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THE VILLAGERS OF HEMMINGFORD ABBOTT: 1278 - 1339

by

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INTRODUCTION

The purpose of this study is to examine a generation in the life of the medieval English villager. It is a survey intended to illustrate the data available in manorial court rolls. For too long, the villager has remained "the anonymous voiceless object of studies in medieval society."¹ In any age, the vast majority of chroniclers and reporters belong to the literate, the educated class. This has produced throughout history, a kind of elitist distortion of reality, the minority speaking for the majority. Take, for example, the Victorian Age. Oliver Twist and Stephen Blackpool are fictional working class characters: sometimes comic, usually pathetic. However, for the cold reality of the workingman's condition, one need look no further than Henry Mayhew's commission reports. His "London Labour London Poor" were the city's "peasants".

To see the medieval peasant in the clearest light possible it is necessary to look beyond myths of rural life which depict peasants as dull, but docile creatures. In fact, it is best to look even beyond common law and demesne-oriented sources: extents, account rolls, surveys. These are based on the depositions of what appears to be the most prosperous peasants.²


ThereforB, the court rolls have been chosen as the main source for this study, because they contain more "reality" than the extents which merely catalogue free and servile holdings, the names of tenants, specific families, and the rights of the lord. The very detailed court rolls of Hemingford Abbots from 1278-1339 reveal a much larger population than do the extents; the rolls include more family groups and indicate the existence of non-customary tenants.

Moreover, the court rolls provide an excellent primary source, because the court of the view of frankpledge was so much of a central institution in the life of the villager. In these courts, civil and criminal, public and private matters came under one jurisdiction. Almost any custom or event which was of importance to a villager eventually would find mention in the court rolls. They yield much information for the student of social history; not only governmental institutions are revealed, but also the domestic and community relations of the villagers. Recorded in the rolls are cases dealing with minor litigation between suitors about such matters as debt, trespass,

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3 The court rolls used for this paper are located in the British Museum (Additional Charters and Rolls) and the Public Record Office (PRO SC 2 179/4 - 179/30). For this study use has been made of a transcription of the Hemingford Abbots' rolls made available to me by Dr. Edwin B. DeWindt at the University of Detroit.

In these rolls which cover a 60 year period, 200 peasants are reported as actively involved in the village, while the customary for 1250 as found in Caritularium Monasterii de Rameseia, III, 380-392, indicates only 91 peasants.

4 The majority of court rolls begin with the phrase "Visus Franciplegii." The term, "manor court" is not used, and the greater part of the information provided by the rolls is only of minimal concern to the Abbot, the landlord.
and breach of contract. Also of concern to the villager were those cases involving tenure, service and dues. In fact, what mattered to the villagers was not so much the large questions, such as freedom, but rather the day to day problems and tensions of country life. Actually, it cannot be determined if the lack of freedom made any difference at all to the villager.  

As for the court rolls themselves, they and the custumals were of great practical concern for the villager. As documents, they had to be accurate. If the lord sought to increase the services owed him, or if the tenants refused to render their services, the injured party had recourse to the record of a custumal. Similarly the verdicts of the jurors as stated in the court rolls present the binding custom of the manor in areas such as alienation and inheritance, and the duty of the villagers with regard to bye-laws. The entries in the court rolls were of the nature of sworn testimony. The expression used in conjunction with jurors and the ale-tasters, "dicunt per sacramentum," was common. Also to be noted is that the testimony before the court was given by the villagers themselves. When the scribe noted "juratores dicunt" or "Tastatores cervis dicunt," what followed was a factual account that probably was very near to the verbal report of the jurors and ale-tasters themselves. In summary, the rolls present individual cases which are for the most part recorded in brief entries. The language is Latin. A system of abbreviation is employed, and it is fairly standardized.  

The cases are reported in a factual and often ungrammatical style.

In commenting upon secondary sources, it should be noted again that in the study of medieval people, the "English villager is still largely an unknown person."\(^6\) F. W. Maitland sought to add to the historian's knowledge of the villein, but resorted to common law for his study. Nonetheless, it was Maitland who greatly encouraged the publication of court rolls.\(^7\) Work done by Vinogradoff, Coulton, Gray, Gras, Bennett and Kominsky\(^8\) has contributed much to the historian's knowledge of the open-field system and the organization of the manor. However, it was not until G. C. Homans' book, *English Villagers of the Thirteenth Century*, was published in 1940 that a "total picture" of the social order of English villagers was properly presented. He was the pioneer, so to speak, in employing the method of the social anthropologist to the study of village history. His method is now employed by such an historian as J. A. Raftis.

Both Homans and Raftis have indicated the broad degree to which custom permeated peasant life. Tenurial practices, familial maintenance rights, village administration and interpersonal

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\(^7\) F. W. Maitland, *Domesday Book and Beyond* (Cambridge, Eng.: University Press, 1897).

relationships all were to some degree influenced by custom and customary law.⁹ Ruth Benedict, a noted anthropologist, discloses a similar condition in primitive societies.¹⁰ In the Merchant Class of Medieval London, Sylvia Thrupp examined the behavior of the medieval London merchant. She studied him in relation to the behavior of his neighbors and working companions. Presented in her book is the attitude of all three groups towards education and religion.¹¹ Even though Dr. Thrupp is dealing with the merchant class, many of the questions which she raises are of interest to students who are dealing with the peasantry, i.e., questions of family grouping, class distinctions and social status. F.R.J. Du Boulay indicated the regional and complex character of peasant experience on the Canterbury Estates of the early and late Middle Ages.¹² In effect, all these studies demonstrate that the historian can benefit by employing some of the methods of the social scientists and anthropologists.

However, behind the scenes recreated in secondary sources and those presented in the primary sources, the ghosts of the villagers of Hemmingford Abbots remain. This study hopes to actualize such forms by recording the facts of village life as


¹⁰Ruth Benedict, Patterns of Culture (Boston: Houghton Mifflin, 1934).


presented in the court rolls. The method of presentation will be concerned primarily with the villager. This paper is not directed towards determining what place the peasant occupied in the manor, nor what place he had in the legal system. Rather the question to be dealt with is what place do the manor and legal system have in the life and experiences of the peasant.

In a dynamic sense, a society is composed of the complicated interactions between individuals in a primary group and between groups in the larger organization. These interactions lend themselves to a process of diffusion, or radiation. The further relationships are moved from the primary source, the more loosely integrated that relationship becomes.

In Hemmingford Abbots, the family is the primary group. The village forms the secondary group. Between family and village there are transitional groupings: customary and free tenants, officials and tradesmen, a fringe class. Relationships are various: lord-tenant, father-son, capital pledge-tithing man, personal pledge-defendant, lessor-lessee, employer-servant. However, to reconstruct a segment of society in the English countryside presents certain difficulties. No description can take account of every aspect of the village community. Clearly, there is a distinct difference between the English peasants dealt with in this paper and the people modern anthropologists have studied. "Many important matters will escape any anthropologist who is unable to talk with the people whose social order

13 For this reason, account rolls have not been employed. Moreover, they are unavailable to me at this time.
he studies." However, even the modern anthropologist or historian of the rural community cannot guarantee the complete exactitude of his research.\textsuperscript{15}

The court rolls, even if somewhat limited in scope, still point to certain characteristics of village life and indicate areas for more intense study. From a study of peasant surnames alone, it becomes obvious that Hemmingford Abbots supported a society far more varied and diverse than an extent would indicate.


CHAPTER I

SURNAME

A first reading of the court rolls of Hemmingford Abbots gives the reader the impression that the villagers are something of a colorful lot. Encountered are men who bear such prestigious names as "Bishop," "Knight," and "Baron" but hardly enjoyed the privileges that accompanied such titles. Other villagers are labelled with the picturesque surnames of "Bones" and "Proudfoot." And no doubt that Hemmingford Abbots was a rural community as the court rolls reveal a number of men and women called "Hog," "Cock," and "Farmer." The composition of the village is further illustrated by peasants using such names as "Miller," "Tanner," "Smith," "Carpenter," and "Shoemaker." Even village dwellings are described as with Emma Whitehouse. Nor were all the villagers original residents of Hemmingford Abbots, as illustrated by John Newman, Reginald of Benelond, William of Broughton, Richard of Herford and Agnes East. Hugo-by-the-stream (Attemare), Simon-at-the-head-of-the-village (Ad Capud Ville), and Adam Croft (in le Croft) had names which were witness to the various aspects of village landscape. All of these surnames fall into one of four classes: local surnames, nicknames, surnames of relationship, and of occupation or office.1

"Local Surnames" is a convenient phrase to describe all those last names derived from a particular locality or place. These names are of more than one type. The Latin derivatives for "pool of water" and "bridge" were given to men who lived near such a natural feature or land mark: Hugo Attemare, William ad Pontem. Richard Churchman lived by the village church, and Simon ad Capud Ville undoubtedly was so called because he lived at the geographical "head" of the village. Other local surnames derive from places still on the map and easily recognizable, for example, Nicholas Elsworth.²

While Simon and Nicholas bore their last names for geographical reasons, other villagers bore surnames of relationship. Family names, for instance, identified a man as "the son of his father." This was the case with Nicholas, the son of Martin; Henry, the son of Roger; Henry, the son of Edmond; and many others. Women's names do not often appear in the court rolls. When such names are used, they frequently consisted of the Christian name accompanied by the name of the father or husband. At times the Christian name was omitted, the relationship alone being stated. The wives of William of Broughton and Nicholas Peter, as well as the daughters of Reginald Attemare and Simon Hare all remain anonymous for this period. The common phrasing for a widow's name followed this form: "Petromilla relictas Johannis le Eyr."³ Very frequently, though, widows were described

² Elsworth was a property of Ramsey Abbey, southwest of Hemmingford Abbots.

³1296(SC 2 179/9) De Simone Bylwhyth et plegio suo, scilicet Thomas Mareschall quia non dum satisfactum est Petromillae relictæ Johannis le Eyr de uno preciato, iiiid. plegius alter alterius.
merely as *vidua* or *relicta*.

In the majority of instances, the parent named was the father. Even though the use of metronymics was rare in Hemmingford Abbots, a brief discussion of the few exceptions should render a more complete picture of village life and custom.

The most common medieval feminine names were Mabel, Matilda, Alice, Isabel, Juliana and Joan.4 Mabel is a shortening of "Amable" from the Latin "amabilis" (lovable), which becomes "Anabel." As a surname it is found in Hemmingford Abbots as "Annable." A more obvious use of the mother's name is recorded in a court case of 1313: "It is ordered to arrest William, the son of Alice, living at Strangrund if he comes on the demesne."5 Defenders of "medieval virtue" regarded all such use of women's names as evidence of the illegitimacy of the son.6 Of course, such was not always the case. Writing of the entries in the fourteenth century court book of Chertsey Abbey in Surrey, Elsie Toms points out the interesting fact that:

When heiresses marry, they so often keep their maiden names, while their husbands change theirs to their wife's names... In one entry, a woman takes her husband's name, but when her father dies and she inherits his property, they both change to the father's name. Hugh atte Clanne of Thorpe appears quite often as Hugh le Kach or Kach or Keach, because of his marriage to Alice le Keach; and when John atte Hethe of Cobham marries Lucy atte Grene, the remark is added that he is now called atte Grene.7


51313(SC 2 179/17) Adhuc preceptum est arrestare Willelum filium Alice manentem apud Strangrund si venerit super foedum.


"To use the words of modern Irish countrymen, the family felt they ought to keep the name on the land."\textsuperscript{8}

However, the use of surnames was not strictly regulated, and the mother's name might have been acquired for many reasons. Among the various explanations might be the adoption of children by women, childbirth after the death of the father, or a home in which the mother was the "better half," for example, a family wherein the husband and father was content to be idle. In such a case, the wife and children had to assume responsibility for the household. All the reasons for the woman lending her name to her children being sound, illegitimacy still cannot be completely rejected as a possible cause for the use of the mother's name. Fines, in the form of "leywrite" for the incontinence of a daughter, were imposed on villeins. And the court rolls of Hemmingford Abbots hint at promiscuity. In a suit involving Adam Croft, in 1311, he was fined sixpence for being in the company of a woman of ill-repute.\textsuperscript{9}

A name of relationship died with the man or woman using it. In the early Middle Ages such too was the case with nicknames or "characteristic surnames." However, by 1086, many nicknames became family names and were passed from one generation to another.\textsuperscript{10} Some of these nicknames were anything but

\textsuperscript{8}Homans, \textit{English Villagers}, p. 187.

\textsuperscript{9}1311(SC 2 179/16) Jurati presentant quod Adam in le Croft receptavit quandam mulierem que non est de bono retto. Ideo in misercordia vi d. plegius Willelmus filius Petri. Et preceptum est quod nullus ipsam receptet.

\textsuperscript{10}Reaney, \textit{English Surnames}, p. 218.
flattering, and oftentimes vulgar. However, it could have been the actions and character of a peasant's ancestors that led to his bearing an "oathname." Whatever the reasons, one Hemmingford Abbots villager was called "Bullock." The use of such a surname reveals that the day to day talk of the populace was hardly restrained. Chaucer's pilgrims would have laughed knowingly at poor Galfridus Bullock.11

However, other villagers probably used their surnames with pride. Respectful of their name must have been the Knight family. "Knight" originally was a title bestowed by the king, and in Hemmingford Abbots there were four villagers of this name: Peter, Richard, Simon and Thomas. However, the court rolls show that their life-style was far from that of one of the king's duly dubbed knights. Possibly then, these four men were called "Knight," because one of their forbearers, or even one of them, at a certain time was a servant or attendant in a noble house. Did they seek distinction through association, or were they one-time rear-guard vassals who became villeins for personal or economic reasons?

Certain forms of entertainment also contributed to the formation of surnames. The medieval drama and minstrelsy exerted an influence as did the church. In the twelfth and thirteenth centuries, the ceremony of the "Boy Bishop" was popular, occurring first at York in 1221 and at St. Paul's in 1235.12

11Ibid., p. 291. Bullock was once "Ballock" from the old English term "beallus" referring to testicle.

12Ibid., p. 135.
During his year of office, the "Boy Bishop" was a personage of considerable importance. He can be said to have acquired as many remunerative privileges as the modern Beauty Queen. He easily could have retained the name of his temporary office; and to this occasion, some peasants named "Bishop" may owe their surname. In Hemmingford Abbots, the Bishop family is represented by Ralph and Beatrice.

Besides deriving from formal festivities, nicknames also were derived from physical and moral characteristics, and the names of farm animals. Hemmingford Abbots was not composed of dull, surly peasants if the court rolls can be trusted. Village surnames reveal not only brunettes of a dark or swarthy complexion (William Brun), but the ruddy complected (Nicholas and William Russel) as well. There were men who were said to walk with a haughty step (Proudfoot), some who were swift as rabbits (Simon Hare), and others who may have been as bold as certain robber-baron of the day. Not all were stooped with work. In their midst, long-legged and tall stood an Andrew Bones. Nor was this a grouping of slow-witted peasants. Judgment of their peers was rendered, and some were labelled Hog (Adam) and others Noble (Emma, John, Matilda). Possibly, the term "cock" was reserved by the villagers for their lowlier neighbors—scullions and servants. Was some member of the Cock family once a kitchen servant who compensated for the scorn directed at him by strutting like a cock as his surname may imply?

13 Ibid., pp. 210, 268.
Such use of surnames indicates that some of the residents of Hemmingford Abbots exercised a sense of humor as they observed their own situation and that of their neighbors. Granted that many of these men and women were born to work the fields in order to maintain a living, that their burden was not lightened by an advanced technology, but did they see one another as "dumb and brutish", as the "dark people" of their age?¹⁴

However, the names and nicknames of certain villagers suggest that they did not all solely live off the yield of the land. Crafts connected with metal work, primarily the work of the blacksmith, are indicated by such names as "Faber" and "Marshall." Leatherwork may have been performed by the Tanner family; woodwork, building and carpentry by the carpenters, cementers, and thatchers. Other non-rural occupations may have been filled by those men bearing such surnames as "Piscator," "Carnifex," and "Sutor." Of course, not every "Taylor" made clothes, and not every "Sutor" engaged in making shoes.¹⁵ Nevertheless, these names are indicative of the occupations which were a necessary part of country life in Hemmingford Abbots.

CHAPTER II

PROPERTY AND THE VILLAGER

While the villager of Hemmingford Abbots could secure a living by pursuing a craft or hiring himself out as a labourer, to hold land still guaranteed livelihood. The villagers lived at that time in history when many a man made his living by tilling the soil. Crops were raised to be consumed. Therefore, land was of unique importance.

It was at the will of the Abbot of Ramsey Abbey that the villagers of Hemmingford Abbots held their land. A charter of 1280 records the grant of the manor at farm "to our men of Hemmingford" for a term of seven years. Set forth in the charter are the terms of the grant. The villagers are to have the manor with all its appurtenances except the advowson of the church, the fishery and the mill. Also granted to the villagers are all the proceeds of the village except the lord's tallage, sheriff's aid, hundred aid, wardpenny and scutage; "and except the proceeds of those cases which they are not able to settle without us or our bailiffs, of which proceeds they shall have; and except view of frankpledge, the maudy acre, and the acres of the reeve of Ramsey."¹ In theory, a villager, if he were also a

¹Cart. Mons. de Rams. II, 244-246, Sciatis nos tradisse hominibus nostris de Hemyingforde Manerium nostram de Eemyngforde ad firman, a festo Sancti Michaelis, anno Regis Edwardii, filii Regis Henrici octavo incipiente nono, usuque ad exitum septem annorum
villein, could be ousted at any time by the lord. In practice, this did not happen if the villein rendered his customary services and paid his customary rents. The observance of such customs rendered the villager secure in his tenure. The peasant, as customary tenant, was rooted in the land of Hemmingford Abbots.

He retained a close tie to the land because he had an hereditary title or right by blood. Custom had it that a holding of land descended to one blood kinsman of the last holder. This blood right to land was broken if the property were not claimed after a legally recorded vacancy. It may have been according to the custom of "blood right" that Simon Benelond gave the lord sixpence in order to obtain a court decision regarding a half rod of land. The other claimant was Thomas, the son of Henry. The twelve jurors of the court of 1296 were joined by four other villagers; they made inquiry and arrived at the decision that Thomas had the greater right to the half rod of land. In such a case,
blood right involved more than the individual. According to the schemes that revolved around the notion of "blood," kinship was reckoned by degrees of descent from an original mated couple, a man and a woman. The son was considered the nearest by blood. Thus in 1301, John, the son and heir of Henry Trappe, claimed land of his father, and the court awarded it to him rather than to his mother's second husband. Simply stated, blood was an important determinant of legal rights.

Thus it was that customary law gave the first title in properties to the son after the demise of his parents. However,

4.1301 (SC 2 179/11) Compertum est per juratores quod Henricus Trappe per unam cartam emit de Alicia Hering unam rodam et dimidiam terre. Et per aliam cartam de Matilda Hering dimidiam acram terre. Et super hoc venit Thomas filius Simonis de Styvecle qui duxit uxorem dicti Henrici monstrans duas aortas et fecit fidelitatem.

Preceptum est capere in manu domini illam rodam et dimidiam terre quam Henricus Trappe emit de Alicia Heryng per unam cartam. Et etiam illam dimidiam acram terre quam idem Henricus emit de Matilda Hering donec Johannes filius et heres dicti Henrici venit ad calumniandam illam terram. Et quand levari faciant de Emma Ingel relicta predicti Henrici xvii. d. de vestura illius terre anni presentis semelante drageo, et comorant Cum eadem Emme. Et memorandum quod carte de predicte terre tradite sunt Thome Marescallo tunc preposito ad custiendum donec etc. Et postea venit dictus Johannes et dat domino in gersuma pro dicta terra tenenda ad voluntatem domini (iis,). Et faciet servicia inde debita et consueta. Et preterea dabit domino quolibet anno, caponum au Pascham de incremento.

Memorandum quod Adam Hog et Thomas le Marescal sunt pleggii Johannes filius Henrici Trappe quod erit obediens domino et faciet servitia debita et communia pro terra illa quam gersumavit ut patet plenius in rotulo superius. Et quod respondeat de duabus cartis de dicta terra sibi in plena curia traditis quando exigantur ab eo.


6. The common course of events led to land being inherited
a young man could enter property before the death of his father and mother. Such was the case with John Ange. His mother, Emma, came before the court in 1291, and with the consent of her husband, turned over to John a messuage and a croft of land. Before assuming possession, John was to pay an entry fee to the lord Abbot of sixteen shillings.7

Not always were cases of succession without dispute, witness the court rolls for 1312. An entry involving Peter, the Miller, and his son, William, reads as follows:

William, son of Peter the miller, gives the lord 12 pence by the pledge of the reeve to have the judgement of the court concerning a croft which the aforementioned Peter holds. And he says that he has greater right in the said croft than the aforesaid twelve jurors, who say that the aforesaid Peter holds a croft of his inheritance and a half-virgate of the right and inheritance of his wife. And whereas the custom is such that no one ought to hold two lands, therefore he is in respite until he come before the lord. And afterwards it is found that the said William made fine for that land. Therefore he is quit.8

by the eldest son. While this system of primogeniture was common in Hemingford Abbots, such was not the case in all of England. Land could pass to the youngest son (Borough English) or to any specifically chosen son. For a discussion see T. F. T. Plucknett, A Concise History of the Common Law, 4th ed. (London: Oxford Univ. Press, 1948).

71291(SC 2 179/11) Et dicunt quod messuagium cum crofte adiciente que Thomas Thydene quondam tenuit est in manu domini. Et seneschallus ex officio suo illud messuagium cum crofto tradidit Emma Ange. Et eadem Emma (persona) in plena curia per assesum Angerii mariti sui reddedit sursum totum jus suum ad opus Johannis filii eiusdem immo quod prius gersumandum est illud messuagium cum crofto pro sexdecim solidis de domino abbate.

81312 (SC 2 179/17) Willelmus filius Petri molendinarii dat domino xii. d. per plegium prepositorum pro consideratione curie habenda de uno crofto quod predictus Petrus tenet. Et dicit quod maius ius habit in dicto crofto quam predictus Petrus. Capta inde inquisitio per redictos xii. iuratos qui dicunt quod predictus Petrus tenet unum croftum de hereditate sua et unam dimidiam virgatatam terre de iure hereditate uxoris suo. Et quia consuetudo talis est quod nullus debet duas terras tenere, ideo in
Not so much were the jurors against the accumulation of land as they were in favor of recognizing the heir. Actually such a decision worked to the benefit of the lord: a tenement in villeinage carried with it certain customary services. To plough the demesne land on certain days, for example, on Friday, was mandatory. If a villein could not plough on that day, he was required to render his plough-debt through another kind of work. VILLEINS who had no plough team had to substitute another labor for the lord. The Villein Services were of a great variety: sowing, threshing, mowing; carriage-service was expected as was the task of raising and stacking hay, and collecting and bundling fallen wood or branches in the woodland. Only if a villein were sick was he permitted to absent himself from his customary services. And even then ploughing was required.9

respectu quosque venerit coram domino. Et postea compertu est quod dictus Willelmus illud gersumavit. Ideo quietus.

9Cart. Mons. de Rams. III, 384-385. Et arbit die Veneris ...
Et, si forte arura diei Veneris ipsa die non possit fieri, tune reddat aruras per alid genus operis. Arbit cum quot capitibus habet in caruca. Si nihil habet in caruca, faciet alid opus pro arura, arbit etiam ad tramesiam unam rodam ad avenam, et seminabit illam avena domini.

Si debit triturare, triturane infra villam a mane usque ad vesperam.

Si aegrotavit, quietus erit ab omni opere praeter quam de arura.

Faciet averagium qualibet septimana per unum diem, quamdiu bladum curiae duraverit.

In septimana perosa ad diem suum colliget in bosco Sancti Ivoris unum fessicum Virgae Mundatae, vel Spinae, et portasit usque Sanctum Ivonem ad claudendum in foria.

A tempore quo incipitur sarclane, quam dui tempus sarclationis duraverit, sarclabit in septimana per duos dies, et crabit tertia, ut praeidictum est.

Et tam croftarii, quam cersuamii, et alii terram tenentes in villenagio, cum aeris opportunitas fuerit, levabit fenum ad diem suum, et tarsabit.
Somewhat evident in all of this is the depersonalization of opera: the fixing of works on the land, and not necessarily on the person.

Women were not excepted from the services as they could inherit land. If there were no sons, a daughter could establish her right to her father's land. In 1307, after William Gapup died, his daughter, Agnes, paid an entry fine to hold his land at the will of the lord, William of Godmanchester. The future of any woman who held land was secure, as she was sure to find a husband. And so it was with Agnes who married Simon Blywhyt. While Simon and Agnes were both of the same villein status, such was not the case with Agnes, daughter of Nicholas Hunne. She married a freeman. The court roll states:

1313: Agnes daughter of Nicholas Hunne comes and requests entry by fine after the death of her father to a croft formerly (belonging) to her father. And it is established that Agnes is married to a certain freeman. Therefore, that is to be taken into the lord's hand and the profits accounted for. And the said Agnes retains no claims in that land. Later it was testified that the entry fine for (this croft) was made by another.

From this entry it appears that "an unfree woman who marries a freeman before receiving her customary inheritance loses her right to customary inheritance." This case lends itself to

101307 (SC 2 179/15) See infra (footnote 31). Because of certain technicalities, the land eventually reverted to the lord. Nonetheless, for a daughter to fine for her father's land, as did Agnes, was common.

111313 (SC 2 179/17) Agnes filia Nicholai le Hunne venit et petit admitti ad unum croftum gersumandum quod fuit patris prae­ter mortem dicit patris sui. Et compertum est quod dicta Agnes Maritata est cuidam libero. Ideo dictum croftum in manu domini et respondetur de exitibus. Et dicta Agnes nihil inde capiet. Postea testatum est quod gersumandum fuit altero.

12Raftis, Tenure and Mobility, p. 52.
several assumptions. One is sociological. When intermarriage between villein and freeman was evident, there may have been no class barriers along the legal lines of free and unfree. Social standing did not forbid such marriages. However, the distinction between freedom and serfdom was of practical importance. The court had a legal responsibility to maintain a villein in the customary services he owed the lord.

The manorial court rendered decisions concerning the succession and division of land according to customary tenure. And in Hemmingford Abbots strong was the title to land of the widow. After the death of her husband, Joan Maltdryer was in possession of 2 rods of land, twenty-two feet of meadow. However, she did not pay an entry fine. This was the case with the majority of widows. Rights of the wife were such that her coming into the land of her husband can be termed as based on co-tenancy rather than succession. However, the payment of heriot was required. The customs are explicit and read:

If he die, his widow renders as heriot five pence at most if she should have the wherewithal either if he holds one virgate or more, and if he had been poorer, it will be limited to what can be paid.

141291 (SC 2 179/7) Et dicunt quod Johanna le Maltdryer tenet et per vi. annos tenuit duas rodas terre et duas undecim pedes prati pro quibus non dum fecit post obitum viri sui fiedlitatem nec relevium domino Abbati. Ideo distingatur donec.
15Raftis, Tenure and Mobility, p. 36.
16Cart. Mons. de Rams., III, 384. Si moriatur, relicta sua dabit pro herieto quinque solidos ad plus, si habeat unde, sive teneat unam virgatam sive plus; et, si ipsa pauperior fuerit, finiet, prout selius poterit.
When Joanna Maltdryer defaulted on payment the court ordered her to render the "death-duty." Failure to pay was failure to acknowledge that the lord was final owner of the villein's material possessions. In effect, the heriot marked the commutation of the lord's right to inherit the property of his tenants.

While the widow had to pay the heriot and not the entry fine, such immunation from the *gersuma* was not accorded the man who married a widow holding customary land.\(^{17}\) Also to be noted is that in 1316, forty pence were levied against all of Hemmingford Abbots, because William Brendhouse was permitted to enter a free acre of meadow after the death of his father without paying the entry fine. "Afterwards he fines for that acre of meadow as is recorded in the *gersuma* rolls of Ramsey."\(^{18}\)

In summary, the system of succession in Hemmingford Abbots worked very well. The average cases were those similar to that of John Stivekle. The court rolls mention merely that he paid a fine of forty pence for entry into his father's freehold of three rods. The reeve was named pledge.\(^{19}\) Rare were those cases of disputed land; the Gapup and Trappe family problems were exceptions.

The customals were clear on the matter of inheritance. If

\(^{17}\) Raftis, *Tenure and Mobility*, p. 36.

\(^{18}\) 1216 (SC 2 179/18) *Et tota villata quia permisserunt Willelmo atte Brende hous intrare in unam acram prati liberi praeter mortem patris sue gersuma. Faciant inde domino xld. Postea gersumat dictam acram prati prout continetur in Rotulao gersumarum de Rameseye.*

\(^{19}\) 1321 (SC 2 179/21) *Johannes filius Thome de Stivekle dat domino xl. denarius pro ingressum habendo in tribus rodis terre libere quas pater eius adquisivit. plegius prepositus.*
a customary tenant died without heirs, as recorded in a late thirteenth century customal, the abbot could convey the land to whomever he pleased and keep the fine. Also to be noted is that another customal reveals that villagers in Hemmingford Abbots were allowed to make wills. The medieval English will, though, was not primarily concerned with land, but rather with the distribution of movable property.

Through the study of the above mentioned cases of inheritance, a certain kind of family organization is apparent - the stem-family. According to this structure, a man's land descended to one of his sons and one only. Simply stated this kind of nuclear or conjugal family was one which consisted of a married man and woman with their offspring. "Nuclear families are likely where the division of labor is accentuated in a society." In connection with this it should be noted that Hemmingford Abbots supported a society wherein were to be found farmers, brewers, butchers, carpenters and day labourers.

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20 Cart. Mons. de Rams., p. 244. Et sciendum, quod si alii quis custumarius sine heredos de progenie sua exante decesserit, nos tradamus terram suam, et messuagium suam, cuicunque volerimus, et gersumam inde provenientem penes nos retinebimus.

21 Ibid., p. 384. Faciet testamentum suum libere etiam in absentia servientis et praepositi.


23 See Homans, English Villagers, p. 119. The introduction and definition of the terms "joint family" and "stem family" are attributed to Frederic lePlay.

Besides the nuclear family there is another type of peasant family. It is one, though, which the inheritance customs of Hemmingford Abbots do not indicate. Extended families group together in one organizational framework a number of nuclear families. According to this joint family organization a man's land descended to all of his sons jointly. The land then was held and worked in common. However, the main principle governing the organization of families in Hemmingford Abbots was that an established holding of land properly should descend intact in the blood of the men who held it in the past.

That land was of importance to the villagers is revealed by more than those customs governing inheritance. Vital to the subsistence economy of the villager was the small unit of land. The court rolls show that there was an active market in small holds. The variety in village land tenure illustrated by the court rolls indicates a village economy underlying that manorial economy which is better known to the historian. Important then for discussion is the "villager's trafficking in land." 25

Tenure by service was the proper title of a customary holding. The villeinage tenement was said to defend (defendere) itself for work (ad opus) on the demesne. This formula was adopted from legal or feudal terminology. Only under such title could villein land be transferred through the courts (reddit in manu ad opus). Since servile obligations had become impersonal and fixed as a condition of tenure, these obligations could be divided and transferred.

25 Raftis, Tenure and Mobility, p. 91.
Conveyance of land among the customary tenants of Hemmingford Abbots was common practice, as the court rolls indicate. In 1316, Simon le Roc, land owner, was dead; William his son sought to give a virgate of land to his brother, Lawrence. This was accomplished and Lawrence "gave the vill a ploughshare for entry fine as required in the Gersuma rolls of Ramsey." This was the only recorded instance of brother conveying land to brother in Hemmingford Abbots. However, it was not incompatible with village custom, which dictated that a family holding not be diminished by alienation. However, as in the case of the Koc family, land could be used for the support of a child (Lawrence), other than the heir (William). However, village sentiment against alienation did benefit the lord because of his rights regarding customary land. This being the case the local court of Hemmingford Abbots was firm in its jurisdiction over such lands. Laxness caused the lord to lose customary services. In this context the extents of Ramsey Abbey should be noted. To be found in these extents is a history of alienations extending two or three generations into the past and revealing an intricate descent of tenure that often obscured or lost the service due to the lord. In Hemmingford Abbots, as mentioned in a mid-thirteenth century extent, is to be found an alienation with its origins stemming from the time of the Abbot William (1161-1179). Five hides were taken from the demesne land; of these, Robert, the son of

26 1316 (SC 2 179/18) Willelmus filius Simonis Koc venit et reddidit sursum in manu domini unam virgatam terre quondam patris sui ad opus Laurentii Koc fratris sui qui dat villate pro ingressu habendo quandam vomeran sicut patet in rotulo gersumarum de Rameseia. Et faciet servitia et consuetudines.
Randulf, held two virgates. Originally, the two virgates were from Robert Clerk, a farmer during the time of William, Abbot of Ramsey. Robert had transferred this property on his own authority to his brother, Matthew. Because Matthew died without heir, Robert Clerk transferred the land to his nephew, Randulf, who was the father of William, the father of the present Robert. 27

No mention is made of the legal manner in which the land was conveyed. However, by the beginning of the fourteenth century, the court did not take lightly those men who conveyed land on their own authority as had Robert Clerk. Because of the danger of villeinage being lost to the lord, a charter was required. In 1299, the court rolls state that Radulphus Bishop bought one virgate of land from William, the son of William Ulf of Hyrst. Therefore, Radulphus is to be distrained to show his charter at the next court. 28 This type of case is frequent in Hemmingford Abbots, and is for the most part simply stated:

1299. And they say that John Ingel bought one rod of land from Agnes Haring, and William Selede is his pledge that he show his charter at the next court. 29

1299. And they say the William Selede bought a half


281299 (SC 2 179/19) Et dicunt quod Radulphus Byssop emit unam virgatam terre de Willelmo filio Willelmi Ulf de Hyrst. Ideo distringatur ad ostendendum cartam suam citra proximam curiam.

291299 (SC 2 179/10) Et dicunt quod Johannes Ingel emit unam rodam terre de Agnete Haring et Willelmus Selede est plegius eius ad emendum cartam suam citra proximam curiam.
a rod of land from Agnes Haring, and John Ingel is
his pledge that he show his charter at the next
court. 30

In the case of Simon and Agnes Bylewhyt, the court is more
explicit. Agnes' brother, Thomas, "enfeoffed to a certain part
of land his sister, by a charter that the said Agnes shows."
And they are told that it was at the lord's grace that these
lands were held at the will of the lord. They hand over their
charters in open court where it is directed that the above land
be taken into the lord's hands, "both that land as well as the
part held by Simon and Agnes because they enfeoffed by charter
so as to disinherit the lord to Thomas' advantage with servile
land to which the same Thomas was by them enfeoffed. 31

301299 (SC 2 179/10) Et dicunt Willelmus Selede emit demidiam
rodam terre de predicta Agnete et Johannes Ingel est plegius eius
ad emendum cartam suam citra proximam curiam.

311307 (SC 2 179/15) Et dicunt per iuratos quod quidam Wil­
lelmuus Gapup tenuit de domino unum messuagium et duas virgatas
terre in predicto villa tempore Regis Henrici sine carta et per
gersumam ad voluntatem domini Abbatis qui pro tempore Regis Hen­
cici sine carta et per gersumam ad voluntatem domini Abbatis qui
pro tempore fuit et fuit pro predicta terra ad scot et lot in
ornibus cum predicta villa sicuti aliius alius qui terram ser­
vilem in eadem villa tenet. Et dicunt etiam quod dictus Willel­
mus genuit quandam Agnetem filiam suam modo superstitem de Lyna
uxore sua que dispensata fuit cuidam Thome de Ocolt fratri domini
Willelmi de Ocolt Abbatis de qua dictus Thomas genuit Thomam
Onpron et Agnetam sororem suam omnes superstites defuncto vero
dicto Thome de Ocolt, obit dictus Willelmuus Gapup post cius
decessum dicta Agnete filla sua dictam terram gersumavit ad vol­
untatem domini W. de Gomezestre Abbatis. Et postea venit quidam
Simon Byle Whyt nativus domini et dedit domino in gersuma ad
intrandum in dicat terra ad dispensandam predictam Agnetem duas
marcas argenti. Ita quod teneret dictam terram per talla servi­
cia sicuti alii serviles de predicta villa. Et dicunt quod dicti
Simon et Agnes modo per cartam suam feoffaverunt dictum Thomam
Onpron de medietate dicti Messuagii et predicte terre quam acrat
idem Thomas profert et hic testatur. Et dicunt quod postea dic­
tus Thomas feoffavit dictam Agnetam sororem suam per quandam
cartam quam dicta Agnes profert de quandam perticula predicti
messuagii. Et dictum est eis quod fuit in gratia domini de pre­
dictis (terris tenendis) ad voluntatem domini et reddant cartas
land could not be enfeoffed. Exceptions were not made, even where customary land was held by the relative of an abbot: Agnes' uncle was lord abbot, William of Alcolt. Not only enfeoffment presented a problem in Hemmingford Abbots. Land was in danger of losing customary status when sold to a freeman. Therefore, the court dealt harshly with the sale of villeinage to freemen, as in the case of Simon Bylewhyt and Agnes Gapup. However, when the proper license was obtained, almost any villager could hold customary land. Not to obtain a license resulted in the offender being fined by the court. A typical case reads:

1321: And they say that William Plumbe, serf of the lord, purchased two acres, one rod and a half of land from Radulphus Bishop a freeman without license of the lord. He is in mercy forty pence, Simon Attestyle as pledge. And by this pledge he will not alienate the land. 33

The manorial court also concerned itself with those suits of conveyance that involved failure in obligations between lord and villein or among villagers.

1311: Of Ralph Vernoun and John Porthors pledges of William of St. Ives, because William did not make fealty to the lord for one acre and a half which he bought

suas qui sponte ad idem in plena curia. Et ideo preceptum est capere totam predictam terram in manu domini tam illam quam predictam (Simoni et Agneti in) eo quod feoffaverunt per cartam suam ad exhereditationem domini dictum Thomam de terra servile (que abbatis te idem Thomas habuit per eorum feoffamentum).

32 Rafts, Tenure and Mobility, p. 69.

33 1321 (SC 2 179/20) Et dicunt quod Willelmus Plumbe nativus domini adquisivit ii. aeras i. rodam et dimidiam terre de Radulpho Bishop libero sine licentia dominiideo ipse etc. xld. plegius Simon ate Style. Et per eundem plegium dictam terram non alienabit.
from Henry Tanner. Sixpence. And it is ordered that he be distrained to do so.34

1326: It is convicted through the jurors that Reginald Cademan unjustly withheld one rod of land, a part of the messuage of William, the son of John Roger, who holds the land of the lord in villeinage. To the damages of this William two bushels of salt which (Reginald) owes. For unjustly withholding he is in mercy, three pence. Pledge, Simon Attestyle. And it is ordered that it be levied at the next court.35

The jurors of 1301 presented an interesting case: Nicholas Lawman had four pledges that he maintain a messuage of land which he holds from the lord in the same or in better condition than when Nicholas first received that land.36 In Hemmingford Abbots, for this period, there is no record of maintenance rights regarding parents. However, given the villager's life-style, one which for the most part depended on working the land for sustenance, it can be assumed that if a customary tenant were too old or feeble to work his tenement, he probably would hand over the land to a more able member of his family. In return for this grant, an agreement would be rendered which provided for the care of the old or infirm individual for the remainder of his life. It could be said that the father was arranging for his

341311 (SC 2 179/16) De Radulpho le Vernoun et Johanne Port-hors plegiis Willelmi de Sancto Ivone quia idem Willelmu nondum fecit domino fidelitatem pro una acra et dimidia terre quam emit de Henrico Tannator. vi. d. Et preceptum est quod distringatur ad hoc facere.

351326 (SC 2 179/22) Convictum est per juratum quod Reginaldus Cademan iniuste dentinuit unam rodam terre versus Willelum filium Johannis Rogier partum ad messuagium eiusdem Willelmi quod tenet de domino in villenagio ad dampnum ipsius Willelmi duorum buss. siliginis quos ei solvet. Ideo ipse pro iniusta detenteone in misericordia iid. plegius utriusque Simon ate Stile. Et preceptum est quod leventur etc. citra proximum.

361301 (SC 2 179/11) Adam Abmar, Adam Hog, Willelmus Trappe et Simon Ingel sunt plegii Nicholi Lauman ad reedificandum et sustenendum messuagium quod tenet de domino in eodem statu vel melior quo illud primo recept.
retirement. Elderly parents probably used such an exchange as a common recourse, knowing that children would provide for them in their old age.37 Hopefully, such a father would be treated honorably, rather than neglected and ill-treated as the famous literary father who made such arrangement with his daughters—King Lear.

As in the case of maintenance rights, most exchanges, whether in service or land, were short term. In Hemmingford Abbots, inter-peasant leasings were not uncommon. Subletting of the villein tenement—or part of that tenement—was permitted. The following case illustrates a license for short tenancy:

1316: Of Nicholas Buntyng for one virgate of land held of Nicholas Pate for three years from the dismissal of the said Nicholas. Two shillings. Pledge, the reeve.38

Moreover, a villager was not permitted to take material advantage of his lessor. The court rolls of 1299 report that Nicholas Laurence sublet two acres of rye to William, the son of Martin le Longe, of the homage of Lord of Grey.

1299: And that (Nicholas) burned a certain grange and sold timbers from this. He also sold trees growing in his yard. Therefore, he is to be amerced twelve pence. And since the customary tenants all allowed this, they are amerced one-half mark.39

37 Raftis, Tenure and Mobility, p.

38 1316 (SC 2 179/18) Et Nicholaus Buntyng pro una virgata terre Nicholai Pate tenenda per tres annes ex dimissione dieti Nicholai, iis. plegius prepositus.

39 1299 (SC 2 179/10) Dicunt et presentant quod Nicholaus (Laurentius) dimissit Willelmo filio Martin le Longe de homagio domini Reginaldi de Grey duas acras terre de siligo semnato. Et quod combussit quamdam grangiam suam et vendidit meremium de eadem. Et quod vendidit arbores (crescentes) in curiam suam. Ideo est in misericordia xiid. Et quia customarii hoc permiserunt facere sunt in nisericordia dimidiam marcam.
While lessees were not to misuse their lessors' property, they were also to pay their "money-rents" on time. The jurors of 1301 fine Margaret Noble six pence for withholding from Christine, the daughter of Simon Thurburn, her "stipend" of twenty-seven pence, half to be paid at Christmas, the remainder at Easter. 40

The contract, conventio, reference in the court rolls further attests to the practice of subletting in Hemmingford Abbots. whereas some agreements dealt with the sale of farm produce among villagers, other agreements had to do with the lease of land. The court rolls of 1316 tell of John Porthors and Adam Cademan, a serf of the lord. Both were entered to an agreement regarding a certain piece of meadow. The bailiff and the reeve were ordered by the court to oversee their contract as well as one between Thomas Osemund, also a serf of the lord, and John Forthors. 41 Breach of contract was brought before the jurors and the injured party was awarded damages.

1311: It is convicted through the jurors that Agnes Vernoun broke contract with Ralph Bishop regarding three virgates of land placed to him to his damages, three shillings and three pence. Therefore, she is to make satisfaction and for unjustly withholding is

40 1301 (SC 2 179/11) Convictum set per iuratos quod Margarita le Noble tenetur Cristine filia Simonis Thurburn in viginti et septem denarios de stipendio suo quos solvet eidem videlicet medietatem ad natalem domini proximan futurum et residuum ad pascham. Et pro iniusta detenione est in misercordia vid. plegii utriusque Thomas Marsschell et Reginaldus filius Fabri.

41 1316 (SC 2 179/18) Preceptum est bailivo et preposito videre quamdan peciam prati de quo conventio est inter Adam Cademan nativum domini et Johannem Forthors. Et inter Thomam Osemund nativum domini et predictum Johannem.
in mercy, three pence, pledge, Ralph Vernoun.\(^{42}\)

Also awarded damages was John Russel with whom William Cademan broke contract in 1328.\(^{43}\)

The court rolls for Hemmingford Abbots do not always identify the purchaser of land as free or unfree. However, tentative recognition is possible: villeins, as those who pledge not to alienate without permission; and freemen, as those who render fealty for their purchases. However, every villager purchasing property had to show his charter, but not always did the villager have to receive his land directly from the lord. Manorial jurisdiction, though, was maintained.

The court of 1321 ordered Galfridus Bullock to show a charter for two and a half acres of freehold which he purchased from Thomas Jordan.\(^{44}\) If a villager did not show his charter as requested his pledge was fined. In keeping with this, the jurors of 1296 fined Nicholas, the farmer, and Thomas Marshall six pence, because John of Babbeworth did not show his charter for a freehold which he and his wife had seized.\(^{45}\) In 1326, the

\(^{42}\)1311 (SC 2 179/14) Convictum est per juratos quod Agnes le Vernoun fregit conventionem Radulpho Bischop de tribus vir. terre quas ei locavit ad dampnum suum trium solidorum et trium denar. Ideo satisfaciat. Et pro iniusta detentione in misericordia. iii. d. plegius Radulphus Vernoun.

\(^{43}\)1328 (Sc 2 179/25) Convictum est per iuratos quod Willemus Cademan fregit conventionem Johanne Russel ad dampnum suum quadraviginti denarios de quibus contulit clericis duodecim derarios quos ei solvet. Et pro transgressione etc. vid. plegius utriusque prepositus et Adam Warde.

\(^{44}\)1321 (SC 2 179/21) Et dicunt Magister Galfridus Bullock adquisivit duas acras et dimidiam terre libere de Roberto de Spaldyng. Et preceptum est etc.

\(^{45}\)1296 (SC 2 179/9) De Nicholao le Fermer et Thomas Mareschal quia Johannes de Babberworth non venit ad ostendendum cartam suam de libera terra quam cepit cum uxore sua. vid. plegii alter alterius.
jurors claimed that Nicholas Newman, nativus of the lord, purchased three rods of free meadow from Ralph Bishop. Therefore, Nicholas is awarded two shillings, and Thomas Jordan is named as pledge that the meadow not be alienated.\textsuperscript{46} Peter Sley, also a serf of the lord, bought free land from Ralph Bishop. Peter too was fined two shillings, and John Roger was named as pledge that the land not be alienated.\textsuperscript{47} It has already been mentioned that William Plumbe purchased land from Ralph Bishop.

The proliferation and subdivision of holdings all attest to the reality of a "village-economy." Those who could not gain land through leases, sought cottages. The court rolls contain the following:

1307: Simon Brendhous for one cottage which he holds of Henry Tanner, two chickens at Easter, Thomas Marshall for one cottage he holds of the same, one chicken.\textsuperscript{48}

1313: Simon Brendhous for one cottage which he holds of the tenement of Henry Barker, two chickens. Thomas Marshall for one cottage of Henry Barker.\textsuperscript{49}

\textsuperscript{46}1326 (SC 2 179/22) Et dicunt quod Nicholus Newman nativus domini adquisivit tres rodas prati liberi de Radulpho Bisshop. Ideo ipse in misercordia iis. plegius Thomas Jordan. Et per sundem plegium non alienabit dictum pratum.

\textsuperscript{47}1326 (SC 2 179/20) Et dicunt quod Petrus Sley nativus domini adquisivit unam acram de Radulpho Byschop libero. Ideo ipse etc. iis. plegius Johannes Roger. Et per eundem plegium dextam terram non alienabit.

\textsuperscript{48}1307 (SC 2 179/15) De Simone Brendhous pro uno cottaggio de tenemento Henrici Tannator ii. capons ad pascham. De Thome Marchall pro uno cottaggio de eidem tenemento i. capon.

\textsuperscript{49}1313 (SC 2 179/17) De Simone Brendhous pro uno cottaggio quod tenet de tenemento Henrici Barkere ii. capons. De Thoma le Marchal pro uno cottaggio de eidem.
1326: Emma Brendhous for one cottage which she holds of the tenement of Henry Barker, two chickens.50

After an enumeration of the various instances of the above mentioned alienations, purchases and leasings of land, the proper question, in conclusion, seems to be: what were the social and economic implications? Even a cursory reading of the court rolls for Hemmingford Abbots indicates that land underwent continuous fragmentation. Partible inheritance was one cause. The other was that in this village, land was freely exposed to the solvent action of the land market. Moreover, it appears that land gave status. In Hemmingford Abbots, "as in most peasant societies in all ages, differences based on land overshadowed other special distinctions."51

Even so, being a villein meant heavy economic burdens. Services and rent were demanded of heirs. Licenses for marriage, migration, sales and contracts were purchasable; and purchased they had to be. In order to maintain the same standard of life as the freeman, the villeins needed a larger holding than a freeholder, thus the numerous records of villeins leasing or purchasing land.

These acts also revealed something of the overall geographic pattern of holdings. The villager did not always have all of his land in the same place. Scattered throughout the village were holdings. Thus, leases and purchases could provide a

50 1325 (SC 2 179/22) De Emma de Brendhous pro cottagio quod tenet de tenemento Henrici Barkere ii. capons.

manner in which to group holdings. And not to be discounted is the desire of the land-wealthy peasant to insure his prosperity by increasing the number of his holdings.

However, "men's poverty was not always a matter of acres." Sometimes family circumstances proved more important. The family composed of healthy, industrious parents and employable sons and daughters was bound to fare well. The childless man and woman, especially if they were infirm or indolent, were at a disadvantage. Peter Miller, who in view of his occupation and holdings should have had ample resources, had to be forgiven his court fines in 1320. But it must be remembered that such variations of age, health and temperament were accidental. Because they are random in nature, not always are they an absolute indicator of success or failure. Real differences in the position of the individuals were nearly always reducible to differences in land and the size of family holdings.

52 Ibid., p. 615.

53 1320 (SC 2 179/19) Convictum est per juratores quod Petrus Molendinarius iniuste detinet Margareta Benelond quinque solidos et sex denarios quos ei solvet. Et pro transgressione in misericordia...Pauper. Plegius corpus.
CHAPTER III

HEMMINGFORD ABBOTS: OCCUPATIONS

In Hemmingford Abbots, as in any village there was a complex group structure. There hardly could have been a spontaneous movement of land among villagers if the Abbot dominated all village activity, and if the responsibility of village men was a matter for the personal discretion of the lord. And in fact, the latter was not the case. Village administration was primarily in the hands of the villagers themselves and may be regarded as an extension of social relations in the manorial structure, the family community and the village economy. The court rolls frequently mention certain officials: the reeve, the bailiff, the hayward. Most often cited in Hemmingford Abbots is the reeve. Demesne administration rendered his position an important one, and the responsibilities that accompanied the office brought the reeve into contact with many facets of village life. Of great significance with regard to the reeve is that he was the servant both of the lord and the village community.

The office of reeve in Hemmingford Abbots was an elected one. The voting can be termed a group commitment in that it "served as an initial guarantee for that cooperative effort so essential

1Raftis, Tenure and Nobility, p. 93.
21328 (SC 2 179/25) Simon atte Style et Johannes Ailman electi sunt prepositi et fecerunt sacramentum.
to the success of the open field system. The reeve was responsible for the management of the lord's demesne farm and acted as an overseer for the work services owed by the villeins.

While the reeve was required to protect the demesne rights as in cases of gleaning, he also was to act for the common good, for example, in debt pleas and suits of transgression. It can easily be discovered what the reeve ought to have done by looking at what he was punished for not doing. The court rolls record:

1316: And to the reeves for they did not bring Matilda Edward to account for having wrongly gleaned in the autumn.

1316: And to the reeves for not having recovered from Thomas Marshall twenty-two pence owed to Thomas, son of Adam. And it is ordered that it be collected.

1316: And to the reeves for not having distrained John of Hagensham to reply to a charge of transgression by William Plumbe, three pence. And it is directed that he be distrained to reply as before.

In collecting the claim for Thomas, the son of Adam, the reeves were acting as servants to their fellow villagers. It was also,


4Homans, English Villagers, p. 299, states that generally the reeve was an unfree tenant. However, it is not possible to verify this one way or the other from the Hemmingford Abbots court rolls.

51316 (SC 2 179/18) Et prepositis quia non haberunt Matildam Eduard ad responderdum de hoc quod male glenavit in autumno.

61316 (SC 2 179/19) Et prepositis quia non levaverunt de Thoma le Marschall xxiid. ad opus Thoma filio Ade quos recuperaverunt nec ipse iiid. Et preceptum adhuc quod leventur.

71316 (SC 2 179/18) Et prepositis quia non distrinxerunt Johannem de Hagenham ad respondendum Willemo Plumb e de placito transgressonis iiid. Et preceptum est adhuc quod distringatur ad respondendum ut prius.
in the capacity of "public servant," that the reeves were to force John of Hagensham to reply to a charge of transgression by William Plumbe. Just as the reeves were required to bring Matilda Edward to court, so too, with other culprits. In 1307, they were to have John Porthors before the court, because he had threatened to knife Ralph Bishop who in turn justly raised the hue and cry against him.8

While the reeve would work for the advantage of his neighbors, he still stood in the lord's service, witness the following case:

1291: Of John, the son of Emma Anger for one messuage with adjoining croft which her husband held, thirteen shillings, four pence. Pledge, both the reeves.9

The reeve collected the entry fine, heriot, merchet and fine for leave of absence from the manor. It was in the reeve's account rolls rather than the court rolls that such seignorial incidents were recorded.10 The reeve had the most frequent involvement on a personal level with fleeing serfs. His office carried with it the responsibility of arresting a "runaway" and keeping him in custody. Not to carry out this duty was cause for the reeve to be fined. In 1316, the reeves were amerced sixpence because they did not arrest Thomas Neel that he give an account of his

8 1307 (SC 2 179/15) Et dicunt quod Johannes Porthors minavit Radulphes Byschop cum quodam knyypo per quod idem Radulphus juste levavit uthesium super eundem Johannem quid non verit. Ideo prepositi plegii sui quia non habent dicunt Johannem ad respondendum vid. Et preceptum est quod dictus Johannes distingatur ad reson­dendum.

9 1291 (SC 2 179/7) De Johanne filio Emme Anggerii pro uno messuagio cum crofta adiacentur quondam matri sue habenda. xiiis. iiii. Plegii ambo prepositi.

10 Raftis, The Estates, p. 126.
withdrawn chattel. 11 Five years later, two different reeves were fined two shillings because Thomas was still living at Offord. 12 Before a serf could remove himself from the lord's demesne, he had to obtain a license. The reeve collected the fee, one which Thomas Neel apparently never paid. Because of the repercussions, which Thomas seems to have easily avoided, some villagers did adhere to the regulation. The court rolls of 1321 record the reeve as pledge for William Alberd that he give the lord one chicken per year. William had paid twelve pence for a license to live outside the fief of the lord. 13 The lord's service also demanded that the reeve distrain men to do homage and make fealty.

1301: Of the reeves because they did not distrain John Chyne to make his homage as it was ordered in the last inspection. Pardonned. 14

Even the task of checking charters was the reeve's responsibility. 15 This seems to indicate that at least some of the peasants

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11 1316 (SC 2 179/18) Et prepositis quia non arrestaverunt Thomam Neel ad respondendum de hoc quod se subtraxiti etc. vid. Et preceptum est quod arrestetur.

12 1320 (SC 2 179/19) Adhuc preceptum est arrestare Thomam Neel nativum domini si venerit super feodum ad respondendum de hoc quod se subtrahit cum catallis suis manens apud Offord.

13 1321 (SC 2 179/21) Willelmus Alberd dat domino xiid. pro licentia manendi extra feodum domini et unum capon per annum per plegio prepositorum.

14 1301 (SC 2 179/11) De prepositis quia non distrinxerunt Johannem Chyne ad faciendum homagium suum prout preceptum fuit eis in ultimo visu. Condonnatus.

15 1321 (SC 2 179/21) Et dicunt quod Thomas filius Thome Mare- schal nativus domini adquisivit dimidiam rodam terre libere de Thoma Jordan et venit et ostendit cartam suam. Ideo ipse etc. xxs. plegius prepositus. Et per eundem plegium dictam terram non alienabavit.
were literate—something which has been considered a rarity among serfs. At Hemmingford Abbots, the reeve was the official whose duty it was to impound stray animals. 16

In summary, the reeve had judicial functions as well as ones concerned with farm administration. The reeve pledged and distrained villagers for specified offences, and if he failed to do so was distrained himself. He was pledge in a variety of cases: Misconduct of ale-wives, 17 disagreements between villagers, 18 defamation suits, 19 debt pleas, 20 claims of assault 21 and housebreak. 22 The reeve’s use of distrain appears as the

16 1296 (SC 2 179/9) Et dicunt quod duo planckes venerunt per aquam et sunt ad domum Algerii iuxta Ripam. Ideo preceptum est prepositis quod respondere de eisdem ad proximum curiam 1326 (SC 2 179/22) Et dicunt quod j. pullanus venit vagus et est in custodia...et preceptum est preposito predicto inde respondere.

17 1291 (SC 2 179/7) Willelmus le Warde et Reginaldus filius Faber tastatores cervis dicunt quod Agnes Aylmar conviter vendit ad oclum et prius testationem deterioravit cervisium...ideo in misericordia xviiid. Plegius Thomas prepositus.

18 1296 (SC 2 179/7) De Johanne Prondforth quia petiit iniiuste duos bussella frumenti et duos bussella ordi versus Simonem Cok vid. plegius prepositus.

19 1321 (SC 2 179/20) Convictum est per juratores quod Agnes Hunte iniuste defamavit Willelmus Trappe ad dampnum suum duorum denarium quos ei solvet. Et pro transgressione etc. iid. plegius prepositus.

20 1321 (SC 2 179/20) De Emma Benelond pro falsa clamore versus Willelmum ate Brendhoue. iiid. plegius prepositus.

21 1325 (SC 2 179/22) Et dicunt quod Almarus de Fenton traxit sanquinem de predicto Willelmo. Ideo etc. vid. plegius prepositus. 1321 (SC 2 179/20) Convictum est per juratores quod Willelmus Trappe percussit Agnetem Hunte ad dampnum suum trium denarios. Quos ei solvet. Et pro transgressione etc. iiid. plegius utriusque prepositus.

logical consequence of his judicial responsibilities.

For all the responsibility that was delegated to the reeve, his fellow villagers of Hemmingford Abbots did not stand in fear of him. Nor were there serious misgivings about making a bondsman rather than a freeman responsible for demesne administration. However, much reliance was placed upon the economic efficiency of the reeve for the good of manorial administration. Because the villagers elected the reeve, they expected him to serve them well. In 1320, the villagers called for the reeves to be relieved of their duties.

1326: And they say that Simon Attestyle and Thomas Jordan, reeves, did not perform their office in the required way and they were not useful to the lords, nor 'useful' to the village community. And they sought that they be removed, and removed they were. John Roger and Richard Bargon were elected to the office of reeve and they took the oath.\footnote{1326 (SC 2 179/22) Et dicunt quod Simon atte Style et Thomas Jordan prepositi non fecerunt officium suum debito modo et quod non sunt utile domino nec communitati ville. Et petunt quod ammoveantur et ammoti sunt. Johannes Roger et Ricardus Bargon electi sunt ad officium prepositi et fecerunt sacramentum.}

Because the villagers elected the reeve to office, they assumed responsibility for his misdeeds. While the village community was responsible for the action of its reeves, these officers were not solely responsible to the village. In the end, they were officers of the lord as well as of the village.

The reeve shared his administrative work with two other officials, the bailiff and the hayward. The bailiff, unlike the reeve and the hayward, was solely in the lord's service. Appointed by him, the bailiff was in general charge of the manor. The court rolls for Hemmingford Abbots rarely mention the...
bailiff. The only significant entry concerns his working in a type of partnership with the reeve:

1316: It is ordered that the bailiff and the reeve look at a certain piece of meadow about which an agreement was drawn up between Adam Cademan serf of the lord, and John Porthors. And between Thomas Osemund, serf of the lord, and the aforesaid John. 24

It is the reeve and the hayward that the court rolls depict as the most important personages who were at once officers of the lord and of the village government. Like the reeve and the bailiff, the hayward had a part in the management of the lord's demesne farm. Very important, from the villager's standpoint, the hayward had charge of the crops in the fields. Again, as with the bailiff, the court rolls reveal little of the haywards in Hemmingford Abbots except their names and misconduct.

1299: It was convicted through the jurors that Walter Sley who was common hayward of the whole village took poor care of the crops of Nicholas Buntyng to the damages of this Nicholas four serbs of peas. (Therefore, he is in mercy) sixpence. Pledge Henry Edmond. 25

1311: Peter Knight and Adam Selede admitted that they badly kept the common crop as haywards of the lord. And for this transgression, sixpence. Pledges, each other. 26

24 1316 (SC 2 179/18) Preceptum ballivo et preposito videre quandam peciam prati de quo conventio est inter Adam Cademan nativum domini et Johannem Porthors. Et inter Thomam Osemund nativum domini et predictum Johannem.

25 1299 (SC 2 179/10) Convictum est per juratores quod Walterius Sley qui fuit communis messor totius villate et male custodiebat bladium Nicholai Buntyng ad damnum ipsius Nicholai quatuor sanb de pis. vid. plegius Henricius Edmond.

26 1311 (SC 2 179/16) Petrus Knyt et Adam Selede recognoverunt quod male custodiebat domini fuerunt messores communes bladii. Et pro transgressione etc. vid. plegii alter alterius.
The court rolls for 1316 identify another hayward as William Bargon. It is interesting to note that a Richard Bargon was reeve in 1326. Because of their "two-fold" vocation, the reeve and the hayward were set apart from their fellow villagers. Both men followed a calling which was useful to the village and required a certain kind of specialization—administrative skill. Moreover, they were servants of the lord and of the community. Because they served two masters, the reeve and hayward must have at times served uneasily.

However, what may be termed a compromising situation was not the lot of all the villagers of Hemmingford Abbots. Village officials could be categorized, the categories being designated as prescriptive and obligational. Well subsidized were the prescriptive offices, as some services were so often identified with certain families that the occupation tended to become the family surname—the millers, the reeves, and the smiths being well represented in this classification. While not as frequently mentioned in the court rolls, butchers, tanners and carpenters may also be included. The jurors of 1296 refer to a butcher in the context of the granting of a license for such a trade. "1296: Regarding Thomas Carnifex while using the office of butcher, two chickens." Other butchers were Thomas Bolwer

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27 1316 (SC 2 179/18) Et quod Adam Seledce fecit rescussum Willelmo Bargon messore. Ideo vid. plegius Radulphus Byssop.

28 Raftis, Social Structure, p. 96.

29 1296 (SC 2 179/9) De Thoma Carnifex dum utitur officio carnificis. ii. capons.
and Nicholas Buntyng. None of these men, however, were granted special privileges because of their trade.

Such was not the case though with a village blacksmith. He took his charcoal from the lord's wood; had his dinner in the manor hall at those times the lord was in attendance; and had his lands plowed in seed-time by the lord's plows. The blacksmith was probably rewarded in privileges because he had a special skill to offer, while carpenters and butchers were not that specialized. Many villagers undoubtedly were their own carpenters as their homes and furnishings were most simple, and butchered their own meat if they were fortunate enough to have owned cattle and hogs.

While the butchers and carpenters paid a license fee, the court rolls do not make mention of such a fee for the tanners. In Hemmingford Abbots, four villagers bore "Tanner" as a surname: Simon and Emma, their children, Elena and Henry. No entries concerning them depict any information as to a trade or a skill; possibly, the Tanners bore their surname because one of the earlier members of their family was a practicing tanner. Such too must have been the case with the Faber family. Although their name translates from the Latin into "Smith," none of the Hemmingford Abbots Fabers are portrayed as engaging in the activities of a blacksmith.

However, the court rolls do bear many entries concerning the activities of the Miller family. It is apparent that the


31 Homans, English Villagers, p. 287.
head of this family—Peter—was of considerable reputation in Hemmingford Abbots. He worked for the Abbot who had a monopoly of the village mill. The revenue from the mill was derived from the multure: that share of the flour which the miller, Peter, kept in payment for his services. All the villeins were bound to have their corn ground at the lord's mill and not to do so was sufficient reason for being fined. The following cases of 1311 make the requirement explicit.

1311: And they say that Anngerius Bythehe did not make continual suit to the mill of the lord. Therefore, (he is in mercy) sixpence. Pledge, Peter Knight. And through this pledge he owes the lord three pence for his toll to the mill withheld.

1311: And they say that Nicholas Buntyng did the same. Therefore (he is in mercy) sixpence. Pledge, William, the son of Peter. And he owes for the toll three pence.

The court was not lenient with these offenders, and neither was it willing to overlook poor management on the part of the miller. The same jurors of 1311 found another member of the Miller family guilty of misconduct in office, witness the following case:

1311: And it is convicted through the jurors that John Miller would not grind the grain of Nicholas Buntyng at the that he was to serve in the office of miller. Nicholas withdrew his unground grain to his damages three pence which John owes him.

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32 Cart. Rama. de Mons. II, 244. Molendinum de Hemmingford' reddit per annum tringinta solidos.

33 1311 (SC 2 179/16) Et dicunt quod Anngerius Bythehe non facit continuam sectam ad molendinum domini. Ideo etc. vid. plegius Petrus Knyt. Et per eundem plegium solvet domino iidi. pro tollneto suo de molendino. Retracto.

34 1311 (SC 2 179/16) Et dicunt Nicholas Buntyng idem facit. Ideo etc. vid. plegius Willelmus filius Petri. Et solvet pro tollneto iidi.
And for this offence, John is in mercy sixpence. Pledges, Nichola Nicholas Martin and William, the son of Peter. 

It is interesting to note that Nicholas, as mentioned above, was also fined by this court for "not making continual suit to the mill of the lord." Nicholas, it seems, had good reason as John Miller refused his grain. However, it appears that the jurors were not concerned with such problems of "management" and "labor." To offend the will of the lord was wrong, and in this case distinctions as to the degree of guilt were not made.

To use again "modern" terms, the miller was something like the village capitalist. Through his maintenance of the mill he had the opportunity to gain more by his labor than his fellow villagers. Frequently, they suspected him of making a gain by the use of illegal means. If the miller used false measures, he could easily appropriate to himself a larger part of the flour than was permitted him according to the customary multure. Chaucer's Reeve's Tale reflects the traditional opinion about millers. That there was reason for such sentiment is revealed through the suits brought against the millers. In cheating the villager, the miller hit at a sensitive area—the villager's food supply. Possibly, suspicion of such misconduct was the cause for many of the villagers to raise the hue and cry against Peter Miller and to become involved in disputes and

351311 (SC 2 179.16) Convictum est per juratores quod Johannes Molendinarius noluit molare bladium Nicholi Buntynge nec eidem tempore quo potuit servire sicut ad officium molendinarii decet per quod idem Nicholis abdixit bladum suum non molatum ad dampnum ipsius Nicholi. Trium den. quos solvet ei. Et pro transgressione in misericordia. vid. plegius Nicholas Martyn et Willel­mus filius Petri.
altercations with him.

1307: Adam in the Croft complains against Peter Miller. Pledge for the prosecution, Peter Knight. And it is ordered to restrain Peter Miller to respond. 36

1311: It is convicted through the jury that Peter Miller struck and badly beat Margaret Fisher to her damages sixpence which he owes. For the offence he is in mercy three pence. Pledge, Thomas Jordan. 37

1311: It is convicted through the jury that Peter seized a bowl from Juliana Barker against her will to her damages one penny which he owes. And for this offence he is in mercy three pence. Pledge, William, the son of John. 38

However, the miller was not always in the wrong. The same court of 1311 fined the aforesaid Margaret Fisher sixpence for entering a false plea regarding Peter Miller. 39 As in the case of Nicholas Buntyng and John Miller, both sides were penalized. However, what remains evident is that Peter Miller was a most controversial figure in Hamingford Abbots. The villagers suspected him of wrongdoing and their suspicions were not always unfounded. If he cheated them as he did Agnes, the wife of Walter Fisher, the court saw to it that Peter made amends. 40

36 1307 (SC 2 179/15) Adam in le Croft querat de Petro Molendinario. plegius de prosecutione Petrus Knýt. Et preceptum est distringere dictum Petrum ad respondendum.

37 1311 (SC 2 179/16) Convictum ers per juratores quod Petrus Molendinarius percussit et male verberavit Margaretam Piscator ad dampnum suum sex dearios quod solvet. Et pro transgressione in misericordia iid. plegius Thomas Jordan.

38 1311 (SC 2 179/16) Convictum est per juratores quod Petrus Molendinarius cepit unam gatam de Juliana le Barker contra voluntatem suam ad dampnum suum unius denarios quod solvet. Et pro transgressione in misericordia iid. plegius Willelmus filius Johannes.

39 1311 (SC 2 179/16) Convictum est quod Margareta Piscator false se querat Petro Molendinarius. Ideo etc. vid. plegius Simon attemare.

40 1311 (SC 2 179/16) Petrus Molendinarius recognivit se
However, at false accusations, he was quick to anger and his wrath could be felt by women just as easily as men.\textsuperscript{41} No silent, plodding peasant was Peter Miller.

In fact, Peter's name appears the most frequently among those men holding prescriptive positions. As for obligational offices though, no one man dominates the court rolls. Most representative of these offices are the main tenants who served as jurors and ale-tasters. Upon the latter devolved the responsibility to regulate brewing practices and the quality of the brew. Ale-tasters were elected and bound to maintain the duties of their office under oath.\textsuperscript{42} Moreover, they were liable to amercement for dereliction of their responsibilities.\textsuperscript{43} It may be assumed that ale-brewing was an ample source of revenue for the main property holders of Hemmingford Abbots. Sales were frequent and the brewers were able to pay substantial fines for breaking the assize of ale. Husbands were the normal pledges

tenere Agnetam uxorem Walteri Piscator in viginti denarios. Ideo satisfaciat ei de medietate die mercurii in crastino Sancti Clementi. plegius Reginaldus Faber et aliam medietatem ad purificationem beate Marie. Et pro iniusta detentione in misericordia. iiid. plegius Reginaldus Faber.

\textsuperscript{41} 1313 (SC 2 179/17) Et dicunt quod Petrus Modndinarius percussit Willelmum le Eyre per quod juste levavit uthesium super dictum Petrum. Ideo etc. iiid. plegius Thomas Clericus.

\textsuperscript{42} 1316 (SC 2 179/18) Et dicunt quod Walterus Sley et Thomas Jordan tastores non fecerunt officium tostoris debito modo. Ideo ambo in misericordia iis. plegius alter alterius. Et Johannes Roger et Thomas ad Portam electi sunt tastatores. Et fecerunt sacramentum.

\textsuperscript{43} Almost every year, the ale-tasters were amerced for not performing their office in the proper manner. A typical entry reads as follows: 1296 (SC 2 179/9) De Willemo Trappe et Simon Roger tastores cervis quia non attachiaverunt cervisium omenm brac, vendentes malam cervisium nullum velentem argenti xiid. plegii alter alterius.
for their "ale-wives." While the local ale-brewing "industry" was regulated by royal assizes, it was independent of the manor's structure. In fact, brewing was the village activity that most closely approximated the commercial and industrial activities of medieval towns.

The ale-tasters reported misdoings of brewers to the court jurors. The duties of these jurors were to investigate offences and complaints, such as those about the brewers and declare court decisions. Like the ale-tasters, the jurors were elected under oath and liable to amercement for misconduct in office: for example, falsified or concealed presentments. The responsibilities of the jurors were not confined only to those times during which the court convened. Between court sessions, the jurors were to carry out investigations of misdemeanours, accusations, and pleas. In effect, neither the jurors, nor the ale-tasters, held positions of incidental importance to the village community.

Undoubtedly both offices required the holders to be honest

44 For example, the court rolls of 1316 show ten offences against the assize of ale. The husband was pledge for his wife in six of the cases. One of the defendants was a man.

45 DeWindt, Holywell, p. 196.

46 Raftis, Tenure and Mobility, p. 125.

47 1325 (SC 2 179/22) De Petro Hog quia false prebuit testimonium iiid. plegii prepositi.

48 1296 (SC 2 179/9) De xii juratores una cum tota villata pro utheisi non prosecutis purprestitus conceelatis et pro defalta Johannis de Babbeworth non presente dimidium marce.
and mature men. While such qualifications are somewhat justifiable assumptions, they cannot be documented through the court rolls. Other qualifications, such as the villager's economic position and stability can be determined. Of those court cases involving land that were cited in Chapter Two, seventeen men were recorded as actual land holders. Of these villagers, only five do not appear as jurors or ale-tasters. The reason for at least one may be assumed: John, the son of Emma Ange, possibly was not old enough to have held a village office. Land meant status in Hemmingford Abbots and that a title to land was an important factor in qualifying a villager for office cannot be denied. Perhaps though, the most important qualification was general economic stability and security founded either in land or other capital resources.

Besides the village officials and tradesmen, another group within the village community was that of the manorial servants, the famuli. These servants were mentioned in Hemmingford Abbots through their relationship to a main family.

1320: And they say that John, famulus of Thomas Jordan (broke the park of the lord.)

1321: And they say that the garçon of John Porthors


Landholders but not Officials: Thomas, son of Henry; Robert, son of William Radulphus; William Gapup; Galfridus Bullock; John, son of Emma Ange.

50 See Dewindt, Holywell, Chapter III, passim; it is pointed out that the office of juror was reserved for those villagers who were thirty years of age or older.

51 Ibid., p. 207.

52 1320 (SC 2 179/19) Et dicunt quod Johannes famulus Thome Jordan idem facit.
justly raised the hue and cry against Thomas Annprun. 
Therefore, (he is in mercy) sixpence. Pledge, Henry Barker.53

The typical famulus was essentially a wage earner and as a rule a serf.54 The customary tenants all owed work services to their lord: haymaking, reaping, assembly of fences, maintaining dykes and walls, to name a few. However, these tenants also had their own lands to maintain. For seasonal operations of reaping, planting and plowing, customary tenants sometimes resorted to the hired laborer.

531321 (SC 2 179/19) Et dicunt garcon Johannes Porthors iuste levavit uthesium super Thomam Aumproun. Ideo ipse etc. vid. plegeius Henricus Barker.

54M. M. Postan, "The Famulus," Economic History Review, Supplements 2 (London: Cambridge University Press, 1954), p. 23. See also, DeWindt, Holywell, Chapter III; a distinction is made between a famulus for the manor and a personal famulus. The meaning of the designation "serf" is not absolutely clear. It may mean only a customary tenant or a member of a customary family. Peasants not involved in the customary structure were possibly not really serfs; at least, their movements off the manor were not recorded. See DeWindt, note #54, pp. 360-361.
CHAPTER IV

VILLAGE GOVERNMENT

In Hemmingford Abbots, self government was a fundamental feature of the village community. The involvement of the Abbot was at a minimum. The nature of the business transacted in the court was diverse; the majority of cases centered around such matters as the "hue and cry," debt pleas, the ale-assisze, peasant arguments--none of which were of direct concern to the Abbot.

Through the court rolls it can be determined that the "men of the village recognized their character as a community and acted together as such."¹ In fact the villagers referred to themselves as a communitas.² A study of frankpledge, the personal pledge, group fines and bye-laws demonstrates that the villagers often acted with common counsel for the common good of all. Their government was of a corporate nature and not completely a part of manorial government. As already noted, there were village officials whose primary duties were related


²1326 (SC 2 179/22) Et dicunt quod Simon ate Style, Simon Everard et Henricus Barkere noluerunt iustificare se ad reddendum comptum communitate ville sicut presentum fuit in ultimo visu de diversis collectis factis in villa. Ideo ipsi in misericordia xld. Et habunt diem ad comptum reddendum dominici proxima sequente.
to maintaining the manorial structure, but whose responsibilities also included serving their neighbors. Other officials, such as the court jurors and the ale-tasters, were not completely dependent on the manor for the exercise of their duties.

In addition, the court rolls provide references concerning the existence of another local institution that was neither a product of the manor, nor totally dependent on it. Frankpledge was an organization by which "all men in every vill of the whole realm were by custom under obligation to be (debebant) in the suretyship of ten, (a tithing) so that if one of the ten commit an offense the nine have him to "justice." In its commonest form, frankpledge was a system of policing men. The tithing sought to deter crime and maintain peace by assuming the responsibility to produce in court any of its member accused of an offense. Ancient and non-manorial were the origins of frankpledge which was rooted in the Anglo-Saxon period and re-enforced as a system of compulsory, collective bail by the Anglo-Norman kings.

Every male over twelve years of age was to be in a tithing group which was headed by a capital pledge. His main obligation was to have all of his men in tithing and if he were remiss in this, the jurors fined him for his failure.

1313: Of Ralph Bishop, capital pledge, because he did not have William, the son of William le Eyr, in his tithing. Three pence.

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41313 (SC 2 179/17) De Radulpho Byschop capitale plegio quia non habuit Willelmum filium Willelmi Le Eyr in decenna sua. iiid.
1316: Of Ralph Bishop, capital pledge, because he did not have William Byrchmore existing in his tithing. Three pence.5

1326: Of Ralph Bishop, capital pledge, because he did not have Thomas Amproun existing in his tithing. Three pence.6

Thus it was that the capital pledge usually incurred a fine of three pence for not having all of his men in tithing. In 1296, Thomas, the son of Henry Clerk, was so fined because he did not have his brother William in tithing. William was living at Blatherwyk, and the jurors ordered that he be arrested if he comes upon the "fief."7 Villeins were required to pay a license fee for permission to leave the manor, and obviously William had defaulted on payment of such fine. A villein could not withdraw himself at will from the lord's jurisdiction, and even if the villein were licensed "to be abroad"8 he still was expected to be present at the annual view of frankpledge, witness the following cases:

1311: William Brun makes a fine of one chicken a year owed at Easter. Pledge, William Everard and Nicholas Farmer that he lives outside the fief of the lord. And through this pledge, he is to come every year to the view of frankpledge.9

51316 (SC 2 179/18) De Radulpho Byssop capitali plegio quia non habuit Willelmum Byrechmore existentem in decenna sua. iiid.

61326 (SC 2 179/22) De Radulpho Bisshop capitale plegio quia non habuit Thomam Amproun existentem in decenna sua. iiid.

71296 (SC 2 179/9) De Thoma filio Henrico Clerici quia non habuit Willelmum fratrem suum existentim in decenna sua qui manet apud Blatharwyk. iiid. Et preceptum est quod arrestetur si vene­rit super feodum.

8Raftis, Tenure and Mobility, p. 155.

91311 (SC 2 179/16) Willelmus Brun fecit finem pro uno capone per annum solvend. ad pascham. plegii Willelmus Everard et Nicholus Farmer ut possit manere extra feodum domini...Et per eundum plegium quolibet anno veniet ad visum franciplegii.
1313: Of William the son of John Annzered while he lives outside the fief, two chickens. Pledges, Reginald Faber and Rannulph-at-the-head-of-the-village. And he comes to the view of frankpledge.\textsuperscript{10}

1320: Simon Byrd, serf of the lord, who lives at Hybton with his wife, gives the lord for license to live there, one chicken at Easter. Pledges, John Byrd and Nicholas Newman. And through these pledges, he comes to the view of frankpledge.\textsuperscript{11}

The court rolls do not make mention again of William Brun, William Annzered and Simon Byrd. In all probability, while they remained away from Hemmingford Abbots, they attended the annual views. Even if they did not, it would be understandable. Being some distance from his home manor, a nonchalant, forgetful peasant easily could fail to remember to make his appearance at the view of frankpledge set on a specific day of the year.

Some peasants, however, did not have the excuse of distance; they simply absented themselves from their tithing group. This, the jurors did not overlook. Such a man was fined and ordered by the court to be distrained that he put himself in tithing:

1328: And they say that the aforesaid John Selweld is outside the tithing. Three pence. And it is ordered to distrain the aforesaid John that he put himself (in tithing).\textsuperscript{12}

\textsuperscript{10}1313 (SC 2 179/17) De Willelmo filius Johannis Annzered dum manet extra feodum ii. capons. Plegii Reginald Faber et Rannulph ad capud ville. Et veniet ad visum franciplegii.

\textsuperscript{11}1320 (SC 2 179/19) Simon Byrd nativus domini qui manet apud Hybton uxoratus dat domino pro licentia residendi ibidem. j. capon ad pascham. Plegius Johannes Byrd et Nicholus le Newman. Et per plegium eundem plegium veniet ad visum.

\textsuperscript{12}1328 (SC 2 179/25) Et dicunt predictus Johannes Selweld est extra decenna. Ideo ipse in misericordia iiiid. Et preceptum est distringetur dictum Johannes ponendum se.
Other peasants sought to be free of a tithing group by claiming that they were free men. However, such a ploy was thwarted by the jurors. They did not hold that frankpledge was exclusively for villeins. Even though Walter le Eyr, Henry, the son of Simon Tanner, and Hugo Haryng were free men, the court still ordered them to be distrained as they were not in tithing.\textsuperscript{13} Their case lends itself to several assumptions. Possibly, free men thought it unnecessary that they be in tithing because their ownership of freeholdings demonstrated that they had property interests extensive enough to assure adequate payment in the instance that they be judged guilty of some crime. There is another point of view though. These three villagers although of free status, may not have held enough property to serve as surety for their good behavior. It may also be that membership in the village community required compliance with frankpledge, regardless of legal status. In short, the latter was—in this case—irrelevant. Thus if exceptions were made with regard to tithing, the above mentioned freemen were also brought before the court because they did not contribute toward capitagium.\textsuperscript{14} This was a fine rendered in return for commutation of the duty to appear in person at the annual view of frankpledge. Because the free men defaulted, the jurors ordered "that they be called through the capital pledge."
The duties of frankpledge were such that villagers were fined if they received men outside of tithing. Although the court rolls are not explicit, there was the possibility that the person received was a fugitive of justice. While the tithing had to assume liability in cases of flight, such liability appears only in its amercement for failure to produce delinquent members. Nonetheless, individual villagers were amerced for receiving a man out of frankpledge. In the following cases, the men received probably were from another village, although they may have been domestic servants or hired laborers; however, their names do not appear again in the court rolls.

1328: The jurors present that Emma by-the-bridge receives Reginald Taylor existing outside the tithing. Therefore, she is in mercy three pence. Pledge, the reeve.15

1328: And they say that William Roger receives Richard Rineker and John, his son, existing outside the tithing. Therefore, he is in mercy three pence.16

1328: And they say that Emma Anngefrend receives William of Heile outside the tithing. Therefore, she is in mercy three pence. Pledge, the reeve.17

The system of frankpledge was not the only framework for peace and order in Hemmingford Abbots. Also to be considered is the personal pledge. In fact it is the institution of the


personal pledge that affords a clear indication of inter-
peasant cooperation within Hemmingford Abbots. Through the
system of personal pledging, surety was provided for the ful-
fillment of court incurred obligations. This usually took the
form of payment of a fine, but sometimes the obligation was
fulfilled through the performance of a specified duty such as
the settlement of a debt\(^{18}\) or the amending of an ill-action.\(^{19}\)

When charged with such obligations or fines, the villager
was bound to secure a fellow villager who would agree to guar-
antee the execution of the principal's duty. From the court
rolls of Hemmingford Abbots, it appears that the man who
required a pledge had to find (invenire)\(^{20}\) for himself a suitable
person for surety. A careful reading of the court rolls does
not indicate that the peasants adhered to any special require-
ments nor established any necessary criteria for the obtaining
of a pledge. The choice of a pledge must have been based on a
personal agreement between the two parties. Moreover, it cannot
be determined from the court rolls if the villager were restricted

\(^{18}\)1311 (SC 2 179/16) Convictum est per juratores quod Beatrix le Eyr tenetur Thome Adam in xxiid. Ideo satisfaciat ei.
Et pro iniusta detentione in misericordia iiiid. Plegius Thomas le Marschall.

\(^{19}\)1316 (SC 2 179/18) Et quod Johannes Porthors levavit
murum inter se et Nicholum le Fermer nimis prope regian viam.
Ideo in misericordia vid. Plegius Radulphus Vernoun. Et
preceptum est quod emendetur.

\(^{20}\)1316 (SC 2 179/18) De Rannulpho ad Capud Ville quia non
habuit Willelmum filijm Alexandri ad respondendum de eodem.
iiid. Plegius prepositus. Postea venit et invent plegium
quod debet annuatim domino j. caponem ad Pascham scilicet Hen-
ricum Lanerey et Tannulphum ad capud ville. Et per eundem
plegium veniet semel in anno ad visum.
to obtaining a pledge only from his tithing groups, as the references to frankpledge are few in number. Other than the fact that husbands were the usual pledges for their wives, and fathers for their children, there is no "necessary relation between the kinship connection and the pledge."

Whereas men were not compelled to assume pledging responsibilities, nonetheless, there were instances when men were placed as pledges of each other (alter alterius). Such pledging usually occurred if customary tenants were fined together for a group violation of a manorial law, for example, building a manure pile on the king's road to his damages, receiving autumn workers who wrongly gleaned, or avoiding suit to the mill of the lord as illustrated:

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21 See footnote referring to pledges for ale-wives, Chapter III, #44.


23 Raftis, Tenure and Mobility, p. 101.


1326: Of Simon Ingel because he withdraws himself from the mill of the lord, sixpence. Of Catherine Marshall for the same, sixpence. Of John Rammie-shalt for the same, sixpence. Of William Saleman for the same, sixpence. Of Agnes Sley for the same, sixpence. Of William Neel for the same, three pence. Of William Whiting for the same, sixpence. Of John Selede for the same, three pence. Pledge for each other.26

Sometimes, two men were placed as pledges of each other as in the instance of the tasters not properly performing their office,27 or more generally in those instances in which two men did not carry out their court-assigned duty or were guilty of ill-behavior.

1299: Of William Selede and Reginald, the son of Faber, because they did not arrest Simon, the son of Henry Clerk. Pledge for each other. And it is ordered that he be arrested.28

1316: Of Nicholas Buntyng and Adam Warde for a transgression against Ralph Bishop and Ralph Vernon, sixpence. Pledge, each other.29

However, when only one person was charged by the court, it was left to this individual to secure his own pledge. Very possibly, the personal agreement included assurance of some kind of payment.


271326 (SC 2 (179/22) Et dicunt quod tastores cervis non fecerunt officium suum. Ideo ipsi in misericordia xiiid. Ple-gius alter alterius.

281299 (SC 2 179/10) De Willelmo Selede et Reginaldo filio Fabri quia non aрестaverunt Simonen filium Henrici Clerici manen- tem apid Overton vid. Plegii alter alterius. Et preceptum est adhuc quod arrestetur.

291316 (SC 2 179/18) De Nicholo Buntyng et Ada le Warde pro transgressione versus Radulphum Byssop et Radulphum Vernon vid. Plegius alter alterius.
depending upon the degree of risk involved to the pledge. 30 When compared to the reeve's responsibilities, those of the pledge were limited. Where the reeve could restrain men and present offenders in court, 31 the court rolls do not show the personal pledge having these powers. In fact, the personal pledge was liable to amercement himself if his principal did not follow the sentence of the court.

1326: And they say that the said Alice justly raised the hue and cry against Philip Cademan. Therefore, he is in mercy forty pence. And because the said Philip did not come, therefore Reginald Cademan, his pledge, is in mercy sixpence. 32

The pledge of a defaulting principal also could receive a heavier fine. The jurors of 1321 not only amerced Henry Knight, the pledge of Simon Knight, sixpence because Simon did not make compensation in the form of tenpence to Thomas Jordan, but ordered, too, that the tenpence be levied against Henry as principal debtor. 33 For repeated faults on the part of the principal, the pledge usually was changed or the court decided

30 Raftis, Tenure and Mobility, p. 102.

31 1320 (SC 2 179/19) De prepositis quia non attachiaverunt Radulphum Bisshop ad respondendum Johanne uxori Hugonis le Bernekene vid. Et preceptum est distringere dictum Radulphum ad respondendum ad proximam.


33 1321 (SC 2 179/21) De Henrico Knyt plegio Simonii Knyt quia idem Simon non solveret Thome Jordan decem denarios quos recuperavit versus eum pro quadam bateria sibi per dictum Simo­nem factem vid. Et preceptum est levare dictum debitum tam de dicto plegio quam de principali debitore.
to take some other action. To demonstrate such a situation, the example of Thomas Neel should prove helpful.

The jurors of 1313 ordered that Thomas be arrested if he comes on the demesne as he had been living with his wife at Offord without permission of the lord. 34 Three years later, the reeves were amerced sixpence because Thomas still had not been arrested. 35 The view of frankpledge held on the "Sunday, after the feast of St. Hilary," in the year 1320, pardoned from fine William de Sollesworth and Richard Boyken, even though as pledges for Thomas Neel they did not have him render a license fee for permission to live at Offord. It was ordered that Thomas, be given better pledges for the next court. 36 However, at the second view of frankpledge held that year, Thomas' arrest was again ordered. 37 Two courts also were held in 1321. At the first one, the jurors fined the reeves two shillings, and ordered that Angerius Neel have his brother, Thomas, appear before the next court. 38 Not surprisingly, Thomas did not

34 1313 (SC 2 179/17) Et dicunt quod Thomas Neel manet uxoratus apud Offord extra foedum domini. Ideo arrestetur si venerit.

35 1316 (SC 2 179/18) De prepositis quis non arrestaverunt Thomam Noel ad respondendum de hoc quod se subtrahit etc. vid. Et preceptum est adhuc quod arrestetur si venerit.

36 1320 (SC 2 179/19) De Willelmo de Sollesworth et Ricardo Boyken plegiis Thome Neel quia ipsum non habuerunt ad faciendam finam domino pro hoc quod se subtrahit cum catallis suis manens uxoratum apud Offord. Condonata. Et preceptum est ponere dictum Thomam per meliores pleg. ad proximum.

37 1320 (SC 2 179/19) Adhuc preceptum est sicut pluries arestare Thomam Neel nativum domini si venerit super foedum ad respondendum de hoc quod se subtrahit cum catallis suis manens apud Offord.

38 1321 (SC 2 179/20) De prepositis quia non arrestaverunt Thomam Neel Nativum domini qui se subtrahit cum catallis sine licentia domini iis. Et preceptum est Angerio Neel fratre suo quod dictum Thomam habeat ad proximum.
appear at this second view of frankpledge which again ordered his arrest. From this account of Thomas Neel it should be evident that the pledge's responsibility truly was limited.

The record of the usual personal pledge is far simpler. One case follows another; pledges are named; the principal does not default; the case is closed. Such regularity indicates the willingness of villagers to assume responsibility for the actions of their neighbors and to aid one another in maintaining membership in good standing in the village community. The majority of the pledgings for the period were extra-familial, a fact which demonstrates that there was a real spirit of cooperation in the village of Hemmingford Abbots. Just as mutual responsibility was at the core of frankpledge, so was this responsibility encouraged in the system of personal pledging.

Moreover, this universal responsibility for village law and order was emphasized by group fines, that is, fines imposed upon the whole village. Custom, and sometimes written laws, dictated that the villagers act in concert. Once the "hue and cry" was raised all the villagers were expected to respond, and to maintain the watch was a community responsibility. Twice, the jurors cited the villagers for ignoring the dictum of the statute of Winchester with regard to the watch. In 1291, the court entry read:

391321 (SC 2 179/21) Adhuc preceptum est sicut pluries arrestare Thomam Neel nativum domini se venerit super foedum ad respondendum de hoc quod se subtrahit cum catallis suis manens apud Offord.

Eighty percent of all the pledgings in Hemmingford Abbots were extra-familial.
Of all the villagers for not observing the watch.
Six shillings, eight pence. 41

The entry for 1313 was more explicit:

And they say that the villagers did not observe the
watch (according) to the second statute of Winchester.
Therefore, all the villagers are in mercy, thirteen
shillings, four pence. 42

An explanation of exactly what the watch entailed is best wrought
by citing the appropriate passages from the Winchester Statute
of 1285.

And the king commands that henceforth all watches be
made as it has been used in past times, that is to wit,
from Ascension Day until the day of St. Michael, in
every city by six men at every gate; in every borough,
by twelve men; in every town, by six or four men ac­
cording to the number of inhabitants of the town, and they
shall keep the watch continually all night from sun set
until sun-rise. And if any stranger pass by them he
shall be under arrest until morning; and if no suspi­
cion is found he shall be quit; and if they find cause
of suspicion, they shall forwith deliver him to the
sheriff, and the sheriff shall receive him without
delay. And shall keep him safely, until he be deli­
vered in due manner. And if (the stranger) will not
obey arrest, they shall raise the hue and cry against
them, and those who keep the watch shall follow them
with all the town and all the towns near, with the hue
and cry (raised) from town to town, until they shall
be taken and delivered to the sheriff as said before;
and for the arrestments of strangers none shall be
punished. 43

In this instance, the presence of a suspect stranger was

41 1291 (SC 2 179/7) De tota villata per vigilium non observ­
vandum vis. viiid.

42 1313 (SC 2 179/17) Et dicunt quod villata non custodiat
vigil secundum statutam Wynchynensem. Ideo tota villata in
misericordia xiiis. iiiid.

43 Select Documents of English Constitutional History, trans.
and ed. by G. B. Adams and H. M. Stephens (New York: Macmillan,
1930), pp. 76-77.
just cause for the "hue and cry" (huthesium). Generally, a man was bound to raise the "hue and cry" whenever he believed a crime to have been committed. All the villagers then were expected to join in the pursuit of the malefactor. However, it sometimes happened that the villagers did not carry out their duty; for such failure, the whole village was fined:

1316: And they say that Thomas Aumproun justly raised the hue and cry against Galfridus Estryfd. And because he did not come and (because) the hue and cry was not prosecuted, therefore, the whole village is in mercy, half a mark.44

1321: And they say that Agnes Aumproun justly raised the hue and cry against Mariotta Bate. Therefore, she is in mercy, threepence. And because the hue and cry were not properly prosecuted, therefore, all the village (is in mercy) forty pence.45

To wrongly raise the hue and cry, though, was a punishable offense. He who summoned his fellow villagers against an innocent person was fined.46

The hue and cry was justly raised 119 times but the villagers were guilty of not joining in the pursuit of the wrong-doer only 19 times.47 By examining these figures it is apparent

44 1316 (SC 2 179/18) Et dicunt quod Thomas Aumproun iuste levavit uthesium super Galfridum Estryld. Et quia non venit nec prosecutum fuit. Ideo tota villata in misericordia dimidium marci.

45 1321 (SC 2 179/20) Et dicunt quod Agnes Aumproun iuste levavit uthesium super Mariotam Bate. Ideo ipsa in misericordia iiid. Et quia uthesium debito modo non fuit prosecutum. Ideo tota villata xld.


47 1278 (SC 2 179/11) Villata de Hemingford recognovit anno predicto quod bestie totius villate destruxerunt omnes pisas crescentes super j. acram domini W. vicarius de Sancti Yvone et nondum satisfecerunt eidem sicut preceptum fuit ad ultimum visum.
that group action in Hemmingford Abbots was a positive element in village life. Even though the villagers were fined for permitting William Brendhous to enter his father's land without paying the gersuma, their non-action may be viewed more as a challenge to customary law, than as an example of group apathy. While the villagers sometimes overstepped their responsibilities, they nonetheless were capable of acting as a corporate person. And it was as such that they were fined in 1278. In this year, the villagers were guilty of allowing their animals to destroy the pea crop in one acre of land which belonged to the lord William of St. Ives. That animals were to be herded by day and confined by night made the offense a serious one. However, the seriousness was compounded as peas were valued as a prime source of food for both man and beast.

In certain instances, it was only the customary tenants upon whom the jurors levied a group fine. These particular villagers had common rights with regard to the fen, the pasture, and the woodland. Correspondingly, they had common obligations. These obligations, for the most part, went unrecorded in the court rolls; however, such duties were a part of village custom and commonly accepted and understood by the villagers. Many of the common laws of the village were determined by the villagers themselves as illustrated by the stand which

IDEO VILLAGE SATISFACIAT EIDEM PER TAXATIONEM JURATOREM II. BUSSELLARUM PISARUM CITRAT NOTATE DOMINI SUB PENAM DIMITIE MARE ET DICTA VILLAGE PRO INIUSTE DETENTIONE IN MISERICORDIA INFERIUS.

the jurors took with regard to the laws of maintenance and
tenure.

There are several instances of the customary tenants being
fined as a group. Two of these suits have to do with the care-
lessness of the customaries in confining their animals to cer-
tain areas. Living at a time when land was considered a
valuable commodity, the jurors did not hesitate to fine these
customaries if their animals were found in restricted marshes
or pastures. Even though there was no specific bye-law con-
cerning animals, age-old custom prevailed. The memory of the
villagers concerning what they had at one time agreed upon was
enough reason to warrant fines for actions contrary to the
common good.

However, at certain times the men of Hemmingford Abbots
made their decisions explicitly known. These villagers chose
the bye-law as the vehicle for such decisions, and used it to
cover various facets of village life. Village society was not
only manorial, or agricultural, and thus it is not surprising
to find in Hemmingford Abbots a bye-law as early as 1299 which
dealt with the village "industry" of brewing:

Because with the assent of all the customaries it
was ordained in court four years ago that if any of
the above customaries were convicted of buying ale
for other than a half penny they should be liable

49 1321 (SC 2 179/21) Preceptum est omnibus custumariis quia
animalia sua ducent ad pascandu in marisco quod ea ducant in
marisco domini Abbatis apud...ibidem pro denar. suis pascandis.
Et non alibi suis pena dimid. marce.

50 1325 (SC 2 179/22) De omnibus customariis de Hemyngford
qui habuerunt bestias suas in marisco Episcopi Eliens et revu-
erunt...pasturam domini Abbatis apud Holiode vs.
to a fine of twelve pence to the lord. And it is presented upon inquiry that all bought ale at a pence except William Dargon, that is sixty-four shillings fine on the customaries. And the fine for twenty shillings for now.51

Community responsibility also was expressed in another fashion. Almost every court roll contains an entry similar to this one:

1320: It is ordered that the villagers respond concerning three shillings, four pence which were found in the king's road; of three pence for one silver buckle; of two pence for one cape; of five pence for wool; of seven pence, halfpenny, which Nicholas Buntyng seized from a certain thief.52

Another bye-law of Hemmingford Abbots was concerned with the maintenance of roads, a task which in certain instances was a group activity.

1316: It is ordered that all customaries repair the road to the mill before the next view under penalty of twenty shillings to be paid to the lord.53

That there always was an understanding between villagers with regard to roads is evident from certain cases. In 1291, the jurors stated that the men of Lord Reginald Grey dug up the

511299 (SC 2 179/10) Quia ex assensu omnium custumariorum statutum fuit in curia visus quattuor annis elapsis quod si aliquis de predictis custumariis confictus fuerit quod emit cervisiam caram quam ad convictus fuerit quod emit cervisiam caram quam ad obolum daret domino xiid. de pena. Et compertum est per inquisitionem quod omnes emerunt cervisiam ad demarium praeter Willelmus Bargon unde summa custumariis lxiiiis. Et ad presentiam fecerunt finam pro xxs.

521320 (SC 2 179/19) Ad preceptum est villata respondere de tribus solidos quattro demariis et quadrante inventis regis via. Et de tribus denariis de uno firmaculo argenti. Et de duobus denariis de uno capico. Et de quinque denariis de lava. Et de viid. ob. quos Nicholus Buntyng cepit de quodam latrone.

531316 (SC 2 179/18) Preceptum est omnibus custumariis emendare viam versus molendinum citra proximum visum sub pena viginti solidos domino solvendorum.
common road and damaged the land to the peril of all those crossing at Hanebyrgens.\textsuperscript{54} The same jurors ordered that Walter Baron be distrained because he dug a ditch that was too big, thereby damaging the king's highway.\textsuperscript{55} A considerable number of roads were necessary in Hemmingford Abbots to enable it as an open-field village to function well. All these rights of way had to be maintained \textit{"free from obstruction and in serviceable repair."}\textsuperscript{56}

Most bye-laws were ordinances made to guarantee the regulation of the open field system. Implicit in all bye-laws is the recognition of the necessity to insure collective action with regard to the village economy. These ordinances were rendered according to the \textit{"common assent of the whole vill"} and were \textit{"a matter of active collaboration."}\textsuperscript{57} However, in Hemmingford Abbots during the period under consideration, only the two previously stated bye-laws concerning ale and maintenance of roads were explicitly stated. However, given the definition of bye-laws, it can be assumed what they would have encompassed had they actually been recorded in the court rolls. That bye-laws were the expression of village custom and tradition

\textsuperscript{54}1291 (SC 2 179/7) Juratii dicunt quod homines domini Reginald le Grey foderunt communem viam et cariant terram eiusmodem ad noctumentum transeuntum apud Hanenebyrgens.

\textsuperscript{55}1291 (SC 2 179/7) Et dicunt quod Walterus Barun artat regiam viam sub curia sua per unam fossatum nimis amplium. Ideo distingatur.

\textsuperscript{56}Ault, \textit{"Open Field Husbandry"}, p. 37.

\textsuperscript{57}Homans, \textit{English Villagers}, p. 101.
is understood.

To demonstrate this assumption, a villager by the name of John Porthors has been chosen. He was neither a juror, an ale-taster, nor a reeve, but he was a villager who frequently was before the court. His offenses probably were motivated by a desire for profit at the expense of village administration. Possibly he chose material gain as means of obtaining the recognition of his neighbors. However, John's indiscretions must have worked against him as official positions usually were reserved for those villagers of good character and high standing in the village. Naive the villagers who elected a frequent wrongdoer to a village office. As mentioned, there were no specific or recorded ordinances that John Porthors violated; however, ordinances usually took the form of prohibiting the activities of a villager such as John. By describing his "days in court," it can be deduced what village bye-laws would have contained.

In a village such as Hemmingford Abbots, it may be supposed that "unhindered right of ingress and egress would be an adjunct of every plot of land." With John Porthors, this was not taken for granted. Three times was he brought before the visus for hindering the use of roads. In 1316, he built a wall between his land and that of Nicholas Farmer; and because John interfered with the king's road, he was amerced sixpence and ordered to make amends. Four years later, the recalcitrant

59 1316 (SC 2 179/18) Et quod Johannes Porthors levavit
John again defied village custom; he built a footbridge which blocked a road called Small Lane, as well as a wall which was too near a road called Gropetmelane.

These offenses were not the only ones of which John was guilty. Drainage was a community concern, since the stoppage of water at one poorly constructed ditch could cause the flooding of the holdings which belonged to all those villagers on the same drainage outlet. And in this area, John Porthors was negligent. His construction of a watercourse in 1321 was haphazard, thereby causing damage to other villagers. Once more he was fined and ordered to make amends for his disregard of his community responsibilities. During that same year John demonstrated that his disregard for his communal responsibilities was calculated. He impounded the beasts of the serf of the lord Abbot and held them without permission. John not only

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quendam murum inter se et Nicholum le Fermer nimis proper regiam viam. Ideo in misericordia vid. Plegius Radulphus Vernoun. Et preceptum est quod emendare.

60 1320 (SC 2 179/19) Et dicent quod Johannes Porthors estupavit quandam viam que vocata Smale Lane per unam scalam quam fecit ibidem. Ideo ipse in misericordia iiid. Plegius Johannes Roger. Et preceptum est quod emendare.

61 1320 (SC 2 179/19) Et dicunt quod Johannes Porthors fecit unum murum suum nimis prope viam que vocata gropetmetalane ...ideo ipse in misericordia iiid. Plegii prepositi.


63 1321 (SC 2 179/21) Et dicunt quod Johannes Porthors facit imparcare bestias nativorum domini Abbatis extra commune eorum et eas detinet infra clausurum suum per quod ad eas accedere non possunt pro eis sustinendis nec per vad et pleg. eas...delibare quoque ei redemptionem feciunt videlicet per...unius quadrant capit, duodecim den. Ideo in misericordia xld. plegius Radulphus Vernoun.
violated the rights of the village community in 1321, he also violated the property rights of the lord. An entry in the court rolls indicate that John appropriated to himself certain meadowland. 64

Not only was it for common rights, that John had so little respect, but also for the individual rights of his fellow villagers. Had there been recorded ordinances for this period, they very well may have dealt with such matters as warning villagers against encroaching upon the land of a neighbor, and restricting plowing to one's own land. A court entry of 1311 reads:

Of Ralph Bishop, the pledge of John Porthors, because the same John did not make amends for an encroachment which he made by plowing and appropriating to himself a furlong at Dyksweye to the damages just as it was ordered in the last view. Sixpence. And it is ordered to be emended. 65

John Porthors was not the only villager guilty of violating village custom or what may be termed unwritten village bye-laws. However, his offenses were indicative of the most common ones. Not included though was anything to do with hay. This was "one crop that was not commonly sown in medieval times." 66 Because

64 1321 (SC 2 179/21) Et dicunt quod Johannes Porthors appropriavit sibi dimidiam rodam prati ex parce del...prato domini Abbatis. Et preceptum est quod cap. in manum domini et quod certe (Bund ponan.).

65 1311 (SC 2 179/16) De Radulpho Byschop plegio Johannis Porthors quia idem Johannes nondum emendavit purpresturam quam fecit arando et apropriando sibi de quarentena apud Dykesurye ad noctem sicut presentum fuit in ultimo visu vid. Et preceptum est quod emendare.

66 Ault, "Open-Field Husbandry," p. 33
Hay grew naturally or it grew not at all, it was in short supply. Therefore, it was of corresponding value. That the villagers of Hemmingford Abbots placed a premium on hay is evident from an entry of 1301:

The jurors said that William Martin, the man of lord Reginald Grey, unjustly cut the hay and trees (growing) on the fief of the lord Abbot between (the land) of Thomas Annable and William Martin. And therefore, let him be called with the seneschal of the aforesaid lord Reginald.67

Also of importance to the villagers were willows and reeds as they were useful as thatch or firewood.68

While in some instances certain villagers were negligent of their common responsibilities, more extreme was the villager who refused to take common responsibility of any form with his neighbors.

1311: And they say that Matilda Noble makes herself free and is a serf not wishing to be scot and lot with her neighbors. Therefore, (she is in mercy) sixpence. Pledge, William, the son of Peter.69

In effect, her declaration was illegal, as she sought to place herself outside of the village community. However, "community" was a concept essential to the village of Hemmingford Abbots.

The men and women of this village formed a very real community


68 1278 (Sc 2 179/4) Et dictum quod vicarius de Sancti Yvone aripuit sallices inter ipsum et Thomam Faber iniuste quia dicte sallices crescent super terram Abbatis...

1326 (Sc 2 179/22)...quia aspertavit unam slaicem de curia domini Hemmyngford sine licentia iiid. Plegius Henricus Ballivus.

69 1311 (SC 2 179/16) Et dicunt quod Matilda le Noble facit se libera et est nativa nec vult esse ad scot et lot cum vicinis. Ideo in misericordia vid. Plegius Willelmus filius Petri.
in that they acted in adherence with a set of rules, which they
determined, and which were binding upon all of them. These
rules were enforced by those officers—the jurors and ale-
tasters, who were elected by their fellow men. "A village
formed a community chiefly because all its members were brought
up to consent and act together as a group."70 Officials were
elected by the group: frankpledge and the personal pledge
stressed mutual responsibility; the villagers respected custom
and tradition and sometimes chose to emphasize this acceptance
through the formation of bye-laws; and for dereliction of duty,
they accepted group fines.

70 Homans, English Villagers, p. 69.
CHAPTER V

VILLAGE FAMILIES

Thus far the court rolls have revealed the community of Hemmingford Abbots as containing certain groups: the tithing group, the occupational group, and the activity group in local government. Now to be considered is the family group. While the place of the family in village society was of no little importance, not all families exerted the same influence, were of the same economic bracket, nor had the same degree of prestige. Therefore, families may be classified as major, minor, or peripheral, depending upon whether their involvement in village life was substantive, limited or of a transient nature.¹

An elementary survey of the court rolls (1278-1339) shows that after the data is compiled, it is not difficult to determine which families fall into one of the three categories. Such a survey is perhaps best begun with an examination of manorial and village officials.² Of the twenty-nine men listed as ale-tasters, twenty were also court jurors. Of the remaining nine men, five of them had relatives who were jurors. Again with the ale-tasters, three of them were reeves; one was a capital pledge; and one was a hayward. To further demonstrate

¹See Appendix I on Village Families.
²See Appendix II on Village Officials.
that certain families dominated village offices, it is noted that of the six reeves, five were jurors, and the relative of the sixth was a juror; that of the ten capital pledges, all were jurors; and that of the four haywards, two were jurors, and the relatives of the other two held this office. In total, ninety-eight men held village and manorial offices and represented thirty-eight families—families, though, which demonstrated varying degrees of involvement in village life and administration.

Members of twenty-five families consistently held village offices and acted as personal pledges. These families may be designated as "major." While there were twenty-nine minor families, these men were only sometime office-holders. Nonetheless, they were involved in the village framework of pledging, only not as frequently as the men from major families. So it was therefore, that the major peasant families assumed responsibility for village and manorial government and administration.

It may be asked what contributed to the rise of certain families. Answers only can be assumed, but it seems plausible to suggest that certain families were able to take advantage of local opportunities in order to expand or to solidify their place in the village community. Ambitious men could be said to have sought village offices because of a "desire to exploit these offices for the prestige they doubtless conferred, thereby strengthening their place in the community."³ However, it may be granted that certain villagers gained office because of their

³DeWIndt, Holywell, p. 220.
tenurial commitments and expertise. Main families were at the core of village life in Hemmingford Abbots and such families had extensive involvement and identification with village society. Perhaps they also had a feeling of responsibility for their less prosperous neighbors. Of the twenty-four times that members of peripheral families required a pledge, men from major families are named seventeen times.

These peripheral families are not subject to easy definition. Such families were not actively involved in the community as personal pledges, nor in positions of village responsibility. Many reasons can be guessed for their peripheral role. The Reynold family quarreled among themselves over the payment of a debt and were wont to raise the hue and cry against one another. If they could not settle family disputes, their neighbors may have been led to believe that as personal pledges the Reynolds were poor risks. Such assumption appears born out as Simon Reynold was fined sixpence in 1320, because as pledge

4 For a discussion of such matters see Brian Tierney, Medieval Poor Laws (Berkeley: University of California Press, 1962).

5 1320 (SC 2 179/19) Compertum est in precedenti visu quod Simon Reynold fatebatur se tenere Johanni Reynold, Willelmo Reynold, et Emma Reynold in septemdecim solidos argenti una quarta ordini tribus ped...pis. De quo quidem debito non adhuc solvatum est. Ideo Thomas Jordan et Simon Everard plegii sui in misericordia vid. Et postea venerunt dicti Johannes, Willelmus et Emma et concessurunt ei solvere dictum debitum infra istos tres annos sequentes per equales portiones per eundem plegium.

for Nicholas, the son of Reginald, he did not have Reginald at the view of frankpledge as ordered. During the following year, Simon again was found negligent as a personal pledge. While the Reynold family internal problems may have kept them from active participation in village life, other families chose non-involvement, witness Hugo Haring and Walter Eyr absenting themselves from their tithing group and Matilda Noble declaring herself free of sharing village responsibilities with her neighbors.

Certain men, to be sure, may have been too poor to engage in community action. Other men, like Walter and William Shoemaker, Richard, Roger and Thomas Carpenter may have been too occupied with their respective trades to assume leadership roles in the village. Also to be considered, though, are those villagers who did not see Hemmingford Abbots as having anything to offer them, and who, therefore, sought to make their home elsewhere. The Alexander, Canon, Henry, Hyrde, Noble and Russel families had such wandering members. While men had the option of moving, such an alternative was not always feasible for a woman, especially if she did not find a husband to support her

7 1320 (SC 2 179/19) De Simone Reynold et Willelmo Bargon plegiis Nicholi filii Reginaldi quia ipsum non habuerunt ad istum visum sicut moniti sunt vid.

8 1321 (SC 2 179/20) De Simone Everard et Simone Reynold plegiis Mabile Selot et Johannis Everard quia non solverunt Willelmo Hyne, Ricardo et Emma uxor eeius, Walter et Reginald filiiis dicti Willelmi et Beatrice filia eiusdem Willelmi sex denarios quos recuperaverunt versus eum in ultimo visu curie vid. Et preceptum est levare dictum debitum tam de plegiis quam de principali.
in another village. It seems that women of peripheral families could support themselves though by brewing ale as did Emma Cat, Margaret Noble, Emma-in-the-Lane and the nameless wife of William Broughton. And even then, William's wife had to plead poverty when the ale-tasters accused her of breaking the assize of ale in 1296.9

Not only were there groupings of families in Hemmingford Abbots. A study of their personal pledging activities provides some indication of the inter-personal relationships of these families. Of 549 pledgings, major and minor families accounted for 521 pledgings with the major families being involved in 399 cases. Also to be considered is that there were 46 peasants guilty of offences of a group nature. They represented 17 major families and 10 minor families; such statistics can be taken to indicate the joint working arrangements of peasants from main peasant families. Main families—both major and minor—naturally worked together as they were involved in the customary structure of the manor. These villagers had frequent contact with one another, therefore, it is not surprising, but rather expected. Theirs was a local society in which individuals relied on neighbors not only for surety, but also for economic assistance. Through the personal pledge villagers sought to maintain their standing in the community. In an elementary form pledging was an extension of kinship. The villagers, though, saw the use of personal pledges as something

91296 (SC 2 179/9) De uxore Willelmi de Broughton pro eadem ter'. Pauper.
more. These men and women were capable of adapting certain institutions to their own use. Granted that the reeve was an official of the lord, yet he was also a servant of his fellows in that it was they who elected him to office. And granted that in its simplest form, personal pledging was a legal extension of what may be termed the kinship bond. Nonetheless, the villagers were able to use the personal pledge as "a legal tool for cohesion in the village community." 10

This village community was strengthened by family ties, to be sure; however, families, whether major or minor, had their own particular place in the village; places of house and household. The villager not only had access to tillage spaced throughout the open fields, but also a messuage, 11 in the village proper. A messuage contained room enough for a house and a yard, outbuildings, and a garden. The court rolls do not give specific facts as to material details of village houses; however, it may be assumed that dwellings differed in size and structure according to the economic means of the inhabitants. As for the tenement's actual working unit, it was formed by the household rather than the family. 12 The household included the family as well as servants. The peasant who took his meals from the head of the tenement was his manipast, the term

10 Raftis, Tenure and Mobility, p. 206.

11 1320 (SC 2 179/19) Jurati presentant quod Simon atte Style estupavit cursum aque extra messuagium suum. Ideo ipse in misericordia vid.

12 Homans, English Villagers, p. 206.
manupastus\textsuperscript{13} being a Latin version of an Anglo Saxon word, 
hlafeatan, for loaf-eater.\textsuperscript{14} He who was head of the tenement 
was also, for the most part, husband and father with the accom-
panying responsibility of providing for his sons and marrying 
off his daughters. Of the children, the most important one 
was that son who was heir.

The activities and movements of children and servants 
reveal that the peasant society of Hemmingford Abbots was 
mobile. Marriage records, for example, indicate such mobility. 
The merchet was a payment for permission for the daughter of a 
servant to marry a man who was not the lord's peasant. The court 
rolls for Hemmingford Abbots cite nine women who married out-
side the manor.\textsuperscript{15} For such a custom as the payment of this 
merchet to become established, certain families must have 
lived for some length of time in the same villages. Conceiv-
ably, every village girl was expected to marry a boy of her 
home village. Such intermarriage of neighbors would lead 
small villages to be somewhat of the same blood; but whether 
or not the men of a certain village thought of themselves as

\textsuperscript{13}1301 (SC 2 179/11) Adhuc preceptum est attacchaire Regi-
naldum manupastum Johannis Peytel pro eo quod fecit rescussim 
Johannis Ingel et Thome le Clerk sicut presentum fuit ad ulti-
mum visum.

\textsuperscript{14}Morris, Frankpledge, p. 80.

\textsuperscript{15}1307 (SC 2 179/15) Adhuc preceptum est customariis quod 
querant gratiam domini citra proximam curiam de hoc quod permis-
seruntur annis subscript manitare extra foedum domini. Vide-
licet duas filias Reginaldi Atemare in Hemmyngford Grey. Bea-
tricia sororem Nicholi Annable in eadem villa. Rogerium in 
parva Styveckle. Matilda Thurburn apud Stanton. Filiam Simonis 
le Hare apud Caldecote, Emma le Noble apud Sanctum Ivonem. 
Emma filiam Wythasse et sororem suam apud Sanctum Ivonem.
being all blood kinsmen cannot be determined. Nonetheless, that kinship ties, at one time, were many and strong can be assumed, or willingness to pay the merchet would have had little chance of becoming established.16 However, by the late thirteenth century in Hemmingford Abbots, that the merchet had to be paid did not hinder the peasant woman from marrying a man "off the manor." Once the merchet was paid though, manorial jurisdiction was at an end.17

While a serf had to render a fee if his daughter married a man from another manor, such was not the case with sons. However, these young men encountered more complicated problems than that of finding a marriage partner. A son, usually the first born, was "nearest by blood" to inherit his father's tenement. But what of the other sons? If they were not provided with land by their father, then possibly they could earn their living through a trade. If such an alternative was not feasible, then such young men might be forced to seek work off the manor. A free tenant could leave the manor at whatever time he wished; a villein, though, had to pay a fine for license to be abroad. However, no peasant was likely to leave his birthplace without good reason, since to leave meant to lose any possibility of holding land there.

One peasant in Hemmingford Abbots chose the priesthood as a way of life. Walter, the son of Reginald, may have had a genuine vocation, or he may have seen the clerical life as one

16 Homans, English Villagers, p. 122.
17 Raftis, Tenure and Mobility, p. 179.
which offered a solution to a non-landholding peasant. \textsuperscript{18} Whatever his motives, Walter made the mistake of not seeking the permission of the lord to leave the manor. Consequently, his arrest was ordered in 1291, \textsuperscript{19} 1299, \textsuperscript{20} and 1306. \textsuperscript{21} His father also was brought to task because he permitted Walter to be ordained and "live across the sea" without paying a fine to the lord. \textsuperscript{22}

Walter's choice of vocation was not a common alternative though for those sons who did not inherit. Some of these men wanted to continue in the agricultural life to which they were born. One way to actualize such a desire was to marry an heiress. However, such marriages were rare, even as they are today; and the chances to obtain land in such fashion were thereby limited. Those men whose ambitions were geared towards the life of husbandry had to accept the fact their opportunities to acquire land were few. Their ambitions may have had to be satisfied by the work of a farm laborer.

\textsuperscript{18} For a treatment of the English clergy during Middle Ages, see Edward Lewes Cutts, Parish Priests in Middle Ages (New York: E. S. Gorham, 1914).

\textsuperscript{19} 1291 (SC 2 179/7) Et dicunt quod Walterus filius Reginaldi est clericus ordinatus sine licentia et manet in transmarinis partious ut videtur. Ideo arrestatur si venerit.

\textsuperscript{20} 1299 (SC 2 179/10) Adhuc preceptum est distringetur Walterius filius Reginaldi filii Petri ad faciendum finem cum domino quia ordinatus est sine licentia.

\textsuperscript{21} 1306 (SC 2 179/12) Adhuc preceptum est distringere Walter filius Reginaldi quia ordinatus est sine licentia Domini.

\textsuperscript{22} 1301 (SC 2 179/11) Adhuc preceptum est arrestare si venerint Reginald filium Petri quia fecit ordinari Walterium filium suum sine licentia et manet extra foedum.
The court rolls identify some men only as servants. It is assumed that William, the man of John Porthors and William, the garcon of John Roger, were simply personal servants. However, both Williams, even though of low status, were protected by the law. Henry Tanner acted as pledge for John Porthors and William when they were convicted of illegally trying to take possession of William Cademan's horse in the name of distraint.\(^\text{23}\)

When William, the man of John Roger, raised the hue and cry against William Newman, the villagers responded.\(^\text{24}\) Seasonal laborers, often referred to as autumn workers, also came under the rule of the court. If they performed poorly, then they were banned from field work, and their employer was fined.

William Pymes was such a laborer:

1320: And they say that Thomas Annprun received a certain William Pymes who did poor work in the autumn and at all other times. Therefore, he is in mercy three-pence. Pledge, Ralph Annprun, and it is ordered that no one is to receive him (William Pymes).\(^\text{25}\)

This dictate of the court regarding William was not followed by Walter Sley; therefore, Walter was brought before the second

\(^{23}\text{1301 (SC 2 179/11) Et dicunt quod Willelmus le Cademan iuste levavit uthesium super Johannem Porthors et Willelmus hominem suum pro eo quod idem Johannes et Willelmus fecerunt ei rescussim de uno equo quem voluit cepisse nomine distrectionis. Ideo dicti Johannes et Willelmus sunt in misericordia vid. Plegius Henricus Tannator.}\n
\(^{25}\text{1320 (SC 2 179/19) Et dicunt quod Thomas Annprun receptavit quemdam Willelmum Pymes male faciendem in autumpno et omnibus aliis temporibus. Ideo ipse in misericordia iiid. Plegius Radulphus Annprun. Et preceptum est quod nullus ipsum receptare.}\)
view of frankpledge in 1320.26

The village was surely in need of farm hands at harvest time, but an incompetent worker could not be tolerated. The court rolls do not indicate William Pymes' wrongdoing, but several reasons for his banishment can be guessed. Possibly William showed himself as unscrupulous; such a person could easily steal corn because the villagers' land was in the form of strips scattered throughout the fields. Also to be considered is that William may have entered the fields at night—a time when darkness would cover any theft of corn, beans or peas. Finally, William may have entered the harvest fields at an unauthorized time. During the day, for example, while the villagers were in the pea field they could watch each other. Because "field peas grow tall, a man might conceal himself; therefore, except at the appointed time, the pea field was out of bounds; and anyone seen therein was a lawbreaker."

Men and women, who were not deemed malefactors or outlaws but who were of little or no family means, were allowed to glean.28 The right to glean was reserved for the poor; however, no able-bodied man for whom it was possible to earn wages from farm work was allowed to glean.29 In Hemmingford Abbots, women were

26 1320 (SC 2 179/19) Et dicunt Walterus Sley receptavit Willelmum Pymes...Plegius Simon Everard.


28 1320 (SC 2 179/19) Et dicunt quod Thomas Annprun et uxor eius et filia sua male glenaverunt...Plegii prepositi.

29 Homans, English Villagers, p. 103.
frequently gleaners.\textsuperscript{30} It is probable that where anyone was received as a gleaner it was by the consent of the owner. In 1328, ten villagers were fined for receiving those who gleaned in the wrong manner.\textsuperscript{31} How the gleaners performed incorrectly is not mentioned; very possibly, they could have stolen sheaves of corn. However, it may be asked: were they innocent of premeditated theft? Supposing there were several co-tenants, might there not have been a question as to who was the rightful owner?\textsuperscript{33}

Men and women who had to glean, to seek work as farm laborers or servants were obviously from families of little or no land. A man could support himself as a seasonal laborer or as a tradesman, but to provide for a large family would prove difficult. If his sons and daughters did not take up a trade, whether it be butchering, brewing, or the like, they had little economic security. Interestingly, it is the major families that boasted the most members, and from the little evidence available it can be assumed that these were the families involved in the village land market. The peripheral families, on the average, had very few members. To be exact, the major families were represented by 4.4 members per family, the minor families by 3.72 members, and the peripheral families by 2.78 members.

\textsuperscript{30}\textsuperscript{1316 (SC 2 179/18) De propositis quia haberunt Matildam Everard ad respondendum de hoc quod male glenavit in autumnno. Postea venit...}

\textsuperscript{31}\textsuperscript{See Chapter IV, footnote #25.}

\textsuperscript{32}The phrase "male glenare" also may mean that people were gleaning who were not poor.

\textsuperscript{33}\textsuperscript{Ault, "Open-Field Husbandry," p. 16.}
While there are exceptions, there must have been some truth to the axiom: "No land, no marriage."34

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CHAPTER VI

CONCLUSION

As in modern Ireland, so in medieval Hemmingford Abbots, status was tied to property. In rural Ireland today, many landless men and women migrate, others band together and, known as tinkers, they roam the countryside seeking a living. Because they are propertyless, they do odd jobs, sometimes beg and tell fortunes like the gypsies of continental Europe. These vagabonds meet with hostility for such is the lot of the wanderer in almost any tradition-bound country. As far back as 1285\(^1\) outsiders or strangers were deemed suspicious in England.

In Hemmingford Abbots, it was very possible that strangers were outlaws. Once a serf was outlawed, no one could receive him. Very often though, the malefactor attempted to stay with friends or relatives. Villagers who harbored an outlaw or received a stranger were fined.\(^2\) Easily identifiable were strangers as they were outside of the formal family structure. These isolated individuals were relegated to the outmost fringe of village life.

\(^1\)See discussion of the Statute of Winchester, p. 64.

\(^2\)Three strangers were unlawfully received in 1296, one in 1301, four in 1311, and three in 1313. One villager not in tithing was received in 1296, one in 1299, and three in 1328. One malefactor was unlawfully received in 1320.
While families formed the primary group in village society, villagers were not absolute conformists. To be sure, the average villager was a family man and a good neighbor; he tilled the land, hired himself out as a labourer, or pursued a trade to support himself. Therefore it rightly can be said that there was a basic conformity to village custom which dictated that men live by the labour of their hands. Hardworking and hardly rebellious was the typical villager; nonetheless, men did deviate from the norm. The intransigent villager who disliked cooperation occurs infrequently. Contempt of court cases are few, and it was only some members of peripheral families who chose to remain apart from the village community. The case of Jordan, the son of Raimond, was the only one of its kind for this period. In 1313, the jurors ordered that Jordan be arrested because even though he was a serf of the Abbot, he claimed to be the man of Lord John of Hemmingford Grey. However, every court roll contains many cases of villagers being fined for a wide variety of minor offences: trespass, theft, housebreak, unpaid debts and disregard for brewing laws.

1311: And they say that Thomas Annprun seized Nicholas Bate by the head wishing to strangle him so that Mariota, the wife of Nicholas, justly raised the hue and cry against Thomas. Therefore, the said Thomas is in mercy sixpence. Pledge, Roger Vernoun.

3 1313 (SC 2 179/17) Et dicunt quod Jordanus filius Raimondi dicit se esse hominem Johannes de Grey et est nativus domini Abbatis. Ideo arrestetur.

4 1311 (SC 2 179/16) Et dicunt quod Thomas Annprun cepit Nicholum Bate per caput et ipsum maliciose strangulasse voluit per quod Mariota uxor eiusdem Nicholi justae levavit uthesiu super eundem Thomam. Ideo dictus Thomas est in misericordia vidd. Plegius Rogerius Vernoun.
1313: (They say that) Agnes, the daughter of Nigel, tried to throw Mathilda, the daughter of Martin, into a burning oven, so that Mathilda justly raised the hue and cry against Agnes. Therefore, she is in mercy threepence. Pledge, Anngerius, the son of Nigel.5

The villagers seemed to take "a peculiar delight in cracking each other's heads." If they were aware of being exploited by Ramsey Abbey, possibly their frustration found its outlet in the many instances of "fraternal fighting." And maybe it was for this reason that "the heads of their masters escape attention."6 The court rolls dissolve any myth there might be of the tranquillity of the English country-side--cruelty and harshness were a very real part of rural life.

The court rolls also indicate that the village society of Hemmingford Abbots was not a rigidly closed one. The village community was intensely local, but it still was, to a certain degree, mobile. The relatively insignificant fine for those who moved "abroad"7 and the readiness with which licenses were granted for the purpose of leaving the manor demonstrate that pressure was not placed upon the villeins to remain on their home manor.8 The economy of Hemmingford Abbots must have been

51313 (SC 2 179/17)... Agnes filia Nigelli iactasse voluit Matildam filiam Martin in uno furno caldo per quod Matilda iuste levavit uthesiou super eandem Agnetem. Ideo ipsa est in misericordia iii.d. Plegius Anngerius filius Nigelli.


7Raftis, Tenure and Mobility, p. 141.

8See Appendix IV: Movement Off the Manor.
somewhat flexible to permit villagers to move "abroad"; the case of entry by outsiders also indicates a certain economic flexibility. While immigration may have been encouraged by the opportunities of employment for seasonal labourers, emigration most probably was a movement to land.9

Hemmingford Abbots of the late thirteenth and early fourteenth century was essentially rural. The villager, however, assumed many roles: farmer, brewer, juror, craftsman, reeve, pledge, labourer. Yet, he still was dependent on the natural rhythm of the land; spring, harvest, winter—in an endless cycle. There was a certain inevitability to his life, an inevitability that must have sometimes overwhelmed the ambitious man and put a "brake on restlessness."10 How really different is the Hemmingford Abbots peasant from the rice-growers of Vietnam, or the Indians of the Southwest United States. To a certain extent, the lives of all such men are influenced more by the pragmatic decisions of day-by-day living than by lofty ideas or theories. Custom dictates that which works, is that "certain law established by what is done."11

91278 (SC 2 179/4) Testificatum ist per totam villatam quod Simon Boral qui est nativus domini et manet apud Huntingdon habet in villa de Hemmingford catalla ad valenciam x marcarum que quidem bona tradita sunt per senescallum istis subscriptis, videlicet, Jacobo Annzered qui habet bene recognovit i ringam frumenti et iiii. ringas ordei. Salemanno i ringam frumenti et i ringam pisarum. Reginaldo atte Mare i bidentem pretii xvi. d.


11 Raftis, Tenure and Mobility, p. 205.
The contemporary English village of Akenfield which Robert Blythe describes is very similar to Hemmingford Abbots in certain respects; division of labour, distrust of strangers, the benefits of inheriting property, the importance of land. However, Robert Blythe's study has a great advantage over this one. He talked to Leonard Thompson, farm-worker; Gregory Gladwell, blacksmith; Ernie Bowers, thatcher; Derrick Warren, ploughman; Paris Ede, odd-job man. Their medieval counterparts—Simon Farmer, Nicholas Smith, Reginald Thatcher, Peter Miller, Thomas Carpenter, Walter Shoemaker—have to let their actions, or rather in the case of the court rolls, ill-actions, speak for them as persons. Mr. Blythe could ask the residents of Akenfield about the village economy and land-market, religion, marriage customs, holidays, husbandry; whereas the court rolls can only suggest that such matters be studied from other sources.

This study has been an attempt to show that the world of the medieval English villagers is as real as, but other than the world that is today. Their lives were not less complicated, nor were the villagers less resourceful than their modern counterparts. Serfdom, evolution, and certain political subtleties aside, the great difference is that the "world" of Hemmingford Abbots was the world before the machine. Therein it differs the most from Akenfield today. Even though villeinage is gone, justice more sophisticated, education available, the economic situation more varied, the villagers are still traditional. The villager of Akenfield "who works in a nearby town does not think of himself as belonging to an urban district any more
than his ancestor was very conscious of belonging to a Hunderd."\(^{12}\) It is the village community that is important.

So too was it with the villagers of Hemmingford Abbots. These men gravitated towards land and adhered to custom concerning inheritance and alienation. They sought to govern themselves and elected their own officials. Good standing in the village was a community effort; men offered themselves as pledges for their neighbors and seemed to take their responsibilities seriously. Even though land gave status, not to have land did not mean starvation. There are only a dozen instances of men or women pleading too poor to pay court incurred fines. The ale-wives seemed to prosper and kept on paying fines for continuously breaking the assize of ale. Carpenters, butchers, and seasonal labourers were in evidence. Village eccentrics were tolerated, the dubious honor of which seemed to fall to Thomas Annprun and Peter Miller. Thomas was merely belligerent, but Peter seemed to try and make a profit by cheating his neighbors at the mill. While women were deprived of village office, they do not appear to be otherwise discriminated against. Finally, the men and women of Hemmingford Abbots had far more contacts with one another than they did with the Abbot or outsiders. In this sense, their village formed a real society.

While the extents deal with customary and free tenure in somewhat static terms, it is the court rolls that point to blood right, a village land market, and laws governing inheritance and alienation. The court rolls also indicate the existence

\(^{12}\)Blythe, Akenfield, p. 16.
of men who did not live exclusively by land, witness craftsmen, servants, day laborers, millers, butchers and ale-wives. In short, the court rolls suggest the possibility of examining a village economy by underlining its existence. Also noticeable is the variety of roles in the village and the independence from the manor of particular segments of the village population. Of the business brought before the court, a large proportion is non-manorial, for example, debt cases and contract cases. Moreover, certain manorial offices, like that of the reeve, have a village dimension. In fact, the ale-tasters and the jurors serve village needs. Village government through frankpledge, the personal pledging system, and group fines is indicative of that part of village life which is divorced from the manor. Finally, a study of personal pledging patterns hints at a sturdy spirit of village cooperation and definite village cohesion.

By using the court rolls as the primary source material for this study it is hoped that the villagers of Hemmingford Abbots have appeared as they were. The villagers have not been dressed up in any way, censored, fictionalized or romanticized. This study has simply reported the information available in the court rolls for a partial study of the English medieval peasant.
APPENDIX I

VILLAGE FAMILIES

A. Major families are defined as those which were involved in village government and administrative, pledgings, and land transactions.

Almar.  Adam and Agnes, Thomas, Reginald, John.
Bishop.  Radulphus and Beatrice.
Brendhous.  Simon, William, Emma.
*Clerk.  Simon, Thomas, William, Henry.
Faber.  Reginald and Emma, Nicholas, Thomas, William, Isabella.
Fenton.  Simon, William.
Ingel.  Catherine and Galfridus, Agnes, Christina, Emma, John, Simon.
Jordan.  Thomas and Alice, Agnes.
Knight.  Henry, John, Peter, Richard, Simon, Thomas, Beatrice.
Mare.  Hugo, Reginald, Simon.
Martin.  Nicholas, William, Christina, Agnes.
Newman.  John, Nicholas and Emma.
Selede.  Adam, Mabel, Walter, William.
Sley.  Peter, Walter, Thomas.
Trappe.  Agnes, Alice, Beatrice, Christina, Emma, Henry, John, Jordan, Nicholas, Simon, William.
Ward.  Adam, William.

*Thomas' involvement in the village was great. He was a juror eight times, an ale taster once, a capital pledge, and seven times a personal pledge. However, Henry, Simon and William left the village without permission of the lord in 1299.
B. Minor families are defined as those which had a limited involvement with village government and administration, but a real role in the personal pledging system and village society. Minor families were also involved in the village land market.

Annable. Thomas and Agnes, Beatrice, Mathilda, Nicholas.
Annprun. Thomas and Agnes, Radulphus.
Annzered. Emma, John, William.
Babbeworth. John, Joanna.
Bate. Mariotta, Nicholas, William.
Buntyng. Alice, Christina, John, Nicholas, Simon, William.
Cademan. Adam, Reginald, Roger, Robert, Phillip, Simon, William.
Chyne. Alice, John, Thomas, Mathilda, William.
Cok. John, Alice, Henry, Laurence, Simon.
Croft. Adam, Agnes, William.
Hog. Adam, Peter.
Lawman. Nicholas, William.
Miller. Peter and Ceisa, Catherine, Golfridus, Peter the younger, John, Simon, William.
Neel. Angerius, Thomas, William.
Nigel. Agnes, Angerius, William.
Osemund. Simon and Christine, Thomas.
Portam. Thomas, Alice.
Porthors. John, Richard, John the younger, William, Agnes.
Proudfoot. John, Nicholas.
Tanner. Simon and Emma, Henry, Elenna.
Thurburn. Simon, Christine, Mathilda, Walter, Warinus.
Vernoun. Agnes, Radulphus, Roger, Thomas.
C. Peripheral families are defined as those which had only a fringe involvement with the village community. Some members of these families moved off the manor, others were of little economic means, or simply chose to lead their lives quietly and unobtrusively.

Broughton. William and wife.
Burel. Simon, William.
Canon. Thomas, William.
Capud Ville. John, Thomas.
Carpenter. Richard, Roger, Thomas.
Cat. Emma, Alice.
Eyr. Beatrice, Mathilda, Petromilla, Walter, William.
Haring. Agnes, Mathilda, Hugo.
Hunt. Margaret and Nicholas, Agnes.
Hyrde. Henry, Nicholas, Robert.
Lane. Emma, Richard.
Noble. Emma, John, Mathilda.
Russel. Nicholas, William.
Santer. Isabella, Robert, William.
## APPENDIX II

### VILLAGE OFFICIALS

#### Ale tasters

<table>
<thead>
<tr>
<th>Year</th>
<th>Name 1</th>
<th>Name 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1278</td>
<td>Simon, the son of Roger</td>
<td>Roger, the son of Peter</td>
</tr>
<tr>
<td>1291</td>
<td>William Warde</td>
<td>Reginald, the son of Faber</td>
</tr>
<tr>
<td>1296</td>
<td>William Trappe</td>
<td>Simon Roger</td>
</tr>
<tr>
<td>1299</td>
<td>Warinus Thurburn</td>
<td>William, the son of Nigel</td>
</tr>
<tr>
<td>1301</td>
<td>Nicholas Martin</td>
<td>William Beyere</td>
</tr>
<tr>
<td>1311</td>
<td>William Beyere</td>
<td>William Fenton</td>
</tr>
<tr>
<td>1313</td>
<td>William Beyere</td>
<td>William Bargon</td>
</tr>
<tr>
<td>1316</td>
<td>Thomas Jordan</td>
<td>Walter Sley</td>
</tr>
<tr>
<td></td>
<td></td>
<td>John Roger</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Thomas Portam</td>
</tr>
<tr>
<td>1320</td>
<td>Thomas Clerk</td>
<td>Thomas Portam</td>
</tr>
<tr>
<td>1321</td>
<td>William Lawman</td>
<td>Peter Hog</td>
</tr>
<tr>
<td>1325</td>
<td>Richard Bargon</td>
<td>John Seleede</td>
</tr>
<tr>
<td>1326</td>
<td>William Brendhous</td>
<td>William Colyn</td>
</tr>
<tr>
<td>1328</td>
<td>Nicholas Martin</td>
<td>William Nel</td>
</tr>
<tr>
<td>1332</td>
<td>Simon Everard</td>
<td>Simon Heyne</td>
</tr>
<tr>
<td>1339</td>
<td>Adam Ward</td>
<td>Reginald Beyere</td>
</tr>
</tbody>
</table>

#### Reeves

- John Almar
- Richard Bargon
- Thomas Jordan
- John Roger
- Simon Roger
- Simon Atte Style

#### Capital Pledges

- William Almar
- Thomas Baron
- Ralph Bishop
- Thomas Clerk
- Nicholas Farmer
- Simon ad Maram
- Thomas Marshall
- Henry Roger
- Simon Styveckle
- Simon Trappe

#### Haywards

- William Bargon
- Peter Knight
- Adam Selede
- Walter Sley
Jurors

Adam Almar
John Almar
William Almar
Nicholas Annable
Thomas Annable
John Babbeworth
William Bargon
Thomas Baron
John Basch
Simon Benelond
Adam Beyere
Richard Beyere
Roger Beyere
William Beyere
Ralph Bishop
Simon Brendhous
William Brendhous
Nicholas Buntyng
Nicholas Cademan
Simon Canon
Roger Carter
Thomas Clerk
William Collinson
Henry Edmond
William Edmond
Nicholas Ellesworth
Simon Everard
Reginald Faber
Nicholas Farmer
Reginald Farmer
Simon Fenton
William Fenton
Simon Heyne
William Heylowe
Adam Hog
Peter Hog
Galfridus Ingel
John Ingel
Simon Ingel
Walter Ingel
Thomas Jordan
Peter Knight
William Lawman
Hugo atte Mare

Reginald ad Maran
Simon ad Maram
Thomas Marshall
Nicholas Martin
William Neel
John Newman
Nicholas Newman
William Nigel
Simon, son of Osemund
Thomas, son of Osemund
Adam, son of Peter
Nicholas, son of Peter
Reginald, son of Peter
William, son of Peter
Henry ad Pontem
Simon ad Pontem
Simon Reynold
William iuxta Ripam
John, son of Roger
Henry, son of Roger
Simon, son of Roger
William, son of Roger
Simon Saleman
John Selde
Walter Selede
William Sley
Simon atte Style
William atte Style
Simon of Styveckle
Thomas of Styveckle
William of Styveckle
Henry Tanner
Simon atte Townsend
Jordan Trappe
Simon Trappe
Thomas Trappe
William Trappe
Simon Typpe
Thomas Vernoun
Ralph Vernoun
Adam Ward
William Ward
William Whyting
APPENDIX III

VILLAGE TRADESMEN

A. Butchers

1291 Simon Buntyng
1299 Nicholas Buntyng
1301 Nicholas Buntyng
1307 Nicholas Buntyng
   Thomas Bolewer
1339 John Buntyng
   John Carnifex

B. Carpenters

1299 William Everard
1301 William Everard

C. Ale-wives

Agnes Almar
Emma, wife of Anngerius
Agnes Annable
Emma Annzered
Beatrice Babbeworth
Joan Babbeworth
Marieta Bate
Beatrice Bishop
Mathilda Bishop
wife of William Brenton
Alice Buntyng
Christina Buntyng
Emma Bythere
Alice Chyne
Alice Cat
Emma Cat
Agnes Cok
Agnes Est
Emma Faber
Agnes Ingel
Katherine Ingel
Beatrice Knight
Christine Marshall
Beatrice Martin
Catherine Miller
Cusa Miller
Elena Milner
Emma Newman
Margaret Noble
Christina, wife of Osemund
Emma-in-the-lane
Alice, wife of Nicholas Peter
Alice ad Portam
Agnes Porthors
wife of Thomas Styveckle
Emma ate Style
Elena Tanner
Agnes Trappe
Emma Trappe
wife of Angerius ad Ripam

D. Brewsters

Thomas Aumprun
Ralph Bishop
Peter Miller, Jr.
Richard-in-the-lane
Family distribution of ale wives and brewsters was the same for major and minor families. Therefore, of those who brewed ale, 41% were from major families, 41% from minor families, but 18% from peripheral families.
APPENDIX IV

MOVEMENTS BEYOND THE MANOR

With or without the permission of the lord, serfs moved from Hemmingford Abbots. To gain permission, the villein rendered an annual fine of one or two chickens or the money equivalent. He who had license to leave the manor, still had to appear at the annual view of frankpledge.

Licensed

William Alferd
William Alexander
William Annzered (Hemmingford Grey)
John Baron
William Baron
Adam Birchmor
William Brown
Simon Byrd (Hybton)
Henry Cademan (Huntingdon)
Simon Cademan (Gonester)
Thomas Canon (Erhyth)
Henry Cok (Croxtom)
Simon Everand (Blintyshom)
Absolom, son of Henry (Stanton)
Henry, son of Henry (Hirf)
Henry Hyrde (Stanton)
Nicholas Hyrde (Erhyth)
Thomas Knight
Thomas Martin
John Noble
Richard, son of Peter (Hereford)
Simon, son of Peter (Huntingdon)
William Plumbe
William Reynold
Nicholas Russel
Adam Schotesham
Reginald Trappe

Unlicensed

William, son of Alice (Strangerd)
John Bygge (Elys)
Henry Clerk (Overton)
Simon Clerk (Overton)
William Clerk (Blatherwyk)
William, son of Henry (Elatherwyk)

Robert Hyrd (Hoywell)
Hamo ad Pontem (Hemmingford Grey)
Thomas Neel (Oxford)
Walter, son of Reginald
Galfridus Saleman (Barthon)
BIBLIOGRAPHY


The thesis submitted by Elaine Gravelle Clark has been read and approved by members of the Department of History.

The final copies have been examined by the director of the thesis, and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content and form.

The thesis is therefore accepted in partial fulfillment of the requirements for the degree of Master of Arts.

May 24, 1971
(date)

Thomas L. Hogan, Jr.
(signature)