

# LATE MEDIEVAL ENCLOSURE – A STUDY OF THORNEY, NEAR STOWMARKET, SUFFOLK

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## INTRODUCTION

THE ENCLOSURE of the open fields has been a source of heated debate for the last five hundred years, exciting strong passions in both its defenders and its detractors. Writing in 'Utopia' of the consequences of enclosure, Sir Thomas More said that sheep 'eat up and swallow down the very men themselves ... They enclose all into pastures; they throw down houses; they pluck down towns, and leave nothing standing, but only the church to be made a sheep house.' (More 1951, 26). His contemporary Fitzherbert put the case for the defence in more sober terms 'And though a man be but a farmer, and shall have his farm XX yeres, it is lesse coste to hym and more profyte to quycket, dyche and hedge, than to have his cattell goo before the herdeman' (Fitzherbert 1534, 76-77).

Enclosure merits the attention of the late medieval historian for at least three good reasons. First, it was recognised as an important phenomenon even at the time. A smaller population meant less demand for land, but higher wages meant more demand for the products of pastoral farming, which could be carried on more effectively in enclosures. This created a favourable economic and social climate. Enclosure accelerated from the second half of the fifteenth century, so that by 1500 perhaps as much as 45% of the English countryside was enclosed (Wordie 1983, 492 and 494). In tune with Sir Thomas More, early Tudor Governments expressed growing concern at this development, particularly when combined with engrossment of holdings, conversion of arable to pasture, and depopulation. The Husbandry Act of 1489 was the first of a series of 'anti-enclosure' measures.

Second, enclosure has been seen by some as a battleground in the clash between feudal and capitalist systems. Enclosures facilitated more efficient husbandry, allowed more disciplined breeding of livestock, swept away petty manorial rules and released individual energy and initiative. But, as traditionalists would have it, there was a price to pay. Farming open fields in common depended on peasants working together in some degree of harmony, encouraged communal spirit and institutions and gave everyone some stake in the land. Thirsk laments that 'After enclosure when everyman could fence his own piece of territory and warn his neighbours off, the discipline of sharing things fairly with one's neighbour was relaxed, and every household became an island to itself. This was the great revolution in men's lives, greater than all the economic changes following enclosure' (Thirsk 1957, 255). If the importance of enclosure in the transition from old to new is still contentious, it cannot be denied a role in laying the foundations of a later agricultural revolution which in turn paved the way for the industrial revolution and the modern world. In the postscript to her own work, Yelling concludes judiciously that 'Although enclosure was an important process in the emergence of the modern economic and social order, it does not offer any simple key to that emergence' (Yelling 1977, 233).

Third, a healthy debate has begun about late medieval enclosure in the heavy clayland of High Suffolk. Martin states that this area 'had the most complex and least understood field systems'. He accepts that some parishes, such as Walsham-le-Willows, had extensive common fields of irregular type, but that in others, such as Hitcham, an enclosed landscape of hedged fields had emerged long before the fifteenth century (Martin 2000, 5). Bailey argues that the heavy clays contained some irregular open fields in 1300, especially in the river valleys, but that they were interspersed with large areas of hedged arable enclosures of unknown antiquity. These irregular open fields were enclosed in an evolutionary piecemeal way in the course of the fifteenth and sixteenth centuries, thus creating the

'ancient' and enclosed countryside of High Suffolk. Bailey follows Campbell in organising Suffolk's field systems into five categories. He contends that 'irregular commonfield systems with non-regulating cropping' (Category 2a) were the dominant form in Suffolk in 1300 but that these fields were 'gradually replaced by manifold small enclosures' over the next three centuries. In his contribution to the debate, Williamson draws a line along the Gipping valley. To the north of that line, in early times, 'Open fields were, for the most part, more extensive than in the areas to the south of the Gipping, and less restricted to the lighter soils' (Williamson 2004, 117).

It is with High Suffolk and, in particular with the flourishing town of Stowmarket and the manors of Thorney, that this essay is concerned; offering evidence of irregular open fields interspersed with a few enclosures in Thorney in 1400, which fits comfortably into Bailey's category 2a, and supporting his thesis that piecemeal enclosure of these irregular open fields was taking place in the fifteenth century. Such enclosure was proceeding at a much gentler pace than the revolutionary change that so alarmed Tudor kings, but with long term effects that were no less profound.

What evidence exists to show the open fields of Thorney being enclosed in the late Middle Ages? How much was enclosure the result of pre-existing settlement patterns and land use? What influence did the urban economy of Stowmarket have on enclosure? What social forces were driving enclosure or conversely holding it back? Which families were the prime movers? These are the questions that this essay seeks to answer.

## SOURCES

The feast day of St Nicholas (6 December) was the day in each year when the tenants of late medieval Thorney met, perhaps to look forward to Christmas festivities, and certainly to conduct the business of the manor and lete court. In determining the number who attended these courts, the roll call for 1441 provides the best evidence (T.H.C.R. 6 Dec. 1441). Nineteen tenants gathered to swear fealty to the new lord Robert Hotot (aka Hotoft), of whom two were women and twelve (none of them women) formed the jury. At least thirteen other tenants, including three women, failed to attend. Such absences were common throughout the century. Some high born tenants, such as the Duke of Suffolk, would not be expected. Some asked to be excused, such as Thomas Hamond, who pleaded illness (T.H.C.R. 6 Dec 1501). Most absentees, however, risked a few pence fine by simply not turning up.

Under the eye of the lord or his steward, the leading tenants were sworn in as jury and the business of the court began. We have some idea of what they discussed and what they decided, thanks to the Ashburnham family who preserved one of the best runs of court rolls for any manor of late medieval Suffolk and deposited the same in the safe hands of the Suffolk Record Office. For the period 1400 to 1510, sixty rolls from the court of the manor of Thorney Hotot (including one under the name Thorney Columbine) survive in decipherable form. Another five, in the Bodleian Library, record the courts of the manor of Thorney Lizons (aka Lesnes or Lesons) for the seven years from 1485 to 1491. Court rolls survive for every decade and provide good coverage of nine out of eleven decades, with only the 1410s and 1420s poorly covered.

The manor court dealt with many aspects of local farming, but cases involving livestock trespass and land transfers were particularly common and provide the foundations of the discussion of enclosure set out in this essay. The lete court ('view of frankpledge') that met in Thorney Hotot often did little more than pay the ancient and customary fine of 9d to the King. It oversaw the operation of the tithing system within each manor which unusually survived into the sixteenth century. Just occasionally, owing to its criminal jurisdiction, the lete court grappled with cases that had no doubt caused excitement or even alarm to the local community and provide some spice for the historian of today.

In contrast to these many court rolls, there are three rentals and no surveys, extents or accounts.

Maybe they have been lost, but maybe they never existed – a sign perhaps that manorial institutions were beginning to serve the interests of the leading peasants rather more than their lords. Domesday Book and a single inquisition post mortem from the early fourteenth century give some historical perspective, while alnage (woollen cloth) accounts and medieval calendars help build up the contemporary picture of Thorney.

Of the rentals, one ('A') is dated 1408 (S.R.O.I. HA/CC2/2/1), the other two ('B' and 'C') are undated (S.R.O.I. HA/CC2/1/3 and HA/CC2/1/4), but all three were prepared for the same lord John Hotot so cannot postdate his death in 1441. Rental B was prepared shortly before rental C because in between time William Berard had died. Each lists current tenants, most of whose names are recognisable from early fifteenth century court rolls, with marginal notes on rentals A and C about later tenants, most of whose names are recognisable from court rolls of the third quarter of the century. Rentals B and C are similar in the tenants they name and the land they encompass, although B is much shorter than C. Rental A is quite different. Twenty-one different tenants are named in rental A, fourteen in rental B and twenty-seven in rental C, but only five tenants appear in both A and C. Rental A provides information about customary tenants and the services due from them which is totally absent from rentals B and C. Possibly, between the preparation of rentals A and B/C all customary services had been commuted, but if so, commutation had been very sudden. While they do not expressly say so, a better explanation is that rental A and rentals B/C covered at least two different Hotot manors in Thorney, certainly Thorney Columbine and Thorney Clements, on all but one of which customary services had disappeared. If the manors were administered by the same court, the total number of tenants in the rentals is forty-five. This is thirteen more than the number of tenants summoned to attend the first court of Robert Hotot, but tenant numbers could well have fallen in the intervening years. The number of tenants at the beginning of the century could well have been even higher because contemporary rentals rarely named all the tenants of any manor (Bailey 2002, 37).

### THE MANORS OF THORNEY

Before looking at what these sources tell us about enclosure, it is worthwhile pausing to consider what they say about the size and location of the Thorney manors as this has an important bearing on future enclosure. As these manors never coalesced as a parish this is not a straightforward task.

'King William holds Thorney which King Edward held as one manor and as 5 carucates of land', so begins Suffolk Domesday, as if emphasising the early importance of this ancient royal vill in the heart of the county. This impression of high status is re-inforced by the presence of a market and probable minster church in 1086 and by the chance discovery in 1395 of a hoard of 'gold and silver in bullion and coin ... hidden underground' (Williams and Martin 2002, 1186; Scarfe 1999, 52-3; and C.P.R. (1391-96), 652). In Domesday Book Thorney is said to be '1 league long and 1 broad' and, assuming a league was one and a half miles, the area of the manor was then two and a quarter square miles or 1440 acres (Williams and Martin 2002, 1186 and 1433). Two hundred and fifty years later in 1323 the demesne of Richard Amoundeville in the manor of Thorney extended to only 106 acres (P.R.O. IPM 16 EdII 26). The best guess is that demesne land at that time accounted for between 20% and 30% of total land area (Campbell 2000, 55-60), so Richard's manor is unlikely to have extended beyond 530 acres, not much more than one third the size of King William's manor. Several possible explanations for the discrepancy suggest themselves. Medieval measurements were not reliable and the figures may simply be wrong, although it seems unlikely that they would produce so great a discrepancy. Richard's demesne may have been relatively tiny, but in the golden age of demesne farming this seems equally unlikely. The 1,440 acres may have included waste land outside the concern of those preparing Richard's inquisition post mortem in 1323, but by then most land capable of cultivation was being farmed. The best explanation is that Richard was lord of what remained of

the once Royal manor, but that the two were not the same because other parties had carved off portions for their own use and benefit. The start of such a carve-up is evident in the pages of Domesday Book itself. Among others, Roger de Poitou, Hugh de Montford, Roger d'Auberville and Hervey de Bourges are all recorded as having an interest in Thorney (Williams and Martin 2002, 1186, 1189, 1232, 1233, 1271, 1274, 1275 and 1296). So, the Anglo-Saxon royal vill was almost certainly even larger than William's Domesday manor. By the late Middle Ages fragmentation had gone much further. Coppinger included Thorney Campsey, Thorney Cardon's, Thorney Clement's, Thorney Columbers, Thorney Hall, and Thorney Lizons in his survey of Suffolk manors (Coppinger 1910 VI, 227-38). Given that neither Domesday Book nor the 1327 tax return make any reference to Stowmarket, it is likely that the town itself had been carved out of Thorney as a gift by King Henry II to the Abbot of St Osyth in 1120. This might explain why the market that had belonged to Thorney in 1086, belonged to Stowmarket perhaps as early as 1120 (Hollingsworth 1844, 68) and certainly by 1347 (C.Ch.R. (1341-1417), 55).

The court rolls provide some clues as to the location of the fifteenth century manors of Thorney. They mention roads that probably followed a similar route or bore the same name then as they do now - Bridge Street Stowmarket, the road from Mendlesham to Stowmarket, the road from Stonham to Haughley and the road from Newton to Stowmarket (T.H.C.R. 6 Dec 1460, 1469, 1471 and 1475). Some medieval place names such as Columbine Hall and Thorney Green, are still landmarks on the modern OS map. References to places in parishes beyond Stowmarket and Stowupland suggest that they too fell within the jurisdiction of the manor court. Richard, Thomas and John Kebbyl paid a fine to the lord to acquire villein land in Croppesfeld in Gipping (T.L.C.R. 20 Jul. 1489). John Markys unlawfully occupied land of the lord in Westfeld in Dagworth (T.H.C.R. 6 Dec 1492). As Williamson notes, 'such was the complex confusion of East Anglia's tenurial system, manorial boundaries crossed those of townships and parishes' (Williamson 2004, 135). All these clues suggest that Thorney formed an irregular corridor of land running up and out of the valley of the river Gipping north-east from Stowmarket, extending through the parish of Stowupland to the east, the parish of Newton to the west and as far as the parish of Gipping - see Figure 40<sup>1</sup>. This tidy picture, like so many tidy medieval pictures, is rather spoilt by a record of the lord leasing an acre of land in Combs to John Churne, since Combs lies on the far side of the River Gipping (T.H.C.R. 6 Dec 1461). If it is correct that the early manor of Thorney covered a larger area than the fifteenth century manors, it is perhaps not surprising that stray parcels of manorial land survived elsewhere.

#### ENCLOSURE

Anyone working the fields of Thorney in 1400 would have been familiar with enclosed plots of land known as crofts, some of which are mentioned in the court rolls of the early decades of the century. Damcroft and Furescroft were laid to pasture, Wodecroft grew oats and the use of Plomongescroft is not stated (T.H.C.R. 24 Sept 1400 and 6 Dec 140X). All these belonged to the lord's demesne. Southcroftacre was villein land and let to Thomas Misterton (T.H.C.R. 6 Dec 1433). As its name suggests, it comprised just an acre and it is a reasonable assumption that other crofts were of a similarly modest size. As well as mentioning Southcroft, rentals B and C refer to three other un-named closes. Notwithstanding these stray references, it is unlikely that enclosure had made much progress before the mid fifteenth century. Rentals B and C use the language of open field farming to describe tenant holdings, with the head of one tenant's land abutting on the land of another. William Kyng was fined 6d for ploughing, with his plough and one horse, a selion (strip) of the land of the lord (T.H.C.R. 6 Dec 1428). The selion was a typical feature of the open fields. Bailey has identified a similar pattern elsewhere in Suffolk, from as early as the thirteenth century, of open fields interspersed with a few crofts.

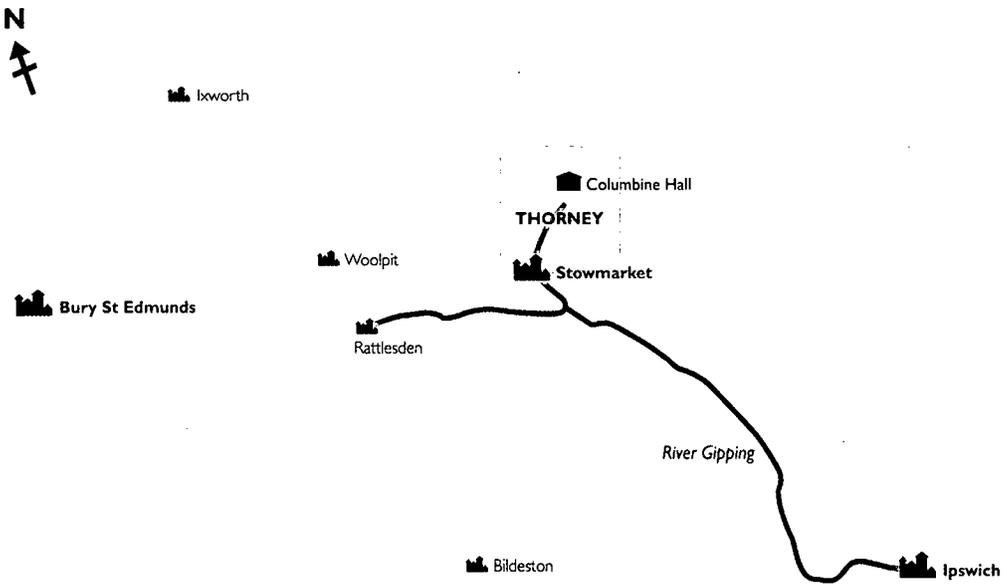


Figure 1 - Location Plan

FIG. 40 – Location Plan

There are no surviving records of the communal grazing rights that might have been expected over open fields. Nevertheless, the enormous volume of livestock trespass cases in the first 60 years of the fifteenth century, the high proportion of tenants who were fined for trespass on the lord's land and the small fines that they had to pay, at least early in the century, hint at the existence of some common rights to pasture animals, perhaps on the harvest shack (see Yelling 1977, 228). These rights could only be exercised at certain times of year, normally from early August to early Spring. The manor court made special note in 1443 that Thomas Ash had left his sheep and cattle on the lord's pasture for a year and a quarter and levied an unprecedentedly heavy fine of 33s.4d.

As Table I shows, an acceleration in the number of first references to crofts and closes occurs from the 1460s. The number of 'closes' heavily outweighs the number of 'crofts', so there was Coldhamclos, Cretengclos, Doeselionseclos, Fenclos, Homclos, Laneclos, Levermreclos, Millelaneclos and Shepcoteclos. The same pattern is seen in the wills of members of Thorney's foremost tenant families, the Kebbyls. When Richard Kebbyl the elder died in 1447 he made no mention of closes (S.R.O.B. 165 Baldwyne). Two generations later in 1511 Robert Kebbyl, possibly Richard's grandson (see Figure 44), died leaving three closes called Brysens, Doolys and Thorneycroft to be divided between his sons Richard and Robert (N.R.O. 45, 46 Johnson). While far from complete even by then, piecemeal enclosure was clearly well under way.

TABLE I: FIRST REFERENCES TO NAMED CROFTS  
AND CLOSES IN THORNEY COURT ROLLS

<b>Decade</b>	<b>Courts</b>	<b>New names</b>	<b>%</b>
1400s	8	7	17.5
1410s	2	Nil	0
1420s	1	Nil	0
1430s	5	2	5
1440s	6	2	5
1450s	10	2	5
1460s	9	8	20
1470s	5	8	20
1480s	5	3	7.5
1490s	9	4	10
1500s	5	4	10
Total	65	40	100

NB: The court rolls refer to forty different named crofts and closes, as well as eleven unnamed ones. These names do not always use the suffix croft or close. Table I indicates the decade in which each named croft or close is first mentioned.

Enclosure was both a top down and a bottom up development. It was top down in the sense that the demesne was being enclosed, albeit more rapidly after its lease to John Kebbyl the elder from about 1460, and bottom up in the sense that tenanted land was being enclosed at the same time, albeit perhaps a little more slowly. Table II illustrates top down enclosure. The number of grants and leases of parcels of land out of the demesne each decade increased very significantly from the 1450s, about ten years before the whole was first leased out and enclosure began in earnest in the 1460s. These grants and leases peaked in the 1470s when almost certainly more than seventy-five acres passed into the hands of tenants. During the last forty years of the century grants and leases of closes easily outnumbered those of open land.

TABLE II: GRANTS OF DEMESNE LAND RECORDED IN THORNEY COURT ROLLS

<b>Decade</b>	<b>Courts</b>	<b>Grants</b>	<b>Leases</b>	<b>Closes</b>	<b>Non-closes</b>	<b>Pightles/Gardens</b>
1400s	8	2	1	1	2	Nil
1410s	2	Nil	Nil	Nil	Nil	Nil
1420s	1	Nil	Nil	Nil	Nil	Nil
1430s	5	1	1	1	Nil	Nil
1440s	6	1	1	1	1	Nil
1450s	10	9	Nil	2	7	Nil
1460s	9	2	4	3	1	2
1470s	5	5	5	7	2	1
1480s	5	1	Nil	Nil	1	Nil
1490s	9	4	Nil	3	1	Nil
1500s	5	6	Nil	2	4	Nil
	65	31	12	20	19	3

Enclosure of tenanted land had perhaps not progressed as far as demesne by the end of the century. In the 1490s, which was a very busy decade in the tenant land market in Thorney, Table III suggests that little more than a quarter of tenant transactions involved enclosed land. Nevertheless, the number of transactions in closes was building up steadily from the 1450s and in the 1510s for the first time comprised a majority of such transactions. In the case of twenty-five out of forty named enclosures, we know whether they were first mentioned in transactions of demesne or alternatively tenanted land. Twelve were first mentioned in transactions of tenanted land, making it possible that they were enclosed by tenants rather than by the lord or his lessee. Furthermore, Cretengclos, Millelaneclos and Coldhamclos are all described as villein land (T.L.C.R. 19 Oct 1487, 20 Jul 1489 and 2 Aug 1490). One tenant John Gowty found himself in trouble for enclosing part of Chilton Heath and ignoring a court order to amend his wrong (T.H.C.R. 6 Dec 1466 and 1467). A similar pattern of a growing number of references to enclosed land is evident in the manor court rolls of Norton, although there activity peaked in the second quarter of the fifteenth century, rather earlier than in Thorney.

TABLE III: TRANSACTIONS INVOLVING TENANTED LAND RECORDED IN THORNEY COURT ROLLS

Decade	Courts	Transactions	Closes	Non-closes	Pightles/Gardens
1400s	8	4	1	3	Nil
1410s	2	1	Nil	1	Nil
1420s	1	Nil	Nil	Nil	Nil
1430s	5	3	Nil	3	Nil
1440s	6	2	Nil	2	Nil
1450s	10	4	3	1	Nil
1460s	9	7	Nil	7	Nil
1470s	5	12	2	7	3
1480s	5	7	2	5	Nil
1490s	9	31	8	21	2
1500s	5	13	7	6	Nil
	65	84	23	56	5

NB: These transactions include both life-time transactions and transactions on death.

Several tenants were actively engaged in the late fifteenth century Thorney land market, including John Dowe (aka Downe), Richard Gowle, Thomas Maunger and Robert Taylor, but none were more closely linked with enclosure than the sons of Richard Kebbyl. John the elder was leasing and enclosing the demesne, while John the younger was acquiring closes from lord John Hotot, Robert Grene and John Padenale and leaving a close called Howgate to his own son John when he died in 1494 (T.H.C.R. 6 Dec 1474 and 1479 and S.R.O.B. 449 Hervye). As the fields were enclosed, so livestock were no longer able to stray. Four hundred cases of trespass by tenant livestock on the lord's land were heard in the court of Thorney Hotot in the first seventy years of the fifteenth century and only one in the remaining thirty years. Eleven miles to the north east in Ixworth, where there was some fifteenth century enclosure but much land remained open, livestock trespass cases continued until the series of court rolls runs out in 1483 (Amor 2002, 132). Clearly, livestock was not swept out of Thorney in 1470 by some primordial flood. Maybe the court simply lost interest in such misdemeanours, yet this seems unlikely as they were a valuable source of seigniorial income. Maybe the lease of the demesne by Robert Hotot to John Kebbyl the elder gave rise to a more relaxed regime, but trespass cases continued for ten years after the lease began and the records suggest that Robert

Hotot continued to receive the perquisites of the court. The best explanation for no more trespass cases is that there was no more trespass and the reason for this can only be enclosure. Hedges and ditches prevented animals straying onto the lord's land. Bailey notes the same phenomenon in Walsham-le-Willows after the first quarter of the fifteenth century. Writing three hundred years later, a proponent of Parliamentary enclosure gave as one of its benefits 'the prevention of constant quarrels which happen as well from the trespass of cattle as by ploughing away from each other's land' (Davis 1794, 30).

Such change did not go unopposed and records of resistance to enclosure provide further evidence that it was actually happening. There were four early skirmishes in the first half of the century with tenants uprooting the lord's hedges and then a further four, as tension rose, in the 1460s (T.H.C.R. 6 Dec 1407, 1417, 143X, 1448, 1464, 1465 and 1467). This was indeed a turbulent decade in Thorney and it is impossible to divorce this turbulence from the changes that were taking place in the fields. Two Stowmarket fullers Simon Iven and John Herde were found guilty of breaking and entering with staffs and daggers the premises of Robert Hotot Esquire and poaching the perch, tench and roach in his waters (T.H.C.R. 6 Dec 1467). Cecilia Howard let her dog run wild, killing John Broun's geese and Thomas Brace's sheep (T.H.C.R. 6 Dec 1469). John Markys and his family and servants were the most persistent offenders. In each of the courts of 1460, 1461 twice, and 1464 he was fined for trespass on the lord's land, by which time the demesne was leased to John Kebbyl the elder, and in 1465 he was fined the substantial sum of 6s.4d for cutting down many of the lord's oak, elm and sycamore trees. In 1464 and again in 1467 his animals were rescued illegally from the lord's pound. Dissent came to a head in 1471 when John Markys with 'force and arms, that is with swords and staves' tore down enclosures erected by John Kebbyl the elder and 'made an assault and affray crying out and speaking and swearing badly about him and threatening to take his life so that he despaired of his life contrary to the peace of the lord King' (T.H.C.R. 6 Dec 1460, 1461, 1464, 1467 and 1471). Clearly, differences between the two Johns ran deep. While the punishment is not clear, later records suggest that John Markys paid dearly for his frenzy and thenceforth opposition to enclosure disappeared from the court rolls. No explanation for his opposition is given; it may have been loss of common pasture rights consequent on enclosure, or loss of use of the lord's pasture that had previously been available in return for a small fine. John Markys was a dyer, appeared in the alnage accounts as a cloth maker (P.R.O. E101/342/25, E101/343/2, E/101/343/4 and E/101/343/5) and, so his employment of shepherds suggests, kept sizeable flocks of sheep. In 1464 his son, John Markys the younger, illegally rescued forty sheep from the lord's pound (T.H.C.R. 6 Dec 1464). He and his forbears had allowed their animals to graze unlawfully on the lord's land since at least the beginning of the century and the looming prospect of losing this facility would have been a great worry to him.

Having set out the evidence for enclosure, we must now ask what size were Thorney enclosures, what were they used for and what material was used to enclose them? Areas are given for twenty four enclosures, of which seventeen comprised between two and six acres. The arable close of Little Banyard was an exception in extending to twelve acres. Of the two enclosed meadows, Large Meadow comprised two acres and Tyels Meadow comprised four (T.H.C.R. 1474). After looking at enclosure in Snape, Drinkstone and Ickworth, Bailey concludes that 'Much of this piecemeal activity created fields of between one and five acres'. Yelling describes enclosures of this size as 'fossilised strips' left behind, because enclosure proceeded more quickly than consolidation of holdings, as ghostly reminders of the selions of the open fields (Yelling 1977, 125-26).

Enclosure is forever tied in popular imagination to the conversion of arable to pasture and to the preferment of sheep over people. Piecemeal enclosure of the type seen in Thorney did not usually have this effect. The changing use of land in Thorney in the era before enclosure is discussed in more detail below. It is only possible to identify with confidence the use of eleven of the Thorney enclosures but, of these, five were pasture, four were arable and two were meadow.

The Latin term 'cepes' or 'sepes' can mean hedge or ditch, so it is not immediately apparent from the sources what form enclosure boundaries took. David Dymond suggests that 'cepes mortua' (dead

hedge) was generally used to describe fences (Dymond 1974, 203); this is not a term found in the Thorney court rolls. A supposition that it was hedges, not fences, which made the boundaries is supported by the case of John Purs who was fined for uprooting from the wood of the lord 'wickets' which are young hawthorns planted as hedges (T.H.C.R. 1469). This case raises two interesting but probably unanswerable questions - whether the wickets were enclosing the wood or growing in a nursery ready for transplantation elsewhere, and whether John was trying to break into the wood or was taking the wickets for use elsewhere around his own fields. Certainly, hawthorn was a fast growing shrub which would be far more effective than fences in keeping out stray livestock and is commonly found today in hedgerows dating back to the Middle Ages - see Figure 41.

Possibly the best way to judge whether enclosure made farming more efficient and productive is to compare the rental values of closes and open fields (Yelling 1977, 210). Certainly, in late medieval Thorney this is the only way to do so and the limited record of annual rental values is set out in Table IV. While this suggests that closes generally fetched more than parcels of open land, Table IV does not necessarily compare like with like. Pasture and meadow invariably had higher rental values than arable land and the evidence is insufficient to allow any comparison of rental values of the same land use. Furthermore, the relatively large twelve-acre close known as Little Banyard was worth only 8d an acre, significantly less per acre than the eight acres of open land known as Rentersfeld which fetched 10s per annum at a similar date (T.H.C.R. 145X). Quite likely, the rental value of arable land depended more on the quality of the soil than whether it was enclosed.

TABLE IV: RENT PER ACRE OF LAND RECORDED  
IN THORNEY COURT ROLLS

<b>Rent per acre pa</b>	<b>No of closes</b>	<b>No of open parcels</b>
< 1s	6	8
1s - < 2s	4	6
2s +	3	0
Total	13	14

#### LAND PATTERNS AND LAND USE

The probability and pace of piecemeal enclosure in the late Middle Ages depended on the nature of the pre-existing open field system, the degree of consolidation of land within those fields and the use to which the fields were put.

We have already seen how the Anglo-Saxon royal vill of Thorney fragmented during the course of the Middle Ages and this helped create a dispersed settlement pattern characteristic of many parts of the Suffolk countryside (Williamson 2004, 71). A glance at the modern OS map for the area north-east of Stowmarket reveals a number of farms and hamlets. Some of these gathered around small greens or 'tyes' (Martin 1999, 62), such as Bemkies Tye and Thorney Tye which are mentioned in the court rolls (T.H.C.R. 6 Dec 1434 and 1447). In the age of the motor car they are no-longer isolated, but five hundred years ago the distances between them would have seemed much greater. Fragmentation of the manor went hand in hand with fragmentation of the open fields. In the medieval Midlands, villages with two or three large open fields were the norm. In Thorney, with its many isolated farms, hamlets and ties, such homogeneity would not have worked. Instead, there were at least two dozen different fields. Some were no doubt sizeable, such as Southfeld, Westfeld and Great Millefeld, and others almost certainly much smaller, such as Little Millefeld and Tyelsfeld. The



FIG. 41 – Veteran hedgerow, Thorney (OS TM055609) – sinuous and species-rich hedgerow glistens in the winter sunshine

practice of partible inheritance whereby villein land was divided equally between male heirs, rather than all passing to the eldest son, furthered such fragmentation. When John Man died in 1493 it was reported to the court that ‘John and Thomas sons of the same according to the customs of this manor are heirs of the same thence having the first claim Whereof the same John is the eldest son aged twelve years and the same Thomas is the second son aged ten years’ (T.H.C.R. 6 Dec 1493).

On manors where tenants farmed a few large fields in common and their holdings were dispersed around the fields, some on better soil and some on worse, piecemeal enclosure was very difficult. The support of all or at least a sizeable majority of the tenants was necessary to terminate common rights and re-organise the fields into enclosures. In most cases, a significant number could be expected to cling to old tried and tested ways, rather than embrace the new. On manors such as Thorney fewer tenants farmed each of the smaller fields, so it was much easier to reach agreement to enclose. Even if agreement could not be reached, simple geometry dictates that a randomly selected strip of land has a better chance of being on the edge in a small field, than in a big one<sup>2</sup>. Common sense dictates that it is easier to carve out and enclose a strip from the edge of a field than from the middle.

Enclosure would clearly proceed more quickly if entire fields, rather than just individual holdings, were carved up and enclosed. Where the lord of the manor or his lessee held a significant proportion of the land in a field then seigniorial influence may have helped to secure agreement (Yelling 1977, 9). This might explain why enclosure of the Thorney demesne appears to have proceeded a little more quickly than enclosure of tenant land. Where a leading tenant had managed to acquire and consolidate a large number of holdings in a field, this too could facilitate agreement and accelerate enclosure. In Suffolk, as distinct from the Midlands, holdings were already closer together (Yelling 1977, 84). Writing of Suffolk in 1523 Fitzherbert noted that ‘Every tenant is to change with his neighbour and to laye their (strips) together and to make him one several close in every field’ (Fitzherbert 1523, fo. 53). Early in the century, John Randolph and Thomas Misterton were each

renting land in Thorney which was sandwiched between their other holdings (S.R.O.I. HA/CC2/1/4).

The fewer people who farmed any given field, the easier it was to reach agreement to enclose it entirely. The evidence points strongly to a fall in tenant numbers in Thorney in the second quarter of the fifteenth century. Table V analyses the 400 cases of livestock trespass that were heard by the manor court of Thorney Hotot in the first seventy years of the century. The number of different named offenders does not, of course, equate to the number of tenants. A few angelic souls may have prevented their animals from straying at all. Also, each figure for offenders covers a span of ten years (during which there would have been turnover of tenants) rather than giving a snapshot at one moment in time. Nevertheless, most tenants kept animals and, however well cared for, animals have a tendency to wander. The figures correlate roughly with the combined number of tenants who attended the manor court in 1441 or were fined for not attending, and also the combined number of tenants in the rentals. The offender figures hint at a significant reduction in tenant numbers between the 1400s and the 1450s, by showing a steady fall over those sixty years in the number of offenders, so that by mid-century there were 17% fewer than there had been in the opening decade. This cannot be wholly explained by the difference in number of trespass cases in each decade. Furthermore, while the rentals identify a total of forty-five different tenants early in the century, nineteen tenants attended to swear fealty to Robert Hotot at his first court in 1441 with thirteen absent (totalling thirty-two) and only fourteen attended to swear fealty to John Hotot at his first court in 1469 with six absent (totalling twenty). Rentals A and C suggest that, at this date five holdings no longer had tenants, being 'in the hands of the lord', but only one of these holdings appears to have been of any size and quite possibly a similar number were in the hands of the lord in 1441 when agricultural recession was at its worst (S.R.O.I. HA1/CC2/2/1 and HA/CC2/1/4). So, while the Hotots had fewer tenants in 1441 than 1408 and fewer still in 1469, the area of Thorney that those tenants were farming does not appear to have been contracting.

TABLE V: LIVESTOCK TRESPASS CASES RECORDED  
IN THORNEYCOURT ROLLS

Trespass on	00s	10-30s	40s	50s	60s	Trespass with	00s	10-30s	40s	50s	60s
Courts	8	8	6	10	9		8	8	6	10	9
Cases	115	77	79	93	36		115	77	79	93	36
Offenders	48	46	43	40	22	Beasts	29.3	29.6	38.8	36.3	31.8
Cereals %	40.7	19.6	18.8	41.7	28.9	Bulls/bullocks %	6.0	6.1	2.4	0.8	6.8
Meadow %	3.4	20.6	9.4	7.9	2.3	Cows % 26.7	12.2	24.7	16.7		4.5
Pasture %	39.0	39.2	54.1	48.9	57.8	Draught beasts %	16.4	30.6	5.9	13.7	15.9
Peas %	15.3	10.8	7.1	0	6.7	Pigs %	16.4	17.3	11.7	26.2	25.0
Wood %	1.7	9.8	10.6	0.7	4.4	Sheep % 5.2	4.1	16.5	6.3	9.1	
						Others % 0	0	0	0	6.9	

NB: Table V takes the total number of trespass references and divides them in percentages between each type of land use and each type of animal. The term 'draught beasts' includes horses and oxen. References to horses outnumbered references to oxen by very nearly three to one.

Fewer tenants almost certainly meant that some were increasing the size and number of their land holdings and bringing together larger areas in single ownership. An analysis of the fines paid by trespassers supports this. In the 1400s four out of five fines were for less than 1s and no-one paid more than 2s. In the 1440s only two out of five fines were for less than 1s and the largest fine was 33s.4d.

The new lord of the manor, Robert Hotot, may have been trying to raise more money from his court, but these figures hint at rather more than this. Enter Thomas Ash. While we do not know how much land Thomas Ash farmed or how many cows and sheep he owned, he was clearly running a large and commercially orientated ranch between the early 1430s and his death in 1456. He paid his first recorded trespass fine of £1 in 1433, and thereafter paid regularly for the next ten years. In 1443 he left his sheep and cattle on the lord's pasture for a year and a quarter and incurred his final fine of 33s.4d (T.H.C.R. 6 Dec 1433 and 1443). The fines stopped thereafter, the ranching did not. In his will Thomas left pasture and meadow together with the cows, sheep and horses that grazed his land and, among other servants, he remembered Walter More his shepherd. His gifts to churches in the parishes of Earl Stonham, Gipping, Newton, Stonham Parva, Stowmarket and Stowupland suggest that his land holdings were spread widely across the Hundred of Stowe (N.R.O. 51 Neve). Having acquired land, Thomas clung to it with a tenacity that can only be admired. In the 1440s he disregarded six royal decrees, the intervention of the Abbot of Bury St Edmunds and the threat of a £300 fine to make him relinquish a messuage called 'Stowes' in Stowmarket (C.P.R. (1441-46), 199, 202, 245, 246, 286 and 463).

Later in the century members of the Kebbyl family were enlarging and consolidating their holdings, as well as leasing the demesne. A more active land market in the second half of the century made this easier. Marginal notes in rental A make several references to one or other John Kebbyl being acknowledged as tenant (S.R.O.I. HA1/CC2/2/1). In 1474 John Kebbyl the younger leased from the lord a four acre enclosure called Gerarde immediately to the west of land he already held, and in the same year acquired from Robert Grene land in Little Millefeld which adjoined John's existing land both to the east and to the north (T.H.C.R. 6 Dec 1474).

Debate over the pros and cons of enclosing arable continues (Yelling 1977, 144-45 and 171-173); the advantages of enclosing pasture have always been more obvious. Enclosure generally meant the segregation of one person's flock or herd from that of another. This made it easier to isolate disease and to supervise and control the animals, while paving the way for more scientific breeding (Yelling 1977, 145 and 209). Bearing in mind the quotation from Fitzherbert that opens this essay, it would be arrogant to assume that medieval farmers did not appreciate this. So, all things being equal, conversion of arable land to pasture might have been expected to encourage enclosure.

The history of land use in Thorney begins with Domesday Book which tells a rather dismal story of farming after the Conquest. The three ploughs once in demesne were by then nil, the number of tenants' ploughs had fallen from forty-five to nineteen, woodland for six pigs by then only served two, the area of meadow had shrunk from fourteen acres to twelve, and there was now one mill rather than two (Williams and Martin 2002, 1186). One suspects some form of natural or human tragedy, but details there are none. What remained after this tragedy appears to have been a largely arable operation. Two hundred and fifty years later Richard Amoundeville's demesne was still predominantly arable although, as Table VI shows, a higher proportion was devoted to pasture than had been William le Blund's demesne in Ixworth sixty years before ((P.R.O. IPM 16 EdII 26 and Powell 1910, 86). In the early fifteenth century Thorney Hotot the lord expected his tenants to wash and shear twenty of his sheep (S.R.O.I. HA1/CC2/2/1). If these services were of long standing, part of the demesne must have been used for sheep farming for many years, although perhaps on a relatively modest scale. By way of contrast in Woolpit, half way along the road linking Ixworth and Thorney, the Abbot of Bury St Edmunds held in 1286 one hundred and sixty acres of pasture (Hervey 1925, II, 151). By the Abbot's standards, conversion of arable to pasture had barely begun in Thorney before the Black Death.

TABLE VI: DEMESNE LAND USE (%) IN THORNEY AND IXWORTH

Land Use	Thorney*	Ixworth†
Arable	75.5	84.0
Meadow	2.8	5.4
Pasture	10.4	3.1
Woodland	11.3	7.5

\*IPM Richard Amoundeville 1323

†IPM William le Blund 1264

Moving forward another hundred years in time, one might expect to see less arable and more pasture. There were fewer mouths to feed, so less demand for cereals. Those who survived were enjoying a higher standard of living and had more money to spend on the produce of pastoral farming, such as meat, leather and woollen cloth. The rentals provide little evidence of tenants holding pasture at the beginning of the fifteenth century. In the absence of other sources for later years, we must rely on the four hundred trespass cases to tell us about land use in fifteenth century Thorney. By setting out which tenants' animals were guilty of trespass on the lord's land and what was growing on that land, these cases give us some clues as to both demesne and tenant land use. However, the evidence must be treated with caution. One cannot assume that any animal was as likely to roam onto one type of land as any other. Some animals prefer to eat cereals, others grass, and yet others acorns. So, the fact that 40% of trespasses in the 1400s were on cereals, does not necessarily mean that 40% of the demesne was arable. Although many of the early cases specify the number of animals committing trespass, such meticulous counting does not continue beyond the first decade of the century. For the purposes of Table V, therefore, a trespass by a single sheep counts the same as a trespass by a herd of cows, although the latter might have attracted a larger fine. As the years went by, not only did court clerks stop counting animals, but sometimes did not even bother to differentiate what animals had trespassed on what land, simply lumping several cases together. In the most extreme example of indolence all nine offenders at one court were fined for allowing their cows, horses, oxen and pigs to damage the lord's wood, meadow, pasture and fields in the same three places (T.H.C.R. 6 Dec 143X).

Allowing for all these uncertainties and accepting that some figures buck the trend, the trespass cases do illustrate a few general patterns over the period 1400 to 1470. The proportion of the demesne devoted to arable and peas appears to have fallen, while the proportion of pasture and wood appears to have grown. This would have encouraged early enclosure of the demesne and such enclosure would have become self-perpetuating (Yelling 1977, 87), creating the wood-pasture landscape that was characteristic of 'High Suffolk' for centuries to come<sup>3</sup>. Spreading grassland reduced the need for pulses to fix nitrogen in the soil, so growing pulses would have become unnecessary as a way of maintaining the quality of the soil and its yields. Later parliamentary enclosure had the same effect in sharply reducing the area of land given over to pulses in many parts of the country (Yelling 1977, 196 and 197).

With tenants, it is even more difficult to identify changing patterns in Thorney land use because the cases tell us about their animals, not about their land. Some animals like cows and sheep are indubitably linked with pastoral land use, but with others the link is less clear. The term 'beasts' is used somewhat indiscriminately in the court rolls. It could mean oxen which are linked to arable, or it could mean beef cattle which are linked with pasture, or it might simply mean that no-one remembered what the offending animal was. The proportion of tenant draught beasts fluctuated around the 15% mark, suggesting perhaps that the area of tenant arable did not contract in the same way as demesne arable. Throughout the Middle Ages cereals remained the staple diet of the peasantry and much of what they grew was still for their own table. The number of cows appears to have fallen and the number of pigs increased, perhaps showing a preference for pork over dairy

products. Sheep farming became more important in the 1440s, the hey day of Thomas Ash, but fell away a little thereafter, perhaps in the face of a slump in wool prices and the mid-century recession. Beef cattle were probably of greater importance to the peasant economy of Thorney than the figures for bulls and bullocks suggest and probably comprised a significant proportion of those animals described by the generic term ‘beasts’. The fields of other towns close by, like Ixworth and Woolpit, were attracting long distance drovers and were being used to fatten cattle for the markets of London and the prosperous industrial belt of south Suffolk and north Essex (Amor 2002, 134 and 135). Thorney’s enterprising tenant farmers surely would have wanted a share of this trade and they would have needed enclosures to provide the necessary fattening pastures (Yelling 1977, 183).

Many of these tenants had other trade occupations in the busy town of Stowmarket, so it is to Stowmarket that we turn next in an attempt to identify what impact urban factors might have had on enclosure in the fields of Thorney which lay on its doorstep.

### THE URBAN EFFECT

Anticipating construction of the new town centre by-pass in the early 1990s, Philip Aitkens looked carefully at several of the medieval properties in Stowupland Street which probably once formed a perimeter of the market (Hollingsworth 2002, 38) and now lay in the path of the road. He identified three large properties (nos. 3–17) on the south west side, facing the market place, with substantial frontages and high quality finish. The timber was good, the carpentry crisp and the corners square. They had been built with traditional close studding and daub and had originally had open halls with crown post roof, tie beams and braces. These were built in the late fourteenth or early fifteenth century. Later in the fifteenth century another prestigious property (nos. 22-26) was built opposite, within the market square, in Wealden style with one of the longest open halls in Suffolk (Alston 1999, 182). This may have been a house, or perhaps an inn - see Figure 42. Together, they tell us that the



FIG. 42 – Fifteenth-century Wealden House, Stowupland Street, Stowmarket

people living in and around the market place were wealthy and commercially successful. Their properties probably combined shops and living quarters on the ground floor with storage and workshop on the first floor. They also tell us that building work was encroaching on the market place during the fifteenth century, probably replacing the permanent stalls of the fourteenth century, which had in turn replaced the temporary stalls of the thirteenth century<sup>4</sup>.

The architectural heritage of Stowmarket's hinterland, including Thorney, includes more high quality late fourteenth and fifteenth century building work. Several prestigious properties survive from that period, including Columbine Hall, which is discussed in more detail below, and other houses around and near Thorney Green. Their design features are similar to properties in Stowmarket and quite distinct from properties in the villages north and east of Bacton, where queenposts supplant crownposts and square mullions supplant diamond ones. Later properties, constructed in decades of major redevelopment either side of 1600, also provide evidence of the quality of earlier building work, because their owners were happy to reuse components and timber from pre-existing houses. The old house was often just as grand as the new. This architectural heritage suggests to Aitkens that Thorney belonged more to the cosmopolitan world that spread south and west from Stowmarket, than to the world of rural Suffolk, and that it enjoyed a lengthy economic boom extending well into the early modern period<sup>5</sup>.

This picture of prosperity is re-enforced by contemporary tax records. In 1327 Stowmarket (then, according to Harvey, under the heading of 'Villata de Thorneye') accommodated 16.0% of the taxable population of the Hundred of Stow who paid 15.1% of the total tax due from the Hundred. Two hundred years later, in 1524, 16.0% had grown by a third to become 21.8% and 15.1% had doubled to 30.8% (Hervey 1906, 40-46 and Hervey 1910, 315-25 and 422)<sup>6</sup>. Thus, in between times, Stowmarket had been absorbing people and, even more so, taxable wealth from the surrounding countryside. The records of the 1381 poll tax do not stand direct comparison because in that year Thorney was treated as a distinct taxable vill (Powell 1895, 101 and 102)<sup>7</sup>, whereas in the other two years its taxpayers were subsumed in Stowmarket, Stowupland and perhaps other neighbouring parishes. Nevertheless, the poll tax return portrays Stowmarket as a thriving commercial centre and Table VII shows that its artisans followed a variety of different trades (Powell 1895, 89-91).

TABLE VII: STOWMARKET ARTIFICERS IN 1381 POLL TAX

Occupation	No.	Total tax paid	% of total tax
Agriculture	1	3s	3.3
Building	7	12s.6d	13.8
Clothing retail	7	14s	15.4
Food processing and retailing	10	22s.4d	24.6
Other	7	14s.6d	16.0
Religious	1	3s.6d	3.9
Transport and horses	3	6s	6.6
Textiles	9	15s	16.5
Total	45	£4.10s.10d	

The woollen cloth-making industry grew during the fifteenth century until by the late 1460s Stowmarket was the ninth most important cloth town in Suffolk. As many as a third of its economically active residents were making cloth, if only on a part time basis (Amor 2004, 419-21). Their produce included whole cloths ('broads'), quarter cloths ('straites'), russet cloths ('Rawbakkys') and 'woollen cloth the colour of corn' (T.H.C.R. 6 Dec 1466 and 1467). Local smiths were also doing well. On a Sunday late in November 1433 Roger Smyth, William Pratt, John Rigges and other fellow

smiths gathered together in an upper room of a house in Thorney 'feasting and being entertained with unpressed wine' (T.H.C.R. 6 Dec 1433). Stowmarket may even have served as an inland port, well before the opening of the Ipswich and Stowmarket 'Navigation' in 1793 (Robertson 1999, 130-1). Legend has it that stone from Caen was carried up the river Gipping as far as Rattlesden in Norman times, in ships of ten to twenty tons, to build Abbot Baldwin's abbey at Bury St Edmunds. Centuries later in 1630 one of the local church bells, having been recast, was brought by water from Ipswich to Stowmarket (Hollingsworth 2002, 79-80). An intriguing reference to a 'shipyard' in the Thorney court rolls may simply reflect use as a sheep pen, but it may possibly record a late medieval dock (T.H.C.R. 6 Dec 1465). At a time when most Suffolk cloth was sent to London and the cost of transport by water was significantly less than by land, such a facility could have served a wide hinterland and would help explain the importance of Stowmarket as a cloth-making centre. The great London clothier John Motte based his Suffolk operations in Bildeston. In 1473 he bequeathed the princely sum of £40 for the making of another highway leading from Bildeston to Rattlesden (PCC 11 Wattys PROB 11/6), perhaps creating a link to the Gipping and suggesting that the river was being used as a channel for the transport of woollen cloth out of Suffolk's industrial heartland.

Leading townfolk were carrying on trades which depended on pastoral farming and which probably benefited from enclosure of the Thorney fields. John Fenkele, Robert Grene and John Paddenhaugh were Thorney tenants as well as being butchers who reared cattle for their meat counters. One John Kebbyl left to his wife Katherine a shop, which had belonged before him to John Fenkele (S.R.O.B. 393 Hervye), and another was a cobbler whose business depended on a ready supply of leather (T.H.C.R. 6 Dec 1447). Some of Stowmarket's leading clothiers were also farming land in Thorney. Robert Cake, a draper, was allowing his beasts to stray onto the lord's land in the 1450s. Ten years later he was the town's foremost clothier, presenting to the alnager more than twice as much cloth as any of his contemporaries, and trading in Bury St Edmunds as well as Stowmarket (P.R.O. E101/342/25, E101/343/2, E/101/343/4 and E/101/343/5). Ironically, as well as being unofficial leader of the opposition to enclosure, John Markys the dyer was Stowmarket's fourth ranking clothier in the late 1460s. Although it is impossible to be sure that they were the same people, the names of John Dowe, John Edgar, John Rushbrook and Robert Symond all appear in both late 1460s alnage accounts as well as late fifteenth century Thorney court rolls. The impact of cloth making on enclosure of local fields must not, however, be overstressed. John Markys' career suggests that enclosure was possibly a double edged sword for those clothiers who were rearing their own sheep, if it led to the loss of common rights and illicit opportunities to graze the lord's pasture. Furthermore, trespass cases suggest that sheep farming was in decline, at least on tenant land, in the 1460s. Suffolk sheep did not produce the best quality wool and some of the county's clothiers were beginning to look for their raw material to flocks reared by the Townshends and similar large scale operators in Norfolk (Fryde 1996, 265-66).

Stowmarket created employment opportunities that enabled small time farmers to abandon the land for commerce. At the same time, the demands of the urban market pushed up rents in Thorney, making it difficult for smallholders to survive and more attractive for them to follow other occupations. Enclosure did not go entirely unopposed, but consolidation of holdings, conversion of arable to pasture and enclosure of fields could happen without the social unrest that might otherwise have arisen from a fear of unemployment and landlessness (Yelling 1977, 36). As previously discussed, the number of tenants in Thorney fell as the century wore on, but the local land market appears to have remained remarkably buoyant. The rental values set out in Table IV are significantly higher than those of land in Ixworth (Amor 2002, 130). According to the Thorney court rolls, rents were very rarely in arrears, there being only five recorded cases in a hundred and ten years. In two of these five cases the arrears were of such long standing as to suggest oversight rather than the lord's inability to recover payment. John Hammond failed to pay 1d annual rent on his land for thirty-two years and Alice Cok failed to pay 2s annual rent on her tenement called Blythes for ten years (T.H.C.R. 6 Dec. 1409 and 1501). Furthermore, the Thorney courts heard in those same hundred and ten years far fewer cases of waste and dilapidation than the Ixworth court heard in eighteen (Amor 2002, 130). In

Thorney there were only four cases of waste, all in the first twenty years of the fifteenth century and none thereafter, and only one case of dilapidation, in 1478 when William Jacob failed to maintain his grange (T.H.C.R. 6 Dec 1478). If tenants were looking after their land and buildings well, it suggests that they were worth investing in; if they had the money and motivation to maintain them, they would also have had the wherewithal to erect hedges and make enclosures.

The demands of Stowmarket's traders and the high cost of land pushed the rural economy of Thorney, which had once served the subsistence needs of its tenant farmers, in a commercial direction. How far did this stretch the communal ties that had held society together in that subsistence economy; how different was the society that emerged in Tudor times; and what effect did social change have on enclosure?

### SOCIAL CHANGE

Early fifteenth century Thorney society retained conservative features which were alien to a later age of commercial farming and enclosure. The old distinction between free and unfree tenants had until then survived the changes flowing from the demographic crisis of the Black Death. That increasingly rare beast, the villein by birthright ('neif' or 'bondman'), survived into the 1430s. John Wolnard was regularly appointed as a juror of the manor court and so was clearly of some standing in the local community. In 1408 he was probably farming nearly half the villein land (by value) on one Thorney manor (S.R.O.I. HA1/CC2/2/1). In 1434 he was attacked in Elmswell by William Bastratis with drawn sword and evil intent. John was a villein by birthright and, so in a sense, the property of his lord. Consequently, the offence fell within the jurisdiction of the Thorney lete court and the lord was entitled to 20s compensation for the injury that William had inflicted on his property (T.H.C.R. 6 Dec 1434).

In 1408 the lord, John Hotot, was still trying to extract from the tenants of villein land the customary services, which for centuries had helped him and his predecessors farm the demesne. He was, however, only looking for help at busy times of the farming year and had no right to the weekly works expected from so many tenants in the Midlands. John Curteys, Geoffrey Manger, John Wolnard and John Wreighte were each required to contribute a few days at harvest in mowing, gathering, filling the tumbrel and stacking the lord's hay in his grange; afterwards gathering the stubble, weeding and scattering the new seed; helping clear the mill pond; and washing and shearing five sheep (S.R.O.I. HA1/CC2/2/1).

From ancient times the lete court operated the view of frankpledge by which tenants formed themselves into tithings to give mutual surety, brought criminals to justice and reported on criminal activities and civil issues. By the 1400s this view of frankpledge was in decline on most manors (Bailey 2002, 184), but in Thorney it continued throughout the fifteenth century. The court was informed when young men such as Thomas, son of Geoffrey Godard, and John, son of Hugh Crispyn, reached the age of twelve years at which age they were admitted to a tithing; or when someone new such as John, a kinsman of Robert Dargon, moved into the jurisdiction; or when a member of a tithing, such as John Akerman, died within the perimeter of the lete (T.H.C.R. 6 Dec 1448, 1450 and 1460). Nevertheless, in an age when tenants were so much harder to come by and rental income so much more difficult to maintain and collect, lords could ill afford to enforce their seigniorial rights too vigorously. If a Hotot lord sought to extract too much from the peasants on his manor, then they would simply up sticks and move down the road into the arms of the lord of another manor or into the workshop of a successful Stowmarket merchant, both eager enough to welcome them. By mid-century villeins by birthright and customary services had disappeared from the manorial records. The view of frankpledge remained, but was probably on the wane by the end of the century. In 1496 Nicholas Bradwell and Nevell Steven were sworn into a tithing; in that same year, however, William

Cullyngton was not so sworn and faced only a nominal fine of 3d (T.H.C.R. 6 Dec 1496).

The withering of these features of the old social order no doubt helped enterprising tenants to put communal responsibilities behind them and enclose land for their own individual profit. An apparent absence of the detailed customs regulating farming in the Midlands was to their benefit also. Communal cropping arrangements and grazing rights created third-party rights over an individual's land that were incompatible with enclosure. The existence of some rules in Thorney is implicit in the case of John Barkeway, who was fined 12d in 1409 for breaking the rules of the lord by grazing his animals unlawfully on the common (T.H.C.R. 6 Dec 1409). A single prosecution in sixty-five courts suggests, however, that these rules were not onerous and/or they were not strictly enforced. A foldcourse system operated in Ixworth (Amor 2002, 132), as on many other Suffolk manors, entitling the lord and sometimes his more prominent tenants to graze their sheep on fallow land and often presenting a major obstacle to enclosure. It goes unmentioned in the Thorney records, suggesting perhaps that no one enjoyed a right of foldcourse there. The customs of the manor of Thorney Lizons survive (Bod. Lib. MS rolls Kent 3-4); they comprise only brief and basic rules for the transfer of villein property during the life time of tenants and after their deaths. Nothing regulated what happened to the land between transfers; the tenants of Thorney did not have to tear up the rule book to enclose their land.

As well as the impersonal forces of geography and economics, the force of human personality was important in bringing about change in fifteenth century Thorney, ultimately leading to enclosure. The story of two families, Hotot and Kebbyl, epitomises the changing of the guard in medieval England.

#### HOTOT AND KEBBYL

The Hotots were a family of consequence in Stowmarket and Thorney from the 1320s, if not earlier. John Hotot served on the jury that confirmed the inquisition post mortem of Richard Amoundeville of Thorney in 1323 and was one of the highest taxpayers in Stowmarket in 1327 (P.R.O. IPM 16 EdII 26 and Hervey 1906, 40). Richard Hotot was a well to do contemporary living in Stowupland (Hervey 1906, 42). In the 1330s and 1340s Robert Hotot and his wife Alice were staking a claim to the manor of Thorney Clements (Coppinger 1910 VI, 237). By the early fifteenth century John Hotot was sitting comfortably in his new moated manor house at Columbine Hall (Martin 1999, 60) - see Figure 43. The grand stone-walled gatehouse ranges that he built still rise today from the moat, providing a degree of security that was unusual by that date<sup>9</sup>. He was lord of the manor of Thorney Hotot, which included Thorney Columbine and Thorney Clements, and held land elsewhere in Combs, Creeting and Wetherden ([www.columbinehall.co.uk](http://www.columbinehall.co.uk) and S.R.O.I. HA/CC2/1/4). John was succeeded by another Robert in 1441 and by yet another John in 1469 whose daughter Anne married a son of Sir James Tyrell of Gipping, infamous as one of several suspects in the murder of the Princes in the Tower ([www.columbinehall.co.uk](http://www.columbinehall.co.uk)). We last hear of John Hotot in 1491 before the family disappears from the historical record (T.L.C.R. 5 Jul. 1491). In Suffolk they left no wills and paid no tax in 1524.

Among the lords of Thorney, the Hotots were unusual in being local people. Indeed, the Abbot of Lesnes in Kent relied upon them to collect the rent on his manor of Thorney Lizons (T.L.C.R. 27 July 1485 and 19 Oct 1487). They continued to take an active interest in their manors and do not appear to have leased out their demesne until the 1460s. Like many gentry families the Hotots found the economic circumstances of the fifteenth century difficult. High labour costs and low cereal prices squeezed the profit out of demesne farming. Some of the rents of assize they were receiving from their free tenants were fixed at unrealistically low levels. The Duke of Suffolk was paying them only 6d per annum for ten acres of land in Dagworth (S.R.O.I. HA1/CC2/2/1). It was expensive



FIG. 43 – Columbine Hall, Stowlangtoft – late fourteenth-century moated manor house, home to the Hotots  
(Photograph taken by kind permission of Hew and Leslie Stevenson)

maintaining appearances in county society, as an unpaid bill for £11 from Stephen Marchaunt, citizen and draper of London, attests (C.P.R. (1452-61), 190). Not surprisingly, the family experienced financial woes and in the sixty years between 1417 and 1476 were summoned to appear at least four times before the Justices of the Court of King's Bench for non-payment of debt (C.P.R. (1416-22), 25; (1422-29), 236; (1452-61), 190; and (1467-77), 578). To make matters worse, in an age without household insurance, they suffered two burglaries in 1467 and the loss of goods and chattels (T.H.C.R. 6 Dec. 1467). After becoming lord in 1441, Robert Hotot took steps to address these problems, such as increasing the fines payable by his tenants for livestock trespass. He was, however, unable to maintain in the 1450s and 1460s the level of fines that he had set in the 1440s. If, as their right to customary services suggests, the family were sheep farmers then the mid-century slump almost certainly made things even worse. By the 1450s Robert Hotot was beginning to grant and lease land to his tenants and by the 1460s had moved out of demesne farming, letting the Kebblys take over.

Several different Kebbyl families were actively farming in Thorney in the fifteenth century, perhaps all descended from Stephen Kebbyl who lived in Old Newton in 1327 (Hervey 1906, 45). One family hailed from Degoos, another from Saxton (perhaps now Saxham Street) and a third from Thornham, all hamlets or farms scattered across the countryside of central Suffolk. The most prominent of these families were those Kebblys who came to lease the Hotot demesne. Their family tree is tentatively set out in Figure 44. Constructed around the wills of Richard Kebbyl the elder and his sons, John the younger, Thomas and William (S.R.O.B. 165 Baldwyne, 449 Hervyc, 180 Hervyc and IC500/210/495), it relies on cross referencing between relationships and named properties as they appear in these wills and in court rolls. It assumes that John died nearly ninety years after his father started farming in Thorney, which is certainly possible; yet given the uncertainties of life in the fifteenth century, it is equally possible that a generation is missing from the family tree. Some relationships are advanced with confidence; others are far more speculative. Nevertheless, the family tree reflects the impression created by other documents. The Kebblys were both fecund and forceful people who, as we have seen, did more than anyone else to enclose the fields and create the future Thorney countryside. Fortune smiled upon their enterprise. In 1524 John Kebbyl 'the Heir' of Stowmarket held lands worth £7 and Richard Kebbyl of Stowupland held goods worth £20, making him the highest taxpayer in that parish (Hervey 1910, 316 and 317). Thirty years later John Kebbyl became lord of the manor of Thorney Lizons (Coppinger 1910 VI, 237). By the seventeenth century four Keble lines had joined the gentry, polishing their name, becoming armigerous and recognised as Suffolk manorial families (Muskett 1908, II, 269-80).<sup>10</sup>

## CONCLUSION

Piecemeal enclosure of the fields of Thorney was underway by the beginning of the fifteenth century and accelerated in its final forty years. Quite probably, by 1500 the better half of the demesne was enclosed and by 1510 the better half of all tenant land. Field names had changed; opposition, sometimes violent, had been overcome; and tenants' livestock had stopped straying onto the lord's land. The wood pasture landscape of Thorney had begun to emerge. Fragmentation of the great Anglo-Saxon royal vill, dispersed settlement and small irregular fields had laid the foundations necessary for enclosure. Consolidation of land holdings into fewer hands had reduced possible opposition to it. While far from complete, conversion of fields from arable to pastoral farming and, in particular, demand for fattening pastures for beef cattle had served as a catalyst. An economic boom in the nearby town of Stowmarket had encouraged these trends by creating a business elite who benefited from enclosure, and by drawing off the land smallholders who might have stood in their way. The social fabric of Thorney was not resistant to enclosure and the most enterprising souls, such

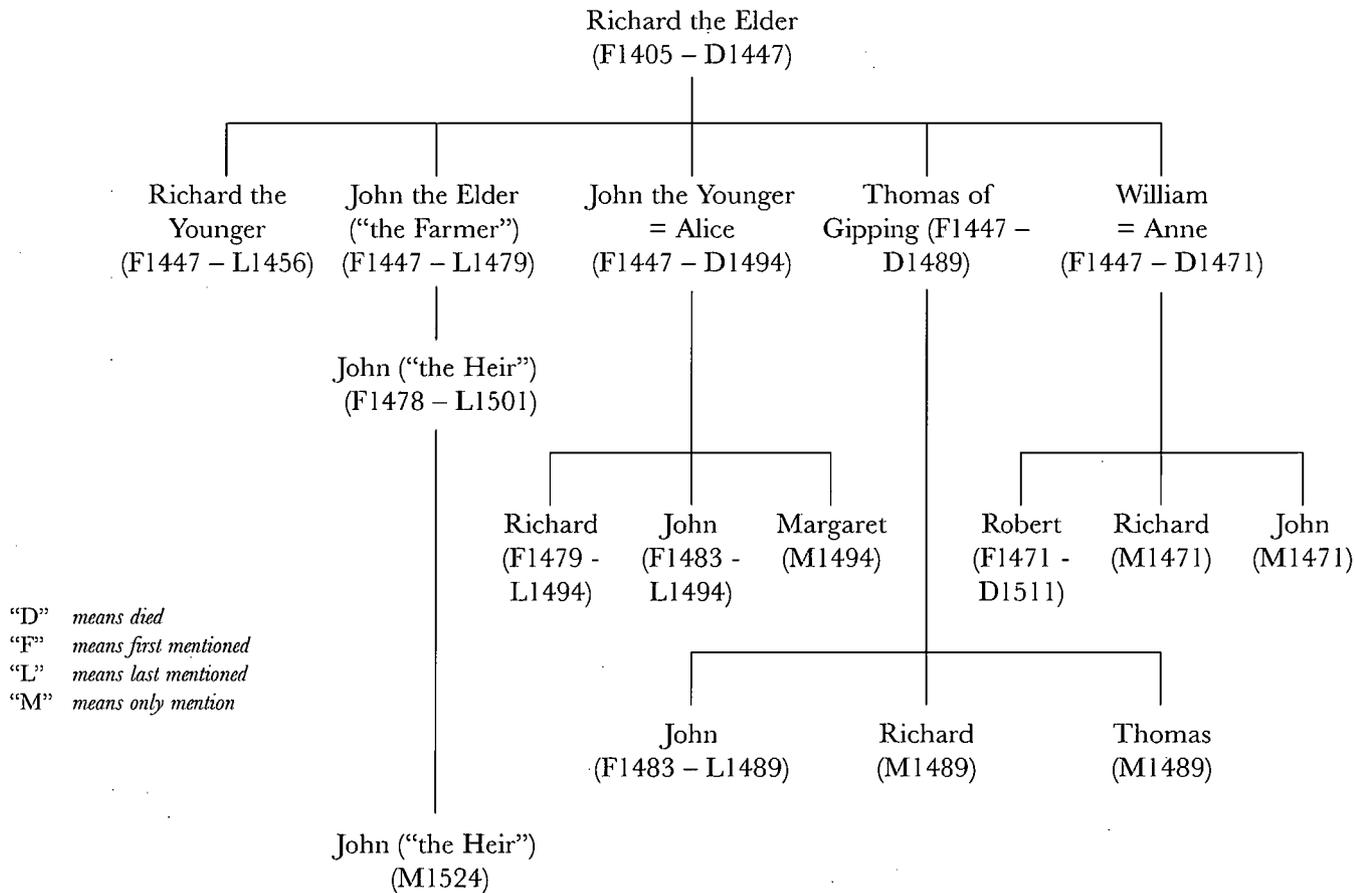


FIG. 44 – Possible family tree of one Kebbyl family of Thorney in the fifteenth century

as the Kebbyl families, were strongly in favour. This pattern, repeated across most of High Suffolk and many other parts of the country, would shape the English landscape for centuries to come.

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### DEDICATION

I dedicate this essay to my good friends Nigel and Carol Hunt and their children Clare, Philip, Laura, Charles and Fergus who have been so kind to me and my family over so many years.

### NOTES

- 1 Northeast describes how Newton, Gipping and Dagworth emerged from the Domesday vill of Thorney (Northeast 2001, 10). White places all the Thorney manors in the parish of Stowupland (White 1844, 281)
- 2 By way of a simplified example, a square field with each side one unit long has an area of 1 and a total edge of 4, giving a middle/edge ratio of 1/4, while a square field with each side ten units long has an area of 100 and a total edge of 40, giving a middle/edge ratio of 5/2.
- 3 One of the earliest maps of Stowupland from 1839 shows a patchwork of small enclosed fields (S.R.O.I. P461/240)
- 4 Conversation between the author and Philip Aitkens on 20 February 2004.
- 5 Letter from Philip Aitkens to the author dated 10 February 2005
- 6 After adjustment for payments in the Anticipation, the percentage tax paid by Stowmarket in 1524 may be nearer 28.1%
- 7 Sadly, the surviving tax list for Thorney is incomplete.
- 8 White suggests that the opening of the Navigation reduced the price of carriage, previously by land, by more than a half (White 1844, 274)
- 9 Letter from Philip Aitkens to the author dated 10 February 2005
- 10 Peter Northeast makes the connection between the medieval Kebbyls and the early modern Kebbles (Northeast 2001, 286)

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#### Abbreviations

<i>Bod. Lib.</i>	Bodleian Library, Oxford
<i>C.CH.R.</i>	Calendars of Charter Rolls.
<i>C.PR.</i>	Calendars of Patent Rolls.
<i>N.R.O.</i>	Norfolk Record Office, Norwich.
<i>P.R.O.</i>	Public Record Office, London.
<i>S.R.O.B.</i>	Suffolk Record Office, Bury St Edmunds Branch.
<i>S.R.O.I.</i>	Suffolk Record Office, Ipswich Branch.
<i>T.H.C.R.</i>	Thorney Hotot Court Rolls, S.R.O.I. HA1/CC1/7-11
<i>T.L.C.R.</i>	Thorney Lizons Court Rolls, Bod. Lib. MS rolls Kent 3-4