

Dearth, Debt and the Local Land Market in a Late Thirteenth-Century Village Community*

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Abstract

The main focus of this paper is the response of the peasantry to harvest failure in the Suffolk manor of Hinderclay in the late thirteenth century. Using manorial court rolls and ministers' account rolls, as well as the 1283 lay subsidy assessment, annual fluctuations in the transfer of land are compared with local, regional, and national grain price movements. The working assumption that land transfers increased as grain prices rose and that this reflected a rush to the market by sellers, desperate to exchange land for cash and goods, has been tested by searching the court rolls for possible 'motive'. As a result, the crisis sales have been set within the context of the withdrawal of credit in years of bad harvest; in particular, the possibility that excessive taxation in the 1290s caused creditors to withdraw their loans and invest in land is mooted. Withdrawal of credit from poorer villagers, especially in the last decade of the thirteenth century, meant that an added effect of taxation was to remove the support of credit at a time when it may have been most needed.

STUDIES of the land market in eastern England in the late thirteenth and early fourteenth centuries have stressed the relationship between harvest failure, high grain prices and increased land market activity.¹ The underlying assumption has generally been that harvests fail, grain prices rise and individuals sell land in

order to raise cash to buy food.² Although the data presented strongly suggest that this is indeed the case there has been less attempt to look closely at the mechanisms involved. Although both Smith and Razi discuss in some detail the buyers and sellers of land in this period, they give less attention to discussion of the factors which brought peasants to the market. The main determinants are taken to have been straightforward opportunism on the side of buyers and a struggle for cash on the part of the sellers.³ It was, above all, a buyer's market.

Research by historians of early modern England has given more attention to the

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¹ B M S Campbell, 'Inheritance and the land market in a fourteenth century peasant community', in R M Smith, ed, *Land, Kinship and Life-cycle*, 1984, pp 87-134; R M Smith, 'Families and their land in an area of partible inheritance: Redgrave, Suffolk 1260-1320', in Smith, *Land, Kinship and Life-cycle*, pp 135-95; R M Smith, 'Transactional analysis and the measurement of institutional determinants of fertility: a comparison of communities in present-day Bangladesh and pre-industrial England', in J C Caldwell, A G Hill and V J Hull, eds, *Micro-approaches to Demographic Research*, London and New York, 1988, pp 215-41; C Clarke, 'Peasant society and land transactions in Chesterton, Cambridgeshire, 1277-1325', unpublished D Phil thesis, University of Oxford, 1985, chap 4. See also D G Watts, 'A model for the early fourteenth century', *Econ Hist Rev*, 2nd ser, 20, 1967, pp 543-7. For similar findings from other regions see Z Razi, *Life, Marriage and Death in a Medieval Parish. Economy, Society and Demography in Halesowen 1270-1400*, 1980, pp 37-40.

² For example, Campbell, 'Inheritance and the land market', pp 112-3: 'As a rule...bad harvests and high prices coincided with an increase in the number of land transactions..., whilst good harvests and low prices occasionally, as in 1334-41, gave rise to the same. The inference to be drawn from this would appear to be that consecutive years of harvest failure reduced the peasantry to such a state that they were obliged to sell land in order to buy food, and that only a fortuitous run of good harvests put them in a position to recoup their losses'.

³ Smith, 'Families and their land', p 152. Cf Razi, *Life, Marriage and Death*, p 37: 'The reason for the rapid quickening of the inter-peasant land market during periods of economic crises is that smallholders and to a lesser extent half yardlanders had to sub-let and to sell land either to remit debts or to pay rents and fines to buy food, seed corn and livestock'.

underlying processes at work during dearth years. In particular, an attempt has been made to describe what Walter has termed the 'social economy' with extensions of credit and labour helping the poor survive harvest failure.⁴ By contrast, medievalists have tended to make only passing reference to indebtedness as an index of crisis in this period, and there has been little attempt to examine its relationship to fluctuations in grain prices and land market activity. Where historians have noted increases in debt litigation in manorial courts during crisis years it is not always clear whether the increased incidence of debt cases involved the calling in of debts or the creation of new ones.⁵ Dyer has noted this important distinction on the manor of Wakefield at the time of the great famine where 'a flurry of pleas of debt reflected both the need of the poor to borrow to buy food, and the calling in of old debts as creditors began to feel the pinch'.⁶ Additionally, work on taxation seems to exist in relative isolation and few historians who have described the land market fluctuation in the decades either side of 1300 have been able, presumably for want of necessary documentation, to consider the possible impact of extraordinarily high levels of lay subsidy collection.⁷

This article aims to consider aspects of

the relationship between dearth and the land market in a late thirteenth-century Suffolk community. Firstly, it describes the simple correlation between rising grain prices due to harvest failure and increased land market activity and, secondly, it attempts to examine the nature of sellers and buyers as parties in what are deemed to be 'crisis' sales. Finally, some attempt is made to relate the activities of creditors and debtors to their land market involvement during the 'crisis' years of the 1290s and, in conclusion, the tentative suggestion that taxation may have driven creditors to the land market is also mooted. The study from which these results are drawn is ongoing and the results themselves are preliminary: future work will permit comparison with the response to dearth and famine in the early fourteenth century.

I

Material for this discussion is drawn from the court and ministers' account rolls for the north Suffolk manor of Hinderclay. In the Middle Ages Hinderclay was held by the abbey of Bury St Edmunds, and good series of court rolls and of ministers' accounts are testimony to the careful lordship of the monks of that abbey.⁸ The rate of survival of court rolls from Hinderclay can be accurately assessed for at least some of the years of this study by comparing the dates of surviving courts with the record of the receipts of fines and perquisites in the accounts. From the mid-1290s, and intermittently before this date, the accounts list all the courts and leets held in each accounting year. For certain other years, in which the receipts section of the account recorded only the annual total of all fines and perquisites and not the details of each

⁴ J Walter, 'The social economy of dearth in early modern England', pp 75-128 in J Walter and R Schofield, eds, *Famine, Disease and the Social Order in Early Modern Society*, 1989, pp 75-128; also B A Holderness, 'Credit in English rural society before the nineteenth century, with special reference to the period 1650-1720', *AHR*, 24, 1976, pp 97-109.

⁵ Razi, *Life, Marriage and Death*, p 38.

⁶ C Dyer, *Standards of Living in the Later Middle Ages. Social Change in England, c 1200-1520*, 1989, p 266.

⁷ Important studies of taxation and its impact in this period include J F Willard, *Parliamentary Taxes on Personal Property, 1290-1334*, Cambridge, Mass, 1934; J R Maddicott, 'The English peasantry and the demands of the crown, 1294-1341', *Past & Present Supplement*, 1, 1975, reprinted in T H Aston, ed, *Landlords, Peasants and Politics in Medieval England*, 1987, pp 285-359 (subsequent page references are taken from the latter); W M Ormrod, 'The crown and the English economy, 1290-1348', in B M S Campbell, ed, *Before the Black Death, Studies in the 'Crisis' of the early Fourteenth Century*, Manchester, 1991, pp 149-83. For an attempt to incorporate late thirteenth-century incidence of taxation within a general discussion of peasant living standards see Dyer, *Standards of Living*, pp 84, 116, 138-9, 276.

⁸ Court rolls for the period 1257-1335: University of Chicago Bacon Mss [hereafter Bacon Mss] 114-122; account rolls exist for the same period: Bacon Mss, 405-462. There is also a late thirteenth-century demesne extent, Bacon Mss, 832 and some evidences survive for the manor, probably compiled in the early fifteenth century, BL Add 31970.

and every court, this total can be compared with an annual total calculated from the actual courts surviving for that year. There is a complete survival of courts for the late 1290s, unlike the earlier years of the series. By the 1290s it appears that between five and seven courts were held annually; although there is some fluctuation in the annual number of courts held, especially between July 1293 and July 1294, when eleven courts were held, there is little to suggest that this reflected a real increase in court business.⁹ The insight into the strength of the court roll series which the account rolls offer permits a degree of confidence in the trends displayed by the data extracted from the court rolls.¹⁰

Hinderclay is no more than two miles south of the Norfolk border and around twenty miles north-east of Bury St Edmunds. The river Waveney runs to the east of the village. Most of the land is given over to arable, as it was in the Middle Ages, although there are substantial areas of pasture and woodland, including the alder groves from which the village took its name. There were also commons in the Middle Ages and a periodic market at Botesdale. Hinderclay is also within a mile or two of Redgrave, another manor of Bury St Edmunds, the muniments of which have been the focus of much of Richard Smith's research, and his findings, as will become clear, have provided comparative data against which to set this present research.¹¹

Although the demesne farm was situated at Hinderclay, the lordship of Hinderclay extended into the two neighbouring manors of Rickinghall and Wattisfield. In

1283 when Hinderclay was assessed for a lay subsidy of one-thirtieth, a return describing land tenure was also produced and this provides tenurial information which offers the fullest statement of the manor's extent.¹² From the return on tenure we learn that the demesne at Hinderclay was made up of some 320 acres of arable, 32 acres of meadow, 40 acres of pasture and 120 acres of woodland. An unrecorded number of *villani* held 455 acres of arable as well as lesser extents of woodland, meadow and pasture; there were also sixteen *cottarii* who held messuages and four named freemen holding some 50 acres between them. In addition to the return on tenure, an early fifteenth-century court book contains, amongst other things, a number of undated rentals and excerpts from rentals, at least two of which appear to date from the late thirteenth or early fourteenth centuries.¹³ Most importantly, the book contains a list of tallage payments dated 1300-1 which includes the names of eighty villein tenants; against fifty-two of these the size of their holding is also written.¹⁴ The range of recorded holding size is considerable with one tenement 30 acres in extent and others no more than a single acre (Table 1). Where acreages were recorded the average holding size was found to be just over 7 acres but the list includes almost thirty villeins for whom no holding is recorded and, of these, seven paid nothing to the tallage because they were poor.¹⁵ The average holding size may, therefore, have been smaller.¹⁶

¹² PRO, E 179 242/41. The assessment is published: E Powell, ed, *A Suffolk Hundred in the Year 1283. The Assessment of the Hundred of Blackbourne for a Tax of One Thirtieth, and a Return showing the Land Tenure There*, 1910.

¹³ BL, Add 31970, medieval folios 197 (modern 5) - 212 (20).

¹⁴ BL, Add 31970, 212 (20). The list is headed *Talliagium nativorum de Hilderle ad auxilium cape camerarii anno regno regis Edwardi xxix*.

¹⁵ B M S Campbell, 'The complexity of manorial structure in medieval Norfolk: a case study', *Norfolk Archaeology*, 39, 1986, pp 243-4.

¹⁶ In fact the mode and median of the recorded holding sizes, both 6 acres, may come closer to reflecting the reality at Hinderclay. Even a holding of this size might be considerably larger than many of the holdings. A similar situation, albeit on a larger scale, is described by Smith, 'Families and their land', pp 139-40 where he

⁹ See below, Table 2.

¹⁰ In other studies, which lack the support of account rolls, estimates of the total number of courts held in each year have been made: cf Campbell, 'Inheritance and the land market', pp 108-9, Razi, *Life, Marriage and Death*, pp 45-7, and comments therein.

¹¹ Smith, 'Families and their land', pp 135-95. On Botesdale see *idem*, 'A periodic market in late thirteenth and early fourteenth century Suffolk' in R M Smith and Z Razi, eds, *Medieval Society and the Manor Court*, 1996, pp. 450-81.

TABLE I
Frequency of holding sizes recorded for the tallage list, 1300-1

Acreage	1	1.5	2	3	4	4.5	5	6	7	9	10	11	12	14	15	16	18	20	30
No of holdings	2	1	5	5	1	1	3	12	1	2	4	1	5	1	1	1	1	1	1

Source: BL, Add 31970.

Of the numerous 6 acre units, most, if not all, may have been tenements owing labour services, as, perhaps, were those other holdings which were multiples or divisions of three. The ministers' accounts include an account of labour services owed by the unfree tenants who look to correspond to the sixteen *cottarii* of the 1283 tenure return. From the accounts we learn that the number of labour service owing tenements was sixteen, each of 6 acres, each owing two winter and summer works (minor works) per week and a total of twelve autumn works each; there were also six tenements of 3 acres, each owing one minor or winter/summer work per week and six autumn works per tenement. These last six tenements were situated in Wattisfield and Rickinghall, as an inquiry into labour services recorded in the court rolls in 1318 makes clear: hence, they did not find their way into the 1283 return on tenure.¹⁷ Of the average holding size of the *villani*, as described in the 1283 return, who between them held over 400 acres of arable, it is difficult to gain any clear impression. Entries in the court rolls and from the tallage lists and rental extracts show that a distinct minority of tenants held 20 acres or more but most held much less than this, some holdings comprising not much more than an acre, possibly less.¹⁸

An important question here concerns

the 'actual' size of peasant holdings. Clearly, in terms of subsistence agriculture the very small units, detailed above, cannot be conceived of as viable holdings.¹⁹ Further, as Campbell has been able to show, at Hevingham, Norfolk, free tenants often held land in more than one manor in the late thirteenth century.²⁰ Although there seems less likelihood that customary tenants held land in neighbouring manors, the possibility should perhaps not be altogether rejected. However, if the Hinderclay small-holders were not holding land in other manors, it is inconceivable that they were not involved in small-scale trade and proto-industries. These are important issues which will not receive the detailed attention they deserve here but must await further study. The potential for cross-referring the information on the tenantry of Hinderclay with that from the court rolls of neighbouring manors, such as Redgrave and Rickinghall, exists and may prove illuminating, as indeed may an attempt to search the records of the local periodic market at Botesdale for the appearance of Hinderclay tenants as market traders and vendors.

Whatever the actual size of holdings, most parcels of land transferred in the land market were very small.²¹ An examination of 151 land transfers recorded in the manor's court rolls for the periods 1279-1284 and 1289-1299 for which the extent of land is given shows that the average area of land transferred was no more than a single acre. In fact, the median

notes that, at Redgrave, tenement sizes had a lowest level of 1.5 acres and an upper level of 40 acres with a tendency for units to be composed of multiples of 5 acres.

¹⁷ Bacon Mss, 120 m 9/2, court of 16 Dec 1318.

¹⁸ William son of Adam paid tallage of 2s 6d for 30 acres whilst Thomas Gardener paid 1d for a single acre. The form of inheritance at Hinderclay was partibility, a fact which had no doubt contributed to the seemingly small units of land. Defensive measures against partibility of the kind described by Smith for Redgrave (Smith, 'Families and their land', pp 180-5) can also be found at Hinderclay.

¹⁹ See, for example, Dyer, *Standards of Living*, pp 118-27.

²⁰ Campbell, 'Manorial structure in medieval Norfolk', pp 239-40, 243-5.

²¹ Clarke, 'Chesterton', p 92 offers similar results.

and modal holding size of half an acre comes closest to reflecting the reality of the extent of plots of land typically dealt with in the Hinderclay land market. The impression gained is that the acres traded in the land market were often not the customary labour service-owing tenements or even fragmented parcels of the same but instead were scattered acres from within the block of 455 acres described as held by the *villani* in the 1283 return.²² It was land of such a tenurial quality and size which made an active land market feasible.

II

As noted above, recent study of the land market on manors in southern and eastern England in the late thirteenth and early fourteenth centuries has shown that the behaviour of the land market, that is, whether it was busy or not, changed quite dramatically from year to year, fluctuations which historians have readily associated with harvest failure. Bruce Campbell, through his analysis of the land market on the Norfolk manor of Coltishall, discovered that there was a strong correlation between the number of land transfers in a given year and Norwich grain prices. The correlation was most obvious in years of bad harvest, when the correlation was positive, prices and numbers of transfers both increasing, and, on occasion, in years of good harvest when, with very low grain prices and a larger than average number of transfers, the correlation was negative. Richard Smith has found similar trends at Redgrave, where, in fact, the annual fluctuations in numbers of land transfers resemble the peaks and troughs of the Norwich grain price material even more closely than do the Coltishall transfers. Carolyn Clarke's unpublished examination of the Cambridgeshire manor of

Chesterton in the same period has also produced similar findings, although with a slightly modified emphasis on certain bad harvest years. Hinderclay displays similar patterns. In particular, they accord very closely with the Redgrave transfers examined by Smith, which is to be expected since the manors were, as already noted, only a couple of miles apart.²³

Comparison of fluctuation of land transfers and the local, regional and national grain price data (Figs 1A, 1B and 2) indicates that the Hinderclay land market was harvest sensitive.²⁴ The graphs suggest that the land market in the 1290s lagged behind the years of high grain prices, particularly in 1293-5. This feature is best explained in terms of a delay between harvest failure and market reaction: families hoped to see the crisis through without having to resort to such drastic action as the sale of land. It was only when shortages began to bite, perhaps late into winter, that the land market was spurred into real activity.²⁵ That said, it is important to acknowledge that court roll survival for the accounting

²² Campbell, 'Inheritance and the land market', pp 107-27; Smith, 'Families and their land', pp 151-2; Clarke, 'Chesterton', pp 127-37. Transfers of land at Hinderclay in this period were, for the most part, recorded as surrenders and admittances, the outgoing tenant surrendering his land to the lord who then granted it to the new tenant, usually to hold 'to himself and heirs', *sibi et heredibus suis*. That said, the earliest transfers were often not made in this form which had become common practice only by the early 1290s by which decade a standard formula of alienation had been established. The situation again parallels that found by Smith for Redgrave: Smith, 'Families and their land', pp 150-1; *idem*, 'Some thoughts on 'hereditary' and 'proprietary' rights in land under customary law in thirteenth and early fourteenth century England', *Law and History Review*, 1, 1983, pp 98-107.

²⁴ I am grateful to Dr Bruce Campbell for sending me his grain price data for Norwich which is a transcript of the Lord Beveridge material preserved at LSE. Although both wheat and barley prices are given, barley was the main crop at Hinderclay, as it was in much of East Anglia: cf B M S Campbell and M Overton, 'A new perspective on medieval and early modern agriculture: six centuries of Norfolk farming c 1250-c 1850', *Past & Present*, 141, 1993, pp 54-7.

²⁵ This may also account for the delay in the land market response in 1283-4. Crop yield data taken from the Hinderclay ministers' accounts would seem to confirm the general trends of the less geographically specific Norwich information: Ministers' accounts, Bacon Mss, 415-433. However, unfortunately, although most of the years of lower yield (for wheat, 1283, 1295 and 1299; for barley, 1283, 1290-1, 1296, 1299) do correspond to years for which grain price data survive, the high price years of 1293 and 1294 do not link with years for which we can calculate crop yields.

²³ For example, of the four references to *terra custumaria*, one is to a twelve acre holding, one to a six, one to a five and one to a half acre holding.

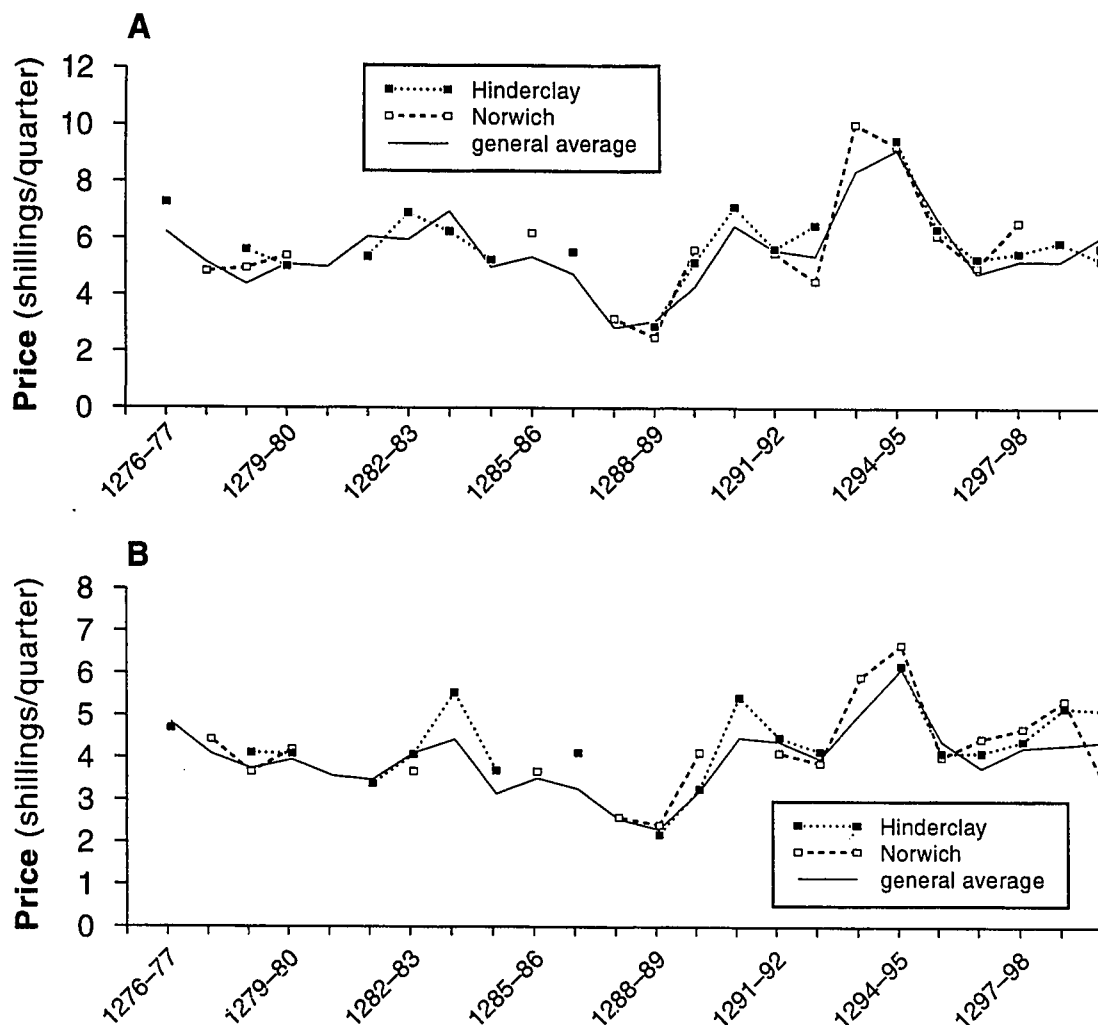


FIGURE 1 A. Wheat prices, 1276-1299; B. Barley prices, 1276-1299 (Sources: Hinderclay, Bacon Mss, 414-5, 417-31, 433-4; Norwich, Lord Beveridge Price History Archive, Box G9, London School of Economics, compiled from Norwich Cathedral Priory Obedientary manors (Norwich Record Office, DCN 60); General Average, J E T Rogers, *A History of Agriculture and Prices in England*, 7 vols, 1866-1902, I, pp 226-8).

year 1293-94 seems to have been poor and that a number of transfers may have been lost. Further, the number of observable transfers may be disproportionately low because courts from that accounting year survive mostly from months in which, according to a month-by-month analysis of seasonality of transfers, a lower than average numbers of land transfers occurred.²⁶ An investigation of seasonality

for the quinquennium 1294-99 suggests that spring and autumn were the busiest times for the land market; it is also possible therefore that years for which there is incomplete survival of court rolls but for which spring and autumn courts do survive may loom disproportionately large in terms of numbers of land transfers. This potential for distortion is illustrated in Figure 2 where the average number of transfers per court closely follows the trend described for actual numbers of transfers in the 1290s,

²⁶ Bacon Mss, 117, m 11; courts survive from 13 Sept 1293, 1 Oct 1293, 9 Nov 1293, 13 Jan 1294.

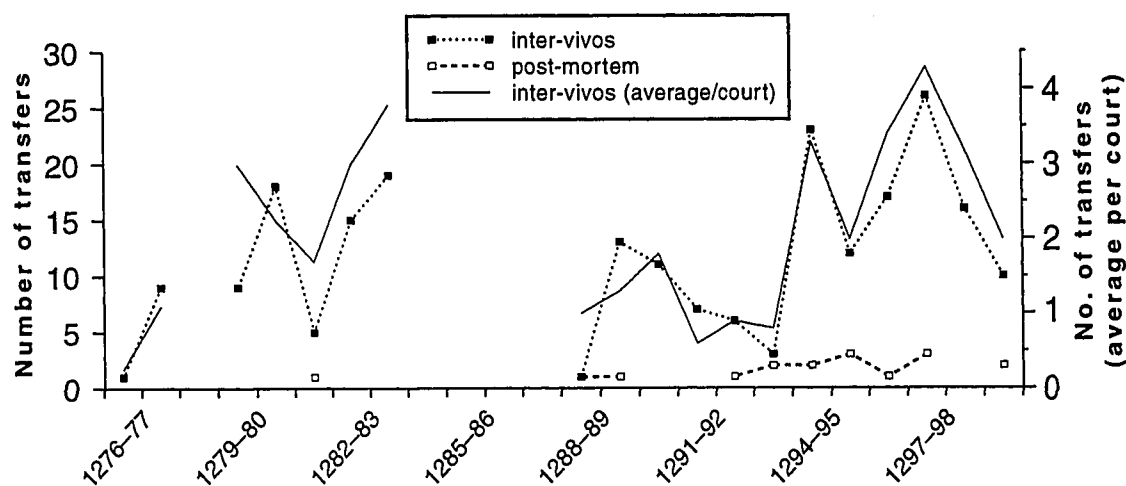


FIGURE 2 Land transfers at Hinderclay, 1276-1299 (Source: Bacon Mss, 114A-117).

from which decade courts survive almost intact, whereas the relatively poor survival of the court rolls in the late 1270s and early 1280s is perhaps reflected in the lack of correspondence between the trend of the annual average number of land transfers and that of the number of observed, that is, extant, transfers.

In attempting to gauge the impact of the peaks and troughs of grain prices and local land market activity upon the peasantry, we do not find in the court roll usable demographic data for the traditional defining formula for dearth: very high grain prices, sharp increases in mortality, and decreases in nuptiality and conceptions. Possible indicators of death, nuptiality and fertility in the court rolls, respectively heriot, merchet and childwite payments, appear infrequently (Table 2). The combination of the small sample of entries and the probable vagaries of court practice, custom and seigneurial policy most likely render these types of payment at Hinderclay all but useless as demographic indicators for this period. However, there is a degree of fluctuation, for instance increases in numbers of heriot in 1294 and 1298, which means that, together, the payments may

offer valuable pointers to problem years.²⁷ To begin with heriots, although the very few recorded deaths are grouped in what are, in terms of grain prices and increased land transfers, recognizable problem years, it would be unwise to claim that they show an increase in mortality.²⁸ The small number of heriots is explained in terms of both a possible tendency to collect heriots only upon the deaths of tenants of larger holdings, especially those owing labour services, and, more importantly, the rela-

²⁷ For heriots cf M M Postan and J Z Titow, 'Heriots and prices on Winchester manors', *Econ Hist Rev*, 2nd ser, xi, 1959, pp 392-417, reprinted in M M Postan, *Essays on Medieval Agriculture and General Problems of the Medieval Economy*, 1973, pp 150-185 (subsequent page references are taken from the latter); severe fluctuation in heriot numbers is not so typical elsewhere: cf I Kershaw, 'The Great Famine and agrarian crisis in England 1315-1322', *Past & Pres*, LIX, 1973, p 37, reprinted in R H Hilton, ed, *Peasants, Knights and Heretics. Studies in Medieval English Social History*, 1976, p 119; also R M Smith, 'Demographic developments in rural England, 1300-48: a survey', in Campbell, *Before the Black Death*, pp 53-7. Also note Razi's comments on merchet and childwite payments as indices of problem years: Razi, *Life, Marriage and Death*, pp 45-7, 64-71. All three kinds of payments from this period at Hinderclay have been analysed by Thrupp as part of a discussion of replacement rates: S Thrupp, 'The problem of replacement rates in late medieval English population', *Econ Hist Rev*, 2nd ser, 1965, pp 101-119. Note that the figures in Table 2 differ from Thrupp's total figures for merchet, childwite and heriot payments at Hinderclay in the period 1289-1300 perhaps because of some redating of the court rolls: Thrupp, 'Problem of replacement rates', p 106, table I.

²⁸ Cf Postan and Titow, 'Heriots and prices on Winchester manors', *passim*.

TABLE 2
Inter-vivos land transfers, heriot, merchet and childwite payments at Hinderclay, 1277-1299

Year (Marg- Marg)†	No of courts surviving	No of courts held	No of leets surviving	No of leets held	Court receipts surviving (d)‡	Court receipts as account (d)‡	Inter-vivos transfers	Inter-vivos transfers: average per court	Post-mortem transfers (heriot)	Merchet	Childwite
1276-7	4	—	—	—	476	—	1	0.25	—	2	1
1277-8	8	12	—	1	890	1960.5	9	1.1	—	6	—
1278-9	—	—	—	—	—	—	—	—	—	—	—
1279-0	3	—	1	—	543	693	9	3	—	1	—
1280-1	8	—	1	—	1306	—	18	2.25	—	6	1
1281-2	3	—	1	—	368	1276	5	1.7	1	2	—
1282-3	5	—	—	—	732	876	15	3	—	2	1
1283-4	5	—	1	—	715	1020	19	3.8	—	4	1
1288-9	1	6	1	1	126	966	1	1	1	—	—
1289-0	10	—	1	—	2180	1668*	13	1.3	1	1	3
1290-1	6	7	1	1	622	805	11	1.8	—	1	1
1291-2	11	11*	1	—	979	979*	7	0.6	—	6	3
1292-3	7	7*	1	1*	1157	1157*	6	0.9	1	9	—
1293-4	4	—	—	—	551	—	3	0.8	2	4	—
1294-5	7	7	1	1	1015.5	1027.5	23	3.3	2	8	5
1295-6	6	6	1	1	1451	1451	12	2	3	9	4
1296-7	5	5	1	1	736	736	17	3.4	1	4	—
1297-8	6	6	1	1	1518	1518	26	4.3	3	10	5
1298-9	5	5*	1	1*	1022	1019*	16	3.2	—	6	1
1299-0	5	5	1	1	1313	1313	10	2	2	—	3

Source: Bacon Mss, 114A-117; Bacon Mss, 415-434.

† Prior to 1295-6 the accounting year ran from and to the feast of St Margaret (20 July); inconsistencies in form and incomplete survival of accounts meant that it has not been possible to recalculate the numbers of courts and totals of receipts for these years on the basis of an accounting year running from Michaelmas (30 Sept). However, given the excellent condition and relative consistency of the later accounts, 1295-6 to 1299-1300, it has proved possible to recalculate these accounting years as if they ran from and to the feast of St Margaret; the data for these years are so presented in the table.

*No individual courts listed in receipts of perquisites and fines but total receipts correspond to (within 15) the calculated total recorded in the year's courts.

† In most years a fairly small proportion of fines was paid in kind any recorded such: these fines have not been included here.

‡ A leet court held Thurs next after the feast of St Augustine 20E1 (Bacon 117 m 5: it is the only court on the membrane), which had receipts of 42s (or 504d) does not seem to have been recorded in the receipts of the accounts, either in this or the previous year. It is also not clear to which feast of St Augustine the court title refers. The fact that the annual receipts are less than the sums of the year's courts can be explained either in terms of a mistake in dating, either my own or the court's clerk, or a reduction on the account from the sum originally demanded in the court. The condoning of amercements subsequent to the court is evidenced later, 1291-2, Bacon Mss, 426: a note at the foot of the account reads ...*substructus inde xvss. id. quos dominus condonavit de pluribus amercementis...* Further, the total of the court receipts entry for this year, 1289-90, has been reduced from that given in the rendering of account. The whole entry reads as follows: *Perquisita. Item reddit compotum de viii li. vis. vii. d. receipts de perquisitis curie. Summa vi li. xixs.*

tively large number of *pre-mortem* gifts and sales of land at Hinderclay, particularly with regard to the bulk of 'villein' land over which the lord did not exercise the same degree of care.²⁹ The payment of merchet is perhaps more useful as an index of crisis. Merchet was, as Table 2 shows, frequently paid during this period and, in the middle years of the 1290s, the number of payments increased markedly. Razi has suggested that in years of higher than average mortality at Halesowen, such as 1293-5, the number of marriages rose as individuals remarried or took the opportunity presented by newly available land to marry and form new households.³⁰ At Hinderclay there is evidence of similar processes at work; on occasion it appears to be explicit: for instance, in 1293, Thomas le King entered land surrendered by his mother and in the next entry of the same court paid fine to marry.³¹ However, although the grouping of merchet payments in certain courts, such as those held in January 1293 and October 1294 in both of which five separate payments were made for merchet,³² may suggest actual fluctuations in frequency of marriage, it seems as likely that fines were, from time to time, collected *en masse* and thus may offer more of an insight into manorial administration than nuptiality patterns. Finally, in the worst years, as Razi has suggested, when peasants could not even afford to marry, they paid childwite – the amercement for having a child out of wedlock.³³ The grouping of childwite amercements in the middle years of the 1290s may also add weight to the view that their occurrence was symptomatic of a time of uncertainty and illiquidity, or downright poverty. However, as above, the

small sample size invalidates any attempt at discussion of relative frequencies.

Despite these reservations, when the figures for heriot, merchet and childwite payments form part of a longer series it may prove possible to gain a greater impression of their relative frequencies. In particular, given the likelihood that the pool of collectable heriots was probably quite small, any increase may have been significant and could be suggestive of a general increase in mortality. For the present, however, it seems safest to return to the most copious of the 'types' of entry, the *inter-vivos* land transfers.

III

In order to place the land transfers squarely within the context of crisis sales in response to harvest failure some attempt needs to be made to examine the stimuli which prompted people to sell their land. Although there is much which points in the direction of a desperate scramble for cash in order to pay rents or to stave off starvation, we need at least to ask whether there is anything more concrete in the records which can add weight to what is, after all, an assumption based on the combination of two pieces of information. Some attempt needs to be made to distinguish between sales made solely for the purpose of raising cash and sales which, although quite possibly precipitated by dearth, did not have the quest for cash as their prime motive. In other words, we need to identify the 'mechanisms' at work.³⁴

If the arbitrary distinction is made between those engaged in something akin to a market and those providing for the future of relatives, although, of course, the two are not necessarily mutually exclusive, there is every indication that the land

²⁹ See above, pp 3-5.

³⁰ Razi, *Life, Marriage and Death*, pp 47-8.

³¹ Bacon Mss, 117 m 8, court of 8 Jan 1293.

³² Bacon Mss, 117 mm 8, 13, courts of 8 Jan 1293, 5 Oct 1294. At least in two cases it may be that the husband and wife paid separately in the same court, effectively doubling the figure of 'marriages'.

³³ Razi, *Life, Marriage and Death*, pp 64-71.

³⁴ Giovanni Levi writes '...it is less important to emphasize who sells and who buys than it is to ask what mechanism lay at the heart of the transaction and *how the price came to be set*' [his italics]: Giovanni Levi, *Inheriting Power. The Story of an Exorcist*, Chicago, 1988, p 84.

market at Hinderclay was, for the most part, a 'real' market.³⁵ It would clearly be unwise to assume that transfers between kin were never 'commercial' transactions but an attempt to distinguish between transfers amongst kin and transfers amongst non-kin is suggestive. It indicates that sales to non-kin were the most typical form of inter-vivos transfer, notwithstanding the inherent problems of identifying kin in manorial court rolls. Between 1278 and 1283 there were 16 transfers between kin and 36 between non-kin; between 1294 and 1299 the number of kin transfers was 27 as against 62 transfers amongst non-kin.

The competitive character of the land market at Hinderclay is further suggested by the fact that certain individuals took their chance in the land market and bought when the majority sold. The number of sellers outstripped buyers in the poor harvest years of this period (Table 3). In 1283-4 and for most of the 1290s, with its low point of 0.6 in 1293-4, the ratio of buyers to sellers was less than 1.00. Smith's analysis of the Redgrave court rolls produced very similar results to these and both he and Campbell interpret a poor ratio of buyers to sellers in terms of forced sales in response to bad harvests.³⁶ Smith also describes the processes by which a small number of individuals acquired quite large holdings, seemingly at the expense of their fellow villagers and, as before, this is a situation closely mirrored at Hinderclay.³⁷ Examination of buyers and sellers in the two five-year periods suggests that, in both periods, there were natural buyers and

TABLE 3
The ratio of buyers to sellers in the
Hinderclay land market, 1277-1299

Year (Marg- Marg)	Number of buyers	Number of sellers	Buyer:seller ratio
1277-8	8	5	1.6
1278-9			
1279-0	7	7	1
1280-1	16	15	1.07
1281-2	5	5	1
1282-3	16	13	1.23
1283-4	16	18	0.89
1288-9	3	3	1
1289-0	10	9	1.11
1290-1	11	11	1
1291-2	4	6	0.66
1292-3	6	8	0.75
1293-4	3	5	0.6
1294-5	20	27	0.74
1295-6	14	17	0.82
1296-7	14	17	0.82
1297-8	19	25	0.76
1298-9	14	18	0.77
1299-0	9	11	0.82

Source: Bacon Mss, 114A-117.

sellers but that, in the second quinquennium, the distinction is more pronounced and the impression is very much that it had become a buyer's market. Between 1278 and 1283 there were 49 recorded transfers of land involving 61 individuals of whom 29 bought but did not sell, 27 sold but did not buy and 5 both bought and sold; in the period 1294 to 1299 there were 99 recorded transfers and of the 102 individuals involved, 39 only bought, 55 only sold and only 18 did both. A feature of the analysis of those who were only sellers or buyers in the land market is that about half of the transfers in the market involved individuals who entered the market more than once to sell or to buy land (Table 4). In particular, a few individuals either bought or sold land on a number of occasions, their behaviour consistent enough to suggest that they were in a position of advantage or disadvantage vis à vis their fellow villagers.

³⁵ Smith discusses the distinction between non-family and intra-familial transactions at Redgrave: Smith, 'Families and their land', p 160. The relatively small number of intra-familial transfers is a feature of other manors in eastern England: Smith, 'Families and their land', p 157; *idem*, 'Transactional analysis', p 227; Campbell, 'Inheritance and the land market', p 121. On the dominance of intra-familial activity in traditional peasant land transfer cf R. Hodges, *Primitive and Peasant Markets*, 1988, pp 8, 62, 74-6, 124, 135.

³⁶ Smith, 'Families and their land', pp 159-65; Campbell, 'Inheritance and the land market', pp 110-15.

³⁷ Smith, 'Families and their land', pp 165-72. See also Razi, *Life, Marriage and Death*, pp 94-8.

TABLE 4
The frequency of land market involvement
of individual sellers and buyers at
Hinderclay, 1294-1299

Number of sales per individual	Sellers	Buyers
8	1	1
7		
6		1
5	1	
4	2	
3	4	4
2	10	10
1	54	40
Total	72	56

Source: Bacon Mss, 116-117.

William son of Adam was the most active buyer of land in the 1290s. Between 1294 and 1299 he bought land on eight occasions from five different individuals, all of whom would seem to have been non-kin and all appeared as relatively frequent sellers of land in this same period.³⁸ All these men were also prominent members of the village community at Hinderclay. They appeared very often in the manor court, sometimes in a position of responsibility such as juror or chief pledge. The involvement of individuals such as these in the land market of the 1290s was substantial and had, it is suggested, little or nothing to do with a redistribution of family land.³⁹ It seems that if we are to look for a 'commercial' sale with sellers raising cash, perhaps to buy food, to settle debts or to pay taxes and buyers simply taking advantage of the situation in order to accumulate, it is here that we should look. In the remainder of this article, an attempt will be made to examine the sales and purchases of some of the more active participants in the land market

³⁸ Sellers to William son of Adam and land market involvement, 1294-1299: Ralph Kempe 1294, 1297 (3); Henry Crane 1295 (2), 1299; Robert Messor 1295 (2), 1295, 1296, 1297, 1298 (2), 1298; Nicholas Wodeward 1295, 1296, 1297, 1298, 1299; Adam Bretun 1297, 1297, 1298. Years in bold indicate sales to William: Bacon Mss, 116-7.

³⁹ For Redgrave, see Smith, 'Families and their land', p 172.

during the 1290s with a view to assessing the 'mechanisms' at work.

IV

It is clear that the disproportionately wealthy dominated the buying of land in the late thirteenth century. The taxation assessment for the lay subsidy of one-thirtieth undertaken for Blackbourne Hundred in 1283 offers a valuable index to the relative wealth of at least some of the villagers to be found in the Hinderclay court rolls from the late thirteenth century⁴⁰ (Appendix). The assessment lists 39 villagers, 34 of whom can be identified in the court rolls. Of these 34, 14 can be found in the land market between 1294 and 1299, 6 as buyers, 7 as sellers and 1 who both bought and sold. The table seems to confirm the impression that the wealthiest individuals purchased land in the late 1290s whilst poorer villagers, in fact the middling peasants since they could still be counted amongst payers of the lay subsidy, sold. Prominent amongst the buyers, as we have already seen, was William son of Adam who was assessed in 1283 on, amongst other cereals and also livestock, 5 quarters of wheat and 8 quarters of barley. His total taxable wealth, in terms of moveables, was calculated as £5 5s 6d which made him the wealthiest villager in Hinderclay. William's brother, Robert the son of Adam, was the third wealthiest villager with movables valued at £4, the whole sum arising from 20 quarters of barley.⁴¹

⁴⁰ PRO, E 179 242/41; Powell, *A Suffolk Hundred*. There are no surviving lay subsidy assessments for Blackbourne Hundred for the 1290s: examination of manors with both good series of court rolls and taxation material would undoubtedly be profitable. On the use of lay subsidies to investigate the peasantry see K Biddick, 'Medieval English peasants and market involvement', *Jnl Econ Hist*, xlv, 1985, pp 823-31; J F Hadwin, 'The medieval lay subsidies and economic history', *Econ Hist Rev*, 2nd ser, 36, 1983, pp 200-17.

⁴¹ The lay subsidy assessment figures for the brothers compare very closely with Christopher Dyer's bases of calculations for the domestic economy of a yardlander on the midland's manor of Bishop's Cleeve in the late thirteenth century. Dyer estimates that his tenant there would enjoy an annual surplus of between £1 18s 0d and £2 11s 0d: Dyer, *Standards of Living*, pp 110-17.

The court rolls confirm and add to the message of the lay subsidies. Information in the courts suggests that William and Robert, sons of Adam, had access to considerable sums of ready money which were not tied up, at least in the 1280s and early 1290s, in goods or property. When, in 1282, Robert the son of Adam surrendered all of his interests in the whole tenement (*totum tenementum*) which he had inherited from his father, his brother, William, paid 120s (£6) as an entry fine – a vast sum in itself – notwithstanding the 8 marks of silver (£5 6s 8d) he also paid to Robert to seal the agreement on the maintenance contract of food, clothing and lodging for life. Interestingly, in the context of what follows, William and his heirs were also to provide Robert, for so long as he lived, with 2s a year *in order that he might make his plea*.⁴² Sometime in 1289 or 1290, the brothers came back to court and changed the maintenance agreement, Robert quit – claiming all his rights to board and lodging in return for the considerable sum of 20s of silver per annum.⁴³ Both William and Robert appear in the tallage list compiled c 1300.⁴⁴ As we have seen, William paid 2s 6d for 30 acres;⁴⁵ Robert paid 2s but, not surprisingly, no holding is recorded for him. These two sums were the largest paid. The brothers were clearly men of substance and, importantly for what follows, were certainly capable of acting as creditors. At Hinderclay it was veritable 'kulaks' such as the brothers Robert and William who used the profit from the sale of crop surpluses both to invest in land and to lend to poorer villagers.

It is possible, although difficult to substantiate, that some of the land market transfers in the 1290s involved the surren-

der of land as settlement of debts or the creation of gages for new debts, although the latter seems less likely, for reasons which will become clear. Debt cases recorded as private pleas in the court rolls help to illustrate the 'commercial' nature of some surrenders of land in this period. For the wealthier section of the peasantry, those likely to feature amongst the payers of lay subsidies, there does seem to have been a relationship between private pleas in the manorial court and land market involvement either as buyers or sellers. In other words, the same individuals who dealt in land can also be found engaged in other transactions, in particular the recording, settlement and recovery of debt. It seems, in such cases, highly probable that the land transfer and the debt were indirectly, and sometimes directly, associated. First some words are required about private pleas at Hinderclay. It has long been recognized that credit had an important role to play in the late medieval rural community. This is best evidenced by the private pleas brought in cases of debt, and it is the detailed court rolls of the late thirteenth and early fourteenth centuries which are most likely to furnish this type of material.⁴⁶ Table 5 shows the results of an analysis of debt cases recorded in the Hinderclay court rolls for the years 1277 to 1284 and 1293 to 1299. In the table 'recognizance' refers to those entries of the kind 'X places himself at the mercy of Y' (*ponit se in misericordia*) or 'X recognizes he owes to Y' (*cognovit se tenebatur...*); these

⁴² Bacon Mss, 115 m 4, court of 22 Sept 1282: ...*preterea [Willelmus et heredes sui] dabiunt eidem Roberto quamdiu vixerit annuatim ii.s ad placitum suum faciendum.*

⁴³ Bacon Mss, 117 m 3: a concordance recorded on the dorse of the roll.

⁴⁴ BL, Add 31970, 212 (20).

⁴⁵ See above, note 18.

⁴⁶ For a discussion of rural debt in the thirteenth and fourteenth century, see P R Schofield, 'Endettement et crédit dans la campagne anglaise au moyen âge', in M Berthe et F Brumont, eds, *Endettement et crédit dans les campagnes de l'Europe au moyen âge et à l'époque moderne*, Flaran, forthcoming; on the fifteenth century, E Clark, 'Debt litigation in a late medieval English vill', in J A Raftis, ed, *Pathways to Medieval Peasants*, Toronto, 1981, pp 247–79. For a discussion of private pleas in the manor courts of the late thirteenth and early fourteenth centuries, see J Beckerman, 'Procedural innovation and institutional change in medieval English manorial courts', *Law and History Review*, 10, 1992, pp 197–252. On the introduction and development of the private plea in manorial courts see also Z Razi and R Smith, 'The origins of the English manorial court roll as a written record: a puzzle', in Smith and Razi, *Medieval Society*, pp 43–9.

TABLE 5
Private pleas of debt at Hinderclay in the late thirteenth century

1277-1284		1293-1299	
Recognizance	Recovery	Recognizance	Recovery
7	9	4	31

Source: Bacon Mss, 114A-117.

have been distinguished from 'recoveries' which have been taken to mean entries indicating that one party, usually, the creditor or the plaintiff, has sought to end the contract or recover goods or damages. Entries of the 'recovery' kind tend to be those where payment was made to settle out of court, *licencia concordandi*, or where an order was made to arrest an individual or distrain his property so that he or she would respond to the plea of another. Since the recognizance was an acknowledgement on the part of the debtor of his obligation to the creditor so that the debt could be acted upon should default occur, the court roll recognizance should be seen as the seal to an agreement.⁴⁷ The reduction in the number of such recogniz-

TABLE 6
The first recorded appearances of debt cases at Hinderclay, 1292-1299

Year	Debt cases appearing
1292	2
1293	8
1294	3
1295	12
1296	8
1297	2
1298	3
1299	1

Source: Bacon Mss, 116-117.

ances in the 1290s may, therefore, reflect a withholding of credit as creditors concentrated their efforts on recovery of existing debts, some of which may have been really quite old, rather than the creation of new ones. This is reflected in the number of debt cases appearing for the first time, either as recognizances or recoveries, between 1292 and 1299 (Table 6).

Normally credit was only extended to those with capital, and the calling in or failure of debts in this period is, itself, indicative of a crisis of confidence.⁴⁸ The increase in attempts to recover debt must have impacted upon the land market. Of the 35 debt cases recorded in the court rolls between 1292 and 1299, 9 involved creditors who were also buyers of land; 12 involved debtors who were also sellers. Not one buyer of land in this period appeared as a debtor, but six appeared as creditors, whilst nine of the sellers of land were also debtors. Two peasants who

⁴⁷ Clark, 'Debt litigation', pp 255, 273, n 32. Procedure in manorial courts mirrored, to some extent, statute law. The Statute of Acton Burnel, 1283, had formalized the recognizance and, thereafter, it became an important element in the credit arrangements of merchants: cf M M Postan, 'Credit in medieval trade', *Econ Hist Rev*, 1st ser, i, 1928, pp 234-61, reprinted in *idem*, *Essays on Medieval Trade and Finance*, 1973, pp 1-27, and *idem*, 'Private financial instruments in medieval England', *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte*, XXIII, 1930, pp 26-75, reprinted in *Essays on Medieval Trade and Finance*, pp 28-64, esp pp 35-9. For a discussion of forms of credit transaction amongst the peasantry of late medieval England, see Schofield, 'Endettement et crédit'. See also the comments of N J Mayhew in 'Modelling medieval monetization', in R H Britnell and B M S Campbell, eds, *A Commercialising Economy. England, 1086-c 1300*, Manchester, 1995, pp 67-8. A caveat needs to be applied to my argument here: N J Mayhew, in an unpublished paper based upon the court rolls of Gussage All Saints, Dorset, warns of the need to differentiate between formal recognizances in court rolls, enrolled at the time of the original loan, and undefended pleas of debt which were 'practically indistinguishable'. He argues that most 'recognizances' were, in fact, undefended pleas and that, therefore, firstly, most debt cases recorded in the court rolls were of genuine default, and, secondly, there were far more credit arrangements in the medieval village than those which found their way into the manor court rolls. I am grateful to Mr Mayhew for permission to refer to his unpublished work. At Colchester, most recognizances were the result of litigation: R H Britnell, *Growth and Decline in Colchester, 1300-1525*, 1986, pp 104-5. However, even if most recognizance-type entries at Hinderclay were in fact undefended debt recoveries, the general increase in recoveries still displays a significant trend.

⁴⁸ Britnell, *Growth and Decline in Colchester*, p 100; M J McIntosh, *Autonomy and Community. The Royal Manor of Havering, 1200-1500*, 1986, p 169; Dyer, *Standards of Living*, p 185.

appeared in the rolls as sellers also acted as creditors in this period but, in both cases the sales seem to have been to kin in the rather particular circumstance of endowment by relatively wealthy tenants. Just as, it would seem, peasants in Hinderclay tended to be either buyers or sellers of land, so they were also either creditors or debtors. There were, in effect, only winners and losers.

Henry Crane, who, in the late 1290s, seems to have been in a spiral of debt and land sale, was apparently one of the losers. He sold land on two occasions in 1295 to William son of Adam and exchanged 3 rods of land with the same William in 1299. In this same period Henry repaid a debt in 1292, lost in two pleas of debt, in 1293 and 1295, and in a breach of contract claim worth 5s 4d in 1296. Henry may have been forced into the sale of land in order to settle at least one of these debts. In the court held on 6 June 1295 Henry lost in a plea of debt to Adam Belsent and found pledges that he would repay 15d to Adam by the feast of the Eve of the Nativity of St John (23 June). It is probably no coincidence that in the same court Henry surrendered a small plot of land to one of his pledges for the debt, William son of Adam. Henry may have used the money from the sale to pay his debts; alternatively William may have paid the debt for him and taken the opportunity to extend his web of dependency, effectively making the land security for a loan.⁴⁹ Henry's court roll career also includes the only explicit example of the impecunious seller of land, forced to lease his land to meet his debts. In February 1297 Henry Crane came to court to grant a lease of half an acre to Nicholas le Reve for a term of eight years. Nicholas was admitted on the condition that he would pay 5s 8d to a

Bartholomew of Coney Weston on behalf of Henry.⁵⁰ We should note that Henry's debt had been to the advantage of a third party, Nicholas, who although himself a debtor more than once in this period seems to have managed to meet his obligations.⁵¹

Examples of creditors taking the land of debtors either as security or as alternative payment for debts are not easy to find in the court rolls; an example of such may be the surrender of an acre by Robert Messor to William son of Adam, again, in 1295. Other than pledging, Robert's next action recorded in the court rolls was the payment of 6d for licence to settle a plea of debt with William.⁵² Instead of the surrender it seems probable that at least some of the Hinderclay debtors may have leased their land as a gage for their debt. Leases for short terms, probably less than two years, were unlikely to be recorded in the court rolls – in fact Nicholas le Reve, in the above example, had to pay a fine to have the lease recorded or 'enrolled'. Amercements for leasing without licence, of which there are a few in the 1290s tend to state the term for which the lease had been granted and, in each case, this exceeded two years. It is quite possible, therefore, that most of the inter-peasant letting of land at Hinderclay took place outside of the remit of the manor court and, as a result, is hidden from view. It is only through the occasional record of a longer lease, either as a fine for enrollment or as an amercement for letting without licence that we are aware of a lease

⁴⁹ Bacon Mss, 116–117, courts of 16 Mar 1295, 6 June 1295 and 16 May 1299: sales of land to William son of Adam: courts of 13 Oct 1292, 8 May 1293, 6 June 1295, 3 Feb 1296: pleas of debt and contract.

⁵⁰ Bacon Mss, 117, court of 17 Feb 1297: *...et concessa est...eo quod idem Nicolaus solvit pro eodem Henrico Bartholomeo de Coney Weston vs viiid in quibus dictus Henricus tenebatur dicto Bartholomeo...*

⁵¹ In a court held on 15 Oct 1296 Nicholas paid 3d for licence to agree with Margaret of Coney Weston in a debt of 5s 6d, and Nicholas was allowed to repay the sum in two instalments, the first to be made on the feast of All Souls (1 Nov), the second on the feast of St Thomas Apostle (21 Dec): Bacon Mss, 117, court of 15 Oct 1296. The near coincidence of the size of this debt with that owed by Henry and the fact that the creditors shared the same surname suggests a relationship between the two cases not made explicit in the court rolls.

⁵² Bacon Mss, 117, courts of 6 June 1295, 15 Oct 1296.

market.⁵³ The lease had the obvious advantage of being temporary unlike the surrender, which was effectively a permanent alienation.⁵⁴ In addition to the example of Henry Crane and Nicholas, son of the reeve, there is some other evidence to suggest that Hinderclay debtors did lease their land when times were hard. Ralph Faber leased half an acre of land in 1298 at the end of a period of apparent decline which began in June 1295 when he paid 3d to settle out of court a debt of 23d owed to Robert of Rickinghall. The debt was to be settled by Michaelmas 1295 but he had still not paid by April of 1296, by which date an order was made to retain Ralph's horse and to seize even more of his property until the sum was paid. Ralph does not appear again in the court rolls until February 1297 when an order was made that his tenement should be seized because he had destroyed its buildings, possibly a deliberate act of waste involving the sale of timber. Later in the same year he was amerced for failing to perform suit of court but the amercement of 3d was waived by the lord, as were many such at this time, often for the stated reason that the amerced was too poor to pay. Finally, in April 1298 the court ordered that half an acre of Ralph's land should be seized because he had leased it without the lord's licence to a William Osborne for a term of five years.⁵⁵ That the lease followed this

litany of misfortune is suggestive of a defensive 'sale'.

V

Historians would expect to find examples of forced sales and leases such as these in late thirteenth- and early fourteenth-century court rolls and, as already noted, the close association of indebtedness and surrender of land has been explained in terms of harvest failure.⁵⁶ However, in certain years, increased debt litigation and land market activity need not be explained in terms of harvest failure alone. Although the relationship of grain prices to harvest failure seems obvious and, indeed is, it is not necessarily the only factor of importance: against the exogenous, we also have to acknowledge the role of the endogenous. There is one other factor which has to have been of major importance in the late 1290s and this, of course, is taxation. Maddicott writes,

the years between 1294 and 1297 stand out sharply as the period when taxation was at its heaviest... The total burden imposed by all forms of taxation during the mid-1290s will bear comparison only with that of the opening phase of the Hundred Years' War, when the crown's military and diplomatic commitments were still greater.⁵⁷

From 1294 to 1297 four lay subsidies were collected nationally, all but one yielding more than 90 per cent of the assessment.⁵⁸ In Suffolk the tenth and sixth of 1294 were assessed at £4193 16s and £237 18s 11d respectively; in 1295, the eleventh and seventh were assessed at £2504 1s 3d and £115 16s respectively; the respective assessments for the twelfth and eighth of 1296 were £1381 14s 10½d and £64 13s; finally, there was an assessment of £1298 13s for the ninth of 1297.⁵⁹ Further, from July

⁵³ See, for example, B F Harvey, *Westminster Abbey and its Estates in the Middle Ages*, 1977, pp 307-11, where it is noted that all except short term leases - possibly no more than a year - needed the lord's consent; on the St Albans Abbey estates all leases, however short their duration, were recorded in the court rolls after 1354 whereas previous to this leases of two years or less were not enrolled: L A Slota, 'Law, land transfer, and lordship on the estates of St Albans Abbey in the thirteenth and fourteenth centuries', *Law and History Review*, 6, 1988, p 132.

⁵⁴ Although note the comments of Ian Blanchard, 'Industrial employment and the rural land market, 1380-1520', in Smith, *Land, Kinship and Life-cycle*, pp 227-75, esp pp 241-4, and the comments of Smith on the same: R M Smith, 'Families and their property in rural England, 1250-1800', in Smith, *Land, Kinship and Life-cycle*, p 60.

⁵⁵ Bacon Mss, 116-117, courts of 6 June 1295, 5 April 1296, 17 Feb 1297, 19 Nov 1297, 23 April 1298 (the order was repeated in the court of 17 July 1298).

⁵⁶ See above, pp 1-2.

⁵⁷ Maddicott, 'The English peasantry and the demands of the crown', p 291; for the most recent analysis of late thirteenth- and early fourteenth-century taxation, see Ormrod, 'The crown and the English economy', pp 149-83.

⁵⁸ Ormrod, 'The crown and the English economy', p 153.

⁵⁹ J F Willard, 'The taxes upon moveables of the reign of Edward I', *Eng Hist Rev*, xxviii, 1913, pp 519-21.

1294 to November 1297, a subsidy of £1 13s 4d, the 'maltolt', additional to the customs duty of 6s 8d on every sack of wool exported, increased the national yield on customs from about £11,600 per annum to an annual average of £33,000 and had the effect of reducing the price which the wool producers could demand.⁶⁰ In East Anglia this meant, on average, a reduction of more than 1s per stone of wool (approximately 25 per cent).⁶¹ Finally, levies in kind, such as the seizure of wool stocks in 1297 and purveyance, were equally onerous in this period.⁶² Purveyance, a burden which was borne unevenly,⁶³ was not escaped by the counties of eastern England at the close of this period; in 1300 and again in 1301 demands were made that 1500 quarters of wheat, 1200 quarters of oats, 100 quarters of malt and 200 quarters of peas and beans be taken from the counties of Norfolk and Suffolk to feed the king's army at Berwick-upon-Tweed.⁶⁴ The combined effect of prises, lower wool prices and repeated lay subsidies between 1294 and 1297 may also have spurred the land market and caused creditors to call in debts, a fact that would need to be borne in mind when comparing data from the crisis years of this decade with those of the early fourteenth century.

In addition to the general shortage of cash and, to some extent, kind in circu-

lation which inevitably resulted from increased taxation,⁶⁵ attempts at avoidance of taxation by those who were expected to pay may have created further hardship for those dependent on credit. Research on Tudor lay subsidies by Richard Hoyle indicates that a method employed by wealthy merchants in the towns of mid-Tudor England to avoid payment of lay subsidies was to transfer their money from moveables and capital into land against which subsidies were not levied. In particular, he reminds us that money owed to an individual was considered to be available capital for the purposes of assessment.⁶⁶ In the late 1290s it is tempting to see the combined processes of, firstly, an apparent drying up of credit and, secondly, an accumulation of land by one-time creditors in terms of a response to taxation. We have seen that the creditor/buyers were amongst the wealthiest villagers at Hinderclay: they would have been the target of the lay subsidies, a fact which the 1283 subsidy assessment confirms. The networks of credit in the medieval village could be extensive, as Clarke has shown: if taxation forced cash out of circulation at the very time when it was most needed, the greatest impact could have been not on those who paid subsidies but on those poorer villagers who relied on loans from them to finance their own purchases.⁶⁷

⁶⁰ Ommrod, 'The crown and the English economy', pp 167-75; T H Lloyd, 'The movement of wool prices in medieval England', *Economic History Review Supplement*, vi, 1973, pp 16-7, 39-40, 62.

⁶¹ Lloyd, 'Movement of wool prices', pp 39-40.

⁶² On the seizure of wool, see T H Lloyd, *The English Wool Trade in the Middle Ages*, 1977, pp 87-96; on purveyance, see Maddicott, 'The English peasantry and the demands of the crown', pp 299-318.

⁶³ M Prestwich, *War, Finance and Politics under Edward I*, 1972, pp 133-4; Maddicott, 'The English peasantry and the demands of the crown', pp 301-2; Ommrod, 'The crown and the English economy', p 175.

⁶⁴ *Cal Pat R*, 1292-1301, pp 487-8, pp 578-9. However, five-sixths of the oats and only about one-half of the wheat ordered was actually levied: Prestwich, *War, Finance and Politics*, pp 122-3. Military levies were an additional burden in this period; for instance, 8000 men were to be selected from Norfolk, Suffolk, Cambridgeshire and Huntingdonshire for the expedition to Gascony in 1295: *Cal Pat R*, p 151; although the expedition was cancelled, villagers still felt the costs of the levy: cf Prestwich, *War, Finance and Politics*, pp 100-1; also, Maddicott, 'The English peasantry and the demands of the crown', pp 318-29.

⁶⁵ On the shortage of currency, see, for example, M Prestwich, 'Currency and the economy of early fourteenth century England', in N J Mayhew, ed, *Edwardian Monetary Affairs (1279-1344)*, British Archaeological Reports, 36, 1977, pp 51-2.

⁶⁶ The full range of 'taxables' under the medieval lay subsidies is not made explicit: Willard, 'Taxes upon moveables', p 517, and *Parliamentary Taxes on Personal Property*, pp 81-5. I am grateful to Dr Hoyle for allowing me to refer to his forthcoming work. The argument mentioned above was an important section of a seminar paper given at All Souls College, Oxford, May 1994; outlines of his general position are to be found in: R Hoyle, *Military Survey of Gloucestershire, 1522*, The Bristol and Gloucestershire Archaeological Society, Gloucester Record Series, VI, 1993, pp. ix-xii, xxxi-xliv, and 'War and public finance', in D MacCullough, ed, *The Reign of Henry VIII*, forthcoming, pp 75-99, esp pp 95-9.

⁶⁷ It may in fact be the case that credit would never have been extended to the poorest villagers who had little or no security to offer. The impact of the withdrawal of credit from the wealthiest villagers would, in this case, have been indirect.

The added pressure of taxation during a decade of harvest failure may have prompted extremes of action, particularly on the part of creditor/buyers, which would have been unnecessary had there not been a coincidence of bad harvests and excessive lay subsidy collection. Whether the withholding of credit was a relatively atypical response to the unique conditions

of the 1290s will need to be established by further research but, whatever the results of future study, it is evident that the social economy at Hinderclay failed in the worst years of this decade.⁶⁸

⁶⁸ Walter, 'The social economy of dearth', pp 96-113, in particular his discussion of the availability of credit in years of harvest deficiency, pp 104-5. For exchange entitlement see A Sen, *Poverty and Famines: An Essay on Entitlement and Deprivation*, 1981.

APPENDIX

Assessed wealth of payors of 1283 lay subsidy and their land market involvement, 1292-1299

Name	No of purchases	No of sales	Total moveables	Rank
William son of Adam	8	1	1266	1
Roger Burgeys			1020	2
Robert son of Adam			960	3
William le Reve			837	4
Walter son of Gilbert			810	5
Henry Noble			771	6
Adam Bretun	1	3	696	7
Johanna wife of Reginald son of Gilbert			690	8
Thomas Crane	3		666	9
Robert Reeve			648	10
Nicholas Gentyll			633	11
Ralph Berard			620	12
Reginald son of Walter	3		600	13
Alice Petit			570	14
Adam Smith			540	15
Walter le Neue			540	15
Henry Banastre			492	17
Osbert Smith			486	18
Adam Belsent	6		480	19
Robert Basilie		2	456	20
Robert Bishop			450	21
Ralph Cocus		1	450	21
Agnes Bretun	1		429	23
Ralph Kempe		3	417	24
William Merchant		1	394	25
Nicholas Reeve		2	394	25
Gilbert Shepherd	2		345	27
Walter Carter			300	28
Robert Wysman		2	300	28
Roger Shepherd			294	30
Lily Shepherd		2	276	31
William Hubert			270	32
Walter Shepherd			258	33
William Cunerur			210	34
Alice Swift			210	34
William Wydies			210	34
Juliana Cokewald			186	37
Ralph Smith			186	37
Richard Archer			114	39
Thomas Petit			60	40