Quantifying the Decline of Serfdom in the West Midlands 1300 to 1400

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Abstract

Serfdom was widespread in medieval Europe and its subsequent decline is one of the most important developments in the social history of the continent, because the chronology of its decline, and even whether it declined, is directly linked to regional trajectories of economic development over the last millennium. The fourteenth century is regarded as a pivotal period in this process. In the first half of the century, extreme population pressure is held to have supported strong systems of serfdom. In the second half of the century, after the Black Death (1348-9) had killed up to half of the population, the shortages of tenants and workers could have had one of two effects: either lords reimposed serfdom or it was bargained away by market forces and peasant resistance.

A key influence on this research has been the Birmingham School of historians, who have maintained that English serfdom was powerful on the eve of the Black Death, was reimposed in a 'seigneurial reaction' in the aftermath of the Black Death, and only declined after c.1400 due to serf resistance and migration. These claims have been challenged by Bailey (2014, 2021, 2025), although Dyer (2022, 2024) contends that they still hold for the West Midlands. This thesis addresses this debate by applying Bailey's quantitative methodology for dating and explaining the decline of serfdom to nine manors in the West Midlands, seven of which were held by Worcester Cathedral Priory, a highly conservative landlord, and shows a major swing from the old villein tenure to money tenures soon after 1349 and the attendant decline of tallage, labour services mill suit and entry fines. Personal servility lasted longer. The evidence paints a mixed picture but broadly shows the Black Death as the key moment in the decline of serfdom in the West Midlands.

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Abbreviations

HCL – Hereford Cathedral Library

WCL – Worcester Cathedral Library

CREC – Court Rolls of Elmley Castle

CRR – Court Rolls of Romsley

Acknowledgements

Few manorial accounts have survived from the manors used in the case studies in this thesis, and many of those which have survived are in a poor condition due to damp, and therefore faded, stained and torn. Around twenty accounts are extant, compared with the hundreds of surviving court roll sessions which formed the basis of this thesis. The considerable difficulties of reading these damaged accounts, but the importance of the information within them, meant that I made digital copies of the originals available to my supervisor, who extracted the key information and provided me with the data to include in the analysis and the narrative.

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This thesis is dedicated to my mother Allison.

1 The Decline of Serfdom in Medieval England

Serfdom existed in varying forms throughout Europe and Asia in the last millennium, although its exact characteristics have to be reconstructed according to both time and place.[1] In general terms, it describes a set of social relations where lords possessed legal rights over a dependent peasantry, mainly through their ability to put the latter to work on their demesnes, and to restrict the movement and marriage of serfs, and their right to levy arbitrary prerogatives, such as milling rights.[2] These legal rights were both tenurial and personal. The nature and weight of this package of restrictions varied, but they determined the balance of power between lord and peasant. Lords with extensive rights enjoyed what historians have described as a strong and exploitative system of serfdom, and where peasants enjoyed greater freedom then the system is often labelled as weak or benign.[3]

Historical interest in serfdom has revived in the past two decades as part of the wider debate on the Little Divergence, whereby economic performance of

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[1] Stephen H. Rigby, 'Serfdom', *J. Mokyr, Ed., The Oxford Encyclopedia of Economic History, Volume 4 (Oxford U. P.), Pp. 463-7.* (Oxford), 2003; Sheilagh Ogilvie, 'Slavery and Serfdom in the European Economy', in *Slavery and Serfdom in the European Economy from the 11th to the 18th Centuries*, ed. by Simonetta Cavaciocchi (Firenze University Press, 2014), pp. 689–93.
[2] M.L. Bush, ed., *Serfdom and Slavery. Studies in Legal Bondage* (London: Routledge, 1996); *M. Cerman*, Demesne Lordship and Rural Society in Early Modern East-Central and Eastern Europe: Comparative Perspectives, in: Agricultural History Review 59, 2011, pp. 239-243; Markus Cerman, *Villagers and Lords in Eastern Europe, 1300–1800* (2012; Palgrave Macmillan, 2012), pp. 2–13.
[3] *Cerman*, Demesne Lordship, p. 243; Sandro Carocci, 'The Pervasiveness of Lordship (Italy, 1050–1500)', *Past & Present*, 256.1 (2022), pp. 3–47.

certain regions in north-west Europe pulled ahead of those in central and eastern Europe, and the Mediterranean littoral.[4]

There are many facets to this economic and social divergence, although one key element is the possible role of serfdom. Serfdom declined in the aftermath of the Black Death (1346-53) in many areas of north-west Europe. Some economists argue that this released labour and land from a regime of low productivity and enabled factor and commodity markets to expand, so they regard it as an important element in the march to modernity.[5] In contrast, during the same period, it was either strengthened or newly imposed in many areas of central and eastern Europe: for example, it remained a powerful influence in Russia until its abolition in 1861.[6] Hence, the general conditions of scarcity of workers and peasants after the middle of the fourteenth century resulted in the dissolution of serfdom through the operation of market forces in some parts of Europe, and its reimposition through coercive lordship in other parts of Europe. A broadly similar demographic shock reverberated throughout Europe, but its impact on economic performance and on whether serfdom declined or not clearly differed from region to region.

The experience of England features prominently in this debate, partly because of its role as the first industrial nation but also because of its importance in Robert Brenner's framing of the contrast between the economic performance of

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[4] Robert C. Allen, 'The Great Divergence in European Wages and Prices from the Middle Ages to the First World War', *Explorations in Economic History*, 38 (2001), 411–47; Şevket Pamuk, 'The Black Death and the Origins of the "Great Divergence" across Europe, 1300-1600', *European Review of Economic History*, 11.3 (2007), 289–317.

[5] Remi Jedwab, Noel D. Johnson, and Mark Koyama, 'The Economic Impact of the Black Death', *Journal of Economic Literature*, 60.1 (2022), pp. 132–78.

[6] Richard Tretheway, 'The Establishment of Serfdom in Eastern Europe and Russia', *The American Economist*, 18.1 (1974), pp. 36–41; Markus Cerman, 'Demesne Lordship and Rural Society in Early Modern East Central and Eastern Europe: Comparative Perspectives', *The Agricultural History Review*, 59.2 (2011), pp. 239–58. Sheilagh Ogilvie, 'Economics and History: Analyzing Serfdom', *Oxford Economic and Social History Working Papers*, 2022, pp. 329–53 (p. 349).; Margaret E. Peters, 'Government Finance and Imposition of Serfdom after the Black Death', *European Review of Economic History*, 27.2 (2023), pp. 149–73.

England, France and eastern Europe between the thirteenth and the eighteenth centuries, and the survival or disappearance of serfdom and the emergence or not of agrarian capitalism.[7] Serfdom in England was also known as villeinage, which had been redefined as part of the emergence of the common law around the beginning of the thirteenth century.[8] The common law needed tests to identify who could access the royal courts and who could not, and villeins were not permitted to do. In legal theory, villeins had no standing under the common law, and their land and labour were to be disposed of entirely at the will of the lord.[9] The practice was rather different, but nevertheless serfdom was regarded as an inferior status which at best generated obstacles and costs to villein movement, marriage and freedom of action, and at worst left villeins vulnerable to uncertain and rapacious lordship. As a social institution, serfdom is generally held to have been at its peak in England at the start of the fourteenth century.[10] Its subsequent disappearance is deemed to have enabled land and labour markets to grow and therefore contributed to England's increasingly impressive economic performance by European standards between the fourteenth and nineteenth centuries.[11]

Villeinage in medieval England consisted of two elements, which were theoretically distinct but were often intertwined. Villein land (defined as bond land, customary, unfree) comprised around one third of the arable land in 1300 and was

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[7] T.H. Aston, and C.H.E. Philpin, eds., *The Brenner Debate. Agrarian Class Structure and Economic Development in Pre-Industrial Europe* (Cambridge: Cambridge University Press, 1985).
[8] P. Vinogradoff, *Villeinage in England. Essays in English medieval history* (Oxford: Clarendon Press, 1892). For useful summaries, see Edward Miller and John Hatcher, *Medieval England: Rural Society and Economic Change 1086-1348* (Longman, 1978), pp. 111–33.; Stephen H. Rigby, *English Society in the Later Middle Ages: Class, Status and Gender* (Macmillan, 1995), pp. 17–144.
[9] Paul R. Hyams, *King, Lords, and Peasants in Medieval England: The Common Law of Villeinage in the Twelfth and Thirteenth Centuries*, Oxford Historical Monographs (Clarendon Press, 1980), pp. 49–65; Paul R. Hyams, 'The Proof of Villein Status in the Common Law [1]', *The English Historical Review*, LXXXIX.CCCLIII (1974), pp. 721–49.
[10] R.H. Hilton, *The Decline of Serfdom in Late Medieval England* (London: Macmillan, second edition, 1969), pp. 11-32; C. Briggs, 'English serfdom, c.1200-c.1350: towards an institutionalist analysis', in Cavaciocchi, ed., *Serfdom and Slavery*, pp. 13-32.
[11] Mark Bailey, *After the Black Death. Economy, Society and the Law in Fourteenth Century England* (Oxford: Oxford University Press, 2021), pp. 1–15, 283–325.

held mainly on 'service' tenures, which required the tenant to render to the lord labour services on the demesne and other key servile incidents, notably the liability to pay heriot, tallage, merchet and mill suit.[12] Personal servility (suffered by those known as neifs, serfs by blood) was a hereditary condition down the male line and, irrespective of whether a serf held servile land, carried a liability to pay merchet (a marriage fine), leyerwite (a bastardy fine) and chevage (permission to reside away from the manor).[13] Around half (40-50 per cent) of the rural population in the early fourteenth century were serfs.[14] This dual-faceted nature of serfdom meant that its decline was uneven, because different elements of either personal or tenurial servility disappeared at different times, which has complicated historians' attempts to chart its decline.

It is generally held that English villeinage was strong and exploitative in the early fourteenth century, because of the powerful combination of the theoretical legal powers granted to lords under common law villeinage, the direct management of estates and the growing shortages of land and the abundance of workers as population reached a peak of perhaps six million.[15] The Black Death arrived on the

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[12] Mark Bailey, *The Decline of Serfdom in Late Medieval England: From Bondage to Freedom* (Martlesham: The Boydell Press, 2014), pp. 16–36.
[13] Bailey, *Decline of Serfdom*, pp. 37–61. For more on leyerwite see, Judith M. Bennett, 'Writing Fornication: Medieval Leyrwite and Its Historians', *Transactions of the Royal Historical Society*, 13 (2003), pp. 131–62.
[14] Bailey, *After the Black Death,* p. 332; Bailey, *Serfdom in Medieval England*, p. 50.
[15] See, for example, C. Dyer, 'Villeins, bondsmen, neifs and serfs: new serfdom in England c.1200–1600', in Freedman and Bourin, eds., *Forms of servitude*, pp. 419-36;Christopher Dyer, 'Memories of Freedom. Attitudes towards Serfdom in England 1200 to 1350', in *Serfdom and Slavery: Studies in Legal Bondage*, ed. by M. L. Bush (1996; Routledge, n.d.), pp. 277–95.; C. Dyer, *Making a Living in the Middle Ages. The people of Britain 850–1520* (London: Yale University Press, 2002), pp. 155–86; pp. 228-236.Christopher Dyer, 'The Language of Oppression. The Vocabulary of Rents and Services in England, 1000-1300'', in *Pour Une Anthropologie Du Prélèvement Seigneurial Dans Les Campagnes Médiévales (XIe-XIVe Siècles): II, Les Mots, Les Temps, Les Lieux*, ed. by M. Bourin and P. Martinez Sopena (Publications de Sorbonne, 2004), pp. 71–86.; J. Hatcher, 'English serfdom and villeinage: towards a reassessment', *Past and Present*, 90 (1981), pp. 3-39;John Hatcher, 'Lordship and Villeinage before the Black Death: From Karl Marx to the Marxists and Back Again', in *Peasants and Lords in the Medieval English Economy: Essays in Honour of Bruce M.S. Campbell*, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield, The Medieval Countryside, (Brepols, 2015), pp. 113–46. For population, see R. M. Smith, 'Demographic Developments in Rural England, 1300-48: A Survey', in *Before the Black Death: Studies in the 'crisis' of the Early Fourteenth Century*, ed. by B. M. S. Campbell (Manchester, 1991), p. 49.

south coast of England in the summer of 1348, causing mortality of an estimated 50 per cent of the population over the next year, and the population failed to show any signs of recovery until the early sixteenth century.[16] Population decline on this sustained scale rendered workers and tenants scarce relative to available land for decades. In these conditions, serfdom might be reimposed if landlords possessed the power and inclination to do so, or it might be bargained away if market forces prevailed. Historians are agreed that serfdom in England had largely withered away by the mid-fifteenth century, as the proportion of hereditary serfs fell to under 10 per cent of the population and as unfree land was increasingly held for straight cash rents on leasehold or copyhold.[17]

The Black Death, therefore, marked a pivotal point in the history of serfdom in England, although its precise role is hotly debated. There are two areas of debate. The first is the chronology of the decline of serfdom—and the extent to which it was already in decline before the Black Death—and the second is the causes of that decline, although of course the two are interlinked. For some historians, lords attempted to reimpose serfdom in the wake of plague but eventually met with sustained peasant resistance, epitomised by the revolt of 1381, which forced lords to grant concessions gradually: in this perspective, serfdom declined in England between 1380 and 1450 (see below). For other historians, the institution of serfdom was already weak when the Black Death struck, dissolving rapidly in the second half of the fourteenth century. The differences in perspective are sometimes ideological and sometimes are a function of which facet of serfdom is taken as the best measure

[16] J. L. Bolton, '"The World Upside Down". Plague as an Agent of Economic and Social Change', in *The Black Death in England*, ed. by W. Mark Ormrod and Phillip Lindley (Stamford, 1996), p. 26.
[17] Bailey, *Decline of Serfdom*, pp. 16–61.

of its decline: it might also reflect different chronologies of decline from one region to another.

Nineteenth-century historians measured the decline of serfdom through the scale and chronology of the commutation of labour services. In a work of 1866, Rogers suggested freedom had been achieved before the Black Death, equating the abandonment of demesne cultivation with the decline of serfdom.[18] By 1890, he had concluded that commutation was universal twenty-five years after the Black Death.[19] Vinogradoff also correlated the decline with commutation and attributed it to the economy's evolution to a 'money system' which started in the thirteenth century, concluding in the sixteenth.[20] In 1900, Cheyney regarded the process of commutation as intertwined with demesne leasing, which in turn led to the decline of serfdom, together with migration of serfs and grants of manumission.[21] T. W. Page argued that the process of commutation of labour services was accelerating in the first half of the fourteenth century, further accelerated by flight from the manor, although he stressed that personal servility still lingered into the fifteenth century as lords did not want fully to concede on serfdom in hope of some future reimposition.[22] Gray also recognised that the process of demesne leasing and commutation had begun before the Black Death. The divergent views of these historians are due to differences of opinion on how far the process of commutation had proceeded at a given time and to different source material.[23] Many of them are

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[18] J. E. T. Rogers, *A History of Agriculture and Prices in England : From the Year after the Oxford Parliament (1259) to the Commencement of the Continental War (1793)* (Clarendon Press, 1866), pp. 78–81.
[19] J. E. T. Rogers, *Six Centuries of Work and Wages : The History of English Labour* (Swan Sonnenschein, 1906), p. 218.
[20] Vinogradoff, *Villainage in England*, pp. 178–83.
[21] Edward P. Cheyney, 'The Disappearance of English Serfdom', *The English Historical Review*, 15.57 (1900), pp. 20–37 (pp. 25–37).
[22] T. W. Page, *The End of Villainage in England.* (New York: Macmillan, 1900), pp. 39–68.
[23] H. L. Gray, 'The Commutation of Villein Services in England before the Black Death', *The English Historical Review*, 29.116 (1914), pp. 625–56 (pp. 630–51).

not clear about exactly when the scale of commutation rendered serfdom as defunct, although all of them identify commutation as the primary agent of change. In this view, the Black Death was a secondary cause of decline.

The debate on the decline of serfdom revived in the second half of the twentieth century.[24] Its focus was shaped by the very different ideological approaches adopted in two prominent 'schools', one at the University of Birmingham, headed by Rodney Hilton, following broadly Marxist principles; and the other at the University of Toronto, headed by J.A. Ambrose, whose sociological focus considered elements of collaboration between lords and villeins.[25] Both identified the late fourteenth and early fifteenth centuries as the main period of decline, although their explanations for the decline differed. Raftis pointed to the weakening of the lord's position through shortages of tenants and empty holdings, the leasing of the demesne in the last quarter of the century, and a flood of out-migration of serfs from the 1390s.[26] Overall, Raftis believed that serfdom declined on the Ramsey Abbey estate because of the 'non-conformity' of the peasantry in relation to their land holdings, as well as the migration of serfs.[27]

Published in 1969, Rodney Hilton's seminal *The Decline of Serfdom* was a short but accessible pamphlet, which emphasised how the institution of serfdom withered away through an uneven process.[28] He revived the nineteenth-century idea that lords had attempted to reimpose serfdom in the decades after the Black Death

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[24] Brief discussion of this period can be found in, Nils Hybel, *Crisis or Change: The Concept of Crisis in the Light of Agrarain Structural Reorganization in Late Medieval England* (Aarhus University Press, 1989).
[25] Phillipp R. Schofield, *Peasants and Historians: Debating the Medieval English Peasantry*, Manchester Medieval Studies (Manchester University Press, 2016), pp. 6–7.
[26] J. A. Raftis, pp. 257, 284–85.
[27] James Ambrose Raftis, *Tenure and Mobility: Studies in the Social History of the Mediaeval English Village*, Studies and Texts / Pontifical Institute of Mediaeval Studies, 8 (Pontifical Inst. of Mediaeval Studies, 1964), pp. 197–211.
[28] R. H. Hilton, with Economic History Society, *The Decline of Serfdom in Medieval England*, Studies in Economic History (Macmillan; St. Martin's P, 1969), p. 31.

through a 'seigniorial reaction', comprised of increased demands on serfs by manorial lords and also state policies such as the Statute of Labourers.[29] He was careful to emphasise the importance of servile migration—a form of peasant resistance—in undermining serfdom and also the availability of easier tenures elsewhere in promoting that movement. Hilton's work was the first to draw together the arguments for the decline of serfdom over the medieval and early modern periods, although the evidence is anecdotal, and his judgements are highly generalised. He further developed the theme of the 'seigneurial reaction' between the 1350s and 1380s, whereby lords were enacting heavy and arbitrary money exactions as well as reimposing servile exactions, which triggered mounting resistance from the servile peasantry and so eventually forced lords to abandon their harsh policies and to concede on serfdom.[30] This idea gained popularity. For example, Bolton depicted landlords as "holding their own" for a generation after 1349 using coercive powers by intensifying labour services on the manor and through the vigorous enforcement of the Statute of Labourers: yet it was mounting resistance to this seignorial oppression, culminating in the Peasants' Revolt in 1381, which forced lords to drop their oppressive policies and thereafter villeinage endured a slow and protracted death.[31] Recent study of labour litigation in the court of common pleas by Nicholas Amor has shown that in the first few decades following the Black Death, the number of pleas trended upwards, followed by a marked

[29] Hilton, *The Decline of Serfdom in Medieval England*, p. 33-43.
[30] R. H. Hilton, 'Conflict and Collaboration', in *The English Peasantry in the Later Middle Ages: The Ford Lectures for 1973 and Related Studies* (Clarendon Press, 1975), pp. 54–76 (pp. 54–73).
[31] J. L. Bolton, *The Medieval English Economy, 1150 - 1500* (London: Dent [u.a.], 1980), pp. 213–18.

downward trend after 1380, which he Amor suggests was related to abandonment of the demesne and a reaction to the violence of the 1381 uprising.[32]

Hilton had grasped that the changed demographic conditions after 1349 had not led immediately or inevitably to the disappearance of serfdom, so he deduced its decline must lie in non-demographic and non-economic explanations. Robert Brenner developed this theme by underlining the importance of peasant resistance in explaining how the same demographic conditions (low population level) caused the decline of serfdom in England but its reimposition in eastern Europe in similar conditions in the early modern period.[33] Further research by Hilton's students, notably Dyer and Hargreaves, developed further the concept of the seigniorial reaction between 1350 and 1380, explored the various forms of resistance by villeins, and charted the survival of some personal servility well into the fifteenth century on the estates of monastic lords in the West Midlands. For example, Hargreaves argued that the adverse post-plague conditions led Worcester Cathedral Priory to defend their rights under serfdom through a seigniorial reaction, creating increasing tension and conflict until peasant refusals to perform servile dues was the final 'nail in the coffin' of serfdom.[34]

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[32] Nicholas R. Amor, 'Labour Litigation in the Court of Common Pleas in the Fourteenth Century', *Journal of Medieval History*, 51.5 (2025), pp. 622–45. For other recent discussion on waged labour and the famuli see, Jordan Claridge, Vincent Delabastita, and Spike Gibbs, 'The Commercialization of Labour Markets: Evidence from Wage Inequality in the Middle Ages', *The Economic History Review* (2026), pp. 1–34; Jordan Claridge, Vincent Delabastita, and Spike Gibbs, '(In-Kind) Wages and Labour Relations in the Middle Ages: It's Not (All) about the Money', *Explorations in Economic History*, 94 (2024), pp. 1–21.

[33] R. Brenner, 'Agrarian Class Structure and Economic Development in Pre-Industrial Europe', *Past & Present*, 70 (1976), pp. 48–51. R. Brenner, 'The Rises and Declines of Serfdom in Medieval and Early Modern Europe', in *Serfdom and Slavery: Studies in Legal Bondage*, ed. by M. L. Bush (Longman, 1996), pp. 269–70.

[34] Paul V. Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', *Midland History*, 24.1 (1999), pp. 53–78. Christopher Dyer, *Making a Living in the Middle Ages: The People of Britain 850 - 1520* (New Haven, Conn.: Yale Univ. Press, 2003), p 285, 291; Christopher Dyer, 'Villeins, Bondsmen, Neifs, and Serfs: New Serfdom in England, c. 1200-1600', in *Forms of Servitude in Northern and Central Europe: Decline, Resistance, and Expansion* (Turnhout, Belgium: Brepols, 2005), pp. 428–33.

Many other general surveys, and regional surveys, of late medieval England published at the end of the twentieth century tended to repeat this general chronology of decline, i.e. from the 1380s until the mid-fifteenth century, and to emphasise the importance in driving the decline of the emigration of serfs from their home manors, the dying out of servile families in the conditions of persistently high mortality, and occasional rent strikes.[35] Whittle's study of Norfolk identified the period from 1350 to 1450 as the period of serfdom's disappearance, through either unfree tenants abandoning their land and moving away or through negotiated manumission. However, the institution of hereditary unfree personal status survived after 1440 and lasted through to the sixteenth century.[36]

A broad change in the ways historians interpreted serfdom occurred with the publication of Hatcher's reassessment of the nature of the serfdom at its peak on the eve of the Black Death, which argued that the theoretical powers of lords under common law villeinage were hardly evident in practice, because custom protected villeins against the extremes of lordly behaviour and promoted compromise more than conflict. In this perspective, English serfdom was much weaker on the eve of the Black Death than in the traditional version of events.[37] Campbell produced a large database of manorial extents to prove that labour services were relatively unimportant as a form of rent throughout most of early fourteenth-century England,

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[35] Cicely Howell, *Land, Family, and Inheritance in Transition: Kibworth Harcourt, 1280-1700* (Cambridge University Press, 1983), pp. 42–57. Maurice Keen, *English Society in the Later Middle Ages, 1348-1500*, The Penguin Social History of Britain (London, England ; New York, N.Y., USA: Penguin Books, 1990), pp. 70–74;Poos, L. R., *A Rural Society after the Black Death: Essex 1350-1525* (Cambridge University Press, 1991), p. 246-52.; Edmund B. Fryde, 'Peasant Rebellion and Peasant Discontents', in *The Agrarian History of England and Wales*, ed. by Edward Miller (London: Cambridge university press, 1991), pp. 744–813; R. H. Britnell, *Britain and Ireland 1050-1530: Economy and Society*, Economic and Social History of Britain (Oxford University Press, 2004), pp. 433–34.

[36] Jane Whittle, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440-1580*, Oxford Historical Monographs (Oxford University Press, 2000), p. 37.

[37] Hatcher, 'English Serfdom and Villeinage', pp. 3–39.

undermining the focus of early historians, such as Page, Gray and Cheney,[38] on labour services as the primary rationale and major incident of serfdom, and also confirmed Hatcher's view that most villein rents had become fixed and ossified well below market levels.[39] In 2013, Chris Briggs surveyed the growing body of case studies of fourteenth-century society and concluded that the practice of serfdom in c.1300 was very different to its theory, because there was abundant evidence of villeins enjoying access to the legal system, secure property rights and heavy immersion in labour, land, capital and commodity markets.[40]

This revised view of pre-Black Death villeinage has important implications for how we interpret the post-plague period, because it implies that many lords lacked the powers, the ability and the will to impose a seigniorial reaction in the third quarter of the fourteenth century. If the powers of English lords under serfdom were relatively weak, even at its peak, they would have had limited powers to reimpose it after the Black Death. In this viewpoint, the Black Death either triggered a weak and short-lived seignorial reaction, bolstered by the power of the state and its new labour legislation, or there was no reaction to speak of. Instead, serfdom would have quickly begun to dissolve as lords competed for scarce workers and tenants. By the 1360s and 1370s, tenure and personal status were becoming divorced from each other, tenures were becoming contractual rather than 'manorial', and rents more competitive rather than customary. These developments were achieved more by negotiation than by conflict.[41]

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[38] Bailey, *Decline of Serfdom,* pp. 9–10, 49–50.
[39] B. M. S. Campbell, 'Chapter 7: The Land', in *A Social History of England, 1200-1500*, ed. by Rosemary Horrox and W. Mark Ormrod (Cambridge: Cambridge University Press, 2006), pp. 179–237 (p. 236); B. M. S. Campbell, 'The Agrarian Problem in the Early Fourteenth Century', *Past and Present*, 188 (2005), 3–70 (pp. 69–70).
[40] Chris Briggs, 'English Serfdom, c.1200-c.1350: Towards an Institutionalist Analysis', in *Serfdom and Slavery in the European Economy 11th-18th Centuries*, ed. by Simonetta Cavaciocchi (Firenze University Press, 2014), pp. 31–32.
[41] Bailey, *Decline of Serfdom*, pp. 285–306.

These major reassessments of the extent of seigniorial powers under English serfdom on the eve of the Black Death created the foundations for a body of work by Mark Bailey, which has challenged the accepted orthodoxy of both the chronology and explanations for the decline of serfdom. First, Bailey argued that the evidence for the 'seigniorial reaction' in the post-plague era is either misrepresented or insubstantial, and historians have routinely overlooked the many manors where no such reaction occurred.[42] He agrees there were some reactionary policies on a handful of monastic and aristocratic estates in the 1350s and 1380s, but argues that to date, no systematic and quantitative study has provided proof of a sustained reaction on any manor.[43] Second, Bailey presents evidence that the traditional villein service tenures were in headlong decline from the 1350s, as lords dropped merchet as a tenurial incident, diluted tallage, quickly removed mill suit and changed the language of servile conveyances to make them less stigmatising for new tenants. Entry fines, cited by Dyer and Hilton as a major lever for exploitation under villeinage, fell by at least one third after 1350 on manor after manor. Bailey also documents the rapid conversion of the old service tenancies to leasehold and to money tenures, again with the intention of attracting freemen, townsfolk, incomers and even gentry as tenants of villein land.[44] Third, he disputes Dyer's estimation that around one quarter of the English population were hereditary serfs in 1400, suggesting a figure closer to 10 per cent instead.[45] Fourth, Bailey shows that

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[42] Mark Bailey, 'The Myth of the "Seigniorial Reaction" in England after the Black Death', in *Peasants and Lords in the Medieval English Economy: Essays in Honour of Bruce M.S. Campbell*, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield, The Medieval Countryside, volume 16 (Brepols, 2015), pp. 147–72 (pp. 156–67).

[43] R. H. Britnell, 'Feudal Reaction after the Black Death in the Palantine of Durham', *Past & Present*, 128 (1990), pp. 28–47; Bailey, *Decline of Serfdom*, pp. 307–11; Bailey, 'The Myth of the "Seigniorial Reaction" in England after the Black Death', pp. 164–67; Bailey, *After the Black Death*, pp. 83–111.

[44] Mark Bailey, 'The Transformation of Customary Tenures in Southern England, c.1350 to c.1500', *The Agricultural History Review*, 62.2 (2014), 210–30 (pp. 205–7); Bailey, *Decline of Serfdom*, pp. 314–22; Mark Bailey, 'Tallage-at-Will in Later Medieval England', *English Historical Review*, CXXXIV.566 (2019), 25–58 (pp. 47–58); Bailey, *After the Black Death*, p. 331.

[45] Bailey, *After the Black Death*, p. 332.

personal incidents such as chevage were rarely collected after 1350 and, although examples of high fines for chevage are eye-catching, most fines were trivial, and the attempts of lords to control the movement of their serfs were ineffectual. As a result, tenurial and personal serfdom had effectively declined by c.1400, and the demographic consequences of the Black Death had dealt it a fatal blow. English serfdom was weak in the 1340s, and in the radically altered demographic and economic paradigm its enforcement was not cost-effective. Lords competed openly for serfs as tenants and workers, serfs had ample opportunities to obtain land and work in both town and countryside, and lords could track their movements but not prevent it. In addition, the common law prohibited the creation of new serfs, and serf families were dying out in this era of high mortality. Resistance and conflict, and patterns of servile migration, shaped the local speed and nature of decline, but were not the primary drivers.[46]

Bailey's work differs significantly from the Birmingham school in its methodology. Rather than offering a broad sweep based on anecdotal examples picked from a wide range of manors, he adopts a more granular approach by establishing an exact chronology for the disappearance of all the main incidents of serfdom on a single manor, then relating it to key indicators of the causes of decline, such as the scale and timing of resistance to labour services of departures from the manor. Bailey's detailed and rigorous methodology was a deliberated attempt to quantify the presence or absence of servile incidents over time, in stark contrast with the anecdotal approach to evidence adopted by the Birmingham School, and in his 2014 monograph applied it to 38 well-documented manors spread across East Anglia and the south Midlands to Oxfordshire. For example, he shows that

[46] Bailey, *After the Black Death*, pp. 332–33.

tallage—one of the common law tests of villeinage and oft-cited as one of the oppressive incidents under English serfdom—was only recorded on five of the 38 manors after 1350, and only on two manors by 1400. When the total number of refusals to perform works are enumerated and dated, there is little evidence of peasant resistance, and most of the opposition to week works occurred in the 1350s, rather than building to a peak of resistance in the 1370s and 1380s as in the orthodox narrative.[47] Furthermore, Bailey included in his sample a range of lesser lay manors—where serfdom was weakest, and where it was most likely to disappear quicker—to compensate for the over-reliance in many studies of serfdom on the manors of the great monastic and aristocratic estates where serfdom was strongest, which are better documented but are only one variant on English manorial forms and estates.[48]

Bailey's sustained challenge to the orthodox chronology of, and reasons for, the decline of serfdom was criticised by Dyer for its limited regional scope and its reliance on manorial sources, although Briggs lauded its rigour and method, and regarded it as the most comprehensive work on the decline of serfdom.[49] One criticism of Bailey's work that retains traction is its regional focus and, in particular, whether the arguments would apply to more heavily manorialised and less commercialised areas of England, such as the West Midlands, where the traditional viewpoint may well still apply. In a recent monograph on the West Midlands, Dyer has re-stated this point, asserting that in the West Midlands 'both church and lay lords clung to an institution [serfdom] which reflected their political power' for the

[47] Bailey, *Decline of Serfdom*, p. 303.
[48] Bailey, *Decline of Serfdom*, pp. 240–82.
[49] Christopher Dyer, 'Book Review: Decline of Serfdom in Late Medieval England: From Bondage to Freedom by Mark Bailey', *Renaissance Quarterly*, 68.1 (2015), 311–13. Chris Briggs, 'Reviewed Work: The Decline of Serfdom in Late Medieval England: From Bondage to Freedom by Mark Bailey', *The English Historical Review*, 130.545 (2015), pp. 971–73.

rest of the fourteenth century.[50] Dyer does not adopt the quantitative methodology developed by Bailey to identify exactly the chronology of decline on a large sample of manors, but offers a handful of anecdotal examples instead. For example, he argues that in the post-plague era, lords 'could arbitrarily increase dues…making high demands using their social power to counteract the economic pressure to reduce rents', and supports this statement with a couple of examples from the Winchcombe Abbey estate in 1405, which he asserts are 'just examples from many similar episodes after 1349'.[51] Similarly, Dyer states that 'work could be compelled under the labour laws after the epidemic', although no clear examples are provided of this happening on any scale.[52] Bailey points out that the only quantitative information Dyer provides about servile incidents—the levels of entry fines on two manors—reveals a collapse in the 1350s, which directly contradicts Dyer's claims for the maintenance of serfdom in the region, although Dyer makes no comment on the evident contradiction.[53]

Bailey's most recent publication *Serfdom in Medieval England* (2025) offers a carefully evidenced argument that English serfdom was weak before the Black Death, due to a combination of forces. As a result, landlords lacked the power to reimpose it after the Black Death, even though some attempted to track migration and increase fines for merchet in its immediate aftermath, as a result of which such attempts failed, and therefore serfdom rapidly unravelled in line with market forces. Bailey applies a systematic and quantified approach to three case studies from the estate of the cellarer of St Albans Abbey to show that even a large, powerful ecclesiastical landlord was unable to reimpose serfdom, which was in headlong

[50] Christopher Dyer, *Peasants Making History* (Oxford University Press, 2022), pp. 78–79.
[51] Dyer, *Peasants Making History*, p. 317.
[52] Dyer, *From Slavery to Freedom*, pp. 19–20.
[53] Mark Bailey, 'Book Review: Peasants Making History: Living in an English Region 1200-1540 by Christopher Dyer', *The Local Historian*, 53 (2023), 185–6.

retreat on the three manors well before the Peasants' Revolt. Although Bailey's sample remains regionally confined to the Home Counties and East Anglia, he stresses that wherever this methodology has been used, not a single English manor has yielded evidence for the reimposition of serfdom in the third quarter of the fourteenth century.[54] The methodology used by Bailey is the most resolute in assessing the reality of the management of serfdom on any manor in England, but it remains open for scholars to apply it to those regions—such as the West Midlands—where other scholars have claimed that serfdom was both powerful in the pre-plague era and was reimposed in the immediate post-plague era.

This debate over the chronology of decline of serfdom reveals three key differences in approach. First, Bailey advocates a quantitative and contextualised approach, in which large samples of all servile incidents are acquired from a good series of manorial documents for a single manor and the changes documented over time. In contrast, Dyer does not adopt such a rigorous approach, but reads more into the significance of carefully selected examples of coercive behaviour which reveal the social dimension of serfdom.[55] Second, Bailey assesses the speed and nature of tenurial change on villein land—in particular the shift from the traditional service tenancy to cash tenures and leasehold—whereas Dyer pays little attention to tenure and focuses more on the incidents and demeaning nature of personal serfdom.[56] Third, Dyer tacitly accepts Bailey's arguments for the decline in the economic significance of serfdom in East Anglia and the south Midlands, but argues that this was not the case in the West Midlands.[57] He draws on Hilton's seminal work,

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[54] Mark Bailey, *Serfdom in Medieval England: Theory and Practice 1200 To 1500*, Manchester Medieval Studies (Manchester University Press, 2025), pp. 399–401.
[55] Dyer, *From Slavery to Freedom*, pp. 11–12.
[56] For example, compare Bailey, *After the Black Death*, pp. 85–102 with Dyer, *From Slavery to Freedom*, pp. 18–27.
[57] Dyer, *Peasants Making History*, pp. 78–9; Dyer, *From Slavery to Freedom*, pp. 11–12.

supported by the other regional studies in the Birmingham School tradition.[58] The next chapter considers the West Midlands and serfdom in more detail.

[58]R. H. Hilton, 'Freedom and Villeinage in England', *Past & Present*, 31 (1965), pp. 3–19; Rodney H. Hilton, *Bond Men Made Free: Medieval Peasant Movements and the English Rising of 1381*, Reprinted (Routledge, 1995). Christopher Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540*, Past and Present Publications (Cambridge ; New York: Cambridge University Press, 1980); Christopher Dyer, *Standards of Living in the Later Middle Ages: Social Change in England, c. 1200-1520*, Cambridge Medieval Textbooks (Cambridge [England] ; New York: Cambridge University Press, 1989); Christopher Dyer, *An Age of Transition? Economy and Society in England in the Later Middle Ages*, The Ford Lectures (Oxford ; New York: Oxford University Press, 2005); Christopher Dyer, 'The Ineffectiveness of Lordship in England, 1200-1400', in *Rodney Hilton's Middle Ages: An Exploration of Historical Themes* (Oxford ; New York: Oxford Journals, Oxford University Press, 2007), pp. 69–87.

2 The Decline of Serfdom in the West Midlands.

The study of serfdom in the West Midlands—defined as the historic counties of Gloucestershire, Warwickshire, and Worcestershire—received little scholarly attention during the nineteenth and first half of the twentieth centuries. Vinogradoff used some anecdotal evidence from the region in his classic *Villeinage in England*, and E. A. Kosminsky used the partial extant returns of the 1279 Warwickshire Hundred Rolls to make some general observations about social structure, but otherwise the region was not a specific focus in their work.[59] The study of serfdom in this area of England began in the 1940s at the University of Birmingham under the seminal influence of Rodney Hilton and the large research group he inspired.[60] The so-called 'Birmingham School' pioneered a number of case studies on this region's economy and society in the late Middle Ages, utilising the records of the greater ecclesiastical institutions, such as the bishopric and the Cathedral Priory of Worcester and the abbey of Halesowen. Following Hilton's lead, these studies have tended to emphasise the demeaning, onerous and extractive nature of serfdom on these estates by the end of the thirteenth century; the existence of a widespread seigniorial reaction in the aftermath of the Black Death; the importance of peasant action in resisting this imposition; and the eventual slow decline of serfdom from the

[59] Paul Vinogradoff, *Villainage in England* (Oxford: Clarendon Press, 1892), pp. 161, 182, 256, 334; E. A. Kosminsky, *Studies in the Agrarian History of England in the Thirteenth Century* (Oxford: Blackwell, 1956), pp. 128–29.
[60] Phillipp R. Schofield, *Peasants and Historians: Debating the Medieval English Peasantry* (Manchester University Press, 2016), p. 6. The Birmingham school of historians included Christopher Dyer, Peter Coss, Ralph Evans, Zvi Razi, Richard Holt and their students, whose relevant work is considered in more detail below.

late fourteenth century. In this chapter, we will survey the main scholarly research underpinning this narrative and interpretation and offer a preliminary critique. As most of these studies draw on the records of the great ecclesiastical estates, we will survey them by each estate.

2.1 Worcester Cathedral Priory

Worcester Cathedral Priory was one of the leading Benedictine houses in England, whose annual income in the early fourteenth century sat at £1000 per annum.[61] The 26 manors which comprised its estate were divided between the woodlands of north and west Worcestershire and the champion area south of the river Avon. The survival of manorial documents for Worcester Cathedral Priory—especially court rolls—is very good, although the Birmingham School's use of them has not been exhaustive. Hilton included in his work some examples from the Priory's court rolls, but in anecdotal rather than systematic manner. In the early 1950s one of Hilton's students, E. K. Vose, studied the estate for a PhD thesis, although this research was never completed or published.[62] In the early 1960s, R. K. Field studied the priory manors for a Master's dissertation with a specific focus on peasant housing and living standards, which was later published.[63] In 1997, Paul Hargreaves completed a PhD thesis exploring the relationship between lord and tenant on the priory estates between 1340 and 1390, part of which was then published in an article arguing for the existence of a seigniorial reaction on the

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[61] Christopher Dyer, 'Peasant Farming in Late Medieval England: Evidence from the Tithe Estimations by Worcester Cathedral Priory', in *Peasants and Lords in the Medieval English Economy: Essays in Honour of Bruce M. S. Campbell*, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield (Brepols, 2015), pp. 83–109 (p. 86); Christopher Dyer, 'The Midland Economy and Society, 1314-1348: Insights from Changes in the Landscape', *Midland History*, 42.1 (2017), pp. 36–57, doi:10.1080/0047729X.2017.1298936.

[62] E. K. Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages' (unpublished unfinished PhD Thesis, University of Birmingham, 1953).

[63] R. K. Field, 'Worcestershire Peasant Building, Household Goods and Farming Equipment in the Later Middle Ages', *Medieval Archaeology*, 11 (1965), pp. 105–45.

manors in the third quarter of the fourteenth century.[64] Christopher Dyer has used the material in various studies in the past two decades, with the most significant being his latest monograph (*Peasants Making History*) and a recent pamphlet (*From Slavery to Freedom*).

Vose's initial, incomplete, work was an ambitious attempt to reconstruct the wider estate management and finances of Worcester Cathedral Priory across the later Middle Ages and consequently contains little direct commentary on the management of villeinage on individual manors. His work does, however, reveal some useful insights into the chronology of commutation of labour services. During the 1330s and 1340s, there was little commutation of the main week works.[65] However, the Black Death led to many holdings lying abandoned in the 1350s, and an unwillingness of peasants to accept them on the old terms of tenure, which led in turn to a rapid decline in the provision of labour services. Vose noted that many tenants were temporarily found by leasing unfree holdings for cash *ad voluntatem domini* (at the will of the lord), and suggested that this indicated the priory was holding out for tenants who would accept the land on the old terms, including labour services.[66] He posited that during the 1350s, reduced rents and commutation were common, heriots were being reduced, and the commutation of services was now frequently recorded in the account rolls: the manors of Cropthorne and Harvington are cited as notable examples.[67] Vose also identified significant out-migration of

[64] Paul V. Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390' (Unpublished PhD Thesis, University of Birmingham, 1997); Paul V. Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', *Midland History*, 24.1 (1999), 53–78.
[65] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', pp. 38–39.
[66] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', p. 48.
[67] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', pp. 50–51.

serfs from the Priory's manors immediately after the Black Death, which it failed to quell.[68]

The problem of empty holdings had not eased by the time of the second plague epidemic in 1361-2, after which the number of deceased tenants' holdings remaining in the hands of the lord remained high, and rent reductions and commutations of labour services were still frequent in order to attract tenants.[69] After the fall in grain prices in the mid-1370s, the priory was also forced to lease considerable parts of the demesnes of its manors.[70] By the 1420s large holdings of unfree land held at a money rent were common, so there was no return to the old system.[71] Likewise, the priory adopted a rentier policy from the 1420s, during which the manorial demesnes were largely leased to the wealthier local tenants.[72] These trends have to be carefully separated from the body of Vose's incomplete thesis, which has a muddled structure and adopts primarily an anecdotal—rather than systematically quantitative—approach. Its focus is mainly on labour services and the overall financial position of the priory, rather than on the incidents of serfdom. It does, however, establish that the Black Death of 1349 had a major and direct impact on the availability of labour services, which declined sharply in the 1350s and never recovered: by the early fifteenth century week-work was unknown on the cathedral priory estates.[73] Vose also points to serious difficulties finding tenants for servile land in the 1350s and the 1360s, and the need to offer concessions to attract tenants. Neither of these developments is consistent with a sharp seigniorial reaction in the third quarter of the fourteenth century.

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[68] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', pp. 52–55.
[69] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', pp. 57–58.
[70] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', p. 63.
[71] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', p. 125.
[72] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', p. 128.
[73] Vose, 'The Estates of Worcester Cathedral Priory in the Later Middle Ages', p. 159.

The MA thesis of RK Field on the tenantry of the Worcester Cathedral Priory estate focused on standards of living and buildings rather than villeinage, although he provided some discussion of changes to forms of tenure.[74] He states that in the late 1350s, the Priory was offering reduced rents with most or all services commuted.[75] Field concluded that the monks at Worcester were 'conservative' and reluctant to change in the wake of plague, although tenurial change was forced on them by the very different economic climate.[76] The assumption of conservative lordship aligns with the Birmingham School hypothesis of a strong system of serfdom, although the scale of the tenurial change in the 1350s and 1360s, and its significance for the hypothesis of a seigniorial reaction, passes mainly without comment.

Hilton made some anecdotal use of material from Worcester Cathedral Priory in his 1973 Ford Lectures, concentrating on the period 1360–1400 to argue that the priory made local and sporadic attempts to exploit the monetary possibilities of their rights over customary tenants. He focused on the control of servile marriage through merchet, and he presented some examples of the highly varied level of individual fines imposed on serfs in the post-Black Death period.[77] Hilton found that the amount ranged from 6s. 8d. to 13s. 4d. across the priory estate, while on the estates of Gloucester Abbey in the 1350s it ranged from 3s. to 5s., and consistently lower rates between 2s, and 4s. are recorded on the manors of Halesowen, Elmley Castle and the royal manor of Bromsgrove.[78] Hilton deduced from this contrasting evidence that Worcester Cathedral Priory was extracting high merchets from its tenants as part of a policy of oppression in the aftermath of the Black Death.

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[74] R. K. Field, 'The Worcestershire Peasantry In The Later Middle Ages' (unpublished MA Dissertation, University of Birmingham, 1962), pp. 164–65.
[75] Field, 'The Worcestershire Peasantry In The Later Middle Ages', p. 177.
[76] Field, 'The Worcestershire Peasantry In The Later Middle Ages', p. 136.
[77] Hilton, 'Conflict and Collaboration', p. 58.
[78] Hilton, 'Conflict and Collaboration', p. 58.

However, no references are given, and we are not told the dates or size of the samples or how systematically the evidence had been extracted.

Hilton placed considerable emphasis on the variability of servile incidents, of which merchet is the prime example, as a ready and arbitrary means through which lords could and did exploit their hereditary serfs. He also emphasised entry fines—payable on entry into villein land—as another variable incident which became a principal lever for oppression. Hilton concedes that entry fines tended to fall after 1350 as land became relatively abundant, but cites one example in Halesowen in 1369 of one half yardland attracting a fine of £5, and three years later 16s. was charged for entry to a two-acre holding with annual rent of 12d. He then presents a convoluted case from the priory manor of Overbury during 1377, where the tenant eventually paid an entry fine of £6.[79] Thus Hilton is able to demonstrate the variable nature of entry fines, and the very high level of some, although the examples he chooses are carefully selected and we have no idea of their typicality: furthermore, there is no attempt to quantify the general direction of mean entry fines on any of these manors over a specified period of time, so he provides no evidence that entry fines were routinely and excessively high in the aftermath of plague here.

Hilton suggests that during the 1360s and 1370s, across the estates of the West Midlands, especially on ecclesiastical manors, there were quarrels over the performance of labour services, reflecting the changing balance of power between lords and peasants.[80] In particular, he identifies a major confrontation on the Worcester Cathedral Priory estates in 1379, which involved the performance of labour services and led to the general order to seize all goods and chattels of the servile tenants on every manor. Furthermore, the Prior had to excuse himself from

[79] Hilton, 'Conflict and Collaboration', p. 59.
[80] Hilton, 'Conflict and Collaboration', p. 61.

the Great Chapter at Northampton in July 1381 on the grounds that both free and servile were withholding services and preparing for insurrection.[81] Once again, Hilton picks some eye-catching cases to illustrate rising tensions over the incidents of serfdom, and increased peasant resistance in the third quarter of the fourteenth century. Yet the examples are not contextualised or aggregated, and—as Dyer has subsequently pointed out—there is no evidence that the 1379 estate wide order to seize all the goods and chattels of villein tenants of the Priory (which was a very aggressive and confrontational act), was ever carried out.[82]

Paul Hargreaves offered a more comprehensive and systematic study of lord-tenant relations on the priory estate between 1340–1390. Like Vose and Field, he identifies a dramatic change in the structure of rent in the third quarter of the fourteenth century, including leasing of vacant villein holdings on short, informal tenures at the will of the lord.[83] The swing to cash rents and away from the old service tenancies (i.e. owing labour services and renders in kind) is reflected in the changing composition of the priory's income: in the 1340s, 45 per cent of the cellarer's manorial income came from rents, but by 1376/7 over 82 per cent of his income did so.[84] This development is demonstrated by the rise in cash rents received from the manors of Cropthorne and Harvington (Table 2.1). Hargreaves showed that the level of cash rent fell between the 1340s and the 1350s, because of the problem of vacant holdings and the difficulties finding new tenants in the wake of plague, but then rose above pre-plague levels in the 1370s and 1380s, and remained high

[81] R. Hilton, 'Conflict and Collaboration', pp. 61–62.
[82] C. Dyer, *From Slavery to Freedom*, p. 19.
[83] Paul V. Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', *(unpublished PhD, University of Birmingham, 1997),* p. 96.
[84] Hargreaves, 'Change in Relationships', pp. 99–100.

thereafter: the rise was entirely due to a wholesale switch from tenancies based on labour services and renders in kind to those with straight cash rents.

Table 2.1: Cellarer of Worcester Cathedral Priory's cash revenues from rents for peasant land between 1344 and 1441 at Cropthorne and Harvington

Date	Cropthorne	Harvington
1344/5	£19 2s. 10d.	£7 0s. 0d.
1354/5	£13 2s. 4d.	£2 7s. 4d.
1356/7	£14 12s. 7d.	£1 15s. 0d.
1357/8	£13 8s. 0d.	£0 10s. 0d.
1376/7	£35 13s. 6d.	£10 15s. 7d.
1381/2	£32 14s. 0d.	£10 5s. 6d.
1385/6	Illegible	Illegible
1441	£32 5s. 7 ¾d.	£17 7s. 9d.

Source: Hargreaves, 'Change in Relationships', p. 100.

The rent package on the old service tenancy on this estate, typical of the pre-plague era, had been made up of payments of cash, labour, grain renders and customary services. The exact level and balance of these rent payments varied throughout the priory estate, according to Hargreaves, due to regional, geographic, and economic factors. At Cropthorne in 1240, a standard servile yardland rendered 3s. 4d. per annum and 15 days of labour, but in 1352 a yardland was granted for 14s. 2d. and no labour services or renders in kind: the rent level per yardland tended to fall in the 1380s.[85]

Hargreaves' discussion of the chronology and scale of this significant tenurial change is not especially clear. He states without any explicit supporting evidence that "it is possible that some low cash rents were still accompanied by relatively large amounts of labour rents".[86] In general, though, Hargreaves dates the main phase of the negotiated swing to cash rents, the permanent removal of labour

[85] Hargreaves, 'Change in Relationships', p. 102.
[86] Hargreaves, 'Change in Relationships', pp. 102–3.

services, and also a downturn in the value of rent per yardland to the last quarter of the fourteenth century, which he links to the corresponding fall in grain prices, which undermined land values.[87] These developments explain the rise in cash rents revealed in Table 2.1. Hargreaves believes that the swing to cash rents suited peasants who "universally hated" labour rents, and assumes that the priory would have preferred to maintain some labour rent but had to accept the reality of the situation and agreed to convert labour into cash.[88] There is a paradox and apparent contradiction here. The higher cash rents might be interpreted as an example of oppressive seigniorial policy after the Black Death, although this is difficult to square with the collapse of labour services and the priory's supposed desire to keep them as against the desire of tenants to be rid of them. Hargreaves does identify a drop in the land market in the 1380s, when tenants began to abandon poorer land, thus forcing the downward adjustment of rent. However, the process was uneven, and it was the only in the fifteenth century that the tenants' 'struggle' for lower rents on customary tenures was achieved.[89]

Hargreaves interprets these complex, contradictory and swirling developments primarily through the explanatory framework of the seigniorial reaction. For example, he shows that the total number of available labour services had halved between 1346 and 1376 across the whole estate, which he attributes directly to "tenant militancy" (the documents themselves do not provide any reasons for the change).[90] He acknowledges that the monks could not have prevented the changes unleashed by the Black Death, but argues that their reactionary

[87] Hargreaves, 'Change in Relationships', p.174
[88] Hargreaves, 'Change in Relationships', p. 107.
[89] Hargreaves, 'Change in Relationships', pp. 106–7.
[90] Hargreaves, 'Change in Relationships', p. 110.

manoeuvring helped to slow the inevitable changes, and the struggle over entry fines, rents and tenures put the lord-tenant relationship under increasing strain.[91]

The emphasis on conflict is illustrated by Hargreaves' suggestion that the burden of labour services was increasing after the Black Death, based on the fact that the priory had reduced the proportion of services sold for cash from 75 per cent in 1346/7 to 61 percent in 1376/7. Indeed, Hargreaves uses the priory's rising (relative) utilisation of labour services to speculate that it created a fear that they were to be re-introduced, and this in turn "lay behind a general tenant uprising on the estate in 1378".[92] Yet this argument is manifestly tendentious. The lord was not increasing labour services at all but merely opting to utilise a higher proportion of the available works at a time when the total number available had halved. The link to a general uprising on the estate in 1378 is pure conjecture and, as we show in Chapter 11, there is no proof of a general uprising against the priory in 1378 or any link to disputes over labour services. This provides a good example of the way in which the belief that a seigniorial reaction must have taken place can result in the straining of evidence to 'prove' the narrative. Despite providing clear evidence for a change in the demand for land between the 1340s and 1350s, for significant difficulties in finding tenants in the 1350s and early 1360s, and for a major shift away from the old service tenures to money rents, Hargreaves underplays market forces in favour of any evidence that might support the argument for seigniorial reaction and tenant resistance.[93]

Hargreaves is much more straightforward in his treatment of the priory's policy that housing stock surplus to requirements after the Black Death should be

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[91] Hargreaves, 'Change in Relationships', pp. 150–61, 175–76.
[92] Hargreaves, 'Change in Relationships', p. 110.
[93] Hargreaves, 'Change in Relationships', p. 174.

maintained or permission sought for not doing so. Under common law villeinage the tenant was not to waste the holding, which provided the pretext for amercing those who did, regardless of whether the buildings were needed anymore. Some wastage amercements are recorded before 1349, but the number peaked on an unparalleled scale in the 1370s and 1380s: in 1373–4, 92 cases were recorded on the priory manors, by 1388–9, the average of neglected buildings was 67 a year. Likewise, the size of amercements rose. Before the plague, these amounted to between 2d. and 6d. and by 1364-5, 6d. became more common. In 1367-8 on the manors of Newnham and Moor, Hallow and Grimley and Sedgeberrow amercements of 3s. and 4s. could be found, rising to highs of 6s. 8d.[94] This heavy-handed approach was failing, as the number of neglected properties continued to rise. In 1373, a different tactic was used, where on every manor on the estate the whole homage or those with decayed buildings were ordered to repair them by the next court or incur a fine, although the policy was then quickly abandoned in 1374–5 in response to tenant disobedience.[95] New tenants were also given inducements to encourage them to build, which included reduced rents or excused entry fines. However, the labour costs and even the cost of subsidised materials usually outweighed the inducements. Evidence for resistance mostly came in the form of not finishing the building at all. Most tenants were given ample time to build, usually up to two years. However, an example in 1389 from Overbury saw two tenants threatened with 20s. and 40s. fines, which rose to £5 in May 1389, but by July the house was still not built.[96] The monetary threats Hargreaves describes here did not result in the building of the dwelling. It is impossible to establish whether buildings were repaired or whether the lord simply

[94] Hargreaves, 'Seignorial Reaction', p. 64.
[95] Hargreaves, 'Seignorial Reaction', p. 64.
[96] Hargreaves, 'Seignorial Reaction', p. 63.

stopped pressurising the tenants, but, regardless, Hargreaves believes that tenants resented the lord's 'dictatorial' interference in their freedom.[97]

Hargreaves shows that payments of merchet and leyerwite fell after 1349. He provides little in-depth analysis of leyerwite, which, for the most part, was charged at 2s. between 1340 and 1390. The number of leyerwite fell around 40 per cent between the 1340s and 1350s, but was rare after the second epidemic, which Hargreaves attributed to concealment.[98] In particular, he believed the dispersed nature of settlement in the woodland must have made it easier to conceal pregnant women and illicit concubines than in the densely populated champion villages.[99]

Hargreaves divided merchet into three distinct groups. Firstly, some women were given permission to marry 'wherever and whoever they wish' and 'to be free'. Secondly, some women, often old women, and widows with land, were given 'licence to marry', but usually only to peasants within their own village. Finally, some women 'married without licence', i.e. had not obtained merchet in advance of nuptials.[100] Hargreaves shows that in the 1340s there were, on average, 35.5 fines per annum for all three types of marriage across eleven manors of the priory, compared with 11.9 per annum in the post plague era.[101] Hargreaves' main interest was in trying to identify regional differences in the patterns of merchet/ marrying without licence.[102] Hargreaves' study lacks any comprehensive discussion on the value of fines for merchet. We can glean some figures from cases he describes, for

[97] Hargreaves, 'Seignorial Reaction', p. 63.
[98] Hargreaves, 'Change in Relationships', pp. 185–6.
[99] Hargreaves, 'Change in Relationships', p. 182.
[100] Hargreaves, 'Change in Relationships', pp. 178–79.
[101] Hargreaves, 'Change in Relationships', p. 181.
[102] Hargreaves, 'Change in Relationships', p. 183–93.

instance a case at Broadwas in 1346 saw a fine worth 6s. 8d.,[103] he also mentions serfs paying 13s.4d. for a merchet.[104]

In contrast, Hargreaves does provide quantitative treatment of entry fines over time. These tended to be high in the 1340s, reflecting the pressure of population on resources, but fell after the Black Death (see Table 2.2).[105]

Table 2.2: Decadal Average Entry Fine for Holdings on Selection of Manors (not specified). Reproduced from Hargreaves, p.150.

Decade	Yardland	Half-yardland	Noke
1340s	£7 16s. 7d.	£2 6s. 1d.	£1 5s. 2d.
1350s	13s. 6d. + 0.9 capons	8s. 6d. + 1.9 capons	11s. 2d.
1360s	17s.7d. + 0.7 capons	7s. 4d. + 0.8 capons	6s. 9d. + 0.4 capons
1370s	11s. 1d. +1.6 capons	6s. 6d. + 1.7 capons	3s. 9d. + 1.1 capons
1380s	2s. 10d. + 1.4 capons	4s. 5d. + 2.1 capons	2s. 6d. +0.9 capons

The value of fines never recovered from the effects of the plague. The value of mean fines to a yardland fell by over 90 per cent between the 1340s and 1350s, and of a half yardland by over 80 per cent. The acceptance of capons as fines is seen by Hargreaves as indicative of the priory's weakened position, effectively a token gesture, and this trend is first recorded in 1352 and increased thereafter. The tendency for fines to be waived also increased. Hargreaves concludes that entry fines were in decline and an insignificant part of cellarer's revenue by 1377/8.[106] He does focus on the infrequent occasions when high entry fines were commanded, such as at Overbury in 1375, when Walter Brayel inherited seven and a half acres at 2s.6d. a year with an entry fine of 16s.8d., seven times the rent.[107] Yet he confirms

[103] Hargreaves, 'Change in Relationships', p. 185.
[104] Hargreaves, 'Change in Relationships', p. 184.
[105] Hargreaves, 'Change in Relationships', p. 150.
[106] Hargreaves, 'Change in Relationships', p. 154.
[107] Hargreaves, 'Change in Relationships', p. 151.

that, overall, the entry fine was in rapid decline from the 1350s and had been virtually eliminated as a customary payment by the 1390s.[108] Hargreaves documents the rapid collapse of this pillar of oppressive serfdom while making no comment on the fact that his evidence does not fit the narrative of a seigniorial reaction.[109]

Hargreaves argues that the demise of the entry fine was accompanied by the increased use of heriot as a 'tax' on land transfers. This is because heriot was usually due on the relinquishing of servile land on the estate, not just following the death of the tenant. In the 1340s, 24 per cent of heriots in his sample of priory manors were paid by living tenants; in the 1350s and 1360s this rose to 26 per cent; by the 1370s, it had risen to 35 per cent; and by the 1380s, it had reached 46 per cent.[110] His argument is clearly framed within the context of a seigniorial reaction, but an alternative explanation is that after 1349 tenants were more likely to abandon or relinquish land in their lifetime, reflecting difficulties in arable cultivation and perhaps the wider availability of land elsewhere, so it is indicative of a change in tenant practice rather than the imposition of a new seigniorial tax.

Another feature of the management of heriots after the Black Death is their condoning pardoning due to poverty and old age of the tenant, which became a regular feature of the court rolls after 1369/70: during the period 1369–1370 the average number of heriots condoned for poverty was 18 per cent, rising to 38 per cent in 1384/5. Hargreaves explains this phenomenon in terms of an ageing post-plague population, who had difficulty disposing of their lands, but does not comment on its relevance for the lord's management of villeinage. Yet these widespread waivers of heriots are not consistent with an oppressive and grasping

[108] Hargreaves, 'Seignorial Reaction', p. 58.
[109] Hargreaves, 'Change in Relationships', p. 162.
[110] Hargreaves, 'Change in Relationships', pp. 193–94.

landlord.[111] Instead, Hargreaves suggests that the payment of heriot was a source of resentment, pointing to occasional examples of the lord attempting to claim a heriot from a surviving widow who still held the tenement. For Hargreaves, the waiving of heriots, and indeed of other dues such as entry fines and merchet, is portrayed as peasant resistance to paying the key servile dues, all of which led to weakening and destruction of customary dues and forever altering the lord-tenant relationship.[112]

Hargreaves' discussion of chevage is brief. He notes the general fine for chevage was 2s. per annum, with the location of the flown serf recorded in the court roll and an order for attendance at the biannual hundred court, but does not comment on the frequency with which it was levied.[113] Hargreaves emphasises the importance of out migration of serfs as a major cause of the decline of serfdom on the priory estate. Hargreaves records 346 runaways across the entire priory estate during the period 1350–1390, 101 (29 per cent) of these individuals were female, and 37 of them were unmarried women. The average distance travelled was around eleven miles, and 26 per cent of destinations were towns, the most popular being Worcester and Coventry. Nevertheless, 47 per cent of journeys were five miles or less, and 28 per cent were over ten miles.[114] Hargreaves regards the increased mobility of serfs as the final nail in the coffin of serfdom on the priory estate: the threat of flight strengthened the peasants' hand and weakened the unity within the seigneurial class as lords competed for tenants. As Hargreaves states, "the more the cellarer forced his tenants to repair superfluous property the more he pushed them to seek a new landlord, more particularly landlords who would accept them as freemen".[115] Thus, after a sharp seigniorial reaction on the priory estate between the 1350s and 1360s

[111] Hargreaves, 'Change in Relationships', pp. 194–95.
[112] Hargreaves, 'Change in Relationships', p. 201.
[113] Hargreaves, 'Change in Relationships', pp. 244–45.
[114] Hargreaves, 'Change in Relationships', pp. 268–69.
[115] Hargreaves, 'Change in Relationships', p. 269.

when peasants 'were made to pay' for the post plague crisis, thereafter flight—passive resistance—dealt the final blow to servile tenure and the condition of servility.[116]

In his latest book and pamphlet, Christopher Dyer offers the most recent insights into serfdom on the Priory estate, supplemented with some material from other West Midland estates.[117] In these, as we saw in Chapter One, Dyer asserts the continued importance of serfdom in the West Midlands in the second half of the fourteenth century. In particular, he emphasises the continued social importance of serfdom in terms of its demeaning nature and its vulnerability to unpredictable demands. By implication, therefore, he recognises the limited economic impact of serfdom. Dyer's method is to cite anecdotal examples, thereby ignoring the detailed quantitative methodology deployed by other historians.

In support of his arguments, Dyer points to the frequent use of the terms *nativus* and *nativa* (male and female serf respectively) in the priory's court rolls, as well as the phrase *nativus de sanguine* (serf by blood), to emphasise the subjection and heritability of serfdom in the post-plague era.[118] Even though the peasants could not read these documents, they would have been aware of the derogatory terms used while the court was in session.[119] Another key element of the priory's policy towards serfs was its higher demands for fees and licences 'to counteract the economic pressure to reduce rents', although Dyer offers few examples to support this claim.[120] He also reiterates Hilton's point about the variable and high fines for

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[116] Hargreaves, 'Seigniorial reaction', p. 52.
[117] Dyer used the priory manors of Stourport and Bromsgrove in this study, but little discussion of serfdom is given, Christopher Dyer, 'Courts and Urbanisation: Jurisdiction in Late Medieval Seigneurial Boroughs and Towns', in *Town Courts and Urban Society in Late Medieval England, 1250-1500*, ed. by Teresa Phipps and Richard Goddard (Boydell Press, 2019), pp. 93–116.
[118] Dyer, *Peasants Making History*, pp. 78–79.
[119] Dyer, *Peasants Making History*, p. 79.
[120] Dyer, *Peasants Making History*, p. 317.

merchet, noting that the standard charge for merchet on the Priory estate had been 2s. before the Black Death, but thereafter 'individuals who did pay could be charged 6s.8d., 13s.4d. and even 20s.'[121] However, the typicality or frequency of these higher payments is unclear. Similarly, he states that 'work could be compelled under the labour laws after the epidemic', although he provides no examples of this occurring.[122]

Dyer shares Hargreaves' view that migration was a principal solvent of serfdom after 1350. The record of serfs departing without licence from the prior's estate increased in the 1350s, and between 1349 and 1389, a total of 346 serfs are recorded as absent, peaking in the 1380s. The number of recorded absentees fell thereafter, although they continued to be listed well into the fifteenth century.[123] Serfs were motivated to leave by severance from the lordship and the gaining of de facto personal freedom, although the trend was aided by a general relaxation of administrative controls which worked in the serfs' favour, as they gradually disappeared from the record.

Thus, in asserting the continued importance of villeinage in the second half of the fourteenth century, Dyer focuses firmly on the incidents of personal serfdom. By contrast, his discussion of tenurial serfdom is very limited. For example, there is no reference at all to the fortunes of tallage—the main variable incident of servile tenure—on the priory's estate. Dyer implies that it remained a live incident in the region long after the Black Death, when citing a survey of 1411 from the estate of Coventry Cathedral Priory, which states that servile tallage was 'at the will of the lord'.[124] This is not proof that the priory was still collecting tallage, because its

[121] Dyer, *From Slavery to Freedom*, p. 19.
[122] Dyer, *From Slavery to Freedom*, pp. 19–20.
[123] Dyer, *Peasants Making History*, pp. 81–88.
[124] Dyer, *Peasants Making History*, p. 79.

inclusion in the survey could merely have been a repetition of its ancient legal right to do so. Dyer does recognise that the shift from service to monetary tenures removed liability for tallage and other key dues, and he notes that from the 1360s tenants were obtaining monetary tenancies without labour services or tallage, without commenting on its scale at this early date.[125] He recognises that peasants in the West Midlands 'envisaged a world in which lords received cash rents from their tenants without all the dues associated with servility'.[126]

The implication in Dyer's recent work is that the shift from holding villein land on the traditional service tenancy to holding it on monetary tenures only reached a critical point towards the end of the century.[127] Similarly, he states that entry fines had been reduced from the high levels of the pre-plague era to token payments of poultry by 1400.[128] Yet these statements are not supported by any detailed study of tenurial change on the estate, and they are at odds with Vose's and Hargreaves' observations of a major change in the 1360s and also with some evidence that Dyer himself provides about entry fines. In the 1340s, entry fines for a yardland averaged £9 10s. at Blackwell/Shipston and £6 13s. 4d. at Cleeve Prior, then collapsed to £1 6s. 8d. and 12 capons respectively in the 1360s, never to recover.[129] This evidence does not conform with Dyer's general statements about the delayed chronology of the decline of servile tenures, the high fees still charged for variable incidents, and the endurance of serfdom as an exploitative institution in the post-plague period. In fact, Dyer's own evidence appears to show that entry fines

[125] Dyer, *Peasants Making History*, pp. 317–8.
[126] Dyer, *Peasants Making History*, p. 319.
[127] Dyer, *From Slavery to Freedom*, p. 26.
[128] Dyer, *Peasants Making History*, pp. 61–2.
[129] Dyer, *Peasants Making History*, p. 62.

and tallage—two of most arbitrary and oppressive tools under serfdom—collapsed in the 1350s: this issue will be considered in more detail throughout this thesis.

E.B. Fryde researched aspects of serfdom in the West Midlands based on selective use of material from the priory of Worcester and the bishopric of Coventry and Lichfield. He establishes that serfdom was a strong feature of these estates, whose villeins were among the most heavily burdened in England, dates the decline of serfdom to the end of the fourteenth century and attributes it to a complex range of forces, with peasant action prominent. [130] Once again, however, he provides evidence of considerable changes in the immediate aftermath of the Black Death. On the estate of the bishopric of Coventry and Lichfield, whose estates were concentrated in Staffordshire, labour services had featured prominently on villein tenures, but after 1349 the bishop found it difficult to recruit tenants on these terms and vacant holdings had to be granted on cash rents released from all servile burdens to find tenants, many of whom were freeholders or incomers.[131] Tenants for arable holdings in this sparsely-populated and largely pastoral region were hard to find, and the lord simply could not compel villeins to hold them on the old terms, so soon after 1349 had to make concessions in line with market forces to persuade resident villeins and incomers to take up the land.

Despite providing unequivocal evidence of the rapid decline of the tenurial elements of villeinage in the second half of the fourteenth century, Fryde still contends that 'enough remnants of serfdom persisted to aggravate peasant discontent',[132] and that fifteenth-century villeins were 'saddled with an excessively heavy burden of payments' which triggered on-going resistance and mass

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[130] E. B. Fryde, *Peasants and Landlords in Later Medieval England* (New York: St. Martin's Press, 1996), p. 56.
[131] Fryde, *Peasants and Landlords,* pp. 62–63.
[132] Fryde, *Peasants and Landlords,* p. 4.

migrations.[133] Fryde identifies the 'arrogance' of lords in exploiting their serfs,[134] then goes on to document evidence of oppression and injustice. He regards the Peasant's Revolt of 1381 as one of the watershed moments in estate management in the West Midlands, even though the rebels were not active in the region, because it encouraged resistance to labour services which in turn encouraged lords to lease their demesnes en masse.[135]

Fryde's work ranges widely from his own research on the Priory's estates in the West Midlands to examples from estates elsewhere in England, and none of his own research on serfdom is presented in a robust quantitative manner. His focus on the oppressions of, and conflict triggered by, serfdom is similar to that of the Birmingham School, yet, like them, he overlooks the contradictions between some of the evidence he provides and his arguments: for instance, he documents the rapid change in tenurial conditions and the dilution of customary renders in the second half of the fourteenth century, but still emphasises the heavy burdens on serfs in the fifteenth. Fryde demonstrates convincingly that serfdom remained irksome to those subject to it, but the numbers of people involved, and the weight of the residual burdens, are not established.

2.2 Bishopric of Worcester

The bishopric of Worcester was an extensive landowner in the West Midlands, whose manors possessed sizeable demesnes and a high proportion of villein land. In 1299 the arable land of the estate was split into 21 per cent demesne (4,653½ acres), 61 per cent villein land (13,168 acres) and only 18 per cent held freely (3989½

[133] Fryde, *Peasants and Landlords,* p. 7.
[134] Fryde, *Peasants and Landlords* pp. 4, 242.
[135] Fryde, *Peasants and Landlords,* p. 113.

acres), whereas in England at large the proportions are estimated at 30 per cent, 35 per cent and 35 per cent respectively.[136]

The immediate effects of demographic collapse after the Black Death are impossible to recover on this estate, because of the absence of manorial accounts between 1349 and 1370. Nevertheless, after 1370, there are clear signs that assize rents had fallen. For example, rents valued at £11 4s. 6d. in 1299 at Bibury fell to around £7 in the last thirty years of the fourteenth century, which included commuted works.[137] Throughout the bishopric estates, there was a long-term movement towards commutation of labour services and converting customary holdings to a permanent cash rent instead of temporary commutations, a process which had mostly been completed by 1390.[138] Heriot remained liable on the death of a villein tenant until the fifteenth century, when tenants struck deals to avoid multiple heriots for multiple holdings, agreed cash heriots at lower levels, or procured waivers for heirs through the payment of entry fines.[139] Thus, it was not until the fifteenth century that the uncertainties of the incidents and services on the old service tenures had finally been replaced by a fixed, annual, cash rent.[140]

Dyer constructs a case for a seigneurial reaction after the Black Death with a clutch of examples of firm landlord action against serfs. For example, he supplies two cases in the 1380s of serfs acquiring free land and facing seizure of the land unless they paid additional fines and rent for doing so.[141] He cites two cases of leyerwite in the 1380s where women were fined heavily (3s. 4d. to 5s.) and faced

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[136] Christopher Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540*, Past and Present Publications (Cambridge ; New York: Cambridge University Press, 1980), p. 72; Campbell, 'Agrarian problem', p. 36.
[137] Dyer, *Lords and Peasants*, p. 119.
[138] Dyer, *Lords and Peasants*, p. 120.
[139] Dyer, *Lords and Peasants*, pp. 286–87.
[140] Dyer, *Lords and Peasants*, p. 290.
[141] Dyer, *Lords and Peasants*, p. 273.

temporary seizure of land. Nevertheless, Dyer does not quantify the number or value of leyerwite during this post-plague period, merely mentioning its disappearance from the documents after 1381.[142]

Dyer's emphasis on the uncertainty and variability of servile incidents is evident when citing occasional high payments (for example of £1) for merchet, although he notes that in the last two decades of the fourteenth century most had fallen to between 3s. 4d. and 13s. 4d., and by the fifteenth century to under 2s. on most manors.[143] Similarly, annual chevage payments were high before 1400, varying between 3s. 4d. and 6s. 8d. per annum, and had fallen by the beginning of the fifteenth century to a shilling or two and had become less common.[144]

Dyer deploys such evidence to create a powerful impression that serfdom remained onerous to the end of the fourteenth century on this estate. But the anecdotal nature of his evidence and the lack of context are problematic. For example, lords routinely charged serfs for acquiring free land, so there was nothing new about this policy. The two heavy fines for leyerwite were exceptional, and this incident of personal serfdom disappeared after 1381. There are no quantified averages of numbers and size of merchet and chevage over time, which means that the major trends remain obscure. Finally, the swing to monetary tenures, commutation of labour services, and persistence of vacant servile holdings all point to a failure to impose villeinage by force in the aftermath of the Black Death.[145] Dyer also presents evidence that the bishop was incapable of imposing a consistent policy across the estate, which is inconsistent with the image of a powerful lord controlling the lives of his subordinates through the institution of serfdom. For

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[142] Dyer, *Lords and Peasants*, pp. 273–74.
[143] Dyer, *Lords and Peasants*, p. 274.
[144] Dyer, *Lords and Peasants*, pp. 273–74.
[145] Dyer, *Lords and Peasants*, p. 274.

example, the number of *nativi* on the estate declined, although the disappearance was not uniform across the estate: at Bibury the last mention of a serf was in 1381, whereas on the manors of Bishops Cleeve, Hampton, Hanbury and Henbury the last remaining one or two servile families are documented in the mid fifteenth century, while on other manors naming of servile families was retained into the sixteenth century.[146]

Dyer's main point is that if the decline had been caused solely by the decline in population and the deteriorating demand for land, then serfdom would have collapsed soon after the Black Death. The fact that it lingered in some identifiable form until the fifteenth century must have been because of seigniorial will and oppression, and consequently its disappearance must have owed something to peasant resistance. One example of tenant action occurred at Henbury in 1352, where three former tenants carried away the bishop's goods, assaulted his servant and persuaded the tenants to refuse to do their services. Although the Peasants' Revolt of 1381 bypassed the region, he suggests the reduction in the level of merchet and entry fines at Whitstones in the 1380s stemmed from the bishop suddenly realising the dangers of maintaining high dues.[147] He provides clear evidence of widespread refusals to pay rents and a wider trend of abandonment of payment of dues such as recognitions, common fines, tallage, rents and amercements.[148] Ultimately, the main reason for the decline of serfdom on the bishopric manors was that servile families merely died out or moved away to find work or obtain land nearby. From a sample of 79 recorded migrants between 1377–

[146] Dyer, *Lords and Peasants*, p. 270.
[147] Dyer, *Lords and Peasants*, p. 275.
[148] Dyer, *Lords and Peasants*, pp., 276, 281–82.

1540, 53 migrated to within ten miles of their home village, and more than one third went to towns.[149]

2.3 Evesham Abbey

One of the other great West Midland monastic landowners was the Benedictine house of Evesham Abbey, founded in 703CE.[150] Although the abbey possessed a large and heavily manorialised estate, the survival of its estate documents is poor. Rodney Hilton produced a succinct study of one of the surviving Cellarer's rolls for 1367–1369, which provides information about land transactions involving servile yardlands. Hilton argues that the monks were still trying to maintain the traditional levers over servile land, consistent with his claims for a post-plague seigniorial reaction. He bases this argument on the terms of conveyance of these holdings, which were described as held 'in bondage', and statements that the servile tenant was "justiciable by his body and his chattels". This is unusually explicit and demeaning servile language. The package of rents attached to these grants is unknown, although there is evidence that some yardlands had been converted to leases for life on mainly annual cash rents (varying from 13s. 4d. to 20s. per annum) with some seasonal labour services, notably boon reaping. These life leases also included a stipulation that at the end of the tenant's life it would revert to the original service tenancy, indicating that the lord had reluctantly made the conversion to attract tenants.[151]

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[149] Dyer, *Lords and Peasants in a Changing Society* (Cambridge University Press, 1980), pp. 367–68.
[150] For a detailed overview see David C. Cox, *The Church and Vale of Evesham, 700-1215: Lordship, Landscape and Prayer*, Studies in the History of Medieval Religion, volume XLIV (Woodbridge, Suffolk: The Boydell Press, 2015), pp. 3–32.
[151] R. H. Hilton, 'A Rare Evesham Abbey Estate Document', *Vale of Evesham Historical Society Research Papers*, 2 (1969), pp. 5–10 (pp. 6–8).

The rolls also provide some incidental information about heriots, which were paid in cash and mostly ranged from 10s. to 20s., though some were as high as 42s. Entry fines varied greatly, from an inheriting heir paying as little as 5s. for a yardland to an incomer marrying a sitting female tenant paying 20s.[152] The lord occasionally insisted on a tenant relinquishing a holding, presumably on the grounds of incapacity, and a tenant of Talton paid a fine of 20s. 8d. for permission to employ his brother, a serf of the abbey. Hilton concludes that the cellarer's document 'confirms the impression of a conservative institution attempting to preserve customary relations between itself and its tenants'.[153] The language of conveyances and the payment by the Talton tenant are certain examples of highly conservative lordship, but the heriot and entry fine evidence is not conclusive, and the evidence is self-evidently mixed, judging by the major concessions on forms of tenure.

2.4 Other West Midland Case Studies

Hilton's classic study of the West Midlands at the end of the thirteenth century also drew on evidence for manors in Gloucestershire, mainly held by monastic houses. This reveals useful details about the rent packages on villein tenure on other West Midland manors. It was also the basis for another re-statement of Hilton's belief that the variable and unpredictable character of the key servile dues—tallage, merchet, chevage and, especially, entry fines—reflected their arbitrariness and their function as instruments of seigniorial power: which also made them the major source of tension between lords and villeins. This is the dominant theme in his representation of entry fines around 1300 on the manor of Minchinhampton, held by Caen Abbey.

[152] Hilton, 'A Rare Evesham Abbey Estate Document', p. 8.
[153] Hilton, 'A Rare Evesham Abbey Estate Document', p. 9.

He points to the wide variety in the level of entry fines for similar units of land, and their tendency to rise between the 1280s and 1320s, implying the ability of lords to increase them at will.[154]

Dyer offered some remarks on serfdom in the West Midlands in his survey for the later medieval volume of the Agrarian History of England and Wales.[155] His overall emphasis is on its persistence in the fifteenth century, and the continued heavy and unexpected nature of the incidents of serfdom. For example, Dyer's short discussion of merchet in the region focuses on the enormous payment of £4 for a female merchet in 1405 at Honeybourne (Worcestershire), while noting that serfs 'were gradually relieved of irregular and unexpected payments'.[156] He also indicates that seigniorial powers over serfs did not diminish in the aftermath of the Black Death, but remained high for decades until tenant resistance began to tell. For example, even in the early fifteenth century, 'serfs might be ordered to take over vacant holdings' against their will.[157] Tallages and other servile fines 'might be maintained' at their pre-plague levels until around 1400, 'but were often abandoned in the fifteenth under pressure from tenants who refused to pay'.[158] Dyer's sketching of the persistence of serfdom in the West Midlands is consistent with Hilton's model of its strength and decline in this region.

Halesowen Abbey was another, albeit lesser, monastic estate in the West Midlands, and the extant court rolls of its main manor of Halesowen in northern Worcestershire provided the basis for a seminal study on medieval demography by

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[154] R. H. Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), p. 145.
[155] Christopher Dyer, 'Tenant Farming and Tenant Farmers West Midlands', in *The Agrarian History of England and Wales Volume III 1348-1500*, ed. by Edward Miller (Cambridge University Press, 1991), III, pp. 636–48.
[156] Dyer, 'Tenant Farming and Tenant Farmers West Midlands', p. 642.
[157] Dyer, 'Tenant Farming and Tenant Farmers West Midlands', p. 639.
[158] Dyer, 'Tenant Farming and Tenant Farmers West Midlands', p. 640.

Zvi Razi. This large manor of around 10,000 acres had been in royal then lay hands before its grant to the abbey in 1217, and around two-thirds of its population were unfree.[159] Although its royal origins meant that the rent package on servile holdings was lighter than on many Benedictine estates in the region, Razi points to onerous lordship and a fractious relationship: 'during the thirteenth century, despite the vigorous resistance of the tenants, the abbey succeeded in forcing them to pay higher rents and entry fines'.[160] The abbey imposed mill suit, doubled the level of entry fines for a virgate of land, and perhaps even doubled the level of annual rent. The implication is that this reflected seigniorial muscle power rather than market forces. Razi notes instances of lord-peasant tension in Halesowen. In 1276, the men of Halesowen were amerced £10 for failure to elect a reeve, which he cites as part of a long and embittered struggle between the abbot and tenants. The abbot was accused of attempting to exact heavier labour services, higher fines, rents and tallage, resulting in the villeins' appeal to the royal courts. The verdict found in favour of the abbot and the tenants were declared villeins forever, which triggered an assault on the abbot in 1278, with the violence ceasing in the 1290s after a tenant was murdered by thugs sponsored by the abbot.[161] In April 1297, the abbot of Halesowen ordered the whole vill to pay a tallage of five marks.[162] This is one of the most famous disputes between a monastic lord and his villeins in the Middle Ages.[163]

Razi's focus was not explicitly on serfdom, but he shows that 117 leyerwites are recorded between 1270 and 1348, usually charged at either 12d. or 2s.[164] Just

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[159] Z. Razi, *Life, Marriage, and Death in a Medieval Parish: Economy, Society, and Demography in Halesowen, 1270-1400* (Cambridge, 1980), pp. 5-10.
[160] Razi, *Life Marriage and Death*, p. 9.
[161] Zvi Razi, 'Family, Land and the Village Community in Later Medieval England', *Past & Present*, 93 (1983). pp. 15–16.
[162] Razi, 'Family, Land and the Village Community in Later Medieval England', p. 15.
[163] G.C. Homans, *English villagers of the thirteenth century* (New York, 1970), pp. 276–84.
[164] Razi, *Life, Marriage, and Death*, pp. 64–65.

nine were recorded between 1349 and 1386, which Razi attributes to a reduction in illegitimacy rates rather than any other reason.[165] Merchet was commonplace before the Black Death, usually charged at around 2s. per annum, but thereafter Razi states that it was variable but generally raised to 6s.8d.[166] The frequency of merchet dropped from an average of around 6.4 per annum in 1336-1348 to 1.5 per annum between 1349 and 1385, although only one is recorded between 1385 and 1400.[167] Razi sees the rise in the level of merchet as part of an intensification of seigniorial exactions in the post plague era, even though the number and rate of merchet and leyerwite fell further than the fall in population and had disappeared in the 1380s.[168]

Peter Coss sought to explore the persistence of personal serfdom on the estate of Coventry Cathedral Priory and concluded that lords regarded serfs as a status symbol and as a readily exploitable asset, although that did not necessarily mean that serfs were exploited, because the relationship involved constant negotiation. The number and proportion of serfs declined over time, due to a combination of geographical mobility and high mortality. The priory was intent on maintaining a clear distinction between servile and free status—both personal and tenurial—through its estate documentation. Coss suggests that the priory's determination to perpetuate the documentation of serfs by blood well into the fifteenth century reflected the hereditary tie between lord and serf, which had a strongly personal element. This does not diminish the potentially exploitative mode of this relationship, but neither does it prove that serfs were exploited. Indeed, he observes that the unfree were usually better off economically than the free, and some

[165] Razi, *Life, Marriage and Death*, pp. 138–39.
[166] Razi, *Life, Marriage and Death*, pp. 45–6, 132.
[167] Razi, *Life, Marriage, and Death*, pp. 47, 131–32.
[168] Razi, *Life, Marriage and Death*, p. 139.

neifs became very affluent.[169] Coss' approach is to draw a clear distinction between the documenting of serfs and the exploitation of serfs, and he argues that tracking and recording villein land hereditary serfs, and noting formally their dependence on 'the lord's will', is more a device associated with status and legal proof than with exploitation. The former is no proof of the latter and indicates that the burden of serfdom lay more in its social stigma than its economic cost.

The survey so far has largely involved the work of members of the Birmingham School, whose research has been heavily based on case studies of manors held by the great ecclesiastical landlords in Worcestershire and Warwickshire. Consequently, a study of the Gloucestershire estate of the Berkeley family, undertaken by a scholar who was not trained in the Birmingham tradition, provides a valuable point of contrast. The Berkeley family were perched on the social hierarchy just below the great magnates. In the 1280s, the lord attempted to increase rents and services on the villein holdings on the estate, because they were fixed well below the market value of land, but this met considerable resistance from his villein tenants. So, the lord changed policy and instead converted the old hereditary service tenancies to leaseholds for life held for an annual cash rent fixed closer to the market rent at the time of the grant. Between 1288 and 1322 the number of holdings held on the old terms in villeinage declined from 239 to 129, while the conversions boosted 'free' rental income from around £20 in the 1290s to £57 in the 1320s.[170] Wells-Furby shows that in c.1300 the level of rent on most customary land was still below the prevailing market rate: villeins who stayed on the old tenures paid a cash rent around two thirds of the market rate (their labour

[169] Peter Coss, 'Neifs and Villeins in Later Medieval England', *Reading Medieval Studies*, 40 (2014), pp. 192–202 (pp. 199–202).
[170] Bridget Wells-Furby, *The Berkeley Estate 1281 - 1417: Its Economy and Development*, Bristol and Gloucestershire Monographs, 1 (Bristol: The Bristol and Gloucestershire Archaeological Society, 2012), pp. 95–97, 268.

services and renders in kind would have closed the gap), and even those who converted to fixed cash rents on life leases were still marginally below the market rate.[171]

Thus, the Berkeleys were unable to vary the rents owed from villein land on service tenure, so they increased their monetary yield from their unfree holdings by converting them to straight cash rents. It is not clear how they managed to do this—it might have involved some coercion—but it certainly did not generate the same tension as their earlier attempts to alter the old rent package, and the new rent released tenants from labour services. The extent of tenurial change by 1322 was especially apparent on the Coaley group of manors, well to the east of Berkeley, but had made less headway on the Ham group of manors around Berkeley itself, which indicates that the lord negotiated the tenurial change wherever he could, but it was not desired everywhere.[172] As a consequence of these developments, by the 1340s, villein land on the estate was already held on a range of tenures, with considerable progress towards predominantly cash rents.

Wells-Furby also provides important information about other servile incidents. Tallage payments were collected annually across the estate, and did vary over time, but overall the amount charged was around one-fifth of the value of the total cash income from customary rents.[173] Entry fines remained variable according to circumstances, but in general Wells-Furby shows that these tended to remain below market levels.[174] There are no court rolls from these manors, so no comment is possible on merchets and leyerwite. Wells-Furby concludes that custom largely protected the villein tenants and therefore the landlord was at a disadvantage in the

[171] Wells-Furby, *Berkeley estate*, pp. 108–11.
[172] Wells-Furby, *Berkeley estate* pp. 98–99.
[173] Wells-Furby, *Berkeley estate,* pp. 268–70.
[174] Wells-Furby, *Berkeley estate*, pp. 121–3.

early fourteenth century when land values were rising. The lord only prompted a reaction from the villeins when attempting to contravene custom by changing or increasing the fixed burdens on service tenancies.[175] Yet she provides one example of how villeins were exposed to breaches of custom if an unscrupulous lord was determined to do so, because in the early 1320s the estate was temporarily forfeit and the interim administration sought to squeeze as much cash as possible from the estate, imposing additional labour services such as an extra day's boon ploughing and harrowing, increasing the sale value of works, and reducing pay for piece rates.[176] So, custom could not always protect, although breaches were rare. Hence, on the Berkeley estate in Gloucestershire in the pre-plague period 'villeinage was not the oppressive, wholly odious, condition of its legal and theoretical status and, moreover, may have affected a comparatively small proportion of the peasantry'.[177]

Wells-Furby makes few comments on the changes to villeinage after the Black Death but observes that there does not appear to have been any 'seigneurial reaction' on the estate.[178] Her tabulated information reveals that tallage was reduced marginally and continued to be collected until the 1380s, when the data series stops. Income from commutation of labour services fell from £22 in the 1340s to just over £1in the 1360s, reflecting the accelerating swing from old villein tenures to leaseholds of various kinds.[179] The Black Death rapidly accelerated the tenurial trend to contractual rents that had begun in the 1280s.

This study is especially valuable because it provides an important point of comparison with the great ecclesiastical estates that have dominated the scholarship

[175] Wells-Furby, *Berkeley estate,* p. 114–16.
[176] Wells-Furby, *Berkeley estate,* p. 116.
[177] Wells-Furby, *Berkeley estate*, pp. 116–17.
[178] Wells-Furby, *Berkeley estate,* p. 212.
[179] Wells-Furby, *Berkeley estate*, pp. 268–69.

on serfdom in the West Midlands. Three key points emerge. First, less than half land on the Berkeley estate was under villeinage: at its most prominent, it comprised no more that 40 per cent of the land on some manors, but less than 15 per cent on most.[180] Hence, it gives us an insight into how villeinage was managed in places in the West Midlands where free tenancies and freemen dominated, a perspective that does not emerge from the case studies undertaken by the Birmingham School. Second, it reveals how much more dynamically a large lay estate could be managed compared to the large ecclesiastical estates, with regular shifts in policy and a more commercial approach geared to the generation of cash. Nevertheless, even in this context the lord respected custom, shied from confrontation with his villein tenants, and charged rents that remained below the market rate.[181] Finally, it shows how the Black Death rapidly accelerated the conversion of old service tenancies to cash leases of various kinds.

Conclusion

The West Midlands have featured prominently in discussions of serfdom in medieval England, partly because of the interest of the Birmingham School of medieval historians in this subject and their location close to the archives of the region. In the late thirteenth and early fourteenth centuries the proportion of customary land in the West Midlands was relatively high on the estates of ecclesiastical landlords, estimated by Dyer at around 60 per cent.[182] The weight of labour services and other dues of villeinage was relatively heavy, and historians such as Hilton and Dyer have repeatedly stressed the variable, unpredictable, high

[180] Wells-Furby, *Berkeley estate,* pp. 117–18.
[181] Wells-Furby, *Berkeley estate,* pp. 218–28.
[182] Dyer, 'Tenant Farming and Tenant Farmers West Midlands', p. 640.

and seemingly arbitrary levels of entry fines, tallage and merchet. The scale and strength of serfdom on the eve of the Black Death meant that lords were reluctant to concede to their villeins in its immediate aftermath, and Hargreaves in particular has made a powerful case for the existence of a seigniorial reaction in the West Midlands in the third quarter of the fourteenth century. In his most recent work, Dyer has repeated the belief that serfdom continued to endure here until the end of the fourteenth century, and thereafter the combination of high mortality, migration and peasant resistance finally caused it to dissolve.

This established chronology of and reasons for the decline of serfdom in the West Midlands is out of step with a series of recent studies of a variety of manors and estates in the south midlands and East Anglia, which have shown that tenurial villeinage was in rapid retreat from the 1350s and concessions were immediately made on the incidents of personal servility. As a result, there is no evidence for any sustained or widespread seigniorial reaction on any of these manors.[183] This chronology, and the absence of any identifiable 'reaction', requires different explanations for the decline of serfdom than those of the Birmingham School. It indicates that the power of serfdom on the eve of the Black Death was weak in East Anglia and the south Midlands, where the market forces unleashed by the Black Death were central to dissolving serfdom. It also places less emphasis on the seigniorial reaction/peasant resistance hypothesis.

This recent analysis raises two key questions. Was the West Midlands as described by the Birmingham School, i.e. a bastion of heavy and onerous serfdom, which only declined from the end of the fourteenth century for the reasons outlined above? Or has the experience of the West Midlands been misunderstood, and was

[183] Bailey, 'Myth of the seigniorial reaction'; Bailey, *Decline of serfdom*; Bailey, *After the Black Death*, pp. 83-110; Bailey, *Serfdom in England*, chapters 7 to 10.

the reality more like other areas of England, where it declined quickly and immediately after the Black Death? The review of the academic literature in this Chapter has revealed some pointers to suggest that the second question is worth much closer exploration.

One pointer is the scale, nature and speed of tenurial change. Tenurial villeinage does not feature prominently in the analyses of the Birmingham School, even though Vose, Field and Hargreaves all identified widespread difficulties finding tenants in the 1350s and 1360s, and an associated shift to cash tenancies from the traditional service tenure based on labour services. Similarly, Dyer has documented the collapse of entry fines on two manors between the 1340s and 1350s. Tallage and mill suit, two key elements of tenurial villeinage, are hardly discussed at all. Wells-Furby documents a sizeable movement to cash and life tenancies on the Berkeley estate well before the Black Death. Yet despite these indicators of significant, and early tenurial change, both Hargreaves and Dyer suggest that it did not gain much traction before the end of the fourteenth century in the West Midlands.

The second pointer is the existence of conflicting evidence and contradictory trends in the research undertaken so far on the West Midlands, which would benefit from careful exploration and explanation. For example, the exaction of labour services has been regarded as one of the defining elements of serfdom, yet the published studies do not reveal a consistent pattern in their management. On the one hand, widescale commutation was occurring in the early fourteenth century on the Berkeley estate and on many manors of Worcester Cathedral Priory. On the other hand, the bishopric of Worcester was still demanding labour services in the late fourteenth century and, in 1379, labour services were the source of major discontent across the priory estate. These complexities and contradictions complicate the

picture and make simple or highly generalised chronologies and explanations less plausible.

The third pointer is the selection of the sample. The research of the Birmingham School has focused mainly on the study of large ecclesiastical institutions, especially the priory and bishopric of Worcester, and the abbey of Halesowen. The choice of this sample is understandable, because of the excellent survival of manorial documents from these ecclesiastical institutions and their accessibility in local repositories. However, it cannot be assumed that serfdom was as prominent, or managed as rigorously, on the many lay estates of the region. Campbell has shown that small lay manors were the norm in early fourteenth-century England and that villein land and rent, including labour services, were much less common on these manors than on those of the great ecclesiastical landlords.[184] A more balanced picture of serfdom in the West Midlands must include some consideration of its nature and operation on lay manors.

The fourth and final pointer is methodological. Although Hargreaves attempts some quantification of the information from various Worcester Priory manors, the general approach of the Birmingham School is to identify a handful of examples to exemplify a particular point, rather than to supply aggregated information broken down into short timeframes to reconstruct detailed trends. This is especially evident in Hilton's earliest attempts to illustrate the variable and therefore arbitrary level of fines charged on key servile incidents, and it is identifiable in Dyer's latest work on the subject.[185] Yet this approach does not take account of recent methodological advances, which have sought to reconstruct detailed trends in the management of all the incidents of servility over the course of

[184] Campbell, 'Agrarian problem', maps 1 and 4.
[185] For example, Dyer, *Peasants Making History*, p. 317.

the fourteenth century, thereby capturing the frequency and size of servile incidents over time using large samples.[186] This enables norms to be separated from exceptions, and so it would enable the examples cited by the Birmingham School to be placed in a wider context.

Thus, there is room for a detailed study of the decline of serfdom in the West Midlands, one which includes the manors of local lay lords and which subjects all manors—including those of Worcester Priory already researched by the Birmingham School—to a rigorous methodology to obtain greater precision about the chronology and trends. It should also involve keeping a clearer segregation between tenurial serfdom and personal serfdom. It may be, for example, that the former was in decline much earlier and faster than the latter. Furthermore, the evidence should be allowed to speak for itself, rather than be selected to fit the conventional chronology and explanation for the decline of serfdom. The evidence should concentrate on norms and averages drawn from large samples, rather than selected anecdotes of exceptional cases. This approach will enable contradictions and complexities to emerge clearly, and to be carefully explored on their own terms.

[186] Bailey, *Decline of Serfdom*, pp. 87–99.

3 Sources and Methodology

Sources

The West Midlands is conventionally defined as comprising of the historic counties of Gloucestershire, Warwickshire, and Worcestershire.[187] This thesis will use this definition, with Worcestershire being the central county for the research. In the Middle Ages this region was an area of dense ecclesiastical lordship, succinctly summarised as an area of 'big, old, manorialised estates'.[188] Worcestershire alone contained ten landowning monastic institutions, Warwickshire seventeen and Gloucestershire seventeen.[189] Seven of these were wealthy Benedictine houses with an annual income of over £1000, as is evidenced by the Valor of 1291: Gloucester (£1744), Tewkesbury (£1478), Winchombe (£812), Worcester Cathedral Priory (£1445), Evesham (£1313), Pershore (£726) and Coventry Cathedral Priory (£754).[190] These leading monastic institutions were founded pre-Conquest, and many of their core endowments were granted in the seventh and eighth centuries.[191] Therefore, the West Midlands was a centre of historic ecclesiastical lordship, and such perpetual institutions tended to be bureaucratic landlords, both factors which were conducive to the production and preservation of large quantities of estate, mainly manorial, documents. Their archives will provide the bulk of the sources for this study of the decline of serfdom.

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[187] R. H. Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), pp. 7–14; Dyer, *Peasants Making History*, p. 10.
[188] Hilton, *The Decline of Serfdom in Medieval England*, p. 23.
[189] Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), p. 26.
[190] Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), p. 27.
[191] Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), p. 27.

The earliest surviving manorial records in England are dated to 1208-9 from the bishopric of Winchester, and from the mid thirteenth century the use of manorial documentation proliferated across England.[192] The earliest surviving court roll from the estate of Worcester Cathedral Priory is dated to 1314–1315, although there are reeves' accounts from 1270.[193] Court rolls are essential to the study of the decline of serfdom because this is where the dynamic management of serfdom was largely recorded. Manor courts conducted a wide range of business, from private lawsuits between litigious peasants to the imposition of seignorial rights over the subordinate tenantry.[194] In particular, their rolls contain extensive details about transfers and grants of villein land, including disputes over ownership and seizures by the lord, because villein tenure could not be defended in the courts of common law and, in theory, was held at the arbitrary will of the lord.[195] Bailey has attested the primary importance of manorial court rolls when studying the decline of serfdom, though other documents, such as account rolls, can be utilised to give a more comprehensive picture.[196] Court rolls enable the tracking of the conversion of villein tenures to fixed-term tenures, and their shedding of the main incidents of villeinage. Labour services were long seen as the defining aspect of villeinage, but resistance to them and their consequent diminution are visible through court rolls. Furthermore, court rolls can also be used to track the incidence, value and the chronology of decline of merchet, leyerwite and chevage.[197]

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[192] P. D. A. Harvey, *Manorial Records*, Archives and the User, 5, Rev. ed (British Records Association, 1999), p. 41.
[193] Worcester Cathedral Library, C938, Accounts of Henry Reeve of Bransford, 1270-71.
[194] Mark Bailey, *The English Manor, c. 1200-1500*, Manchester Medieval Sources Series (New York : New York: Manchester University Press, 2002), p. 168.
[195] Bailey, *The Decline of Serfdom in Late Medieval England*, p. 88.
[196] Bailey, *The Decline of Serfdom in Late Medieval England*, pp. 95–97.
[197] Bailey, *The Decline of Serfdom in Late Medieval England*, pp. 89–94.

The manors at the core of this study belonged to the Benedictine house of Worcester Cathedral Priory. The diocese of Worcester was created by Archbishop Theodore in 680 to serve the West Midland kingdom of the Hwicce, and the Benedictine priory was established in the tenth century, by which time the church at Worcester had accumulated extensive land endowed by both Hwiccan and Mercian kings.[198] By the Domesday survey of 1086, the Priory held a quarter of the land in Worcestershire.[199] The division of Worcester between bishopric and community started in the tenth century and was completed by the twelfth.[200]

The priory estate was distributed widely across northern and central Worcestershire, with some outliers in Warwickshire (Figure 3.1). In broad terms, the northern manors were distributed among woodland and pastoral regions, while the southern manors lay in the arable heartlands of champion areas. The estate of the bishopric of Worcester has been extensively studied by Christopher Dyer, but the priory's estates have received less systematic attention.

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[198] Christopher Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540*, Past and Present Publications (Cambridge ; New York: Cambridge University Press, 1980), p. 7; Steven Bassett, 'In Search of the Origins of Anglo-Saxon Kingdoms', in *The Origins of Anglo-Saxon Kingdoms*, ed. by Steven Bassett, Studies in the Early History of Britain (London ; New York: Leicester University Press, 1989), pp. 3–27 (pp. 6–7); Della Hooke, *The Anglo-Saxon Landscape: The Kingdom of the Hwicce* (Manchester University Press, 1985); Francesca Tinti, *Sustaining Belief: The Church of Worcester from c. 870 to c. 1100*, Studies in Early Medieval Britain (Ashgate, 2010), p. 9.

[199] Dyer, *Lords and Peasants in a Changing Society* (Cambridge University Press, 1980), p. 9.

[200] Tinti, *Sustaining Belief*, p. 1.

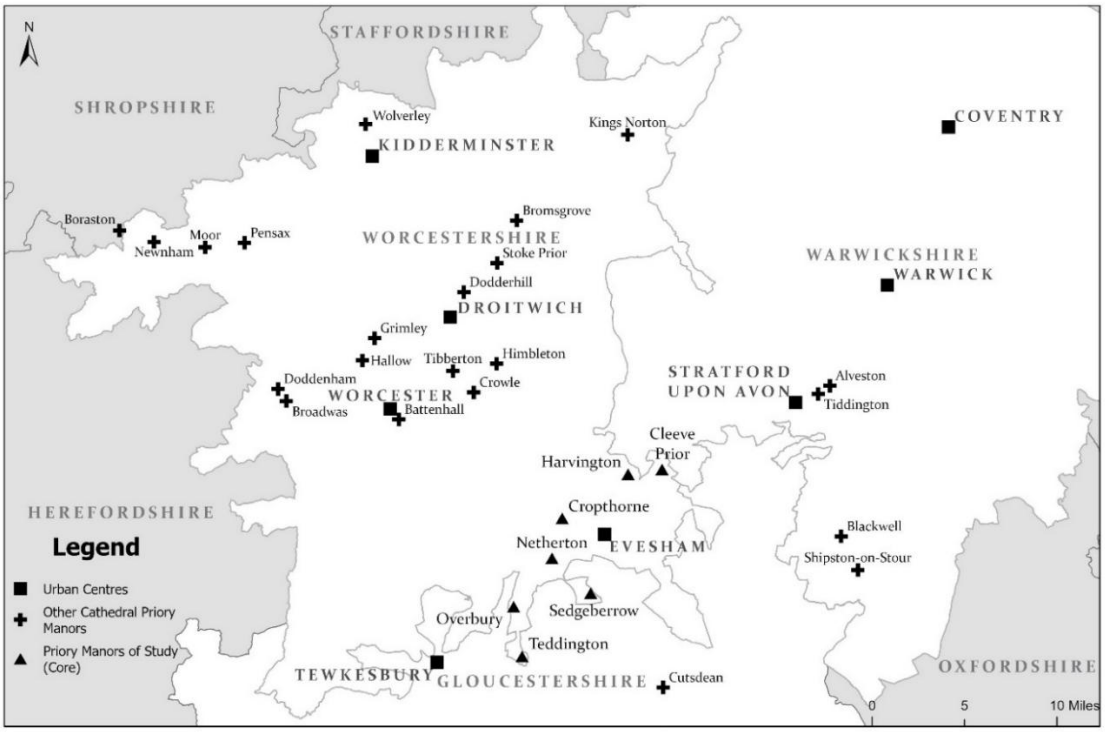

Figure 3.1: Map Showing the Extent of the Estate of Worcester Cathedral Priory in the 14th Century.

The Priory estate was managed through the office of thirteen obedientiaries, although most of the manors were under the jurisdiction of the cellarer.[201] Much like at Norwich Cathedral Priory, the cellarer was an important obedientiary who oversaw the feeding and provisioning of the monks and their servants.[202] The cellarer's officials were active in the administration of the estate and travelled around the manors to hold manorial courts, sometimes presided over by the cellarer himself: the court proceedings were recorded in the form of manorial court rolls.[203]

[201] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', p. 56.
[202] Philip Slavin, *Bread and Ale for the Brethren: The Provisioning of Norwich Cathedral Priory, 1260-1536* (University Of Hertfordshire Press, 2012), p. 11.
[203] Dyer, 'The Midland Economy and Society, 1314-1348', p. 40.

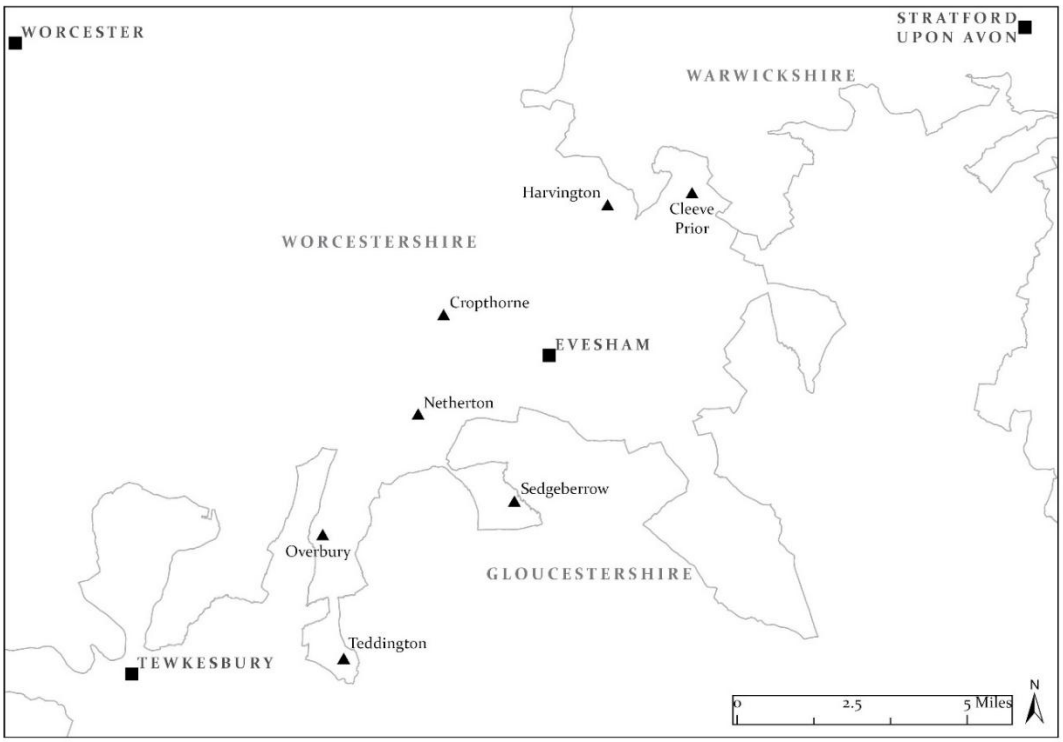

Figure 3.2: Map Showing the Worcester Cathedral Priory Manors Included in This Study.

The core of this study is concerned with seven manors from the Worcester Cathedral Priory estate: Cleeve Prior, Harvington, Cropthorne, Netherton, Sedgeberrow, Overbury and Teddington (Figure 3.2). There are four reasons for choosing these manors. Firstly, they contained a relatively high proportion of villein land and serfs, so their court rolls will yield good information about aspects of serfdom and its management over time.[204] Secondly, the manors were located relatively close to Worcester, all within 12-15 miles, and also within the arable heartlands of the river valleys (see Figure 3.2), so it is likely that the demesnes—and by extension serfdom—was managed directly and carefully. Thirdly, given the priory's need for provisions and the proximity of the manor to the household, and given the conservativism of ecclesiastical landlords who bureaucratically defended their rights, it is likely that the priory sought to maintain serfdom for as long as

[204] Dyer, *Peasants Making History*, pp. 13–17.

possible.[205] Fourthly, the manors were also located within easy access of important local centres of commerce, such as Tewkesbury and Evesham, which provided serfs with opportunities to migrate from their home manors and therefore were a potential solvent of the ties of serfdom. The possible tension between an intransient bureaucratic landlord and the incentives for serfs to find employment in towns, and its implications for the speed of the decline of serfdom, is an important and interesting dynamic.[206] Overall, the manors were chosen because they have a good run of court rolls and they are most likely to match the Brimingham School's depiction of serfdom in this region as strong and enduring.

Each of the manors in this study had been owned by the priory for at least a century before the study period. Cleeve Prior and Harvington were held by Worcester in 1086, in 1220 Cleeve was granted to William Norman, a nominated prior, by 1233 it reverted to the prior and convent.[207] Overbury was granted to Worcester by Ceolwulf II of Mercia in 875 CE, subsequently granted to the priory by the bishop of Worcester in 1148.[208] Cropthorne and Netherton were granted to the cathedral in the eighth century and confirmed to the prior in 1148.[209] Sedgeberrow was bestowed by a Hwiccan alderman in 777 and confirmed in 964 to the monks.[210]

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[205] Hilton, *The Decline of Serfdom in Medieval England*, p. 49.
[206] Dyer, *Lords and Peasants in a Changing Society* (Cambridge University Press, 1980).
[207] J. W. Willis-Bund, 'Parishes: Cleeve Prior', in *A History of the County of Worcester: Volume 3.* (Victoria County History, 1913), pp. 308–12; J. W. Willis-Bund, 'Parishes: Harvington', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 387–90.
[208] J. W. Willis-Bund, 'Parishes: Overbury', in *A History of the County of Worcester: Volume 3.* (Victoria County History, 1913), pp. 468–78.
[209] J. W. Willis-Bund, 'Parishes: Cropthorne', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 322–29.
[210] J. W. Willis-Bund, 'Parishes: Sedgeberrow', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 518–21.

The surviving court rolls of Worcester Cathedral Priory spanning the period 1314–1399 are unusual, in that each roll includes the courts for a number of its manors held on successive days and weeks. It appears that priory officials conducted a circuit of their manors and recorded the court proceedings on the same rolls as they toured. The priory's centralised court rolls for its manors are made up of multiple membranes which have been sewn together. In contrast, most surviving court rolls elsewhere are for just a single manor. Forty of the priory's court rolls are in readable condition, the other seven owing to water damage and mould are unreadable without technological help.[211] There are 606 sessions extant from the fourteenth century for the seven core manors used in the study, all of which were digitally photographed.[212]

While the seven priory manors represent the core of this research, a study of serfdom in the West Midlands must also consider a wider sample of manors. However, the paucity of surviving manorial material from other estates proved challenging. For example, one obvious landlord to study would have been the abbey of Evesham, which held a number of manors geographically interspersed with the seven Worcester manors, but the survival rate of documents from this estate is very poor. The best documented Evesham manor in the Avon valley is Littleton, which is adjacent to Cleeve Prior, from which there survives one court roll from 1359, cellarer rolls of 1367–1369 and a court roll of 1432.[213] The same difficulties are apparent for the manors of Pershore Abbey, with Broadway being the only manor with a sizeable surviving corpus of material in the Avon valley.[214]

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[211] The earliest court roll (1315-1316) is in Hereford Cathedral Library.
[212] Worcester Cathedral Library, E1-E40.
[213] Worcestershire Archive and Archaeology Service, NRA 32020 Phillipps, and NRA 32020 Phillips ; Shakespeare Birthplace Trust, NRA 21856 Leigh.
[214] Birmingham: Archives, Heritage and Photography Service, MS 3192/Acc1941-031/223 ; The National Archives, SC 2/210/25-26, SC 2/210/27-29.

Figure 3.3:Map Showing the Location of Elmley Castle and Romsley in Relation to the Cathedral Priory Manors Included in Study.

Thus, the selection of other case studies had to be determined by the quality and quantity of surviving manorial sources, principally court rolls. Hence, Romsley was selected because a translated volume is easily accessible, with 494 court sessions available for the period 1314–1499. Romsley was a sub-manor of Halesowen located in north Worcestershire (see Figure 3.3) and was held by Premonstratensian canons of Halesowen Abbey.[215] Another advantage of selecting Romsley is the seminal work on the manor of Halesowen undertaken by Zvi Razi, which can be used as a backdrop to the study.[216]

[215] *Court Rolls of Romsley, 1279-1643*, ed. by Matthew Tompkins (Worcestershire Historical Society, 2017), p. 10.
[216] Zvi Razi, *Life, Marriage, and Death in a Medieval Parish: Economy, Society, and Demography in Halesowen, 1270-1400*, Past and Present Publications (Cambridge University Press, 1980).

The final case study would preferably be a lay manor, given the dominance of monastic sources and manors so far. The contrast is especially relevant to the study of serfdom, because in general lay manors might not be expected to maintain serfdom for as long as monastic. This is especially the case for lesser lay manors, which tended to have a higher proportion of free tenures and smaller demesnes, and therefore serfdom tended to dissolve faster because it featured less prominently to begin with. Lay lords of low status did not possess the social power to enforce their will over their tenantry. Unfortunately, the survival of court rolls from small lay manors in the West Midlands is poor, which explains why they have not featured much in the research of the Birmingham School.

The manor of Elmley Castle was chosen because it was in lay ownership, held by the earl of Warwick, and because of the survival of 103 court sessions for the period 1347–1499 available in a translated volume.[217] In addition, a handful of manorial accounts have survived from the second half of the fourteenth century. Elmley Castle's suitability for selection is enhanced by its proximity to other manors in the sample, namely Cropthorne, Netherton, Sedgeberrow and Overbury.

Thus, the sample for this study is based on nine manors, eight monastic, one lay, in the hands of three separate landlords. While the breadth of manorial type is rather narrow, the range is sufficient to provide a reliable test of chronology and trajectory of the decline of serfdom in the region.[218]

Methodology

[217] *Court Rolls of Elmley Castle, 1347-1564.*, ed. by Robert K. Field (Worcestershire Historical Society, 2004), XX, pp. xiv–xv.
[218] Bailey, *The Decline of Serfdom in Late Medieval England*, p. 98.

The Birmingham School of historians maintain that the West Midlands was an area of heavy and burdensome lordship in the early fourteenth century. The pervasiveness of serfdom and the disposition of ecclesiastical lords meant that they were able to respond aggressively to the challenges of the Black Death by tightening their control over their serfs through a seigniorial reaction in the third quarter of the fourteenth century. This power meant that serfdom endured well into the fifteenth century, when it was gradually dissolved through a combination of continued population decline, servile out migration, peasant resistance and the abandonment of direct demesne cultivation.

This broad chronology of and explanation for the decline of serfdom remains unchallenged for the West Midlands, although for England generally the recent suite of publications by Mark Bailey has posed a serious challenge to this viewpoint. Bailey has shown that many of the key elements of tenurial and personal serfdom were in headlong retreat in the second half of the fourteenth century, and he has argued that much of the evidentiary basis for the seigniorial reaction is flawed, which in turn places the demographic shock of the Black Death and the collapse in land values at the centre of its decline.[219] The key to Bailey's alternative framework is the deployment of a very distinct methodological approach, based on the systematic and quantitative recording of the level and frequency of all servile dues on each manor over time. In contrast, the approach of the Birmingham School has been to focus on selected examples of high fines charged for servile dues, aggressive and oppressive behaviour by landlords, and notable cases of conflict and resistance, taken from a variety of manors at different times. This thesis applies Bailey's quantitative method to the above sample of West Midland manors to provide a more

[219] Hilton, *The Decline of Serfdom in Medieval England*; Bailey, *The Decline of Serfdom in Late Medieval England*.

reliable insight into whether the West Midlands really does conform to the chronology and the causation advocated by the Birmingham School.

In accordance with this methodology, each case study will attempt to establish, as far as the sources will allow, a precise chronology of the decline of serfdom. This will include the decline of tenurial serfdom as well as of personal serfdom. The first objective is to trace and date the decline of villein tenures held on the 'service' tenancy. Service tenancy is the traditional rent package including labour services, renders in kind, some cash component, and a mixture of uncertain servile dues such as merchet and tallage.[220] Bailey has shown how these various components either gradually lapsed and/or were commuted after the Black Death in an attempt to retain and attract tenants, or were converted into fixed-term leases for cash or into fixed money tenancies. In the latter case, the cash head rent was closer to the real value of the land and replaced most of the old rent package.[221] The changing tenurial status of villein land has received limited attention in the work of the Birmingham School, but it is essential to dating and understanding the nature of serfdom's decline.

Reconstructing the scale and timing of the shift from holding villein land on the traditional servile tenure to money tenancies can sometimes be ascertained through documenting changes in the language of the grant recorded in the court rolls. Traditional tenancies are described as held 'for services', and often include demeaning language such as 'held in bondage', whereas villein land converted to monetary tenancies omit such language and are held for money, not services: likewise, land at leasehold is described as held 'at farm' for a fixed term.[222] A more

[220] Bailey, *Serfdom in England*, pp. 83-8.
[221] Bailey, 'Transformation of customary tenures', pp. 216-30.
[222] Bailey, *The Decline of Serfdom in Late Medieval England*, p. 96.

reliable way of tracking tenurial change is by reference to increasing references to 'leases of land', where standardised holdings are described as held for money rent (*ad certam*), and to the works section contained in manorial accounts, where the labour services due from the holding are 'allowed' as uncollectable because of a conversion to a fixed cash rent.

The second objective is to construct a precise chronology for the disappearance of the core incidents of villeinage, namely week works, merchet, mill suit, tallage and heriot (on tenures), and chevage, merchet, leyerwite and licences to educate (personal servility). In addition, the mean value of these fines will be calculated over time to assess whether seigniorial coercion was being applied or whether market forces were determining the changes. Each of these incidents will be charted on each individual manor to quantify the pace of decline and the last instance of their levying. Manorial court rolls will be the principal source for the record and management of merchet, leyerwite, recognition, mill suit, tallage and chevage.[223] To assess the utilisation of labour services and the collection of tallage, account rolls will be consulted wherever they have survived.

The third objective is to assess the social attitudes towards villeinage, as revealed through the management of the relationship between lords and their serfs. This can be quantified through, for example, attempts to impose new forms of labour services, enforcement waves of servile incidents, trends in servile claims to be free and patterns of amercements for allowing wastage on villein holdings. This is also important in establishing whether during the second half of the fourteenth century there was a seignorial reaction, akin to that referenced by Hilton, Dyer, and

[223] Bailey, *Decline of Serfdom,* p. 96.

Hargreaves.[224] The assessment of this relationship will be studied manor by manor, tracking the long-term management of villeinage.[225]

The fourth and final objective requires a comparison of these chronologies of the decline of serfdom, established through the above methods, with indicators of the wider context of social and economic changes. One key social trend is the scale, timing, and nature of peasant resistance to servile incidents, notably labour services, and to attempts by lords to prevent wastage of bond holdings. As we saw in Chapter 2, Hilton and Field place much store on the resistance of villeins to labour services, especially in the 1370s on the estate of Worcester Priory, and on the imposition of fines and evictions for wasting villein holdings in the aftermath of the Black Death. The other key social trend is the scale of emigration of serfs from their home manor. Migration in the later fourteenth and fifteenth centuries has been seen by many scholars as the defining facet of the decline of serfdom.[226] Therefore, systematic, and quantitative assessment of servile migration is required for the period of this study. Through systematic recording of presentment for absence within the court rolls, the gender of the individual and their current location will be recorded. Individuals will be tracked through the court sessions, and every time they appear in a new location will be recorded. Using this quantified approach, the frequency and pattern of migration can thereby be chronicled, enabling an in-depth analysis of migration before and after the Black Death. Did landlords clamp down on migration? Did serfs pay high fines to leave their home manors? Where did they go? The key

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[224] Hilton, 'Conflict and Collaboration'; Christopher Dyer, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540*, Past and Present Publications (Cambridge University Press, 1980), p. 275; Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death'.
[225] See, for example, Bailey, *The Decline of Serfdom in Late Medieval England*, p. 96.
[226] Hilton, *The Decline of Serfdom in Medieval England*, p. 35.

issues of resistance, wastage and migration are considered in each case study, and the broader trends are explored as a separate topic in Chapter 11.

Achieving these objectives will produce a tighter and more reliable understanding of the size of the fines for the core incidents of villeinage, their frequency and change over time. The main timeframe is the fourteenth century, as this was the key period of the decline of serfdom, hence the case studies will focus on reconstructing these patterns during the fourteenth century rather than far into the fifteenth.

Completion of this reconstruction provides a foundation for the final objective. The final objective is to compare the social and economic changes attributed to the decline of serfdom with the reconstructed chronology. Social trends are discoverable through the manorial court rolls, consisting of recorded peasant resistance to servile incidents such as labour services and the scale and dating of servile emigration from the manor. Therefore, correlating these events with the wider social and economic context allows for a detailed quantitative assessment of the decline of serfdom.[227] This requires systematic recording of peasant resistance. Servile migration is seen as the greatest resistance a peasant could deploy against their lord and has been a long-held attribute of the decline of serfdom. The documents list individuals who reside outside of the manor, usually noting their location. Therefore, systematic recording of an individual's gender, location, and the value of amercement is required. Each instance where the same tenant resides in a new location will also be recorded. From this information, the number of serfs and the ratio of male to female will be assessed. Furthermore, the number of serfs who migrated to urban centres will be quantified, with note being made on their

[227] Bailey, *The Decline of Serfdom in Late Medieval England*, pp. 95–97.

movement between locations, and whether individuals returned to their home manor. Peasant resistance will be determined by recording each instance of peasants' refusal to comply with the order of their lords, especially in relation to labour services and the construction and restoration of buildings. When any instance is noted, the actions of the lord will be assessed to quantify whether the lord enforced these orders against the peasants. Ultimately, a picture of peasant resistance and seignorial response will be produced.

The following case studies adopt this quantitative methodology in pursuit of these stated objectives. The case studies begin with the core manors of Worcester Priory and end with Romsley and Elmley Castle.

4 Cleeve Prior

The Manor

Cleeve Prior is situated in the south of Worcestershire in the valley of the River Avon. It was a large, nucleated settlement set in abundant arable land located on a plateau above the river in the champion area of the West Midlands. The manor held by Worcester Cathedral Priory was the largest in the vill, although there is no extent or survey to confirm the size of the manor and its demesne. There is a single extant compotus from the fourteenth century, which is torn and badly faded in places, but it reveals that in 1330 over £32 of cash was generated and transferred to the priory. Rents of assize at Cleeve in 1329-30 produced £25, of which 33s. 4d. comprised rents from 'Merston'.[228] This refers to land and tenants held by the priory in Broadmarston, around 4 miles east of Cleeve, which was managed from the manorial centre at Cleeve.

Two rentals survive, one from 1310-11 and one from 1386. The rental from 1310-11 lists 54 tenants, of whom 18 were smallholders, but it simply lists rental income due from individual tenants at four annual terms and provides no details of the forms of tenure.[229] For the period 1300-1399, 107 court sessions survive, with 60 of surviving sessions occurring in the period 1370-99.

Villein Tenure

The 1386 rental is the only source to offer any broad indication of the relative proportion of free and unfree land on the manor. It lists two virgates of land explicitly held on free tenure, and probably two more, plus six half virgates

[228] WCL, C557, Cleeve Prior Reeve Account, 1329-30.
[229] WCL, C847, Cleeve Prior Rental 1310-11.

described as ‘Reelowe’. A further 1½ virgates, split into four separate units, belonged to the rectory, which had presumably been absorbed into the manor following the appropriation of the parish church to the priory. All the above virgates appear to have been free tenures, because a further 14 virgates are explicitly labelled ‘native land’.[230] The 14 customary virgates were held by a variety of tenants as either full or half virgates. The rental also records miscellaneous grants of small acreages of demesne land to local tenants, which appear to be held on unfree monetary tenure. For example, one Nicholas atte Gate held 9½ aces of demesne land for 3s. 5d. rent per annum in addition to one customary virgate for 16s. per annum, payable equally at four terms, plus 6 benrepe works in the harvest, which was a day’s reaping on the lord’s demesne during the harvest, with some food provided for the worker.[231] So, overall, there were 8½ virgates of free land and at least 14 customary virgates in fourteenth-century Cleeve, which indicates that unfree land comprised around two-thirds of all peasant land on the manor.

The size of a virgate is not explicitly stated in the Cleeve sources, but is confidently assumed to have been around 30 acres of arable in this part of Worcestershire.[232] These standardised holdings were maintained largely intact in the early fourteenth century, reflecting a degree of seigniorial power over the servile land market to prevent fragmentation. There was some subletting of these holdings, as in 1320, when John le Smyth granted to Ralph Jugement all the land he held for a period of five years.[233] There were also at least 18 smallholding cottars. The pressure on landed resources in the early fourteenth century is evident through the subletting of cottages, and the harbouring of ‘malefactors’ by cottars, such as in

[230] C558, Cleeve Prior Rental, 1386.
[231] C558, Cleeve Prior Rental, 1386.
[232] Dyer, *Peasants Making History*, pp. 47–8.
[233] WCL, E9, 20 November 1320.

1316 when Thomas le Sonter cottar of Roger le Fremen, and William le Blake also a cottar of Roger, were both recorded as harbouring malefactors, to the pain of the lord and his men.[234] In 1335, the tithingmen listed six tenants with 10 cottars, a function of subdivision and subletting.[235] Unlicenced subletting was unusual, but the priory moved quickly to deal with such events. In 1396, the court ordered the seizure of land handed over by Nicholas atte Gate to strangers for cultivation without permission of the lord.[236]

The 14 customary virgates were recorded in the works account in 1329-30 as owing a full range of labour services (see below), and at this date, there was no record of any 'farms' of land in the account. The Cellarer's account roll of 1345-6 records the transfer of cash for commuted labour services from Cleeve. This evidence indicates that, in the pre-plague period, the customary virgates were all held on the traditional service tenure and that ad hoc commutations of their labour services were common.

In the aftermath of the Black Death, these virgates were converted progressively to cash renders. This hypothesis is based on a number of hints in the extant documents, which are all we have to go on in the absence of post-plague accounts which would enable resolution of any uncertainty. Table 4.1 records the transfer of cash paid by the reeve of Cleeve to the cellarer in three selected years. This provides three clues that conversions were taking place from traditional service tenure to money rents. First, there were fewer transfers of cash for commuted labour services in 1357 than 1345, and none at all in 1380. Second, the amount of tallage paid had fallen over 70 per cent between 1345 and 1357 and had disappeared

[234] HCL, R1162, 15 July 1316.
[235] WCL, E12. 19 November 1335.
[236] WCL, E38, 12 January 1396.

entirely by 1380. As we show below, conversion to a cash tenure removed permanently any liability for tallage. Third, the amount paid as cash rents increased year on year, which is indicative of conversions to cash rents in lieu of all the liabilities of service tenure.

Table 4.1: Payment of Cash Rents from the Reeve of Cleeve Prior to Worcester Cathedral Priory, as Recorded in the Cellarer's Centralised Account Roll.

	Feast Date				Tallage
Year	St Andrew	Annunciation	St John the Baptist	Michaelmas	
1345-46	34s. 2d.	32s. 8d.	34s. 5d.	35s.	53s.4d.
1357-58	43s. 6d.	41s.	30s.	49s. 8½d.	Included in Michaelmas payment.
1380-81	47s.	49s.	47s.	Faded*	None

*The sum is faded, but the entry manifestly does not mention tallage. Sources: WCR C60, C64, C70.

Further evidence that by the 1380s the vast majority of virgates had been converted to monetary tenure is provided by the contents of the 1386 rental, which explicitly labels 14 virgates of land as 'native', each of which owed an annual cash rent varying between 10s. and 20s. 8d. per virgate, at an average of 16s. per virgate. There is no mention of the old summer and harvest services. However, seven of these virgates still owed a token number of benrepe services in addition to the cash rent, at around the rate of six works per virgate, as seen in the example of Nicholas atte Gate cited above. Although the form of tenure of these customary virgates in 1386 is not explicitly stated, the entries are not compatible with service tenure, because the high and non-standardised nature of the cash rents and the addition (or not) of benrepes is characteristic of conversions to hereditary monetary tenures. If they were still held on the traditional service tenure, the cash and labour component would be standardised for every virgate and, indeed, the rental would also include

the standard number of summer and harvest works, plus benrepes, owed by each tenant. Thus, on the balance of the evidence, 14 of the 14¾ customary virgates had been converted to hereditary monetary tenures between the 1350s and the mid-1380s.

This transformation is also hinted at in the post-plague court rolls. Throughout the fourteenth century, the grant of customary virgates continued to include the statement that they were held for "*services which are owed",* even when they were manifestly shedding their labour services. In 1362, Richard Kynghot's entered two holdings and the court roll specified that works were not owed (*non operabitur)*.[237] Five other tenancies granted in the 1370s and 1380s specified that they owed a reduced load of labour services, such as William Offenham, who in 1373 entered one messuage and one virgate, owing an annual cash rent plus the service of 3 *benryps* in the harvest with 2 people.[238] In 1373, William Cokky entered into one messuage and 2 virgates rendering 6 *benryps* with 2 men.[239] This level of services is much lower than owed by each virgate on the old service tenancy in 1329-30 (see below), but it reveals that even when converting villein land to money tenure, the priory was still keen to retain as many harvest services as possible. After all, harvest was the busiest period of the agricultural year.

Overall, the initial swing from service to monetary tenures was manifestly underway in the late 1350s and was largely completed by the early 1380s. When combined with the collapse in entry fines in the 1350s (see below), it is evident that this change was the consequence of a tenant's land market which the lord was incapable of resisting. The proportion of transfers of villein land staying within the

[237] WCL, E20, 8 February 1362.
[238] WCL, E26, 5 October 1373.
[239] WCL, E26, 4 October 1374.

same family also fell sharply, reflecting the failure of heirs and the reluctance of some heirs to continue holding land on the manor.[240]

Tallage

In 1329-30, 53s. 4d. was paid for 'customary tallage' at Michaelmas, which if rendered solely by the virgaters would amount to 3s. 7d. per virgate per annum.[241] In 1345-6, the same sum for tallage at Cleeve was paid to the cellarer.[242] The cellarer's account for 1357-8 combines the cash for rents from Michaelmas with payments of tallage: if we subtract a sum equal to the Michaelmas rent from 1345, then the amount paid as tallage was 14s. 8½d., a fall of 72 per cent.[243] There is no reference to tallage in the cellarer's roll of 1380-1 (table 4.1).

There is no mention of liability for tallage in the 1386 rental. Only two explicit references to tallage occur in the Cleeve court rolls. The first of these occurred in 1353, when Walter Page entered into a messuage and half virgate for an annual rent of 7s. 6d. and also owing tallage for a period of four years: the time limit on tallage appears to be a concession to incentivise him to hold the land.[244] In 1362, Richard Kynghot entered into two messuages, and the entry noted explicitly that he did not render tallage (*non soluet tallagium*).[245]

Hence, we only have fragments of evidence for the management of tallage at Cleeve. It was certainly collected in the pre-plague period, when its rounded sum of 53s. 4d. implies a fixed rather than variable levy. The deal struck with Walter Page

[240] Dyer, *Peasants Making History*, pp. 68-9.
[241] WCL, C557, Cleeve Prior Reeve Account, 1329-30.
[242] WCL, C60, Cellarer Account, 1345-46.
[243] WCL, C60, Cellarer Account, 1345-46; C64, Cellarer Account. 1357-58.
[244] WCL, E17, 25 January 1353.
[245] WCL, E20, 8 February 1362.

in the wake of plague suggests that tallage was proving difficult to impose on virgaters, and the fall in the sum paid in 1357, and its absence in 1380, together with the confirmation that monetary tenures were not liable to tallage, are all highly suggestive: tallage fell away quickly after the Black Death.

Labour Services

The 1329-30 account contains a small works section, which records a total of 14¾ customary virgates owing labour services.[246] They owed no winter works. Each owed 20 'summer works' annually to be performed between 24 June and 1 August, and 36 'harvest works' plus six 'benrepe' works each between 1 August and 29 September. Thus, the package of labour services on the virgates at Cleeve did not include any onerous week works but instead was confined to 16 weeks of seasonal works during the busy summer months. However, the requirement to provide one worker for four days per week in July and just under four days per week throughout August and September diverted precious labour from the family holding at the most important time of the year.

The absence of accounts prevents any meaningful attempt to analyse changes in the utilisation of these labour services over time. In 1329-30, the majority of these seasonal services were deployed directly on the demesne. Just 40 of the summer works (around 14 per cent) were sold at around 1¼d. each.[247] The cash transferred to the cellarer in 1345-6 indicates that more were now commuted.[248] The 1386 rental records a grand total of 37 benrepe works owed from the 14 'native' virgates, but no summer or other harvest works, compared with the 88 benrepes, 295

[246] WCL, C557, Cellarer Account, 1329-30.
[247] WCL, C557, Cellarer Account, 1329-30.
[248] WCL, C60, Cellarer Account, 1345-46.

summer works and 530 harvest works theoretically available from the full complement of customary virgates on service tenure as stated in 1329-30.

Most of the evidence for labour services in the court rolls comes from incidental references in the grant of customary virgates in the post-plague period. For example, in 1353, 3 benrips were included in John Kynghot's grant of a half virgate, for which he also paid an annual rent of 8s.[249] In 1375, William Offenham was to perform 3 harvest boonreeps with 2 people for 7 years, while William Cokcy was to perform 6 yearly benrips with 2 people.[250] The removal of labour services from rental packages is also sometimes referenced, notably in 1362 when Richard Kynghot had no works (*non operabitur)* specified in his entry into a landholding.[251] Many grants of virgates make no mention at all of labour services. The implication is that most had disappeared after 1350, because in the 1386 rental one half of the virgates had no labour services whatsoever attached. The remaining virgates no longer owed any of the old summer and harvest works, but just a handful of benryps.

An unusual, and rather amusing, insight into what might have been a general reluctance to perform manual labour on the demesne arable of the priory is recorded in a court held in April 1396, which reported that the servants of the lord are not well occupied after lunch at this time of year to the pain of the lord.[252] This refers to the manorial famuli, but it must reflect a generally lax attitude to work on the demesne, which might explain why tenants of customary land were so keen to jettison liability for labour services, as noted by David Stone.[253]

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[249] WCL, E17, 25 January 1353.
[250] WCL, E26, 27 January 1375.
[251] WCL, E20, 8 February 1362.
[252] WCL, E38, 21 April 1396.
[253] David Stone, 'The Productivity of Hired and Customary Labour: Evidence from Wisbech Barton in the Fourteenth Century', *The Economic History Review*, 50.4 (1997), pp. 640–56.

Entry Fine

An entry fine was consistently rendered on the transfer of villein holdings at Cleeve throughout the fourteenth century, and the fines rendered for the standardised messuage and virgate have been subjected to statistical analysis. Entry fines were variable according to circumstance, although the reasons for the variations for the same unit of land are not given in the court rolls. The mean entry fines for a messuage and virgate could exceed £6 (table 4.2), but they were also waived on a number of occasions. Overall, the mean level per decade was highest in the pre-plague era and fell markedly afterwards, which confirms that entry fines were sensitive to market fluctuations.

Figure 4.1 records the number of entry fines paid in cash recorded per decade in the extant court rolls. Before the end of the 1350s, there were no more than five entry fines recorded in one decade, but between the 1360s and 1380s the number more than doubled. In part, this reflected faster turnover of customary land, but also the survival of more court rolls from this later period.

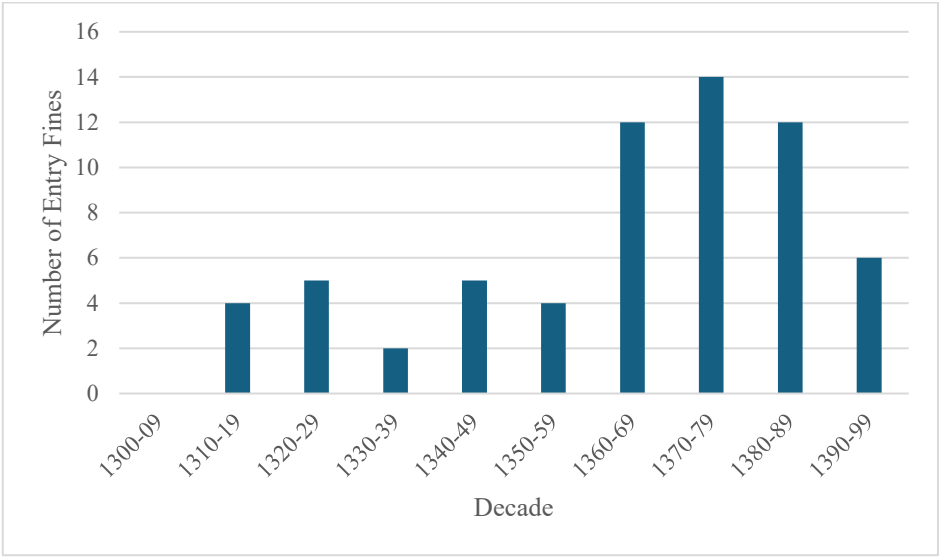

Figure 4.1: Total Number of Entry Fines Paid in Cash at Cleeve Prior, Per Decade 1300-1399.

Figure 4.2 records all entry fines paid for all types of customary land transfer per decade, not just the standardised messuage and virgate, and differentiates between payments in cash, in kind and those waived. Between 1310-39 every entry fine was a cash payment, but this changed dramatically from mid-century. The frequency and proportion of cash payments declined, whereas those waived and rendered as poultry increased. The latter were multiple capons or chickens, which became the main form of render of entry fines from 1360 onwards.

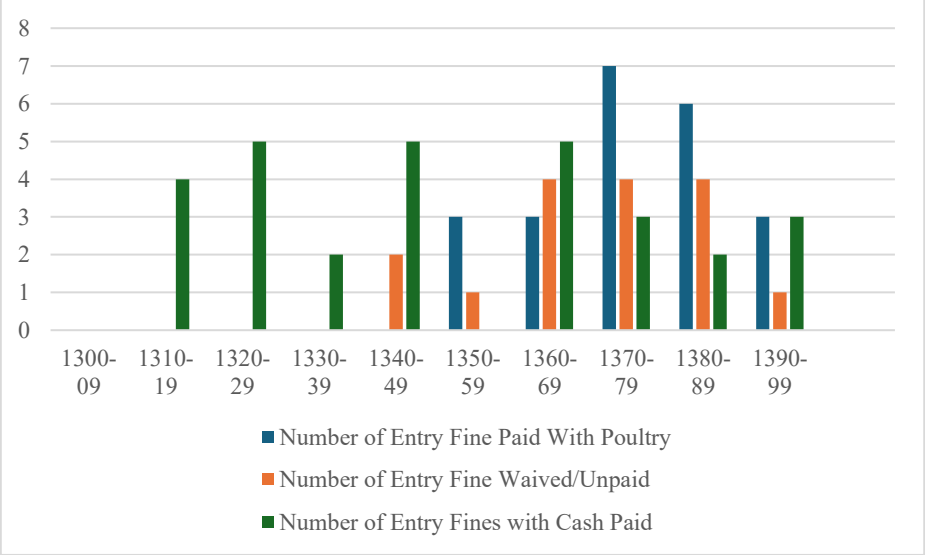

Figure 4.2 Forms of Render for Entry Fine at Cleeve Prior, 1300-1399.

The trend away from cash entry fines towards poultry renders after the Black Death, plus the growing tendency to waive entry fines, complicates the attempt to calculate the mean level of entry fine for a messuage and a virgate for each decade. Christopher Dyer has already undertaken these calculations for Cleeve Prior, which is reproduced in Table 4.2. Dyer's mean figures do not appear to include waived entry fines, and therefore appear to be the mean only for those virgates where an entry fine was rendered. Thus, if the waived entry fines were to be included, his figures from the 1350s would be even lower.

Table 4.2: Median Entry Fine Per Yardland (Virgate) on the Manor of Cleeve Prior, 1310-1399.

Decade	Median Entry Fine, Per Virgate
1310-19	£3 15s 0d
1320-29	£5 3s 4d
1330-39	£4 2s 0d
1340-49	£6 13s 4d
1350-59	0
1360-69	12 capons
1370-79	6 capons
1380-89	6 capons
1390-99	4 capons

Source: Dyer, *Peasants Making History*, p. 62.

Although Dyer does not include any figure for the 1350s, there is one entry in the court rolls which could be included. In 1353 Walter Page entered one messuage and half virgate and rendered 4 hens—therefore a rate of 8 per virgate.[254] Furthermore, Dyer does not include the values for the small number of virgates which did render cash fines after 1350, which are shown in Table 4.3.

[254] WCL, E17, 25 January 1353.

Table 4.3: Total Value and Average Value of Entry Fine (d.) Paid for Entry into Messuage and Virgate of Land, 1300–1399.

Decade	Court Sessions	Number of messuage and virgate	Number of messuage and half virgate	Total Value of Cash Entry Fine for Messuage and Virgate (d.)	Average Value of Cash Entry Fine for Messuage and Virgate (d.)
1350-59	8	--	1	--	--
1360-69	8	6	3	600	80
1370-79	23	3	1	240	69
1380-89	17	3	3	40	9
1390-99	20	1	1	--	--

Tables 4.2 and 4.3 confirm that the mean value of the entry fine on the messuage and virgate was variable but high in the pre-plague period, often around £5 for a virgate of land, which must reflect both the pressure on landed resources and the ability of the lord to extract a high fine. Table 4.3 includes cash entry fines for half virgates, and the mean value in the last column adjusts the calculation in order to provide an equivalent value for the virgate so as to provide a direct comparison with Dyer's values for the pre-plague period. The resultant data reinforce Dyer's findings that entry fines collapsed in the immediate aftermath of the Black Death. The mean value of cash entry fines in 1360-79 was barely six per cent of the £5 per plague entry fine. If we convert the mean number of capons to a notional cash value (of 6d. per capon), then in the 1360s and 1370s the mean (36d.) was just 3 per cent of the 1330-49 mean. By 1380–89 the average entry fine paid in cash for a messuage and virgate was a nominal 9d. While this observation holds as a generalisation, it is worth sounding a small note of caution. In 1399, an entry fine of 33s. 4d. was paid by Thomas Barett of Broadmarston for 1 messuage and 1 virgate.[255] This is not

[255] WCL, E40, 9 July 1399.

included in the Cleeve data, because the priory's holding in Broadmarston was effectively separate, but it indicates that the priory had not completely foregone cash entry fines paid at a level adapted to the incoming tenant's circumstances.

Thus, the value of cash renders dropped substantially immediately after the Black Death and fell further between the 1380s and 1390s. The market for customary virgates collapsed as a consequence of the first two plague pandemics. The growing tendency to waive entry fines after the 1360s and the major swing from cash to poultry renders reinforces this trend strongly. Dyer suggests that entry fines were reduced to a token payment of poultry by 1400 at Cleeve Prior, but the evidence from figure 4.2 and table 4.3 is clear that by the 1360s this was already commonplace.[256] By the 1390s, 2 capons were the most common render. Payments in kind might also reflect a lack of coin in the West Midlands' economy in the last quarter of the century.

The evidence for entry fines is unequivocal at Cleeve. The level charged in the pre-plague period was relatively onerous, but collapsed after 1349. The combination of the shift to monetary tenures and the shedding of labour services from the 1350s, the significant fall in mean entry fines between the 1340s and 1360s, the extensive waiving of entry fines from the 1360s, and the rise in poultry renders from the same decade all point decisively in the same direction. The priory was unable to counter the powerful market forces undermining the villein land market unleashed by the Black Death.

Heriot

[256] Dyer, *Peasants Making History*, pp. 61–2.

Heriot was routinely collected by the priory following either the death of a villein tenant or when a living tenant relinquished their last parcel of customary land. Figure 4.3 documents the number of heriots rendered per decade, which rose from two per decade in the pre-plague era to a peak of 12 in the 1380s. In part, this reflects the increase in the number of surviving courts in the last quarter of the century, although it also hints at the stability of, and low turnover in, the land market in the former period and growing volatility, and higher mortality, in the latter.

The court rolls document the collection of heriot alone, although in 1383 the collection of 'mortuary and principal' appears for the only time. It is unclear why this was recorded in the court rolls on this single occasion, but the level of detail provided is unusual. John Colyns surrendered a large tenancy comprising 1 messuage and 1 virgate of native land and also 1 virgate of land with messuage and one curtilage, plus fishing above the mill. For all this, John gave a cash heriot of 10s., and for the principal one cart with iron-bound wheels worth 13s.4d. and a 3-gallon dish worth 3s.4d..[257]

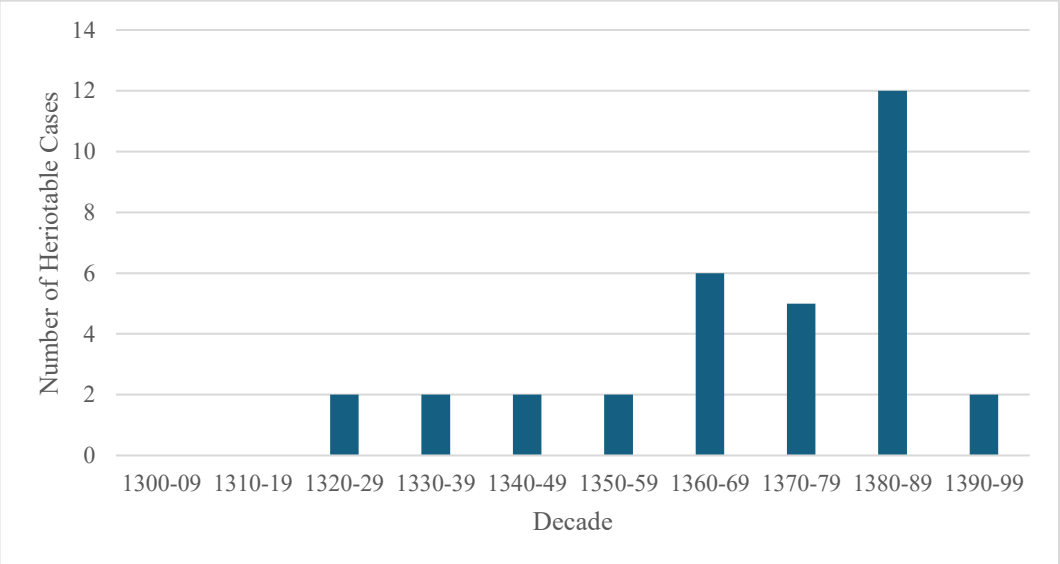

Figure 4.3: Number of Cases Where a Heriot Was Due at Cleeve Prior, Per Decade 1300-1399.

[257] WCL, E31, 30 September 1383.

Figure 4.4 records the type of render for heriot over the course of the century. The priory usually took the best beast, invariably an ox or a cow. No chattels were rendered as heriot at Cleeve. The low number of heriots in 1340-9 is due to the low survival of courts during the epidemic. After the Black Death two changes are apparent. First, a cash heriot was first rendered in the 1350s, and in the 1380s their frequency rose sharply. For instance, in 1383, John Boner gave 12d. heriot for a messuage and half virgate, which he surrendered into the hands of the lord, which was immediately taken by one John Porslowe.[258] The reason for the growth of cash heriots is not provided, although impotence was occasionally given as a reason. In 1382, Walter Page surrendered a messuage and half virgate due to impotence and senility, which rendered a meagre 12d. for heriot.[259] As the cash heriots paid were usually below the value of a best beast, and as they post-date the Black Death, it seems as though they represent a concession to attract tenants.

Second, the collection of heriot was waived for the first time in the 1370s, and the frequency of such pardons jumped in the 1380s, a chronology which closely fits the collapse of grain prices in the mid-1370s and the severe recession of the 1380s. Many of these were waived on the grounds of impotence or old age. For example, in 1384 William Charles through impotence surrendered a half virgate into the hands of the lord and was pardoned the heriot.[260]

[258] WCL, E31, 30 September 1383.
[259] WCL, E31, 2 November 1384.
[260] WCL, E31, 2 November 1384.

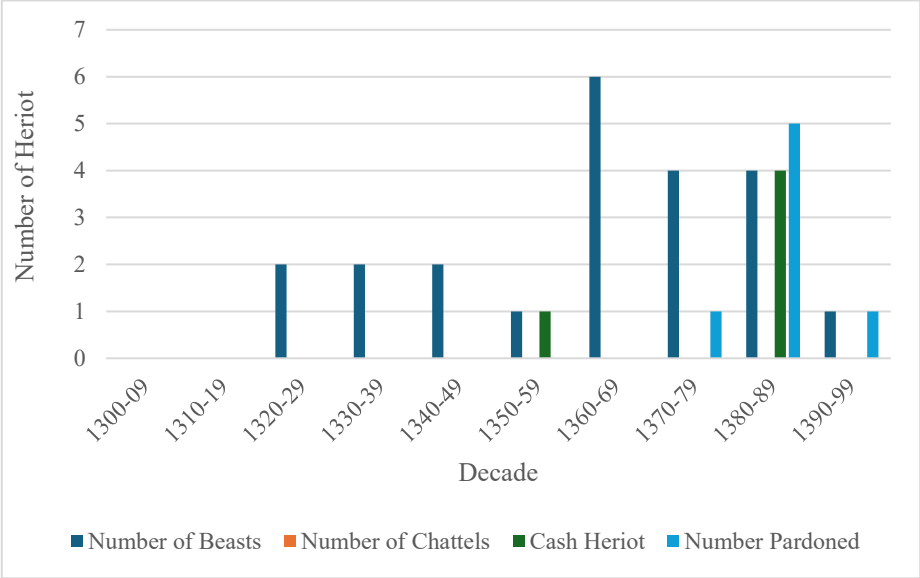

Figure 4.4: Types of Heriot Rendered at Cleeve Prior, Per Decade 1300-1399.

Heriot was a constant and regular due attached to servile land in fourteenth-century Cleeve, and the custom of this manor dictated that it was rendered whenever villein land changed hands. This was unusual, but not unknown elsewhere. The peculiar combination of the increase in the number of heriots (representing a high turnover of land), and the rise in the proportion of cash heriots (reflecting their declining value), after the 1360s are indicative of a more turbulent and declining land market[261]. This interpretation is reinforced by the rise in the number of heriots waived by the lord as the century progressed.

Mill Suit and Milling Rights

There are scant references to mill suit in the court sessions of Cleeve. In 1325 Robert Blackberd was amerced 12d. for not milling at the lord's mill.[262] In the

[261] Bailey, *Decline of Serfdom,* p. 53.

[262] WCL, E10, 16 November 1325.

1390s, the court granted the mill to William Yateleye of Alcester on unfree tenure permanently and hereditarily. Within the details of his lease, there is explicit mention of mill suit for both free and unfree tenants.[263] At one level, this confirms that the lord claimed suit of mill over all the tenants of Cleeve, but, at another level, it gives no insights into whether this right was being enforced. It is most likely that this was just a statement of a legal right, given the existence of just one case of breach in the whole of the fourteenth century. Thus, mill suit was imposed on free and unfree tenants at Cleeve but was hardly ever enforced.

The tenants of Cleeve were also required to bake their bread at the lord's bakehouse, a very unusual arrangement which Dyer states caused ongoing tension throughout the fourteenth century until, in 1412, the issue was finally resolved. The tenants could bake where they wished hereafter, in return for a small addition to their rent.[264]

Merchet

Both males and females were liable to merchet, but it remained relatively unusual: around four cases were recorded in each of the 1310s and 1320s, and never more than one per decade after the Black Death. This low frequency suggests that not all liable serfs actually paid merchet. The sums charged were highly variable, from very low levies in the 1310s to the highest of 26s. 8d., which was paid in 1386 by Nicholas Cockey to marry Agnes widow of John Clerk.[265] The poverty of the

[263] WCL, E38, 5 July 1396.
[264] Dyer, *Peasants Making History*, p. 318; Dyer, *From Slavery to Freedom*, p. 15.
[265] WCL, E33, 3 October 1386.

tenants in the decade of the Great Famine might explain the low charges in the 1310s, and the marriage of a wealthy widow in 1386 might explain the highest fee.

The high variability of the fees, and the relatively low number of cases, make it difficult to produce a reliable mean, but the pre-plague average of 4s. 2d. (table 4.4) is almost double the 2s. fine which was common for merchet in much of England.

Table 4.4: Merchet Cases Recorded Between 1300–1399 at Cleeve Prior, with Fines Paid Converted to Pence.

Decade	Number of Merchet Cases	Total Fine Value (d.)	Mean Fine Value (d.)
1300-09	--	--	--
1310-19	3	24	8
1320-29	4	476	119
1330-39	1	24	24
1340-49	--	--	--
1350-59	--	--	--
1360-69	1	160	160
1370-79	1	40	40
1380-89	1	320	320
1390-99	1	24	24

On one occasion, the payments for merchets were also coupled with a fee for a male from outside the manor to enter villeinage. This occurred in 1368 when Juliana, the widow of William Charlot, took his land after her husband's death. Subsequently, one William Yerdleye came and married Juliana giving for grant 6s.8d.[266] In another case, the lord pardoned the giving of a fine for merchet in return for other renders. In 1315, Emma le Cockes who was given licence to marry wherever she wished in return for labour services of planting beans for 15 days, because she could not afford

[266] WCL, E22, 26 July 1368.

the 2s. fine.[267] Dyer regards this as humiliating, which it must have been: it was certainly unusual.[268]

On three occasions, the court roll noted explicitly that the serf was paying a retrospective licence for a marriage without licence of the lord. Two of these cases occurred in 1314, when John le Fisher paid 2s. for marrying Agnes le Fisher ,and Robert Pope married Isabella Durimon, paying a retrospective fine of 2s.[269] The final case occurred in 1377, involving Robert atte Grene paying the lord 2s. as a fine as he had given in marriage his daughter Agnes to Willaim Sondulphe.[270] The consistency of the fine is suggestive of a fixed, customary, rate, and in general was lower than the fine for merchet. All three cases where the lord received a fine for a marriage without licence accrued a 2s. fine. In 1398, Alice atte Brugge was presented for marrying without licence, but she was already absent from the manor living in Abbots Salford.

In 1320 the court recorded an unusual agreement between the cellarer and one Robert Coryn of Cleeve that Robert could marry when and where he wished, and alienate his lands, without seigniorial interference. No fine is recorded in the court roll, so this 'merchet' is not included in the statistical analysis for this manor. The circumstances behind this arrangement are unclear, and the fine was clearly paid elsewhere. Perhaps Robert was a wealthy villein who had left the manor and made his fortune elsewhere, and the cellarer was using his servile status as a lever to extract a retrospective marriage fine, or perhaps there had been some extended legal dispute whose resolution is not recorded. Whatever the background, both parties were keen to record the agreement in the court rolls of Robert's home

[267] WCL, E7, 13 January 1315.
[268] Dyer, *From Slavery to Serfdom*, p. 21.
[269] WCL, E6, 4 November 1314.
[270] WCL, E27, 8 January 1377.

manor, underlining the importance of written precedents relating to villeinage which bound both lord and serf.[271]

Leyerwite

The priory implemented leyerwite on female hereditary serfs consistently on the manor of Cleeve Prior in the four decades before the Black Death (figure 4.5). The 1340s saw a dramatic increase from two cases per decade to seven, and three more in the 1350s. It virtually disappears thereafter, with just a single isolated case in 1389, when Elisabeth Cockes was fined 2s. for being corrupted.[272]

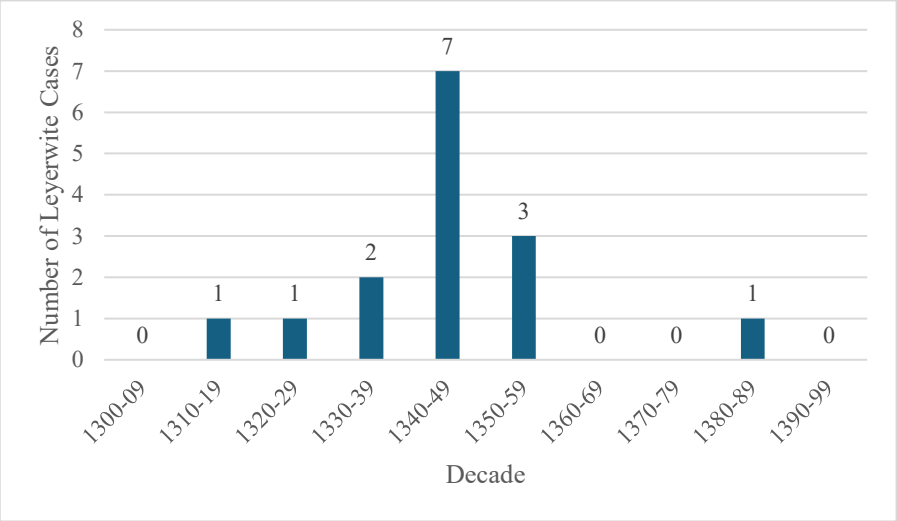

Figure 4.5: Number of Leyerwite Cases at Cleeve Prior, 1300–1399.

The fine levied for leyerwite was remarkably consistent: in 12 of 15 cases, the female concerned was fined 2s. This has the appearance of a fixed, perhaps customary, rate.

The few variations in the level of fine were invariably lower, which suggests a reduction from the norm on grounds of poverty. For example, in 1320 Agnes le

[271] WCL, E9, 20 November 1320.
[272] WCL, E34, 6 May 1389.

Forster was fined 6d. for leyerwite and in 1334 Margery Charlets was fined 18d.[273] These anomalies only suggest that the priory was possibly waiving part of the fee on a case-to-case basis. On one occasion, however, in 1323 Dionysia Athclard was accused of leyerwite, which resulted in her land being seized, at which point she gave the lord 4s. for the restoration of her land.[274]

Overall, leyerwite was a prominent feature of personal servility at Cleeve in the middle two decades of the fourteenth century, but was rare before 1340 and after 1360. The fee was consistently charged at 2s., indicating a local customary charge.

Presentment for Absence and Chevage

The manor of Cleeve Prior presented flown hereditary serfs for absence, although only one chevage case is recorded in the period. Table 4.5 reveals that the prior had no interest in flown serfs in the pre-plague era. His interest in flown serfs was ignited in the 1350s. The first case appears in a court session from 1353, in which Alice Jones neif of the lord was presented for living with Peter of Beckford, and an order to return was placed.[275]

[273]WCL, E9, 20 November 1320; E11a, 20 April 1334.
[274] WCL, E3, 18th October 1323.
[275] WCL, E17, 10 July 1353.

Table 4.5: Unique Presentments and Number of Total Presentments Recorded at Cleeve Prior, 1300-1399.

Decade	Unique Presentments	Number of Presentments
1300-09	--	--
1310-19	--	--
1320-29	--	--
1330-39	--	--
1340-49	--	--
1350-59	6	6
1360-69	5	5
1370-79	11	26
1380-89	16	120
1390-99	5	129

Every presentment case in the 1350s and 1360s involved a different individual. From the 1370s the number of presentments far outweigh the number of unique individuals, which means that the same people were being presented repeatedly in court after court. Hence, by the end of the century, the court was recycling information about a relatively small number of serfs, and in the 1390s, many of these presentments were concerned narrowly with the family of one serf, Elias atte Brugge. The recording of absences did not, however, generate revenue through chevage.

In 1365, Elias atte Brugge, a hereditary serf who had fled one mile over the River Avon to Abbots Salford, a manor of Evesham Abbey, incurred an amercement of 12d.: effectively a chevage payment.[276] Elias was presented for absence, not chevage, repeatedly over the next two decades, when he remained in nearby Abbots Salford yet was never bodily seized to return to the manor. Given his close proximity to Cleeve, one assumes he returned regularly. In 1384, presentments for absence were made for seven members of the atte Brugge family, including his sons William, John, Thomas and Julian, who all resided at Abbots Salford. His daughter

[276] WCL, E21, 6 November 1364.

Amicia is also recorded at *Cloddeshall* with one Henry Ward, and another daughter Alicia, is recorded as also being at Abbots Salford with William Bonde.[277]

The prior's interest in Elias atte Brugge far exceeded that in any other serf, taking an exceptional turn in 1388. The tithing reported that 'Elias atte Brugge, neif of the lord, lived at Salford of the abbot of Evesham on the day that he died over a year ago. And he transferred into the hands of Emma his wife diverse goods and chattels, that is; 4 oxen worth 53s.4d., 2 cows worth 15s., 2 ox worth 6s.8d., 68 ducks worth 68s., 3 mares worth 20s., 1 horse worth 10s. and 2 chickens worth 2s., and diverse goods and chattels valued at 60s. and more, and which chattels ought by right to belong to the lord as the goods of his neif.' The lord directed that a legal writ be issued against Emma and that the homage should account for the chattels by the next court.

This exceptional example illustrates the 'uncertain' nature of serfdom, because the prior was invoking the strict legal right under the common law for lords to 'own' the goods and chattels of their serfs, and to claim them for the priory. There are a handful of other examples from the fifteenth century of other great lords using this device to demand large payments for manumission, which may have been the pretext here.[278] This is a very good example of the prior pursuing an aggressive management approach to one of his serfs. The issuing of a writ against Elias's widow, presumably a writ for debt, the careful listing of his asset base, and the order to the homage were not common behaviour among contemporary lords and, taken at face value, this behaviour provides a good example of highly aggressive and conservative lordship seeking to maintain the institution of serfdom. It also needs contextualising. Elias had lived at Abbots Salford, and the abbot of Evesham had

[277] WCL, E31, 2 November 1384.
[278] Bailey, *The Decline of Serfdom in Late Medieval England*, pp. 302–03.

not returned him to Cleeve Prior. Elias had built up a sizeable asset base, with moveable goods alone valued here at 235s., so he was by any standards a wealthy serf. It was presumably Elias' exceptional wealth, combined with the vulnerability of his widow living on the manor, which persuaded the prior to choose this target. The tactic was to generate pressure on Emma to settle for some kind of manumission or one-off payment to the priory, probably at a time when the institution was short of cash. The outcome of the case is not known, but Elias's progeny continued to be listed in presentments for absence: for example, William's children John and Alice were then tracked by the priory, and John reported to be residing at Evesham.[279]

Table 4.6: Location of Flown Hereditary Serfs and the Distance from the Home Manor of Cleeve Prior.

Name and (if any) fine	Location	Distance from Home Manor (miles)
Richard Henry	Willersey	6
John Vissher (2d.)	Harvington	2
Walter Page (2d)	Harvington	2
Margeria Vissher (2d.)	Harvington	2
Agnes Willes	Weston	4
Thomas Denet	Marlcliff	1
Alice Jones	Priory of Beckford	10
Elias atte Brugge (included William, John, Thomas, Julian)	Abbots Salford	1
Thomas Fremon	Abbots Salford	1
Amicia daughter of Elias Atte Brugge	*Cloddeshale* (possibly Cladswell/Cookhill near Alcester)	6
Richard, Thomas and Robert, son of Thomas Kynghot	Preston and Dorsington	7 and 3
Agnes and Katrina daughters of William Kynghot	Worcester	15
Agnes daughter of Walter Paye	Unknown (*Wykewane)*	
John son of Robert Holder	Harvington	2
Agnes daughter of John Wylle	Stratford (upon Avon)	8
John son of William atte Brugge	Evesham (from Abbots Salford)	4

[279] WCL, E39, 27 October 1397.

As displayed in Table 4.6, many of the flown serfs from the manor of Cleeve did not go far. The furthest location was Worcester, which attracted the Kynghot sisters. Furthermore, three settled in Harvington, which was also held by the priory, so they were not leaving to escape the shackles of serfdom.

The detail in some of the presentments casts light on the attractions of servanthood to young women. In 1375, Agnes daughter of William Kynghot was recorded as being in Worcester with Thomas Lychfelde.[280] Agnes is again mentioned in 1384, this time accompanied by her sister Katrina and being with John Goldsmyth and the rector of St Peter the Great in Worcester, one of the parishes in the heart of the town.[281]

Occasionally, we are also provided with details of the age of the flown hereditary serfs, which confirms that the details of some migrants were updated from time to time. The most notable case involves three sons of Richard Kynghot, namely Richard aged twelve, Thomas aged ten and Robert aged six. We are not told who they were with, but that they resided at Preston and Dorsington.[282] The age of the three boys was then updated with each following presentment, so that in 1385 they were aged fourteen, twelve and eight.[283] The father of the three boys, one Thomas Kynghot, is also recorded as residing at Preston, although thereafter their ages are not recorded. Another case in 1390 involved Agnes the daughter of John Wylle, who was noted as being 6 years of age and living at Stratford (upon Avon) with Thomas Domyton.[284]

[280] WCL, E25, 22 July 1374.
[281] WCL, E33, 23 January 1387.
[282] WCL, E31, 2 November 1384.
[283] WCL, E32, 4 October 1385.
[284] WCL, E35, 21 January 1390.

Only one person is recorded explicitly paying chevage. In 1394, Thomas Kynghot, neif of the lord, paid 2s. to remain at Preston near Stow.[285] Thomas had been presented for living at Preston for the past decade and, as we saw earlier, had his young sons with him there. A year later Thomas is once again recorded as paying 2s. chevage.[286] In 1396, Thomas's death is recorded, where a heriot of 1 ox worth 12s. was rendered for 1 messuage and 6 acres 'under the Avon', presumably meaning land abutting the River Avon.[287] In the same court, a proclamation was made to ascertain if anyone had right to Thomas's landholding, and subsequently Joanna, daughter of Thomas, and his brother William came and surrendered their rights to Thomas Sheperde, who paid an entry fine of 13s.4d.[288] The reconstruction of this series of events indicates that, after a decade of not paying chevage, Thomas Kynghot opted to do so in the last two years of his life as a device to retain his interest in customary land in Cleeve Prior for the benefit of his relatives.

Dilapidations and Orders to Repair

Hargreaves has documented the frequency of orders to repair dilapidated buildings on villein holdings after 1342 at Cleeve, as reproduced in Table 4.7. The priory paid little attention until 1358, when the whole homage was ordered to repair vacant buildings on the manor.[289]

[285] WCL, E37, 9 July 1393.
[286] WCL, E38, 5 July 1396.
[287] WCL, E39, 27 October 1397.
[288] WCL, E39, 27 October 1397.
[289] WCL, E18, 2 March 1358.

Table 4.7: Number of Properties in Need of Repairs Recorded Annually on the Manor of Cleeve Prior During the Period, 1342–1389. (Reproduced from Hargreaves, Seignorial Reaction and Peasant Responses: Worcester Priory and its Peasants after the Black Death. p.66)[290]

42/43	46/7	52/3	57/8	61/2	64/5	67/8	69/70	73/4	74/5	76/7	78/9	79/80	84/5	85/6	86/7	88/9
--	--	--	1	--	10	--	--	8	3	5	8	7	5	4	5	4

Hargreaves' figures do not differentiate between orders to repair, which threaten a financial penalty for non-compliance by some future date, and levy further amercements for not complying. Likewise, his research ceased at 1389, yet in 1390 the orders to repair continued, with four tenants being listed as needing to repair before the next court under penalty of 40d. Two of these tenants, Robert Colsin and Richard Dodeler, have the word 'amended' written above their names, indicating their subsequent compliance with the order.[291] However, in the next court, an order to repair was made against Nicholas Tayllour and all others who have ruinous tenements to repair under penalty of 40d. Thus, orders to repair continued in the court sessions throughout the 1390s, but often there were no amercements or financial penalties imposed for failure to comply with the court's orders. For example, in 1396, six tenants were ordered to repair ruinous buildings under penalty of 12d., and at the same time John Straynbowe was ordered to repair the mill.[292] In the next session, five tenants were threatened with a fine of 6s.8d., which was threatened again the session after.[293] No amercements or penalties were levied, and the court's interest began to wane because only two tenants are recorded in October

[290] Paul V. Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', *Midland History*, 24.1 (1999), p. 66).
[291] WCL, E35, 13 April 1390.
[292] WCL, E38, 12 January 1396.
[293] WCL, E38, 21 April 1396.

1397.[294] Only occasionally did the court take action against tenants. Richard Wylles had not repaired his house and had been threatened with seizure, and in October 1395, his house was duly seized and a heriot of 1 cow accrued to the lord.[295]

Thus, the problem of dilapidating buildings on villein holdings continued throughout the 1390s, and the variety of building types and the number of presentments indicate that the issue was widespread. It reflects the difficulties in the land market at the end of the century, which are also evident in the waiving of heriots and the fall in entry fines. However, a close evaluation of the pattern of wastage cases reveals that a handful of tenants did respond and repair their properties, and very occasionally the lord seized the land of a tenant who failed to respond. For the most part, however, the orders did not result in either a successful resolution, an amercement or a penalty.

Licences to Trade and Educate

There is no evidence for licences to educate sons or put them to a trade on the manor. ln 1386, the homage presented that every tenant who wished to dig up stones and take them away required a special licence, and that a failure to obtain this licence would result in a fine of 40s.[296] There is no evidence that this was enforced.

Manumission and Disputes Over Personal Servility

There are no recorded disputes over personal status, no presentments under the Statute of Labourers or coercion to work under novel forms of service. Dyer states that, in 1354, four serfs were instructed to serve the lord as he (i.e. the lord)

[294] WCL, E39, 27 October 1397.
[295] WCL, E38, 20 October 1395.
[296] WCL, E32, May 1386.

wishes, but it was not possible to locate this reference in the court rolls: if it did occur, perhaps misdated, it was certainly an isolated reference.[297]

Conclusion

Villein tenure featured prominently at Cleeve Prior, where possibly two thirds of all peasant land was unfree. The standardised villein land holdings of virgates and some half virgates remained intact and fully occupied on service tenure in the first half of the fourteenth century. They rendered annual tallage and a full load of summer and harvest labour services. Entry fines were relatively onerous at around £5 per virgate, mean payments for merchet were twice the national average, and leyerwite was robustly enforced in the 1340s. In these ways serfdom weighed heavily on the manor in the first half of the fourteenth century. However, there were no onerous winter week works, merchet was levied selectively for reasons not stated in the court rolls, mill suit was seldom enforced, and the priory was completely indifferent to servile migration.

The Black Death of 1349 had a profound and immediate effect on the management of serfdom on the manor. By the 1360s, the mean level of entry fines on the customary virgates had fallen over 90 per cent on the pre-plague level, and cash fines quickly gave way to renders in poultry. Virgates were also converted to money tenancies, shedding most of the original labour services and tallage, a process which was almost complete by the early 1380s: this is much earlier than the dating of 1400 for this process implied by Dyer.[298] The frequency of merchet fell to around one payment per decade, and leyerwite virtually disappeared after the 1360s.

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[297] Dyer, *From Slavery to Freedom*, pp. 19-20.
[298] Dyer, *From Slavery to Freedom*, p. 26.

Changes to heriot were most apparent from the 1370s, with an increase in cash renders and waivers, and a fall in the render of the best beast.

The two main changes in the management of serfdom after 1349 were an increase in presentments for absence of flown hereditary serfs and for the dilapidation of buildings of various sorts on customary landholdings. The interest in flown serfs began in 1353 and remained a feature of the court rolls until the end of the century, with a particular focus on the family of one wealthy serf, Elias atte Bugge, who had moved onto the neighbouring manor held by Evesham Abbey. The priory's harassment of Elias's widow in the 1380s was aggressive and may have yielded a sizeable payment for manumission not recorded in the manorial court rolls. Yet the priory had no effective powers to force the return of flown serfs, and only one paid any chevage to be absent from the manor. At least three serfs moved to another priory manor, so they were seeking new opportunities rather than new lordship. The dilapidations were a particular feature of the last quarter of the century when the land market was especially depressed, although the majority were presentments which only occasionally resulted in amercements or seizure of land.

Vestiges of serfdom remained at Cleeve Prior in the 1390s (heriot, merchet, presentments for absence and dilapidations), but they generated little revenue for the lord. Other incidents had disappeared (leyerwite, mill suit, tallage and summer and 'harvest' labour services). The only evidence for a 'seignorial reaction' in the third quarter of the fourteenth century is the sudden interest in servile migration. At the same time, however, many of the facets of servility—especially tenurial servility—were either being heavily diluted or disappearing.

5 Harvington

The Manor

Situated in southern Worcestershire and to the east of the urban centre of Evesham, Harvington is located north of Cleeve Prior on a plateau above the River Avon. The manor was situated in what is defined as the champion area of the West Midlands, an area of large, nucleated settlements and large areas of open field.[299] It was part of the estate of Worcester Cathedral Priory and was managed by the cellarer of the priory. There are no extant surveys surviving for the manor, although Hargreaves estimates that the manor was one of the smallest on the priory's estate.[300] The cash generated and transferred to the priory was £25 in 1347, which confirms this assessment of a medium to small-sized manor.[301]

The demesne of Harvington had been leased in 1207 and again is recorded as leased in 1230 and 1240-2.[302] Labour services were used in the harvest in the mid-fourteenth century, so at some point it was exploited directly. In keeping with the size of the manor, it might have been a small arable demesne. The account of 1361-2 suggests there were up to 30 virgates of customary land, so the distribution of land within the manor was probably skewed heavily towards servile land.

Ninety-five court sessions survive from the period 1314-1399. The sessions were often short. There are ten extant accounts for Harvington between 1347 and

[299] Dyer, *Peasants Making History*, p. 14.
[300] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', p. 68.
[301] Worcester Cathedral Library, C607, Harvington Reeve Accounts 1347-48.
[302] Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966), p. 153.

1399, although most are in poor condition, and those from 1369 are summary accounts providing few details. The most informative and interesting are the four dating from 1347-8, 1349-50, 1358-9 and 1361-2.[303]

Villein Tenures

The 1347-8 account records rents of assize of £18 17s. 9d. payable at four terms, plus 38s. 3d. for 'customs and mowing meadows'.[304] From later accounts, it appears that most of these are the money rents from those 30 virgates of servile land, plus a valuation of their seasonal works. The account of 1349-50 records nearly £9 of decays, so rental income had halved, and in this year, 11 virgates were described as in the lord's hands, which forced the reeve to hire additional workers in the harvest to compensate for the loss of labour services.[305] Hired workers were also paid to mow some of the demesne meadows and other meadows of vacant villein lands, presumably because there were not enough mowing services available. Small sums of money were received 'for diverse tenements in the hands of the lord', which refers to ad hoc payments from survivors willing to exploit vacant villein land until a permanent tenant could be found.

The 1358-9 account records a new section for the first time, named 'farms [*firma*] of land', in which seven virgates were now granted for cash rents for a total of 65s., or an average of 9s. 3sd.[306] Decays and allowances of rent now exceeded £9, and in the 1359 harvest additional labourers were hired, because 14½ virgates were still 'in the hands of the lord'. It is therefore likely that the majority of villein

[303] WCL, C607, Harvington Reeve Accounts, 1347-48; C692, C608-610, Harvington Reeve Accounts 1358-69, C495, C613, C621, C716.
[304] WCL, C607, Harvington Reeve Account, 1347-48.
[305] WCL, C692, Harvington Reeve Account, 1349-50.
[306] WCL, C608, Harvington Reeve Account, 1358-59.

land was still unoccupied in this year, ten years after the plague. In the 1361-2 account, 'farms' of land now fetched £13 12s. 8d., of which 26s. 8d. was for the mill. The paragraph is faded and hard to read, but it appears that 24 virgates were now held for money rents totalling 205s., an average of 8s. 6d. The lowest virgate rendered 7s. per annum, and the highest 10s. Likewise, the allowances of rent section included 'for the rent of 24 virgates for money rents [*ad certum in denar'*] as above', meaning that, as an accounting device, 8s. per virgate was being deducted from rents of assize because these virgates were now paying rents as 'farms of land' instead of as assize rents, and a further 34s. was allowed for their reaping and mowing works, 'that is 17d. each'. The 1362 harvest expenses also referred to the need to hire labourers by the day to replace the loss of services from the 25 (sic) virgates, plus two remaining vacant.[307] The next account to contain any details about rental income, that of 1395-6, referred to £19 1s. 11d. of rents 'by a new rental'.[308]

From these fragmentary and occasionally arcane details, we can deduce the following. There were perhaps 30 customary virgates at Harvington, which were fully occupied on service tenure in 1347-8.[309] Many were abandoned in the Black Death of 1349 and in 1358-9, around half were still unoccupied, and five had been converted to money tenure.[310] In 1361-2, 24 had been converted to monetary tenures, two were still vacant, and perhaps four remained on the old service tenure.[311] The court roll evidence refers to tenants holding virgates in the 1360s on hereditary tenures, so the new money tenures were not short term 'leases' but

[307] WCL, C610, Harvington Reeve Accounts, 1361–62.
[308] WCL, C613, Harvington Reeve and Collector Accounts, 1395-96.
[309] WCL, C607, Harvington Reeve Account, 1347-48.
[310] WCL, C608, Harvington Reeve Account, 1358-59.
[311] WCL, C610, Harvington Reeve Account, 1361-62.

hereditary tenures for a cash rent, plus entry fine, heriot and suit of court (see below).[312]

There is no evidence of the priory coercing villeins to hold land. Even in the late 1350s, most of the customary virgates remained vacant. The fact that by the early 1360s over 90 per cent of the virgates were now occupied, albeit most of those on money rents with no liability for labour services, merchet or tallage, is highly suggestive that tenants refused to hold the virgates on the old terms and that the conversion to hereditary cash tenure was key to getting the customary land market moving again in the post-plague era. This represents a major change to the nature of tenures within a decade of the plague.

Tallage

There are no references to tallage or to recognition, payable on the accession of a new prior, in any of the court sessions of Harvington or in any of the extant accounts. The Cellarer's account roll of 1345-6 includes details of cash payments from each manor on the estate, detailing rents and services in particular, but there is no mention of tallage in the entry for Harvington, whereas many other manors in the same roll do identify the transfer payments for annual tallage (such as Sedgeberrow, which is the very next entry in that account).[313] We can reasonably conclude from these details that tallage was not due at Harvington.

Labour Services

[312] Tenurial change in the 1350s and 1360s is discussed in Bailey, *After the Black Death*, pp. 85-102.
[313] WCL, C60, Cellarer Accounts, 1345-46.

The absence of any surviving manorial customals for Harvington means that we cannot reconstruct the type and level of labour services owed by the customary tenants. None of the extant accounts contain works sections, so we cannot ascertain the number or utilisation of labour services. As we have seen, in 1347-8 the seasonal services of reaping and mowing services' were valued at 17d. per virgate, with no mention of week works. Hence, it is highly likely that no week works were owed—just seasonal works—which would be consistent with the suggestion that the demesne was small.

Evidence for refusals or poor performance of labour services is scarce at Harvington. Those that are recorded feature seasonal works exclusively. In 1320, the prior placed the whole vill in mercy for poor reaping in the lord's corn, although there were no fines.[314] In 1331, John Davy was fined 5d. for not performing boonworks during the harvest.[315] These are the only explicit instances from the pre-plague court series of failure to perform labour services. It is possible that they were routinely commuted. The justification of hiring workers for cash in the harvest after 1349 for want of labour services, and the swing to cash tenures, confirms that whatever labour services existed had largely disappeared after 1349.

Hilton's claim that in July 1379 there was an estate wide order on the priory manors to seize all the goods and chattels of the servile tenants for poor performance of labour services is considered in the chapter on Peasant Resistance, and the order was not announced in the Harvington court held in July 1379.[316] There are, however, two curious and connected references in one court held in 1377. The first involved an order to search the account rolls of the manor to ascertain the stipend and gifts

[314] WCL, E9, 19 November 1320.
[315] WCL, E11a, 23 October 1333.
[316] Hilton, 'Conflict and Collaboration', p. 61.

which pertained to the role of ploughman, as the manor was without one between the Annunciation (25th March 1377) and the court (14th July, so 15 weeks), implying some possible dispute over payments to a replacement or a determination to seek damages from the flown ploughman. The next entry noted that the lord's servants had undertaken additional work on the nearby Cropthorne demesne, due to the withholding ('*retard*') of labour services, though the financial cost to the lord had not been assessed by the homage.[317] Nothing more is recorded about either case in subsequent courts. These two, rather oblique, references provide another strand of evidence to support the argument, constructed in the Peasant Resistance chapter, that Hilton misdated the estate-wide orders, which were actually issued in July 1378, not 1379, and were a pre-emptive warning against any repetition of behaviour from the summer of July 1377.

Entry Fines

Entry fines charged on admission to a villein holding were variable and therefore comprised one of the potential levers for lords to extract surpluses from their customary tenants. To establish whether this was the case, we must evaluate mean fines per unit area over a period of time, rather than cite exceptional individual examples in isolation. The challenge is that many of the transfers of villein holdings contain gardens, cottages and closes whose size and composition are indeterminable, which makes direct comparisons between many of the entry fines impossible. Hence, the method here is to capture the entry fines for the standardised holdings to ensure that like is being compared with like. At Harvington these were the

[317] WCL, E28, Court held on the day of Tuesday nearest before the feast of St Kenelm King and Martyr in the first year of the reign of Richard II, 14 July 1377.

messuage and virgate, and messuage and half virgate. As Figure 5.1 highlights, there were in each decade often twice as many entry fines paid for irregular holdings as for messuages and virgates, so our sample is small compared to the number of overall transfers, but it is the more reliable source for the purposes of analysing the level and trends over time of entry fines.

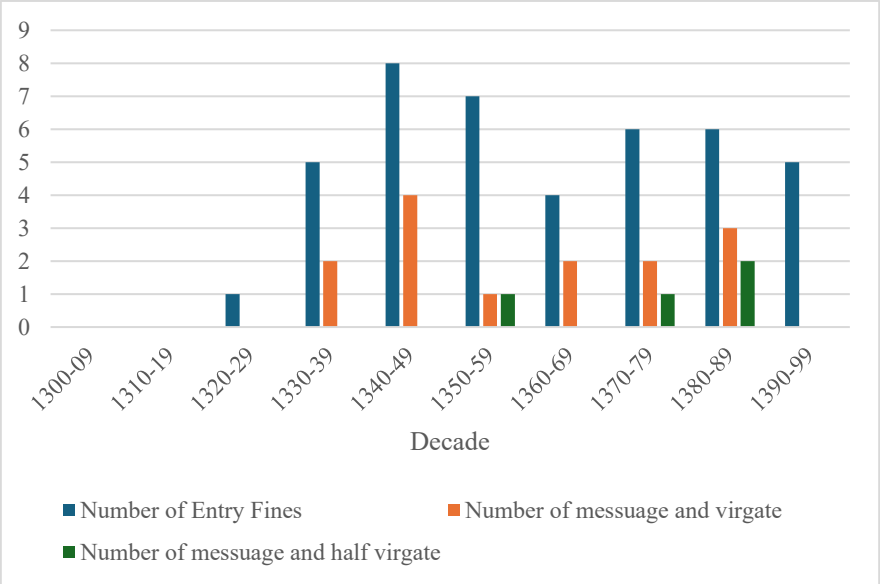

Figure 5.1: Number of Paid Entry Fines Versus the Number of Messuage and Virgate at Harvington, 1300-1399.

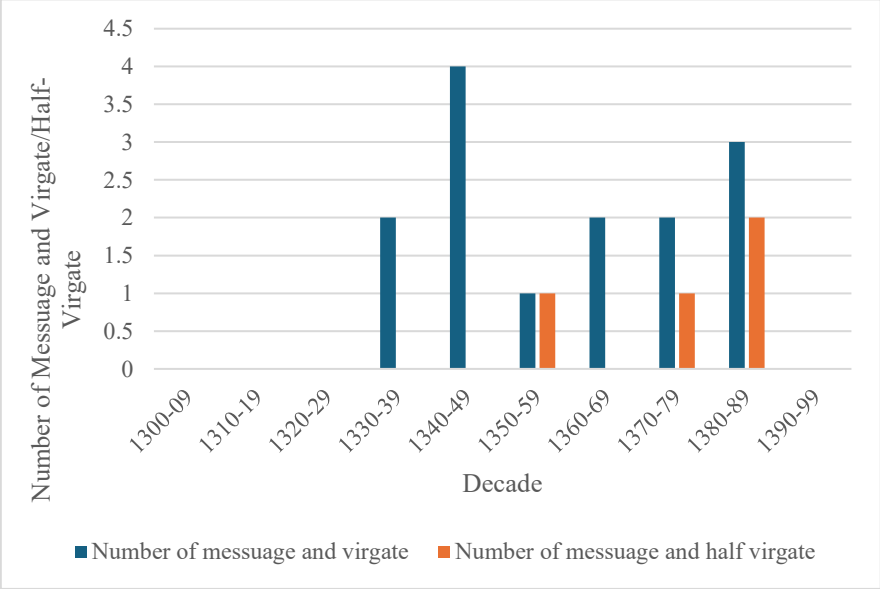

Figure 5.2: The Number of Entry Fines Paid for a Messuage and a Virgate of Land at Harvington, 1300-1399.

Figure 5.2 highlights the number of entry fines between 1330 and 1389 rendered for a messuage and virgate, and those for half virgates. Harvington was a small manor, so the sample is small, but it confirms that the entry fines for the standardised holdings varied according to circumstance. In the period before the Black Death, for example, the highest fine was paid by Agnes wife of William Swetemones in 1336, who paid 5 marks (800d.) to enter the land of Cristina Swetemones, her mother,[318] whereas the lowest amount paid was 13s. 4d. rendered in 1349 by John Thomas.[319] In comparison, in the post Black Death period the highest amount paid for a messuage and virgate was 20s. in 1377, which was paid by Thomas, son of John Tommes, for 2 messuages and 2 virgates:[320] Whereas the lowest entry fine for a messuage and virgate was 3s. 4d. paid in 1362 by John, son of John Thomas.[321]

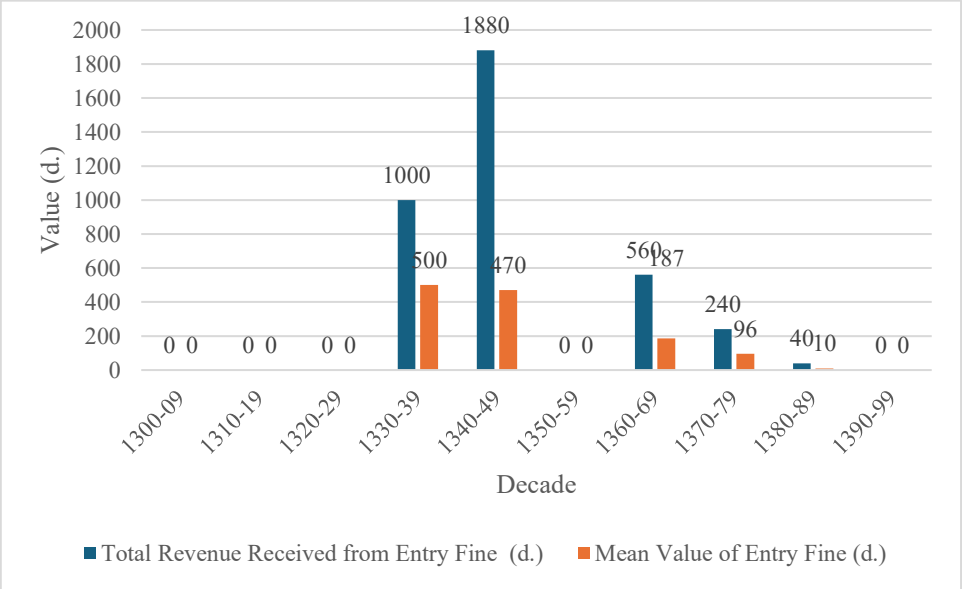

Figure 5.3: Total Cash Revenue (d.) Received Versus Mean Value Received for Entry Fine on Messuage and Virgate of Land at Harvington, 1300-1399.

[318] WCL, E13, 21 October 1336.
[319] WCL, E16, 25 February 1349.
[320] WCL, E27, 13 April 1377.
[321] WCL, E20, 8 February 1362.

As shown in Figure 5.3, which includes cash renders only not poultry renders, the mean entry fine for the messuage and virgate in the 1330–39 was 500d. and 470d. in the 1340s. The number of data points reduces after the Black Death, but the downward trend in the mean value of the fines is indisputable. The mean value in 1360-9 was 187d. per messuage and virgate and 96d. in 1370-9. By 1380-89, the mean value for entry into a messuage and virgate was 10d. So, the mean value of entry fine was highest before the Black Death, then fell by over 60 per cent by the 1360s. The mean halved again between the 1360s and 1370s, and the level was nominal at the end of the century.

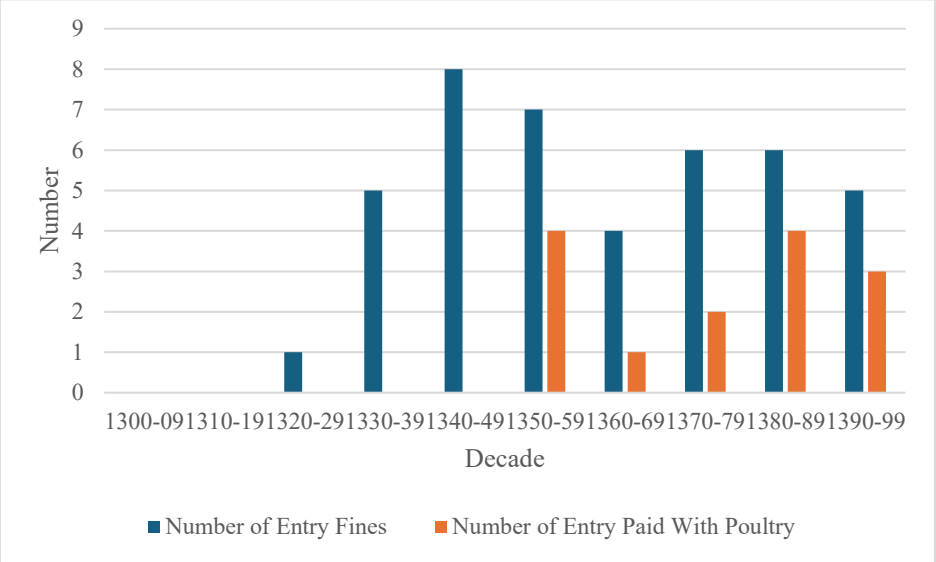

Figure 5.4: Number of Entry Fines Paid in Cash and Number Paid with Poultry at Harvington, 1300-1399.

The collapse in the mean value of monetary entry fines after 1349 is complicated by the changing nature of entry fines. Instead of monetary payments, the lord was willing to accept payments of animals in lieu of cash, notably poultry (fines were never a combination of cash and poultry. There were no such renders in the pre-plague era, as illustrated in Figure 5.4, but thereafter the rendering of poultry for entry fine was more common than money renders. The usual render was in the form

of chickens, hens or capons. In 1350-59, one messuage and a half virgate rendered 6 capons, with another messuage and virgate rendering 2 capons. Hens were also rendered for entry with 6 hens being given for one virgate of land of ancient rights by Richard Sondolfe in 1358, the same Richard also gave 3 hens for 3 selions of land,[322] equating to a hen per selion. By the 1380s, the majority of entry fines were rendered in poultry, settling at two capons for a messuage and virgate. The swing to poultry renders might reflect a lack of cash in the local economy in the depressed circumstances of the last quarter of the century, but it certainly reinforces the dramatic fall in the value of entry fines for these holdings. If we take the average value of both a capon (6d.) and a hen (4d.), the lowest entry fine was 2 capons, which equates to a mere 12d.[323]

The evidence is unequivocal. Between the 1340s and 1360s, the average monetary entry fine for a messuage and virgate fell by 60 per cent and remained low. This occurred at the same time as the conversion of the virgates from service tenure to monetary rents. Furthermore, after the plague, the lord was willing to accept entry fines paid in poultry rather than cash, which is also indicative of a decline in the land market. The average of 2 capons per virgate in the period 1360-89 is equivalent to an entry fine of 12d., based on a generous valuation of one capon at 6d.[324] Thus, the lord of the manor was unable to impose high entry fines after the Black Death, let alone maintain the mean level of the pre-plague era. The market for servile land had collapsed in the immediate aftermath of the Black Death, and the lord's legal powers under villeinage were unable to overcome the harsh reality of

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[322] WCL, E18, 3 July 1358.
[323] WCL, E30, 5 October 1384; WCL, E32, 11th January 1386; WCL, E34, 25 January 1389. WCL, E34, 25 January 1389.
[324] J. E. T. Rogers, *A History of Agriculture and Prices in England, from the Year after the Oxford Parliament (1259) to the Commencement of the Continental War (1793)* (Claredon Press, 1866), II (1259-1400), pp. 250–69.

market forces.

Heriot

Heriot was consistently rendered on the manor of Harvington. It was rendered by both living and deceased tenants (Figure 6) when any villein land was relinquished, rather than solely on postmortem transfers. This represents a relatively onerous version of heriot, because on most English manors, it was strictly a postmortem render. Before the Black Death, the most common render was the best beast, although chattels and cash were also rendered on occasions. Mortuary payments are also recorded in the court rolls, which were a death duty owed to the parish priest.[325] Hilton defined this as the giving of the second-best beast by a parishioner to the parish rector.[326] Throughout the fourteenth century, the priory was appropriating parish churches, such as Cropthorne in 1350,[327] and the collection of mortuary through the court rolls of Harvington confirms that it had clearly already appropriated the rectory.

As highlighted in Figure 5.5, heriot was rendered consistently throughout the fourteenth century and remained a prominent feature of villein tenure. Indeed, after 1370, the rendering of heriot increases from 2 per decade in the 1360s to 5 in the 1370s and 4 in the 1380s.

[325] Paul Cavill, 'Mortuary Dues in Early Sixteenth-Century England', *Continuity and Change*, 36 (2021), pp. 285–308 (p. 286).
[326] Hilton, *The Decline of Serfdom in Medieval England*, p. 66.
[327] Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', p. 191.

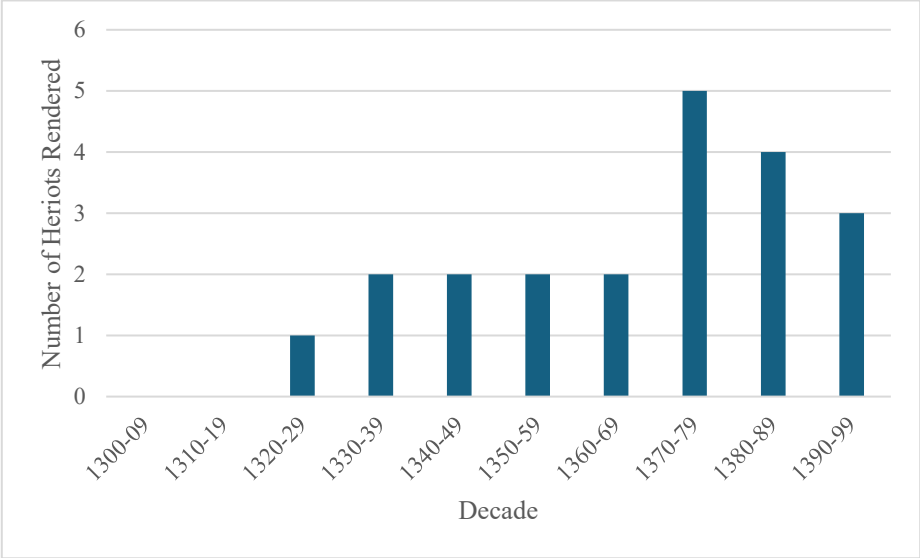

Figure 5.5: Number of Heriots Rendered Per Decade at Harvington, 1300-1399.

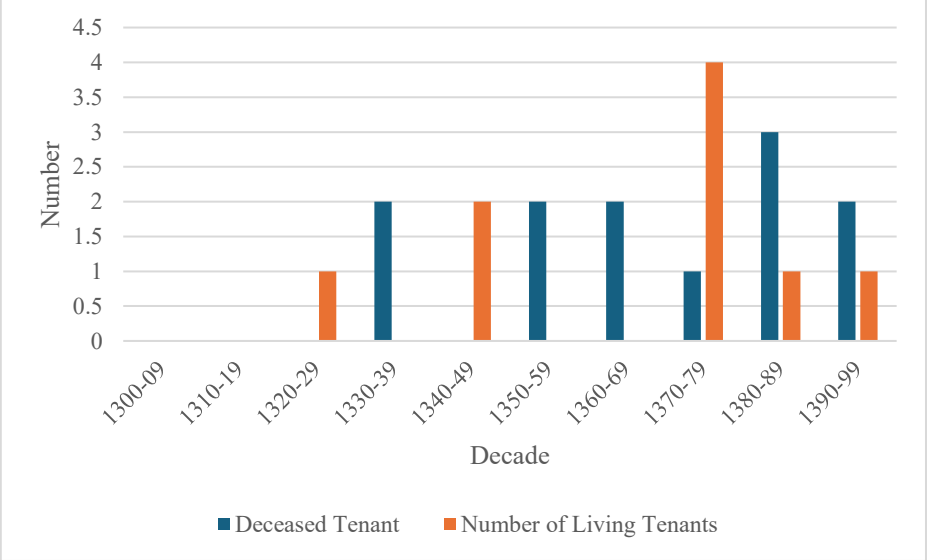

Figure 5.6: Number of Heriots Rendered on Deceased Tenants Versus Living Tenants at Harvington, 1300-1399.

The doubling of the number of heriots per decade in the last three decades of the century is explained by the breakdown in the nature of those heriots. Figure 5.6 shows that the rise was driven by the number paid by living tenants increasing from none in the 1350s and 1360s to four in the 1370s and one each in the 1380s and 1390s. This indicates that more tenants were seeking to relinquish their holdings in the last quarter of the fourteenth century than in the immediate post-plague era, which is indicative of a declining land market. Indeed, many parts of England show

a severe downturn in agricultural profitability in this period and a dip in land values and occupation.[328] This is also suggested by the increase in the number of heriots pardoned. Figure 5.7 shows that the lord had not pardoned any heriots before the 1370s, but then these became a prominent feature in each of the last three decades of the century. The lord recorded his right to collect heriot, but was realistic about the chances of collecting it in some cases. By the 1380s, payments of 'mortuary and principal' are recorded more frequently.

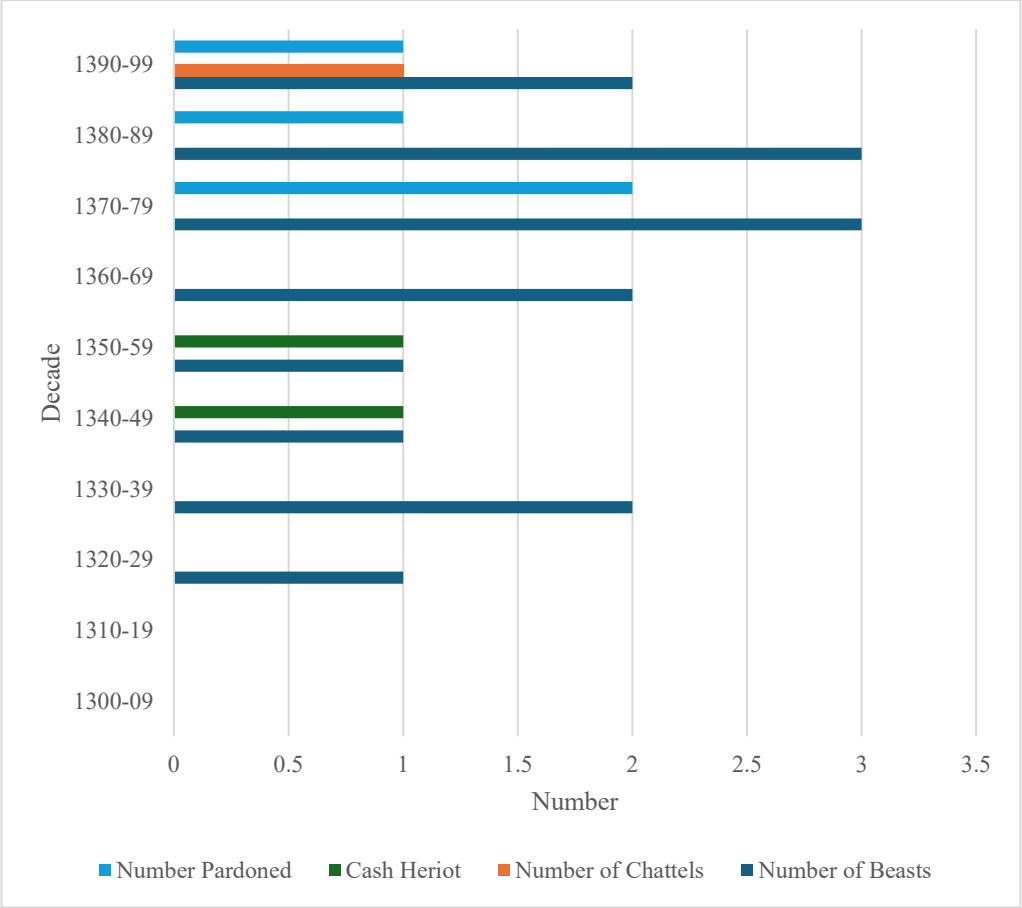

Figure 5.7: Types of Heriot Rendered Per Decade at Harvington, 1300-1399.

As shown in Figure 5.7, the type of heriot rendered during the century slowly changed. Until the 1370s, the most common heriot was that of a beast, then

[328] Bailey, *After the Black Death*, pp. 237-49.

followed by cash payments. Thereafter, not only did the number of pardons increase but cash payments disappeared, and instead, chattels increased in frequency. For example, in 1396 William Mulleward rendered 2 millstones valued at 13s., this was higher than the value of most best beasts, and indeed higher than the value of the cow also given at 6s.8d.[329] The combination of rising pardons and payments of chattels, the decline of cash payments, and the rise in heriots rendered by living tenants in the final quarter of the fourteenth century reveals two things. First, heriot remained an important and prominent feature of villein tenure throughout the period under study. Second, the lord was being forced to make concessions in the management of heriot in the face of mounting difficulties in agriculture: the pardons and chattel payments are indicative of a lack of liquidity.

Merchet

Merchet was not very common at Harvington between 1330 and 1399, when just seven cases are recorded. Figure 5.9 reveals that merchets were concentrated in the 1310s and 1340s, and only three were recorded after the Black Death. It is highly unlikely that there were no servile marriages here in the 1320s and 1330s, so the pattern appears to support the general view that merchet in England was not levied on all liable serfs, but instead was imposed selectively on certain individuals for reasons that are not explained in the documents themselves and are not immediately obvious to the historian.

The three cases from 1310-19 demonstrate the general point that the fines rendered for merchet were variable according to circumstance. In 1315, John, son of

[329] WCL, E38, 11 January 1396.

Geoffrey of Cleeve paid 26s.8d. in instalments to enter villeinage, taking in marriage Alicia Pykes, a widow and neif of the lord.[330] The second case involved Cristine Bodynges, neif of the lord paying 3s. for her marriage licence.[331] The merchet paid by Christine specified that she could marry whoever she wished (*voluerit).* The 10s. paid by Walter le Baxter was described as licence to marry Margery Ingbolde and to take on her land and tenements with the services and customs owed.[332] The two cases from 1340-49 both involved a merchet fine of 2s. The single case from 1350-59 involved a payment of 3s.4d., interestingly a male merchet where Richard Sondolfe paid to marry Felice Sondolfe, a widow. Part of this fine included Richard taking on the tenement and land of Felice.[333] The final cash payment for a merchet was recorded in 1377, when Alice Sondolfde paid 3s.4d. to marry "whoever she wants".[334] In the same court session, what appears to be the same Alice is recorded in a presentment of absence remaining at Dorsington, '*supra terram Abbatis Westmonastrum'.*[335] If this is the same person, Alice had returned to the manor and followed custom by obtaining a licence to marry before departing to lead her new life away from the manor. The final marriage licence in 1396 involved a combination of merchet and the taking of land, and therefore is not included in Figure 5.9, when John Pydle ab Yonge gave a fine to marry Margery Lonede and to hold the tenement for the term of Margery's life in bondage.[336]

[330] HCL, R1162, 27 July 1315.
[331] HCL, R1162, 27 July 1315.
[332] WCL, E8, 3 February 1319.
[333] WCL, E18, 25 October 1357.
[334] WCL, E27, 15 April 1377.
[335] WCL, E27, 15 April 1377.
[336] WCL, E38, 5 July 1396.

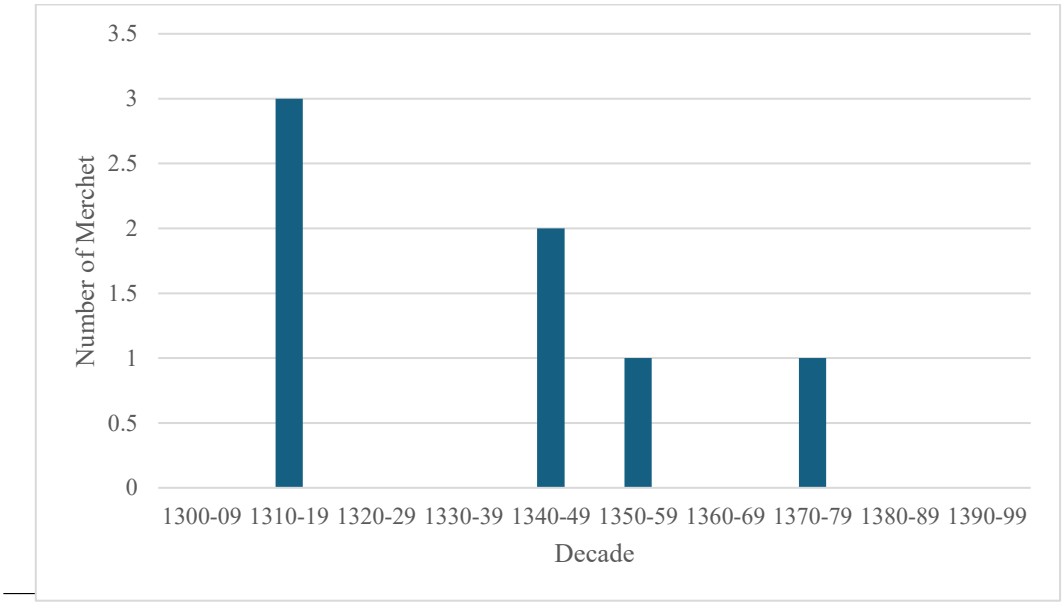

Figure 5.8: Number of Merchet Cases Recorded at Harvington, 1300-1399.

This last example from 1396 exemplifies the challenges in calculating a mean fine for merchet at Harvington, because the sample of merchets is small and some were wrapped up with a payment for an incoming male to marry a servile heiress. Where calculations are possible, the mean was 158d. between 1310 and 1319; 24d. between 1340 and 1349; and 40d. in the 1370s albeit from a single case.

There are three amercements for marrying without licence, in which the serf incurred a fine after the event. Two of these cases occurred in the court session of 4 November 1314, where John le Fisher had allowed the marriage of Agnes le Fisher, possibly his daughter. The second case involved Robert Pope marrying Isabella Durimon.[337] Each instance involved a fine of 2s. The third case, from 1347, involved Emina atte Hulle who paid 2s. for the fine.[338] The consistency of the fine in all three cases is indicative of a fixed rate, and was below the level of a merchet fine. Thus,

[337] WCL, E6, 4 November 1314.
[338] WCL, E15, 31 July 1347.

fines for marriages without licence were not intended as an incentive to obtain a merchet in the first place and were probably charged selectively on the poorer sections of Harvington society. They were not charged after the Black Death.

Overall, merchets were unusual at Harvington. The sums varied, but the mean value in the pre-plague period was higher than the standard rate of 2s. throughout most of the country. Only two 'straight' merchets were charged after the Black Death, the last in 1374, and the last amercement for marrying without licence was in 1347. Additional payments for incomers to marry incoming heiresses were high, judging by the small sample provided here, although these too ceased after the Black Death.

Leyerwite

No leyerwite renders are recorded in the decades 1310-19 and 1320-29 (Figure 5.8). The first unequivocal render occurred in 1337, where Margery Pykes was fined 2s. for being "corrupted", although this was the only such render in that decade.[339] A substantial peak then occurred between 1340-49, when six leyerwite cases are recorded. It is possible that this pattern is indicative of a sudden upturn in cases of immorality in the 1340s in Harvington, although it seems more likely that there was either an upsurge in community *concerns* about immorality or the lord was behind an enforcement wave.

The mean fine for leyerwite at Harvington was 2s., with the lowest case rendering 12d. The average render for leyerwite in many areas of England was 6d.,

[339] WCL, E13, 3 July 1337.

so the level at Harvington was high. No leyerwite cases are recorded after 1347, so this feature of personal servility disappeared with the advent of plague.

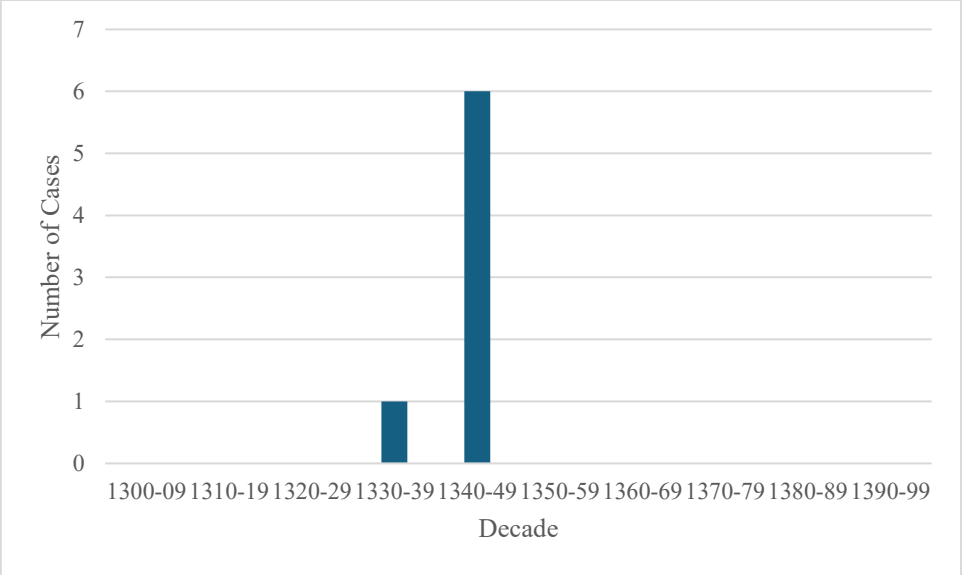

Figure 5.9: Number of Leyerwite Cases on the Manor of Harvington, 1300-1399.

Harvington does offer two particularly interesting cases revealing the language associated with leyerwite, neither of which are included in Figure 5.8. The first case from the court held on 21st May 1315 labelled Cecilia Adyngesm a 'widow and neif of the lord' and a *carnilum conguita* of William Wale. Her land was seized into the lord's hands, though she agreed to pay a 20s. fine split into two instalments to be re-admitted.[340] The second case from the court of 11th February 1342 labelled Agnes le Smyth '*est corrupta'*, for which her land was also forfeit. Soon after, however, Henry Chapmon made a high fine with the lord of 2 marks to marry Agnes and enter her tenancy to hold in bondage.[341] The absence of the word leyerwite is notable in these cases, where more detail about the women's circumstances was also provided,

[340] WCL, E7, 21 May 1315.
[341] WCL, E2, 11 February 1342.

which indicates that the jurors were making a clear distinction between their behaviour and those of the other women whose cases are recorded in Figure 5.8.

The size of the fine for leyerwite, the willingness to seize the land of two females whose living arrangements generated moral concern, and the high fines for males marrying servile heiresses are all striking. In this regard, the priory managed leyerwite more severely than many other English landlords. However, it was not imposed after the Black Death. Since it is unlikely that extramarital sexual activities had suddenly ceased, then we must conclude that the priory was unable to enforce its moral code in the changed social relations of the post-plague world.

Mill Suit and Milling Rights

There are no recorded cases of breach of mill suit on the manor of Harvington, although leases of the demesne mill do contain explicit reference to suit of mill. The priory leased the mill in 1318 to Robert Welles, giving the custody for an annual rent of 30s., though the poor condition of the roll does not allow us to establish the terms.[342] The mill was taken again in 1346 by Richard le Gymonor, son of John Lonede of Harvington, who was granted the mill for the term of his life at 4 marks per annum at the four usual terms. The details of this lease state explicitly that the mill came '*cum secta multura eordem infra manerii suis de Herforton'*.[343] The mill was leased for 30s. in the 1310s, 53s. 4d. in 1347-8, 30s. in 1349-50, 20s. in 1358-9 and 26s. 8d. in 1361-2.[344] Its value had halved over the period of the first two

[342] WCL, E8, October 1318
[343] WCL, E15, 15 October 1346.
[344] WCL, C607, Harvington Reeve Accounts 1347–48; WCL, C692, Harvington Reeve Accounts, 1349-50; WCL, C608, Harvington Reeve Accounts, 1358-59; WCL, C610, Harvington Reeve Accounts, 1361-1362.

plague outbreaks. The mill was again leased in 1379, when John Warwicke the millward was granted the mill for an annual rent of 26s.8d. following the surrender by John Colyns, a transaction which includes no reference to mill suit.[345]

So, there was a demesne mill at Harvington, which remained in use throughout the fourteenth century, but was leased rather than exploited directly. The amount of the rent peaked at 53s. 4d. on the eve of the Black Death, but had halved in value by 1379. The leases contain explicit reference to suit of mill, so it was due from the unfree tenants and perhaps also the free tenants. In this regard, the complete absence of amercements for breaches of suit in the court rolls is striking. Either there was flawless adherence and villeins never failed to mill their corn at the Harvington mill, or the lord did not attempt to enforce it. The balance of probability is that villeins were liable, but mill suit was not enforced in the sense that breaches were not punished.

Presentment for Absence and Chevage

Before the Black Death, there were no recorded presentments for absence or chevage payments at Harvington. As it is unlikely that there was no out-migration at all in this period, then the lord was clearly indifferent to the issue and, by extension, did not restrict or profit from serf mobility.

The first presentments for absence at Harvington occurred in the court held on 1 May 1358, when four individuals are named as remaining outside of the manor. An order was given to the homage to return William Pyrki, who resided at Shurnock, under penalty of 40d. Three other tenants are also listed as making default and

[345] WCL, E29, 6 July 1379.

remaining outside of the manor.[346] There is no evidence that the homage returned William to the manor. After this case, the presentments for absence provide more details about the whereabouts of the migrant, but no more financial penalties are threatened.

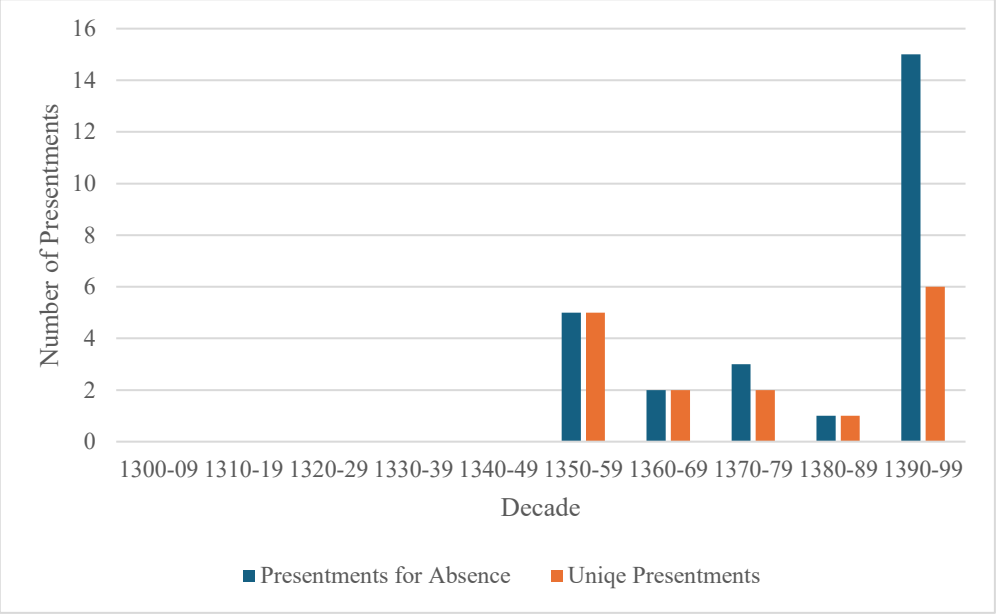

Figure 5.10: Recorded Presentments for Absence Versus Unique Presentments at Harvington, 1390-1399.

Figure 5.10 reveals the difference between repeat presentments of the same person year after year, and the number of unique presentments each decade. It is notable that between the 1360s and 1380s, no more than two hereditary serfs were presented for absence each year. Two appear repeatedly, John Yonge and Richard Eymour, who are mentioned in most court sessions in the 1390s, although neither returned to the manor nor paid chevage. Indeed, the interest in recording the flown serfs appears to have been a bureaucratic exercise in keeping track of flown hereditary serfs, but any efforts to return them were unsuccessful. This is evident from the case of Margery, daughter of William Pallyn. In 1386, Margery was presented as being at

[346] WCL, E18, 2 May 1358.

Abbots Lench (*Habbeslench*), and William was ordered to return Margery before the next court under penalty of 20s.[347] This never materialised as Margery is still recorded as being at Abbots Lench in 1399.[348]

The lack of success in securing the return of serfs is paralleled by the lack of success in generating regular and large sums paid as chevage to license the absences. Indeed, only two payments of chevage are recorded. The first case comes from 1365, when Richard Bele gave 2s. to live away from the manor until Michaelmas.[349] The second case of chevage occurred on the 5th May 1389, when John Yonge paid 6 capons (equivalent to 3s.) to remain outside of the manor until Michaelmas. It is not clear why these two migrants opted to pay, or were somehow compelled to pay, these one-off contributions, although the sums were relatively high.

Table 5.1: Table Showing the Location of Tenants Mentioned in Presentments for Absence and the Distance from Harvington 1350-1399.

Name of Individual	Location	Distance from Harvington (miles)
William Pyrki	Shurnock (*Shirnak)*	8
Agnes Willes	Weston (on Avon)	6.6
Richard Williams	Not stated	--
John Yonge	Wyre Piddle	5.8
Alicia Sondolfe	Dorsington	4.7
John Hankes	Crowle	9.4
John Yonge	Kemerton	10
John son of Robert Yonge	Exhall (*Esbache)*	5
Richard Eymour	Teddington	11.4
Alice Palkyn	Abbots Lench (*Habbeslench*)	3
Margerite, daughter of William Polken	Abbots Lench (*Habbeslench*)	3

[347] WCL, E38, 5 July 1396.
[348] WCL, E40, 9 July 1399.
[349] WCL, E21, 17 February 1365.

Where did the migrants go? As can be seen in Table 5.1, none of the recorded serfs had moved to identifiable destinations further than 12 miles from Harvington. Two migrants went to Crowle and Teddington, both of which were manors held by the priory. Crowle is a manor to the east of Worcester, once held by the bishopric but transferred in 1336 to the priory.[350] Hence, some migrant serfs remained on the priory's estate. All the destinations were rural, with none of the recorded hereditary serfs opting to relocate to urban centres. Four of the eleven recorded migrants (36 per cent) were women, none of whom went to towns and most of whom stayed migrated short distances from the home manor. The gender of hereditary serfs was also not a factor, with none of the recorded individuals migrating to urban locations.

The willingness of some serfs to move to other priory manors is hard to reconcile with the view that post-plague migration was driven by a desire to be free of the burdens of villeinage. Similarly, the absence of any urban destinations is surprising, given the interest among historians in the migration of women to towns in the post-plague era.

Dilapidation and Orders to Repair

After the Black Death, the first recorded instance of tenants receiving amercements for dilapidated buildings appears in a court session from 3 July 1358, in which Richard Bele was amerced 4d. and Richard Eymour 2d. for ruinous houses.[351] In this same court, an order was made to the homage that any tenant holding a tenement or cottage in a ruinous state must repair by the next court, under pain of half a mark. Furthermore, the homage was also ordered to investigate and rebuild any of these

[350] Dyer, 'The Midland Economy and Society, 1314-1348', p. 41.
[351] WCL, E18, 3 July 1358.

ruinous tenements and discover the tenants who owned them.[352] There is no evidence that these heavy penalties for dilapidation were enforced, although thereafter small amercements continued to be recorded and imposed in the court rolls.

Following this sudden interest in dilapidations, the frequency of orders to repair diminished during the 1360s with just a single case in the 1370s. There is no obvious reason why the priory showed little interest in dilapidations in the 1360s and 1370s at Harvington, although Hargreaves attributes it to the success of the initial clampdown in eradicating dilapidations.[353] At Harvington two individual cases of orders to repair appear in 1379 and 1385, attracting minor amercements.[354] In 1389, the court again ordered tenants to repair dilapidations before the next court under penalty of half a mark, with two tenants amerced 6d. and 2d. respectively.[355] The same tenants were amerced 4d. each in the next court, and were again threatened with a half mark penalty.[356]

In the 1390s, these orders continued, and the prior was now prepared to take action in selected cases. For instance, in 1393, the lord threatened the seizure of the tenements of John Reginald over his ruinous sheepfold.[357] In 1395, Michael Shepherde was amerced 1d. for not making repairs to his ruinous houses, after which an order was made for the reeve to distrain his goods until he was satisfied with the repairs.[358] However, at the same court Michael surrendered his holdings of 3 cottages and 2 virgates of demesne land into the hands of the lord, rendering a

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[352] WCL, E18, 3 July 1358.
[353] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', p. 64.
[354] Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', p. 66.
[355] WCL, E34, 25 January 1389.
[356] WCL, E34, 3 March 1389.
[357] WCL, E36, 9 July 1393.
[358] WCL, E38, 20 October 1395.

heriot of 2 cows and 1 bull.[359] During the 1390s, the Priory continued to threaten to impose penalties on tenants, such as Richard Colyns, who was threatened with an amercement of 2s. to repair before the next court in 1398.[360]

Hargreaves notes that orders to repair dilapidated buildings were uncommon at Harvington before 1390, and the incidence of such orders was lower here than on any of the other priory manors in his sample. During the 15 years between 1353 and 1389 in his sample, there was a mean of 0.5 cases per annum, and in 11 of those years no dilapidations were recorded at Harvington. In comparison, the mean annual number of orders to repair was fifteen times greater at Himbleton (6.9) and Shipston Blackwell (6.9), and thirty times greater at Newnham Moor (14.7).[361] The wide range is indicative of the priory responding selectively to a problem which was more severe on some manors than on others, rather than a blanket, estate-wide, reaction.

Licence to Trade and Educate

There are no references in the court sessions of Harvington of the lord providing any villein licence to trade or educate.

Manumission and Disputes Over Personal Servility

[359] WCL, E38, 20 October 1395.
[360] WCL, E39, 1 May 1398.
[361] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', p. 66.

There is only one recorded manumission. In 1314 the daughters of Elio Elmer, namely Amice and Isabella, were granted their freedom although no fine is mentioned.[362]

There are no recorded presentments or fines under the Statute of Labourers.

Conclusion

The management of serfdom on the Worcester Cathedral Priory manor of Harvington presents a mixed picture. In the pre-plague era, entry fines and heriot were routinely imposed, and heriot was due on relinquishing servile land, not just on postmortem surrenders. High fines were charged for incomers marrying servile heiresses. The mean fines for merchet (3s.) and leyerwite (2s.) were higher than the standard fines on other English manors of 2s. and 6d. respectively. In these ways, the burdens of serfdom appear to have been heavy relative to other English manors. In other ways, however, the burdens were lighter than we might have expected for such a powerful monastic lord. The frequency of leyerwite and merchet was low, indicating that not all liable villeins were fined, and there is no evidence before 1349 of any record of—let alone the charging for—servile migration. Other obvious servile renders, such as mill suit, tallage and recognition are not recorded in the court rolls. Furthermore, there are no licences to educate or to pursue a trade. Labour services appear to have been confined to seasonal works, which were often commuted at a fixed rate.

What evidence is there for a 'seigniorial reaction' in the post-plague era? In 1358 the lord clamped down on servile migration and dilapidating buildings, but this policy did not generate much revenue from either chevage or amercements, nor was

[362] WCL, E6, 4 November 1316.

it successful in forcing migrants to return to the manor. Furthermore, the interest in dilapidations receded in the 1360s and 1370s, and in total, there were just two payments for chevage. In all other respects, the incidents of serfdom declined rapidly after the Black Death. The mean fine for merchet fell to 3s.4d. and it disappeared after 1374. Neither leyerwite, nor fines for unlicensed marriages, nor fines for incomers marrying villein heiresses are recorded at all after 1349. There were five courts, including two views of frankpledge in 1347-8, generating 29s. 4d.[363] The evidence from the accounts rolls shows that the court of 1349-50 produced 77s. 11d., reflecting the upheaval and transfer of lands in the plague epidemic, but by 1358-9, only three courts were held and yielded just 8s. 8d. and only 12s. 5d. in 1361-2.[364] The evidence from the accounts is slight, but shows a halving of in court income in the late 1350s and early 1360s. This is not consistent with the lord using the court to hike up revenues through serfdom as part of a seigniorial reaction.

The evidence for the transformation of villein tenure within a dozen years of the first pandemic is unequivocal. In the 1340s, all 30 virgates were on traditional service tenure, but by 1361-2, 80 per cent were on monetary tenures, paying a fixed annual cash rent, entry fine and heriot, but no labour services or other servile dues. These were prototype copyholds by inheritance. Furthermore, the mean level of entry fines for messuages and virgates fell by 60 per cent between the 1340s and 1360s, and the mean in the 1380s was merely two per cent of the pre-plague mean. By the end of the century, the size of entry fines was nominal, and they were mainly paid in poultry rather than cash. Heriots continued to be charged throughout the century, although by the final quarter, the tendency to waive heriot and to accept

[363] WCL, C607, Harvington Reeve Accounts, 1347-48.
[364] WCL, C692, Harvington Reeve Account, 1349-50; WCL, C608, Harvington Reeve Account, 1358-59; WCL C610, Harvington Reeve Account, 1361-62.

renders in kind rather than cash is indicative of difficulties of liquidity. When coupled with the renewed interest in dilapidations, it is evident that in the 1380s and 1390s there was a significant downturn in the agrarian economy of Harvington. Thus, there is no evidence for a sustained seigniorial reaction on the manor in the generation after the Black Death, and many of the main facets of serfdom diminished sharply after 1349.

6 Cropthorne with Charlton, and Netherton

The Manor

Cropthorne, with its sub-manor of Charlton, are situated on a plateau above the River Avon, three miles due west of Evesham. The manor of Netherton lies to the south, between Cropthorne and the earl of Warwick's manor of Elmley Castle. The three manors were all held by the cellarer of Worcester priory. Cropthorne and Netherton were managed separately according to the cellarer's centralised accounts, although throughout most of the fourteenth century they, together with Charlton were covered by one court. There are no manorial accounts or surveys, so it is impossible to know more about the size and structure of the manors.

There are 124 surviving court sessions spanning the period 1310–1399. Usually, the business of the court was organised manor by manor, with the name of the manor inserted in the margin of the roll. Occasionally, the court does not identify which section of its business pertains to which manor, so the business is not differentiated, although familiarity with surnames and locations enables the researcher to identify which manor was being referred to. Towards the end of the fourteenth century, some court sessions for Netherton were held separately and, in some rare cases in the 1390s, were a combined with those for Sedgeberrow.

Villein Tenure

The absence of account rolls and extents means we have few insights into the structure and nature of villein tenure at either Cropthorne or Netherton. As on other

manors of Worcester priory, the main holding was a messuage and virgate, and these continued to be held largely intact in the early fourteenth century. The standardised holdings certainly owed the main servile dues of labour services, tallage, entry fine, liability for manorial office, heriot and merchet, but it is not possible to know how heavily burdened they were with labour services. There was some temporary subletting of some of this land in the pre-plague era. For example, in 1321, Henry atte More, was given licence from the lord for John Rogers to cultivate his land for six years. No entry fine, or annual rent is mentioned, but services and customs were owed.[365]

In addition, there were numerous cottages and irregular smallholdings of indeterminate size. In 1314, Agnes Purs was amerced 4d. for having cottars without licence, while Alice le Reve was amerced 12d. for holding 3 cottars without licence.[366] A case in 1315 involved Nicolas Boyst and Agnes Steppe receiving each a cottar for which they were amerced 2d., while William Pers had two cottars for which he was amerced 4d. and William le Mortimer, Richard le Smyth and Hugo Evie all held one cottar each, receiving an amercement of 4d.[367] The incidence of references to sub-tenancies was greater during the period of high population pressure, and especially during the period of the Great Famine, and references to these cease after the Black Death.

In the pre-plague era, virtually all the villein land on both manors was occupied, and entry fines were relatively high (see below), which is indicative of strong demand for land. Serfs could, and did occasionally, acquire free land, but required the lord's permission to do so. In January 1341, Walter Pors, neif of the

[365] WCL, E9, 10 February 1321.
[366] WCL, E7, 15 November 1314.
[367] HCL, R1162, 8 July 1316.

lord, obtained reversion of a tenement to hold freely, for the life of himself and his mother.[368] The court rolls reveal that at this time servile land was held overwhelmingly on hereditary villein service tenure, because the wording of the conveyance usually comprised minor variations on 'held in bondage for services and customs according to the custom of the manor'. Tables 6.1 and 6.2 detail the payments of money from rents actually received by the priory from the reeves of Cropthorne and Netherton in three selected years, one each immediately before and after the Black Death, and one from 1380-1. The payments from 1345-6 document the payment of the rents of assize and confirm that labour services were owed—although some were being commuted—and tallage was also liable from hereditary villein service tenure.

In the post-plague era, the value of servile land fell rapidly and severely, as evidenced by the collapse in the value of entry fines on the standardised holdings (see below). In the 1350s, the priory had difficulty filling all of the holdings, which is strongly evident in the fall in rental income documented in tables 6.1 and 6.2. The combined rental income from Cropthorne declined from £20 15s. 6½d. in 1345-46 to £14 6s. in 1357-8, a fall of over 30 per cent. The problem was even worse at Netherton, declining from £5 1s. 7d. to 60s.8d, a fall closer to 40 per cent. This was primarily a reflection of the existence of some unoccupied holdings nearly ten years after plague had first struck.

[368] WCL, E1, 22 January 1341.

Table 6.1:Payments of Cash from Rents by the Reeve of Cropthorne to Worcester Cathedral Priory, as Recorded in the Cellarer's Centralised Account Rolls.

	Feast Date				Tallage
Year	St Andrew	Annunciation	St John the Baptist	Michaelmas	
1345-46	£4 0s. 11½d.	£4 3s.10d.	£4 8s. 0d.	£8 3s. 7d. including tallage and sale of works.	Included in Michaelmas payment of rent
1357-8	74s.	70s.	49s.	75s.	18s. at Michaelmas
1380-81	£15	Included with St Andrew.	£6 10s. 2d.	£10 1s. 4d.	No mention

Sources: WCL, C60, Cellarer Accounts, 1345-46; C64, Cellarer Account, 1357-58; C70, Cellarer Account, 1381-82.

Table 6.2: Payments of Cash Rents from the Reeve of Netherton to Worcester Cathedral Priory, as Recorded in the Cellarer's Centralised Account Rolls.

	Feast Date				Tallage
Year	St Andrew	Annunciation	St John the Baptist	Michaelmas	
1345-46	--	20s.	19s.6d.	62s.1d. including tallage and sale of works.	Included in Michaelmas payment of rent
1357-8	14s.	--	--	53s.4d. including tallage	Included in Michaelmas payment of rent
1380-81	All four terms, £7 7s. 3d.	--	--	--	No mention

Sources: WCL C60, C64, and C70.

The contrast in the level of rental income actually paid to the priory in 1357-58 and in 1380-81 is stark. At Cropthorne cash rents now generated a total of £31 11s.4d., and £7 7s.3d. at Netherton, which are both even higher than the sums received in the mid-1340s. As with the other priory manors, the explanation lies in the widespread

conversion of servile land from service to monetary tenures, not in a seigniorial reaction. Unfortunately, we cannot document this precisely in the same way as is possible for Sedgeberrow and Harvington, because there are no works accounts at Cropthorne to document the swing explicitly between specific dates. There can be no doubt that this is the explanation, however, because, as tables 6.1 and 6.2 show, both sales of works and tallage disappear from the accounts, which are the key indicators of conversions to monetary tenures, albeit in return for a higher annual (but fixed) head rent.

The shift to monetary tenures is abundantly clear in the court rolls. From the 1360s, transfers are increasingly for an annual cash rent, and the old phrase used in service tenancies 'for services and customs' had now been replaced in the conveyance with 'rendering annually at four terms Xs.' For example, in the court held on 22 January 1375, one tenant acquired a cottage and two acres of land for 3s. 8d. per annum—and no mention of any other services or form of rent—on a hereditary monetary tenure, and also the lord granted to Roger Pors one messuage and one virgate for a fixed rent of 14s. per annum, plus another half virgate paying 5s. per annum, for the term of his life.[369] The grant of copies of the terms of the tenancy for servile land was also more commonly recorded in the 1390s. In 1398, William Andrews, after the death of Lucy Andrews, came and took his mother's land *"postea monstra copiam"*.[370] This reinforces the likelihood that these monetary tenures were prototype copyholds for lives and by inheritance. The court rolls also confirm that by the last two decades of the century the land market was severely depressed. Many court sessions from the 1380s and 1390s contain lists of all the villein land remaining in the hands of the lord.

[369] WCL, E26, 22 January 1375.
[370] WCL, E39, 2 May 1398.

The shift to monetary tenure was clearly an attempt to make villein land more attractive to tenants, but this did not guarantee full tenancy. Dyer states that in 1361 the priory ordered one serf to take on a vacant holding at Cropthorne.[371] Indeed, David Anty was declared to be capable of taking on more land than he held, under penalty of 20s., whereupon he acquired an additional half virgate of land. This is the only instance of forced holding of land recorded in these court rolls.

The evidence from the 1380-1 cellarer's roll, supplemented by the evidence of land transfers in the court rolls, indicates that in the 1340s the vast majority of villein land at both Cropthorne and Netherton was held on hereditary service tenure. In the 1350s, this was still the dominant form of tenure, although the slump in rental income reflects the difficulties of finding tenants in the decade after the Black Death. During the 1360s and 1370s, the priory converted the majority of villein land to monetary tenures, although grants were a mixture of hereditary and for lives. This had the effect of increasing cash revenues from head rents, albeit weighed against the loss of labour services, tallage and liability for manorial office. Cropthorne and Netherton provide two more examples of significant tenurial change on the Worcester priory estate in the third quarter of the fourteenth century, set against the backdrop of a severe fall in the value of land. This confounds Dyer's suggestion that the shift to monetary tenures was delayed until as late as 1400.[372]

Tallage

[371] Christopher Dyer, *From Slavery to Freedom: How Worcestershire People Gained Their Liberty 1000–1600*, Worcestershire Historical Society Occasional Publications, 15 (Worcestershire Historical Society, 2024), p. 19. Citing E20.
[372] Dyer, *From Slavery to Freedom: How Worcestershire People Gained Their Liberty 1000–1600*, p. 26.

The evidence for tallage is very limited and confined to the information contained within tables 1.1 and 1.2. Tallage was clearly charged annually on villein service tenancies, although the total sum and the rate per virgate cannot be known. The implication of the fall in rental income in the 1350s is that the amount of tallage actually paid also fell, just 18s. at Cropthorne in 1358. By 1380, it had disappeared with the shift to monetary tenures.

Entry Fines

The servile land market was relatively active at Cropthorne and Netherton, although most transactions were of non-standardised holdings, usually involving cottages or parcels of land of undisclosed size. Consequently, extracting entry fines per standardised unit area is difficult. There are scant references to transfers of stated acres of arable land, without attached cottages or enclosures, so it is not possible to generate reliable data for entry fines per acre based on large samples. The thin evidence we do have is indicative of a modest rate per acre in the pre-Black Death period. In April 1331, Matilda daughter of William Gilot was granted one acre of land at Brecfurlong for a 12d. entry fine, while in the same court John Carles entered into 4 acres of demesne land for 60d., roughly 15d. an acre.[373] This is close to the 12d. per acre which Dyer has shown was typical of parts of the West Midlands in this period, and well below the 40d. per acre attained in parts of Somerset and East Anglia.[374] This is indicative of a rather subdued demand for land. The rate per acre also fell sharply after the Black Death. In 1358, no entry fine was charged for 4 acres of land taken by John Stoire or for 3 acres acquired by Margery le Reve, while

[373] WCL, E11, 22 April 1331.
[374] Christopher Dyer, 'Seigniorial Profits on the Landmarket in Late Medieval England', in *Le marché de la terre au Moyen Âge*, ed. by Laurent Feller and Chris Wickham, Collection de l'Ecole française de Rome, 350 (École française de Rome, 2005), pp. 219–36 (p. 229). Specifically Figure 2.

Geoffrey Blake acquired 8 acres of land for an entry fine of 6 chickens (roughly 24d., so 3d. per acre).[375]

There is sufficient information about the entry fines for messuages and virgates (30 acres) to calculate changes over time. In each decade in the pre-plague period, the level of fine varied according to circumstance, but overall was relatively high. For example, we see entry fines such as six marks (80s.) paid by Matilda daughter of John Rogers in 1325.[376] In 1337, Edith, daughter of Margaret and Reginald in the More paid 100s. to enter the standardised holding.[377] In 1341, Peterson of Basil Longe paid the lord 7 marks to enter into a messuage with one and a half virgates.[378] One outlier is the low entry of just 40d. paid by Simon, son of Simon Stoyl, for entry into one messuage and half virgate.[379] For all the variety in level—and the reasons are never stated—Figure 1 shows the average entry fine for the four decades before the Black Death was around 54s.

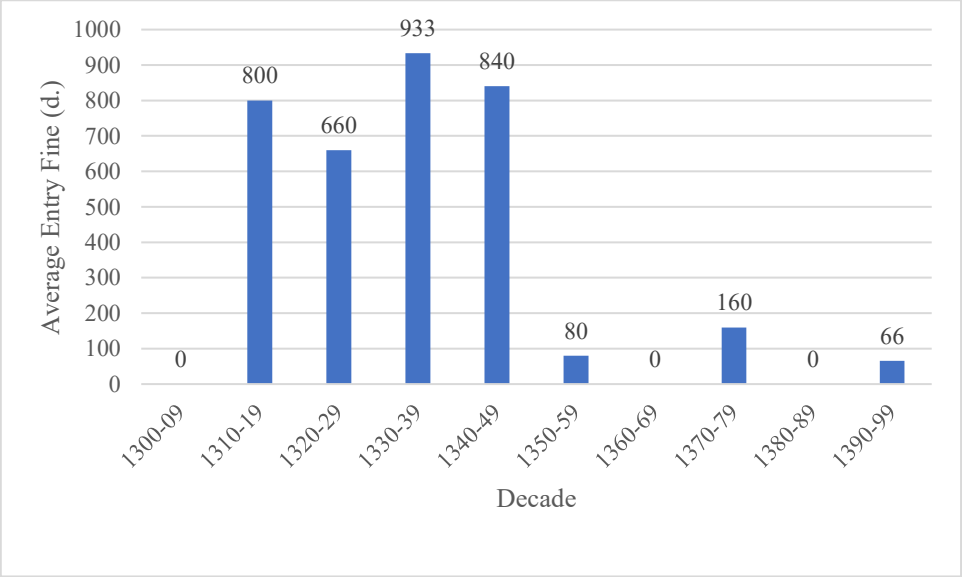

Figure 6.1: Average Entry Fine Value Paid in Cash for a Messuage and Virgate at Cropthorne and Netherton, 1300–1399. (d.)

[375] WCL, E18, 4 July 1358.
[376] WCL, E10, 4 November 1325.
[377] WCL, E13, 19 May 1337.
[378] WCL, E1, 12 May 1341.
[379] WCL, E14, 16 May 1343.

Figure 6.1 also conveys graphically the immediate impact of the Black Death on the local land market, because the level of entry fine on a messuage and virgate of land collapsed. Some fines were simply waived in the 1350s. In 1352, John Carles gave no entry fine for entry into a messuage and half virgate.[380] In other cases, the lord was able to extract a cash fine, but at vastly reduced rates. In May 1358 John le Carter entered for 20s. into a messuage and virgate of neif land.[381] The mean cash fine for a messuage and virgate in the 1350s was barely 10 per cent of the pre-plague mean. The trend on other priory manors to accept poultry in lieu of cash entry fines after the Black Death was less prominent here: the first was in July 1358, when Nicholas Bateman son of William Bateman entered into one messuage and a virgate in the sub manor of Charlton for 6 chickens (roughly 24d.), but there were only four other such examples for the rest of the century.[382]

In the 1360s, there were no cash entry fines paid for this standardised unit of land. Two of the three such transfers in this decade incurred no entry fine, while Walter Steppe took a messuage and virgate in Charlton for 2 capons (c.12d.).[383] There was some recovery in the 1370s, when cash entry fines rose. For instance, Christina Bele paid 40s. entry for a messuage and virgate.[384] In contrast, Agnes wife of John Shepherd paid 40d. to enter a messuage and virgate where she undertook to "bear the burden without a husband".[385] In 1378, John More paid 26s.8d. for a messuage and virgate.[386] Yet the mean level of entry fine in the 1370s was 13s., which is merely one quarter of the level of the pre-plague era. The lord was making

[380] WCL, E17, 17 October 1352.
[381] WCL, E18, 3 May 1358.
[382] WCL, E18, 4 July 1358.
[383] WCL, E22 14 January 1368.
[384] WCL, E25, 6 October 1373.
[385] WCL, E26, 22 January 1375.
[386] WCL, E28, 4 March 1378.

significant concessions on a key component of villein tenure. Another manifestation of this is the priory's willingness to accept the payment of an entry fine combined with a heriot: in 1378, John Stoyl paid 14s.4d. for both his heriot and entry fine on a messuage and one-and-a-half virgates.[387]

The modest recovery in the level of entry fines in the 1370s was not sustained, because Figure 6.1 shows how it declined again in the 1380s and 1390s. The number of transfers was low—only two messuages and virgates were transferred in the 1380s—but the downward trend is indisputable. Thomas Sheperde entered his holding in January 1380, giving 2 capons for the tenement formerly of Walter Jankynes.[388] In 1387, John Herde gave 2 capons, for the tenement formerly Chapmon.[389] The low number of transfers across 18 court sessions in this decade is also suggestive of a slowing of the land market. In the 1390s, the value of cash entry fines was just 10 per cent of the pre-plague level: the highest payment being 10s.[390]

Entry fines for messuages and virgates were relatively high before the Black Death, reflecting the high demand for land. The rate per acre was low by national standards, but comparable to the rate found throughout the West Midlands. The mean rate of cash fines collapsed in the 1350s—barely 10 per cent of the pre-plague average—and renders in poultry rather than cash became more common. A minor revival in the rate in the 1370s was not sustained. The Black Death triggered an immediate collapse in entry fines, and by extension the villein land market, at Cropthorne and Netherton.

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[387] WCL, E28, 7 January 1378.
[388] WCL, E30, 11 January 1380.
[389] WCL, E33, 2 May 1387.
[390] WCL, E35, 3 March 1390; WLC, E35, 28 January 1390.

Heriot

Between 1330 and 1399 the heriot was consistently rendered on the manors of Cropthorne and Netherton whenever villein land was surrendered.

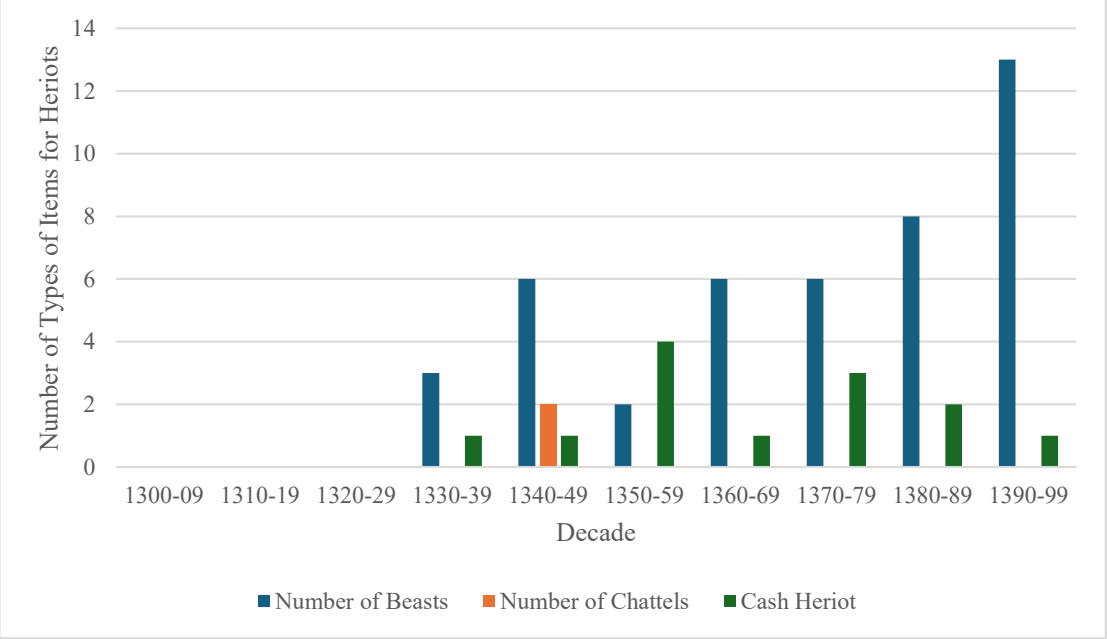

Figure 6.2: Graph Showing the Type of Heriot Rendered at Cropthorne and Netherton, 1300–1399.

Figure 6.2 confirms that the best beast of the outgoing tenant was the main render as heriot throughout the fourteenth century. The ox was the main beast, and accounted for 23 out of 60 heriots (38 per cent), in some cases this was multiple oxen for one heriot. For instance, in April 1347, upon his death, Stephen le Smyth's estate rendered 2 oxen for his messuage and virgate with 1 noke of land.[391] Another case from a Netherton court of June 1358 is both an example of a deathbed transfer (*modo diem clausum extremit cuius mortem*) and giving multiple beasts for heriot. John le Reve gave 12d. for a cottage with curtilage in the demesne orchard. John also held 1 messuage and half of 1 virgate of neif land, 1 other messuage containing

[391] WCL, E15, 19 April 1347.

4 acres of land and 2 crofts formerly Cameslond for which he gave 2 oxen and 1 cow for heriot.[392]

Only two chattels were paid as heriot, both in the 1340s (Figure 6.2). Margery Alvart rendered a pot when surrendering one messuage and a half virgate, and John Frankes of Netherton rendered a tunic.[393] From the 1350s cash heriots became more common. In that decade three of the six heriots received were cash, although the levels varied. The surrender of 1 cottage, croft and land by Richard le Hayward in October 1352 saw a heriot of 2s., while on the death of Robert le Carter in January 1353, the lord only had 12d. for a cottage and 3 selions of land.[394] In contrast, in 1358/59 (date unknown due to the condition of the court roll) William Gylot paid 13s. 4d. when surrendering one cottage and 2 acres of neif land.[395] The only other time a mark was given for heriot was by Margaret le Vrenche in 1337 for 4 acres of land.[396]

The priory did not routinely pardon heriots, even in the post plague era, as shown in figure 6.3.

[392] WCL, E18, 25 June 1385.
[393] WCL, E14, 2 November 1342; WCL, E14, 16 May 1343.
[394] WCL, E17, 17 October 1352; E17 22 January 1353.
[395] WCL, E19, 1358/1359. [Condition of court roll poor, dating taken from Muniment List, names of tenants linked to the manor].
[396] WCL, E13, 20 January 1337.

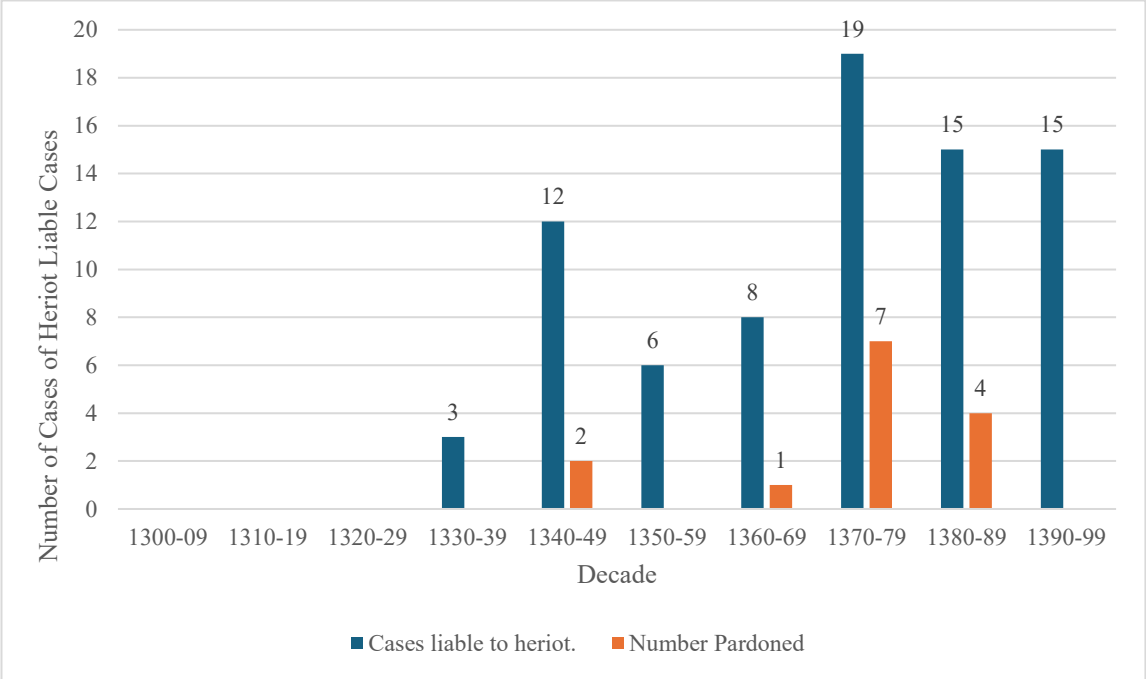

Figure 6.3: Number of Heriots Pardoned Against Overall Number of Cases Liable to Heriot at Cropthorne and Netherton, 1300-1399.

All of the pardoned heriots came with the descriptor that the tenant was either infirm or 'had nothing', implying poverty. Most of these pardons were for tenants with small holdings, such as Matilda Anty, who held 1 cottage, or Margaret Gylle, who held 1 cottage and 12 acres.[397] From the 1370s, larger landholders began to receive pardons for their heriots, which must reflect the difficulties in making a living in arable farming once grain prices had fallen in the middle of that decade.[398] For instance, in 1378 John Walishe was pardoned his heriot when relinquishing one messuage and one and a half virgates because "he had nothing", and in the same court John Stoyl was also pardoned when transferring one messuage and half virgate.[399] The decision whether to pardon the heriot or not appears to have been made on the grounds of the tenant's goods rather than their physical capacity, if one remarkable case from 1385 is typical. John Roo surrendered 1 messuage and 1 virgate of land "because of dismemberment [*propter dememberatum*]" evidently

[397] WCL, E26, 22 January 1375; WCL, E27, 6 March 1376.
[398] Summarised in Bailey, *After the Black Death*, pp. 234-44.
[399] WCL, E28, 7 January 1378.

meaning that John has lost a limb and therefore gave a heriot of 1 brown cow.[400] The upward trend in the pardoning of heriots across the century is indicative of a deteriorating land market.

The payment of post-mortem heriots was also interlinked at Cropthorne with the payment of mortuary, because, as stated above, the priory had appropriated the parish church in 1350, and so as rector, was eligible for a mortuary payment.[401] These were increasingly recorded in the manor court rolls, as shown in Figure 6.3.

Table 6.3: Mortuary Rendered at Cropthorne Between 1300–1399.

Decade	Mortuary Rendered
1300–1369	--
1370-79	5
1380-89	4
1390-99	17

The payment of mortuary appears to have taken precedence on those occasions when the deceased tenant had few possessions. For instance, when Alice Visshare died in 1378, the scribe crossed out 12d. for heriot, noting 'nothing' above, and her estate gave 1 cow for mortuary.[402] In the same court, Edith Gefreyes gave no heriot, but 1 ox for mortuary.[403] However, by 1390, the mortuary was being rendered so consistently that, in many cases, it had come to replace the heriot. Ten cases from the 1390s involved just the rendering of mortuary. For instance, on the death of John Whytyng in 1393, the priory had an ox for mortuary, while in July 1393 on the death of Joanne Dodere the priory had for mortuary 9s:[404] The payment of cash as mortuary was also on the rise. For some reason, another eight cases during the 1390s

[400] WCL, E35, 5 October 1385.
[401] Hargreaves, 'Change in Relationships', p. 191.
[402] WCL, E28, 4 March 1378.
[403] WCL, E28, 4 March 1378.
[404] WCL, E36, 16 January 1393; E36 23 July 1393.

involved the rendering of both a heriot and a mortuary, rather than just one or the other. In these cases, the priory was extracting a larger amount from the tenants of Cropthorne after the appropriation of the parish church in 1350, a clear, but unusual, case of increased extraction in the post-plague period.

Mill Suit and Milling Rights

There were unquestionably two functioning demesne mills, probably covering both manors. In 1343, the court records the lease of both a watermill and windmill to Nicholas Miller of Elmley for the term of his life, for which he paid annually to the lord 4 quarts of corn and gave 2s. as an entry fine. The lease includes a reference to "those who ought to grind there", which clearly refers to the existence of suit of mill.[405] Indeed, in 1347 the priory reminded the people of Netherton that "the tithingmen and tenants must only mill at the mill of the lord".[406] Likewise, in 1337, the vill of Cropthrone and Charlton, and the vill of Netherton, were amerced for failure to grind at the lord's mill, 5s. and 2s respectively.[407] This reference indicates that the priory enjoyed suit over the territories of the vill, which potentially included free tenants.

In 1368, the court ordered that each tenant of the lord is to grind at the lord's mill of Sedgeberrow as per the custom, under penalty of 40d. each.[408] This statement—together with the absence of any further enrolled leases of the local mill after the 1340s—indicates that the two mills at Cropthorne and Netherton had fallen into disuse in the 1350s and the priory had switched its right of mill suit to nearby

[405] WCL, E14, 16 May 1343.
[406] WCL, E15, 1 August 1347.
[407] WCL, E13, 19 May 1337.
[408] WCL, E22, 27 April 1368.

Sedgeberrow. This must explain why the lord made the appeal to custom, although it is also significant that the priory did not—or could not—enforce its will on the tenants under common law villeinage. The tenants were uncooperative, however, because in February 1370 eight tenants were amerced 2d. each for not milling at the lord's mill at Sedgeberrow.[409] This is the last amercement relating to mill suit. The absence of many cases of breaching mill suit in the court, even though the lord clearly claimed the right of mill suit, is indicative of lax enforcement for much of the century.

Merchet

Merchet was paid at Cropthorne and Netherton throughout the fourteenth century, as table 6.4 reveals. At Cropthorne this usually meant the payee was stated 'to be free forever', whereas at Netherton it was more often stated that the payee could marry whoever or wherever they wished.[410] Merchet was not, however, especially frequent, with a grand total of eleven cases between 1314 and 1399. Furthermore, there is only one recorded fine for marrying without licence, when 2s. was paid in 1353 (the standard rate for merchet in the West Midlands) and just two presentments for doing so: for example, in 1353 Felicia Jankeyn had married at 'Newneton' without licence, therefore the court ordered her to be attached by body:[411] there is no evidence any action was ever taken against her. The relative infrequency of merchet and unlicensed marriages—especially given the prevalence of villeinage on the manor—is strongly indicative of merchet being enforced selectively rather than on every female serf or landholder who was potentially liable.

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[409] WCL, E24, 7 February 1370.
[410] Dyer, *From Slavery to Freedom*, p. 26.
[411] WCL, E17 12 July 1353.

Nine of the eleven cases involved women obtaining a licence to marry, usually "wherever and whoever they wished," which conveys the sense of freedom from personal servility obtained by those paying merchet. Only two cases involved men, both of whom paid above the going rate. In 1314, John Lest paid 3s. to marry Alice Pors, a neif of the lord and in 1331 Richard de Hallowe gave 2 marks to marry Lucy Patis.[412]

Table 6.4: Merchet Cases Recorded Between 1300–1399 at Cropthorne and Netherton, Showing the Fine in Shillings (s.) and Pence (d.)

Name	Date	Fine	Fine (d.)
John Lest	15 November 1314	3s.	36
Sarre le Palmer	10 February 1321	2s.	24
Agnes daughter of Lucy Nichols	1321	12d.	12
Richard de Hallowe	27 June 1331	2 marks	320
Agnes atte Halle	20 January 1337	18d.	18
Emma le Blake	16 May 1343	2s.	24
Agnes Chapmon	12 July 1353	40d.	40
Agnes Byrd	22 January 1375	6s.8d.	80
Isabel daughter of John Coldeton	6 October 1384	6s.8d.	80
John Malle	22 January 1387	2 capons	
Matilda Anty	6 May 1389	6s.8d.	80
Agnes daughter of Walter Bele	22 April 1399	6s.8d.	80

Table 6.4 records all unequivocal examples of merchet. Most merchets were paid directly by the women wishing to marry. However, occasionally a male paid for the marriage licence while also paying to enter villein land with the marriage. One of the earliest examples of this involved Stephen le French of Netherton marrying Margery, widow of Reginald Miller, for which Stephen gave 26s.8d.[413] Furthermore, William in the Lone paid 4 marks to marry Edith daughter of Reginald in the More and enter into one messuage and half virgate.[414] These are all pre-plague examples, when demand for land was high. The only possible post-plague example

[412] WCL, E7, 15 November 1314; WCL, E11, 27 June 1331.
[413] WCL, E3, 22 October 1323.
[414] WCL, E13, 29 December 1337.

occurred in 1387, when John Malle paid two capons to marry Alice, widow of John Paty, who was left with 2 messuages and 2 virgates of land after her husband's death.[415]

The rise in the mean level of fine for merchet after 1350 is striking: the mean was 20d. before the Black Death and 72d. after, with a fine of 6s. 8d. becoming standardised towards the end of the century. This is a clear example of a higher level of extraction in the post-plague period, which must have been especially irksome to those subject to it, and a strand of evidence in support of a seigniorial reaction. Some of these women left the manor for good. For instance, Matilda Anty, who had been listed and recorded as flown hereditary serf, in 1389 paid 6s.8d. to marry wherever and whoever she wished.[416]

Leyerwite

Leyerwite was not common at either Cropthorne or Netherton. Only five cases are recorded during the entire fourteenth century. The first case occurred in 1321, when Edith Rous was found to be 'corrupted' and fined 2s. The fine of 2s. was the standard fine, the only exception being the 12d. fine on Leticia Alvard in 1326 (table 6.5). The last case was recorded in 1353.[417]

[415] WCL, E33, 24 January 1387.
[416] WCL, E34, 6 May 1389.
[417] WCL, E17, 12 July 1353.

Table 6.5: Number of Leyerwite Cases and Their Mean Value Recorded per Decade at Cropthorne and Netherton, 1300–1399.

Decade	Number of Leyerwite Cases Recorded.	Mean Value (d.)
1310-19	--	--
1320-29	2	18
1330-39	1	24
1340-49	2	24
1350-59	1	24
1360-1399	--	--

Two additional cases are worth noting. In 1337, the court noted that Lucy atte Halle had been found guilty in a previous court of *corruption* (the court has not survived) and was subsequently fined another 12d. for the combination of "being corrupt and marrying without a licence" (and therefore is not included in the table above).[418] In 1326 Walter Jankynes, widower, had taken a "lover" against the custom of the manor and was fined one mark for the transgression.[419] Although not strictly leyerwites, these two cases show that the court was willing to intervene in matters of sexual morality. As Dyer correctly states, the conception of 'corruption' conveyed a sense of morality as well as a breach of the custom that co-habiting couples should be married.[420]

Presentments for Absence/Flown Hereditary Serfs

There are no references to flown serfs in the pre-plague courts and no payments of chevage. However, there is evidence of outsiders being recorded and, in some cases, being charged for entering into the manor, presumably after acquiring villein land through marriage or purchase. For instance, in 1347, Robert Paty gave the lord 40d. to dwell within the sub manor of Charlton, which included the requirement to pay

[418] WCL, E13, 29 December 1337.
[419] WCL, E10, 19 June 1326.
[420] Dyer, *From Slavery to Freedom: How Worcestershire People Gained Their Liberty 1000–1600*, p. 21.

headtax at the Hokeday hundred court like the other serfs of the lord.[421] The court was also alert to the presence of troublemakers. Juliana Griffens repeatedly appeared in the court rolls as committing transgressions throughout the manor, which came to a head in 1337 when John le Carter was fined 2s. for harbouring Juliana after she had been prohibited from residing on the manor.[422]

The first recorded cases of emigrant serfs occurred in 1353, when in the court of 22 January, four individuals were presented for absence and their location listed (first four individuals in Table 6.6). The court ordered the tithingmen and reeve to produce them in person at the next court under penalty of 40d.[423] The following court, held in April, instructed that one of the four, William Janie, was to be available 'at the service of the lord wherever he wishes" and the whole homage was placed under a penalty of 100s. if they failed to present him in person on the Monday after 1st August.[424] A similar order to capture a flown serf physically was issued in July 1353, when Juliana Jankynes was noted as being at Hampton, an Evesham abbey manor. In the same court, Felicity Jankeyn had married at 'Newneton', possibly near Rugby.[425] There is no evidence that these individuals were returned or that the high penalties were levied, so the lord's bark was worse than his bite. Indeed, none of the four identified in the 1350s was mentioned again.

Table 6.6 shows that this initial interest in flown serfs did not presage a major clampdown on servile emigrants, because just four individuals were presented in the whole of the 1360s and four in the 1370s. This is despite the fact that the court made periodic orders for the names of flown serfs to be presented.[426] The lord's

[421] WCL, E15, 1 August 1347.
[422] WCL, E13, 29 December 1337.
[423] WCL, E17, 22 January 1353.
[424] WCL, E17, 23 April 1353.
[425] WCL, E17, 12 July 1353.
[426] See, for example, the order in WCL, E25, 20 January 1374.

sensitivity to out migration of serfs was heightened by the difficulties in finding tenants. For example, a cottage and 4 acres once held by John Shepherde lay in the lord's hands because John was away from the manor, having avoided paying heriot after "slipping away in the night"; no location is given.[427] The four individuals recorded in the 1360s are all different to those mentioned in the 1350s. One of them, Reginald Top, was probably the Reginald Taylour who featured throughout the 1370s as being at Evesham, because in the 1380s Reginald Toppe reappeared—still in Evesham—and finally in 1392 Reginal Toppe is noted to be a 'tailor'.[428]

Table 6.6: Presentments for Absence at Cropthorne and Netherton 1300 to 1399.

Decade	Number of Unique Presentments	Total number of presentments (cumulative)
1300–1349	--	--
1350–1359	5	5
1360–1369	4	6
1370–1379	4	13
1380–1389	12	62
1390–1399	2	184

By the early 1370s, the priory was also seeking to keep track of the progeny of flown serfs wherever possible, in order to maintain a written record of their servility for possible future use. For example, in 1372, John Betrich was living at Barton near Temple Guiting (Gloucestershire), and the court noted that his two sons, Robert and John, were with him and were hereditary serfs.[429] In October 1385, the court listed the progeny of John Anstey with their ages and place of residence (Matilda age 12 and Agnes age 8 in Cropthorne, John in Charlton age 10, and Alice in Peopleton age 5).[430] Subsequently, the children were mentioned again in January

[427] WCL, E26, 22 January 1375.
[428] WCL, E36, 3 October 1392.
[429] WCL, E28, 6 July 1372
[430] WCL, E32, 5 October 1385.

1386, this time some of the children were mentioned as being at Peopleton.[431] However, what is of interest is that Margery Anty had previously surrendered into the hands of the lord 8 acres due to impotence in 1384, and, in 1385, William Compayn her husband, possibly sent on her behalf, surrendered 1 messuage and 1 cotland.[432]

By the 1380s, the court was in receipt of more information about flown serfs—twelve individuals are named in this decade, helped by more information about the progeny of absent serfs—and these presentments for absence become repetitive and routine, with the listing of the same group of individuals each year. The priory's interest in flown serfs was clearly heightened in the 1380s, although it was unsuccessful in either extracting chevage or forcing their return. In July 1389, the court recorded that William Balderych and Thomas Eylot were working diligently to return Richard Toppe, under penalty of 40d., though his location was unknown, he never returned, and the penalty was never imposed.[433] One striking case in 1389 to 1390 is the repeated orders for William Baldrych to return his daughter Margery from the priory of Bristol under penalty of 20s.[434] When William failed to do so, he was fined 20s. in the next court and again was ordered to return her in person by the next or again incur the same fine.[435] He failed to do so, and yet another 20s. was levied in the next court in April 1390.[436] The last reference to Margery, daughter of William Baldrych, remaining at the priory of Bristol is in July

[431] WCL, E32, 12 January 1386.
[432] WCL, E31, 6 October 1384; WCL, E32, 5 October 1385.
[433] WCL, E34, 8 July 1389.
[434] WCL, E35, 3 March 1390.
[435] WCL, E35, 15 October 1389. The court session is dated "On the day of Thursday nearest after the feast of Saint Oswald in the 13th Year of the Reign of Richard II". This would place the court on March 3 1390. However, a few courts later is dated to the feast of Saint Luke, 18 October. Therefore, this could be a scribal error where they should have put the translation of St Oswald Bishop of Worcester. Therefore, the dating above seems the most probable date.
[436] WCL, E35, 14 April 1390.

1390.[437] This persistence and aggression are unusual, and the tactic had not been pursued so vigorously before, although it is similar to the heightened activity against serfs in the 1380s and early 1390s noted on the manors of the abbot of Bury St Edmunds and the Duke of Norfolk.[438] The priory's stance must have been resented, and the fine was substantial: whether it was actually collected or not is unknown. Quite why the case was dropped quickly is uncertain. However, it is notable that Margery is supposed to have resided with another monastic lord, who of course had not sought to return the personal serf of the prior to her home manor.

[437] WCL, E35, 7 July 1390.
[438] Bailey, *After the Black Death*, pp. 262–65.

Table 6.7: Flown Hereditary Serfs from Cropthorne and Netherton, Recorded in the Court Rolls with Their Known Location if Detailed, Accompanied by Their Distance From the Home Manor Between 1350–1399.

Name	Location	Distance from Home Manor(miles)
William Janie	Weston Subedge	8
John atte More	Ashton	3
Robert Jankynes	Broadway	7.5
William son of Richard le Smyth	Pershore	4
Juliana Jankynes neif of the lord	Hampton	2
Feliica Jankenyn	Newton (near Rugby)	39
John son of John Reve	--	
Richard Toppe	--	--
Reginald Cooper/Toppe	Evesham	3
	Tewekbury (from Evesham)	11
Reginal Taylour (this could be Reginald Toppe, as he is listed as a tailor in presentments after 1390)	Evesham	3
John Betrich (with two sons)	Barton near Temple Guiting	13
Nicholas Buryman	Worcester (later listed as priory)	11
Agnes Anty	County of Oxfordshire	--
Alice Anty (from the age of 8)	Peopleton	6
John Coldicote	Whickhamford	4.5
	Kekynwyche	--
John Anty	Netherton (from Cropthorne)	2
Matilda Anty	Charlton	<1
Margery daughter of William Balderych	Priory of Bristol (possibly St James)	50
Margery daughter of Robert Bele.	Bristol	50
Agnes Potter	Bengeworth	3
Edith Stau	Broadwas	16
John chaplain son of Reginald Toppe	(Chipping) Campden	10
Nicholas Forester	Compton (near Chipping Norton)	19

As Table 6.7 above highlights, the distance travelled from the manor varied drastically. In the immediate aftermath of the Black Death, hereditary serfs were fleeing to nearby locations within 10 miles. This remained the common option for many hereditary serfs during the 1380s and 1390s, when large numbers of hereditary serfs were either moving to Evesham and the surrounding villages or into the Cotswolds. The furthest journey recorded for a flown serf was 50 miles, which was

undertaken by Margery, daughter of William Balderych, and also Margery, daughter of Robert Bele, both listed as being at Bristol. Some hereditary serfs were opting to move merely within the priory estate to a neighbouring manor, as can be seen with John Anty, who moved from Cropthorne to Netherton.

Dilapidation and Orders to Repair

The priory was routinely alert to dilapidation of servile tenements and holdings throughout the fourteenth century. This was not just a feature of the post-plague period. For example, in 1343, John of the Hethe surrendered into the hands of the lord half a virgate called Faolielont, and gave no heriot due to poverty, and we are told that John had allowed his house to fall into ruin and had withheld customs and services, so in fact the holding had been seized into the lord's hands.[439] The frequency of presentments is documented in table 6.8.

Table 6.8: Number of Properties Requiring Repair at Cropthorne and Netherton, Between 1342 and 1389. Reproduced from Hargreaves, Seignorial Reaction p,66.

Date	Properties requiring repair between
42/43	1
46/7	2
52/3	1
57/8	2
61/2	--
64/5	1
67/8	3
69/70	4
73/4	2
74/5	2
76/7	5
78/9	1
79/80	6
84/5	4
85/6	2
86/7	--
88/9	5

[439] WCL, E14, 16 May 1343.

Table 6.8 reveals a steady, but low-key, interest in dilapidations in the 1350s and 1360s, with a notable upturn from the middle of the 1370s. This coincides with the fall in grain prices and associated fall in the profitability of grain cultivation. Hargreaves' data does not extend beyond 1390, although the sudden rise noted in 1389 presaged an increase in the priory's interest in dilapidations in the 1390s and its threats of large fines for non-compliance. For example, in 1397, John Mortimer was threatened an 8s. fine for allowing his house to become ruined.[440] Nevertheless, the priory seldom followed through with its threats, because in the late 1390s most orders of repair resulted in little more than an amercement of 1d. and an order to repair "under penalty", although no value of penalty was given. Overall, the orders to repair were mostly posturing from the priory. Actual seizures or forfeited penalties were rare and usually confined to the more extreme cases. For example, John Stapple and John Carpenter were first amerced 4d. in March 1389 and ordered to repair before the next under penalty of half a mark, but it was not until 1399 that the holding was actually seized.[441]

Licence to Trade and Educate

There are no recorded licences to educate in the court rolls for Cropthorne and Netherton. However, there are four references to flown hereditary serfs educating or entering their children into education. In one case, no action was taken. In March 1380, the record of the whereabouts of the flown serf Reginald Taylour also mentions that Reginald placed his sons into school and tonsured them without the lord's permission.[442] In three other cases, all from 1389, Thomas Eylot, Richard

[440] WCL, E39, 3 October 1397.
[441] WCL, E34 4 March 1389; WCL, E40, 22 April 1399.
[442] WCL, E30, 1 March 1380.

Reve and William Baldryche were all amerced 1d. each for placing their sons at school without licence of the lord.[443] The cluster of cases in 1389 is another example of a sharp clampdown on hereditary serfs at this time.

Manumission

Manumissions were not routinely recorded in the court sessions of Cropthorne or Netherton. However, in 1315, a memorandum was raised in the court that the lord had granted Alice Derimon licence to be free forever and gave the lord 3s. 6d. for her freedom.[444] In 1321, the lord granted Agnes, daughter of Richard le Smyth, her freedom in perpetuity for 12d., and likewise Margery, daughter of Andrew Purs, was granted freedom in perpetuity for 12d. Intriguingly, these sums were pardoned "at the request of Geoffrey the bailiff of Elmley".[445] The background to these cases is obscure, but their cluster around the agrarian crisis of 1315-22 might be indicative of the lord allowing movement out of the manor as an exception to enable poor people to seek subsistence and ease the pressure on the manor.

There are no disputes over personal status recorded in the 124 surviving court sessions. There were no novel forms of service imposed on the serfs, other than the assertion in 1353 that flown serfs should be available to serve the lord as he wishes, and no prosecutions or presentments under the labour legislation.

[443] WCL, E34, 14 January 1389.
[444] HCL, R1162, 30 October 1315.
[445] WCL, E9, 28 November 1321.

Conclusion

The absence of any manorial accounts or surveys limits our ability to reconstruct the nature of villeinage and the scale of its burdens at Cropthorne and Netherton, but it appears to have exhibited similar characteristics to the other manors on the priory estate. Before 1349, servile land was prominent and mainly organised in large, standardised holdings which remained largely intact. There were also many cottages and smallholdings, so the landholding was polarised. The standardised holdings owed a wide range of servile burdens: annual tallage, entry fines, heriot, merchet, labour services, liability for manorial office and millsuit, while hereditary serfs were liable to pay for licences to educate, leyerwite, merchet and restrictions on migration. Outsiders marrying villein heiresses paid sizeable fines to enter the manor. This represents a potentially wide and heavy range of burdens, consistent with the more onerous levels of serfdom found in early fourteenth century England.

Land occupancy was high before the Black Death, so entry fines were relatively high and frequently demanded. Although the rate varied according to circumstance, the mean rate per acre at Cropthorne and Netherton was around 12d., which is consistent with the level charged on many West Midland manors: as Dyer states, they were largely influenced by market forces.[446] Merchet rates were around 20d., marginally below the regional norm of 2s. in this period.[447] Annual tallage was fixed. These are all examples, too, of the influence of custom on lord-serf relationships, and arbitrary and aggressive behaviour was unusual. Merchet, leyerwite and mill suit were imposed selectively and occasionally rather than routinely. The court paid no attention to flown serfs.

[446] Dyer, *Peasants Making History*, p. 61; Dyer, *Peasants Making History*, p. 319.
[447] Dyer, *Peasants Making History*, p. 50.

The Black Death triggered some immediate changes to the management of serfdom, most notably the collapse of entry fines and disappearance of leyerwite in the 1350s. Rental income had fallen by nearly 40 per cent between the mid-1340s and late 1350s, at which date land remained unoccupied and tallage payments were reduced. By the 1360s, servile land was being converted increasingly to monetary tenures, and by 1380, the dominance of monetary tenures meant higher head rents and increased rental income, but also that tallage, labour services and liability for manorial office had been swept away. Mill suit ceased after 1370. Chevage was never levied. There were no disputes over servile status.

The priory did, however, adopt more aggressive policies towards hereditary serfs. The mean fine for merchet almost quadrupled after the Black Death, and the court took more interest in the whereabouts of flown serfs and dilapidated holdings. Heriot continued to be rendered. Presentments occurred for not obtaining licences to educate. The most intense activity was not in the third quarter of the fourteenth century, however, but in the late 1380s and 1390s, when the lord showed particular interest in flown serfs and their progeny, and for a short while pressurised specific residents to return relatives to the manor. This coincided with a downturn in the land market, characterised by lists of abandoned land recorded in successive courts, the waiving of entry fines, the spread of cash heriots and the precedence of mortuary for the render of the best beast over heriot. This must have been irksome to the remaining personal serfs, but these aggressive policies were unsuccessful in obtaining chevage, in returning migrant serfs, in ensuring houses were maintained in good repair, or in securing full occupation of villein land.

7 Sedgeberrow

The Manor

Sedgeberrow manor was situated in the champion locale of the West Midlands three miles south of Evesham. It was held by Worcester Cathedral Priory, although its location was relatively isolated from the other priory manors. The demesne was relatively large, comprising at least 300 acres of arable, judging from the 213 acres of grain reaped by harvest works in the summer of 1343, and in addition, there were 14½ standardised virgates of customary land (totalling perhaps 435 acres), so this was a medium-sized manor of c.800 arable acres.[448] In the 1340s, it generated around £30 cash annually for the priory, which fits the profile of a medium-sized manor, although this fell to around £10 per annum in the 1360s.[449]

There are 111 court sessions for the period 1310–1399, of which 77 date from the period 1350–1399, although some of these are unreadable due to their poor condition. There are eighteen datable, and two undatable, reeve's account rolls, although most of them are damaged and faded to some degree at the top of the roll, making some of the revenue and grain sections difficult to read in places, and some of them are torn and unreadable. The datable accounts are spread between 1334 and 1398. The Worcester Cathedral catalogue dates one of the undatable accounts to the mid-fourteenth century, on the basis that it contains a reference to Walter de Lygh as sub-cellarer, who is known to have become prior in 1370: it probably dates to the

[448] WCL, C756, Sedgeberrow Reeve Account, 1342-43.
[449] £26 8s. 4d. cash in 1342-3 and £33 in 1347-7, WCL 756, Sedgeberrow Reeve Account, 1342-43; C757, Sedgeberrow Reeve Account, 1347–48; and £10 6s. 8d. in 1364-5, £14 7s. 1d. in 1367-8, and £9 19s. 10d. in 1368-9, WCL, C758a, Sedgeberrow Reeve Account, 1364-65; C759, Sedgeberrow Reeve Account, 1368-69; C759a, Sedgeberrow Reeve Account, 1367-68; C485, Sedgeberrow Bailiff Account, Unknown Date.

late 1350s or 1360s.[450] The second undated account shows the demesne in full direct cultivation with few decays or arrears of rent, and the handwriting is from the middle decades of the fourteenth century. It is tentatively dated to the 1330s or 1340s. There are no custumals or extents for the manor. There is no indication of the extent of free tenures.

Court Income

The survival of a number of accounts for Sedgeberrow—unusual for manors on this estate—enables some assessment of the fluctuations in court income over time. Dyer has argued that lords defended their interests vigorously in the third quarter of the fourteenth century, which he believes is evident in the widespread tendency for manorial court incomes to rise after the Black Death as part of the 'seigniorial reaction'.[451] Was this the case at Sedgeberrow?

Court income fluctuated annually, but in general averaged nearly £5 per annum in the pre-plague era and just over £3 per annum in the post-plague era (table 7.9). The post-plague figures are higher than the sums actually collected, because the allowance section of the accounts routinely contains deductions for court fines and amercements which were deemed uncollectable (these were not features of the pre-plague courts). For example, in 1364-5, the 3s. 4d. amercement owed by 'the men of Halston' was waived because 'it was not possible to levy', and in 1367-8, 13s. 8d. of court amercements were allowed by the auditors.[452] The higher court income between 1367 and 1370 must reflect the distress and land transfers following

[450] WCL, C485, Sedgeberrow Account, Unknown Date.
[451] Christopher Dyer, *Everyday Life in Medieval England* (Hambledon Press, 1994), pp. 207–9.
[452] WCL, 758a, Sedgeberrow Reeve Account, 1364-65; C759a, Sedgeberrow Reeve Account, 1367-68.

the succession of harvest failures and the outbreak of plague in 1369.[453] Overall, the changing level of court income does not support the view that the priory was bolstering its revenues in the post-plague era as part of a seigniorial reaction.[454]

Table 7.1: Manorial Court Income at Sedgeberrow 1342 to 1398.

Year	**Court income**
undated, 1340s	19s.
1342-3	£7 19s. 6d.
1347-8	£4 9s. 2d.
1353-4	£2 2s. 6d.
1358-9	£1 13s. 1d.
undated 1360s	£2
1367-8	£6 14s. 9d.
1368-9	£9 19s.10d.
1369-70	£4 15s. 5d.
1381-2	10s. 3d.
1382-3	16s. 6d.
1391-2	8s. 4d.
1394-5	£1 1s.
1397-8	£6 3s. 10d.

Sources: WCL C755, C485, C 756, C557, C574, C578, C486a, C759a, C759, C785, C760, C761, C764, C762, C767.

Villein Tenure

The works sections of the two reeve's accounts of the 1340s record the existence of 14½ customary virgates, 4 cotman holdings and 1 'cottar'. The size of these five is not stated. In addition, the court rolls show there were other cottages with no associated arable land, and their absence from the works account indicates they must have been either held directly from the lord for cash only or were sub-tenancies.

The 1339 rental shows that the virgates owed 3s. rent a year at four annual terms, and the cottars owed 2s. per annum.[455] In addition, the virgates were heavily

[453] Bailey, *After the Black Death*, pp. 136–39.
[454] Dyer, *Everyday Life in Medieval England*, pp. 207–08.
[455] WCL, C784, Sedgeberrow Rental, 1339.

burdened with labour services. Each owed a total of 116 winter works per annum, which amounted to 3 works per week for the 38 weeks between Michaelmas and 24 June each year, 15 summer works each or three per week between 24 June and 1 August, then 27 harvest works—three per week—each between 1 August and 29 September. The winter works were valued at ½d. each, the summer works at 1d. each, and harvest works at 1½d. each, i.e. were fixed at a customary level below the market rate for a day's unskilled labour prevailing in the early fourteenth century. The virgates each also owed 52 ploughing works ('*averagium*') valued at 1d. each.[456] The cotman holdings owed 3 summer works per week and 2 harvest works per week.[457] Three days of labour services for every week of the year represents a heavy load of labour services and confirms the view of the priory as a demanding and conservative landlord. The customary holdings also owed heriot, entry fine, liability for manorial office, mill suit, suit of court and probably merchet. Cotlands were held heritably and owed heriot.[458]

In 1342-3, 13½ of the 14½ customary virgates (93 per cent) were held on hereditary service tenancies, and one was held for money rent and therefore owed no labour services.[459] They were also held largely intact as standardised holdings. This meant that there were few opportunities for the landless to acquire land on the manor, which explains the tendency for subletting in the pre-plague era. In January 1337, John le Tayllour was amerced 1d. for allowing one cottar [*cotterellus*] into occupation illicitly, effectively as a sub-tenant.[460] The priory then clamped down on

[456] Information about labour services in this paragraph from WCL, C756, Sedgeberrow Reeve Account, 1342-43; C757, Sedgeberrow Reeve Account, 1347-48.
[457] WCL, C756, Sedgeberrow Reeve Account, 1342-43; C757, Sedgeberrow Reeve Account, 1347-48.
[458] WCL, E20, 20 October 1361.
[459] WCL, C756, Sedgeberrow Reeve Account, 1342-43. The works account notes that 203 winter works are allowed because it was held for money rent.
[460] WCL, E13, 22 January 1337.

such activity, because in the May court ten tenants were reported for the same offence. Eight of these tenants had 2 cottars each and received an amercement ranging between 2d. and 6d. each.[461] There is no further record of subletting, but this episode reveals how the pressure of population on resources in the pre-plague era was absorbed partly through subtenancies—the settling of cottar under-tenants—on the main virgated holdings.

The Black Death triggered an important shift in the terms of tenure of the standardised virgates. The 1353-4 account is damaged on the revenue section, but the works account records that the works of 3¼ virgates were 'allowed' because they had been converted to money tenures, while another 1¾ virgates were lying unoccupied and therefore the works were 'decayed'.[462] Thus, four years after the plague first hit the manor, 12 per cent of the customary virgates were unoccupied, 22 per cent were held on monetary tenures, and the remaining 64 per cent were still on the service tenancy. This was the start of a major change, because the undated late 1350s/early 1360s account records that 101s. 6d. was received from 'leases' [*firma*] of customary land: for example, one virgate was held for 10s. per annum, one half virgate formerly held by Bele rendered 5s. per annum, and 1¾ virgates rendered 30s. per annum.[463] The court rolls reveal that these were not leases in the strict sense of fixed term grants, but instead they were overwhelmingly conversions to money rents in lieu of labour services and liability for other dues, still held heritably. Occasionally, a virgate was held on genuine leasehold: for example, in 1386 the rental noted that one tenant, William Stok, held 1¾ virgates, held 'for a term of years as in a certain indenture'.[464]

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[461] WCL, E13, 23 May 1337.
[462] WCL, C754, Sedgeberrow Reeve Account, 1353-54.
[463] WCL, C485, Sedgeberrow Reeve Account, Date Unknown.
[464] WCL, C756, Sedgeberrow Reeve Account, 1342-43.

As we show below, after the 1360s the labour services owed by the dwindling number of virgates and cotmen still held on service tenancy were now routinely commuted for cash each year at the customary fixed cash rate, even though the demesne remained in direct cultivation. The combination of the conversion of a large minority of virgates to monetary tenures without labour services and the commutation of the remaining labour services is a strong indication that the lord had to make major concessions on labour services to ensure the uptake and retention of tenants holding land on the original service tenancy.

The shift to money tenures immediately after the Black Death continued to gain momentum after the second outbreak of plague in 1361. The 1364-5 account shows that 6¼ virgates (43 per cent of the total) were now converted to money tenures, paying an average of 16s. per virgate annually.[465] The 1367-8 works account confirms that those 6¼ virgates continued to be held on money tenures, but then the 1376-7 works account notes that no winter, summer or ploughing works were available to the lord this year because the 'customary holdings are held for money'.[466] So between 1368 and 1376, the standardised customary holdings were converted in their entirety from service tenure to hereditary money tenures. The lord continued to exploit the demesne directly, so this change was not triggered by a decision to abandon direct exploitation of the arable demesne. Indeed, some of the money tenures still owed a few harvest works, because 166½ boonworks were still owed by 11¼ of the 14½ virgates and were all used to help reap the lord's grain harvest. This situation did not change thereafter, so it proved enduring permanent.[467]

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[465] WCL, C758a, Sedgeberrow Reeve Account, 1364-65.
[466] WCL, C759a, Sedgeberrow Reeve Account, 1367-68; C786, Sedgeberrow Reeve Account, 1376-77.
[467] See for example no works available, but swollen cash rents, in the 1390s, C762, Sedgeberrow Reeve Account, 1394-95; C764, Sedgeberrow Reeve Account, 1391-92.

Clearly, during the third quarter of the fourteenth century, villein tenants sought permanent release from the liabilities of the old service tenancies, notably the heavy labour services and tallage (see below). The wholesale conversion to hereditary money tenures provided this release, in contrast to the service tenancy where the tenant was dependent on the willingness of the lord to commute the works each year. The lord appears to have resisted this as far as possible in the 1350s and 1360s, but could no longer do so in the 1370s, perhaps due to the collapse in grain prices in the middle of the decade. Thereafter, the priory still obtained as many harvest boonworks as possible in addition to the cash rent, but even this proved an uphill battle. For example, in 1381-2, the number of virgates owing boonworks fell to 10¼ (from 11¼ in 1376), and the number of works from 166½ to 155.[468]

This represented a major change to the tenure on which villein land was held in the third quarter of the fourteenth century, one which aided the tenants rather than the lord. It is striking that Dyer's claims for a seigniorial reaction in this period in the West Midlands in general, and on the priory's manors in particular, overlook the issue of tenure. In reality, the lord was making major concessions on tenure. The old service tenancy was made more attractive to tenants by commuting almost all the labour services each year at the customary rate and radically reducing entry fines: but increasingly it was replaced by conversion to a hereditary monetary tenure. The 1386 rental reveals that at least 17 acres of demesne had been granted in seven separate parcels to different tenants on monetary tenure.[469]

Tallage

[468] WCL, C761, Sedgeberrow Reeve Account, 1382-83.
[469] WCL, C765, Sedgeberrow Rental, 1386.

The 1339 rental states that tallage of the locals (*tallagium patriarum*) of £4 8s. was payable annually at Michaelmas. This was a fixed rather than arbitrary sum, because it features repeatedly in all the pre-plague accounts. The use of the phrase 'of the locals' rather than 'of the customars' might imply that it was due from free tenants, which is known elsewhere.[470] The 1386 rental confirms that tallage was paid at the rate of 5s. 10d. per virgate, so the sum was fixed by custom and a condition of service tenure.[471] As there were 14½ virgates, these contributed £4 4s. 7d. to the total of £4 8s., so the cottars must have contributed the remaining 3s. 4d.[472] Thus, by 1386, it is likely that annual tallage was not imposed on the landless hereditary serfs.

The sum of £4 8s. was charged and collected fully in the two 1340s accounts.[473] The 1353-4 account is damaged at the top of the revenue section, so it is impossible to read what was charged for tallage that year, but the payments section notes that 54s. was sent to the cellarer for tallage, a fall of nearly 40 per cent on the pre-plague level.[474] In 1364-5, the full amount of £4 8s. 0d. was charged in the revenue section, but 36s. 5½d. (41 per cent) was allowed as uncollectable.[475] In 1367-8, 55s. 5d. (63 per cent) was allowed and in 1368-9 38s. 11d. (44 per cent).[476] The scale of this reduction is broadly equivalent to the proportion of virgates converted to money tenure in that decade. The 1376-7 account ceased to record the full £4 8s. charge for tallage and charged 65s. 7½d. in the revenue account instead, which formally recognised the new reality that a proportion of the virgates were

[470] Bailey, 'Tallage-at-Will in Later Medieval England', pp. 53–54.
[471] WCL, C765, Sedgeberrow Rental, 1386.
[472] WCL, C759a, Sedgeberrow Reeve Account, 1367-68.
[473] WCL, C756, Sedgeberrow Reeve Account, 1342-43; C757, Sedgeberrow Reeve Account, 1347-48.
[474] WCL, C754, Sedgeberrow Reeve Account, 1353-54.
[475] WCL, C758a, Sedgeberrow Reeve Account, 1364-65.
[476] WCL, C759, Sedgeberrow Reeve Account, 1368-69; C759a, Sedgeberrow Reeve Account, 1367-68.

either no longer occupied or had converted to a monetary tenure for which tallage was no longer payable. Even this lower sum represented a hope rather than reality, because, in 1382-3 4s. 4d., was still not collected.[477] By the 1390s, the sum charged each year for tallage had settled at 59s. 9½d. per annum, which appears to have been collected each year.[478]

Hence, tallage was payable annually as a fixed, not variable, sum on each of the main villein holdings: 5s. 10d. yearly from a virgate of around 30 acres. The sums paid each year fell by around 40 per cent after the Black Death, because virgates converted to money tenures could negotiate out of liability for tallage as part of their package. For example, the 1339 rental had noted that 10s. 5½d. was allowed each year from the tenement of Simon de Stok and Agneta Godoman 'because held for money in farm (*ad certum in firma*) as above'.[479] By the 1390s, the level of tallage was two-thirds that of the 1340s, so some virgates were still paying their contribution.

Labour Services

As we have seen, villein holdings were heavily burdened with labour services at Sedgeberrow. In the 1340s, a grand total of 1,682 winter works, 242½ summer, 724 harvest works, and 330 ploughing services were owed each year, most of them by the customary virgates.[480] On the eve of plague, most of these were commuted. For example, in 1342-3, 58 per cent of winter works were sold and 30 per cent were

[477] WCL, C786, Sedgeberrow Reeve Account, 1376-77; C761, Sedgeberrow Reeve Account, 1382-83. Where the 4s. 4d. is recorded in the decays section.
[478] WCL, C762, Sedgeberrow Reeve Account, 1394-95; C763, Sedgeberrow Reeve Account, 1388-89; C764, Sedgeberrow Reeve Account, 1391-92; C767, Sedgeberrow Reeve Account, 1397-98.
[479] WCL, C784, Sedgeberrow Rental, 1339.
[480] WCL, C756, Sedgeberrow Reeve Account, 1342-43. From works account.

used on the demesne (12 per cent were allowed); 75 per cent of summer works were sold and 14 per cent used; and 14 per cent of harvest works were sold and 76 per cent were used reaping the lord's corn.[481] The proportions sold and used in 1347-8 were similar.[482]

Thus, the priory made limited use of the large number of labour services available to it in the pre-plague era. After the Black Death, the number of labour services available to the lord fell because of the conversions to money rents. For example, in 1364-5 43 per cent of winter services were unavailable for this reason and the rest were sold; 43 per cent of summer works were unavailable, and the rest commuted; and 42 per cent of harvest works were unavailable, 40 per cent were sold and 18 per cent were used: no ploughing services were deployed.[483] A similar pattern is evident from the undated account from the late 1350s/1360s. Of the 1682 winter works, 725 (43 per cent) were unavailable because of the conversion of some of the virgates and cottages to money rents, and the remainder were commuted for 39s. 10d. Likewise, the summer works were either decayed for the same reason or sold. Of the 723 harvest works, 262 (36 per cent) were unavailable because of conversions to money rent, 124 (17 per cent) were used to harvest the demesne arable, and the rest were commuted.[484] By the 1360s, the lord was utilising just over one hundred out of nearly 2,700 labour services owed: around 4 per cent. The 1386 rental notes that 143½ harvest services were still owed in total each year. These were due from ten virgates, each owing three beneripes of four men and four beneripes of two men.[485] These were the only services attached to monetary tenures,

[481] WCL, C756, Sedgeberrow Reeve Account, 1342-43.
[482] WCL, C757, Sedgeberrow Reeve Account, 1347-48.
[483] WCL, C758a, Sedgeberrow Reeve Account, 1353-54.
[484] WCL, C485, Sedgeberrow Bailiff Account, Date Unknown.
[485] WCL, C765, Sedgeberrow Rental, 1386.

indicating the premium which the lord gave to harvest, as opposed to other kinds of services.

The widespread commutation of labour services before the Black Death, and their rapid reduction with the swing to money tenures afterwards, explains why there are scant references to refusals to perform labour services in the court rolls. The court of 14 July 1378 ordered the seizure of all the goods and chattels of those tenants not performing labour services, which must have referred to the few harvest works still due, and is the estate-wide order referenced by Hilton (and considered further in Chapter 11).[486] Since the Sedgeberrow accounts reveal that by this date only a couple of per cen of the original labour services were actually available to the demesne, then this appears to be a bureaucratic repetition of an estate-wide order rather than a major problem on this manor. However, it seems likely that there were some issues specific to Sedgeberrow, because a variation on the same order was also included in the court held in late September 1384.[487] Furthermore, in 1397, reapers were presented for not working well enough to the pain of the lord of 10s., but it is not known whether the lord subsequently amerced them.[488] Thus, it appears that the performance of the few remaining harvest services remained an occasional source of tension here.

Entry Fines

Many of the customary land transfers at Sedgeberrow were cottages and cotmen holdings, which were largely non-standardised. The total number of villein land transactions recorded in the courts each decade is captured in Figure 7.1, which

[486] WCL, E28, 14 July 1378.
[487] WCL, E31, 27 September 1384.
[488] WCL, E39, 2 October 1397.

shows that the largest number (22) was recorded in the 1390s, although in part this is due to the survival of a greater number of court sessions in the post-plague era. Figure 7.1 also reveals that the proportion of entry fines paid on all villein land transfers declined over the course of the century, reflecting the growing need for the lord to extend concessions to tenants. For example, between 1320 and 1349, 77 per cent of transfers (10 ex 13 transactions) rendered an entry fine, whereas between 1370 and 1399 no entry fine was rendered on one half of all transfers (12 ex 24). Local custom meant that the priory usually waived the entry fine for widows taking the land of their deceased husband.

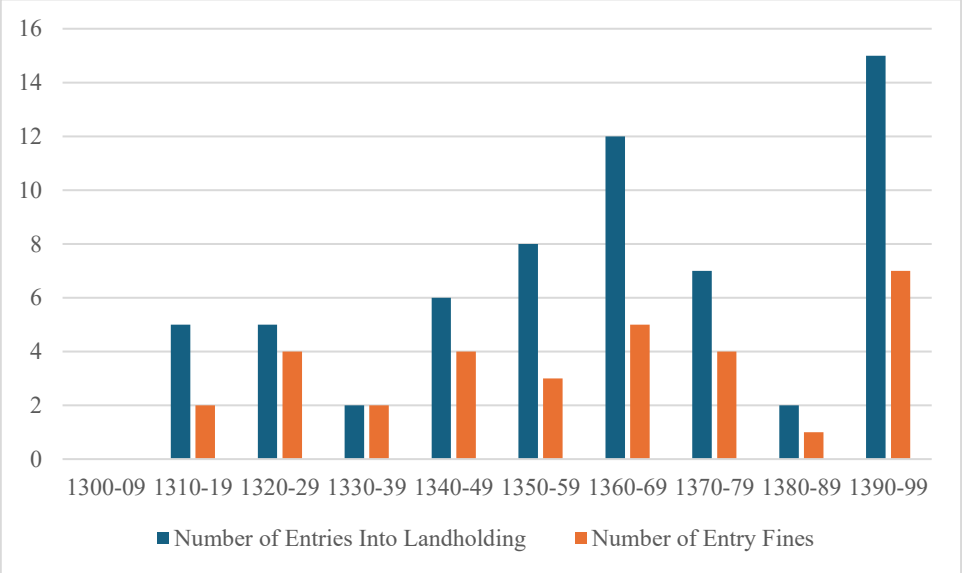

Figure 7.1: Number of Entries into Landholding Compared to Number of Entry Fine Paid at Sedgeberrow, per decade 1300–1319.

As we can see in Figure 7.2, the types of payment for entry changed considerably over the century. Payments in cash were far and away the most common form in the pre-plague era. The only deviation from this pattern was the ox paid by Thomas

Stewy in 1326 for one piece of pasture.[489] The form of render became more diverse after the Black Death: there were no renders of livestock, but payments of poultry are recorded from the 1350s and remained a feature of entry fines to the 1390s. However, cash payments continued—indeed, they dominated entry fine payments in the 1390s—whereas on many other priory manors poultry had almost completely displaced cash payments by the 1390s. The reason for this difference is unclear. It may be that there was greater liquidity in Sedgeberrow, or that the smaller holdings were more amenable to cash payments than the virgates dominating other priory manors, or that the priory preferred different renders from different manors.

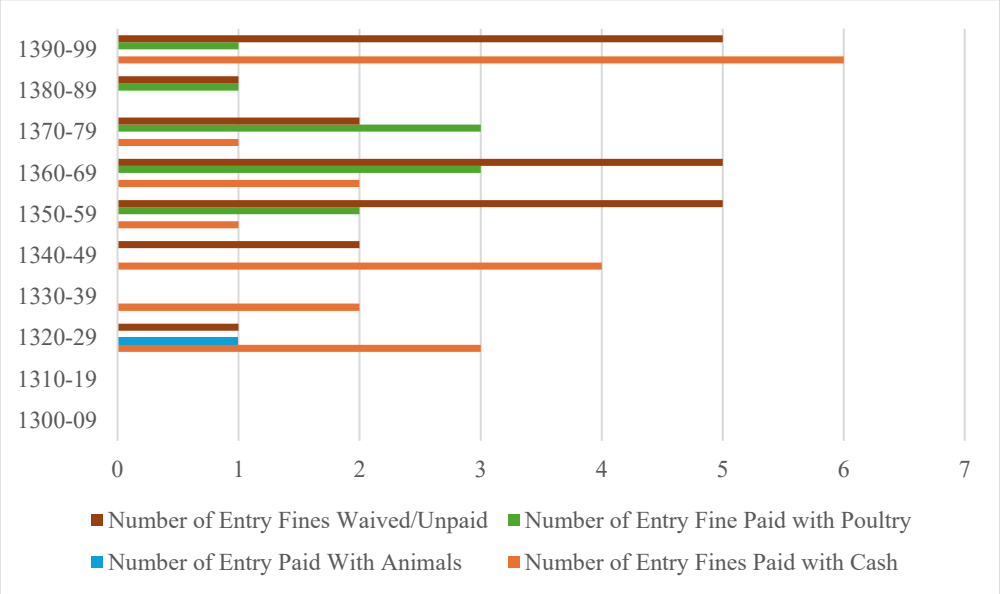

Figure 7.2: Graph Showing the Type of Payment for Entry Fine on the Manor of Sedgeberrow, 1300–1399.

The transfers of the standardised virgates enable some reliable calculations of changes in the mean fine per unit area. The cottages are not a standardised size, so they are excluded from this assessment. As can be observed in Table 7.1, the first recorded transfers of standardised holdings occurred in the 1340s. In 1343, Alice,

[489] WCL, E10, 16 January 1326.

the daughter and heir of Robert in the Hale, entered a messuage and half a virgate attracting an entry fine of 10 marks, split into three instalments, and in 1347, John, son and heir of Alice Nichols, paid 13 marks as an entry fine into one messuage and one virgate.[490] The third and final transfer in the 1340s was a complex inheritance case, where the messuage and virgate was separated from two cottages, all held by Edith Rogers on her death. At first, the homage suggested that Margery le Blake of Netherton was the heir, for which she gave 2s., though the homage subsequently claimed she was not the heir and John Rogers was chosen instead.[491] This case was used by Dyer in a recent paper to illustrate the harsh reality for inheriting female villeins, whereby their inheritance rights were overlooked, and the male heir always given precedence.[492] Of interest is the fact that the name of one Matilda, daughter of John Nichols, had been entered in the court roll before that of Margery, but was then crossed out, and instead Matilda took the two cottages, with no entry fine and services owed. The transfer and the case are complicated, and there was certainly some confusion over the two parcels of land and the heirs, so it is possible that the court was merely following due process in this case rather than riding roughshod over Margery's rights. The homage—comprised of villein tenants of the manor—had changed their verdict on the matter of inheritance, but we cannot know whether the change was because they had made a mistake, or had been biased, or the lord had pressurised them. The final outcome was that John Roger chaplain was found to be the rightful heir to the landholding by the court, to which he paid 12 marks to enter the messuage and virgate.[493]

[490] WCL, E14, 5 February 1343; WCL, E15, 17 January 1347.
[491] WCL, E15, 17 January 1347.
[492] Christopher Dyer, 'How Do We Know about the Worcestershire Peasants in the Middle Ages, and What Do We Know?', Conference Paper, Revisiting Worcestershire's Past, Worcester, 6 April 2024.
[493] WCL, E15, 17 January 1347.

Table 7.2: Total Value (d.) and Mean Value (d.) of Entry Fine for Messuage and Virgate of Land at Sedgeberrow, per Decade 1300–1399.

Decade	Number of messuage and virgate	Number of messuage and half virgate	Total Value (d.)	Mean Value (d.)
1300-09	--	--	--	--
1310-19	--	--	--	--
1320-29	--	--	--	--
1330-39	--	--	--	--
1340-49	2	1	5600	2240
1350-59	1	2	36	18
1360-69	--	1	--	--
1370-79	2	--	18	9
1380-89	1	--	--	--
1390-99	1	--	12	12

The sample of standardised holdings is small, so the decadal averages need to be treated with some caution, but in the 1340s the average render for a virgate was £9 6s. 8d., which is within the range of £6 13s. 4d. to £10 per yardland which Dyer shows was standard for this region at this time.[494] In the 1350s, the level of fine had collapsed to the equivalent of a mere 18d. per virgate (table 7.1). So although the sample is small, the scale of the decline is unequivocal. The first case involved John le Bacheler in 1353 paying no entry fine for a messuage and virgate, instead he was to repair the house well, as the house had lain in the hands of the lord since before the pestilence and so had become dilapidated.[495] This also was the case for John Nicholas, who paid nothing for entry into one messuage and half virgate.[496] In the third case, Roger Aleyson gave 6 capons for entry into a messuage and half of one virgate.[497] If we take the value of a capon at 6d. this entry fine equates to 36d. The rendering of a few capons became more common, such as in 1399 when John Wysmon entered into a messuage and half virgate for 2 capons.[498] Table 7.1 also

[494] Dyer, *Peasants Making History*, pp. 61–62.
[495] WCL, E17, 29 January 1353.
[496] WCL, E17, 13 July 1353.
[497] WCL, E18, 4 July 1358.
[498] WCL, E40, 16 June 1399.

shows that mean entry fines for these standardised holdings did not recover, so the collapse in value driven by the Black Death was sustained.

We have noted the persistence of some cash entry fines in Sedgeberrow into the 1390s, and these reveal that the level of fine was not as universally low as the averages for standardised virgates. For example, in 1390, Tibot, widow of William Mulleward, paid 20s. for 1 messuage and 4 parts of 1 virgate and 9 acres of land.[499] Some of the cash entry fines in the 1390s also combined the entry with payment of heriot. In 1390, for instance, Thomas atte Mulle gave 46s. 8d. for both entry and heriot into a messuage and virgate.[500] Likewise, in 1396, William Frankes gave 8s. 2d. for entry and heriot for 1 cottage and 3 acres of land with a croft.[501] The changing, tenant-focused, land market of Sedgeberrow is encapsulated by the case of John Wysmon, who in 1399 surrendered his messuage and half virgate, for which he gave a heriot of 1 ox. John then immediately appears again, taking back the land for an entry of 2 capons.[502] Evidently, John was surrendering his tenement to take it back on terms he must have regarded as an improvement.

Thus, entry fines for the standardised virgates were variable at Sedgeberrow, although the sample size is small. Two features stand out. First, the level of entry fine in the 1340s was very high, suggesting that the priory imposed high demands on its virgaters in this period. Second, the level of entry fine collapsed in the 1350s, never to recover. The speed and size of the collapse are striking. Entry fines paid in cash for other servile land holdings were more resilient, so it would appear that the large virgates were least popular among prospective tenants immediately after the arrival of plague. The rise in poultry renders immediately after the Black Death for

[499] WCL, E35, 26 January 1390.
[500] WCL, E35, 3 March 1390.
[501] WCL, E38, 18 May 1396.
[502] WCL, E40, 16 June 1399.

all forms of land, plus the rise in the proportion of waived fines, are also indicative of the fall in the demand for land and of the pervasive influence of market forces, rather than seigniorial policy, on the level of entry fines.

Heriot

Heriot at Sedgeberrow was due on any transfer of villein land, so there are pre- and post-mortem renders. Renders followed the general trend of the best beast or best goods/chattel, but they did vary according to an assessment of the circumstances of the tenant. For instance, tenants of the large virgates often rendered beasts of traction, such as the two oxen worth 2s. handed over for one virgate and one quarter of neif land.[503] Tenants of the smaller cotlands had no need for such beasts, which explains why William Eyr and John Fugatorum both rendered 1 hog each for their cotlands.[504] Poorer tenants without livestock were either pardoned heriot or rendered a chattel or cash instead, such as the chest worth 14d. for the heriot of Roger Bryght, who held one cottage and one croft.[505]

Occasionally, goods or chattels of deceased tenants were given to the 'rector'. In the court of 22 January 1350, three of the four cases of post-mortem renders were given to the rector. The rector took one pot as the heriot of Agnes Clodyar, likewise a tenant called William rendered a cradle and a pot, and John Prydy one pot.[506] This may be linked to the prior appropriating the parish church during this period, as noted at Cropthorne.

[503] WCL, E20, October 1361.
[504] WCL, E20, October 1361.
[505] WCL, E21, 20 February 1365.
[506] WCL, E16, 22 January 1350.

As shown in Figure 7.3, in the four decades before the Black Death the number of recorded heriots appears low, due to the poor survival of court rolls. Three cases from 1310–19 were ante-mortem cases, two of which were pardoned, which must reflect the distress of the famine and bovine panzootic in that decade. [507] The six cases in the 1340s show that the lord claimed multiple beasts if a tenant held multiple holdings. For instance, the post-mortem heriot of Edith Rogers was 1 mare and 2 oxen for 1 messuage, 2 cottages and 1 virgate of land.[508] In the same court session another post-mortem heriot of 1 mare and 1 cow was rendered for 2 cottages with six acres of land.[509] Yet the practice of a heriot for each of multiple holdings did not always apply, because, in 1343, Matilda Jones rendered a post-mortem heriot of an ox for one messuage, one virgate and one cotland, so the heriot due from the cotland appears to have been waived.[510]

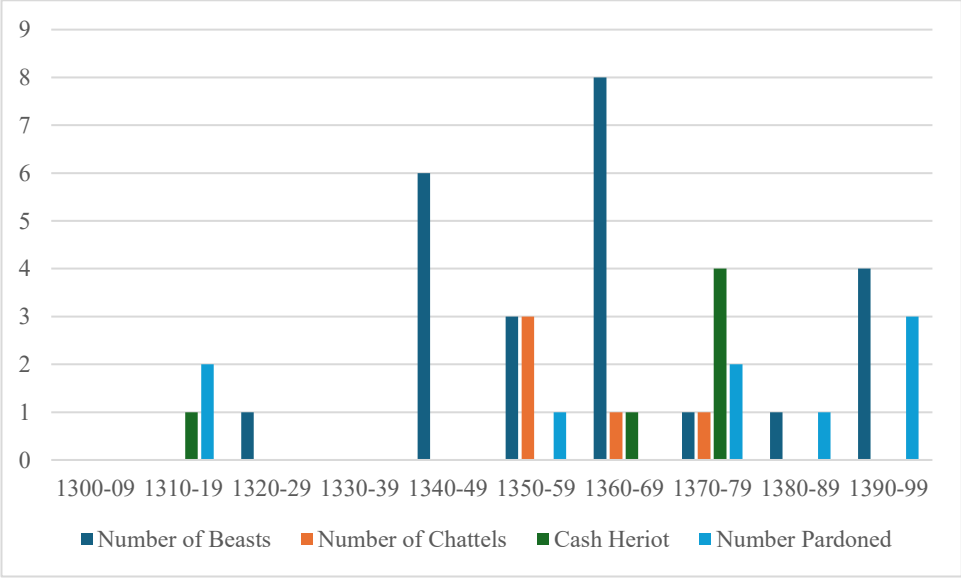

Figure 7.3: Types of Renders for Heriot at Sedgeberrow, 1300–1399.

[507] WCL, E7, Court held of the Day of Saturday in the Vigil of Saint Laurence (*Luarentus)* in the 8th Year of the Reign of Edward II [dating difficult]; WCL, E7, 9 January 1315.
[508] WCL, E15, 17 January 1347.
[509] WCL, E15, 17 January 1347.
[510] WCL, E14, 5 February 1343.

In the 1360s, ten heriots were recorded, with all but one involving the best beast or chattel. Five of these were rendered as post-mortem payments in the court of October 1361, which clearly reflects the passage of the second plague epidemic.

Table 7.3: Number of Heriots at Sedgeberrow by Decade, 1300-1399.

Decade	Post-mortem Heriot	Ante-mortem Heriot
1300-09	--	--
1310-19	1	2
1320-29	--	1
1330-39	--	--
1340-49	6	--
1350-59	3	2
1360-69	8	2
1370-79	4	4
1380-89	1	--
1390-99	3	4

As Figure 7.3 exhibits, the type of render became more varied in the aftermath of the Black Death. Between the 1350s and the 1370s cash and chattel payments feature prominently, having been absent in the pre-plague period. For example, in 1374, Roger Domet gave 2s. for the surrender of one cottage.[511] In 1378, John Syxpans, the husband of Alice, had died and for heriot gave one *dodde* worth 12d.[512] In July 1379 John atte Welle gave 12d. "and nothing more because he is poor" for the surrender of a cottage: it was also recorded that John atte Welle had allowed the cottage to become ruinous, for which he was ordered to repair under penalty of 6s. 8d.[513] Evidently, John chose to surrender his cottage, giving a small cash heriot instead of repairing his tenement. In the 1390s, the relatively large number of ante-mortem renders and waived heriots (Figure 7.3 and Table 7.2) is suggests a

[511] WCL, E25, 25 January 1374.
[512] WCL, E28, 6 May 1378.
[513] WCL, E30, 16 July 1379.

distressed land market.

Mill Suit and Milling Rights

The court sessions contain various references to the management of the demesne mill at Sedgeberrow, but the only explicit reference to mill suit occurred in 1325, when ten individuals were amerced for not milling at the lord's mill. The size of these amercements ranged in value from 8d. charged on Nicholas Jacob and Robert Reynalds to the lowest, 2d. charged on Henry Purdan.[514] In 1343, John Faber was amerced 4d. for transporting grain to another's mill.[515] These are the only cases of breaches of mill suit recorded in the Sedgeberrow rolls. In 1352, there occurred an unusual, but exceptional case, whereby the whole homage presented that the miller was unjustly milling their wheat to the damage of 1 quart of wheat and had until the next court to produce six 'hands' (i.e. six men willing to swear to his good character) to defend himself.[516] The patchy survival of court rolls from the pre-plague era makes it difficult to offer any firm conclusions from this evidence, although it suggests very occasional enforcement waves of mill suit but no consistently rigorous enforcement.

The court rolls do provide ample evidence that a demesne mill existed on the manor and remained in use throughout the fourteenth century, although for the most part it was leased to third parties. In 1315, Robert le Palmer was granted the mill for the term of his life, paying 62s. per year, and the grant was explicit that the works of the *customars* were included.[517] The mill was granted (*concessit*) again five years later to one Nicholas Lehe, who undertook to serve 'well and faithfully the lord, his

[514] WCL, E10, 7 November 1325.
[515] WCL, E14, 14 May 1343.
[516] WCL, E17, 23 October 1352.
[517] HCL, R1162, 29 October 1315.

men and the countryside' ('*bene et fideliter domino hominibus et patris'*) in the office of miller: Nicholas paid 20s., but there is no term to the grant so it was presumably a tenancy at will.[518] Thus, it is likely that the mill was leased when the mill suit breaches of 1325 were punished in the court. It was leased for 54s. 4d. in 1347-8, but then suffered with the disruption caused by the Black Death and only fetched 6s. 6d. at lease in 1353-4.[519]

In 1390, the mill was in a state of advanced disrepair, because after the death of the tenant, William Mulleward, the foundations and back of the mill were described as completely ruinous. The court stated that Willian did not owe a heriot for the mill, because it was held in neifity "per copiam".[520] Hence, at this later date the demesne mill was not leased but instead held on villein tenure, which is unusual, but the phenomenon is documented on other Midland manors.[521] Following William's neglect of the mill and his demise, his widow Tibot offered to take on the mill, but the poor condition was evidently a matter of concern, and so the homage deferred the matter to seek the opinion of the lord.[522] The outcome is not recorded, and there is no resolution in the extant court rolls.

The mill may have remained untenanted for the rest of the 1390s, but in July 1398, John Sclatte of Shirborne took the watermill and 1 croft on a customary monetary tenure, giving the lord 20s. for entry fine and paying 26s.8d. per year in rent. He was to receive some help from the lord for repairing the mill. The grant of the mill explicitly included "suit of multure of both free and unfree tenants pertaining to the said mill".[523] This confirms that the tenants—free as well as

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[518] WCL, E9, 25 November 1320.
[519] WCL, C757, Sedgeberrow Reeve Account, 1347-48; WCL, C754, Sedgeberrow Reeve Account, 1353-54.
[520] WCL, E35, 26 January 1390.
[521] Holt, *Mills of Medieval England*, pp. 59-60.
[522] WCL, E35, 26 January 1390.
[523] WCL, E39, 4 July 1398.

unfree—all owed suit to the mill, although it is not clear whether the inclusion of this clause was just legal rhetoric, reciting a due which in fact had long since lapsed, or whether it was still actively imposed. It was likely to have been a legal fiction, because not a single presentment or amercement for breach of mill suit is recorded in any of the post-plague court rolls.

Thus, mill suit was due from the tenants of Sedgeberrow, but was seldom enforced, and the last case occurred in 1343. The mill was usually leased for a term of years, but by the end of the century, it was granted as a villein monetary tenure with suit of mill notionally included with the grant. The prospect of a demesne resource being converted to a villein hereditary tenancy, and villein being placed in theoretical charge of collecting it and being the beneficiary of a servile due is unusual and striking.

Merchet

Merchet was charged on males and females at Sedgeberrow. As can be seen in Table 7.3, there were no recorded merchet cases between 1310–1339, although there were marriages without licence. The two cases of merchet in the 1340s both rendered a fine of 2s., both for women paying for a licence to marry wherever and whoever. In 1347, a merchet was combined with a fine for an outsider to settle on villeinage, when 4s. was paid for Henry Reynalds to lead in marriage Agnes le Vynches and to hold the cottage of Agnes.[524] The sample is small, but both the mean and the mode for merchet was 2s. in the pre-plague era. It remained at this level in the 1350s. However, in the 1370s and 1390s the sum charged was considerably higher, at least four times the level of the 1340s and 1350s. The pre-plague rounded figure of 2s.

[524] WCL, E15, 9 April 1347.

seems to be a customary rate, which was no longer observed in the last quarter of the fourteenth century. The hike in the mean level for merchet is notable and is a clear case of the lord seeking more cash from this key servile incident.

Table 7.4: Number of Merchets Recorded on the Manor of Sedgeberrow, with Total Fine (d.) and Mean Value of Fine (d.), 1300–1399.

Decade	Number of Merchets	Total Fine (d.)	Mean Fine Value of Merchet (d.)
1300-09	--	--	--
1310-19	--	--	--
1320-29	--	--	--
1330-39	--	--	--
1340-49	1	24	24
1350-59	1	24	24
1360-69	--	--	--
1370-79	2	280	140
1380-89	--	--	--
1390-99	3	280	93

Between 1314 and 1329 five marriages without licence are recorded. Most of these unlicenced marriages were accompanied with a fine of 2s. which matches the value villeins were paying for merchet before the Black Death. Evidently, there was little incentive for villeins to volunteer payment of the 2s. for merchet, since the retrospective fine for not doing so was similar. The level remained unchanged in the 1350s. The last recorded marriage without licence occurred in 1378, although this was a presentment against one Alice Sixpans, and no amercement was recorded.[525]

[525] WCL, E29, 7 January 1378.

Table 7.5: Number of Marriage Without Licence, with Total Fines and Average Fine, per Decade 1300-1399.

Decade	Number of Marriage Without Licence	Total Fine for Marriage Without Licence	Average Value of Marriage Without Licence
1300-09	--	--	--
1310-19	1	24	24
1320-29	4	90	22.5
1330-39	--	--	--
1340-49	--	--	--
1350-59	2	48	24
1360-69	--	--	--
1370-79	1	--	--
1380-89	--	--	--
1390-99	--	--	--

Overall, the priory's management of merchet tightened over the course of the century, as the number of recorded merchets rose slightly while those of marriages without licences disappeared. The fine of the latter had usually matched that of the former. The most striking aspect of the management of merchet is the sharp, fourfold rise in the mean fine in the final quarter of the fourteenth century, which is one strand of evidence consistent with the argument for a seigniorial reaction in the aftermath of the Black Death.

Leyerwite

During the four decades preceding the Black Death, leyerwite was consistently rendered, as can be seen in Table 7.5. The mean fine for leyerwite in this period was 2s., although one in the 1340s did not include a recorded fine, presumably waived for poverty. The consistency of the 2s. charge is striking and is suggestive of a customary rate.

Leyerwite continued to be imposed after the Black Death, although its frequency declined. One case in 1385 involved the standard 2s. fine, but also

resulted in the forfeiture of 1 messuage and 1 cotland.[526] The last case occurred in 1390, in which Juliana daughter of John Nichols was fined the standard 2s.[527] The same Juliana is recorded in a court two years later for licence to marry John Hampton, paying 6s. 8d.[528]

Table 7.6: Number of Leyerwite Recorded Per Decade, with Total Fines and Average Fine, 1300-1399.

Decade	Number of Leyerwite	Total Fines (d.)	Average Fine Value (d.)
1300-09	--	--	--
1310-19	2	48	24
1320-29	1	24	24
1330-39	--	--	--
1340-49	2	24	12
1350-59	--	--	--
1360-69	--	--	--
1370-79	1[529]	--	--
1380-89	1	24	24
1390-99	1	24	24

The other post-plague case is more complicated. In 1378, Margery Otewys, the widow of John Oyewts, was accused of fornicating with both Walter Smith and Nicholas Talyor. The punishment for this "fornication" was forfeiture of her messuage and land, and the court entry noted that this was the custom of the manor. Furthermore, it was recorded that Margery had not cultivated her land, and she had

[526] WCL, E32, 5 October 1385
[527] WCL, E35, 3 March 1390.
[528] WCL, E36, 16 October 1392.
[529] All three cases involve leyerwite *"est corupta"* as reasoning for either forfeiture or a heavy fine involving the subject of the case and their tenement. Therefore, these cases have been included as leyerwite cases, though they are not included in the total and average fine calculations.

sold her cart and *principalia* worth 3s.6d., as well as allowing the messuage and land to deteriorate to the pain of 10s. The poor condition of the court roll makes a full assessment of the case impossible, but the gist is clear and it ends with a penalty of 40s.[530] Hence, this was not a straightforward case of leyerwite, but it was wrapped up in a range of other seigniorial concerns about Margey's behaviour, the condition of her holding, and perhaps also community outrage at her scandalous behaviour.

The priory continued to enforce leyerwite throughout the fourteenth century. The mean and modal sum was 2s., which was therefore customary rather than altered according to seigniorial whim or personal circumstance. Two of the three post plague cases also involved the seizure of land, which was stated in the rolls as the custom of the manor rather than an arbitrary act of the lord, and one particular case involved a complicated set of personal relationships and a widow's failure to maintain the holding in good condition.

Presentment for Absence and Chevage

As Table 7.6 shows, there were no recorded presentments for absence or payments of chevage in the pre-plague period. The first case associated with the migration of serfs occurred in January 1350, in which Henry Mody was amerced 3d. for default as he was away from the manor.[531] The first recorded and explicit presentment for absence occurs in 1353, when John le Eyr was presented as residing at Hinton-on-the-Green: no chevage or amercement was levied.[532]

[530] WCL, E28, 4 March 1378.
[531] WCL, E16, 22 January 1350.
[532] WCL, E17, 23 April 1353.

Table 7.7: Number of Unique Individuals Recorded in Presentments for Absence Compared to the Number of Overall Presentments Recorded at Sedgeberrow, Per Decade 1300-1399.

Table 7.6: Number of Unique Individuals Recorded in Presentments for Absence Compared to the Number of Overall Presentments Recorded at Sedgeberrow, Per Decade 1300-1399.		
Decade	Unique Presentments	Number of Overall Presentments
1300-09	--	--
1310-19	--	--
1320-29	--	--
1330-39	--	--
1340-49	--	--
1350-59	2	2
1360-69	3	8
1370-79	7	10
1380-89	0+	42
1390-99	4	92

+ names carried over from the 1370s

Table 7.6 highlights the increased interest in and tracking of flown hereditary serfs, with a peak of seven different individuals recorded in the 1370s. The priory's obsessive determination to keep recording their absence is evident in the second column of the table, because the same people were recorded again and again in court after court. Despite this repetitious naming of the same absentees, the priory was unsuccessful in obtaining chevage payments to licence the absences. The only clear example of chevage is the case of Henry Vynch, who in July 1377 was recorded as withdrawn from the manor and staying at Cirencester.[533] The next reference to Henry appears in October 1386, when it is recorded that Henry had withdrawn from the manor without fine.[534] In January 1387, he is recorded as having agreed with the lord a licence to live outside the manor at Cirencester.[535] In February 1389, it is recorded that Henry should have "rendered each year for chevage 12d. at the view of Hokeday for the last 7 years elapsed", a lapse for which the homage sought the

[533] WCL, E27, 23 July 1377.
[534] WCL, E33, 2 October 1386.
[535] WCL, E33, 24 January 1387

lord's counsel.[536] This continued in successive courts until 1393, when it was noted that 14 years had now elapsed without payment, after which the matter was dropped: thereafter, Henry is simply presented for absence.[537] Overall, this case highlights both the dogged persistence of the lord in pursuing a serf for chevage, but also the lack of seigniorial power to extract such payments.

Table 7.7 summarises the distance hereditary serfs migrated. Some individuals, such as John le Eyr, travelled a mile north to the neighbouring manor of Hinton on the Green, and John son of John Wysmon travelled a mile south to the Abingdon Abbey manor of Dumbleton.[538] Others went great distances, such as John Bright, who in July 1378 was recorded as having removed himself from the manor and remained with Thomas Davyd at Godeston. This is most likely the manor of Godeston in Surrey, 98 miles southeast of Sedgeberrow.[539] Between 1370 and 1399 he was recorded for presentment on 30 occasions, but only twice was his location listed.

[536] WCL, E34, 28 February 1389.
[537] WCL, E35, 26 January 1390.
[538] WCL, E17, 23 April 1353; WCL, E25, 21 July 1374.
[539] WCL, E28, 14 July 1378.

Table 7.8: Location of Flown Hereditary Serfs and the Distance from Home Manor of Sedgeberrow (miles).

Name	Location	Distance from Home Manor (miles)
John le Eyr	Hinton-on-the-Green	1
John Goron	Ashbury (in the valley of the White Horse)	36
Annabelle James	*Frowyntene* (Possibly Faringdon, Oxfordshire)	31
Anabelle James	Ashbury	36
Agnes, daughter of John Wysemon	Hampton	3
John son of John Wysemon	Dumbleton	1.5
Henry Vynch	Cirencester	23
John Carpenter	Netherton	3
John Bright	Godeston (with Thomas Dayvs)	98
Robert Hankyns	Unknown (with Henry of Aston)	--
Agnes atte Mulle	Whittington (near Worcester)	13
Agnes Goron	Ashbury	36

The motives for servile migrations are never stated in the courts, and while some might have been fleeing the trappings of serfdom, others moved to other priory manors. For example, in 1375, John Carpenter was reported as living in Netherton, another priory manor 3 miles away, when he still held a cottage in Sedgeberrow.[540] Perhaps John, as a smallholder, was seeking betterment by spending time in Netherton. This seems to be the case, because, in October 1379, John was reported as taking a cottage and 1 acre of land there, which was held on a money tenure for 2s. annual rent and head tax.[541] So John managed to obtain a foot on the landholding ladder through beneficial tenancy on a nearby manor of Worcester priory, although he is not mentioned in any Netherton courts between 1375 and 1379.

[540] WCL, E26, 17 July 1375.
[541] WCL, E30, 14 February 1379.

The information provided about migrants offers some insights into peasant networks, shared information among them about opportunities to obtain work or land elsewhere. John Goron was first recorded in January 1374 as having married Agnes, a neif of the lord, outside the manor, but where they resided was unknown.[542] In July, it was recorded that John had a barn in disrepair to be rebuilt before Michaelmas 1374 under penalty of 20s. and he appears to have abandoned it rather than conform. [543] In the July 1374 court, one Annabelle James was first recorded absent at *Frowyntyne* (possibly Faringdon, Oxfordshire).[544] No more is heard about these two absentees until the mid-1380s, when they were once again presented for absence, and it was unknown where they resided.[545] In October 1386, John was recorded as being at "Hassehburg in the valley of the white horse", and in January 1387 this was confirmed as Ashbury in Wiltshire.[546] In April 1387, Anabelle James was listed as residing in the same valley as John, though it was unknown where.[547] By February 1389, both John Goron and Anabelle James were listed as being in Ashbury, and they were still there in 1399.[548] Therefore, it seems that Anabelle had left the manor, resided at Faringdon, and then nearly a decade later moved the short distance to the same settlement as John. This is unlikely to be a coincidence: not only were they in touch with each other, but also the information about them percolated back to Sedgeberrow. This interesting case confirms the importance of

[542] WCL, E25, 25 January 1374.
[543] WCL, E26, 5 October 1374; WCL, E29, 7 July 1379.
[544] WCL, E25, 21 July 1374.
[545] WCL, E31, 22 December 1384/6 July 1358. Two dates due to dating error with the regnal year of Richard II. A dating error here is due to the following courts all being dated to the feast of Saint Thomas the Martyr. The next court to have a different feast date is the court of Crowle, which is dated *The day of Thursday nearest after the feast of St Kenelm in the 9th year of reign of Richard II,* which is 20 July 1385. So, it is possible that either there is a seven-month gap of courts being held, or the scribe has made an error. This will be kept showing the issues of dating.
[546] WCL, E33, 2 October 1386; 24 January 1387
[547] WCL, E33, 25 April 1387.
[548] WCL, E34, 28 February 1389; WCL, E40, 16 June 1399.

peasant networks in determining migration patterns, as well as the lord's inability to bring them back, even with updated information of their movements.

Although the priory was unsuccessful in returning flown serfs, during the 1380s and 1390s its officials showed considerable interest in the chattels of some of its migrant serfs by way of compensation for their departure. For instance, in 1387, John Wade abandoned 1 cottage and 4 acres of demesne land, taking with him 1 ruby cow (6s.), 1 plate (16d.) 1 wooden beam (6d.), 1 pole (5d.) and 1 tripod (1d.), leaving the cottage vacant from Martinmas (11 November) to 24 January 1387. However, in the same court, Richard Dyryng was reported to have retrieved these *principalia* and he was admitted to the holding.[549] Evidently, this case highlights both one tenant's indifference to the lord's rights and another's use of a situation to gain favour from the lord. In 1390, one Agnes, who held a cottage, withdrew from the manor with certain chattels such as pots and plates worth 6d. She was then recorded as being at Whitington, but it was also recorded that she had left other chattels in her cottage, including ale cists and a portable table, which the reeve was ordered to recover.[550] In January 1394, the lord issued a writ against Robert Dawbeney for his *principalia*.[551] Similarly, in July 1394, William Rogers led an ox, which he owed as heriot, outside the manor.[552] The priory's interest in the chattels of flown serfs is based on the legal right of a lord to a serf's goods, although few landlords routinely enforced it. It was clearly a priory policy at the end of the fourteenth century when the problem of retaining tenants had become acute and sensitivity about departures from the manor was heightened.

[549] WCL, E33, 24 January 1387.
[550] WCL, E35, 14 April 1390.
[551] WCL, E37, 15 January 1394.
[552] WCL, E38, 13 July 1394

Dilapidations and Orders to Repair

Table 7.8 reproduces Hargreaves' enumeration of the presentments and fines for dilapidation of customary holdings at Sedgeberrow and shows that the priory's interest began in 1364, soon after the second plague epidemic. Hargreaves did not enumerate cases from the pre-plague court rolls, when some were occasionally reported: for example, in 1337 John Tayllour and John Faber were each amerced for having a decayed tenement and ruined house respectively.[553] The priory's surge of interest in dilapidations in the late 1360s eased in the early 1370s, and remained relatively low-key into the 1380s.

Table 7.9: Number of Properties in Need of Repair Recorded Annually on the Manor of Sedgeberrow, 1342–1389. Reproduced from Hargreaves, 'Seigniorial Reaction', p.66

42 /3	46 /7/	52 /3	57 /8	61 /2	64 /5	67 /8	69/ 70	73 /4	74 /5	76 /7	78 /9	79/ 80	84 /5	85 /6	86 /7	88 /9
--	--	--	--	--	2	10	11	6	4	7	4	2	3	2	1	4

Nor did Hargreaves include information from the 1390s, yet the priory's interest in wastage rose again in this decade. Orders to repair are given in a court of January 1390, in which tenants were fined between 1d. and 4d. for lack of repairs, including the holder of the mill and the grange of William Noble.[554] In April 1390, six named tenants were all fined between 1d. and 2d. for ruinous houses and degraded thatch, and ordered to repair before the next court under the penalty of half mark, and additionally William Skynnie, John Wysmon and "others" were ordered to repair their ruinous houses before Michaelmas.[555] This sudden clampdown met with some limited success, because in the following court on 7 July 1390 Thomas Palive, John Nichols and John Bachler had all emended their ruinous properties, whereas others

[553] WCL, E13, 22 January 1337.
[554] WCL, E35, 26 January 1390.
[555] WCL, E35, 14 April 1390,

remained in a poor state.[556] Wastage remained a managerial priority for much of the 1390s, and a particular feature is the interest in ancillary buildings as well as main residences: there are references to buildings such as *ustrinum* and even a fish house being in a state of disrepair.[557]

Thus, in the 1390s the priory's targeting of wastage on customary holdings was as intense as it had been in the 1360s. However, unlike the 1360s, most of the orders to repair in the 1390s were ignored.[558] Although the priory did succeed in eliciting a handful of small amercements, most tenants did not respond and were therefore presented repeatedly for non-compliance, but the priory did not impose the large, threatened penalties. The surge of interest in wastage in the 1390s adds to the evidence from heriots, entry fines and presentments for absence to indicate strongly that the land market of Sedgeberrow was now depressed.

Licence to Trade and Educate

There are no explicit references to serfs obtaining licences to trade. There are two cases of licences to educate at Sedgeberrow. In July 1390 Robert Jacob was amerced 1d. for educating his son without licence.[559] Nine years later Richard, described as the son of Robert Jacob, was placed in mercy for being tonsured without licence, for which the lord ordered an inquiry. This inquiry found that Richard had obtained the required licence, which had been recorded in the court rolls, although the relevant roll has not survived.[560] This case underlines the importance of due process in managing serfdom on this estate: the lord could not

[556] WCL, E35, 7 July 1390.
[557] WCL, E36, 16 October 1392.
[558] WCL, E36, 17 April 1393; WCL, E37, 15 January 1394; E38, 18 October 1395; E38, 4 July 1396.
[559] WCL, E35, 7 July 1390.
[560] WCL, E40, 16 June 1399.

simply assert that a fine had been incurred, but was bound by written proof that it had been.

Manumission

Evidence of manumissions in manorial court rolls are very rare, although there is one case from Sedgeberrow. In January 1315, a memorandum was included in the rolls that Agnes, daughter of Nicholas William, was previously granted by the lord 'free tenure and all the liberties that pertain to free tenure'.[561] No further details are provided. Manumissions and their details were recorded separately in one of the priory's registers, the *Liber Albus*, which Dyer has detailed in his recent pamphlet.[562]

There were no recorded disputes over personal status in the court rolls of Sedgeberrow, and no attempts to discipline workers under the Statute of Labourers.

Conclusion

The weight of servile burdens was relatively heavy at Sedgeberrow in the early fourteenth century. The classic standardised virgates owed onerous labour services, rendered annual tallage at 5s. 10d. per virgate, paid high entry fines and were liable for heriot on any transfer, not just post-mortem transfers. Incomers marrying villein heiresses paid high fines. Yet in other ways the lord was not extracting all possible dues from serfs: payments for breach of mill suit were rare, most winter and summer

[561] WCL, E7, 9 January 1315.
[562] Dyer, *From Slavery to Freedom: How Worcestershire People Gained Their Liberty 1000–1600*, pp. 31–36.

labour services were commuted each year, servile migration was neither monitored nor controlled, and payments for merchet and leyerwite were largely fixed at customary rates.

After 1349, Sedgeberrow continued to exhibit many of the general trends identified on the other manors of Worcester Cathedral Priory selected for this study, although the survival of a few accounts before and after 1349, provides some clearer details. The land market for the standardised virgate holdings fell sharply in the 1350s. The mean level of entry fines collapsed and remained low thereafter, and the terms of tenure changed decisively. In the 1340s 7 per cent of the virgates were held for a money tenure, but within four years of the Black Death it had risen to 22 per cent, to 43 per cent in the 1360s and continued to rise thereafter. These money tenures had no liability for labour services or tallage, although most owed a couple of harvest boonworks. Heriot remained a common feature of villein tenure throughout the century, although the number of heriots being pardoned saw a decisive increase after the Black Death. Mill suit disappeared. By 1376, only a few harvest works remained available to the lord, because the old labour services had either been swept away by monetary tenures or permanently commuted. The lord clamped down on wastage on villein holdings in the 1360s and 1390s, although the amercements were low and enforcement largely ineffective.

In relation to personal servility, leyerwite effectively disappeared after the Black Death. There were no recorded disputes over personal status, and licences to educate were rare. Merchet was a constant feature throughout the century. The mean fine was routinely around 2s. in the pre-plague period but rose around fourfold after the Black Death. The priory did not record absent serfs before the Black Death, and chevage was seldom levied, and therefore it did not control migration effectively. Yet later courts recorded absences zealously, especially in the 1380s and

1390s when the same individuals are listed in court after court: however, this was not a mass wave of emigration, because the number of unique departures was much lower than the total number of presentments would indicate.

Thus, there is little evidence for a concerted seigniorial reaction in the third quarter of the fourteenth century: on the contrary, the priory seemed largely powerless to control the market forces unleashed by the Black Death. There are, however, some grounds for arguing for a reaction at the end of the century, based on the obsessive recording of absentee serfs in the 1390s, the renewed interest in dilapidations, the focus on the chattels of runaway serfs, the high fines for merchet, the first record of licences to educate, and the spike in the number of heriots. Yet this evidence needs qualifying. Heriots were high because tenants were giving up their holdings and nearly half were waived; the wastage clampdown was unsuccessful; entry fines were largely waived in this decade; and still no money came from chevage. The priory's response must have been irksome to its tenants, but the response was late and ineffective. Sedgeberrow, much like the other manors, highlights the seismic shift in the aftermath of the Black Death, and the failure of the priory to stop the rapid decline of serfdom.

8 Overbury and Teddington

The Manors

The manor of Overbury, with the sub-manor of Conderton, is situated at the foot of the southern slope of Bredon Hill. Approximately 3 miles further south along the Severn valley is Teddington, with the sub-manor of Alston, sitting at the foot of the Cotswold escarpment just over the county border in Gloucestershire. Both were held by the cellarer of Worcester Cathedral Priory, located over twenty miles to the north.

The cellarer's centralised account rolls reveal that in 1345-6 Teddington generated cash income from rents alone in excess of £20 and Overbury generated over £27.[563] The survival of an account from Overbury alone for 1345-6 shows that the rental income was also supplemented with cash from other sources, such as sales of grain, generating a grand total of £49 cash sent to the cellarer.[564] Overbury possessed an arable demesne of around 250 acres and around 450 acres of villein arable: the quantity of free tenure is unknown.[565] Thus Teddington and Overbury were medium-sized manors, producing around £40 and £50 respectively for the priory each year. These sums were not sustained after the Black Death: for example, in 1354-5 the total amount of cash sent to the cellarer from Overbury was £26 and £32 in 1376-7.[566]

[563] WCL, C60, Cellarer Account, 1345-46.
[564] WCL, C60, Cellarer Account, 1345-46.
[565] Based on 155 acres of demesne grain reaped by the harvest workers in 1346-7 and 14½ customary virgaters plus a handful of cottars, WCL, C699, Overbury Reeve Account, 1346-47.
[566] WCL, C60, Cellarer Account, 1345-46; C69, Cellarer Account, 1376-77

The manors of Teddington and Overbury are discussed jointly in this chapter because, on many occasions, their court sessions were combined without any explicit internal labelling to help the reader understand which items of business belonged to which court. Therefore, the data analysis presented below treats the two manors jointly, although if an entry is clear about which manor it refers to, then this will usually be noted in the discussion: for instance, presentments for absence in the 1390s specify the home manor in the margin. Some of the discussion below also draws on the survival of eight manorial accounts from Overbury, which provide important insights into the management of tallage, labour services and servile tenure.[567] The same patterns were probably replicated at Teddington, but unfortunately, no accounts have survived to be certain. There are 165 court sessions surviving for the period 1300-1399, this includes both separate courts and courts where Overbury and Teddington were combined in one court session.

Villein Tenure

The survival of eight manorial accounts from Overbury reveals the nature of villein tenure and change over time. In the pre-plague period, there existed 14½ customary virgates, together with three cotmen and seven cottar holdings. The most informative pre-plague account—that for 1346-7—provides details of the burdens attached to the main villein holdings.[568] Each virgate owed three winter works, each valued at ½d., every week for the 38 weeks between Michaelmas and the Feast of St John the Baptist; three summer works (1d. per work) for each of the five weeks

[567] WCL, C698, Overbury Reeve Account, 1320-1[incomplete]; WCL, C699, Overbury Reeve Account, 1346-7; WCL, C701, Overbury Rectory Bailiff Account, 1354-5; C707, Overbury Reeve Account, 1360-1; C708, Overbury Reeve Account, 1363 (seven weeks in 1363); C709, Overbury Reeve Account, 1366-7; C711, Overbury Reeve Account, 1376-7; C752, Overbury Reeve Account, 1392-93.

[568] The only other pre-plague manorial account, that for Overbury in 1320-1, reeve's account for Overbury is incomplete, and the works account is lost, WCL C698, Overbury Reeve Account, 1320-21; C699, Overbury Reeve Account, 1346-47.

between 24th June and 1 August; and three harvest works (1½d. per work) each week, plus a further seven 'benrips', during the nine weeks between 1 August and 29 September. In addition, each virgate owed 52 carrying services, one per week valued at 1d. These represent a very heavy burden of labour services. In addition, each virgate paid 4s. 10d. tallage per annum, owed suit of mill, and was liable for heriot, entry fine and merchet.

The three cotmen owed no winter works, two summer works per week, and two harvest works per week, plus three benrips each. The seven cottars owed no winter works, one summer work each per week, and two harvest works per week, plus an additional six benrips each. All the smallholders were liable for tallage, mill suit, entry fine and merchet. In the 1340s, the vast majority of all villein holdings were held on heritable service tenure. However, the 1346-7 account notes in the works section that two of the 14½ virgates were exempt from performing winter and summer works because they were held '*ad certum in denaria*', although they were still required to perform the standard complement of 27 harvest services plus seven bedrips in the nine weeks of the harvest.[569] In other words, in the 1340s, 14 per cent (two ex 14½) of the Overbury customary virgates were held for money rent, with some additional harvest boonworks.

The virgates were preserved intact as standardised holdings. Some temporary subletting was licenced, but otherwise there was no fragmentation of the virgates. The limited opportunities to acquire land contributed to the growth in the number of cottagers on both manors, who might have possessed a small garden but otherwise were dependent on wage labour for their livelihood. The existence of these cottagers—and others who were landless and on the poverty line—is

[569] WCL, C699, Overbury Reeve Account, 1346-47.

occasionally revealed in the pre-plague courts. For example, in the famine year of 1316 Richard and Adam, the sons of Robert le Bacheler, were in mercy for having brought strangers into the manor, and in 1325, the court noted that all of the cottagers of Overbury had unjustly collected straw and were placed in mercy for 40d.[570] Before the Black Death, outsiders moving into Overbury or Teddington to acquire villein land—presumably by marrying servile heiresses—were liable to be charged a sum of money. In 1337, Henry atte Grenem, an outsider, was required to render annually 2d. so that he may dwell in the manor of Teddington and to conduct himself "well".[571] Such sums ceased after the Black Death.

The 1354-5 account documents a significant change in the tenurial composition of the customary virgates at Overbury. The rents section notes receipts '*de firmis*' for the works, customs and tallage attached to 4½ virgates, totalling £4 11s. 8d. for the year, plus another two virgates paying annual rent at farm '*ad voluntatem domini*' of 61s. 8d. The works account notes that 7½ virgates did not owe winter and summer works this year, and 8½ virgates did not owe harvest and ploughing services, '*quia ad certum in denaria*'.[572] So within five years of the Black Death, just over half of the main virgates had been converted to money tenure: likewise, two of the seven cottars (29 per cent) were now leased for money. In 1360-1, one virgate was unoccupied, and eight were held for money rents, and three of the seven cottars had also been converted to money rent. Under a paragraph headed 'farms', the account notes that four virgates rendered each 20s. 10d. per annum, and three and a half other virgates were leased at 20s. per annum: in

[570] WCL, E10, 6 November 1325.
[571] WCL, E13, 23 May 1337.
[572] WCL, C702, Overbury Reeve Account, 1354-55.

addition, the half virgate of Walter le Walker paid 10s. 5d. 'for the farm of the works'. This was the same in 1366-7.[573]

The next account dates from 1376-7 and reveals a change in the accounting procedure for rents at Overbury. The previous practice had been to list all the assize rents paid at the four customary terms, with Michaelmas tallage payments, plus itemising the rents from those virgates converted to money tenures, which was then followed by a list of financial deductions under decays and allowances for the holdings which had been converted to money rent. However, in 1376-7 the account simply records a lump sum of £28 8s. 8d. income from rents—no further breakdown is provided—with no allowances or decays. The works account had also changed in this year. The theoretical liability of the nine virgaters and three cottars to money rents for their old winter, summer, harvest and carriage works is no longer recorded, and now only the liability of the remaining five virgartes, three cotmen and four cottars still held on the old service tenure is recorded. The account was now recording the reality of the tenurial structure, rather than recording it as temporary decays as in the old system.

From all this information, in 1376-7, nine of the 14½ virgates (62 per cent) were now held on monetary tenure, plus three of the seven 'cottars' (43 per cent), and the change in accounting procedure is confirmation that the tenurial conversions were now regarded as permanent. Conversely, five virgates (ex 14½), three 'cotmen' (ex-three) and four 'cottars' (ex-seven) continued to hold on the old service tenure.[574] The 1392-3 account is badly creased, stained and faded, but it appears to state that 12s. 5d. was received for tallage, plus 4s. 10d. from the three cotmen, which would

[573] WCL, C707, Overbury Reeve Account, 1360-61; C709, Overbury Reeve Account, 1366-67.
[574] WCL, C711, Overbury Reeve Account, 1376-77.

indicate that just two and half virgates remained on the old service tenancy.[575] There is no works account in 1392-3, indicating that labour services on all the virgates had now been permanently replaced with cash payments.[576]

The unequivocal evidence for the conversion of customary virgates to money tenures—i.e. where a fixed annual cash rent replaced all the labour services, tallage and renders in kind associated with the old service tenure—explains the rise in the rental income from Overbury and Teddington in the post-plague era. Table 8.1 shows the cash rents received by the cellarer from the two manors clearly rose after the Black Death. This does not reflect the exercise of coercive seigniorial power to increase rents arbitrarily as part of a seigniorial reaction, but the rapid switch to monetary tenure and the loss of labour services and tallage[577]. Given the shortages of tenants and the collapse of entry fines, this is likely to have reflected the preferences of the tenants, not the lord. We have been able to document this process at Overbury through the works account, and the information in table 8.1 indicates that a similar process of conversion was also at work at Teddington.

Table 8.1. Cash received by the cellarer of Worcester Cathedral Priory for Rents, Sale of Works and Tallage at Overbury and Teddington, 1345 to 1381.

Overbury: Paid Rents at the Four Terms					
Date	St Andrew	Annunciation	St John	Michaelmas	Tallage
1345-46	£5.11s.7d. (+sale of works)	£5.13s. (+sale of works)	£6.12s.8d. (+sale of works)	£9.14s.	Included in Michaelmas
1357-58	£6.4s.0d.	£6.8s.	£6.15s.	£9.13s.3d.	No tallage.
1380-81	£14.15s.8d.	Included in St Andrew	£8.6s.8d.	£11.15s.8d.	No tallage.

[575] On the basis of 4s. 10d. tallage liable per virgate.
[576] WCL, C752, Overbury Reeve Account, 1392-93.
[577] Bailey, *After the Black Death*, pp. 96–102.

Teddington					
Date	St Andrew	Annunciation	St John	Michaelmas	Tallage
1345-46	64s.11d.	60s.11d.	44s.6d.	£7.15s.1d.	Included in Michaelmas
1357-58	56s. + 56s.6d.	--	58s.	£6.7s.2d.	Included in Michaelmas
1380-81	£7.13s.2d.	£8.15s.2d.	£8.19s.6d.	£8.4s.9d.	No tallage.

Security of villein tenure is indicated by occasional references to 'copies' of the court roll entry of the land transaction as proof of title.[578] For example, in 1378, Henry Hyde was given until the next court to produce his copy supporting his claim to a landholding.[579] In 1389, a tenement called *Pyllokeslond* was in the hands of the lord through the death of Emma Wasshe, and a dispute over who was the rightful heir was resolved following the production of a copy of Emma's original grant.[580] These cases highlight the priory using written precedents of title and a due process to resolve disputes over land.

One notable feature of these courts is the granting out of parcels of demesne on hereditary tenure for annual cash rents with an entry fine. This first occurred in 1315 when Richard le Bachiler and Walter Roberts gave the lord a 10s. entry fine for 5 acres of demesne land: the entry stated that 'and they and their heirs shall hold [the land] from the lord in bondage; furthermore, they shall perform suit at the court of Overbury and shall give heriot for the said land as they do for the other lands which

[578] WCL, E28, 9 October 1377.
[579] WCL, E28, 7 May 1378.
[580] WCL, E34, 15 January 1389.

they hold from the lord in the same vill'.[581] In 1319, Warren Bememar entered 3 acres of land for 2s. rent per annum, 'to have and to hold to the said Warren and his heirs in bondage according to the custom of the manor in perpetuity'.[582] In 1337, a memorandum stated that Henry Maryot of Overbury had been granted one piece of demesne to construct a cottage, with 3 acres of arable lying in *Romaldesinorum* and 1 acre in *Bradeweyesfurlong,* and the rent package included a labour service of 1 benryp with 1 man for 1 day.[583] It is important to note that the vast majority of grants of the demesne were for straight monetary tenures. For example, in May 1337, the lord granted Richard le Taylour 8 butts of demesne field in Teddington for 20d. annually, and John Andrews was granted 4 acres of demesne for 4s. per annum.[584] The permanent alienation of demesne land as hereditary villein tenure for cash rents is unusual.

Tallage

Annual tallage was due at both Teddington and Overbury. In 1345-6, the cellarer received 155s. cash for rents and tallage at the Michaelmas term from Teddington and 194s. for the same from Overbury.[585] Little more is known about tallage at Teddington, although the information in table 8.1 indicates that, in the 1340s, it probably comprised a lump sum of around £4 per annum and had largely disappeared by the 1380s with the shift to money tenures.

The reeve's accounts at Overbury provide more information about its nature and management. The account of 1346-7 states that tallage of £4 17s. was due each

[581] WCL, E7 15 January 1315.
[582] WCL, E8, 31 January 1319
[583]WCL, E13, 21 January 1337.
[584] WCL, E13, 23 May 1337.
[585] WCL, C60, Cellarer's Account, 1345-46.

Michaelmas, and the allowances section of the 1354-5 account notes that it was charged at 4s. 10d. per virgate.[586] Cottars and cotmen also paid tallage, both at a fixed amount: the cotmen each paid around 20d. and the cottars 7d. per annum.[587] Hence tallage was fixed, not varied arbitrarily, and it was based on landholding. The only recorded variation on this arrangement is contained within the 1320-1 account, which noted the Michaelmas tallage twice: either this was a scribal error, or in occasional years the cellarer charged double.[588]

The post-plague Overbury accounts continued to record the notional total charge for tallage at £4 17s. each Michaelmas in the charge section of the account, although every year from 1354-5 there is a counter-balancing allowance recorded against this sum in the discharge section of the account. This confirms that, in reality, the lord was no longer able to collect the full amount each year. For example, in 1354-5, 36s. 10d. was allowed against tallage and, in 1360-1, 38s. 8d., which meant that around 44 per cent was no longer collected.[589] The allowed sum in 1354-5 is broadly equivalent to the total amount owed by those seven and a half virgates which had been converted to monetary tenure in that year, which confirms that tallage was due as part of the customary service tenure, but that liability ceased once they had been converted to an annual cash rent.

Tallage is not mentioned in the 1376-7 Overbury account. The 1392-3 account does mention tallage and the total amount due that year appears to be 17s. 3d. (the top of the account is badly faded, stained and torn). Thus, it appears to have been just one-fifth of its original value in the 1340s. Its decline is directly linked to

[586] WCL, C699, Overbury Reeve, 1346-47; C62, Overbury Reeve, 1354-55.
[587] The 1366-7 account notes the allowance of 14d. for the tallage of two cottars held at farm, WCL C709, Overbury Reeve Account, 1366-67.
[588] WCL, C698, Overbury Reeve Account, 1320-21.
[589] WCL, C702, Overbury Reeve Account, 1354-55; C707, Overbury Reeve Account, 1360-61.

the decline of service tenure. Tallage is unlikely to have survived the turbulence in the land market of the 1390s and the need to make further concessions to servile landholders.

Labour Services

The Overbury virgates carried a heavy burden of labour services on the old service tenure: one carrying service every week of the year, three winter works per week for 38 weeks of the year, three summer works per week for five weeks of the year, and three harvest weeks per week for the remaining nine weeks of the year, plus seven benrips for good measure. It seems likely that the customary virgates at Teddington were similarly burdened. How were these Overbury services used in practice?

In 1346-7, most of the winter works were sold. Around one third of the summer works were commuted, and the rest were mainly used to mow the lord's meadows. Just under half of the harvest works were sold, and the rest deployed to reap the demesne grain. Most of the carrying services were used, often in taking grain to Worcester. After the Black Death the conversion of half the virgates to money tenure halved the quantity of services available to the lord. In 1354-5, the remaining winter services were all sold. Around one third of the total available summer works were used, 40 per cent of all the harvest works, and 20 per cent of the carrying services, with the rest either allowed or commuted at will.[590] No winter works were used in 1360-1 and in 1366-7, just 30 out of 1,696 works theoretically available.[591] In 1366-7, 2 per cent of winter works were used, 50 per cent were sold,

[590] WCL, C702, Overbury Reeve Account, 1354-55.
[591] WCL, C707, Overbury Reeve Account, 1360-61; C709, Overbury Reeve Account, 1366-67.

and 48 per cent were allowed, mostly because they were unavailable due to conversions to monetary tenure. In the same year, 27 per cent of summer works were used, 14 per cent were sold, and 69 per cent were allowed. Likewise, 45 per cent of harvest works were used, 13 per cent were sold, and 42 per cent were allowed. Finally, 18 per cent of carrying works were used, 20 per cent were sold, and 62 per cent were allowed.[592]

The 1376-7 account dispensed with the old accounting device of listing all the services due from holdings which had long been converted to money rents, only to 'allow' them as uncollectable. Instead, this works account simply listed all the services due from the five virgates, three cotmen and four cottars still held on service tenure. There were now just 870 winter works available to the lord (less than half the original number), of which 85 per cent were used and the rest commuted. The 112 summer works were all utilised on the demesne, and 93 of the 348 harvest works (27 per cent) were sold and the rest were used. If this high utilisation rate of the (greatly diminished number of) remaining labour services in 1377 at Overbury is typical of other manors on the Worcester Priory estate, then it might explain the conflict noted by Hilton in the late 1370s (considered in Chapter 11 below).[593] The 1392-3 account contains no reference to labour services, so presumably any still due by this date were routinely commuted.

Refusals to Perform Labour Services

References to refusal to work are not common, and most occurred in the pre-Black Death period. The earliest recorded case occurred in 1316, when Edith atte Gate was

[592] WCL, C709, Overbury Reeve Account, 1366-67.
[593] WCL, C711, Overbury Reeve Account, 1376-77.

placed in mercy for not performing the works owed.[594] In 1319, Richard Elias was amerced 4d. for the poor performance of his labour services by his servant (*per ancillam suam),* which confirms that labour services were not always performed by the landholder, but that third parties could be sent instead: indeed, Robert Bernard was amerced 4d. for sending his female servant to perform labour services (*ancille sue in opere domini*), who was presumably regarded as an inferior form of labour.[595] In July 1325, Roger Campion, Roger Palfrey and John Abbot were all amerced 2d., because they did not come to do the works for the lord.[596] The cases above are the sum total in the pre-plague court rolls, and do not represent a major pattern of resistance to performing labour services. However, a much more serious confrontation occurred in the 1330s. In January 1337, it was found that the whole vill of Overbury and Teddington should pay a penalty of 100s. at the behest of the lord, although it is unclear from the reference exactly what their offence had been. However, it is most likely related to the very next case, which recorded that the whole vill of Teddington and Alston had held back works and customs "for a long time", and the value of the withheld works was reckoned at 'four marks 2s. and 1d.', (55s. 5d.) and they were given until the feast of the Purification to pay.[597] So this looks like a case of sustained collective resistance, although it is imprecise about the length of time or the type of service being withheld. The value of all labour services on the standard virgate was just over 9s. per annum, so the collective withholding of services must have been targeted, perhaps on the winter works, which were valued at ½d. each.

[594] HCL, R1162, 1 May 1316.
[595] WCL, E8, 31 January 1319.
[596] WCL, E10, 24/25 July 1325.
[597] WCL, E13, 21 January 1337.

The priory clearly acted decisively and punitively in dealing with the collective resistance of the mid 1330s, evidence of an onerous form of serfdom, but it was also capable of dealing with individual cases on their own merits. For example, in 1331 John Roberts, Walter le Lycworthe, William Courdray and William Palfrey were placed in mercy because they did not come to do the works which they owed, but the men argued that they could not do so because they were ploughing with the lord. The conclusion to the case was pragmatic, because the scribe recorded 'condoned' above the case.[598] The conversion of villein holdings to monetary tenancies from the 1350s reduced the quantity of labour services available to the lord, which largely explains the rarity of refusals to work in the later court rolls. A rare exception occurred in July 1378, when Matilda Chicheley, Walter Mage, William Cook, William Martyn, William Cook, with the vicar Walter Carre, were all said to have withheld works from the lord. However, their indiscretion was forgiven by the lord under condition of their future "good conduct".[599] The lord could be accommodating to tenants not performing works as well as punitive.

Entry Fines

Entry fines were routinely charged on transactions of unfree land at Overbury and Teddington, although many of these transfers involved either small plots of land or non-standardised landholdings. Entry fines for a messuage and half-virgate, and a

[598] WCL, E11, 7 March 1331.
[599] WCL, E28, 15 July 1378.

messuage and virgate, can be used to evaluate changing levels per fixed unit area over time.

Some entry fines were combined with marriage fines, including outsiders marrying servile landholders. For example, in 1315, Henry Brumi was granted licence to marry Sibyl la Wayte, neif of Teddington, and to enter the cottage which Sibyl held, giving 6s. for the licence.[600] These could be large fines in the pre-plague era. In 1326, John Abbot was granted licence to marry Juliana Abbot, a neif of the lord, and to hold her cottage and tenement in bondage for £8 (160s.).[601]

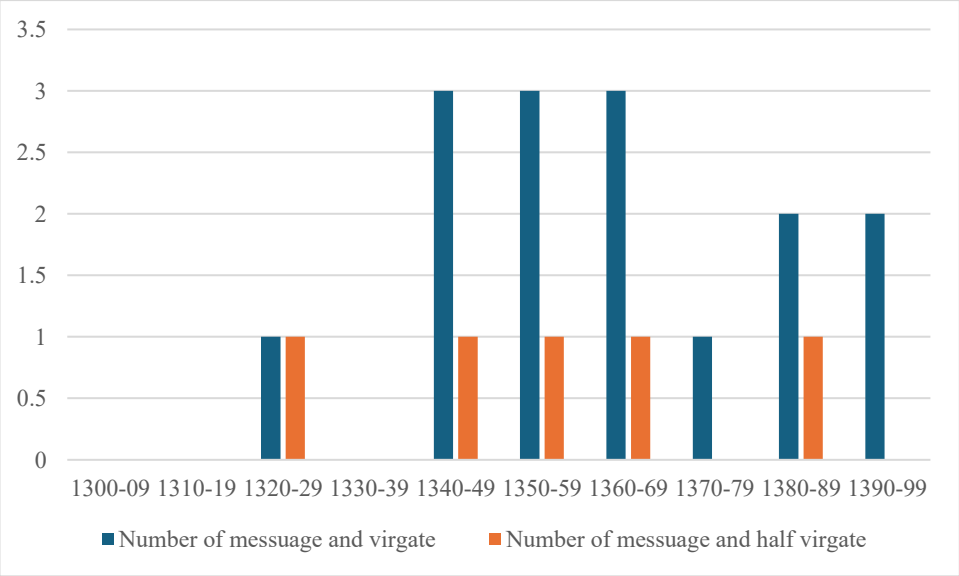


Figure 8.1: Number of Entry Fines Paid for a Messuage and Virgate and Messuage and Half Virgate, 1300-1399.

Figure 8.1 shows that the number of transfers of messuages with a standardised holding, whether a virgate or half virgate, in any one decade was relatively low.

[600] HCL, R1162, 30 October 1315.
[601] WCL, E10, 17 January 1326.

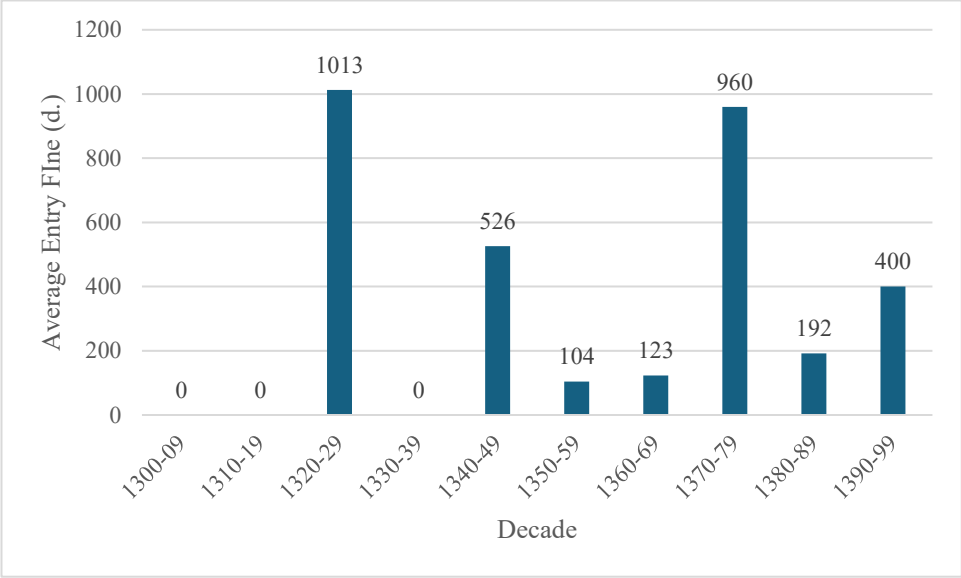


Figure 8.2: Average Value of Entry Fine for a Messuage and Virgate (including data from half virgates, d.), 1300-1399.

Figure 8. 2 shows the highest average entry fine was recorded in the 1320s, with an average entry fine of 1013d. The level fell in the 1340s to 526d. Taking the overall pre-plague average of 770d., the level in the 1350s was down 86 per cent and remained around the same level in the 1360s. Given this collapse in the level of entry fines in the 1350s and 1360s, the recovery in the 1370s to 960d. is remarkable, and is probably the basis for Hargreaves' observation that entry fines at Overbury 'were kept at a high level' after the Black Death.[602] He probably noticed that virgaters at Overbury and Teddington continued to pay entry fines in cash, rather than the switch to poultry renders on many other manors. However, Hargreaves did not provide any quantification to support his claim for Overbury, and the 1370s figure in 8.2 is based on just one transaction, so it might have been an exceptional case. As the post-plague average level is 356d., which is 54 per cent lower than the pre-plague average, it is impossible to argue that entry fines remained high here.

[602] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', pp. 57–58.

Further support for the argument that the lord was relatively weak in the post-plague labour market is the widespread evidence of the difficulties in finding tenants for these large holdings. For example, in 1365, Richard, son of Thomas Whyte of Teddington, rendered no entry fine for one messuage and one virgate, "because it lay worthless in the hands of the lord".[603] The conversion of virgates to monetary tenures is another example of the need for the lord to make concessions. In January 1353, one messuage, a virgate and 9 acres of land were in the hands of the lord through the impotence of Agnes Abbots, and so the landholding was granted to Thomas Manus on the agreement that he would, for the first two years, continue to render the associated labour services, but thereafter he would switch to giving 2 marks annually.[604]

The sapping of demand in the customary land market after 1349 is reflected in a spate of concessions on grants of non-standardised customary holdings and demesne land. In the early 1350s, entry fines were dropped from some grants of demesne land. For example, in 1353, Robert, son of John le Taylour, was granted 2 acres of demesne land, William le Carter was granted 3 acres of demesne land, and Reginald and John Adams were granted 4 acres, none of whom paid an entry fine: the grants were for a cash rent and a bedryp.[605] In the 1360s, renders of capons became increasingly common on entry to non-standardised holdings and grants of demesne land.[606] In addition, the lord made tactical concessions on rents. In 1365, William Phelps and John Wylles were granted a curtilage called Byernslond in

[603] WCL, E21, 30 May 1365.
[604] WCL, E17 23 January 1353.
[605] WCL, E17, 11 July 1353.
[606] WCL, E21, 7 November 1364, when Robert Olymer of Aston upon Carrant took 5 acres of land for the term of his life, rendering annually to the lord 3s.4d. and gave an entry fine of 2 capons. See also WCL, E22, 16 January 1368, when John Wyson took 3 ½ acres of land for an annual rent of 2s.7d, with an entry of 4 capons, and John Nemnon of Alston was granted 2 ½ acres on an annual rent of 2s. with an entry of 2 chickens.

Teddington, paying 22s.6d. annually for the first four years, which would then increase to 2 marks (26s.8d.). Likewise, Thomas Abbot and John Whytyng took one toft for the term of their lives for 22s.6d. annual rent, with an increase to 2 marks after four years.[607]

Thus, the evidence for entry fines shows a clear decline in their value after the Black Death at Overbury and Teddington. Entry fines on virgates and half virgates continued to be paid in cash, in contrast to many other priory manors which switched to poultry renders, and the level did not fall as far as on other manors, but they were at least one half of their pre-plague level. Contrary to Hargreaves' statement, they were not maintained at a high level.

Heriot

Heriot was a staple servile incident on both manors on the surrender of customary land throughout the fourteenth century at Overbury and Teddington. Even when the lord converted demesne land to a customary heritable tenure for money, such as in 1315, when 5 acres were granted to Richard le Bacheler and Walter Roberts, the court stipulated that both shall perform suit of court and "they shall give heriot for the said land as they do for other lands".[608] The liability of land to heriot was sometimes stated on the grant of land, such as when a parcel of demesne land had been converted to villein tenure, where there may have been some doubt: in 1353, John le Taylour entered four acres of demesne land in bondage, and it was recorded that he would owe a heriot.[609]

[607] WCL, E21, 30 May 1365.
[608] WCL, E7, 15 February 1315.
[609] WCL, E17, 22 April 1353.

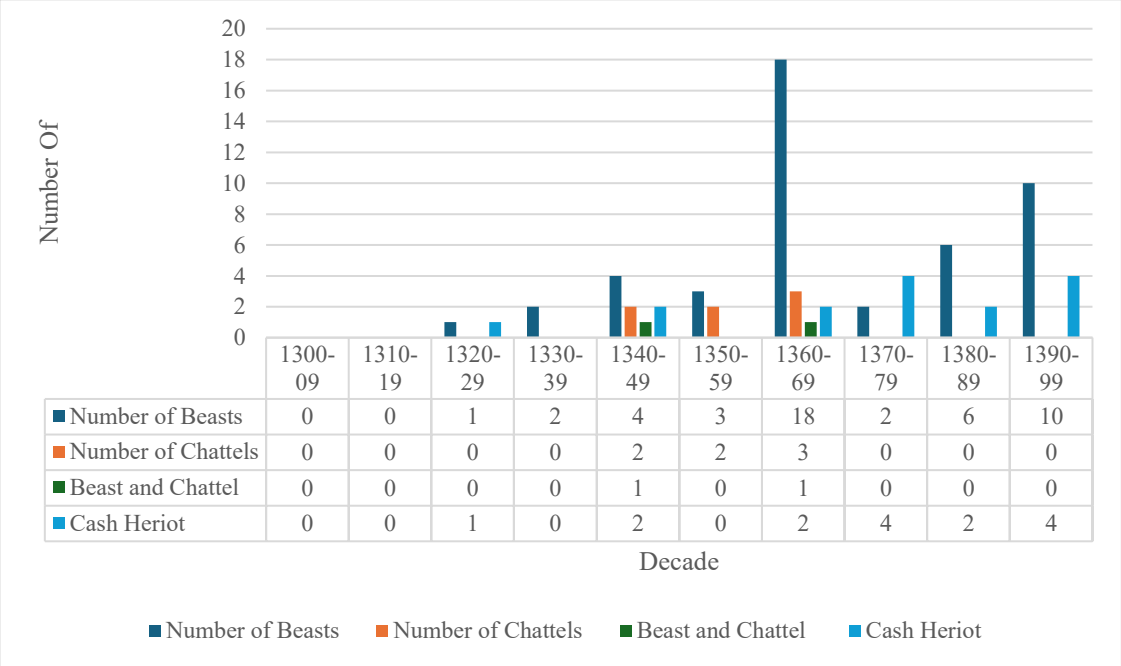
Some freeholdings were also liable for heriot. For example, in November 1361, William Byterlone, who held one messuage and two virgates of land freely, had died and rendered a horse and a stool with ash and "sword".[610] While heriot was overwhelmingly an incident of tenure, one entry in 1326 suggests that the lord occasionally enforced it as an incident of person servility: on this occasion, John Roberd gave the lord 40d. for the heriot of Alice le Pachare, neif of the lord.[611] In November 1342, the court stated that Walter, son of William Hobkynes of Conderton, 'shall give two heriots' upon his death.[612]

Figure 8.3: Cases Liable to Render a Heriot Versus Cases Where a Heriot Was Rendered, 1300–1399.

As Figure 8.3 demonstrates, heriots remained liable throughout the period of study, and the priory remained committed to collecting them. The relatively low number of heriots in the 1320s and 1330s reflects the relatively low number of surviving courts, but also—when considered alongside the evidence for entry fines—it reflects

[610] WCL, E20, 24 November 1361.
[611] WCL, E10, 8 April 1326.
[612] WCL, E14, 12 November 1342.

the shortages of land and the unwillingness of tenants to relinquish or transfer it. The number of heriots rendered peaked in 1360–69 when the priory received 24 heriots, a figure inflated by the second plague epidemic. From the first court in October 1361 to the next court of 24 November 1361, 20 tenants of Overbury and Teddington had been reported as dead and each rendered a heriot. The rising number of heriots in the last quarter of the century is mainly a function of tenants relinquishing servile land as the land market sagged, as suggested again by entry fines and by the willingness of the lord to waive nearly 20 per cent of the heriots due in the 1390s.



	1300-09	1310-19	1320-29	1330-39	1340-49	1350-59	1360-69	1370-79	1380-89	1390-99
Number of Beasts	0	0	1	2	4	3	18	2	6	10
Number of Chattels	0	0	0	0	2	2	3	0	0	0
Beast and Chattel	0	0	0	0	1	0	1	0	0	0
Cash Heriot	0	0	1	0	2	0	2	4	2	4

Figure 8.4: Form of Goods Rendered for Heriot at Overbury and Teddington, 1300–1399.

As Figure 8.4 demonstrates, throughout the fourteenth century the standard render for heriot was a beast. Multiple beasts were rendered for heriot on those occasions when a tenant relinquished more than one parcel of servile land. The first example of this occurred in 1343, when, upon the death of William Brayel, the lord received three heriots: an ox for a tenement and one virgate, one cow for three acres and one

mare for a piece of land called le Moresende.[613] In 1353, the death of John Otewell resulted in one horse and one ox rendered for a messuage and virgate in Conderton and one cottage in Overbury, respectively.[614]

Figure 8.4 also shows that cash heriots remained less common than beasts, but the frequency rose in the second half of the century. They tended to be charged on inter-vivos exchanges rather than post-mortem transfers, i.e. from living tenants surrendering into the hands of the lord or aiming to take back their holding on a different form of tenure. The reasons for the variable sums paid as cash are not obvious, although they must have been related to the size and value of the land, coupled with some assessment of ability to pay.

The sums of money paid as cash heriots were variable. In 1343, John le Parker surrendered eight acres of land for which he paid 5s. for heriot.[615] In 1361, Henry atte Rewe, who held one cottage and one curtilage, was recorded as having died, for which the lord had 12d. for heriot.[616] In 1368, Richard Bunel had surrendered one messuage and one virgate of land for which he gave the lord 13s.4d. for heriot.[617] There were three cases of a combined entry fine and heriot, all after the Black Death, which are suggestive of concessionary grants aimed at encouraging the take-up of servile land. In July 1368, Matilda Otewel surrendered one messuage and one virgate in Conderton to the use of her son John, paying a combined entry fine and heriot of 53s.4d.[618] In 1377, William Bacheler gave no entry on one cottage and two acres of land which had been surrendered to his use by John Persen because a heriot of 6s.8d. had been paid.[619] The final instance of a combined entry and heriot

[613] WCL, E14, 6 February 1343.
[614] WCL, E17, 12 July 1353.
[615] WCL, E14, 6 February 1343.
[616] WCL, E20, 24 November 1361.
[617] WCL, E22, 16 January 1368.
[618] WCL, E22, 20 July 1368.
[619] WCL, E27, 16 January 1377.

occurred in 1399, where Walter, son of William Wylde, gave 23s. 4d. for a messuage and half virgate with demesne, which his father had surrendered.[620]

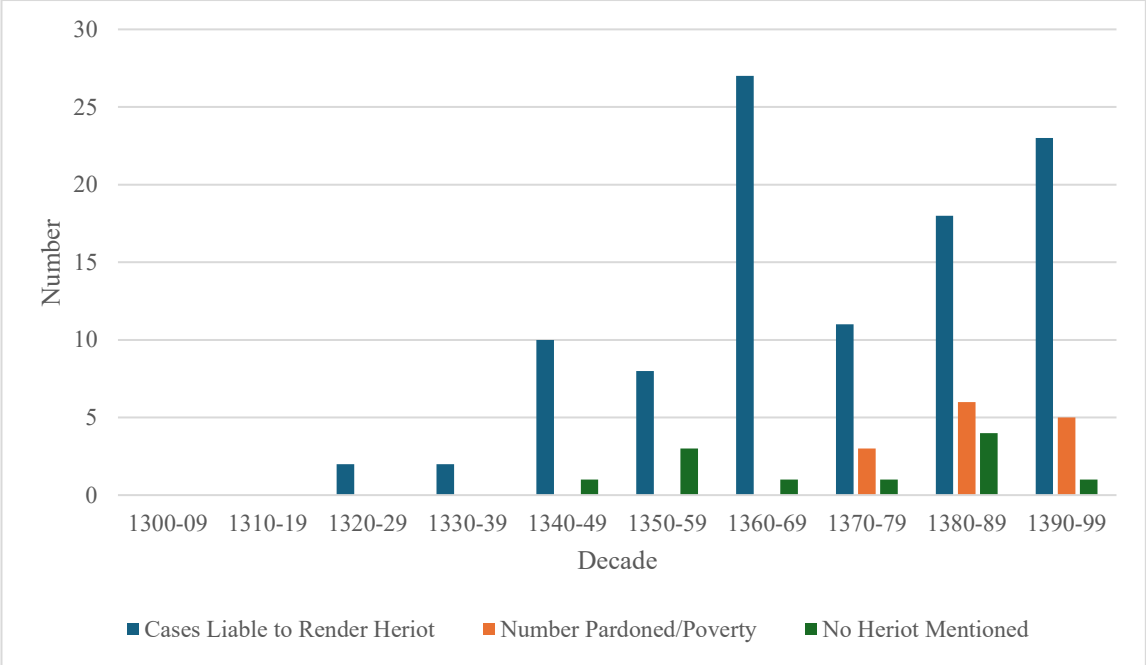


Figure 8.5: Number of Heriots Pardoned or Not Rendered Due to Poverty Versus No Heriot Mentioned, 1300–1399.

As Figure 8.5 shows, the priory did not commonly waive the collection of heriot, which reinforces its importance as an incident of servility. The instances of waiver are mainly after the Black Death, reinforcing the point that the lord used this as an occasional tactic to encourage the uptake of land in a flagging land market, or it reflects the lord's mounting realism about the chances of collection. In a court of 21st January 1350 heriot was simply not collected on three occasions, one involving Jonn Whyte surrendering one messuage, thirteen acres and one croft for the use of his brother Thomas.[621] The other two cases involved Felicia Hayle and William de Wesavacootes, both deceased.[622]

[620] WCL, E40, 21 April 1399.
[621] WCL, E16, 21 January 1350.
[622] WCL, E16, 21 January 1350.

Figure 8.5 shows that in the 1370s, a pattern of heriots being pardoned started to occur. For example, in 1377, at Teddington, John Whytyng surrendered one messuage and a half virgate of land with nine acres of former demesne land into the hands of the lord. It was then recorded that John would give no heriot because he had nothing.[623] In 1378, William Walker surrendered one messuage with one garden and one croft with one acre of land and the fulling mill with the detail 'nothing for heriot', but then immediately took the same land from the lord in bondage for an annual rent of 26s.8d. with 10s. 'ordained' and also took six acres of straw, with carting for the lord at an entry fine of 6s.8d.[624] Evidently, William's surrender was facilitated to enable him to take back the land and fulling mill on a lease beneficial to both parties.

In the 1380s, as can be seen in Figure 8.5, the number of heriots being pardoned or not mentioned was double the number in the 1370s, and increasingly the court roll explains that this was due to poverty. In 1380, William Martyn was pardoned heriot due to poverty on the surrender of one cottage and two acres of land;[625] and in 1385, Walter Sheperde surrendered one cottage and two acres of land formerly Robyns, again pardoned for poverty.[626] In the 1390s, the priory occasionally waived a heriot, then sought to apply a modest heriot in a subsequent court, perhaps to try and square the circle of the ongoing problems of poverty, but the priory's desire to retain heriot. At Overbury in 1393, Matilda Chichely surrendered a cottage and two acres of land, and it was initially recorded that nothing was to be given for heriot. However, it was then reported she was to render two capons for her heriot.[627] This also occurred in 1397, when John Crok

[623] WCL, E27, 16 January 1377.
[624] WCL, E28, 8 January 1378.
[625] WCL, E30, 20 April 1380.
[626] WCL, E31, 17 January 1385.
[627] WCL, E36, 24 July 1393.

surrendered one cottage and two acres to the use of John Heward, where an initial report stated he had nothing therefore nothing for heriot, after which a heriot of 12d. was recorded.[628]

Flight of hereditary serfs became a common feature in the court rolls in the aftermath of the Black Death, and the priory attempted to collect heriots from those who had left, abandoning a landholding. The first example of this occurred in 1368, when William atte Nelme had alienated himself from the manor, leaving behind some chattels on his landholding, because the land was seized into the hands of the prior, who took an ox as heriot.[629] The second occurred in April 1399, when the court recorded that Henry Shepherd, who held a cottage and a croft, had departed the manor with the lord's goods and chattels. Among these was 1 cow worth 7s., which was stated to be 'the lord's heriot'.[630]

Overall, heriot on the manors of Overbury and Teddington was a major servile incident and continued to be collected throughout the century. It was due on the surrender of servile land, not just on post-mortem transfers; it was due on some freeholdings; and the lord asserted the right to collect it from personal serfs as well as servile tenants. It increased in frequency over the century, although this reflects the unwillingness of tenants to hold servile land after the Black Death and not the lord's arbitrary attempts to increase its imposition. For the most part, the most common form of heriot rendered was the best beast, where a beast was unavailable the best chattel was chosen. As the century progressed cash heriot started to become popular which also coincided with a small rise in the small number of pardoned

[628] WCL, E39, 2 October 1397.
[629] WCL, E22, 16 January 1368.
[630] WCL, E40, 21 April 1399.

heriots. This reflects the distress in the customary land market at the end of the century.

Mill Suit and Milling Rights

The manors of Overbury and Teddington both had multiple mills, as referenced in the court rolls, as well as a fulling mill (see below). In some cases, these were private mills attached to land held from the manor. In 1320, John Peyntmyn, miller, gave 18s. for the grant of a mill, and John Law, miller, of Alston, gave 13s.4d. for entry to the mill called 'Berimilne' for his whole life.[631] Thet record of the grant in the court roll, and the latter on a life tenancy, indicate that these private mills were held on villein tenure.

The demesne mills were leased out, judging by the grant in 1378 of the mills of Overmulle and Myddelmulle, which included the "grinding of both free and unfree pertaining to the mills".[632] Breaches of mill suit are recorded occasionally. In 1325, nine individuals from Teddington were amerced 4d. each, because they were 'milling other than at the mill of the lord and did not pay toll'.[633] In 1353, eight individuals were recorded in the court for withdrawing suit of mill and placed in mercy at 6d. each.[634] This is the last reference to breaching mill suit on these two manors. In 1396, the lease of Baggenmulle mentioned mill suit, but this reference must be legalese given that it does not appear to have been enforced after 1353.

[631] WCL, E9, 29 July 1320.
[632] WCL, E28, 8 January 1378.
[633] WCL, E10, 13 December 1325.
[634] WCL, E17, 23 January 1353.

The holding of private mills on villein tenure is also indicated by a number of cases in the last quarter of the fourteenth century. In 1378, Matilda Chycheley had taken on the mills of Overmulle and Myddelmulle, but her lands were seized because she was accused of fornication with Roger, brother of the abbot of Winchecombe.[635] In 1379, she paid a fine of 2s. to be readmitted for the term of her life.[636] Matilda's life was evidently complicated, because in January 1380, she was struggling to maintain the mills in good repair.[637] The agricultural downturn of the 1380s meant that Overbury and Teddington were now over-supplied with milling capacity. In 1386, Baggemulle was reported to be in decay, and in July 1389, John Smyth and William Walker were both amerced 3d. and ordered to rebuild the mill under penalty of 100s.[638] In January 1390, both Baggemulle and also Burymulle were recorded as being in decay and in the hands of the lord.[639] In 1393, they were still recorded as totally ruinous and in the lord's hands.[640] The court's interest in the dilapidations of mills is consistent with its treatment of wastage on other villein holdings.

A fulling mill was built in Overbury in the 1330s, and it, too, was held on villein tenure for a cash rent and no other services. Industrial milling slowly became a feature of many manors from the twelfth century, the predominant industrial mill being the fulling mill. These mills were at the heart of cloth production, and Holt has estimated that, by 1327, England had 124 recorded fulling mills, mostly in the Cotswolds and the south-west.[641] The January court of 1337 included a memorandum that the priory had granted John le Walcare of Overbury a plot in the

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[635] WCL, E28, 15 July 1378
[636] WCL, E29, 12 January 1379.
[637] WCL, E30, 12 January 1380.
[638] WCL, E34, 16 October 1386; WCL, E35, 9 July 1390.
[639] WCL, E35, 27 January 1390.
[640] WCL, E36, 17 January 1393.
[641] Richard Holt, *The Mills of Medieval England* (Basil Blackwell Ltd, 1988), pp. 152–53.

wood of Overbury for the construction of a fulling mill, watercourse and mill pond. The fulling mill was on the same water course as the lord's grain mills, because the grant stated that John was not to impede the flow of water through the seignorial mill. The grant was for the term of his life for services for 7s. per annum, and he could be amerced for transgressions at the will of the lord, so this was clearly held on villein tenure. Of interest is that the lord granted John free entry and exit to the mill without disturbance from others.[642] In 1343, however, John and his wife Agnes relinquished the fulling mill due to their poverty and impotence, rendering a pot worth 40d. for heriot. Subsequently, Robert, the son of John took the mill with his wife Alice for an entry of 1 mark.[643] The mill was still occupied in the 1370s, being taken by Richard Walker of Oxenton.[644]

Merchet and Marriage Without Licence

Males and females were liable for merchet at Overbury and Teddington, and the priory continued to collect it throughout the fourteenth century. Table 8.4 includes all recorded marriage fines where a calculation of the mean fine can be made. It does not include merchets coupled with other fines, such as entry fines. Hence, Table 8.4 shows no fines for merchet in the 1320s, although there were three marriages in that decade when the fine was combined with a manumission,[645] and with entry fines.[646]

[642] WCL, E13, 21 January 1337.
[643] WCL, E14, 15 May 1343.
[644] WCL, E21, 30 May 1365.
[645] WCL, E9, 28 July 1328.
[646] WCL, E10, 17 January 1326, John Abbot; and 8 April 1326, Sibel Suon.

The size of the fines for merchet was highly varied, reflecting some assessment of the specific circumstances of the individual. For example, in the 1310s John le Frynch paid 6s. 8d. to marry a widow, Margery Robyns, John le White paid 10s. to marry Cristina Cute in October 1318, while Emma de Kyworth, a possible outsider due to her being described "on the outside", only paid 3s. to marry Robert, son of Henry Bercari, in 1319.[647] This explains why the mean fines fluctuated from one decade to another. Likewise, some payments noted explicitly that the licence was to marry wherever—such as Joanna Adams (5s.), Cristine Hog (3s.) and Joan le Whyte (2s.)—whereas other licences were not specific, such those granted to Matilda Corderay (2s.) and Margaret Manus (3s.) (all examples from the 1330s).[648]

Table 8.2: Number and Fines for Merchet per Decade at Overbury and Teddington, 1300-1399.

Decade	Number of Merchet	Total Value of all Fines (d.)	Average fine per decade (d.)
1300–1309	--	--	--
1310–1319	3	236	78
1320–29	--	--	--
1330-39	5	180	36
1340-49	--	--	--
1350-59	2	48	24
1360-69	1	80	80
1370-79	6	800	133.3
1380-89	3	320	106.6
1390-99	3	240	80

In the 1350s, the fine paid fell 58 per cent from the pre-plague mean, from an average of 57d. to 24d. In 1358, Walter Patrich paid 6 chickens to marry Alice Kynges.[649] The mean fine rose in the 1360s, albeit based on one case. However, there appears to have been a deliberate policy of extracting sizeable fines in this

[647] WCL, E7, 15 January 1315; WCL, E, 20 October 1318L; WCL, E8, 31 January 1319.
[648] WCL, E11, 1 August 1331; WCL, E12, 16 November 1335; WCL, 14 October 1336.
[649] WCL, E18, 4 May 1358.

decade, because, in 1362, John, son of Adam Batchyler, of Overbury paid the highest sum of 40s. in 1362 to marry Matilda widow of John Willys of Alston and to enter her landholding.[650]

The highest number of merchets per decade and the highest mean fine were recorded in the 1370s. Three of the six cases involved the payment of a mark (13s. 4d.), while the lowest fine was paid in 1378 by Isabel West who gave 6s. 8d for a marriage licence to whoever and wherever.[651] From the 1380s, the number and the average fine fell. In the 1380s, the modal fine fell to half a mark (6s. 8d.) and settled at this level in the 1390s.[652] The mean fine in the 1390s (80d.) was nearly 40 per cent higher than the pre-plague mean. In the 1390s, there was also a spate of combined marriage licences and entry fines, which must reflect the difficulties in the land market in that decade. For example, in 1395, Walter Forester gave the lord a fine to lead in marriage and hold the cottage and land of Alcie Martyn for the term of her life, paying a modest 2s.[653]

The manor court retained a distinction between merchets as licences to marry and other amercements for marrying without licence. These were, however, relatively infrequent and attracted much lower fines than merchets. The reasons why some serfs paid merchets, whereas others evaded merchet and were amerced for marrying without licence, are never explained. In 1315 and 1316, Sibelle Adams and Alice, sister of William Chapman, were both fined 12d. for marriage without licence.[654] In 1342, John Corderay had carried away his goods outside the manor and taken a wife, for which he was amerced 4d., and in the same case, Agnes

[650] WCL, E20, 25 July 1362
[651] WCL, E28, 8 January 1378.
[652] WCL, E31, 7 July 1385; WCL, E34, 15 January 1389.
[653] WCL, E38, 19 October 1395.
[654] HCL, R1162, 10 July 1316.

Corderay was also amerced 4d. for marrying without licence.[655] The likelihood that these unlicenced marriages were predominantly of poor tenants is suggested by an example from Overbury in 1374, when Agnes Durant, who held in neifty 1 cottage and 2 acres, had taken a husband without licence.[656] Likewise, the court did not pursue flown serfs, such as in 1370 when it was reported that John Wash had married off his daughter "beyond the domain" without permission.[657]

Leyerwite

There were ten cases of leyerwite on the manors of Overbury and Teddington in the 1310s. Only women were fined. As shown in Table 8.5, the mean fine in this decade was 18.6d., with a modal sum of 2s. The number of leyerwites per decade collapsed thereafter, although the standard fine remained 2s. The large number of leyerwites in the 1310s must be associated with the socio-economic stress of that period. Perhaps there was a rise in fornication or prostitution as a survival strategy in the famines for poor young women. In 1319, Cristina, daughter of Thomas Adam, was accused of corruption, in the same sentence the court stated that afterwards she gave the lord 2s. 2d. (26d.) to have her freedom.[658]

[655] WCL, E14, 12 November 1342.
[656] WCL, E25, 26 July 1374.
[657] WCL, E24, 3 February 1370.
[658] WCL, E8, 31 January 1319.

Table 8.3: Number of Cases of Leyerwite, and Fines Paid, Recorded on the Manors of Overbury and Teddington, by decade, 1310 to 1399.

Decade	Number of Leyerwite	Total (d.)	Mean (d.)	Range (d.)
1310–1319	10	186	18.6	12-24
1320–1329	1	20	20	20
1330–1339	3	72	24	24
1340–49	2	36	18	12-24
1350–59	1	24	24	24
1360-69	--	--	--	--
1370-79	1	24	24	24
1380-89	--	--	--	--
1390-99	--	--	--	--

There were only two explicit cases of leyerwite after the Black Death. In 1350, Ellen le Hopere of Teddington was fined 2s.[659] The next reference is an isolated and unusual case which occurred nearly thirty years later in October 1379, at a time of increased tension between lord and peasants on the estate.[660] The tithingmen of Alston presented Isabelle, the daughter of William Phellips, as a fornicator, but it was unknown if she was a serf or not. The steward of the court decreed that she should pay leyerwite regardless ('*quousque stat' sicut vel non*'), and the margin of the roll noted the charge of 2s.[661] There were also occasional references in post-Black Death courts to female tenants being labelled 'a fornicator', without any specific reference to leyerwite or the payment of any fine. For example, in 1378, Matilda, the widow of John Chicheley, appeared in the court of Overbury for myriad misdemeanours, including the accusation that Matilda had fornicated with Roger, 'brother of the Abbey of Winchecombe, therefore it was ordered that her land and tenement were to be forfeit.[662] Nevertheless, in January 1379, Matilda returned to the court and gave the lord 2s. to hold the forfeited land for the term of her life.[663]

[659] WCL, E16, 21 January 1350.
[660] R. H. Hilton, *The English Peasantry in the Later Middle Ages the Ford Lectures for 1973 and Related Studies* (Clarendon Press, 1975), p. 61.
[661] WCL, E30, 14 October 1379.
[662] WCL, E28, 15 July 1378.
[663] WCL, E29, 12 January 1379.

Presentments for Absence and Chevage

Like all the other priory manors in this study, the movement of hereditary serfs was common in the post-Black Death period, which can be seen in Table 8.6. There are no recorded presentments for absence in the pre-Black Death period at Overbury or Teddington. The first recorded presentment occurred in 1353, when Robert Parker was recorded as residing at Pamington, just under 3 miles west of Overbury.[664] As can be seen from Table 8.6, this presentment was one of sixteen unique individuals which occurred in the 1350s. Eight of these individuals were presented between January 1353 and July 1353, reflecting the priory's sudden interest in flown hereditary serfs in the wake of plague.

Table 8.4 Unique Presentments for Absence and Total Presentments for Absence at Overbury and Teddington, Per Decade 1300–1399.

Decade	Unique Presentments for Absence	Total Presentment for Absence
1300–1349	--	--
1350–59	16	22
1360-69	10	12
1370-79	2	6
1380-89	6	11
1390-99	9	97

A number of early cases demonstrate both the geographical range of peasant networks and their possible entry into servanthood. For instance, in January 1353, Agnes Richards was recorded as being at Longdon with William le Spencer who was l recorded by the court as a knight.[665] Agnes then appears at Bishops Cleeve in 1358, this time not linked with anyone:[666] in 1362, she continued to be away from

[664] WCL, E17, 23 January 1353.
[665] WCL, E17, 23 January 1353.
[666] WCL, E18, 4 May 1358.

the manor, this time linked with Thomas Abbot.[667] Agnes was last reported in November 1364, but she never paid chevage and was never returned to the manor, which is evidence of the ineffectiveness of orders to return.[668] Likewise, Reginald le Smyth was recorded in April 1353 as being with an unnamed blacksmith in Oxenton, 4 miles from Teddington, which suggests he was a servant or apprentice:[669] there are no licences to trade recorded on the manor.

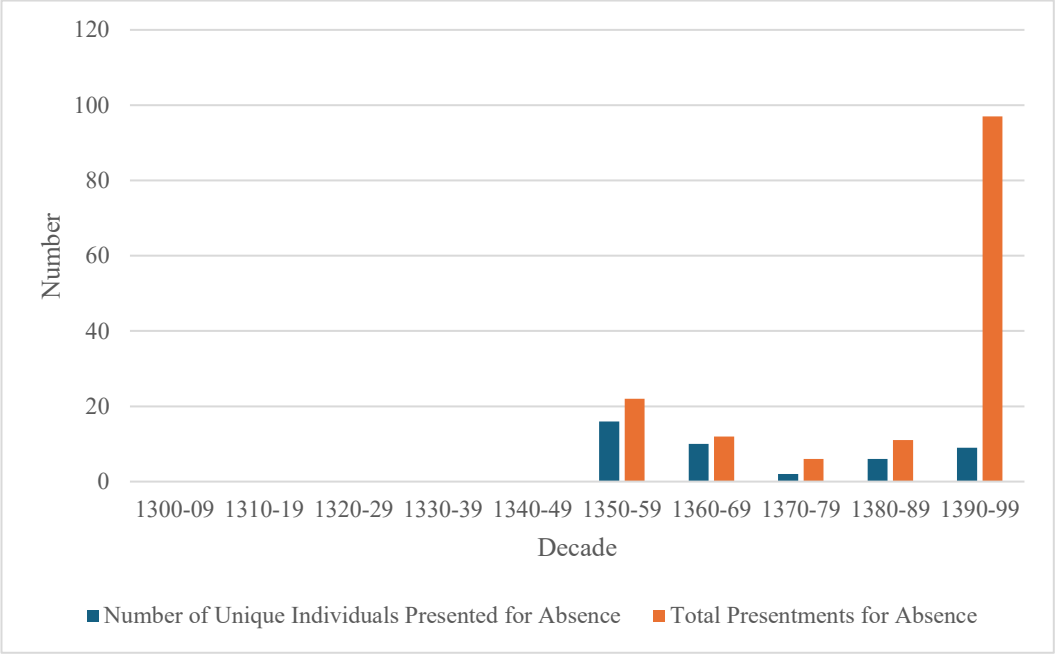

Figure 8.6: Number of unique Individuals Presented for Absence Versus Total Number of Presentments for Absence, 1300-1399.

As demonstrated in Figure 8.6, the number of unique presentments for absence peaked in the 1350s and fell to just two in the 1370s. The number of new individuals listed as flown picked up slightly in the 1380s and 1390s, while the number of *repeat* presentments increased. In the 1390s, 97 different instances of presentment for absence were recorded, while only 9 new individuals were listed, and 21 of the 97 recorded presentments were of individuals first mentioned in court

[667] WCL, E20, 25 July 1362.
[668] WCL, E21, 7 November 1364.
[669] WCL, E17, 22 April 1353.

sessions dating from the 1380s. Overall, this methodical—almost obsessive—recording suggests that the priory was highly sensitive to flown serfs at a time when the land market was volatile and depressed. This mass methodical reporting is symptomatic of administrative zeal, but also of the collapse of the priory's control over migration, because few of these migrants returned and none of the paid chevage.

Table 8.5: Distance of Location of Flown Hereditary Serfs from Overbury or Teddington.

Distance from the Home Manor	Number of Locations Recorded in the Court Rolls.
<5 miles	23
5–10 miles	2
10–20 miles	2
>20 miles	2

As illustrated in Table 8.7, 23 of the 29 (79 per cent) locations recorded in presentments for flown serfs were less than five miles from the home manor. The furthest locations recorded were both for serfs who had flown in the 1350s. For instance, in July 1353, Cecilia Palfrey of Overbury — a flown serf who was recorded at three different locations — was listed as being at Baddsby in Daventry, a market town near the Northamptonshire/Warwickshire border.[670] In January that year Cecilia had been recorded at Wickhamford, near Evesham, with Margery Kynemones (8 miles away), and eventually, in July 1362, she was recorded as marrying Walter Bromsgrove of *Morke* (an undiscoverable location).[671] In 1358, Thomas Abbot of Teddington was reported as residing at Banbury (31 miles), a market town in Oxfordshire.[672]

[670] WCL, E17, 12 July 1353.
[671] WCL, E17, 23 January 1353; WCL, E20, 25 July 1362.
[672] WCL, E18, 4 May 1358.

In some cases, the record of absence was accompanied by an order to the homage to return the fugitive, especially in the 1390s when the prior was also increasing the frequency of its recording of fugitives. The priory's tougher approach was reflected in imposing sizeable penalties on relatives. In a Teddington court of October 1392, John Pyf was recorded as residing at Beckford, a manor owned by the Augustinian priory of Beckford, a mile from Teddington, and his father, Edward, was ordered to return his son under penalty of 20s.[673] By the next court of January 1393, John had still not returned and so Edward was fined 20s. and an increased fine of 40s. was threatened.[674] By April 1393, Edward still had not returned John and therefore incurred the 40s. penalty.[675] Two more court sessions in 1394 mention the order to return John and the threatened fine of 40s., although this fine does not appear ever to have been paid.[676] The court session of July 1394 is the last record of the order to return. John continued to be recorded at Beckford throughout the whole of the 1390s.[677] This targeted clampdown on John's family and the high penalties are symptomatic of a narrow seigniorial reaction, and is similar to the tactics on the Bury abbey estate around the same time.[678] Yet it also encapsulates the failure of the priory's orders to return and seigniorial weakness, because John was a mere mile away on the estate of another monastic lord, the heavy financial penalties neither secured John's return nor a payment of chevage, and the priory abandoned this heavy-handed tactic after 18 months.

There are just three cases of chevage recorded in the extant courts of Overbury and Teddington during the fourteenth century. The first occurred in 1358,

[673] WCL, E36, 4 October 1392.
[674] WCL, E36, 17 January 1393.
[675] WCL, E36, 18 April 1393.
[676] WCL, E37, 16 January 1394; WCL, E37, 13 July 1394.
[677] WCL, E40, 21 July 1399.
[678] Bailey, *After the Black Death*, pp. 259–68.

when John of Hynton was granted licence to remain outside the manor for the term of the life of Katherine, his wife, after which he would return, presumably to take on her holding. For this licence, he gave the lord annually 2 capons.[679] The final case occurred in 1361, when Thomas Richard acknowledged himself to be bound to lord John Todenham for the sum of 36s. which Thomas seemingly paid.[680] No details are provided of where Thomas was living, although he was never mentioned again in the court rolls so he had left permanently.

[679] WCL, E18, 4 May 1358.
[680] WCL, E20, 24 November 1361.

Table 8.6: Location of Flown Hereditary Serfs and Their Distance from Their Home Manor of Overbury and Teddington.

Name	Location	Distance from Home Manor (Miles)
Robert Parker	Pamington (from Overbury)	2.8
William Bernard	Aston upon Karrant	1.8
Cecilia Spyres	Kemerton	0.5
Agnes Richards	Longdon with William le Spencer knight	7.4
Cecilia Palfrey	Wickhamford (Wykewone) with Margery Kynemones	7.5
	Married to Walter Bremesgrove of Morke(capture)	--
Margery Hobekynes	Wolston (Woolstone)	4.5
Reginald le Smyth neif of the lord	Oxenton with the said blacksmith	3.7
William Packer neif of the lord	Pamington	2.8
Cecilia Palfrey neif of the lord	Baddsby in Daventry	40
Thomas Abott neif of the lord	Remains within Banbury	31
Matilda Veneris	Remains with Henry of Alston	
Agnes Richards	Bishops Cleeve	3.3
William King neif of the lord	remains outside the dominion of the lord with John Wengt of Kemmerton	
John Hyneton	Elongates outside the manor	
Thomas Jones	Bishops Cleeve	3.3
Thomas Clerke	Outside the manor makes default	
Walter Robardes	Stoke Orchard (Archerstoke)	4
John Morewy	Alienates outside the manor	
Thomas le Abbot	Swelthy (Swell)	13.8
Agnes Richard	Alienated herself	
Walter Roldes	Alienated	
William atte Nelme	Alienates themselves outside of the manor therefore et cetera. And the tenement and land are in the hands of the lord and the lord has in the name of heriot 1 oxen worth 12s.	

William Geffreys	Beckford	1.8
Robert Whoolare	Beckford	1.8
Juliana Geffreys	Beckford	1.8
	Grafton (with Thomas Est')	3
John Cookes	Bengrove of the Prior of Beckford (took land)	0.6
Matthew Kyng neif of the lord	Gloucester with Thomas Prentys	14
Henry Spyre	Do not know	
Henry son of Henry Herward	Kemerton	1
William Jones neif of the lord	Beckford (from Alston)	2
Juliana Rotour	Washbourne	1.2
Richard Sheperde Alston	Alderton Aldynton	1.2
William Cloves son of Geoffrey Drynkewater	Beckford	1.8
John Pysi/Pyf neif of the lord	Beckford	1.8
Thomas Campion called Lebury, father is Geoffrey Campion called Tetynton	Worcester	15
Alice daughter of Henry Heward neif of the lord	Married Richard Hikes at Aston upon Carrant	1.8
Henry brother of Alice daughter Henry Heward	Kemerton	1
Robert brother of Alice	(Unknown) Kemerton	1
Thomas Wattes neif of the lord	 Oxenton	1.25
Henry Sheperde	Unknown	
Hillary daughter of Thomas Wattes neif of the lord	Oxenton	1.25

Overall, the data reveal that the priory did not exercise much control over servile migration from Overbury and Teddington. There were no presentments for absence in the pre-Black Death period, when population pressure and land scarcity must have resulted in widespread movement of people in search of work and land, and chevage was rare throughout the century. In the immediate aftermath of the Black Death, the priory recorded flown serfs, but the number of recorded migrants fell in the 1360s and 1370s. A rigorous wave of tracking commenced in the late 1380s and

persisted throughout the 1390s, which was accompanied for a short period by targeted fining of relatives to return their flown progeny. Yet the priory remained unsuccessful in forcing the return of emigrants, and the case of John Pyf is illustrative of the priory's problems: John was recorded as absent persistently throughout the 1390s but never returned, even though he was resident close by and in the employment of another monastic lord.

Dilapidations and Orders to Repair

The priory exercised its right to fine for wastage on villein tenements, although in the pre-plague period the frequency was low and amercements were relatively light. For example, in 1331, Christina atte Yate was amerced 12d. for having her house in decay and was ordered to repair by Michaelmas under penalty of half mark;[681] in 1337, John Scot was amerced 2d. for allowing his house to fall into disrepair, although no penalty was threatened;[682] and in August 1347, John Parker was amerced 2d. for allowing his house to decay and threatened with a fine of half mark if the repairs were not completed before the next court.[683]

After the Black Death, the record of dilapidations and orders to repair became a common feature, as Hargreaves has shown (table 8.2).[684] The number of cases rose sharply from few cases in the 1340s to five in the early 1350s, eight in 1357-8 and 13 in 1364-5. It then became a standard feature of the court sessions at Overbury and Teddington throughout the second half of the fourteenth century.

[681] WCL, E11, 23 April 1331.
[682] WCL, E13, 23 May 1337.
[683] WCL, E15, 2 August 1347.
[684] Hargreaves, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', p. 66.

Table 8.7: Frequency of cases of villein properties needing repairs recorded annually (beginning in September) in the courts of Overbury and Teddington, 1342-89.

1342-1343	1346-47	1352-53	1357-58	1361-62	1364-65	1367-68	1369-1370	1373-74	1374-75	1376-77	1378-79	1379-80	1384-85	1385-86	1386-87	1388-89
3	0	5	8	0	13	6	4	8	7	5	2	2	5	8	9	8

Source: Hargreaves, '*Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death'*, p. 66.

Table 8.3 provides the same figures for the 1390s, which were not included in Hargreaves' thesis. Unlike Hargreaves' presentation of the figures, this table also separates out the total number of cases from the number of unique cases. It shows the tendency for the priory to repeat orders and penalties against the same tenants, so that Hargreaves' figures overstate the underlying base level of cases.

The 1390s are especially interesting in a number of ways. First, the range of buildings listed as ruinous is detailed and wide, including granges, houses, sheepfolds and even a bakehouse. Second, more cases were presented in a single year in the 1390s than had been the case in the 1380s (peaking at 11 in 1390 and 1398), but the mean per year was higher in the 1380s (seven) than the 1390s (six).

Table 8.8: Number of Unique Dilapidation Cases Versus Total Dilapidations Recorded per Year 1390–1399.

	1390	1391	1392	1393	1394	1395	1396	1397	1398	1399
Number of unique cases	5	--	4	2	--	--	1	4	4	1
Total number of orders	11	--	4	9	2	3	4	4	11	8

Third, the amounts amerced for dilapidations varied greatly. In January 1390, three granges were reported as ruinous, whereby William Wasshe and Henry Hyde of

Overbury were amerced 2d. and a penalty of 40d. while Richard Phelps of Teddington was amerced 6d. and a subpoena of 10s.[685]

Hargreaves' headline figures to 1389 inevitably obscure the complexity of the management of individual cases, where local officials were making informed decisions about how to manage specific cases as they unfolded. For example, in July 1390, Robert Hogge of Overbury was reported as having a house in disrepair, but received a pardon.[686] In January 1393, he was amerced 2d. for having a ruinous tenement and ordered to repair before the next under penalty of 12d.[687] He was listed again in April and July 1393, when he incurred an amercement of 12d. and was threatened with seizure if the repairs were not completed by the next court.[688] In July 1394, his tenement was ordered to be seized and he was ordered to emend.[689] The seizure does not appear to have been carried out, because Robert was again mentioned in the courts of October 1395 and February 1396 to emend his tenement under penalty of loss.[690] Thereafter, he disappears from the record. It would seem that the policy of amercement, threat and seizure had not worked in obtaining the required outcome, but that the priory had eventually given up.

Licence to Educate and Trade

[685] WCL, E35, 26 January 1390.
[686] WCL, E35, 8 July 1390.
[687] WCL, E36, 17 January 1393.
[688] WCL, E36, 18 April 1393; 24 July 1393.
[689] WCL, E37, 16 January 1394.
[690] WCL, E38, 19 October 1395; WCL, E38, 3 February 1396.

There are no licences to educate recorded in the extant court sessions of Overbury and Teddington, and no licences to trade.

Manumission

Recording of manumission was uncommon. We have already mentioned the case of Christina Adams in 1319. In 1326, Alice le Speyr paid the lord 40d. to be free in the future.[691] Other cases involved both the granting of a marriage licence and the freedom within the same fine. In 1320, Margery Pafreyes was granted a marriage licence and freedom for 2s. 4d.[692] In 1343, Agnes, daughter of Reginald in the Lone, gave 2s. for her marriage licence and freedom.[693] It is not clear why these women were granted their freedom, although judging from the size of the fines, the grants would appear to be a variation on merchet. There is no record of the outcome of one case involving a male serf. In 1343, Roger Thomas of Hoggeford was given a day at the nearest court because he "ought not to be the lord's neif".[694]

Conclusion

Overbury and Teddington were two medium-sized manors with a high proportion of villein land, which Worcester Cathedral Priory administered through a joint court. Hence, this study has treated them together, although a handful of account rolls have survived from fourteenth-century Overbury. The latter provides the clearest information about villein tenancies, which in the early fourteenth century were preserved intact as virgates with a heavy burden of labour services, annual tallage,

[691] WCL, E10, 8 April 1326
[692] WCL, E9, 28 July 1320.
[693] WCL, E14, 6 February 1343.
[694] WCL, E14, 6 February 1343.

entry fine, heriot on all land transfers, merchet, and suit of mill. There were no arbitrary seizures of villein land, and the lord respected customary rights. There were also three cotmen and seven cottars holding on villein tenancy, and probably a tail of poor cottagers. The weight of the burdens on these holdings might explain the rapid swing to monetary tenure in the 1350s. In the 1340s, 86 per cent of the servile virgates, and all the cotmen and cottars, were on the traditional villein service tenancy, but by 1354 59 per cent of the virgaters and 29 per cent of the cottars had been converted to a straight money rent. This was a permanent change. In 1376, 62 per cent of virgates and 43 per cent of cottars were on money rent, and in 1392, 86 per cent of virgates were converted to money rent.

Tallage, labour services, merchet and mill suit were no longer due on monetary tenure, so these dues withered from the 1350s. For example, the last case of breach of mill suit was recorded in 1353. The priory protected and utilised harvest works as much as possible, and in the 1370s some of the virgates on monetary tenure still owed a couple of boonworks each year. Hargreaves argues that entry fines continued to be levied strongly at Overbury after the Black Death, a statement based on the observation that fines continued to be paid in cash here (in contrast to the switch to capons on many of the priory's other manors) and one heavy entry fine was levied in the 1370s. However, a quantitative approach to the value of entry fines per virgate shows that the mean level fell by 86 per cent between the 1340s and 1350s, and, overall, the post-plague value was 54 per cent lower than the pre-plague. In arguing for a seigniorial reaction and the continued relevance of serfdom in the West Midlands, neither Hargreaves, Hilton nor Dyer paid much attention to villein tenure, but the move away from the old service tenure at Overbury was rapid, decisive and directly linked to the arrival of plague.

Vestiges of serfdom did remain in the management of heriot and merchet. Heriot was due on both inter-vivos and post-mortem land transfers, and even from landless serfs, but it was not until the end of the century that cash heriots (which were lower value than the best beasts) and waiving of heriots began to increase. Merchet fines were variable and not charged on every servile marriage, but the number of fines remained consistent throughout the century, and the mean fine for merchet was higher in the 1390s than in the 1340s. Emigrant serfs were suddenly recorded in the 1350s. Hargreaves has shown how the priory increased the number of presentments and fines for wastage in the post-plague era, which is certainly evident at Overbury and Teddington, although the case study of Robert Hogge in the 1390s reveals that many were repeat presentments, the sums raised through amercements were low, and eventually the priory gave up.

For all this evidence for the continued imposition of serfdom after the Black Death, it needs to be balanced against the evidence that leyerwite and mill suit disappeared soon after the Black Death, chevage was seldom charged, the priory was unable either to stem or profit from migration from the manor, and there were no charges for educating or apprenticing serfs, and no enforcement of the labour legislation. Tallage and labour services were reduced by over half in the 1350s with the move to money rents, and entry fines halved. Thus, the overall picture is mixed at Overbury and Teddington. The priory continued to enforce the collection of two important aspects of serfdom, heriot and merchet, at pre-plague rates to the end of the fourteenth century. In almost every other respect, however, the Black Death was a decisive watershed on this manor, triggering a terminal decline in serfdom.

9 Elmley Castle

The Manor

Located in the Avon valley and situated in the champion region of the West Midlands, the manor of Elmley Castle consisted of around 2,000 acres of land and was located adjacent to the Worcester Cathedral Priory manors of Cropthorne, Sedgeberrow and Overbury. An Inquisition Postmortem in 1316 recorded 305 acres of demesne arable land and 60 acres of mowing meadow. The rents of assize amounted to £11 16s. 10½d. per annum, including 45 free tenants, 18 customary tenants each holding half a virgate of land in villeinage, and 21 customary tenants each with one cottage in villeinage. The labour services were valued yearly at £13. 16s. 10d. over four terms.[695] It was therefore a medium to large manor with c.324 acres of land held in standardised villein holdings, and perhaps as much land again held by free tenants. The manor was held by the earls of Warwick until transferred to the crown in 1487.

No custumal or surveys have survived from the manor. There are 99 court sessions between 1347 and 1499. There are also around 50 reeve, beadle and collectors' accounts surviving between 1345 and 1489, although the vast majority are summary collectors' accounts dating from the fifteenth century when the manor was leased, and are therefore uninformative about villeinage. The absence of pre-plague courts is a serious obstacle to assessing the management of serfdom in the pre-plague era, although some insights can still be derived from the surviving material. The existence of a handful of reeve's accounts—unusual on the Worcester Priory manors—between 1345 and the 1390s offers some compensation, because the

[695] *The Inquisitiones Post Mortem for the County of Worcester Part II*, ed. by J. W. Willis-Bund, II (Worcestershire Historical Society, 1909), II, p. 62.

manor was still being exploited directly at this time and therefore offers details about the management of serfdom and the evolution of customary tenure.[696] The lay status of the lord—one of the few lay manors in this locality from which manorial documents are extant—and the survival of court rolls for the second half of the fourteenth and much of the fifteenth centuries justified the decision to include this as a case study.

The manor included the castle of Elmley, held by the earls of Warwick and used by them actively as a residence during the course of the fourteenth century. In 1345-6, the demesne was being utilised to provide supplies for the castle.[697] Parcels of demesne were being leased by the 1380s, and by the fifteenth century, much of the demesne was included in a single lease.[698] For example, in January 1435, six tenants took from the lord "the site of the manor of Elmley Castle at farm" which included all the buildings and lands, leased 'at the will of the lord' at a yearly rent of £10 to be paid in two instalments equally over two terms.[699] The manor site and all its buildings and all the lands were again leased on 14 April 1489 at a yearly rent of £10, with the entry fine waived due to the ruinous state of the buildings.[700]

Villein Tenure

The landholding structure on the eve of the Black Death was typical of West Midland manors: polarised between standardised villein holdings and as many cottars. There is no evidence for the fragmentation of the main half-virgates. Villein

[696] Seven legible and informative reeve's accounts survive from 1345-6, 1366-7, 1368-9, 1380-1, 1391-6.
[697] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.
[698] WRO, 899/95/BA 989/4/69, Elmley Castle Reeve's Account Roll, 1380-1.
[699] CREC, 8 January 1435, p.98-99.
[700] CREC, 14 April 1489, p.212.

holdings were liable for labour services, tallage, entry fine, heriot, merchet and suit of court. The tenants of the eighteen main half-virgates were liable for election to the offices of reeve and beadle, for which they received remission of rent for the year of office: in 1345-6, both officials were remitted 11s. cash for their rent.[701] The grange account for that year is torn and faded, but there do not appear to be payments of grain as part of the villein rent package. Each of the main half-virgate holdings also owed a hen in rent each year and a Christmas loaf, but no eggs. Thus, on the eve of the Black Death, the rent package on the main half virgates was dominated by a cash rent of 11s. per annum, annual tallage of perhaps 3s. 4d. (see below), and heavy labour services, which were largely commuted (see below).

The villein holdings were mainly held heritably for services. Rights of inheritance were respected, and there were no arbitrary seizures of villein land. The later court rolls include some early grants of villein land 'with a copy' of the terms of the transfer: seven such cases are recorded between 1398 and 1483. For example, on 3 May 1398, John Bonde was recorded as having taken a messuage and half-yardland and 1 parcel of land on 20 December 1387 "as appears in a certain copy of the court".[702] Another case, from 19 July 1398, where Thomas Trewman acquired a reversion of a tenancy as "appears in a certain copy of the court which he has shown here in the court".[703] This practice reflects the growing importance of the written record as proof of title and indicates that, in general, the lord respected the customary right of tenants to hold villein land.

The grange account 1345-6 also notes that two customary holdings were 'leased' for a total of 30s. this year, which might imply that two of the 18 half-

[701] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.
[702] CREC, 3 May 1398, p.60.
[703] CREC, 19 July 1398, p.62.

virgates had been converted to money rent before the arrival of plague.[704] There was little conversion to leasehold or monetary rents after the Black Death, however, because no half virgates appear in the list of monetary rents ('new' rents) in subsequent accounts, and both hens and Christmas loaves were rendered fully by their tenants.[705] The labour services were fully commuted every year (see below), but otherwise the customary half virgates remained on the traditional service tenure.

The 1366-7 account notes that one half virgate was unoccupied this year, and £6 13s. 6d. was paid for 'farms of land', many of them described as in the hands of the lord.[706] This section rendered a mere 43s. 11d. in 1380-1, when most of the farms were for miscellaneous parcels of demesne rather than for servile land. The full payment of tallage, and the full render of hens and Christmas loaves, in the accounts for 1380-1 and 1391-2 confirm that all the half virgates were occupied and all were still held on the traditional service tenure.[707]

Tallage

The evidence for the collection of tallage on the manor of Elmley Castle is scant. It is not recorded in the manorial court rolls for Elmley. An IPM from 1298 mentions tallage, but no value is given.[708] The IPM of 1316 records the value of tallage of customary tenants payable at Michaelmas as 59s. 9d.[709] This sum is duly recorded in the 1345-6 account, where it was described as '*de tallagio bondorum'*.[710] Hence,

[704] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.
[705] See, for example, WRO, 899/95/BA 989/4/67 and 70, Elmley Castle Reeve's Account Rolls, 1366-7 and 1391-2.
[706] WRO, 899/95/BA 989/4/67, Elmley Castle Reeve's Account Roll, 1366-7.
[707] WRO, 899/95/BA 989/4/69 and 70, Elmley Castle Reeve's Account Rolls, 1380-1 and 1391-2.
[708] *The Inquisitiones Post Mortem for the County of Worcester Part I*, ed. by J. W. Willis-Bund, II (Worcestershire Historical Society, 1894), I, p. 64.
[709] Willis-Bund, *The Inquisitiones Post Mortem for the County of Worcester Part II*, II, p. 62.
[710] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.

tallage was payable annually and the total sum was fixed by custom. If we assume that its weight fell primarily on the half-virgaters, then each half-virgate would have owed around 3s. per annum, and each cottar around 3d. Tallage continued to be collected annually in full in the 1390s.[711]

Labour Services

The 1345-6 account documents the commutation of 2,801 works due between 29th September and 24th Junes for 116s. 9d., i.e. ½d. each; 65s. 8d. for 788 summer works (1d. each) between 24th June and 15th August; 51s. 4d. for 411 'harvest' works (1½d.) between 15th August and 8th September; and around 23s. 9d. for the commutation of 285 works (1d. each) between 8th September and 29th September.[712] It would appear from the large quantities of works specified that the majority of the labour services were commuted, although there is no works account for this year. Certainly, some works were used, because the 1345-6 account includes much detail about the nature of some labour services, including specific 'carriage works', on errands supporting the workings of this aristocratic household, such as fetching salt from Worcester, transferring firewood from the demesne woods to the castle itself, and trips to Warwick. The account also records the use of some labour services to mow, stack and toss hay, plus some further expenses for harvest works, so some of the labour services were used in the 1340s. Indeed, the account also records the collection of 15s. in amercements for tenants mowing badly.[713] This would imply that seasonal works such as mowing were keenly utilised by the lord and disliked by the villein tenants.

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[711] WRO, 899/95/BA 989/4/70, Elmley Castle Reeve's Account Roll, 1391-2.
[712] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.
[713] WRO, 899/95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.

It is likely that the 21 cottars also owed labour services, although it is not possible to ascertain exactly how many because there is no breakdown in the existing accounts. Even if we assume that some of the , 2,801 winter works were owed by the cottars, the sheer number of works available to the lord was a consequence of the heavy fixed burden of labour services on the half virgaters: a reasonable estimate would be that each half virgate owed three winter works per week and at least three during the summer and harvest periods.

None of the handful of accounts from the second half of the fourteenth century includes a separate works account, but every one is consistent in recording the same number of commuted services each year, generating the same sum of £12 17s. 6½d. per annum.[714] In other words, between the mid-1360s and the late 1390s, the lord no longer used the customary labour services, which instead were commuted in full every year for the customary valuation.

Entry Fines

An entry fine was payable to the lord by a tenant entering a customary holding, whether through inheritance, purchase, or a grant from the lord's hands. Between 1358 and 1499, 234 land transactions are recorded in the surviving court sessions, but in most cases the unit area of the land being transferred is unspecified. In nearly half of the recorded customary land transactions, no entry fine is specified (Figure 9.1). This is an unusually high percentage, but it is unclear whether the fine was not taken at all or whether it was taken but recorded elsewhere. In 24 of the 234 cases, the entry fine was explicitly waived by the lord (Figure 9.1). The reasons given for

[714] WRO, 899/95/BA 989/4/67, 69 and 70, Elmley Castle Reeve's Account Rolls, 1366-7, 1380-1 and 1391-2.

waiving varied or were not given at all. On 30 September 1480, Thomas Cromp took a messuage and land, with the entry fine being waived because of the ruinous state of the messuage and therefore an incentive for him to repair it.[715] The lord also waived for poverty, as is exhibited with the case of William Cahyll on 4 October 1481, who gave nothing for one messuage and 1 acre "because of poverty".[716] The concentration of cases of waiver between 1480 and 1495 is suggestive of a stagnant land market, with the lord wanting to fill empty land by making concessions. On three occasions, once in the 1460s and twice in the 1480s, the lord took animals (capons and chickens) as an entry fine rather than cash.

Clearly, liability for an entry fine remained a persistent feature of villein tenure throughout the whole period. The wide variability of the sums paid as entry fines—from 4d. to 40s.—must largely reflect the different size and value of the property being transferred, but in many cases, the area of the land is not recorded. Only two cases give a quantifiable value for the level of fine per acre. In 1376, six acres of land were taken with an entry fine of 6d.,[717] whereas in another case, in 1382, one acre of land in the open fields rendered an entry fine of 6d.[718] These levels are consistent with the relatively low level of entry fines per acre recorded across the West Midlands.

[715] CREC, 30 September 1480, p. 185.
[716] CREC, 4 October 1481, p. 190.
[717] CREC, 14 May 1376, p. 30.
[718] CREC, 15 October 1382, pp. 40–41.

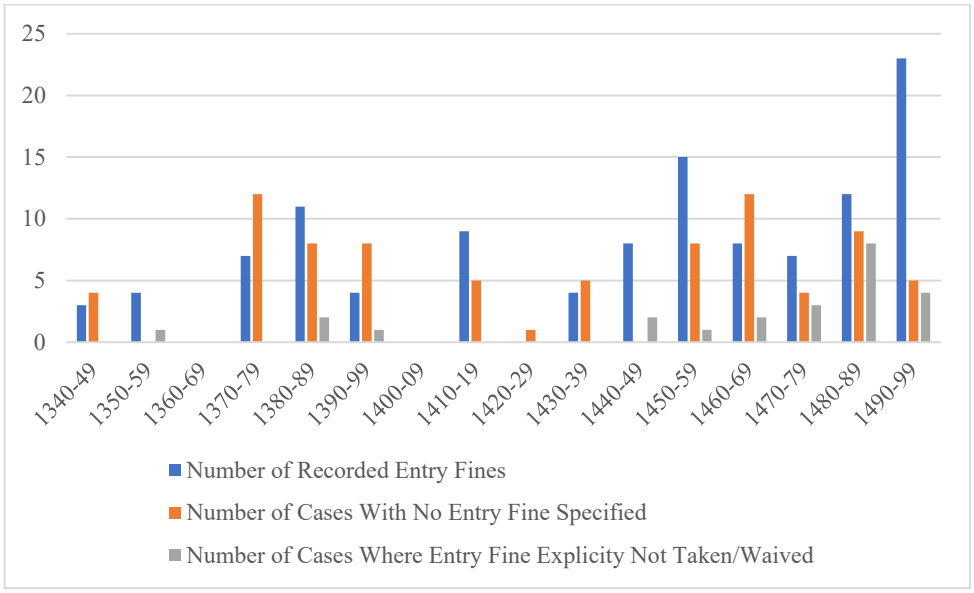

Figure 9.1: Number of recorded entry fines compared with number of cases with no entry fine, per decade, 1347-1499.

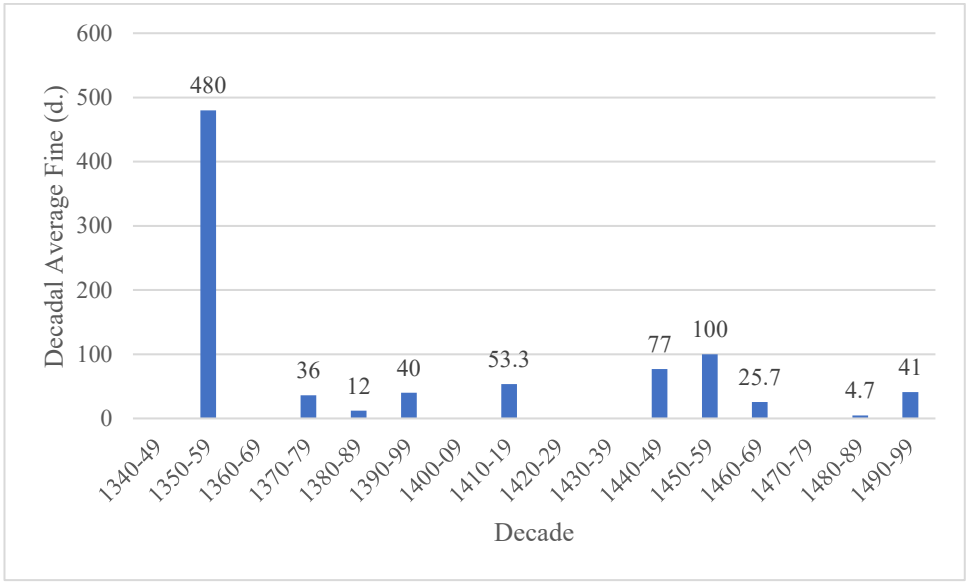

Figure 9.2: Decadal Average of Entry Fine for Messuage and Half Yardland on Elmley Castle, 1347-1499 (d.).

The most reliable evidence for calculating changes in the rate of entry fines over time is the payments for entry to a messuage and half yardland (Figure 9.2). The yardland was a standard holding of land in the West Midlands, usually equalling 30 to 36 acres of arable, though liable to variation.[719] Of the 234 recorded land transactions, 40 cases involved the messuage and half-yardland: of these, entry fines

[719] Dyer, *Peasants Making History*, p. 352.

are recorded in 23 cases, 7 were waived and no record is made in ten cases. The mean fines in pence per unit per decade are recorded in Figure 9.2, which includes waived returns in the calculations but not the nil returns The level of entry fine varied according to circumstances, which are not explained in the court roll: the highest value was recorded in July 1350 when John, son of John Dyryng, paid 40s.[720] The mean was highest in the 1350s (480d.), although this is the product of just one case and entry fines were much lower in the 1370s (36d. on average), slightly higher in the 1380s (80d. mean) and remained low thereafter. The next reliable data are from the mid-fifteenth century, when the average entry fine was 100d. in the 1450s, reducing to 41d. in 1490-99 (Figure 9.2). The overall picture is that the level of entry fine for the messuage and half-yardland remained relatively low throughout the period.

Heriot

Heriot was due on both the death of an unfree tenant and when living tenants relinquished their last parcel of villein land. An example of the latter occurred on 14 May 1376, when Thomas Jannes gave one ox worth 10s.[721] Like entry fines, heriot continued to be levied on villein land throughout the whole period under study, and the last two decades of the fifteenth century returned the highest number of heriots (Figure 9.3). Heriots inter-vivos comprised around one third of all heriot cases (Figure 9.5). Their proportion rose in the 1370s and 1380s, so that in the 1380s four of seven heriots (57 per cent) were rendered inter-vivos rather than post-mortem

[720] CREC, 21 July 1350, p. 11.
[721] CREC, 14 May 1376, p. 30.

(Figure 9.5). In this decade the quantity of land exchanged was small. The evidence is suggestive of a sluggish land market in the 1380s.

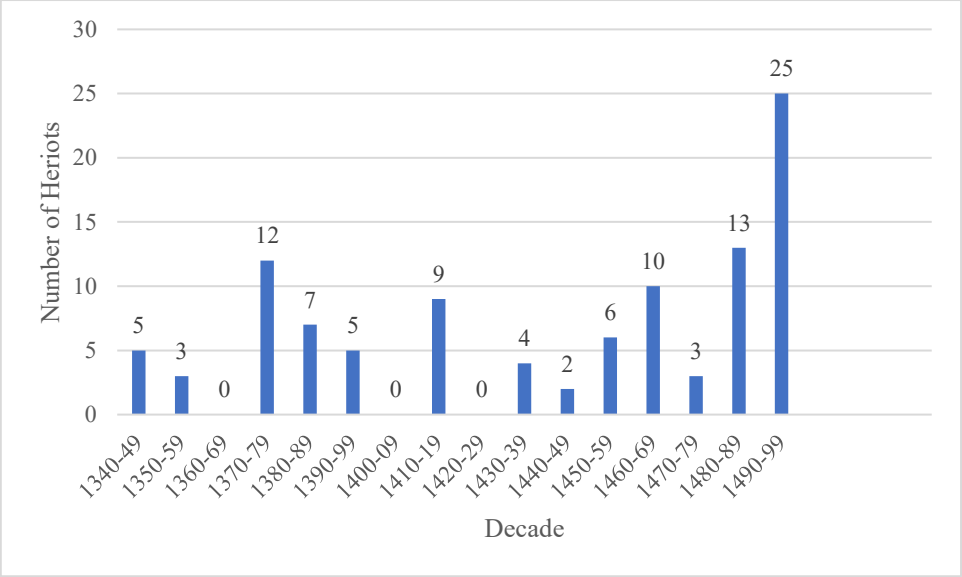

Figure 9.3: Number of heriots recorded per decade on Elmley Castle, 1347-1499.

The heriot was usually due in the form of the best beast, each beast receiving a valuation that was recorded in the court roll, which enables the monetary value and decadal average of these heriots to be quantified (Figure 9.4). Chattels were occasionally rendered as heriot, such as a red coverlet with red and white roses paid by Joan Vynch in 1411,[722] or a tripod paid by John de Wellws in 1376.[723] The collection of a household item rather than an animal was presumably because the tenant did not possess livestock. The most valuable heriot was two oxen valued at 20s. rendered in 1462,[724] and the least valuable were a chest valued at 6d. in 1348[725], and a cloak also valued 6d. in 1350.[726]

[722] CREC, 12 February 1411, p. 69.
[723] CREC, 14 May 1376, p. 31.
[724] CREC, 11 May 1462, p. 155.
[725] CREC, 13 March 1348, p. 3.
[726] CREC, 16 April 1350, p. 9.

In 1398 the first heriot paid in cash was rendered, when John Palmere surrendered one messuage and a half-yardland of land in Bricklehampton for Robert Palmer to hold to himself.[727] Monetary heriots remained unusual, although the number rose marginally at the end of the fifteenth century (Figure 9.3). This might reflect a negotiated agreement of a monetary sum to be paid at the outset of the tenancy between lord and tenant to replace the render of a best beast. In the 1410s, two heriots were combined with an entry fine, perhaps to encourage a tenant to take up the land, but this arrangement was rare (Table 9.1), and there is no evidence of the East Anglian custom of waiving a heriot if an entry fine was rendered by an heir.

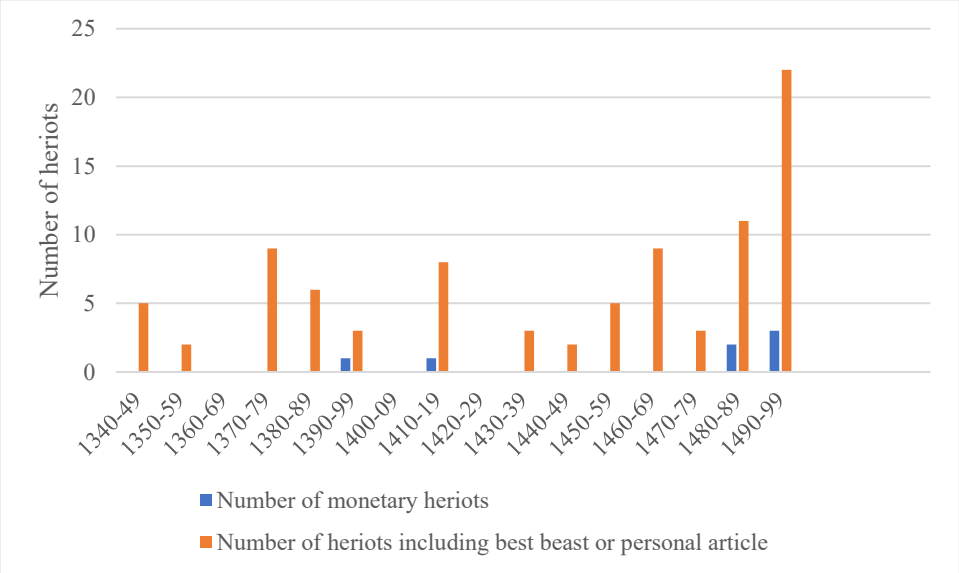

Figure 9.4: Number of Monetary Heriots Compared to Taking of Beast or Item per Decade at Elmley Castle, 1347-1499.

Heriots were occasionally waived, usually because of the poverty of the incoming heir or because the new tenant was underage. In 1439, Richard Dynby surrendered one cottage and a croft, but did not render a heriot "because he had nothing".[728] In 1376, John, son of Henry Hamond, who held one cottage in villeinage, had died, but

[727] CREC, 21 March 1398, p. 58–59.
[728] CREC, 1 May 1439, p. 102.

the lord did not take a heriot because "he was a child and had nothing".[729] It is notable, however, that only seven out of a grand total of 104 heriots were either unpaid or not exacted (Table 9.1), so in general the collection rate was high. The incoming tenant had an incentive to pay, of course, because the lord could prevent them from entering the holding if they did not do so: hence, in the case of heriot the lord's enforcement capability was high, because he could withhold entry into a valuable piece of real estate, and in most cases the tenant was also willing to comply.

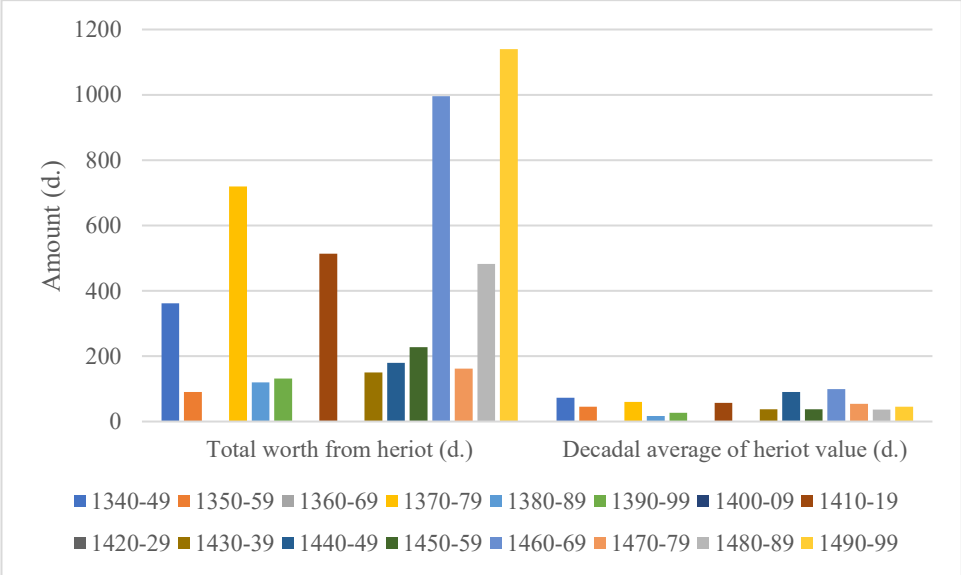

Figure 9.5: Total Value and Average Value of Heriot per Decade on the Manor of Elmley Castle, 1347-1499 (d.).

[729] CREC, 1 February 1376, p. 26.

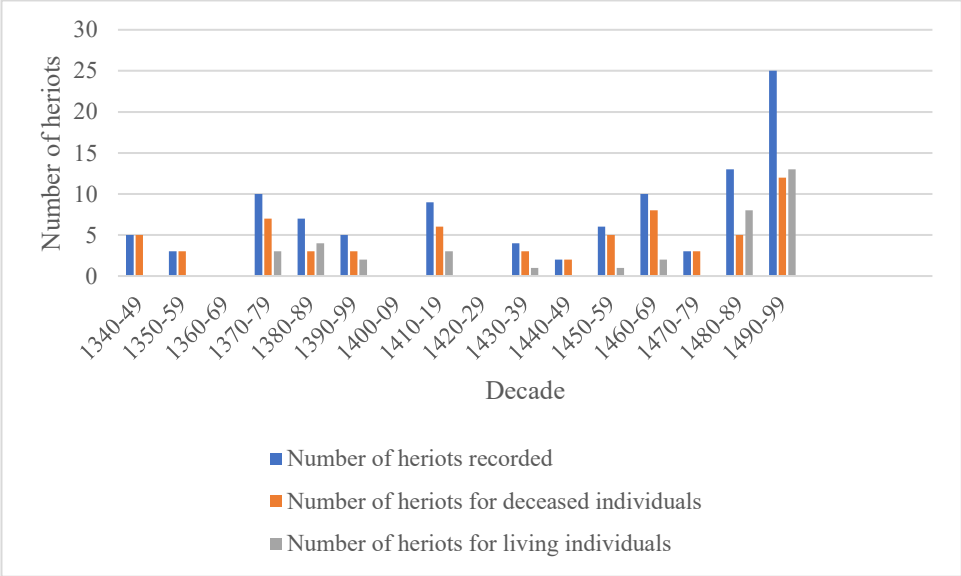

Figure 9.6: Breakdown of Inter-Vivos and Post-Morten Heriots Recorded Between 1340 and 1499.

The provision of a valuation of the best beast in almost every case enables the reconstruction of the value of heriots over time (Figure 9.4). This helps to explain the highly varied decennial averages, because the type of beast varied from tenant to tenant, not because the lord was varying the amount to be paid at will. The highest decennial mean was 99.6d. in the 1460s and the lowest was 17.1d. in the 1370s (Table 9.1 and Figure 9.5). The tendency for higher mean values in the fifteenth century must reflect higher stocking levels, and therefore more valuable beasts, on villein holdings rather than renders from tenants with multiple holdings: only two heriots are recorded for an individual with multiple holdings.[730]

[730] CREC, 19 May 1468, pp. 163–164; CREC, 22 April 1474, pp. 177–178.

Table 9.1: Table Showing the Number of Heriot and type of Heriots Rendered per Decade, 1340-1439.

Decade	Number of heriots recorded	Number of monetary heriots	Number of heriots including best beast or personal article	Number of heriots combined with other fines	Number of heriots with no value or heriot not exacted	Number of heriots not received or orders for distraint	Number of heriots for deceased individuals	Number of heriots for living individuals	Range of value	Total worth from heriot (d.)	Decadal average of heriot value (d.)
1340-49	5	–	5	–	–	–	5	–	6d.-10s.	362	72.4
1350-59	3	–	2	–	–	1	3	–	6d.-7s.	90	45
1360-69	–	–	–	–	–	–	–	–	–	–	–
1370-79	12	–	9	–	2	–	8	4	8d.-13s.	720	60
1380-89	7	–	6	–	1	–	3	4	8d.-5s.	120	17.14
1390-99	5	1	3	–	1	–	3	2	20d.-4s.	132	26.4
1400-09	-	–	–	–	–	–	–	–	–	–	–
1410-19	9										57.1
1	8	2	–	–	6	3	8d.-14s.	514	57.1		–
1420-29	–	–	–	–	–	–	–	–	–	–	37.5
1430-39	4	–	3	–	1	–	3	1	20d.-9s.	150	90
1440-49	2	–	2	–	–	–	2	–	20d.-13s.4d.	180	38
1450-59	6	–	5	–	1	–	5	1	8d.-14s.	228	99.6
1460-69	10	–	9	–	1	–	8	2	14d.-20s.	996	54
1470-79	3	–	3	–	–	–	3	–	14d.-11s.	162	37
1480-89	13	2	11	–	–	–	5	8	8d.-6s.8d.	482	45.6
1490-99	25	3	22	–	–	–	12	13	12d.-8s.6d.	1140	679.74

The court rolls labelled the person paying heriot explicitly as a ‘neif of the lord by blood’ on ten occasions. Such references occurred more frequently between the 1340s and 1370s and were unusual thereafter. Otherwise, there was no pattern in the decision of the scribe to record the personal servility of the heriot payer. There is no evidence that landless hereditary serfs rendered heriot, which was therefore exclusively a tax on villein land.

The frequency of heriot exaction slowly declined in the century following the Black Death, but then in the last two decades of the fifteenth century suddenly increased (Figures 9.2 and 9.4). More money was raised from heriot in these two decades than in any other, although the average value of the heriot was among the lowest recorded (Table 9.1). The large number of heriots in the 1480s and 1490s is curious. One possibility is that this was a period of epidemic disease, but this seems unlikely. Although Christopher Dyer identified high mortality on the Worcester

bishopric manor of Kempsey, 9 miles north of Elmley, between 1499-1500, other manors in the vicinity, such as Bredon, Hanbury and Hampton, recorded no such spike.[731] Another possible reason is a change in management as the manor was under the control of the crown by 1487 after it had been sold by Anne, wife of Richard Neville.[732] The most likely explanation is some turmoil in the land market, because another feature of these two decades is the prominence of payments from living tenants, indicating a high proportion of people relinquishing villein land on the manor.

Mill Suit and Milling Rights

There was at least one demesne grain mill on the manor, as evidenced by the lease of a watermill for 16s. per annum in 1345-6.[733] There are no cases of breach of mill suit recorded in the court rolls. Therefore, it seems likely that mill suit was hardly enforced at Elmley. There is no evidence that the lord exploited the demesne mill directly during this period. In May 1382, Walter Hamond was granted a lease of the water mill for the term of his life, paying 10s. rent at four terms of the year, which increased to 13s. 4d after the pond was cleaned.[734] It appears that the mill was held on a villein life tenancy for an annual cash rent. Walter either died soon after or relinquished the tenancy, because in 1390 it was granted to Richard Evesham at an increased rent of 15s.[735] However, the next recorded grant of the water mill in 1412 noted that it was for the traditional services, with no mention of an annual rent, with

[731] Christopher Dyer, *Lords and Peasants in a Changing Society : The Estates of the Bishopric of Worcester, 680-1540.* (Cambridge University Press, 1980), p. 223.
[732] *Court Rolls of Elmley Castle, 1347-1564.*, ed. by Robert K. Field (Worcestershire Historical Society, 2004), XX, p. xv.
[733] WRO, 899:95/BA 989/4/66, Elmley Castle Reeve's Account Roll, 1345-6.
[734] CREC, 7 May 1382, pp. 38–39.
[735] CREC, 1 August 1391, p. 54–55.

a high entry fine of 16s.8d.[736] There had been no entry fine paid in the previous grants, so the entry fine must have been in lieu of an annual cash rent.

Merchet

Merchet was levied on women only and was not a common exaction on the manor of Elmley Castle. As Figure 9.6 reveals, there were seldom more than two merchets recorded per decade, and in seven decades none were recorded at all. It was, however, still being levied in the 1490s, so it remained a persistent element of personal servility. The fine for merchet was variable, ranging from 12d. to 20s. Figure 9.7 only records cases where merchet was paid, and so does not include cases where a presentment is made but the outcome is unknown. For example, in 1356, Agnes, daughter of Sarah Cok was reported as marrying outside of the lordship, and the homage was therefore ordered to produce her at the next court, but nothing further is known, and so this case, and others like it, is not included in the tabulation.[737]

[736] CREC, 2 May 1412, p. 77–78.
[737] CREC, 11 May 1356 (8), p. 14.

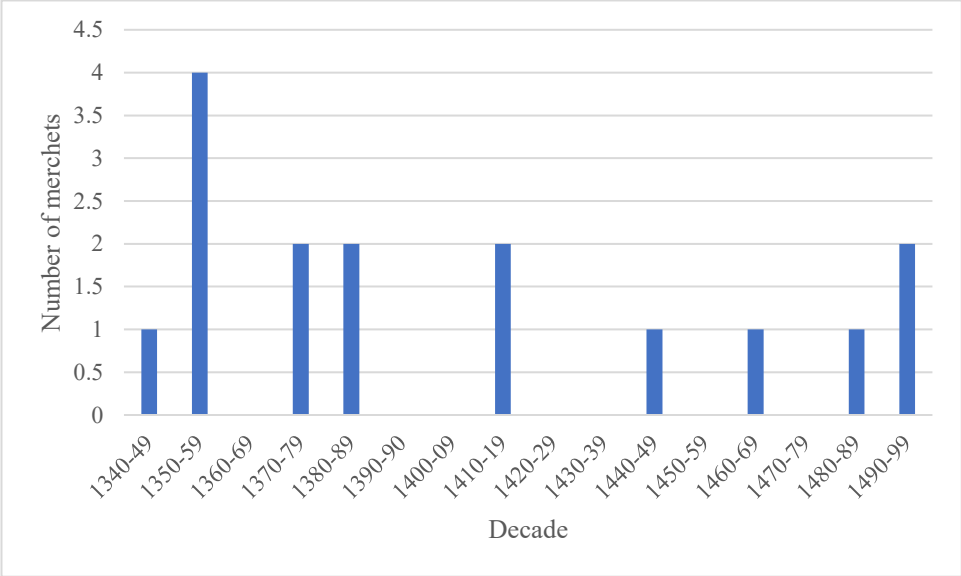

Figure 9.7: Number of Merchets Recorded on the Manor of Elmley Castle, 1347-1499, per decade.

The mean fine for merchet over the whole period was 24d., which is around the average for the level of merchet in pre-plague England. The level was highest in the second half of the fourteenth century at around 42d. per decade (Figure 9.7), peaking at 166d. in the 1350s. The 1350s were the decade with both the highest fine value and the highest number of recorded merchets (Figures 9.7 and 9.8). Two merchets in this decade paid 20s., one of which granted marriage anywhere throughout the lordship and the other was a widow (Isabell Kynges, widow of John Fort) paying for marriage undertaken without licence.[738] Only one merchet has survived from the pre-plague era, at 12d., so comparisons with the post-plague era are unreliable: it tentatively suggests that the high levels of fine were higher in the late fourteenth century. Thereafter, the mean value slowly reduced throughout the fifteenth century until reaching 24d. in the 1440s and 14d. in the 1490s.

[738] CREC, 21 July 1350, p. 11.

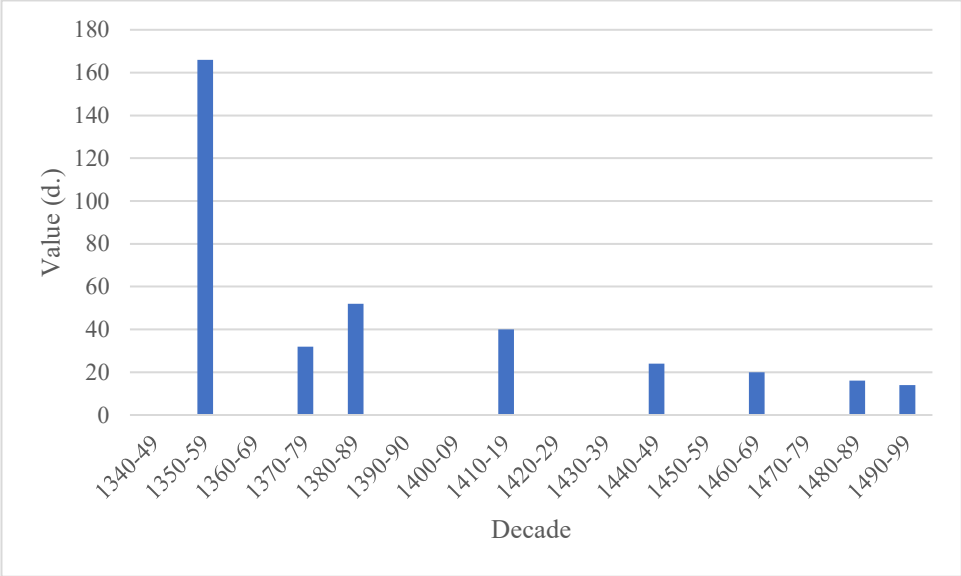

Figure 9.8: Mean charge for Merchet, per Decade, on the Manor of Elmley Castle (d.).

Fathers routinely paid the merchet for their daughters, especially in the fifteenth century. Of the seven recorded merchets in the fifteenth century, five were paid by fathers marrying off their daughters. For example, in the 1410s Walter Hamond paid 3s. 4d. to marry off his daughter Agnes, wheresoever and to whomsoever she wishes. Richard Dyryng also paid the same amount to marry his daughter Alice, in the same fashion.[739] Females paying their own merchet was a more common occurrence in the fourteenth century. For instance, in 1347, Sibyl White paid 12d. to marry within the manor.[740] Higher fines are recorded for women seeking to marry outside the lordship, especially widows. In the 1380s, Alice Daubeney paid a fine of 6s. 8d. to have licence to marry whosoever and wherever she wishes within the lordship or outside without impediment.[741]

The language deployed when levying merchets in the 1340s and 1350s gives no indication whether villein tenants were rendering it as well as hereditary serfs.

[739] CREC, 11 August 1411, p. 70.
[740] CREC, 31 July 1348 (4), p. 8.
[741] CREC, 7 May 1382, p. 37.

The first occasion when a female paying merchet is explicitly labelled a neif occurs in 1376, when Isabel, daughter of Walter Daubeney paid 3s. 4d. for licence to marry.[742] Thereafter, it was common for the female to be described as neif of the lord. For example, in the 1380s Richard Adecokes gave a fine of 2s. to have licence to marry off his daughter Alice, who was labelled as "neif of the lord", and both merchets in the 1410s related to neifs.[743] Clearly, payment of merchet was a feature of personal servility, and the explicit record in the court created written proof of servile status. It is possible that the explicit labelling of neifs in connection with merchet from the 1370s, but not before, indicates that until that date it was also an incident of villein tenure, payable by the marrying daughters of villein tenants as well as by hereditary serfs. Hence, it is possible that from the 1370s merchet was dropped as an incident of tenure at Elmley.

In 1449, there is a possible combination of both merchet and chevage. Margaret, daughter of William Gybbes, neif of the lady by blood was granted licence to marry and to stay wherever she pleased without challenge of the lady and her officials, paying 2s.[744] The language here is interesting, because it explicitly refers to freedom from challenge from the lady's officials should Margaret marry away from the manor. The language was repeated in 1462, when Margaret Hondy, daughter of John Hondy, neif of the lord paid 20d. and was granted licence to marry and abide wheresoever it pleases her without any challenge from the lord's officials.[745]

Leyerwite

[742] CREC, 1 February 1376, p. 27.
[743] CREC, 8 March 1386, p. 50.
[744] CREC, 19 April 1449, p. 124.
[745] CREC, 11th May 1462, pp. 153–154

There are no cases of leyerwite recorded in any of the surviving court sessions from Elmley Castle. It is, of course, possible that it had been levied on hereditary serfs in the pre-plague era, like the Worcester Cathedral priory manors in this study, but the survival of court sessions is extremely poor, and so we cannot know. We can be certain, however, that leyerwite was no longer exacted after the Black Death.

Presentments for Absence and Chevage

Information about migrant serfs is limited in the court rolls of Elmley Castle. There are no recorded cases of chevage in the whole of the fourteenth century and only a handful of presentments for absence, then thirteen chevage payments and two presentments for absence in the whole of the fifteenth century (Table 9.3).

Table 9.2: Recorded Presentment for Absence and Chevage per Decade on the Manor of Elmley Castle between 1347 and 1500.

Decade	Number of court sessions	Recorded presentments for absence (PfA)	Recorded cases of chevage	Range of chevage	Mean value of chevage
1340-49	4	--	-	--	--
1350-59	4	4	--	--	--
1360-69	--	--	--	--	--
1370-79	9	--	--	--	--
1380-89	10	--	--	--	--
1390-99	6	--	--	--	--
1400-09	--	--	--	--	--
1410-19	12	--	1	2d.	2d.
1420-29	3	--	--	--	--
1430-39	9	--	1	12d.	12d.
1440-49	3	--	2	20d.	20d.
1450-59	8	--	1	6d.	6d.
1460-69	5	--	1	4d.	4d.
1470-79	4	1	--	--	--
1480-89	13	1	7	2d.–8d.	4.5d.
1490-99	11	--	--	--	--

Source: Collated from Field, Robert K., ed., Court Rolls of Elmley Castle, 1347-1564. (Worcester: Worcestershire Historical Society, 2004), xx

There was some heightened interest in departing serfs in the immediate aftermath of the Black Death. Two presentments for absence appear in the same court in 1350, reflecting a sudden sensitivity to the shortages of tenants and workers. First, John Hamond, neif of the lord, was reported as being in another lordship, although in the same entry it is stated that John had come to the same court and was admitted to the tenement of Richard Cole, with the entry fine being deferred.[746] In this same court, there is also an order for distraint of William Daubeney, neif of the lord, who is in another lordship and the homage was ordered "to attach the aforesaid".[747] In 1356, the bailiff and whole homage had been ordered to bring to the court Walter and Adam Hoges, 'neifs of the lords and fugitives', under the threat of an enormous penalty of 100s. The Hoges did not return and therefore the penalty was imposed on the bailiff and homage and raised, as noted in the margin of the court roll.[748] The size and imposition of this fine were likely part of heightened tension between the lord and the homage over the presentment of cases relating to the lord's rights, also evident in the case of Adam le Bedel in 1356 (see below), where the lord was determined to make an example of the homage for not enacting the order. In 1356, the homage did produce Robert Clement at the court, who duly surrendered into the custody of the reeve.[749] If more court rolls had survived from the 1350s and 1360s (there are just three sessions from the 1350s and none from the 1360s), there may have been more evidence of sensitivity to the shortages of workers in the immediate aftermath of the Black Death. By the time surviving court rolls become more frequent in the 1380s and 1390s (16 sessions survive across these two decades), the

[746] CREC, 20 November 1350, p. 12.
[747] CREC, 20 November 1350, p. 12.
[748] CREC, 11 May 1356, p. 15.
[749] CREC, 11 May 1356, p. 15.

absence of references to migrants at Elmley Castle is striking, especially as this is the period when such entries become so common on the Worcester priory manors.[750] The infrequency of absence and chevage cases indicates that the lord did little to enforce restrictions on mobility under serfdom.

Table 9.3: Recorded Neifs and Their Current Location with Yearly Fine from a Court Session Dated 27 March 1483. Collated from Field, Robert K., ed., Court Rolls of Elmley Castle, 1347-1564. (Worcester: Worcestershire Historical Society, 2004), pp. 196–197.

Name	Location	Lord	Distance from Elmley Castle (miles)	Yearly Fine
Thomas Cole	(of) Abberton	Pershore Abbey	8	8d.
Thomas Cole	(of) Littleton	Evesham Abbey	7	4d.
Thomas Hamond	(of) Cropthorne	Worcester Cathedral Priory	3	4d.
William Parker	(of) Pershore	Pershore Abbey	4	4d.
Thomas Frank	(of) Martin Husingtree	Abbot of Westminster	13	6d.
William Dawbeney	Not Specified	-	-	2d.

It is possible that some chevage payments were recorded in the accounts rather than the court rolls in the earlier period, explaining the absence of cases in the court rolls. The 1345-6 account notes the payment of 8s. chevage at Hocktide, with 2d. for Henry and Isabella Dane to live off the manor.[751] The fines for the few cases of chevage that are recorded in the fifteenth-century courts were seldom higher than 6d., so the lord obtained limited financial benefit from this incident. The first case of chevage in the court rolls is recorded in 1416, although it was not straightforward. Usually, chevage cases involve the recorded payment of a fine to remain away from the manor for a year, although in this case, Robert Cole was in mercy for

[750] Razi, *Life, Marriage, and Death in a Medieval Parish* (Cambridge University Press, 1980), p. 119.
[751] WRO, 899:95/BA 989/4, Elmley Castle Reeve's Account Roll, 1345-6.

withdrawing outside of the manor without permission and for contempt of court. He was placed in mercy, and an amercement of 2d. is listed in the margin.[752] Robert next appears in 1435 when he rendered a conventional chevage, labelled as neif of the lord and giving 12d. each year for licence to stay outside the lord's domain at Bricklehampton (an adjacent manor) on John Poleyn's farm for nine years to come.[753] Robert Cole appears again nine years later, this time with one Thomas Cole (presumably a relative), and both were labelled as neifs of the lord and gave the lord 20d. for licence to live outside the lordship at Abberton (eight miles north of Elmley castle) until Michaelmas next.[754]

From the mid-fifteenth century, the lord exerted pressure on resident landholding villeins to retrieve absent family members. In 1457, Thomas Mountfort, neif of the lord, was ordered to present his son William Mountfort, who dwelled at Brailes, twenty miles east of Elmley, before the next court under penalty of 3s. 4d.[755] There is no evidence that the penalty was incurred, although one William Mountfort appears as both a juror and affeerer in a court session a year later dated 28 October 1458.[756]

The lord did pay more attention to absent serfs in the 1470s and 1480s, including obtaining details of their whereabouts. In 1477, Henry Gybbe and William Gybbe were ordered to bring their kinsman, John Gybbe neif of the lord, to the next court under penalty of 20d., as John remained at Pershore without the lord's

[752] CREC, 25 July 1416, p. 88.
[753] CREC, 8 January 1435, p. 99. The translation reads "gives the lord for chevage 12d. each year for having licence to stay outside the lord's domain at Bricklehampton on John Poleyn's farm for 9 years to come". The editor's choice of the word farm is an editorial decision. Inspecting the editor's glossary *farm* is defined as "to lease out", p.301. This creates a confusion to the case as the implication is that John is living on the farm, not leasing.
[754] CREC, 20 April 1444, pp. 110–11.
[755] CREC, 24 April 1457, p. 146.
[756] CREC, 28 October 1458, p. 149–153.

licence.[757] In the same session, next to a marginal entry noting the "verdict of the twelve", i.e. the presentment jury, it is confirmed that John remained at Pershore. He was ordered to be at the next court to get a licence or make fine, under penalty of imprisonment.[758] This threat was evidently not heeded by John, nor carried through by the lord, because in 1480 William Gybbe was again ordered to have his brother John Gybbe, neif of the lord, at the next court to make fine as he was not dwelling within the aforesaid lordship.[759] No more mention is made of John in the surviving court sessions up to 1499, although William was highly active within the manor and the manorial land market. The lord appears to have attempted to put pressure on a wealthy resident villein tenant and hereditary serf to secure the return of his brother, which represents aggressive tactics: the pressure must have been unpleasant, but neither Willian nor John yielded to it, underlying the inherent weakness of the lord's position when attempting to enforce restrictions of serf mobility.

A full list of neifs dwelling outside of the lordship and their chevage payments appears in one court session, that of 27 March 1483.[760] The information is presented in Table 9.3, which shows the value of fine ranges from 2d. to 8d., although there is no obvious reason for the differences in the level. All the migrants had flown to other manors within Worcestershire, all of them held by ecclesiastical institutions. It is surely instructive that this court was held during the minority of Edward, earl of Warwick, when the manor was in the wardship of the king, so the sudden detailed interest in migrants was possibly a bureaucratic formality enacted by the king's officials.[761]

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[757] CREC, 30 April 1477, p. 181.
[758] CREC, 30 April 1477, p. 181–182.
[759] CREC, 30 September 1480, p. 183.
[760] CREC, 27 March 1483, pp. 196–197.
[761] This is noted in the heading of the court session "By Reason of the Minority of Edward Earl of Warwick Being in the Wardship of the King", CREC, 27 March 1483, p. 194.

Overall, presentments for absence and chevage were very infrequent at Elmley Castle, despite the high status and power of its lord. Chevage payments were generally low. Some heightened interest in absent serfs, and in forcing the homage to return flown migrants, in the 1350s here is reminiscent of a heightened intensity of management of serfs on many English estates in the immediate aftermath of the Black Death, but the scale of the interest at Elmley was low and it was not sustained into the 1380s and 1390s when the survival of court rolls is highest. The appearance of chevage in the fifteenth-century courts, and the small rise in interest in the 1470s and 1480s, is characteristic of an enforcement wave by the lord, although the reasons for the wave are not revealed. Overall, mobility restrictions over serfs were very lax, and the case of William and John Gybbe exposes the lack of enforcement capability of even a great magnate landlord.

Licence To Educate and To Trade

In all the court sessions surviving for the period 1347 to 1499, there are no cases involving tenants obtaining licence to educate or licence to trade. There are no presentments under the Statute of Labourers, nor any coercive or novel work agreements.

Manumission and Disputes Over Personal Servility

Three disputes over personal freedom are recorded at Elmley Castle, all from the 1350s. The first case from 16th April 1350, ordered the bailiff to produce John le Smyth, chaplain and neif of the lord. John came to the court and was found by the

whole homage to be "free by blood and so absolutely, withdrawn and quit".[762] In the second case, John Adam, who held of the lord in bondage one messuage and half-yardland of land, came to the court and showed a charter of the lord confirming 'the freedom of his body and his family'.[763]

The third case has been cited as an unequivocal example of aggressive lordship towards serfs, and a flagrant attempt to enserf freemen as part of a post-plague seigniorial reaction.[764] In May 1356 the bailiff and the whole homage were ordered to produce Adam le Bedel, a neif, to answer to the lord as he had withdrawn outside of the manor. Adam, in turn, came to the court and claimed he was free born. He placed himself on the whole homage who said that on oath he was free born, confirming the verdict of a previous court. The lord then assembled a special jury of twenty-eight individuals, who overturned the previous verdicts and presented him to be a neif of the lord. The record of the court then notes "they are therefore, for various false presentments, in mercy £20".[765] This was probably a fine for the whole homage for false presentment. Rodney Hilton highlighted this case as an illustration of the pressures landlords were placing on their tenants after the Black Death to preserve the institution of servile villeinage as essential to their interests.[766] Similarly, Christopher Dyer cites the case as evidence of the commitment of lords to 'the old world'.[767] Neither Fryde, nor Hilton, nor Dyer point out that disputes over personal status were very rare at Elmley Castle, or that the two other cases around the same time found in favour of the defendant. Taken together, the three cases prove that the lord of Elmley Castle was willing to allow serfs to retain their

[762] CREC, 16 April 1350, p. 9.
[763] CREC, 21 July 1350, p. 11.
[764] Fryde, *Peasants and Landlords*, pp. 25–6.
[765] CREC, 11 May 1356, p. 13.
[766] Hilton, *The Decline of Serfdom in Medieval England*, pp. 41–42.
[767] Dyer, *Peasants Making History*, p. 79.

freedom if they could prove it.

Conclusion

There were 18 half virgates at Elmley Castle and 24 cottars, and the burden of labour services was high: around three labour services per week all year round on the half virgates and unknown requirements on the cottars. The half virgates paid a further 11s. per annum in cash rent, annual tallage of c.3s., and a hen and Christmas loaf annually. They were liable for heriot and entry fine. There is no evidence of the imposition of mill suit.

Heriot and entry fines remained regular exactions of servile land throughout the fourteenth and fifteenth centuries at Elmley Castle, though the exaction and value of heriot slowly declined following the Black Death. The value of entry fines for half yardlands was consistently low from the 1370s. The spike at the end of the fifteenth century in the frequency of fines and heriot reflects an upturn in the land market, often involving the grant of land lying in the lord's hands, and perhaps a change of ownership of the manor. Labour services were commuted in their entirety each year in the second half of the century, although tallage continued to be rendered every year of the fourteenth century. All the half virgates remained occupied, and held on the traditional villein service tenure, until at least the 1390s. The absence of conversions to leasehold or money tenures is striking, and the full occupancy of the half virgates indicates that the lord did not have to make concessions to attract tenants: the routine commutation of all the heavy burden of labour services—making the rent package largely paid in cash—must have helped in this.

Chevage and presentments for absence were rare and infrequent, and the lack of enforcement by a great magnate suggests a relaxed attitude to the tracking of

serfs. Furthermore, leyerwite was never levied after the Black Death, and merchet was not very common and was charged at an average of 2s. There were no licences to trade or educate. It is possible that these incidents were more common in the pre-plague era, but the absence of pre-1349 courts prevent us from exploring this possibility: however, their absence after 1349 is undeniable. In the 1350s, the only three disputes over personal servility are recorded. This, together with small spikes in entry fine values and presentments for absence, suggests some aspects of a seigniorial reaction, but the waiving of entry fines for some land grants, the complete absence of other servile dues, and the absence of any presentments under the new labour laws, all point to a very muted and short-lived reaction at best.

10 Romsley

The Manor

The manor of Romsley was situated in northern Worcestershire within a wooded and largely pastoral landscape. It was a sub-manor of the larger manor of Halesowen under the lordship of the abbot of Halesowen Abbey, a Premonstratensian house founded in 1215. Romsley was a relatively small manor of around 30 tenants in the early fourteenth century. Its manor court was held in Romsley and was usually separate from that of Halesowen (held at the abbey), even though it was merely a sub-manor of the latter and held by the same lord.[768]

Romsley was chosen for inclusion for three reasons. First, as a woodland manor in north Worcestershire, its agricultural features and location were different to the classic champion manors in the south of the county, which form the basis of most of the case studies in the thesis. Second, it has an exceptional survival of court rolls with very few gaps for a long period, which have been published. Between 1300 and 1499, 606 court sessions survive, although many sessions are short and largely concerned with land transfers. No accounts or surveys survive. Finally, these rolls have not been subject to any systematic methodology to ascertain the decline of serfdom, whereas neighbouring Halesowen has been extensively studied and cited on matters relating to serfdom by Rodney Hilton and Zvi Razi.[769]

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[768] Matthew Tompkins, ed., *Court Rolls of Romsley, 1279-1643*, 27 (Worcestershire Historical Society, 2017), pp. 10–12, 19–22 provides a general introduction to the manor and its courts: hereafter referenced as CRR.

[769] R. H. Hilton, *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966); Razi, *Life, Marriage, and Death in a Medieval Parish* (Cambridge University Press, 1980).

Villein Tenure

The unfree landholdings at Romsley were a mixture of some virgates and quarter virgates ('Nooks'), and holdings of indeterminate size described as crofts, parcels, tenements etc., which are characteristic of piecemeal intakes from wood pasture. These were usually described as held 'according to the custom of the manor there, by the rent, service and customs previously owed' and most were held heritably. Towards the end of the century, they were also often described as held 'in neifty', with the last instance of this terminology occurring in 1426.[770] In 1301, all the tenants of the manor performed fealty to a new abbot of Halesowen, although the distinction between free and unfree tenants is not explicitly stated. However, seven tenants rendered light cash rents and a handful of harvest boonworks—most likely the freemen—and fifteen tenants are listed after Thomas ate Leye, neif, and rendered a wider range of services and are the likely villein tenants: most of these owed a cash rent, three ploughing and harrowing services per annum, some mowing services, and three days' harvest work without food.[771] There are no mentions of rents paid in kind.

The main burdens on villein tenure were heriot, liability to entry fine, suit of court, election as reeve, labour services, recognition at the election of a new abbot, and mill suit. The title to unfree land was protected by custom and by the record of the court roll, and the rights of heirs were respected. There is evidence of exchanges of unfree land, sales, and temporary sub-letting, although most of the virgates and nooks appear to have been still largely held intact.[772] Inter-vivos land transactions were a common component of the land market in Romsley. Between 1300 and 1499,

[770] CRR, 13 December 1426, p. 178.
[771] CRR, 24 July 1301, pp. 43-4.
[772] CRR, pp. 14–17.

128 inter-vivos transactions are recorded, so there was a reasonably active land market in villein land at Romsley. There were no arbitrary seizures of land. Even when tenants failed to pay their rent, the lord went through the process of distraining them for the arrears before any eviction.[773] Likewise, the court respected written proof and rights to land. In 1312, Felice widow of Thomas de Kelmestowe, called for the evidence of the court roll to establish her title to a bond tenement, a right which her daughter subsequently confirmed following an inquest.[774] On one occasion, the court recorded the lord's grant 'to all his customars of the vill and their heirs' of the waste around Uffmoor, which explicitly excluded the lord from mining or carting anything from the land thereafter.[775] There is no doubt that pressure on resources in the early fourteenth century was high at Romsley, because of the regular references to grants of intakes from and encroachments on the waste.[776]

There is a gap in the court rolls between 1348 and 1354, which means that the passage and effects of the Black Death are missing. Razi estimates that nearly half of the local population died in the pandemic, and the business of the Romsley court changed demonstrably. After 1354, it was held twice a year, as opposed to the monthly sessions in the pre-plague era, and its business narrowed. Many of the personal pleas disappeared, and it became mainly concerned with land transfers. The second pestilence hit Romsley between July and September 1361, and the court rolls also mention a death in the 'third pestilence' of 1369.[777]

One aspect of land tenure in the post-Black Death era is clear at Romsley, which distinguishes it from many of the other manors in the case studies: there is

[773] CRR, 10 October 1301, p. 46.
[774] CRR, 10 October 1312, p. 54; 12 July 1328, p. 86.
[775] CRR, 18 May 1327, p. 83.
[776] CRR, 22 March 1328, p. 85; 8 March 1329 pp. 88–9, 3 October 1342, p. 119.
[777] CRR, 1 October 1361, p. 126; 2 November 1369, p. 133.

very little evidence for conversions of the service tenancy to money tenure. This is probably because the original rent structure was much more lightly burdened with labour services and other servile dues than, say the Worcester Priory manors, and at Romsley the labour services were collectively commuted at an early date (see below). In other words, the rent package on traditional service tenancies in this woodland region was already similar in many ways to a monetary tenure.

There is one other feature of villein tenure worth mentioning. The lord did occasionally amerce villein tenants for wastage, but such cases were rare and mainly confined to the fifteenth century.[778] This is a sharp contrast to the surge of wastage presentments on the Worcester Priory manors after the middle of the fourteenth century.

Tallage

There is no evidence of tallage being rendered in the manorial courts of Romsley. Possibly, tallage was rendered and recorded in the account rolls. However, no account rolls survive.

Labour Services

As we have seen, there were no winter or summer labour services attached to villein holdings but only light seasonal services for ploughing, harrowing, mowing and reaping. This might reflect the small size of the Romsley arable demesne. In the early fourteenth century, there are occasional references to withholding of rents and

[778] CRR, 9 October 1467, pp. 229-30.

services, such as in 1313, for one day's work for three selions in Burachecharne by William and Agnes Tandy.[779]

In general, such presentments are unusual. This is because from 1327 the labour services owed by the unfree tenants were commuted collectively for a total of 23s. per annum. The conversions to cash payments were based on fixed and customary valuations, such as 3d. for each day ploughing, 1d. for each day harrowing, and 2d. for each day reaping.[780] There is no timeframe limiting this agreement, which simply stated that henceforth all the customars shall be quit of the works on condition of payment of the cash. It is unclear whether this collective agreement was linked to the leasing of the demesne land, although later court rolls do included details of the regular leasing of the abbey's grange to third parties. In 1366, the grange called 'Wesleys' and all its demesne houses and lands were granted to Thomas de Puthwey for a yearly rent of 53s. 4d. on the condition that he would maintain the buildings and not lease the grange or lands to anyone else.[781] The grange was again leased to Thomas le Squier, John atte Lithe, John le Squier and Richard le Squier in 1372, after being surrendered by Thomas le Puthway in the same year. This group paid 2s. for entry and were liable to pay 40s. yearly. It is also noted that this transaction included the benefit of "mowing, haymaking and reaping of all the demesne grain by the customars of the grange".[782]

It is possible that this reference relates to the lessees' ability to claim the 23s. for the collective commutation of services each year, but it is also possible that the services were once again being required to be performed in person. The latter possibility is also suggested by a case in 1386, which is not recorded in the manorial

[779] CRR, 6 November 1313, p. 57.
[780] CRR, 21 March 1327, p. 82.
[781] CRR, 16 October 1366, p. 130.
[782] CRR, 25 June 1372, pp. 133–134.

court rolls, but which was recorded in royal records as part of general unrest among the tenants of the abbey. In this year, royal justices investigated why some tenants were refusing to recognise the lord formally or to do services.[783] There is no doubt that villein tenants at Romsley were occasionally in open rebellion against their lord, usually over the performance of service. In 1333, for example, Thomas de Hulle had been elected as the reeve as part of his customary obligations, but he refused to be sworn, and the lord had to be consulted on the actions to be taken.[784]

Entry Fines

Entry fines were routinely collected from transfers of villein land and varied from one transaction to another for reasons which are not stated. One obvious reason for the variation is differences in the size and quality of the land parcel, because many of the transactions were of small, indeterminable units of land, such as 'all his/her tenements…a moiety of land…a parcel'. It is therefore very difficult to obtain a large sample of entry fines to measure changes in value over time reliably.

The only opportunity to generate values of entry fine per fixed unit area over a long period of time is from transfers of the standardised holdings of the messuage and known fractions of the virgate, usually the nook (quarter virgate) and half-virgate. Unfortunately, even for these the size of the sample is small at Romsley, and there is just one clear example from the pre-plague period (Table 10.1), when in 1334, John, son Richard atte Lythe, gave an entry of 3s. 4d. for a messuage and nook

[783] Zvi Razi, 'The Struggles between the Abbots of Halesowen and Their Tenants in the Thirteenth and Fourteenth Centuries', in *Social Relations and Ideas: Essays in Honour of R. H. Hilton*, ed. by Trevor H. Aston and others, Past and Present Publications (Cambridge University Press, 1983), pp. 151–67.
[784] CRR, 25 October 1333, p. 98.

his father had surrendered to his use.[785] Likewise, there is not a single transfer of a virgate or fraction of a virgate in the court rolls between the 1410s and 1440s, so the data in Table 10.1 covers the fourteenth century only. The data in Table 10.1 does not include references to moieties of virgates, such as the grant in 1342 of a 'messuage and moiety of a virgate'.[786] Although a moiety is often taken to mean one half, it can also mean a fraction in many legal contexts, and the lack of certainty means that such entries are discounted for the purposes of calculating fines per unit area.

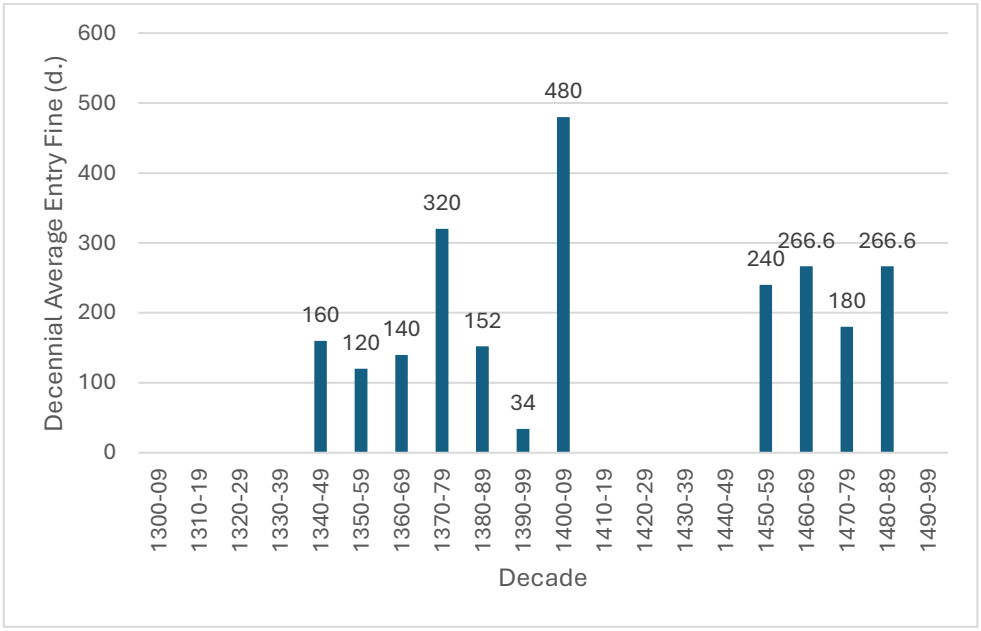

Figure 10.1: Decennial Average Value for Messuage and Virgate (d.) at Romsley, 1300-1499.

The entry fine for the equivalent of a virgate varied from 10s. to over 40s. The reasons for the variations are never given, although ability to pay was undoubtedly one factor. For example, one of the highest entry fines—26s. 8d. for a messuage and virgate—was paid in 1372 on a post-mortem transfer of land which had been held by

[785] CRR, 30 September 1334, p. 102.
[786] CRR, 1 July 1342, p. 118.

Thomas le Squier, who had been the lessee of part of the demesne of Romsley and was a wealthy servile landholder, so the high entry fine must have reflected his wealth.[787] The trend of entry fines over time is difficult to ascertain reliably because of the small size of the pre-plague sample. The mean level fell 25 per cent between the 1330s and 1350s, almost certainly reflecting the impact of the Black Death. In the 1360s, it remained well below the pre-plague level, again reflecting the return of plague in 1361 and 1369. In the 1370s, however, the mean reached 172d. per virgate, compared with the 160d. of the 1330s, then held in the 1380s before rising to a peak of 230d. in the 1390s. The latter is largely explained by the high entry fine of 40s. paid by Thomas, son of John atte Lythe to enter a messuage, half virgate and nook.[788]

Table 10.1:Mean Entry Fines on a Messuage and a Virgate at Romsley 1300 to 1399, By Decade.

Decade	Number of Total Messuage and Virgates	Total Entry Fine (d.)	Mean Entry Fine (d.)
1300-09	--	--	--
1310-19	--	--	--
1320-29	--	--	--
1330-39	0.25	40	160
1340-49	--	--	--
1350-59	0.5	60	120
1360-69	5	680	136
1370-79	4	688	172
1380-89	1.5	232	155
1390-99	2.75	632	230

The caution about the sample size in the pre-plague period should be repeated, but, on the basis of the evidence presented, there is a clear recovery in mean entry fines in the last quarter of the fourteenth century to a level higher than that prevailing in

[787] CRR, 25 June 1372, pp. 133–4; 11 May 1375, p. 138.
[788] CRR, 22 March 1392, p. 153.

the first half of the century. Romsley is therefore a rare example of entry fines rising when land values in general were falling in the later fourteenth century.

Heriot

Heriot was consistently rendered on the manor throughout the fourteenth and fifteenth centuries on the death of a tenant of villein land. The record is complicated because of the tendency of the courts also to note the render of a 'mortuary in the name of the rector' or of a 'principal': these are interchangeable terms for a mortuary payment to the abbey as the rector of the parish church of Romsley.[789] To complicate matters further, some 'heriots' are described as being paid 'for the Custom', which is another way of describing a mortuary.[790] Overall, 67 heriots (not mortuary) are recorded in the court sessions of Romsley, the breakdown per decade is exhibited in Figure 10.4, which shows an increase in recorded heriots peaking during 1390-99 and 1400-09. The numbers rose again to a plateau between 1450 and 1479.

[789] CRR, p. 26.
[790] CRR, p. 25.

Table 10.2: Decennial Data for Heriot on the Manor of Romsley, 1300-1499.

Decade	Number of heriots rendered (included in calculation)	Mortuary	Number of monetary heriots	Number of heriots including best beast or chattel	Number of heriots combined with other fines	Number of heriots for deceased individuals	Number of heriots for living individuals	Range of value	Total value rendered from heriot (d.)	Decennial average of heriot value (d.)
1300-09	--	--	--	--	--	--	--	--	--	--
1310-19	1	--	--	1	1	1	--	--	--	--
1320-29	3	--	2	--	1	1	2	18d.-2s.	42	14
1330-39	2	--	1	1	--	1	1	12d. - 3s.8d.	56	28
1340-49	2	1	--	2	--	1	1	3s.4d.-6s.8d.	180	60
1350-59	1	--	1	--	1	--	1	-	0	0
1360-69	4	5	1	3	1	3	1	16d.-8s.	323	80.75
1370-79	4	4	1	3	--	3	1	5s.-13s.4d.	448	112
1380-89	2	1	--	2	--	2	--	5s.-6s.	132	64
1390-99	9	6	--	9	1	9	--	5s.-10s.	884	98.2
1400-09	7	3	1	6	1	5	2	1s.-13s.	564	80.5
1410-19	2	3	1	--	--	1	--	66d.	66	33
1420-29	2	1	1	1	--	1	1	6s.8d.-10s.	200	100
1430-39	3	1	1	1	--	2	1	0.-6s.8d.	120	40
1440-49	2	--	1	1	--	1	1	6s.8d.-13s.4d.	240	120
1450-59	5	--	4	1	2	2	3	3s.4d.-6s.8d.	306	61.2
1460-69	6	--	--	6	--	6	--	2s.2d.-9s.6d.	500	83.3
1470-79	6	--	2	4	1	6	--	3s.4d.-8s.4d.	358	59.6
1480-89	6	1	2	4	--	3	3	2s.-16s.	568	94.6
1490-99	--	--	--	--	--	--	--	--	--	--

Source 1: Tompkins, Matthew, ed., Court Rolls of Romsley, 1279-1643 (Worcester: Worcestershire Historical Society, 2017)

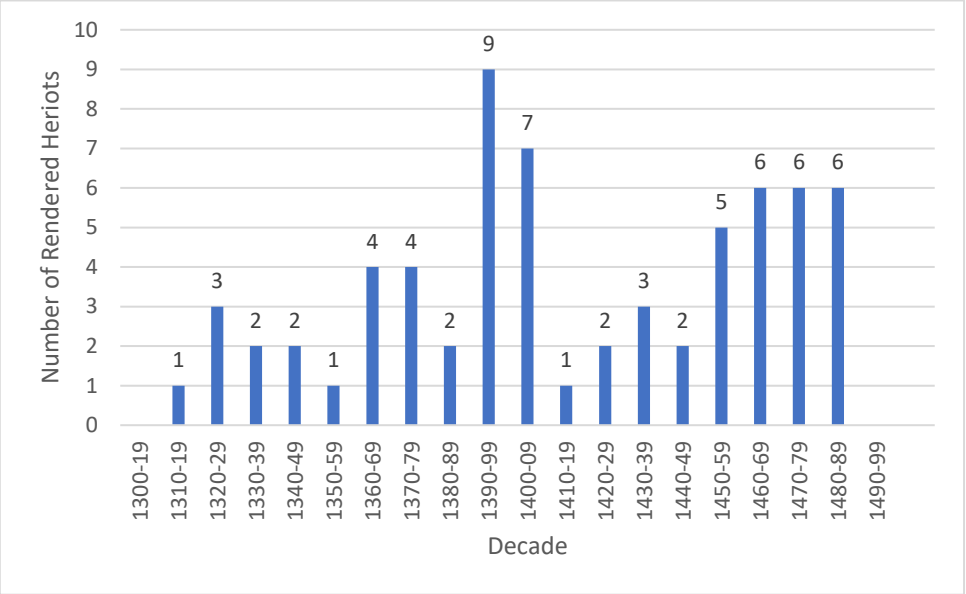

Figure 10.2: Number of Heriots Rendered, Per Decade, on the Manor of Romsley, 1300-1499.

Figure 10.3 shows that mortuary was not a common render, and was first recorded in the 1340s. This case from 1 July 1342 involved the deceased Thomas Squier, in which "the lord has in the name of a heriot and principal a horse worth 6s. 8d., a bullock and a cow worth 13s. 4d."[791] The record of collecting mortuary at Romsley rises from the 1360s, peaking during 1390-99. Three cases from 1 October 1361, which capture deaths in the second plague pandemic, record the render of mortuary alone, with no heriot recorded, and these were undoubtedly free tenants who did not owe heriot.[792] The highest number of mortuary renders occurred between 1390-99, again in the 1410s and tapers off thereafter.

[791] CRR, 1 July 1342, p. 118.
[792] CRR, 1 October 1361, p. 126.

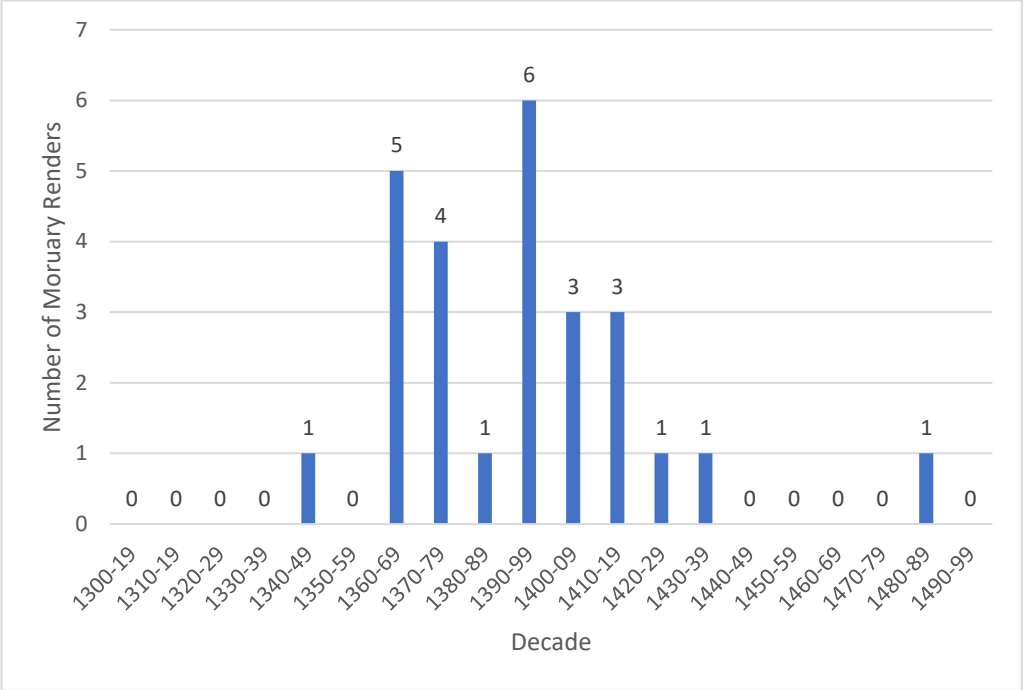

Figure 10.3: Mortuary Renders on the Manor of Romsley, 1300-1499.

The most common render for heriot at Romsley was the best beast, or most valuable chattel (Figure 10.4). However, monetary renders were taken for heriot in almost every decade, with nineteen monetary heriots rendered between 1300 and 1499. The abbot of Halesowen also waived heriots due to poverty. For instance, William de Hulle who died in 1370 did not render a heriot because "he had nothing".[793]

[793] CRR, 26 April 1370, p. 132.

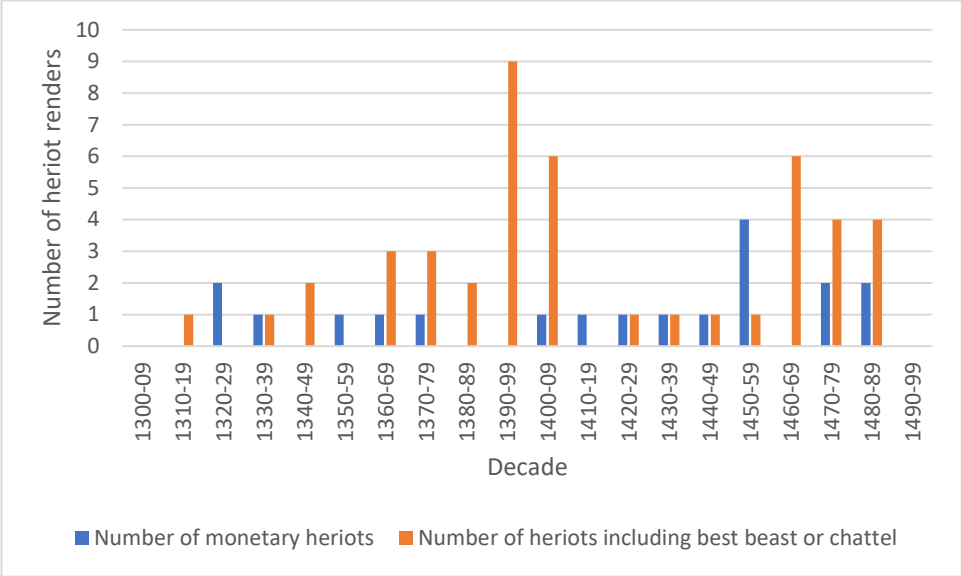

Figure 10.4: Comparison of Heriots Rendered from Best Beast/Chattel and Number of Monetary Renders at Romsley, 1300-1499.

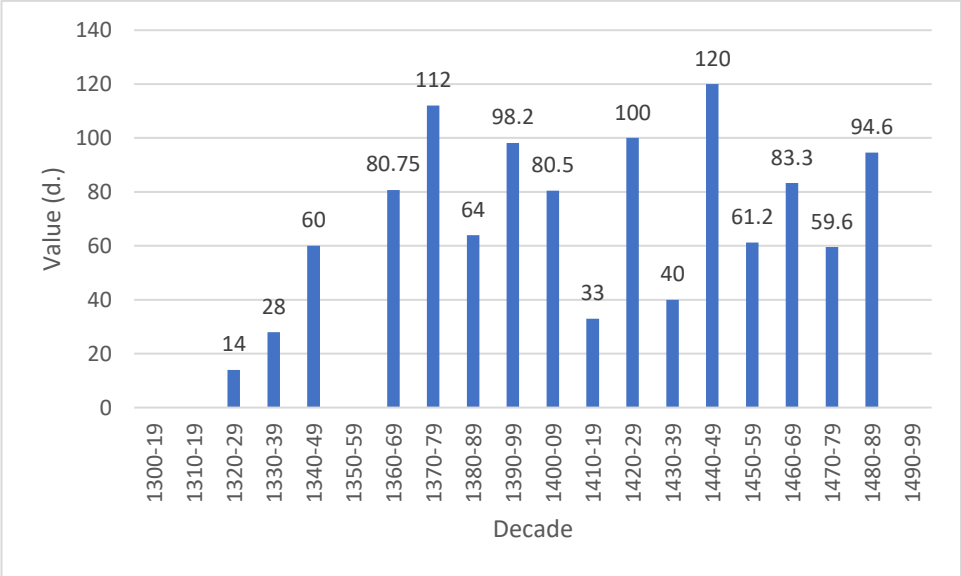

Figure 10.5: Decennial Average of Heriot Value (d.) at Romsley, per Decade, 1300-1499.

Heriots are invariably given a monetary value, and figure 10.5 expresses heriots per decade in terms of their stated average value. The decennial average for heriot was consistently higher after 1350, rising to a peak of 112s. between 1370-79 and thereafter maintained at around 80d. to 100d. and 80d. This must reflect the poverty of tenants in the pre-plague era and the expansion in the size and quality of peasant

livestock—especially among smallholders—in this predominantly pastoral area after the Black Death. Regardless, the abbot was benefiting from an increased yield from this particular servile incident in the second half of the century.

Mill Suit and Milling Rights

Only three cases related to mill suit are recorded on the manor of Romsley, all in the 1310s. In 1311, Richard Aleyn and Robert Corteys were ordered to attend the next court for grinding at other mills, and Richard duly appeared, admitting to the charge, promised not to offend again, and paid a 3d. amercement.[794] Robert later admitted to milling at other mills and was amerced 1d.[795] There are no other cases, although a demesne mill remained operational for the duration of the period for which court rolls survive: it was usually leased to third parties. For example, when Shut Mill was granted in 1410 to Thomas Frensche of Wolverley, it was for a cash annual rent for the term of 55 years with no mention of mill suit.[796]

Merchet

Merchet was rendered from females throughout the fourteenth century at Romsley, though it was not frequent (Figure 10.6), and it disappears in the 1390s. The range of fines varied from 1s. to 6s. 8d., with a modal fine of 2s. (table 10.3). The reasons for the variation in fines are not given. The highest merchet was that of Alice atte

[794] CRR, 1 July 1312, p. 52–3
[795] CRR, 24 July 1312, p. 52.
[796] CRR, 24 January 1420, pp. 167–8.

Yate in 1359, who paid half a mark to marry outside the lordship.[797] Thirteen of the fourteen rendered merchets enabled the woman to marry "whoever and wherever" or "without the lord's impediment".

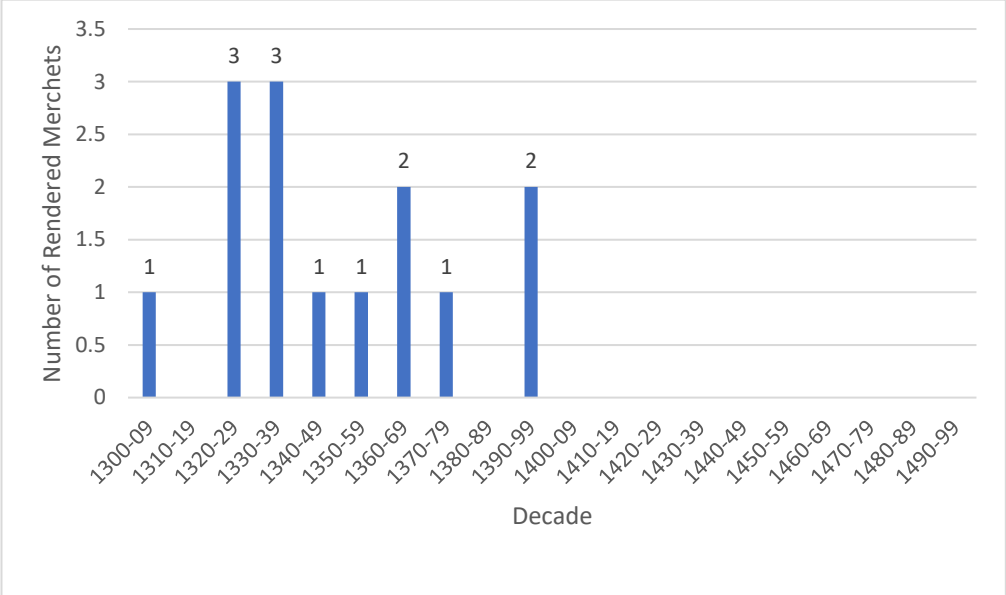

Figure 10.6: Number of Merchets Rendered on the Manor of Romsley, 1300-1499.

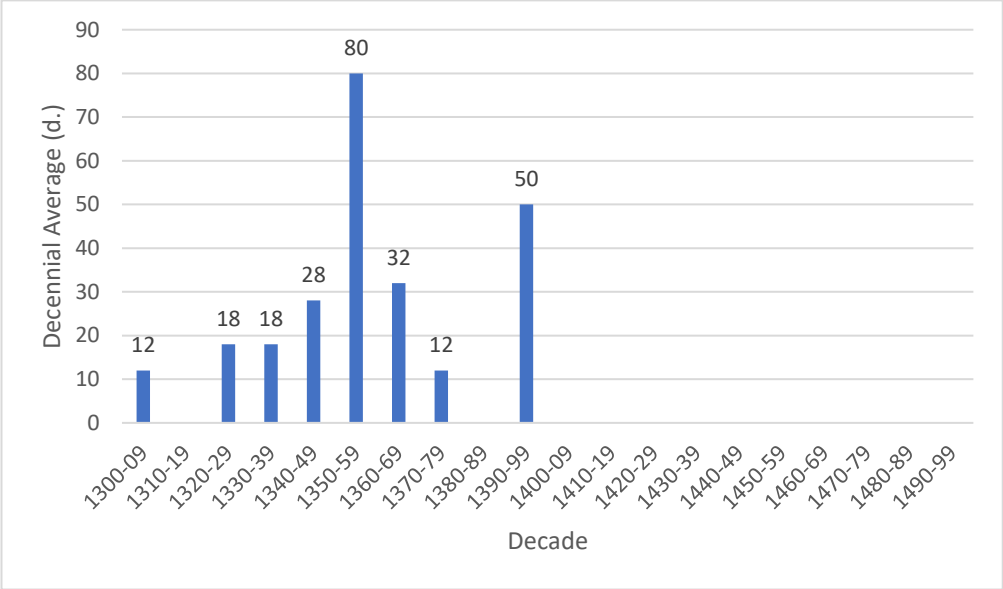

Figure 10.7: Average Decennial Value of Rendered Merchets at Romsley, 1300-1499. (d.)

[797] CRR, 30 April 1359, p. 125.

It is likely that merchet was imposed selectively on certain females for reasons not apparent. A relaxed approach is suggested by an order of 1313, directing an inquest into all those who had married inside and outside the manor.[798] Yet the discretionary element is also suggested by one case in 1303, when the fine for a woman's merchet was respited 'until she had spoken to the abbot'.[799] Figure 10.6 shows that the frequency of merchets was highest in the 1320s and 1330s, when three were recorded each decade, and fell thereafter. As Figure 10.7 reveals, however, the reduction in the frequency after the Black Death was accompanied by a rise in the mean level. The average fine before 1349 was around 20d., but between the 1360s and 1390s was 31d. These are not large sums, but the upward trend after 1349 is clear and consistent.

[798] CRR, 19 February 1313, p. 56.
[799] CRR, 1 May 1303, p. 46.

Table 10.3: Decennial Date for Merchet and Marriage Licence on Romsley, 1300-1499.

Decade	Number of Court Sessions	Number of Merchet Related Cases	Merchet Rendered	Total value (d.)	Decennial Average (d.)	Range
1300-09	8	2	1	12	12	1s.
1310-19	27	3	--	--	--	--
1320-29	69	5	3	72	18	2s.
1330-39	56	9	3	72	20	2s.
1340-49	23	2	1	28	28	2s.4d.
1350-59	16	1	1	80	80	6s.8d.
1360-69	18	2	2	64	32	2s.-3s.4d.
1370-79	51	1	1	12	12	12d.
1380-89	21	--	--	--	--	--
1390-99	24	2	2	100	50	3s.4d.-5s.
1400-99	29	--	--	--	--	--
1410-19	24	--	--	--	--	--
1420-29	22	--	--	--	--	--
1430-39	22	--	--	--	--	--
1440-49	24	--	--	--	--	--
1450-59	23	--	--	--	--	--
1460-69	64	--	--	--	--	--
1470-79	30	--	--	--	--	--
1480-89	42	--	--	--	--	--
1490-99	13	--	--	--	--	--
Total	606		18			

Source 2: Tompkins, Matthew, ed., Court Rolls of Romsley, 1279-1643 (Worcester: WHS)

Marriage without licence was uncommon on the manor, with just five recorded cases. The first of these comes from 1311, where Amice, daughter of Richard le Bonde, married without licence at Bromsgrove.[800] The other four cases are all recorded in the 1330s, when the fine paid was 12d. One of these involved Agnes de Yeldentre, who had her lands seized for marrying without licence, but soon afterwards John Piersone came and paid a fine 4s. for trespass, and because he had

[800] CRR, 4 November 1311, p. 51.

married Agnes, the land was returned to her.[801] The lord's aggressive intervention to seize lands appears to have been because Agnes was a villein heiress who had married an incomer.

Leyerwite

Two cases of leyerwite are recorded at Romsley, both of which occur in the early fourteenth century. In 1328, Juliana ate Pirie was fined 2s. for being "deflowered".[802] In 1335, Christina de Westleye was also fined 2s. for being deflowered. No more cases are recorded.

Presentments for Absence and Chevage

There are no recorded cases of chevage or presentments for absence on the manor of Romsley.

Licences to Trade and Educate

There are no references to serfs paying for a licence to be educated. There are just two cases of the lord interfering in work relations. The first is in 1356, Thomas de Yeldyntre gave 40d. for licence to practice a craft within the lordship.[803] The second is in 1364, an unusual and obscure case. John le Squier paid the lord a fine of 6s. 8d. for the 'grant' of Richard, son of Thomas le Squier, who had sworn on oath to serve John 'in all manner of service and office' for the rest of John's life and to abide

[801] CRR, 25 April 1337, p. 107-8.
[802] CRR, 29 October 1328, p. 87.
[803] CRR, 30 September 1356, p. 124.

faithfully by the terms of the contract.[804] This does not appear to be connected to serfdom, however, and might suggest that Richard had been contracted to John but had proved unreliable or had left his employ in the recent past, and John was now seeking to toughen up his control over Richard by this unusual bond.

Conclusion

Villein tenure at Romsley was not as heavily burdened as the manors of Worcester Priory, being notably light on labour services and no evidence of tallage. Entry fines and heriot were collected assiduously throughout the whole period. Labour services were commuted collectively in the 1320s, and mill suit was not enforced in the 1310s, despite the presence of a demesne mill. There is none of the presentments and fines for wastage on villein holdings after the Black Death which so dominate the Worcester priory manors. Conversely, there is little evidence of formal conversions to money tenures.

Similarly, the incidents of personal servility were uncommon. Merchet was relatively infrequent, charged at a low level, and abandoned by 1400, and leyerwite was rare and abandoned well before the Black Death. Other renders, such as licences to trade and chevage, are not recorded at all. There were no presentments for absence. There is some evidence for an increase in charges on villeins in the aftermath of the Black Death. The frequency of merchet declined, but the mean render was higher, around 31d. compared to 20d. in the pre-plague period. The mean value of heriots rose to a peak in the 1370s, and the abbot also took mortuary payments directly from many tenants. Levels of entry fines for the standardised holdings are difficult to assess reliably over the fourteenth century because of the

[804] CRR, 14 February 1364, p. 128.

small sample size pre-1349, but they fell in the third quarter of the fourteenth century, only to rise above the pre-1349 level in the last quarter. Thus, the evidence is mixed, but in general, there is little sense that serfdom was aggressively reimposed or restored in the third quarter of the fourteenth century.

11 Collective and Individual Peasant Resistance in the West Midlands, 1350 to 1400

Introduction

A central argument in traditional, and especially Marxist-inspired, narratives of serfdom in England is that peasant resistance to the demands of landlords was a major factor in its disappearance. This is especially true of their depiction of events in the aftermath of the Black Death, when lords came down hard on imposing the main incidents of serfdom and when their peasants responded with resistance. Various members of the Birmingham School have argued strongly for this 'seigniorial reaction' in the third quarter of the fourteenth century, when lords sought to counteract the shortages of tenants and workers by either compelling their hereditary serfs and villein tenants to hold land and to labour on terms favourable to lords or, if that was not possible, to charge them sizeable fines for not doing so.[805] The peasantry resisted, so this period is depicted as 'an evolving struggle over who controlled the land, peasant labour and real property'.[806] However, the concept of the seigniorial reaction has been challenged, notably by Bailey, who, in a series of publications, has argued that the evidence for a reaction is weak and instead argues that market forces caused serfdom to be in full retreat from the 1350s.[807]

The argument that the seigniorial reaction is a myth has gained traction in recent years, although a number of historians continue to argue that the West Midlands was different from much of England, because serfdom was more

[805] Summarised in Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 52-4.
[806] Hargreaves, 'Seignorial Reaction and Peasant Responses', p. 54.
[807] Bailey, 'Myth of the Seigniorial Reaction'; *Decline of Serfdom*, pp. 307-311; *After the Black Death*, pp. 83-112; Bailey, *Serfdom in Medieval England,* pp. 262-266, 384-85.

widespread and more onerous here than elsewhere. This, it is argued, was especially true of the estates of Worcester Priory, where, according to Hargreaves, in the post-plague era the monks pursued policies which ensured that the 'process of subjugation was all but complete'.[808] He argues that market conditions forced the monks to defend their interests, which in turn provoked resistance from their tenants. The latter increasingly withdrew from performing suit of court, engaged in collective boycotts, and were in contempt of court in this period.[809] Similarly, Dyer identifies the 1360s and 1370s as a period of seigniorial reaction on the priory estate, citing the example of how the priory 'prevailed' over the tenants of Shipston-on-Stour and Blackwell, behaviour which in turn triggered constant upheaval and conflict between 1395 and 1406.[810]

So, considerable emphasis is placed on collective and active forms of resistance in the West Midlands in undermining serfdom. Yet serfs could also resist in less confrontational ways, principally through migration. Collective action was risky and generated direct conflict, whereas leaving the manor to seek better terms and opportunities elsewhere avoided such risks. It also involved decision making by the individual rather than relying on agreement among many to stage a strike. Serfs who had left the manor could not become the serfs of a different lord and so had obtained de facto freedom from serfdom. The lord could seek to license their departure through chevage, or to seek their return by force or a legal writ, but his powers of enforcement were weak.[811] Hargreaves regards migration as the 'nail in the coffin' of serfdom in the West Midlands and Dyer has extensively reconstructed

[808] Hargreaves, 'Seignorial Reaction and Peasant Responses', p. 55.
[809] Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', p. 431; Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 73-4.
[810] Dyer, 'Small Town Conflict', p. 198.
[811] Bailey, *After the Black Death*, pp. 105–106.

the movement of hereditary serfs after the Black Death.[812] The main period of migration is seen as the 1380s and 1390s.

The purpose of this chapter is to pull together the evidence for collective peasant resistance in the aftermath of the Black Death on the nine manors which have formed our case studies. In particular, it focuses on the disturbances in the late 1370s on the estate of Worcester Cathedral Priory, which Hilton and Hargreaves regard as the culmination of oppressive seigniorial policies and peasant resistance in this era. It then draws together the evidence for migration from seven of the individual case studies—those belonging to Worcester Priory—to identify general trends in the chronology, scale and nature of servile migration.

Collective Resistance

In his published Ford Lectures for 1973, Hilton argued that collective peasant resistance and action against aggressive landlord policies were increasing in the West Midlands in the build-up to the revolt of 1381, indicating that 'matters were moving in places towards village rebellion'.[813] Fryde repeated this theme, when writing that during this period 'generalised peasant discontent and conflicts between numerous landlords and their tenantries created a countryside where a widespread popular uprising could occur'.[814] Hilton's principal example to support this argument was 'the conflicts on the estate of Worcester Cathedral Priory over the performance of labour services [which] led in July 1379 to a general seizure of all the good and chattels of the servile tenants of the estate on all manors'.[815]

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[812] Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 70–1; Dyer, *Peasants Making History*, pp, 85–91.
[813] Hilton, *English Peasantry*, p. 61.
[814] Fryde, *Peasants and Lords*, p. 42.
[815] Hilton, *English Peasantry*, p. 61.

Hargreaves takes up this theme, citing collective withdrawals of labour services on the estate in 1370, 1378-9 and 1381, without providing any more details.[816] He also 'wonders if rumour of the re-introduction of labour services [on the estate of Worcester priory] lay behind a general tenant uprising on the estate in 1378'.[817]

Hargreaves argues that the heightened conflict over labour services in the 1370s occurred against a backdrop of presentments for contempt and refusals to perform suit of court, although, once again, he does not quantify these. Ironically, when Hargreaves does produce some quantified evidence, it could be used to argue the *absence* of a seigniorial reaction. For example, he shows that entry fines on the Worcester Priory estates fell from an average of £2 3s. 3d. per transaction in the 1340s to 4s. 7d. in the 1380s.[818] Likewise, he notes the swing from virgates held on the old service tenures to cash tenures, which resulted in the removal of labour services. Hence, he shows that, in the 1340s, 45 per cent of the cellarer's income was from cash rents, which rose to 82 per cent in 1376-7.[819] Both of these trends could be used to argue that serfdom was being watered down in this period, but instead Hargreaves emphasises that many labour services still remained—especially harvest and summer works—and that the conversion of villein land holdings to cash rents was principally completed in the last two decades of the century.[820] The clearest evidence he provides for a seigniorial reaction is the priory's focus on curbing servile migration, its determination to seize the chattels (*principalia*) of disobedient serfs, and its clampdown on the wastage of servile tenements.[821]

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[816] Hargreaves, 'Seignorial Reaction and Peasant Responses', p. 59.
[817] Hargreaves, 'Change in Relationships, p. 110.
[818] Hargreaves, 'Seignorial Reaction and Peasant Responses', p. 58.
[819] Hargreaves, 'Seignorial Reaction and Peasant Responses', p. 59.
[820] Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 59–60.
[821] Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 62–71.

What evidence is there for growing and widespread peasant collective resistance to labour services in the West Midlands in the aftermath of the Black Death in general and in the 1370s in particular? To answer this question, it is necessary to return to the evidence that Rodney Hilton originally provided to support his claims for conflict. In fact, he did not provide detailed and extensive evidence for a rising incidence of labour strikes but instead argued that conflicts over labour services led, in July 1379, to the general confiscation of the goods and chattels of the servile tenants on all the manors of Worcester priory. The footnote supporting this wide-ranging claim is, in fact, very narrowly focused: it reads 'E30, Blackwell, Tuesday before Translation of St Thomas, 2 Richard II. The seizure which the prior justified in the record *ex certis causis et litteris ipsum moventibus* was repeated in subsequent courts held in other manors.'[822]

Unfortunately, Hilton has confused, conflated and cited incorrectly the evidence in support of his argument. The first point is that he provides no evidence for a rising incidence of labour strikes in the 1360s or 1370s on this estate. The second—obvious and axiomatic—error is Hilton's misdating of the court he cites. His text attributes the conflict to July 1379, yet his supporting footnote cites the Blackwell court held on Tuesday before St Thomas, 2 Richard II, which, of course, is 29 June ***1378*** (1379 would have been 3 Richard II). The third error is that this court is nowhere to be found in the WCL E30 roll. Instead, the E30 roll contains a Blackwell court held on 14th July 1379 (Thursday post the translation of St Thomas the Martyr 3 Richard II), where there is no reference whatsoever to the order to seize or to any letters.

[822] Hilton, *English Peasantry*, p. 61, fn 18.

The combination of errors and confused referencing means that it is necessary to work through the contemporary rolls carefully and sequentially to reconstruct exactly what happened, and when, and to cite the entries correctly. This process is helped by the fact that the Worcester priory court rolls are not enrolled separately for each manor, but they are all enrolled on the same piece of parchment, one after another in chronological order. The starting point is the E28 roll, which begins with the court held at Alveston on 10th July 1378 (Saturday after the translation of St Thomas the Martyr, 2 Richard II). This contains the following order: 'at this court the lord seized into his hands all and every one of his neifs with all their goods and chattels just as the law and custom of England permits and requires' (*ad hanc curia dominus seisivit omnes et singules nativos suos cum omnibus bonis et catallis eorum in manibus suis prout iure et consuetudo Anglie exigunt et requir').*

The very next court on the E28 roll after Alveston is for Blackwell, although it is not dated. Instead, the heading states that 'the court there was assigned and not held due to the Marshalsea of the lord king ('*curia ibidem assignatur et non tent' causa marischalsie domini Regni*'), which was held on 12th July 1378 (Monday after the feast of the translation of St Thomas the Martyr, 2 Richard II): presumably the holding of a royal court caused the postponement of the manorial court.[823] This 'notional' Blackwell court contained just three items of business. The first is the order to size goods and chattels identical to that at Alveston.[824] There is, however, no explanation, no reference to any conflict over labour services and no reference to 'certain letters', as per the Hilton citation. The second entry is a repetition of an ongoing order relating to unfinished (and unrelated) business from an earlier court.

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[823] The next court is that held at Cleeve on 13th July 1378.
[824] '*Ad hanc diem dominus seisivit omnes et singules nativos suos cum omnibus bonis et catallis eorum prout iure et consuetudo Anglie exigunt et requir'*.

The final entry relates to the election of harvest reeves. There were no receipts from the court, 'because as above'. The Blackwell court to which Hilton refers is, in fact, enrolled within E29. It was held on 29th June 1378 (Tuesday before the translation of St Thomas Martyr, 2 Richard II), and the relevant entry reads as follows: '*ad hanc curia dominus ex certis causis et litteris ispum moventibus omnia bona et catalla nativorum suorum iuxta iura et cons' regni Angl' in manibus suis seisivit, etc*.'

If we now return to the E28 roll, the very next court after the 'assigned but not held' Blackwell court of 12th July 1378 is for Cleeve, which contains a very similar version of the same order at both Alveston and Blackwell: '*ad hanc curia dominus seisivit in minibus suis omnis bona et catalla nativorum suorum iuxta modum et formam superious annotate, etc.*'.[825] This Cleeve court was held on 13th July 1378 (Tuesday before the feast of St Kenelm King and Martyr, 2 Richard II).[826] The next court on the roll, held on the same day, is for Harvington, although this does not include or mention the order. The next court, held at Sedgeberrow on Wednesday 14th July 1378, does include the order as stated for Cleeve, as does the court held the same day at Teddington.

A very similar order was made in the joint Cropthorne and Netherton court recorded on another membrane on the same roll and dated to the Monday nearest before the feast of the translation of Saint Thomas the Martyr 1 Richard II (sic):[827] 'the lord seized into his hands all and every one of his neifs, with all their goods and chattels, just as the right and the custom of England demand and require' (*ad hanc curia dominus seisivit omnes et singules nativos suos cum omnibus bonis et catallis eorum in manibus suis prout iure et consuetudo Anglie exigunt et requir'*). However,

[825] As noted in Dyer, *From Slavery to Freedom*, p. 19, fn65.
[826] WCL, E28.
[827] WCL, E28.

this court is almost certainly misdated through a scribal error. If we take the dating literally (i.e. 1 Richard II), it would be 29th June 1377. Yet the other courts recorded on this membrane are all from 1378. The first two are for Batenhall on 18 May 1378 (Tuesday before the feast of St Dunstan, 1 Richard II) and for Doderhill on 11 June 1378 (Friday in the feast of St Barnabas, 1 Richard II), followed by the Cropthorne court, and then a court for Alveston on 10th July 1378 (Saturday after the feast of the translation of St Thomas the Martyr, 2 Richard II).[828] So the Cropthorne court was in fact held in 2 Richard II, not 1 Richard II as the scribe had written, which meant it was held on 5th July 1378.

From this careful analysis, we can now reconstruct the sequence of events reliably. The first record of an order to seize neifs and their goods occurs in the Blackwell court on 29th June 1378: it mentions 'certain causes and letters' but does not refer to any conflict over labour services. The same general order—but without any mention of 'causes and letters'—was repeated in a number of priory court rolls between late June and mid-July 1378, but not at every manor. It is included in the courts for Alveston, Blackwell, Cleeve Prior, Teddington, Sedgeberrow, Cropthorne and Netherton, but not in the courts held at Batenhall, Doderhill and Harvington. Where the order is recorded in the courts, it is virtually the same in each, i.e. as per the Cleeve and Cropthorne examples cited above. In every case, the order appears in isolation without any further explanation or context and, furthermore, there are no hints elsewhere in the business of the court of any point of conflict, such as tenants withholding their rents or services. There are no references to the order in the priory courts held in 1379.

[828] WCL, E28.

Thus, there is no evidence in the court rolls to support either Hargreaves's assertion that there occurred 'a general tenant uprising on the estate in 1378' or his speculation that this was triggered by a rumour that the priory was about to reintroduce labour services.[829] In none of the courts where the order to seize servile goods and chattels appears in June and July 1378 is there either any evidence of an uprising or any explicit mention of withholding labour services as justification. In reality, Hilton had *surmised* that the conflict was over labour services, although he does not explain this to his readers or make clear that the documents themselves make no such link. Furthermore, there is no evidence that the order was enforced: if the goods and chattels really had been seized, then some mention or record of the fact would have been entered into the rolls.

In the absence of any explicit explanation or other suggestive activity in the court rolls, or indeed of any evidence the orders were carried out, Dyer interpreted the 1378 order at Cleeve Prior as 'a threat, reminding the serfs of the lord's ultimate power over them' rather than one which was executed, and he also states that it 'must have been provoked by some agitation or conspiracy'.[830] His interpretation must be correct. The order was intended to serve as a direct warning in the summer of 1378 to serfs on many, but not all, of the priory's manors as to their future conduct. Every court is silent on what triggered the order, contrary to Hilton's assertion and Hargreaves' speculation about labour services. Finally, the sequencing of the words in the Blackwell court of 29th June 1378 ('*dominus ex certis causis et litteris ispum moventibus…'*) is clear that it was the priory—not the neifs—who had

[829] Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', p. 110.
[830] Dyer, *From Slavery to Freedom*, p. 19.

both the reason and the authority to act, and so it was not the neifs who claimed good cause and the possession of some form of legal 'letters'.

Having reconstructed the correct sequence and timing of events, can we discover what was going on? What might the agitation or conspiracy have been? Our studies of individual manors have shown that, by the mid-1370s, the majority of servile holdings on the priory estate had been converted to monetary tenures and so were no longer liable for labour services, which reduces the likelihood that these were a source of conflict. In fact, Hilton's case for labour services is based on a single contextual reference. He noted how, at a court held 'in 1377', a tenant at Shipston-on-Stour had persuaded his fellow tenants not to answer to the prior for their earlier refusal to hoe the demesne arable on the grounds that 'it was nothing but stupidity'.[831] Hilton's footnote gives the date of this court as the Monday after Epiphany 1 Richard II, but this makes the correct dating January 1378, not 1377. This correct dating is significant because it opens up the whole sequence of events to a different and more plausible interpretation. A stroppy tenant of Shipton exhorting his fellow tenants not to answer for withholding of hoeing services in the court of January 1378 must have been referring to offences committed in the second half of 1377. This is surely the key which unlocks this whole episode, because the refusal is now chronologically linked with the Great Rumour of the late summer and autumn of 1377, when villeins on around forty, primarily ecclesiastical, manors in western areas of England attempted to evade labour services by claiming they were tenants of manors once part of the royal estate.[832] Blackwell was the next village to the

[831] Hilton, *English Peasantry*, p. 61 and fn 16. Also cited in Dyer, 'Small town conflict', p. 198.
[832] For the most recent discussion of the Great Rumour, see Bailey, *After the Black Death*, pp. 255–9. Rosamond Jane Faith, 'The "Great Rumour" of 1377 and Peasant Ideology', in *The English Rising of 1381*, ed. by T. H. Aston and R. H. Hilton (Cambridge University Press, 1984), pp. 43–73.

north-west of Shipston and the curial business of the two was often intertwined, so this links Shipston to Blackwell.

It is credible to conclude, then, that some of Worcester Priory's tenants at Shipston and Blackwell—who had a long track record of resistance[833]—had used the disruption associated with the Great Rumour in western areas of England to withdraw labour services on the demesne sometime in the second half of 1377. Labour services were uncommon on the estate by this date, which is why there are so few documented refusals to perform labour services in the priory's court rolls in the post-plague era. The few remaining winter and summer works, and the remaining harvest works, may well have been resented all the more because they were now the exception not the norm. This possibility is supported by the evidence presented in Chapter Eight, where we saw how by 1376-7 the accounting procedure for labour services at Overbury had been revised to reflect the loss of the majority of the original labour services: we also noted that in this year the priory's utilisation of the *remaining* labour services was relatively high, with limited commutations. Perhaps after the sharp fall in the profitability of grain production in the mid-1370s, and following the widespread contraction in the number of available services due to conversions to money tenure in the third quarter of the century, the priory was suddenly eager to utilise as many as possible of the remaining labour services available to it. In which case, its squeezing of as many residual services as possible in 1377 may have been especially resented, which itself might have triggered some refusals in that summer linked to the Great Rumour. After all, the Great Rumour was concentrated on manors held by ecclesiastical landlords in western England.[834] In Chapter Five, we noted that in the summer of 1377, the famuli of Harvington

[833] Dyer, *Peasants Making History*, p. 320; Dyer, 'Small town conflict', pp. 196–204.
[834] Bailey, *After the Black Death*, pp. 255–8.

were diverted to work on the Cropthorne demesne because of some withholding of services there. If this reconstruction of events is correct, then the priory's issuing of the order in June and early July 1378—in advance of the impending harvest—was intended to warn its servile tenants of the consequences of any possible repeat of the refusals from the previous summer. As nothing further is recorded in the court rolls, it seems as though the threat was sufficient.

Refusals to Perform Labour Services

The majority of refusals to perform labour services on the manors used in this study occurred before the Black Death, and documented refusals post-1349 are infrequent in the court rolls. The example of the manor of Overbury (Chapter Eight) is typical in this respect. The main reason for the rarity of post-plague refusals is the rapid swing to monetary tenures from the 1350s, which meant that the majority of labour services were no longer due as rent. Hargreaves suggested that the total number of available labour services had halved between 1346 and 1376 across the estate of Worcester Cathedral Priory, although if the manors studied here are typical, then the proportion was likely to have been higher.[835] As we saw in Chapter Two, Hargreaves argued that tension over labour services was increasing after the Black Death on this estate, because the priory was now commuting a lower proportion of available works, and so he speculated that tenants feared that labour services were about to be reintroduced: this implausible interpretation is driven by a need to explain the "general tenant uprising on the estate in 1378".[836]

The careful reworking of the material above reveals that there was no general tenant uprising on the estate in 1378, and therefore there is no need to strain the

[835] Hargreaves, 'Change in Relationships', p. 110.
[836] Hargreaves, 'Change in Relationships', p. 110.

evidence to fit an argument about ongoing confrontations over labour services. As we have seen, there may have been some localised withdrawal of labour services in the summer of 1377, and perhaps some threatening noises from among the priory's tenants during the following winter and spring about repeating aspects of the Great Rumour, which generated concern among priory's officials about the possibility of unrest and withdrawing the small number of remaining labour services in the summer of 1378. The priory therefore issued a series of similar pre-emptive orders in its manor courts: there were no estate-wide seizures of chattels and very few refusals of labour services. In any event, the response of the priory to any refusals which did occur in the summer of 1378 was subdued. At Overbury, in July 1378, six tenants were recorded as withholding services, but the priory's response was not harsh punishment because all six were forgiven by the lord under condition of future "good conduct".[837] The priory was highly pragmatic in managing its reluctant tenants at exactly the same time as it was issuing dire warnings to its tenants about any such refusals.

Individual Peasant Resistance: Migration

Under common law villeinage serfs were not allowed to leave their holding without their lord's permission.[838] Furthermore, no other lords were supposed to receive them, so a flown serf should, in theory, be returned to his or her own manor.[839] Restricting migration was therefore a key aspect of English serfdom, and some

[837] WCL, E28, 15 July 1378.
[838] E.P. Cheyney, 'The Disappearance of English serfdom', *English Historical Review*, 15 (1900), pp. 21, 25.
[839] Hatcher, 'English Serfdom', pp. 8; see also H. G. Richardson and G. O. Sayles, *Law and Legislation: From Aethelberht to Magna Carta* (Edinburgh University Press, 1964), pp. 141–42.

historians have argued that English lords enforced these restrictions tightly.[840] Robert Brenner has made the important point that mobility restrictions on English serfs were the main reason why English lords were successful in extracting surpluses from them through incidents such as merchet and tallage: if serfs could not move, they could be exploited.[841] The converse is also true. A failure to control serf migration would weaken serfdom and even cause its collapse.

Scholars have emphasised the importance of controls over migration in bolstering serfdom in the West Midlands in the pre-plague period and explaining its eventual collapse in the late fourteenth century. Hilton and Razi emphasise the 'massive migration of serfs in the late fourteenth and fifteenth centuries' and relate this directly to the decline of serfdom across England.[842] Hargreaves saw the post-plague period on the Worcester priory estates as 'an evolving struggle over who controlled the land [and] peasant labour', and noted the increased record of migration from the estate in the later fourteenth century, which he described as 'a devastating nail in the coffin of serfdom'.[843] Similarly, Dyer observes the heightened interest in seizing the goods of migrant serfs in the late fourteenth century, and the increase in the record of migration, on the estates of the priory and bishopric of Worcester, and regards this as undermining serfdom and the social cohesion of the institution of the manor.[844]

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[840] Cheney, 'Villeinage', 28; Hilton, *Class conflict*, p. 52.
[841] Brenner, 'Rises and Declines', pp. 248, 263; 'Property and Progress', p. 64.
[842] Hilton, *Decline of Serfdom*, 38-42; Zvi Razi, 'The Myth of the Immutable English Family', *PAST & PRESENT*, 140 (1993), pp. 3–44 (pp. 38–42); Zvi Razi, 'Serfdom and Freedom in Medieval England: A Reply to the Revisionists', in *Rodney Hilton's Middle Ages: An Exploration of Historical Themes*, ed. by Christopher Dyer, Peter Coss, and Chris Wickham (Oxford University Press, 2007), pp. 182–88 (p. 187).
[843] Hargreaves, 'Seigniorial Reaction and Peasant Responses', pp. 54, 73.
[844] Dyer, *Lords and Peasants*, pp. 274, 365-8; Dyer, *Peasants Making History*, pp. 75–81, 85–91; Dyer, 'From Slavery to Freedom', pp. 18–19, 29–31, 38–41.

Neither Hilton nor Razi explored or reconstructed in any detail the exact chronology and scale of servile migration over the course of the fourteenth century, and Razi's statements are based mainly on Raftis' work on the Ramsey abbey estates. Similarly, much of the work of Field and Dyer on migration in the West Midlands is based on presentments for absence in the fifteenth century and does not reconstruct or quantify changing trends in the fourteenth century. The most secure research linking increased migration to the decline of serfdom in the fourteenth century in the West Midlands is to be found in Hargreaves' PhD thesis. Here he counted 346 flown serfs from the priory estate between 1340-1389 and suggested that this wave of migration was linked to the dilapidation of servile holdings, and reflected a desire to escape harsh seigneurial policy.[845] This is the quantifiable basis to his claim that migration was a nail in the coffin of serfdom.

Most historians agree that rural migration was common in the early fourteenth century—albeit highly localized and most movements were over short distances—but that few landlords bothered to record the absences of serfs because their rent rolls were full and their manors were overpopulated.[846] This changed rapidly in the 1350s, when landlords were suddenly struggling to find tenants and workers, and therefore they increased their interest in and record of migrant serfs in court rolls. This reflected their heightened sensitivity to migration, it does not indicate that underlying rates of migration rose after 1350.[847] Furthermore, recent research looking closely at the numbers and direction of serf migrants, and also contrasting the high numbers of presentments for absence with the low number of chevage payments and of returning serfs, has concluded that lords did become more

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[845] Hargreaves, 'Seignorial Reaction and Peasant Responses', pp. 53–78.
[846] David Postles, 'The Pattern of Rural Migration in a Midlands County: Leicestershire, *c.* 1270–1350', *Continuity and Change*, 7.2 (1992), pp. 139–61; Bailey, 'Servile migration', pp. 47–8, 58–61.
[847] Bailey, *Decline of Serfdom*, pp. 298–305; Bailey, *After the Black Death*, pp. 102–10.

interested in migration in the immediate post-plague period, but they were not successful in controlling or licensing it.[848] For example, Matt Raven's recent study of Great Waltham and High Easter (Essex) has shown serfs migrating over short distances between 1336 and 1361, and an increased incidence of flight after 1349, but the attempts by lords to enforce strict control over this movement after the Black Death were largely ineffective in practice.[849] These examples indicate that any seigniorial reaction was ineffective at stopping serf migrations.

What light does our detailed study of servile migration in the West Midlands cast on these claims and arguments? In this section, we draw together and aggregate all the evidence from seven manors of Worcester Cathedral Priory: Cleeve Prior, Harvington, Sedgeberrow, Cropthorne, Netherton, Overbury and Teddington.

As one can see in Table 11.1, in the pre-Black Death period, there are no recorded cases of either presentments for absence or chevage. It is surprising that a monastic landlord portrayed as a bastion of conservatism and a powerful upholder of the institution of serfdom made little attempt to control the migration of its serfs in the early fourteenth century. Furthermore, the priory had little success in charging for licences for migration through chevage: in the period 1350–99, the number of presentments heavily outweighed the recording of chevage. During this period, 880 presentments were recorded on manors sampled for this paper. In contrast, only 3 cases of chevage were recorded in the period 1350 to 1399.

[848] Bailey, 'Servile Migration', appendix 1.
[849] Matt Raven, 'Servile Migration and Seigniorial Reaction in England: The Serfs of Great Waltham and High Easter (Essex), *c*. 1336–1361', *Continuity and Change*, 39.1 (2024), pp. 101–25.

Table 11.1: Table Showing the Number of Presentments for Absence Against the Number of Recorded Chevage Payments on Seven Manors, 1300–99.

Decade	Number of Presentments for Absence (Entire Sample)	Number of Chevage Cases (Entire Sample)
1300–1349	--	--
1350–59	40	--
1360–69	33	1
1370–79	58	--
1380–89	132	1
1390–99	617	1
Total	880	3

Although the priory was unsuccessful in obtaining chevage from flown hereditary serfs, it certainly paid more interest to migrants from the 1350s. Yet the most striking trend from table 11.1 is that the interest in the third quarter of the fourteenth century—when the seigniorial reaction was supposedly at its height—was relatively limited, at around 5 or 6 presentments per manor per decade. The dramatic rise in the volume of presentments started in the 1380s and continued into the 1390s: if the number of presentments for absence is a symptom of a hard line on serfdom, then the crackdown occurred *after*, not before, the collective peasant protest movements of the period 1377 to 1381 discussed above. This chronology fits with that identified by Bailey for the abbot of Bury and earl of Norfolk's estates.[850]

If we consider in more detail the trend in unique rather than total presentments—i.e. counting the first instance an individual is recorded as a flown

[850] Bailey, *After the Black Death*, pp. 259–68.

hereditary serf rather than counting the subsequent persistent repetitions of their absence—then an interesting perspective emerges. As we can see from Table 11.1, the number of unique departures did not increase greatly in the 1380s and the 1390s, so the exponential rise in the total number of presentments is actually a bureaucratic surge rather than the mass migration claimed by Razi. In the 1390s, the priory was just recording the same emigrants more frequently in its court rolls: there was no mass emigration of serfs, there was mass repetition of the absence of the same serfs.

Table 11.2: Table Showing Unique Individuals Named in Presentments for Absence Against the Total Number of Presentments for Absence, 1300–99.

Decade	Unique Individuals	Total Presentments for Absence
1300–1349	--	--
1350–59	34	40
1360–69	24	33
1370–79	26	58
1380–89	38	132
1390–99	26	617

By the 1390s the record of presentments for absence had become formulaic, always at the top of the court session, and repetitive. The priory had not solved the problem of migrant serfs, nor were its serfs fleeing in any great numbers, but it was now obsessively keeping a record.

How far were serfs travelling from their home manors? As we can see from Table 11.3, the overwhelming majority of tenants migrated to manors within 10 miles of their home manor, and in many cases within 2 miles or even neighbouring manors.

Table 11.3: Distance from the Home Manor (Miles) Versus the Number of Unique Locations.

Distance from The Home Manor (miles)	Number of Individual Locations	Percentage (total sample)
0-10	66	77.6
11-20	9	10.5
More than 20	10	11.7
Total	85	--

Only 10 per cent of flown serfs went to manors between 11-20 miles from their home manor, and 12 per cent went to a location more than 20 miles away. Many of the latter were urban locations. Hence the majority of migrations after the Black Death were rural and local, probably allowing them to retain close links with their wider family. Furthermore, of the 85 destinations recorded, 18 or 21 per cent were other manors held by Worcester priory, so migration was not always motivated by a desire to obtain personal freedom. Of course, this also shows that the overwhelming majority of flown hereditary serfs were fleeing to the manors of other landlords, thereby obtaining de facto freedom. Notably, those landlords did not have any compunction about receiving the priory's serfs and made no attempt to return them.

Were there any differences in gendered patterns of migration? The evidence of servile migration has been used to inform important debates on women's agency in the post-plague world, especially their engagement in urban servanthood.[851]

[851] Summarised in Bailey, 'Servile Migration'.

Table 11.4: Number of Male Hereditary Serfs Flown From the Home Manor Versus the Number of Flown Female Hereditary Serfs.

Manor	Male	Female
Cleeve Prior	13	8
Harvington	7	4
Cropthorne and Netherton	12	9
Sedgeberrow	7	4
Overbury and Teddington	29	12
Total	68	37
Percentage	64.7	35.3

Table 11.4 shows that the number of recorded male serfs flown from their home manor is nearly double that of female hereditary serfs. Of the 105 serfs, 68 or 64.7 per cent were male and 37 or 35.3 per cent were female. In 7 of these 105 cases, serfs had travelled more than 35 miles from the home manor, and these cases (5 of the 7) were dominated by females going to large urban centres such as Bristol and Worcester. Although this is evidently a very small sample, it may be that female hereditary serfs were more likely to travel great distances to urban centres. Occasionally, the court roll entry states with whom the serf was resident as well as the location, and these confirm the association between female migration to towns and employment as servants. For example, in 1375, Agnes daughter of William Kynghot of Cleeve Prior was recorded as being in Worcester with Thomas Lychefelde, and, in 1384, the same Agnes is again mentioned in 1384 with her sister Katrina, both with John Goldsmyth and the rector of St Peter the Great in Worcester, one of the parishes in the heart of the town.

How important was urban migration generally after the Black Death? Table 2.5 demonstrates that 86 per cent of destinations were rural, and a mere 14 per cent were urban. Many were settling in places in the immediate hinterland of their home manor.

Table 11.5: Location of Hereditary Serfs Flown From Their Home Manor, Divided by Urban Versus Rural Location.

Manor	Urban	Rural
Cleeve Prior	3	12
Harvington	--	10
Cropthorne and Netherton	6	16
Sedgeberrow	1	10
Overbury and Teddington	3	30
Total	13	78
Percentage	14.3	85.7

Finally, we turn to the tactics the priory attempted to employ to return their flown serfs. There is no evidence of the priory dispatching officials to return serfs forcibly and physically. For the most part, jurors in manorial courts presented flown serfs as absent, and their presentments were duly recorded. The priory might order the court homage to attach the serf, and from the 1380s it became interested in seizing any chattels a flown serf might have left behind as compensation/distraint.[852] Otherwise, the most direct and coercive measure deployed by the priory was to order close relatives who remained on the manor to return the serfs and to threaten a heavy fine for non-compliance. This tactic was deployed on a number of manors across the estate—albeit on just a handful of targeted families—in a short period in the late

[852] Hargreaves, 'Seigniorial Reaction and Peasant Responses', pp. 60–2.

1380s and early 1390s, for example, Cropthorne, Netherton, Overbury and Teddington. The tactic was not used much before or after this short enforcement wave, which coincided with the dramatic downturn in the land market in the West Midlands.

In conclusion, the priory became interested in flown serfs from the 1350s, but it was unsuccessful in securing their return or in squeezing many chevage payments to licence the absence. The priory had no effective powers of enforcing this aspect of serfdom, although it experimented with heavy fines on relatives in the late 1380s and early 1390s. Historians such as Hargreaves and Dyer have noticed the significant rise in the number of presentments at the end of the fourteenth century, and implied that it must have reflected a mass exodus from the estate, but, in reality, the number of unique presentments remained stable, and there was simply a massive increase in the frequency and repetitiveness of the recording of absences. The inability of the priory to stem migration or return its serfs is all the more surprising given that 77 per cent of serfs resided within ten miles of their home manor, most of them in rural settlements: only 14 per cent went to towns. Furthermore, 21 per cent moved to another manor on the priory estate, so these serfs were not seeking to be rid of their servile status. Thus, the priory's management of migration presents little evidence of a concerted and successful 'seigneurial reaction' in the third quarter of the fourteenth century. It was the weakness of the priory to prevent migration which contributed to the unravelling of serfdom on the estate from the 1350s.

Manumissions

One avenue for villeins to obtain freedom was through the grant or purchase of manumission from the lord. As can be seen from the case studies, manumission cases were seldom recorded within manorial court rolls and, on the rare occasions they were recorded, they included the manumitted serf's name, the extent of their freedom and the paid fine. However, Worcester Cathedral Priory did keep a record of manumitted serfs in a central register, known as the *Liber Albus*, which has been explored by Christopher Dyer. Dyer found that, between 1303 and 1540, a total of 245 manumissions are recorded in the *Liber Albus*, although in contrast, the bishopric of Worcester across the same period only manumitted 63 of their serfs. Evidently, the priory was much more willing to grant manumissions.

Table 11.6: Manumissions granted by Worcester Cathedral Priory as recorded in the Liber Albus, between 1300-1500.

	1303-25	1326-49	1350-75	1376-1400	1401-25	1426-50	1451-75	1476-1500
Worcester Cathedral Priory	90	46	20	15	5	21	28	11

Source: Dyer, *From Slavery to Freedom,* p.33.

As can be seen in Table 11.6, the highest number of manumissions granted by Worcester Cathedral Priory occurred before the Black Death, with 90 manumissions granted in 1303-25 and 46 in 1326-49. This contrasted with the mere 35 manumissions in the second half of the century. Dyer does stress the potential limitations of the *Liber Albus*, which might not include every manumission on the estate, but just those which the monks thought important for some reason: Dyer observes how manumissions were usually squeezed into the register in a cramped hand. Dyer cautions against reading too much into the fall in manumissions after the

Black Death, suggesting bad record keeping resulted in gaps in the data.[853] Dyer ascribes the large number of manumissions in the early fourteenth century to the financial difficulty the priory was then facing, based on the work of E.K. Vose, so this policy was not the result of benevolence but of economic necessity.[854] This does not adequately explain the drop off after 1350, because the priory was still under severe financial pressure in the immediate post-plague period. Nevertheless, if we take the data from the *Liber Albus* at face value, it is evident that manumissions were low when serfdom was declining most rapidly on the priory estate during the second half of the fourteenth century, and so manumissions were not a major factor in its decline.

Dyer's work throws up a handful of manumission cases involving serfs on priory manors included in this study. John Cokkes was the son of William Cokkes, a notable tenant of Cleeve Prior holding 56 acres, who was manumitted in 1380, and between 1382 to 1385 rose from acolyte to priest. By 1393, John was instituted as the parish priest for Cleeve Prior, something Dyer suggests followed lobbying by his father.[855] Dyer also suggests that ordination, although not mentioned in manumissions before 1344, was a driving force behind many of the manumissions, because the recipients were young and not independent. For example, at Harvington, in 1318, Elyas le Gynour, son of John le Gynour, was said to be too young to take the oath.[856] Another case from Harvington, in 1335, involved Walter Sweteman, Walter Elkyns and William Perk who were all manumitted in 1335 and

[853] Dyer, *From Slavery to Freedom*, p. 34.
[854] Dyer, *From Slavery to Freedom*, p. 35.
[855] Dyer, *From Slavery to Freedom*, p. 35.
[856] Dyer, *From Slavery to Freedom*, p. 35.

became acolytes in 1337. This manumission was paid for by John de Bransford, the rector or Harvington, who had possibly taught these boys.[857]

Dyer cites other manumissions of serfs in Cleeve Prior to illustrate how many were the younger sons of wealthy villein yardlanders even though their fathers continue to be mentioned. The manumission of young serfs from wealthy serf families was an important source of recruitment for the clergy. Dyer also suggests that peasants were aware of the economic uncertainty their younger children would face and that the lords were aware that these younger sons were not likely to acquire a holding or even stay on the home manor, so were willing to manumit for a modest fee.

Conclusion

Hilton, Hargreaves, Dyer and Razi have all argued—to varying degrees—that serfdom remained powerful in the West Midlands after the Black Death and that it was undermined in the last quarter of the fourteenth century by a combination of collective peasant resistance, notably to labour services, and servile migration off the manor. Hilton and Hargreaves have pointed to the importance of collective resistance to labour services in the 1370s, although it is now evident that the majority of labour services had already been removed through tenurial change in the 1350s and 1360s. Hence, labour services were in full scale retreat earlier than either Hilton or Hargreaves claims, and their retreat was a function of market forces, not collective resistance. Any collective action against labour services in the 1370s would have accelerated a trend already well in motion. In the event, Hilton and Hargreaves' evidence for collective action is less convincing than they originally

[857] Dyer, *From Slavery to Freedom*, p. 36.

argued. Their claims for widespread conflict over labour services in 1378 and 1379 on the Worcester priory estates, and for a general tenant uprising, are not supported by a careful reconstruction of events. It is more likely that there had been some isolated protests or refusals in the summer of 1377 associated with the Great Rumour elsewhere in the west country, and that in July 1378 the priory issued a general warning to its customary tenants about the consequences of any concerted refusals to perform services in the forthcoming harvest.

Razi, in particular, dated the exodus of serfs from their manors to the last quarter of the fourteenth century, which fits with the narrative of serfdom declining after the Peasants' Revolt of 1381 rather than in the immediate aftermath of the Black Death. There was certainly a significant increase in the number of presentments for absence in the West Midlands in the 1380s and 1390s, which appears to support the case for mass departures. However, we have shown that the number of unique presentments on seven manors increased sharply in the 1350s and remained largely constant over the next five decades, and that it was the frequency of reporting of the same individuals which increased in the 1380s and 1390s. In other words, the mass departures were an illusion, created by a change in bureaucratic procedures at a time when the land market was experiencing a severe downturn. Even the powerful Worcester Priory was unable to license serf departures or insist on their return after the Black Death. The rise in reported departures in the 1350s is strongly suggestive that out-migration contributed to the weakening of serfdom in that decade, reinforcing the effects of market forces.

12 Conclusion

This thesis posed four research questions and used a sample of nine different manors from the West Midlands to answer them. The manors were selected on the basis of a good series of surviving court rolls, with a bias towards great ecclesiastical manors and aristocratic lords. If serfdom was oppressive and long-lasting in the West Midlands, then the manors of the most conservative lordships are those most likely to provide such evidence. The first question was how pervasive was serfdom in the West Midlands on the eve of the Black Death? Second, what was the chronology of the decline of serfdom after the Black Death? Third, how far was there a seignorial reaction in the third quarter of the fourteenth century in the West Midlands, especially on the Worcester Cathedral Priory estate? Finally, having found answers to the above, to what extent is the orthodoxy established by the Birmingham School that serfdom declined from the late fourteenth century in the West Midlands still accurate?

We begin with the extent of serfdom in the West Midlands on the eve of the Black Death. An answer to this question provides a benchmark from which the post-Black Death management of serfdom can be measured. The region possessed a number of large ecclesiastical estates, such as the bishopric and priory of Worcester, Evesham Abbey, and Halesowen Abbey, and estates held by great aristocrats, such as the earls of Warwick, which were dominated by large classic manors with a high proportion of villein land. This was especially the case in the older settled vales and 'champion' areas. In these places in the 1270s 60 per cent of all villein rents were rendered in money and 20 per cent in labour services (the rest was rendered in

kind).[858] Similarly, smaller lay manors in the champion areas of Worcestershire and Warwickshire tended to possess mostly villein, as opposed to free, tenants.[859] Over half the population were servile in the surviving Hundred Rolls for Warwickshire, and the population of Gloucestershire was mainly unfree.[860] This was not, however, a uniform picture. The woodland areas of north Worcestershire, and Stoneleigh Hundred in Warwickshire, possessed a higher proportion of free tenure and status and smaller, more fragmented, manors. For example, in 1279-80 around 73 per cent of the population of the Forest of Arden was free.[861]

The importance of villein land on the classic manors of the West Midlands is evident on the manors in the case study, which were characterised by virgates and half virgates still held intact as standardised holdings. There was some licenced sub-letting of parcels of these holdings, but none of the fragmentation and sales which featured prominently in East Anglia and the Home Counties at this time. Hence, the villein land market was not well developed in the West Midlands and was mainly confined to transfers of cottages and slivers of later assarts. There is no evidence of arbitrary seizures or land but instead regard for due process and customary inheritance and rights to land. Outsiders marrying villein widows or heiresses were routinely charged large sums to enter villeinage.

Entry fines were routinely charged on entry to villein land. The level of fine was variable, depending on factors which are not visible to the historian, but was clearly adjusted in some ways according to ability to pay. Payments were in cash and were seldom waived, and the level was higher in the pre-plague period than at any time in the second half of the fourteenth century. Some very high fines are

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[858] Kosminsky, *Studies in the Agrarian History*, pp. 128–9, 194–5.
[859] Campbell, 'Agrarian problem', map 3.
[860] Dyer, *Peasants Making History*, p. 73.
[861] Dyer, *Peasants Making History*, p. 73.

recorded, such as the 12 marks paid by William Cockes to enter a messuage and virgate of land at Cleeve Prior in 1346.[862] Although labour services were generally unimportant at around 20 per cent of total rent, they were locally significant, particularly on the estate of Worcester Cathedral Priory. The standard virgates on this estate were burdened with heavy week works—often three days a week in the winter and in the summer—with a further tranche of harvest works. This represents one of the heaviest, albeit fixed rather than variable, levels of labour services on villein holdings recorded in pre-plague England.

The weight of other servile dues varied in their significance. Tallage, merchet and heriot were widespread and routinely collected. Heriot was fixed as the best beast or chattel, and on some manors, such as Cropthorne and Netherton, and Harvington, it was charged on any transfer of villein land not just on post-mortem transfers. Annual tallage was common, although it was fixed rather than variable and the amount due was linked to the size of the landholding. Merchet was not charged on all servile marriages, but it remained a regular and common payment from servile land holders and hereditary serfs. The fine was highly variable, with fines as high as 26s.8d. recorded on men marrying widows but could be as low as 12d. The decennial means tended to be high. For example, Dyer has shown that around 2s. was the standard charge for merchet on most English manors before the Black Death, yet from our sample only Elmley Castle and Sedgeberrow recorded an average fine of 2s. Most manors were higher, such as the pre-plague mean of 3s. at Harvington, 4s. 2d. at Cleeve Prior and 5s. 7d. at Overbury.

There were many demesne mills in the West Midlands, and they clearly carried rights of mill suit, although these competed with various private mills

[862] WCL, E15, Cleeve Prior, 11 October 1346.

including some held on villein tenure. Presentments and fines for breach of mill suit were rare on all types of manors, and non-existent on manors such as Romsley and Elmley Castle, so in general this was neither routinely nor consistently enforced.

In the pre-Black Death period female hereditary serfs were liable for leyerwite, which was payable for sexual activity outside marriage. It was recorded on all of the priory manors, so it was widespread. In the vast majority of cases the fee was a standard charge of 2s. In contrast, chevage was exceptionally rare before the Black Death and presentments for absence were unusual across the whole of the sample. This indicates that West Midlands lords were indifferent to servile migration before the Black Death and did not attempt to prevent or licence migration through annual chevage payments. Licences for hereditary serfs to apprentice to a trade, or to be educated, or to join Holy Orders were exceptionally rare.

It is apparent from this survey that serfdom was both widespread and onerous in the West Midlands relative to many other parts of England in the first half of the fourteenth century. Villein land occupied a relatively large proportion of peasant land in much of the lowland and anciently settled areas of the region. In addition, the burdens on this land were relatively heavy. Lords retained close control over the villein land market, allowing customary inheritance rights but preventing fragmentation of the large, standardised virgates, and charging sizeable sums to any outsiders marrying into landholding families. Labour services were heavy, heriot, merchet, tallage and entry fines were all routinely levied, and the levels of merchet were higher than on most English manors. The picture is not unrelentingly oppressive, however, because an incident such as tallage was fixed—not variable—at relatively low rates, and mill suit, controls over migration, and licences to trade or educate were almost non-existent.

From this high base line of serfdom in West Midlands in the 1340s, what was the chronology of decline after the Black Death? The main focus of this study has been the chronology of decline of the incidents of tenure and the rate of conversion of the main standardised virgates from the traditional service tenure—based on labour services, renders in kind, and requirement to render tallage—to a fixed annual money rent, in which labour services, tallage, merchet and other incident renders were no longer due. The most striking feature has been the speed and extent of conversions to monetary tenures in the 1350s, coupled with the collapse of entry fines (with the exception of Romsley). Mapping the conversion of virgates and half virgates to money tenure is severely hampered by the absence of surviving account rolls from the region, because the works account provides the clearest evidence for the loss of labour services through conversions to money tenures. At Overbury 14 per cent of the customary virgates had been held in money tenure in the 1340s, but over half have been converted in the 1350s. Likewise, 7 per cent of virgates were on money tenures at Sedgeberrow in the 1340s and 43 per cent in the 1360s. On these manors, and at Cleeve Prior, by the 1370s the vast majority of standardised holdings had been converted to money rents, and there was no reversion to the old terms.

The evidence for the rapid and substantial conversion to money tenures in the 1350s is supported by indisputable evidence for the collapse of entry fines on the standardised holdings. On all the priory manors, the level of entry fine not only fell drastically between the 1340s and the 1350s, but also switched from a cash payment to a poultry render. The cash equivalent of the poultry renders would translate to a fall in entry fines of around 80 per cent between the 1340s and 1350s on most of the manors in the sample, with no signs of recovery thereafter. In the 1380s and 1390s entry fines were increasingly waived in response to another downturn in the villein land market. Only the manors of Overbury and Teddington bucked this trend on the

priory estate, retaining cash entry fines and showing some recovery in their level in the 1370s, but in general even here the level of fine after 1349 was just half the pre-Black Death level. Entry fines at Romsley and Elmley Castle continued to be paid in cash long after the Black Death and at Romsley remained high well into the fifteenth century. The picture is mixed, but the evidence for decisively decline from the mid fourteenth century is clear, and has not been previously emphasised in existing studies of the West Midlands.

Annual tallage was another key element in the traditional service tenancy, and its collection duly fell after the Black Death with the shift to monetary tenures. Evidence for tallage is limited due to the shortage of surviving manorial accounts, but where evidence exists it points to a rapid decline. For example, between the 1340s and 1350s, the sums fell by over 40 per cent at Overbury and Sedgeberrow, and by over 70 per cent at Cleeve Prior. Tallage had largely disappeared as a source of revenue by the 1370s on many manors.

Virgates which had been converted to monetary tenures after the Black Death lost all their liability for labour services, which meant that the availability and use of labour services dropped sharply on most of the manors in the 1350s. For example, at Overbury, by the 1360s, hardly any winter works were used, they were either unavailable because of conversions to money tenure or the remaining services had been commuted. Lords did make as much use of harvest labour services as possible, and some money tenures in the 1360s still had a couple of harvest works attached to their rent package. Labour services had largely disappeared by the 1380s.

Merchet was not enforced in large numbers, but it did continue to be rendered throughout the fourteenth century on all the sample manors. Calculations of the mean level of fine are hampered by the tendency to grant joint merchets and

entry fines in the 1350s and 1360s. As we saw, the average fine per decade was generally higher than on most English manors, and a consistent feature of average fines after the Black Death in the West Midlands is that they were higher on most manors, sometimes as much as four times higher than the pre-plague mean. For example, at Overbury and Teddington where the mean rose from 80d. in the 1360s to over 100d. in the 1370s and 1380s, before falling back to 80d. in the 1390s.

Heriot continued to be a major feature of villein tenure after the Black Death and was owed on those virgates converted to money tenure, and its collection was consistently and routinely enforced throughout the fourteenth century. What this study has highlighted is that the Priory was consistent in requiring the render of heriot as a key incident of unfree tenure, whether for services or money. The Priory's preference was for the best beast, although from the 1380s there was a sharp increase in the number of heriots pardoned or rendered in cash for a lower sum than the value of the best beast, reflecting a slowing land market and issues retaining and attracting tenants.

There was a marked increase in the frequency of presentments and fines for wasting buildings on villein tenure after the Black Death, with some sizeable penalties being threatened for non-compliance. This tactic was especially a feature of villeinage on the Worcester Priory estate. In the 1390s, the frequency of presentments was no longer backed by either sizeable fines or the incurring of sizeable penalties for non-compliance, which is consistent with the evidence for increased waivers for heriots and entry fines at the end of the century. The land market had dipped at this period, and the ability of lords to enforce their will on tenants declined as they sought to retain existing and attract new tenants.

Mill suit was not routinely enforced before the Black Death and disappeared quickly on many manors thereafter. For example, it is not recorded after 1365 on the manors of Cleeve Prior, Overbury and Teddington, and Sedgeberrow, and the last recorded breach at Cropthorne and Netherton occurred in 1370. Worcester Cathedral Priory continued to lease its demesne mills into the 1390s with clauses referring to the mill suit of free and unfree, but there is no evidence it was enforced in practice so the inclusion of the right reflects bureaucratic legalese.

The frequency of leyerwite declined sharply in the immediate aftermath of the Black Death. It was not found at all after 1350 at Elmley Castle, Romsley or Harvington, and by the 1370s, leyerwite was recorded on just three manors, with the last record in 1389. The fine remained at around 2s. There was not a single licence to allow hereditary serfs become apprentices for a trade, and no licences to educate or enter Holy Orders. The absence of such licences is taken to mean that this seigniorial right was not enforced, rather than that lords were able to impose a total ban. There is not a single reference in the court rolls to the imposition of any of the provisions of the Statute of Labourers, such as prohibited departure from the manor during the harvest.

The absence of licences to learn a trade or enter Holy Orders does not mean that hereditary serfs were immobile after the Black Death. The big change in the management of serfdom after the Black Death was the increase in presentments for absence on all the manors in the sample, and these entries pick up from the early 1350s and continue thereafter. This reflects heightened sensitivity to shortages of workers and tenants in the 1350s. Three things are very striking, however, about the absences. First, few migrants were forced or persuaded to return, and in some cases they had settled on another manor of the same lord, so were not escaping the bonds of serfdom. (EG one case). Second, the increase in the record of absentees did not

result in a corresponding increase in chevage payments to licence their absence, because chevage payments were few and far between on nearly all the manors. For example, there were just three chevage cases recorded on the Worcester priory manors after the Black Death.

Finally, there was a major increase in the number of presentments in the 1390s. For example, on the Worcester Priory estate, in the 1390s, presentments increased to 617, nearly six times the number recorded in the 1380s. Nevertheless, the increase in the number of presentments did not equate to an increased number of flights, because, in 1380-89, only 38 unique individuals were recorded, compared to 26 recorded between 1390-99. The heightened recording of the flown serfs in the 1390s appears merely bureaucratic.

There were very few disputes over personal status. There were three at Elmley Castle in the 1350s, which must reflect some tension over this issue and some uncertainty as to the exact status of some tenants, but none thereafter.

The construction of a tighter and quantified chronology for the decline of the incidents of serfdom enables us to answer the third research question: how far was there a seignorial reaction in the third quarter of the fourteenth century in the West Midlands, especially on the Worcester Cathedral Priory estate? The most obvious evidence for a clampdown and reimposition of the incidents of serfdom is the increase in presentments for absence, with a sudden surge in recording in the 1350s and 1360s. However, as we have seen, this increase in interest and recording of the whereabouts of flown serfs did not result in chevage payments or returns. The other clear indicator of a reaction is the increase in fines for merchet, which during the 1360s and 1370s were at least double their pre-plague mean on many manors.

The next category of evidence for a seigniorial reaction is the increase in the record of dilapidations after the Black Death, reflecting the sudden excess of the stock of housing and agricultural buildings. These increased from the mid 1350s and peaked in volume in the 1390s on the Worcester Priory estate (Hargreaves' study finished in the 1380s), although its effectiveness in enforcing fines and repairs was low.

There is also an increased interest in the principalia of flown serfs, i.e. their household goods and chattels, on the Worcester Priory estate, although not at Romsey or Elmley. This was a particular feature of the priory estate, and it reflects a firm line on its seigniorial right to the goods and chattels of its serfs, although this trend only really becomes apparent in the 1380s and 1390s. Therefore, it post-dates the third quarter of the fourteenth century and is not part of an immediate post-plague seigniorial reaction. It does provide support for other studies, which have identified a reaction in the 1380s and 1390s, not earlier, because this was the period when landlords were facing greatest potential losses of tenants.[863]

The evidence has to be weighed against the powerful evidence summarised above for sudden and significant decline in many of the other traits of serfdom. The swing to monetary tenures on the priory estate occurred in the 1350s and 1360s: there was no forced holding of villein land on the old terms. Consequently, the availability of labour services shrank, and payments of tallage collapsed in the 1350s and 1360s. Entry fines fell considerably on all the manors in the 1350s. These features confirm that demand for servile land had dropped after the first plague pandemic and did not recover thereafter, and consequently, lords in the West Midlands were forced to make concessions to retain and attract tenants. Leyerwite

[863] Bailey, *After the Black Death*, pp. 241–9.

and mill suit virtually disappeared in the 1350s, and there were no clampdowns on the personal status of serfs or their attempts to be educated or enter Holy Orders. There were hardly any impositions to hold land or to work on coercive labour contracts, and no presentments under the Statute of Labourers.

In the light of these discoveries, to what extent is the orthodoxy established by the Birmingham School that serfdom was preserved in the immediate aftermath of the Black Death by a seigniorial reaction, and did not decline until the late fourteenth century, in the West Midlands still accurate? For example, Hargreaves has argued that the 'struggle' over entry fines, rents and tenures put the lord-tenant relationship under increasing strain.[864] Furthermore, as recently as 2022, Dyer contrasted the West Midlands, 'where both church and lay lords clung to [serfdom] an institution which reflected their political power', with other parts of England where serfdom quickly disappeared.[865] Similarly, in 2024, he stated that, after 1350, 'lords asserted their authority over servile dues, land holdings and labour', citing hand-picked examples of higher merchet fines and two orders to force serfs to hold land in the 1360s.[866]

The adoption of a systematic methodology recording all servile dues and dealing with mean fines and general trends rather than cherry picking exceptional examples reveals a much more nuanced and complex picture. The most obvious point is that neither Hargreaves nor Dyer focused much on the terms of tenure, yet—despite the shortage of account rolls—it is evident that the swing to monetary tenure occurred extensively across the West Midlands in the 1350s and by the 1380s it was the dominant form of tenure. As these conversions removed tallage, labour services

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[864] Hargreaves, 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390', pp. 175–76.
[865] Dyer, *Peasants Making History*, pp. 78–9.
[866] Dyer, *From Slavery to Freedom*, pp. 19–20.

and merchet from villein tenure, then it is indisputable that a major change in the complexion of serfdom had occurred as a direct result of the Black Death. Similarly, there is no disputing the collapse in entry fines in the immediate aftermath of the Black Death, which Hilton and Dyer have argued was one of the most malleable of all incidents under villeinage. These major and immediate changes pass without comment in the corpus of work of the Birmingham School, although the change to money tenures was picked up by Vose's research in the 1950s and its significance overlooked thereafter.

Both Hilton and Hargreaves focused on rising unrest over labour services in the 1360s and 1370s on the priory estate, culminating in what Hilton believed was a major confrontation in 1379. This line of argument was highly consistent with their seigniorial reaction-peasant resistance narrative of the third quarter of the century. Yet the swing to monetary tenure from the 1350s, and the tendency to commute most of the remaining winter works, meant that the number of labour services due in the 1370s was vastly smaller than before the Black Death. This major change in the rent package on many manors makes such a major showdown over labour services highly unlikely, which is supported by the discovery that there were few recorded disputes over labour services in the court rolls in the third quarter of the century. In Chapter 11, we reconstructed the events of 1379 carefully from the court rolls and showed that there was no confrontation on the estate at all in that year, and no evidence for the seizure of villein chattels in any year. The reconstruction shows that the events mentioned by Hilton and Hargreaves related to firm warnings from the priory to villeins in July 1378 on many of its manors about the consequences of withholding harvest services, which almost certainly related to the priory's concerns about lingering unrest in this part of the country following the Great Rumour the previous summer. The priory must have heard rumours of planned action on some

of its manors and, in response, issued proclamations in the manor courts of some of its manors in July 1378. But any action would have related to the remaining harvest labour services, since winter works had either disappeared or been overwhelmingly commuted, and summer works were almost completed for that year. At Overbury, some villeins did withhold services in the harvest of 1378, but we saw how they were treated leniently rather than having their lands seized.

Where does this research leave our understanding of serfdom in the west midlands in the fourteenth century?

First and foremost, the historians of the Birmingham School did not concentrate on the explicit shift in tenure witnessed during the fourteenth century, where we have seen a complete shift from service to monetary tenure and a shedding of labour services. Instead, the Birmingham School has concentrated on servile incidents such as merchet. This lack of concentration on tenure and the undeniable shift after the 1350s is a great oversight by the Birmingham School. Secondly, the Birmingham School has traditionally placed much emphasis on the role of migration in the decline of serfdom, especially the mass exodus in the late fourteenth century. However, this study has shown that this supposed mass exodus was actually a mass reporting. In the 1380s and 1390s, it is evident the priory was increasing its systematic recording of flown serfs, but that,nevertheless, the number of unique individuals who were recorded was low, and that the high number of presentments for absence actually involved only a small number of flown serfs. Furthermore, this study has shown that the chevage was rare in the fourteenth century and was seldom collected, something the Birmingham school has rarely addressed. Finally, this thesis has used a quantitative and systematic methodology to assess the causes of the decline of serfdom. It has not relied on the exceptional truffle-like examples which the members of the Birmingham School have dug up and presented as the norm, but

has instead shown that the decline and the resistance to serfdom was complex and uneven. Nevertheless, this thesis has shown that serfdom was ultimately undermined by the seismic societal shock caused by the Black Death. Overall, Hilton's initial study of the West Midlands, and the subsequent work of Christopher Dyer and Paul Hargeaves was rooted in Marxist ideology. By contrast, this thesis has shown that although the West Midlands, and especially the Worcester Cathedral Priory estate, was, before the Black Death, an area where serfdom was relatively onerous, but that, even here, a great ecclesiastical house with ancient foundations was unable to stem the decline of serfdom.

13 Appendix

Table 13.1: Table Showing the Number of Court Sessions Per Decade for Each Manor in Study, 1300-1399.

Decade	Cleeve Prior	Harvington	Sedgeberrow	Cropthorne and Netherton	Overbury and Teddington	Elmley Castle	Romsley
1300-09	--	--	--	--	--	--	8
1310-19	9	10	11	8	17	--	27
1320-29	8	4	8	10	12	--	69
1330-39	8	7	8	8	10	--	56
1340-49	6	5	7	15	8	4	23
1350-59	8	8	9	10	13	3	16
1360-69	8	7	12	9	13	--	18
1370-79	23	20	22	24	30	9	51
1380-89	17	16	14	18	31	10	21
1390-99	20	18	20	21	36	6	24
Total	107	95	111	123	170	32	313

The overall aim of this thesis was to track the various incidents of serfdom (personal and tenurial). As shown in Figure 13.1, the survival rate of court session per decade pre-Black Death courts were lower than the post-Black Death. Nevertheless, all of the main incidents of serfdom were discoverable in these early court sessions. However, after the Black Death, where survival of court sessions were higher, most of the incidents of serfdom had either disappeared (leyerwite, millsuit etc.) or completely changed (entry fines collapsing, while shedding of labour services). Thus, this shows that even with a higher survival rate of court sessions after the Black Death, no evidence of certain incidents could be found. Therefore, the

survival per decade does not alter the findings of the thesis. Furthermore, the arguments of the thesis did not just depend on the frequency of these incidents pre- and post-Black Death but mainly depended on the level of fines in these two periods, which allowed for a systematic study of the general trends. For instance, the sample shows that entry fine was much higher pre-Black Death and collapsed shortly after. The same can be said for leyerwite, which is all but absent after the Black Death. Moreover, Paul Hargreave's study of the priory estate did not include any study of the session from the 1310s, 1320s, or 1390s, which all have a good survival rate, and enabled a systematic tracking of the incidents of serfdom and the value of fines in the early 14th century, as well as the final decade. Furthermore, by utilising cellarer accounts, reeve accounts and rentals allowed for a more complete picture of manorial management in this period. Overall, the number of court sessions per decade would not have altered the findings of the thesis, because through systematic study of fines, and the absence of incidents of serfdom in decades with higher survival, the thesis showed serfdom declined quickly after the Black Death.

14 Bibliography

Primary Sources

List of Original Sources Used In This Thesis.

Worcester Cathedral Priory

The majority of the documents in this study are located in Worcester Cathedral Library. The documents have been categorised into muniment lists. For this study the two most important lists are the C series and E series.

Core Manors: All the core manors have court sessions for the period 1314–1399.

Cleeve Prior: Priory owned manor situated in the champion Avon valley. 108 court session survive for the period 1314-1399.

Worcester Cathedral Library: E1- E40

Harvington: Manor residing in the Avon valley adjacent to Cleeve Prior. 104 court sessions available for study.

E1-E40.

Cropthorne and Netherton: Priory owned manors in the Avon valley west of Evesham. Manors usually combined entry in court rolls. 124 court session survive for the period.

E1 - E40.

Overbury & Teddington: Large manor at the foot of Bredon hill near to Tewkesbury, 164 court sessions are available for the study period.

E1-E40.

: recorded court sessions, located near to Overbury. A high proportion of sessions are combined with Overbury.

E1-E40.

Sedgeberrow: 111 court sessions

E1-E40.

E Series: Manorial Court Rolls

E1 (October 1340 - August 1341), E2 (Oct. 1341 – Aug 1342), E3 (May 1323 – Oct. 1323), E5 (Oct. 1353-Jul. 1354), E6 (Oct. 1314-May 1315), E7 (Nov, 1314 – Sep 1315), E8 (Oct. 1318-Sep. 1319), E9 (Oct. 1320-Sep. 1321), E10 (Oct. 1325-Aug. 1326), E11 (Nov. 1330 – Aug. 1331), E11a (Oct. 1333 – May 1334), E12 (Nov. 1335 – Jun. 1336), E13 (Oct. 1336 – Aug 1337), E13a Sep 1340 – April 1341), E14 (Oct.

1342 – Aug. 1343), E15 (Oct. 1346 – Aug. 1347), E16 (Oct. 1349 – February 1350), E17 (Oct. 1352 – Aug 1353), E18 (Oct. 1357 – Aug 1358), E19 (Oct. 1358 – May 1359), E20 (Oct. 1361 – Aug. 1362), E21 (Oct. 1364 – July 1365), E22 (Oct. 1367 – Aug. 1388), E24 (Oct. 1369 – Aug 1370), E25 (1373 – Aug 1374), E26 (Oct. 1374 – July 1375), E27 (Oct. 1376 – July 1377), E28 (Oct. 1377 – July 1378), E29 (Oct. 1378 – Aug. 1379), E30 (Oct. 1379 – July 1380), E31 (Sep. 1384 – July 1385), E32 (Sep. 1385 – July 1386), E33 (Oct. 1386 – July 1387), E34 (Oct. 1388 July 1389), E35 (Oct. 1389 July 1390), E36 (Oct. 1392 Aug 1393), E37 (Jan 1393 July 1394), E38 (Oct. 1395 – July 1396), E39 (Oct. 1397 – July 1398), E40 (Sep. 1398 – July 1399).

C Series: Miscellaneous Account Rolls.

Sub-cellarer accounts: C431 (1326), C432 (1332-33), C433 (1341), C434 (1345-46), C435 (1349-50), C436 (1349-40), C437 (1351-52), C438 (1352-53), C439 (1355-56), C440 (1356-57), C441 (1357-58), C442 (1358-59), C443 (1359-60), C444 (1379-80), C445 (1389-90), C446 (1396-97)

Cellarer account rolls:C482 (1313-14), C606 (1337-38), C53a (1351-52), C60 (1345-46), C61 (1346-47), C62 (1354-55), C64 (1357-58), C67 (1371-72), C68 (1372-73), C69 (1376-77), C69a (1376-77), C70 (1381-82), C71 (1385-86), C72 (1386-87), C74 (1391-92), C75 (1392), C76 (1392-93), C76a (1392-93), C77 (1395-96), C77a (1395-96)

Reeve and Bailiff Accounts (Sedgeberrow): C485 (Unknown date), C486a (1337-38)

Reeve and Bailiff Accounts (Cleeve Prior): C557 (1329-30)

Rentals (Cleeve Prior): C558 (1386), C559 (1420), C560, C561 (1433)

Rental (Cropthorne): C564a (1441)

Reeve and Bailiff Accounts (Cropthorne): C565 (1411-12)

Reeve Accounts (Harvington): C607 (1347-48), C692 (1349-50), C608 (1358-59), C609 (1369), C610 (1361-62)

Reeve and Bailiff Accounts (Overbury): C 698 (1320-21), C 699 (1346-47), C 700 (1349-50), C701 (1354-55), C702 (1354-55), C702a (1355-56), C703 (1355), C704 (1355-56), C 705 (1356-57), C706 (1357-58), C707 (1360-61), C708 (1363), C709 (1366-67), C710 (1368-69), C711 (1376-77)

Reeve Accounts (Sedgeberrow): C754 (1353-54), C755 (1334), C756 (1342-43), C757 (1347-48), C758 (1358-59), C758a (1364-65), C759 (1368-69), C759a (1367-68), C760 (1381-82), C761 (1382-83), C762 (1394-95), C763 (1388-89), C764 (1391-92), C766 (1390-91), C767 (1397-98)

Rental (Sedgeberrow): C765 (1386)

Hereford Cathedral Library: Court Roll 1315-1316: R1162 NRA 6186.

Elmley Castle: Large lay manor owned by the earls of Warwick, 72 translated court sessions are available for the period of study. 11 reeve's account rolls are available for the period 1345- 1399.

Field, Robert K., ed., *Court Rolls of Elmley Castle, 1347-1564.* (Worcester: Worcestershire Historical Society, 2004), xx

Document Location: Worcestershire Archive and Archaeology Service (Worcester)

Elmley Castle Reeve Accounts: 1345-1346, 1366, 1366-1367, 1368-1369, 1380-1381, 1391-2, 1392-1393, 1393-1394, 1395-1396, 1396-1397 - Account Rolls of Elmley Castle Reeve: 899:95/BA 989/4 NRA 1446 Holland-Martin

Romsley: Ecclesiastical sub-manor of Halesowen, owned by the abbey of Halesowen. 494 court session survive for the period 1314-1465 available in a published translated volume.

Tompkins, Matthew, ed., *Court Rolls of Romsley, 1279-1643* (Worcester: Worcestershire Historical Society, 2017)

Secondary Sources Cited

Allen, Robert C., 'The Great Divergence in European Wages and Prices from the Middle Ages to the First World War', *Explorations in Economic History*, 38 (2001), pp. 411–47

Amor, Nicholas R., 'Labour Litigation in the Court of Common Pleas in the Fourteenth Century', *Journal of Medieval History*, 51.5 (2025), pp. 622–45

Bailey, Mark, *After the Black Death: Economy, Society, and the Law in Fourteenth-Century England*, First edition (Oxford University Press, 2021)

——, 'Reviewed Work: Peasants Making History: Living in an English Region 1200-1540 by Christopher Dyer', *Forthcoming*, 2023, pp. 1–4

——, *Serfdom in Medieval England: Theory and Practice 1200 To 1500*, Manchester Medieval Studies, v. 40, 1st ed (Manchester University Press, 2025)

——, 'Tallage-at-Will in Later Medieval England', *English Historical Review*, CXXXIV.566 (2019), pp. 25–58

——, *The Decline of Serfdom in Late Medieval England: From Bondage to Freedom* (The Boydell Press, 2014)

——, *The English Manor, c. 1200-1500*, Manchester Medieval Sources Series (Manchester University Press ; Distributed exclusively in the USA by Palgrave, 2002)

——, 'The Myth of the "Seigniorial Reaction" in England after the Black Death', in *Peasants and Lords in the Medieval English Economy: Essays in Honour of Bruce M.S. Campbell*, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield, The Medieval Countryside, volume 16 (Brepols, 2015), pp. 147–72

——, ‘The Transformation of Customary Tenures in Southern England, c.1350 to c.1500’, *The Agricultural History Review*, 62.2 (2014), pp. 210–30

Bassett, Steven, ‘In Search of the Origins of Anglo-Saxon Kingdoms’, in *The Origins of Anglo-Saxon Kingdoms*, ed. by Steven Bassett, Studies in the Early History of Britain (Leicester University Press, 1989), pp. 3–27

Bennett, Judith M., ‘Writing Fornication: Medieval Leyrwite and Its Historians’, *Transactions of the Royal Historical Society*, 13 (2003), pp. 131–62

Bolton, J. L., *The Medieval English Economy, 1150 - 1500*, Everyman’s University Library, 1274 (Dent [u.a.], 1980)

——, ‘“The World Upside Down”. Plague as an Agent of Economic and Social Change’, in *The Black Death in England*, ed. by W. Mark Ormrod and Phillip Lindley, Paul Watkins Medieval Studies, 15 (P. Watkins, 1996)

Brenner, R., ‘Agrarian Class Structure and Economic Development in Pre-Industrial Europe’, *Past & Present*, 70 (1976)

——, ‘The Rises and Declines of Serfdom in Medieval and Early Modern Europe’, in *Serfdom and Slavery: Studies in Legal Bondage*, ed. by M. L. Bush (Longman, 1996)

Briggs, Chris, ‘English Serfdom, c.1200-c.1350: Towards an Institutionalist Analysis’, in *Serfdom and Slavery in the European Economy 11th-18th Centuries*, ed. by Simonetta Cavaciocchi (Firenze University Press, 2014)

——, ‘Reviewed Work: The Decline of Serfdom in Late Medieval England: From Bondage to Freedom by Mark Bailey’, *The English Historical Review*, 130.545 (2015), pp. 971–73

Britnell, R. H., *Britain and Ireland 1050-1530: Economy and Society*, Economic and Social History of Britain (Oxford University Press, 2004)

Britnell, R. H., ‘Feudal Reaction after the Black Death in the Palantine of Durham’, *Past & Present*, 128 (1990), pp. 28–47

Campbell, B. M. S., ‘Chapter 7: The Land’, in *A Social History of England, 1200-1500*, ed. by Rosemary Horrox and W. Mark Ormrod (Cambridge University Press, 2006), pp. 179–237

——, ‘The Agrarian Problem in the Early Fourteenth Century’, *Past and Present*, 188 (2005), pp. 3–70

Carocci, Sandro, ‘The Pervasiveness of Lordship (Italy, 1050–1500)’, *Past & Present*, 256.1 (2022), pp. 3–47, doi:10.1093/pastj/gtab015

Cavill, Paul, ‘Mortuary Dues in Early Sixteenth-Century England’, *Continuity and Change*, 36 (2021), pp. 285–308

Cerman, Markus, ‘Demesne Lordship and Rural Society in Early Modern East Central and Eastern Europe: Comparative Perspectives’, *The Agricultural History Review*, 59.2 (2011), pp. 239–58

——, *Villagers and Lords in Eastern Europe, 1300–1800* (2012; Palgrave Macmillan, 2012)

Cheyney, Edward P., 'The Disappearance of English Serfdom', *The English Historical Review*, 15.57 (1900), pp. 20–37

Claridge, Jordan, Vincent Delabastita, and Spike Gibbs, '(In-Kind) Wages and Labour Relations in the Middle Ages: It's Not (All) about the Money', *Explorations in Economic History*, 94 (2024), pp. 1–21

——, Vincent Delabastita, and Spike Gibbs, 'The Commercialization of Labour Markets: Evidence from Wage Inequality in the Middle Ages', *The Economic History Review*, n/a.n/a (2026), pp. 1–34

Coss, Peter, 'Neifs and Villeins in Later Medieval England', *Reading Medieval Studies*, 40 (2014), pp. 192–202

Cox, David C., *The Church and Vale of Evesham, 700-1215: Lordship, Landscape and Prayer*, Studies in the History of Medieval Religion, volume XLIV (The Boydell Press, 2015)

Dyer, Christopher, 'Courts and Urbanisation: Jurisdiction in Late Medieval Seigneurial Boroughs and Towns', in *Town Courts and Urban Society in Late Medieval England, 1250-1500*, ed. by Teresa Phipps and Richard Goddard (Boydell Press, 2019), pp. 93–116

——, *Everyday Life in Medieval England* (Hambledon Press, 1994)

——, *From Slavery to Freedom: How Worcestershire People Gained Their Liberty 1000–1600*, Worcestershire Historical Society Occasional Publications, 15 (Worcestershire Historical Society, 2024)

——, *Lords and Peasants in a Changing Society: The Estates of the Bishopric of Worcester, 680-1540*, Past and Present Publications (Cambridge University Press, 1980)

——, 'Memories of Freedom. Attitudes towards Serfdom in England 1200 to 1350', in *Serfdom and Slavery: Studies in Legal Bondage*, ed. by M. L. Bush (1996; Routledge, n.d.), pp. 277–95

——, 'Peasant Farming in Late Medieval England: Evidence from the Tithe Estimations by Worcester Cathedral Priory', in *Peasants and Lords in the Medieval English Economy: Essays in Honour of Bruce M. S. Campbell*, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield (Brepols, 2015), pp. 83–109

——, *Peasants Making History* (Oxford University Press, 2022)

——, 'Reviewed Work: Decline of Serfdom in Late Medieval England: From Bondage to Freedom by Mark Bailey', *Renaissance Quarterly*, 68.1 (2015), pp. 311–13

——, 'Seignioral Profits on the Landmarket in Late Medieval England', in *Le marché de la terre au Moyen Âge*, ed. by Laurent Feller and Chris Wickham,

Collection de l'Ecole française de Rome, 350 (École française de Rome, 2005), pp. 219–36

——, 'Tenant Farming and Tenant Farmers West Midlands', in *The Agrarian History of England and Wales Volume III 1348-1500*, ed. by Edward Miller (Cambridge University Press, 1991), III, pp. 636–48

——, 'The Language of Oppression. The Vocabulary of Rents and Services in England, 1000-1300'', in *Pour Une Anthropologie Du Prélèvement Seigneurial Dans Les Campagnes Médiévales (XIe-XIVe Siècles): II, Les Mots, Les Temps, Les Lieux*, ed. by M. Bourin and P. Martinez Sopena (Publications de Sorbonne, 2004), pp. 71–86

——, 'The Midland Economy and Society, 1314-1348: Insights from Changes in the Landscape', *Midland History*, 42.1 (2017), pp. 36–57

——, 'Villeins, Bondsmen, Neifs, and Serfs: New Serfdom in England, c. 1200-1600', in *Forms of Servitude in Northern and Central Europe: Decline, Resistance, and Expansion* (Brepols, 2005)

Faith, Rosamond Jane, 'The "Great Rumour" of 1377 and Peasant Ideology', in *The English Rising of 1381*, ed. by T. H. Aston and R. H. Hilton (Cambridge University Press, 1984), pp. 43–73

Field, R. K., 'The Worcestershire Peasantry In The Later Middle Ages' (Unpublished MA Dissertation, University of Birmingham, 1962)

——, 'Worcestershire Peasant Building, Household Goods and Farming Equipment in the Later Middle Ages', *Medieval Archaeology*, 11 (1965), pp. 105–45

Field, Robert K. (ed.), *Court Rolls of Elmley Castle, 1347-1564.* (Worcestershire Historical Society, 2004), XX

Fryde, E. B., *Peasants and Landlords in Later Medieval England* (St. Martin's Press, 1996)

Gray, H. L., 'The Commutation of Villein Services in England before the Black Death', *The English Historical Review*, 29.116 (1914), pp. 625–56

Hargreaves, Paul V., 'Change in Relationships Between Lord and Tenants on the Manors of Worcester Cathedral Priory 1340-1390' (Unpublished PhD Thesis, University of Birmingham, 1997)

——, 'Seignorial Reaction and Peasant Responses: Worcester Priory and Its Peasants after the Black Death', *Midland History*, 24.1 (1999), pp. 53–78

Harvey, P. D. A., *Manorial Records*, Archives and the User, 5, Rev. ed (British Records Association, 1999)

Hatcher, John, 'English Serfdom and Villeinage: Towards a Reassessment', *Past and Present*, 90.1 (1981), pp. 3–39

——, 'Lordship and Villeinage before the Black Death: From Karl Marx to the Marxists and Back Again', in *Peasants and Lords in the Medieval English*

Economy: Essays in Honour of Bruce M.S. Campbell, ed. by Maryanne Kowaleski, John Langdon, and Phillipp R. Schofield, The Medieval Countryside, volume 16 (Brepols, 2015), pp. 113–46

Hilton, R. H., *A Medieval Society: The West Midlands at the End of the Thirteenth Century* (Weidenfeld and Nicolson, 1966)

——, 'A Rare Evesham Abbey Estate Document', *Vale of Evesham Historical Society Research Papers*, 2 (1969), pp. 5–10

——, *Bond Men Made Free: Medieval Peasant Movements and the English Rising of 1381*, Reprinted (Routledge, 1995)

——, 'Conflict and Collaboration', in *The English Peasantry in the Later Middle Ages: The Ford Lectures for 1973 and Related Studies* (Clarendon Press, 1975), pp. 54–76

——, 'Freedom and Villeinage in England', *Past & Present*, 31 (1965), pp. 3–19

——, *The English Peasantry in the Later Middle Ages the Ford Lectures for 1973 and Related Studies* (Claredon Press, 1975)

——, with Economic History Society, *The Decline of Serfdom in Medieval England*, Studies in Economic History (Macmillan; St. Martin's P, 1969)

Holt, Richard, *The Mills of Medieval England* (Basil Blackwell Ltd, 1988)

Hooke, Della, *The Anglo-Saxon Landscape: The Kingdom of the Hwicce* (Manchester University Press, 1985)

Horrox, Rosemary (ed.), *The Black Death*, Manchester Medieval Sources Series (Manchester Univ. Press, 1995)

Howell, Cicely, *Land, Family, and Inheritance in Transition: Kibworth Harcourt, 1280-1700* (Cambridge University Press, 1983)

Hyams, Paul R., *King, Lords, and Peasants in Medieval England: The Common Law of Villeinage in the Twelfth and Thirteenth Centuries*, Oxford Historical Monographs (Clarendon Press, 1980)

——, 'The Proof of Villein Status in the Common Law [1]', *The English Historical Review*, LXXXIX.CCCLIII (1974), pp. 721–49

Hybel, Nils, *Crisis or Change: The Concept of Crisis in the Light of Agrarain Structural Reorganization in Late Medieval England* (Aarhus University Press, 1989)

Jedwab, Remi, Noel D. Johnson, and Mark Koyama, 'The Economic Impact of the Black Death', *Journal of Economic Literature*, 60.1 (2022), pp. 132–78

Kosminsky, E. A., *Studies in the Agrarian History of England in the Thirteenth Century* (Blackwell, 1956)

Miller, Edward, and John Hatcher, *Medieval England: Rural Society and Economic Change 1086-1348* (Longman, 1978)

Ogilvie, Sheilagh, 'Economics and History: Analyzing Serfdom', *Oxford Economic and Social History Working Papers*, 2022, pp. 329–53

——, 'Slavery and Serfdom in the European Economy', in *Slavery and Serfdom in the European Economy from the 11th to the 18th Centuries*, ed. by Simonetta Cavaciocchi (Firenze University Press, 2014), pp. 689–93

Page, Thomas Walker, *The End of Villainage in England.* (Macmillan, 1900)

Pamuk, Şevket, 'The Black Death and the Origins of the "Great Divergence" across Europe, 1300-1600', *European Review of Economic History*, 11.3 (2007), pp. 289–317

Peters, Margaret E., 'Government Finance and Imposition of Serfdom after the Black Death', *European Review of Economic History*, 27.2 (2023), pp. 149–73

Platt, Colin, *King Death: The Black Death and Its Aftermath in Late-Medieval England* (University of Toronto Press, 1996)

Poos, L. R., *A Rural Society after the Black Death: Essex 1350-1525* (Cambridge University Press, 1991)

Postles, David, 'The Pattern of Rural Migration in a Midlands County: Leicestershire, *c.* 1270–1350', *Continuity and Change*, 7.2 (1992), pp. 139–61

Raftis, J. A., *The Estates of Ramsey Abbey* (Pontifical Institute of Mediaeval Studies, 1957)

Raftis, James Ambrose, *Tenure and Mobility: Studies in the Social History of the Mediaeval English Village*, Studies and Texts / Pontifical Institute of Mediaeval Studies, 8 (Pontifical Inst. of Mediaeval Studies, 1964)

Raven, Matt, 'Servile Migration and Seigniorial Reaction in England: The Serfs of Great Waltham and High Easter (Essex), *c*. 1336–1361', *Continuity and Change*, 39.1 (2024), pp. 101–25, doi:10.1017/s0268416024000183

Razi, Zvi, 'Family, Land and the Village Community in Later Medieval England', *Past & Present*, 93 (1983), pp. 3–36

——, *Life, Marriage, and Death in a Medieval Parish: Economy, Society, and Demography in Halesowen, 1270-1400*, Past and Present Publications (Cambridge University Press, 1980)

——, 'Serfdom and Freedom in Medieval England: A Reply to the Revisionists', in *Rodney Hilton's Middle Ages: An Exploration of Historical Themes*, ed. by Christopher Dyer, Peter Coss, and Chris Wickham (Oxford University Press, 2007), pp. 182–88

——, ‘The Myth of the Immutable English Family’, *PAST & PRESENT*, 140 (1993), pp. 3–44

——, ‘The Struggles between the Abbots of Halesowen and Their Tenants in the Thirteenth and Fourteenth Centuries’, in *Social Relations and Ideas: Essays in Honour of R. H. Hilton*, ed. by Trevor H. Aston and others, Past and Present Publications (Cambridge University Press, 1983), pp. 151–67

Richardson, H. G., and G. O. Sayles, *Law and Legislation: From Aethelberht to Magna Carta* (Edinburgh University Press, 1964)

Rigby, Stephen H., *English Society in the Later Middle Ages: Class, Status and Gender* (Macmillan, 1995)

——, ‘Serfdom’, *J. Mokyr, Ed., The Oxford Encyclopedia of Economic History, Volume 4 (Oxford U. P.), Pp. 463-7.* (Oxford), 2003

Rogers, J. E. T., *A History of Agriculture and Prices in England, from the Year after the Oxford Parliament (1259) to the Commencement of the Continental War (1793)* (Claredon Press, 1866), II (1259-1400)

——, *A History of Agriculture and Prices in England : From the Year after the Oxford Parliament (1259) to the Commencement of the Continental War (1793)* (Clarendon Press, 1866)

——, *Six Centuries of Work and Wages : The History of English Labour* (Swan Sonnenschein, 1906)

Schofield, Phillipp R., *Peasants and Historians: Debating the Medieval English Peasantry*, Manchester Medieval Studies (Manchester University Press, 2016)

——, *Peasants and Historians: Debating the Medieval English Peasantry* (Manchester University Press, 2016)

Slavin, Philip, *Bread and Ale for the Brethren: The Provisioning of Norwich Cathedral Priory, 1260-1536* (University Of Hertfordshire Press, 2012)

Smith, R. M., ‘Demographic Developments in Rural England, 1300-48: A Survey’, in *Before the Black Death: Studies in the ‘crisis’ of the Early Fourteenth Century*, ed. by B. M. S. Campbell and Institute of British Geographers (Manchester University Press ; Distributed exclusively in the USA and Canada by St. Martin’s Press, 1991)

Stone, David, ‘The Productivity of Hired and Customary Labour: Evidence from Wisbech Barton in the Fourteenth Century’, *The Economic History Review*, 50.4 (1997), pp. 640–56

Tinti, Francesca, *Sustaining Belief: The Church of Worcester from c. 870 to c. 1100*, Studies in Early Medieval Britain (Ashgate, 2010)

Tompkins, Matthew, *Court Rolls of Romsley, 1279-1643*, 27 (Worcestershire Historical Society, 2017)

Tretheway, Richard, 'The Establishment of Serfdom in Eastern Europe and Russia', *The American Economist*, 18.1 (1974), pp. 36–41

Vinogradoff, Paul, *Villainage in England* (Oxford University Press, 1892)

Vose, E. K., 'The Estates of Worcester Cathedral Priory in the Later Middle Ages' (unpublished Unfinished PhD Thesis, University of Birmingham, 1953)

Wells-Furby, Bridget, *The Berkeley Estate 1281 - 1417: Its Economy and Development*, Bristol and Gloucestershire Monographs, 1 (The Bristol and Gloucestershire Archaeological Society, 2012)

Whittle, Jane, *The Development of Agrarian Capitalism: Land and Labour in Norfolk, 1440-1580*, Oxford Historical Monographs (Oxford University Press, 2000)

Willis-Bund, J. W., 'Parishes: Cleeve Prior', in *A History of the County of Worcester: Volume 3.* (Victoria County History, 1913), pp. 308–12

——, 'Parishes: Cropthorne', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 322–29

——, 'Parishes: Harvington', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 387–90

——, 'Parishes: Overbury', in *A History of the County of Worcester: Volume 3.* (Victoria County History, 1913), pp. 468–78

——, 'Parishes: Sedgeberrow', in *A History of the County of Worcester: Volume 3* (Victoria County History, 1913), pp. 518–21

—— (ed.), *The Inquisitiones Post Mortem for the County of Worcester Part I*, II (Worcestershire Historical Society, 1894), I

—— (ed.), *The Inquisitiones Post Mortem for the County of Worcester Part II*, II (Worcestershire Historical Society, 1909), II