





A Town in its Parish: Loughborough,  
Origins to *c.*1640

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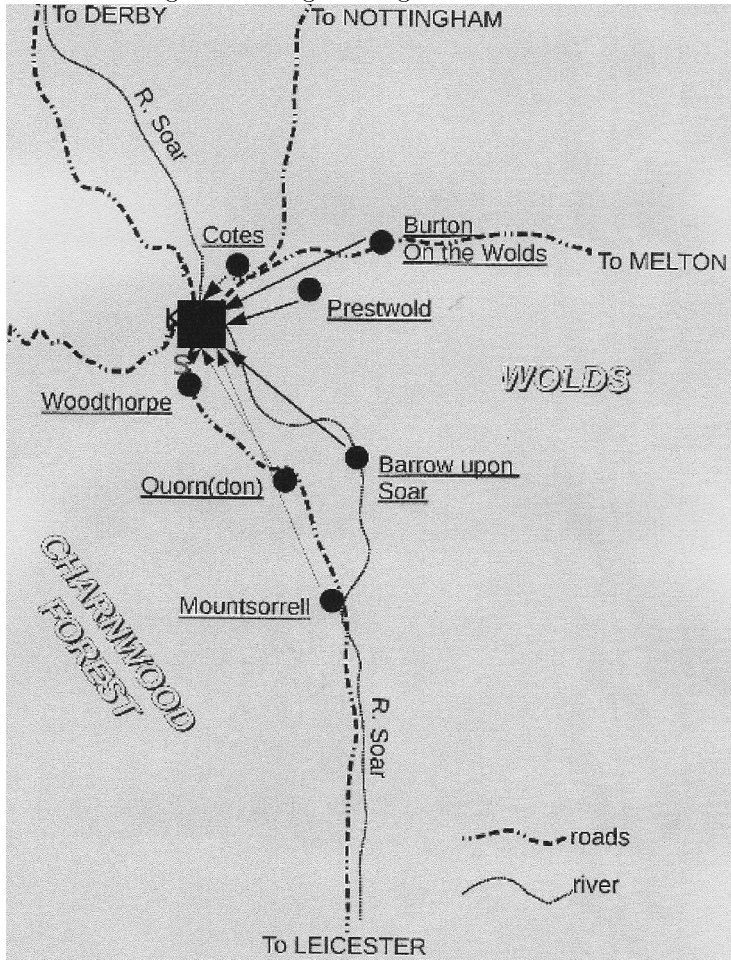
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Figure 1: Loughborough's local context



## ACKNOWLEDGEMENTS

When I moved to East Leake in 1989, my long-standing interest in small towns was stimulated even further by the proximity of Loughborough. Since I had worked in Sheffield for many years, it was inevitable that I would acquire an understanding of the importance of small towns, with their (essentially) market function, their diffuse political organization, and the embeddedness of the urban nucleus, precinct or *enceinte* within a single, larger rural parish. In the case of Sheffield, confirmation of its status ensued from a formal instrument, a seigniorial charter of 1297. An organic development may have preceded that formal recognition. Loughborough's organic development was not reinforced by such a political intervention. Whilst Sheffield was governed by a combination of the a semi-formal institution, the Burgesses, recognized by the 1297 charter, and the lord's manorial and franchisal court, Loughborough's political organization was even more diffuse, performed through the manorial and franchisal court of its lords, the Hastings family, the parochial officers, and, later, the trustees of the bridges and school, the bridgemasters. This comparison serves not only to reflect a personal long-standing concern with small towns, but also to emphasize the variety of solutions of governance which evolved in each urban place.

My interest in Loughborough was invigorated also by an institutional association. The relocation to East Leake, some five miles from Loughborough, was a consequence of assuming a post in the (then) Department of English Local History at the University of Leicester, which involved, after an initial four years, a programme of work focused on the local county. The opportunity thus arose to request microfilm copies of the Hastings Muniments (HAM) in the Huntington Library (HL) in San Marino in California. With her innate kindness and interest, Mary Robertson authorized the conservation and filming of the material, exceeding any possible expectation. I am grateful to the President and the Board of Trustees of the HL for permission to cite these documents. One side of the equation was thus satisfied: the landed and lordly interest, particularly the records of the manorial and franchisal courts and rentals and surveys. As importantly, the records of the significant other institutional agents also survived in profusion: the bridgemasters; the churchwardens; and a parish register which commenced in 1538, the earliest part composed in retrospect by the local schoolmaster, John

Dawson in 1598 from the original returns. All are conveniently located in the Record Office for Leicestershire, Leicester and Rutland (ROLLR), access to which was enthusiastically provided by the staff there. In that office too is the probate material (testaments and probate inventories) from the 1520s, as the archdeacon of Leicester acted as the commissary of the Bishop of Lincoln, as did all the archdeacons in that immense diocese. Less fortunately, the archdeacon's court material furnishes only minimal content for Loughborough.

Instead of procrastinating and deferring output to a final book, I decided to issue a series of provisional conclusions on several themes. I have had the good fortune that these offerings have coincided with the editorship of Jill Bourne of *The Transactions of the Leicestershire Archaeological and Historical Society*. Her interest, comment and efficiency have been vital to this overall project. As a consequence, chapters 2 and 4-6 have appeared in some form in that journal (no. 82, 2008; no. 83, 2009; no. 87, 2013; no. 89, 2015). Chapters 3 and 7 were hosted respectively by *The Canadian Journal of History/Annales Canadiennes d'Histoire* (no. 45, 2010) and *Local Population Studies* (no. 82, 2009). For permission to reprint these articles in a revised format, I am deeply grateful to the editors, the journals, and, in the case of *CJH/ACH*, the University of Toronto Press. Figure 5.1 is based on K. Boucher, ed., *Loughborough and Its Region* (Loughborough, 1994), pp. 87-88.

Gratitude is extended also to the various organizations which have tolerated my presentation of papers along the way, not least to the Economic History Society which was the venue for a preliminary presentation of chapter 4. Steve Hindle gave me very helpful advice on some aspects of demography through the H-Albion forum. I received a small grant from the British Academy (RA12G0028) towards the cost of compiling a database from Loughborough parish registers.

I offer some words of caution and apology. In this book, I have tried to approach two constituencies: academic historians and the local people of Loughborough. For the former, there is much interpretive conceptualization and for the latter much detail. The former might find the detail irritating, but the local colour might be enjoyed by locals.

Much of my rumination on Loughborough took place in Costa coffee units, especially in the Loughborough outlet in the market place. That space for thought has been invaluable. I thank the staff for their kind-

nesses. In order to contain the costs of publication of the hard copy, the book has no bibliography or index and no list of figures and tables. The costs of production have also been reduced, as usual, through the use of various OpenSource applications: my debt is thus once again enormous to all those who have compiled Linux, LibreOffice, LyX, QGIS, gretl, and R. The final version was produced using LyX, exported as a .pdf, and processed once again with immense efficiency by Adlard in Ruddington.

<i>EconHR</i>	<i>Economic History Review</i>
HAM	Huntington Library, Hastings Manuscripts
ROLLR	Record Office for Leicestershire, Leicester and Rutland
TNA	The National Archives, London

NOTES All dates are given in New Style, taking the beginning of the year according to the Gregorian Calendar, 1 January. Minor place-names in Loughborough parish are disconcerting. Even today, we find both Knight Thorpe and Knightthorpe. I have opted for the former. Contemporaries employed the form Burley, but I have normalized it to Burleigh. Serlethorpe, originally derived from the Serlo of the Jorz fee, is normalized as today's Shelthorpe. Throughout, references are made to the parish register by date and event. The register is ROLLR DE667/1 (1538-1651).

## PREFACE

So much has been expounded in the last fifty years about urban history and it has become so familiar, that there is little need for a long, self-indulgent introduction nor to reiterate in the introduction capacious references which are inserted in the text below.<sup>1</sup> It is recognized that there existed an urban hierarchy in the English past, from the metropolis at the apex, cities with their cathedrals which varied in their size from lesser entities like Wells to significant regional capitals like York, Exeter, and Coventry, county boroughs again of variable capacity, other boroughs established by royal charter, towns with seigniorial charters, and a wide spectrum of towns never incorporated or in receipt of charters in their medieval or early-modern existence.<sup>2</sup> The category of small towns has encompassed the lesser boroughs as well as unincorporated urban places which essentially existed as market towns above the rank of market villis.

Loughborough belonged in the latter category, not incorporated until the late nineteenth century, but undoubtedly a small town probably from the twelfth century. The criteria established for the urban character of such small towns, differentiating them from market villis, comprise a larger and more dense population, a wide and heterogeneous complement of occupations, including ‘non-agrarian’ activity, and a complex spatial topography. These places and their categorizing characteristics have more often been described collectively rather than through examinations of individual places. As indicated below in many places in the text, one of the principal reasons for this omission is the lack of any cor-

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<sup>1</sup>H. J. Dyos, ed., *The Study of Urban History* (London, 1968), is taken as a *terminus a quo* here as a theoretical rationale of the category.

<sup>2</sup>The whole enterprise is encapsulated by the *Cambridge Urban History* series, now available as a three-pack: D. M. Palliser, P. Clark, M. Daunton, eds, *The Cambridge Urban History of Britain* (3 volumes, Cambridge, 2001). For medieval Wells, D. G. Shaw, *The Creation of a Community: The City of Wells in the Middle Ages* (Oxford, 1993); for York, for example, S. Rees Jones, *York: The Making of a City 1068-1350* (Oxford, 2013) and D. M. Palliser, *Tudor York* (Oxford, 1979); for Coventry, C. V. Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge, 1979); M. Kowaleski, *Local Markets and Regional Trade in Medieval Exeter* (Cambridge, 1995) and W. T. McCaffrey, *Exeter, 1540-1640: The Growth of an English County Town* (Cambridge, MA, 1975); for a recent examination of a county borough, J. A. Mills, ‘Continuity and change: the town, people and administration of Nottingham between c.1400 and c.1600’, unpublished Ph.D. thesis, University of Nottingham, 2010.



porate structure which produced continuous documentation, although such records could well express rhetorical intentions of an elite. The literature about all these issues is referenced below, but again one might simply point to the *Cambridge Urban History*.<sup>3</sup>

Considering the collectivity of such places is understandable, since that method elicits their common features and also takes into account the difficulties of the sources for these small unincorporated towns. On the other hand, such places were indeed heterogeneous and variable in their institutions and development, so there is both inherent convergence but also individual divergence and diversity. Apart from anti-quarian exegesis of individual places, there have been recent attempts to examine in detail specific small towns. Two exemplars both investigate small towns under the domination of religious houses: Ramsey and Cirencester.<sup>4</sup> Loughborough was entirely different, for, although Garendon Abbey was proximate, this house had little direct influence over the town and its development. Such is one justification for approaching Loughborough: as a category of small town hitherto not widely explored in detail as a single entity.

The further context is the extricating of various internal aspects associated with small towns. The sequence of chapters is thus predicated on these themes. From Dyer's contribution to the *Cambridge Urban History volume II*, it is immediately obvious that the internal institutional organization of these different small towns varied appreciably. The governance of Loughborough by diffuse authorities is described in, *inter alia*, Chapter 3, in which its consequences for social hierarchy, division and exclusion are also elucidated. The complexity of governance elides into the relationship between the town and the countryside, which

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<sup>3</sup>A. Dyer, 'Small market towns', in *The Cambridge Urban History of Britain Volume II 1540-1840*, ed. P. Clark (Cambridge, 2000), pp. 425-450.

<sup>4</sup>A. R. and E. B. DeWindt, *Ramsey: The Lives of an English Fenland Town, 1200-1600* (Washington, D.C., 2006); D. Rollison, *Commune, Country and Commonwealth: The People of Cirencester, 1117-1643* (Woodbridge, 2011). Several previous discussions of unincorporated towns had focused on 'monastic' boroughs: e.g. M. D. Lobel, *The Borough of Bury St. Edmund's: A Study in the Government and Development of a Monastic Town* (Oxford, 1935); R. S. Gottfried, *Bury St. Edmunds and the Urban Crisis, 1290-1539* (Princeton, NJ, 1982); C. Dyer, 'Small-town conflict in the later Middle Ages: events at Shipston-on-Stour', *Urban History* 19 (1992), pp. 183-210. For the collectivity, N. M. Trenholme, *The English Monastic Boroughs: A Study in Medieval History* (Columbia, Miss, 1927).

constantly recurs in the text. The connection and contrast is especially poignant for small towns which are precisely where town and country coincided, coalesced and collided. Loughborough, like many small towns, developed in the centre of a rural parish, and, in the case of Loughborough, there was dispersed settlement in the parish with several hamlets. The contextual literature is cited in multiple places. The phenomenon is reflected in the book's title: a town in its parish. An apology is also owed: since the themes are inextricably intertwined, separating them into discrete chapters has involved much artifice and, to remind readers of the context, some repetition.



# Chapter 1

## Evolution

From Brodegate to Lughborow about a v. miles. First I cam oute of Brodegate Parke into the foreste of Charley, comunely caullid the Wast. This forest is a xx. miles or more in cumpace, having plenty of woode : and the most parte of it at this tyme longith to the Marquise of Dorsete. The residew to the king and the Erle of Huntingdune.

In this forest is no good toune nor scant a village. Asscheby de la Zouche a market toune, Whitwik Castel and village, Lughborow Market, Wolvescroft Priorie joynith on the very borders of it.<sup>1</sup>

When John Leland traversed the west side of Leicestershire in the early sixteenth century, he encountered Loughborough which he described by the epithet of market with an upper case M. He recognized it as second only to the county borough amongst the market towns of the county.<sup>2</sup> Such had not always obtained. Why Loughborough ever evolved as a market town and then advanced to its dominant position behind Leicester is somewhat enigmatic in the local context. There is no doubt, however, that during the later middle ages it attained the status of a small town, with all the characteristics associated with that position: in

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<sup>1</sup> *The Itinerary of John Leland in or about the Years 1535-1543 Parts I-III*, ed. L. T. Smith (London, 1907), p. 18.

<sup>2</sup> *Itinerary of John Leland*, p. 19.

terms of population size and density; as a centre of exchange; supporting a heterogeneity of occupations and trades, including non-agrarian activity; and with some degree of complex topographical development at the centre.<sup>3</sup> All those urban aspects are substantiated later in this chapter.

The question persists, however, of why and how that status was achieved. For example, why didn't Barrow upon Soar attain the local position in preference to Loughborough? Ostensibly Barrow enjoyed the same environmental advantages as Loughborough—on the river Soar, with access to meadows in the flood plain, routes up into the wolds on the east and Charnwood forest on the west. These topographical elements are discussed further below. Barrow's population was never far behind Loughborough's during the later middle ages and early-modern period.

Loughborough possibly had some significance before the Conquest as the fortified manor house (*burg*) of one *Luhhede*, but by Domesday Book its position was subservient to Barrow and its soke.<sup>4</sup> Both Barrow and Loughborough pertained to the immense honour of the Earl of Chester, largely acquired as a discrete concern at the expense of Earl Harold. Barrow, indeed, was in 1086 still the *capud* of a soke as well as a centre of the Earl's honour in the county.<sup>5</sup> In terms of potential patronage, then, Barrow enjoyed a superior prospect. Events, however, conspired for the Earls of Chester to abandon political power in the county to the Earls of Leicester, after some vicissitudes. The establishment of the Earl of Leicester's castle at Mountsorrel just below Barrow and his foundation of Garendon Abbey, adjacent to Loughborough, indicated the superior position of the Earls of Leicester. The Earl of Chester ceded Charley to the Earl of Leicester.<sup>6</sup> The Earls of Chester receded to a base in Lincolnshire.<sup>7</sup>

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<sup>3</sup>For a succinct discussion of the urban variables, R. Holt and G. Rosser, eds, *The Medieval Town: A Reader in Urban History 1200-1540* (London, 1990).

<sup>4</sup>B. Cox, *A Dictionary of Leicestershire and Rutland Place-names* (English Place-name Society, Popular Series, volume 5, Nottingham, 2005), p. 65.

<sup>5</sup>*Domesday Book*, I, 237a.

<sup>6</sup>*Report on the Manuscripts of the late Reginald Rawdon Hastings Esq.*, volume I (Historical Manuscripts Commission, London, 1928), pp. 66-67.

<sup>7</sup>E. King, 'Mountsorrel and its region in King Stephen's reign', *Huntington Library Quarterly* 44 (1980), pp. 1-10; C. P. Lewis, 'The formation of the honour of Chester 1066-1100' and P. Dalton, 'Aiming at the impossible: Ranulf II Earl

Tenurial organization thus contributed to the relative positions of Loughborough and Barrow. Barrow was held in chief by the Earls of Chester, so that the relative retreat by the Earls undermined its position. Loughborough, in contrast, was subinfeudated and divided into several manorial entities. Essentially, four lords had seigniorial jurisdiction in Loughborough, the principal of whom was Roger, responsible for eight carucates. These fees persisted as two separate symbolic entities in the later middle ages, the common fine being collected for Loughborough in the view of frankpledge as *de feodo Spencere* (Despenser fee) and *de feodo Jorz*.<sup>8</sup> Another radical difference between Barrow and Loughborough was the character of the tenantry. Whilst Barrow contained 40 *villani* and 13 *bordarii*, the legal status of all of whom was ambivalent and soon to be diminished, Loughborough was populated by only eight *villani*, with 16 sokemen and 16 *bordarii*, and with five residual thegns.<sup>9</sup> Although the soke of Barrow contained 30 sokemen other than those at Loughborough, their locations are not explained. Whilst the position of some sokemen might have been depressed later, they had the characteristics of being at least semi-free.<sup>10</sup> It is interesting too that Burton on the Wolds belonged to the jurisdiction (*soc*) of Loughborough, although it was also claimed by Hugh de Grantmaisnil. The recession of the Earls of Chester allowed more local independence for Roger and his successors. The existence of the freer element of the population constituted an impetus to the commercial development of Loughborough under the sponsorship of the principal lord. Fragmentation of lordship was a further stimulus, for the potential exploitation by the tenantry but also as pressure on the competitive lordships. By the time of the so-called Leicestershire Survey in the early twelfth century, Loughborough was described as the centre of its own Hundred or administrative unit, covering also Charley, Dishley with Thorpe Acre,

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of Chester and Lincolnshire in the reign of King Stephen', both in *The Earldom of Chester and its Charters: a Tribute to Geoffrey Barraclough*, ed. A. Thacker (Chester Archaeological Society 71, 1991), pp. 37-68 and 109-136.

<sup>8</sup>HAM Box 20, fldr 2, for example, view of frankpledge 1397.

<sup>9</sup>For the depression of the status of the *villani* in the twelfth century, R. H. Hilton, 'Freedom and villeinage in England', *Past and Present* 31 (1965), pp. 3-19; P. R. Hyams, *King, Lords and Peasants in Medieval England: the Common Law of Villeinage in the Twelfth and Thirteenth Centuries* (Oxford, 1980).

<sup>10</sup>F. M. Stenton, *The Free Peasantry of the Northern Danelaw* (Oxford, 1969).

Garendon and Hathern, and probably places to the east of the Soar like Burton on the Wolds. The existence of these small hundreds is a conundrum, since Loughborough was firmly within the territory of the Five Boroughs, the Danish-dominated area. In Loughborough itself, this Scandinavian influence was represented for centuries in the preference of -gate (Sc. *gata*) in all its street-names: Baxtergate Churchgate (which persist to this day), Highgate, and Pinfoldgate/Hallgate.<sup>11</sup>

The secession of the Earls of Chester from north Leicestershire was prompted also by the Earl of Leicester's foundation of religious houses in Charnwood Forest and its perimeter, at Ulverscroft (Austin Canon) and Garendon (Cistercian, 1133). The Earl's endowments of both houses was insignificant, but in the case of Garendon with the lands of a (disseised) tenant of the Earl of Chester. The interest of the Earl of Leicester in his new abbey was, however, temporary. This combination of the neglect of the Earl of Leicester and the displacement of the Chester interest, allowed honorial tenants of both Earls to patronize Garendon. As a consequence, Garendon, which lay to the west of Loughborough, acquired more substantial lands to the east and north of Loughborough. In particular, seven tenants of both honours made benefactions of lands in Burton on the Wolds, which became an appurtenance of the liberty of Loughborough, one of whom was significantly Thomas *Dispensator* (Dispenser/Spencer).<sup>12</sup> To the north and north-east of Loughborough, significant lands were acquired in Costock with Rempstone, Wysall and Wymeswold.<sup>13</sup> Although the monks of Garendon were, as Cistercians, confined, the lay brothers probably traversed through Loughborough to their estates to the north and east, which had become much more important as consolidated granges on the Wolds than the demesne around Garendon. Loughborough no doubt also offered an outlet for the marketing of surplus produce—grain and livestock—as it was located at the crux of the Garendon estates.

Without the shadow of their overlord, the Earl of Chester, it was the Despenser family which sponsored the development of Loughborough. In particular, Hugh Despenser solicited in 1221 the charter for

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<sup>11</sup>F. M. Stenton, 'Domesday', in *VCH Leicestershire Volume I* (London, 1907), p. 349; C. F. Slade, *The Leicestershire Survey c. A.D. 1130* (Leicester, 1956).

<sup>12</sup>British Library, London, Lansdowne MS. 415, fos 8r-9v, 18r-24r.

<sup>13</sup>BL Lansdowne MS. 415, fos 6r-7r, 9r, 16v-24r.

the Thursday market and annual three-day fair at Lammas Day in the town. Henceforth, although Barrow remained as populous as Loughborough, its status was eclipsed by the new market town. The royal charter might, of course, have merely confirmed Loughborough's existing role as a centre of exchange, but royal licence added an authority to Loughborough as a designated centre.

Perhaps an indication of the early development of Loughborough as an informal trading place and small town is the proximity of Cotes. This hamlet is not mentioned in Domesday Book, but had developed by 1327. It has been suggested that these *cotes* evolved as suburban hamlets outside primary towns and may be an indicator of urban status.<sup>14</sup> The real significance of its location was that it was positioned just across the great bridge which spanned the river Soar between Loughborough and the east bank. Travellers from Nottingham would hit Cotes before the final stretch into Loughborough. For that reason, Cotes had a contributory role in the maintenance of the bridge under manorial control before the bridgemasters' charity was established.<sup>15</sup> In the lay subsidy of 1327, Cotes contained 16 taxpayers with a total taxation of 30s. 9d. Barrow in this taxation responded for 24 taxpayers with a total receipt of £6 9s. 7 $\frac{3}{4}$ d. Loughborough contributed less than Barrow, £5, but from more taxpayers, 26. Those numbers related, however, only to the central place, for the hamlets were assessed separately. Knight Thorpe, with ten taxpayers, contributed another 16s., Shelthorpe *cum* Woodthorpe another 17s. 7d. from nine taxpayers. Burton on the Wolds, to some extent appurtenant to Loughborough as part of the view of frankpledge, was assessed for 30s. from a dozen taxpayers.<sup>16</sup> In 1379, Cotes was assessed to the Poll Tax on 51 inhabitants over the age of 14.<sup>17</sup> Whilst few contributors to the Poll Tax were assigned

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<sup>14</sup>C. Dyer, 'Towns and cottages in eleventh-century England', in *Studies in Medieval History Presented to R. H. C. Davis*, ed. H. Mayr-Harting and R. I. Moore (London, 1985), pp. 91-106. For the concept of 'primary' towns, A. Everitt, 'The Banburys of England', *Urban History Yearbook 1974*, pp. 28-38, esp. 30; Everitt, 'The primary towns of England' in his *Landscape and Community* (London, 1985), pp. 93-107.

<sup>15</sup>H. W. Cook, *Bygone Loughborough: Chapters of Local History from Earliest Days to the Incorporation of the Borough* (Loughborough, 1934), p. 14.

<sup>16</sup>W. G. D. Fletcher, 'The earliest lay subsidy roll for Leicestershire A. D. 1327', *Associated Architectural Society Reports* xx (1889-90), pp. 138-43, 152-3, 166.

<sup>17</sup>C. Fenwick, *The Poll Taxes of 1377, 1379, and 1381. Pt.1, Bedfordshire-*



occupations in the record, three taxpayers in Barrow were designated chapman and we might assume that their habitual petty commerce was in Loughborough.<sup>18</sup>

Loughborough had some topographical advantages. It was equidistant between Leicester and Nottingham. The juncture with the road to Nottingham through Cotes, Hoton, and Costock, emphasized the importance of the river crossing and the main bridge to Cotes, which is often regarded as the primary consideration for the development of Loughborough. Communications by road from the flood plain into the uplands on the west and east also improved in Loughborough, but remained rather inconsiderable at Barrow. Barrow was impeded on access to Charnwood on the west by Quorn, from where the routes into the forest remained minor. The routes up into the wolds on the east were no better. In contrast, from Loughborough extended into Charnwood a direct forest road entering the upland at Forest Gate. To the west, the main route to Nottingham ran from Loughborough along the flood plain to Cotes and then directly up into the wolds at Hoton. Eastwards on the wolds, Burton on the Wolds was appurtenant to the principal manor in Loughborough. Loughborough thus provided a greater facility for exchange between the three *pays* of river valley, wolds and forest. Additionally, it had appreciably better resources of meadow for livestock. Quorn derived much of the benefit of the flood plain at the expense of Barrow. Indeed, meadow is not mentioned at Barrow in Domesday Book. Barrow is confined up against the scarp slope. By comparison, the 45 acres of meadow is a feature of the description of Loughborough in Domesday Book, the flood plain widening somewhat as it approaches its confluence with the Trent, furnishing Loughborough with this important attribute to the north, west and south.

That Loughborough succeeded as a market town resulted from its position at the axis of three *pays* or regions. ‘Primary towns’ often developed at these intersections, operating as a service not for a single region, but for transactions between regions. Situated within the rich Soar valley, the town also acted as the market centre for the woodland

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*Leicestershire* (British Academy Records of Social and Economic History, new ser. 27, 1998), p. 550.

<sup>18</sup>Fenwick, *The Poll Taxes of 1377, 1379, and 1381. Pt.1, Bedfordshire-Leicestershire*, p. 550.

economy of Charnwood Forest and as one of the centres for distribution of produce from the Wolds, the rugged Forest rising on the western edge of the parish and the Wolds within five miles on the east. The hinterland of Charnwood comprised old woodland which was reduced by the development of parks and pasture. By the later middle ages, herds and flocks were being sustained here, although arable husbandry was less successful.<sup>19</sup> Significant peasant sheep flocks were assembled in and around Breedon on the Hill, for example.<sup>20</sup> The economy of the Wolds was structurally transformed during the later middle ages; the dominance of sheep farming became even more concentrated because of the fragility of settlement here.<sup>21</sup> The Wolds and river valley had long been inter-dependent with routeways between the two.<sup>22</sup> The Soar valley contained large areas of meadow exploited by butchers and graziers, but there was also substantial arable productivity as at the large manor of Lockington of Leicester Abbey, to the north of Loughborough.<sup>23</sup> The transition from a high-pressure demographic régime to a relatively more benign economic position after the plagues of the fourteenth century, facilitated further natural regional specialization in *pays*.<sup>24</sup> As a consequence, places such as Loughborough acquired a heightened significance as nodes of exchange between these regions. The decline or eclipse of some other marginal market places enabled or was a consequence of the advance of the significant market towns like Loughborough. In the later middle ages, many market vills which were either unsustainable from their inception or were superseded in the later middle ages, failed. Whatever competition might have existed, disappeared.<sup>25</sup>

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<sup>19</sup>G. H. Farnham, *Charnwood Forest and its Historians and the Charnwood Manors* (Leicester, 1930); E. Acheson, *A County Community: Leicestershire in the Fifteenth Century, c.1422-c.1485* (Cambridge, 1992), pp. 7-28; D. Holly, 'Leicestershire', in *The Domesday Geography of Midland England*, ed. H. C. Darby and I. B. Terrett (Cambridge, 1954), pp. 315-353.

<sup>20</sup>TNA SC2/183/51-52.

<sup>21</sup>H. S. A. Fox, 'The people of the Wolds in English settlement history', in *The Rural Settlements of Medieval England*, ed. M. Aston, D. Austin and C. Dyer (Oxford, 1989), pp. 77-101.

<sup>22</sup>Fox, 'The people of the Wolds'.

<sup>23</sup>Bodleian Library, Oxford, MS. Laud Misc. 625, fos 103v-104v, 165v, and 207v-209v, esp. the tithe income of the abbey.

<sup>24</sup>E. Miller, ed., *The Agrarian History of England and Wales Volume III 1348-1500* (Cambridge, 1991), esp. E. King, 'The East Midlands', pp. 67-76.

<sup>25</sup>A. Everitt, 'The marketing of agricultural produce', in *The Agrarian History*

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*of England and Wales Volume IV 1500-1640*, ed. J. Thirsk (Cambridge, 1967), pp. 473-475, for the surviving markets. Different approaches to the change in the structure of marketing are elucidated by J. Masschaele, 'The multiplicity of medieval markets reconsidered', *Journal of Historical Geography* 20 (1994), pp. 255-271

## Chapter 2

# Environment and ecology

'Experience' has become a major category of analysis in recent historical understanding, in several contexts, political, social and also environmental.<sup>1</sup> This recent interest has stimulated a corresponding engagement with the lived experience, the process of 'being' in the (small) world.<sup>2</sup> In turn, that emphasis has included examinations of contemporaries' perceptions of their environment, both auditory and visual.<sup>3</sup> For the most part, however, these experiences have been elucidated for larger urban places and spaces.<sup>4</sup> Demographic increase, migration into towns and the consequent problems of the poor generated concerns

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<sup>1</sup>P. Griffiths, A. Fox, and S. Hindle, eds, *The Experience of Authority in Early Modern England* (Basingstoke, 1996); for a full phenomenological comprehension of social difference, S. J. Charlesworth, *A Phenomenology of Working Class Experience* (Cambridge, 2000); for the philosophical perspective, M. Merleau-Ponty, *Phenomenology of Perception*, trans. C. Smith (London, 2003; originally Paris, 1945) (sensory perception instead of Husserl's and Heidegger's more epistemological discussion).

<sup>2</sup>H. L. Dreyfus, *Being-in-the-world: Commentary on Heidegger's Being and Time, Division I* (Boston, 1991), p. 94, for this 'unthinking comportment': acting whilst not being aware that we are acting (in and through the lived world).

<sup>3</sup>B. R. Smith, *The Acoustic World of Early Modern England: Attending to the O-Factor* (Chicago, 1999), e.g. p. 47: 'People dwelling in a particular soundscape know the world in fundamentally different ways from people dwelling in another landscape'; p. 48 'an ecology of speech'.

<sup>4</sup>E. Cockayne, *Hubbub: Filth, Noise and Stench in England 1600-1770* (New Haven and London, 2007).

about the urban environment. Efforts were made by early-modern authorities to mitigate the worst excesses of urban life which have been assiduously described and interpreted. The urban magistracy attempted to alleviate the impact on urban conditions, perhaps as a strategy to mollify the disenchanted in a 'pursuit of stability'.<sup>5</sup> Contemporaries were thus aware of and concerned about the urban environment.

By and large, there has been an inclination to address issues of urban conditions in larger urban places, usually incorporated boroughs, often county boroughs, partly because of superior information. The implicit assumption has been that there existed a less deleterious environment in small towns, assuming that they contained some of the more salubrious qualities associated with the countryside; they have, indeed, been considered as an integral part of the rural. Contemporaries acknowledged these differences between dense urban and some types of rural (but not all) environments, particularly in their reflections upon the causes of contagious diseases.<sup>6</sup>

What exactly, however, was the urban environment of small towns like?<sup>7</sup> The description has hitherto been rather generalized, directed to small towns as a uniform category. There is still space for a detailed investigation which brings a magnifying glass to bear on the landscape, ecology and environment of a small town. The category of small town is an amalgam of heterogeneous places, with diverse characteristics. Loughborough reflects the nature of some small towns, but not, for example, the industrializing Sheffield or Birmingham, or, in its own county, Lutterworth, Melton Mowbray, Ashby de la Zouch, and other small, market towns.<sup>8</sup> Although it had its idiosyncratic elements,

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<sup>5</sup>P. Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999); I. Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge, 1991).

<sup>6</sup>M. Dobson, *Contours of Death and Disease in Early Modern England* (Cambridge, 1997).

<sup>7</sup>For the category of small town in early-modern England, in all the heterogeneity, A. Dyer, 'Small market towns', in *The Cambridge Urban History of Britain Volume II 1540-1840*, ed. P. Clark (Cambridge, 2000), pp. 425-450.

<sup>8</sup>J. Goodacre, *The Transformation of a Peasant Economy: Townspeople and Villagers in the Lutterworth Area, 1500-1700* (Aldershot, 1994); D. Fleming, 'A local market system: Melton Mowbray and the Wreake Valley, 1549-1720, unpublished University of Leicester Ph.D. thesis, 1980; C. J. Moxon, 'Ashby-de-la-Zouch: a social and economic survey of a market town, 1570-1720', University of Oxford

Loughborough provides a useful starting point to illuminate small-town experience.

In the late nineteenth century, the parish of Loughborough contained 5,460 acres—a not inconsiderable extent for a parish in the heart of the ‘lowland’ Midlands.<sup>9</sup> At its centre was the urban precinct which had evolved during the later middle ages, perhaps from the twelfth century. This urban centre remained unincorporated until the end of the nineteenth century. It is this characteristic – a small town embedded in a large single parish – which makes Loughborough an intriguing proposition. As related above, the parish also contained polyfocal, dispersed settlement with hamlets in Knight Thorpe, Woodthorpe and Shelthorpe as well as large gentry houses. Loughborough exemplifies those small urban places where town and country coalesce. The distinction between ‘urbane’ and ‘rustic’ no doubt existed between cities or large boroughs and their hinterlands, but in the parish of Loughborough town and country coincided.<sup>10</sup> Those inhabitants engaged in agriculture and husbandry had their domestic dwellings (messuages) in the urban centre. Urban and rural were as one, intermingled.<sup>11</sup>

Meandering around the parish, the river Soar remained a valuable resource for lord and tenants, sustaining the meadows and osier beds and willows. It is not surprising then that the articles enquired of the tenants as the seventeenth century opened investigated the attributes of the river: ‘Item wheather is the Ryver or water streame called the Soare wholly to the ladie of this manour, yea or no, and yf it bee, than howe farre Doeth her streame goe, where begynneth yt, and where endeth yt’. This article—19—was followed by two further questions about who should receive the profits of the reed beds and osiers and what leases have been made of these natural commodities.<sup>12</sup> Clumps of willows thus pervaded the banks of the river and streams, represented in the local

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D.Phil. Thesis, 1971.

<sup>9</sup>*Imperial Gazetteer of England and Wales* (London, 1870-72), s.v. Loughborough.

<sup>10</sup>C. Estabrook, *Urbane and Rustic England: Cultural Ties and Social Spheres in the Provinces, 1660-1780* (Manchester, 1998) (Bristol and its hinterland).

<sup>11</sup>R. Williams, *The Country and the City* (London, 1973), reconsidered in G. Maclean, D. Landry, and J. Ward, eds, *The Country and the City Revisited: England and the Politics of Culture, 1550-1850* (Cambridge, 1999).

<sup>12</sup>HAM Box 25, folder 3, p. 8.

place-names Wythibuskes, Thorpe Wylewes and *le three Willowes*.<sup>13</sup> The bridgemasters (see below) accumulated a small income every year from the sale of willows, for example 10s. and 6s. respectively in 1603 and 1606.<sup>14</sup> More substantially, in 1607 Clement Baken proffered £1 for willows.<sup>15</sup> On the other hand, the management of the willows incurred some costs: willows were cut by two men for two days for 1s. 2d. each in 1603; another man was employed to fell and set willows for the same time and then 'Ramping the willow set'.<sup>16</sup> In 1612, Robert Hall was allowed half a mark (6s. 8d.) for setting willows.<sup>17</sup> The arrangement of the osier beds thus involved pollarding and re-planting of this resource which occupied the fluvial boundary and the intersecting streams and rivulets of the parish.

The impact of the watery environment was frequently experienced. One of the episodes about which we have most detail was the inundation of 1427-1428.<sup>18</sup> Numerous tenants requested abatements of their rents of meadow because of the inability to use the vesture. As an illustration, Thomas Lodlowe asked remissions (*petit allocaciones*) for 9s. 6d. rent of the three acres and three and a half roods of meadow sold to him, because the meadow was flooded and no gain came from it.<sup>19</sup> He was allowed 2s. 10d. (*condonatur ijs. xd.*). Almost three dozen tenants received such remission of their meadow rents, the total allowances against their rents amounting to £4 4s. 2d. The severity of the flooding of the meadows is illustrated by the remission of 13s. from the rent of 33s. for eleven acres of meadow held by John Smyth of Stanford upon Soar and his associates (*et socii sui*).

The extent and importance of the meadowland in the river valley is reflected in the plea of trespass brought by Ralph Irnemonger in 1398 against Agnes de Malton for her depredation of his meadow, she allegedly having mowed and carried off his vesture in Brodynges, Bow-

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<sup>13</sup>HAM Box 25, fldr 5; Box 25, fldr 9, p. 47.

<sup>14</sup>ROLLR DE667/112, fos 9v-10r, 20v.

<sup>15</sup>ROLLR DE667/112, fo. 25r.

<sup>16</sup>ROLLR DE667/112, fo. 10v.

<sup>17</sup>ROLLR DE667/112, fo. 42v.

<sup>18</sup>HAM Box 21, fldr 1.

<sup>19</sup>HAM Box 21, fldr 1: *eo quod pratum illud inundatum fuit et nullum proficuum inde provenit.*

stryng and Hyleyes. Her guilt was established by the jurors.<sup>20</sup> The sale of meadow in 1376-1377 engendered income of just over £20, when two dozen tenants contracted to take meadow.<sup>21</sup>

The value of the location by the Soar is epitomized in the leases of meadowland in the accounts and rentals. In 1526, the leases of meadow extended to 24 lots, some held by extraneous tenants such as Hopper of Sutton (Bonnington), Smyth of adjacent Stanford upon Soar, and Smyth of Cotes. In 1559, as many lots were leased again.<sup>22</sup>

The location in the flood plain of the Soar furnished ample meadowland within this parish dissected with streams. Meadow was particularly valuable to the lord. This resource was leased in the early-modern parish at a mark (13s. 4d.) per acre, which accounted for an income of £56 13s. 4d. each year, supplemented by £14 7s. 0d. annual receipt from meadow leased at 5s. per acre.<sup>23</sup> A rental of c.1550 enumerated acres of meadow lying in plots and closes in Stanford Way, *le plankes* (Stanford Planks), Northmedowe and Northolmes, all principal locations of meadow, in Towlos, the Overhead of Tapsach, Oxelease, Tootmerche, Cotehorne, Croxton, Barrettes, Greneholme, Hatchett, Southmedowe, Loughborough mede and Thackholme, and, illustrating the drainage of areas transected by streams, Thorpediche and Newdiche.<sup>24</sup> Additional allusions to the aqueous nature of the parish occurred in other manorial records: meadow in Stanford planks (plank bridges); meadow at Stanford ford; meadow near Armitage (Hermitage) Poole; meadow in a furlong shooting down to Somer Poole; meadow in a furlong called Tetbridge; four acres of meadow in Swans Nest; meadow in Tatmarshe; five acres of land near the slate bridge; a wong of land near Burleigh Water Gate; a rood butting on *le three Willowes*; a garden in Churchgate called the Duckhole; Woodbrooke; Churchgate *alias* Brookegate; and so on.<sup>25</sup> The watery environment dissected the urban

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<sup>20</sup>HAM Box 20, fldr 2: *de falcacione et abductione herbe prati sui in Brodynges Bowstryng et Hyleyes ulteriori anno ad dampna ijs.*, but the damages were reduced to 4d.

<sup>21</sup>HAM Box 20, fldr 1 (account 1376-1377).

<sup>22</sup>HAM Box 24, folders 2, 6.

<sup>23</sup>HAM Box 25, fldr 4, pp. 27-28: 'Medowe Letton yerlie for xiiij.s. iiij.d. every acre' and 'Medowe Letton at v.s. the acre by my Lords lettres & Commandment'.

<sup>24</sup>HAM Box 24, fldr 4.

<sup>25</sup>HAM Box 25, fldr 3, pp. 51, 109, 115; Box 25, fldr 4, pp. 8-10, 12, 17, 19, 26;



central area of Loughborough. The cottage of the late Joan Fowler was situated next to the bridge in the Bigging on the corner of Dead Lane and the Rushes.<sup>26</sup> When John and Clement Fowler arranged the copyhold tenure of a cottage in the Bigging, it was described as located next to the bridge (*iuxta pontem*) in the Bigging at the corner of the Bigging and the market place.<sup>27</sup> The cottage in the Bigging surrendered by George Sareson was situated beyond the stone bridge across the stream there.<sup>28</sup>

The effusion of water in the town is illustrated by the failure of Ralph Irnemongere to perform his duties in channelling the stream along *le Hallegate* which consequently assumed the wrong course.<sup>29</sup> The benefits of the Soar Valley were thus counterbalanced by the attendant problems of drainage and communication. The watery character of the lowland is reflected in the provision of bridges, large and small, stone and plank. The bridgemasters were constantly engaged in maintaining not only the fifty-arch bridge but also a multitude of smaller bridges in the rural parts of the parish but also in the town centre. Capital was expended on sustaining the bridges and planks over the Pockey Sike, the stone bridge and causeway in the Rushes, the plank bridge over the 'Rushes brook' (probably Wood Brook), the planks in the Moor, the planks at Burleigh Watergate, the bridge on the way to the hamlet of Shelthorpe, the bridge in the Swan, the wooden bridge at Wood Brook, the planks at Stanford upon Soar, the Tedd (Tet) bridge, the Armitage (Hermitage) bridge, the Ten Acre bridge, and the Slat bridge.<sup>30</sup> Maintenance of bridges was extended by the costs of scouring the ditches and cropping willows.

Constant attention was required for the lesser bridges in the parish and in the urban centre. In 1603, the old bridge in the Pockey Sike was leased out. Shortly thereafter, William Clemenson received 6d.

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Box 25, fldr 9, pp. 2, 11, 18-20, 44, 47, 52, 59, 89, 135-136, 149. For Churchgate *alias* Brookegate, for example, Box 25, fldr 9, p. 135.

<sup>26</sup> HAM Box 25, folder 4, p. 10; HAM Box 25, folder 5, p. 11.

<sup>27</sup> HAM Box 25, folder 9, p. 136.

<sup>28</sup> HAM Box 25, folder 9, p. 157: *ultra pontem lapidem [sic] scitum trans torrentem ibidem*.

<sup>29</sup> HL HAM Box 20, fldr 7: *Item quod aqua non tenet rectum cursum in le Hallegate in defectu Radulphi Irnemongere*.

<sup>30</sup> ROLLR DE667/112, fos 10v, 11r-v, 18r, 21v, 22r, 28v, 33r, 35v, 36v, 42v, 45v, 46r-v, for example.

for lifting this bridge and scouring the ditches underneath, confirming that it was a wooden construction. An entire £1 was earned by Robert Wilsone in the same year for planks, posts and repairing bridges. With his two sons, John Jesson expended two days laying planks in the Moor, to the south of the town, and repairing those at Burleigh Watergate, for 23s. In 1605, the same workers returned to the Watergate to renew some planks, for 3s. 4d. Another 14s. was dispensed in 1605 for Lambley and his man to maintain plank bridges, whilst George Cawdwell received 2s. 6d. for the same work at other wooden bridges. A mere 2s. was offered to Thomas Wheilewright then to pin boards at the plank bridges. Two days of work on Stanford planks in 1608 incurred a cost of £1, whilst wood was required for Hermitage Bridge in 1610. The bridge over Wood Brook consisted of a single plank supplied at a cost of 10s. in 1608.<sup>31</sup>

It was the bridge at the Rushes, however, which demanded constant repair and was the most complicated structure in the urban centre after the stone bridge replaced the wooden planks. The character of this precinct is reflected in its name, of course, but indicated demonstrably by the amount of money and time expended on the repetitive scouring of ditches there. The peripheral nature of the Rushes is demonstrated by the location of the pest house when serious endemic disease visited the town in 1609.<sup>32</sup> In 1603, George Webster, Humphrey Ollyver, Thomas Bulworke and John Cowper spent two days each scouring the Rushes, for 1s. 4d. each. They returned frequently to remedy the silting. Another plank was delivered at a cost of 5s. 6d., to traverse the brook in the Rushes. It was in 1613 that 10s. 2d. was committed to replacing the plank bridge by a stone structure.<sup>33</sup> Robert Lambley was contracted for two days to acquire stone for the bridge and for the causeway in The Swan. Then another two loads of stone were conveyed to the Rushes bridge. In 1608, yet another plank bridge was placed there.<sup>34</sup> Richard Cranwell committed a trespass by blocking up one of the arches of this bridge, reflecting the structure of the stone bridge.<sup>35</sup>

Before 1540, Leland described the town: ‘yn largeness and good

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<sup>31</sup>ROLLR DE667/112, fos 9v, 10v, 11r, 17v, 18r, 28v, 29r, 33r, 36r.

<sup>32</sup>ROLLR DE667/112, fo. 33r.

<sup>33</sup>ROLLR DE667/112, fo. 45r.

<sup>34</sup>ROLLR DE667/112, fos 10v, 11r, 21v, 22r, 29r, 42r, 45r.

<sup>35</sup>HAM Box 25, fldr 9, p. 23.

building next to Leyrecestre of all the markette townes in the shire, and hath in it a 4 faire strates or mo well pavid...'; Camden professed it 'the largest and best-built town in the county next to Leicester', according to Nichols; imminently before the fire of 1622, Burton adjudged it to contain 'many fair buildings and a large church'.<sup>36</sup> The four streets to which Camden referred probably comprised Highgate, Churchgate, Baxtergate, and the Market Place, to which we should add Bigging, a short, but commercially important street.<sup>37</sup> Camden probably omitted Sparrow Hill, Hallgate (now Pinfold Street), Woodgate, perhaps in his estimation peripheral to the main urban area, but which became an integral part of the built-up centre during the sixteenth century, if not before. The peripheral character of Hallgate is reflected in the location of the common pinfold there.<sup>38</sup>

Since Loughborough had developed as an unincorporated town in the later middle ages, without the privilege of borough status, the boundaries of the urban centre were ecological, not political or institutional, that is, there were no official boundaries within which the town was constrained.

The perimeter of the urban precinct had been delineated by topographical features and remained static over a considerable period of time. The westernmost edge was produced by the Fishpool at the end of the marketplace. In 1397-1398, husbandry extended right up to the Fishpool: William Dextere impleaded John Dextere in an action of trespass for breaking his boundary marker and driving his cart and ripping up seedlings at the Fishpool Head (*caput stagni*), for which the jurors found him guilty.<sup>39</sup> Ralph Irnemongere ploughed right up to *le Fysshepoole* on the commonland there and made an illegal ditch in 1405.<sup>40</sup> Indeed, *le Fysshepooll Wonge* demarcated the edge of the town where

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<sup>36</sup>J. Nichols, *History and Antiquities of the County of Leicester* (4 volumes, 1795-1815), iii, p. 889.

<sup>37</sup>For the occasional reference to the Bigging by confusion as (le) Bigend: HAM Box 25, fldr 9, pp. 2, 21, for example; for Churchgate *alias* Brokegate: HAM Box 25, fldr 9, p. 135, for example.

<sup>38</sup>HAM Box 25, folder 4, p. 14: a croft against the Conygre and common pinfold; HAM Box 25, folder 5, p. 7: a tenement and croft in Hallgate next to the common pinfold.

<sup>39</sup>HAM Box Box 20, fldr 2.

<sup>40</sup>HAM Box Box 20, fldr 7: *Idem Radulphus iniuste aravit et iniuste fecit fossatum apud le Fysshepoole super communem sine licencia.*

arable land began.<sup>41</sup> Although containing a few dwellings, Woodgate remained largely undeveloped. In 1398, Thomas Derby brought a case of trespass against William Wakelen because his stray animals destroyed his grass and grain over three years, a malfeasance for which he was condemned.<sup>42</sup> The northern boundary was prescribed by the Rushes, an area fully described in its name. In 1403, Robert Baxtere brought two actions of trespass against the elder John Grene for destruction of his grass in *les Rysshes* and elsewhere by his cows, although Grene was proven not guilty.<sup>43</sup>

The topographical extent of the town was thus probably established by the fourteenth century and remained fairly static through the later middle ages, with some disruption in the late fourteenth century. There is, however, little evidence for the material development of the town before the later fourteenth century. A charter of the early fourteenth century refers to land in Dedelane, which thus indicates a customary route for bodies to the church.<sup>44</sup> Such routes are characteristic of rural villas as well as urban places. Although there is every evidence of the commercial viability of the town and parish, it remained within its earlier confines through the later middle ages.

The market charter received in 1221 – and presumably implemented in 1222 – might have simply confirmed an existing, informal function.<sup>45</sup> By the late fourteenth century, the central commercial area had become

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<sup>41</sup>HAM Box Box 21, fldr 1 (1412): *Willelmus Dextere queritur de eodem Roberto in placito debiti xs. unde viijs. pro Redditu de le Fysshepooll Wonge ...*

<sup>42</sup>HAM Box Box 20, fldr 2: *Thomas Derby querens optulit se versus Willelmum Wakelen ... de eo quod in defectu clausure quam ille faceret inter eos in le Wodegate herba et blada sua destructe fuerunt cum animalibus cont[inue] per iij Annos ultiores elapsos ad dampna xld. et compertum fuit per Inquisicionem quod culpabilis ad dampna xijd.*

<sup>43</sup>HAM Box Box 20, fldrs 5-6.

<sup>44</sup>*Report of the Manuscripts of the late Reginald Rawdon Hastings Esq.* (Historical Manuscripts Commission, London, 1928), I, p. 80.

<sup>45</sup>R. H. Britnell, 'The proliferation of markets and fairs in England before 1349', *Economic History Review*, 2nd ser. 34 (1981), pp. 209-21; H. W. Cook, *Bygone Loughborough: Chapters from Local History from the Earliest Days to the Incorporation of the Borough* (Loughborough, 1934), p. 7; R. H. Hilton, 'Medieval agrarian history', in *VCH Leicestershire Volume II* (London, 1953), pp. 175, 177; *Calendar of the Charter Rolls Volume I Henry III A.D. 1226-1257* (London, 1903), pp. 4, 90, 175 (confirmation 1227). In general, now, J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge, 2012).

differentiated and refined. A rental, probably attributable to the 1370s, reveals the structural developments in the urban centre, although it is apparently incomplete. Its compilation appears to be associated with the repercussions of the plagues. Several references are made to the level of rents before the plagues by comparison with the reduced amount now. More diagnostically, there is mention of an assignment of a message and two bovates formerly held by Richard Whytside *capellanus, post primam mortalitatem* ('after the first mortality'). In the meantime, the tenement had changed hands twice. The rental cannot therefore have been composed before 1361-1362 since the first mortality presupposes a further visitation; the successive assignments of the tenement suggest some time in the 1370s.<sup>46</sup>

In the late fourteenth century, Loughborough comprised at least 75 cottages, 65 of which were inhabited, and at least 58 messuages. The cottages were expressly urban property located in the town centre, some in *le marketstede*. Some of the messuages without appurtenant land were situated in *le marketstede* too. Several townspeople held multiple cottages, which presumably housed subtenants or their labourers. Thus William Pegge had two messuages and five cottages. In particular, some of the cottages in the Jorz fee (of which there were 13) might have been inhabited by rural labourers. Thomas Haitle, for example, held three messuages with two virgates and two bovates of land, so that the six cottages which he held probably housed rural rather than urban labourers.<sup>47</sup> In adjacent, rural Shelthorpe, there were another five cottages. Even so, many of the cottages must also have been for urban labourers. This situation of engrossing of holdings had arisen because of the depredations of the plagues. Multiple holdings became a feature in Loughborough, as elsewhere, of the later middle ages.

The central commercial area, *le marketstede*, was divided into at least four precincts. Cottages, selds, messuages, and shops were described as being *infra mercenariam* (in the mercers' area), *infra (inter) carnifices* (amongst the butchers—a shambles), *infra Draperiam* (in the drapers' area), and *infra Irnemongeres*. At least eight shops were located *in foro* or in *le marketstede*, held usually for 4d. per annum, but

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<sup>46</sup>HAM Box 20, fldr 4.

<sup>47</sup>H. S. A. Fox, 'Servants, cottagers and tied cottages during the later middle ages: towards a regional dimension', *Rural History* 6 (1995), pp. 125-154.

one for 6d. There were also at least four messuages at rents variously of 3s. to 6s. Six selds were situated there—*in foro*. More pertinently, 11½ stalls, all held for 4d. annual rent, stood there, with another *de nouo edificatum* (newly built) for a higher rent of 6d., and a shop *de nouo edificata in foro* (at the consequently enhanced rent of 8d.). Alice Baroun held a seld *que continet in se iiij stallos in foro de nouo edificata* (newly built in the market place containing 4 stalls), illustrating the nature of the selds. Robert de Rammeseie had been tenant of a building in the midst of the market called the Tollbooth (*unum edificium in medio mercati ... quod vocatur le Tolbothe*). William Caluerknavé rented another booth near the Ironmongery which contained four stalls. The commercial centre of the town was thus highly defined, differentiated, and specialized by the late fourteenth century, reflecting the town's position as a centre of exchange, with an emphasis on retailing, butchery, cloth, and ironmongery.

What can further be deduced from the rental of the 1370s, moreover, is the impact of those plagues on the economic condition of the town. There are two aspects: the effect of the plague on the hinterland of the town which had repercussions on the town's activity in the short term; and the internal condition of the town as a direct consequence of the plague. The second question is easier to answer than the first. The rental is largely, although not exclusively, concerned to list the lapsed rents (*in decasu redditus*). At first sight, the long list of lapsed rents gives the impression of a severe contraction but closer examination suggests that the decline might have been relative. Bearing in mind that the rental is not quite complete, the lapsed rents concerned only one tenement, one shop, two selds in the drapery, and 2½ stalls. The commercial sector was not at that stage severely disrupted. In contrast, ten cottages were without tenants and thus in the hands of the lady of the manor, Catherine Beaumont, and recorded as lapsed rents. Most of the other lapsed rents were accounted by small parcels of land and meadow which had reverted into the lady's hands for default of a tenant. The agricultural sector around the town seems thus to have been affected more than the urban enceinte, at least in the 1370s.

Thereafter, presentments were constantly made in the view of frankpledge—a biannual special court—as well as the manorial court about delapidated tenements. These infringements reflected the continuing problem of

disruption after the plague and the difficulty of replacing tenants. In October 1397, ten tenants were fined between 2d. and 4d. because their tenements were in disrepair.<sup>48</sup> In the following view in April 1398, eight tenants were presented for disrepair of their tenements, but five were repeated from the earlier court.<sup>49</sup> By 1403, another eight tenants were detected for this misdemeanour.<sup>50</sup> At Easter 1404 the list of delinquent tenants was extensive.<sup>51</sup> By 1405, nonetheless, the list had contracted to just four offending tenants, one of whom was ejected for his incapacity to maintain the buildings, a personal inability rather than a structural dislocation.<sup>52</sup> By October, nonetheless, 17 tenants were presented for failure to maintain their tenements. Three tenants were deemed personally incapable of sustaining their tenements and the bailiff was ordered to confiscate the tenements and their contents.<sup>53</sup> Seven years later, in April 1412, a dozen tenants were found culpable of disrepair, including for 'ruinous' buildings in *le Bigging* and the marketplace. William Dextere's house at the town end had completely collapsed.<sup>54</sup> As seriously, Ralph Irnemongere was in possession of three cottages in Woodgate and another three at Sparrowhill, all alleged to be not properly maintained. Perhaps the situation was improving by the third decade of the fifteenth century. In 1429 only four houses were presented as being out of repair and in 1430 only two.<sup>55</sup> It is difficult to be definitive as to whether these fines represented a seigniorial defensive strategy to ensure the maintenance of the property or whether they were occasioned by serious depreciation and neglect of the built environment: perhaps a mixture of both. Certainly, lords were sensitive to the decline in their income in the later middle ages and the maintenance of tenements was a widespread concern in manorial courts.

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<sup>48</sup>HAM Box 20, fldr 2.

<sup>49</sup>HAM Box 20, fldr 2.

<sup>50</sup>HAM Box 20, fldrs 5-6.

<sup>51</sup>HAM Box 20, fldr 8.

<sup>52</sup>HAM Box Box 20, fldr 7: *Thomas Colman: ideo preceptum est seisire eadem tenementa in manus domini simul cum bonis et catallis super eadem.*

<sup>53</sup>HAM Box Box 20, fldr 7: *Item presentant quod Andreas Murdoc Johannes Lue et Johannes Peyntour non sunt sufficientes ad tenementa sua facienda et reparanda debito modo et ideo preceptum est balliuo seisire tenementa sua in manus domini simul cum bonis et catallis super eadem inuentis quousque &c.*

<sup>54</sup>HAM Box 21, fldr 1: *habet domum omnino deuastatam ad finem ville.*

<sup>55</sup>HAM Box Box 21, fldr 3 .

Some evidence of temporary difficulty at the end of the fourteenth century is contained within the leasing of the common oven (*Furnum dimissum*) in 1398.<sup>56</sup> The new tenant, Robert Baxtere was expected to render the annual rent of £2, but he was condoned an entry fine because the oven had collapsed (*Et nichil dat ad ingressum quia predictum furnum prostratum fuit...*). By 1403, the common oven was still not fully refurbished, when John Burbache senior and junior were amerced for its condition.<sup>57</sup> Again, it is impossible to decide how far these fines represented a defensive seignorial strategy or fiscal instrument and how far a real problem. Baxtere continued to hold the common oven until 1402, when he impleaded John del Grene for non-suit to the common oven.<sup>58</sup> Default of suit compounded Baxtere's tenure of the oven, for he was compelled also to implead Richard Derby in trespass for non-suit for a year and a half.<sup>59</sup>

By the early sixteenth century, recovery was apparently well advanced, for no lapsed rents are recorded in the rental of 1527.<sup>60</sup> According to this document, the rental income to the lord extended to £121 with no extensive deductions. The topographical extent of the town seems marginally larger: 23 tenements in Kirkgate; 18 in Woodgate; 23 in Baxtergate; 27 in Marketstead; 12 in Hallgate; 15 in Bigging; 19 in Highgate; amounting to a total of 137 urban tenements, excluding the rural housing in Shelthorpe, Woodthorpe, and Knight Thorpe.

During the late sixteenth and early seventeenth century, the urban precinct was expanding slowly. The previously unpopulated Rushes were gradually brought into habitation. Several tenants held crofts in the Rushes.<sup>61</sup> The area had been acknowledged as the limit of the built-up area: 'The Townend cald the Russhes'.<sup>62</sup> In a rental of c.1550, the

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<sup>56</sup>HAM Box Box 20, fldr 1.

<sup>57</sup>HAM Box Box 20, fldrs 5-6.

<sup>58</sup>HAM Box Box 20, fldr 5: *Robertus Baxtere queritur de Johanne del Grene in placito transgressionis de retraxione secte de communi furno quod tenet de domina ulteriori anno ad dampna xijd. et compertum est per Inquisicionem quod culpabilis ad dampna ijd. et erit in misericordia &c.*

<sup>59</sup>HAM Box Box 20, fldrs 5-6: *de retraxione secte de communi furno per unum annum et dimidium ad dampna xijd.*; defendant was found guilty.

<sup>60</sup>HAM Box 24, fldr 2.

<sup>61</sup>HAM Box 25, fldr 4, p. 11, for example; Box 25, folder 5, p. 13, for example.

<sup>62</sup>HAM Box 25, fldr 4, p. 15.



only mention of the Rushes described it as a close.<sup>63</sup> Some were beginning to exploit the area for housing. Nicholas Caldwell had constructed a house in part of his croft in the Rushes.<sup>64</sup> There too John Saywell had introduced a house on his croft.<sup>65</sup> This rental affords a conspectus of the town's plan: Market Place (Markett Sted); Baxtergate; Churchgate (Churchegate, Kirkegate); Hall Gate (Halgate); Bigging (Byging); Highgate (Highegate, Hiegate); Woodgate; Sparrow Hill (Sparrowehill); Swine Lane (Swynelane); Aumbrey Gap (Aumbrey Gappe); Fennell Street (Fenellstrete); Leicester Lane (Lesterlane); and Hucksters Row. How should we consider this multiplex of streets in comparison with the early-modern village? In one sense, the difference is simply one of quantity, the number of streets. Loughborough consisted of more streets than the village norm of a main street and a corresponding back lane. Loughborough's pattern signified more, however: complexity and specialization, a distinction which heightened sensitivity to a change of place and space. Some of the streets were paved, unlike in rural villages, although it is probable that only short stretches of the principal thoroughfares were so metalled. Robert Barfotte was indicatively amerced for not collecting stones to repair the ways in the town centre.<sup>66</sup> The activity on those streets enhanced the sense of urban experience.

Within the limits of the available resources, several institutions attempted to furnish a respectable environment. The manorial court tried to eradicate—or at least penalize—nuisances, but only within the general remit of manorial jurisdictions in general. Tenants were responsible for scouring and cleaning before their own tenements.<sup>67</sup> After 1547, the bridgemasters supported stone paving which they introduced into the Swan as well as the retail streets.<sup>68</sup>

The appointment of a streetmaster for Fennell Street indicates the development of this periphery of the town. On occasion, the streetmaster was defined as responsible for Fennell Street and Dead Lane. The latter had been in existence, as one might well expect, since at

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<sup>63</sup>HAM Box 24, fldr 4.

<sup>64</sup>HAM Box 25, fldr 5, pp. 11, 27.

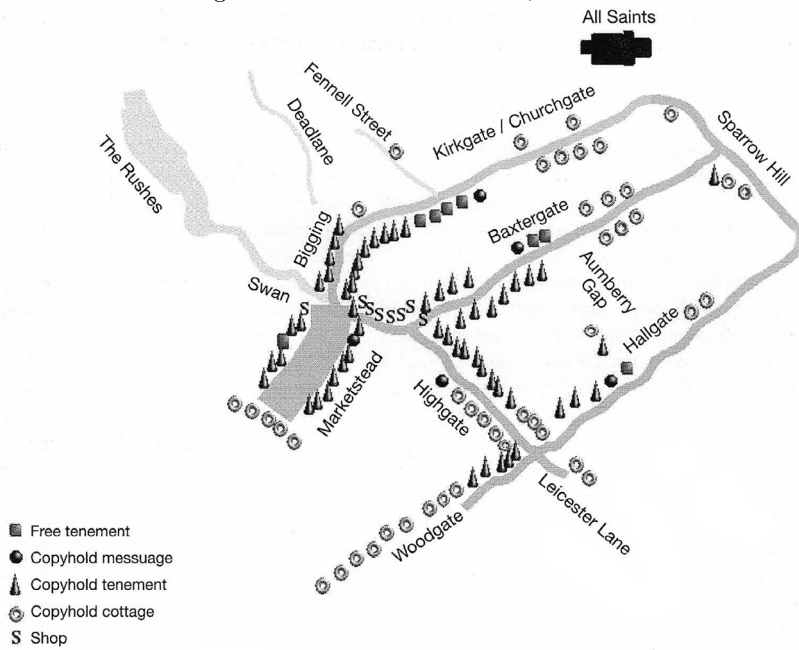
<sup>65</sup>HAM Box 25, fldr 3, p. 25.

<sup>66</sup>HAM Box 25, fldr 9, p. 23.

<sup>67</sup>HAM Box 24, fldr 5: 1564: six men presented for failing to repair and scour *Ramell' et Sordes*, for example.

<sup>68</sup>ROLLR DE667/112, fo. 11v, for example.

Figure 2.1: The urban centre, c.1550



least the early fourteenth century, probably representing a lyke wake bringing the dead body from the parish towards Churchgate. Parts of Dead Lane remained rural at the end of the sixteenth century: Thomas Barrett, for example, had a croft in the Lane.<sup>69</sup>

In other directions, waste was being colonized for new building. Robert Hall, for example, constructed a dwelling house (*domus mansionalis*) on the waste near Fishpool Head.<sup>70</sup> It might have been this dwelling house built on the lady's waste next to Fishpool Head with an adjacent parcel of waste which was surrendered by John Hall in 1608.<sup>71</sup> This location had previously marked the western edge of the urban area, consisting of waste land.<sup>72</sup> Nicholas Henshawe still retained a croft at 'Fishpole gate' at the end of the sixteenth century.<sup>73</sup> He also, however, erected a cottage and barn at Fishpool Head.<sup>74</sup> In the surveys of the early seventeenth century, domestic buildings at Fishpool Head were occupied by William Jackson.<sup>75</sup> James Whatton surrendered one of his copyholds there to the use of his son and two other lives. This tenure consisted of a parcel of waste ground at Fishpool Head with two bays of new building on it. The waste contained merely 81 feet by 46 feet. It was, indeed, adjacent to another piece of waste there which James retained, on which he had also built two bays of building.<sup>76</sup> About the same time, Edward Palmer renewed his copyhold tenure of a parcel at Fishpool Head, once a waste toft, with two cottages now erected on it.<sup>77</sup>

Another location being developed was Aumbry Gap, appended to Hallgate. William Sandes alienated a cottage and garden in *le Amerygapp*.<sup>78</sup> Another cottage nearby was held by Ralph and Robert Wright, brothers.<sup>79</sup> The tenement occupied by William Banckes in right of his

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<sup>69</sup>HAM Box 25, fldr 5, p. 6.

<sup>70</sup>HAM Box 25, fldr 3, p. 105; HAM Box 25, fldr 9, p. 9.

<sup>71</sup>HAM Box 25, fldr 9, p. 81.

<sup>72</sup>HAM Box 25, fldr 4, p. 6; HAM Box 25, fldr 5, pp. 9, 15.

<sup>73</sup>HAM Box 25, fldr 5, p. 14.

<sup>74</sup>HAM Box 25, fldr 5, p. 17.

<sup>75</sup>HAM Box 25, fldr 9, p. 12.

<sup>76</sup>HAM Box 25, fldr 9, p. 55.

<sup>77</sup>HAM Box 25, fldr 9, p. 57.

<sup>78</sup>HAM Box 25, fldr 3, p. 106.

<sup>79</sup>HAM Box 25, fldr 5, p. 14.

wife, Bridget, was described as at ‘Ambrie gap’ in Hallgate.<sup>80</sup> In 1606, Henry Marriott surrendered a tenement at ‘Ambrey gape in Hallgate’.<sup>81</sup>

Frequent mentions were made to Leicester Lane where cottages were being erected. The location was often described as at the town end: ‘Towne end at Leicester lane.’<sup>82</sup> A cottage was in the tenure there of John and Richard Maynard, sons of Ralph, described as at the town end at Leicester Lane.<sup>83</sup> Another cottage was tenanted by Helen Fowler.<sup>84</sup> Cottages in Leicester Lane in the surveys of the early seventeenth century were in the tenure of Nicholas Reinoldes.<sup>85</sup> The status of Leicester Lane was reflected in the terms of the surrender of the cottage there by James Whatton to take a new copyhold term, for the building was described as being situated in a small lane (*parva venella*) called Leicester Lane.<sup>86</sup>

Some building was being developed also along *le Milne Lane*, as evidenced by the cottage, curtilage, backside and garden held in copyhold tenure by Robert Barfoote in the early seventeenth century.<sup>87</sup> It was here that the seigniorial malt mill was located.<sup>88</sup> On the other hand, waste ground also remained here in this marginal location.<sup>89</sup> The existence of Rotten Rowe suggests a derelict part of the town, but this location remains an enigma. It is rarely mentioned in the surveys or copyhold transactions. At the end of the sixteenth century there was a building of three bays and a plot of land there and two tenements under a single roof—but those are the only allusions to this street.<sup>90</sup>

The expansion in all these peripheral locations was almost exclusively through the building of cottages rather than larger buildings. In 1619, John Newton took the copyhold for three lives in six cottages with their gardens and orchards in the Rushes. It is probable that the Newtons were investing in this location and in particular in its cottages.

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<sup>80</sup>HAM Box 25, fldr 5, p. 18.

<sup>81</sup>HAM Box 25, fldr 9, p. 6.

<sup>82</sup>HAM Box 25, fldr 4, p. 14.

<sup>83</sup>HAM Box 25, fldr 5, p. 4.

<sup>84</sup>HAM Box 25, fldr 5, p. 5.

<sup>85</sup>HAM Box 25, fldr 9, pp. 12

<sup>86</sup>HAM Box 25, fldr 9, pp. 39, 173, 196, 201.

<sup>87</sup>HAM Box 25, fldr 9, p. 50.

<sup>88</sup>HAM Box 25, fldr 9, pp. 6, 37, 62.

<sup>89</sup>HAM Box 25, fldr 9, pp. 37, 62

<sup>90</sup>HAM Box 25, fldr 3, p. 106; HAM Box 25, fldr 9, p. 36,

The second and third lives in the copyhold were reserved for Thomas and John, sons of Hugh Newton of London, pewterer. Some eight years previously, Richard Newton had acquired the copyhold for three lives in a cottage and curtilage in Fennell Street, again with two remainder lives for John and Hugh. Two years previously, in 1609, the elder Hugh, the pewterer of London, invested in the copyhold tenure of three cottages in Churchgate (Kirkgate). His first investment, it seems, had involved a cottage near Burleigh Park in 1606.<sup>91</sup> The investment is interesting on one level, but as interesting is the erection of cottages on the periphery of the built-up area constituting the expansion of the town.

Another reflection of the recent construction of these cottages is the leasing of some of them for terms of 21 years by the lord rather than copyhold tenure. So a cottage in Fennell Street was leased for this term to William Heyne in 1614.<sup>92</sup> Cottages with their gardens in the Rushes were granted on the same terms to Richard Peale, Nicholas Phillips, Rowland Arnold, William Wallis, Thomas Fowler, Thomas Elose, Richard Heathe, and William Dicke all also in 1614.<sup>93</sup> Several cottages in Fishpool Head were similarly leased for terms of 21 years in 1614-15.<sup>94</sup> Some cottages in Woodgate, an older-established street, were also leased for this term of years, suggesting their recent construction.<sup>95</sup> In total, 24 cottages, including those in Fennell Street (one), the Rushes (nine), Woodgate (four) and Fishpool Head (six), were leased out for this term of years rather than in copyhold, suggesting their recent building on the edge of the urban area.

The introduction of the offices of streetmasters—two for each of the recognized streets—constituted another effort to improve the urban precinct. More about these officers is contained in the discussion of the politics of diffuse government. Their evolution in the late sixteenth century denotes an increase of the interest in maintaining a salubrious centre. The officers were variously designated as *escatores vicorum*, *guardiani vicorum*, *supervisores viarum* and *custodes vicorum*. Their presentments were intended to eliminate nuisances in the central streets

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<sup>91</sup>HAM Box 25, fldr 9, p. 13.

<sup>92</sup>HAM Box 25, fldr 9, p. 15.

<sup>93</sup>HAM Box 25, fldr 9, pp. 15-17.

<sup>94</sup>HAM Box 25, fldr 9, pp. 17-19.

<sup>95</sup>HAM Box 25, fldr 9, pp. 19-20.

and to ensure that tenants in the inner urban area performed their obligations in front of their houses.<sup>96</sup> Thus several tenants were presented in 1608 for not cleaning (*mundare*) the street in front of their doors.<sup>97</sup> Whilst the built-up area expanded incrementally at its margins and attempts were made to maintain the cleanliness and orderliness of the existing main thoroughfares, the urban centre also became modified. In the market place was consolidated Hucksters Row with its shops or *officine*.<sup>98</sup> It seems probable that there was investment in the shops by the larger tenants, who yet did not occupy them or exploit them directly. At one point, for example, Margaret Villers held five shops, four of which were located in the marketstead.<sup>99</sup> Three *officine* on the corner of Baxtergate and Hucksters Row were held by John Wolley.<sup>100</sup> The ownership of some of these shops regularly changed hands. One shop with a chamber over came into the tenure of William Munke, but had previously been in the hands of John Reaper, then Robert Wollandes, and then Bartholomew Tisley.<sup>101</sup> The names of the tenants suggest a fairly rapid transfer over a short period of time.

The street pattern, of course, reflected the development of the productive environment of the town. Baxtergate existed as one of the earliest streets of the town, as also the Marketstead. In the early seventeenth century, messuages and *officine* (shops) were held by copyhold tenure in Hucksters Row in the market place; the intimation is that the development was recent since there was no mention in earlier court rolls.<sup>102</sup> Whilst a few shops had been mentioned in the rental of the late fourteenth century, there was there no reference to Hucksters Row.<sup>103</sup> Shops were not, however, an entirely new or even recent development, for their existence was mentioned in 1404 when William Loksmyth failed at law against John de Byteham in a case of debt for

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<sup>96</sup>For their presentments, for example, HAM Box 25, fldr 9, pp. 4, 22; for the impetus to sanitation in medieval market places, Davis, *Medieval Market Morality*, pp. 186-189 and (for Clare and Newmarket) 368-371.

<sup>97</sup>HAM Box 25, fldr 9, p. 94.

<sup>98</sup>HAM Box 25, fldr 3, pp. 11, 28, 104, 105; HAM Box 25, fldr 11, pp. 5, 7, 8, 10.

<sup>99</sup>HAM Box 25, fldr 4, p. 2; HAM Box 25, fldr 5, p. 7.

<sup>100</sup>HAM Box 25, fldr 3, p. 105.

<sup>101</sup>HAM Box 25, fldr 3, pp. 11, 30.

<sup>102</sup>HAM Box 25, fldr 3, pp. 11, 78, 104-105; HAM Box 25, fldr 5, pp. 14, 18; HAM Box 25, fldr 9, pp. 2, 43, for example; HAM Box 25, fldr 11, p. 5 (1620).

<sup>103</sup>For the etymology of hucksters, Davis, *Medieval Market Morality*, pp. 7-8.

the rent of a shop.<sup>104</sup> About the same time, Joan widow of Richard de Derby assumed the customary tenure of a shop in *le merketstyd* which Richard had lately held.<sup>105</sup> The transformation formed by Hucksters Row as a distinct entity accords with the development of shops in market places, which in many cases resulted in infilling in the middle of the market place.<sup>106</sup>

The market place also contained, of course, those features emblematic of urban status: the high cross and the pillory. Three shops were described as situated around the high cross.<sup>107</sup> Decorum around the cross, a symbol of the status of the town and market, was essential, so James Slacke was presented for not repairing the street in front of the cross.<sup>108</sup> Tenements and cottages were located next to the *Colstrige* or pillory.<sup>109</sup> Dorothy Mod and her daughter Bridget had a shop in the new market house.<sup>110</sup> Although the toll booth described in the late-fourteenth-century rental had been converted to another use, the reference to a shop in the new house of the market implies that a new official building had been constructed.<sup>111</sup>

We might surmise that the shops had developed as a specialized row within the market place. The area around the market contained a variety of building. Cottages as well as tenements were listed in the Marketstead in the surveys.<sup>112</sup> Thomas Hallyman occupied a cottage there with a barn and garden; a tenement with a garden and orchard lay adjacent to the pillory in the market place.<sup>113</sup> The market area was undergoing a transitional development from the site of tenements with their lands in the common fields around an open trading area to a complex of interspersed tenements, cottages, gardens, and shops.

At an earlier time, the market had been divided into four precincts,

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<sup>104</sup>HAM Box 20, fldr 6 (*pro stipendio* [sic] *unius shoppe*).

<sup>105</sup>HAM Box 20, fldr 6. HAM Box 21, fldr 3 (1431): *sub fenestris shoppe*.

<sup>106</sup>A. Everitt, 'The marketing of agricultural produce', in *The Agrarian History of England and Wales Volume IV 1500-1640*, ed. J. Thirsk (Cambridge, 1967), pp. 480-486.

<sup>107</sup>HAM Box 25, fldr 4, p. 5; HAM Box 25, fldr 5, p. 2.

<sup>108</sup>HAM Box 25, fldr 9, p. 94.

<sup>109</sup>HAM Box 25, fldr 4, p. 6; HAM Box 25, fldr 5, pp. 6, 11.

<sup>110</sup>HAM Box 25, fldr 5, p. 16.

<sup>111</sup>HAM Box 25, fldr 5, p. 16.

<sup>112</sup>HAM Box 25, fldr 5, pp. 14, 19, for example.

<sup>113</sup>HAM Box 25, fldr 5, pp. 11, 14.

representing the ironmongers, drapers, mercers and butchers. That arrangement no doubt consisted of no more than stalls. By the sixteenth century, the butchers traded from shops and encroached on the street with pentices outside their shops. They were presented for opening their shop windows on the sabbath and erecting pentices on stone blocks into the street.<sup>114</sup>

Therein too was situated one of the large inns of the town: The George.<sup>115</sup> To some extent, in the absence of a formal town hall as a symbol of urban authority, the agglomeration of inns in the central precinct constituted that status of building which communicated the urban in the built environment.<sup>116</sup> The complex of configuration around the market place contributed to the sensation of the urban.

The George was held by George Ragge in customary tenure for a money rent and two capons, the latter diagnostic of customary rents. In the confusion of the re-granting of tenures, however, the inn was also reserved in free tenure to Nicholas Woollandes along with two shops formerly existing as four.<sup>117</sup> The George had been bequeathed by Thomas Syston in his will of 1531 to his widow, Alice, for her life, with remainder to his son, Robert, their constituting the two remaining lives in his copyhold for three lives (the customary tenure for tenements held of the manor of Loughborough).<sup>118</sup> Syston was, in fact, primarily a yeoman farmer, described in his will indeed as a yeoman with a farm in Thorpe Hawker in Dishley parish and a copyhold house in Shepshed.

Inns functioned as a vitally important element in urban development in the sixteenth and seventeenth centuries. Their position at the apex of drinking establishments owed much to their wider roles for hospitality. Urban inns expanded in size and function in these centuries, with considerable rebuilding appropriate to their new functions: a se-

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<sup>114</sup>HAM Box 25, fdr 9, p. 94 (*inde staciones aperte super lapides*).

<sup>115</sup>HAM Box 25, fdr 5, p. 14.

<sup>116</sup>R. Tittler, *Architecture and Power: The Town Hall and the English Urban Community, c.1500-1640* (Oxford, 1991); A. Everitt, 'The English urban inn', in *Perspectives on English Urban History*, ed. Everitt (London, 1973), pp. 91-137; P. Clark, *The English Alehouse: A Social History 1200-1830* (London, 1983), pp. 6-9; B. Kümin, *Drinking Matters: Public Houses and Social Exchange in Early Modern Central Europe* (Basingstoke, 2007).

<sup>117</sup>HAM Box 25, fdr 3, p. 24; HAM Box 25, fdr 4, p. 5; HAM Box 25, fdr 5, p. 2 (the claim by Ragge to have been disseised by Woollandes).

<sup>118</sup>ROLLR Will 1531/36.



lective clientèle, stabling, and numerous chambers for guests. By this time, urban inns had become places of commerce and exchange. Their elite status is reflected in only 12 percent of drinking establishments in the nation in 1577 being classified as inns.<sup>119</sup> The two other inns were located in the Bigging: The Swan and The White Hart (*signum Cervi*). The Swan came into the tenure of William Webster and his two sons.<sup>120</sup> The White Hart was continuously in the tenure of William Hebbe and his family as copyhold for three lives, the lives varying with the fortunes of his family: first his wife and daughter Joyce, then his sons, William and Henry. Numerous surrenders and admissions to this tenement, backwards and forwards, suggest that William was compelled to enter into several mortgages of the property.<sup>121</sup> Before then, however, it had been in the tenure of Nicholas Jenkenson, as described in a rental of c.1550 (the *hospicium* called the White Harte). Jenkenson occupied it along with miscellaneous small parcels of land, comprising  $7\frac{1}{2}$  acres of meadow in Northmedowe, two acres of land in Burleigh Field, and three more in Salter Crofte, which illustrates the incipient separation of townfolk from agriculturists in the town and parish, for he did not occupy one of the standard rural holdings.<sup>122</sup> In c.1550, another inn (*hospicium*) existed in the town centre, Brittons House, the tenant of which was William Henshawe, who additionally held 17 acres of meadow and two acres of land.<sup>123</sup> In these cases, the acquisition of meadow was no doubt associated with the function of ostler at the inns. The former Unycorne in Highgate had been converted into a messuage by Nicholas Henshawe, probably desiring larger domestic accommodation commensurate with his status.<sup>124</sup> Less frequent reference was made to the Crossekeys, which was enumerated as one of the free tenements in the rental of c.1550, an inn (*hospicium*) occasioning an annual rent of £1 and in the tenure of John Bell.<sup>125</sup>

The rentals through into the early seventeenth century confirm the

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<sup>119</sup> Clark, *The English Alehouse*, pp. 6-9.

<sup>120</sup> HAM Box 25, fldr 9, p. 15.

<sup>121</sup> HAM Box 25, fldr 4, p. 9; HAM Box 25, fldr 5, p. 2; HAM Box 25, fldr 9, pp. 37, 161, 167-169, 173, 175-176, 203-204.

<sup>122</sup> HAM Box 24, fldr 4.

<sup>123</sup> HAM Box 24, fldr 4.

<sup>124</sup> HAM Box 25, fldr 4, p. 4; Box 25, fldr 9, p. 15.

<sup>125</sup> HAM box 24, fldr 4.

mixed character of the domestic buildings in the urban centre, messuages with appurtenant rural holdings intermingled with shops and labourers' cottages. Perhaps an illustration of one of the transactions in land will suffice to indicate the messuages in the urban centre which housed the rural tenantry. In 1569, William Peche *alias* Proctor bargained and sold for £70 his rights in Boothes Farm in Churchgate with land and 20 acres of meadow.<sup>126</sup>

In the late sixteenth century an attempt was made to value the manorial properties—mainly those held in copyhold.<sup>127</sup> A survey bears marginal notes briefly describing the attributes of the properties and suggesting a valuation. Unfortunately, the comments are not consistently applied: numerous properties were left without a remark. In particular, properties in Churchgate, the Rushes, Bigging and Woodgate were listed without marginal notes. Sufficient memoranda exist, however, for some reconstruction of the built environment. Some of the comments which contributed to the valuations concerned only the backside: usually a 'good' or a 'pretty' backside. It seems unlikely that the size of the backside was considered important for building. In some urban places, backsides were developed for additional housing, but Loughborough already had sufficient resources for expansion. The backsides were perceived only as a generally desirable attribute.

Valuations were thus calculated for many of the manorial properties in Sparrow Hill, Fennell Street, Baxtergate, Marketstead, Fishpool Head, and Hallgate. As an example, the first entry related to the tenement at the north end of the town held by Dorothy Pettie and her son Laurence with a toft, a grange, a croft and an oxgang of land, for which the customary annual rent amounted to 14s. 2½d. A marginal note expressed the value as £60.

We can in this way recover the assessed value of 27 properties. The valuations are, as might be expected, all rounded numbers, except for one assessment of £27. Nineteen of the properties were valued at £40 or less, 12 of which were below £30. The lowest valuation (four properties) was placed at £20. Above £40, three properties were estimated at £50, two at £60, and one each respectively at £80, £100, £110. At the two

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<sup>126</sup> *Report on the Manuscripts of Reginald Rawdon Hastings*, I, p. 81 (no. 453).

<sup>127</sup> HAM Box 25, fldr 4: there are reasons for assigning this undated survey to 1566-1574.

extremes of the spectrum were a cottage at the corner of Sparrow Hill reckoned to be worth £20 (annual rent 2s. 0½d.) and a messuage, barn and orchard in Marketstead with a piece of waste at Fishpool Head and two yardlands in the fields valued at £110 (rent 38s. 6½d. and two capons).<sup>128</sup> The former, although only a cottage, consisted of eight bays, whilst the latter contained 26 bays of building. We can recover the approximate size of 21 properties. Fourteen consisted of fewer than ten bays, ten of which had fewer than eight. Another five ranged between 11 and 16 bays and another of 26. The White Hart, ‘moste slated’, was valued at £60, then in the copyhold tenure of William Hebb and his sons, William and Henry, on the corner of Bigging, and was also placed in the middle range.<sup>129</sup>

The final observation which can be deduced from the marginal comments relates to the roofing material. The surveyor was obviously concerned—and rightly so in the light of the later fire in 1622—with the condition of the roof. Whilst a principal property like the White Hart was mainly roofed with slate, only about six properties were recorded as being completely slated. Another six comprised slate and thatch in combination, but nine were only thatched. Since the remarks about the roofs were only recorded for some of the properties, it is not possible to evaluate the overall conditions of buildings in the town centre. If the proportions above are widely indicative, then the majority of buildings in the town centre remained thatched, although a large minority had some slating. In some cases the slating was obviously a precaution: eight bays slated ‘for maultinge’ with six bays thatched (presumably domestic as the property was, despite its overall size, described as a cottage).<sup>130</sup> Three shops enumerated were all slated.<sup>131</sup>

As well as its significance for the built environment, the extent of slate roofing, even in a location within easy distance of the Swithland quarries, separated urban from rural. The roofscape denoted an urban landscape, where the materials of polite architecture were integrated into vernacular or domestic building.

Fundamental to the fortunes of Loughborough was the multi-arched

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<sup>128</sup>Ham Box 25, fldr 4, pp. 2, 6.

<sup>129</sup>HAM Box 25, fldr4, p. 9.

<sup>130</sup>HAM Box 25, fldr 4, p. 2.

<sup>131</sup>HAM Box 25, fldr 4, p. 5.

bridge which conveyed the route to Nottingham through Cotes.<sup>132</sup> Its maintenance was constantly in the forefront of the minds of the parishioners. About a sixth of the testators between 1522 and 1546 made bequests towards the costs of the bridge, ranging between 1s. (two testators) and 13s. 4d., but more usually 3s. 4d. (four). The highest amount (the mark) was extended under the elaborate will of Henry Bygng, whose personal estate was assessed at £38 17s. 5½d.<sup>133</sup> The bridge signified the development of Loughborough as a town at the crossing point of the River Soar. On the other hand, large bridges existed near several rural settlements too, such as Swarkestone in Derbyshire or the Hemington bridges, so it did not constitute an unambiguous emblem of urban status.<sup>134</sup>

The sensory experience of Loughborough was heightened by intermittent activities in streets consistent with its local importance. It was one of those market towns outside Leicester where penance was performed in the market place or through the town. This ritual activity was confined to the principal market towns, Melton Mowbray and Hinckley to a lesser extent, and Loughborough. Inhabitants of Loughborough and its surrounding villages who were sentenced to penance in the archdeaconry court of Leicester were ordered to perform their penance in the market place in Loughborough in the 1560s and 1570s, although subsequently the use of the market place for this activity in the archdeaconry declined.<sup>135</sup>

Given the concentration of housing in the urban centre, altercations between neighbours were inevitable. Such contretemps occurred in village society too, especially in nucleated villages, very much face-to-face local societies. In a sense, then, such defamatory interchanges were not an exclusively urban event. Perhaps, nonetheless, an urban environment fostered these differences between neighbours through the

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<sup>132</sup>For the context, D. Harrison, *The Bridges of Medieval England: Transport and Society, 400-1800* (Oxford, 2004).

<sup>133</sup>ROLLR Wills 1534/3, 1534/21, 1535/9, 1536/17, 1537/15, 1537/32, 1538/16, 1542/78, 1544/10 (Bygng), 1544/30.

<sup>134</sup>S. Ripper and L. P. Cooper, *The Hemington Bridges: The Excavation of Three Medieval Bridges at Hemington Quarry, near Castle Donington, Leicestershire* (Leicester, 2009).

<sup>135</sup>D. Postles, 'Penance and the market place: a Reformation dialogue with the medieval church (c.1250-c.1600)', *Journal of Ecclesiastical History* 54 (2003), pp. 441-468.

intensity and density of social relationships, and where privacy was even more at a premium. In September 1601, just such a conflict exploded in Loughborough on the doorstep of Henry Trimley.<sup>136</sup> There, Anne Dudley *alias* Iveson accused Margery Burton of travelling to London to give birth to a bastard child and that she was once again pregnant.<sup>137</sup> Three witnesses *ex parte* Margery proclaimed to have overheard the words, one of whom, John Holden, glover, attested that he witnessed the derogatory exchanges whilst he was sitting at his own house door.

It has been suggested that the social characteristics of urban places differed only quantitatively but not qualitatively from their rural counterparts: that both shared the same institutions and social organization, merely magnified in the urban context.<sup>138</sup> To some extent, there is veracity in that argument, but it is perhaps too narrow. It ignores the sensory perception of the urban, the social imaginary. Scale affected how people perceived the urban: the urban affronted the senses and stimulated the imagination and wonderment. What further defined the urban centre was movement, in the case of Loughborough, especially on market days, a small world in motion, hustle and bustle, activity in the streets.

Perhaps this point can be better illustrated by a narrative from another urban centre, larger than Loughborough, with ancient borough status. The examination of Thomas Taylor, a ship carpenter from Dublin, in 1629, indicates the possibilities. Arrested in Reading, on his way from London to Bristol, he denied that he stole a purse and money. When asked why he was in the market place, he replied that 'he did go to see the market, beinge the waye to passe towards Bristol'.<sup>139</sup> Whether he fabricated this excuse or not, it occurred to him that it might be accepted; if he uttered it without reflection, then the thought insinuated itself into his mind instinctively. A visitor might indeed be

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<sup>136</sup> ROLLR 1D41/1 3 September 1601.

<sup>137</sup> For such articulations between women in a largely urban context, L. Gowing, *Domestic Dangers: Women, Words and Sex in Early-modern London* (Oxford, 1996). See the Appendix to this chapter.

<sup>138</sup> P. Abrams and E. A. Wrigley, eds, *Towns in Societies: Essays in Economic History and Historical Sociology* (Cambridge, 1978), more particularly Abrams, 'Towns and economic growth: some theories and problems', pp. 9-33.

<sup>139</sup> *Diary of the Corporation of Reading*, ed. J. M. Guilding (4 vols, London, 1892-1896), III, p. 479.

inquisitive about the large market place of an urban centre.

The auditory landscape or soundscape of the urban centre probably differentiated the urban centre from the rural surrounding.<sup>140</sup> The soundscape of Loughbrough was not entirely differentiated into two distinct halves, binary oppositions, but ambiguously mingled. There were perhaps concentric circles of sound as people moved from the small central urban nexus away into the fields. Imagine the tenants of copyhold or freehold land whose messuages were located, as they were, in the central urban area. Their day commenced with the early sounds of the urban centre; as they travelled out from their messuages to work their lands, they moved from an urban soundscape to a rural auditory environment, but the transition was graduated as town noise progressively ceded to rural sounds. Even so, if their meadows and arable were on the periphery of the urban nexus, urban noises penetrated into the rural tranquillity. As they returned later in the day to their central homesteads, the messuages in the market place, for example, they were translated from the comforting sounds of the rural to the noise of the town.

Conversely, those who inhabited the dispersed hamlets—Knight Thorpe, Shelthorpe and Woodthorpe—predominantly experienced a rural environment, but in the case of Woodthorpe interrupted by some domestic industrial processes, such as weaving. The urban soundscape was an intermittent experience for them, on those occasions when they visited the centre for provisions.

Some others and the retailers constantly encountered the urban soundscape. They lived in and contributed to it. It is a fair assumption that the urban centre reverberated with the cries of retailers and tradespeople: ‘What do you lack?’<sup>141</sup> The urban air was penetrated too with the noise and prattle of workshops, tapping, banging and singing whilst working. Those carts transporting stone and wood from Charnwood rumbled to the main bridge.

Even in a small town, the social imaginary obtained. If we are intent on dissecting every individual attribute, we will encounter the mundane, the quotidian; each attribute differed little between urban and rural.

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<sup>140</sup>Smith, *The Acoustic World*, pp. 52-71 (the City—London), 71-82 (the countryside).

<sup>141</sup>S. Shesgreen, *The Cries and Hawkers of London* (Stanford, CA, 1990).

The whole urban—its holistic impact on the senses—was, nonetheless, much greater than the sum of its parts.<sup>142</sup> The small town even in the early seventeenth century elicited those sentiments of both excitement and fear which are associated with the urban.<sup>143</sup>

Its situation in the valley bottom resulted in Loughborough belonging to one of those low-lying, marshy environments susceptible to disease, but the adjacent uplands of the Wolds and Charnwood Forest were redeeming locations where ague and other infections were less prevalent. The very large parish of Loughborough was thus also dissected by numerous streams, which also transected the urban centre. The urban centre, although comparatively small by wider standards, consisted of a more complicated nexus of streets than composed rural villages, and expanded in the late sixteenth and seventeenth centuries, if slowly. Since it was unincorporated, the town had no official boundaries, but was constrained by ecological limits. The gradual expansion on the periphery of the urban centre complicated the topography of the town whilst also reinforcing the form of residential segregation associated with early-modern urbanism. The urban was also sensually experienced by inhabitants and visitors to the centre of the parish. The aural soundscape of the town was complemented by the visual features emblematic of towns: large market place, a complement of inns, the high cross, a row of shops and the grammar school, although a relatively inconspicuous building. Movement and motion, especially on market days, enhanced the urban sensation.

#### APPENDIX

*Super libellum alias ex parte Margerie Burton de Loughborowe Contra Annam Dudley alias Iveson de eadem*<sup>144</sup>

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<sup>142</sup>The opposite is also true, however: the microscopic dissection of a phenomenon will also reveal difference which allows us to perceive the bigger picture, as in the case of Walter Benjamin: E. Leslie, *Walter Benjamin: Overpowering Conformism* (London, 2000), p. 66 ('micrological gaze').

<sup>143</sup>J. Schlör, *Nights in the Big City: Paris-Berlin-London 1840-1930*, trans. P. G. Imhof and D. R. Roberts (London, 1998), is obviously concerned with the night, with the big city, and with the modern city, but perhaps it is legitimate to cite and paraphrase some of the remarks: 'the site of encounter and confrontation' (p. 17) and 'sensual stimulation' (p. 19) which are evoked by the extraordinary.

<sup>144</sup>ROLLR 1D41/1 3 September 1601.

[On the libel brought by Margery Burton of L. against Ann Dudley alias Iveson of the same place]

*Johannes Holden de Loughborowe in Comitatu Leic' Glover ubi moram fecit per ix<sup>em</sup> annos ulterios elapsos natus apud Mountsorrel in Comitatu Leic' etatis xl<sup>a</sup> annorum vel Circiter liber Condicionis testis &c*

[John Holden of L. in Leics., glover, where he has lived for the last nine years, born in Mountsorrel, Leics., aged about 40, of free status, witness &c]

... That about a fourthnight before Lammas [August 1] last past as he remembreth tempus alias recordatim he this deponent sitting at his owne house doore in Loughborowe aforesaide did amongst other wordes that passed betweene the partyes articulate heare the said Anne Dudley alias Iveson utter theise wordes at the dore of one Henry Trimley in Loughborowe aforesaide or the like in effect viz The said Anne speakeinge to the said Margery said has thowe hast bene at London and haste had one Bastard theare and thowe arte likely to have another

*willelmus Jackson de Loughborowe predict' Shomaker ubi moram fecit a nativitate sua ibidem natus etatis xxviii annorum vel Circiter Libere Condicionis testis &c*

[William Jackson of L. aforesaid, shoemaker, where he has lived from birth, aged about 28, of free status, witness &c]

... That about a moneathe last past as he remembreth the articulate Anne Dudley alias Iveson standeing at the Doore of one Henry Trymmell in Loughborowe articulate and speakeinge to the articulate Margery Burton did utter theise wordes or the like in effect against the said Margery viz Thowe hast bene at London and hast had a bastard & nowe art Comme into the Countrey and theare is another towards And further said Margery had a Child of his owne she the said Anne would gyve yt a halfepeny Loafe But for that wherwith the said Margery was nowe with child she was sure yt was none of her husbandes These wordes were spoken in the heareing of this deponent . . .

*Maria Noble de Loughborowe uxor Roberti Noble de eadem ubi moram fecit per x<sup>em</sup> annos ulterios elapsos natus apud Southcroson in Comitatu predicta etatis xxiiij<sup>or</sup> annos vel Circiter Libere Condicionis testis &c*

[Mary Noble of L. wife of Robert Noble of the same place, where she has lived the last ten years, born at South Croxton in the same county,



aged about 24, of free status, witness &c]

... That about a moneath or fyve weekes agoe the articulate Anne Dudley alias Iveson standing at the Doore of one Henry Trimley in Loughborowe did utter these wordes or the like in effect viz & speakeinge unto the articulate Margery Burton said that she the said Margery had bene at London and had had a Bastard & she was come into the Countrey to have another These wordes were uttered in the heareinge of this deponent ...

## Chapter 3

# Diffuse authority

Increasingly it is being demonstrated that incorporated boroughs in early-modern England experienced something of a cultural transformation. Whilst not attaining the Renaissance civic culture of some southern European cities, an urban civic culture was inculcated into the larger English boroughs. The origins of civic culture might have emanated in part through the later middle ages. The endogenous influence of the transformation of the freedom from principally an economic to predominantly a civic privilege occurred in the later middle ages, but its most formative influence on the development of a civic culture might have been later.<sup>1</sup> Another development was the acquisition of property of former religious institutions by boroughs which promoted an ethos of civic administration and precipitated a revival of interest in obtaining new charters of confirmation of incorporation.<sup>2</sup> As a result of these transitions, it has become possible for historians to comment

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<sup>1</sup>For civic culture in general, P. Withington, *The Politics of Commonwealth: Citizens and Freemen in Early Modern England* (Cambridge, 2005); J. Barry, 'Provincial town culture, 1640-1780: urbane or civic', in *Interpretation and Cultural History*, ed. J. H. Pittock and A. Wear (London 1991), pp. 198-234; and Barry, 'Civility and civic culture in early modern England: the meanings of urban freedom', in *Civil Histories: Essays Presented to Sir Keith Thomas*, ed. P. Burke, B. Harrison and P. Slack (Oxford, 2000), pp. 181-196; R. Tittler, *The Reformation and the Towns in England: Politics and Political Culture, c.1540-1640* (Oxford, 1998).

<sup>2</sup>Tittler, *The Reformation and the Towns*.

on a 'corporate system' by the seventeenth century.<sup>3</sup> We can designate the developed civic culture of the largest urban entities with enhanced privileges as the 'city commonwealth'.<sup>4</sup> All boroughs might at this time have shared an 'incorporated civic culture'.<sup>5</sup> When dissension did occur in these urban places, it has recently been suggested, the issue was not 'oligarchy', but a conflict of ideas of (Aristotelian-inspired) 'civic aristocracy' challenged by a more 'democratic' conception of governance: a tension between acknowledging governance by those 'best in a position' to perform this role and the desire by some of the governed for more open access to the role of governor. The conflict was not one between self-interest and wider interest, but about the best means of achieving the optimum benefit for the urban entity.<sup>6</sup>

As is acknowledged, however, the urban scene was complicated by the existence of a lower tier of urban places, those small unincorporated urban entities which persisted from their late-medieval bases and the rapid growth of newer urban locations—all towns, not boroughs. These places lacked the corporate organization and the civic constitution of the freedom which might have instilled a civic culture. Their governance was characteristically diffuse, through several distinct and different agencies rather than a unitary authority. Furthermore, the interests of their inhabitants were dichotomous. Since the town had developed within a single large parish, an urban core existed within a wider rural and agrarian framework in a manner not replicated in incorporated boroughs. The possibility therefore existed for a conflict of interests in the administration of parish and town. Although all towns—incorporated boroughs or otherwise—were embedded in their local societies, culturally, economically and socially, and so had their own distinctive attributes, a diagnosis of political culture in Loughborough might illuminate some of the tensions and their resolution in this broad

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<sup>3</sup>Withington, *Politics of Commonwealth*, pp. 34-38, for example.

<sup>4</sup>Withington, *Politics of Commonwealth*, p. 40, for example.

<sup>5</sup>Withington, *Politics of Commonwealth*, p. 47.

<sup>6</sup>For the questioning of 'oligarchy' and the contrasting conceptions of civic aristocracy and democracy, Withington, *Politics of Commonwealth*, pp. 52-3, 66-75. In fact, this conceptualisation of Aristotelian 'moderate polity' has been applied to late-medieval urban constitutions by Susan Reynolds in contrast to suggestions of oligarchy then; for the late-medieval manifestations, S. Reynolds, 'Medieval urban history and the history of political thought', *Urban History Yearbook* (1982), pp. 14-23.

sort of urban place.

The reinsertion of the ‘political’ into early-modern history exhorted by Patrick Collinson has resulted in fascinating discussions of the nature of political cultures, political authority, political participation, and the experience of the governed, whether as citizens or subjects, in early-modern England.<sup>7</sup> Following this lead, attention has been directed to politics at the local level.<sup>8</sup> The examination here continues this consideration of politics at the local level within a parish which contained a small town, thus complicating the political culture and authority. Despite the dispersal and fragmentation of authority through diverse institutions—manor, parish, and latterly trust—social distinctions and political differentiation defined office-holding, coalescing around the politics of finance and control of resources which occasioned intermittent local disruption.

By authority is connoted those institutions and agencies of governance which had legitimate means of intervening in aspects of the governance of the parish and town. Included in this definition of institution is lordship which is not only personal but institutional in its effects. By diffuse is understood the different institutions and organizations which had part of this fragmented authority: lordship (manor and view of frankpledge); parochial institutions and officers (churchwardens and their delegated officers, for which see below); and the ‘trust’ which constituted the feoffees and bridgemasters.

To a large extent, the unitary authority in incorporated boroughs had by the early-modern period excluded other jurisdictions. Relationships with High Stewards were voluntary associations which had mutual benefits.<sup>9</sup> Any dispute in incorporated boroughs was likely to erupt out of dissatisfaction of the governed with their governors, although an evolving civic culture might well mitigate such calamities and ensure

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<sup>7</sup>Collinson, ‘*De Republica Anglorum*: or history with the politics put back’, repr. in his *Elizabethans* (London, 2003), pp. 1-29.

<sup>8</sup>Keith Wrightson, ‘The politics of the parish in early modern England’, in *The Experience of Authority in Early Modern England*, ed. P. Griffiths, A. Fox and S. Hindle (Basingstoke, 1996), pp. 10-46; see also Wrightson, ‘Mutualities and obligations: changing social relationships in early modern England’, *Proceedings of the British Academy* 139 (2006), pp. 157-194.

<sup>9</sup>C. Patterson, *Urban Patronage in Early Modern England: Corporate Boroughs, the Landed Elite, and the Crown, 1580-1640* (Stanford, CA, 1999).

some continuity of harmony.<sup>10</sup> By contrast, the early-modern unincorporated town such as Loughborough—and, indeed, especially Loughborough with its several diverse authorities—might experience rivalry between the different authorities if the personnel did not coincide; that is, if different authorities were ‘captured’ by different groups, contest might ensue. Moreover, if different authorities had different resources, conflict over those resources might erupt. Thus, whilst harmony might persist for long periods, the seeds of possible dissent were institutionalized.<sup>11</sup>

Until the middle of the sixteenth century, the sole mechanism of authority in the medieval parish was the manorial court and the view of frankpledge.<sup>12</sup> The view of frankpledge effectively performed the jurisdiction of the sheriff at his tourn of the county.<sup>13</sup> Although the functions were similar to those exercised in any such liberty or franchise, in the small town they assumed a heightened significance because of the concentration of population and occupations. Responsible for the breaches of the peace by assault and battery and for the consequent raising of the hue (*hutesium*), the view also comprehended the sanitary condition of the town and the regulation of certain foodstuffs and their trades. Presentments for nuisances such as muckheaps in streets assumed importance in the town precinct where trade occurred, foodstuffs sold, and free passage necessary. As in rural manors, the view exercised regulation through the assizes of bread and ale, superficially for ensuring the quality, weight and price of bread, but perhaps also as a licensing system.<sup>14</sup> Public business of the town was thus conducted through the twice-yearly views of frankpledge.

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<sup>10</sup>Withington, *Politics of Commonwealth*, pp. 52-53, 66-75;

<sup>11</sup>For the norm of restoration of harmony, M. K. McIntosh, *A Community Transformed: The Manor and Liberty of Havering, 1500-1620* (Cambridge, 1991).

<sup>12</sup>For the regulatory framework of the view or leet, see now J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge, 2012), pp. 147-150, 231-248.

<sup>13</sup>W. A. Morris, *The Frankpledge System* (Cambridge, MA, 1910); D. A. Crowley, ‘The later history of frankpledge’, *Bulletin of the Institute of Historical Research* 48 (1975), pp. 1-15.

<sup>14</sup>N. Denholm-Young, *Seignorial Administration in England* (Oxford, 1937), pp. 89-91; J. B. Post, ‘Manorial ameracements and peasant poverty’, *Economic History Review*, 2nd ser. 28 (1975), pp. 308-309; R. H. Britnell, *Growth and Decline in Colchester 1300-1525* (Cambridge, 1986), p. 89.

By the late fifteenth and early sixteenth century, another potential conduit for governance is fleetingly visible: guilds or fraternities.<sup>15</sup> Elsewhere, these institutions constituted agencies through which political power was exercised in towns, as 'shadow governments'.<sup>16</sup> In Loughborough, their role is not only shadowy, but enigmatic. Bequests in wills indicate at least six guilds in the town in the later middle ages: the socio-religious guilds of Jesus, Corpus Christi, Our Lady, St George, St Catherine, and the King's, principal amongst which was apparently the guild of St George which had a large common hall.<sup>17</sup> The wealthy wool traders who had come to dominate the town by this time no doubt exerted some influence through these institutions, but their activities remain opaque. Thomas Burton bequeathed £1 to be equally divided between the guilds of Corpus Christi, the weavers, the carpenters and the King's guild.<sup>18</sup> Even more largesse to the guilds was displayed by Ralph Lemyngton who assigned £2 each to the Lady and Jesus guilds, £1 to St Catherine's guild, 6s. 8d. each to the Corpus Christi and King's guilds, and 3s. 4d. each to the occupational guilds, the weavers', carpenters', tailors', smiths', and cordwainers' fraternities.<sup>19</sup> Few of the less affluent townspeople prescribed such bequests. Agnes Brown conferred 4d. each to St Catherine's and St George's guilds in 1528.<sup>20</sup> In 1537, Richard Maynard bequeathed 4d. to St Anne's guild, not previously patronized.<sup>21</sup> Significantly, there is no intimation that the Corpus Christi guild exercised any significant role in governance.<sup>22</sup> Nor did the craft guilds patronized by Lemyngton occupy any administrative posi-

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<sup>15</sup>H. F. Westlake, *Parish Gilds in Medieval England* (London, 1919). For the efflorescence of fraternities, J. J. Scarisbrick, *The Reformation and the English People* (Oxford, 1985), pp. 19-39 and V. Bainbridge, *Gilds in the Medieval Countryside: Social and Religious Change in Cambridgeshire, c.1350-1558* (Woodbridge, 1996).

<sup>16</sup>B. R. McCree, 'Religious guilds and civic order: the case of Norwich in the late middle ages', *Speculum* 67 (1992), pp. 69-97; G. Rosser, 'Communities of parish and guild in the later middle ages', in *Parish, Church and People: Studies in Lay Religion, 1350-1750*, ed. S. J. Wright (London, 1988), pp. 29-55.

<sup>17</sup>H. W. Cook, *Bygone Loughborough: Chapters of Local History from Earliest Days to the Incorporation of the Borough* (Loughborough, 1934), pp. 132-134.

<sup>18</sup>TNA PROB/11/11/42 (will, 1494; probate 1498).

<sup>19</sup>TNA PROB/11/20/163.

<sup>20</sup>ROLLR will 1528/5.

<sup>21</sup>ROLLR will 1537/33.

<sup>22</sup>M. Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge, 1991).

tion in the town. Their members did not comprise the most affluent or influential in the town and parish, especially in comparison with the select group of wool merchants. The craft guilds were established for the middle level of urban trades and represented the service and industrial processes rather than the commercial oligarchy.<sup>23</sup>

By the middle of the sixteenth century, the administration of the town was somewhat transformed as new organizations were founded and the lord's institutions of manorial court and view of frankpledge were supplemented. The rapid demographic development of the town encouraged and necessitated more visible and more elaborate organization. The continuous presence of lordship was manifested through the relationship with the Hastings family, but on a quotidian level more through the administration of the manorial court and view of frankpledge which had regulatory jurisdiction in the town and parish as well as control over the tenure of land, both urban and rural. Although cadet members of the Hastings family were resident in Loughborough, lordship was exercised in absence, for the Hastings had a closer association with Ashby de la Zouch, their residence, and the county borough of Leicester, of which they had been adopted as High Steward.<sup>24</sup> From these two manors, Ashby and Loughborough, the family derived well over half of its income.<sup>25</sup>

Amongst the divergent interests in the town and parish, those of the lordship were represented by the steward and the bailiff. The former, of course, was the principal representative of lordship in the manor, a position occupied by external specialists. On his burial in the parish in 1605, John Smalley was described as steward for more than thirty years, and by the honorific title and status of Master and gent. There may at times have been under-stewards: Thomas Farneham was described as under-steward of the court leet of Loughborough in the first decades of

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<sup>23</sup>H. Swanson, *Medieval Artisans: An Urban Class in Late Medieval England* (Oxford, 1989).

<sup>24</sup>C. J. Moxon, 'Ashby-de-la-Zouch: a social and economic survey of a market town, 1570-1720', unpublished D.Phil., University of Oxford, 1971; C. Patterson, 'Leicester and Lord Huntingdon: urban patronage in early modern England', *Midland History* 16 (1991), pp. 45-62.

<sup>25</sup>T. Cogswell, *Home Divisions: Aristocracy, the State and Provincial Conflict* (Manchester, 1998), pp. 73-74.

the sixteenth century.<sup>26</sup> The Farnehams had local origins which they retained and became distinguished locally. Bailiffs were resident and recruited from families which were resident or became so as a result of tenure of the office. For a good part of the early sixteenth century, John Godewyn acted as bailiff.<sup>27</sup> For some considerable time too, Edward Smithe was employed as bailiff. It was mentioned on the burial of his son, John, in 1579 that Smithe was bailiff, and again on his own burial in 1597. Indeed, one family through two generations dominated the office: the Wollandes. Nicholas Wollandes married Elizabeth Sheppard at her home parish of Melton Mowbray in 1575. He retained the office of bailiff until his death in 1603. By their union was born in 1562 Robert, who succeeded his father in the position until his burial in 1611. The parish register diligently recorded the bearer's office and dignity. Before the accession of Wollandes to the office, the role had been entrusted to George Hybbytes, who was buried in the parish in 1571, described as gent. Minor offices of the lordship become visible intermittently: the two haywards; the warrener; woodward; and the parker.<sup>28</sup>

The jurisdiction of the manorial court and the court leet or view of frankpledge involved other offices and roles, some residual and affecting all (male) inhabitants of the parish, but others regulatory and in practice focused on the urban centre. The chief pledges were responsible for collective order by the males of the manor, organized into tithings. The administration of the manor thus involved numerous inhabitants in each year. The office of chief pledge required one inhabitant for each of Knight Thorpe and Shelthorpe, two for Woodthorpe, and six for Loughborough.<sup>29</sup> In Loughborough itself, two chief pledges represented the Jorz fee (occasionally denominated the Worz fee) and four the Spencer (Dispenser) fee.<sup>30</sup> In addition, at least a dozen men acted as the homage of the court and at least another twelve as jurors (*jurati ex officio*).<sup>31</sup> The most demanding on the inhabitants was service on the *inquisitiones*, as jurors of the view of frankpledge. The *inquisicio magna* of

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<sup>26</sup>TNA C1/297/6.

<sup>27</sup>He was bailiff in 1526 and 1559, succeeded in 1559 by John Parker. HAM Box 24, fldrs 2, 6.

<sup>28</sup>HAM Box 24, fldrs 2, 5-6.

<sup>29</sup>E.g. HAM Box 25, fldr 9, p. 6.

<sup>30</sup>E.g. HAM Box 20, fldr 9, p. 92.

<sup>31</sup>E.g. HAM Box 24, fldr 5.



Loughborough sometimes comprised 18 men. Another *inquisicio* for the members of the manor, Woodthorpe and Knight Thorpe, consisted of at least a dozen men and sometimes 16.<sup>32</sup>

Leet jurisdiction involved also the regulation of food production, which had in effect become an arrangement for licensing. Two men were required to act as ‘tasters’ (*tastatores*) of bread, ale, meat and fish.<sup>33</sup> This regulation of victualling involved also the two *scrutatores mercati*, who examined butchery and the sale of meat and fish as well as some other provisions and the two aletasters (*gustatores servicie*—sic) who also investigated the production and sale of bread. In the early seventeenth century, the meat inspectors were redesignated *Gustatores Carnium et piscatorium* (meat- and fish-tasters). From time to time, leather inspectors (*Scrutatores Coriorum*) also operated, three in one particular view.<sup>34</sup> At this time too, two constables reported to the view of frankpledge, making presentments for battery, affray, and the raising of the hue and cry.<sup>35</sup> The fieldmasters (*guardiani camporum*) also made their presentments in the manorial court, usually to reprimand those who had exceeded their stints in the common pasture.<sup>36</sup> All these offices surface into view intermittently as the rolls of the manorial court and view of frankpledge for the sixteenth and seventeenth centuries survive only sporadically, but enough information is available to reconstruct the character of the offices.

For four years in mid century (1559, 1560, 1564, 1565) court rolls are extant for the view of frankpledge, enumerating all those serving on the homage, as jurors, or officers. Potentially, 48 men might have served on the homage, the same number as jurors, eight as each of tasters of bread, ale, and meat, and eight as fieldmaster. Since constables and affeerors (assessors of fines in the manorial court) were named only intermittently, those offices have been omitted from the analysis. In fact, 71 men occupied all these offices. In these years at least, manorial office-holding was not especially concentrated. Only one man ostensibly

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<sup>32</sup>The best listing is HAM Box 25, fldr 9, p. 91 (14 October 1608); on occasion it was designated the *inquisicio forinseca*: HAM Box 25, fldr 3, p. 99.

<sup>33</sup>HAM Box 24, fldr 5 (*tastatores panis, tastatores cervisie, tastatores vict[ualium], tastatores carnis*): court rolls between 1558 and 1564.

<sup>34</sup>HAM Box 25, fldr 3, pp. 64-65.

<sup>35</sup>E.g. HAM Box 24, fldr 5: John Hut as constable in 1564, for example.

<sup>36</sup>E.g. HAM Box 24, fldr 5.

held multiple offices at this time: once as chief pledge, thrice on the homage, and twice as taster for meat.

The rolls from the turn of the century and first decade of the seventeenth century, convey more significantly the continuing importance of lordship and organization of governance through the lord's courts. A considerable number of officers were 'elected' and reported to the view of frankpledge, making presentments for disorderly activities. A seemingly novel role introduced *supervisores Stratorum* or *Vicorum* (when rendered in the vernacular, streetmasters). Like the fieldmasters, these streetmasters were charged with presenting their bills at each of the views of frankpledge: for example, *Et modo hoc venerunt <predictos> omnes supervisores tam Camporum quam Stratorum et et [sic] protulerunt billas suas* (And now all the fieldmasters and streetmasters came and presented their bills).<sup>37</sup> By 1607, each street was supervised by two streetmasters: a pair for each of Marketstead, Churchgate (Kirkgate), Highgate, Baxtergate, Sparrow Hill, Fennell Street, Hallgate, Woodgate and Bigging.<sup>38</sup> Some adjustments were made, but the basic plan retained. In 1609, Hallgate was replaced by its new name of Pinfoldgate. The streetmasters for Bigging had their route extended into the Rushes.<sup>39</sup> The charges of these officers reflect the extension of the built-up area into Fennell Street, the Rushes, and further along Sparrow Hill.

Failure by the streetmasters to make their presentments was regarded as a serious default: each was fined 10s. in 1608 for this defect.<sup>40</sup> Some streetmasters probably had an unenviable task: the one for Marketstead frequently amerced for lack of maintenance of *le beast market*, *le markettsted* and *le back lane*, probably as much for the sheer difficulty of ensuring its cleanliness as his dilatoriness.<sup>41</sup> In particular, it was important to preserve the cleanliness around the Fishpool, the watering place.<sup>42</sup> By the early seventeenth century, the office of

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<sup>37</sup>HAM Box 25, fldr 3, pp. 60, 62, 91, 93, 96.

<sup>38</sup>HAM Box 25, fldr 9, p. 21.

<sup>39</sup>HAM Box 25, fldr 9, pp. 3, 124; Box 26, fldr 1.

<sup>40</sup>HAM Box 25, fldr 9, p. 70.

<sup>41</sup>E.g., HAM Box 25, fldr 9, p. 71 (fined 8d.); HAM Box 25, fldr 9, p. 107 (James Slacke *non mundavit stratam in foro*; James Slacke *non mundavit forum*; George Dawson *non mundavit stratam suam* (fines of 6d., 1s., 1s., 1608).

<sup>42</sup>HAM Box 25, fldr 9, p. 4, for example, an amercement of Thomas Hough for

streetmaster required 18 men each year.

Other officers reported to the view of frankpledge. Two affeerors assessed the fines for the town, whilst another two acted for the outlying hamlets, members of the manor, Woodthorpe and Knight Thorpe. Two men were selected as constables, responsible for order in the parish, presenting affrays. In 1609, at the height of the most severe visitation of plague, there was difficulty in filling the posts of constable. Four men were selected *seriatim*, but all refused to serve, incurring fines of 40s. and 20s. This avoidance of office might have been an aspect of the unsettled, infectious time which required additional, insalubrious, duties for the constables. On the other hand, all might have been affected by the epidemic, themselves or their households. After this consternation, two other men agreed to serve.<sup>43</sup>

Two fieldmasters were necessary each year to supervise the proper organization of the remaining common fields and stinting arrangements. The latter was an arduous task, reflected in the annual lengthy lists of tenants who had exceeded their rents and overstocked. The fieldmasters were complemented by two pinders (*imparcatores*).<sup>44</sup> Assistance in the management of agrarian affairs was provided by the swineherd and the neatherd (*custos averiorum*) (continuously the same men, since the work was somewhat specialized and so a permanent office).<sup>45</sup>

Overall, by the first decade of the seventeenth century, well over 30 offices had to be filled, while another 40 men were needed for the *inquisiciones*, juries and chief pledges. The opportunity existed then for participation in local government through the view of frankpledge, that court continuing to have a strong association with the governance of the town and parish. Although the court represented lordship, it

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leaving muckheaps in the street and in *le Wattering place* in the Marketstead; p. 22 Thomas Hough again left muckheaps which caused a nuisance near *le Wattering place* at Fishpool Head (fine 1s.). For the importance of urban water supply, including its social function, M. S. R. Jenner, 'From conduit community to commercial network? Water in London, 1500-1725', in *Londinopolis: Essays in the Cultural and Social History of Early Modern London*, ed. P. Griffiths and Jenner (Manchester, 2000), pp. 250-272.

<sup>43</sup>HAM Box 25, fldr 9, p. 124: *electi fuerunt separatim ad officium Constabularii et quilibet eorum recusavit officium Ideo amerciatu quilibet <sunt> pro suo contemptu.*

<sup>44</sup>E.g. HAM Box 25, fldr 9, p. 92.

<sup>45</sup>E.g. HAM Box 25, fldr 9, p. 92.

had, of course, a hybrid function. The lord's concern was focused on the good government of the manor, but included also fiscal exploitation of the tenures and the financial interest of income from the courts, however minimal. The principle of lordship and authority was also at issue, a symbolic as well as functional control and exercise of authority. The view also served, however, the interests of the townsfolk and parishioners, especially the most influential. The functions of the offices allowed the inhabitants to regulate their own affairs, although the medium through which they conducted this self-supervision was controlled (at least nominally) by the lord of the manor and liberty. This status was thus effectively self-regulation through the lord's institutions, with the fiscal proceeds received by the lord.

To an extent, the combined interest in the courts was facilitated by the lord allowing the tenants greater involvement. At one stage, the lord allowed two of the principal tenants to preside over the court baron and manorial court, held every three weeks, at which the main business consisted of personal actions between tenants, mainly in debt, trespass on the case, and trespass. The diplomatics of the court record in these cases proclaimed that the court (baron) was held before (*Coram*) the two named men who were suitors (*sectatores*) (of the court) and before the steward, the lord's chief administrative officer. Their status was thus closely defined to avoid any appropriation of responsibility and authority, but it was nonetheless a concession by the lord to the interests of the tenantry, if only to the major tenants in particular. The tenants concerned usually derived from the upper echelon of the tenantry, a point elucidated below.

When, nevertheless, transactions in land—by surrender and admission to copyhold land—were expected (and so some mechanism must have been involved to signal this prospect) the court baron was presided over by the local gentry in their delegated capacity, Skipwith and Belgrave acting by letters attorney or commission from the lord.<sup>46</sup> As importantly, the permission for tenants to be conjoined in presiding did not extend to the views of frankpledge, which were more closely reserved. For that court, the lord devolved supervision to the same local gentry family, the Skipwiths, with the assistance of the esquire,

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<sup>46</sup>HAM Box 25, fldr 3, pp. 80, 102-103, 109; Box 25, fldr 6; for example.

Belgrave, and the steward.<sup>47</sup>

Between 1607 and 1611 inclusive, 62 different men served on the inquisition (*inquisicio magna*) of Loughborough. Superficially, that number suggests a fairly open and comprehensive participation, but is misleading. All the feoffees of the bridgemasters trust acted as jurors during this small span of years. Amongst them, John Fowler was engaged on all but one inquisition: he served on nine out of ten. Six of the ten feoffees in this time were involved on half or more of the juries. Four acted on the jury every year. In addition, the kin of several feoffees were also selected for the *inquisicio*.<sup>48</sup> We might assume that some of these relationships had already been formed and perhaps propagated in earlier generations.

Some aspects of the work of the lord's jurisdiction thus reinforced the status of an elite group of inhabitants. First, the members of the bridgemasters trust for some time dominated the inquisition—the jury of presentment—of the view of frankpledge. Second, by and large members of this group, the feoffees, avoided the lower offices of the manorial jurisdiction (see below). A final observation which can be made about these tenants who dominated the manorial court and the view of frankpledge is that they were not engaged in the retail activity of the town. None of them appeared in the presentments for brewing, baking, sale of meat and victuals, or fish. They were not engaged in urban trades, but involved in agriculture and landholding.<sup>49</sup>

By and large, the lower offices are occluded from our view after the first decade of the seventeenth century, as the court rolls thereafter survive only sporadically. References to them occur intermittently in the churchwardens' and the bridgemasters' accounts and in the parish register. Avoided in the main by feoffees, the lower offices devolved onto a wide diversity of men. Some ambiguity arises because of the replication of names within kinships (for example, various Thomas Hebbes and Humphrey Blowers). It seems, nevertheless, that the feoffees evaded these lower roles. Partly, the office of feoffee might have been suffi-

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<sup>47</sup> E.g., HAM Box 25, fldr 3, pp. 76, 97.

<sup>48</sup> HAM Box 25, fldr 3, pp. 1, 3, 64, 76, 131.

<sup>49</sup> The division into 'urban' and 'rural' inhabitants is established by reference too to the successive surveys and rentals and the surrender and admissions to copyhold lands in the court rolls: HAM Box 25, fldrs 3-4, 9, 11 (rentals and surveys).

ciently onerous for them to escape other office. Acting as a feoffee was a continuous commitment and, in compensation, those holding the position might have been excused other office holding. As well, however, the contention which erupted over the nature of the trust suggests that the feoffees regarded other offices as incommensurate with their status as the ‘middling sort’ of people.<sup>50</sup>

Unlike the major offices, the lower offices were not concentrated in few hands. The sequence of views of frankpledge in the early seventeenth century allows some insight into the tenure of these offices. Tenants were selected for these offices at the view of frankpledge held between October and December, but reported at both twice-yearly views. During this time, no tenant occupied the office of aletaster more than once; the same obtained for the office of constable, scrutineers of the market (victuals, including meat), and fieldmasters. For the most part, the office of affeelor was widely distributed too. It might be assumed that the work of the affeelors—setting the level of fines—was regarded as a particularly responsible office; even so, 14 different men occupied the office in this short period. Only two affeelors were required in the manorial court each year.

Every year, the lower offices required 14 inhabitants: two fieldmasters, two pinders, two appraisers of the market (victuals), two constables, two aletasters, two affeelors, a swineherd and a neatherd. Merely nine men acquired more than one of these lower offices. In fact, during these five or so years, 62 different men were appointed to these lower offices.

Whilst many of the offices were particularly associated with rural activity in the manor, streetmasters—introduced, it would seem, in the sixteenth century—demanded further resources from the urban inhabitants. In the sequence of views of frankpledge in the first decade of the seventeenth century, 89 different men supervised the streets. It was rare to serve more than once in this office during this time. The role, evidently an awkward one, involved patrolling the streets and reporting any nuisances, an onerous responsibility given the common abandonment of muckheaps and other obstructions. The office also involved the cleaning of the streets, so that from time to time the office was desig-

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<sup>50</sup>H. French, ‘Social status, localism and the “middling sort of people” in England, 1620-1750’, *Past and Present* 166 (2000), pp. 66-99.

nated *escorator* [scourer] *et supervisor vicorum*.<sup>51</sup> Again, this difficult operation descended on the smaller tenants and lowlier inhabitants. By and large, the streetmasters were recruited from among the poorer sort and the office avoided by the feoffees. Numerous streetmasters can be identified as cottagers. One of the streetmasters for Highgate, for example, Henry Osenbroke, can be identified as the Henry Awsibroke who held a cottage and croft in that street. Another streetmaster in the same way was John Judde, tenant of a *Tenementum sive cotagium* there. The officers for the Bigging and Rushes included Clement Parsons and John Fowler, both tenants of cottages in that area.<sup>52</sup>

The principal streets of the urban centre for which streetmasters were appointed, contained both larger and smaller plots and buildings. The cottages may have been mainly dispersed at the lower end of the streets, while the larger buildings concentrated more centrally.<sup>53</sup> Such residential segregation was not absolute. No doubt some cottages were built in backsides and infills. Both cottagers and larger tenants inhabited longer streets such as Baxtergate, Highgate, Hallgate, and the extending Sparrow Hill. The combination of the office for the Rushes and Bigging also involved the intermingling of cottages and larger tenements. The office of streetmaster usually burdened the smaller tenants, who were thus charged with the encumbrance of surveying the streets in front of their larger neighbours' properties and reporting their nuisances.

Overall, there was no monopoly or concentration of these lower offices. Few inhabitants held more than one office in continuous or contiguous years. The feoffees contrived to evade the lower offices. With few exceptions, the lower offices devolved on the smaller tenants and the poorer inhabitants. Few of these bearers of the lower offices progressed to the higher offices of the parish. Separation, hierarchy, and exclusion divided the officeholders. Whilst the large number of offices potentially allowed all inhabitants the possibility of participation in the governance of the parish, there was a marked division of responsibility.

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<sup>51</sup>HAM Box 25, fldr 9, court book section, p. 124.

<sup>52</sup>HAM Box 25, fldr 3, p. 77; fldr 9, court book section, pp. 36, 136, 191.

<sup>53</sup>J. Langton, 'Residential patterns in pre-industrial cities: some case studies from the seventeenth century', *Transactions of the Institute of British Geographers* 65 (1975), pp. 1-27.

Substance might naturally have been a prerequisite for the larger offices for indemnity. Accumulated experience was also a qualification. There remained, however, little prospect of the lower tenants proceeding beyond the lower offices.

... The poore Income I glean'd from them, hath made  
 mee in my parish,  
 Thought worthy to bee Scauinger, and in time  
 May rise to be Ouerseer of the poore;<sup>54</sup>

Thus the fictitious Tapwell, who had scrimped and saved to buy his poor hostelry, might, like Loughborough's poorer sort, expect to achieve some low office in his parish, although overseer probably lay beyond his competence.

The office of fieldmaster, mentioned intermittently, was occupied by some of the more influential townspeople: in 1607 by Robert Theckstone and Robert Hall and the following year by Humphrey Blower and Robert Halliday. Theckstone held several higher offices in the parish. He married Elizabeth Henshaw in October 1589, the daughter of an influential local family. When her burial was recorded in 1608, she was described as the wife of Mr Robert, reflecting an acknowledgement of his status. The position of fieldmaster was thus considered of some importance, despite infrequent references. Something of its status in the wider scheme of office-holding can be inferred from the career of Humphrey Blower (1572-1637). Blower was born in June 1572, the son of Thomas. Both the kinship and Thomas were substantial inhabitants. Indeed, Thomas was selected as bridgmaster in several years: 1573-1575 inclusive, 1591 and 1592. Humphrey was selected as fieldmaster in 1608. About that time, he was also appointed a collector for the poor (sidesman), followed a year later by the churchwardenship (1609). He was subsequently selected as assessor for the poor in four further years (1613, 1618, 1621, 1637), as collector for the poor (1625) and churchwarden again (1626), and as bridgmaster in three later years (1610, 1611, 1623). Of a substantial family of some local importance, recorded as a husbandman on his death in 1637, the son of a holder of one of the most important offices in the parish, Humphrey's career was inaugurated by his tenure of the office of fieldmaster.

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<sup>54</sup>Philip Massinger, *A New Way to Pay Old Debts*, Act I, scene I, lines 65-68.



The office of fieldmaster was inherently concerned with the agricultural element of the parish rather than the urban concentration. Other lowly offices pertained to the bucolic part. Two inhabitants who were interred in 1610 had occupied the role of neatherd: William Coper and John Croftes. Coper appropriately resided in the rural hamlet of Knight Thorpe. The role had been performed also by Edward Phillips who was interred in 1602. Those designated as shepherd in the parish register present some ambiguity: whether they were common shepherds supervising the town's flocks. These men included William Ragsbye, interred in 1578, Robert Cowper, buried in 1586, Thomas Darker, in 1610, and Robert Popple, in 1622. Lower offices sometimes belonged within kinship groups: whilst William Dore was described on his death in 1602 as the hogherd; his son, another William, occupied the same office but was more notorious, according to a comment in the register on his burial in 1643, for having married seven wives (serially); Thomas Dore was employed as the pinder (buried in 1626). The parish molecatcher remained invisible, except through the appointment of assessors and collectors for levying the funds for the work, and on the demise of Cecily Dixon in 1588, when she was inscribed as the molecatcher's wife.

The contemporaneous jurisdictions might have worked cohesively for much of the time. From the material available, it is difficult to discern whether harmony or friction obtained in the various relationships: lordship (manor and view of frankpledge) and parish, rural and urban elements, and between social groups within the parish and town. No doubt a practical accommodation could be attained through which each interest took advantage of aspects of each of the organizations to advance its own cause, whilst tolerating divergent demands.

Incidences of overt tension which did occur might be illuminating. In 1596 and 1630, the arrangements for the organization of the responsibility for the bridges caused friction. The focus of this contention was the trust for the maintenance of the bridges and schools. The dissolution of Burton's chantry in 1547 ultimately resulted in the vesting of the property in a new 'trust' responsible for maintaining the bridges and the establishment and support of the grammar school. In 1596, the management of the endowment was revised, with the establishment of twelve feoffees, and the provision that the bridgemasters be selected annually from the most reputable and honest of the town. By 1608, the

endowments had been transferred to Geoffrey Goodwin, Thomas Hebb, Robert Henshaw, James Slack, Robert Welland, Richard Smith, Magnus Barfoot, Edmund Tisley, George Sarson, John Fowler, Humphrey Blower and Isaac Woolley, the feoffees.<sup>55</sup> Dissatisfaction arose, however, resulting in a case in Chancery, the resolution of which resulted in the dismissal of these feoffees and the decree that henceforth a bridge-master should be selected in alternate years, one year by the feoffees, and another year by the inhabitants contributing to the relief of the poor.<sup>56</sup>

The formation of the trust for the bridges and school is a significant and profound episode in the development of governance in Loughborough. The impact of the Reformation on urban civic culture and governance has been expounded by Tittler.<sup>57</sup> Where incorporated boroughs received new property through the dissolution of religious houses in 1536-1540 or the chantries in 1547, urban governance accrued new responsibilities, obligations and reputation through the administration of new or greatly expanded landed endowments. The business of corporations was revitalized. As a consequence, the burgesses of those boroughs sought new royal charters to confirm their enhanced status. Unincorporated towns which acquired such lands might, like Boston, now seek incorporation through royal charter. In other smaller towns, the accretion of the lands did not result in any attempt at incorporation, partly because of seigniorial implicit opposition and dominance and partly because the obligations were too onerous. What did happen, however, is that new institutions were established specifically with the remit of administering the new estate, as a trust. Such was the consequence in Loughborough. Whilst no lands were received from the dissolution of the religious houses, the abolition of Burton's chantry and the redirection of the endowments to the maintenance of the bridge and grammar school, introduced another institution of governance in the parish and town. Equally, its establishment as a trust provided another opportunity for the parish elite to promote its status, through the management of significant property and the concentration of office.

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<sup>55</sup>HAM Box 25, fdr 3, pp. 12, 29 (*feoffati pontium*).

<sup>56</sup>John Nichols, *History and Antiquities of the County of Leicester* (4 vols, London, 1795-1815), vol 3, p. 896.

<sup>57</sup>Tittler, *The Reformation and the Towns*.

We can now consider the pragmatic effects of these various phases of the 'trust'. Between 1570 and 1598, the personnel of the bridgemasters was almost entirely segregated from the other offices and activities. Almost all those appointed as the two bridgemasters in each year had not previously held any other office nor were they appointed to any other position in the parish or town, although there were three exceptions: Richard Cranwell, Robert Barfote and Robert Theakston (Thexton). The organization was thus somewhat divorced from the remaining organization of the parish and town.

From 1598, it became more normal for the bridgemasters to have previously acted as collector for the poor and churchwarden before attaining the bridgemastership. Twenty-five of the bridgemasters after 1598 had earlier acted as churchwardens, whilst only seven had not had this prior experience. (These numbers take into account that bridgemasters usually served for two successive years, the junior and then as the senior).

Although there was no formal *cursus honorum*, some sort of progression was expected. The rationale for this development was probably less an honorific and hierarchical symbolism than simply the need to allow the personnel to obtain experience before accepting higher-level responsibilities. Men were similarly thus recruited as collectors for the poor (sidesmen) one year and progressed to become a churchwarden in the following year. That was a norm which was never breached except in the case of mortality or sickness.

After 1598, as has been mentioned above, an altered rotation was introduced, through which the personnel served first as collector for the poor, then as churchwarden, and ultimately as bridgemaster. The sequence of collector in one year followed by churchwardenship in the following was maintained, but there was no formal interval between serving as churchwarden and as bridgemaster. The timing varied by individual. What is clear is that it was less usual, although not impossible, to become bridgemaster without first performing as churchwarden, after 1598 at least 28 men advancing from collector to churchwarden and then at some future date to bridgemaster.

Whilst the office of bridgemaster was opened to a slightly wider influence at selection, office-holding in the parish and town was still restricted. Between 1570 and 1650, fewer than 150 men held the princi-

pal offices of collector for the poor, churchwarden or bridgemaster. We should remember in this context that six posts were available each year: two in each office (with the exception of the reduction of the number of feoffees of the trust after 1636). Some individuals were prominent in their activities: Edmund Tisleye, for example, acted as churchwarden in three years, bridgemaster in six, and collector in two; John Fowler as churchwarden in two, bridgemaster in five, and as collector. Thomas Hebb (perhaps senior and junior) served as bridgemaster in five years and as collector in two and churchwarden in one. The concentration within families, moreover, was even more evident, some kinship groups dominating office-holding.

We can consider the frequency of office-holding for particular roles. Of 113 men who acted as churchwarden, whilst 97 performed the role only once, 14 did so twice and two thrice. Of 45 men engaged as bridgemaster before 1636, 21 acted for the normal biennial term, but four each served for three years and five years and so, without interruption, would have prevailed over two and three terms. Nine others performed in the role for two terms.

That phenomenon presents another ambiguity: how do we assess who were 'politically' involved individuals? Do we establish this characteristic through continued service after high office (particularly as assessor for the poor) or is this status reserved to those who only served in the highest offices (churchwarden and/or bridgemaster)?

If we utilise the former argument, then some 'politically'-engaged individuals are identifiable: men prepared to serve after high office. The husbandman Humphrey Blower served in offices from at least 1603 almost to his death: twice as collector for the poor then churchwarden; thrice as bridgemaster; at least once as fieldmaster; at least once as overseer of the highways; and in five years as an assessor for the poor. Later, he was designated yeoman.<sup>58</sup> As active was John Fowler, probably a mercer, collector then churchwarden twice, bridgemaster probably four times, collector for the moles, and, significantly, assessor for the poor in eight years, also described as yeoman.<sup>59</sup> It is impossible to extricate Thomas Hebb senior from junior, but in combination they acted as collector and churchwarden thrice, bridgemaster probably in five years,

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<sup>58</sup>ROLLR DE2392/197-198.

<sup>59</sup>ROLLR DE2392/197-198.

overseer of the highways, collector for the moles, and as assessors for the poor in six years. Edmund Tisleye, occupied the churchwardenship thrice, served as bridgemaster in six years, and as assessor in four, variously described as yeoman and gentleman.<sup>60</sup> Additionally, it should be remarked that all four were feoffees for the bridge 'trust'. Gowan Wilder persisted as an assessor for the poor in six years, whilst also operating as collector for the moles, bridgemaster, and churchwarden, reflecting a willingness to perform service in all roles. To these actively engaged men might be added Robert Henshawe, gent., and Peter Roe, mercer or yeoman, and also a feoffee.<sup>61</sup> The former was selected as bridgemaster twice (acting for four years), as churchwarden once, and engaged in the assessment for the poor in three years. Roe's activity almost replicated Henshawe's. About as committed was Thomas Wingfield, serving as churchwarden twice, as bridgemaster in two years, as collector for the moles, and as assessor in three years. Two other individuals demonstrated their commitment to office.

There remains, nonetheless, a certain openness about the issues of service and politics. The accumulation of offices was certainly 'political', but did it also consistently represent an ethos of service? We cannot conclusively establish whether motives were primarily an obligation to serve, expectation of honour and confirmation of social position, or an intention to dominate. Although the social and political eligibility to hold office was narrowly prescribed and the number of men admitted to office narrowly circumscribed, we cannot ascribe those conditions to an unambiguous cause. The capture of offices might have represented 'oligarchy' and narrow control. On the other hand, it is possible that the majority did not wish to be obliged to serve and the few compensated for this deficit. We may, however, have some indications through some other criteria.

Another way of assessing the restricted social eligibility for office-holding is by analysis of access to the office of collector for the poor (sidesman). As has been described above, this office was preparatory to becoming churchwarden in the following year. Whilst 29 men attained

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<sup>60</sup>Gentleman in the register but as yeoman when listed as a feoffee: ROLLR DE2392/197-198.

<sup>61</sup>Roe was described as mercer in the register but as yeoman when listed amongst the feoffees in 1649: ROLLR DE2392/197-198.

the office with prior experience, usually as an assessor for the poor, over 70 ostensibly had no previous experience when they acceded to the collectorship. That characteristic suggests that status remained an important criterion of access to the higher offices.

Perhaps another approach to this question of the hierarchy of office-holding and status is to consider whether men continued to serve after holding the senior offices. If we examine men who had held the churchwardenship, we discover that just over 50 continued to serve in a lesser office (that is as assessor for the poor or one of the lower offices, but excluding the bridgemastership). Just over 40, nonetheless, did not serve in any other capacity after their period as churchwarden.

A select number of men seemingly operated only in the highest offices and did not serve in other capacities. Whilst they performed the roles of churchwarden and/or bridgemaister, they did not offer their services as, for example, assessors for the poor. What we might be observing here is an oligarchical and hierarchical affectation about office-holding: what was appropriate to status. Equally, it might be that men were sanguine about accepting the higher offices, but reluctant to commit any more time to other roles. We need to examine these individuals in more depth.

We can pursue 13 men in particular who accepted only the top offices: Magnus Barfote; Robert Barfote; Thomas Blower; Thomas Clarke; Richard Cranwell; John Davenport; William Evington; Clement Fowler; Geoffrey Godwyne; Edward Gylbert; Nicholas Henshawe; Robert Thexton (Theakstone); and Isaac Woolley.

Immediately, we can address Davenport, for he was a gentleman of Burleigh Park.<sup>62</sup> He was described by the title of Master and of Burleigh Park on the baptism of his daughter, Elizabeth, in August 1614 and on her demise a few months later in December, and also on the baptism of his son, Henry, in 1617. His tenure of the bridgemastership can be explained as a gesture from the 'trust' to a local notable whose assistance and support might be necessary: an honorific proffer in expectancy of reciprocity.<sup>63</sup> It was an office appropriate to his status.

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<sup>62</sup>For Burleigh Park, Nichols, *History and Antiquities*, vol. 3, p. 909.

<sup>63</sup>I. Ben-Amos, *The Culture of Giving: Informal Support and Gift-exchange in Early Modern England* (Cambridge, 2008), pp. 205-13 (unequal status in gifts and deference).

Engagement in other roles would demean his social position.

Several of the others were feoffees of the 'trust': Barfote; Blower; Clarke; Fowler; Godwyne; and Woolley.<sup>64</sup> Indeed all the feoffees before 1630 except Richard Wheatleye held the office of bridgemaister at least once. Blower, Clarke, Fowler, and Woolley held only the bridgemaister-ship, but Barfote and Godwyne both bridgemaistership and churchwardenship.

Although of some substance, William Evington declined any office other than the bridgemaistership. Evington, it would seem, had immigrated into the parish; at least, his baptism and marriage are not registered. When he was interred in 1611, the register remarked that he was 'a very ould man'. From at least 1592, he had taken the lease from the feoffees of the three messuages in Churchgate formerly the Great Hall and a cottage in Baxtergate. This lease was subsequently assigned to John Evington who retained it well into the seventeenth century.<sup>65</sup> Whilst William was described as husbandman, John was accorded the status of yeoman.

Several of the bridgemaisters, who were also feoffees, were also dignified by the title Master in the register. On the baptism of his daughter Mary, the register deferred to Mr Robert Barfote. Robert Henshawe so figured in the bridgemaisters' accounts, Mr, but also in the list of feoffees as parties to leases as Mr and gent. for title and status.<sup>66</sup> In similar vein, Edmund Tisleye was accorded the title and status of Mr and gent. when he was co-opted as a feoffee after 1627.<sup>67</sup>

The gentleman who participated most in the affairs of the town was Robert Henshawe, consistently described as gent. when he was mentioned in the court rolls, serving on the *inquisicio magna* of the view of frankpledge, as constable, and standing regularly as pledge for transactions in copyhold land.<sup>68</sup> When the countess allowed two of her tenants to preside over the manorial court with the advice of her steward, Henshawe acted in this capacity.<sup>69</sup> He even served a term in the lowlier

<sup>64</sup>ROLLR DE2392/197-198.

<sup>65</sup>ROLLR DE2392/193, 229, 236, 246.

<sup>66</sup>ROLLR DE667/112, fo. 118r; DE2392/190.

<sup>67</sup>ROLLR DE2392/197-198.

<sup>68</sup>HAM Box 25, fldr 3, p. 11; Box 25, fldr 6, pp. 155, 172; Box 25, fldr 9, pp. 3, 20, 88, 89, 124, 128.

<sup>69</sup>HAM Box 25, fldr 3, p. 83.

office of fieldmaster (*supervisor camporum*).<sup>70</sup> His most important role was his continuous membership of the feoffees of the bridge fund and bridgemaster. George Henshawe had married Dorothy Villers, daughter of a gentry family, and Robert's arrangements of his copyhold lands in the early seventeenth century were concerned partly with the appropriate provision for her (as dower): a cottage and garden in Fishpool Head, a messuage and virgate, three cottages in Churchgate, and a messuage and tenement in Baxtergate with the appurtenant bovat of land.<sup>71</sup> As might be expected, he was a free tenant, but also held copyhold land.<sup>72</sup>

The impossibility of differentiating the elder and younger Thomas Hebb introduces another question, that of 'political' families or kinship groups, as does reference to the surname Henshawe, with first Robert and then Nicholas occupying the office. Dying in office in 1606, Richard Cranwell had acted as bridgemaster between 1589 and 1591, reappointed again in 1605. He was succeeded in that role in 1618 by his son Edward (baptised 1586), whilst his other son George (baptised 1576) acceded to the churchwardenship in 1608. One ostensible aspect is that this concentration of office-holding within kinships might have been more emphatic before 1630 and particularly associated with the feoffees of the 'trust'. Every feoffee except one obtained the office of bridgemaster in the late sixteenth century and early seventeenth centuries and in years when they did not serve in the office themselves, they seem to have appointed kin.

There existed then effective closure to access to this office. The body of trustees hardly altered in personnel through the late sixteenth and early seventeenth century. A dozen or so men remained as feoffees. All feoffees except one acted as least once (that is, over two years) as bridgemaster. The feoffees also appear to have favoured their own kin for the office, explaining the repetition of surnames like Blower, Fowler, Henshawe, Hebb, Barfote, and Cranwell as bridgemasters. The personnel of both feoffees and bridgemasters was distinctive in another way: it consisted of and represented the rural element of the parish. When the feoffees were designated in the leases of their properties, they

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<sup>70</sup>HAM Box 25, fldr 3, p. 65.

<sup>71</sup>HAM Box, 25, fldr 3, p. 11; HAM Box 25, fldr 6, p. 192; Box 25, fldr 9, pp. 48-50; Box 25, fldr 11, p. 8.

<sup>72</sup>HAM Box 25, fldr 3, pp. 19, 26.



were uniformly described as yeomen, with the exception of the gentlemen Henshawe and Tisleye. The bridgemasters whom they appointed conformed to this characteristic, including the gentry family of Villers. The organization thus represented the most substantial landholders in the wider parish and some (but not all) of the local gentry families. The political events of 1630 did not immediately alter the composition, for Mr Robert Everarde, of Outwood Park was co-opted as feoffee and acted as bridgemaster in 1637.<sup>73</sup> In due course, however, John Allen, mercer, and William Lovett, tanner, acceded to the 'trust', the first occasion for the representation of the urban interest.<sup>74</sup>

When analyzing the potentiality for oligarchy or civic polity, the events of the 1590s and 1630s when the administration of the 'trust' was reorganized, assume critical significance. At issue was the exclusion of the urban interest from the 'trust' and its control and the management of its significant resources by a rural elite of the parish. In stark terms, it was contention between the urban centre and the rural parish. Ironically, a large element of the trust's property was located within the urban centre which would have made some impression on the urban inhabitants. Virtually all the leases for 21 years of the feoffees' property in Loughborough after 1573 (from when they are extant) were received by urban crafts and artisans: two weavers; two fellmongers; two butchers; three carpenters; a glover; five shoemakers; a wheelwright; a fishmonger; and a tanner.<sup>75</sup> Most of this property in Loughborough was situated in the urban precinct which was dominated by urban trades: Churchgate; Baxtergate; Woodgate. The association would have been clear to the urban element in the parish.

From one (positive) perspective, especially from the inside of the elite group, such concentration of the highest offices might have resonated as social capital and communal interest, binding the group. From a different (derogatory) perception, however, the distinction of symbolic capital might have echoed more, the deliberate exclusionary setting apart by the elite.<sup>76</sup>

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<sup>73</sup>ROLLR DE667/112, fo. 133v.

<sup>74</sup>ROLLR DE667/112, fos 137r, 168r.

<sup>75</sup>ROLLR DE2392/186-295.

<sup>76</sup>R. Rotberg, ed., *Patterns of Social Capital: Stability and Change in Historical Perspective* (Boston, MA, 2000); P. Bourdieu, *The Logic of Practice*, trans. R. Nice (Oxford, 1992), pp. 124 ff; Bourdieu, *Distinction: A Social Critique of the*

Table 3.1: Resources: bridgemasters, 1570-1649; churchwardens, 1585-1658

Organization	Mean income (£s)	Sd	Median income (£s)
Bridgemasters	71	38.98	55.5
Churchwardens	12	13.58	6.5

Contributory to the tensions which surfaced from time to time was the control of the resources of the bridgemasters' organization. The irruption of controversy in 1596 and 1630 should be explained by the resources allocated to the two organizations: the parish (churchwardens) and the bridgemasters' feoffees.

One approach to this question is to consider the receipts (approximating to annual income in the charge-discharge accounts) of the two organizations. Inevitably, the level of receipts fluctuated over time, with a general tendency to increase with inflation, the problems which were encountered in supporting respectively an urban population under stress, the consolidation, renewal and expansion of the parish church (churchwardens) and the maintenance of the infrastructure of the fifty-arch bridge and the subsidiary bridges, as well as minor expenditure on the school and school chamber (bridgemasters).

For 68 years for which we have extant statements of receipts by the bridgemasters between 1570 and 1649 (Table 3.1), the mean 'income' amounted to just over £71 or a median of £55 10s. 0d. In fact, the amount exceeded £50 in 39 years; after 1613 the 'income' rarely fell below that level (the two exceptional years were 1631 and 1632). We can then roughly divide the 'income' into two broad phases: 1570-1612 and 1613 onwards. In the second period, the amount ranged between £80 and £99 in ten years, between £100 and £130 in another ten years, in 1650 amounted to just more than £149, exceeded £150 in 1641 and 1642, and surpassed £186 in 1649. The requirement for a heightened income in these later years may have resulted from the destruction in the town in the military campaigns, almost certainly dictated by the strategic importance of the fifty-arch bridge.

The churchwardens managed with a much lower revenue base. Be-

tween 1585 and 1658, their average receipts amounted to just £12 and median of £6 10s. 0d. Again, however, there were wide discrepancies and phases. A generally meagre level of a few pounds up to 1616 was succeeded by a period up to 1633 when the receipts exceeded £10 in six years. Between 1635 and 1637 the receipts soared to over £50 in each of those three years. Thereafter a more modest plateau ensued during which the receipts surpassed £15 in each of 12 years between 1638 and 1658.

A wide margin of difference thus existed between the income of the two authorities. The divergence extended to the composition of the income base. The bridgemasters' trust had received a landed endowment which comprised urban property and some rural land within the parish. The urban tenements consisted of 12 properties in Churchgate, three in Baxtergate, two in the east end of the town, and one in Woodgate. By 1573, from when the leases are extant, the feoffees conformed to the management of property conventional elsewhere: 21-year leases.<sup>77</sup> The feoffees had thus quickly adopted the provisions statutorily demanded by legislation of 1571. More importantly, this arrangement meant that, although the rents were insignificant, the entry fines or consideration which accrued on the renewal of leases brought substantial income. Amongst these properties was the Great Hall farm which was leased continuously to the Evingtons.<sup>78</sup> The capital resources of the feoffees did not finish there, however, for they were endowed also with extensive rural properties from which they received their 'country rents' (and the important entry fines on admissions). These substantial rural properties were located in Sutton Bonnington, Long Whatton, Thrussington, Stathern, Harby, East Leake, Cotes, Prestwold, and Willoughby.

By contrast, the churchwardens had no property. Until 1616, their income depended on pew rents and burial fees, explaining why, during that period their receipts were consistently low. During this period, the paltry receipts for burial comprised some 70 to 90 percent of their charge. From 1617, as described above, their income was transformed, but that improvement was only allowed by the introduction of continuous lays or levies. In eight years those lays introduced up to an additional £10 of revenue, in seven between £11 and £20, in four be-

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<sup>77</sup>ROLLR DE2392/186-290.

<sup>78</sup>ROLLR DE2392/193, 229, 236.

tween £21 and £30, in two £41 to £50, and in two other years more than £51. In at least 13 years, the lays constituted at least 70 percent of their income, often a considerably higher proportion. The lays were collected regularly throughout the year at the communions at Low Sunday, Care Sunday, Palm Sunday, Easter Day, Michaelmas, All Hallows and Christmas. With the advent of endemic disease and its effects on the poor, fasts were inaugurated to raise money for their alleviation. In 1636-1637 such occasions were respected weekly between 30 November and 15 March. These events continued to be observed until they were discontinued as a method of assisting the poor some ten years later.<sup>79</sup>

In such difference then resided the discrepancy between the bridgemasters' trust and the churchwardens. The feoffees for the bridges and the school had their own independent income and acted autonomously. In contrast, the churchwardens had no such propriety resources and had constantly to have recourse to impositions on the parishioners.

No evidence exists that bridgemasters before 1630 abused their office or were involved in speculation or patronage. Although Geoffrey Godewyne became bridgemaster in 1579-1580 and 1604 and had received disbursements for the carriage of stone from the Forest and elsewhere to the bridges, he seems almost solitary in deriving any benefit from his colleagues in the office. Other bridgemasters appeared in the accounts only as the accounting officers and not as recipients of payments or largesse. The feoffees and bridgemasters appear to have been exemplary in their obligations. The discrepancy persisted, however, that the composition of the personnel was exclusive and unrepresentative of the whole parish, demeaning the urban trades. The position of the feoffees and bridgemasters was unsustainable because of the perception of exclusion.

To some extent this tension over the administration and management of resources resembles the discontent in Ludlow, which also revolved around the town lands there.<sup>80</sup> What was replicated in the Leicestershire town too was an attempt by the excluded to be included in this management. There is nonetheless a particular difference which involves the concept of civility and social and cultural integrity and 'honesty'. The feoffees and the bridgemasters had effectively if not

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<sup>79</sup>ROLLR DE667/62, fos 169v (1636-1637), 190v.

<sup>80</sup>Withington, *Politics of Commonwealth*, pp. 71-72.

deliberately reserved the landed resource and its management to themselves. Beyond that, however, the personnel was associated with the rural element of the parish, the gentry of the rural estates within the topographically dispersed parish and the landed interest of the substantial tenants, the self-designated yeomanry. The implication is that these men were the 'fit and proper persons' to manage the endowment.<sup>81</sup> The imputation might be detected or inferred that it was these men who, through their landed social position, had the requisite honesty and position to manage the landed resource. They had the cultural and civil honesty of status imbued by landholding and the land. So, although civic culture developed and was accepted in incorporated boroughs and existed alongside gentry civility, in the smaller urban locations without an incorporated civic government, rural civility and urban nascent civility came into tension.<sup>82</sup> The feoffees reserved to themselves the administration of the endowed estates because they believed in their civility and demeaned the attitudes, ethos and status of the urban inhabitants who were divorced from the land. That separation of rural and urban was not a consistent reality, for some crafts and trades people also held land, and crafts and trades were practised in the rural hamlets of the parish, but a strong perception of division persisted. By the late sixteenth century, the differentiation had intensified with fewer trades and crafts also holding agricultural land and as the urban centre became increasingly divorced from the wider rural parish.

Tension arose again in 1630 with resultant litigation in Chancery.<sup>83</sup> As a consequence, by 1640 the composition of the feoffees and bridgemaasters had been expanded. It became possible for a man like Herbert Clarke to be inducted as bridgemaster in 1640. It was, moreover, inscribed in the list of bridgemasters appointed that his selection was for the town.<sup>84</sup>

Accession to office-holding was influenced by social group and kin-

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<sup>81</sup>The phrase 'fit and proper person', of course, belongs to a later civic situation: E. P. Hennock, *Fit and Proper Persons: Ideal and Reality in Nineteenth-century Urban Government* (London, 1973).

<sup>82</sup>For the excessive concentration on gentry civility, Barry, 'Civility and civic culture'.

<sup>83</sup>TNA C91/1/13, C91/2/1, C91/3/1-2, C93/13/4; for subsequent disputes in 1652, TNA C91/6/1, C93/21/19.

<sup>84</sup>ROLLR DE667/112, fo. 140r.

ship and, as is well known, individual maturity. Whilst age for the underprivileged might mean indignity, for those eligible for authority it constituted a criterion for their appointment. Much has been made, therefore, of age and authority in incorporated boroughs.<sup>85</sup> Did the same conditions obtain for selection to office in the diverse institutions involved in the governance of unincorporated towns? Did the higher offices demand the same level of experience? Was there a correlative age hierarchy in unincorporated towns which might have more flexibility and diverse arrangements for governance and which, as in the case of Loughborough, might have an internal dynamism of rapid change? In the case of Loughborough—and perhaps this aspect has also been neglected for incorporated boroughs—the ravage of epidemic disease needs also to be factored in: the extent to which men (and kinship groups) eligible for office might have been obliterated by sudden visitations.

The methodological issues in determining age at first office-holding are disconcerting. Principal amongst them is the difficulty of identifying individuals in a local society with a frequency of the same forenames and surnames. That homology was compounded by the persistent transmission of forename from father to son, a patrilineal culture of naming which was entirely dominant in sixteenth- and seventeenth-century Loughborough. The homology extended beyond that, however, to multiple contemporaneous bearers of the same forename and surname. Correlating office-holders with entries in the parish register is thus inherently problematical.

Some examples—admittedly the most extreme—might illustrate this conundrum. We might, of course, instinctively expect difficulties with the office-holder John Smithe and the registers do not diminish the issue. We have, moreover, in the early seventeenth century, Thomas Hebb baptised in 1600, 1605, 1624, 1627, and 1631. Thomas Hebb senior and junior held office simultaneously, although only once is the differentiation made by an affix (junior in this case). Sometimes common sense facilitates a judgement. Other times, we can eliminate some homonymous candidates because they died in childbirth: the child John Suttune baptised in January 1615 and buried in October. Family reconstruction sometimes assists, but often does not (as in the Hebb case). Some office-holders, furthermore, seem to have been immigrants who

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<sup>85</sup>K. Thomas, *Age and Authority in Early Modern England* (London, 1976).

made rapid advancement in the town.

For the churchwardens, then, we are left with 38 office-holders about whom we can make conclusive identification of age of baptism or an inference with some slight ambiguity. In these circumstances, we have to exercise much care about the statistics, because of their inherent questions, but also because of the potential for stochastic variation with such a small population. The conclusions at which we arrive are that the mean age of attaining the junior churchwardenship was 36 (standard deviation 10.99) or a median age of  $34\frac{1}{2}$ , and thus one year younger for nomination as the collector for the poor. It appears that about 40 percent of the churchwardens achieved the office in their thirties and some 16 percent in their forties. We might perceive these figures as relatively young.

Our difficulties are compounded in the case of the bridgemasters, for the cohort is even smaller, just 20. Apart from the issues discussed above, we also have the problem of the concentration of the office in few hands (also discussed above). Bridgemasters thus acquired the junior bridgemastership at mean age 39 (standard deviation 6.56) and median of  $36\frac{1}{2}$ . Fifty-five percent achieved this role in their thirties and 15 percent in their forties. Again, these ages appear particularly young.

We are accustomed to the notion of a hierarchical organization of early-modern society, even at its lower levels of parish and manor. That differentiation has recently been confirmed by an exhaustive examination of the 'middle sort' and the dominance of the 'chief inhabitants' of local offices, which, in turn, defined this social (and economic) group.<sup>86</sup> Contests for control of incorporated urban authorities are well documented.<sup>87</sup> We might then expect social and political differentiation in a small town like Loughborough as in any other social entity. In some places, of course, the oligarchical and hierarchical control was associated with the 'godly' and a reformation of society and manners, but such was not ostensibly the case in Loughborough.<sup>88</sup>

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<sup>86</sup> H. French, *The Middle Sort of People in Provincial England 1600-1750* (Oxford, 2007).

<sup>87</sup> C. Patterson, 'Conflict resolution and patronage in English towns, 1590-1640', *Journal of British Studies* 37 (1998), pp. 1-25; A. Gregory, 'Witchcraft, politics and "good neighbourhood" in early seventeenth-century Rye', *Past and Present* 133 (1991), pp. 31-66.

<sup>88</sup> K. Wrightson and D. Levine, *Poverty and Piety in an English Village: Ter-*

What developed in the parish of Loughborough in the late sixteenth and early seventeenth century was a symbolic political and exclusionary boundary between rural and urban which had no constitutional or practical basis. This perception of difference evolved because of a dichotomous notion of social honesty and integrity. Civility—with its concomitant responsibilities and obligations—was perceived to reside in the gentry and substantial tenants of rural land. An exclusionary boundary was consequently erected. While for some part a symbiotic relationship existed between pre-modern town and country, between urban centre and rural hinterland, the reciprocal exchange could be dissolved. Perhaps that conflict was most likely to occur at the most precise junction of urban and rural, where the interests of a developing small town conflicted with those of the rural elite within the same parish. In a sense, every parish contained its own local politics in the distribution and exercise of authority.<sup>89</sup> We might even hazard the bifurcation of two different local societies within a single parish.

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*ling, 1525-1700* (revised edn with a 'Postscript' by Wrightson, Oxford, 1995); D. Underdown, *Fire from Heaven: Life in an English Town in the Seventeenth Century* (London, 2nd edn, 2003); P. Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999), ch. 2 (pp. 29-52) ('Godly cities').

<sup>89</sup>Wrightson, 'Politics of the parish' and his 'Mutualities and obligations: changing social relations in early modern England', *Proceedings of the British Academy* 139 (2006), pp. 157-194.





## Chapter 4

# Work and working

I would argue that such detailed exploration of the artisan world is especially appropriate at the present historiographic moment.<sup>1</sup>

When considering urban working patterns, the temptation has constantly been to define occupational structure(s), for several reasons.<sup>2</sup> In the context of large incorporated urban places, economic activities at the higher levels were regulated, by guild and other organizations such as the freedom. Structure too perhaps implies the categorization which historians impose on economic activities in urban centres, which is unavoidable but perhaps would not resonate with contemporaries. Attending to structure(s), however, perhaps also suggests deep, enduring ecological entities which are almost reified and invested with their

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<sup>1</sup>Claire Dolan, 'The artisans of Aix-en-Provence in the sixteenth century: a micro-analysis of social relationships', in *Cities and Social Change in Early Modern France*, ed. P. Benedict (London, 1992), p. 174. See now, J. Farr, *Artisans in Europe, 1300-1914* (Cambridge, 2000), and, in particular, D. Woodward, *Men at Work: Labourers and Building Craftsmen in the Towns of Northern England, 1450-1750* (Cambridge, 1995).

<sup>2</sup>There is no discussion here of what kind defined urban work; the two criteria usually invoked are diversity or heterogeneity of occupations and the proportion of work which was not directly agrarian. Perhaps the best examination is P. J. Corfield, 'Defining urban work', in Corfield and D. Keene, eds, *Work in Towns 850-1850* (London, 1990), pp. 207-230.

own agency.<sup>3</sup>

Examining working practices in an early-modern small town perhaps allows a different window or vista onto the issues.<sup>4</sup> The lack of a corporate (conciliar) organization (mayor, aldermen and burgesses, that is, the corporation) removed the control of the admission to the freedom, although apprenticeship regulations still obtained.<sup>5</sup> Whilst guilds, including trade guilds, existed in some smaller urban places, their regulatory role was attenuated and they acted more like socio-religious associations. If, moreover, we divert our gaze away from the upper echelons of the occupational hierarchy, we encounter the economies of makeshifts which constituted the working lives of much of the population in the urban sector.<sup>6</sup> Here, the issue was less structure than contingency. Employment was discontinuous, interrupted, and people—men as well as women—suffered the vicissitudes of being in and out of work: disruption and interruption of work.<sup>7</sup> We might go so far as to suppose that at this level of work they did not know from one day to the next what their labour might entail. We might also question whether we should categorize labouring as an occupation: it was working, with the emphasis not on what one did, but whether there was work available.

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<sup>3</sup>So the question is re-directed away from the economic prospects of work to its social and cultural meanings: Randy Hodson, *Dignity at Work* (Cambridge, 2001); Robert A. Rothman, *Working: Sociological Perspectives* (New Jersey, 1987); Patrick Joyce, ed., *The Historical Meanings of Work* (Cambridge, 1987), 'Introduction', p. 14. The civic ethos of these incorporate boroughs is admirably dissected by P. Withington, *The Politics of Commonwealth: Citizens and Freemen in Early Modern England* (Cambridge, 2005). For the historical dimensions of work, Keith Thomas, ed., *The Oxford Book of Work* (Oxford, 1999).

<sup>4</sup>For this category within the urban hierarchy, see now A. Dyer, 'Small market towns 1540-1700', in *The Cambridge Urban History of Britain Volume II 1540-1840*, ed. P. Clark (Cambridge, 2000), pp. 425-450. The literature on incorporated boroughs in general and such individual urban places in particular is vast; again, the *Cambridge Urban History* serves as a succinct introduction to this category.

<sup>5</sup>J. Lane, *Apprenticeship in England, 1600-1914* (London, 1996) under the Statute of Artificers of 1563.

<sup>6</sup>Woodward, *Men at Work*, pp. 93-115. The term 'makeshift' was made familiar by Olwen Hufton.

<sup>7</sup>See, in general, S. Hindle, *On the Parish? The Micro-politics of Poor Relief in Rural England c.1550-1750* (Oxford, 2004). We might, however, refer here to the ideology and rhetoric of work: the expectation that people would work and that they would only receive relief when not working; and the dignity of work, at whatever level.

Labourers thus suffered not only the vicissitudes of unemployment, but also underemployment.<sup>8</sup> This arrhythmia of the lack and uncertainty of work was paramount.<sup>9</sup> We might refer to those issues of unemployment and underemployment as structured insofar as they were inherent in the casualization of the labourer's life, but to the labourer personally they were contingent: expected to happen, but uncertain as to when they would occur.<sup>10</sup>

In two respects, then, we must reconsider time and work-discipline in pre-industrial England. First, the pertinent question is perhaps less the imposition of regulation of working time but access to work at all. Second, piece-rates were not quite as predominant as has been suggested; day-rates existed widely, perhaps less so for crafts, but particularly for labourers. This issue of day-rates for labourers, but also for some crafts, is addressed below. To some extent, then, conditions of work in the pre-industrial urban world have been misrepresented.<sup>11</sup>

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<sup>8</sup>Anyone who worked as an unskilled labourer in the building industry in the 1950s and 1960s like my late father (a 'bricky's oppo') would recognize these issues. The current building boom has made this casualization less severe, but still many building labourers experience periods of time without work. See also, Woodward, *Men at Work*, p. 94.

<sup>9</sup>E. Zerubavel, *Hidden Rhythms: Schedules and Calendars in Social Life* (Chicago, 1981).

<sup>10</sup>By comparison with the above, S. Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth-century London* (Cambridge, 1989), with its emphasis on both structures and the concomitant roles of livery companies in the metropolis; the two phenomena are inter-related. His emphasis is decidedly on those trades and crafts which later came to comprise 'the middling sort': pp. 22, 25, 27. Rappaport also has the most succinct rehearsal of occupations in the larger incorporated boroughs. For 'structural poverty', K. Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven and London, 2000), p. 197. None of the above is to deny divisions within work according to skill (and gender): Joyce, *Historical Meanings of Work*, 'Introduction', pp. 21-22; people would have been conscious of different rates of remuneration at the least, which is approached below. See also, Arthur P. Brief and Walker R. Nord, 'The absence of work', in *Meanings of Occupational Work: A Collection of Essays*, ed. Brief and Nord (Toronto, 1990), pp. 233-251.

<sup>11</sup>Pace, then, E. P. Thompson, 'Time, work-discipline and industrial capitalism,' *Past and Present* 38 (1967), pp. 56-97, structured around a perceived transition from 'task-based time' to clock time. Criticism of Thompson is not new, of course, but has largely focused on the continuation of traditional and customary time into industrialization: Joyce, *Historical Meanings of Work*, 'Introduction', p. 25 and in the same volume Richard Whipp, "'A time to every purpose": an essay on time and

We comprehend much now about rural by-employment and multiple occupations and about organized trades and crafts in incorporated boroughs.<sup>12</sup> Although small towns comprised a substantial part of the urban sector, work in small towns remains largely concealed. Perhaps we can begin to reveal the contours of working in small towns through the example of Loughborough.

Reconstructing the full range of occupations in any early-modern context is difficult. Admissions to the freedom in incorporated boroughs define only the upper level of urban employment. Where musters or censuses exist, a static representation is available, but such enumeration is infrequent, (for musters) bounded in time, and the categorization is made by officialdom.<sup>13</sup> The more intensive reconstruction through probate material allows a diachronic approach to occupations, but probate material may provide only a partial representation and is self-evidently occupations achieved at the end of life or in maturity, revealing little of employment processes through the life-course.

The information used here for Loughborough is slightly more robust. Leicestershire is fortunate in that several of its small, market towns have been subjected to critical examination for their early-modern progress.<sup>14</sup> A local context for small town evolution is thus available. Loughborough, nonetheless, began in the late middle ages to outstrip other market towns in the county, a differentiation which intensified in the sixteenth and seventeenth centuries.<sup>15</sup> The character

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work', pp. 210-236.

<sup>12</sup>The literature is now vast, but was initiated by J. Thirsk, 'Industries in the countryside', in *Essays in the Economic and Social History of Tudor and Stuart England in Honour of R. H. Tawney*, ed. F. J. Fisher (London, 1961), pp. 70-88, and has proliferated since, extending to debates about proto-industrialization.

<sup>13</sup>J. C. K. Cornwall, *Wealth and Society in Early Sixteenth Century England* (London, 1988), explains the musters of 1522 (pp. 1-3) on which part of his examination is constructed; at pp. 16-17 (Table 1.2) he presents an occupational analysis.

<sup>14</sup>J. Goodacre, *The Transformation of a Peasant Economy: Townspeople and Villagers in the Lutterworth Area, 1500-1700* (Aldershot, 1994); D. Fleming, 'A local market system: Melton Mowbray and the Wreake Valley, 1549-1720', University of Leicester PhD thesis (1980); C. J. Moxon, 'Ashby-de-la-Zouch: a social and economic survey of a market town, 1570-1720', unpublished University of Oxford D.Phil. thesis (1971).

<sup>15</sup>For the only incorporated borough in the county, see now Y. Kawana, 'Trade, sociability and governance in an English incorporated borough: "formal" and "informal" worlds in Leicester, c.1570-1640', *Urban History* 33 (2006), pp. 324-349.

of its development contrasted in some respects with those of the other Leicestershire market towns. Opportunities for work within Loughborough reflected on and influenced the way it evolved. All market towns were closely embedded in their region(s).<sup>16</sup> Loughborough was no exception in the early sixteenth century. Like many of the small towns which survived the vicissitudes of the later middle ages, it remained both closely associated with its region(s) but also experienced some transition to a different sort of entity. In Loughborough, change was more intense than in those other small towns.

One of the dichotomies of the source material is that some of the medieval evidence privileges particular occupations. The production of ale and bread in particular was regulated—or, actually, licensed—by the view of frankpledge.<sup>17</sup> This material reflects the importance of internal provisioning in the town, but perhaps conceals the diversity of occupations. Whilst there is consolidated evidence about brewing and baking, the presence of other trades is somewhat occluded. The division of the marketplace into four sections—drapery, shambles, ironmongers, and mercery—does, in fact, reveal the importance of those other commodities. The legacies to some occupational guilds in early-sixteenth-century testaments illumines those less visible trades too. These aspects are considered in more detail elsewhere. The great lacuna is the lack of occupational detail in the Poll Tax of 1379.<sup>18</sup>

The production of ale in Loughborough was dominated by a number of common (persistent) brewers who were recurrent at each view of frankpledge. Between 1397 and 1406, 25 to 39 common brewers were presented by the aletasters and were fined from 3d. to 2s. each.<sup>19</sup>

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<sup>16</sup>For Leicestershire, Goodacre, *Transformation of a Peasant Economy*, p. 19: 'It must be remembered, however, that throughout the period agriculture remained the essential context in which the town functioned; not only the agriculture of the area around, but also that of the town community itself'.

<sup>17</sup>J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge, 2012), pp. 231-248.

<sup>18</sup>C. Fenwick, *The Poll Taxes of 1377, 1379, and 1381. Pt.1, Bedfordshire-Leicestershire* (British Academy Records of Social and Economic History, new ser. 27, 1998), pp. 548-549; with the exception of Ralph Storour *mercator* (chapman).

<sup>19</sup>N. Denholm-Young, *Seignorial Administration in England* (Oxford, 1937), pp. 89-91; J. B. Post, 'Manorial ameracements and peasant poverty', *Economic History Review*, 2nd ser. 28 (1975), pp. 308-309; R. H. Britnell, *Growth and Decline in Colchester 1300-1525* (Cambridge, 1986), p. 89.

Occasional brewers accounted for only four to 13 people at each view, brewing only twice or thrice each in each half-year and amerced only 1d. to 6d. Dealers in ale numbered only ten to 16 people at each brew, who were also fined only 1d. to 6d. During the early fifteenth century, the pattern remained pretty much the same, common brewers numbering 31 and 34 in 1412 and 24 and 32 in 1430 at the half-yearly intervals. Occasional brewers increased from three in 1412 to ten in 1430. More tapsters or sellers entered the role, rising from three at Easter 1412 to 11 and ten at the two views in 1430.<sup>20</sup> Brewing ale was a fairly low-level activity which required little capital investment. Beer—which required greater capitalization—was unlikely to have been introduced to Loughborough.<sup>21</sup> In New Elvet and the Old Borough in Durham in 1395 34 and 16 brewers respectively were presented, whilst 70 were active in York in 1304. By contrast, there were some 200 in 1400 and about 250 in 1405 in Colchester where one in six households was engaged in brewing. On the populous and diffuse manor of Wakefield, 136 brewers were presented in 1412-1413. On the very large ancient demesne manor of Havering, however, only 21 brewers operated in 1464-1465. The number of brewers presented in Newmarket in 1400-1413 varied from a dozen to 29 and in Clare, another small town, in 1377-1425 13 to 43.<sup>22</sup> Brewing in Loughborough compares quite favourably, therefore, in terms of numbers involved. The activity in Loughborough regularly involved about a quarter of urban households and, although brewing was not their primary occupation, was a by-employment which provided contingent resources, small amounts to the occasional brewers and larger income for the common brewers.<sup>23</sup>

The butchers congregated, of course, in their own section of the market place (*inter carnifices*), although not formally designated the shambles. Otherwise, their presence comes into view through debt lit-

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<sup>20</sup> HAM Box 20, fldrs 2, 5, 6, 7; Box 21, fldrs 1, 3.

<sup>21</sup> J. M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford, 1996), pp. 79-92.

<sup>22</sup> Davis, *Medieval Market Morality*, pp. 301-302.

<sup>23</sup> Britnell, *Growth and Decline*, pp. 35, 90-91; M. Bonney, *Lordship and the Urban Community: Durham and its Overlords, 1250-1540* (Cambridge, 1990), p. 152; M. K. McIntosh, *Autonomy and Community: The Royal Manor of Havering, 1200-1500* (Cambridge, 1986), p. 228; J. M. Bennett, 'Conviviality and charity in medieval and early modern England', *Past and Present* 134 (1992), p. 28.

igation in the manorial court. By the late fourteenth century at least, the meadows of the Soar valley around Loughborough were deployed for the fattening of livestock. William Fouchere, for example, was amerced for stocking the pasture in the lordship with *animalia de merchandiso* without licence. At the same court, both Ellis Bardolfe and Thomas Dawe, both of Cotes, had infringed on the pasture. More pertinently, the debt litigation involving those named Flesshewere intimates that even at this late date, the byname was associated with butchery. John Flesshewer was impleaded by the same Ellis Bardolfe for a debt of 12s. 4d. for the sale of sheep and other animals (*pro bidentibus et aliis animalibus ei venditis*) and Thomas Flesshewer was arraigned by Thomas Hutte for five pleas of debt amounting to £9 9s. 0d. for the sale of animals. Richard Furnyuale demanded 6s. 8d. from John Flesshewer for the sale of meat and John Flesshewer the younger lost a case of debt brought by Robert del Grene for 7s. 6d. for the sale of sheep. A smaller debt (2s.) was recovered by John Flesshewer against William Shakeston for the sale of meat. Other debts involving Flesshewers do not specify the nature of the debt. It seems clear, however, that they were engaged in butchery. Their socio-economic position is revealed in the rental of the 1370s in which William Flesshewer held a messuage in *le marketstede* for an annual rent of 8s. and a shop *inter carnifices* for 4d. per annum and stallage, whilst John Flesshewer had a shop in the shambles (*shoppa inter carnifices*) for 3s. annually.<sup>24</sup>

The cases of debt in which townspeople called Baxtere were embroiled reveal a similar pattern, that the byname was eponymous with the occupation of baking bread. William Baxtere was impleaded for grain sold to him for 20s. Robert Baxtere the elder prosecuted William Baxtere the elder for 18d. for baking (*pro furnagio*), whilst Robert as plaintiff recovered 2s. 2d. from John Halom for bread (*pro pane ei vendito*). He also claimed 12d. from Richard de Derby for bread. His further claims ensued from more sales of bread, to Margaret Syngere for 3s. 2d. and Thomas Spycere for 3d.<sup>25</sup>

The assize of bread at the views of frankpledge confirm the occupa-

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<sup>24</sup>HAM Box 20, fldrs 2-7.

<sup>25</sup>HAM Box 20, fldr 5. Robert Baxtere the younger pl. v. Richard de Derby in a plea of debt for 12d for sale of bread to him (*pro pane ei vendito*); def. acknowledged 6d, but at law about 6d *cum iij<sup>cia</sup> manu*.



tion of the Baxteres eponymously as bakers. At the two views in 1397-1398, three out of the ten bakers presented were called Baxtere—Robert, Alice and William. At the extant views between 1403 and 1412, the bakers who were presented as common bakers comprised William Baxtere, Robert Baxtere the elder and the younger, and in two courts Alice Baxtere and Thomas Baxtere. Robert Baxtere was also presented frequently for baking horse-bread (*panis equinis*).<sup>26</sup> Although Robert Baxtere had two male servants (*famuli*) and one female maid (*ancilla*) in the Poll Tax of 1379, he was only assessed for the standard 4d.<sup>27</sup> From 1397, Robert Baxtere took the common oven (*commune furnum*) in the town from the lady of the manor (Catherine Beaumont) in customary tenure (*ad voluntatem secundum consuetudinem manerii*) for an annual rent of 40s. This common bakehouse had previously become delapidated, so that the entry fine was waived. Similar numbers of bakers operated in the small Suffolk towns of Newmarket (between eight and 16) and Clare (between two and ten) contemporaneously.<sup>28</sup> <sup>29</sup> Appropriately, it faced Baxtergate, just in Sparrow Hill.<sup>30</sup> In 1403, Baxtere brought pleas of trespass against John del Grene and John de Bredon who had withdrawn suit of the common oven.<sup>31</sup> By the late fourteenth century at the latest, the concentration of bakers resulted in

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<sup>26</sup> HAM Boxes 20 and 21.

<sup>27</sup> Fenwick, *The Poll Taxes of 1377, 1379, and 1381. Pt.1, Bedfordshire-Leicestershire*, pp. 548-549.

<sup>28</sup> Davis, *Medieval Market Morality*, pp. 301-302.

<sup>29</sup> *Furnum dimissum. Robertus Baxtere venit in Curia et cepit de domina commune furnum de Loughtheburgh' cum [... ..ad] voluntatem secundum consuetudinem manerii pro xls de Redditu per annum [... ..] Et nichil dat ad ingressum quia predictum furnum prostratum fuit*; fealty; pledges William Keworthe and John Boolfote. HAM Box 20, fldr 2

<sup>30</sup> H. W. Cook, *Bygone Loughborough* (Loughborough, 1934), pp. 26-27.

<sup>31</sup> *ijd. Robertus Baxtere queritur de Johanne del Grene in placito transgressionis de retraxione secte de communi furno quod tenet de domina ulteriori anno ad dampna xijd et compertum est per Inquisitionem quod culpabilis ad dampna ijd et erit in misericordia* &c. Robert Baxtere pl. v. John de Bredon for default of suit to the common oven; damages claimed 12d; defendant found guilty; damages assessed at 1d. HAM Box 20, fldr 5. Robert Baxtere the elder pl. v. Richard de Derby in a plea of trespass *de retraxione secte de communi furno per unum annum et dimidium ad dampna xijd*; jury found def. guilty with damages of 1d. Richard Mylnere pl. v. Robert Baxtere the elder in a plea of trespass *de eo quod in defectu suo habuit vj bussellos bladi predicti apud commune furnum ulteriori anno ad dampna iijs iiijd*; jury found def. guilty with damages of 12d. HAM Box 20, fldr 6

the designation of Baxtergate.

Some other inhabitants were allowed their separate ovens, some of which were situated in the hamlets, such as Woodthorpe. Thomas Clerk paid 12d. for a licence to bake and a certain Alice 2½d., although Thomas had the additional permission to sell bread from his own oven (*et aduendendum ad quoddam furnum in Curia sua*). Simon Bretuill held a plot (*placea*) on which he built a bakehouse (*super quam edificavit unum furnum*) and John de Kilburne, another common baker, held a bakehouse (*j domum vocatam furnum*) in the late fourteenth century.

Other debt litigation allows a glimpse of other economic activity in the town. All small towns had some form of cloth industry and Loughborough was no exception. When John Dexter, whose byname appears still to be eponymous with his trade, sued Isabella the widow and executrix of John Taylour for a debt of 18d., his claim pertained to the dyeing of some black cloth (*pro coloracione nigri panni*). Thomas Hutte's demand for 27s. 5d. from Thomas Fysshere included 25s. for the sale of cloth (*pro panno ei vendito*). A case of trespass brought by Ralph Irnemongere against John Hakoc and his wife, Helen, brings into focus the town's tenters, for Hakoc was accused of destroying six selions of oats with his animals *apud les Teyntours*. Like other small towns, Loughborough had an indigenous cloth industry.

During the later middle ages, indeed, Loughborough became the habitation of merchants in wool and woollen cloth. The dominant position of the Lemyngtons makes Loughborough seem superficially a wool town, but that predominance was only a veneer.<sup>32</sup> In his testament of 1521, Ralph Lemyngton was described as a merchant of the Staple of Calais dwelling in Loughborough.<sup>33</sup> For his burial and month's mind, he assigned £100. He requested an obit for 60 years, for which he intended to provide £30. He wished to establish a chantry with two priests for which he designated £320 to buy land in mortmain for their provision. A further trust was to be endowed with 800 marks (£533 6s. 8d.) deposited in the parish chest with three keys entrusted to the abbot of Garendon, a priest, and one of his executors. Numerous other bequests increased the amount to be distributed. No doubt wills could

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<sup>32</sup>A. Dyer, *The City of Worcester in the Sixteenth Century* (Leicester, 1973), excavates beneath such a veneer.

<sup>33</sup>TNA PROB/11/20/163.

be aspirational rather than always achievable, but the intentions mark him out as a 'big man' in Loughborough. His status is confirmed by the position of Isabel Lemyngton in the lay subsidy of 1525: she is by a considerable stretch the highest taxpayer in Loughborough.<sup>34</sup>

With her exception, however, the structure of wealth in Loughborough in 1525 appears largely artisanal and an interesting comparison can again be made with Melton. There are, as usual complications. First, the assessment for Melton exists for 1524, but for Loughborough in 1525. Some evasion might have occurred in the second year of the levy. The numbers exclude also the Amicable Grant of 1523 by which major landowners promised a separate contribution. That omission, however, applies equally to both places. Another difficulty is whether the assessments include the entirety of the two parishes. Loughborough, Knight Thorpe, and Woodthorpe were assessed separately, but there is just one entry for Melton. There is also a possibility that some inhabitants fell below the minimum taxable income: 20s. in wages.

With those provisos, Melton containe 109 taxpayers, whilst Loughborough 87, with Knight Thorpe another five and Woodthorpe seven. The mean tax in Melton amounted to 4s. 3d., but in Loughborough 3s. 6d. (standard deviation respectively 126.5 and 69.9). The median level in Melton was 1s., but in Loughborough 2s. In Melton there was therefore a wider disparity in the distribution of wealth, greater inequality, but in Loughborough a higher concentration of wealth in the middle levels. Almost a half of the taxpayers in Melton were assessed at the lowest rate, on 20s. In Loughborough, 29 percent were assessed for the tax on 40s. The lowest levels were more pronounced in Melton. In Melton, 16 percent contributed tax of 2s. to 5s., but in Loughborough 38 percent. More taxpayers existed at the top end in Melton than in Loughborough. Melton thus had more extremes of wealth, associated perhaps with an agrarian and landed economy, whilst Loughborough, although with a few high taxpayers, had more concentration in the middle levels.

In the middle of the sixteenth century, the view of frankpledge illustrates further the internal provisioning of the town. Between 1559 and 1565, between 19 and 27 frequent bakers (*communes pistores panis*) were enumerate each year, initially paying 4d., but subsequently

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<sup>34</sup>TNA E179/133/116, mm. 2, 2d.

2d. Thirty-three to 40 common brewers were presented, all now defined as wives (*uxores*) of named male residents, again the payment reduced from an initial 4d. to 2d. In 1559, ten butchers (*communes carnifices*) were listed, making payments of 6d. or 1s. Subsequently, the numbers increased to 20-25, with the payment dropping also to 2d. The same elevation of the numbers of fishmongers (*piscatores*) occurred, from four in 1559, to six in 1564, and 14 in 1565. For a comparatively small urban place, these numbers are remarkably high, suggesting the significance of Loughborough in provisioning not only its town, but also furnishing provisions to its hinterland.

The early-modern evidence deployed next consists firstly of parish register data recorded between 1636 and 1650.<sup>35</sup> Initially in 1636, the incumbent recorded the occupations of fathers, males who died, and grooms. The recording continued consistently into the late 1640s, but in the final few years the recording of occupations was intermittent. Even so, it does provide a particularly comprehensive listing of working males in the parish in these fourteen years. For the purposes here, the information about grooms has been excluded since it is not always determinable whether the male partner was endogamous or exogamous. Those whom the data omit will be bachelors who did not die within the time-frame.<sup>36</sup> A second source for work are the churchwardens' accounts, from the 1580s through to 1640, which will allow a window on certain opportunities for work for the parish, which might be anachronistically defined as 'public works'.<sup>37</sup> Similar material is derived from the bridgemasters' accounts which are extant from 1570. These two officers were responsible for the maintenance of the extensive bridges, large and small, and also the grammar school. Repair of these edifices required constant attention and the allocation of work to crafts and labourers in the town.<sup>38</sup>

<sup>35</sup>ROLLR DE667/1. Events are cited by month and year below.

<sup>36</sup>See also Goodacre, *Transformation of a Peasant Economy*, pp. 153-154, for the relative merits of probate material and parish register data where they exist.

<sup>37</sup>For labourers and building workers, Woodward, *Men at Work*, which incorporates 'small amounts of information' from some 'sleepy little market towns' such as Louth, Appleby, Howden, Bridlington and Penrith (p. 10). By and large, however, his discussion focuses on regulation of the crafts by guilds. Material for 'public buildings' is collected by Woodward (pp. 5-7), although he was more dismissive of the churchwardens' accounts which he analysed (p. 5).

<sup>38</sup>ROLLR DE2392/1110 (1570-1597) and ROLLR DE667/112. The latter volume

The serious objection to this methodology is its failure to address the family and household economy.<sup>39</sup> Female labour is irrecoverable from these data.<sup>40</sup> In some cases, such as weavers, the male's occupation might give some indication of household involvement. Before its usurpation by male practitioners in the seventeenth century, women operated at childbirth, which retained a female focus exclusive of males.<sup>41</sup> Mistress Hebbe, from one of the most important local families, was buried in July 1631 with the memorandum that she had been midwife. She had been preceded by Joan Renold, about whom the register made the same comment on her interment in October 1584. By and large, however, we are reduced to investigating only male work. Categorization of occupations and work remains a conundrum.<sup>42</sup>

We can discover more about work practices in early-modern Loughborough from the churchwardens' accounts, in two aspects: payments for being unable to work; and engagement in labour for the parish. Discussion of the former will be reserved to another place (Chapter 7 below). Here will be examined opportunities for employment afforded by 'public works'. Urban 'public' buildings have been considered in particular from the perspective of capital accumulation and investment and their transformation of the urban landscape.<sup>43</sup> What their con-

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has only original foliation, which is cited here. The first extant secure folio of this latter volume has the original folio inscription fo. 9 and covers 1603-1604. The volume must have incorporated earlier accounts which may be represented by some fragments of leaves tucked into the beginning of the volume, so that it might originally have continued the earlier volume from 1598. The first volume is not foliated or paginated, so only years of charge and discharge are cited below.

<sup>39</sup>Noted also by Rappaport, *Worlds within Worlds*, p. 41. R. E. Pahl, *Divisions of Labour* (Oxford, 1984) perhaps presents a less integrated picture of historical household economies. K. Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven and London, 2000), pp. 30-68.

<sup>40</sup>See, in general, however, M. Roberts, 'Women and work in sixteenth-century English towns', in *Work in Towns*, ed. Corfield and Keene, pp. 86-102.

<sup>41</sup>A. Wilson, *The Making of Man-midwifery: Childbirth in England 1660-1770* (London, 1995); L. Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-century England* (New Haven and London, 2003).

<sup>42</sup>See the comments by Rappaport, *Worlds within Worlds*, p. 91. The difficulties are compounded where there is no gild 'structure' (Rappaport) which is integral to the formal constitution of the borough and acts as a container for occupations—so in a small, unincorporated town like Loughborough.

<sup>43</sup>The exception is Woodward, *Men at Work*. The approach to capital accumulation was pioneered by C. W. Chalklin in a number of articles, including, for example,

struction and maintenance also furnished was local employment, at a range of levels. Without concrete detail, we can, nonetheless, assume that the regeneration of the town after the fire of 1622 involved much building work.<sup>44</sup>

We might, in fact, approach the parish church as a fount of opportunities for work as well as for worship. Maintenance of Loughborough's parish church demanded extensive investment in the early seventeenth century, with large capital projects at certain junctures: refurbishing the bells; rebuilding the steeple; re-glazing the windows; and painting the interior. These immense injections of funds afforded ample work for local crafts and trades. Continuously, moreover, constant small investment was required for routine maintenance, making available regular employment and intermittent casual work. Each of these aspects of work will be considered below.

Perhaps we can dispose of one of those categories fairly quickly: external, specialist contracts. Some projects demanded the attention of specialists from outside the town, from Nottingham and Leicester, but other places too. The recasting of the great bell and third bell necessitated the retaining of Mr Ouldfield in 1613 and 1616, with payments to him extending to some £50.<sup>45</sup> When the steeple collapsed and had to be reconstructed in 1635, Mr Sarginson and his crew effected the rebuilding at a cost of at least £42. On a less formidable, but more regular scale, William Ragg of Lockington attended frequently between 1603 and 1624 to survey the bells.<sup>46</sup> Despite these impressive external awards, we should not imagine that the specialist contracts escaped local crafts and trades. Quite the reverse. Substantial work for glazing, ironmongery, masonry, ropes, carpentry and joinery, and painting, sustained local crafts and trades.

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<sup>44</sup>Capital expenditure on building for cultural purposes in provincial England, 1730-1830', *Business History* 22 (1980), pp. 51-70.

<sup>44</sup>The register noted the calamity. A petition for a brief for relief after the fire was initiated as late as 9 June 1623: HAM Box 25, fldr 13. Nichols, *History and Antiquities*, iii, p. 893. The town was plundered in 1645, thus necessitating further reconstruction, and the parish church sequestered as a barrack, requiring rebuilding work: Nichols, *History and Antiquities*, iii, p. 893.

<sup>45</sup>ROLLR DE667/62, fos 85v, 102r; see also, D. Postles, "Ring out those bells": death and the social order in early-modern Leicestershire', *Transactions of the Leicestershire Archaeological and Historical Society* 80 (2006), pp. 32-33.

<sup>46</sup>ROLLR DE667/62, fos 161v, 162r, 166r.

Three resident glaziers were involved in the maintenance of the parish church: Edward Hinckley and Thomas Exon; and earlier Thomas Wells. Hinckley was hired for the glazing work between 1613 and 1636. In 1613, his remuneration amounted to £5 2s. 6d.<sup>47</sup> He continued to maintain the windows as necessary for modest sums of money: 36s. 8d. in 1617; £2 and earnest money of 6d. in 1622; £2 12s. 8d. with 4s. earnest money in 1623; 19s. in 1626; £1 16s. 10d. in 1628; £1 7s. 4d., 10d., 19s. 2d. in 1633; £1 15s. 3d. in 1634; and, by his bill, £9 5s. 6d. in his final year in 1636.<sup>48</sup> Hinckley was succeeded in the regular glazing work by Thomas Exon, who was recorded as glazier in the parish register on the baptism of his son Henry in October 1637. Initially, Exon received small jobbing work: 11s. 3d.; 13s. 7d.; 4s. 10d.; 6s. 4d.; 5s. 5d.; 4s. 3d.; 6s. 3d.; 8s. 4d.; and 4s. 8d., but he entered into more lucrative contracts from 1635 when he received remuneration of £2 1s. 8d., 19s., and £3 16s. 8d., and in 1636 £2 5s. 0d. and £8 14s. 4d.<sup>49</sup> These two men had been preceded as casually contracted glaziers by Thomas Wells. Wells had performed numerous small jobs on the windows between 1589 and 1596, but was retained for an annual fee of 10s. in 1598 to maintain the glass.<sup>50</sup>

None of the three later glaziers was native to Loughborough: all were seemingly immigrants. Hinckley married first Elizabeth Smith of Loughborough in February 1607; after her death in October 1620, he espoused secondly Joan Knifton, another Loughborough resident, in May 1622. Although he did not enjoy the same level of working opportunities for the church, it seems likely that Wells too had migrated into Loughborough. He married in 1583 Helen Walmsleye of the town; when his first son, Roger, was baptized in January 1585, Thomas was unusually recorded as a glazier. Although his involvement in the glazing work of the church seems to have diminished by the end of the sixteenth century, he did not die, it seems, until August 1612, when it was again noted that he had been a glazier. This notation in the register that he

<sup>47</sup> ROLLR DE667/62, fo. 85r.

<sup>48</sup> ROLLR DE667/62, fos 108r, 119r-v, 126r, 142r, 149v, 152v-154r, 170v. In 1624, he apparently had a contract for a year to maintain the windows for 13s. 6d., but it obviously proved unsatisfactory: fos 130v-131r.

<sup>49</sup> ROLLR DE667/62, fos 156r, 157r, 161r, 170v. I have not pursued his work after 1640.

<sup>50</sup> ROLLR DE667/62, fo. 39r.

was and had been a glazier might reflect upon his relationship with the parish church. All had then married into Loughborough, migrated there and taken advantage of the opportunities of a rapidly developing small town. The existence of a larger parish church provided the assurance of substantial, if irregular, custom. We should reiterate, however, that all these glaziers, specialized craftsmen, were apparently immigrants into Loughborough.

It might seem surprising to include rope-making in the specialist trades which benefited from 'public works', but Herbert Clerk remained the exclusive and constant provider of ropes for the bells. He not only supplied new ropes, but fitted them and restrung the old ropes. Between 1617 and 1640 (and afterwards), he received regular commissions for this work. At least 29 payments were recorded in the churchwardens' accounts in those 24 years, the highest comprising 39s. 6d., with a mean of 6s. 10d. (standard deviation 91.6), and median of 4s. (first and third quartiles of 2s. 8d. and 7s. 2d.). He too was probably an immigrant to the town, through his marriage to the local Elizabeth Stocken in 1620.

Ironmongery had long been established as a principal craft in the town, with a distinct 'quarter' in the market place. Accordingly, the blacksmith George Bayley had origins within the town, where he was probably baptized in November 1608. It seems that in June 1635, he married another local, Ann Judde. When their first daughter, Helen, was baptized in April 1637, he was registered as a blacksmith. Between 1634 and 1640 (and later), he received a constant stream of income for work for the church, fitting iron bars, locks, latches, hooks, pins and cottars, staples and spikes: each small amount not exceeding 10s.

Of those who received lucrative contracts for maintenance work on the parish church before 1640, the final exemplar was Thomas Sewell who in 1627 was awarded the contract (with earnest money of 1s. to confirm the agreement) to paint the interior, a transaction worth £13 6s. 8d., but supplemented by additional work in that year, accruing a further mark and £2 5s. 0d.<sup>51</sup>

Apart from those major contractual arrangements, a multitude of other inhabitants benefited from irregular, casual work for the parish church, perhaps some 70 in all over almost 60 years. Excluded from this number are those who engaged in providing or carriage of materials.

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<sup>51</sup>ROLLR DE667/62, fo. 146r.



Although those townspeople acquired part of their living through this supply, there are three problems which influence their omission: first, the difficulty of establishing that they were resident in the town; second, their engagement did not involve work on the fabric; and finally, if less perplexingly, their role may have ensued from their position within parochial governance.

Although the carriage of lime, sand and gravel and the hire of horses was remunerated, the payment might have comprised compensation to those who were involved in parish affairs. Payments to the parish clerk, John Wright, composed almost certainly allowances to him for payments which he made to others for supplies and work.<sup>52</sup> The furnishing of communion wine presents another conundrum. Between 1598 and 1602, the provisioner was Robert Wollands, the bailiff of Loughborough, an office attached to the lordship of the manor, which at this time passed within the family. Robert's father, Nicholas, died in February 1603, the entry in the parish register including the memorandum of his office of bailiff of Loughborough. Robert was baptized in the parish church in July 1562 and married locally in April 1589 Alice Sheppard. The registration of Robert's burial in June 1611 also remembered his status as bailiff of Loughborough.<sup>53</sup> After Robert's relinquishment of the role, the provision of wine was exclusively reserved to William Salt and his widow between 1609 and 1637, despite the existence of another vintner in the town, Iveson.

At lower levels of remuneration and employment, the parish church required continuous, if part-time, work from a number of workers. Among these requirements was maintaining the environment of the parish church, which effectively meant sweeping the street along the church wall. To ensure diligent execution, the parish retained a succession of workers, to prevent the defilement of the churchyard and church. In fact, the churchyard is of such a size that the church itself was fairly well immune from the impurities of the street. We encounter first in the churchwardens' accounts Thomas Michell cleaning the street there from at least 1584 to 1586, for which he was remunerated at the rate of 3s. 4d. per annum, that is, 10d. each quarter as he received the instalments.

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<sup>52</sup> His wife was buried in August 1647, leaving him a widower.

<sup>53</sup> Other bailiffs had also been buried in the parish: William Browne, February 1560, and George Hybbytes, December 1571.

Confusingly, Thomas Rowbotham was also involved in the work in the 1580s up to 1588. Hollins or Hollands was engaged from at least 1588 to 1596. Hugh Chesshire acquired the responsibility for sweeping from at least 1596 until 1605, at the same rate. When he died in September 1606, his widow performed the work until 1609, when she too died (buried in January 1610). She, Agnes (Waryn), had married Hugh in November 1584. Temporarily, Clement Shawe assumed the work between 1612 and 1613, although Bartholomew Trasye also executed the work in 1612. From at least 1614 (he was certainly in Loughborough by 1609) until 1623, Clement Gibson was retained at exactly the same remuneration. When he died, his widow, Widow Gibson, continued the role until 1628. This arrangement thus contributed to the sustenance of a succession of inhabitants, but only partly towards their livelihood. Although it ensured a regular, small income, the occupants of the role needed to supplement their wages through other work. Its significance too is its vista onto the role of widows in continuing the labouring work of their late husbands.

The extent to which that additional work and income was essential is divulged through the activities of the career of William Ragsby, the sexton. Between 1612 and 1618, he contributed on a casual basis to the work of the parish. His occasional employment was regularized from 1618. From 1623, his remuneration was evidently 1s. per quarter, but the level was substantially increased to 2s. 6d. each quarter from 1635.<sup>54</sup> Even with this enhanced compensation, he nonetheless needed further income through other occasional work. In 1635, he assisted the glaziers for additional wages of 3s. 4d. and 5s. 2d. Four years later, he was assigned 18 days of miscellaneous work in the church accruing 12s. 8d.<sup>55</sup> With his son, he engaged in additional work, assisting the glaziers and helping to truss the bells. To Ragsby's example can be added John Thackam. On his burial in March 1609, it was recorded in the register that he had been 'the clerk'. Indeed, more clarity was expressed in the churchwardens' accounts in 1590, where he was defined as 'the Towns clarke'.<sup>56</sup> In fact, Thackam's salary as clerk was acquitted by the bridgemasters, appearing each half year in their accounts as 24s.

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<sup>54</sup>ROLLR DE667/62, fo. 161r.

<sup>55</sup>ROLLR DE667/62, fos 156v, 161r, 178r.

<sup>56</sup>ROLLR DE667/62, fo. 19v.

(that is 48s. per annum).<sup>57</sup> He nonetheless supplemented his wages through casual labour, assisting Bancks for one day, and in different years working alongside the glazier for two days, one and a half days, and eight days.<sup>58</sup> For this additional labour, Thackam was remunerated at the unskilled labourer's rate of 6d. per day. Although the holders of these posts were permanently retained then with regular rates of income, the position contributed only partially towards their livelihood. Other resources and recourses were essential.

Now we can progress to those townspeople who benefited from casual work on the church and examine the constituents of their labour. What was involved here was irregular, casual employment which did not involve any highly remunerative, consolidated contracts. We might begin with the masons. One of the principal components of their work was laying graves ('pits') and gravestones in the church and making good. A succession of masons (and probably some casual labourers) were employed in this work. Willam Banckes, for example, laid six gravestones in 1595 for a payment of 3s. 4d., followed by two more at 8d. each.<sup>59</sup> John Fox laid the odd gravestone about the same time. In 1587, 1593, and between 1603 and 1616, Robert Lambley (latterly 'ould' Lambley, reflecting the imperative of even the old to work) laid ten stones.<sup>60</sup> Simultaneously, in 1614-1615, William Kempe put down stones. Following on, from 1614 to 1635, Richard Charnock benefited from this occasional opportunity, completing at least 16 stones, for which he was rewarded at the mean rate of 17d. (standard deviation 4.3) and median of 16d., from which we perceive clearly that the rate for laying stones had effectively doubled since the 1590s (although the actual rate varied according, no doubt, to the difficulty of inserting the stone and making good afterwards). Charnock was a local man, baptized in the parish in June 1576 and espousing locally in 1606 Ann Woodcocke. Another

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<sup>57</sup>ROLLR DE667/112 passim; e.g. fo. 25v. He was succeeded by Edward Polle for the same remuneration: e.g. fo. 39v (1611).

<sup>58</sup>ROLLR DE667/62, fos 31r, 38v, 46r. The parish register was engrossed from 1538 to 1598 by John Dawson, the schoolmaster, however, as he frequently noted in the register.

<sup>59</sup>ROLLR DE667/62, fos 9v, 17r, 32v.

<sup>60</sup>Several of the essays by M. Pelling, *The Common Lot: Sickness, Medical Occupations and the Urban Poor in Early Modern England* (Harlow, 1998), address this imperative. See Chapter 7 below.

mason, however, was also engaged between 1624 and 1639, William Hickson. Apparently not a denizen, Hickson had espoused the local Margaret Coopeland in June 1625. On the baptism of one of their first sons, John, in June 1625, the register inscribed William's occupation as mason. Hickson probably laid another eight stones in this time. His work was complemented by Henry Foster who also put down stones between 1635 and 1640.

Laying gravestones, of course, constituted only part of the masons' work on the church. Banckes, for example, expended five days repairing the church walls for 4s. 2d. and three days restoring the paving and tiles in the church.<sup>61</sup> In 1615, Charnock acquired seven days of work for him and his son in the church for 11s. 8d. and in 1625, when his small business had evidently expanded, seven and a half days for him, his man and his labourer, at respective rates of 7s. 6d., 6s. 3d., and 5s. (respectively 1s., 10d., and 8d. per day according to skills).<sup>62</sup> Hickson performed 11 days of work in the church in 1624 and, in 1639, 25 days at the skilled rate of 1s. per day. In 1636, he accumulated much more work, presenting a bill for £1 16s. 6d.<sup>63</sup> A wide variety of work was allocated to Foster, who worked with his two sons (probably William, baptized November 1611, and Robert, baptized September 1613) on the steeple, repaired the floor, and restored the walls.

Another category to enjoy employment from the parish church was the numerous smiths and ironmongers in the town. Illustrative of these is Edward Barradall, engaged for numerous small jobs between 1598 and 1606. The opportunities for ironmongers were frequent, but for small amounts. Barradall received 1s. each time for twice repairing the clock, 7d. for mending a spade one time, but only 4d. a second time, 21d. for a small job on the great bell, 5d. for fixing the watch wheel, 6d. for inserting an iron bar in the great bell wheel, and executed a small repair on the steeple door.<sup>64</sup> The same pattern obtained for joiners and carpenters, with the exception of Michael Litherland who was commissioned to supply timber for the bell frame in 1614 for £6

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<sup>61</sup>ROLLR DE667/62, fo. 78r. For the ambiguity of definition of tilers, Woodward, *Men at Work*, pp. 19-20.

<sup>62</sup>ROLLR DE667/62, fos 92v, 136v.

<sup>63</sup>ROLLR DE667/62, fos 130v-131r, 170v, 178r.

<sup>64</sup>ROLLR DE667/62, fos 38v, 40v, 54r, 55r, 75r, 77v.

13s. 4d.<sup>65</sup> Otherwise, the work was confined to small jobbing occasions. Robert Joyner did small repairs on the church gates, style, bier, steeple door, but also inserted a seat in the pulpit, made a tithe table for 1s. in 1591 and an hour glass in 1590 for 6d. The myriad little works performed by William Scotton included in his best year, 1625, a wood frame for the little bell for 15s. and three windows in the steeple for 37s. He still died poor and his burial required assistance.<sup>66</sup> When his burial was recorded in the register in November 1611, it was noted that Robert Wilson had been a joiner. He had indeed made the bier for 3s. in 1609, the cover for the font and pulpit for 17s. in 1592, and his own seat in 1587.<sup>67</sup>

Finally, we have the scouring of the eagle, the lectern, which was logically entrusted throughout his life to the local cutler, Robert Halliday, who annually performed this cleaning, first for 8d. up to 1590, and then for 1s. until 1628.<sup>68</sup>

We should reiterate some of the facets of these specialized tradespeople who were recruited to work on the parish church. Many of them were not indigenous, but had married into the parish. The potential for work on the large parish church might have been one of the attractions of their movement into the town. They espoused local girls, married in the parish (uxorilocally), but also decided to enter the town rather than return to their place of previous residence. The negative evidence for this assumption is no trace of them or their surname in the register before their marriage. Although the parish church furnished opportunities for work, it was not a total panacea. Whilst some received lucrative contracts—usually once in their working life—to re-glaze, re-decorate or reconstruct, most of the work was discontinuous and in small amounts. The largest contracts, because they demanded specialized skills not available in the town, went to external contractors: the recasting of bells and the supervision and design of the destroyed steeple.

The story, however, does not end there, for the bridgemasters ensured another source of work. The complications of the churchwardens'

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<sup>65</sup>ROLLR DE667/62, fo. 89v.

<sup>66</sup>ROLLR DE667/62, fos 136r, 162r. He married Ann Harryman in the parish in November 1616 and was buried there in March 1636.

<sup>67</sup>ROLLR DE667/62, fos 11v, 27r, 71r.

<sup>68</sup>On the burial of Nevil Halliday in 1637, he was registered as the son of Robert, cutler.

accounts do not allow us to present their expenditure in any simple manner, but the bridgemasters' expenditure was less complex. We can account for some regular deductions which did not involve the employment of labour. Regular deductions consisted of the schoolmaster's stipend, the chief rent to the Countess through her bailiff (£1 4s. 6d.), and the wages of Woode and Thackam, amounting in toto to £21 10s. 4d.<sup>69</sup> The remainder was almost all consistently expended on maintenance work, which explains the fluctuations in the expenditure incurred from year to year. Between 1570 and the middle of the second decade of the seventeenth century, the building expenses were contained at a fairly low level, usually between £10 and £20, with a few exceptional years of activity (1588 and 1590 when total expenditure exceeded £92 and £104 in years of national emergency). From about 1615, expenditure moved significantly in an upwards trend. Deducting the recurrent wages bill, in 45 between 1603 and 1650, the annual mean expenditure of the bridgemasters on maintenance, preponderantly on the bridges, but some on the school and school chamber, and minor adjustments to the court house when quarter sessions met in the town, amounted to £49 (standard deviation of 27.51), the median disbursement on this work comprising £49.<sup>70</sup> During those years, £40 to £49 were expended in seven years, £50 to £59 in ten, £60 to £89 in ten, and £115 to £122 in three. Indeed, the zenith of disbursements occurred after the town had been deprecatd by military action in the 1640s and it is perhaps testimony to their resources that the bridgemasters were able to raise this money in these disruptive times.

Some skilled workers benefited immensely from the regular opportunities provided by the bridgemasters. The responsibilities of the bridgemasters entailed not only the major stone bridge and its multitude of arches (allegedly fifty), but also numerous smaller bridges, especially plank crossings, at Burleigh Watergate, the way to Shelthorpe, in the Rushes, at Swangate, Armitage (Hermitage), towards Normanton, Ten Acre bridge, Woodbrook bridge, Tedd bridge and Slat bridge. In 1613, 10s. 2d. was committed to replacing the plank bridge at the end of

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<sup>69</sup>ROLLR DE667/112 passim.

<sup>70</sup>Some small work was conducted on the court house when the justices met there in 1611, for example: ROLLR DE667/112, fo. 39v.

the Rushes by a stone bridge.<sup>71</sup> Most advantage went to the carters, particularly William Looe and Francis Whatton, frequently collecting loads of stones from the Forest for the maintenance of the main bridges. Regular employment was also available to the masons, Robert Lambley, and Henry Fosterd, for paving and work on the bridges. Much of the income and employment of these men must have been afforded by the bridgemasters (and the churchwardens).

Perhaps some examples will furnish a flavour of the work opportunities provided by 'public works' supervised by the bridgemasters. In 1611, extensive work was deployed on the school and schoolchamber.<sup>72</sup> Ragsbye, whom we have already encountered in his employment by the churchwardens, supplemented his income by 8d. by sweeping and smoking the school and chamber and disposing of the 'rammell'. The ironmonger Barradall supplied a new key and lock. Whilst Robert Joynar refurbished the chamber for 7s., Simon Foster re-slatted it for 8s. 9d. Slates and plaster for the school incurred costs of 3s., with an additional 2s. 3d. for wood and coal to burn the lime. New ridge tiles, slates and laths cost 4s. 4d. More workmen plastering the school and chamber increased the expenditure by 5s. 2d. Inserting a 'Seale' in the chamber (no doubt wainscoting) added another 1s. A major expense, however, was the re-glazing work on the school, amounting to 16s. 6d. In 1612, the school chamber was again re-plastered at a cost of 8s. 10d.<sup>73</sup> All this work might have been occasioned by the deaths of two sons of the schoolmaster, John Dawson, in 1611 and higher child mortality at this time.<sup>74</sup> Lambley also benefited from maintenance of the school, the other principal responsibility of the bridgemasters under the terms of their trust. This maintenance also necessitated a contract with a retainer of 10s. per annum for glazing the school windows.<sup>75</sup>

Irregular, casual work was also generated: cutting willows; scouring ditches; unskilled work at the bridges; and collecting small stones. In 1605, for example, labourers were temporarily hired to take up the dam,

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<sup>71</sup> DE667/112, fo. 45v.

<sup>72</sup> ROLLR DE667/112, fo. 39r-v.

<sup>73</sup> ROLLR DE667/112, fo. 42r.

<sup>74</sup> N. Griffin, 'Epidemics in Loughborough, 1539-1640', *Transactions of the Leicestershire Archaeological and Historical Society* xliii (1968), pp. 24-34

<sup>75</sup> For example, DE667/112, fo. 28v (1608).

level the ground, and fill a hole at Stanford ‘planks’ (wooden bridge).<sup>76</sup> Casual labourers were retained for two days in 1606 for cropping down willows around the bridges.<sup>77</sup> Perhaps more pitiful were the poor folks who collectively earned 7s. picking stones in the fields of Prestwold at 3d. the load as well as the poor gathering stones and pebbles in Cotes, no doubt fluvial deposits or grading.<sup>78</sup> Astonishingly, a poor woman on her own collected 16 loads of stone for 4s.<sup>79</sup> In 1608 two labourers ‘benefited’ from two days of work scouring the ditches in the Rushes.<sup>80</sup> On May Day in 1612, Webster and other labourers were retained to work at ditching again in the Rushes and other places for a collective pot of 15s. 6d.<sup>81</sup> Similarly, four workmen were engaged in ditching at the bridges in 1609.<sup>82</sup> All this unskilled work was repeatedly available, but irregular and on a casual basis. Those labourers who relied on it for their living experienced interruptions in and discontinuity of employment, their livelihood contingent on irregularity of work.

Some preliminary remarks are necessary to introduce this section on occupations between 1636 and 1650. As indicated above, the information is extracted from the parish register which between 1636 and 1650 recorded male occupations.<sup>83</sup> To reiterate, occupations of grooms are excluded since we cannot always be certain that the groom was resident in Loughborough. Occupations at burial are equivalent to those

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<sup>76</sup>ROLLR DE667/112, fo. 18r: a combined amount of 7s. 10d.

<sup>77</sup>ROLLR DE667/112, fo. 21r.

<sup>78</sup>ROLLR DE667/112, fo. 21v.

<sup>79</sup>ROLLR DE667/112, fo. 21v.

<sup>80</sup>ROLLR DE667/112, fo. 28v.

<sup>81</sup>ROLLR DE667/112, fo. 42r.

<sup>82</sup>ROLLR DE667/112, fo. 32v.

<sup>83</sup>Rappaport effectively revisits previous categorization of ‘occupational structure’ in early-modern incorporated boroughs and presents data for London: p. 92 (Table 4.2). The ‘classic’ analysis is W. G. Hoskins, ‘English provincial towns in the early 16th century’, *Transactions of the Royal Historical Society* 5th ser. 6 (1956), pp. 1-19, but see also the revision by N. Goose, ‘English pre-industrial urban economies’, repr. in *The Tudor and Stuart Town: A Reader in Urban History*, ed. J. Barry (London, 1990), pp. 63-73. The traditional division is into the following categories: food; clothing; leather; crafts; trading et al. (the last including schoolmasters and medical men). As Goose has indicated, that categorization tends to conceal industrial activity which might differentiate urban from rural. Goodacre, *Transformation of a Peasant Society*, pp. 251-256 (Appendices, Tables 8-9) presents comparative data, although Loughborough has greater density of workers and practitioners.



which would be specified in testaments/wills, but those of fathers at baptism reflect an earlier stage in the life-course. Why the decision was made in 1636 to record male occupations in the register is elusive. Occasionally, the compiler of the register had previously remarked on occupations, but highly infrequently. The leases of tenements by the feoffees of the 'trust' for the bridgemasters also contained occupations of the lessees, but, although those details confirm the urban occupational character of the central area of Churchgate and Baxtergate, they too are an insufficient sample for substantive analysis.<sup>84</sup> The decline in consistency of recording in the final few years, the late 1640s, may have resulted from the severe number of deaths in 1647.<sup>85</sup> For the following three years, male occupations were inscribed sporadically and ended abruptly in 1650. Another reason for the deterioration, related to Browne's (the incumbent's) death, was the visitation of endemic sickness in 1647, the register having memoranda that the 'plague' endured from at least July 1647 to February/March 1648. Endemic sickness in the 1640s profoundly disrupted Loughborough's demography. Memoranda in the register refer to 'plague' in August and September 1645 as well as in 1647-1648.<sup>86</sup> This dislocation, combined with the depredation of the town in the civil war, is another reason for not extending the analysis beyond 1650.

At this point it is also pertinent to describe the topography and character of the town, to elucidate the intermixture and inter-relationship of urban and rural work. The large parish contained not only the town, but also a rural environment. Although incorporated boroughs had their field-systems, the character of Loughborough resulted more from the later development of a town within a large rural parish. The agrarian element remained important.<sup>87</sup> In particular, the polyfocal settlement comprised hamlets at Woodthorpe and Knight Thorpe. The latter was almost entirely a rural settlement, but some industry existed in Woodthorpe, where Edmund Renold pursued the trade of maltster,

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<sup>84</sup> ROLLR DE2392/186-293.

<sup>85</sup> Nichols, *History and Antiquities*, iii, p. 893, suggested 83 burials between July 1647 and March 1648

<sup>86</sup> For previous devastation, Griffin, 'Epidemics in Loughborough, 1539-1640'. In August 1645, the memorandum in the register indicated: 'A Plague began the second day'.

<sup>87</sup> It is in evidence in the rentals of 1559: HAM Box 24 fldrs 6-7.

William Brewin was occupied as a glover, and William Loe as weaver, in 1637-1639.<sup>88</sup> The composite nature of the parish explains, furthermore, the large complement of labourers; we cannot divide them into rural or urban workers and, indeed, to do so might be mistaken, for no doubt they engaged in both forms of work, according to their needs, the temporary labour requirements of urban employers, and the seasonal aspects of rural labour. Some inhabited town space, if on the periphery, like the labourer's cottage in Hallgate near the pinfold.<sup>89</sup> Others were resident in Knight Thorpe and Woodthorpe. The number of husbandmen enumerated in Table 4.2 is further attestation to the rural environment of much of the area of the parish. Indeed, the court (baron) rolls predominantly consist of the registration of surrenders and admissions to these agrarian copyhold tenements and the rentals illustrate the extent of rural holdings. Here, however, we are less concerned with the rural appendage than with the urban centre.

It is appropriate, nonetheless, to commence with those service trades which depended on the distribution of agricultural produce. Table 4.1 enumerates the numbers of butchers, bakers, millers and maltsters recorded in the parish register between 1636 and 1650. We can, in fact, complement this information with listings of butchers, brewers, bakers and fishmongers or fish vendors in the view of frankpledge in the middle of the previous century and in the first decade of the seventeenth, as indicated in Table 4.3.<sup>90</sup>

Although superficially fines for contravention of the assizes of bread and ale and regulations about other provisioning services, the listings in the view of frankpledge constituted a licensing system. What is evident is a concentration of these activities in the town. It should be emphasized too that the common brewers were explicitly described as *uxores* (wives) of townsmen, so that the household economy does

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<sup>88</sup>ROLLR DE667/1: Renold's son baptized February 1637; Brewin's daughter buried May 1638; and Loe's son interred August 1639. For Blackfordby as a rural appendage to Ashby, Goodacre, *Transformation of a Peasant Economy*, p. 20.

<sup>89</sup>ROLLR DG9/177-178 (1576, 1581).

<sup>90</sup>HAM Box 24, fldr 5; HAM Box 25, fldr 9, pp. 5, 23-24, 73-75, 94-95, 106-107, 127, 143; HAM Box 26, fldr 1.

Table 4.1: Occupations, 1636-1650: I

Occupations	N (%all)	Occupations	N (%all)
TEXTILES		PROVISIONING	
1 COMMERCIAL		Butchers	16
Woolen drapers	3	Millers	11
Mercers	3	Maltsters	10
2 INDUSTRIAL		Bakers	10
Weavers	19	Alemen	4
Curriers	4	Victuallers	3
Dyers	2	Innkeepers	2
Jersey comber	1	Cooks	2
Silk weaver	1	<i>Aquavita</i> man	1
Shearman	1	Fisherman	1
Total	34 (7.3)	Salter	1
		Vintner	1
		Ostler	1
		Total	63 (13.4)

surface in this capacity. The locational advantages of Loughborough were conducive to the flourishing of these sectors: the intersection of wolds, Soar valley and its flood plain (meadows), in particular, as well as the concentrations of population, extending from Loughborough to Quorn, Barrow, Sileby and Mountsorrel.

Butchers were, indeed, attracted from other parishes to trade in the town: in 1559 two butchers registered in the view resided in Melton; in 1565 the list of butchers included those from Wymeswold, Seagrave, and Sileby. In the early seventeenth century, the listing of butchers in the view of frankpledge twice divided butchers into indigenous and foreign (outsiders: *laniatarii forinseci*). There was an influx of foreign butchers to sell meat in the town. In 1608, half the butchers were amerced 1s. each for opening up their windows on the sabbath and setting up open stalls on stones in the street.<sup>91</sup> In the following year, seven were adjudged to have sold 'murren beef & filthy bad mutton.'<sup>92</sup> In 1625,

<sup>91</sup> HAM Box 25, fldr 9, pp. 94-95 (*staciones aperte super lapides*).

<sup>92</sup> HAM Box 25, fldr 9, p. 127.

Table 4.2: Occupations, 1636-1650: II

Occupations	N (%all)	Occupations	N(%all)
SERVICES/CRAFTS		LEARNED SERVICES	
Shoemakers	43	Law	4
Tailors	37	Apothecaries	2
Carpenters	19	Surgeon	1
Tanners	12	Schoolmaster	1
Fellmongers	11	Total	8 (1.7)
Smiths	11	STATUS HIERARCHY	
Glovers	9	Mr/gent	11
Chandlers	6	Total	11 (2.4)
Ironmongers	5	OFFICERS	
Wheelwrights	5	Bellman	1
Saddlers	5	Neatherd	1
Coopers	4	Parish clerk	1
Carriers	4	Swineherd	1
Masons/slater	4	Bailiff	1
Glaziers	3	Warrener	1
Chapmen	3	Woodward	1
Milliners	3	Pinder	1
Painters	2	Total	4 (<1)
Cardmaker	1	AGRICULTURAL	
Matmaker	1	Husbandmen	36
Nailer	1	Shepherds	12
Pursemaker	1	Ploughwrights	2
Ropemaker	1	Grazier	1
Barber	1	Gelder	1
Bookseller	1	Horsebreaker	1
Coachman	1	Total	53 (11.3)
Dishmender	1	URBAN/RURAL	
Piper	1	Labourers	98
Turner	1	Total	98 (20.9)
Gardener	1	ALL	469 (100)
Total	198 (42.2)		

Table 4.3: Licensed trades: view of frankpledge: 1559-1565, 1607-1610

View	Bakers	Brewed+	Butchers*	Fishmongers
1559	19	40	10	4
1560?	25	34	20	4
1564	23	33	22	6
1565	25	33	25	?
1607 April	?	45	34	7
1607 Oct.	?	40	31	8
1608 April	?	38	?	?
1608 Oct.	?	24	30	4
1609 April	10	63	34	4
1609 Oct.	9	45	?	?

Robert Cawthorne was found to have sold spoiled meat and fined 3s. 4d., but more seriously, since he was amerced £2, George Benskin was accused of the sale of spoiled pork, commonly called ‘Meazell porke’.<sup>93</sup>

Unusually, it is from this trade that we recover some insight into the work experience of women, although confined to widows. The widow Alice Waythe continued to engage in the butcher trade of her late husband. She was listed amongst the butchers each year in the view between 1559 and 1563. In 1564, she was presented in court for keeping a shop in the market place from which she sold meat.<sup>94</sup> Women participated too in baking bread, comprehending in 1559 Joan Glosse, widow; 1560 Glosse again, Agnes Cutler, Mary Applyarde and Margery Nocton, widow; in 1564 Joan Smyth, Mary Barfoote, and Cecily Nocton; and in 1565 Glosse, Applyarde and Margery Nocton again.<sup>95</sup> In 1560, Waythe was responsible for overstocking the commons with her horses, as did Emmota Cawdewell, widow, with oxen, and Agnes Blower and Isabella Andrew with sheep. Uncharacteristically, the register contained a comment on another woman trader, Besse the maltster, when her daughter

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<sup>93</sup>HAM Box 26, fldr 1.

<sup>94</sup>HAM Box 24, fldr 5: *Alicia Waythe vidua Custodit unam shopam in foro ibidem* ... In this instance, however, she might have been instructed not to sell from her shop.

<sup>95</sup>When Applyard was buried in August 1581, a memorandum added ‘somytyme barfot’ – i.e. of the Barfoot kinship.

was buried in June 1610.

The views of frankpledge in the early seventeenth century obfuscate the bakers and it is difficult to establish that the activity became more concentrated, although that ostensibly seems to be so. Most of the tenants were still required to resort to the common bakehouse. This imperative was reiterated by an ordinance at the turn of the century which commanded all copyholders to bake their bread in the 'common backehouse'.<sup>96</sup> The common baker was seriously fined in the early seventeenth century to the tune of 6s. 8d. for not observing customary expectations for he 'did not sett in the bread of the husbandmen and Cottyers before the small bread.'<sup>97</sup>

Brewing and baking were not, of course, full-time activities, so many people involved in other trades also engaged in the production of bread, but more particularly ale. The numbers of people fined for brewing reflect that sideline. Occasionally, moreover, those fined for brewing were ascribed another occupation in the court roll: William Hebbe, ironmonger; Robert Hollyday (Hallyday), cutler; and Woolley the weaver; for example.<sup>98</sup>

We should not misconstrue this association of a large sector of Loughborough's work with the countryside and the intersection of rural with urban as reflecting *urbs in rure* as has been illustrated for some other small towns and market towns, such as, at the other end of the county, Lutterworth. Loughborough did not pertain to that category of small towns totally embedded in the countryside. It certainly benefited from its location at the intersection of three *pays*: Wolds; Forest; and river valley. Exchange of rural produce between these entities had probably been its original *raison d'être*. Through the later middle ages, that relationship to its hinterland continued to further its development. From the early sixteenth century, however, its further rapid development was also associated with wool, woollen cloth, and a small industrial base (textiles). No subsequent merchant of Loughborough replicated the commercial status in the wool trade as Lemyngton and Burton who had been merchants of the Calais Staple, but the town

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<sup>96</sup>HAM Box 25, fldr 3, p. 9.

<sup>97</sup>HAM Box 25, fldr 9, p. 71. The common bakehouse was probably the *domus fornac'* or kill house next to the churchyard: HAM Box 25, fldr 9, p. 5.

<sup>98</sup>HAM Box 25, fldr 9, pp. 5, 95, 106.

still sustained drapers, and, especially, numerous weavers. The industrial element was also expanded by the prolific numbers of shoemakers, tailors, and also carpenters and smiths/ironmongers.<sup>99</sup>

The distinction that has sometimes been made between pre-industrial and post-industrial labour regimes mentioned in the introduction requires some further little revision. Although some trades, particularly textile workers, were doubtless accustomed to task work and remuneration, day rates sometimes prevailed for skilled as well as unskilled workers. Day rates of pay proliferated through the churchwardens' accounts, with the standard skilled wage at 1s. per day (occasionally 1s. 6d.) and the regular unskilled rate of 6d. per day.<sup>100</sup> The unskilled labourers repairing the stone bridges offered their services for 6d. per day, like Poole who laboured there for five days for 2s. 6d or Randolph Blackshawe who constantly worked at this and that for this rate.<sup>101</sup> A few others were deemed worthy of an enhanced wage of 8d. per day, like the four men who each spent two days scouring the Rushes.<sup>102</sup>

As far as differentials were concerned, remuneration was the principal criterion. It is manifest when a skilled artisan brought along a small team. For example the mason, Richard Charnocke, was recompensed for seven and a half days of work at 7s. 6d., but his 'man' with 6s. 3d. and his labourer for 5s., both for the same amount of time: differential rates of 1s., 10d., and 8d. (by this time the labourer's rate occasionally extended to 8d. rather than 6d.).<sup>103</sup> In 1625, whilst Thomas Wamsley received the highest rate, his 'man' laboured for the daily rate of 10d., and Wamsley's son for 8d. per day (the last 20d. for two and a half days).<sup>104</sup> Whether it was artifice or not, even the repair of a church seat by John Robinson, a casual worker, was construed as half a day of work for 6d. in 1637.<sup>105</sup> William Looe was often paid on a daily

<sup>99</sup>L. A. Clarkson, 'The leather crafts in Tudor and Stuart England', *Agricultural History Review* 14 (1966), pp. 25-39.

<sup>100</sup>ROLLR DE667/62, fos 16v-17r, 20v, 23r-v, 27v, 31r, 38v, 43r, 51v, 54v, 56r, 57v, 60v, 65r, 71r, 75r, 78r, 88r, 92v, 93v, 95r, 100r, 107r, 108r, 130r-v, 131r, 135v, 136v, 141r, 146r, 153r, 156v-157r, 160v, 173r-v, and especially 178r.

<sup>101</sup>ROLLR DE667/112, fo. 11v and passim.

<sup>102</sup>ROLLR DE667/112, fo. 10v.

<sup>103</sup>ROLLR DE667/62, fo. 136v. For a skilled rate of 1s. 6d., ROLLR DE667/62, fo. 157v.: William Warde receiving 22s. 6d. for 15 days in 1635.

<sup>104</sup>ROLLR DE667/62, fo. 135v.

<sup>105</sup>ROLLR DE667/62, fo. 173r.

basis for carting stone from the Forest, but on other occasions at the piece rate of 15d. per load, as for example seven loads transported in 1606.<sup>106</sup>

Indeed, task work was as frequently associated with the skilled workers, masons or tilers and carters. Lambley, when he paved at the bridges, contracted for 2d. per yard.<sup>107</sup> Another 80 yards of paving was completed by Fosterd at the same rate in 1606.<sup>108</sup>

Although not confined to urban places, the concentration of higher-status practitioners ('learned services') in towns has been assumed to be indicative of urban status.<sup>109</sup> Here, we decline to use the term 'professions', which might be an anachronism.<sup>110</sup> Within the category in Loughborough are encountered (as well as the clerical element, not examined here) schoolmaster, apothecaries, lawyers and attorneys, and surgeon.

The free school was established when Burton's chantry was dissolved and the proceeds diverted to the establishment of the new educational institution.<sup>111</sup> Much is appreciated about the most longevous of the initial schoolmasters, John Dawson.<sup>112</sup> Shortly after his arrival, he married the local Elizabeth Sarson, in November 1567. He had been preceded by John Sharpe who was buried in the parish in September 1558. Successors to Dawson included Mr Atkinson and Richard Laughthenhouse, and, after those two, Mr Robert Wilde who was buried in the

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<sup>106</sup>ROLLR DE667/112, fo. 21v.

<sup>107</sup>ROLLR DE667/112, fo. 11v.

<sup>108</sup>ROLLR DE667/112, fo. 22r.

<sup>109</sup>See also Goodacre, *Transformation of a Peasant Society*, pp. 214-16.

<sup>110</sup>See the very sensitive adjudication by M. Pelling, 'Medical practice in early modern England: trade or profession?', in *The Professions in Early Modern England*, ed. W. Prest (Beckenham, 1987), pp. 90-128, repr. as 'Trade or profession? Medical practice in early modern England', in her *The Common Lot: Sickness, Medical Occupation and the Urban Poor in Early Modern England* (London, 1998), pp. 230-258; and D. Cressy, 'A drudgery of schoolmasters: the teaching profession in Elizabethan and Stuart England', in *Professions in Early Modern England*, ed. Prest, pp. 129-153. Both address the ambiguities which existed. It is important to differentiate the rhetorical literature and the practice. See also R. O'Day, *The Professions in Early Modern England, 1450-1800* (Harlow, 2000).

<sup>111</sup>Nichols, *History and Antiquities*, iii, pp. 895-896.

<sup>112</sup>A. White, 'A Leicestershire schoolmaster: John Dawson of Loughborough, 1540-1615', *Durham Research Review* 4 (1963), pp. 62-67.



parish in February 1644.<sup>113</sup> As indicated above, in the late sixteenth and early seventeenth century, the schoolmaster's stipend amounted to £10 13s. 4d. per annum, delivered by the bridgemasters. Lawyers and apothecaries arrived in the town later, not until the seventeenth century. In March 1632, the apothecary George Parker was interred in the parish. The apothecary James Cooper had settled in the town by September 1636 when his daughter Jane was baptized. Later to establish themselves were Thomas Machun or Macham, apothecary, there by July 1641 and the surgeon Robert Skelson, there by June 1642, according to the parish register.

First in evidence of the identity of the lawyers was Thomas Cattell, attorney-at-law, established by September 1638. In May 1642, Sarah, the wife of Mr William Aston, lawyer, was buried, and Mr Thomas Martin, lawyer, had arrived by April 1648. Loughborough was certainly the venue for taking examinations and depositions in litigation, particularly that initiated by the Herricks of adjacent Beaumanor, not least because the lordship of Beaumanor included Woodthorpe.<sup>114</sup> Examinations and interrogatories were taken in the town in 1613, 1616 and 1634-1635.<sup>115</sup> In 1641 a commission of the Court of Requests was held in the town.<sup>116</sup> As noted above, Loughborough was also a venue for quarter sessions. The regular work of the manorial court and view of frankpledge, nonetheless, demanded the presence of an attorney. The court was attended by the attorney alongside the steward, bailiff, and sergeant in the early seventeenth century if not before then.<sup>117</sup>

One category that should be examined in a little detail is gentle status, or, at least, those to whom the register applied the epithet Master.<sup>118</sup> This sector is important not for its own contribution to urban work, but as potential clients of workpeople and consumers of produce and products. It also involved, of course, pretensions to higher

<sup>113</sup>For the schoolmaster's stipend, see above.

<sup>114</sup>ROLLR DG9/2343-2345, 2818 (1653, 1663): the lordship embraced Woodthorpe and Shelthorpe, both in the parish of Loughborough.

<sup>115</sup>ROLLR DG9/2005 (1613, *ex parte* Herrick); DG9/2270 (litigation by Thomas Rawlin and other inhabitants of Woodhouse and Woodhouse Eaves, 1616); DG9/2276-2277 (1634-1635); DG9/2283 (Herrick v. Boardman et al., 1641).

<sup>116</sup>ROLLR DG9/2281.

<sup>117</sup>ROLLR DE667/112, fo. 36r.

<sup>118</sup>Goodacre, *Transformation of a Peasant Society*, pp. 214-216.

status, not least with the formation of an urban 'middling sort'.<sup>119</sup> Even by the middle of the seventeenth century, however, that process of status inflation had not proceeded far in Loughborough. Through the almost hundred years 1538 to 1636, fewer than 30 males mentioned in the register were attributed the title Mr or gent.<sup>120</sup>

In fact, Loughborough was frequented by those of genuine gentle status which contributed to opportunities for work. Many of the affairs of the Herricks of Beaumanor were conducted through Loughborough.<sup>121</sup> The Babingtons of Rothley acquired property in the town in the seventeenth century.<sup>122</sup> The Skipwiths held lands by knight service in Loughborough as well as Cotes, Prestwold and Hoton.<sup>123</sup> The Skipwith element contained Knight Thorpe from the 1620s to 1641, when it passed through Henry's daughter Jane.<sup>124</sup> Loughborough Park continued to be the place of residence of the gentle Willocke family.<sup>125</sup> The Park itself, however, had belonged to the Hastings family since it escheated in 1554 on the arraignment of the Greys.<sup>126</sup> The proximity of Hastings did not dominate the town as at Ashby.<sup>127</sup> Sir George regularly, however, had his children baptized in the parish church of Loughborough.<sup>128</sup> The proximity of their houses provided further op-

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<sup>119</sup>See the essays in J. Barry and C. Brooks, eds, *The Middling Sort of People: Culture, Society and Politics in England, 1550-1800* (Basingstoke, 1994), especially K. Wrightson, "Sorts of people" in Tudor and Stuart England' (pp. 28-51) for the chronology of the contemporary terminology. It is not quite clear to what extent this emphasis on contemporary usage has displaced Everitt's urban 'pseudo-gentry'.

<sup>120</sup>Atkinson; Spicke; Edmund; Woodmansey; Cateline; Draper; Cawdwell; Culmer; Chard; Lasselles; Willock; Davis; Villers; Poulson; Jordon; Barfoote; Peach; Holt; Dawson; Henshaw; Darbye; Neale; Cliveland; Davenport; Brocke; and Skipwith. Additionally, buried in the parish in November 1605, Mr John Smalley, who had officiated as steward of the manor for about 30 years. Sir George Hastings is noted below.

<sup>121</sup>Bodleian Library MS. Eng. Hist. c.476, fo. 32; c.477, fos 122-123, 166; c.482, fos 111-112 (1594-[1622]).

<sup>122</sup>ROLLR 2D31/10, 17, 19, 27, 40-41, 78, 87, 93, 103-107.

<sup>123</sup>Nichols, *History and Antiquities*, iii, p. 886.

<sup>124</sup>Nichols, *History and Antiquities*, iii, p. 906; HAM Box 26, fldr 1: Henry Skipwith esquire, free tenant at Knight Thorpe, fined 6d. for default of suit of court (1625).

<sup>125</sup>ROLLR DG9/5.

<sup>126</sup>Nichols, *History and Antiquities*, iii, pp. 886-887.

<sup>127</sup>Moxon, 'Ashby-de-la-Zouch'.

<sup>128</sup>ROLLR DE667/1: Jan. 1579 dau. Dorothy (a locally prolific forename) bap-

portunities for work for local crafts and trades.

One survey of the manor thus contained a separate section for the lands, meadows, pastures and mills in the tenure of Sir George Hastings. The total rent amounted to £101 10s., comprising £20 for the capital messuage called Lemyngton's House, the Conygre and two meadows; £4 13s 4d for the close of meadow called the Ten Acres (3a. of which were reserved for deer in the new park); £14 13s. 4d. for Cotes Hern consisting of 22a. of best meadow at the rate of 13s. 4d. per acre; £1 13s. 4d. for ten leas; 10s. for Bramsholme; £40 for the Soar mills and the holmes; and £20 for the malt mill.<sup>129</sup>

The involvement of the Skipwiths with the town, other than for provisioning, was sporadic. The countess authorized William Skipwith, knight, to preside over her franchisal court with the assistance of her steward in the early seventeenth century.<sup>130</sup> Importantly, he, with George Belgrave, esquire, and Dr John Chippingdale, with the advice of the steward, presided over the court which accepted the 'recognitions' of all free tenants holding copyhold land at the turn of the century.<sup>131</sup> When not so engaged, however, he constantly defaulted from his suit to the court, as did other resident gentry such as his kinsman, Henry Skipwith, esquire, and Edward Calton, gent.<sup>132</sup> Other men described as gentlemen were engaged more actively in the administration of the town. Hugh Maskall gent. acted as one of the streetmasters in the early seventeenth century. Streetmasters were appointed for each of the principal streets to enforce its proper cleanliness. Maskall supervised Baxtergate where he had a messuage which he later alienated.<sup>133</sup>

The gentleman who participated most in the affairs of the town was Robert Henshawe, consistently described as gent. when he was

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tized; Jan. 1609 son Nathaniel baptized, but buried in Aug. 1611; May 1614 dau. Elizabeth baptized; Oct. 1616 son John baptized; Jul. 1619 son Samuel baptized; Apr. 1622 dau. Dorcas baptized. In July 1587 Mr Henry Hastings married Mistress Willoughby in the parish church.

<sup>129</sup>HAM Box 25, fldr 4, p. 29.

<sup>130</sup>HAM Box 25, fldr 3, pp. 38-39, 43, 47, 49, 52, 76, 80, 101-103; HAM Box 25, fldr 6 (1606); HAM Box 25, fldr 9, pp. 6, 33, for example

<sup>131</sup>HAM Box 25, fldr 3, pp. 43 (*Curia Recognicionum terram [sic] liberorum tenentium quam tenent per Copiam Rotuli Curie per Indenturam ad terminum vite & Annorum necnon ad voluntatem prenobilis Dominae*), 47, 49, 52, 58.

<sup>132</sup>HAM Box 25, fldr 9, p. 107, for example.

<sup>133</sup>HAM Box 25, fldr 9, pp. 21, 47.

mentioned in the court rolls of the manor (see above, Chapter 3). The Villers family had been actively engaged in the land market in the town in the late sixteenth century. Margaret Villers held a tenement at the head of the market place and four shops in copyhold tenure and another shop and a croft called Dexters Thinge. She had consequently invested in copyhold tenure in the town and the second life of the three lives of the tenure belonged to Thomas Villers. It should be explained at this point that copyhold for three lives was the dominant tenure for both urban and rural land in the manor.<sup>134</sup> Other gentry were attracted to the town to some of the larger mansions, in particular that commonly known through the sixteenth and seventeenth centuries as Lemington's House, the former residence of the wool merchant, William Lemington. This large structure was held in copyhold tenure successively by Robert Wyeth, gent., William Peach, gent., and in the early seventeenth century by Edward Fynniss, gent.<sup>135</sup> Fynniss was retained by the countess as her gentleman servant and this 'cottage and garden' called Lemington's House provided his base in the town.<sup>136</sup> The house was located on the periphery of the built-up part of the town, on its edge at Sparrow Hill.<sup>137</sup> Peach later moved out to the hamlet of Woodthorpe for which he was entered on the *inquisicio* in the early seventeenth century as Henry Peach, gent.<sup>138</sup> He also served as an affeeror for the hamlet.<sup>139</sup> The indigenous Tysley family ascended locally to respect as gentle status. By 1623, it was natural for the petitioners after the great fire of Loughborough to address Mr Edmund Tysley.<sup>140</sup>

The development of Loughborough in the late sixteenth and early seventeenth centuries—despite the vicissitudes of endemic sickness and civil strife—presents a different picture of the circumstances of small towns. This urban place contained more of the industrial processes identified by Goose. Overall, moreover, despite the rural element of the parish, the urban centre exhibited a greater density of crafts and trades than in other Leicestershire small towns because of its more

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<sup>134</sup>HAM Box 25, fldr 4, pp. 5-6; HAM Box 25, folder 5, p. 7.

<sup>135</sup>HAM Box 25, fldr 3, p. 115.

<sup>136</sup>HAM Box 25, fldr 3, p. 41.

<sup>137</sup>HAM Box 25, fldr 9, p. 35.

<sup>138</sup>HAM Box 25, fldr 9, pp. 91, 141.

<sup>139</sup>HAM Box 25, fldr 9, p. 141

<sup>140</sup>HAM Box 25, fldr 13.

rapid expansion. We have a different character of early-modern small urban place. Indeed, the town attracted some of those specialist trades not yet clearly evident in the other urban centres: glaziers in particular. Through the churchwardens' accounts we are able to perceive how 'public works' might have sustained both craftsmen and casual labourers for at least part of their livelihood. The character of the work of urban labourers is also illustrated, confirming what is known from larger, incorporated boroughs. Although remaining unincorporated until the late nineteenth century, the town was beginning to occupy an intermediate place in the urban hierarchy above small market towns, but below incorporated county boroughs, reflected in the work and working practices of its residents.

## Chapter 5

# Land and tenure

The hundred years between 1540 and 1640, traditionally defined as ‘Tawney’s century’, were associated with disruption, instability and formative transformations and transitions in landholding, estates and the land market. The accretion of monastic lands acted as a catalyst on the land market from 1536-1540 onwards, advancing the fortunes of some, identified by Tawney as the enterprising gentry.<sup>1</sup> An historiographical converse of the ‘rise of the gentry’ was the perceived ‘crisis’ of the aristocracy, restricted in its ability to respond to the inflationary pressures which accelerated from 1540.<sup>2</sup> More recently, a transformation in landed fortunes has been interpreted as the genesis of ‘agrarian capitalism’, by which the most precocious landlords and some of their tenants invested in and expanded their landholdings, exploiting their rural bases more efficiently.<sup>3</sup> Tensions consequently ensued in the relationship be-

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<sup>1</sup>For moral and pragmatic influences on the gentry’s management of their estates, F. Heal and C. Holmes, *The Gentry in England and Wales 1500-1700* (Basingstoke, 1994), pp. 112-116. For the impact of internal and external conditions on the fortunes of gentry families just to the south of Leicestershire, M. E. Finch, *The Wealth of Five Northamptonshire Families 1540-1640* (Northamptonshire Record Society xix, 1956).

<sup>2</sup>For a succinct recapitulation, C. G. A. Clay, *Economic Expansion and Social Change: England 1500-1700 I People, Land and Towns* (Cambridge, 1984), pp. 142-158.

<sup>3</sup>R. Brenner, ‘Agrarian class structure and economic development in pre-industrial Europe’, in *The Brenner Debate: Agrarian Class Structure and Eco-*

tween landlords and (some of) their tenants, particularly the latter who held by the customary tenure of copyhold.<sup>4</sup> The context has been described as a conflict between custom and improvement which involved a contest over custom.<sup>5</sup> The issues of rural landholding during these three or four generations thus extend to the condition of the 'peasantry', the ability of landlords to adapt or exploit and the nature of seigniorial policy, the stratification of landholding within the 'peasantry' through engrossing and consolidation of holdings, consequent to their activity in the local land market, and the persistence or otherwise of landholding dynasties and networks.<sup>6</sup> One simple introductory comment may be made about transactions in real estate in the sixteenth and seventeenth centuries: the market was fluid in general and in Loughborough in particular.<sup>7</sup> A high volume of transactions in land remained a feature. It is

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*nomic Development in Pre-Industrial Europe*, ed. T. H. Aston and C. H. E. Philpin (Cambridge, 1985), pp. 10-63. For some examples of consolidation of holdings—agglomerations—J. P. Cooper, 'In search of agrarian capitalism', in *The Brenner Debate*, ed. Aston and Philpin, pp. 153-154. J. Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk 1440-1580* (Oxford, 2000). For a specific example of the sort of conflict which might ensue between lord and copyhold tenants, P. Edwards, 'The decline of the small farmer: the case of Rushock, Worcestershire', *Midland History* xxi (1996), pp. 80-82.

<sup>4</sup>For an eloquent re-statement of the significance of custom, A. Wood, *The Politics of Social Conflict: The Peak Country 1520-1770* (Cambridge, 1999), pp. 127-137; Wood, 'Custom and the social organisation of writing in early modern England', *Transactions of the Royal Historical Society* 6th ser. 9 (1999), pp. 257-269. The most succinct explanation of copyhold and its relationship to the custom of the manor remains A. W. B. Simpson, *A History of the Land Law* (second edn, Oxford, 1986), pp. 144-172.

<sup>5</sup>R. W. Hoyle, 'Introduction: custom, improvement and anti-improvement', in *Custom, Improvement and the Landscape in Early Modern England*, ed. Hoyle (Farnham, 2011), pp. 4-5, 16; H. Falvey, 'The articulation, transmission and preservation of custom in the Forest community of Duffield (Derbyshire)', in *Custom, Improvement and the Landscape*, ed. Hoyle, pp. 69-73.

<sup>6</sup>For an overview, Clay, *Economic Expansion and Social Change*, pp. 53-101. On risk, K. Wrightson, *Earthly Necessities: Economic Lives in Early Modern Britain* (New Haven, CT, 2000), pp. 182-190.

<sup>7</sup>The character and volume of these transactions varied by region and *pays*; compare, for example, M. Zell, *Industry in the Countryside: Wealden Society in the Sixteenth Century* (Cambridge, 1994), pp. 10-51, where the dominant regime was smallholdings, fragmentation, and partible inheritance. In the south of Leicestershire, conditions were not dissimilar to those in Loughborough, nor entirely consistent: C. Howell, *Land, Family and Inheritance in Transition: Kibworth Harcourt 1280-1700* (Cambridge, 1983); J. Goodacre, *The Transformation of a Peasant Econ-*

with the structure of 'peasant' landholding and landlords' estate policy in the parish of Loughborough that this exploration is concerned. By 'structure' is intended here the contextual constraints on landholding in the early-modern Midlands: those factors in the relationship between lord, tenant, and tenure which governed much of the accumulation of and relationship to the land.<sup>8</sup> The counterpoint is the fluidity of the land market, partly constricted by considerations of inheritance and the family, but also exhibiting some volatility between 1540 and 1640, as land moved both outside and inside the family.

The 'structure' of landholding in Loughborough was dominated by the lordship of the Hastings family. A smaller estate belonged to the feoffees of the Bridge Trust, which administered its lands for the maintenance of the main bridge, smaller bridges and planks, and from 1547 the school. Some gentry houses were situated in the rural part of the parish, but the principal landlords which influenced tenant right were the Hastings and the bridgemasters. As will be explained below, these two landholders adopted different policies of estate management, determined to some extent by their historical development. The lordship of the Hastings family conformed to the obligations imposed by manorial development and the relationships between lords and tenants, customary and free. In contrast, the feoffees had greater flexibility in the management of their lands, unrestricted by manorial custom.

The tenurial complications of the parish can now be described. By far the largest amount of land was held in copyhold of the manor of the Hastings family, both rural land in the parish and tenements in the urban centre. Indeed, inhabitants holding tenements in the urban centre could be defined as rural since their economic interest was in the rural lands in the commonfields associated with their urban-located tenement. The general terms of the copyhold were denominated in a survey of October 1620: customary tenants holding by copy of the court roll at the lord's will according to the custom of the manor and their ancient customs used within the manor.<sup>9</sup>

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*omy: Towns, People and Villagers in the Lutterworth Area 1500-1700* (Aldershot, 1994).

<sup>8</sup>Obviously missing from this account of landholding are labourers, for whom see now C. Muldrew, *Food, Energy and the Creation of Industriousness: Work and Material Culture in Agrarian England, 1550-1780* (Cambridge, 2011).

<sup>9</sup>HAM Box 25, fldr 11, p. 3.



All transactions in copyhold land—including those tenements held in the urban centre—were necessarily by surrender and admission in the manorial court. The process and its implications may be illustrated by an example. At the turn of the century, Robert Swifté surrendered into the lord's hands in the court a messuage and three cottages in Hallgate and a virgate of land . . . *Ea mente intencione et spe* (by this intent, purpose and hope/desire) . . . that admission be granted to Magnus Barfote, Robert Barfote, and Magnus's wife Dorothy to hold by copy of the court roll for their lives and the life of the longer liver . . . *Ad voluntatem Domini secundum Consuetudinem manerii predicti* (at the lord's will according to this manor's customs), for the defined annual rent (just over 20s.) and remitting an entry fine of £8.<sup>10</sup>

The language of the surrender and admission deserves some comment: it was much more complex than in other manorial courts, which were satisfied with the more usual formula of surrender *ad opus* (to the use of) another tenant. The convoluted diplomatic for Loughborough copyhold emphasized the active role of the lord in allowing and permitting the transaction. The verbosity was intentional and rhetorical. The terms of the tenant's request were presented as a supplication. The other, more normal, aspect of the copyhold transaction was the custom which had evolved of copyhold tenure for three named lives, pervasive and without exception in the manor. Copyholds were held not by inheritance, but for three named lives, after which they 'fell in' (reverted to the lord).

Excluding the institutional free tenants such as the Feoffees,, at the end of the sixteenth century 37 inhabitants held some land by free tenure, including four designated gent.: Samuel Aylmer, Edward Nixe, Thomas Villers and George Willock.<sup>11</sup> Although Robert Henshawe was elsewhere described as gent., that title was omitted in this particular listing. About half of the bridge feoffees appeared as individuals in this list of free tenants. Just under a third of these free tenants held a cottage; at the other end of the scale one held a messuage and a virgate and another a messuage and one and a quarter virgates.<sup>12</sup> About a third held what were described as tenements or messuages without any

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<sup>10</sup>HAM Box 25, fldr 3, p. 38.

<sup>11</sup>HAM Box 25, fldr 3, pp. 19-21.

<sup>12</sup>HAM Box 25, fldr 3, pp. 24-30.

further specification. Three held shops. The variety of free holdings was thus dispersed across a wide spectrum.

Despite a formal, legal distinction between the categories of copyhold and freehold, actual tenurial arrangements did not observe such a clear classification. The potential for admixture is reflected in the description of some holdings in surveys around the end of the sixteenth century:

*Curia Recognicionum terram [sic] liberorum tenentium quam tenent per Copiam Rotuli Curie per Indenturam ad terminum vitae & Annorum necnon ad voluntatem pre-nobilis Domine ...*

[Court of recognitions about free tenants' land which they hold by copy of the court roll by indenture for term of life and years as well as at the honourable lady's will]<sup>13</sup>

Hybrid tenures rendered the theoretical distinction ambiguous.

Ignoring for the moment these differences of tenure, the economic (as opposed to legal) 'structure' of landholding can be elicited from the several surveys conducted at the very end of the sixteenth and early in the seventeenth century. The most comprehensive appears to be the court of survey of 6 October 1620.<sup>14</sup> Although there are other listings of tenants, they are confusing and appear to be incomplete.<sup>15</sup> The hierarchy of holdings is tabulated below (Table 5.1). This table omits multiple cottages held by substantial tenants, since they were included at the head of the tenemental 'structure' with their conventional yardlands. The tenements of the bridge feoffees *cum* Bosworth School are also excluded, as the table is concerned with individual tenants, not institutional ones. Where the number of yardlands only is specified in the table, the tenants also held messuages and tenements in the urban centre, but the concentration here is on their rural landholding.

In the description below, the technical terms yardland and virgate are synonymous (here 26 acres) and similarly oxgang and bovate (here merely nine acres, it seems, rather than the conventional half of a vir-

<sup>13</sup>HAM Box 25, fldr 3, p. 43.

<sup>14</sup>HAM Box 25, fldr 11, esp. pp. 1-2.

<sup>15</sup>HAM Box 25, fldr 4; HAM Box 25, fldr 5.

Table 5.1: Stratification of landholding, *c.*1620

Size of holding	Number of tenants
4 yardlands	1
3 yardlands	2
2 yardlands	2
1.5-1.75 yardlands	2
1 yardland	11
0.5 yardland	14
3 tenements	1
2 tenements	4
1 tenement	13
1 messuage	12
1 cottage	80
1 shop	7

gate).<sup>16</sup>

At the apex of the hierarchy persisted some families that accumulated status and position in the manor and parish in the late sixteenth and early seventeenth centuries. These kinships provided the members of the feoffees, the highest station of social honour in the parish. Robert Henshawe, for example, in 1607 occupied a messuage and yardland.<sup>17</sup> Whether he retained them or not, the following also passed through his hands: three cottages; a messuage, yardland and garden; a messuage (converted from a barn) in Baxtergate and a bovate; and a cottage and garden at Fishpool Head.<sup>18</sup> Additionally, Dorothy Henshawe possessed a messuage, two crofts, two yardlands, meadow and other lands.<sup>19</sup>

Magnus Barfote, acquired a tenement in Churchgate and a bovate in copyhold for three lives and, separately, a cottage.<sup>20</sup> At one stage, he also acquired a messuage and three cottages in Hallgate and a virgate,

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<sup>16</sup>For the size of the yardland or virgate, HAM Box 25, fldr 11, p. 19; for the bovate or oxgang, HAM Box 25, fldr 9, p. 14.

<sup>17</sup>HAM Box 25, fldr 9, p. 11.

<sup>18</sup>HAM Box 25, fldr 9, pp. 49, 192; HAM Box 25, fldr 11, pp. 1, 8.

<sup>19</sup>HAM Box 25, fldr 11, pp. 6-7.

<sup>20</sup>HAM Box 25, fldr 3, pp. 105-106; HAM Box 25, fldr 9, pp. 8, 10.

all in copyhold.<sup>21</sup> Barfote was one of those in the advantageous position of accumulating miscellaneous lands, leased lands, and dis-parked lands, for which a premium was usually demanded. In 1614, he assumed three acres of meadow, two acres of leas, and another acre for 21 years at a rent of £3 2s. 6d. and entry fine of £2 6s. 8d. With his associate, Tisley, a feoffee, he invested in the moiety of a close of meadow, with leas and arable, for the same term, at a rent of £6 11s. 0d. and a fine of £50. Simultaneously—still in 1614—he took on his own a lease of the close called Weydon, for a rent of £8 18s. 4d. and entry fine of £10. His intervention in the land market may have been inspired by commercial enterprise, for he assigned the first lease to John Dixon, his interest in the second one to Luke Melborne, and the third (Weydon) to William Salte. In addition, in the same dispersal of land by the earl in 1614, Barfote accepted a lease of other leas, meadow and lands, of a very disparate nature, for a rent of £3 6s. 8d. and fine of £6 13s. 4d.<sup>22</sup> Although a tanner, Barfote thus invested in the land market.<sup>23</sup>

Besides belonging to the honorific network of the feoffees, Edmund Tysley pertained to an influential kinship in Loughborough. He on his own was admitted to a messuage, barn, and orchard in the marketstead with its associated two virgates of land and a parcel of waste—one of the largest holdings in the manor and parish, for which he accordingly proffered a large entry fine of £18. Significantly, one of his pledges for this transaction was Magnus Barfote. Shortly afterwards, Tysley disposed of his messuage on Sparrow Hill and its appurtenant bovate. As well as acquiring a substantially larger holding, he also migrated from the periphery of the urban area to its central precinct in the market place.<sup>24</sup> His relatives were equally assiduous: John Tisley, for example, in 1619 held a messuage in Woodgate with an oxgang in copyhold for three lives, whilst Bartholomew Tysley, his father, had held a messuage and bovate.<sup>25</sup>

Like Tysley, Thomas Hebbe encumbered himself with a large entry

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<sup>21</sup>HAM Box 25, fldr 3, pp. 38, 115, 116.

<sup>22</sup>HAM Box 25, fldr 9, pp. 17-20.

<sup>23</sup>HAM Box 25, fldr 3, p. 79 where he is described as tanner.

<sup>24</sup>HAM Box 25, fldr 3, p. 53; HAM Box 25, fldr 9, pp. 12-13.

<sup>25</sup>HAM Box 25, fldr 3, p. 115; HAM Box 25, fldr 9, p. 12. For other references to these Tisley holdings, HAM Box 25, fldr 9, pp. 88, 89, 157; HAM Box 25, fldr 11, p. 2.

fine (£10) to obtain a messuage in the market place, a croft and a yardland in 1604.<sup>26</sup> Similarly, he induced his associate feoffees, Robert Henshawe and Robert Woollandes, to stand as his surety as pledges when he was admitted to the land. He added to his accumulations a messuage at Fishpool Head, a close in Shelthorpe, and eighteen selions of arable. At its apogee, his landholdings comprised a messuage and its yardland, the messuage in the Marketstead, half a yardland, another messuage and croft, a tenement, and three acres of meadow.<sup>27</sup>

Another Feoffee, James Slack, had a similar extent of interest in rural lands, holding a messuage and virgate.<sup>28</sup> This standard holding he augmented in acquiring a messuage, garden, two cottages and lands.<sup>29</sup> When the court roll subsequently recorded his alienation of his copyhold messuage, barn, garden, orchard, two virgates, and small parcel of waste, and then a close and oxgang in Shelthorpe, the extent of his acquisitions becomes clearer. He also disposed of the close called Dexter's Thing,<sup>30</sup> He nevertheless received half a virgate Magnus Barfote.<sup>31</sup>

Another acquisitive feoffee was Humphrey Blower, the tenant of a messuage, cottage, and orchard in the Bigging with its associated yardland in the fields, to which he appended more land (just over four acres) and pasture.<sup>32</sup> On his admission to this copyhold, his fine was assessed at £10, for which he depended on the pledges of Magnus Barfote and Geoffrey Goodwyn.<sup>33</sup>

A tenement in the market place belonged to Geoffrey Goodwyn, where he also maintained a shop in Hucksters Row, but he also cultivated three bovates in the fields.<sup>34</sup> Although a substantial tenant, he did not attempt to increase his holdings. Much the same obtained with his co-trustee of the bridge fund, John Fowler, tenant in copyhold of a messuage in Baxtergate and a virgate, with a cottage, croft and eight

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<sup>26</sup>HAM Box 25, fldr 9, pp. 13, 38.

<sup>27</sup>HAM Box 25, foldr 11, pp. 4, 9.

<sup>28</sup>HAM Box 25, fldr 5, p. 1.

<sup>29</sup>HAM Box 25, fldr 9, court section, p. 39; HAM Box 25, fldr 11, p. 2.

<sup>30</sup>HAM Box 25, fldr 3, pp. 41, 43, 105-106.

<sup>31</sup>HAM Box 25, fldr, 3, pp. 49, 116.

<sup>32</sup>HAM Box 25, fldr 11, p. 9.

<sup>33</sup>HAM Box 25, fldr 9, p. 11.

<sup>34</sup>HAM Box 25, fldr 3, p. 104; HAM Box 25, fldr 9, p. 147.

selions of land.<sup>35</sup>

At the hierarchy of landholding in the manor thus stood individual tenants from those families which had established their superiority through a monopoly of the principal offices in the parish, the feoffees of the bridge trust. Their inter-relationship and network extended to landholding, their domination of the copyhold tenures.

A complication of the above description of landholding is, nonetheless, some ambiguity and ambivalence in the description of holdings. First, there is the relationship between 'urban' and 'rural' property within the parish. That distinction is sometimes hard to define in terms of the tenants of the land, since a proportion held property of both an urban and rural nature. Second, the terms of tenure must be more closely examined, since not only were there divergent forms of tenure (freehold, copyhold and leasehold), but some tenants naturally acquired an inter-mixture and a confusion of tenures. The issue of sub-tenancies presents another complication, one not easily resolved. It is also necessary to differentiate, with copyhold land, when the property was being alienated (outside the family) and when it was simply being surrendered for re-admission for new lives in line with changes in the family and household. Finally, there is the conundrum of what constituted a particular type of holding.

Perhaps it is easier to commence with the last difficulty first, since it is fundamental to a classification of the economic and social position of Loughborough's inhabitants. Although the hierarchy of tenements, messuages and cottages appears to reflect the social hierarchy, inaccuracy of description of holdings complicates the 'structure'. Unfortunately, the definition of holdings was not always clear. At the inception of the seventeenth century, for example, the widow Alice Shawe surrendered a cottage *per nomen unius messuagii* ('termed a messuage') in the Bigging.<sup>36</sup> In the following year, this same copyhold property was surrendered and described again as *unum Cotagium per Nomen unius messuagii*.<sup>37</sup> In the same year, John Judde surrendered a *Tenementum sive Cottagium* ('a tenement or cottage') in Highgate.<sup>38</sup> At the same

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<sup>35</sup>HAM Box 25, fldr 9, pp. 97, 136; HAM Box 25, fldr 11, p. 5.

<sup>36</sup>HAM Box 25, fldr 3, p. 48.

<sup>37</sup>HAM Box 25, fldr 3, p. 115.

<sup>38</sup>HAM Box 25, fldr 3, p. 77.

time, Clement Pettie surrendered a messuage or tenement.<sup>39</sup> When Thomas Harriman had the conditions of his copyhold renewed in 1613, the property was described as a tenement or cottage.<sup>40</sup> That copyhold tenure re-arranged by William Jackson in 1612 was defined in the same terms.<sup>41</sup> The surrender by Elizabeth Parsons in 1611 comprised her cottage or messuage in the Bigging.<sup>42</sup>

One of the most obvious confusions surrounds the former Leamyngton's House, which had been occupied by the wool merchant and Merchant of the Staple, William Lemyngton. In the sixteenth and seventeenth centuries it passed into the hands of Robert Wyeth, gent., then William Peach, gent., and then Edward Fynniss, gent. It continued, nonetheless, to be described as a cottage and garden at the east end of Sparrow Hill.<sup>43</sup>

Any attempt to resolve the matter of sub-tenancies and subletting encounters insurmountable difficulties. The response to articles of enquiry at the end of the sixteenth century professed that copyholders could sublet their tenements without the lord's licence for terms under three years and cottagers similarly for one year.<sup>44</sup> Such subletting will therefore be concealed from our view. Some of the ostensible 'alienations' of copyhold land by surrender and admission in the manorial court were probably, moreover, no more than mortgages, but certainty is impossible. It might be assumed, for example, that the continuous transactions involving William Hebbe and the White Hart inn must have involved some mortgaging of this copyhold property. We have, nonetheless, only one explicit mortgage of a copyhold tenure, when three shops at the corner of Baxtergate and Hucksters Row were mortgaged for a term of three years by surrender and admission.<sup>45</sup>

One of the facets of property holding was the accumulation of cottages into the hands of some of the larger inhabitants. At the beginning of the seventeenth century, for example, Robert Swifte surrendered a

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<sup>39</sup>HAM Box 25, fldr 3, pp. 53, 115.

<sup>40</sup>HAM Box 25, fldr 9, p. 12.

<sup>41</sup>HAM Box 25, fldr 9, p. 12. For further examples of cottages or tenements, HAM Box 25, fldr 9, court book section, pp. 16 (1), 17 (2), 44 (1), 197 (1).

<sup>42</sup>HAM Box 25, fldr 9, court book section, p. 191.

<sup>43</sup>HAM Box 25, fldr 9, p. 35.

<sup>44</sup>HAM Box 25, fldr 3, p. 9.

<sup>45</sup>HAM Box 25, fldr 3, p. 105.

messuage and three cottages in Hallgate to Magnus Barfote, for the lives of Magnus, Robert Barfote, and Magnus's wife, Dorothy, in copyhold tenure, the entry fine assessed at £8. What is represented here is the acquisition of cottages by the larger landholders to provide for accommodation for their labourers.<sup>46</sup> The entry fine reflects the level of investment Magnus was prepared to make.<sup>47</sup> Considerable capital was invested in cottages by the Newtons, such as the three cottages under one roof in Churchgate.<sup>48</sup> Four cottages in Woodgate, lately in the tenure of John Browne, were acquired by Edward Gilbert as copyhold for three lives.<sup>49</sup> The Hurt family had the copyhold of three cottages in Highgate as well as another at the west end of the town towards Burleigh.<sup>50</sup> In Hallgate, three cottages were accumulated by Clement Foulter, along with his messuage there.<sup>51</sup> It appears that John Leake held a number of cottages in Woodgate.<sup>52</sup> The first entry ascribed to him a messuage in Highgate and two cottages in Woodgate, but a marginal memorandum added another four cottages in Woodgate occupied 'in Cooler of this copie', somewhat ambiguously. Amongst the surrenders and (re-)admissions executed in the early seventeenth century, several tenants had copyhold rights in a number of cottages: William Webster in three in Highgate (1617); the Newtons in six cottages in the Rushes, one in Fennell Street, three under one roof in Churchgate, and another near Burleigh Park (acquired between 1606 and 1619); and Henry Patchet four cottages in Woodgate (1607).<sup>53</sup>

The survey of 6 October 1620 allows a better assessment of the subsequent tenure of cottages, by which time the holding of multiple cottages seems to have subsided somewhat. A few principal tenants still retained a number of cottages. Both Robert Henshawe, gent., who had three cottages, and Thomas Hebbe, with two, had substantial ru-

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<sup>46</sup>H. S. A. Fox, 'Servants, cottagers and tied cottages during the later Middle Ages: towards a regional dimension', *Rural History* 6 (1995), pp. 125-154.

<sup>47</sup>HAM Box 25, fldr 3, pp. 38, 115, 116.

<sup>48</sup>HAM Box 25, fldr 4, pp. 7, 19.

<sup>49</sup>HAM Box 25, fldr 3, p. 5.

<sup>50</sup>HAM Box 25, fldr 4, p. 8.

<sup>51</sup>HAM Box 25, fldr 4, p. 11.

<sup>52</sup>HAM Box 25, fldr 4, p. 10.

<sup>53</sup>HAM Box 25, fldr 9, p. 13; HAM Box 25, fldr 9, court book section, pp. 7, 51,



ral lands in the parish.<sup>54</sup> Henshawe, for example, held two messuages, a virgate, and a bovate of land. Ann Harrison, who held a yardland, retained three cottages.<sup>55</sup> By this time, however, the retention of multiple cottages appears to have declined. Although five tenants held two cottages each and Henshawe and Harrison three each, 73 other tenants each held one cottage. They were not necessarily all held by cottagers. Mr Browne, the parson, for example, had a cottage, no doubt to accommodate a labourer to assist his husbandry of his three yardlands.<sup>56</sup> Humphrey Blower was admitted to the copyhold of two cottages, probably to employ labourers to cultivate his considerable acreage.<sup>57</sup> Without doubt, nonetheless, the great proportion of the cottages was occupied by cottagers not retained labour.

If we consider copyhold transactions in the court in three years around 1600, 14 involved securing the tenure within the family in line with changes in the family's life-course, redefining the specification of the lives. Twenty-two others were apparently arrangements for the tenure to move outside the family.<sup>58</sup> At this point, then, there was some fluidity in the land market for copyhold land.

Considering further transactions in copyhold tenures between 1605 and 1621, just under 200 surrenders and admissions were effected.<sup>59</sup> Preponderantly the arrangements were consolidations within the family, with only some 15 percent comprising transfers outside the family, essentially alienations. The intrinsic difficulty, however, is that the Earl of Huntington invoked another recognition of copyhold tenures in 1614 which effectively just confirmed existing copyhold tenures on payment of a small entry fine (or, in this case, a recognition). The alienations as a proportion of all transactions thus attained a higher level, but further than that, transfers ostensibly outside the family were concentrated in

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<sup>54</sup>Their lands are described at HAM Box 25, fldr 11, pp. 4, 6, 8, 9: the survey of 6 October 1620.

<sup>55</sup>HAM Box 25, fldr 11, p. 7.

<sup>56</sup>HAM Box 25, fldr 11, p. 1.

<sup>57</sup>HAM Box 25, fldr 11, p. 9.

<sup>58</sup>HAM Box 25, fldr 3, pp. 102-110, 115-116. There is a certain amount of duplication as the court rolls record first the surrender and admission in one place and then an estreat (schedule) of fines in another section.

<sup>59</sup>HAM Box 25, fldr 9, pp. 1-14 and court book section. Again, some approximation is involved because of potential double recording.

the two years 1610 and 1611, which suggests that these copyhold tenants were making arrangements during or after the worst incidence of infectious disease and mortality (1609-1610).<sup>60</sup>

As mentioned, in 1614 the Earl of Huntington put into effect several new arrangements. By this process, he demanded a recognition of and from existing copyhold tenures. Additionally, however, he introduced leases for 21 years of both urban and rural holdings.<sup>61</sup> Twenty-four cottages in the urban centre were leased out in this manner. Probably all these cottages consisted of recent builds on the periphery of the urban centre, as it incrementally expanded, for they were situated in Fennell Street (one), the Rushes (nine), Woodgate (four) and Fishpool Head (six), all locations which had hitherto constituted the edge of the urban space.<sup>62</sup>

This action was a rupture with previous arrangements, since cottages, even in the urban centre, were traditionally and customarily held in copyhold tenure. The change, the replacement of estates for tenures of cottages, signals an attempt to escape the restrictions of copyhold tenure and to introduce more flexibility.<sup>63</sup> It also brought the Earl's organization into line with the policy of the feoffees which, as a charitable trust, had adopted the prescriptions of the 1571 Act which required leases for no longer than this term.<sup>64</sup>

The new terms for cottages remained, nonetheless, beneficial for the lessees, with not unreasonable levels of fines and rents (for which, see below). Indeed the annotations of the survey reveal the beneficent nature of the terms for takers of these cottages. A cottage leased to William Purefray from 1615 expected a rent of 3s. 4d. per annum,

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<sup>60</sup>Nicholas Griffin, 'Epidemics in Loughborough, 1539-1640', *Transactions of the Leicestershire Archaeological and Historical Society* xliii (1967-1968), pp. 24-34.

<sup>61</sup>For the potential benefit to landlords of conversion to leases, Hoyle, 'Introduction', pp. 4-5.

<sup>62</sup>HAM Box 25, fldr 9, pp. 15-20.

<sup>63</sup>For the difference between tenures and estates, Simpson, *History of the Land Law*, pp. 1-2; leases were, moreover, defined as personal estate not real estate.

<sup>64</sup>E. Kerridge, 'The movement of rent, 1540-1640', in *Essays in Economic History Volume Two*, ed. E. M. Carus-Wilson (London, 1962), pp. 208-226, at p. 212; Ecclesiastical Leases Act 1571 (1571 c. 10 (Regnal. 13 Eliz 1) (repealed in 1998); R. Megarry and H. R. Wade, *The Law of Real Property* (5th edn, London, 1984), p. 1027.

but 'noe fine expressed'.<sup>65</sup> The memorandum tracked the subsequent assignments of the lease, first to Thomas Hough for a 'fine' of £12 in 1616, then in 1617 by Hough to Webster by indenture in 1617 for a 'fine' of £35. It was from the subsequent transfers between tenants that the lord profited rather than the original leases. Perhaps we can surmise two points from this episode: first the lord's desire to facilitate the expansion of the town by encouraging small domestic dwellings; and secondly the high value of and demand for those properties.

By and large, the lords of the manor did not exact penal amounts from their tenants for their customary or copyhold lands. No real effort was made to compensate for the low rents of copyhold tenures by increasing entry fines to extreme levels.<sup>66</sup> Even in 1614, when the Earl compelled his tenants to offer recognitions for their existing tenures, the amounts of the entry fines remained low, perhaps especially in that case. In the three years around the turn of the century, 11 transactions were conducted in copyhold cottages: the fines ranged between £1 and £2 13s. 4d. One exceptional fine of £4 was associated with a cottage with lands.<sup>67</sup> Messuages involved fines of £3 to £5. Of three dozen entry fines, merely three exceeded £5: the £12 demanded for The George inn; £8 for a messuage, three cottages and a virgate of land; and £18 for a messuage, barn, and two virgates of land; all were exceptional investments in the largest tenures in the manor and parish. In all three instances, moreover, the property was ostensibly moving outside the family. Overall, otherwise, there was no difference in the level of the entry fine whether the property moved in or outside the family; in a few cases, properties moving outside the family incurred a slightly larger fine, but by and large there was little difference. A virgate moving out of the family, for example, was associated with an entry fine of £4, a half virgate being alienated with another of £4, and a messuage sold outside with one of £5, but these were not exorbitant or excessive levels and not much above the run of fines for copyholds remaining within the family.

Much the same levels obtained in the surrenders and admissions to copyhold tenures between 1603 and 1621, during which we have 45 en-

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<sup>65</sup>HAM Box 25, fldr 9, p. 16.

<sup>66</sup>Compare Kerridge, 'Movement of rent'.

<sup>67</sup>HAM Box 25, fldr 3, pp. 105-106.

try fines recorded on the court rolls.<sup>68</sup> Only four entry fines exceeded £5. Ten pounds were exacted from a widow to allow her to retain her copyhold bovate, the fine perhaps reflecting an element of insecurity in continuing her tenure of a largish property. In the case of £10 demanded for the larger holding of a yardland, the steward might well have been taking advantage of the economic status of Thomas Hebbe, able to afford more to acquire yet more land. The bovate assumed by William Marshall accrued £14 in entry fine and the lord demanded £9 for a message with some miscellaneous associated lands. One unspecified tenement attracted an entry fine of £6. None of these properties was moving outside the family, but they did all constitute significant holdings locally.

On the other hand, two separate yardlands were transferred for entry fines of merely £3 6s. 8d. and £2. Four different bovates accounted for entry fines of only £ 3 6s. 8d., £2, £2 and £3 13s. 4d. Admissions to single cottages incurred entry fines of, at the highest, £2 13s. 4d., but often much less. Even multiple cottages might be acquired for reasonably low entry fines, such as the six which attracted a fine of no more than £4 5s. 0d. An exception again involved a woman tenant of a cottage whose continuation in the copyhold might have been construed as a perceptible risk: she had to forfeit £6 13s. 4d

The Countess dowager appraised the condition of the estate in 1607. Increasing sophistication of landed estates transformed the administration and exploitation of some estates in the early seventeenth century, through the introduction of new techniques of surveying, greater accuracy, and the rhetorical importance of the definition of customs and tenures.<sup>69</sup>

In 1614, as discussed above, the Earl decided to lease numerous cottages for terms of 21 years. Whatever the rationale behind the transition to another policy, no attempt was made to recover high entry fines. The highest entry fine for admission to one of these leased cottages consisted of £4. Eight, moreover, had the meagre entry fine of

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<sup>68</sup>HAM Box 25, fdr 9, pp. 11-14 and court section.

<sup>69</sup>For example, R. W. Hoyle, 'Shearing the hog': the reform of the estates, c.1598-1640', in *The Estates of the English Crown 1558-1640*, ed. Hoyle (Cambridge, 1992), pp. 204-262; A. Fox, 'Custom, memory and the authority of writing', in *The Experience of Authority in Early Modern England*, ed. P. Griffiths, Fox and S. Hindle (Basingstoke, 1996), pp. 89-116.

13s. 4d. each. The fine for admission to nine others did not exceed £3 each.

There is an intimation that seigniorial attitudes in the late sixteenth century to the properties in Loughborough involved some consternation. A valuation of the lord's copyhold tenancies at that time suggests that their sale might have been considered at this point. It is also possible, of course, that as tenures abruptly terminated about this time as a result of the epidemics of the late 1550s, an advantage was taken to revise upwards the lord's fiscal interest in the new takings of copyholds.<sup>70</sup> The survey containing these marginal valuations of copyholds remarked, for example: 'note this was forfeited by Rigmaden for want of lyves.'<sup>71</sup>

One particular survey can be assigned to 1566x1574. This date can be predicated on biographical data of some of the tenants. Some selectivity is necessary because of the confusion of homonymous tenants. Alice Kettle, listed with her son in the survey, was buried in August 1579, denoted in the parish register as a widow. Ann, wife of William Roome, was interred in the same year. Lives were held by Clement Petty and his wife Helen; their marriage was celebrated in 1566 (she born a Dicsone). The lives of Clement Fowler and his wife Ann depended on their marriage in 1567 (her maiden name Sartson). Indicating a date of compilation before the 1580s, Margaret Villers, tenant in the survey, was buried in 1584 as Mistress Margaret Villers, and the burial of another tenant, Agnes Newton, was inscribed in the parish register in 1583, as well as her designation as widow.

In sum, then, we can deduce that the lords remained rather benificent to their copyhold tenants. Copyhold lands continued to be granted on favourable terms, the rent customarily determined, but the entry fines for surrenders and admissions continuing at a significantly low level. No attempt was made to take great advantage if the tenure was alienated outside the family. Fines in alienations were slightly, but not significantly, higher than confirmations of existing copyholds or arrangements for new lives within the family. The beneficial attitude to entry fines extended particularly to cottages held by customary (copyhold)

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<sup>70</sup>John Marius Wilson suggested that sweating sickness affected the town and parish in 1557, but the want of registration between 1554 and 1558 renders confirmation difficult.

<sup>71</sup>HAM Box 25, fldr 4, p. 88.

tenure—single dwellings in the town—to accommodate labourers and urban crafts. The indifference to levels of fines extended, nonetheless, to large rural holdings too.

Other, more flexible, sources existed for extracting added value from the manor and parish: its market, but particularly its natural resources of meadow and parkland. Meadow was particularly valuable to the lord. Meadow leased at 13s. 4d. per acre brought an income of £56 13s. 4d. each year, supplemented by the £14 7s. 0d. annual receipt from meadow leased at 5s. per acre.<sup>72</sup>

Simultaneously, the earl leased out large expanses of rural land for terms of 21 years.<sup>73</sup> Much of these new accretions derived from dis-parking and from parcels of demesne land, which allowed more fiscal flexibility. In 1614, these leased lands were composed of a miscellaneous mixture of types of property: arable closes, meadow and pasture; the herbage of Outwoods Park; and the messuage previously the Unicorn inn.<sup>74</sup> The intention here was fiscal: to increase immediate revenue: the fines were higher than had been the norm and the rents were entirely economic ones. Some examples must suffice rather than reciting the particular details of all leases. The lease for 21 years of the messuage formerly the Unicorn inn with 15 acres of meadow and one bovate of land incurred a rent of £7 per annum and an entry fine of £70. The lease of a moiety of a close of meadow with some leas accrued £6 11s. 0d. in annual rent and £50 for entry fine. The lease on these terms of 37 acres of arable land garnered a yearly income of £12 and a fine of £20. The total rents deriving from these new leases exceeded £200; the fines amounted to £498. The great dis-parking of Loughborough Park brought huge new sources of income in the early seventeenth century.<sup>75</sup> Rent of £62 was received for the Great Laund; £40 for Pockett La(u)nd; £40 for miscellaneous lands; £34 for Butchers Laund divided between John Slack and Nicholas Henshawe; £12 for the Parrock, also shared by these two important local inhabitants; £18 for another Laund; and

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<sup>72</sup>HAM Box 25, fldr 4, pp. 27-28: 'Medowe Letton yerlie for xiijs. iiijd. every acre' and 'Medowe Letton at vs. the acre by my Lords lettres & Commandment.'

<sup>73</sup>HAM Box 25, fldr 9, pp. 15-20.

<sup>74</sup>In 1651, Outwoods Park was leased for 99 years for a very large consideration: *Report on the Manuscripts of the Late Reginald Rawdon Hastings Esq. Volume I* (Historical Manuscripts Commission, London, 1928), p. 81.

<sup>75</sup>HAM Box 25, fldr 4, p. 24.

£8 for Wydone. The total rent receivable, moreover, from Sir George Hastings for his combined lands in the manor and parish, including Lemington's House, exceeded £101.<sup>76</sup> This movement accorded with the imperative for 'improvement' in the seventeenth century, converting what was perceived as unproductive use of land into tillage more useful for the locality and the commonwealth.<sup>77</sup> The rationale for the dis-parking consisted also, however, in the quick influx of new revenue. In this way, the Hastings avoided conflict with their tenants, by exploiting (what seem to be in this case) less contentious resources.

The estate of the feoffees had been accumulated piecemeal without any manorial jurisdiction, existing as a trust, which allowed more flexibility in its management of its landed endowment. As early as 1573, the feoffees had adopted the policy of leases for 21 years, concomitant with the Act of 1571.<sup>78</sup> Thereafter, the three dozen or so extant leases of the bridge properties down to 1650 conform to this term of years.<sup>79</sup> The property was concentrated in Baxtergate and Churchgate with outliers in Sparrow Hill and Woodgate, apparently with not much appurtenant land in the fields. The urban character of these holdings is represented in the number of cottages involved, but also in the status and occupations of the lessees. The tenants included weavers, fellmongers, wheelwrights, butchers, carpenters, glovers, (five different) shoemakers, a fishmonger, a baker, and a labourer. Whilst the entire estate of the feoffees was demised in leases for 21 years, the lords and officials of the Hastings manor could only adopt such leases at the margins, particularly for 'new takings', new holdings established on the fringe of the urban centre. Although 21 years constituted a finite term, there was perhaps some symmetry between the lordship and the feoffees, for by the late sixteenth century three lives were being construed as the equivalent of 21 years.<sup>80</sup> The difference remained in the manner

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<sup>76</sup>HAM Box 25, fldr 4, p. 29.

<sup>77</sup>Hoyle, 'Introduction', pp. 2-3; P. Warde, 'The idea of improvement, c.1520-1700', in *Custom, Improvement and the Landscape*, ed. Hoyle, pp. 128-148, delineates the transition from improvement as increasing rental income to improvement in a wider sense.

<sup>78</sup>ROLLR DE2392/224: renewal of a lease of a house in Churchgate to the carpenter, Richard Huttynson.

<sup>79</sup>ROLLR DE 2392/186-201, 224-242, 245, 247, 252-253, 274, 278, 280-281, 288-290.

<sup>80</sup>Kerridge, 'Movement of rent', p. 212; Peter Bowden, 'Agricultural prices, farm

of 'exploitation' of the tenants.<sup>81</sup> In the case of the customary tenures for three lives, the lord had to await the falling in of the third life to exact a high entry fine as the customary rent was stable, or demand a high entry fine when the holding was transferred to a new tenant. The Feoffees could enhance the annual rent, certainly every 21 years. In the event, the fines exacted on the Hastings manor were not, in general, appreciable. No doubt the tenants noticed the difference and attempted to negotiate accordingly.

The benevolence of the Hastings lords and their local officials seems to derive from their position of largely absentee landlords, their more constant habitation being Ashby. The estate at Loughborough was mainly administered by officials and associates, such as the Skipwiths of Knight Thorpe, with local knowledge (see the Appendix). Although the land market became increasingly volatile in the parish and manor, with a certain volume and velocity of transactions in land, customary tenure was not disrupted. Perhaps copyhold for three lives allowed lords sufficient flexibility by comparison with copyholds of inheritance. Entry fines, nonetheless, remained at fairly beneficent levels. Intermittently, lords revised their written records, especially through recognitions, but the outcome does not appear to have been deleterious to the tenantry. Perhaps lords had attempted to alter the terms and conditions of tenures and service, but failed. Equally, however, it was prudent, in the context of the volatility of the market and terms for three lives, to maintain some tracking of the movement of holdings. With the fragmentation of land and new accretions of land, that remit was even more of a necessity.

#### APPENDIX

*Commissio facta Willelmo Skipwith militi et aliis* 22 Ja. 1606 To all christien people to whom theis presentes shall come I Katherine Co[untess]\* Dowager of Huntingdon send greetinge in our Lord god everlastin[g]\* Whereas I am informed that the estates of sundrye of my tenauntes in the Lordships of Loughborough and Barrowe in the Countie of

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profits and rents', in *The Agrarian History of England and Wales Volume IV 1500-1640*, ed. J. Thirsk (Cambridge, 1967), p. 687.

<sup>81</sup>Clay, *Economic Expansion and Social Change. Volume I*, pp. 88-89.

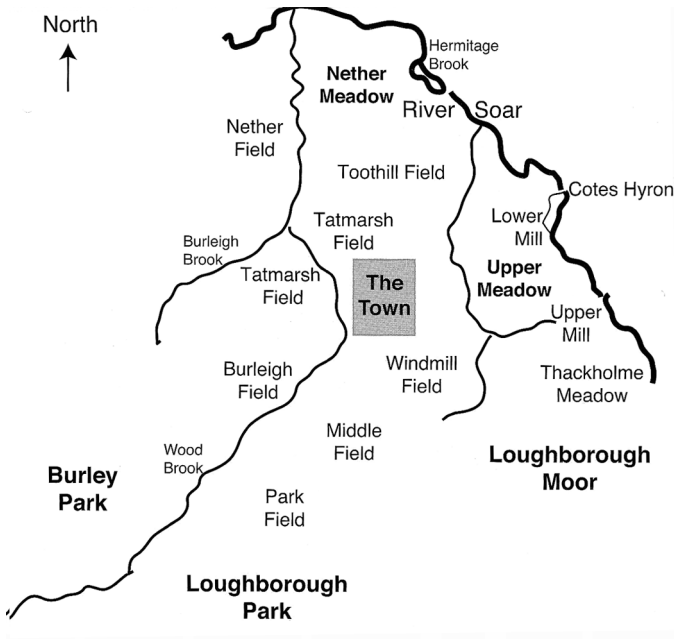


Leic' are defective somme merely voyde & others voydeable And also that landes & tenementes within theis Lordships are nowe in my handes to be disposed of Knowe yee therefore in respect of the willingnesse I understoode my said tenautes have to yeld me resonable Composic[ion &]\* satisfaccion for Confirminge those unassured estates & for the newe takeinge of those landes which nowe are in my handes T[hen]\* I the said Countesse for the speciall trust Confidence & assuran[ce]\* which I have & doe repose in my Welbeloved frendes Sir William Skipw[ith]\* knight Frauncis Repps & Thomas Harrys gent Have autho[rised]\* & appointed the said Sir William Skipwith knight Frauncis Repp[s &]\* Thomas Harrys or anye two of them to be my Comissioners [...]\* onely to <levye &>† veive & surveye the said Lordships & to lett sett & de[...]\* to farme all & singular my landes tenementes within them or eythe[r]\* of them as well Copie hold landes both in possession & Reuercion Demesne landes dureinge my lief But also to sell such & so manye of my Woodes within the said Lordships as they the said Sir William Skipwith knight Frauncis Repps & Thomas Harrys [or]\* anye two of them shall thinke meete & Convenient And [...]\* to Compunde with & graunt newe estates to all such of my tenautes whose interestes are voyde voydeable or defectiv[e]\* as afore said in such manner & forme as their Councill lerne[d]\* shall advise & as in me lawfully lyes to confirme and assure And for the better performance thereof to holde & keepe a[ll]\* Courtes usuall within those Lordships And whatsoever my said Comissioners or anye two of them shall doe or cause to be donne in the premisses I the said Countesse doe hereby ratif[ie]\* Confirme & allowe accordingly Willinge & requireinge a[ll]\* my loveinge frendes officers & tenautes to be helpinge Ayde[ing]\* & assistinge my said Comissioners for the better execucion of[f]\* this my present Commyssion To indure for one wholl yea[r]\* after the date hereof In witnesse whereof I have he[re]\* unto sett my hand & seale at Armes the Two and tent[rieth]\* daye of Januarye in the yeares of the Raigne of our soueraigne Lord

James by the grace of god of England Scotland Fraunce &  
Ireland Kinge defender of the Faith &c (That is to saye) of  
England Fraunce & Ire[land]\* the fourth And of Scotland  
the forteith

‡Deleted text (cancelled: struck through) \*Ambiguous: tight binding

Figure 5.1: The fields and meadows of Loughborough



## Chapter 6

# Population

The stochastic shocks to the population of early-modern Loughborough have been comprehensively analyzed: a series of epidemics, the most devastating of which occurred in 1609-1611.<sup>1</sup> That visitation of the pestilence was as grave in its relative intensity as the fierce outbreaks in other urban locations in the early seventeenth century.<sup>2</sup> Most urban places experienced a sequence of plagues, but one tremendous one. The most recent account, that of Newcastle in 1636, describes the profound cultural as well as demographic impact.<sup>3</sup> The desperate circumstance of metropolitan mortality from plague was enunciated by contemporaries like Thomas Dekker and Thomas Middleton.<sup>4</sup> Fear pervaded everyday life, a quotidian experience.<sup>5</sup> Despite ferocity, these singular, cataclysmic visitations should be placed into the wider urban demographic context. Their effects on society, culture and individual experience were no doubt enormous, but there is a longer-term urban demographic narrative to consider too.

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<sup>1</sup>The register is ROLLR DE667/1 (1538-1651).

<sup>2</sup>N. Griffin, 'Epidemics in Loughborough, 1539-1640', *Transactions of the Leicestershire Archaeological and Historical Society* xliii (1967-1968), pp. 24-34.

<sup>3</sup>K. Wrightson, *Ralph Tailor's Summer: A Scrivener, His City and the Plague* (New Haven, Conn., and London, 2011).

<sup>4</sup>*Thomas Middleton: The Collected Works*, ed. G. Taylor and J. Lavagnino (Oxford, 2007), pp. 128-148.

<sup>5</sup>W. G. Naphy and P. Roberts, eds, *Fear in Early Modern Society* (Manchester, 1997).

The wider population paradigm has been analyzed on a national scale, by Wrigley and Schofield and their critics.<sup>6</sup> The aggregate canvas has perhaps tended to elide regional and local differences. Various correctives have been suggested. One entails the difference between northern, large, upland, parishes with dispersed settlement and lowland, smaller parishes with nucleated habitation. Another differentiates between urban and rural impact, formerly on the predication of concentrations of poorer people, immigrants, and less salubrious conditions in urban places. One important reconsideration has thus discussed variation in local environmental conditions as an influence on mortality and morbidity through disease. Another direction has been a detailed examination of specifically urban conditions: in the city of York.<sup>7</sup> Several new propositions have arisen from these dissections. First, conditions varied not only regionally and locally, but intensely locally: that is, variations in micro-environments.<sup>8</sup> Second, this diversity obtained even within the larger urban places.<sup>9</sup> Third, although there has been satisfactory engagement with demographic conditions of larger urban places, like York, the smaller urban places still remain largely neglected in their demographic fortunes.

Loughborough can be placed within most of these contexts. Although it is not quintessentially northern, it has some of the characteristics of those larger northern parishes with dispersed settlement. The large parish contained the hamlets of, for example, Woodthorpe, Knight Thorpe and Shelthorpe. Its development as a small town happened in the later middle ages. The parish extended over a variety of topographies: upland wolds towards Hoton; pre-Cambrian rugged hills

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<sup>6</sup>E. A. Wrigley and R. S. Schofield, *The Population History of England 1541-1871: A Reconstruction* (Cambridge, 1989 edn with a new introduction). For a succinct introduction to early-modern demography which also recounts the criticisms of Wrigley and Schofield and their responses, A. Hinde, *England's Population: A History Since the Domesday Survey* (London, 2003), pp. 90-148. Hinde discusses the technical issues and long-term trends.

<sup>7</sup>C. Galley, *The Demography of Early Modern Towns: York in the Sixteenth and Seventeenth Centuries* (Liverpool, 1998).

<sup>8</sup>M. Dobson, *Contours of Death and Disease in Early Modern England* (Cambridge, 1997): contours is a felicitous term since contemporaries associated miasma with air quality in upland and lowland areas.

<sup>9</sup>N. R. Goose, 'In search of the urban variable: towns and the English economy, 1500-1650', *Economic History Review* 2nd ser. 39 (2008), pp. 165-185.

in Charnwood; and miasmatic flood plain. The formative issue here is, however, how did demographic developments in this small town, with its micro-environments, compare with the larger urban centres?

There remain, nonetheless, important reservations. The small town of Loughborough was contained within a single parish. Boroughs established before the Conquest were usually characterized by several parishes. Urban entities which developed after the Conquest were most often encompassed by one parish. Loughborough did not attain borough status until the nineteenth century, but the point is that in terms of its unitary parish it has more similarity with Hull than a city like York which had multiple parishes. Loughborough parish extended, moreover, over a considerable rural area as well as the town enclave. The pragmatic problem is that we cannot easily disaggregate the rural from the 'urban' in the parish registers. From 1576, the register inconsistently identifies the hamlet of residence of people buried. Thirty-four of the deceased were associated with 'Thorpe', 20 with Woodthorpe, 15 with Knight Thorpe, two with Shelthorpe, one with Thorpe Linker, one with Outwoods, and two with Forest Lane. These details allow ascription of 14 families to Woodthorpe, 12 with Knight Thorpe, two with Shelthorpe, but there remain the ambiguous 27 for 'Thorpe'. The problem is compounded since few of the surnames were confined to any single place, but replicated in the hamlets and in the town. To some extent, the distinction is immaterial, for many of the inhabitants who worked the fields and meadows of Loughborough also resided in the 'urban precinct': their dwelling houses were located in the central place. On the other hand, it would be useful to be able to distinguish between the central place and the hamlets. The registration data represent the aggregate of all local micro-spaces. Constantly, however, it must be borne in mind that the demographic movements include the town itself and its hamlets.

Another complication—resulting from the size and character of the parish—is the existence of several gentry and pseudo-gentry families in mansions dispersed in the parish (such as the Skipwiths) but some also resident in the urban centre (cadet Hastings and Villers).<sup>10</sup> The demographic characteristics of their families might deviate from the general

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<sup>10</sup>A. Everitt, 'Social mobility in early modern England', *Past and Present* 33 (1966), pp. 70-72.

local population's customs, in, for example, age at marriage and family size. It is possible that family size differed in gentry and pseudo-gentry households and that the members were more longevous. Adults and children, living in the rural extents of the parish might have escaped the depredations of the visitations of infectious disease. We can illustrate these issues, although perhaps not eradicate them from the statistical manipulation.

Since the Villers have been mentioned, this family is a convenient point of entry. The registers record the burial of Joan, wife of Mr Thomas, a gentleman, in 1587. Four of their children were baptised in the parish church: Edmund (1577); Dorothy (1579); and two children who died in childbirth, Catherine (1583) and John (1586). Mistress Margaret Villers was buried there in 1584. The Hastings family inhabited the central urban location. The marriage of Mr Henry and Mistress Willoughby was celebrated in the parish in 1587. Before then the baptism of a child, Dorothy, of Sir George Hastings, was performed in the parish church. In a succeeding generation, the interment of Dorcas, wife of George Hastings, occurred in the parish. Five of their children had been baptized in the parish church: Nathaniel, baptized in 1609, but died in the tail end of the plague in 1611 (an exceptional incident); Elizabeth (1614), John (1616), Samuel (1619), and Dorcas (1622). About the same time, three children of Mr Thomas Skipwith, gentleman, were baptized in the parish: Susanna (1620); John (1621); and George (1629). Children of the family of the rector and his close kindred, the Willockes, were baptized here in the late sixteenth century, as might be expected. These are simply illustrative examples.

In the subsequent analysis, constant comparison will be made with York. The reasons are twofold. First, it is the most assiduously examined urban demography. Second, the intention is to compare the similarities or divergences between large and small towns. The sequence is as follows: first, sections on each of the components of vital evidence, that is: baptisms as a surrogate for births (but including, where possible, births indicated by infant mortality before baptism and recorded stillbirths); marriages; burials as a surrogate for deaths; second, the overall implications for population change. Although the events in the life-course of an individual followed that sequence (baptism, marriage, burial), to elucidate better the variables in the demographic process,

the order here will be marriages, baptisms and burials. The nature of registration at Loughborough is not described in detail here, since it is already available.<sup>11</sup> Two points may be made. As is customary, the entries before 1598 are retrospective fair copies in the hand of John Dawson, but their accuracy appears unimpeachable. Second, there is the well-known break in the registration in the reign of Mary, covering 1554-1558.<sup>12</sup>

Some potential pitfalls must be delimited. The general upwards trends of all events—baptisms, marriages and burials—should not be considered in isolation. The trend was a function of the population expansion over the hundred years. Secondly, there is really no effective way to demarcate the effect of immigration. Whilst we can cautiously address natural increase, immigration is elusive. We can postulate a trend rate of natural increase and compare it with the interstitial ‘census’-type of data in 1563, 1603, and 1676, but the calculation is hazardous.

Since an important consideration in the demographic process is marital fertility, the sequence commences with weddings. Illegitimate births, although the subject of much contemporary controversy, remained marginal demographically.<sup>13</sup> Impediments were imposed on pauper marriages, also to prevent excessive local burdens of relief.<sup>14</sup> The fertility check, it has been suggested, had an important impact on demographic consolidation in the seventeenth century.<sup>15</sup> Reproduction rates—both gross and net—thus depended to some extent on marital fertility and the potential for family limitation. Apart from the demographic aspects, marriage also influenced and was in turn informed by culture and custom.<sup>16</sup>

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<sup>11</sup>Griffin, ‘Epidemics in Loughborough’.

<sup>12</sup>Griffin, ‘Epidemics in Loughborough’, p. 26; 10 April 1554-25 June 1558.

<sup>13</sup>P. Laslett, K. Oosterveen, and R. M. Smith, eds, *Bastardy and its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany, Sweden, North America, Jamaica, and Japan* (Cambridge, MA, 1980). See further below for bastardy rates.

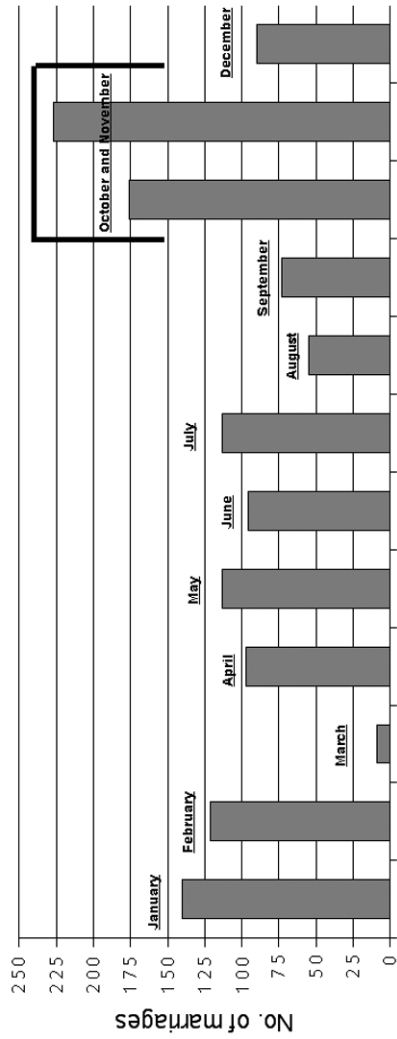
<sup>14</sup>S. Hindle, ‘The problem of pauper marriage in seventeenth-century England’, *Transactions of the Royal Historical Society* 6th ser. 8 (1999), pp. 71-89.

<sup>15</sup>E. A. Wrigley, ‘Family limitation in pre-industrial England’, *Economic History Review* 2nd ser. 19 (1966), pp. 82-109.

<sup>16</sup>A. Kussmaul, *A General View of the Rural Economy of England, 1538-1840* (Cambridge, 1990), suggests a greater differentiation in seasonality of marriage between pastoral and arable regions from the late seventeenth century (esp. pp.



Figure 6.1: Monthly marriages, 1538-1640



The decision to marry and the timing of weddings were influenced in rural society by the accumulation of sufficient funds and the seasonality of agricultural commitments, which contributed to local cultural expectations. In Figure 6.1, this distinct annual seasonality is exemplified. The zenith of marriage formation occurred in October and November, after the demands of the grain harvest and the receipt of enhanced wages for work performed in that season. The high peak (kurtosis) at this time indicates the relative importance of arable husbandry. The decline of marriages in August and September reflects that commitment to arable husbandry, when it was neither permissible nor advantageous to take time for marriage celebrations. Family formation resumed in January and February, when preparation of the land—ploughing, harrowing, sowing spring corn—could be interrupted. Marriages in spring and summer were celebrated, but at a much lower level than these other two seasons. On the one hand, this timing resulted from the end of heavy demands from livestock husbandry, including mowing and shearing, but on the other reveals that, although agrarian production was mixed, the arable element placed greater demands on labour. The virtual absence in March is the consequence of the customary prohibition of marriage during Lent. Advent, however, did not prevent some weddings in December, although the number was depleted by comparison with the two preceding months.

This seasonality replicates the pattern in contemporary York, the provincial capital of the North.<sup>17</sup> Theoretically, the arrangements in a large city like York need not conform to the general rural pattern, since the organization of work differed in the urban centre. An important element in the ‘structure’ of marriages in York was matrimonial arrangements between servants, particularly those hired on annual contracts, negotiated at Michaelmas (29 September) or Martinmas (11 November) hirings in respectively the Midlands and south and the North.<sup>18</sup> One of

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100-125); D. O’Hara, *Courtship and Constraint: Rethinking the Making of Marriage in Tudor England* (Manchester, 2000); R. A. Houston, *Bride Ales and Penny Weddings: Recreation, Reciprocity, & Regions in Britain from the Sixteenth to the Nineteenth Century* (Oxford, 2014).

<sup>17</sup> Galley, *Demography of Early Modern Towns*, Fig. 5.3 (p. 126).

<sup>18</sup> Galley, *Demography of Early Modern Towns*, pp. 127-128, referring to Kussmaul, *General View of the Rural Economy of England*, p. 30, but see also Kussmaul, pp. 7-8.

the consequences of 'autumn' marriages was first childbirth in the late summer, when mother and child might be susceptible to occurrences of endemic disease, as in Loughborough in 1609.<sup>19</sup>

Family size—natural increase—depended on age at marriage of brides, quite obviously, for age at marriage determined the active reproductive life of wives. The determination of age at marriage is hazardous for numerous reasons. Immigration into Loughborough by brides is one obvious obstacle. The convention or norm involved uxorial marriage—in the wife's parish—after which the partners returned to the husband's parish. In cases where the bride is exogamous, therefore, it is almost impossible to reconstruct her life-course. Rarely do the registers at this time refer to the party's place of habitation.<sup>20</sup> Even when both parties were endogamous—'of this parish' in post-1754 terminology—there remain complications. Since registration commenced only in October 1538, a generation of brides will be lost. The cohort for which we have life-course information is thus restricted—only a sample of the whole population of brides.

The data are presented in Fig. 6.2, in which marriages of women have been related back to their baptism. It is possible that the data are contaminated by females from local gentry or families of pseudo-gentry status, which would impact on the numbers of earlier age at marriage. The numbers in the later age at marriage might be corrupted by marriages of 'concealed' widows, women remarrying, but whose status as widows is not inscribed. Taking those complications into account, the norm of female age at marriage is in the mid-twenties. The age distribution is not dissimilar to that in the city of York.<sup>21</sup> The pattern also conforms, however, to the general structure of nuptiality in which the mean age at marriage for brides was 26 years old.<sup>22</sup> There are obvious reasons for that conformity. Although Loughborough has an urban core, the inhabitants were also appreciably engaged in agriculture. In the urban centre, the existence of provisioning and commerce might have

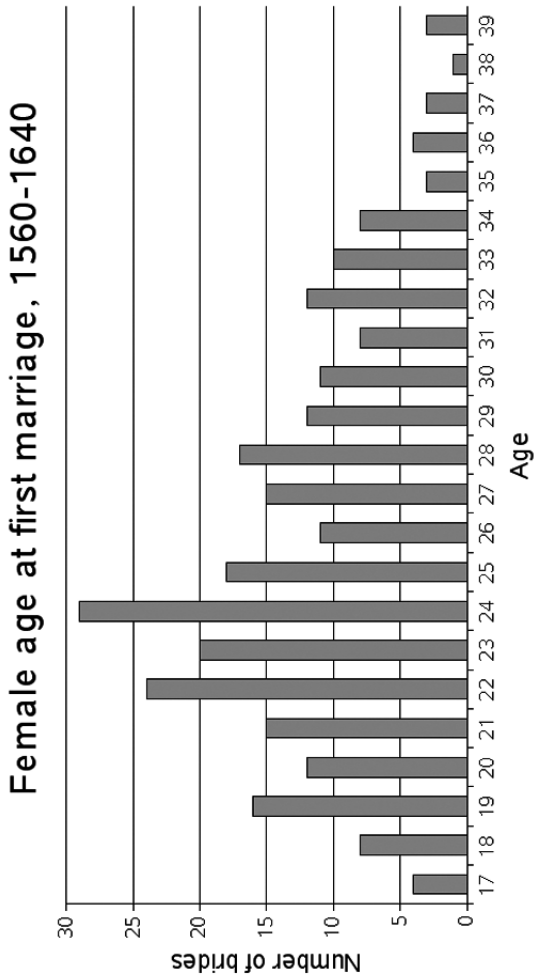
<sup>19</sup>Griffin, 'Epidemics in Loughborough', p. 29.

<sup>20</sup>K. D. M. Snell, 'English rural societies and geographical marital endogamy, 1700-1837', *Economic History Review* 2nd ser. 55 (2008), pp. 262-298, for the distinctions.

<sup>21</sup>Galley, *Demography of Early Modern Towns*, Fig. 5.4 (p. 129). Galley's data are derived from marriage licences.

<sup>22</sup>Wrigley and Schofield, *Population History of England*, Table 7.26 (p. 255).

Figure 6.2: Female age at first marriage



enabled some families the wherewithal to commit to earlier nuptiality, but the fortunes of most households depended on agrarian enterprise. Most of those engaged in husbandry had to accumulate sufficient capital reserves to afford marriage. That requirement obtained particularly for the increasing number of cottagers in the parish. A substantial number of new cottages were constructed in the early seventeenth century. New household formation by marriage was thus delayed in Loughborough as in the main.

The number of marriages fluctuated wildly from year to year, no doubt responding, to some extent, to economic conditions. Poor harvests resulted in deferred marriages. Heavy mortality created opportunities for young people to marry earlier, as resources were released. Troughs which coincided with mortality were thus followed by peaks in marriage formation (Fig. 6.3). These matters need clarification through example. In the difficult years of 1595 through to 1603, marriages were depressed, no doubt because of the harvest failures and dearth in these years. Only 110 marriages were entered in the register for these nine years, a mean of 12, with the nadir in 1597 and 1601. The prices of all grains rose dramatically in 1594-1597 inclusive.<sup>23</sup> When relative plenitude occurred, the number of weddings increased to 22 in 1604 and 1606, remaining at 17 in both 1607 and 1608, which suggests that formal or official bonds had been deferred. Some other years can be isolated as conducive for marriages: 1540; 1548; 1560-1561 and 1563; 1578; and 1611. The spike in 1548 followed seven previous years of low rates of marriage. The deferral of marriage through the 1540s can again be explained by the increase in grain prices and the higher level of weddings in 1548 succeeded good harvests in 1546-1548.<sup>24</sup> The upward movement in 1560-1561 and 1563 probably followed disruption caused by epidemic disease (probably influenza) in the 1550s and 1611 the vis-

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<sup>23</sup>M. Bowden, 'Agricultural prices, farm profits, and rents', in *The Agrarian History of England and Wales Volume IV 1500-1640*, ed. J. Thirsk (Cambridge, 1967), p. 820 (Statistical Appendix, Table I). The harvest fluctuations were first considered by W. G. Hoskins, 'Harvest fluctuations and English economic history, 1480-1619', *Agricultural History Review* 12 (1964), pp. 28-46. The data have been refined by C. J. Harrison, 'Grain price analysis and harvest qualities, 1465-1634', *Agricultural History Review* 19 (1971), pp. 135-55, but without affecting the general comments here.

<sup>24</sup>Bowden, 'Agricultural prices', p. 630.

itation of disease in 1609-1611.<sup>25</sup> When grain prices soared again from 1621, the number of weddings again became depressed: down to a mean of seven per annum through the 1620s to 1631.<sup>26</sup>

Since exogamous marriages were usually performed in the bride's parish, we have a further complication. Normally, we have no record of those uxori-local marriages in which the couple returned to the groom's parish for residence after the ceremony. Only occasionally are there memoranda in the register which reveal normally concealed information. When Thomas Kinge married Ann Heye in Loughborough in 1574, an inscription was made in the register that the groom's abode was Melton. The reason for this extraordinary entry is not apparent. The marriage of John Lambert and Agnes Paper in 1579 has the record that both parties were of Burton. Another marriage in 1582, between Hugh Grenalyn and Agnes Hawkyns, noted that both were from another parish. A comment about the marriage of John Gybson and Griselda Willock in 1589 specified that they were 'two Scottes'. In 1591, the notation of the marriage of John Tealer recorded that he was from the adjacent parish, Quorn. Two years later (1593), it was entered that a groom's parish was Market Bosworth. The entry for the marriage of Isabel Appleby in 1605 mentioned that the groom, William Mason, belonged to Prestwold. That for Margaret Goodwyne in 1606 recorded that the groom, Ralph Towson, came from Leicester.

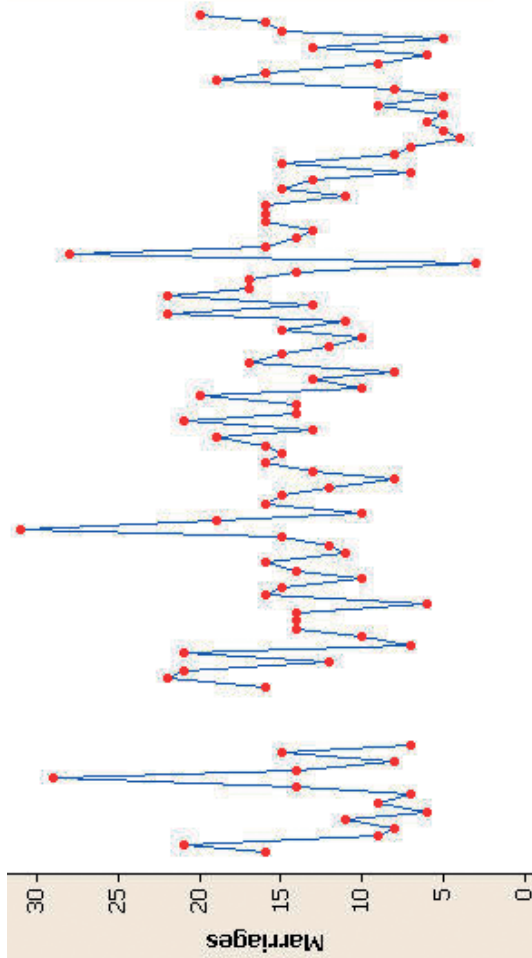
Sometimes, the reason for recording the exogamous groom's place of origin is more obvious, as in the case of Londoners: Martin Smith in 1591 and William Lance in 1594. Exogamous in relation to marriages here relates to geographical, not social, exogamy, that is not to differences in social status of bride and groom but simply to their belonging to different parishes. As explicable is the memorandum about a marriage which was celebrated at Melton in 1575, for the groom, Nicholas Wollands, belonged to an important Loughborough family. The same explanation applies in the matter of the wedding of George Dawson, the son of Loughborough's schoolmaster and parish clerk, to

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<sup>25</sup>J. S. Moore, 'Jack Fisher's 'flu: a visitation revisited', *Economic History Review* 2nd ser. 46 (1993), pp. 280-307, and 'Jack Fisher's 'flu: a virus still virulent', *Economic History Review* 2nd ser. 47 (1994), pp. 359-361.

<sup>26</sup>Bowden, 'Agricultural prices', p. 821 (Statistical Appendix, Table I). The extent of geographically endogamous and exogamous marriages is considered below within the concluding section on the demographic régime.

Figure 6.3: Annual rate of marriage



Margaret Lynsye, noted as at Mountsorrel, which was a chapelry, but part of which belonged to the liberty of Loughborough. The marriage at 'Leake' (presumably Great Leake [East Leake]) of William Hebbe to Dorothy Maunnsfeld in 1597 involved a member of one of Loughborough's core families. When Anthony Barselye married Joan Fox in 1598, the groom belonged to Rothley, but the bride, more importantly, to Burleigh Park in Loughborough parish. A marriage which took place in Sutton Bonington in 1600 was entered in the Loughborough register because the groom, Henry Awlsibrocke, derived from a longevous, if not particularly affluent, Loughborough family. The same obtained in the marriage (1602) of George Sarson and Helen Wright, the bride of Shardlow and the marriage in Derby, for Sarson shared the same status as Awlsibrocke. The same explanation can then be adduced when Joan Awlsabroucke married George Dunn in 1602, for the marriage was performed in Leicester, although banns read in Loughborough parish church. Francis Iveson also belonged to a stable Loughborough family, so that, although his marriage to a bride from Great Glen was not performed in his parish, it was still recorded in Loughborough's register.<sup>27</sup>

The ambiguity here is that it cannot be assumed that these memoranda comprehensively recorded exogamous marriages. The entries seem sporadic, compressed and anomalous. In particular, the last of the memoranda in 1606 is succeeded by a long silence, when no memoranda were inscribed, down to 1634. At that point, the entries in the register more dutifully record information about the groom, both occupation and parish of habitation. Of these 79 marriages between 1634 and 1640, for which the groom's status is recorded, only 14 (18 percent) involved exogamous grooms.

The extent to which reliance can be placed on marriage licences is debatable. No doubt such provisions imputed some degree of irregularity—in the sense of not the norm. Unusual circumstances obtained. One of the conditions might have been the remarriage of widows, al-

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<sup>27</sup>For the original anthropology of 'core' families, M. Strathern, *Kinship at the Core: An Anthropology of Elmdon, a Village in North-west Essex in the Nineteen-Sixties* (Cambridge, 2009 edn; originally 1981). The adoption of the concept in historical literature is extensive, but see A. Mitford, 'The significance of kinship networks in the seventeenth century: south-west Nottinghamshire', in *Societies, Cultures and Kinship, 1580-1850: Cultural Provinces and English Local History*, ed. C. V. Phythian-Adams (London, 1996), pp. 24-76.



though only nine specifically defined the status as widow. Only nine of the marriages by licence can be identified in the parish register. Thirty-nine marriage licences involved a party from Loughborough, the earliest in 1607. In twenty-seven permissions, both parties were from Loughborough. In less than a third of licences (12), was one of the parties not from the town.<sup>28</sup>

We can attempt to calculate this proportion back to the middle of the sixteenth century. If we try to connect the marriages up to and including 1570 with the groom's burial, we are successful in 147 cases. The rationale here is that when the groom remained in Loughborough, the marriage was likely to be endogamous. By and large this deduction is confirmed by the bride's maiden name too. In fact the proportion of endogamous marriages is different (40 percent), as the total number of marriages between 1539 and 1570 was 370. Between 1571 and 1610 inclusive, 39 percent of marriages were geographically endogamous on this criterion. It is hazardous to attempt the same analysis between 1611 and 1633, since many grooms were longevous enough to die during the interruption of parish registration. There is, as always, some margin of error in the numbers because of homonymous forenames.

Whilst remarriage often involved new unions of widows, widowers also entered into new unions after the death of their spouse. For example, in 1577 Arthur Fox married Agnes Tarling within three months of the burial of his first wife, Helen (née Banckes), whom he had wed in 1563. With reasonable confidence, we can identify 70 husbands who remarried after the death of their wife. Twenty-four married a new wife within a year, often a number of months, and another 27 in about a year or so. Widowers did not entertain long periods of celibacy; they required a partner fairly immediately for the household.<sup>29</sup>

Some first marriages, however, endured only a short time, often less than a year, because of death at childbirth. A dozen of the widowers above remarried after the death of their spouse within a year. Many others did not survive more than two or three years. An astounding

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<sup>28</sup>H. Hartopp, *Leicestershire Marriage Licences* (London, 1910), pp. 13, 17, 30, 44, 47, 50, 76, 84, 86, 91, 95, 97, 103, 109, 110, 139, 154, 157, 194, 195, 204, 223, 228, 232, 282, 290, 298, 308, 325, 331, 352, 378, 380, 391, 396, 405, 423, 428.

<sup>29</sup>M. Segalen, *Love and Power in the Peasant Family: Rural France in the Nineteenth Century*, trans. by Sarah Matthew (Chicago, Ill., 1983).

example is Nicholas Phillips who married first Ann Tyson in 1604, who died in 1608; in the year of her death, he espoused Margaret Heath, who expired in 1610; in the following year, he took as his bride Mabel Tomson, who survived the plague, but died in 1617; in that year he married Elizabeth Peter. Some half a dozen husbands survived more than two wives. Thomas Taverner represents them: in 1586, he married Margaret Renould (deceased 1590); then in 1591 Alice Pynder (buried 1602); in 1603, his bride Susan Battersbye passed away in the same year; and in 1604, he joined with Catherine Sysone.

Finally, some account must be made of singletons, who did not contribute to reproduction either because their lives were truncated or they remained unmarried. Some estimate can be gauged from entries in the burial register, although likely to be an under-enumeration. On the female side, 15 young maids (servants) were interred, 16 female servants, 8 'ould' maids, and one maidservant.<sup>30</sup> The males involved 14 servants, several of Mr George Hastings, and three apprentices. Since, for considerable extents, the burial register is uninformative about status, the numbers are the minimum.

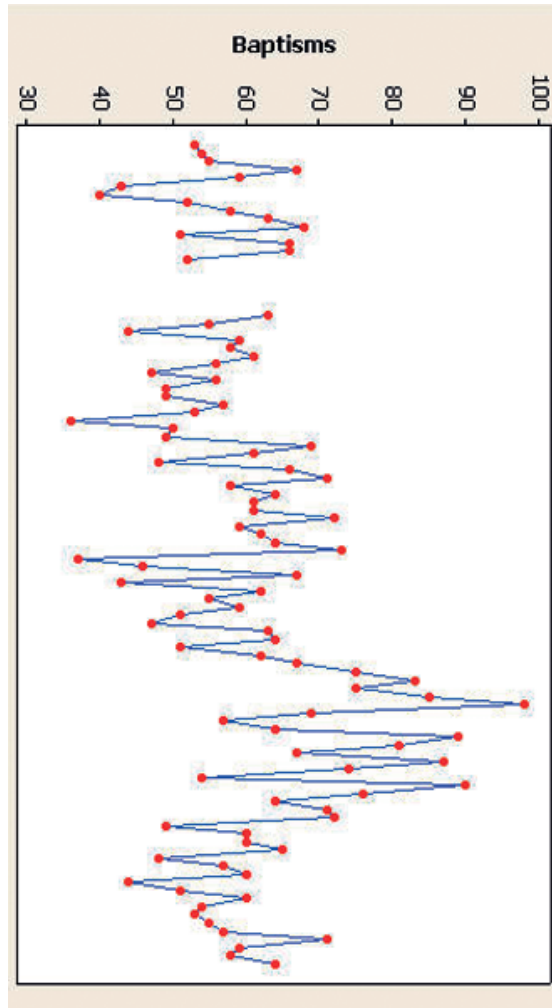
Correspondingly, baptisms exhibited a similar volatility each year (Fig. 6.4). As more marriages succeeded heavy mortality as resources were released, so the population was replenished by higher numbers of baptisms after years of heavy mortality. This process is represented in the approximate congruity in the kurtosis in Figs 6.3 and 6.4. To this extent, the processes of population dynamic were self-correcting. Secondly, the infectious disease of 1609-1611 claimed mainly young people's lives. Married couples who lost children had the opportunity to renew their families by new births. Baptisms after 1612 thus spiked again. Some examples might suffice to illustrate this aspect. In 1610, the twins, Ann and Mary, daughters of Thomas Blocsom of Thorpe were baptized, but buried shortly after baptism. In 1612, Robert, Thomas Bloxam's son, was baptized. Thomas Hickling had a similar experience. His son, John, baptized in 1610, was buried some months later. In 1611, he had another son, with the 'necronym' John, baptized, but he too was buried in 1612, after a short life.<sup>31</sup> His family recovered,

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<sup>30</sup>J. M. Bennett and A. M. Froide, eds, *Singlewomen in the European Past, 1250-1800* (Philadelphia, Pa., 1998).

<sup>31</sup>For this naming practice, S. Smith-Bannister, *Names and Naming Patterns in*

Figure 6.4: Annual rates of baptisms

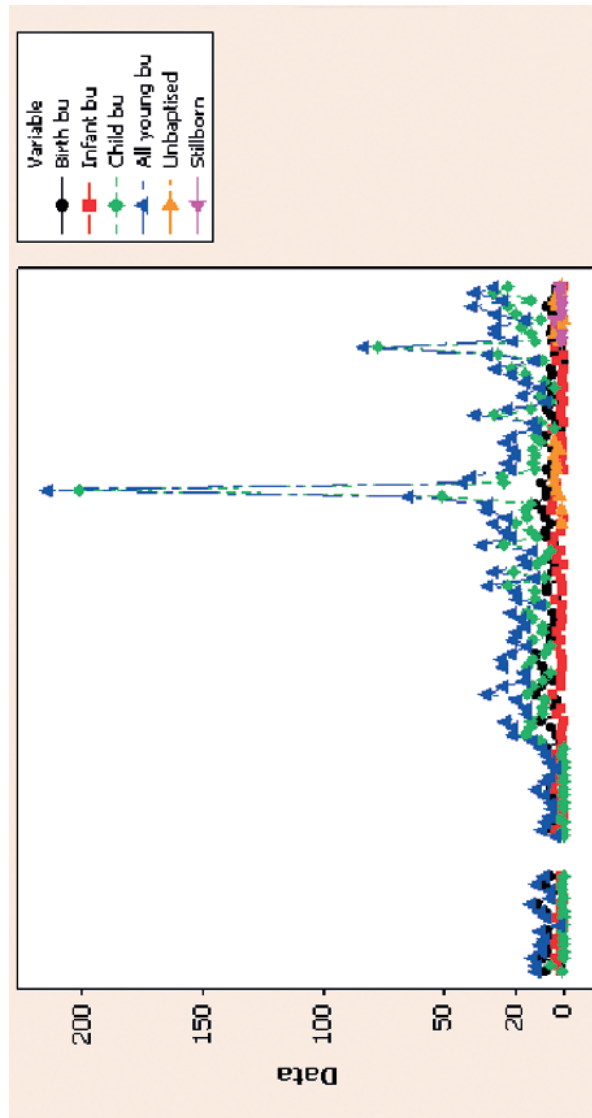


however, through the baptisms of his successive sons, Nowell (Noel) and Thomas, after the pestilence receded. Daniel Wolley and his wife, Bridget, reacted in the same way. Their son, Isaac, was buried shortly after baptism in 1609; their next son, John, survived from 1611 into 1613, but did not enjoy a long life. Daniel was partially successful with the conception of his daughter, Griselda ('Gryssell'), in 1613, but, sadly, Bridget died in childbirth.

Where the married partners survived, then, families could compensate after the disappearance of infectious disease and sought to do so immediately. It was not always possible to replenish some families, nevertheless, because of the death of one of the partners. Whilst the pestilence mostly carried away the young, some wives were also claimed. Thus poor Richard Stanhop lost not only his three children but also his wife in 1610. The same misfortune afflicted Richard Persons whose wife and two children were interred in the same year. In that year too, Henry Dudley lost three children, but, in this case, he too died. As further illustration, in that miserable year, Clement Palmer lost his wife and four children.

Some issues surrounding registration and infant longevity should be resolved here, interrelated as they are. The first question regards the relationship of baptism to births. The risk is the under-enumeration of births if the register recorded only baptisms. Here we invoke Fig. 6.5 for the first, but not last, time. The graph is complex, but is intended at this point to demonstrate the level of sophistication in the register in the early seventeenth century. The burials of unbaptized children seem to be consistently recorded. Secondly, genuine stillbirths seem also to be inscribed in the register in some years. Whilst the registration may not be totally accurate, there seems to be a fair degree of comprehension. For the sake of clarification, these points are illustrated. A multitude of burials describe the deceased as a child: for example, Mary Gibson, Margaret Arnold, Geoffrey Pettye, Isaac Wolley, Ann Thackam, William Cannadine, Elizabeth Grege, Gertrude Thackham, and Isabel Peale, amongst the initial burials in 1609. Even more descriptively, the burial entry for Rowland, son of Rowland Arnold, in 1610 specified that he was a 'sucking' child. The register usually records when a child was buried unbaptized: for example only, Humphrey Hallam's,

Figure 6.5: Child mortality



Ralph Williamson's, Francis Smyth's, and John Sharp's child in 1610 and 1611, without, of course, a forename. Still births are, moreover, noted in the register in some sequences of years.<sup>32</sup>

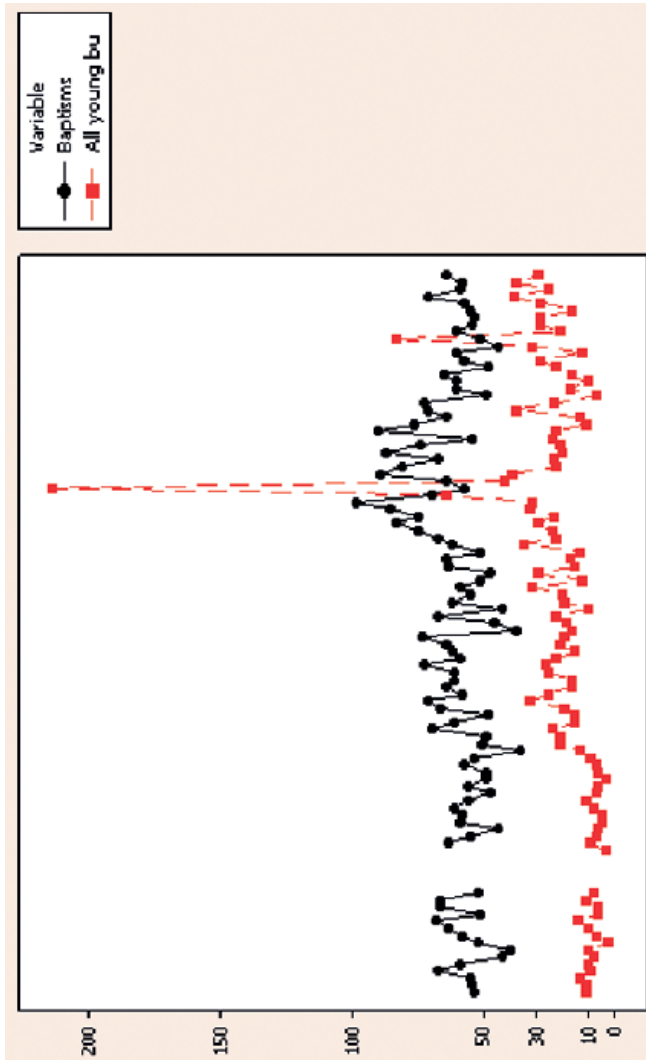
A sensibility to childhood mortality was evoked by the cataclysm of the early seventeenth century. During the last decade of the sixteenth century, sporadic mention is made to the age-status of the child, whereas most descriptions simply referred to the relationship to the father: son or daughter of XY. An initial reference to John Hulcocke as 'a very young boy' occurred in 1592. In 1594 and 1598, two of the deceased were entered as 'a poore child', followed in 1605 by 'a poore boy'. Female youngsters, when not assigned simply the status of daughter, had the simple ascription of 'a child', first in 1595, then 23 between 1602 and 1608, although half in the final year. From 1609, these terms proliferate reflecting the impact of plague on child mortality and the sensitivity to the loss of children. From 1609, 71 sons and 49 daughters were entered for burial as 'a child', concentrated in the years 1609-1611, but recurring occasionally thereafter. Other accretions included 'young boy' (16), 'boy' (13) and 'young girl' (7). From 1611, record was made in the register if the child was buried before baptism. In the 1630s, stillbirths were entered, 12 between 1633 and 1640. This novel concern to identify the age-status of the deceased young pertained perhaps to an impetus for more accurate recording promoted partly by officialdom, but instigated too by the depredations of the young by the plague, horror at that deprivation of children and childhood, and concern about how the population would recover and families perpetuate.

What Fig. 6.5 also reveals is a permanently high level of child mortality. There was a constant—over time and by level—of infant mortality, which diminished the level of replenishment of the population. In particular, the two peaks of mortality in the early seventeenth century affected the young especially. The aggregate trend can be discerned more clearly in Fig. 6.6. If the registers are accurate, child survival remained at a much higher level than child mortality, but the latter continued as a serious demographic drag. Through much of the sixteenth century, child mortality remained at a fairly constant level of ten or so events per

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<sup>32</sup>Demographers distinguish between foetal mortality, infant mortality (before age 1), and early childhood mortality (ages 1-4): R. Pressat, *The Dictionary of Demography*, ed. by Christopher Wilson (Oxford, 1985), pp. 66, 83, 107-108.

Figure 6.6: Baptisms and child burials



annum, but during the late sixteenth century child mortality became elevated. During the early seventeenth century, despite vicissitudes, the level continued to rise, culminating in the peak of mortality in and around 1609. From then to 1640, there was much volatility, interrupted by one more spike in 1631. The incidence of 'plague' began on 14 March 1631, according to the register, and extended through the rest of the year. In October, it was recorded, John Allyne was baptized at Burton in the parish of Prestwold because of the sickness in Loughborough.

Despite the development of Loughborough's urban environment in the late sixteenth century, the rate of bastardy might have been quite low. The status of bastard is attributed in the register from 1593 through to 1640, reflecting simply the height of concern about bastardy and its financial and moral implications. The question remains, of course, whether it was deployed consistently. If we assume it was, then the rate amounted to 2.1 percent of all baptisms. The number per annum never exceeded five illegitimate children.<sup>33</sup>

The general trend of mortality has already been described by Griffin.<sup>34</sup> Few additional comments are necessary on the 'ends of life'.<sup>35</sup> The annual incidence is displayed and the trend (five-year moving average) in Figs 6.7 and 6.8. Disregarding those cataclysmic events itemized by Griffin, the graph exhibits a generally constant trend line with no serious volatility. Taking into account this trend line confirms that there occurred three real experiences of 'crisis mortality', defined as double the trend of the number of deaths. In Figure 6.8, the kurtosis (spikes) have been smoothed to a five-year running average, which highlights the degree of movement from the rolling mean in these exceptional years. It is simply a statistical device to reveal trends, which contemporaries would not, of course, have appreciated: they experienced the full shock of the raw numbers of deaths.

Although general life expectancy was short, a number survived into a respectable old age. Contemporary inscriptions were made in the register (for burials) from 1569 about the longevity of some people,

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<sup>33</sup>S. Hindle, *On the Parish? The Micro-Politics of Poor Relief in Rural England, c.1550-1750* (Oxford, 2004).

<sup>34</sup>Griffin, 'Epidemics in Loughborough'.

<sup>35</sup>Not in the sense of K. Thomas, *The Ends of Life: Roads to Fulfilment in Early Modern England* (Oxford, 2009).



Figure 6.7: Annual rate of burials

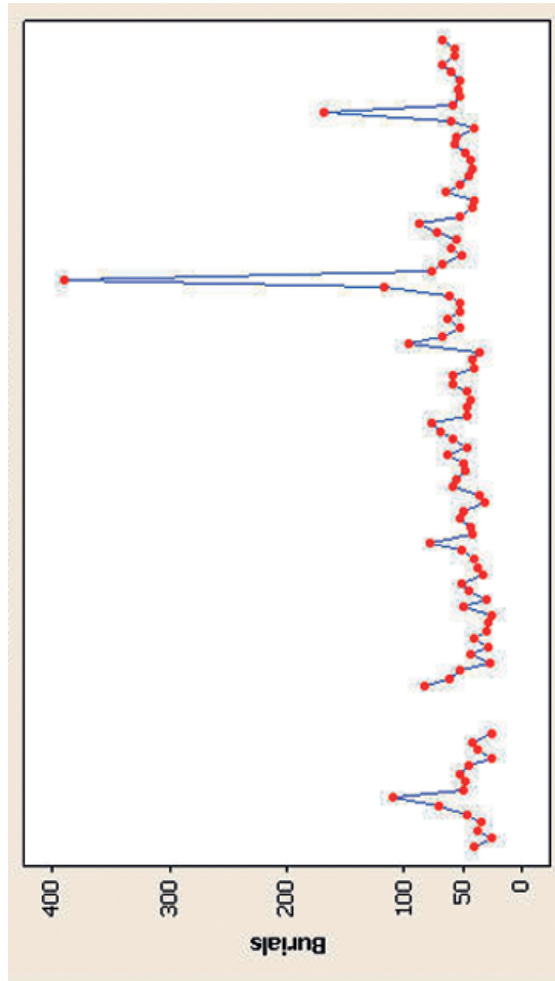
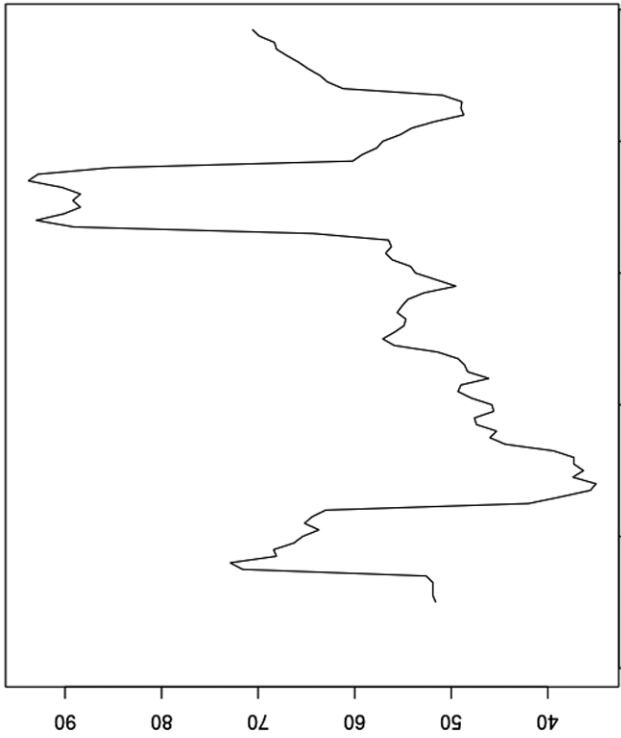


Figure 6.8: Five-year moving average of burials



commencing with the remark of 'ould father' about Giles Hutchensone, father representing tautologically his longevity rather than his familial status. From 1580 to 1640, 29 men were described as 'an ould man' or similar attribution (sometimes with their trade—Thomas Gorton 'an ould cowper' and John Ferrer 'an ould smith', for example). Nine other men were considered 'a very ould man'. Whether there was any substantial difference between 'ould' and 'very ould' is irresolvable. The baptism of only four of these men can be discovered. At his burial in 1610, William Thorp (a common name) was described as 'a very ould man'; he was probably baptized in 1549, so aged about 61 at his death. Also ascribed this status, 'a very ould man', was William Wallis, who died in the following year; his baptism appears to have been in 1541, and so he had advanced to his 70th year at his death. By contrast, Richard Hutchenson and Magnus Dobson were assigned the status of 'an ould man' at their interment in 1613 and 1618, baptized respectively in 1547 and 1544, so one 66 and the other 74. No clear difference can thus be detected between 'ould' and 'very ould'. For men who survived beyond their 70s, their age was noted: in 1586 Henry Scattergood supposed to be a hundred years or more; in 1600 Henry Dawsone aged 86 (the specific age probably known because his son, John, composed the register); in 1604 James Measome 'of a hundred yeare ould'; and in 1608 William Morecroft aged 80 and more.

Female longevity is considered separately because age was, by and large, subsumed in status. Between 1590 and 1620, 23 interred women were described as 'an ould widdow' and one (Elizabeth Thackholme) as 'an ould woman and widdow'. In the 1590s, three women were designated 'an ould maide', and another in 1621. From 1606, five females at burial were registered as 'an ould woman'. In most cases, therefore, status and relationship to males were as important as age. Indeed, that is the convention in the register, for female burials were associated with a male: wife of, widow of, daughter of, a named male. In five cases, an approximate age was consigned: Agnes Smithe in 1576 an unmarried maid (sic) aged 111 years; in 1596 Isabel Scatergood (without male association) aged 88; in 1608 Dorothy Pettie 'an ould widdow' aged 90 and more; in the same year, Joan Kigh(t)ley, also 'an ould widdow', aged 84 and more; and in 1619 Mistress Gee, 'an ould woman . . . 100 yeares & odd'. It is possible to verify and estimate the ages of some of these

women. Commencing with Isabel Scatergood, although not described as a widow in the register, she had married Henry Scatergood in 1548, probably a second marriage. Dorothy Jebson had espoused Thomas Pettye in 1544, 64 years before her death. Parnel Heaye, who died an old widow in 1592, had, as a Worthington, contracted with Laurence Hay in 1551. Another old widow who died in 1595, Elizabeth Allizon (natal surname Palmer), married Roger Allyson in 1548. Margery Hallam (Osborne), who died in 1598, had espoused Edmund Hallam in 1563. The old widow Joan Peter (Harryman) had married Robert Peter in 1574, 35 years before her demise. Finally, the old widow Helen Harreson, deceased in 1620, celebrated her espousal to William Harrison in 1578. We can deduce then that these 'ould' widows had reached their late 50s and 60s.<sup>36</sup> Otherwise, however, age-specific mortality is difficult to estimate because of the replication of names in generations of families.

Death by accident had a minimal toll, but is perhaps only sporadically noted in the register. Accidental death conformed to a gendered difference.<sup>37</sup> Most of this mortality involved males, although the numbers are small. Nine males and two females succumbed. Five males were drowned, one swimming in the flood in 1605, another in the Hermitage Pit, and one in a well. These events were obviously outside the home. The only female drowned suffered in a tub, a domestic casualty. Another young boy lost his life at the malt mill. Roger Sheppard was bizarrely mauled by a lion in 1579. One man committed suicide in 1603 and another was 'slain' in 1577.<sup>38</sup> The only other female casualty was Elizabeth Foster, struck by 'thunder' in 1631.

A sudden death associated with women was childbirth, for which the register provides inconsistent information. Between 1610 and 1629, the deduction can be made that seven women died in childbirth. During this period the register includes stillbirths and burials of unbaptized

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<sup>36</sup>S. R. Ottaway, *The Decline of Life: Old Age in Eighteenth-century England* (Cambridge, 2004).

<sup>37</sup>A debate was engaged between B. Hanawalt and J. Goldberg about accidental death and gendered spheres of work; for early-modern casualties, we await the results of investigation by S. Gunn.

<sup>38</sup>For suicide, M. MacDonald and T. R. Murphy, *Sleepless Souls: Suicide in Early Modern England* (Oxford, 1990); R. A. Houston, *Punishing the Dead?: Suicide, Lordship, and Community in Britain, 1500-1830* (Oxford, 2010).

children, so we can relate these seven maternal deaths to 1,345 births. Maternal mortality thus appears to be about five per 1,000 births, but there is considerable uncertainty about this deduced rate. What is apparent is that experienced women were constantly available in the parish, for we have the burials recorded of three midwives, in 1584 the widow Joan Renold, in 1603 Margaret Bingley, and in 1631 Mistress Hebbe.

Apart from death in childbirth, a multitude of wives predeceased their spouses. When information about burials of women improves in the register from 1573, 551 wives expired before their husband. On the other hand, 307 women were described as widows at their burial. The implication is that husbands remarried, but that widows remained as heads of households with their children. In either case, death had repercussions for family formation.<sup>39</sup>

What, then, can be deduced about the demographic régime? Régime is defined here as the overall characteristics of demographic structure in the parish. We can start with some general features. A secular population trend can be estimated from periodic 'census'-type documents, but the exercise has inherent difficulties because the data are not commensurate, recording different samples of the population. The Poll Tax of 1377 enumerated inhabitants over the age of 14. In 1563, the Bishops' Return recorded the number of households. Their return in 1603, however, was concerned with the number of communicants, probably those parishioners over the age of 16. In the late-fourteenth-century Poll Taxes, Loughborough's population was eclipsed, of course by the county borough's, but also by Melton Mowbray's. Between then and 1563, Loughborough exceeded Melton in demographic size. The Poll Tax of 1377 was assessed on 360 inhabitants over the age of 14 in Loughborough, but 440 in Melton. In the Bishops' Returns of 1563, Loughborough contained 277 households, but Melton at least 80, but probably many more.<sup>40</sup> There are, nonetheless, difficulties of what constituted the geographical units. The figure for Loughborough com-

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<sup>39</sup> John Bongaarts, T. Burch, and K. Wachter, eds, *Family Demography: Methods and their Applications* (Oxford, 1987), p. 8.

<sup>40</sup> A. Dyer and D. M. Palliser, eds, *The Diocesan Population Returns for 1563 and 1603* (British Academy Records of Social and Economic History, new ser. 31, Oxford, 2005), p. 215, which gives a figure of 80 for Melton, but with an ambiguous entry for Freeby and Burton Lazars.

prises the whole parish, including Knight Thorpe, Woodthorpe, and single separate households at each of Loughborough Park and Burleigh Park.<sup>41</sup> By 1603, Loughborough's total number of communicants of 1200 superseded that of Melton *cum membris* (with its appurtenant outliers and chapelries) which was returned as 910.<sup>42</sup> The point about the comparison with Melton is that whilst Melton had been the second most populous urban place in the county in the late middle ages, by the early sixteenth century it had been superseded by Loughborough which continued then to consolidate this position.

The problem is how to convert these different samples of the population into global population figures. Each requires a different multiplier, but there remains no firm agreement about the size of the multiplier. For this exercise, the multiplier which is apparently the most customary has been used, but the resultant population figures must be regarded as approximations, illustrating a trend rather than absolute accuracy.

For the Poll Tax of 1377, it is assumed that a third of the population was under the age of 14.<sup>43</sup> An estimated global population for Loughborough amounts to 540. Assuming a mean household size of 5.05 in 1563, the conversion produces 1,292 for the population of Loughborough, to which we might add for the hamlets and mansions in the parks about another hundred.<sup>44</sup> Most likely much of this expansion occurred in the early sixteenth century.

The best estimate for the number of young people not yet able to communicate in the 1603 return is 45 percent. Accordingly, we might expect a total population of Loughborough in 1603 of 2,180 people or thereabouts. Between 1563 and 1603, therefore, the population apparently increased by at least 800 people and perhaps a few more. Applying the same conversion to the 1676 Compton census of communicants pro-

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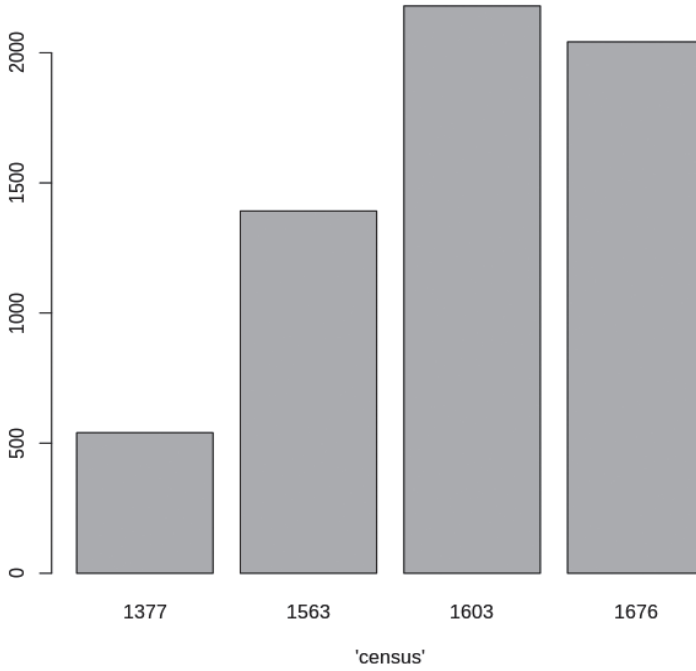
<sup>41</sup>P. Clark, K. Gaskin, and A. Wilson, *Population Estimates of English Small Towns 1550-1851* (Leicester, 1989), pp. 101-103; *Victoria County History of Leicestershire* volume 2 (London, 1953), pp. 163-164; for the disaggregated figures, and the reliable total, Dyer and Palliser, *Diocesan Population Returns*, pp. 215, 223.

<sup>42</sup>Dyer and Palliser, *Diocesan Population Returns*, pp. 376-377.

<sup>43</sup>R. M. Smith, 'Human resources', in *The Countryside of Medieval England*, ed. G. G. Astill and A. Grant (Oxford, 1988), p. 190.

<sup>44</sup>Using the multiplier selected by Clark, Gaskin and Wilson, but for a wider commentary on multipliers in 1563, Dyer and Palliser, *Diocesan Population Returns*, pp. xli-l.

Figure 6.9: Population estimates at fixed points



duces a population estimate of 2,042.<sup>45</sup> During the seventeenth century, population stagnated and perhaps even declined. It is possible that full recovery from the setbacks of the early seventeenth century was never achieved. Alongside the depredations by the garrison in the town in the 1640s, 'plague' revisited in 1645-1648. 'A Plague began the second day', recorded the incumbent in the register in August 1645. Subsequently, 'A Plague' was inscribed in September and December of 1645. 'A Plague' returned in July 1647, persisting through to February 1648. On 27 October 1647, the register records, John the son of Mr John Haughton, the schoolmaster, was baptized at Hathern 'because we had no minister in the Plague time ...'

A comparison of baptisms and burials between 1564 and 1602 inclusive reveals only equilibrium through natural increase: 2,260 burials against 2,215 baptisms. Given the approximate numbers derived from the 'census'-type records, the conclusion must be reached that demographic increase largely consisted of immigration. Two variables were probably operating here: Loughborough's increasing position as an urban entity and the resources released through the recurrent outbreaks of infectious disease. To refine the distinction further—which is hazardous in the context of the approximation of the numbers—40 percent of the population in 1603 probably consisted of immigrants over the previous two generations. Please note here that the steepness of the kurtosis in Fig. 6.9 is artificial as the intervals are arbitrary.

Although it may seem at first sight not consequential, the gendered constituency of the local population did have demographic repercussions. Contrary perhaps to conventional expectations, male baptisms seemed to have exceeded female events. Conversely, female burials outnumbered male interments. The endogenous demographic régime was thus skewed towards males. The consequences theoretically are either more female immigration for marriage or more male singletons.

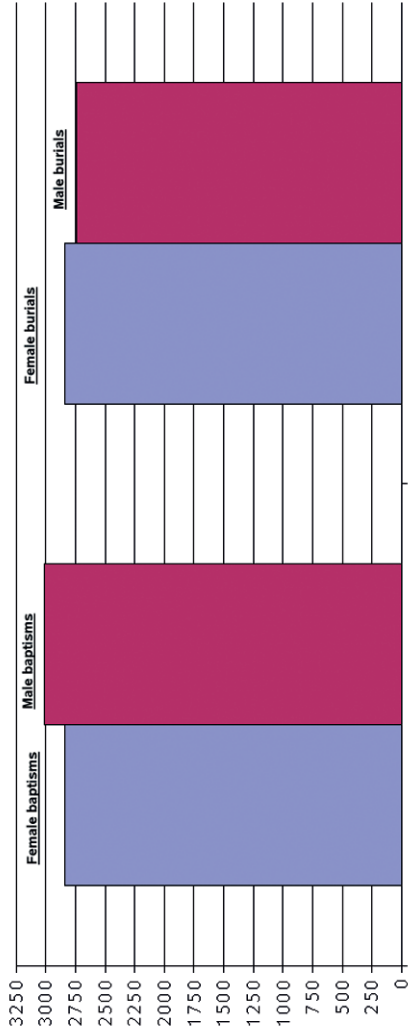
If we produce a composite graph of all three events—baptisms, marriages and burials—the general outline of the demographic régime becomes apparent. The trend of marriages persisted at pretty much a constant level, with occasional compensation for mortality. Burials fluct-

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<sup>45</sup> *Victoria County History of Leicestershire*, volume 3, p. 173; A. Whiteman, with the assistance of M. Clapinson, *The Compton Census of 1676: A Critical Edition* (British Academy Records of Social and Economic History, new ser. 10, 1986).



Figure 6.10: Gendered balance of population



tuated wildly from year to year, punctuated by severe crisis mortality on three occasions, which produced a stochastic shock. The number of baptisms in the majority of years exceeded burials, generally able to replenish the population and, indeed, result in some natural increase, but incapable of remedying fully the extreme crisis mortality of the years around 1609, which, indeed, wiped out the children who, in normal years, replaced the deceased.

The graphs do not explain the secular demographic trend over a hundred years, however. A crude count produces 5,861 baptisms and 5,742 burials. On that rough basis, natural increase approximated to population stasis or stagnation. Natural increase fluctuated, of course, so the secular trend conceals changes. Perhaps the best way to approach this problem is by generational cohorts, as in Table 6.1. The generational span needs some explanation. Considering the age at marriage of male and female partners, a generation might be construed as about 25-26 years. In terms of land tenure and estates, however, 21 years had resonance. For this purpose, the lower number of years has been selected, although there is an argument for longer generations. We have, from the inception of registration, four full generations and one part generation (1627-1640). In two generations, in the late sixteenth century, baptisms outnumbered burials. In two and a half others, however, natural increase could not sustain the population, for burials exceeded baptisms, in the middle of the sixteenth century and through the early seventeenth century. In the first full cohort in the early seventeenth century (1605-1626), baptisms did not fully compensate for the devastation of 1609-1611. Thereafter, burials continued to surpass baptisms. If we consider, then, natural increase, the mid sixteenth century had negative growth, followed by expansion in the late sixteenth century, succeeded by negative growth through the early seventeenth century.

Above, conventional multipliers have been employed to convert lists to full population. One issue which has been elided is family size. Estimating household size is subject to numerous problems. It is possible to make some sort of calculation if we have the marriage of the male head of household and his burial, from whence we can reconstitute the family. Obviously, that reduces the number of families for which the exercise can be attempted.

Even more marriages will be excluded because of homonymy, that

Table 6.1: Generational cohorts

Cohort	Burials	Baptisms
1539-1560	1,082	962
1561-1582	909	1,214
1583-1604	1,195	1,302
1605-1626	1,637	1,590
1627-1640 (part)	919	793

is successive members of kinship groups with exactly the same names. A couple of examples may suffice. Thomas Clarkes married Isabel Brymagham in 1592 and Mary Willocke in 1595, but there are burial entries for Thomas Clarkes in 1606, 1610, 1615, 1633, and 1634. William Baylye wed Mary Walleys in 1601, but his namesakes were interred in 1602, 1621, and 1634. Not even detailed family reconstitution may resolve these ambivalences.

Reconstitution may contend with some of the instances of remarriage, but some will still escape. This attachment reveals another difficulty, however, for, whilst we are fairly certain of the issue of the second marriage, there can be less confidence about the progeny of the first. The first incontrovertible child of a marriage of 1563 was Mary (1573), followed closely by Elizabeth (1574) and Thomas (1575)—all described as the children of Arthur Fox. It seems inconceivable that the first child arrived ten years after the marriage. There are baptisms of other Fox children, but without their ascription to any father. The same conundrum surrounds the offspring of the marriage of George Clowdesley and Mary Glosse in 1561. The first child specifically associated with George was baptized in 1574. It is quite possible that the baptisms of Joan (1565) and Nicholas (1570) pertained also to him, but there is no confirmation in the register. We can contrast this situation with the family formation on the marriage of Ralph Burbage and Elizabeth Fox in 1539. Six children were baptized as son or daughter of Ralph, commencing with Thomas in 1540. This inconsistency in the recording of paternal details at baptism makes any assessment of family size about 1563 almost impossible. The deficiency is particularly important for genealogically core families in Loughborough with a profusion of

marriages and family formations. Reconstituting their families without precise information of fathers at baptism is liable to a wide margin of error.

We might consider testamentary bequests for family size. The following calculation is based on ‘wills’ for Loughborough inhabitants between 1538 and 1570.<sup>46</sup> Perhaps for understandable reasons, a calculation of family size at death produces an extraordinarily low number. Once again, there are substantial caveats. Daughters mentioned by a different surname are assumed to have abandoned the testator’s household through marriage. Sons are a different matter, for their status cannot be deduced from their legacies. It is also possible that some children were not included. Making a rather makeshift calculation, the family size revealed is 3.7. For those reasons, the decision was taken to invoke standard and conventional multipliers calculated in the demographic literature.

The demographic régime in Loughborough largely conformed to the pattern recognized both nationally and in other localized research: a rapid increase in the late sixteenth century followed by equilibrium or stasis in the seventeenth. Whereas this contraction has been generally attributed to the modal trend of mortality, in Loughborough epidemic intervention appears to have had more profound consequences. The major mortality of 1609-1611 eliminated a generation, especially the young, which it was difficult to replace. Subsequent less intense, but periodic, incidents of ‘plague’ in the 1630s and in 1645-1647 obstructed the recovery.<sup>47</sup>

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<sup>46</sup><<http://historicalresources.myzen.co.uk/LOUGH/loughwills.html>> consulted 24.10.2014; originals in ROLLR.

<sup>47</sup>Hinde, *England's Population*, pp. 99-103



## Chapter 7

# Morbidity and welfare

Much of the recent discussion of the experience of sickness in early-modern populations has concentrated on larger urban places, rightly so because of the particular concern of urban authorities with health and welfare in response to the impact of disease there. These places had an institutional authority which, as Margaret Pelling and Paul Slack have illustrated, actively engaged with the collection of information and surveillance, and some sort of political and constitutional infrastructure, if not institutional organization in bricks and mortar. Here we should distinguish between institutional organization (authority to act) and institutions (bricks and mortar).<sup>1</sup> As well as their corporate organization, these larger urban places contained guilds which sponsored, if they could not regulate, medical practitioners, as Patrick Wallis and his collaborators have so felicitously demonstrated.<sup>2</sup> We thus know most about the lives of the poor, sick and elderly in London, Norwich, Warwick and Ipswich, where surveys of the poor were conducted.<sup>3</sup> The uncovering

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<sup>1</sup>M. Pelling, *The Common Lot: Sickness, Medical Occupations and the Urban Poor in Early Modern England* (London, 1998), pp. 14, 63, passim; P. Slack, *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999), pp. 36-49; for issues of entitlement and eligibility, S. Hindle, *On the Parish? The Micro-politics of Poor Relief in Rural England c.1550-1750* (Oxford, 2004).

<sup>2</sup>For example, I. Gadd and P. Wallis, eds, *Guilds and Associations in Europe, 900-1900* (London, 2006).

<sup>3</sup>Pelling, *Common Lot*.

of the extent of morbidity in these larger urban places through their better documentation—surveys of the poor in the last decades of the sixteenth and early decades of the seventeenth centuries—has opened a new perspective on the ‘common lot’, below the lifestyles of the urban elite.<sup>4</sup>

Early-modern England was, nonetheless, a world of urban motion in numerous senses. One significant aspect was the development of smaller urban places which lacked that form of corporate government.<sup>5</sup> Such places were being transformed in the sixteenth and seventeenth centuries, without the unitary political authority to intervene to mitigate the effects of sickness and disease: one aspect of the search for stability in a time of dislocation.<sup>6</sup> Belonging to this lower echelon of smaller towns without that unitary corporate authority, Loughborough has yet a richness of documentation which permits some insight into the issue of morbidity.<sup>7</sup> Given the attention previously directed to mortality, Pelling was concerned to recover morbidity as a more accurate reflection of the social conditions of the environment of the urban poor.<sup>8</sup> Although lacking a survey of the sick and poor, Loughborough does have the countervailing existence of some detailed listings of the recipients of doles from the churchwardens from which we can recover some of the issues of morbidity in this small town. In two senses at least, this material allows a more dynamic examination of the wellbeing of the urban population than permitted by the static surveys, since we can perceive the reaction of the churchwardens over a period of time, not just at one moment, and we can also estimate the duration of interventions to assist individuals or families.<sup>9</sup> We also obtain some idea of the level of response to sickness. Importantly, perhaps, we can also reconnect morbidity to mortality.

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<sup>4</sup>Pelling, *Common Lot*.

<sup>5</sup>Pelling, *Common Lot*, p. 15, reviews the wider application of the Norwich material.

<sup>6</sup>Pelling, *Common Lot*, p. 13; I. Archer, *The Pursuit of Stability: Social Relations in Elizabethan London* (Cambridge, 1991), for the efforts of the magistracy to combat the disorder associated with poverty.

<sup>7</sup>For the complications of unincorporated governance, A. Dyer, ‘Small market towns’, in *The Cambridge Urban History of Britain, II, 1540-1840* (Cambridge, 2000), pp. 425-450, esp. 444-449.

<sup>8</sup>Pelling, *Common Lot*, pp. 13, 64-65, 77, 131.

<sup>9</sup>Pelling, *Common Lot*, p. 149, on the snapshot of the ‘census’.

Table 7.1: Provision for the sick poor

Recipients	Male	Female	'Ould'	Burial costs	Before death
286	168 (59%)	118 (41%)	37 (13%)	52 (18%)	64 (24%)

Loughborough was somewhat anomalous in its organization of support for the poor, which is reflected in the non-existence of any accounts of overseers of the poor. Four officials were involved in the collections for the poor and the disbursements for their maintenance. The collectors for the poor, of which there were two, were apparently junior officers to the churchwardens. The two men selected as collectors for the poor in one year graduated to become churchwardens in the subsequent year. The appointment of all four officials was recorded together in the churchwardens' accounts. The provision for the poor in the churchwardens' accounts thus consists of both pensions for those permanently unable to work and relief for those temporarily incapacitated.

Unfortunately, the years for which the detailed lists of recipients of relief were entered in the churchwardens' accounts are limited to 1599-1600, 1615-1619, 1622-1626, and 1635.<sup>10</sup> In total then we have details for twelve years, many consecutive, but with overall discontinuity. While obviously not ideal, these listings do allow a dynamic investigation of the nature of and support for sickness in this small urban place within its rural parish. During these dozen years, approximately 286 people received doles, 168 (59 percent) of whom were male and 118 (41 percent) female (Table 7.1). Several ambiguities inhere in these data. First, the problem of identification of individuals is constantly complicated. Second, there are ambivalences too about the recipients: who actually received the money and for what purpose?

It is easier to address the second complication first. In numerous instances first husband and then wife were allocated the money: husband first for his sickness and then wife for his sickness. For example, Nicholas Bal(1)ance benefited from nine doles from the churchwardens between 1619 and 1625 whilst he and/or his wife succumbed to sickness.<sup>11</sup> In particular when a child was sick, the payments might be

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<sup>10</sup>ROLLR DE667/62.

<sup>11</sup>ROLLR DE667/62, fos 25v, 121r, 127r, 128r, 133r, 138v.



directed to the husband or 'for his wife'. When the children of Robert and Mary Bradshaw fell sick, the couple received at least twenty payouts, eleven of which were directed to Mary.<sup>12</sup> The responsibility for the children was assumed to be his wife's.<sup>13</sup> In resolving this issue, the solution adopted has been to assign the money to the male where families are involved. The 118 females thus represent singletons, either unmarried or widows.

The issue of ambiguous identification is less easily resolved and so the numbers attributed to particular categories remain approximate, strong indicators rather than absolutely accurate. Some recipients were identified in the listings by a sobriquet associated with their disability: Lame Ann; Lame Emmot; Lame Randell; Blind Tom; and the lame saddler; Old Elizabeth; Great Joan; Great Ralph; and Northern Bess or by some other colloquial or familiar identification.<sup>14</sup> In some cases, it is possible to reconcile some of these anomalies. We can assume with some degree of certainty that Lame Emmot was identical with Em or Emmot Marshall. Lame Emmot was allowed 6d. in 1622 and Emmot Marshall received 4d. in the same year as she was lame.<sup>15</sup> Similarly, Lame Randell should be correlated with Robert Randell who was reported to be sick and lame in 1617.<sup>16</sup> There remain, nonetheless, some unresolved epithets. The aspect of gender confuses some identifications too, especially in the case of widows. In most instances, the conundrum is not insurmountable. For example, it seems fairly conclusive that Elizabeth Ormston, the recipient of two doles of 6d. in 1616 was identical with Widow Ormston who was allocated amounts of 6d., 6d., and 5d., in 1616-17.<sup>17</sup> So for this issue, some confusion persists, but it is only marginal.

We can take one example as illustrating the whole range of intervention by the churchwardens. In 1616-17, nine payments were delivered to 'ould' Abbot for him and his wife; first his wife was ill, then they both succumbed to sickness. For her debility, his wife was allocated

<sup>12</sup> ROLLR DE667/62, fos 103r, 109r, 112r.

<sup>13</sup> Pelling, *Common Lot*, p. 111.

<sup>14</sup> ROLLR DE667/62, fos 25r-v, 103v, 111r, 112v, 120v, 121r-v, 127v, 162v-163r, for example.

<sup>15</sup> ROLLR DE667/62, fos 110v-111r, 112v, 121v.

<sup>16</sup> ROLLR DE667/62, fos 109v, 120v.

<sup>17</sup> ROLLR DE667/62, fos 103v, 104v, 110v.

two doles each of 4d.; they each then received 6d. They both then were allowed 6d. and four allocations of 4d. when they were still sick. Subsequently he died. His widow received three payments in 1617, each of 4d., because she was still incapacitated.<sup>18</sup> From these events we can elicit several aspects of the churchwardens' role in alleviating temporary disruption to lives caused by sickness. First, that succour was often provided towards the end of life, sometimes in the sickness immediately before death. Second, their response was to make provision specifically for the inability to work.<sup>19</sup> Third, their assistance extended to widows immediately after the loss of spouse. We follow through some of these suggestions in more detail below.

In perhaps a fifth of the cases, the churchwardens' intervention was associated with disability related to age. The status of being aged is culturally specific in the sense that the aged are not homogeneous: they comprise all those who can live in old age with dignity and thus with authority, those who struggle for that dignity, those who live without dignity, and those who continued to work, but in the twilight economy which rendered them to some extent marginalized.<sup>20</sup> Some 37 of the recipients (13 percent) were identified by the description 'ould' and surname. Although that description was in use as an affective title, in the accounts it would appear also as a justification for payment. While that is not necessarily conclusive evidence of the association of relief with age, more certain is the payments by the churchwardens towards the burial and winding sheets of 52 inhabitants: that is, 18 percent of the recipients of distributions. These subventions for burial exceeded the usual amounts allowed for doles, of course. Almost half of the payments ranged between 1s. and 2s., with half a dozen extending to more than 2s. Indeed, some of these interventions were associated with the period of illness of the recipient immediately prior death. Perhaps we can postulate that in these cases age incurred indignity rather than the dignity of age and authority. Accordingly Henry Blackshaw was allowed at least 23 payments in 1622-1623, 15 consisting of 4d., before a final

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<sup>18</sup>ROLLR DE667/62, fos 103v, 104v, 105r, 109v, 110v.

<sup>19</sup>Pelling, *Common Lot*, pp. 5, 64-65, 75, 82, 137, 141, 149-150, 153.

<sup>20</sup>A. Blaikie, *Ageing and Popular Culture* (Cambridge, 1999), pp. 46-56; J. Hockey and A. James, *Growing Up and Growing Old: Ageing and Dependency in the Life Course* (London, 1993), pp. 143-149; S. Ottaway, *The Decline of Life: Old Age in Eighteenth-century England* (Cambridge, 2004).

payment of 1s. 4d. towards the costs of his burial and winding sheet.<sup>21</sup> So too William Calladine was the beneficiary of numerous payments during his sickness and lameness in 1618 and 1622. He received doles through 1618 when he was both sick and lame. In 1622 he was awarded more for his lameness, followed shortly afterwards by 8d. to his wife towards his burial.<sup>22</sup>

Perhaps most illustrative of this association of relief for morbidity and defrayal of costs at mortality is the end of life of William Fero. The poor man received six payments in 1615 while lying very sick and remaining still sick. He was washed while sick at a cost of 2d. to the wardens. They allowed 1s. 2d. for a further three and a half days of care. Another 1s. was allocated for the period of prayers for him, undoubtedly as he visibly declined towards death. Their final costs for his tending and burial amounted to 2s. 4d.<sup>23</sup> The episode of the final days of Clement Farra(y) are further illustration. In 1624, while sick, he was allotted six payments, and his wife then received 1s. towards her husband's burial.<sup>24</sup> The wardens annotated their payments to Livy Jesson in July, August and September that he was sick; they also provided 1s. towards his burial.<sup>25</sup> Before furnishing 1s. towards the burial of Richard Nicholls in 1625, the churchwardens had sustained him with at least 14 payments between 1617 and his decease.<sup>26</sup> They supported Robert Noble through his sickness in 1625-1626 with at least 15 payments, concluding with a modest 6d. towards his burial in 1626.<sup>27</sup>

In many instances, then, the churchwardens recorded their assistance for the burial of the recipient. It becomes obvious, however—by comparing the wardens' accounts with the registration of burials—that many more people received doles leading up to their burial. This comparison of the two sources is not without its difficulties. An illustrative example is Widow Sutton who received relief in 1635, but two Widow Suttons were interred, one in March 1637 and another in July 1639.

<sup>21</sup> ROLLR DE667/62, fos 112r, 121v, 127r-v, 128r.

<sup>22</sup> ROLLR DE667/62, fos 24v-25v, 112r, 120v, 122r. His burial is seemingly not in the register, although it is recorded in the churchwardens' accounts at fo. 122r.

<sup>23</sup> ROLLR DE667/62, 96r-97r.

<sup>24</sup> ROLLR DE667/62, fos 133r-v.

<sup>25</sup> ROLLR DE667/62, fo. 25r.

<sup>26</sup> ROLLR DE667/62, fos 24v-25v, 137r.

<sup>27</sup>

The figures cited below therefore relate only to conclusive identifications. The result is that some 68 people received relief in the months leading up to their burial. Others, of course, lived for some years after their last receipt of relief: one received relief within a year of burial; eight within two years; nine within three years; four within four years; and the lives of eight extended for five years after the last payment. Fifteen lived a further ten years and a few (fewer than half a dozen) longer. We must, of course, take into account the hiatus in the lists of distributions, so that these figures of people living for a few years after their relief are maxima which might conceal a closer relationship between relief, morbidity and mortality.

Age, but also gender, were factors in the case of widows.<sup>28</sup> Just over 70 of the female recipients of doles were widows: more than 60 percent of the women. Widows received doles in their sickness, occasionally in child-bed, and for the sickness of their children. In child-bed in 1616, Widow Galloway was allowed 6d. and afforded further payments in 1617 during her subsequent sickness.<sup>29</sup> A widow delivering her husband's posthumous child had no other means of support. Some, however, also received benefactions immediately after the death of a husband, an event which no doubt plunged them into some distress. In other circumstances, the husband died during the illness of both spouses. During 1616-1617, when he and his wife were sick, Ananias Wilkinson received at least 11 payments from the churchwardens. After his death in April 1618, his widow needed additional support.<sup>30</sup>

Bereft of their spouses, widows sometimes still had to sustain a family and household. Illustrative of the needs of widows in this situation was the Widow Gamble who received 6s. in her own sickness in 1617, 6d. for her sick child in 1618, 1s. whilst one of her children became lame in 1619, and another 6d. for a sick child in that year, three allocations of 6d. for her lame son in 1622 and another 1s. in that year when her child was interred. In 1624 she received another 4d. for her sick son, being allowed another 6d. on his burial shortly thereafter.<sup>31</sup>

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<sup>28</sup>Pelling, *Common Lot*, pp. 142, 155-175.

<sup>29</sup>ROLLR DE667/62, 103r.

<sup>30</sup>ROLLR DE667/62, fos 102v-103r, 110r-111v. The date of his burial is from the register: DE667/1.

<sup>31</sup>ROLLR DE667/62, fos 25v, 109r, 112r-v, 121r, 128r, 133r-v, 163v.

Some widows, moreover, were susceptible to sickness, no doubt age-related. Between 1623 and 1626, Widow Blackshew required intermittent help in her sicknesses to the extent of at least 18 payments, three of 2d., one of 3d., eight of 4d., and six of 6d.<sup>32</sup> Widow Brian was allowed eight payments of 6d. and three of 4d. in 1635 when she was sick, sick and lame, and still sick.<sup>33</sup> Widow Clemenson had constant recourse to the churchwardens when she was sick and lame, sick, still sick and lame, very sick and lame, and still sick, extending to at least 23 doles of 2d. to 6d. just in 1635.<sup>34</sup> Widow Paper belonged to those widows who were unable to sustain themselves without constant support from the wardens, receiving at least a dozen payments of 2d., 4d., or 6d., in 1615-1617.<sup>35</sup>

In some cases, of course, the continuous assistance to a widow extended up to her death. Between 1623 and 1626 Widow Clay was constantly in need of help from the churchwardens, receiving at least 25 allocations, culminating in 1s. 6d. for her winding sheet and 3d. towards her burial.<sup>36</sup> The two Widows Kitchley succumbed in the same way, both experiencing long illness during which the churchwardens made awards to support them, but both consequently dying and requiring the wardens to make additional allocations of 1s. 6d. and 2s. for winding sheets.<sup>37</sup> Widow Thorpe suffered sickness on a fairly regular basis between 1616 and 1626, relief being constantly supplied by the wardens, including six payments of 4d. and ten of 6d. Their final allocation of 10d. was occasioned by the burial of 'ould Thorpe wife'.<sup>38</sup>

By contrast, of course, some widows were able to continue to support themselves right up to death, although their poverty might induce the churchwardens to assist their burial. Thus Old Widow Longly's burial was helped by the wardens with 10d. for her interment and 1s. 10d. for her winding sheet.<sup>39</sup> Widow Seele may only have made demands on

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<sup>32</sup>ROLLR DE667/62, fos 128r, 133r-v, 137v, 143r-v

<sup>33</sup>ROLLR DE667/62, fos 162v-163r..

<sup>34</sup>ROLLR DE667/62, fos 162v-163v.

<sup>35</sup>ROLLR DE667/62, fos 97v-105r.

<sup>36</sup>ROLLR DE667/62, fos 126v-128r, 133v, 137r-v, 138v, 142v: 3x2d.; 6x3d.; 9x4d.; 5x6d.; and the two at her death.

<sup>37</sup>ROLLR DE667/62, fos 25v, 110r, 112r, 121v, 128r, 132v-133v, 137v.

<sup>38</sup>ROLLR DE667/62, fos 24v, 104r, 105r, 121r, 133r, 137r, 138v, 158v.

<sup>39</sup>ROLLR DE667/62, fo. 158v.

the wardens at her burial, when they provided 2s. 2d. for her winding sheet and for the woman that laid her forth in 1635.<sup>40</sup> Individual circumstances were contingent: the ability to work varied.

The predominant categories for assistance in the churchwardens' accounts replicate those vague terms encountered in the surveys: sick, still sick, very sick (175 subjects); lame (ten); sick and lame (nine); but also in (great) need or distress (six).<sup>41</sup> The numbers here exceed the list of recipients above since they include husbands, wives and children rather than just the (male) recipient of the allowance for the family. As has been demonstrated by Pelling, the criterion for relief was less disability as the inability to work at a particular time, the contributions compensating for loss of income. The churchwardens' payments were emergency relief rather than continuous payments for disability. Parishioners were otherwise expected to work. This expectation is reflected in different sorts of payment: the intermittent relief for those with physical disability who were normally expected to provide for themselves; and the relief furnished to males whose wives or children were sick, inhibiting the males from working to earn their livelihood for a short duration.

We can illustrate the first category easily enough. Blind Arnold was allowed three payments in 1635; Blind Oliver three in the same year, once because his wife was sick; Blind Hardy two allocations in that year; Blind Tom, who was married, like Blind Oliver, two payments in 1622-1623; and Blind Jane Evatt three allocations when she was sick.<sup>42</sup> Fewer than ten blind inhabitants received occasional relief and then only for a short period. Only once did Lame Ann apparently benefit from the allowances when she was allocated 4d. in 1622.<sup>43</sup> The enigmatic lame saddler seemingly acquired only two payments, each of 4d. in 1635, although problems of identification might mislead us here.<sup>44</sup> These people with physical disabilities feature in the lists of doles only intermittently, usually only a few times when they were temporarily prevented from working.

Inability of males to work was understood within the context of the

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<sup>40</sup>ROLLR DE667/62, fo. 157r.

<sup>41</sup>Pelling, *Common Lot*, pp. 73, 77-78, 85; for the definition of lame, *Common Lot*, pp. 72-73, 142.

<sup>42</sup>ROLLR DE667/62, fos 121r, 127v, 163r-v.

<sup>43</sup>ROLLR DE667/62, fo. 120v.

<sup>44</sup>ROLLR DE667/62, fos. 162v-163r.

family. The disruption that sometimes accompanied childbirth constituted a genuine reason for relief. Several men were treated to compassionate relief whilst their wives were in child-bed.<sup>45</sup> The consequences could be more painful. In 1625, John Sharpe reported the sickness of his wife. In 1626, his great need was evident; he received 1s. 4d. for the winding sheet to bury his wife. In his great distress, he was allocated six further payments of 6d.; his children were looked after by Whyniard. The register of burials reveals that his wife, Joan, died in childbirth in October 1626, delivering stillborn twins.<sup>46</sup> The incapacity of wives might mean the distraction of husbands from working to care for wives and family. So Thomas Green was in receipt of nine payments, mostly for his wife's sickness.<sup>47</sup> Numerous such payments were made to other husbands. For example, while his wife was sick in 1623, William Ball benefited from three doles of 4d.<sup>48</sup> When his wife was sick and he had to look after the four children, Thomas Mathewe was allocated some funds.<sup>49</sup>

Wives were, indeed, important contributors to household income, so payments were offered to assist their recovery from impediments to work. Thus Leicester was proffered 1s. for his wife's sore hand.<sup>50</sup> In 1600, Thomas Dore was allocated a large sum towards healing his wife's hand.<sup>51</sup> In some of these cases, the relief counterbalanced the inability of the male to work while he was occupied in caring for his family, but in others it compensated for the loss of contributions to household income by wife and children.

These more specific references to the exact nature of the sickness are infrequent. Excluding the wives above, we have complaints of sore legs twice and a sore hand.<sup>52</sup> In 1615, Thomas Hegglesone was given 6d. when he was hurt by a fall and subsequently another 1s. 6d. while he was ill and for his burial; he was interred in November 1615.<sup>53</sup> The

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<sup>45</sup>ROLLR DE667/62, fos 44v, 112r, 133r-v.

<sup>46</sup>ROLLR DE667/62, fos 137r, 142v.

<sup>47</sup>ROLLR DE667/62, fos 97v, 121v, 133r-v, 138v-139r.

<sup>48</sup>ROLLR DE667/62, fo. 127v.

<sup>49</sup>ROLLR DE667/62, fo. 163v.

<sup>50</sup>ROLLR DE667/62, fo. 44r.

<sup>51</sup>ROLLR DE667/62, fo. 44v.

<sup>52</sup>ROLLR DE667/62, fos 44r-v.

<sup>53</sup>ROLLR DE667/62, fo. 97r; the date of burial is from the register.

exception to this reticence of the record is the episode surrounding the lameness of John Tompson. When he became lame in 1625, he was allocated several doles of money which escalated to a higher level, to the extent that he received payments of 1s. twice, 2s. on 13 occasions, and 1s. 8d. once. Mr Johnsonne was summoned from Hinckley to examine his leg. The doctor was remunerated to the tune of 5s. to inspect it. Another 1s. was expended on the bonesetter, Valentine Alline, to re-set the leg. The result must have been a successful return to work, for no payments were made after 1625.<sup>54</sup>

The policy of the churchwardens was not continuous, but was altered, perhaps in response to the immense impact of the infectious disease of 1609-1610.<sup>55</sup> During its incidence the churchwardens were probably unable to make any effective intervention apart from the construction of the pest-house. Their futility in this situation may have induced them to revise their policy towards the sick. Before then, at least in 1599-1600, the churchwardens had distributed larger one-off payments to the sick. Of the 31 allocations to the sick in those two years, 18 consisted of a payment of 1s., one of 1s. 8d., two of 2s., and one even of 5s.<sup>56</sup> By 1615, the next year with extant details of distributions, the churchwardens had adopted a much more cautious approach to allocations to the sick. Incremental payments were now the order of the day. This circumspection can perhaps be illustrated by the relief offered to Northern Bess between 1618 and 1622.<sup>57</sup> When she first succumbed to sickness in June 1618, the churchwardens allowed her the minimal amount of 2d. Immediately thereafter, however, she received four doles each of 6d., and between October and January following six amounts of 6d. and two of 4d.

Although Loughborough lacked unitary, corporate authority, the inhabitants made concerted efforts to make provision for their neighbours. Two collective enterprises surfaced in the churchwardens' accounts. Collections for the diligent poor were organized around communions. In 1618, for example, the following amounts were received for the poor

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<sup>54</sup>ROLLR DE667/62, fos 137v-138r.

<sup>55</sup>N. Griffin, 'Epidemics in Loughborough, 1539-1640', *Transactions of the Leicestershire Archaeological and Historical Society* xliii (1968), pp. 24-34.

<sup>56</sup>ROLLR DE667/62, fos 41r-44r.

<sup>57</sup>ROLLR DE667/62, fos 25r-v, 112v, 120v-121v.



at communions: April 7s. 6d.; 1 July 10s. 2d.; 21 October 12s. 1½d.; February 9s. 6d.; Palm Sunday 1s. 10d.; and Easter Day 11s. 1d.<sup>58</sup> Collections at communions varied considerably, with the larger amounts donated at the more significant times of the year. The annual number of communions at which the churchwardens received money fluctuated between four and seven. At its maximum, the income at communions did not exceed £5 and fluctuated year on year.

From the mid 1630s to the mid 1640s, fasts were also inaugurated for collecting for the poor. Such fasts were usually arranged weekly during the part of the year associated with the life-course of Christ: as in 1636-1637, 30 November, 7 December, 14 December, 21 December, 28 December, 4 January, 11 January, 18 January, 8 February, 22 February, 15 March.<sup>59</sup> This observation of the 'temporale' as one ritual part of the year was thus not confined to Catholicism, but featured as much in the Protestant reformed calendar for the purpose of charity.<sup>60</sup> The disruption of the mid 1640s inevitably caused dislocation, with the consequence that fasts for raising money for the poor were discontinued from 1645.<sup>61</sup> This evangelical episode proved important, for larger amounts were collected at the church door at fasts than were contributed at the communions. In 1641, for example, £4 3s. 7d. accrued at a thanksgiving with further sums of 17s. 4d., 18s., and 17s. at fasts.<sup>62</sup> The voluntary contributions at fasts also equalled the amounts collected by lays (levies or rates).

Even with lays, the amount of money available to alleviate distress was severely limited. In the 25 between 1600 and 1624, the disbursements for the poor did not exceed £3 in 22 years. From 1625, the distributions for the poor increased (in line with the augmentation of the income of the churchwardens). Between that year and 1658, nevertheless, in half the years less than £6 was expended on the poor, whilst in another 50 percent of the years the sum fell between £6 and £10.

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<sup>58</sup> ROLLR DE667/62, fo. 24v. This account has been bound in out of sequence. The collections for the poor were usually made at the communions at All Hallows, Low Sunday, Care Sunday, Palm Sunday, Easter Day, Michaelmas and Christmas.

<sup>59</sup> ROLLR DE667/62, fo. 169v.

<sup>60</sup> I. Ben-Amos, *The Culture of Giving: Informal Support and Gift Exchange in Early-modern England* (Cambridge, 2008), pp. 84-95, 244-255.

<sup>61</sup> ROLLR DE667/62, fo. 190v.

<sup>62</sup> ROLLR DE667/62, fo. 182v.

The ability of the churchwardens to intervene to mitigate distress was thus constricted.

It is difficult to compare the extent of morbidity in the small, unincorporated town of Loughborough with the occurrence of sickness in larger urban centres. The topography of Loughborough was more salubrious than the built density of larger urban places.<sup>63</sup> Payments to the poor during sickness were discretionary, not an entitlement, but contingent on the resources of the churchwardens and the reputation and credit of the invalid. The response of the churchwardens of this small town seems to have consisted of interventions as a last resort. What their late involvement resulted in, then, was a close association between the morbidity and the mortality of their clients.

The material from Loughborough thus complements the surveys from larger, incorporated boroughs. Such surveys were static, a snapshot of sickness in their urban environments, but probably more comprehensive in their recording of the sick poor. All the sick were encompassed without selectivity or discrimination. What is missing, nonetheless, is some diachronic perception of the fortunes of the sick poor, in particular how their sickness and their support related to the life-course. Even if they addressed the sick in a discriminatory manner, excluding those who were deemed to be undeserving, the Loughborough churchwardens' accounts furnish information about the incidence of sickness in the life-course (and death).

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<sup>63</sup>N. Goose, 'Household size and structure in early-Stuart Cambridge', repr. in *The Tudor and Stuart Town: A Reader in English Urban History 1530-1688*, ed. J. Barry (Harlow, 1990), pp. 74-120; M. Dobson, *Contours of Death and Disease in Early Modern England* (Cambridge, 1997).



## Chapter 8

# Social relationships

Some indications have been given above about the social relationships between the inhabitants of the town and the parish. Those relationships existed within the parish, but also extended outside. The configuration of those connections had both persistent aspects, which might be construed as ‘structural’, but also differences over time. Geographical variables were important, such as the formation of a hinterland around the town and the interconnections between the three *pays*. We should not, however, assume that such geographical patterns were entirely formative. During the later middle ages and even in early modernity, jurisdictional organization and competences influenced connections and networks. Two such components were the configuration of the view of frankpledge held at Loughborough and the statute staple court in Nottingham, the latter more visible in the activities of early-modern inhabitants of Loughborough. One of the great difficulties is that the relationships which are visible are probably incomplete, because submerged interconnections were not recorded. Here, we shall nevertheless attempt to define those relationships. The sequence will be chronological, from late medieval to early modern, considering both internal and external connections.

One of the recurrent questions about social relationships at any time and in any place is the extent of reciprocity, ‘mutuality’, and social cohesion. In the later middle ages, the paradigm of solidarity is repre-

sented by the Toronto ‘school’s’ investigation of manorial/village societies in Huntingdonshire. Although differentiation of the peasantry existed in economic terms, peasants assisted each other across that stratification.<sup>1</sup> This emphasis on reciprocity recurs in some examinations of early-modern social relationships.<sup>2</sup> An extension is the detection of ‘community’ in medieval and early-modern local society, for which there is a wide literature.<sup>3</sup> The simple intention here is to observe the socio-economic interactions in their multiplicity and diversity.<sup>4</sup>

For the most part, the principal window through which we can view the interactions of the people of Loughborough are courts, which presents its own problems of mediation and interpretation. To clarify the courts of the lordship first, the view of frankpledge entertained matters which technically infringed the peace. Whilst presentments for battery and assault were a normal aspect of the business of the view of frankpledge in the later middle ages, this class of action had virtually disappeared by the middle of the sixteenth century. Most interpersonal actions were considered in the manorial court or court baron. In the context of the localized interchanges, the pattern is complicated by the franchisal jurisdiction of the lords of Loughborough, the Hastings family. The liberty of the view of frankpledge and the assizes of bread and ale (and some other commodities) extended be-

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<sup>1</sup>Perhaps best represented by E. B. DeWindt, *Land and People in Holywell-cum-Needingworth: Structures of Tenure and Patterns of Social Organization in an East Midlands Village, 1252-1457* (Toronto, 1972), which seems to formulate this proposal somewhat on the lines of Talcott Parsons’s systems theory, for which, see, for example, H. Joas and W. Knöbl, *Social Theory: Twenty Introductory Lectures* (Cambridge, 2009), pp. 35-39, 59-67; G. Ritzer, *Sociological Theory* (5th edn, New York, 2000), pp. 233-244. The ‘functionalist’ expression of the restoration of harmony (a sort of regression to the mean) is exhibited in much discussion of medieval social history, for example M. K. McIntosh, *Autonomy and Community: The Royal Manor of Havering, 1200-1500* (Cambridge, 1986). This approach has been subjected to acute criticism by Z. Razi and R. M. Smith in their introduction to *Medieval Society and the Manor Court* (Oxford, 1996).

<sup>2</sup>Especially, but not only, K. Wrightson, ‘Mutualities and obligations: changing social relationships in early modern England’, *Proceedings of the British Academy* 139 (2006), pp. 157-194

<sup>3</sup>Too wide to repeat here, since it is exhibited in a variety of forms from perceptions of Bakhtin, Charles Taylor, Parsons, Benedict Anderson, A. Cohen *et al.*

<sup>4</sup>The analysis below does little to alter my perceptions in Postles, *Social Geographies in England (1200-1640)* (Washington, DC, 2007).

yond Loughborough to include Burton on the Wolds and tenants in Quorn, Barrow upon Soar, Cotes, Prestwold and Mountsorrel. Undoubtedly connections with those places would have developed, but the extension of some juridical control no doubt reinforced linkages, enhancing 'information fields' and informal exchange. One of the unusual consequences was the inclusion on the inquisition of the view of frankpledge in 1564 of two tenants from Quorn, William Hebb and John Pursse.<sup>5</sup> The complications of the organization of the lordship can be perceived in an account of 1473-1474. The rental is headed: Loughborough: the account of William Parker, bailiff and collector of rents and leases there, Richard Parker, wrenner, Thomas Marsshall, woodward, and John Blage miller there. The first income from current rents of assize amounted to £49 19s. 9d. There follows, however, rents collected from other 'members of this lordship', which were derived from the Jorz fee, Shelthorpe, Cossington, Cotes, Prestwold, Stanford on Soar, Burton on the Wolds, Mountsorrel, Walton on the Wolds, Wymeswold, Hoton, and Hathern. Obviously, the dispersed nature of the lordship did not necessarily entail contacts between tenants, but some 'information fields' might have been constructed.<sup>6</sup> The disintegration of the demesne is also visible in this account, attracting a small number of external tenants, from Burton, Wymeswold and Stanford. A rental of the mid sixteenth century illustrates this complexity of the tenurial relationships of the manor of Loughborough. The rental is headed simply: Rental of the manor of Loughborough, part of the estates of the Duke of Suffolk.<sup>7</sup> The document includes rents from parishes outside Loughborough without designating them as foreign rents. The heirs of Chaveney, those of Hudleston, and those of John Villers, knight, all free tenants (*liberi tenentes*) held lands respectively in Quorndon, Prestwold, and Burton on the Wolds (*Burton super Old* representing the OE orthography for Wold). The inter-relationship of tenants and tenures through the lordship is perhaps exemplified by the indictment of Thomas Carver,

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<sup>5</sup>HAM Box 24, fldr 5 (*Jurati ex officio*).

<sup>6</sup>HAM Box 22, fldr 3:Loughborough. *Comptus Willelmi Parker Balliui et Collectoris redditus et firmariorum ibidem Ricardi Parker Warrenarii Thome Marsshall Venditoris bosci et subbosci Ac Johannis Blage Moledinariii ibidem . . . ; Redditus membrorum huius dominij.*

<sup>7</sup>HAM Box 24, fldr 4: *Rentale manerii de Loughborough percella possessionum nuper Ducis Suffolk*.

a glover of Mountsorrel, in the middle of the sixteenth century. Carver was convicted in Leicester for felonies and hanged. The chattels which he had left in Loughborough Park were granted by the lord of the manor to Carver's widow. The cottage in Loughborough market place which Carver had held by copyhold, reverted to the lord of the manor.<sup>8</sup>

Debt litigation in the manorial court of Loughborough illuminates the social, commercial and economic relationships in the town in the later middle ages. 'Whether social relationships were vertical or horizontal, all were crisscrossed by debt.'<sup>9</sup> The pleas in this manorial court are very specific and provide data about: the nature of the debt (sales, loans, wages, and rents); commodities involved in the debt and detainee; lengths of debts; and damages claimed and awarded. This evidence is not without difficulty. First, such litigation could only have been the proverbial tip of the iceberg of transactions—those which became contentious. Secondly, there is the problem of the limit of jurisdiction of the manorial courts to claims below 40s., but this problem may not be too severe.<sup>10</sup> Pleas of debt in manorial courts for sums of 39s. 11d. and 39s. 11½d. suggest that there might have been suits exceeding 40s. in other courts, but there are few such cases in Loughborough manorial court. One plea between Richard Martyn of Leicester and Richard Fysshere involved 39s. 11d., but the plea concerned two debts, a rent and a loan for repairs. Thomas Hutte pursued Thomas Flesshever for five separate debts amounting in all to £9 9s. 0d.; the mean of 37s. 10d. intimates that some of the individual debts might have exceeded £2, so that the collective suit was a subterfuge to avoid the jurisdictional limit. Similarly, John Parker impleaded John de Duffeld for £23, the mean of the 11 separate pleas 41s. 10d., thus evading the jurisdictional circumscription. Such composite pleas might thus indicate that there

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<sup>8</sup>HAM Box 24, fldr 5. See the Appendix to this chapter.

<sup>9</sup>L. Fontaine, *The Moral Economy: Poverty, Credit, and Trust in Early Modern Europe* (New York, 2014 edn), p. 26; Fontaine provides a deep analysis of debt relationships in their multiplexity, complexity and polysemy.

<sup>10</sup>E. Clark, 'Debt litigation in a late medieval English vill', in *Pathways to Medieval Peasants*, ed. J. A. Raftis (Toronto, 1981), p. 252; J. S. Beckerman, 'The forty-shilling jurisdictional limit in medieval English personal actions', in *Legal History Studies*, ed. D. Jenkins (London, 1975), pp. 110-117; S. F. C. Milsom, 'The sale of goods in the fifteenth century', repr. in his *Studies in the History of the Common Law* (London, 1985), pp. 106-108; M. K. McIntosh, 'Moneylending on the periphery of London, 1300-1600', *Albion* 20 (1988), pp. 557-571.

were methods of infringing the jurisdictional limit which the court deliberately or inadvertently entertained. Since, moreover, there were few pleas between a mark (13s. 4d.) and 39s., debts exceeding 40s. might have been infrequent in the town's context.

The profile of debts was, nevertheless, probably higher than in rural manorial courts in the county. About 47 percent of actions between 1397 and 1406 involved sums in excess of 5s., compared with 30 percent at Kibworth Harcourt and Kibworth Beauchamp (a market vill) and merely 3 percent at Barkby. Debts resulting from sales at Loughborough surpassed 5s. in 45 percent of cases. The divergence can best be illustrated by the mean for debts: 138.2d. for all debts and 103.9d. for debts from sales in Loughborough; 62.6d. and 82.9d. for all debts in the two Kibworths; and 16.92d. for all debts in Barkby. In rural manors, the profile of debts was lower, with pleas concerning smaller amounts of money. The size-distribution at Loughborough still fell below that at Writtle where 54 percent of debts involved more than 5s.<sup>11</sup> Another differentiating feature might have been that debt litigation was more frequent in manorial courts in an urban context, whilst rural manorial courts were characterized more by cases of trespass. In Loughborough in these years, 1397-1406, of 190 cases of debt, 78 concerned sales, 21 wages, 17 ostensibly loans, and 7 rents, the remainder unspecified in the extant court rolls. Predominantly, the transactions were *parole* debts, entered into orally. Specialties were mentioned in only a single case in 1398.<sup>12</sup>

Although the data may be skewed since the series of court rolls is broken, it seems fairly conclusive that the main socio-economic relationship between people was debt. Despite the compactness of the urban topography, trespass was comparatively less frequent and hamsoken (aggravated entry into premises) unusual. As in every place, there was

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<sup>11</sup>Merton College, Oxford, MM 6570-6609, 6406-6433; TNA SC2/183/76-78; Clark, 'Debt litigation', p. 263 (Table 8.7); see also, for larger urban places, M. Kowaleski, 'The commercial dominance of a late medieval provincial oligarchy: Exeter in the late fourteenth century', repr. in *The Medieval Town: A Reader in English Urban History, 1200-1540*, ed. R. Holt and G. Rosser (London, 1990), pp. 199-209; R. H. Britnell, *Growth and Decline in Colchester, 1300-1525* (Cambridge, 1986), pp. 98-108.

<sup>12</sup>HAM Box 20, fdr 2 : *et petit iudicium si teneatur respondere sine speciali an non et postea adiucatum [sic] est per senescallum quod non et dictus Johannes in misericordia pro iniusta querela.*



an amount of battery and assault, but not at an unusually high level. The manner in which disputes were resolved can be discerned in a reasonable proportion of cases. The extent of informal dispute resolution, by arbitration or similar processes, is concealed from view, however. The court rolls do not mention love-days, but the licence to compromise (*licencia concordandi*) may have involved not only the parties but also mediators.<sup>13</sup> Just over 40 percent of cases of both debt and trespass were resolved between the parties by licence to compromise after litigation had been initiated in the court. Plaintiffs may in this way have been employing legal action as a means of compelling defendants to negotiate. Plaintiffs were overwhelmingly successful in their suits which suggests that they only resorted to law if there was a conclusive case, although a slightly higher proportion of cases of trespass were concluded for the defendant. Of a total of 277 cases in which the outcome is known between 1397 and 1406, plaintiffs were successful in 46 percent of cases of debt and 27.2 percent of trespass suits. In the successful plaintiffs' actions, the defendants either admitted the debt (*cognovit*) or the jury found for the plaintiff. The defendant was acquitted by the jury in 5.1 percent of debt cases and 14.8 percent of trespass actions, but 36.1 percent of debt suits and 39.8 in trespass were compromised whether by plaintiffs or more usually defendants placing themselves in mercy for a licence to treat (*ponit se in misericordia pro licencia concordandi*), whilst in 12.6 percent of debt and 18.2 percent of trespass cases, the plaintiff withdrew the suit (*non prosecutus est*).<sup>14</sup>

The total of 331 debt cases concerned well over 200 different individuals, in the region of 230, but complicated by homonymous townspeople).<sup>15</sup> Only a small number of people were engaged in multiple cases

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<sup>13</sup>M. Clanchy, 'Law and love in the middle ages', in *Disputes and Settlements: Law and Human Relations in the West*, ed. J. Bossy (Cambridge, 1983), pp. 47-68.

<sup>14</sup>For compromised actions in courts of rural and semi-urban manors, R. M. Smith, 'Kin and neighbors in a thirteenth-century Suffolk community', *Journal of Family History* 4 (1979), p. 224 (Table 1); Z. Razi, 'Family, land and the village community in later medieval England', *Past and Present* 93 (1981), p. 8; Clark, 'Debt litigation', p. 252 (Table 8.4); McIntosh, *Autonomy and Community*, pp. 196-197 (Table 11); J. M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock Before the Plague* (Oxford, 1987), p. 29 (Table 2.2).

<sup>15</sup>For comparable data, J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge, 2012), pp. 348-368 (Newmarket and Clare).

of debt. These cases represented only those which came into the formal forum, so there might have been a wider network of relationships of creditors and debtors not revealed because not contentious. The evidence supports an interpretation that socio-economic relationships and networks were loose.

Networks of personal relationships can also be inferred from personal pledging (standing as sureties for litigants).<sup>16</sup> Much examination of pledging as an indicator of social networks has focused on rural manors. Personal pledging might be a less biased indicator in boroughs where there was less seigniorial interest in the institution and thus the relationship had a greater element of voluntariness. In small towns such as Loughborough, however, where the manorial court had institutional importance, pledging might have been influenced by the seigniorial requirements.

Pledges were mentioned in only 103 (20.7 percent) of the total of 498 cases of presentment or litigation, comprising 28 debt cases, 3 trespass, 44 battery or assault, 5 hue, 2 disrepair of tenement, 6 breach of the curfew, as well as 15 admissions to holdings. In many cases, one of the pledges was an official and probably acted as surety in that position. Pledges were normally required for those presented by the chief pledges, especially for battery (physical violence) or assault (intention to do harm). The court rolls only recorded pledges in cases of debt or trespass inconsistently, more particularly when a defendant intended to wage his or her law—that is, contest the case by bringing affidavits. Kin acted as pledges in a small number of cases (16), but were more active in cases of battery, in which they pledged ten times. In four cases, successful plaintiffs pledged for defendants; John de Burton, successful in a case of debt against William Sheperd, stood surety for Sheperd in six cases

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<sup>16</sup>R. M. Smith, "Modernisation" and the corporate village community in England: some sceptical reflections', in *Explorations in Historical Geography: Interpretive Essays*, ed. A. R. H. Baker and D. Gregory (Cambridge, 1984), pp. 156-158; Smith, 'Kin and neighbors', pp. 223-225; DeWindt, *Land and People in Holywell-cum-Needingworth*, pp. 242-250; M. Pimsler, 'Solidarity in the medieval village? The evidence of personal pledging in Elton, Huntingdonshire', *Journal of British Studies* 17 (1977), pp. 1-11; Bennett, *Women in the Medieval English Countryside*, pp. 24-25, 37-38, 154-155, 193-195; J. A. Raftis, *Tenure and Mobility: Studies in the Social History of the Mediaeval English Village* (Toronto, 1964), pp. 101-104; S. Olson, 'Jurors of the village court: local leadership before and after the plague in Ellington, Huntingdonshire', *Journal of British Studies* 30 (1991), pp. 237-256.

brought by other parties. The 103 pledgings thus involved 62 different pledges, but only five pledges acted more than four times, two of whom were definitely from the retail elite in the town, Thomas Flesshever and Ralph Innemongere.

The evidence of litigation, circumscribed by breaks in the record and with silence about uncontentious transactions, does not reveal any extreme concentration in interpersonal relationships. Particularly is this so in the category of pledging which might have imported some 'symbolic capital'.<sup>17</sup> Debt litigation does not present any more concentrated patterns of commercial relationships, but a network diffused among many individuals. Commercial transactions were probably integral to a 'good faith' economy.<sup>18</sup> The small local market, although to some extent formal and institutional, remained 'embedded in social relationships'. In particular, specialties (written instruments) do not appear to have developed in this environment and debts were made and incurred on trust, whereas, for example in Colchester, specialties intruded into the relationships.<sup>19</sup> In Loughborough, few major creditors and few major debtors existed, and even fewer nexuses of major debtors obliged to major creditors. Credit relationships were distributed between many individuals without concentrations. Debts seem, moreover, to have been liquidated and acquitted rather than allowed to accrue.

Although only 61 of the 190 debt cases intimate the duration of the debts, it seems that the vast proportion was recent. About half, 30 of 57 cases, involved debts contracted within the last year and a further 16 within two years preceding. Only five related to debts outstanding for two to three years and ten more than three years. Where the length of the debt was not recorded, it might be assumed that the litigation concerned a recent debt. Litigants in Loughborough did not by and large allow their debts to accumulate over time and then call them in when they needed the capital; nor were debts assigned on any scale. These townspeople required fairly speedy liquidation of debts by contrast, perhaps, with lenders in some courts such as at Writtle.<sup>20</sup>

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<sup>17</sup>P. Bourdieu, *The Logic of Practice*, trans. R. Nice (Oxford, 1992), p. 123.

<sup>18</sup>K. Polanyi, *The Great Transformation* (New York, 1944); J. Vail, *Karl Polanyi* (London, 2011).

<sup>19</sup>Britnell, *Growth and Decline*, pp. 104-105.

<sup>20</sup>Clark, 'Debt litigation', pp. 251-252 and 270-271.

For these 190 cases, we can also distinguish between debts owed internally, between Loughborough litigants, and external debts, between litigants from Loughborough with a creditor or debtor from outside the parish. The mean level of debts involving outsiders was considerably higher, 159d., compared with the mean of all debts, 138d. The commodities comprised wood from Charnwood, barley, sheep, malt and affers. Most of the debt litigation was associated with internal exchange and provisioning within the town and the most important actors in disputes over debt and detinue were urban retailers. This characteristic is not inconsistent with the position of the town as a centre of exchange. Given the concentration of population in the town, the number of internal transactions was likely to be of a higher order than external commercial disputes. Even in Colchester, with its formal marketing and corporate structure, only 14.5 percent of debt cases involved outsiders.<sup>21</sup> The comparative levels do not diminish the importance of the re-distributive function of the town between the three *pays*.

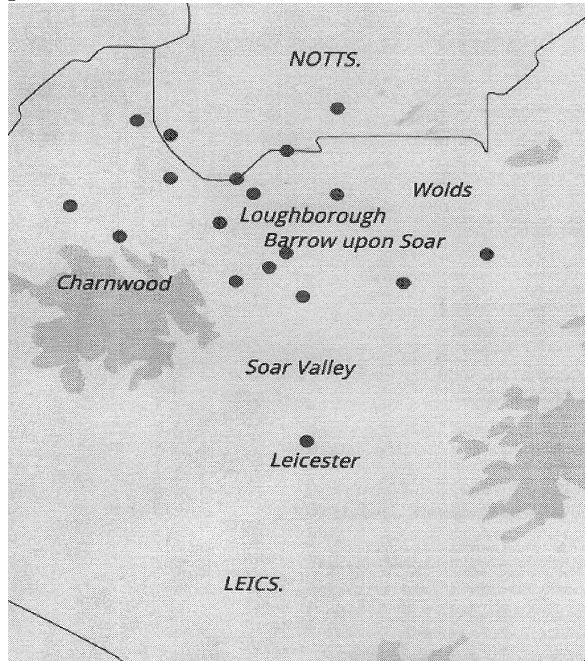
The external litigants were, as might be expected, involved in cases of debt. There is, as recapitulated below, a complication, since the debtors from Quorndon, Mountsorrel, Barrow and Burton on the Wolds might have come within the jurisdiction of the view of frankpledge in Loughborough. With the exception of Leicester, all the debt contacts were intensely local. The distribution map (Fig. 8.1) illustrates this localization of debt litigation between 1397 and 1431 from a broken series of court rolls, considerably within the marketing distance associated with Bracton's dictum.

More detailed analysis of the litigation in the manorial court between 1397 and 1406 sheds further light on socio-economic relationships. The discussion of debt litigation above was confined to 190 cases for which the amount of debt was stated. The court rolls have, in fact, about 330 cases of debt or detinue at various stages of the process of litigation. The remainder of the personal actions concerned trespass, covenant ('contract'), and battery, the first two in the manorial court, the third at the view of frankpledge. Of a total of 498 pleas, 331 (66.5 percent)

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<sup>21</sup>Britnell, *Growth and Decline*, p. 106.

Figure 8.1: External parties in late-medieval debt cases



concerned debt, 99 (19.9 percent) trespass, 47 (9.4 percent) battery or assault, seven (1.4 percent) the hue, five (1 percent) covenant, and nine (1.8 percent) miscellaneous or unspecified.

Interpersonal litigation in the manorial court in the sixteenth and seventeenth centuries consisted again mainly of debt, but now also including latterly the new class of debt litigation by trespass on the case (excluding transfers of land which are considered in Chapter 5). Unfortunately, the survival of court rolls is sporadic and intermittent: 1558-1564; 1599-1602; and 1607-1612. Within those years, moreover, there is incomplete survival of courts. Extracting interpersonal suits in the courts between 1599-1602 and 1607-1612, we are confronted by about 526 pleas, 426 of which concerned debt and a hundred trespass on the case.<sup>22</sup> It appears, although it is by no means certain because of the defective survival of court baron records, that trespass on the case was either introduced as an action or increased considerably as a suit after Slade's Case.<sup>23</sup>

We can attempt to contextualize the amount of litigation in the manorial court of Loughborough.<sup>24</sup> The extent of business is likely to have been affected by the difficulties of the 1590s in the first series of extant courts and by the dislocation caused by the plague of 1609 in the second.<sup>25</sup> The severity of the plague of 1609 must have had a profound impact on litigation. Illustrative of the dislocation is the amercement of 23 men on three separate juries (some serving on more than one jury) for non-appearance: *non comparuerunt ad triandum inter A et B*, each derelict juror amerced 2s.<sup>26</sup> According to the parish register, only one of the named delinquent jurors (Anthony Webster) had died, so the non-suit of the others must have resulted from fear of contagion.

From the fragmentary data, we might posit a mean of about 50

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<sup>22</sup>For the relationship, C. Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (Basingstoke, 1998), p. 207.

<sup>23</sup>D. H. Sacks, 'The promise and the contract in early modern England: Slade's Case in perspective', in *Rhetoric and Law in Early Modern Europe*, ed. V. A. Kahn and L. Hutson (New Haven, Conn., 2001), pp. 28-53.

<sup>24</sup>For what follows, Muldrew, *Economy of Obligation*, pp. 199-271, who analyses litigation in borough courts of all positions in the urban hierarchy, from Bristol and Kings Lynn at the apex to Witney at the base.

<sup>25</sup>For how the difficulties of the 1590s depressed litigation in borough courts, Muldrew, *Economy of Obligation*, p. 225.

<sup>26</sup>HAM Box 25, fldr 9, court book section, p. 127.

cases introduced per annum, in which case the frequency of litigation in Loughborough's manorial court would seem to be comparable with the activity in the courts of the small boroughs of Kendal, Taunton (1595-1610), Tiverton and exceeded business in the small seigniorial borough of Witney.<sup>27</sup> Further complexity must be addressed, however, since many of the borough courts were not inhibited by the 40s. restriction in debt cases.<sup>28</sup> As a manorial jurisdiction, however, the court baron at Loughborough was not entitled to entertain pleas of debt of 40s. or more. To add further context, the amount of business in the manorial court of Loughborough consisted of approximately half that of the borough court of Great Yarmouth contemporaneously.<sup>29</sup>

Another point of comparison is the proportion of households and inhabitants involved in debt litigation, a calculation which Muldrew has performed for some boroughs.<sup>30</sup> In 1563, the parish of Loughborough contained 256 households. The mean number of debt cases per household, allowing for some variation in the number of households over the late sixteenth century, was thus in the order of 1.5 (which is not, of course, equivalent to every household being actually engaged in debt). It is impossible to make a calculation of the mean number of debts per communicant enumerated in 1603, since debts of dependent female communicants were legally (if not always in practice) the responsibility of males. In over 250 of the 426 actions of debt, the amount of debt claimed is specified. The amount of credit apparently received in these cases is tabulated below.

The mean debt of 14s. thus extended to just over a mark (13s. 4d.), but the standard deviation (126.89) reveals a wide discrepancy in the range of debts. The distribution of debts claimed is thus reformulated in more precise terms in Table 8.1. It is, unfortunately, not possible to place these amounts into a comparative context as Muldrew's investigation involved borough courts not restricted by the '40s. limit'.

The mean level of debts in the manorial court had, in fact, increased since the late fourteenth century. Between 1397 and 1406—but again

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<sup>27</sup> Muldrew, *Economy of Obligation*, pp. 224, 228, 232-233, 235.

<sup>28</sup> Muldrew, *Economy of Obligation*, pp. 205 and 387 n. 37.

<sup>29</sup> Muldrew, *Economy of Obligation*, pp. 217, 219.

<sup>30</sup> Muldrew, *Economy of Obligation*, p. 247; Muldrew refers to 'popular participation in litigation.'

Table 8.1: Plaintiff's demands in debt

Demand	N plaintiffs
1s.1d.-2s.	2
2s.1d.-3s.	19
3s.1d.-4s.	16
4s.1d.-5s.	16
5s.1d.-6s.	23
6s.1d.-7s.	17
7s.1d.-8s.	13
8s.1d.-9s.	17
9s.1d.-10s.	7
Subtotal	130
10s.1d.-11s.	24
11s.1d.-12s.	10
12s.1d.-13s.	7
13s.1d.-14s.	12
14s.1d.-15s.	5
Subtotal	58
15s.1d.-£1	33
£1 0s. 1d.-£1 1s. 0d.	20
39s.11 $\frac{1}{2}$ d.	18



from fragmentary court rolls—the mean level of pleas of debt consisted of 138d. (11s. 6d.). The significance is complicated. The inflation of prices over the two centuries complicates matters. On the other hand, the compression of the levels of debt below 40s. moderated the upward tendency.

What may have altered in the intervening period, probably through the revival of commerce and Loughborough's expansion during the sixteenth century, was the amount of litigation. From the broken series of court rolls of 1397-1406, some 190 pleas of debt are recoverable compared with more than 400 from a similarly interrupted series over a decade in the late sixteenth and early seventeenth century. A second transformation was the introduction of trespass on the case which constituted another hundred cases. Not only did trespass on the case contribute to the increased amount of litigation, but it allowed litigants another avenue for pursuing damages as well as broken promises (oral or *parole*).

The 426 cases of debt involved 265 different plaintiffs and 222 different defendants. Addressing first the defendants—presumed debtors—about 64 per cent were involved in only one recorded plea of debt in the extant cases, whilst a further 19 percent only two debt cases. Debtors were preponderantly involved then in one or two cases of debt rather than multiple debts, according to the court data which is available to us. Merely 16 defendants were arraigned in five or more pleas of debt: less than 7 per cent of all defendants in debt cases. The principal debtors at this time consisted of Thomas Clarke (eight cases), John Dedicke (*alias* Dericke, *alias* Dericke) and Robert Hall (each nine), William Nickles (*alias* Nicholas) (16) and Richard Iveson (23). Considering the combined alleged debts of these five defendants, more than 41 per cent comprised amounts exceeding the mean of 14s (168d.) of all debtors. In particular, a high proportion of the claims against Richard Iveson and William Nickles involved amounts surpassing that mean. Iveson was, indeed, impleaded at the upper level of competence of the court, for 39s., whilst a demand for 39s. 11½d. was entered against Thomas Clarke.

Conversely, from these intermittent data, most plaintiffs initiated few pleas of debt. Of 212 different plaintiffs in debt cases, 66 percent prosecuted only a single case, whilst another 16 percent were embroiled

in only two cases. A small number, nonetheless, were conspicuous in initiating a higher number of debt cases: Robert Stocken, Thomas Hull, James Chatburne and Edward Darbie (each seven); Francis Chaveney, William King and Francis Iveson (each eight); Nicholas Stevenson, George Cawdwell and Richard Hochinson (nine each); Thomas Wingfeild (ten); and George Cranwell (14). All also entertained suits of trespass on the case, inflating their prosecutions. Even so, most of these more frequent litigants demanded only modest amounts of debt. Paradigmatic was Cawdwell, who prosecuted for a mean of about 7s. 6d. Exceptional was Chatburne whose claims involved more substantial sums, a mean of more than 22s.<sup>31</sup>

With difficulty we can uncover the identification of some of these creditors. George Cranwell senior held two tenements under a single roof in Rotten Rowe in copyhold tenure at a rent of 5s. 4d.<sup>32</sup> Of similar status, Richard Hochynson held a messuage in Highgate and Francis Iveson another in Hucksters Row, indicating commercial status.<sup>33</sup> Hochynson also served several times on the *inquisicio magna*. He is probably the Richard Hutchinson who by 1620 held half a yardland in copyhold.<sup>34</sup> The credit arrangements of some might have resulted from the brewing and sale of ale: such as Robert Stocken; Thomas Wingfeild; and Thomas Hull, and the last possibly baked as well.<sup>35</sup> As recounted above (chapter 3), Wingfeild, who occupied a cottage in Baxtergate, achieved a position in the lower hierarchy of office-holding in the parish, including streetmaster for Baxtergate, as well as fieldmaster, affeelor, and juror.<sup>36</sup> In 1620, he still retained his cottage.<sup>37</sup> Richard Iveson is slightly ambiguous. Whilst his involvement in debt was almost certainly commercial, we encounter two Richard Ivesons, one a draper and the other a butcher.<sup>38</sup> The butcher had greatly expanded his agricultural interest, adding a toft and oxgang, parcels of meadow, and a shop in the market place: one of the success stories of the early

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<sup>31</sup> Compare Muldrew, *Economy of Obligation*, pp. 243-255.

<sup>32</sup> HAM Box 25, fldr 9, p. 36.

<sup>33</sup> HAM Box 25, fldr 9, p. 65.

<sup>34</sup> HAM Box 25, fldr 11, p. 2.

<sup>35</sup> HAM Box 25, fldr 9, p. 73.

<sup>36</sup> HAM Box 25, fldr 9, p. 93.

<sup>37</sup> HAM Box 25, fldr 11, p. 1.

<sup>38</sup> HAM Box 25, fldr 3, pp. 90, 96.

seventeenth century.<sup>39</sup> He held a messuage in Baxtergate and was one of those 15 butchers fined 1s. each for keeping their shopwindows open on the sabbath and building pentices on stones (*staciones aperte super lapides*) extending into the street.<sup>40</sup>

Evidently, then, a high proportion of males were enmeshed in a credit relationship in Loughborough during this decade or so. Those debts which surfaced in court represented, of course, a minority of the total nexus of credit relationships: only a small proportion became so contested that they reached the stage of litigation. On the other hand, most inhabitants of the manor (both urban and rural elements) were not entrenched in networks of debts, it seems, but only engaged in occasional contested debt cases. The vast proportion of inhabitants were not involved in multiple debt cases, whether as plaintiff or defendant. Networks of credit, according to the court records, were not dense.

The shallow nature of the networks of debt can be confirmed by considering the activities of plaintiffs and defendants. Only 53 of the litigants were engaged in debt cases in the manorial court as both plaintiff and defendants. Caldwell, Cranwell, Darbie, Francis Iveson, and Nicholas Stevenson all brought multiple pleas of debt; they also appeared as defendant, but each only in one case. Contrarily, Goodwyn, Hall, and Thomas and Robert Wilson were impleaded in multiple cases as defendant, and, whilst they were also involved as plaintiff, only prosecuted once each. Only Richard Iveson was engaged in multiple pleas as both plaintiff and defendant, but the number of his defences far exceeded his prosecutions. The preponderance of actors in debt cases operated only as defendant or only as plaintiff in the fragmentary evidence available. Chatburne, Wingfield, Hochinson, and William King, principal plaintiffs all with multiple prosecutions against alleged debtors, did not appear in the extant record as defendants in debt. For the most part, suitors in debt appeared only once in these records, either as plaintiffs or as defendants, not both. Obligations of debt and credit did not constitute dense networks in the available records of the manorial court. Since prosecutions in the court—cases which became contentious or vexatious—probably comprised only a small proportion of all credit arrangements, it is, of course, impossible to declare this evidence defini-

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<sup>39</sup>HAM Box 25, fldr 11, p. 7.

<sup>40</sup>HAM Box 25, fldr 9, p. 94.

tive, but it is an indication.

In the context of the fragmentary survival of the court rolls, it is difficult to discuss principal creditors and debtors, for we cannot be certain whether the lacunae in the court rolls complicate the data. Another complicating issue is the repetition of names. In the case of Thomas Clarke and his alleged debts to nine different plaintiffs, we cannot be certain whether Thomas senior ('ould' Thomas of 1606) or junior is intended—or both. With Richard Iveson, prosecuted by a multitude of different plaintiffs, we cannot differentiate whether the pleas concerned Richard the butcher, Richard the draper, or Richard who married in 1600. Were his creditors pursuing commercial debts or the borrowings of a young man commencing married life? William Nickles (Nicholas) was arraigned by 13 different plaintiffs, but otherwise remains in obscurity, except that he was remunerated with 4s. 8d. by the bridgemasters for carrying 11 loads of clay in 1609.<sup>41</sup>

With Robert Hall, we are on firmer ground. He was almost certainly a labourer receiving much of his income from work for the bridgemasters: organizing stone gatherers in 1603; receiving 6d. per day (the unskilled rate) for three days of work at the bridges in 1606 when he also organized workmen there; assisting Banks for five days for the churchwardens in 1611, again at 6d. per day; setting willows for compensation of 6s. 8d. in 1612. In 1607, his diligence was transiently recognized when he served as fieldmaster. In 1616-1617, the churchwardens allowed him three payments of alms, to 'ould' Hall. His alleged debts to eight different creditors were probably incurred for subsistence.<sup>42</sup>

Hall's alleged debts were owed to eight different creditors; he was not under obligation to any principal creditor: his debts were distributed. That distribution was a common feature of these debtors: Clarke to nine different men; Dethicke to five; Nickles to 13. The first three were prosecuted for only a single debt by any creditor, although Nickles was allegedly indebted to Chatburne for significant amounts of 35s. 8d., 31s. 3d., and 19s. 6d. Only Nickles, then, seems to have been indebted to a principal creditor who might have exercised influence over

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<sup>41</sup>HAM Box 25, fldr 3, p. 117; HAM Box 25, fldr 9, pp. 7, 14, 18, 27, 77, 84-85, 87, 104, 114, 119, 123, 134; ROLLR DE667/112, fo. 32r.

<sup>42</sup>HAM Box 25, fldr 3, pp. 69-70, 119-120; HAM Box 25, fldr 9, pp. 1, 29; ROLLR DE667/112, fos 10v, 21v, 25r, 42r.

him. Nickles's largest obligations, indeed, were controlled by Chatburne. Excluding his debts to Chatburne, the mean of his remaining alleged debts was just over 14s., skewed upwards by one other debt of 26s. 6d. The debt networks of the other multiple debtors were shallow and distributed, by contrast with the more intense obligations of Nickles. Most of his debts exceeded the general mean alleged in pleas of debt (14s.). In the case of the other three frequently arraigned for debt, most of their alleged debts fell below the overall mean of 14s. The obligations of debtors were dispersed and distributed rather than intensive.

The process in debt was fairly straightforward, much as in other manorial courts. The plaintiff claimed debt (*quod Reddat ei*), proceeded with a count (*narratio*), and the defendant requested a copy of the count: *et Narravit ... et predictus Robertus petit Copiam Narrationis*.<sup>43</sup> It seems likely that the count and counter-plea were committed to writing, although there are no extant copies.

*Et modo hic venerunt tam predictus Ricardus Cranwell  
et quam predicta Margeria Welles per Concilium suum in  
lege eruditum et argumentarunt et dederunt argumenta in  
scriptis in Curia.*<sup>44</sup>

In this particular case, the court exercised especial caution, which seems to have been an occasional recourse, desiring additional time to reflect on the issues.

*De placito predicto de Audiendo inde Judicio suo inde  
quia Curia ulterius se Advisare vult usque ad proximam Cu-  
riam De Judicio suo inde Reddendo eo quod Curia hic inde  
nondum ꝑc.*<sup>45</sup>

On other occasions, the court requested further advice before hazarding a decision: *Et quia Curia hic se advisare vult de ꝑ super omnia ꝑ premissa priusquam inde Judicium suum inde Reddat*.<sup>46</sup> With the benefit of hearing, and, indeed, seeing, the count, the defendant could issue a

<sup>43</sup>For example, HAM Box 25, fldr 3, court book section, p. 89.

<sup>44</sup>HAM Box 25, fldr 3, court book section, p. 95.

<sup>45</sup>HAM Box 25, fldr 3, court book section, p. 110.

<sup>46</sup>HAM Box 25, fldr 3, court book section, p. 113 (Cowley v. Welles).

challenge about the validity of the count and seek the court's judgement: the count *minus sufficiens in lege existens et petit Judicium de Narracione predicta*.<sup>47</sup> Otherwise, the defendant might move to a simple denial of the count: *predictus Magnus dicit quod non debet prefato Willelmo predictos x.s. nec aliquem inde denarium in forma qua Idem Willelmus versus eum Narravit*.<sup>48</sup>

The incidence of trespass on the case in the manorial court certainly antedates Slade's Case by at least a couple of years.<sup>49</sup> The earliest cases were construed as theft of chattels for which damages were demanded.<sup>50</sup> The amounts requested did not exceed those demanded in pleas of debt: 23s. 6d., 8s. 8d., 6s. 7d., for example, in the earliest extant prosecutions.<sup>51</sup> As with debt, it seems probable that the upper limit of competence for the court in trespass on the case was 40s., for Thomas Monck claimed 39s. 11d. against John Wycloppe, whilst Hugh Webster demanded 39s. 11½d from Richard Colson, and Robert Wollandes 39s. from Thomas Burbage.<sup>52</sup> The first extant complaints were initiated against the miller, John Gyles, all in the same court, by three different plaintiffs, suggesting breach of promise, failure to perform an obligation (nonfeasance), malfeasance, or speculation of the grain of tenants who were obliged to send their grain to the lord's mill for grinding. The imputation of breach of promise is implicit also in the trespass on the case introduced by Robert Hutchenson of Shepshed against John Hall, tanner, for an outstanding amount of 53s. 4d. to be acquitted by 1 August some five years previously.<sup>53</sup>

Since the court record is usually laconic, the impact of trespass on the case often remains obscure. About a year before Slade's Case, however, in *Joan Keighley v. Thomas Hull*, the record is more explicit, as the case was referred to a jury of twelve whose verdict is recited in some detail. The consideration of the jurors merits quotation.

<sup>47</sup>HAM Box 25, fldr 3, court book section, p. 111 (Brett v. Twigge).

<sup>48</sup>HAM Box 25, fldr 3, court book section, p. 129.

<sup>49</sup>HAM Box 25, fldr 3, court book section, p. 59

<sup>50</sup>HAM Box 25, fldr 3, court book section, p. 69.

<sup>51</sup>HAM Box 25, fldr 4, court book section, pp. 69-70; also p. 99: 14s. 8d. and 25s. 10d.; HAM Box 25, fldr 9, court book section, p. 150: 20s.

<sup>52</sup>HAM Box 25, fldr 9, court book section, pp. 77, 129, 193.

<sup>53</sup>HAM Box 25, fldr 3, court book section, p. 90 (court of 26 Jan. 48 Eliz.)(*pro Residuo Lij.s. iij.d. solvendo primo die Augusti* [43 Eliz.]... *Et petit processum*.)

*Qui ad veritatem De infracontenta dicenda electi triati  
 & Jurati dicunt super Sacramentum suum quod predictus  
 Thomas Hull assumpsit modo & forma &c Et assident dampna  
 Occasione transgressionis predicta ultra missericordiam &  
 Custagia sua per ipsum Circa sectam suam predictam in hac  
 parte apposita Ad vj.s. Et pro missericordia & Custagiis il-  
 lis ad ij.s. Sed Curia hic se advisare vult de Judicio suo hic  
 usque ad proximam Curiam hic &c.*<sup>54</sup>

The protocol of the plaint in the manorial court thus already invoked before Slade the formula of *assumpsit*—undertaking a promise—with the attendant emphasis on damages for failure to perform. What is equally significant, however, is the jury’s reticence and caution in matters of verdict and the assessment and allocation of costs and damages in actions of trespass on the case. Although a (preliminary) award was made, the jurors reserved to themselves further deliberation before the next court and a final decision.

The apparent sequel to these judicial events is instructive. When the next court convened, the normative three weeks later, on 24 August, Hull and Keighley bound themselves to agree to the decision of Eustace Braham and John Hicklyn *ex parte* the plaintiff and George Henshaw and John Reignold *ex parte* the defendant. Both bound themselves to forfeit £5 if they did not observe the judgement: *Et uterque partium super Se assumpsit solvere v.li. si non Stabunt ad Arbitrium predictorum personarum ...*<sup>55</sup>

Arbitrators were appointed to resolve several cases, although, because of the patchy survival of the court record, the full extent cannot be discerned. Arbitration might be considered, on the one hand, an aspect of informal dispute resolution. Equally, it might be perceived as extra-curial. It might, moreover, be regarded as integral to the desire to restore harmony within the ‘community’. Such intervention might have been entertained to reach an agreement acceptable to both sides—a compromise—to avoid a punitive decision in favour of one party. All those considerations—in combination since not separable—might have been the stimulus to arbitration. We have to remember, however, that the resort

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<sup>54</sup>HAM Box 25, fldr 3, court book section, p. 126

<sup>55</sup>HAM Box 25, fldr 4, court book section, p. 128.

to arbitration was authorized by the court, that the award had to be sanctioned in court, and that the court was involved in the appointment of the arbiters. So some dissection of the nature of arbitration is necessary.

In *William Hickelyng v. Robert Henshawe*, the arbiters appointed were Geoffrey Goodwyn and Robert Wollandes.<sup>56</sup> Whilst Hickelyng belonged to the invisible echelon of local society, Goodwyn, Wollandes and the defendant Henshawe all pertained to the more influential individuals. We can assume, perhaps, that the two arbiters were selected because of their local social capital, but that attribute does not eliminate bias. *William Kinge v. Robert Henshawe and Thomas Ormeston* was referred to a panel of arbiters consisting of Robert Barefote, George Browne, George Henshawe and John Reignold *ad arbitrandum Si potuerunt ante proximam Curiam hic tenendam &c.*<sup>57</sup> The devolving of discussion on these individuals replicates the issues in *Hickelyng v. Henshawe*.

Although the rhetoric of the ‘court’ may have proclaimed the restoration of harmony in local society, there is no doubt that plaintiffs had serious intentions about either remedy or vexation. The occasional record of the costs of litigation (*billa pro Custagiis*) indicates the gravity of taking the matter to court. In *Mary Metcalfe v. Francis Peache* for a debt of 22s., the plaintiff’s costs incurred amounted to 5s. 3d.; in *Joan Keighley v. Peache* for a debt of 24s., the accumulated costs were 6s. 11d., and in *George Brookes v. Peache* for a debt of 23s., 4s. 11d.<sup>58</sup> Incidentally, these statements of costs indicate that the most delinquent at acquitting their alleged debts were often those of higher status, in this case Francis Peache, gentleman (as, indeed, described in the court record). The costs in trespass on the case surpassed those in debt. In *Joan Keighley v. Thomas Hull* on the case, the costs exceeded 9s.<sup>59</sup> In debt, process involved the *intranarracio*, then the *contranarracio*, a number of distrains, the verdict, the production of the bill of costs, and the costs of execution. In case, procedure commenced with the *intracio querele*, the execution of the writ (*execucio de pone*), the

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<sup>56</sup>HAM Box 25, fldr 3, court book section, p. 70.

<sup>57</sup>HAM Box 25, fldr 3, court book section, p. 81.

<sup>58</sup>HAM Box 25, fldr 3, court book section, p. 124 (all itemized).

<sup>59</sup>HAM Box 25, fldr 3, court book section, p. 124



counts (*tractura narrationis*), the attorney's fees, and the cost of execution. Additionally, the jury's fee, according to the custom of the manor, amounted to 2s.<sup>60</sup>

Plaintiffs' purpose can also be deduced when in *Cranwell v. Welles*, plaintiff secured a returnable writ to have the case tried and concluded and not be allowed to be drawn out further, a recourse also in *Cowley v. Welles*.<sup>61</sup>

Relationships with the miller, as indicated above in the initial extant actions of trespass on the case, often became antagonistic. The relationship was, indeed, triangular, between tenants, miller and lord. In 1602—not far removed from the actions on the case—the Earl complained to his steward at Loughborough, John Smalley, about the suit of mill by the tenants.<sup>62</sup>

I understand by my tenent of my milne in Loughborro[w] that my tenentes doe not only grinde their corne at other milnes, but also suffer loaders to come and fetch grist out of the towne you can not be ignorant how much this Doth preiudize me in right & commodity my tenentes being bounde to the sute of my milne, and my rent being by their Default already much Decayed. And upon making these thinges knowen to Mr Sollicitor, he Did impute the falt to yow, who in the court Did not inquire of, and by amersmentes punish this abuse. He Did therefore advise me to require yow to Doe your Duty in this matter, both by amersing (& Distreyninge for the amersementes) of such who offend therein, & in forbidding loaders to come in to the towne to fetch <loaders> <corne> to other milnes. Yf this will not prevaill (as it will yf yow Doe your Duty) I must be enforced to take out proces against such who shall offend. And so not Doubting of your care heerof, I bid yow fare well. At Bath house this xxiiiijth of Aprill 1602.

Even in the circumstances of transactions in copyhold land, the principal inhabitants, those most closely involved in the governance of the

<sup>60</sup>HAM Box 25, fldr 3, court book section, p. 124.

<sup>61</sup>HAM Box 25, fldr 3, court book section, pp. 121, 122.

<sup>62</sup>HAM Box 25, fldr 3, court book section, pp. 107 and 114 (the wrapper).

parish, were able to assert their hegemony. Every surrender of and admission to copyhold land necessitated two pledges for the conveyance in the manorial court, acting on behalf of the tenant transferring the land. In many cases, of course—perhaps the majority—the copyhold was surrendered to be renewed to the existing tenant and two new lives. In any case, the pledges acted as sureties for the transaction. Between 1607 and 1611 inclusive, 235 pledges were recorded in the court rolls (the pledges were not recorded in a small proportion of transfers). The most frequent pledges were Francis Whatton (21 pledges) and Edmund Welles, gent. (16 pledges).<sup>63</sup> If we consider the first cohort of feoffees of the bridge trust, the combined pledges for land of ten of them amounted to 63, about 37 percent of the total (the names of two are too ambiguous for their inclusion). The vast proportion of pledges for land thus derived from a group of the principal inhabitants. The number of pledges by individuals are admittedly low and so subject to stochastic variation. If we analyse all 59 individuals who gave pledges for land, the mean number of pledges by each individual was 3.98 (standard deviation of 2.76). The median number of pledges was 3. Removing the three largest pledges, the mean is reduced to 3. Seven of the ten in the first cohort of feoffees pledged more times than this mean or median.

What is more significant, however, is the manner in which they pledged for each other: 24 of their 63 pledges, some some 26 percent. In a sense that level might be expected since these principal inhabitants were also those who were most involved in transactions in land, ensuring the continuity of their copyholds for three lives. These complementary activities nonetheless confirmed their association. As an example, we can illustrate this process through the pledges of Robert Henshawe, gent., who acted as surety for land for John Fowler, Thomas Hebbe, John and Edmund Tisley, Edmund being a feoffee, and Edmund's close kindred, John Tisley and Helen Tisley. Otherwise, he hardly pledged at all. When Humphrey Blower surrendered his messuage in the Bigging with his several parcels of land, to renew his copyhold for the lives of him, his wife Joyce, and his daughter Margaret, his two pledges consisted of Magnus Barfote and Geoffrey Goddwyne—sometime feoffees.<sup>64</sup> The same situation recurred when Isaac Woolley surrendered

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<sup>63</sup>HAM Box 25, fldr 9, court book section.

<sup>64</sup>HAM Box 25, fldr 9, court book section, p. 11.

his tenement in Baxtergate and his parcels of land to assure them to him, his wife Elizabeth, and son Isaac, for his pledges were his co-feoffees, Robert Woollandes and Humphrey Blower.<sup>65</sup> Similarly, Robert Henshawe, gent., and Robert Woollandes acted as sureties for Thomas Hebbe when Thomas surrendered his messuage in the market place with his two crofts (one called Salters Croft) and his virgate of land to resume them for the lives of himself, his wife Ann, and son Thomas—again two feoffees supporting another.<sup>66</sup> More co-pledging happened between feoffees.

We can interpret the activity of pledging in different ways. It was obviously in the interests of tenants to obtain the surety—even if it was only theoretical—of the principal inhabitants. Such support placed them in a better position to renew their copyholds for the new lives, offering some assurance to the lord's steward. The pledges by Welles and Whatton could be considered as aspects of social capital: of goodwill furnished to neighbours. Neither belonged at that stage to the feoffees. With regard to the co-pledging of the feoffees, however, we might come to a different conclusion. There did obtain an element of associational contacts, networks of common interest which provide cohesion of this small group. We can, however, extend this interpretation further. A significant number of the sureties given by the feoffees were for each other. Some feoffees acted as pledges more or less only for their co-feoffees. The tendency was then for this tight-knit group to act exclusively in its own interests. This restricted co-pledging confirmed the elite character of the feoffees.

As all small towns, Loughborough attracted immigrants and its inhabitants engaged in social and commercial networks. Many of these connections were intensely local, influenced by 'information' fields, but significant contacts were maintained with larger urban centres and the metropolis. Perhaps the best approach to these issues is to commence with the localized linkages and then address the wider contacts. Both geographical extents involved social as well as economic liaisons. The local contacts were predominantly associated with immigration to the town and parish, especially when new opportunities arose, commercial contacts, and marriage formation. In the rental of 1527, most of the

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<sup>65</sup>HAM Box 25, fldr 9, court book section, p. 59.

<sup>66</sup>HAM Box 25, fldr 9, court book section, p. 89.

tenements were held by inhabitants with one each.<sup>67</sup> Some, however, held multiple tenements, both urban and rural. Thus 63 percent of tenants held a single tenement, but 20 percent two, eight others held three, three held four, two held five, and one each held six, eight and nine tenements. Amongst those holding two tenements was Alice Glover of Leicester. Her inclusion reflects the intrusion of external tenants: Nicholas Taylour of Bosworth held a tenement in Hallgate; John Smyth, also of the county town, one in Baxtergate; and William Marchall of London (but perhaps with kindred in the town) another in Bigging. These interlopers might have been engaged in external commerce requiring a base in the town. Amongst the holders of multiple tenements were the gentry families, accorded the title of *generosus* in the rental. William Stant held three tenements, Pegge Smyth two, John Bothe two, Livius Digby five, and Edward Villers two. These families had an ambiguous position in the town. Their status as urban gentry, at least occasionally resident, indicated the increasing profile of the town in the early sixteenth century. That enhancement was indicated too by external holders of tenements and resident inhabitants with multiple holdings as a source of income.

In the sixteenth century, urban retailers were extending their trade into the countryside in north Leicestershire. The provisioning of Castle Donington exemplifies this intrusion. Donington was always a marginal urban settlement, although it had some burghal characteristics. It was probably one of those *bourgs* which developed around a castle. Donington was divided between an urban centre and a rural encirclement: the burgh and the bond.<sup>68</sup> The burgages were paradoxically held by customary tenure. The juries of the manorial court were composed of both an inquisition of free men and a homage of *nativi* in the later middle ages. During the later middle ages, the place was in decline, illustrated by the change in the provisioning of the town. Between 1457 and 1482, the common bakers and vendors of bread were all internal occupations, especially the Fysshers and Bowes kinship, but from 1510 external bakers dominated the town's supply. Wasse of Nottingham was presented between 1510 and 1517 as a common baker; Dobuldays of Nottingham

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<sup>67</sup>HAM Box 24, fldr 2.

<sup>68</sup>M. W. Beresford and J. K. S. St Joseph, *Medieval England: An Aerial Survey* (Cambridge, 1979), pp. 148-149.

from 1510 to 1543; Bent of Nottingham in 1547; James of Nottingham in 1547-1564; Boner of Nottingham in 1540-1550. Somewhat paradoxically, Burton on the Wolds, linked to Loughborough, was supplied with bread in 1559-1560 by John Byarde from Nottingham.<sup>69</sup> Two bakers from Loughborough had a foothold in this trade in Donington: Brown in 1515 and Laurance in 1515-1517. Whereas the common butchers of Donington were indigenous before 1513, particularly the Barons who were then dominant in this urban society, thereafter the supply of meat was captured by external (rural) butchers, including Spencer of Aston (upon Trent) and Parlebeyn and Aleyn of Kegworth.<sup>70</sup> The butchers operating in Loughborough were usually indigenous, but some foreign butchers insinuated themselves into the supply by the middle of the sixteenth century. In 1559, two of the ten butchers presented travelled from Melton: Simon Bocher and William Dixon. Six years later, three of the 25 butchers were foreigners, from Wymeswold and Seagrave on the wolds, and Sibley in the river valley, all simply identified by the surname Bocher.<sup>71</sup>

A connection between Loughborough and Nottingham was induced, *inter alia*, by recourse to the statute staple court at Nottingham. Statute staple courts secured bonds and obligations which could be certified into Chancery. The bonds were registered before the mayor and the statute staple clerk in Nottingham. Problematically, the defeasances were rarely recorded; the only responsibility of the court was to record the bond. We do not have access to the conditions of the bond, therefore, but the intention of many subsisted undoubtedly in large credit relationships. Between 1592 and 1648, 22 bonds so recorded involved inhabitants of Loughborough.<sup>72</sup> The total amount involved in the bonds exceeded £6,550, with a mean of £251 and median of £200. Assuming, as is likely, that the bonds had penal amounts to secure half the sum, then the actual amount secured was in the region of £3,200. The individuals had resorted to the statute staple because of the significance of

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<sup>69</sup>HAM Box 24, fldr 5.

<sup>70</sup>TNA DL30/80/1090-1101; HAM Box 8.

<sup>71</sup>HAM Box 24, fldr 5.

<sup>72</sup>Nottinghamshire Archives (NA) CA3373, fo. 4r; 3384, fo. 10v; 3385, p. 15; 3386, fo. 6v; 3390, p. 19; 3391, p. 13; 3392, p. 9; 3393, p. 9; 3396, p. 16; 3400, p. 11; 3402, pp. 9-10; 3404, p. 12; 3406, p. 11; 3407, p. 12; 3414, p. 14; 3423, p. 17; 3424, p. 15.

the amounts concerned. The penal sums in the bonds extended from a hundred marks (£66 13s. 4d.) to £1,200. That extraordinarily high penal sum of £1,200 was contained in a bond between Thomas Smith, yeoman of Knight Thorpe, as conusor, bound to Henry Skipwith, esquire of the same place, conusee, in 1617.<sup>73</sup> In four other bonds registered at Nottingham, both parties, conusor and conusee, were inhabitants of Loughborough. The preponderance of bonds related, however, to arrangements between an inhabitant of Loughborough and a party from some other parish. Eight pertained to places which already had an association with Loughborough through the view of frankpledge: Burton on the Wolds (four), Quorndon, Barrow upon Soar, and Mountsorrel. Five other parishes were located within seven miles of Loughborough: Long Whatton, East Leake, Hathern, Rempstone, and Belton. Others, however, extended into the wolds towards Melton: Walton on the Wolds, Wartnaby, and Hickling. The pattern of the contractual relationships was by no means concentric around Loughborough.

The social composition of the conusors and conusees from Loughborough was also varied. Six of the Loughborough parties were yeomen and four of gentle status. The crafts and trades were represented by two mercers, a tanner and a blacksmith. Among the trades, John Allen, mercer, was a prominent conusee between 1626 and 1648, during which time seven bonds were taken out in his favour. The total penal sum involved amounted to £1,980, so presumably to secure a total sum of just under £1,000. In all instances, he was the conusee or, roughly, creditor, to whom the bond was made. Those who contracted bonds to him included two yeomen, a gentleman, an innholder, and a clerk. Only one of those under obligation to him inhabited Loughborough. His arrangements look suspiciously like loans and credit.

A connection with Nottingham was thus forged because of the existence of the statute staple at Nottingham, an institutional and juridical causation. The intrusion of Nottingham suppliers of bread into the countryside around Loughborough has been described above. Other influences no doubt cemented this connection between small town and large county borough. One of the bonds for which we have a note of the defeasance, concerned a message in Bridlesmith Gate in Nottingham, about which Clement Bacon, a cordwainer of Loughborough, became

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<sup>73</sup>NA CA3392, fo. 9r.

bound in £30 to John Mason, gentleman of Nottingham.<sup>74</sup> Chapmen from Loughborough plied their trade in the county borough, sometimes to the consternation of the borough authorities. Simon Lynns, a 'smalewareman' from Loughborough, arranged to meet his wife in the county borough an hour before sunset at Bargate on a Friday and they lay together (suspiciously for some reason) on the Saturday night there.<sup>75</sup>

In the late middle ages, the wool trade had established an extensive connection between Loughborough and a more distant location: Calais. This connection was not confined to the renowned Lemyngtons, merchants of the Staple of Calais. Thomas Chamberleyn *alias* Spicer in his testament of 1504 prescribed that he should be interred in *le Staple Ile* in St Mary's, Calais.<sup>76</sup> This socio-commercial nexus established around the wool trade from Loughborough to Calais was reinforced by Chamberleyn's will appointing William Lemyngton as his joint executor and Ralph Lemyngton as his supervisor. Ralph Lemyngton bequeathed £7 for his two apprentices to be made free of the Staple.<sup>77</sup>

The wool trade had, of course, also fostered more local, external connections. When contention arose about the activities of foreign merchants bringing wool into the borough of Leicester, the borough officials reacted by prohibiting those merchants from collecting wool except from specific markets: Loughborough, Melton, Breedon, Hinckley, and Bosworth.<sup>78</sup> In November 1584, the officials of the estate of the Willoughby household of Wollaton Hall near Nottingham accounted for the expense of visiting Loughborough to collect wool money from James Holland.<sup>79</sup>

All the above may appear to confuse social and geographical networks. It is time to recapitulate. Geographical connections were intensely local. They are represented, for example, by the occasion of the birth of a bastard child in Stanford on Soar in 1628. The puta-

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<sup>74</sup>NA CA3414, p. 21.

<sup>75</sup>NA CA3371, fo. 26r (1590).

<sup>76</sup>TNA PROB 11/14/51.

<sup>77</sup>TNA PROB 11/20/163: will of Ralph Lemyngton, merchant of the Staple of Calais, 1521.

<sup>78</sup>M. Bateson, ed., *Records of the Borough of Leicester Volume I 1103-1327* (London, 1899), p. 123.

<sup>79</sup>Nottingham University Library Department of Manuscripts MiA64, fo. 5v.

tive father charged with the cost of raising the child, was Henry Sarson, a labourer of Stanford on Soar. His sureties for performance were Michael Sarson of Sutton Bonnington, husbandman, no doubt a relative at a distance of three parishes, and Robert Hebbe, of Loughborough, also a husbandman, from the adjacent parish, but across the county boundary.<sup>80</sup> Kinship connections and many commercial transactions were acted out in an intensely localized area, in the parishes around Loughborough.<sup>81</sup> Such a configuration was not singular, however, for contingent connections were formed through specific channels. Transactions with the county borough of Leicester were inevitable, not least because of the route up the river Soar as well as the administrative and juridical interactions.

#### APPENDIX

HAM Box 24, fldr 5 Loughborough court roll, n.d., but c.1560.

*Thomas Carver nuper de Mountsorrell' in Comitatu Leicestr' glover pro diuersis feloniis per ipsum perpetratis indictus fuit apud Leicestr' et de predictis feloniis inde Convictus et Condemnatus fuitque Suspensus post cuius mortem Certa Catalla ipsius Thome Remanent in parco domini de Loughbrough predicti Que accident Domino Et dictus Dominus ex gracia sua speciali dedit omnia Catalla predicta [MS. blank] Carver uxori eius Et quod prefatus Thomas Carver similiter tenebat Copiam cuiusdam cotagii iacentis in foro de Loughb' et fuit inde primus et in vita sua potuit Dare vel Vendere Qua Copia Mr Eaclely instanter Affirmavit quod post mortem ipsius Thome similiter accidit Domino.*

<sup>80</sup>Nottinghamshire Archives QSM1/8, p. 117.

<sup>81</sup>M. Carter, 'Town or urban society? St Ives in Huntingdonshire, 1630-1740', in *Societies, Cultures and Kinship 1580-1850: Cultural Provinces and English Local History*, ed. C. V. Phythian-Adams (Aldershot, 1996), pp. 77-130. For the hinterlands of two medieval small towns, Clare and Newmarket, J. Davis, *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge, 2012), pp. 279-289.





## Chapter 9

# CONCLUSION

How does this experience accord with conceptions of the rural and the urban? Some historiographical exegesis is appropriate. An initial perception of such as Pirenne and Maitland regarded medieval cities and boroughs as islands in a feudal sea, proponents of freedom and deliverance from 'feudal' dependence.<sup>1</sup> A debate ensued between Carl Stephenson and James Tait, in which Tait more or less acceded to the current interpretation, but Stephenson suggested a different condition of the boroughs, still enmeshed in an agrarian context.<sup>2</sup> Some decades later, Rodney Hilton revisited the relationship between boroughs and towns and feudal society in agrarian England.<sup>3</sup> Hilton dispensed with the notion of boroughs and towns as external and isolate from feudal society and the rural economy, derived from detailed research into boroughs and towns throughout the West Midlands. These discussions of the status of medieval urban places had originated in a legal and con-

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<sup>1</sup>'Feudalism' is now, of course, a contentious category after the interventions of Elizabeth Brown and Susan Reynolds: Brown, 'The tyranny of a construct: feudalism and historians of medieval Europe', *American Historical Review* 79 (1974), pp. 1063-1088; Reynolds, *Fiefs and Vassals: The Medieval Evidence Reinterpreted* (Oxford, 1994). Here, I suggest nothing more than lordship in a specific context.

<sup>2</sup>Stephenson, *Borough and Town: a Study of Urban Origins in England* (Cambridge, MA, 1933); Tait, *The Medieval English Borough: Studies on its Origins and Constitutional History* (Manchester, 1936).

<sup>3</sup>Hilton, 'Towns in societies: medieval England', *Urban History Yearbook* 1982, an argument reproduced by Hilton in various places.

stitutional context, but moved forward through considerations of the economic and social ‘functions’ of urban places.

An alternative approach emanated from the dissection of cultural differences perceived in literary texts from the sixteenth century, but particularly from the Romantic and Victorian eras.<sup>4</sup> Williams’s focus on the cultural contrasts between urban and rural has had a formative influence on subsequent historical analysis of the urban condition. So profound has been the significance of this exegesis that the theme has recently been revisited.<sup>5</sup> This new direction of cultural analysis has extended to material culture, so that a recent proposition has suggested a division of material culture between the city of Bristol and its hinterland, the former increasingly sophisticated and the latter traditional.<sup>6</sup>

Not surprisingly, then, the relationships between urban and rural are perceived differently according to time, approach (legal, economic, social, cultural) and local context (large urban place, small urban place).

A hybrid place: that is a potential description of the parish of Loughborough, containing both rural and urban in a single entity. The designation ‘hybrid’ is, of course, ambivalent. The ‘hybridity’ in this place did not produce some superior unity which dialogically or dialectically contains the two elements.<sup>7</sup> Instead, the two elements, rural and urban, retained their separateness. There was no cultural product which ensued from the intermixture of the urban and rural. What persisted was two different economic, social and cultural spheres.

This differentiation developed over the later middle ages and became more pronounced in the early-modern parish. As long as most inhabi-

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<sup>4</sup>R. Williams, *The Country and the City* (London, 1973). The most dichotomous division is related by M. Poovey, *Making A Social Body: British Cultural Formation, 1830-1864* (Chicago, IL, 1995), comparing the mid-Victorian representation of the urban populace as degenerate and their rural counterparts as sturdy.

<sup>5</sup>G. M. McLean, D. Landry and J. P. Ward, eds, *The Country and the City Revisited: England and the Politics of Culture, 1550-1850* (Cambridge, 1999). For a stimulating reconsideration of the representation of the countryside, A. McCrae, *God Speed the Plough: The Representation of Agrarian England, 1500-1660* (Cambridge, 1996).

<sup>6</sup>C. B. Estabrook, *Urbane and Rustic England: Cultural Ties and Social Spheres in the Provinces, 1660-1780* (Stanford, CA, 1998).

<sup>7</sup>The term ‘hybrid’ may be associated with H. Bhabha, *The Location of Culture* (London, 1994), whose concept of hybridity would be ambiguous here, but for a seminal application in an historical perspective, T. Nechtman, *Nabobs: Empire and Identity in Eighteenth-Century Britain* (Cambridge, 2010).

tants had access to some land, the social and cultural differences were less explicit. When more relatively-landless occupations increased in the later middle ages, so distinction occurred; that is, in early-modern Loughborough more of those engaged in industrial and retail activity became divorced from the land and entirely dependent on their craft or trade. The tenure of land continued to have a higher status than engagement in industrial or retail processes. Land endowed social honour. Within the landed, of course, existed a hierarchy, formulated on the size of the tenement and the continuity of the family.

Since much of the administration of the parish had been promulgated through the manorial court with the view of frankpledge, so the landholding element of the parish dominated and was favoured. A rural elite was promoted by the seigniorial management of local society. When new institutions of local organization evolved, such as the bridge trust, it was almost inevitable that the existing leading protagonists would capture that institution too.