

BONDMEN AT REIGATE UNDER THE TUDORS.

BY
WILFRID HOOPER, LL.D.

BONDAGE or villeinage as a personal status attaching to certain copyhold or customary tenants and their descendants whether tenants or not persisted in many English manors throughout the Tudor period, though on a scale that was rapidly dwindling, particularly during the later half of the 16th century.¹ At Reigate villeinage in this personal sense survived among four families until the middle of Elizabeth's reign. Even after their manumission there long remained certain customs reminiscent of the servile origin of copyhold. The reeve (*prepositus*) and bedell, for example, continued to be selected from the tenants of certain holdings who were liable to serve by reason of tenure. According to a note at the end of the Survey of 1622-3, reeve service was obligatory on tenants of the yardlands and half yardlands, and bedell service on the tenants of the farthing lands and cotlands. At Reigate the yardland or virgate was a large one extending to 60 acres; and the other lands contained one half, one quarter, and one eighth of that area respectively. Lists are appended of the names of these holdings under each denomination.

Though common fields are met with in the Manor, it is clear that these holdings were more or less compact units and not widely dispersed in scattered strips, sharing in this respect a feature that seems to have been characteristic of the virgate in this part of the county.² The names they bore were in many instances those of tenants or former tenants. Of the

¹ In the Middle Ages the term villein was applied to tenants who though personally free held by villein tenure, as well as to those who were villeins by birth. Cf. Vinogradoff: *Villainage in England*, pp. 140, 143-4.

² Cf. Gray, *English Field System*, pp. 368-9.

bondfolk to be mentioned presently, the surnames of three had become attached to the holdings which they or their fathers had formerly cultivated. Thus one of the yardlands was designated Aces, one of the half yardlands Bochings, and one of the cotlands Ganders.¹ By the date of the Survey, however, the virgate and its derivatives were no longer all undivided holdings, each in one occupation. In 1629, John Richardson junior, who had been elected reeve for the year in virtue of the half virgate called Combes, the name of an original whole virgate, was presented for collecting only half the quit rents, because, as he swore, his holding was limited to 15 acres of reeveland. As he had been elected to the office, this excuse was not accepted, and he was ordered to collect the whole of the quit rents for the year with the provision that Thos. Skelton, the bedell, ought to join him in the next half year's collection.

The earliest surviving rolls are those of four Courts held in 1532. At all of these order was given to seize the bondmen dwelling outside the manor without licence, and to retrieve them and their goods. This followed common form, but as the names of the absentees are not given it was intended rather as a reminder of the lord's rights than to be literally enforced. At the Court held in June of that year grant was made by the lords to Richard Poope (Pope) the younger, son and heir according to the custom of the Manor of John Poope deceased late of Woodhatch, of all his father's lands within the Manor which the said Richard lately held by copy of Court roll to him and his heirs at the will of the lords. These lands had recently been seized into the lords' hands by reason of the bondage or villeinage of the said Richard, as also by reason of a lease of the same for a term of years which he had granted contrary to the custom of the Manor. Immediately following this grant, Richard surrendered the same lands to John Skynner, senior, and Thomas Michell in ordinary form. The case is of interest in showing that the villein held by copy like the free copyhold tenant, and also that he fared no worse on account of his villeinage. In executing a lease without licence he had clearly committed

¹ There was also a farthing land called Water Ganders.

an act of forfeiture rendering his holding liable to seizure irrespective of his status.

The next series of Rolls extant runs from 1571 to 1594, with a short break between 1575 and 1577. From the beginning of this period until their enfranchisement ten years later, the bondmen or at least those dwelling within the Manor were marked men. Legally the bondman with his children and all that he held belonged to the lord as part and parcel of the Manor. His land and goods were enjoyed by him only on sufferance. He could not move beyond the Manor without licence, and licence was required if his daughters wished to marry. The Common Law, however, leaned strongly to his side in accordance with the old presumption *in favorem libertatis*, and numerous subtle refinements had been elaborated to defeat claims of villeinage. Two cases decided a few years earlier had forcibly illustrated the precarious nature of the seignorial powers. Hence constant vigilance on the part of the lords was necessary if they wished to preserve their rights and avoid troublesome disputes which might end in their defeat.

At the Court Baron held 13 September 1571, the bailiff, Anthony Gylman, gentleman, reported that by virtue of a warrant directed to him he had seized Richard Ace, a bondman of the lords to that Manor regardant, by his body and all his goods and chattels and his lands and tenements into the hands of the lords because of his villeinage. Thereupon Ace appeared and admitted his villeinage and the seizure, but humbly prayed that by the lords' grace and favour he might regain and enjoy his chattels, lands and tenements as in his former estate. This was acceded to, and his goods and lands were re-granted to him on taking the oath of bondage. Ace was one of the two most substantial villeins: men whom it was important not to let slip. His holding, which was of considerable size, lay at Wiggy on the east side of the Manor; and evidently these proceedings were taken by way of precaution to maintain undisputed hold upon him.

The other was William Gander and his brother and heir, Richard Gander, who succeeded in turn to an extensive copyhold patrimony. Their family homestead, the half virgate of Setbys, lay under Reigate Park in a part which, then known

as Combe, has in modern days come to be styled South Park. The holding also included portions of the half virgates, called Seale, Little Combes and Cecilyes at Ford, which were in the same neighbourhood, and a wood forming parcel of a farthing land called Poteryches. They were the sons of Bartholomew Gander who had died in 1557, leaving William the younger son, an infant, as his heir.¹ He attained his majority in 1571, when he appeared in Court and acknowledged himself *nativus de sanguine huic manerio regardant*, and was admitted to his father's holding by the lords' special grace and benevolence on payment of a fine of £6 13s. 4d. Three years later he deceased when Richard his brother and heir, was admitted in his place paying a fine of £13 6s. 8d. and yielding for heriot a cow worth 26s. 8d. It is somewhat remarkable to find Richard and Nicholas Gander and Richard Ace frequently serving as members of the homage at the Courts Baron, as if in spite of their villein status and perhaps because of it they were expected to serve and were men whom the steward could count on to make up the panel. At one Court where Richard Gander appears among the homage his name actually occurs in the list of bondmen whose goods and chattels were ordered for seizure, though it does not appear that the order was executed so far as it concerned him, or that he had to undergo the same ordeal as Richard Ace a few years earlier.

The names of the bondmen and their children are frequently set out in full during this period, and the bailiff receives repeated injunctions to seize such of their number as are dwelling without the Manor. In 1571, Richard Ace had five children all under age and living with him, and a brother, John Ace, resident in the Manor. Richard Gander, of Combe, was married but had no children until some years later. He had three sisters in the service of well-known local men.

Another Richard Gander lived at Sidlow Mill on the confines of Horley Parish. His name appears regularly among those of the recalcitrant villeins living out of bounds. Probably he was the tanner of that name, who, with others of his

¹ The custom of Borough English prevailed here whereby on the death of a copyholder his tenement descended to his youngest son, or, failing him, the youngest brother.

trade, was in 1576 charged with using unlawful mixtures in the course of their tanning.¹

Three members of the Pope family were minors living at a distance: Robert who lived near Brighthelmston, George at Tadworth, Johanna, described as "a waif of the lords", at Newdigate with her mother. Robert Pope appears to have held land at Newdigate belonging to the Manor, for in 1577, Andrew Marden, the deputy bailiff, reported that he had seized his land there. Two years later occurred another example of the exercise of these arbitrary powers. Agnes Pulleyne, widow, had died, presumably without issue, leaving a few household belongings, specified as one feather bed, one bolster, one coverlid, 2 blankets, 3 chests, and a chair, of the total value of 5s. She was by birth a Gander and so a bondwoman, and in consequence her small stock was ordered to be seized to the lords' use.

The remaining bond family was that of Butching. William Butching, aged 30 in 1577, was married and living at Nutfield where he held 21 acres by copy of Nutfield Manor. John his brother also lived there for a time, but later appears to have moved to Nuthurst in Sussex. They paid chivage at 16 pence each for licence to dwell without the Manor in 1578 and the year following. In 1571 Joan Butching, also of Nutfield and possibly a sister of the foregoing, paid merchet of 5s. for licence to marry Richard Taster.² Less tractable were Richard Butching of Lingfield, and a weaver of this name at Withyham in Sussex, who consistently absented themselves without licence.

The end came in 1581 when Charles, second Baron Howard of Effingham, who a few years later was to lead the fleet that discomfited the Armada, succeeded to his father's moiety of the Manor on the death of his mother. He lost no time in dealing with the villeins. The other moiety of the Manor was owned by Henry, Earl of Derby. He, by deed dated 18 June 1581, granted to Lord Howard "Richard Ace and Richard Gander, of the parish of Reigate, William Botching, of the Parish of Nutfield, Nicolas Gander and John Botching, 'villaynes and bondsmen regardant' belonging to the Manor

¹ *V.C.H., Surrey*, II, 333.

² In 1572 Lucy, daughter of Nicholas Gander, paid merchet on her marriage with Thomas Pilkington of 4s. *causa pauperitatis*.

of Reigate, their issues, sons and daughters." A second deed, undated but shortly subsequent, declared that Lord Howard seised of the other half of the Manor "for divers good reasons hath manumysed from the yoke and servytude of villeinage and bondage" Richard Gander and his son and daughter, Bartholomew and Frances Gander and their sequels, "and giveth them all goods and chettels they may now have or may get or obtaine."¹ The Court Rolls throw further light on this transaction and indicate the consideration which moved Lord Howard to liberate this bondman. At a Court Baron held 6 September 1581, Richard Gander "lately a bondman of the lord and now manumitted by the lord of this Manor", was admitted to hold as tenant of the Manor the lands, which till then had been held by him in villeinage, in the same manner as other tenants, who were not villeins or neifs, held their land. The holding is set out in detail, and the admission was accompanied by a reservation to the lord of one field (*campus*) or croft of land containing 8 acres 1½ roods, "lying on the south of the pales of the lords' park of Reigate." At the same Court Gander released and quit claimed this field to Lord Howard. The reservation was stated to be made with the free will and assent of the tenant, and payment of the usual fine on admission was excused; but there can be little doubt that the rounding off of the lord's Park by this valuable accession was, in fact, the price exacted for his freedom.

Two other manumitted bondmen—Nicholas Gander and Richard Ace—were admitted to their lands on the terms of non-servile copyholders at the same Court. Nicholas held the farthing land called Hutchins, with a two-acre croft part of Foxhills and half an acre in Nunersh which was situated near Trumpets Hill, west of Reigate Heath. This half acre is described in the Survey as "lying in common with the land" of another tenant, which suggests that Nunersh was a common field or the remnant of one. In these cases also the fines for admission in their new status were pardoned, but this is not to say that their manumission was an act of

¹ *Trans. Roy. Hist. Soc.*, XIX (N.S.), pp. 305-7. Cf. *S.A.C.*, XX, p. 146. The name is given by Mr. Malden in his note on these deeds as Gauder, but should be Gander. It survived till recently in Gander's Hatch and Gander's Hole, and is still met with in the parish as a personal name.

philanthropy. The Queen drove a lucrative trade in the liberation of villeins on the royal Manors. It would have been very unlike the Elizabethan Courtier with this example before his eyes to have liberated his bondmen for nothing ; and probably in both cases there was pecuniary consideration passing to the lord which it was unnecessary to specify in the rolls. No representative of the Pope family is mentioned in these transactions. Its members were doubtless given up as lost by continuous residence without the Manor.

Manumission, even at a stiff price, must have come as a welcome relief to men in the position of Ace and Richard Gander. It not only freed them and their families and property from a variety of more or less serious risks and restrictions, but rid them of the social stigma which serfdom involved. Their descendants a generation or two later ranked as gentlemen, while Richard Gander (who died in 1610) lived to see his daughter-in-law marry as her second husband Thomas Clay, described as gentleman, and probably identifiable with Thomas Clay who conducted the Survey of the Manor in 1623, for the Earl of Dorset.

Professor Savine surmises that the bondmen who survived until Tudor times were either very poor or fairly prosperous ; the former remaining unenfranchised because they could not afford the price to purchase their freedom : the latter because it paid the lord better to enjoy the incidents and profits due from them.¹ This may account for the late survival of the two principal local bondmen who clearly fell within the second class ; though it is less easy to explain why only this small handful had been left over so long. But time and the law were on the side of the bondfolk, and the longer their manumission was delayed the more precarious became the position of the lords. Whatever may have been his motives, it was wise policy on Lord Howard's part to set free this remnant at the earliest opportunity, and clear the Manor of an institution that was fast becoming an anachronism in Elizabethan England.

¹ A. Savine, " Bondmen Under the Tudors," *Trans. Roy. Hist. Soc.*, XIX (N.S.), 235, etc.