 1693, signed Edward Ludkin or Ladkin). Secondly, the two grants the Earl appears to be making in Monkspath have been tentatively located in the area of the present Bragg's farm since this appears to be associated with the Aldershawe estate although lying in Monkspath.

- 75) The significance of the name Sponna is uncertain.
- 76) As Figure 22 reveals comparatively few charters survive for this section of the parish. In the Archer collection, however, amongst the miscellaneous surveys and rentals there is a large vellum roll with many tags sewn on to it. A brief examination of this suggests that it is mainly concerned with lawsuits and hence is largely in Norman-French. Nevertheless, many charters are cited, again in Norman-French. Both time and the difficulty of reading it prevented a closer examination of this document.

The Anglo-Saxon charter which gives the bounds of Aspley (B.C.S. 1111) refers to "færn læge" in this area of the parish, possibly implying heath, and the area has generally been known as Aspley Heath.

- 77) P.R.O., C.133/15(5).
- 78) Archer Collection, Stratford upon Avon, Miscellaneous Charters, Sheldon, 9 Edw. II.
- 79) Ibid, Hampton in Arden, pre. 1290.
- 80) British Museum, Beauchamp Cartulary, 87^r, pre. 1290. G.A. Holmes, in Estates of the Higher Nobility in the Fourteenth Century (1957), pp. 113-114, discusses briefly the material for Berkswell. Earl Guy seems, in the period 1298-1315, to have been purchasing back from freeholders the holdings that had formerly been granted to them, in order that his demesne could be expanded. This fact unlines sharply the difference in character between the two great demesne manors of the Earl of Warwick within Arden, Tanworth and Berkswell.
- 81) Ferrars Collection, Stratford upon Avon (calendared) Charters 10, 14, 16, 17, 18, 19, 29, 36, and 43.
- 82) The presence of large numbers of early and mid-thirteenth century charters in Tanworth is due solely to the presence of a stable family, the Archers, whose territorial ambitions led to their acquiring and preserving large numbers of these documents. A comparable situation existed at both Coleshill and Baddesley Clinton, where one particular wealthy family preserved the early muniments they acquired. In contrast, Solihull had a more unstable history and it was not until 1640 that the manor was bought by Sir Simon Archer, by which date much of the early material had disappeared.
- 83) M. Hollings, ed. "The Red Book of Worcester", Worcester Historical Society, 1934-50, pp. 254 and 480. P.R.O. C.134/90(16).

- 84) Evidence will be presented in the final section of this chapter to show that the normal method of enclosure in this period was by means of a substantial ditch and bank.
- 85) Wingfield Digby Collection; Birmingham Reference Library, Nos. 48 and 59.
- 86) Ibid, No. 72.
- 87) V.C.H. Warwickshire, Vol. III, p. 117.
- 88) This process must have ultimately depended on the amount of woodland available on a given manor; it is probable that initially, in say 1200, more woodland survived in Coleshill than in Tanworth.
- 89) T.A.M. Bishop, in "Assarting and the Growth of Open Fields", Economic History Review, Vol. VI, part 13 (1935), discusses the origins of such assarts and their subsequent sub-division amongst the heirs of the original colonist.
- 90) A discussion of the significance of this point is to be found in chapter 8.
- 91) D.C. Douglas, English Historical Documents, 1042-1189 (1953) pp.
- 92) Vide R.H. Hilton ed. "Stoneleigh Leger Book", Dugdale Society, Vol. 24 (1960).
H.J. Hewitt "Medieval Cheshire", Chetham Society, Vol. 88 (1929), Chapter II, The Land.
R. Cuncliffe Shawe, The Royal Forest of Lancaster (1956), p. 315.
R. Buchannan, "Historical Aspects of Land Use in Worcestershire", Land Utilization Survey, Report, No. 68, p. 491.
- 93) The author is indebted to Mrs. Eileen Gooder for this

- reference; Warwick County Record Office, CR/136, C728a. Composition of the Vicarage of the parish church of Chelverscote, 1286.
- 94) Wingfield-Digby Collection, Birmingham Reference Library, W.D. 59, 61.
 - 95) The author is again indebted to Mrs. E. Gooder for this extract for the enrolled ministers accounts of the estates of the Knight's Templar in the Public Record office, P.R.O. E358/19, membrane 45d.
 - 96) Archer Collection, Stratford upon Avon, 6th April, 1289; to be found amongst the Tanworth charters (1963).
 - 97) Archer Collection, Stratford upon Avon, Miscellaneous Charters, Sheldon, 9 Edw. II.
R.H. Hilton, in "Old Enclosure in the West Midlands", Geographie et Histoire Agraires, Nancy 1959, pp. 272-83, cites evidence from the Stoneleigh Abbey charters at Stratford upon Avon which shows that the abbey tenants had the right to take thorns and alders from the common wood (sepes de spinis et de alnis) every two or three years for making their enclosures (p. 275).
 - 98) This point is made by Miss E.C. Vollans, "The Evolution of Farm-Lands in the Central Chilterns in the Twelfth and Thirteenth Centuries", Trans. Institute of British Geographers, Vol. 26 (1959), p. 237.
 - 99) Ferrars Collection, Stratford upon Avon, Baddesley Clinton, 11, c.1300.
 - 100) These latter examples, however, exhibit no obvious ditch, and may reasonably be interpreted as debris removed from the field prior to ploughing, as for example in Devon where the hedgebanks are clearly

composed of the stone taken from the field. On the lighter stony soils of Shirley Heath drainage ditches would have been less important than on the boulder clays of further south.

- 101) A.H. Smith, English Place-Name Elements, 2 vols.

(1956) gives the following definitions:

close: "an enclosure", dervied from the Latin clausum.

Frequent in the thirteenth century, but becoming much commoner in the fifteenth century and later, (p.100).

croft: "a small enclosure of arable or pasture land" or "a small enclosed field" (p. 113).

feld: "A tract of open country", "land for pasture or cultivation." In Middle English and later used for "unenclosed land held in common for cultivation, the common field." Its use as "an enclosed or fenced in plot of land" is probably post 1349 (p.167).

In Tanworth, however, the term field was often used from 1250 onwards to signify enclosed land, and after 1300 the term becomes very common. Croft is a common term throughout the whole period, i.e. 1150-1350, but close is only used comparatively rarely.

- 102) A closer examination of this particular problem might prove a very profitable line of research, and is, in the author's opinion, a necessary preliminary to the utilization of Lay Subsidy Rolls to gauge the general overall distribution of wealth within a given area. A comparison of Figure 6 with Figures 10 and 40 reveals a possible correlation between the appearance of such minor names and the the character of lordship. Such a correlation might in fact be expected.
- 103) In 1693 (letter dated April 1st 1693 at Stratford Birthplace Library and signed Ed. Ludkin or Ladkin) the following acreages are cited for the Tanworth woodlands.

Cherlecote and Aylesbury)	140	acres
Countess Close	50	acres
Newfalling	150	acres
Tylers	50	acres
Bissells (2 coppices)	30	acres
Woods	2	acres
Browns	20	acres
Total	<hr/> 442	acres.

In addition, the survey of 1603 (Archer Collection, Rentals and Surveys) gives the following figures for the wastes of the manor.

Earlswood and Earlshurst	250	acres
Aspley Heath	30	acres
Ilshawe Heath	20	acres
Hockley Heath	20	acres
Shirley Heath	30	acres
Brown's Green	10	acres
Total	<hr/> 360	acres.

In all in the seventeenth century some 800 acres of waste and woodland seem to have survived in the parish of Tanworth.

- 104) It must be remembered that in Figure 22 C one charter carries as much weight as a dozen, and the map has to be compared with Figure 26 to obtain some idea of reliability. There seems, however, little doubt that by 1350, if not by 1300 the majority of Tanworth parish had been occupied, and it is likely that the figure of 800 acres of waste and woodland suggested above for the seventeenth century is not wildly inaccurate. The post 1350 charter material suggests that the transactions are concerned with land already improved rather than the creation of new land.

POPULATION, RENTS AND THE LAND MARKET.

In addition to resulting in an increase in the area of land occupied, the colonising movement within Western Arden initiated certain fundamental changes in both the population geography and the social and economic organisations. Three of these developments may be singled out for special attention, first, the rise in population, secondly, the rents and services peculiar to the Arden area, and thirdly, the development of a peasant land market.

Increase in Population.

Between 1086 and the early decades of the fourteenth century England appears to have experienced a considerable population increase. Russell estimated the population in 1086 to be 1.1 million, and by 1377, after considerable reduction by the Black Death and later plagues, 2.2 million.¹ Unfortunately, in Western Arden, apart from Domesday Book, no consistent source for population data is available as the 1377 Poll Tax returns for Warwickshire have not survived. Any discussion of the population of Arden in the Middle Ages must, however, depend on Harley's work for the two southern hundreds of Warwickshire, Stoneleigh and Kington.² Basing his arguments on a comparison of the figures suggested by the Domesday Book and on the Hundred Rolls of 1299 Harley was able to show how, in 1086, the numbers of rural population displayed a marked contrast between the sparse population of Stoneleigh Hundred, lying mainly within Arden, and the denser population of Kington Hundred in the more developed south of the county, but at this time in terms of social structure the hundreds were

not differentiated. Between 1086 and 1279 the differences in numbers were ironed out, and the social structure of the two hundreds became sharply differentiated, with a greater number of free peasants appearing to the north of the Avon, and of servile peasants to the south. Harley was able to go as far as suggesting that by 1086, the south had reached near saturation level relative to the technical organisation of agrarian resources, and he contrasts the relatively stagnant conditions of such areas with those regions retaining much forest or waste in 1086, typified in Warwickshire by Arden, where the next two centuries saw a vigorous population expansion. He points out that in those areas of the county where detailed population data is lacking, these patterns cannot be fully established, and Western Arden is unfortunately such an area. Population figures do, nevertheless, occasionally occur in the extents of Inquisitions post mortem (Appendix IIB) and these have been placed adjacent to the Domesday data in Table 9.

TABLE 9

Western Arden; Population Changes, 1086-1350.

1086					Late 13th Century		-Early 14th Century		
	Vill.	Bd.	Sf.	Tot.	Vill.	Cot.	Fr.	Tot.	%Inc.
Beaudesert		No record			15	-	14	29	-
Berkswell	7	3	4	14	29	8	46	83	493
Claverdon	12	14	3	29	13	5	66	84	190
Hampton on Avon	22	9	4	35	17	14	5	36	0.1
Haseley	3	7	1	11	5	9	32	46	318
Maxstoke		No record			16	12	36	64	-
Solihull	22	4	3	29	8	-	142	150	420

Vill. = Villein. Bd. = Bordar. Sf. = Serf
 Cot. = Cottager. Fr. = Free. Tot. = Total

Based on Appendices IIA and IIB.

This information is both incomplete and liable to error, but in the light of Harley's discoveries based on more reliable source material one can make three points of direct relevance to the problem of population trends in Arden:-

- i) In certain parishes an infinite increase is recorded when later material is compared with that of 1086, for some parishes do not appear in Domesday Book. Maxstoke and Beaudesert are given in Table 9 as examples of this group.
- ii) In one of the parishes for which evidence exists, Hampton on Avon, the increase is apparently negligible, and it is significant that this is a parish in the Avon valley having much in common with those in south Warwickshire, where Harley was able in some cases to prove stagnation between 1086 and 1279.

- iii) In other parishes it is clearly evident that a vigorous population increase had taken place comparable to those discovered by Harley within Stoneleigh Hundred.

This data will not permit further arguments to be based on it, in particular the areal variations of the increase must remain unknown, but even though the sample is very small it is clear from Table 9 that the period between 1086 and the late thirteenth century saw considerable changes in the social structure of Arden, in particular the appearance of a large body of free peasants, a class which in 1086 was virtually wholly absent. ³

The evidence provided by the land charters is particularly unsuitable for extracting information of a demographic character, but nevertheless, the following table has been compiled from the Tanworth land charters by way of an experiment:

Table 10 A

Tanworth: Demographic data from land charters, 1200-1400

Period	1 No. of Charters	2 Total no. of Surnames	3 Surnames added	4 Static	5 Surnames lost
1200- 1250 A	117	81	-	-	29
1250- 1300 B	207	182	130	52	101
1300 - 1350 C	313	229	148	81	141
1350 - 1400 D	141	173	85	88	-

This table is particularly difficult to interpret, and its experimental nature must be stressed.⁴ If a consistent source such as census data were being dealt with, a number of demographic facts could be ascertained from such an analysis, but in this case, while an examination of the table clearly suggests a population rise until 1350, and a decline after this, no quantitative data can be extracted because so many variable factors are involved. In particular the quality of the source material alters,

for the number of land charters increases throughout the period, an increase dependent on three factors:

- i) a tendency for fewer charters to survive from the more remote periods;
- ii) a tendency for the number of charters created to become greater as the thirteenth century passes, this factor in turn affecting the survival rate; and being itself dependent on a more vigorous land market;
- iii) a tendency for more charters to be made simply because there were more people to make them.

Unfortunately none of these factors can be determined quantitatively. Table 10B illustrates the problems with more clarity:

Table 10 B

Tanworth: Demographic data from land charters; Analysis.

(i)			(ii)		
Period (cf. Table A)	% increase in no. of charters	% increase in no. of surnames	Period	% of new sur- names	% of surnames lost
A - B	76	125	A	-	36
B - C	50 Decrease	26 Decrease	B	72	55.5
C - D	54.5	25	C	64	62
			D	48.5	-

In view of the unreliable data upon which these tables are based to break them down and subject them to detailed analysis would be to reduce them to complete absurdity, but nevertheless, the very large percentage increase in the

number of surnames in the period A - B, well in excess of the increase in data in the same period, i.e. the number of charters surviving, does suggest a large population increase. The period B - C is perhaps the more significant, for in spite of a 50% increase in the volume of evidence, new surnames only appear at a rate of 26%. Thus, it would be carrying scepticism too far not to interpret Tables A and B in the light of known demographic trends.⁵ While a vigorous expansion might be expected between periods A and B the percentage of new surnames could be expected to decline as 1300 approached, and, indeed, evidence has already been cited in Chapter 3 to show that the pace of colonisation appears to have slowed down at the turn of the century. Similarly, in the light of known facts, a high loss of population might be expected in the period 1300-1350.⁶ What is surprising is the high loss in the period 1250-1300 suggesting that the population rise was being maintained only by immigration on a large scale; but this is to forget the variable nature of the evidence in column one. One safe conclusion would seem to be permitted, in spite of all the weaknesses in the evidence used. Table 10 is best interpreted in terms of a population rising throughout the thirteenth century, and then declining sometime after 1300. Such a movement is well in accord with known demographic trends derived from other sources, and the reader must be left to judge the possible value of such an analysis of land charters for himself.⁷

The Tanworth charters, however, contain one further class of evidence concerning population, a class of evidence that is far less ambiguous and which is susceptible to cartographic interpretation (Figure 25). Personal names frequently form evidence for the point of origin of either the individual or the family.⁸ In the Tanworth charters two major categories can be recognised, first the person

who was specifically described as alien to Tanworth, such as Adam le Rous of Coventry or William Bracy of Warmington, and secondly, persons whose surnames suggest an alien origin, Henry de Manchester or William de Clebury for example. As Figure 25 indicates, further distinctions can then be made on the basis of sex, for Tanworth men often married girls from some distance away. Finally, references to a number of priests owning land in Tanworth have been included, men who were perhaps of Tanworth origin and related to families living in the parish.

Reference to Figure 25 will demonstrate that, by the period 1300-1350, a large number of men from adjacent parishes were involved in land transactions in Tanworth. It seems improbable that all of these men were necessarily living in Tanworth, they had merely taken advantage of the vigorous land market and purchased land within the parish. With regard to the remainder, while there was a moderate scatter of colonists from the rest of Arden, and exceptional cases from as far afield as Cleobury Mortimer (Shropshire), the majority come from southern Warwickshire. What the map does not suggest, however, is the presence of a distinct movement from an overpopulated Feldon into Arden. Rather it implies that the exceptionally free conditions within Tanworth attracted people from adjacent Arden manors, where conditions were perhaps less favourable, and, to a lesser degree, folk from more remote areas. It has not proved possible to complete a detailed study of the personal names for other parishes, but names such as "de Malverne" in Solihull, "de Bannebury" in Baddesley Clinton, "de Northfolk" in Coleshill, and "le Newecomen" in Sheldon do indicate the presence of colonists who had moved a considerable distance in addition to many more who carried the names of townships within the county.⁹

There is no evidence of the movement of people from one particular estate or manor, either those of the Earl of Warwick himself or of other lords, although it is significant that the unusual Tanworth name of Hamslope derives from the Earl's Berkshire manor of that name. In spite of its limitations, this map suggests a substantial influx of colonists, but it is impossible to take account of those people who on arriving from elsewhere either brought a name with them which gives no indication of their origin or who rapidly took a local name. Neither does the evidence permit any quantitative assessment of the importance of the indigenous population in the colonising movement.

In addition to suggesting changes in the total population, Table 9 also indicates that the trend towards a greater importance of free peasantry within the Hundred of Stoneleigh also had parallels within Western Arden.¹⁰ This was clearly an uneven process for in actual terms the number of villeins on a given manor may have increased, but the number of freeholders had increased at a faster rate.

In view of the sheer quantity of the Tanworth material and the fact that a great many of the people appearing in land charters relating to the parish may be assumed to live within it, one is inevitably drawn to attempt some assessment of the total population. In the period 1300-1350 some 423 males are mentioned in the Tanworth land charters; of these not all were alive at any one time, not all were married, and not all were denizens of Tanworth, so a figure of 350 males may be taken conventionally.¹¹ Against this can be set the argument that other men would escape mention, so that if the 350 is allowed to stand for the adult married males in Tanwoth in the period 1300-1350 it is probably a considerable underestimate. If this is multiplied by a factor of 3.5 a total population of 1225

is suggested, but a more realistic factor is probably 5.0, giving an actual population of 1750.¹² While it is fully realised that this technique is not defensible, either statistically or logically, this estimate has to be viewed in the light of the list of persons derived from the charters. The problem can be thought of in another way, for instance, some 424 men and women appear as parties to charters in Tanworth in the period 1300-1350; while the relationship between the number of persons in a given community likely to be involved in charters as against those who would never appear can never be known in absolute terms, the list of holdings supposed to be taken from the waste discussed in Chapter 3 suggests strongly that many folk must have escaped mention. If the figure 424 were taken to be one third of the total population, a not unreasonable estimate, then c.1200 folk may be taken as an estimate of the minimum total population, but as the figure of 350 adult males is almost certainly an underestimate, the actual total may well have exceeded some 2000 persons.¹³

In conclusion, such evidence as is available points towards a population rise in Western Arden in the thirteenth and early fourteenth centuries, and this trend is well in accord with both recognised general trends, and the internal colonising movement known to have been taking place. Slender evidence suggests that while the area may have been receiving immigrants on a substantial scale, natural increase contributed not a little to this rise.

Rents and Services.

Although the nature of rents and services is not a prime concern of the historical geographer, in view of the fact that they have a direct relationship to the patterns of landownership and the social structure of the population, as well as reflecting areal variations in settlement history,

it is necessary to discuss them. The effect of the late settlement of Arden on the rents and services of the area can be seen in Table 9, which shows that freeholders were, by the late thirteenth century, an extremely important element in the composition of the population, and a comparison of Figure 14 and 15 will indicate the importance of free rents within the Arden area. Hilton vividly illustrates this by pointing out that while on the Earl of Warwick's manors of Lighthorne and Brailes, in the Feldon, and Sherbourne, in the Avon valley, servile rents predominated over free in ratios varying from 2:1 to 15:1, on the mainly Arden manors of Tanworth, Haseley, Beausale, Claverdon and Sutton Coldfield, free rents predominated over servile in ratios varying from 2:1 to 4:1.¹⁴ The following table, taken from a study of Tanworth by Vose, emphasises this distinction more strongly;¹⁵

Table 11

Rents on the Manors of the Earl of Warwick in 1315.

Villein/Free Rents		Free/Villein Rents	
Brailes	6:1	Sutton Coldfield	3:1
Lighthorne	14:1	Claverdon	2:1
Sherbourne	9:1	Haseley) 2.6:1
		Beausale	
Berkswell	2:1	Tanworth	4:1

While indicating that servile rents predominate in south Warwickshire and the Avon valley and free rents in Arden, these figures also warn against over-simplification, for Berkswell, an Arden manor, was dominated by servile rents. At this point, two lines of enquiry will be followed; first, to examine the nature and variations of rents within Arden as a whole, and then, secondly, to

examine in more detail the character of both the freehold and the villein rents.

In the absence of the Hundred Rolls, Inquisitions post mortem are the only source that provides even moderately accurate data for assessing the distribution of types of rent in broad outline. Appendix II B has been compiled on the basis of all the manorial extents examined; columns one to six comprise those items which appear most regularly, the sum of these being expressed as a false total in column seven. Column nine records the actual total of the whole extent, the real total, and column eight expresses the false total as a percentage of the actual total. This data has been used to compile a series of maps, Figures 12, 13, 14 and 15. In this way it has proved possible to use the extents comparatively, the six main items appear with great consistency, and the variations in the percentage of each item provides an objective measure of variations of manorial structure, having also the additional advantage that minor differences in actual figures are ironed out. Table 12 summarises the rent ratios relating to those Arden manors for which evidence exists:

Table 12

Western Arden: Ratio of Free to Servile Rents.

Servile/Free		Free/Servile	
Beaudesert	2.5:1	Claverdon	2:1
Fulbrook	3.5:1	Haseley	2:1
Hampton on Avon	11.0:1	Maxtoke	1.5:1
Hampton in Arden	2:1	Solihull	5:1
Knowle	4:1	Tanworth	4:1
Sherbourne	9:1	Coleshill	30:1
Wootton Waven (i)	2.5:1	Shrewley	2:1
Wootton Waven (ii)	6:1		
Berkswell	2:1		

Western Arden: Ratio of Free to Servile Rents.

Servile/Free		Free/servile
Fillongley	8:1	Fillongley 3:1 (2 extents)
		Free rents only
		Budbrook
		Henley
		Olton
		Longdon

Although, as Figures 14 and 15 clearly show, there was a marked tendency for servile rents to prevail in the Avon valley and to a lesser extent in the Alne valley, with free rents dominating in the late settled areas of the plateau surfaces and the Blythe valley, in detail as a comparison of Table 12 with Figure 10 will show no simple relationship between either period of settlement or indeed landownership emerges. The pattern can only be interpreted as the result of a balance between the situation as it was in 1086, when all the recorded tenants were servile, (Appendix II a) and the seigniorial policy followed in the two succeeding centuries. Some anomalies are inevitably the result of the presentation of the data; for instance, there is the exceptional case of Hampton in Arden. In Hampton itself servile rents appear to have predominated (Figure 14), but appurtenant to the manor of Hampton were a series of hamlets, Kinwalsey, Diddington, Elmdon, Bickenhill, Sheldon, Ulverley, Honiley and Nuthurst, whose free tenants were paying a total of £7. 12s. 5d. rent. In Figure 14, these free rents have necessarily been accredited to the main manor, for the hamlet of Diddington was contiguous. Had they not, villein rents would have been more important, and the anomaly of an Arden manor dominated by servile rents would have been sharper.

The brief introductory analysis of manorial structure in Chapter 2 showed that freehold rents form an important item of rent on many Arden manors; of the twenty-one manors in Western Arden for which figures exist, in twelve cases freehold rents constitute over 30% of the (false) total income, and in six cases they exceed 50%.¹⁶ These Arden free rents were probably derived, in the majority of cases, from new holdings created from the waste, since Domesday Book only records six freemen in the area. A distinction can be made between those men who were holding by knight service who were subject to the somewhat onerous incidents of this form of tenure, and those freeholders who were holding their land on payment of only a money rent, although in practice this distinction was by no means always completely sharp, and a tenant of a fractional part of a knight's fee differed but little from an ordinary freeholder. Thus, in the extent of Maxstoke in 1295 after thirty-six free tenants certain free tenants are listed separately, the number not being specified, and are described as holding one twentieth of a knight's fee for two shillings rent. At Tanworth, for instance, a freehold tenement, whose character apparently did not differ from that of other free tenements, was considered to be held as one tenth of a knight's fee, but no explanation can be offered for this.¹⁷

The majority of the free tenants of Western Arden appear to have been holding their lands on payment of purely a money rent. On occasions, payments such as a pound of pepper, a pair of gloves, a whole arrow, a pound of cummin, or twelve broad arrowheads were demanded. Some of these rents, the twelve broad arrowheads for example, may originally have been rents in petit serjeanty rather than true free socage, for as will be seen in the case of the

Archer family, the founder may have been a soldier in the service of the Earl of Warwick. ¹⁸

The pattern of free rents revealed by the Tanworth charters illustrates the dominance of money payments, although it must be remembered that by their very nature charters would be expected to do this as non-monetary^a dues may well have been omitted.

Table 13

Tanworth: Analysis of Rents and Payments in Charters
before 1290

Rent or Service	1200-1250	1250-1290*
Knight Service	3.5	0.0
Money payment only	71.0	74.0
Money and Kind	8.7	7.0
Kind	5.5	6.0
No payment recorded	11.3	13.0
	<hr/> 100%	<hr/> 100%

* After 1290 the character of the reddendum clause was altered by the Statute of Quia Emptores.

Both rents and considerations are included in this analysis from which a number of points emerge, in particular, the overwhelming dominance of cash transactions. This is indeed greater than the table suggests, for the payments in "kind" are in fact typical freehold renders such as "a root of ginger at Christmas, a pair of white gloves, a clove of gillyflower, a grain of pepper" or "a white rose". After the early part of the thirteenth century there was, as has been indicated in Chapter 3, no further creation of knight's fees, but lords were spreading the burden of scutage by demanding a payment towards this from their

freeholders at the rate of one penny per acre. The charters after 1290 are not amenable to this form of analysis because the action of Quia Emptores meant that, officially at least, no rent could be reserved by a grantor in the case of an alienation as opposed to a lease. The formula of the reddendum clause becomes standardised as "Due and customary service to the chief lord of the fee", although details of rents are in fact often given. All of the charters examined from parishes other than Tanworth suggest a predominance of money transactions within Western Arden, and behind the bald statement of freehold rents in the extents attached to Inquisitions post mortem lies the infinite complexity revealed by the land charters. Although it is impossible to prove statistically, it is clear that the vast majority of these freeholdings were held in socage, such few fragmentary knight's fees and petit serjeanty tenures as do occur tend to be anomalies. For example, in the whole of Tanworth, excluding the manor of Monkspath, held as one quarter of a knight's fee, only two freeholdings are known that were considered to be fractional knight's fees, and only one possible example of a petit serjeanty tenure can be cited, namely the render of twelve broad arrowheads by the Archers. Seen against the vast amount socage tenure these are negligible.

The rather exceptional nature of Tanworth makes it exceedingly difficult to know how typical this situation was; it was certainly typical of the freer parishes of central Arden, Solihull, Tanworth, Lapworth, Ullenhall, and probably Baddesley Clinton, but it would, as Figure 15 shows, probably be invalid to attempt to apply this conclusion more generally. The evidence of the extents does indeed suggest that Tanworth and Solihull were unusual, with over 60% of their income derived from free rents.

Within Warwickshire as a whole, however, there is no doubt of the overwhelming importance of free rents within Arden.

In addition to money rents, freeholders on most manors were compelled to attend their lord's court. This might merely be twice yearly, or might be every three weeks, the incidence being the result of a bargain struck between lord and tenant. One peculiarity of freehold tenure stands out in certain parishes, namely, the payment of a heriot. Thus, in Solihull, in a survey of 1630 the jurors say on oath "That every Tenant that doth freely hold of the Lord of the Manor dying seised, there is due to the lord of the Manor a heriott, viz; The best weapon that he did usually wear or carry, and a Relief, viz; half a yere's rent, and fealtie."¹⁹ A survey of Tanworth in 1603 records the same, "the free tenants there holdinge of ye lord by free deed, heriott, refieffe and suit of court" and in this case there is ample court roll evidence to show that the heriot was the best beast.²⁰

No explanation can be offered for the incidence of these payments; some landowners bitterly resented them, and yet their payment from certain free holdings was well established by custom. There is some evidence for their payment by free tenants prior to 1350 (T..a43, c.127⁰90) but this is limited and throws no light whatsoever on the origin of the custom. The payment cannot be associated with customary holdings held by freemen; Vose when analysing the 1571 rental of Tanworth points out that a heriot was owed universally by those tenants whose holdings consisted of a messuage in addition to lands, but was also owed by tenants whose holdings were only cottages, and in one instance from a holding which consisted of pasture and meadow alone.²¹ Heriots were also due from parcels

of leased demesne, and land that was held by military service. Vose concludes that there is no possibility of accounting for the survival of heriots on freehold land, and in spite of a detailed examination of the early material, this opinion can only be endorsed by the author. It must be pointed out that while heriots are usually associated with villein and copyhold tenures they are not necessarily confined to them. The render of the best weapon in Solihull would seem to reflect the ancient idea that the warrior who had received arms from his lord should return them. The Tanworth heriots were, however, more likely to be agricultural in origin, and although no evidence can be invoked, it is tempting to wonder if in certain circumstances during the original colonisation the lord loaned stock to the peasantry. This might establish the custom of heriots from certain holdings, which was then extended to embrace other holdings. ²²

Free tenure was an important characteristic of Arden, and as Figures 14, 15 and Harley's maps show free tenants were of greater importance north of the Avon than to the south, but a close examination of the servile tenures of Arden reveals certain peculiarities. Thus, as Hilton pointed out, whereas the servile tenants of a manor such as Brailes in south Warwickshire owed most of their rent in the form of weekly labour services, on the Arden manors of the Earl, the serfs paid a high proportion of their rent in money, for instance, 80% at Berkswell and Sherbourne, 70% at Tanworth, 72% at Sutton Coldfield, and 65% at Claverdon. ²³ Such labour services as they did owe may indeed have been commuted. At Coleshill on the other hand, in theory at least, the three villeins owed 80% of their rent in labour, while in the Avon valley at Hampton on Avon the figure was 42%. Nevertheless, in terms of services demanded Arden villeins were in an extremely

favourable position; for example, at Brailes the 58 villeins worked for the Earl every other workable day in the year, and each rendered services worth 8s. 4½d. In Tanworth, on the other hand, the 16 villeins worked 26 days and each rendered services worth 2s. 4½d. That these advantages were the result of the late colonisation there seems little doubt. Berkswell, the one Arden manor of the Earl of Warwick on which servile rents are more important than free rents, shows a significant feature with regard to villein labour services,^{for} these are only to be performed on the two hundred acres of old demesne, where the villeins were doing thirteen days labour each, valued at 1s. 6d. These stipulations have serious repercussions when the provision of labour to the demesne is considered. At Hampton on Avon labour services to the value of 5s. 9d. per acre of demesne arable could be demanded, at Maxstoke 3.16d, at Berkswell 2.6d, at Claverdon and Balsall 2.4d, and Tanworth and Hampton in Arden, 2.0d. per acre, while the remainder that can be calculated, Beaudesert, Coleshill, Sherbourne and Wootton Wawen range between 1.5d. and 0.75d. per acre. At Brailes, on the other hand, services to the value of 7s. per acre were owed. In Western Arden no correlation can be found to exist between the size of the demesne and the amount of labour services demanded, thus the demesne at Hampton on Avon was 288½ acres, at Balsall 500 acres, Claverdon 160 acres, Coleshill 240 acres, and Tanworth about 200 acres.

In summary, Arden villeins were paying a high proportion of their dues in money and as a corollary of this their labour services were light and in no cases were these fully adequate for the working of the demesne.²⁴ The considerable variations which occur within Arden in respect of the quantity of labour services that could be exacted bear no apparent relation to the size of the demesne.

It is now possible to re-examine Figures 14 and 15 in the light of this evidence. Figure 15 indicates the importance of freehold rents on the Arden manors of the Earl of Warwick as compared with the rest of his estates in the two midland counties mapped. Villein rents on the other hand (Figure 14) were somewhat less important, but in this case the distinction between the south of the country and Arden is less sharp. More generally, with the exception of two in the Avon valley, all those manors in Western Arden mapped in Figure 15 have over 16% of their income derived from freehold rents, and 50% have over 36% of their income from this source. The great importance of freerents in the west of the area is obvious, Tanworth, Solihull and Longdon deriving over 55% of their income from free rents. Villein rents exhibit, however, greater variations from manor to manor and only 25% of the manors shown derive over 36% of their income from these. As has been demonstrated, the map cannot indicate the variations in the character of villein rent in Arden, an equally important distinction. 25a.

In the light of this evidence the view that the later colonisation movement was largely the cause of the differing tenurial conditions within Arden seems entirely warranted. Lords with a considerable amount of forest and waste on their hands would almost certainly need to offer some inducement to settlers; they would be willing to make some concessions, as some return upon the spare land at their disposal would be preferable to none. These concessions took the form of a less rigid application of the manorial regime, more especially the grant of free status with a liability to only a small rent either in money or kind or both. This process in turn affected the status of the villein population of the area, and as will

be shown, in certain circumstances they were able to become virtually indistinguishable from free tenants. It has proved possible to explain the minor variations between manors demonstrated by Figures 12 - 15 only by a detailed examination of each individual manorial unit.

The Land Market.

One of the most remarkable features of the late colonisation of Western Arden was the rise of a vigorous land-market involving the use of the land charter. It has long been realised that a peasant land market of varying degrees of vigour existed within the framework of the manor, and Postan has recently shown how a villein land market was regularised on the estates of Peterborough Abbey,^{25b} suggesting that while the first records of this date from the second half of the thirteenth century it was probably present earlier. Comparable developments are proved by Hilton to have been taking place on the estates of Gloucester Abbey.²⁶ The survival of a large body of charters normally implies the existence of an ecclesiastical foundation or a secular family whose fortunes in the late Middle Ages were such that their muniments of title survived intact. This implies a selective preservation, the charters consist almost entirely of material associated in some way with the particular estate, and although some of the charters relating to the land before the large estate acquired it might well be included, there is an inevitable tendency for such a collection not to relate to a purely peasant land market. The unique character of the Cartae Nativorum of Peterborough lies in the fact that they are a collection of true peasant charters, deliberately preserved by the manorial administration.²⁷ The Tanworth material is particularly unusual in that it relates to a number of small estates, all non-ecclesiastical, and many of the parties are of peasant status.

Relating to Tanworth, prior to 1350, there are in all some 637 separate charters. Of these 177 date between c.1180 and 1250, 207 between c.1250 and 1300, and 313 between 1300 and 1350, an average of 23.4, 41.4 and 62.4 charters per decade in each period respectively. This pattern suggests clearly a substantial increase in the volume of the land market as the century progressed, for although the chances of survival decrease in proportion to the remoteness of the period, the unique nature of the Tanworth material, a large collection made at an early date, makes it more likely that there is some relationship between the number of charters made at a particular period, and the numbers surviving. The broad picture so far presented is therefore probably valid, but it masks many minor variations. These are difficult to analyse prior to 1310 because the charters are not dated and can rarely be given a provenance closer than a twenty or thirty year period. Table 14 is a summary of Appendix II D and indicates the nature of these variations.

Table 14

Tanworth: Chronological distribution of Land Charters,
c.1150 - 1380.

Period	Total no. of Charters	Charters per decade	Five Landowners (See Table)	
			Total	%
Pre 1200	9	-		
1200-1220	31	15.5	19	62
1220-1240	57	28.5	45	80
1240-1260	28	14.0	19	68
1260-1290 ¹	141	47.0	77	55
1290-1310	81	40.5	44	54
1311-1320 ²	60	30.0	32	53
1321-1330	65	32.5	34	52
1331-1340	71	35.5	44	62
1341-1350	94	47.0	64	68
1351-1360	21	10.5	11	52
1361-1370	35	17.5	22	64
1371-1380	28	14.0	16	57

(1. 30 year period - 2. Decades)

This and the succeeding tables are derived from Appendix II D.

Detailed work suggests that these chronological groupings are essentially correct, and it seems probable that there was a gradual increase in the number of charters throughout the thirteenth century, reaching a peak in the 1270's and 1280's (Appendix II D). After 1290 there was a decline in numbers, and it can be argued that this was real and not merely apparent because for the period 1290-1310 more documentary evidence in the form of a court roll (1290) and rentals (1299), together with the occasional dated charter, provides a basis for more accurate dating.

Furthermore, the variation in the habendum and tenendum clause after 1290 provides a valuable lower horizon,²⁸ while an upper horizon is set by the onset of dated charters from about 1311. Throughout the early part of the early fourteenth century there was a steady rise in numbers, followed by a sharp decline in the decade 1351-60. An analysis of the distribution of charters in the period 1310-50 on a yearly basis (Graph 1) indicates something of the fluctuations that underlie these general trends. While the average number of charters per year is 4.2, numbers range in reality between 0 and 23, the most common number being 5 or 6. Several peaks emerge; the years 1316-18 record consistently high figures; localised peaks occur in 1324-5, 1340, 1342, 1346, and in 1349 is the highest peak of all. It is tempting to relate the peak of 1316-18 with the famines and that of 1349 with the plague; in the former case peasant landholders were presumably being compelled to sell land to obtain money to buy grain,²⁹ while in the latter case, landowners were dying as a result of the plague, which appears to have struck Tanworth seriously,³⁰ and the lands were being bought up, in particular by the de Fulwood family, who, as Chapter 5 will show, were expanding their influence in the decade 1340-50. The Lapworth charters, although representing a much smaller sample show a comparable peak of land transactions in 1349, as do those of Coleshill and Solihull. These fluctuations, described in terms of numbers of charters, may probably be taken to represent fluctuations in the intensity of the land market.^{31a}

Returning to the point that the deeds have a bias due to them being the muniments of title of one family; Table 14 incorporates an attempt to analyse the nature and extent of this bias. Five of the most influential Tanworth

charter makers were selected, the Earl of Warwick, the Archer family, the de Sydenhales, the de Fulwoods and the de Ullenhales, and for each period the number of charters in which they were either grantor or grantee was counted. Their individual fortunes will be examined in another context, but the group of charters thus isolated, by definition involves the most powerful landowners in the parish. As Table 14 indicates, the percentage of these charters per period varies according to no obvious pattern, except for a period of somewhat reduced activity in the decades 1290 to 1330.

The Archer family made the collection of charters that are being utilised, and it might be expected that charters involving members of this family would completely dominate the collection. Significantly this is not so:

Table 15

Tanworth: Percentage of charters involving members of the Archer family, c.1200 - 1350.

c.1200-40	49.0%
c.1240-90	31.0%
c.1290-1310	23.0%
1310-1320	18.0%
1321-1330	31.2%
1331-1340	25.5%
1341-1350	25.5%

The fact that such considerable variations do occur in spite of the known bias towards the family, strongly suggests that Sir Simon Archer accumulated sufficient extra charters to offset this bias. Inevitably there is a tendency for the collection to be complete where the Archer family eventually acquired a whole estate, but, nevertheless,

it would seem that enough charters have in fact survived for the variations in numbers to be meaningful providing the conclusions based on them are carefully qualified.

Returning to the five major landowners in Tanworth, it might be argued that the subjective selection of five is an arbitrary process. Graph 2 shows the numbers of individuals plotted against the numbers of deeds they made in the period 1300-1350.^{31b} At this period the influence of both the Earl of Warwick and the de Ullenhales had become negligible, so that only three large landowners remained. There are in all 420 parties, and of these 53 are members of either the Archers, Fulwood or Sydenhale families. In the period 1300-50 these 53, some 12.6% of the total persons mentioned, are between parties to 57% of the charters. This situation can be expressed in another way; Table 16 analyses the number of references to each individual party appearing in the Tanworth charters between 1150 and 1350:

Table 16

Tanworth: Number of References to each individual party appearing in the Tanworth charters 1150-1350.

1)	Those persons involved as party in 1 charter, 63%	of total
11)	" " " " " 2-5 " s, 32%	"
111)	" " " " " 6-8 " 2.6%	"
1v)	" " " " " 10-15 " 2.0%	"
v)	" " " " " over 15 " 0.4%	"

Total 420 parties.

With three exceptions all of those involved in ten charters or more belong to one group of the three major families, suggesting that the assumption concerning their importance was justified.

At first sight little pattern could be detected in the land charters relating to the main landowners, but Table 17 carries the analysis a stage further:

Table 17 32

Tanworth: Charters involving the main landowners (Archer, de Sydenhale and de Fulwood).

Period	Actual number of charters	% of all charters per period	Average no. per decade
c.1200-40	64	73	16.0
c.1240-90	96	57	19.2
c.1290-1310	44	54	22.0
c.1311-1320	33	53	33.0
1321-1330	35	52	35.0
1331-1340	44	62	44.0
1341-1350	64	68	64.0

(cf. with Table 14 and Appendix II D.)

An examination of this table shows that two apparent trends have to be reconciled, first, the variation in respect of the total numbers of charters per time period, and secondly, the steady increase in importance suggested by the average number of charters per decade. The steady increase reflects in reality the larger numbers of charters being preserved as the thirteenth century passes, and the significant variation is the percentage of charters involving the main landowners within each period. It is evident from Table 14 that while this group are pre-eminent at first, because of the greater chance of their charters surviving, as the thirteenth century passes they decline slightly in importance, and are of least significance in the decades between 1290 and 1330. As the middle of the fourteenth century approaches the class increases rapidly in importance once again, in

spite of the very much larger numbers of charters surviving from that period. (Table 14). These variations can be explained by the presence of a peasant land market, as Graph 2 shows, involving those people who appear as parties to only five or fewer charters, but who comprise in total 95% of all parties. (Table 16). The small group in this table constituting some 2.6% of the total number of parties can reasonably be seen as a true "peasant aristocracy". If the charters relating to the five main landowners are ignored, the following pattern emerges:

Table 18

Tanworth: Peasant Land Market, c.1200 - 1350.

Period	Actual no. of charters.	% of all charters per period.	Average no. per decade
c.1200-1240	24	27	6.0
c.1240-1290	69	40	13.8
c.1290-1310	38	46	19.0
1311-1320	29	47	29.0
1321-1330	32	48	32.0
1331-1340	27	38	27.0
1341-1350	30	32	30.0
1351-1400	56	40	11.2

(cf. with Table 14 and Appendix II D)

It would appear that the purely peasant land market expanded throughout the thirteenth century and early decades of the fourteenth, suffered a decline in the fourth and fifth decades, but recovered somewhat in the second half of the fourteenth century. In contrast the land market in which the major landowners were involved tended to expand continuously throughout the whole period (c.1200-1350), if anything at a greater rate in the 1330's and 1340's. The catastrophe of 1348-9, after initially causing a vigorous

expansion of the land market, led to a sharp decline in the 1350's, and the market then stabilised at a lower level with the major landowners tending to take an increasingly important part. (Appendix II D). It must be emphasised, however, that within this general pattern there were many minor fluctuations, a point amply illustrated by reference to Graph 1.

In summary, the volume of material surviving for Tanworth parish suggests strongly that prior to 1350 a vigorous market in land had developed, and furthermore, that it was present at two levels, first, amongst a class that will later in this essay be termed the small landowners (Chapter 5), and secondly, amongst the peasantry. In reality the division between these groups, as will be demonstrated in Chapter 5, was far from sharp, but is nevertheless valid. It may well be that Tanworth was exceptional in seeing such a development, but before attempting to assess this point certain other topics must be examined.

Throughout the period being studied the legal position with regard to alienation was far from static, and the law had differing aspects with regard to freehold and villein land. The right to alienate was one that developed only gradually since such a process naturally conflicted with the interests of the lord, and, once primogeniture was established, with those of the heir.³³ Certainly from the mid-thirteenth century onwards, however, the fee was alienable and finally in 1290 the Statute of Quia Emptores lays down that ".... from henceforth it shall be lawful for every freeman to sell at his own pleasure his lands and tenements, or part of them."³⁴ Prior to 1290 the provisions of feudal law meant that alienations created sub-infeudations, confusing to an extreme degree the structure of the feudal ladder of holdings. This

had the result that a piece of land could be alienated many times and yet still have a tenuous link in the form of a rent, be it only nominal, with the original owner.³⁵ This process makes it virtually impossible to be certain of the precise nature of a transaction; outright sale was non-existent. The resultant web of tenancies was so complex that not even contemporaries^{or} could be certain of all their ramifications or dues. Quia Emptores clarified the position by replacing subinfeudation by substitution, that is to say the grantee replaced the grantor in the feudal ladder and retained no ties. By the end of the thirteenth century, the normal fee, which had been granted to a man and his heirs with no special provisions in the grant, had become an alienable and not a heritable interest, a fee simple, that is to say a free tenement which a man could give, sell, alienate or assign or which could descend to his heirs.

The villein, however, was in no way considered as the owner of the plot he occupied; his power of disposing of it was limited accordingly, and he was subject to constant control from the real owner, the lord of the manor. In theory and in practice, it was held that whatever the bondman acquired was acquired by the lord. Villein lands were normally conveyed by surrender and admittance; the villein surrendered his lands into the hands of his lord, who then admitted the grantee, the transaction being recorded on the manor court rolls. Thus, a villein could not acquire or transfer property by charter, for charters were sealed documents and only freemen were allowed to possess a seal and to use this for authenticating charters. However, Postan has shown by the late thirteenth century villeins on some of the Peterborough manors were buying and selling land by means

of sealed charters, land that was both villein and free in nature.³⁶ He sees this as no more than a regularisation of a process that would have taken place anyway. Hilton has shown that on certain Cotswold manors of Gloucester Abbey villeins used the common form of cyrograph and a seal,³⁷ and points out that no evidence of the legal recognition of a villein's right to enter into contractual relations with his lord or of his right to a legal personality expressed through a seal could be clearer. Evidence to be presented in Chapter 6 will suggest that this process was also taking place in Western Arden.

A market in land was the result of a series of pressures and inducements which stimulated sales, leases and exchanges. In societies in which the family was the unit of ownership and exploitation, the needs and resources of individual families were too unequal and too unstable to allow family holdings to remain uniform or unaltered in use and size. Thus, while a holding of thirty acres might strain the resources of one family and a portion be in excess of their requirements, thirty acres may be woefully inadequate for a second family. These inequalities could be remedied in two ways, the labour market and the land market. This is the basic factor in stimulating the growth of a land market, but in Arden an additional factor with wide repercussions, has to be taken into account, namely, the availability of new land. In theory land might appear on the market in a number of ways which can be summarised as follows; first, new land, which as has already been shown, came onto the market as the result of a distinct policy pursued by the lord of the manor, for example, the Earl of Warwick. This land added to existing holdings, and provided an alienable

reserve, since even in the case of a holding in fee tail such new land as was acquired by the owner during his lifetime was considered to be alienable.³⁸ The addition of new land to existing holdings permitted a reorganisation of their structure, land that was inconveniently placed with regard to the farmstead could perhaps be disposed of and the capital so acquired re-invested in new property.³⁹ The presence of this reserve created a situation in which people would tend to try and own more land than they really needed, even if they couldn't utilize it to the full, for demand was such that it could be sub-granted further and would thus bring in a rent income. Large grants of waste to one tenant might contain more land than one man could comfortably cultivate so that waste could be sub-granted to smaller men. The repercussions of the presence of the colonisable reserve of waste run right through the land market.⁴⁰

Secondly, old age; it is possible that misfortune might leave an aged man with no sons or daughters to inherit a large holding, or an aged father might wish his son to inherit before his death since de facto the holding was already dependent upon him. Thirdly, comparable to this is the case of widows alienating land in excess of their needs. This may only be a temporary process, but it adds to the volume of land available on the market. One final cause may be suggested, the need for ready cash. A number of examples will be cited, of holdings that for unknown reasons disintegrated completely, the property being alienated for a rent that is little more than nominal, but for a consideration that may be extremely substantial. The most spectacular case of this is ^{that of} the de Ullenhale family to be discussed in Chapter 5, who within a very short time disposed of all their properties

in both Tanworth and Ullenhall. Detailed examples of each type are not given at this juncture, but the foregoing cases are all based on actual circumstances revealed by an examination of individual holdings, and the reader is referred to Chapter 6 for a detailed examination of many of these points.

Two further aspects of the land market remain to be examined, land prices and areal variations in the market. A rise in the price of land is indicated clearly in the change from two pence to four pence per acre demanded for waste land. Rents and considerations, however, vary in accordance with such a host of variable factors that the isolation of any trends becomes virtually impossible. Table 19 is an attempt to obtain some indication of the level of land prices throughout the thirteenth century, by expressing the consideration demanded as a proportion of the annual rent.

Table 19

Tanworth: Proportion of consideration to annual rent in the late twelfth and thirteenth centuries.

Proportion	% Pre 1200	% 1220-50	% 1250-90
Less than 19 X	70.0	43.0	18.0
20 - 39 X	12.0	21.5	22.0
40 - 59 X	12.0	14.0	13.0
60 - 79 X	0.0	0.0	20.0
80 - 99 X	1.0	7.0	2.0
100 X and over	0.0	14.0	24.5
	100 %	100 %	100 %

If rents remained constant a substantial rise in the amount of the consideration demanded occurred, but since rents

certainly rose, this table clearly implies a marked rise in land values over the century.

Throughout this study the process of subinfeudation has been referred to as "sub-granting" in order to distinguish this process from the true lease, i.e. sub-letting, a process by which the ownership of the land was not alienated merely the right to use the land for a period of time. Table 20 indicates the incidence of this class of document within the Tanworth charters.

Table 20

Tanworth: Incidence of Leases, etc. ^{41.}

Period	Number	% of Total Charters
1200 - 1250	2	1.7
1250- 1300	9	4.3
1300 - 1350	42	13.5

The true lease, for a definite period of years or a stated number of lives only becomes a significant element after 1290, and was one of the devices by which an owner could obtain profit from excess land without alienating it. In addition, lord and vassal affinities, in the early days of feudalism so closely associated with proprietary interests, had by the early fourteenth century become attenuated and weakened as services were commuted to money payments, a development that conditions in Arden particularly favoured. The land market and the development of leaseholds are phenomena that are closely associated with the loosening of the feudal bonds of society. They are the precursors of a new order.

An attempt to map the areal variations in the Tanworth land market has been made in Figure 26 by mapping the

number of charters per quarter kilometre square of the National Grid. This map is not wholly successful, for, as a comparison with Figure 32 will amply demonstrate, it inevitably reflects the orientation of the collection towards the Archer estates and the small manors they absorbed, as well as being inseparable from the pattern of survival shown by Figure 22 C. These drawbacks make the analysis exceedingly speculative, but the following rather general conclusions can be drawn:-

- i) The importance of the south centre of the parish in each period is quite clear, and a comparison with Figure 45 shows that the common arable and adjacent several closes were the focus of this activity.
- ii) As might be expected, by the second half of the thirteenth century, as a result of the vigorous colonising movement demonstrated by Figure 22, a land market had developed within the newly created severalities, but at first this only served to intensify the importance of the south, for reasons that will be fully examined in Chapter 8, but which largely reflects the effects of the colonising movement on the nucleus of early settlement.
- iii) By the first half of the fourteenth century it is clear that a land-market was widespread throughout Tanworth parish, but, nevertheless, in spite of the fact that the map is unsatisfactory because of the areal variations in the survival of charters, it is tempting to conclude that this variable pattern is in itself due to the fact that the incidence of the land-market was irregular, some holdings were stable and except for minor changes persisted as units throughout the period 1300-1350, while others were part of what could be termed an "alienable reserve", once they had appeared on the market they tended to pass from hand to hand. The cause of this situation has already been partially established when the problem of the

supply of land to the market was discussed, and a number of specific examples will be examined in Chapter 6.

The land-market is one of the more interesting and significant results of the colonisation. The tendency towards a land-market was present in feudal society throughout the thirteenth century but met with considerable opposition from the nobility in that with each transaction there was a greater danger of them being deprived of the incidents of tenure. The Statute of Quia Emptores was an attempt to bring order to what had become a chaotic and intolerable situation. By forbidding the process of subinfeudation it had the object of keeping the direct control of the land, and rights to its services, fines, and forfeits in the hands of the great landowning barons, and of the King as their head. The overlord, jealous of the fruits of chivalry, tended as far as he was able to counter any moves on the behalf of his tenants towards freedom of management and disposal. As a consequence a land-market did not develop easily at high social levels. Socage tenure, however, was the tenure of the free peasantry, and at this level the pressures towards the development of a land-market were if anything greater, so that a land market appeared. ⁴²

The evidence presented in the last two chapters indicates beyond all reasonable doubt that on at least some manors in Western Arden a deliberate policy of encouraging colonists by offering waste land on favourable terms was followed. How widespread this policy was can only be guessed, but in view of the fact that by the thirteenth century the ownership of the waste was undoubtedly vested in the lord of the manor, and that there is ample evidence to postulate a vigorous expansion of settlement, not only on those manors for which detailed material survives, but all over Western Arden, it is reasonable to

conclude that waste land was sub-granted, and that such policies were common. The presence of large colonisable reserves of waste, settled with seigniorial encouragement, resulted in a substantial increase in population within Western Arden between 1086 and 1350, while the concessions these lords were compelled to offer to settlers led to the early development of a money economy and the predominance of personal freedom. Such conditions were ideal for the early appearance of a vigorous peasant land market, and it was in areas such as Arden, where the processes of fragmentation, of agglomeration and of exchange implied by a land market provided an opportunity for social mobility, that the enterprising peasant could look towards new horizons and new opportunities.

Footnotes.

- (1) J.C. Russell, British Medieval Population (1948).
A recent pungent criticism of this work has recently been made by R. Lennard, in "Agrarian History: Some Vistas and Pitfalls", Agricultural History Review, vol. XII (1964), Part II, pp. 83-98.
- (2) J.B. Harley, "Population and Land-utilization in the Warwickshire Hundreds of Stoneleigh and Kineton, 1086-1300", University of Birmingham (1960).
J.B. Harley, "Population Trends and Agricultural Developments from the Warwickshire Hundred Rolls of 1279", Economic History Review, vol. 11 (1958), pp. 8-18.
J.B. Harley, "The Settlement Geography of Early Medieval Warwickshire", Trans. Institute of British Geographers, Pub. No. 34 (1964), pp. 115-130.
- (3) The only freemen mentioned in the Domesday Book within Western Arden are six at Barston (Fo. 242b). "D".
- (4) The author is indebted to Mr. T. Wild for his suggestions concerning the analysis of the evidence presented in Tables 10 A and 10 B.
- (5) These trends are admirably summarised by Sir John Clapham "An opinion often expressed, which is perhaps near the truth, is that the population of England and Wales doubled between 1100 and 1300; fell sharply with the pestilence; and rose again to about its former maximum by 1500, when it was perhaps 2.5 - 3.0 million". A Concise Economic History of Britain, Earliest times to 1750, (1963), pp. 77-8.
M.M. Postan, analysing the economic evidence for the fourteenth century population decline in his paper "Some Economic Evidence for a Declining Population in the Late Middle Ages," Economic History Review, vol. 11. No. 3 (1950) p. 1 ff. concludes that this

decline in fact began in the first two decades of the fourteenth century. An admirable summary of European trends is to be found in:

B.H. Slicher van Bath, The Agrarian History of Western Europe, A.D. 500-1850 (1963), pp. 77-97.

- (6) This loss was due partially to the famines of 1315-17 and partially due to recurrent plagues, of which the Black Death of 1348-9 was the most catastrophic. These topics are analysed in considerable detail by B.H. Slicher van Bath, op. cit. while a valuable appraisal of the causal factors of the decline is to be found in

M.M. Postan and J.Z. Titow, "Heriots and Prices on Winchester Manors", Economic History Review, 2nd ser. vol. XI (1959).

- (7) The author himself feels that while the results are unreliable, so little is really known concerning medieval population trends that any attempt to add to knowledge of this topic is worth while. The fact that the tentative conclusions drawn from the charter evidence are in accord with demographic data from other sources is a fact of some significance.
- (8) This type of source material was successfully used by H. Thorpe in Lichfield, "A Study of its Growth and Function", Staffordshire Historical Collections, 1950-51, Figure 6, where the Poll Tax returns of 1379-80 are mapped. J.B. Harley used the same technique in his thesis, op. cit. Figure
- (9) Archer Collection, Stratford upon Avon, Solihull Charters, 28 July, 1317 (D. 53).
 Ferrars Collection, Stratford upon Avon, Baddesley Clinton, 20 May, 1325 (No. 34), etc.

Wingfield Digby Collection, No. 68 (A 53), 13th century.
Archer Collection, Stratford upon Avon, Sheldon,
9 Ed. II.

Particularly interesting in this context are three deeds from the Wingfield Digby Collection relating to Coleshill, which it must be admitted are more evocative than illuminating. All three refer to men who are described as "hirelings" (mercenarius). The term may mean a mercer, i.e. a merchant, or possibly even a mercenary soldier. "Merchant" seems unlikely as the charters deal with cultivable land and not a building plot in the proto-borough (see below, Chapter 7). In the absence of other clues no explanation of the term can be offered, but it is tempting to wonder if mercenary soldiers had been rewarded by grants of land. (W.D. 78, 126, 171).

- (10) This has been fully demonstrated by R. Hilton, "The Social Structure of Rural Warwickshire in the Middle Ages". Dugdale Society Occasional Papers, No. 9. (1950), and by J.B. Harley, op.cit.
- (11) Harley very rightly argues in his paper on "The Settlement Geography of Early Medieval Warwickshire" Trans. I. B.G., No. 34 (1964), p. 117, that in dealing with medieval demographic statistics ratios should be regarded as more significant than totals. In view of the fact that Tanworth does not appear in the Domesday Book, the author has had no opportunity to use the charter material to attempt to obtain such a ratio. The figure 350 has been selected as a reasonable estimate on the basis of the ////// charters but it would be impossible to justify this fully by objective arguments.

- (12) J.C. Russell in British Medieval Population (1948) uses a factor of 3.5 but recent work suggests that this may produce an under-estimate of one quarter. J. T. Krause, in "The Medieval Household; large or small ?", Economic History Review, vol. 9. (1957), pp. 420-32, substitutes a figure of 4.8; H.C. Hallam, in "Some Thirteenth-Century Censuses", Economic History Review, vol. 10 (1958), pp. 340-61, on the basis of documents giving lists of members of peasant households, also arrives at a figure of 4.8. The 1801 census records a population of 1695 in Tanworth (Victoria County History, vol. II, p. 189). It is of some significance that the probable minimum population is in fact higher than the total population of 1801. It is frustrating in view of the bulk of material available for Tanworth to have nothing which permits a more reliable estimate of the pre-Black Death population.
- (13) The author is of the opinion that if anything this estimate of 1200 is far too small. One example will perhaps help to substantiate this suggestion; the Tithe Map of 1843 shows the settlement pattern of that period, and in 1841 the total population of the parish was 1925. The Archer Survey of c.1500 strongly suggests that not only were the major farms of 1843 already present, but that a density of small farms and cottages comparable to that of 1843 already existed, indeed they were thicker on the ground. The Archer Survey of c.1446 demonstrates that the farms of the early fifteenth century, and hence those of the late fifteenth century, had resulted from the amalgamation of many smaller early medieval freeholders, and the charter evidence makes it quite clear that many of these had farm buildings of their own. If this is so, then

one may reasonably argue, and there seems to be evidence to support this, that in the early fourteenth century, not only were most of the large farms of 1843 present, but there were many more smaller units. If this is the case, then the population of the early fourteenth century can hardly have been lower than that of 1843 and indeed a figure of over 2000 may well be more accurate. Clearly, the author has been unable to follow the lines of research suggested by this brief argument, but it would probably prove exceedingly profitable. It is significant that H.E. Hallam in "Population Density in Medieval Fenland", Economic History Review, 2nd Ser. vol. XIV, No. 1. (1961), pp. 71-81, basing his arguments on the Spalding serf lists of 1267-8, suggests that if from the 1951 census figures the bulk of the population of Spalding is subtracted the rural population densities in 1260 and 1951 would be about the same.

- (14) R.H. Hilton, "The Social Structure of Rural Warwickshire in the Middle Ages", Dugdale Society Occasional Papers, No. 9 (1950), p. 18.
- (15) E.K. Vose, The Economic History of the Manor of Tanworth, Warwickshire, 1316-1603, B.A. Dissertation, University of Birmingham, A4. B48 (1948). Table 11 is of course based on the Inquisition post mortem of Guy de Beauchamp, P.R.O. C.134/49-51.
- (16) Those manors where freehold rents form over 50% of the total manorial income are Budbroke, Coleshill, Henley, Longdon, Solihull and Tanworth (Appendix II B).
- (17) This point is examined more fully in Chapter 6.
- (18) A.W.B. Simpson in An Introduction to the History of the Land Law (1961) examined (pp. 7-14) the tenures

of the Middle Ages. The special class of petit serjeanty was devised to distinguish between grand serjeanty, which involved personal service by the tenant, and socage, predominantly an agricultural tenure. Petit serjeanty involved merely the supply of a small warlike article, a service strictly only due from a tenant in chief to the King; all mesne serjeanties, i.e. a serjeanty tenure held of any other lord, became assimilated into socage by the time of Littleton (1466-1481). In the twelfth century, when the render of 12 broad arrowheads originated, it was probably better described as petit serjeanty rather than socage.

- (19) R. Pemberton, Solihull and its Church (1905), pp.50-1.
- (20) It is possible to find frequent references to this fact in the Tanworth Court Rolls housed at Stratford upon Avon, but perhaps a more useful document is a series of notes by Sir Simon Archer amongst the miscellaneous documents relating to the Archers. Headed "Greyhoundes or Houndes" it is an attempt to draw together all the customs of Tanworth and consists of cases extracted from court rolls. MS. Warwick Top. d 2 in the Bodleian Library contains an index to the heriots mentioned in the court rolls transcribed in this document, pp. 10-12.
- (21) E.K. Vose, op.cit., pp. 39-40.
- (22) H.S. Bennett in Life on the English Manor discusses the heriot payment (pp. 143-150) and mentions freemen who owe this incident, but he does not analyse separately the origins of servile and free heriots. While heriots are usually associated with villein and copyhold tenures they were not necessarily confined

to them.

- (23) These and the following figures are derived from the extents summarised in Appendix II B.
- (24) The technique of assessing the supply of villein labour from the ratio of labour rent and demesne area is derived from E.A. Kosminsky, Studies in the Agrarian History of England in the Thirteenth Century, (1956), pp. 228-292, where he takes the figure of 12d. per acre as representing labour services sufficient to till one acre of demesne.
- (25a) No attempt has been made in this thesis to create a regional sub-division of Arden on the basis of either manorial structure or rents and services for two reasons, first, insufficient manorial extents are available to permit this, and secondly, it is quite clear from a detailed study that the most significant pattern is that shown by Figure 10. Landownership, c.1300-1350, and manorial structure, variations in rents, services, and social structure of the population, and to a certain extent settlement patterns are dependent on this factor.
- (25b) C.N.L. Brooke and M.M. Postan (eds.) *Cartae Nativorum: "A Peterborough Abbey Cartulary of the fourteenth century"*, Northamptonshire Record Society, vol. XX, (1945-6), Introduction, pp. xvii-lviii.
- (26) R.H. Hilton, "Gloucester Abbey Leases of the Late Thirteenth Century", University of Birmingham Historical Journal, vol. IV, No. 1, pp. 1-17.
- (27) C.N.L. Brooke and M.M. Postan, op.cit.
- (28) The significance of this variation was discussed fully in the Introduction when the individual clauses of land charters were being examined.

(29) In this context the article by

M.M. Postan and J.Z. Titow, "Heriots and Prices on Winchester Manors", Economic History Review, 2nd Ser. vol. XI, (1959) is relevant. The authors correlate the rise in grain prices, a measure of harvest quality, with the incidence of heriot payments, a measure of peasant mortality. The correlations between these are striking, and it is quite clear that in poor years the peasants faced starvation.

(30) No less than two Tanworth parish priests died in 1349.

(31a) For Lapworth some 47 charters survive (see Introduction) of which some 17 fall in 1348-9. The following table gives the figures for Coleshill, Solihull and Baddesley Clinton.

	Coleshill	Solihull	Baddesley Clinton
Pre 1300	101	65	12
c.1300-10	23	9	13
c.1311-20	32	22	6
1321-30	27	33	26
1331-40	51	48	23
1341-50	51	55	11
(1348-9)	11	21	
	296	252	91

Only Baddesley Clinton fails to show a slight peak in 1348-9. These figures have not been used in the text as they represent such small samples.

(31b) The charters involving the Earl of Warwick and the de Ullenhale family have not been isolated in the graph, for as Appendix II D shows, they form only an insignificant proportion of the total material, especially in the period 1310-1350.

- (32) Tables 17 and 18 are both based on Appendix II D.
- (33) This point is examined by A.W.B. Simpson, An Introduction to the History of the Land Law. (1961), pp. 47-8. By Edward I's time (1272-1307) primogenitive had become the common law of all tenures.
- (34) C.B. Adams and H.M. Stephens, in Select Documents of English Constitutional History, (1927), pp. 81-82, give more useful extracts from this statute. The clause quoted recognises the alienability of the fee simple, that is to say an interest in land descendible at the common law to the heirs general of the preceding tenant, and not a fee which is limited to the issue of the tenant in its descent, a ~~free~~ tail.
- (35) A.L. Poole, in Obligations of Society in the Twelfth and Thirteenth Centuries (1946) cites an example concerning no less than four mesne lords holding fees in one parcel of land (p. 5) and to these must be added the King as supreme lord and the tenant in demesne - six people in all. R.H. Hilton, in "Social Structure of Rural Warwickshire in the Middle Ages", Dugdale Society Occasional Paper, No. 9. (1950), pp. 20-21 cites in considerable detail the complex case of Tysoe within which were five manorial organisations. The effect of Quia Emptores is made clear by J. Jackson, English Legal History in a Nutshell (1955), pp. 81-82.
- (36) C.N.L. Brooke and M.M. Postan, "Cartae Nativorum: A Peterborough Abbey Cartulary of the fourteenth century", Northamptonshire Record Society, vol. XX, (1960), pp. xvii-lvii.
- (37) R.H. Hilton, "Gloucester Abbey Leases of the Late Thirteenth Century", University of Birmingham Historical Journal, Vol. IV., No. 1., p. 12.
- (38) This point is discussed by A.W.B. Simpson, op.cit.

pp. 48-49. Glanville writing in 1187-9 recognises the distinction between the wider powers of alienation over acquired lands as against inherited lands, but by the time of Bracton (1248-57) this distinction was no longer recognised and the right to alienated inherited lands seems to have been established. Nevertheless, the Tanworth evidence examined in Chapter 5 suggests that the acquired land was used to provide lands for younger sons.

- (39) M. Chisholm in Rural Settlement and Land Use (1962) is particularly concerned with the effects of location on farming practice on both the macro-and micro-scales. On p. 71 he stresses the importance of the fragmentation of holdings as a causal factor behind a land market. Homans, G.C. in English Villages of the Thirteenth Century (1941), comments on p. 18 on the emergence of a peasant land market by the thirteenth century.
- (40) To avoid confusion specific examples are not being cited at this point, but the material presented in Chapter 5 and 6 provides the basis for these generalisations, together with other studies not cited in detail in this essay.
- (41) This class includes leases for life, of grantor or grantee; leases for a specified period of years; demesnes for life or for a period of years; there are in fact many variations, but the characteristic feature is that they are not gifts in perpetuity but merely for a specified period, and will ultimately revert to the grantor or his heirs. The development of such farms was stimulated by the Statute of Quia Emptores.
- (42) A.W.B. Simpson, An Introduction to the History of the Land Law (1961), pp. 11-13. Socage tenure is best

defined negatively, it is that tenure which is left after the more honourable farms of free tenure, knight service, grand serjeanty and frankalmoigne, together with all the servile tenures, are removed from the total mass of tenures. The socage tenant holds of his lord by certain, i.e. definite, service; a socage tenant, therefore, might hold at a rent which was nominal or substantial, and the rent might be payable, either in kind, or money, or labour. Essentially non-military in character, socage is the tenure of the sokemen, the free peasants; with the gradual disappearance of the realities of feudal tenure from society it was natural that socage should in the end become the sole surviving tenure of any importance; today it is still the law that all land is "held", and since it must be held by some tenure we say it is held in socage.

THE SMALL LANDOWNERS

The final section of Chapter 4 demonstrated that the Tanworth land market in the thirteenth and early fourteenth centuries was dominated by a number of prosperous families, who, although forming a class quite distinct from the peasantry, were in fact of no more than local importance. Families such as the Archers, the Sydenhales and the Fulwoods clearly belong to a group which Kosminsky termed the "small-landowners". He concluded that these were a group of some importance, and explained this by pointing out that "here, in embryonic form in feudal society is the capitalist mode of production, based on the exploitation of hired labour, already (by the mid-fourteenth century) seen as the antithesis of the feudal mode of production", based on the serf-worked estate.¹ This statement of the place of the "small-landowner" class, the well-to-do free peasants and the small knights, within the framework of feudal society is essentially a valid one, and Kosminsky's general conclusions on this group, based on his analysis of Hundred Roll data, are pertinent to the interpretation of the Tanworth material.²

Economically the group ranged from knights with an income from land of £10 or £20 a year, to free peasants with incomes of 20s. or more, but as Kosminsky pointed out, just as the well-to-do free peasant's holding led, by almost imperceptible stages up to the small manor, the knight's fee or estate, so the division between small landowner and peasant was indistinct. In order to obtain a sample of these small holdings Kosminsky selected those "knights and lawful freemen" who served on hundred juries, and from a study of their estates, as they appeared in

the Hundred Rolls of 1279, he was able to establish certain generalisations concerning the form and nature of the small manor.³

Amongst the estates of his sample there was an absolute predominance of units with less than 500 acres of arable land (i.e. demesne, together with villein and free holdings), and as a corollary of this, these small manors coincided with the village only in rare cases, normally forming a part of one or more villages. This lack of territorial unity, and self-sufficiency resulted in the small manor being characterised by impermanence, fluidity, and changeability; it was easier for new land to be added and easier for parts to be detached than in the case of a larger manor coinciding with one or more village units. Many of these small manors consisted in fact of minute and scattered parcels held from different lords. The small manor also possessed certain other structural characteristics, for only an insignificant minority of the jurors possessed typical serf-worked manors of the "classic" type, their estates often had a varied structure, frequently with a high percentage of demesne land, and depended on an insignificant amount of feudal rent. Where villeins were present they were invariably small-holders.

On the majority of these small manors the predominant form of rent was in fact money rent. As a result of this, and the other characteristics enumerated above, the small manor was dominated by a form of economy not based on the exploitation of serf labour. It was inevitable that such a small unit could not possess the same economic self-sufficiency as a larger unit, and was therefore more dependent on a market for agricultural produce. Kosminsky's final conclusion concerns the place of the manorial court and manorial custom on the small manor; the existence of courts, even on some very small manors can be confirmed,

but he concluded that in many cases the absence of a court can be presumed.

One can argue that this group of estates is highly artificial, defined on the basis of one particular document, the Hundred Rolls, with reference to subjective and rather vague criteria. This is true, but the significance of the group lies in the fact that their estates represent, socially and economically, a transition zone between the free peasant holding and the smaller manors of the nobility, and although the group is exceedingly difficult to define in objective terms, Kosminsky's evidence is adequate to prove their existence.

The origins of the manor as an institution and a unit of territorial organisation lie beyond the scope of this essay, but in view of Kosminsky's final conclusion concerning the manorial court, and certain problems met in the course of the analysis of the Tanworth evidence, it is essential at this point to attempt to obtain some definition of the term with regard to the period and area under consideration. This discussion will, furthermore, serve as an illustration of the difficulty of defining such a group as the small landowners.

On the basis of the Hundred Rolls Kosminsky recognised seven types of estates, the structure of which he considered to be manorial, the manor being seen as "the traditional organisation for the appropriation of feudal rent."⁴ This grouping forms a convenient point with which to begin a discussion of the definition of the term "manor".

The seven types Kosminsky recognised are as follows:-

- a) All "typical" manors with a demesne, villein land and freeholdings, i.e. the "classic" manor.
- b) Demesne and villein land with no freeholdings.
- c) Demesne and freeholdings but no villein land.
- d) Villein land and freeholdings but no demesne.

- e) Freeholdings alone.
- f) Villein land alone.
- g) Demesne land alone.

As will be demonstrated fully in Chapter 8 this classification in practice is exceedingly crude, in particular the first grouping is unsatisfactory, for a manor with 60% of its total income derived from freehold rents was very different in character from one with 60% derived from villein rents, even though both may possess demesne, villein and freehold land. Most challenging are the last three types Kosminsky lists, for the nature of these must lead inevitably to the question, what quality must a particular estate possess to be termed a manor ?

Hilton defines a manor as "a group of peasant producers of varying wealth and status who were subordinated legally, economically and socially to a landlord." ⁵ This definition would seem to exclude Kosminsky's final group by implying that tenant land is a necessary condition for the occurrence of a manor; indeed Kosminsky himself seems to recognise this; "Examples of this type (g), especially of any size, are rare; but from time to time we find estates which nearly equate to this in structure - i.e. a demesne with an insignificant amount of tenants' land." ⁶

At this point it is pertinent to rephrase the original question, what was the distinction between two holdings, one of which was termed a manor, and one which was not ? This can largely be answered by considering those special advantages possessed by the lord of a manor, what are termed manorial rights. These can be summarised as proprietary, those rights arising from his being a landlord; judicial, those rights permitting him to hold a manorial court; and seigniorial, those rights derived from his

position as lord. Particularly significant is the power to hold a court, and this, in Maitland's view, rested on two principles; first, the jurisdiction involved in the mere possession of a manor, the lord's court could only exist in connection with or as part of that complex of rights which was known as a manor (noting a legal definition implied here); secondly, the feudal jurisdiction involved in the mere fact of having tenants, that every man who had tenants enough to form a court was at liberty to hold a court of and for his tenants, villein and free. Maitland suggests that this feudal principle was rule of law, but that it had to work under such and so many limitations, some of law, and some of fact, that the actual result was not very different from that which would have been produced by the manorial principle; so much so, that in the course of time it became possible to regard a private court as never existing save as part of a manor.⁷ In practical terms in the Middle Ages manorial rights were valueless without tenants, and by virtue of this fact a court can be regarded as another necessary condition for calling an estate a manor. Pollock and Maitland go as far as saying "A single court is held for it, therefore it is a manor".⁸

The size of a manor was bounded on the upper limit by the fact that it was administered as a single economic and agrarian whole. A group of manors comprised an honour, which would in turn possess a court of its own. In practical terms, therefore, a manor was an agrarian estate, some part of which consisted of tenant lands, whose lord claimed a complex of rights that can be loosely termed "manorial", and who enforced these rights by means of a court of and for his tenants. Implicit in this definition is the fact that these tenants were the tenants of a single lord. Providing these necessary conditions can be satisfied

any holding, no matter what size, can probably be considered a manor. Exceptions, however, inevitably exist; the complex reality of medieval England can be fitted into no artificial framework. The term "manor" is probably best applied to an estate largely satisfying these conditions while the term "sub-manor" is reserved for a holding which, although distinct from a peasant holding, never acquired full manorial rights.⁹

The manor in one respect is a system of rights and dues falling to an individual originally by delegation of the king. Many of these rights, however, have a physical areal expression; a manor is the territory over which a particular lord exercises his rights, subject to the limitation of size referred to above. In essence a manor came into being by a grant of the land and its contents to this individual or his predecessors. In time the process of fragmentation, of agglomeration, exchange and confiscation have rendered the control of the land and the judicial, economic and social rights over its people a matter of imponderable complexity. As a result, a manor need not be a simple geographical entity, but may consist of a series of discrete fragments whose entity is jurisdictional or economic and depends on the legal fact of subordination to one man. It is indeed fortunate for the modern scholar that the Statute of Quia Emptores (1279) virtually stopped the creation of new manors.

From this brief discussion it is evident that no one, single, all-embracing definition of the term "manor" is possible, and this analysis of the term takes no account of the time element; the manor by 1086 was by no means as developed as that of 1250, and it is to the fully developed manor of the late thirteenth century to which the discussion relates. By this date the manor, inextricably linked with the vill, was the main unit of

rural organisation over much of lowland England.¹⁰ Furthermore, the majority of the surviving documentary evidence for agrarian organisation is a product of manorial administration. It is in this respect particularly that the small manor differs sharply from the larger units; lacking the highly organised administrative machinery it has left few records; there was no need of surveys, annual account rolls, or court rolls. Even if simple forms of accounting existed they have been irretrievably lost. On many small manors, "the lord" must have supervised the working of the estate himself; indeed, on the smallest, he and his family must have taken a direct part in the work. Such small manors are only recorded in government surveys, the Hundred Rolls and the Domesday Book, but one characteristic has fortunately led to the survival of other evidence which, at least in some cases, throws a clearer light on their nature and origin than do the large scale surveys, namely their "impermanence, fluidity and changeability".

The land charters recording these changes form a rich and by no means utilised source of information. Of necessity such studies are myopic, and the handling of the detail provides many problems, not least the construction of a framework within which to examine the evidence. A number of points have, however, already been established in Chapter 3; subinfeudation on a large scale was a process that took place mainly prior to 1200, and the creation of new manors in Western Arden was examined by using Figures 8, 9 and 10. Great divergences occur between the number of manors in parishes of comparable size, a contrast which can be most sharply seen when Wootton Wawen and Tanworth are compared with Balsall and Berkswell (Figure 10). As will be argued, these variations reflect deep seated differences in history, organisation and development within each parish and have a close relationship to the variations in manorial structure to be discussed in Chapter 8.

Figure 10, when compared with Figure 8, shows the increase in manors between 1086 and c.1300-1350, while Figure 9 is an attempt to provide a picture of the situation in about 1200, after the large scale sub-infeudations of the twelfth century. Figure 21 analyses the same data in another way; those estates appearing before 1200 are clearly the result of twelfth century subinfeudation, but the remainder, those appearing between 1200-1350 are partly those which escaped documentation and partly new entities. Figure 27A was compiled, again using the same data, to obtain some estimate of the size of manors in Western Arden, and records the number of manorial estates per 1000 acres of parish; it is convenient to recognise four size categories, i.e. categories referring to total size, arable, meadow, woodland together with waste and not simply to arable land. These are termed large, medium, small and very small.¹¹ The medium sized manor of 1000-2000 acres is clearly the norm for Western Arden and the remainder may be viewed as variations from this. On the basis of Figure 27 it is possible to distinguish two further groups:-

Larger than normal; comprising a belt of manors in east central Arden, Knowle, Balsall and Berkswell, together with Hampton in Arden and Little Packington, with Sheldon forming an outlier.

Smaller than normal; a group of manors in the south west, Tanworth, Wootton Wawen, Preston Bagot, Bearley and Langley, together with a second group in the south-west composed of a number of apparently very small units inter-mixed with units of medium size. In the north-west the parish of Bickenhill forms a conspicuous outlier.

This pattern can only be understood in the light of Figure 10 for it is a reflection of seigniorial influence on the social and economic geography of Western Arden. Two

points can be made at this stage; first, a comparison of Figures 8, 9, 10 and 27 shows clearly that small manors tend to predominate in those areas which saw the appearance of estates after 1200, and secondly, these areas of small manors occur within those sections of Western Arden under secular control.

The use of the Victoria County History as source material also imposes limitations on mapping, and it is probable that the number of small manors would be greater if the map were based on detailed work for each parish. However, such studies as have been made suggest that Figure 27 is a valid guide to the overall distribution of manor size within Western Arden, and that detailed studies tend only to reveal yet more small manors where they are already shown as predominating. This point can be illustrated by the contrast between Tanworth and Coleshill. In the latter case the charter evidence fails to reveal the existence of any more sub-manors than are known from the more general evidence of the Victoria County History, while the Tanworth material reveals a situation that is inconceivably more complex.

These small manors within Western Arden appear to have been in the hands of the small landowner class and in most cases represented their entire estate. The Tanworth charters provide an almost unique opportunity for examining the nature of the small manor and for considering its relationship to the colonising movement described in the last two chapters, but the evidence used imposes certain limitations on the approach; first, those limitations arising from the exceedingly detailed nature of the material. Charters, in the words of Hilton, provide us with "minute fragments of English Agrarian life" ¹² and as a result only relate to a very small area, so that the possibility of generalisations, except along the lines

formulated by Stenton in Danelaw Charters, becomes remote.¹³ Such generalisations as are made must be carefully qualified and if possible supported by other less specific evidence before conclusions of a general application can be reached.

Secondly, those limitations which arise from the nature of the charter as a document also cause difficulties; when using charters it is impossible to follow closely lines of enquiry such as those followed by Kosminsky, for example, size of holding, total rent payment and income for example, or those followed by Harley, the social structure of the manor and the man-land ratio. Charters, however, do permit the conclusions based on the formal extents and surveys to be modified; they allow the dynamic aspect of an estate to be studied, its growth or contractions, additions to or subtractions from its rent roll, and inter-tenant relationships. In favourable circumstances it should be possible to obtain some indication of the actual nature of the lands going towards its composition, waste, arable and meadow, and more especially the nature of the holding, common land or severalty, discrete or compact, large or small. Evidence for a court may exist, and charters might throw light on rents and services and forms of alienation. It ought to be possible to comment on the organisation of the state and even its economy; above all, the relationship to the colonising movement can be demonstrated.

In any study based on the Tanworth material, the fortunes of the Archer family must loom large since the documents are their muniments of title, and the material inevitably provides a clearer picture of their activities than of other small landowners. From the late twelfth century onwards a continuous record of their history survives and it is with this family that a detailed examination of the small landowner class will commence.

The Archer Estates.

The descent of the Archer family can be traced with absolute certainty from the late twelfth century, when in the time of Henry II (1153-1184), Robert called Sagittarius, "the Archer", married Seliit, the daughter of Roger de Ullenhale, Lord of Ullenhall and Monkspath, who settled upon her that "land in Ombresslade (Umbeslade) which Fulqui held, which land Roger had acquired by grant from William, Earl of Warwick. Earl Walaran added to this land with two grants, and there would be no reason for assuming that these three grants,^{14a} which formed the estate Seliit brought to Robert, did not embody the original nucleus of the Archer estates were it not for one point, namely, the existence of a thirteenth century copy of a confirmation of a charter of the late twelfth century made between William, Earl of Warwick, and one Roger Archer (T.Add 2, 1229-43). This states that certain lands in Umberlade and Monkspath, together with certain rights, were granted by the Earl in return for a chief rent of twelve broad arrow-heads and two capons at Whitsum, and "service to the Earl" as defined in the "original" charter. Significantly, the donee of this confirmation, one John Archer (II) is termed "my champion". This Roger, who was the recipient of the original grant, may well have been the father of Robert Sagittarius, Seliit's husband, and it is possible that from him Robert inherited lands other than those brought by his wife. This question is of some importance for two reasons, first, the extremely distinctive rent of twelve broad arrow heads and two capons appears in a later charter, and the questions posed here form a link in the chain of argument concerning the descent of the earliest Archer estates, and secondly, there may well be a link between the fact that Robert was an archer, the rent owed, and

the fact that a later member of the family was "champion" to the Earl. The original grant to the family may well have created a serjeanty tenure although in late medieval documents the rent of twelve arrowheads and two capons was considered to be in socage.^{14b} At this juncture, a discussion of the problem must be deferred, but the point will be returned to.

Robert's marriage to Seliit appears to have been considerably to his advantage, bringing him a holding in the south of Tanworth shown on Figure 32. His lands were already fairly extensive and may be summarised as follows:-

- i) land in Umberslade, for which scutage was rendered, acquired from Seliit, together with land in the same area held of Henry de Vilers, (D.18. c.1200);
- ii) several land lying to the north and south of the small area of common arable, also acquired from Seliit, who was granted it by Waleran, Earl of Warwick. Robert may have held other land apart from this, to the south of the common arable but this is not mapped in Figure 32;¹⁵
- iii) land lying adjacent to the Nuthurst - Tanworth boundary in two localities, and possibly forming part of lands other than those brought by Seliit.¹⁶

Robert died in about 1200, in possession of this discrete holding, whose extent ~~whose~~ in terms of acres can never be known. He left three sons, William, John and Richard, of whom William may be regarded as the elder because he inherited his father's lands.¹⁷ In the early thirteenth century, however, primogeniture was by no means universally established, and while this rule was generally applied to land held by knight service, a father could grant marriage portions to his daughters and fiefs to his younger sons, but they had to be small enough so that he still retained in

his possession sufficient land to perform the services due from the fief. If, however, additional lands beyond the original inheritance had been acquired, the whole of this acquisition could be freely alienated. The position with regard to serjeanty and socage tenures is even less clear; Glanvil writing in 1187-9 seems to treat the descent of the entire holding to one son, either the youngest or the oldest, as the general customary rule, whilst admitting that socage lands anciently subject to a custom of equal division amongst sons should descend according to the custom. By the time of Edward I, however, primogeniture had become the common law of all tenures.

This fluid situation is expressed in a series of quitclaims from his brothers to William I, the result of which was to leave him in undisputed possession of all of the holdings of Robert Sagittarius. In c.1200 (1210?) Richard Archer, for the consideration of 20s. quit his claim of "all the land which Robert his father held" (T.17), and in 1210-20, in return for a consideration of half of an acre of land John, the third son of Robert, quit his claim of all his right in the land called Hethcroft given him by his father, including also "land in Tanworth which William Mapel held of John Archer." Mapel was a villein, granted to John by his father (T.28 and 29, c.1210-20). Richard's action was not merely an interfamily agreement, for another charter reveals that he quit all claim to the land his father held in the court of Waleran, Earl of Warwick. These quit claims extinguished any rights John and Richard had in their father's holding and left William securely in sole possession of the family estate.

It is probable that William inherited his father's land shown in Figure 32, but in addition he acquired further land by purchase. His transactions, mapped in Figure 28,

are summarised in Table 21:

Table 21

Tanworth: Charters involving William Archer I.

	To Archer	From Archer	Exchanges	Total
Numbers	23	6	2	31
%s	74	18.5	7.5	100

No less than 74% of the transactions in which William was involved represented gain to him, and only 18.5% consisted of grants or confirmations from him to others. These figures, together with the pattern suggested by Figures 28 and 32 reveal clearly a holding in the process of vigorous expansion, the bulk of the charters represent definite acquisitions of land as a detailed examination of Figure 28 will show. Furthermore, no less than 87% of these purchases lay in areas where Robert Sagittarius had held land, and a comparison of Figures 32 and 28 shows that without doubt a process of consolidation was taking place. Figure 32 suggests that this was particularly strong to the south-east of the common field, where a number of properties were purchased from the de Ullenhales (Figure 28 B). Dugdale citing a lost charter, records that William acquired from Earl Waleran "the land as the ditch of Lullenham goes up to Pirihull", ¹⁹ as Figure 44 demonstrates, clearly in this same locality. However, it is noticeable, that in only one instance did William acquire common field arable, and even then, the formula "9 selions of land in Herecroft" suggests that peculiar conditions prevailed in that section of the field. ²⁰ At a somewhat later date this was disposed of by exchanging it for a piece of several demesne land. (T.46, c.1220-29). While the majority of these acquisitions consisted of land under cultivation (Figure 28 C) a small proportion

do represent purchases of a different type. For example, two and a half acres and one rood of waste land were bought from the Earl of Warwick (Figure 28 B and C) and further sub-granted to a tenant, Henry Debon (T.81, c.1230-40).

Further land, also waste in all probability, was purchased at Sponna from Earl Thomas (T.59, c.1229-39). It is clear that the Archers were taking some part in the colonising movement initiated by Earls Henry and Thomas and already examined in Chapter 3.

Without doubt, by the early thirteenth century the Archers were already exploiters of villein labour, the quitclaim of c.1210-20 by John Archer I of the lands and person of Warin Mapel to William I has already been cited (T.29). Warin's son, William was confirmed in the "land which Warin Mapel held of Robert Sagittarius" (T.41, c.1210-20) indicating that Robert had in fact also been a villein owner. These charters are of further significance in that they constitute very early evidence for contractual agreements, in Arden, between a villein and his lord, William son of Warin, in fact having his own seal. While there is no proof that the Archers possessed a substantial villein labour force, in view of their apparently humble origins it is interesting to find them owning villeins by the late twelfth century.

William Archer's transactions involved him in a total commitment to 7s. 3½d. rent per annum, and an outlay of £8. 18s. 8d. in considerations; in return he obtained 4s. 4d. rent and 22s. derived from money payments. Most of the grants made by William can best be interpreted as the establishment or confirmation of freehold sub-tenancies but one presents a number of features of interest. William Archer I confirmed to William son of William Ellis his father's lands, "together with Welstede". The rent for the holding was 7s. per annum, but the land was held

for the service of one-eighth part of a knight's fee, together with customary services, probably suit of court (T.106, c.1240-60). As was indicated in Chapter 3 only two such fragmentary fees are known in Tanworth, and their origins are obscure, but they may represent exceedingly ancient freeholds. In this case a second peculiar feature occurs, namely, this holding lies in Monkspath, a manor that was apparently not acquired by the Archer family until 1280. A possible explanation of this anomaly is that this property formed part of the land in "Umberslade and Monkspath" granted to Roger Archer in the twelfth century during the Earldom of William.

William Archer I married Margery, the daughter and co-heiress of Sir John Sawcey of Orton Sawcey, Leicestershire, who brought that manor to William and it remained in the hands of the Archer family until the reign of Henry VIII. The evidence cited so far suggests that a number of trends are observable in the Archer estates during William's lifetime, i.e. c.1200-1250. First, there was a considerable expansion of Archer influence, especially in the south of Tanworth parish, which, as Figures 28 and 32 demonstrate, consolidated the Archer hold on the severalties adjacent to the common field area and in Umberslade. Secondly, while this expansion was associated with the purchase of some waste land, this was sub-granted, and Archer appears to have been more interested in acquiring properties already in cultivation rather than in claiming new land. Thirdly, as a result of the process of sub-granting an increase in the Archer rent roll may safely be inferred, while the accumulation of capital is indicated by the outlay of money to purchase more land; indeed, some was available for the purchase of a piece of meadow to construct a fishpond (T.77, c.1230-40), which,

as Chapter 9 will demonstrate may well have been a costly undertaking. While the amount of capital known to have been invested by William Archer in the period c.1200-1250 was not large when compared, for example, with that invested by Ralf Bugge, a Nottingham merchant, in Willoughby on the Wolds, where between c.1230-1248 a total of £101. 3s. 4d. was invested in property (probably as a provision for a younger son ²¹), a decisive step forward was taken; his father's lands were added to and consolidated.

William appears to have died in about 1250 and was succeeded by his son John, the John Archer II of Appendix III A.

Table 22

Tanworth: Charters involving John Archer II.

	To Archer	From Archer	Exchange	Total
Numbers	25	9	1	35
%	71.5	26.0	2.5	100

If this table is compared with Table 21 essentially the same pattern of vigorous expansion is indicated. For the purpose of discussion it is convenient to distinguish six groups of charters relating to John II.

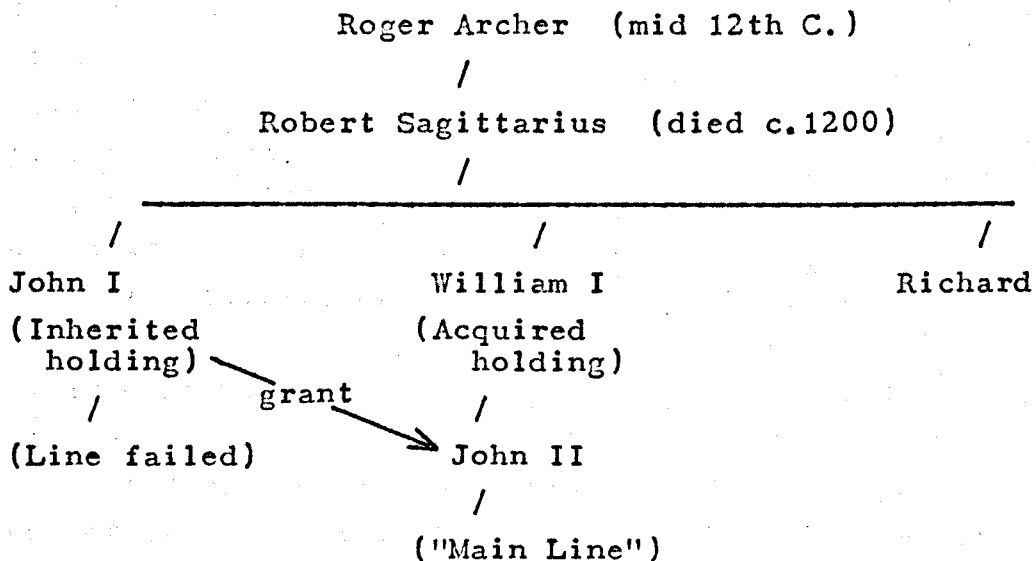
The first group consists of grants to John Archer II made by John Archer I, his uncle, ²² and comprises a series of grants of lands to the south-east of the common field area, together with one even further south (Figure 29) lying "between the demesne of the Countess which is called Bikerscote (cf. Figure 47), dropping as far as the fishpond and the road from the mill of Tanworth" (T.a4, Figure 48). At first sight this land may reasonably be interpreted as lands acquired by Robert Sagittarius and granted to John I,

his son, as a fief. Since John I's son Walter probably died young (T.47, c.1225) he was prepared to grant this holding to his nephew, John II. Significantly, these grants took place before the death of William Archer I, and at this date John II is termed "John son of William Archer".

The situation was clearly more complicated than this, however, for the rent payable for these lands "between the demesne land of the Countess" is none other than "12 barbed arrows, and two capons at Whitsun". This rent, it will be remembered, was owed by Roger Archer in the mid-twelfth century for lands in Monkspath and Umberslade, and John Archer II was confirmed in these lands and rents by Thomas, Earl of Warwick, in the mid-thirteenth century (T.Add 2, c.1229-42), together with additional hunting rights. In this confirmation John II was termed "my champion" by the Earl. The likelihood of two such similar rents appearing within the context of the Tanworth charter and the Archer family is improbable, and it seems possible that part at least of the property held by Roger Archer was in fact being re-granted in this charter between John I and John II. Sheer coincidence cannot be excluded, but in view of the fact that the charters making up the collection do form the Archer family's muniments of title this can be considered unlikely. If this deduction is correct, it raises a number of problems; what was the nature of the earliest Archer holding in the hands of Roger, and for what service was it held; how did this come to be in the hands of a younger son of Robert Sagittarius in the mid-thirteenth century? The most reasonable explanation would appear to be as follows:-

- a) John I was in fact the eldest son of Robert Sagittarius, and
- b) through Robert he inherited the original family holding formerly held by Roger.

- c) Robert Sagittarius' younger son, William I, inherited those properties Robert acquired over and above this original holding, a fact which would explain the quit-claims by the youngest brother, Richard, to William.
- d) The failure of the main line and the deliberate action of John I brought the original holding to John II. This is perhaps more clearly shown by a diagram:-



The original Archer holding can by virtue of its location (the most southerly symbol of Figure 29, (cf. Figures 32 and 47), be reasonably interpreted as a section of former demesne land, granted by the Earl in the mid-twelfth century or earlier, to a member of the family, probably Roger. This man was probably not of knightly status, but was, quite literally, an archer, holding his land by a petit serjeanty tenure involving the render of twelve barbed arrowheads and two capons, while in addition he may also have been required to act as a champion for the Earl, when called upon. This explanation has the advantage that,

although it is quite impossible to prove or disprove, it is in accord with all the known facts. Some confirmation may be found in the fact that in the Archer survey of c.1500 part at least of the postulated original holding was known as "Archers Lands". This particular acquisition by William Archer I was clearly of great importance in that it unified the Archer holdings in Tanworth.

A second group of charters demonstrates that further expansion and consolidation took place in the Umberslade area. William I had acquired land from William son of Warin in order to enlarge his fishpond, probably the precursor of one of the present ponds in Umberslade (Figure 48), and John II purchased yet more land from William, son of William Waring²³ in order to enlarge his park in the same area (T.111, c.1240-50) and (T.a 82, c.1270-80). In return William Waring was granted "certain parkland in the field of Tanworth called Longum parcum (lit. the length of the park)" and six pence of his 7s. annual rent was remitted.

Thirdly, the grants from John Archer I together with one other in the area to the south of the common field, as Figures 29 and 32 demonstrate, resulted in the establishment of a block of several closes between the common arable and the demesne, all of which were in Archer hands. This situation is clearly expressed in the grant of c.1270-80 (T. a 86) which passed to John Archer II "land in Tanworth called Lullingham, lying in width between the land of the said John le Archer (II) called Bancroft and the land of the lord of the fee on the west (i.e. the demesne) and the river descending from the spring called le Wodewelle (Figure 45 B) on the east, and in length lying in width between the land of the said John le Archer called le Rudinge (cf. Figure 44) on the north, and the land of the same John called Neshul on the south". It is clear from this that if the Archers were to continue expanding they

were hemmed in by the demesne lands to the south and west (Figures 47 and 32), the de Fulwood estates to the east (Figures 33 and 36) and the common arable to the north (Figure 32).

Fourthly, this state of affairs is perhaps reflected by the purchase of land in the Cherlecote area (Figures 48 and 49, Section 3) from William de Cherlecote. Once again the Archers were profiting from the work of others rather than clearing new lands for themselves. The de Cherlecotes had created a holding in the waste, but, as will be demonstrated more fully in Chapter 6, this holding was completely absorbed by the Archers. This process of absorbing viable holdings seems to have been a policy, for the same trend took place in the case of Henry de Ullenhale, and to a lesser degree in the case of the Warings. Why these families allowed themselves to be absorbed is a question that cannot be answered at this stage.

The fifth group of charters is concerned with lands in the south-centre of Tanworth parish purchased from Richard Dispensarius (Figure 29 B), a substantial acquisition consisting of five different holdings including heathland and "assarts in the wood". This transaction is, however, by no means straightforward, for no consideration was demanded by Dispensarius, and Archer immediately returned the holdings to him for life, reserving only a nominal rent. The most reasonable explanation would appear to be that Dispensarius got into financial difficulties and in effect mortgaged his land, granting it to John Archer II, who no doubt paid any rent due to the chief lord, in return for which Dispensarius was guaranteed the holding at a nominal rent for the remainder of his life with John Archer acquiring the full rights on his death.

Finally, grants of rents and rights to the Archers are

numerous ²⁴ but the most significant is one from Robert de Ullenhale. As has been indicated, Archer had acquired several properties from this family (Figure 29 B) and an agreement and confirmation of 26 May 1282 indicates the completeness of this absorption, for by this, John Archer II received "all manner of right, lordship, and claim in lands, meadows, woods, feedings, pastures, waters, ways, rents, suit of court, with wardships, homages, feudal rights, escheats, heriots and all appurtenances, in Tanworth according to the charter in the possession of the said John" (now missing) "for forty marks and a robe at the request of the said Robert together with a new saddle (sella ?) from the stock of the said John, and robe at the request of the said Margery, wife of the said Robert from the stock of cloth and fur of the wife of the said John". (T. a 138). By this charter Archer acquired rights that were closely allied to, if not the same as, those rights which could be termed "manorial". It would appear that the family already possessed a certain status; John Archer II acquired, not only all the lands in Tanworth manor that belonged to de Ullenhale, but all the "manorial" rights in addition. Yet more rights were acquired when Earl Thomas (1229-1239) confirmed to John Archer II, his champion (pugill' meo), lands in Monkspath and Umberslade originally granted by Earl William (1153-1184) to Roger Archer, "according to the bounds defined in the said charter, together with all other lands which the said John held from the said Thomas in Tanworth, with all easements, chattels of fugitives and also of 'wayais et strayais' called 'extraur' (i.e. lost property) with wood in the waste, roads, marshes and all other easements and free customs, saving service to the Earl as defined in the original charter. The said John to have hunting rights in all parts of Tanworth, except in the park of the said

Earl." The annual rent of the lands was, as has been indicated, twelve broad or barbed arrow heads and two capons at Whitsun, and the full significance of the retrospect references in this document has already been examined in the discussion on the original Archer holding. Plainly the Earl was here confirming to John II all the lands and rights that the Archers had been gradually acquiring as they expanded.

The recorded acquisitions of John II involved him in rent commitments to the value of 5s. 4d. together with a few items in kind, arrow-heads, capons and a rose, while the payment of considerations involved a total expenditure of £59. 6s. 4d. This was offset partially by the considerations received from land sub-granted, in all £5. 10s. 4d., and partially by a substantial increase in the Archer rent roll, a total increment of 43s. 7d. per annum being recorded. It is clear that the process of engrossing rents was quite deliberate, since John II purchased the rents of no less than fourteen individuals. For example, in c.1240-50 (T. 103) he acquired the homage and service of Robert, son of Osbert de Aspley, together with the manorial dues arising from his land in Umberslade; not only did the rents have a direct cash value, but, as will be seen below, the Archers derived some income from the profits of justice, and from customary payments such as heriots.

In summary, the period, c.1250-1290 saw further expansion and consolidation of the Archer power. Territorially, John Archer II consolidated the holdings he possessed around the common field of Tanworth (Figure 32) and continued expanding in the Umberslade area. The barriers to expansion to the south, south-east and south-west in the form of the Earl's demesne and the estate of the Fulwood family seems to have directed attention north-

wards, where Archer acquired land in the Cherlecote area (Figure 49, Section 3) at the expense of other smaller freeholders. Other properties, some waste land, others in cultivation, were purchased and there is evidence (Figure 29) of waste land in Monkspath being developed by being sub-granted.

In common with William Archer I, John Archer II was acquiring severalties rather than common arable, except where this latter formed part of a holding (T.74, c.1240; T.a71, c.1270-80). As a corollary of this territorial expansion Archer increased his rent roll and while the majority of these new tenants appear to have been small freemen, there is some evidence that he was also adding to this servile labour force by purchasing villeins (T.62, c.1229-39). This policy of adding to the rent roll seems to have been quite deliberate, no doubt a large rent roll provided a stable source of income. As might be expected this process was closely associated with an increase in proprietary powers, for as the landlord of numerous tenants Archer's rights to homages, feudal rights, escheats and heriots would become more sharply defined and could perhaps be linked with the acquisition of judicial rights, in particular suit of court, which would provide a means of extracting the various dues payable to him as landlord. As has been demonstrated, this expansion was accompanied by a considerable investment of capital and the question of the source of this capital has still to be considered.

John Archer II appears to have died in about 1290²⁵ leaving a son, John III, as heir. In the short period during which John III was active it shows that he possessed the vigour of both his father and grandfather and saw many changes in the nature of family estates, for of the charters in which he was involved, in nearly 70% he was donee. His largest gain was the entire manor of Monkspath

which he was able to acquire from the de Ullenhales. Thus, in a charter dated 28 July 1297 (T.a 157) Robert de Ullenhale granted to John Archer, for 60 marks (£40) "all the tenement and all the right which he and his ancestors had in Monkspath and Tanworth". Three further documents concerning this same transaction between Robert de Ullenhale and John Archer III also survive; by one de Ullenhale quitclaims to Archer all his rights in the lands in Monkspath (28 July 1297, T.a. 156); the second is an undated quitclaim to John Archer III and Margery his wife, of the dower of Margery wife of William de Ullenhale, Robert's father, together with a close called Cheswick and lands and tenements held by Simon de Mancetter and his wife; the third is an undated assignment from de Ullenhale to John Archer III of all his free tenants and others, together with the dower charges of Margery de Ullenhale after her death. These are clearly all part of the same transaction, the result of which was to place John Archer III in full possession of the manor of Monkspath, together with all tenants, villein and free, and all rights and appurtenances, for the sum of sixty marks. This was the largest single acquisition by the Archers and consisted of some three thousand acres held by service of one quarter of a knight's fee and constituting a third part of the township (ville) of Tanworth.²⁶

A second significant addition to the Archer estates by John Archer III was the purchase of some eighty acres of waste land from William de Beauchamp, Earl of Warwick, for a consideration of forty marks (T.a26, 1268-98), "of which 35 acres lie in Umberslade, 24 acres in Hawkshawe, 10 $\frac{1}{2}$ acres called Clerkesland in Fenshawe, 5 $\frac{1}{2}$ acres in Fenshawe called Hickelond Willing and 4 acres lying near le Wodeland". The location of all these parcels is known, and as Figure 30 shows they all lie in the south centre of

Tanworth parish, to the north and west of the earliest occupied area. In addition, Archer was granted a smithy and all the land which John Gilbert formerly held in villein tenure. The Archers clearly took full advantage of de Beauchamp's willingness to grant waste, and this grant is remarkable in that it is not only the largest known single grant of waste but is one of the few grants for which a consideration was demanded in addition to the four pence per acre rent. It is also the first recorded large scale acquisition of waste by the Archer family.

Without doubt John Archer III also continued the process of engrossing rents, thus William I had bought some land in the north centre of Tanworth at Sponna, and John III added to this by purchasing the right to 9/- rent from four free men in the same area. A particularly difficult charter to explain involves a holding granted to Robert de Ullenhale, which consisted of arable land in Brodecroft, Buddeland, Stoking and Frishes, excepting the third part of each held by Christine, widow of John Archer as dower. A second, later grant, passed this back to Archer, but no explanation can be offered for this. A particularly significant section of the deed grants "Walter son of Juliana de Tanworth, Thomas Walraund of Tanworth and Edith widow of Randolf son of the reeve, my villeins (nativos meos) with all their following lands and chattels and lands and tenements which they held of the grantor in Tanworth". The Archers appear to have possessed a number of villeins by the late thirteenth century, but there is evidence that John III was willing to dispose of at least some of these, for he manumitted one, Roger Tole, and sold another to a third party, Richard de Wroxhale, who freed him (T.a146, c.1290-1300; T.Add. asd 8, 1290-1300). There is always a tendency when dealing with this type of

evidence to read more into it than is strictly warranted but it is tempting to regard these actions as the result of a change in policy by John III, who realised that an attempt to build up a conventional serf labour force was not worthwhile. As will be argued later it is unlikely that the family ever possessed sufficient villeins to work their estates and they must have been depending to a large degree on hired labour.

In all between c.1290 and 1299 John Archer III expended a total of £73. 1s. 8d. in the payment of considerations and committed himself for a total of 26s. 9½d. rent. On the credit side, he obtained rents to the value of 16s. 6d. and £5 in consideration for a holding he sub-let adjacent to Weserworth in the south (T.a151, c.1290). As has been implied, he appears to have died young in c.1299, leaving a minor as an heir. Before considering the difficult period of the minority this is a favourable point to attempt to assess the family fortunes as a whole during the thirteenth century since this date, 1299, represents a convenient break in the development. Table 23 summarises the situation:-

Table 23

Tanworth: The Archer family transactions prior to 1299.

<u>Income.</u>	Rents	Considerations	<u>Expenses</u>	
			Rents	Considerations.
William I c.1200-1250	4s.4d.	£1.2s.0d.	7s.3½d½	£8.18s.8d.
John II c.1250-90	43s.4d.	£5.10.4d.	5s.4d.	£59. 6s.4.d
John III c.1290-99	16s.6d.	£5. 0.0.	26s.9½d½	£73. 1s.8d.

Total 64s.5d. (i.e rents due to the Archers)

Clearly there was an investment of an increasing amount

of capital in the land as the century passed, although it must be remembered that the value of money was declining over the same period and that these figures can only represent the minimum amounts in each case since some charters have definitely been destroyed.²⁷ There is strong evidence that as far as possible the Archers arranged an outright sale of land, so that they were free of the incumbrances of many minor rent payments. In this respect, it must be noted that of the 26s.9½d to which John Archer III committed himself, some 26s.8d. was in fact payable directly to the Earl of Warwick for the eighty acres of waste land purchased from him. There is in fact, over the century, a substantial decrease in the rents to which each individual member of the family committed himself, and it is noticeable that many of the rents the Archers acquired were not the result of sub-grants by them, but were granted to them as incorporeal hereditaments; for example, the rents of the four free men worth 9s. per annum for which John Archer II was willing to pay £3. 6s.8d. in cash to Henry de la Lee. The reason for this is made clear by the charter, which provides "warranty for the said rent, with all rights, heriots, reliefs and all other appurtenances pertaining to the said rents" (T.a 43, c.1270-90).²⁸ Table 23 shows that by 1299 the Archers were receiving a minimum of £3.4s. rents from properties in Tanworth manor.

The absence of any early rentals is to be regretted,²⁹ but for the year 1299 there exists three copies of what appears to be a rental of the dower lands of Margery, the widow of John Archer III. The rents are apportioned between Umberlade and the newly acquired manor of Monkspath, being £1. 12s. 5d. and £4. 17s. 4½d. respectively. It may reasonably be argued that these figures represent one third of the total rents from each holding, first, there is ample

evidence that widows of socage tenants were granted a third of their husbands' estates as dower, the case of Margery de Ullenhale has already been cited, and secondly, by the early fourteenth century the Archers were holding courts, and a number of early court rolls survive, including three relating to courts held by Margery Archer. A close comparison between the rental of 1299 and the court rolls of 1324-5 clearly suggests that essentially the same tenants were involved. One copy of the rental is headed "The rental of Margery Archer the widow of John Archer as it appears according to the agreement made between the said Margery and the Master William Archer on December 9th. 1298", ³⁰ and it is reasonable to assume that in both Umberlade and Monkspath the rents due to Margery represent one third of the total. ³¹ Margery's rents in Tanworth total £1. 12s. 5d. so that a full rental of about £5 (£1. 12s. 5d. x 3) might be expected, a figure which is well in accord with the minimum of £3. 4s. calculated in Table 23 on the basis of the surviving charters. In Monkspath Margery was receiving £4. 17s. 4½d. the full total probably being about £15 per annum. It is unsafe to place too much emphasise on the precise value of these figures but it is nevertheless likely that in c.1300 the total Archer rent roll was about £20 per annum. Before they acquired Monkspath an extent of the Archers' property in Tanworth would have been very similar to that of William de Arden's manor in Longdon (Solihull) in 1276 which consisted of a capital messuage worth six pence; 48 acres of arable in demesne at 3d per acre, 12s.; 4 acres of meadow at 2s. per acre, 8s.; and free tenants, holding by charter, £4. 12s. 2d. rent. ³²

It is noticeable that prior to the purchase of eighty acres of waste in the late thirteenth century, apart from a few earlier acquisitions, the bulk of the

Archer expansion took place at the expense of smaller freeholders. Some probably saw this danger; thus, when Walter de Cherlecote married Joan Archer, the daughter of William I, his father Simon granted to him, all his land in Tanworth, "to hold to the said Walter and Joan and their heirs, saving service to the chief lord, thus, that the said Walter and Joan shall provide the grantor with all the necessary food and necessities during his lifetime. The said Joan to continue to do this if the said Walter dies, and if the said Walter and Joan die without issue the said lands to pass to the rightful heirs of the said Walter" (T.94, c.1236-40). By 1300, the whole of this property was in Archer hands, as, it may be suspected, Simon saw it would be.

This vigorous expansion clearly shows that the Archers had substantial capital available, and were able to raise large cash sums. If John II did die in 1290, and he can hardly have died much earlier, then between 1290 and 1298 John Archer III was able to raise cash to the value of over £70, and this sum is in addition to John II's expenses in the 1280's. This money would represent the net gain after the subtraction of numerous expenses from the gross income. These would include tithes; household expenses, i.e. food, maintenance, servants, etc.; capital invested in the home farm, i.e. new equipment, repairs, together with labourers' wages; taxation, i.e. scutages and lay subsidies; and finally rents and dues payable to the chief lord and others. Since there is no good reason for assuming that the Archers were at this date engaging in trading, the principal sources of their income must have been the sale of agricultural produce, grain, stock or both, and secondly, their rent toll, together with associated fines and payments. As has been demonstrated, the size of this latter was hardly

great enough to account fully for the scale of investment suggested by Table 23 and it is therefore probable that the income from the sale of agricultural produce was considerable.

Unfortunately, these conclusions carry the argument as far as is warranted by the evidence of the charters, and since no other evidence is available, a discussion of the possible source of the Archer capital must be deferred until the more general examination of the economic basis of the colonising movement in Western Arden in Chapter 8.

The minority of John Archer IV appears to have lasted from 1299 to about 1315. As the estate in Umberslade was held in socage and not by a true military tenure, and since the wardship of the quarter fee of Monkspath was probably not worth the Earl of Warwick's attention, the guardianship fell upon the nearest male relative, in this case, Master William Archer, Rector of the church of Pillerton Hersey and Priors, Warwickshire, the brother of John Archer III. Thus in a charter dated 8 Dec. 1299 (T.b 162) Margery and her son, John Archer IV agreed "to submit themselves to the judgement of the said Master William concerning the marriages of the said Margery and John, as well as concerning all their lands, rents and possessions, mobile or immobile" in return for which services Master William received certain lands for life, together with the fishpond of Cherlecote pool. Furthermore, it is stated that "the said Master William is also to acquire what lands he is able in Tanworth and give them to the said Margery, or to one of the sons and daughters of the said Margery, for their life only, whom they, Margery and John, or one of them shall wish to nominate. After the death of this nominee, the land thus acquired to pass to Margery and John, or the heirs of John for ever." The guardian's position was thus closely analogous to that of a trustee and the

law safeguarded the heir by the provision that a person upon whom the lands ~~the~~ *lands* might descend could not be guardian, while the statute of Marlborough in 1267 gave the action of account against a guardian when the heir reached the age of fourteen. ³³

There is no charter evidence of any great activity during the early years of the fourteenth century, a number of agreements between Margery and John and Master William do exist, but it is certain that some of the documents have not survived making the precise situation difficult to determine. ³⁴ Master William appears to have taken the opportunity to establish himself in a secure position acquiring both land and rents, but apart from some land in the Cherlecote area (Section 3) there is no evidence that he added much to the family estates. On 5 April 1315 (T.b41, b42) he returned to John IV all the lands he held for life in Tanworth, retaining only 30s. rent, and John granted to him a release "from all actions of waste, destruction and transgression," since he returned the tenement (i.e the estate) "in as good or better condition than he received it." William appears to have had land in the Cherlecote area that was considered to be his own, for in 1328 (10 May, 1328, T.b131) he exchanged this for a messuage.

The most striking characteristic of the Archer transactions in the early fourteenth century is an increase in leasehold. As was demonstrated in Chapter 4 this is a general phenomena, dependent on the action of Quia Emptores. Of the twenty-two charters in which John Archer IV was donor, some 13 (59%) are leases or demises, and this change in character is well brought out by Figure 31. There was a sharp increase in the number of inter-family transactions and John IV appears to have provided his younger brothers with holdings.

These changes are summarised by Table 24:

Table 24

Tanworth: The pattern of Archer land transactions.

c.1200-1350.

	Donee	Donor	Exchange	Total number of charters.
William I c.1200-1250	23 74.0%	6 18.5%	2 7.5%	31
John II c.1250-90	25 71.5%	9 26.0%	1 2.5%	35
John III c.1290-99	13 59.0%	9 41.0%	-	22
John IV c.1299-1349	15 36.0%	22 52.5%	5 11.5%	42

This table clearly reveals the vigorous expansion of the estates under William I and John II, while tending to underestimate the part played by John III, for, as has been demonstrated, his acquisitions exceeded the sum total of all earlier ones, and figures based purely on charter numbers give a false impression. The reverse is true of John IV and his purchases are smaller in extent than the percentage indicates, as a detailed examination of Figure 30 will show. However, the purchases of the late thirteenth century resulted in a rapid change in the character of the Archer estate from a large freeholding to a small manor, and the effect of this change must now be discussed.

In the earlier section, a manor was defined as a single tenurial, economic and agrarian whole, some part of which consisted of tenant lands, whose lord claimed a complex

of rights that can be loosely termed "manorial", but which contained ^{proprietary,} ~~proprietary,~~ judicial and seigniorial elements, and who enforced these rights by means of a court of and for his tenants. Ultimately this is a conceptual framework into which reality has at best fitted uncomfortably and exceptions are the rule. Monkspath is frequently termed a manor in the documents, and as might be expected, in the Archer collection there survive a number of fourteenth century court rolls. These are nominally headed "The Court of John Archer held at Monkspath", and clearly indicate the nature of the rights purchased from Robert de Ullenhale, who was holding courts at Cheswick prior to 1297 (T.218, c.1260-90), and at Betlesworth (T.25d 11, c.1260-90?). Unfortunately none of the early rolls has survived, they were probably not handed over at the time of purchase in 1297. A list (Appendix IV) compiled by Sir Simon Archer shows that none of the Archer court rolls present in the seventeenth century have since disappeared, and, furthermore, that courts were held only intermittently; thus, John Archer IV held courts at Monkspath in 6, 7, 9 and 10 Edward II, and in 3, 4, 5, 7, 9, 11, 12, 14, 19, 20 and 21 Edward III. In some years two or three courts seem to have been held, in others none. For example, on February 5th, 1331, William Saleman and Amicia Broun were granted a day to settle a plea of debt at the next court, and in the next surviving court roll, that of October 24th, 1333, William Saleman was distrained for not appearing in connection with the same case, which was finally heard in a court held on January 16th, 1334. ³⁵ The fact that suit of court every three weeks was demanded from some tenants does not alter the fact that courts may only have been held at infrequent intervals.

A second group of court rolls relate to courts held

by Margery le Archer and have already been used briefly to argue that the rental of 1299 relates to her dower lands. There is a third group, however, still relating to the early fourteenth century and which poses more problems. These are six in number; one headed "Court of Tanworth" is plainly a surviving roll relating to the Earl of Warwick's court, having on the reverse the list of tenements supposedly taken from the waste, and involving tenants that cannot be proved to have been associated with the Archers. In addition, the appearance of John Archer as a suitor, and the impression given by the document that it was drawn up by a highly competent scribe when compared with the Archer court rolls, combine to support the contention that it relates to the Earl's court. Sir Simon Archer plainly considered this to be a Tanworth court roll, for he headed his transcript "The Copy of a Court Rolle of Tanworth kept XVIIIth. Ed. 1."

The remaining five rolls are all headed, "The Court of John Archer of Tanworth", and this heading, together with the names of the tenants owing suit show that by the early fourteenth century the Archers were holding courts for their Umberslade tenants. This is reflected in the charter evidence by the appearance of references to the "curia" of John Archer, the earliest known being 15 May, 1315, and clearly relating to a site in the area of the present Umberslade Hall, "curia" implying a court-house in the context. It may be noted at this point that a tendency exists for the charters in which John Archer IV is donor to be concerned with the larger holdings and men of somewhat higher status, while the court rolls deal with the lesser men. The bulk of the cases in fact consist of defaults of an attendance and acknowledgements of tenure, pleas being absent from four of the five rolls

surviving. In the light of this, it is tempting to see the Archer courts in Tanworth as an ~~new~~ innovation resulting from the application to the family's Tanworth estate a system that was already prevailing on the Monkspath estate purchased from the de Ullenhales, although the possibility that the de Ullenhales had in fact already been holding separate courts for their Tanworth tenants does exist. A piece of confirmatory evidence for an ~~new~~ innovation is possibly to be found in the fact that although the Archer collection is so remarkably complete no evidence exists to suggest the presence of any form of rental prior to 1299, the dower rental of Margery, or the presence of any earlier court rolls. The lack of rentals is ~~new~~ most curious, and it seems to the author perfectly possible that prior to 1299 no rental had in fact been drawn up, and that of 1299 is to be linked with the appearance of court rolls and a possible reorganisation of the estate.

The obligation of a tenant to attend his lord's court varied considerably from manor to manor. The villein suitor generally had no choice, but the attendance of freemen was more difficult to exact, for in the words of Bracton, "in the absence of special stipulation, the tenant is bound to attend his lord's court for what are considered matters of royal concern, but only for those; he is bound to attend when a writ of right is to be tried, when a thief is to be judged, or when there is any business which touches the King's peace But if the lord wants more suit than this, if for example he wishes that his tenant should do suit from three weeks to three weeks (i.e. three weekly attendances), he must expressly bargain for it".³⁶ The position was finally established in 1267 by the Statute of Marlborough, by which no freeholder was bound to do suit at his lord's court unless this was imposed on him by the terms of his charter, or was done before King Henry

went to Brittany in the year 1230. This would explain the frequent references in the Monkspath court rolls that a certain tenant "has a day to show his charter" in connection with suit of court; for example, "Richard Gerin has a day at the next court to show by means of his charter why he does not owe suit of court" (6 June, 1329), or "Richard Alreshawe comes and shows two charters for land which he purchased from Richard Gower, which was held from the lord, and he says that William Gower will make suit for above said land himself because he holds the capital messuage formerly (held by) Richard Gower. The said William comes and agrees." (26 June 1330). The complexity of the problems, and the difficulty of generalising is indicated by a case involving Simon Archer. He acknowledges that he holds a messuage and three pieces of land from John IV but is to show by his charters, at the next court, that he does not owe suit for this particular land, while admitting, however, that he does owe suit for other properties. In neither of these cases do the relevant deeds give any information as to what is owed. It is clear, however, that by the early fourteenth century the Archers had acquired jurisdictional rights over their tenants in Umberslade.

John Archer IV died in 1348 or 1349, of causes that may well be guessed, in view of the fact that the same period saw the death of two parish priests, the disappearance of a number of well established Tanworth families, as well as a radical change in the character of the charter material. It would surely be over cautious not to invoke the Black Death in this context? His death, however, brought to an end a distinct phase of development and it is not proposed to consider the subsequent history of the estates in this essay.

On the basis of the evidence presented in the discussion

a number of conclusions concerning the Archer estates may be postulated:

- i) Without doubt their most striking feature is the sustained growth throughout the thirteenth and early fourteenth centuries, and it is possible to recognise a number of sharply distinct phases:
 - a) The initial grants by the Earl of Warwick in the late twelfth and early thirteenth century to Robert Sagittarius and Seliit his wife, and to a lesser degree to their son, William I. The precise nature and extent of these grants must remain uncertain, but they clearly involved lands in Umberslade, some lands in Monkspath, together with certain rights and liberties. Knight service was certainly not involved, and although the estates in question are later considered as socage some form of serjeanty tenure seems highly probable.
 - b) The period 1200-1290, William Archer I and John Archer II, was characterised by the purchase of many small pieces of land from lesser freeholders, but also during this period considerable amounts of wasteland were purchased, a venture possibly being stimulated by the fact that the Archers absorbed almost all of the immediately available land in the Umberslade area. These acquisitions involved the expenditure of large amounts of capital in the form of considerations.
 - c) A natural conclusion to this policy of expansion, for the evidence surely implies such policy, can be seen in the acquisition of manorial rights, first of all in Monkspath, then in Tanworth, in the late thirteenth century, and with these was associated the right to hold a court.
 - d) As Figure 32 A implies the rate of growth slowed

after 1300, and it is arguable on the basis of Figures 32 and 36 that by 1300 the Archer estates had reached their maximum possible extent in Tanworth in terms of piecemeal acquisitions. After this date expansion took the form of acquiring whole manors. ³⁷

- e) One other form of expansion, existed, a form maintained throughout the whole history of the family, namely by means of marriages. As Burman points out "generation after generation, the Archers were marrying into good County families from the Midlands. Often their brides were heiresses, and always of good social standing." ³⁹ Robert Sagittarius had married Seliit, daughter of Robert de Ullenhale, and there is little doubt that she brought him by way of dower extensive properties in Tanworth to the south of the common fields. William Archer I married Margery, daughter and co-heir^{ess} of Sir John Sawcey of Orton Sawcey, Co. Leicester, who brought this manor into the family, and possibly made them "Lords of the Manor" for the first time. This manor remained in Archer hands until the reign of Henry VIII. John Archer II's wife, Christine (or possibly Margery) daughter of William de Barneville is a complete enigma, and it is not known what property she brought by way of dower, although it may well have been land in Tanworth. The same can be said of John Archer III's wife, Margaret, daughter of William Tracy of Toddington, County Gloucester, for the land she brought is unknown. Isabella, daughter of Ranulf Erscott of Erscott, County Warwick, however, almost certainly brought John Archer IV

land in Eastcote (Barston, Warwickshire) and Longdon (Solihull). This series of judicious marriages helped the Archers to climb, socially and materially, and what is particularly noticeable is that there were no intermarriages with the families of other prosperous Tanworth landowners.

- ii) A second feature of the estates is the way (Figure 32) in which expansion was directed towards building up a compact unit. If Figures 32 (A and B) and 36 are compared it is difficult not to conclude that a compact unit had been achieved in the Umberslade area as early as 1300, when as Figure 31 shows, active expansion sharply declined and leasing became important. To this conclusion an amendment must be added, a cadet branch of the family was, in the early fourteenth century, engaged in engrossing common field holdings in circumstances to be examined in another context, and this process continued up to 1340.

In terms of the territorial extent and location of this expansion, a number of factors were important:

- a) the location of the earliest grants, for there was obviously an attempt to add to these;
- b) as Figure 32 demonstrates the presence of the common field and the demesne farm of the Earl of Warwick to the south of these initial acquisitions prevented expansion in this direction;
- c) the possibility of obtaining holdings within the area where they were wanted. This would depend on, first, the number of properties coming on to the land market, and secondly, the amount of pressure that the Archers could bring to bear in order to force the sale of land. It is of significance that the Archers at first acquired

lands in the earliest settled parts of the parish, in areas of small severalties. It is probable that at first they took advantage of a "natural" land market, but as their power and influence increased they were able to exert pressures on the small-holders in order to force them to sell, so that opportunism was gradually replaced by calculated expansion.

d) The availability of new land, is another vital factor for although the Archer's venture into this activity was late, not taking place until opportunities in the south were almost exhausted, such new lands as they did acquire lay on the plateau surface to the north of their consolidated estate, and semi-contiguous with it (Section 3). Even this expansion, however, involved the absorption of small holdings already in existence, the de Cherlecote holding for example.

iii) As an examination of Figures 44, 45 and 32 will show, the bulk of the Archer acquisitions lay within the area of severalties. This is to be expected, the Archers were clearly too individualistic to be attracted by the agrarian routine enforced by the common fields. However, any assessment of the composition and extent of this several land in quantitative terms is doomed to failure, since no consistent information exists. It is probable that all of the properties mapped as "land" (terra) on Figures 28-31 involved a proportion of arable, if indeed they were not entirely so. John Archer III was certainly able to grant arable crofts to de Ullenhale (T.a 7, a13, c.1250-70 ? later). It is reasonably certain, that prior to 1250 arable cultivation in Tanworth lay largely south of a line

following the Aspley Heath, Brichy Cross, Brown's Green and Nuthurst road (Figures 17 and 22),

There would be no doubt some meadowlands along the Wodewelle and Casewelle Brooks, and along those streams draining eastwards from Umberslade (Figure 45). Little can be learnt of groves and woodland on the estate, certainly the latter must have been present in some quantity in 1299, by which date Cherlecote Grove had been acquired. An assessment of the economic basis of the estate must await a more general analysis (Chapter 8) since the information the charters provide in this respect is extremely limited.

It seems reasonable, however, to argue that in terms of manorial structure the Archer estates were dominated by demesne and freehold land, the evidence for villein land being very slight. Although the latter might expect to escape reference in land charters it is significant that the tenants are not socially differentiated in the 1299 rental and in fact there is no evidence, at any period, to suggest that the family were large scale villein owners. It is probable that the proportion of demesne, villein and free land on the Archer estates in 1300 closely approached the figure of 45% - 11% - 44% cited by Kosminsky as being typical of the small landowners' estates he examined. Although there is some evidence for a substantial rental, perhaps £20 per annum, it has been suggested that the demesne can hardly have been negligible in view of the large amounts of capital the family was able to invest in land. Furthermore, although a large proportion of Section 2, and the extreme east of Section 1 was in the hands of the family few tenancies are known to have existed there (Figures 28-32), and this may all have been Archer demesne land.

In the course of a century the Archers were able to

rise from merely being one of a number of freeholders in southern Tanworth to being the owners of two substantial manors within the parish. The question of how unique this development was inevitably arises; were the Archers part of a wider movement? The Tanworth land market was in fact dominated by four families, the Archers, the de Fulwoods, the de Sydenhales and the de Ullenhales, all of which can be considered as small landowners, and it is proposed to examine the remaining three families before attempting to give a more general appraisal of the significance of this class in Western Arden as a whole.

The Fulwood Family.

The origins of the Fulwood estates are even more obscure than those of the Archers. The earliest reference is a confirmation by William, Earl of Warwick (c.1155-84) to Roger de Ullenhale of a gift which Thurstan de Montfort made to Rodbert (sic) son of Matthew de Witeleia (Witley, in Wootton Wawen), "namely Fulwuda", for the render of one charger, and Fulwood was clearly one of the $10\frac{1}{4}$ knight's fees held by Thurstan of the Earl in 1166.³⁹ Dr. Thomas in the index of his edition of Dugdale's "Antiquities of Warwickshire" records under "Fulwood" that "Thurstan de Mountfort gave the Manor of Fulwood in Tanworth to Robert, son of Mathewe de Whitley, for his service, and the said Robert planting his house on the sayd manor began a new Family of his Bloud, and took for him and his Posterity the Surname of Fulwood: and they held the said manor of the Mountforts of Belsart (Beaudesert) as mean (i.e. mesne) Lords between them and the Earl of Warwick untill the de Mountforts failed of heirs male, and their chief land reverted to the Earldom". The pedigree accompanying this note shows Robert son of Mathew de Whitley as the father of Robert de Fulwood, who in turn had two sons, Randolf de

Fulwood and Robert de Offord (Offord in Wootton Wawen), this table being an amendment of that appearing in the Heralds' Visitation of Warwickshire in 1619. The nature of the confirmation to Roger de Ullenhale cited above must remain a mystery, and is one more illustration of the complexity of tenural arrangements achieved in Arden by the late twelfth century. Robert de Offord seems to have held land in Fulwood, but in c.1200 he divided this between his two sons, John and Rondolf, granting in each case tenant land, possibly villein and free, and concluding with "a reasonable fourth part of that land in Fulwood which they never had !" (T.19, 20, c.1200). No reasonable explanation can be offered for this statement, but it does occur without doubt in both charters and cannot be dismissed simply as scribal error. || The surviving charters contain no references to Rondolf de Fulwood, son of Robert, but by c.1230-50 a Robert de Fulwood, possibly the son of Randolf, was in possession of Fulwood. Apart from two charters, showing that he had tenants there, nothing further can be ascertained concerning him but his son, Richard, (Appendix III B) appears consistently in the charters between c.1260 and c.1300 and his lands have been mapped in Figure 33, which shows the acquisitions of property and rents in the area of Fulwood. The lands and tenements purchased involved a total expenditure of some £10 10s. 4d, and commitment to the nominal rent of one rose. In addition he acquired rents to the value of £1 8s. 7½d in return for a consideration to the value of £6 18s. 4d, and rents of 1d and 3 cloves of gilly flower. His total expenditure over the period was a minimum of £17 8s. 8d, which may be compared with the £59 6s. 4d expended by John Archer II in the purchase of lands and rents over a comparable period. As a result of these

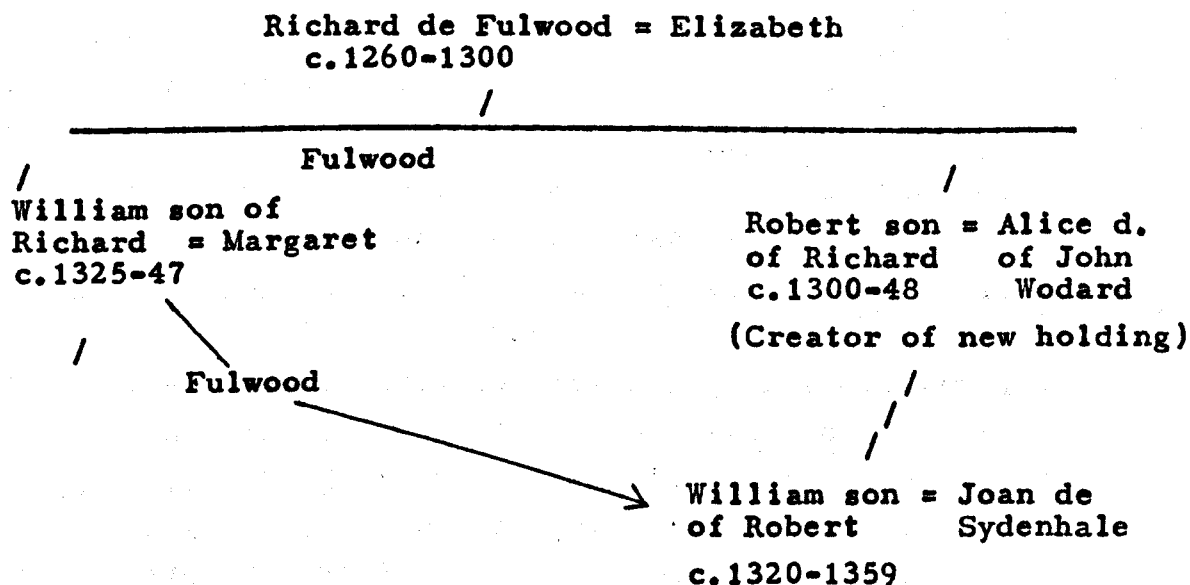
purchases de Fulwood added fourteen tenants to any he possessed, and one of these is known to have been sub-granting further.

Robert son of Richard de Fulwood appears in the charters between c.1300 and c.1348, and his holding has been mapped (Figure 33). The following points can be made concerning him; first, there is no evidence at all to associate Robert with Fulwood itself, his holding lies out in the centre of Tanworth parish. Secondly, Figure 33 shows that he was accumulating land in an area lying to the east of Earlswood. This process appears to have been initiated by acquiring $8\frac{1}{2}$ acres in this area from John Wodard as a marriage settlement on Robert and his daughter Alice. Although the charters have proved exceedingly difficult to locate, Figure 33 C shows that it has been possible to suggest the farm to which the charters apply, using the 1842 boundaries as a basis. This rests on three pieces of evidence:

- i) a process of elimination shows that this area lies between de Sydenhale property to the north and Archer estates to the south (Figures 32 and 36);
- ii) the Archer Survey of c.1500 confirms that the land to the north of the Archer holding did in fact belong to the de Fulwoods at that date;
- iii) Henry Beighton's map of 1725 indicates that this area was then termed "Fulwoods Fields", a name that is otherwise inexplicable.

This disassociation of Robert son of Richard de Fulwood with Fulwood itself is difficult to explain, and the simplest explanation, as in the case of the Archers, is that the existing genealogies are wrong, and he was not in fact the heir to this estate. This assumption is proved beyond all doubt by an agreement between "Elizabeth,

widow and executor of Richard de Fulwood and William, heir of the said Richard" (12 April, 1325, T.Add b18). The few charters to which William was party that survive show he was in fact holding Fulwood, and that he died childless, for his lands were passed to William, the son of Robert son of Richard de Fulwood by a charter dated 2nd March 1347. By this, Robert son of Richard quitclaims to William, his son, "Lands, tenements, rents and services, meadows, pastures, woods, waters and appurtenances of which William de Fulwood (son of Richard) brother of the grantor (Robert son of Richard) formerly was seised in Toneworth, Henley, and Nuthurst". (2nd March, 1347, T. b290). This complicated situation is clarified somewhat by the diagram below:



It will be remembered that a comparable situation occurred in the early history of the Archer Family, and such happenings must have been frequent in the Middle Ages when the expectation of life was probably no more than 30-35 years at birth.

William son of Robert de Fulwood in or before 1329 married Joan, daughter and co-heiress of Robert de Sydenhale (16th Jan. 1328/9, T.b138) and as a result in 1340 he inherited one half of the de Sydenhale's estates on the death of her father, Robert. This, together with Fulwood itself, acquired in 1347, left William in possession of substantial estates. He appears, however, not to have inherited his father's new holding, for this was granted by Robert to his grandson, William's son John, in 1366 (6th April, 1366), the holding in question being described as "below the wood of the Earl" and was without doubt the holding built up by Robert son of Richard. The subsequent descent of the properties was extremely complicated, but here the main concern is William's holding.

As Figures 33 A and B indicate, such charters as can be mapped reveal little of William's holding, ^{though} he was engaged in various transactions scattered over a wide area. The various parts of his estate can, however, be considered:

- i) In 1340 he acquired one half of the de Sydenhale estates, and the probable extent of these is indicated in Figure 33 C. ⁴⁰ This constituted a substantial demesne farm, together with tenant farms (see below), the deed of partition recording that William and his wife were in possession of most of the manor house, half of the demesne lands, and rents to the value of 11s. 4d. from nine tenants (20th Sept. 1340, T.b.225).
- ii) In 1347 he acquired the main estate of Fulwood, again consisting of demesne and tenant land from his uncle, William son of Robert de Fulwood (see diagram above and Figure 33 C).
- iii) On 11th June, 1346 he leased for life from Thomas son of Thomas Durvassal of Spernoure "All lands and

tenements in Toneworth" for the annual rent of 30s. silver and the agreement to build, at his own cost, a new house of four pair of crucks. This lease consisted of the estate of Old Betlesworth (Figure 33 C) and also in all probability New Betlesworth, together with other properties immediately north of the de Sydenhale holding he had acquired.

- iv) In addition he had possession of, or interests in, various odd pieces of widely scattered property.

William was seised of what were in effect three substantial freehold estates, each with a demesne farm, and tenant farms. Some further information on his activities is provided by a document dated 2nd November, 1345 (T.b263a) which consists of an agreement by which William de Fulwood was bound to John Hubbard, Knight, for £100 and for another £100 according to a letter of account. This clearly shows that he was of sufficient wealth to become involved in quite large scale financial transactions, and it appears that he had been running into debt. This particular agreement gave rise ultimately to a series of highly complicated transactions and legal fictions, the analysis of which will not be attempted here. Table 25 indicates the rise of the family as suggested by the charters:

Table 25

Tanworth: % of the charters involving members of the
de Fulwood family, c.1200-1350.

	% of total per period.
c.1200 - 1240	1.1%
c.1240 - 1290	10.5%
c.1290-1310	6.0%
1311 - 1320	8.0%
1321 - 1330	7.5%
1331 - 1340	32.5%
1341 - 1350	33.3%
<hr/>	
1351 - 1400	31.0%

This holding differs markedly from that of the Archers, there is no general, clear cut pattern of purposeful but piecemeal acquisitions, except perhaps in the case of Robert son of Richard, and this is no doubt largely due to the fact that the evidence mapped in Figure 33 relates mainly to the fourteenth century. In the period to which the charters relate the process was rather one of re-grouping farm units already in existence, farm units that were to survive until the early nineteenth century in many cases. The importance of new land can, however, be clearly seen, ^{for} Robert son of Richard's holding near Earlswood was created from land that can hardly have been reclaimed before 1250, if not as late as 1280. A younger son, he was, probably with his father's backing, able to establish himself quickly in his own farm, by taking advantage of the land market, a land market to no small degree dependent on the availability of alienable reserves of new land. By the early fourteenth century it becomes obvious that other factors are involved, for land was being used as a surety in other transactions. The relative simplicity of the thirteenth century transactions was past.

The Sydenhale Family.

The third major Tanworth estate, that of the de Sydenhales, was more akin to that of the Archers in that it expanded as the result of piecemeal accumulations, but in this case, two particular difficulties arise; first, the estate never fell into Archer hands, except at a late date as part of Tanworth manor, and as a result of this, the earliest charters have not been preserved. The hiatus which results from this fact can be seen on several maps, in particular Figures 17 and 22 B (Ci and Cii) (Sections 12, 14 and 30 of Figure 49). Secondly, as the estate

lies wholly within the area of very late colonisation (Figure 22 C) there is a general paucity of place names in the charters and even locational details tend to be vague. Nevertheless, the estate is of particular interest in that in 1340 it was divided amongst co-heiresses, and both deeds of partition have fortunately been preserved, giving a close approximation to an extent. In view of these problems it is considered an advantage to examine this particular holding retrospectively, commencing in 1340, and as a result of the paucity of the charter material the basic problem is to obtain some satisfactory appraisal of its areal extent.

Robert de Sydenhale died in 1340 leaving two daughters as his heirs, with the result that his estate was divided between them. Although full details of the lands and tenements are unfortunately not provided by the deeds of partition, these simply being divided into half "according to certain metes and bounds there made", considerable information is provided on the manor house and the tenants. The former was clearly moated for it was granted together with "all ditches and water standing within", and had a hall, with rooms, a kitchen, a cattleshed, a great barn and a court house. The partition goes on to list some sixteen tenants, paying a total of 22s. 8d. rent. Some of the lands of the family lay in King's Norton, but the majority of the tenants' names suggest that they are in fact Tanworth people, although it is possible that the Robert de Pertegrene paying 7s. 2d. rent was in fact holding the King's Norton property. The seat of the de Sydenhale family, however, plainly lay in Tanworth.

The study of the estate is complicated considerably when an examination of the charters reveals that a Henry de Sydenhale was holding a substantial estate in Tanworth at the same period. The problem can best be outlined as follows: 41

- i) Robert de Sydenhale was in possession of an estate which was partitioned in 1340, one half going to a daughter who married William de Fulwood, the other half going to a daughter who married Richard Ede. (20th Sept. 1340. T.6225, 6227). In 1382 the Ede moiety was passed to the de Fulwoods (23, 24, 25 July, 1382, T.c92, 93, 94).
- ii) Henry de Sydenhale, a contemporary of Robert, and probably his brother, was in possession of another large holding, so that a third de Sydenhale property has to be accounted for, in addition to these two resulting from the partition. It can be established beyond reasonable doubt that Henry lived at the moated farmstead still called Sydenhales farm, and it is logical to assume that the estate still attached to this in 1842 was the descendant of the earlier unit. Evidence for this does in fact exist ⁴² and it is clear that the Victoria County History is wrong in tracing the descent of this property from the de Fulwoods (Figure 34 C).
- iii) It should therefore be possible to trace on the Tithe Award one or two other former de Sydenhale holdings in Tanworth, i.e. Robert's holding resulting from the partition of 1340, unless they have broken up beyond recognition. There is evidence that in 1382 Thomas Ede, a London surgeon, the son of Richard Ede, had been letting land to a Henry de Sydenhale and Richard Couerne, and by a lease for ten years dated 1366/7 Henry let to Richard Couerne lands which belonged to Thomas Ede "in propinquitate contra John de Fulwood". This may imply a sale of the Ede lands to Henry, or merely that Henry was creating a sub-tenancy. Nevertheless, it seems that part at least of the Ede moiety of the de Sydenhale estates, adjacent

to the Fulwood moiety, was held by Richard Couerne in the late fourteenth century. Burman states that Moat House, Earlswood was in 1633 known as "Cowernes" but does not state his source. In view of this, it is distinctly probable that the holding attached to this farmstead in 1842 was infact the whole or part of the Ede moiety of 1340.⁴³ It remains to establish the possible location of the Fulwood moiety.

- iv) The survey of the Archer tenant land in c.1500 provides a clue to this; "Item, Robert ffulwood a messe (message) and certaine land, wood and meadow called Ernoldes sometime was one Syndals lying between the highe way to Bettsworth and the lane going from Earlswood to Bettsworth." This can be located in Section 33 (Figure 49), and plainly refers to the moated farmstead in that section, today called Salter Street Farm; it is therefore, probable that the holding indicated on Figure 34 C has its origins in the Fulwood moiety.⁴⁴

If this argument is broadly correct the Victoria County History mixes up the descent of at least two of the de Sydenhale holdings. The presence of Henry's holding does explain how the name of the family survived even after the partition of 1340, a fact which puzzled Burman. It remains now to test this hypothesis concerning the three elements of the de Sydenhale estates against the early charter material. Figure 34 (A and B) is based on this evidence, and rather than a complete pattern this must be regarded as a record of the distribution of no more than a few scattered charters that fortunately fell into Sir Simon Archer's hands. A number of points may, however, be made; first, the distribution of surviving charters suggests clearly that the hypotheses concerning the location of Robert de Sydenhale's holding may well be correct, as may

~~well be correct, as may~~ that concerning Henry's holding; secondly, Robert was clearly building up his estate by means of piecemeal acquisitions. Nothing is known of the origins of his holding, but the rent of his capital messuage, Ernolds Place had been granted to the Archer family in the early thirteenth century (T.a42, c.1270-90), so that it is possible that this is an example of an ambitious tenant taking advantage of the land market, much as the Archers had done at an earlier date; thirdly, at only one, possibly two points (Figure 34), do the charters relating to Robert overlap the probable outline of his holding, and when they do it is into the holding of Henry, suggesting that inter-family transactions may account for these anomalies. This remark could apply in converse to Henry's holding.

Before attempting to summarise the position one final problem remains to be examined, namely the relationship between Robert, Henry and a third brother, William de Sydenhale. In a charter dated c.1280-90 William grants to his brother Henry land and a tenement, excepting the land he gave to his brother Robert in the same place. (T.a 132). Further complications occur,⁴⁵ but nevertheless, the situation in the early and mid-fourteenth century would seem to be as follows:

(Roger ? = Daughter of Henry de Ullenhale ?)

?		
/		
Robert de Sydenhale d. 1340	William	Henry (Eldest ?)
/		
Joan Isabella	William	/
(partition)	?	Henry
/		

The problem is, which is the main estate, and was there in fact a fourth holding in William's hands ? William

appears, however, to have disposed of such few lands he had in Tanworth to his brothers (25 July, 1340, T.6221) and moved to Solihull, where he was paying Lay Subsidy in 1327. In 1286, an Adam de Sydenhale living at Whitlocks End, demised to William de Sydenhale (the elder) one and a half virgates of land, for life, and William is known to have had property elsewhere in that parish.⁴⁶ Robert, on the other hand as Figure 34 shows, was clearly engrossing holdings in the north of Tanworth, as energetically as the Archers, though at a later date. Such evidence as survives suggests that this process involved the absorption of the holdings of smaller freeholders rather than the clearing of new land, indeed much of the land Robert acquired had been cleared half a century earlier (Figure 34). It is in fact probable that Henry was the eldest son, and inherited the family holding, which may have had its origin in a large scale grant from the Earl of Warwick some time in the late twelfth century or early thirteenth century, and originally consisted of the block of country in the wide angle of land (Siden - hale, "at the wide angle of land") between the Ilshawe and Hawkesshawe brooks, the Blythe and Ilshawe Heath, the whole of Section 30 (Figure 49, cf. Figure 34).⁴⁷ Majority of the early charters relating to this block have, however, unfortunately disappeared, and the hiatus is visible on a number of maps, in particular Figures 22 C and 26.

The partition of Robert's holding would appear to provide the data for an analysis of his rent roll, but a close examination reveals that this is in fact not the case, for in an agreement dated 16th January 1329 (T.6136) Robert granted William de Fulwood and Joan his wife "40s. annual rent from his lands in Tanworth" the grant to be void if Robert died and Joan inherited half of his property. This in fact happened, but the discrepancy between the 40s. rent

granted here and the 22s. 8d. recorded in the charter is difficult to account for, and this discrepancy renders any conclusions based on the deed of 1340 invalid. It may be noted, nevertheless, that with the one exception, the rents recorded there range between 2d. and 1s. 6d., and of the sixteen tenants listed fifteen owe unspecified services, probably suit of court, and six owe heriots. These latter, however, need not be villeins as was mentioned in Chapter 4,^{for} the heriot was a common payment amongst Arden freeholders. No proof exists to suggest that the de Sydenhales were villein owners, but from the presence of a court house on Robert's demesne farm it is evident that he, like the Archers, had acquired the right to hold a court. There is no evidence that Henry, his brother, ever acquired this right, but Henry's estate most certainly had this right attached to it in 1810. ⁴⁸

This analysis of the de Sydenhale properties indicates both the dangers and the possibilities of the detailed analysis of land charters. It indicates furthermore that while the Archers were by no means unique, they achieved success at a remarkably early date. Little can be ascertained of origins of the de Sydenhales, but while one holding, Henry's, was in all probability the result of a large scale grant, the second plainly resulted from piecemeal engrossing. It would be interesting to know more of this process, and what pressures were brought to bear on smallholders to make them sell. In c.1300, for example, Roger atte Bene gave his three daughters, Edith, Margerie and Emma a field of new land in Tanworth, a field on Ilshave Heath. This appears to have been divided into at least six open strips, three held by Emma, two by Edith, of which one was sub-granted, and one by Margery. Between April 1317 and June 1320 the six properties were all acquired by Robert de Sydenhale. It is impossible

not to feel that some pressure was involved, although no proof exists. The sudden rise of de Sydenhale influence in the early fourteenth century is indicated by Table 26 with the qualification that the early charters are known to be missing, and that this reflects the activities of Robert more than anyone else.

Table 26

Tanworth: % of charters relating to members of the de Sydenhale family. ⁴⁹

	% of total per period.
c.1200-1240	1.1%
c.1240-1290	5.0%
c.1290-1310	23.0%
c.1311-1320	26.0%
1321-1330	15.0%
1331-1340	11.0%
1341-1350	4.3%
<hr/>	
1381-1390 [sic].	41.0%
1351-1400 [sic].	18.0%

The small estates so far discussed have all been expanding under the influence of four factors, the availability of new land, the land market, a money economy and what may be termed a "capitalist" spirit, namely, a willingness to invest capital in land. The de Ullenhale holding, also in Tanworth, affords, however, a clear example of the reverse process, the decline and collapse of a small landowner. Three phases can be recognised, first the initial grants in the late twelfth century resulting in the formation of a small manor; secondly, an

indeterminate period when the evidence is confused but the principal trend appears to be one of devolution; and thirdly, a complete break up of the estate in the late thirteenth century.

The de Ullenhale Family.

The initial grants to this family consisted of two blocks of land in Monkspath, Figure 35, 1 and 2, lying respectively west and east of the Birmingham Stratford road, and including the estate of Betlesworth, together with land in Umberslade (T.1 and 2, c.1153-84). The grantor was William, Earl of Warwick (1153-1184) and the whole appears to have been held as a quarter of a knight's fee. In addition Roger de Ullenhale was granted certain lands in Fulwood by Rodbert son of Mathew de Whitley, but little is known of this land. As was demonstrated above Roger granted his Umberslade property to his daughter Seliit on her marriage to Robert Sagittarius. This estate differs from the other small manors examinedⁱⁿ that it was held by knight service, being one of the fractional fees created under the new enfeoffment after 1166, at which date there is no evidence in the Cartae Baronum of its existence, so that it was probably created between 1166 and 1184. 50

On the death of Roger, in the decade 1190-1200, his heir inherited an estate that must have been 2500 acres in extent, being described[^] 'locational advantage in that it lay athwart the main Birmingham to Stratford highway, already by the late twelfth century a "via regis", and its northern sector was crossed by another important route way, the Worcester-Coventry road.⁵¹ Against this must be set certain disadvantages, low population, the absence of a nucleus of common arable such as was present in Tanworth, the presence of substantial tracts of heathland, and possibly some difficulty of communication with the south

of the parish due to the broad marshy valley of the Blythe and its tributaries. Some clearing had undoubtedly taken place at an early period; for example, the estate of Betlesworth was, to judge by its name, of Anglo-Saxon foundation, and the manor was clearly not merely unpenetrated waste for place names of Anglo-Saxon or Middle English derivation occur, especially in the east, "Cheswick", "Listerley", "Tralebroc", and "Deopewelle", for example, while in the west vaguer names such as "Tottemos" and "la Merewei" appear.⁵² These names, however, refer for the most part to topographical features and by 1200 clearing must still have been very limited in extent.

The main problem of the second phase is the result of uncertainty concerning the descent of the estate. A genealogical table given by Dugdale cannot be reconciled with the surviving charters. In the first half of the thirteenth century Henry de Ullenhale, and his son Henry dominate the scene, but the second half of the century is dominated by William, Robert and William, father, son and grandson, the bulk of the charters relating to Robert son of William. It seems probable that Henry and his son represent a cadet line, William and his heirs being the main line. The absence of references in the early part of the thirteenth century can be explained by the fact that in contrast to the Archers and others the de Ullenhales had no need to accumulate land piecemeal. Only two charters involving William I survive, both significantly involving grants of waste to tenants and suggesting that at this date the family was deliberately encouraging the settlement and colonisation of their waste lands (Figure 35).⁵³

The properties of the cadet line, Henry de Ullenhale I and II have also been mapped, Figure 35, and the pattern revealed clearly suggests that land was either being sold, or sub-granted to tenants. There are no good reasons for

assuming that the grants to William Archer I were not in perpetuity, a consideration was demanded, and the land certainly stayed in Archer hands. Thus, Henry II granted to William Archer I, all his meadow in Littlegrovesley for 6d. rent per annum and a consideration of 23/-. His father, Henry I, had let one acre of this meadow to Alexander Black for 4d. yearly rent, 6s. consideration, and on the condition that devenit homo meus (he becomes my man, T.24, c.1200-10; T.53, c.1225). One of the more significant charters is the marriage settlement by which Henry de Ullenhale, with the consent of Henry his son, granted to Roger de Sidenhale land in Hauekeshawe, linking together two families whose early histories are obscure (T.27, c.1200-10). This land may conceivably be the land owned by the de Sidenhales on the eastern side of Hauekeshawe brook (cf. Figure 34 with Figure 45), but this cannot be proved.

At this point it is convenient to summarise the geneological tree of the de Ullenhale family.

Roger de Ullenhale
(died c.1190-1200)

(1) William O (?)

(2) Henry I

Robert O (?)

William I

Henry II

/ Robert I (son of William)

/ William II

The absence of material makes any generalisations on the period c.1200-1260 exceedingly difficult; there is no evidence of vigorous expansion, and it is tempting to wonder, in view of the fact that the manor did pass into Archer hands at an early date, if this lack of evidence is really due to stagnation, and that few documents were in fact produced? In the light of later events, this may well have been the case.

The largest group of the de Ullenhale charters are those relating to Robert son of William; of these, three show that he and his son William were granting waste land to tenants and demanding in Robert's case suit of court of Cheswick and in William's suit at Betlesworth (T.a18, c.1260-90, (T.Add.asd 11, PRO. A9230). It is likely that Robert's capital messuage was the great double moat at Cheswick and that he had granted the old estate of Betlesworth to his son.⁵⁴ This situation was, however, probably brought to an end by a series of cataclysmic changes taking place in 1282 and 1297. In 1282, for a consideration of 40 marks Robert sold to John Archer II all his rights in Tanworth, and in 1297 for 60 marks he sold to John Archer III all his land and rights in the manor of Monkspath.⁵⁵ In view of these sales it seems that de Ullenhale was in financial difficulties; certainly as early as 1277 he had leased, for two lives, 19s. 9 $\frac{1}{2}$ d rent to William de Barnvile and Christine his wife, together with feudal services and suit of court, for a consideration of some 20 marks (18 March, 1277, T.Add.a15).

Although many of the details must remain obscure it is evident that between 1282 and 1300 Robert de Ullenhale alienated all his lands and rights in Tanworth and Monkspath, mainly to the Archers. Further light is thrown on this family by the account of Ullenhall in the Victoria County History, which records that "Roger, Earl of Warwick, enfeoffed Robert who took the name Ullenhale. This Robert was followed by one William, whose son Robert in 1242 held $\frac{1}{4}$ of a knight's fee of the Earl. (Both of these men are absent from the Tanworth charters, but this statement confirms that Henry I and Henry II belong to a cadet branch of the family.) Robert was probably succeeded by William who died in about 1284, and he by Robert de Ullenhale (the Robert son of William of the Tanworth charters).

The fee then appears to have gone to the de Montfort's of Beaudesert.⁵⁶ In 1284/5 Robert, with the consent of Margery, wife of William de Ullenhale (i.e. his mother, a dowager, with one third interest in the land), granted to Peter de Leycestr a messuage, two carucates of land and 20s. rents in Ullenhall and Henley, the remainder passing to William son of Robert.⁵⁷

Inevitably this account must raise more questions than it can answer. The reason for these sales and the disappearance of a once prosperous family from the record after 1310 must remain an unsolved mystery. Between 1277 and 1297 Robert de Ullenhale disposed of all his property in three manors in return for cash payments, receiving a minimum of 120 marks. It appears that at various times he needed ready money, but no answer can be given as to why this was needed. Perhaps the most significant feature, however, of the whole decline is that the manors did not escheat to the Earl of Warwick, but were put on to land market and found a buyer, a buyer not from the larger landowners, but from the ranks of smaller landowners.

Any attempt to compare the development of Tanworth with other parishes in Western Arden is exceedingly difficult because of the unique character of the Tanworth material. Figure 15 strongly suggests that if the importance of freehold rent as a proportion of the total income is a criterion, parallel developments must be sought in Solihull, Coleshill and Longdon. Longdon is itself a small manor, but cannot strictly be compared with the Tanworth manors because William de Arden was also holding the large manor of Hampton in Arden, together with Knowle and Temple Grafton. The manor of Longdon, however, must closely resemble the Tanworth small manor in character, and, as has been suggested above, an extent of the Archer estates in Tanworth prior to their purchase of Monkspath

would have been very similar in form. In Longdon in 1276 there were 48 acres of arable land in demesne, valued at 3d. per acre, total 12s.; four acres of meadowland at 2s. per acre, total 8s.; a messuage valued at 6s. and an unknown number of free tenants, specifically described as holding by charter (per cartas) whose rents totalled £4. 12s. 2d.⁵⁸ Such a manor was ^{little} more than a large farm, with a home farm worked by the landlord, and a number of tenant farmers holding largely by money rent, together no doubt with some smaller cottagers who eked out a living by selling their labour to the more prosperous freemen. It is probable that even though the occasional bondman was owned, servile labour formed no part of the system, such feudal ties as there were being confined to suit of court and sharing the burden of royal taxation. Noticeably absent from the Longdon extent are the profits of the court but it is possible that in this case suit was done at Hampton in Arden.⁵⁹ Figure 19 shows the nature of the manor, and the scatter of moated farmsteads, each obviously within an area of several fields, suggests that de Arden may in fact have had several rather prosperous tenants rather than a great many smaller men.

Moated sites are a settlement feature that will be more fully examined in Chapter 7 but certain points can be made at this stage; the detailed examination of the Tanworth evidence suggested that a close link exists between the presence of moated sites and small manors. This, as Figure 36 shows, was particularly clear in the case of the de Sydenhale estates, the two moated sites associated with the estate of Robert de Sydenhale represent the division into two moities, but the capital messuages of the Archer, the Fulwood and the de Ullenhale estates also appear to have been moated farmsteads. These must date from the period of expansion between c.1200 and c.1250, a fact

confirmed by archaeological evidence where such sites have been excavated.⁶⁰ In Longdon (Figure 19) the high density of sites is plainly linked with the presence of assarted severalties, and it is probable that they have a function similar to those in Tanworth. Only one property can be examined in detail to provide a comparison, the estate of the Aylesbury family.

The Aylesbury Family.

In c.1230 property in Widney in Longdon was granted by Philip de Cumtona to William de Parles, his kinsman. Consisting of some sixty acres lying between "Telewelle broc" and the great road between Longdon and Beaudesert the land is described as two furlongs in length according "to the great measure of Arden".⁶¹ Without doubt this is the land later associated with Moat House, Widney, and Widney Manor Farm (Figure 19, GR 42, 161758). After various vicissitudes the holding, sometimes before 1290, passed into the hands of Walter de Aylesbury.⁶² De Aylesbury purchased other land to the west of this, on the opposite side of Telewelle broc, in Tanworth parish (Figure 4), and it is clear that the capital messuage of this estate was in fact Moat House (GR. 42/153758), for in 1289 (6 April, 1289, Solihull D.22, T.2142) this is described as the "curia" of the said Walter, showing that he was holding courts for his own tenants. The reason for this purchase is clear from the Archer survey of c.1500, for at this point on the Telewelle broc it refers to "Aylesbury's pool", the construction of which would have entailed the flooding of land on the western or Tanworth side of the stream. However, since an agreement was all that was needed in a case such as this, it is likely that de Aylesbury was deliberately expanding westwards, possibly because any eastward expansion, towards Bentley Heath, was already

is granted in early 1286, and the land was not blocked by the presence of Widney Manor farm. In 1286 (7 March, 1286, T. a140) William de Beauchamp, Earl of Warwick, confirmed to de Aylesbury some 45 acres of waste land in the manor of Tanworth, given to him by Ela, Countess of Warwick. This was probably purchased because of the wood and timber remaining upon it, and appears to survive today as Aylesbury Land Coppice.⁶³ In the early fourteenth century Roger de Aylesbury, a son or grandson of William, added more land to the holding, some in Tanworth, some in Widney.⁶⁴ Walter de Aylesbury's holding was by no means as extensive as the Arches estates in Tanworth, but like them he was holding property elsewhere, Edstone in Wootton Wawen and Roulton in Shropshire.⁶⁵ The survival of a rental of 1348-9 relating to Solihull permits the problem of the importance of the small landowner class to be approached somewhat differently. Belonging to Lord John Grey of Rotherham it relates to a portion of the manor of Solihull inherited by him from his mother, Margaret de Oddingseles, and lists the rents under townships and hamlets, Whitlocks End, Shirley, Ulverley for example, so that some indication of the general location of a holding can be obtained. An examination of those persons paying an outstandingly large rent might be expected to indicate at least some of the small landowners. Only three persons in fact stand out as paying over 10s. per annum, William atte Birches, cleric, paying 25s. 6d., William son of Thomas atte Birches, 10s. 11d.⁶⁶ and John le Notte, paying 10s. 11½d., the only other person approaching this sum being Jordan de Blomeville paying 8s. For only one of these men do sufficient charters survive to permit a study to be made, William son of Thomas atte Birches.

William son of Thomas atte Birches. evidence of acquisition.

Of the twenty-two charters relating to this man, he

is grantor in only four, and two of these are grants to his children. The documents range in date between 1322 and 1350 with the majority falling between 1332-1350. William's father, Thomas had, between the late thirteenth century and 1333 been building up a holding between Solihull and Longdon, also acquiring land in "La Lea" (PRO. C1440). In 1348/9 William was paying rent in that part of the manor called "Buckmore and la Lee". La Lee was that area now termed Lode Heath, formerly termed Leewode, or Lee Wood. ⁶⁷

A charter from the Archer collection throws considerable light on the origins of the family; dating between 1279-90 it consists of a gift, from William de Oddingeseles, (Lord of the Manor), to William de Birches, heir of Adam de Lung of Buckmor (of Buckmore) for his homage and service 8 acres of land with appurtenances in the manor of Solihull at Lecefeld "lying in breadth between the ancient land the said Adam de Lung formerly held on the one hand and between the land of Thomas Harang of 'Bouckemor' on the other and extending in length from the wood del Lee (cf. Leewode) as far as the land called Blackford which the said Adam de Lung formerly held, with ditches and hedges pertaining to the same." Annual rent 2s.8d. (Solihull, D.19).

A number of facts can reasonably be deduced from this: first, the William atte Birches of this charter may reasonably be assumed to be the father of Thomas atte Birches, Thomas's son in turn being called William. Plainly the family holding in Buckmor and La Lee was in existence at this date and Thomas and his son William were adding to it; secondly, the grant involves land that has only been newly reclaimed, strongly suggested by the reference to "ancient land" and by the rent of four pence per acre (i.e. 8 acres for 2s. 8d.)

In view of this evidence, the evidence of acquisitions

of Thomas atte Birches and his son William can be viewed as the expansion of an original holding to create something that must have resembled a small manor. There is no doubt that William had sub-tenants, for these are referred to in an agreement between him and another party (PRO, C1121). In addition, there is evidence that he acquired rents to the value of 32s. 5d., with possibly 20s. in addition to this.⁶⁸ It is unfortunate that the material does not permit a more thorough analysis of this holding,⁶⁹ but the evidence suggests that while the holding may have been more discrete than those in Tanworth, and probably somewhat smaller, it exhibits the same characteristics, vigorously expanding at the expense of other smaller freeholders, and consisting almost entirely of severalties. Skipp rightly associates "Buckmore stede" with the Leewode area, and suggests that this may well be the moated site adjacent to the heath,⁷⁰ and it is probable that this was the capital message of the atte Birch family. One further point must be remembered when considering the rent of 10s. 11d. paid by William atte Birches to Lord Grey; he may also have been paying other rents to other lords, the pattern of lordship in the manor of Solihull was by this time very complex.⁷¹

It is evident from the material relating to the small landowners so far examined, that a dual origin can be postulated for the social group and type of estate under discussion; firstly, there are those small manors resulting from the creation of a holding that only represents a fragment of a knight's fee, and in time becomes de facto virtually indistinguishable from a freehold; and secondly, those resulting from the amalgamation of small freeholds in the hands of an ambitious family or landowner. A third origin has also to be considered, an estate of Anglo-Saxon origin.

Within the original grant to Roger de Ullenhale in the late twelfth century was included all the land held by the Earl in Betlesworth in Tanworth. (T.1. c.1153-1184). It would appear that this represented a small Anglo-Saxon several holding, since there is no evidence of either a hamlet or common arable. The name Betlesworth, i.e. "Betles" small enclosure in which stood a dwelling, suggests a small settlement established in the waste, to the north of the earlier and hence more developed settlement of Tanworth, "Tanna'sworth", which, as will be shown in more detail below, possessed a small area of common arable. ⁷² The history of the Betlesworth estate is confusing, but the following conclusions seem valid:

- i) The original estate passed into the hands of the Durvassal family of Spernoure and became known as Old Betlesworth (Figure 36). To this was added other land, partly in Monkspath, partly in Tanworth, which property was known as New Betlesworth and in c.1500 still contained much woodland (Figure 18). ⁷³
- ii) In a memorandum of fifteenth century date both Old and New Betlesworth are termed manors, and although no evidence can be produced it is reasonably certain that at least one court was being held by the Durvassals. ⁷⁴ The picture is complicated by the fact that, as has been shown, it can be proved that the de Ullenhales were also holding courts at Betlesworth, while in addition the memorandum states that Hugh de Braniston, Lord of Lapworth, was holding land in Betlesworth in the thirteenth century. It is singularly unfortunate that de Braniston's Inquisition post mortem is virtually illegible. The most probable explanation of this confusion is that the name Betlesworth was used to denote both the holding and an area of the parish.

- iii) Complications aside, the Durassals were plainly developing waste land on their own initiative, sub-granting it to freeholders, and demanding higher and more variable rents than the Earl of Warwick, together with scutage when due and substantial considerations (T. a45, c.1270-1300; T.a100, c.1270). The land in question, in New Betlesworth, lay in Calvesley Heath, Tanworth, and had presumably been acquired by charter from the Earl. The family were prosperous enough to aspire to a park (T.a25, c.1268-98; T.a44, c.1270-90).
- iv) Finally, although in c.1500 Old Betlesworth consisted of a "prynsypal meys (messuage) with a pool and v parcelles of londe and vj parcelles of wode and a parsell of moorr", no moated site is known to be associated with the estate, the site of the capital messuage being an open question. ⁷⁵

It would become monotonous to continue analysing family histories based on charter material, but because of the nature of the evidence and the problems of analysis involved generalisations are exceedingly difficult. There is no source in existence which gives simply the numbers of small land-owners present in any one parish. The Lay Subsidy Rolls might be expected to do this, but the fact that this tax was levied on movables, stock and grain in rural areas, rather than static property, land and rents, meant that a landowner who sub-granted 80% of his land would be taxed less than a landowner who retained 80% in demesne, with the result that in Tanworth the small landowners do not stand out in the taxation list, neither do those in Solihull. ⁷⁶ In general terms it may be argued that prosperity was greater in Tanworth than in Solihull, in the former 42.5% of those taxed were paying over 2s. while in the latter only 12.5% were doing so, and this might account for the fact that the Tanworth small manors appear to have been somewhat larger and more important than those in Solihull.

The importance of the Archers, the Fulwoods and the de Sydenhales on the Tanworth land market has already been discussed at several points, but Table 27 is designed to indicate the varying fortunes of these three major families, together with the de Ullenhales and the Earl of Warwick.

Table 27

Tanworth: Percentage of charters involving the five principal Tanworth Landowners, c.1200-1350

Period	Archers	De Fulwood	De Sydenhale	De Ullenhale	Earl of Warwick	Total*
c.1200-1350	49.0	1.1	1.1	12.5	24.0	73.0
c.1240-1290	31.0	10.5	5.0	10.0	8.0	60.0
c.1290-1310	23.0	6.0	23.0	4.9	1.2	54.0
1311-1320	18.0	8.0	26.0	-	-	53.0
1321-1330	31.2	7.5	15.0	-	-	52.0
1331-1340	25.5	32.5	11.0	-	-	62.0
1341-1350	25.5	37.5	4.3	-	-	68.0

(The Table is an abstract of Appendix II D).

* i.e. % of total number of charters which involve members of the four principal families and the Earl of Warwick.

It is quite evident from the discussion in this chapter that while fairly clear general trends are suggested by these figures, the percentage for each family within each period reflects to no small degree the initiative of individual members. What is clear, however, is the overall importance of this group in the Tanworth land market.

In the absence of diagnostic features for identifying the presence of a small landowner class in those areas where detailed charter evidence is lacking it is exceedingly difficult to present any broad conclusions. Virtually the

only general source that throws light on this group is the Hundred Rolls used by Kosminsky. Sufficient material has, however, been presented in this chapter to permit certain qualified conclusions to be drawn with reference to the character of these holdings within Tanworth and adjacent parishes.

First, while this group, for reasons which have been amply demonstrated, is virtually impossible to define objectively, the presence of such a class within Arden is abundantly clear, and it is reasonable to conclude that they are likely to occur on those manors where exceptionally free conditions prevail, i.e. those manors in Figure 15 where over 60% of the total manorial income was derived from free rents. It is clear that the group merged on its lower limits with well-to-do free peasants, such as William son of Thomas de Birches, and on the upper limits with small knights, such as William de Arden.⁷⁷

Secondly, on the basis of the examples cited in detail, it seems possible to distinguish three categories of small-manors:

- i) a small minority of estates which had their origin in Anglo-Saxon several farms, of which Betlesworth is an example;
- ii) estates which originated in fragmentary knight's fees, normally in the latter part of the twelfth century, of which Monkspath is very typical;
- iii) estates such as that of the Archer family which were the result of piecemeal engrossing of smaller properties during the thirteenth and early fourteenth centuries.⁷⁸

Thirdly, in the absence of Hundred Rolls no objective criteria exist for examining the distribution of these three categories of small manor within Western Arden. In particular information is singularly lacking concerning the first category, those estates having their origin in the Anglo-Saxon period. However, some tentative comments may be

made on the distribution of the other two groups.

Fractional knight's fees are by no means confined to Western Arden, they occur throughout the whole country.⁷⁹ Figure 10 incorporates many fractional fees, but it proved impossible to distinguish these separately. A comparison of Figure 27A and Figure 10 does indicate, as was shown earlier in this chapter, a clear tendency for the smaller manors, frequently fractional fees, to be concentrated in the south-west, and to a lesser extent in the south-east of Western Arden. In detail the variations in this distribution depend on differing seigniorial policies, and the degree to which a land market was able to develop. Thus, small manors are noticeably absent from areas under ecclesiastical control such as Knowle and Temple Balsall, (Figure 10) and those lay manors, Berkswell and Maxstoke for example, where freedom was somewhat restricted.

Small manors resulting from piecemeal engrossing can only be proved to have existed within those larger manorial units which were characterised by the presence of colonisable reserves, a seigniorial policy which permitted the large scale development of free tenure, and where, as a result of these two factors, a vigorous land market was able to develop. Tanworth and Solihull are manors where conditions were particularly favourable, and comparable small manors are also known to have existed in Lapworth, but while a land market of some size is known to have been present in Shrewley, Hatton, Wootton Wawen, Sheldon, Bickenhill and Coleshill conditions never seem to have favoured the rise of such families as the Archers.⁸⁰ There are in fact strong reasons for contending that Tanworth was virtually unique in Western Arden.

Fourthly, the small manors examined in this chapter display certain well-marked structural characteristics. Normally, but by no means invariably, they consisted of

several lands, claimed from the waste, and centred on a "demesne" farm, the farmstead of which was frequently moated.⁸¹ Undertenants were invariably present, and these seem to have consisted largely of small freeholders, for although some small landowners. ~~for although some small landowners~~ were villein owners the charters strongly suggest that this practice was exceptional rather than normal. The tenurial bonds of the manor were normally free socage, and the relationship between owner and tenant appears to have rested almost entirely upon a cash basis, although suit of court was usually demanded, and a few minor services were sometimes owed. Thus, on many small manors it is evident that the presence of sub-tenants in some numbers encouraged the owner to establish a court of and for these tenants, but it is clear from the surviving Archer court rolls that these had little or no real function or purpose beyond affording the "lord of the manor" some small measure of control over his men. In the majority of the surviving rolls the cases enrolled consist only of minor land transactions and acknowledgements for land held, while the bulk of the business is concerned with defaults of attendance. ⁸²

It is inevitable that the charters do not provide a full picture and three particularly important but largely insoluble problems remain concerning the estates of small landowners in Western Arden, their labour supply, the origin of their capital, and the economy upon which they depended. It is clear that the small landowners were not dependent on villein labour to work their "demesne" farms, and yet it is probable that family labour was insufficient, even if members were willing to work in the fields themselves. Two sources of labour seem possible; first, as Chapter 7 will show, certain hamlet settlements in the area, containing the element "green" in the name, were composed of the houses

and cottages of the sub-tenants, small freemen and cottagers clustered together at a favourable point. Broun's Green, for example, to the north of Umberslade, comprised three small farms and several cottages in the early fourteenth century (Figure 44). It is very probable that these cottagers had to supplement their income by acting as hired labour. Secondly, in some cases a permanent staff of farm servants may have been maintained on the "demesne"; the Archers certainly purchased a villein reeve, and are known to have manumitted a villein carter.

The two remaining problems raise even more difficulties for the charters afford no evidence at all concerning either the origin of the capital or of the economy of the estates. The slight evidence available for the economy will be examined in Chapter 8 but at this point two propositions may be made: first, as there is no evidence of a flow of external capital into the holdings of the Tanworth small landowners it is likely that it did in fact derive from the profits of the estate. As the figure suggested for the yearly income from rent in the case of the Archers appears too low to account for the large amounts of capital known to have been reinvested in land, the presumption is that the small landowners were successfully farming their demesne for profit. Secondly, the owner of a small manor possessed the advantage of a compact and adaptable several farm, and soils that with care were suitable for both cereal and grass production. Marling was certainly being used in Tanworth by the mid-thirteenth century, a phenomenon which Slicher won Bath claims is not mentioned in documents except in times of high cereal prices, and hence is presumably linked with cereal production.⁸³ In view of this it again seems probable that the capital was derived

from the sale of agricultural produce. ⁸⁴

This is as far as the evidence presented can legitimately carry the argument. The questions raised in this chapter are fundamental to an understanding of the small manor, but the frustrating fact is that the small manor bequeaths the student no evidence that will provide the means of answering them. The Archers, the Fulwoods and the atte Birches probably did the majority, if not all, of their estate accounting in their heads, and even if primitive accounts were kept they stood little chance of survival as, in contrast to the great estates, there was no pressure towards the creation of a permanent record.

The problem of the economic basis of these holdings will be returned to in chapter 8, when the economic basis of the whole of Western Arden is being examined. What is clear at this stage is the contrast between the estates of the small landowners and the "classic" serf-worked manor of the High Middle Ages; in the words of Kosminsky, "Here in embryonic form in feudal society is the capitalist mode of production." ⁸⁵

One final point emerges from this analysis, a point that carries the argument on to an examination of the peasant holdings. The evidence shows that the small landowners were only rarely engaged in the reclamation of new land themselves; their expansion largely took the form of the acquisition of viable holdings. Although benefitting from the colonising movement, the small-landowners were not wholly part of it, and to see the basic process of land reclamation it is necessary to turn to the peasant holdings.

Footnotes.

- 1) Kosminsky, of course, writes as a Marxist and full account of this must be taken when his views are being considered. This problem has been discussed by M.M. Postan in his forward to M. Bloch's Feudal Society (ed. L.A. Manyon) 1965 (Paperback), pp. xi-xv, where he comments on an Anglo-Soviet occasion, when the two principal speakers, the Russian and the English, gave carefully composed disquisitions on feudalism which hardly touched at a single point ! The English speaker dwelt learnedly and gracefully on military fiefs while the Russian speaker discoursed on class domination and exploitation of peasants by landlords. Postan concludes, however, that for all its dogmatism and ancient verbiage, the Russian use of the term feudalism appeared to bear more directly on the intellectual enterprise of history than the conventional connotation adopted by the English speaker.

The principle followed in this essay has been to grasp the nettle firmly and not to hesitate to use Marxist terminology where it appears of value for the present purpose. As much can be said of any other piece of scholarship which has been consulted. All are but facets and interpretations of truth. As Kosminsky states in the preface to his Studies in the Agrarian History of England in the Thirteenth Century (1956), p. v. he was particularly interested in the special features of the small estate as compared with the big manors of the great (especially ecclesiastical) feudal lords, for the prevailing ideas about the manorial regime were, when he was writing in 1935, largely based on a study of the big estate. In view of this his work necessarily provides some part of the

basis for understanding the small manors of Western Arden, although the author is in full agreement with Postan's criticisms of Kosminsky's work in his article "The Manor and the Hundred Rolls", Economic History Review, 2nd.Ser. vol. III, No. 1 (1950), pp. 119-123. Briefly, Postan attacks Kosminsky's correlations between the size of a manor and its structure, pointing out that insufficient stress is laid on the distinctions between ecclesiastical and lay manors and too much on size differences. Furthermore, the movement of rural colonisation and its effects upon social relations and the make up of rent are hardly mentioned by Kosminsky. Postan concludes that his thesis is not so much wrong as incomplete. In view of the fact that the conclusions which Postan puts forward here form the nucleus of the author's own thesis, he can well attest their correctness. Nevertheless, Kosminsky's views form a valuable starting point for this particular section of the discussion.

- 2) E.A. Kosminsky, Studies, pp. 273-278.
- 3) E.A. Kosminsky, Studies, Chapter V.
- 4) E.A. Kosminsky, Studies, pp. 84-87.
- 5) R.H. Hilton, "Life on a Medieval Manor", Amateur Historian, Vol. 1, No. 3 (Dec-Jan 1953), pp. 82-89.
It is pertinent to point out that R.H. Hilton is also a Marxist, and his definition of a manor reflects this.
- 6) E.A. Kosminsky, Studies, p. 85.
B.H. Slicher von Bath in The Agrarian History of Western Europe, AD.500-1850 (1963), pp. 41-42, prints a different classification of landed property in the Middle Ages, distinguishing between estates organised

in manors and those not organised into manors. It is clear that the small landowners being discussed in this chapter fall somewhere between these two broad categories, but this classification has not been used as a basis for argument because its classification of peasant holdings is too coarse and would need the recognition of at least one more category.

- 7) F.W. Maitland, "Select Pleas in Manorial and other Seigniorial Courts, Vol. 1," Selden Society, Vol. 2. (1888), pp. xii-lx, especially pp. xxvii-xli.
- 8) F. Pollock and F.W. Maitland, The History of English Law before the time of Edward I, (1952), Vol. 1. p. 605.
- 9) F. Pollock and F.W. Maitland, op.cit. use the term sub-manor in their chapter on "Manor and Township", Vol. 1. p. 609.
- 10) A particularly good summary of the inter-relationships between the manor and the vill is to be found in an essay by L.C. Latham, "The Manor and the Village," in Social Life in Early England, ed. G. Barraclough, (1960), pp. 29-50.
- 11) It is possible that those manors in group one, 2000 acres and above, can be equated with Kosminsky's manors with above 1000 acres of arable; those falling between 1000-2000 acres, with 500-1000 acres of arable; those falling below 1000, possibly having below 500 acres of arable demesne. The very small manors, below 500 acres in total extent, cannot have had much above 200-300 acres of arable demesne. E.A. Kosminsky, Studies, p. 96.
- 12) R.H. Hilton, "The Content and Sources of English Agrarian History before 1500," Agricultural History Review, Vol. III (1955) Part 1, pp. 10-11.

- 13) F.M. Stenton, Documents Illustrative of the Social and Economic History of the Danelaw (1920), "Danelaw Charters", Introduction.
- 14a) Archer Collection, Stratford upon Avon, Tanworth charters, T.6, 1184-1204; T.7, 1184-1204; and T.8, 1184-1204.
- 14b) Serjeanty tenures are briefly discussed in Chapter 4, footnote 18.
- 15) Archer Collection, Stratford upon Avon, Tanworth charters, T.21, T.26, c.1200-10.
- 16) Ibid. T.12, T.13, c.1200.
- 17) Ibid, T.17, c.1200, T.28, T.29, c.1210-20.
- 18) This point is examined in Chapter 4, see footnote 38.
- 19) Victoria County History, Warwickshire, Vol. 5, p. 168, ftn. 27, citing Dugdale MS. (Bodl.), 17, fol. 25.
- 20) Archer Collection, Stratford upon Avon, Tanworth charters, T.36, c.1210-20. "Selion" is a term normally applied to a strip of open field land, and yet in this instance selions clearly lie in a "croft", the latter term normally implying a severalty. An examination of Figure 44 will reveal a number of comparable examples.
- 21) J.C. Holt, "The Willoughby Deeds" in "Early Medieval Miscellany for D.M. Stenton", Pipe Roll Society, Vol. 36 (1960), New Ser., pp. 167-87. The acquisitions of Ralf Bugge between c.1230 and c.1248 brought together lands which had previously been in the hands of six different families. Holt puts forward a particularly interesting view when he claims that as a result of the tenurial situation prevailing in Willoughby, which

was of astonishing complexity, the tenurial structure was easy to penetrate by purchasing land. This could well provide a profitable line of enquiry.

It is significant to note that amongst the Archer Collection at Stratford are four Ullenhall charters which show that the Archers were also holding a small amount of land in that parish, land originally purchased in the early thirteenth century by William Archer I from Roger de Romeshill. Some land in this part was still in Archer hands in the late thirteenth century, but the fact that nothing has survived to reveal its subsequent history points to this being only a small amount of property.

- 22) Archer Collection, Stratford upon Avon, Tanworth charters, T.48, c.1225; T.51, c.1225; T.71, c.1230-40; T.72, c.1230-40; T.a4, c.1250-60.
- 23) This was part of the same holding, William son of Warin's son was William son of William Waring.
- 24) The key below Figure 29A illustrates this, item C being the number of incorporeal hereditaments. The grants involved are as follows: T.71, c.1230-40; T.75, c.1230-40; T.103, c.1240-50; T.104, c.1240-50; T.112, c.1240-50; T.113, c.1240-50; T.Add 2, c.1229-42; T.a138, 26 May 1282; T.a60, c.1270/80.
- 25) This date is based purely on the evidence of the charters, and as few of these are dated, before 1310, can only be an estimate. John II was clearly still alive in 1282 (26 May, 1282, T.a138) when he was party to a dated charter. John Archer III his son plainly died between 1297 and 1299, for although Sir Simon Archer in his small notebook concerning the Archer pedigree suggests c.1299-1300, John III was recorded as party

to a charter in 1297 (28 July, 1297, T.a156) by 1299 (8 Dec, 1299, T.a162) his wife Margery was termed a widow. It is possible that a few charters referring to "John Archer" have been credited to the father rather than the son or vice versa, but it is improbable that this would affect the general conclusions drawn from the evidence.

- 26) P.R.O. C.134/51, No.72 where the extent of the manor of Tanworth (1315) states quite specifically that John Archer holds in the manor of Tanworth a certain tenement called Monkspath which is one third of the vill (ville) of Tanworth.
- 27) This table does not, for example, include the data available in the Archer Survey of c.1446 because this document was discovered at a date too late to permit a full and complete analysis such as was done for the main charter collection. It is unlikely, however, that the inclusion of this new data would significantly alter the pattern indicated by Table 23 for even if the total rent income of the family by 1299 were increased somewhat the amount would still be in accord with the calculations concerning total income discussed later in the present chapter. In addition to the Archer Survey of c.1446 it is certain that some charters perished in the Staunton Collection in 1879.
- 28) This charter is an interesting one in that it strongly suggests that as early as 1270-90 freemen within the manor of Tanworth owed heriots. This point has already been raised in Chapter 4.
- 29) The only early rental which has survived is that of the Archer dower lands of 1299. No less than three copies of these are extant, and their relationship

poses many problems which cannot be discussed in the context of this essay. The copies are as follows:

1. Archer Collection, Stratford upon Avon, Rentals; a vellum strip (4.2" x 10.7") with note tags sewn on (in the hand of Sir Simon Archer). The script suggests that it is a fifteenth century copy of an original, and is possibly linked with work on one of the Archer surveys, for to the names of the original tenants various notes have been added. A footnote in a seventeenth century hand shows that it was used in a great lawsuit Sir Simon Archer had with the Worcestershire antiquary Thomas Habington over heriots due from the estate of Ch&swick. The manuscript has no headings except the words "Monkspath" and "Umberlade", above each list of tenants.
2. Archer Collection, Stratford upon Avon, Miscellaneous surveys; a long paper roll upon which is written "Fourthe Rolle" consisting of miscellaneous transcripts of material from the period c.1300-c.1450, possibly begun in c.1500 by the compiler of the Archer Survey of this date, John Archer, since many of the transcripts are in his hand. This document contains a transcript of the Monkspath portion of the 1299 rental, and is headed, the heading being cited in the discussion in the main text of this chapter. There is some slight confusion over dating in that the heading appears to state firmly 9 Dec. 1299 and yet the regnal year quoted could only relate to 9 Dec. 1298. The list of tenants has been systematically glossed, i.e. notes referring to later tenants have been added, and a preliminary examination suggests that while these are substantially the same notes as those on the vellum strip, some differences occur.
3. MS. Top. Warwickshire (Bodleian Library) C.1. fol. 21-22 verso and dorso has a transcript of the same rental in

the hand of Sir Simon Archer. Unfortunately, although the heading is present, the section relating to the date is slightly damaged. In this case the additional notes are somewhat fuller and it is uncertain if Sir Simon was transcribing yet another copy, or if was adding his own notes as he worked.

The inter-relationship of these three documents is clearly complex, and the long task of analysis and correlation of the glosses has never been completed. The author is of the opinion that the minority of 1299 saw the compilation of the first rental of the Archer estates, and this would account for the repeated transcriptions of part of this document, but why does this only relate to the one third in the hands of the dowager, Margery Archer? Why has the rent roll of the other two thirds not survived? It is inconceivable that one did not exist, and yet it is clear that it had disappeared by the fifteenth century. Furthermore, the appearance of glossed rentals throws the Archer surveys of c.1446 and c.1500 into a different light, and it is pertinent to ask, how far back can the practice be traced? These questions carry us far from the realms of historical geography, but it is clear that if the inter-relationship of all the miscellaneous material in the Archer material were understood it should be possible to map changing tenurial patterns in Tanworth from c.1200 to 1965!

- 30) The charter referred to in this heading is not in the present Archer collection, and its disappearance is somewhat of a mystery. The author feels reasonably secure in suggesting that this document was destroyed in the great Birmingham Reference Library fire of 1879; how it got into this collection is a matter of conjecture. The evidence for this is perhaps

to be found in the Birmingham City Museum where a few loose seals from the Staunton Collection were put on show before the fire and hence were preserved. One of these is the seal of Margery de Tracy i.e. (Appendix III A) Margery le Archer's maiden name.

- 31) A.W.B. Simpson. An Introduction to the History of the Land Law (1961), pp. 65-66 discusses dower. The wife was entitled to one third of her husband's estate.
- 32) P.R.O. C.133/15 (S).
- 33) A.W.B. Simpson, An Introduction to the History of the Land Law (1961), pp. 18-19.
- 34) See footnote 30 of this chapter.
- 35) The court rolls have no catalogue number, but the name of the manor, in the cases cited, Monkspath, together with the date of the roll is sufficient reference.
- 36) F.W. Maitland, "Select Pleas in Manorial and other Seigniorial Courts," Selden Society, Vol. 2 (1888), p. xlviii, citing Bracton, fol. 35, 356, 37.
Maitland's introduction to this volume has provided the basis for much of the discussion on manorial courts in the chapter.
- 37) By 1300 the Archer expansion was limited by the presence of numerous other small manors, mapped in Figure 36, for as will be demonstrated the Archers were not the only family to take advantage of the free conditions in Tanworth.
- 38) P. Styles, in "Sir Simon Archer, 1581-1662," Dugdale Society Occasional Papers, No. 6 (1946) discusses the rise of the Archers, and provides a valuable background to the study of this family.
- 39) Hall, H., ed. "Red Book of the Exchequer" Rolls Series,

Vol. 99, 3 vols., (1897), p. 186, where the text of the Cartae Baronum of 1166 is printed.

- 40) The derivation of the data concerning the de Sydenhale estates will be examined in greater detail later on in the chapter.
- 41) The brief analysis presented in the text is in fact the result of an examination of a wide range of material, in particular post-1350 land charters, and the Tithe Map of c.1842.
- 42) The estate held by Henry passed, with some vicissitudes, to John Huggeford (9 March 1482/3; 18 Sept. 1610) and this is the estate discussed by the V.C.H, ultimately passing into the hands of Earl Cornwallis in whose possession it was in c.1842, the time of the Tithe Map. A map of the estate in 1800 is to be found in Warwick County Record Office (C.R. 257), and a note on this records that "to this Estate belongs a Royalty or Manor for which the Owner has a right to hold Court and all Persons Residing within that District are accustomed to do suit and service to and at such court." See Victoria County History, Warwickshire, Vol. V, pp. 169-70 for a history of the estate.
- 43) J. Burman, The Story of Tanworth in Arden (1930), pp. 116-118.
- 44) In 1484 (^{T.}12 Oct. 1484; cf. ^{T.}9 Oct. 1484) this property is described as "one tenement in Toneworth, Co. Warr' called Yernoldes place, with appurtenances, one pasture called Bernefelde, another pasture called Shelfelde, another pasture called Millewordsland, two crofts called Tythebernecrofts, another pasture called Creweleys, another pasture called Polefeld, another pasture called Merham, another pasture called

Merham, another pasture called Blakefelde with appurtenances." Merham, or Marham is referred to in 23 March 1603/4 as an abuttal of Slade Fields, which appear on the Tithe Map (T.A. 1472-4). This is part of the farm attached to Salter Street farm, and the latter was clearly "Eonoldes" from the description of the location in c.1500. While it could be argued that Slade Fields could well have been detached from the "Eonoldes" farm unit between 1603 and 1842 they do clearly form part of a compact block and no trace of such an alienation has been discovered.

In the context of the problem of charter survival, it is noticeable from Figure 33 that it is the charters for the Ede moiety of the estate which have disappeared. This is well in accord with the known facts, those of the Fulwood moiety must have passed to the Archers when Sir Simon purchased Fulwood in the early seventeenth century, while the deeds of the other moiety remaining with Thomas in London have been lost.

- 45) Cf. 25 July, 1340, T.b221.
- 46) Archer Collection, Stratford upon Avon, Solihull Charters, 14 Oct. 1286 (D.21); Warwick County Record Office, C.R. 84/11 (13), C.R. 84/44 (51).
- 47) See 9 March, 1482/3, and 18 Sept. 1610.
- 48) See footnote 42 of this chapter.
- 49) The earliest known reference to the de Sydenhale family is in c.1200 (T.16) when Roger de Sydenhale appears as a witness to a charter.
- 50) Hall, H. ed., "Red Book of the Exchequer", Rolls Series, Vol. 99, (1897), p. 186 ff.

- 51) The Worcester-Coventry road is shown on the fourteenth century Gough Map, see H.C. Darby ed. The Historical Geography of England before 1800 (1951), Figure 64. It is possible that the extreme north of Tanworth was rather isolated from the southern part of the parish, thus in 1256-7 Roger Durevassal is said to have obtained a licence from Pope Alexander IV to build a chapel at Bedsworth (Betlesworth), from which access to the parish church was difficult owing to the badness of the roads. Victoria County History, Warwickshire, Vol. V, p. 175, citing William Dugdale, The Antiquities of Warwickshire (1656), p. 783.
- 52) "Deopewelle" is clearly "deep-spring" and "Tralebroc" is another brook name. The record element of "Listerley" is leah "a clearing" and the first is possibly the Middle English li(te)stere "dyer" "Cheswick" means the "cheese, or dairy farm" (ches wic). "Totlesmos" appears to be a combination with a personal name in the genitive case, and for "la Mevewei" vide P.N.D. Warwickshire, p. 9.
- 53) Archer Collection, Stratford upon Avon, Tanworth charters, Add a 4, pre. 1290, c.1275; Add asd 5, c.1282.
- 54) The Mount of Cheswick Green survives today as a large sub-rectangular moat, but in the 1500 survey is described as consisting of two moats, and is thus shown on a sketch map appearing in the Saunders Mss. relating to Tanworth at Stratford (Document No. 53). The original still survives and is in the hand of Sir Simon Archer. However, it is the author's opinion that the "original" in Sir Simon's hand is in fact a copy of a map made in c.1500 to go with the Archer Survey for the style is clearly the same and the annotation could well relate to that period. Two

moated sites, adjacent and probably linked, are shown, one being described as the "Fort of Cheswick", the second as "Cheswick mottes and mease (i.e. manor house) place". The earthwork surviving today is the fort, and this fact could well explain why T.L. Jones discovered so little when he excavated it. ("The Mount, Cheswick Green", Transactions of the Birmingham Archaeological Society, Vol. LXXI, p. 91.)

- 55) Archer Collection, Stratford upon Avon, Tanworth charters, T. a137, c.1282; T. a138, 26 May, 1282; T. a156, 28 July, 1297; T. a157, 28 July, 1297; T. a178, c.1300 (pre 1299); T. Add. asd.13, pre. 1290.
- 56) Victoria County History, Warwickshire, Vol. III, p. 213.
- 57) E. Stokes and L. Druker, "Warwickshire Feet of Fines", Vol. II, Dugdale Society Publications, Vol. XV, No.1016.
- 58) Vide footnote 32 of this chapter.
- 59) William de Arden was holding in Warwickshire the manors of Hampton in Arden, Longdon, Knowle and Temple Grafton, together with free rents in Kinwalsey, Diddington, Elmdon, Bickenhill, Sheldon, Ulverley, Honiley, and Nuthurst. P.R.O. C.133/15 (5). No court is mentioned at either Knowle or Longdon and the sum of 50s. recorded as profits of the court at Hampton is unusually large even for a manor of its size.
- 60) Vide, Roberts, B.K. "Moated Sites in Midland England", Transactions of the Birmingham Archaeological Society.
- 61) Archer Collection, Stratford upon Avon, Solihull charters, D1, c.1230.
- 62) Ibid, D9 and D10, pre. 1290.
- 63) Tithe Map, ^{T.A.}₁₆₆₀.
- 64) Archer Collection, Stratford upon Avon, Tanworth

charters, T. b37, c.1315-20; 13 May, 1332, T. b167; Solihull charters, 22 Sept, 1309, D44; 16 April, 1313, D46; 28 Sept. 1316, D49.

- 65) Cal. Ch. R. Vol. II, p. 319.
- 66) It is possible to recognise three groups of charters, those referring specifically to William atte Birches, cleric; William son of Thomas atte Birches; and simply William atte Birches. William the cleric is likely to have been so designated as a matter of distinction, so that all unqualified references have been considered to relate to William son of Thomas. The analysis of the estate does not suggest that this is invalid. The Solihull rental is to be found in the Birthplace Library, Stratford upon Avon, under Solihull, Rentals and Surveys.
- 67) Place Name Dictionary, Warwickshire, p. 70.
- 68) P.R.O. C.255, C.3010, C.478, and C.5232.
- 69) One problem is that the translation in the Calendar of Ancient Deeds tends only to be a very brief summary of the charter, locational details often being omitted or abbreviated.
- 70) V.H.T. Skip^p, The Parish of Solihull. Notes deposited in the Birmingham Reference Library, L.W. 92.6.
- 71) Victoria County History, Warwickshire, Vol. IV, pp. 218-223.

The charters relating to the atte Birch family can be found in the Catalogue of Ancient Deeds, Vol.III, Section C. together with a small group amongst the Solihull charters in the Archer Collection at Stratford upon Avon.

- 72) Place-Name Dictionary, Warwickshire, p. 291 and p. 292.
A.H. Smith, English Place-Name Elements, (1956),
Vol. II, pp. 273-4.
- 73) Archer Collection, Stratford upon Avon, Tanworth
charters, T. a1, c.1250; T. a56, c.1270-90; T.70,
c.1270-80; T. a24, c.1268-98; T.a9, c.1260; T.a45,
c.1270-1300; T.a100, c.1270; T.a105, 26 March, 1279;
T. b39, 30 March, 1314/5; T.b78, 1 March, 1321 and
10 Aug., 1320; T. b86, 11 Oct., 1321; T. b245,
22 Nov., 1342.
- 74) P.R.O. E40/4362.
- 75) The most likely site for the capital messuage is
Dickens Heath Farm, G.R. 32/118756.
- 76) This point is examined more fully in chapter 6,
when the peasant holdings are being examined. See
footnote 19 of chapter 6.
- 77) E.A. Kosminsky, Studies, pp. 256-262.
- 78) W.G. Hoskins in The Midland Peasant (1957), p. 30
discusses the evidence for frequent grants of land
by and to the larger tenants of the village who
subsequently re-grant land in smaller parcels to lesser
men, usually free peasants of the village. As a
result there is a continual buying and selling of land,
mostly in very small parcels, between one peasant
family and another, and evidence exists to suggest
the slow accumulation of property by a few energetic,
acquisitive or fortunate families in the village,
and the emergence of what might be termed a "peasant
aristocracy" by the fifteenth century. He describes
the same process in his Devon (1959), pp. 76-79, and
comments (p. 55) on the presence of Anglo-Saxon
several farms. This point is discussed in more

detail in his essay "The Highland Zone in Domesday Book", Provincial England (1963), pp. 15-52. In Devonshire Studies (eds. W.G. Hoskins and H.P.R. Finberg) Hoskins examined the history of a freehold family in some detail, the Cholviches of Cholvich Town, pp. 81-82.

C.E. Watson in "The Minchinhampton Custumal", Trans. Bristol and Gloucestershire Archaeological Society, Vol. 54 (1932), p. 351, mentions certain little manors, i.e. freeholders' estates, within the bounds of manors which, especially if they supported a number of tenants, were usually managed as a manor. In popular parlance such estates were normally termed "manors".

- 79) Vide Cal. Ing. p.m., Vol. 1, p. 319, No. 529, where an extent of the manor of Oversley in Worcestershire is given, a composite manor composed of many small fragments.
- 80) An account of Lapworth is to be found in the Victoria County History, Warwickshire, Vol. V, p. 108, and it will be noted that no one family emerges as undoubted lords of the manor, the title passing from Ralf Marshal and his heirs to the Pipard family. This picture is reinforced by the material collected by Hudson, R.H. in Calendar of the Deeds of the Lapworth Charity Trustees, c.1190-1502, B.R.L. MSS. 184962, and that published in the Catalogue of Ancient Deeds. In the late thirteenth century, for example, a William de Harecurt was referred to as "late lord of Lapworth" (P.R.O. A4544 and A4368).

The comments on the distribution of a known land market within Western Arden are based on the various large collections examined in this study, together with the collection appearing in the Catalogue of Ancient Deeds, Public Record Office.

- 81) A. Meitzen, Siedlung und Agrarwesen der Westgerman und Ostgerman, U.S.W. (1895), Vol. II, p. 53, Besiedlung der Sachsengebiete zwischen Weser und Rheinland, where Figure 55 shows what is in effect a "small manor" of the type found in Arden, grouped around the manor house which is moated. Around the manor house lie the several fields, together with the small cottage farmhouses of the undertenants.
- 82) E.K. Vose, in The Economic History of the Manor of Tanworth, Warwickshire, 1316-1603, (1948). Birmingham B.A. Dissertation, A4. B48, comments rather drily that the Tanworth court rolls "seem rather wanting in the fund of vast interest this type of document usually holds for the economic historian", (p. 12.). The rather arid and uninteresting entries contrast sharply with those of other court rolls, for example, that of Hales, Worcestershire, printed by John West in Village Records, (1962), pp. 33-37.
- 83) B.H. Slicher von Bath, The Agrarian History of Western Europe, AD. 500-1850 (1963), p. 136.
- 84) W.G. Hoskins in The Midland Peasant (1957), p. 30, points out that there is evidence of the continued use of money by peasant families, which pre-supposes the sale of crops for cash on a not inconsiderable scale

ADDENDA.

In the course of revising this chapter an extra charter has come to light which must raise certain questions. Provisionally dated c.1250 the charter (T.Add.a2) is an agreement between John de Curli and Margery his wife and Robert de Ullenhale. This Robert may in fact have been the father of William de Ullenhale I, and is designated "Robert O" in the table cited in the text. The agreement is concerned with rent to the value of 40s. described as being the "dower of the said Margery". It appears that Robert's mother re-married, and the agreement is concerned with the one third she would receive as dower. This 40s. rent "to be taken annually from the gardens" of the said Robert in Monkspath, Ullenhale and Forewode (Fulwood?) was clearly one third, in which case the total rent of 120s. derived from three estates in the mid-thirteenth century is somewhat difficult to equate with the £15 estimate for Monkspath alone in 1299. It is evident that colonisation was taking place in Monkspath for "the said Robert de Ullenhale also granted that he would not sell or assign anything from the waste or heath of Munekepath unless the said John de Curli and Margery received a third part of the price or rent and were allowed to hold the same peacefully". It is difficult, nevertheless, to explain the very sharp increase from £6 (120s.) to £15 in 1299. This must raise the question of whether or not the 1299 rental does represent one third of the total or whether Margery in fact received, "by agreement" with Master William Archer, the whole of the rents from Monkspath, i.e. £4. 17s. 4½d. There is also the question of whether or not the 32s. 5d. rent for Tanworth is in fact not the total amount, which, if this were so, would imply a total Archer income from rent of £6. 9s. 9½d (i.e. £4. 17s. 4½d from

Monkspath, plus £1. 12s. 5d. from Umberlade). If the rental of 1299 did in fact refer to the total rent, then this would account for the absence of a rent-roll dealing with the two-thirds of the Archer estates in 1299 which were not dower lands. On the other hand, a figure of only £1. 12s. 5d. from Umberlade is difficult to equate with the figure of £3. 5s. 5d. derived from Table as the minimum rent income, and which relates mainly to sub-granting in Tanworth manor, i.e. Umberlade.

It must be noted, however, that if the figure of £6. 9s. 9½d were the correct one it would not invalidate the arguments presented in this chapter, indeed, it would make the origin of the capital used in the Archer expansion even more difficult to explain. This rather lengthy digression has been included to illustrate the problems of utilising charter evidence, but the author, nevertheless, feels that the methods of analysis presented in this chapter do yield worthwhile results.

ADDENDA II

It is perhaps pertinent to include as a final note to this chapter some reference to an Inquisition post mortem of 1521 which relates to John Archer of that period. The family lands at this period are listed below, together with the rents payable for them, the rents they rendered, and the "value". The precise significance of the "value" is uncertain, but is best interpreted in the light of the definition by Ross and Pugh, "an extent may be defined as an estate of anticipated revenue from land in years to come, made on the basis of its revenue at the time at which the extent was compiled."

("Materials for Study of Baronial Incomes in Fifteenth Century England", Economic History Review, 2nd series, Vol. VI, No. 2 (1953), pp. 185-194, esp. pp. 186-189.).

To attempt to project this summary and conventional information from an early sixteenth century source back to the early fourteenth century would be a dangerous and difficult exercise, but in view of the considerable amount of discussion about Archer income contained in the foregoing chapter it is pertinent to bring the document to the reader's notice. Points may be made;

- i) the extent of the Archer demesne in 1521, in all some 750 acres, with 400 acres of (arable) land. As chapter 8 will reveal, this is a large demesne.
- ii) The total rent income in 1521 is £10 derived from free rents, but this figure throws no light on early conditions.
- iii) Perhaps the most significant of all, two thirds of the estimated annual value of the Archer lands appears in 1521 to be derived from the profits of the demesne farms.

To argue further on the basis of such evidence would be invalid, and it must be admitted at this juncture that the problem of the source of Archer income is one that has not been satisfactorily solved.

C142/37/No.135.

The Lands of John Archer of Tanworth in 1521

A C R E S

	Land	Pasture	Meadow	Wood	Rent	Income	Rent Payable	Value
MONKSPATH (Manor)								£6. 13 4d
UMBERSLADE ("Capital Messuage")	100	40	30	40	£10	0 0	£1 8 2d)	£20. 0 0
SIX MESSUAGES (in Tanworth)	200	100	60	40			1 0 4½d)	
							+ 12 broad arrows, 2 capons and suit of court	(371)
FIVE PASTURES (in Tanworth)	100		20	20			8s 10d	£6. 13 4d
Total	400	140	110	100	£10	0 0	£2 17 4½d etc.	£33. 6 8d
			<u>750 acres</u>					
BOTLEY (in Wootton Wawen)	100	300	60	20			£0. 5s.0d	£13. 6 8d