

## English Individualism *refuted – and reasserted: the land market of Earls Colne (Essex), 1550-1750*

By H. R. French and R. W. Hoyle

With the passage of time, it is hard to recall the furore with which the publication of Alan Macfarlane's *Origins of English Individualism* was met in 1978.<sup>1</sup> It denied that there had, within historic time, been a peasant society in England. Land had always been vested in the individual, who had the right to buy, sell, lease or bequeath it without reference to his kin. As a consequence there was no transformation of English society from a peasant society to an individualistic and commercial society in the sixteenth or seventeenth centuries. Moreover, whilst Macfarlane was emphatic that there was no residual peasantry lurking in the sixteenth or seventeenth century North, he was also implicitly drawing a distinction between English conditions and those in the other British provinces, and most significantly between English conditions and those in Europe. Indeed the book ended with the sixteenth-century chauvinism of Bishop Aylmer.<sup>2</sup>

The book, with its direct challenge to received wisdom, was divisive. For some, notably the early modernists (of whom Macfarlane was one), the account rang true. For others, especially medievalists whose perspectives had been formed by inter-war and immediate post-war Marxist thought, the book was decidedly beyond the Pale. Viewpoints rapidly became entrenched, but *English Individualism* prompted no new research and sponsored no school.<sup>3</sup>

There was much to praise in the book. It assimilated a great deal of writing on the law, and notably Maitland, into the historical mainstream. It did take pot-shots at some venerable sacred cows and in large measure Macfarlane's argument has been assimilated into historical understanding. His emphasis on the individualistic

behaviour of the medieval peasant, for instance, pre-empted much recent work on the commercialisation of medieval rural society. In some places though straw men were set up to be knocked down, as when Macfarlane quoted nineteenth-century antiquarian writings, which could not be taken seriously as reflecting current historical thinking, in order to argue against their viewpoints.<sup>4</sup> However, it was also clear that that the book was flawed. For all its challenge to the definition of peasantry employed by historians, its comparison between an anthropologically 'true' peasantry, adopted from descriptions of a late nineteenth-century Eastern European peasantry, and Macfarlane's understanding of English society, was never convincing. There seemed to be no good reason why one historically specific form of peasantry should be the standard against which all others should be judged.<sup>5</sup> As a book that argued for the general applicability of common law ideas of property, there was remarkably little that showed that the right to alienate land away from kin was widely employed. Much of the evidence offered to show a low familial attachment to land was drawn from the late fourteenth and fifteenth centuries, in extreme demographic conditions when the connection between family and land had become attenuated.<sup>6</sup> The right to disinherit heirs by will, upon which Macfarlane placed some emphasis, was not shown to be widely used.<sup>7</sup> And for a work which argued for the specificity of English circumstances, there was nothing on medieval or early modern western Europe. There was, for instance, nothing at all on Dutch rural society which, would have made an interesting test against which the English could be compared.

Seen though with a quarter century's hindsight, *English Individualism* also seems like a working out of another influential thesis. Whilst Macfarlane refers to Hajnal's distinctions between Western and Eastern European families, first formulated in an article of 1966, he places no great weight on his thesis. Yet even if Macfarlane's account was not informed by Hajnal, his comparison

between English social relations and a model drawn from eastern European social relations parallels Hajnal's insights. One might go further and say that *English Individualism* is very much an extension of Hajnal's view of the English, with their small households and late and independent marriage.<sup>8</sup>

It was, however, a hard book to judge on publication. It was less a monograph than a polemic, based on Macfarlane's then current work on Earls Colne in Essex and Kirkby Lonsdale in Westmorland. There was a sense that the book had emerged out of the tension between Macfarlane's assumptions when he began his detailed village studies and his subsequent findings, and it seemed only right that judgement on *English Individualism* should be suspended until these projects were completed and published. But *English Individualism* also seems to have been the moment at which work on these projects ceased. No further publication ever took place. The exhaustive materials which Macfarlane had gathered for Earls Colne were published on fiche whilst those for Kirkby Lonsdale have never seen the light of day.<sup>9</sup> Macfarlane's subsequent work took him away from the truffle-hunting of anthropologically-informed village studies to the parachutist's view of English social structure, and more recently a comparative study of English and Japanese society.<sup>10</sup>

By the beginning of the 1990s it seemed that the time was ripe to revisit and test some of Macfarlane's insights, reformulated in the more conventional language of rural history. The issue was not whether or not there were peasants, for this seemed to be essentially a definitional matter, and for that reason unprofitable to explore further, or whether they had the right to buy and sell land, for all the evidence plainly showed that they did, but to assess the frequency with which land was bought and sold and the reasons for sale. Macfarlane had no answer to this question. Land gave access to income, status, wellbeing: it seemed hardly likely that people would sell their land and lose their place in society unless they had

compelling reasons – including, of course, the need to survive.<sup>11</sup> After all, it had been suggested by Professor Margaret Spufford in her study of *Contrasting Communities*, that small landowners disappeared in adverse trading conditions.<sup>12</sup> Macfarlane also argued against an older literature which saw a small number of landowning families as a backbone of rural society, claiming that these yeoman dynasties did not exist. Plainly, they did, and they co-existed with a free market in land, in which a much larger number of families might come and go without leaving a great mark on any one place.<sup>13</sup> The problem seemed to be one of integrating the insights of *English Individualism* concerning legal rights with the developing economic history of land markets. Freedom of sale was possible, so too the right to disinherit, but were they used?<sup>14</sup>

Macfarlane made a number of explicit statements about the land market of Earls Colne. He demonstrated that transfers outside the family outnumbered those made within it in samples drawn from the early fifteenth and sixteenth centuries but not at the beginning of the eighteenth.<sup>15</sup> When talking about the geographical mobility of families, he claimed that of 274 pieces of property listed in the rentals for the manors of Earls Colne and Colne Priory for 1677, only 23 (8.4 per cent) had been held by the same family when a previous rental had been made in 1598. When a rental for Earls Colne manor made in 1549 was compared with one made in 1589, only 31 out of 111 parcels (27.9 per cent) were found to have been retained in the hands of the same family, even when descent through female lines was taken into account. ‘The result is that individuals appear, build up a holding, then the family disappears, all in a generation or two’.<sup>16</sup> At first sight these seemed high figures, but as work on the manor of Slaidburn (Yorkshire) subsequently showed, some tenements could be bought and sold with great rapidity whilst others rested with the same family for extended periods.<sup>17</sup> It was by no means impossible that the long term possession of land could co-exist with a very high level of

year-to-year turnover in possession. As the incomplete Earls Colne project had been used to justify large claims, and as the materials were readily available in English translation on fiche, this north Essex village was the obvious place to start. Other than the considerable advantages Macfarlane's data collection and publication offered, a historian in the early 1990s had one additional advantage denied Macfarlane: cheap but powerful computing employing standard packages.

Whilst our own approach to Earls Colne was being formulated, there appeared a paper by an American historian, Govind Sreenivasan, which used the same materials but only considered the possession of land at Earls Colne between 1550 and 1650 (while our database runs from 1546-1750). Whilst his major conclusion, that Macfarlane had seriously under-estimated the retention of land in families was incontrovertible, his paper also contained a number of assertions and points of interpretation which required some comment. Indeed, on some points his interpretation differed substantially between his initial paper and his rebuttal of our comments.<sup>18</sup> Our purpose here is not to offer a further commentary on his papers but, after a number of years delay (caused by other commitments and the vagaries of careers), to present the first conclusions of our work on Earls Colne as an interim statement in anticipation of our longer study of the economy and society of Earls Colne. Our approach here is to explore the broad quantitative characteristics of the land market and the possession of land in Earls Colne. It is in the nature of databases that they can be constantly refined and so we expect 'final' figures, when they become available, to differ at the margins (but only at the margins) from those published here.

## I

Earls Colne lies in north Essex, some sixty miles from London and eight miles west of Colchester. In the sixteenth and seventeenth

centuries the main highway from Colchester to Cambridge passed through the village. After travellers passed through Earls Colne towards Cambridge, they would have come to the cloth-producing market town of Halstead. To the south-west of lay the cloth town of Coggeshall. Whilst Earls Colne certainly had weavers during the seventeenth century, it was a predominantly an agricultural settlement with a commercialised mixed farming regime which included dairying, hop-growing and commercial hay-making as well as grain production.

Macfarlane was led to the village through his study of its mid-seventeenth-century Vicar, Ralph Josselin. Its advantage for students of landholding is that both manors in the village (Earls Colne and Colne Priory) had substantial areas of land held as copyhold of inheritance.<sup>19</sup> Transactions of this land (which could be inherited freely or sold according to the custom of the manor, subject to the payment of entry fines) were registered in the records of the manorial court. This registry of conveyances forms the basis of this paper. Whilst we and others have relied upon copyhold to explore landholding behaviour, we ask in a final section whether copyhold, as a category of landholding, gives a reliable understanding of landholding practices and the family land relationship. It might be added that the Earls Colne and Colne Priory court rolls are generally complete. Gaps in one series of court rolls can often be filled from the other, with some tenants holding land in both manors. One feature is particularly helpful. This is the practice of reciting the previous conveyance when a new conveyance was made which not only serves to fill gaps, but allows successive conveyances to be connected.

A second feature of the manor which made it ideal for our purposes was that by the end of the sixteenth century, when a full survey with map was made, the copyhold land was entirely enclosed in a patchwork of small closes. This landscape was substantially unchanged in the early nineteenth century. It was

therefore possible to base the database about the units of land identified in the 1598 survey in the knowledge that these were relatively unchanging over time.<sup>20</sup>

The aim of the database was to trace the landholding history of every individual and every tenement in the manors of Earls Colne and Colne Priory. The database was relational, i.e. information was divided between a number of interlinked tables. The first of these, the 'tenement table' was based on the 1598 survey. The names and size of units land conveyed in the court rolls was contained in this table. Other tables were a 'transaction table' which identified 18 categories of transaction divided between familial and non-familial transactions, a 'person table' which identified every individual who partook of the Earls Colne land market between 1546 and 1750 and contained genealogical and occupational information as we could glean from the Earls Colne materials, and a 'transaction table' which contained the salient features of each copyhold transaction.

Relating all transactions to the 1598 survey brought advantages and disadvantages. It meant that all land could be measured in units of constant size. However, it also meant that a single transaction might be of a dozen units in the tenement table, necessitating large numbers of duplicate transaction table entries. Descriptions of land in the court rolls could also differ from those employed in the database as local usages changed, or as the quality of the information in the court rolls varied over time. When an individual transaction was seen as a part of a sequence of transfers, it was normally possible to identify with confidence what was being conveyed. In this, we were helped enormously by the work done by Macfarlane's team of researchers in relating parcels to the 1598 survey.

Another potential problem was the division of holdings between the two manors. As some tenants held land in both manors, a single conveyance could be divided between the two sets

of court rolls. The software was developed to recombine the split conveyances into a single unit, but the divided ownership of the holdings threw up a more serious dilemma. To give a concrete example, if a tenement was divided between daughters so that a single parcel came to be conveyed as half-shares, the database equated the conveyance of the half-share with the transfer of the full unit as recorded in the tenement table. This produced a degree of double counting of transactions and acreage in the database. The pragmatic solution was adopted of incorporating a coefficient into the calculations so that the conveyance of half share of a unit of land was multiplied by 0.5, a third share by 0.33 and so on. A similar problem arose with house properties where the court rolls record the sale of small portions of larger holdings – yards, curtilages, even access rights to wells. It was decided not to apply a coefficient to these transactions, in part because it was not always clear what was being sold, but, again, pragmatically, because these units of property were statistically unimportant in acreage terms. In all, the database contains the landholding history of a little under 1100 acres of land arranged as 347 units of property and some 1300 people.<sup>21</sup>

Underpinning the analysis is a division of transactions between those between family members and those between persons who are not – so far as can be established – family members. This may seem to be a simple distinction but in fact it is not. We may distinguish the problems as ones of first definition and second of evidence.

To treat definition first, we have defined familial transactions according to the common law rules of inheritance. Familial transactions could include post-mortem transfers to children, or other lifetime transfers within the nuclear family. These might include transfers between extensions of the immediate family, for instance a grandfather bequeathing lands to a grandchild. All such transfers are familial despite discretion being used to determine



the precise recipient because the land remained within the immediate family, even when it did not descend to the main heir. There are however a very small number of transactions which we do not treat as familial even though they are transactions between related individuals. If man dies childless and his heir is his cousin, then that is undeniably familial, following, as it does, the normal common law rules. If a man transfers lands to his cousin and disinherits his children, then we would treat this transfer as non-familial, inferring that it was a sale of land.

As for evidence, in common with other court rolls, those for the Earl's Colne manors generally make no comment on the relationship of the parties in a transaction. Occasionally we may be told that x was the son or daughter of y. In the case of transfers post mortem, the claim of the inheriting party was that he was next heir of the deceased. Such transfers are obviously 'familial'. Frequently there is only the surname to go on. (Reading the transfers of single parcels in succession often makes the purpose of one apparent.) Where we had transactions which were not obviously between close family members, then we relied on the genealogical information in the court rolls themselves and in the extant wills to identify relationships. If no relationship could be determined, then the transaction was judged to be non-familial. As this is very much a residual category (often based on non-evidence rather than positive evidence), additional evidence could reduce the numbers of non-familial transactions. It is however equally possible that it would simply recover distant collateral genealogical relationships which we would not, in any case, regard as familial. Since we have conducted a longitudinal analysis of ownership, we would expect the proportion of non-familial transactions in our study to be marginally lower than those exercises in counting which have taken transactions in the court rolls singly, or attempted to ascertain family relationships from shared surnames or the evidence of relationships contained in the individual

copyhold transfer.

A database merely holds the data. That data is capable of being rearranged in a number of ways. We concentrated on reconstructing the history of the ownership of every parcel of copyhold, and the landholding history of every individual who held land within the manors over 200 years. Since we wanted these sequences to start in 1546 and end in 1751, we began each individual tenement history with a start up transaction, a sort of opening bookend which said that on 1 January 1546, the parcel in question was in the hands of the person in whose possession it subsequently first appeared in the court rolls. Likewise, all tenement histories ended with a closing transaction which merely said that on 1 January 1751, the tenement was in the hands of the person who had last been noticed in the court rolls as its owner. Therefore all tenement histories run from 1546 to 1751. In some instances, conveyances had to be inferred: because every tenement history had to be internally consistent, a number of dummy transactions were inserted into the database where there was reasonable evidence that a conveyance was either lost in a gap in the documentation or had not been recorded at the time.

Apart from the individual tenement histories and landholding histories of individual tenants, a number of other key types of data can be drawn from the database. First, it is possible to run off volume measures of the land market. Second, rentals can be prepared for any date, and this allows a fine-grained analysis of the changing distribution of land between 1550 and 1750. This is especially important for the last extant manuscript rentals for the manors are of 1678. Finally, and of most interest in any reassessment of *English Individualism*, we can calculate the proportion of land remaining in the hands of the same family backwards and forwards from any date between 1 January 1546 and 1 January 1751.

## II

The basic volume measures of the Earls Colne land market are presented in Table 1. There are, on average, around 100 transactions per decade but noticeably more in some decades, especially the 1630s and 1650s (134 and 125 respectively). There are fewer transactions in the decades after 1680. Of those transactions, about 50 per cent were transactions within the family and 45 per cent extra-familial transactions. The remainder were mortgages or leasehold terms conveyed by copy of court roll.

In any one decade, around 63 per cent of the area of the copyhold land of the manor passed through the court. Of this about two-thirds was land conveyed within the family and a third by extra-familial transaction. As we found at Slaidburn, extra-familial transactions were, on average, of smaller units of land. Whilst 57 per cent of transactions over the 200 years were familial, they conveyed 67 per cent of the land. Seen another way, extra-familial transactions were about two-thirds of the mean size of familial and extra-familial transactions combined but Table 1 shows a wide range of values, ranging from less than a third (1550s, 1570s, but also the 1690s) to over 120 per cent. (The disparity between the mean size of the two categories was larger in Slaidburn, perhaps because of the trade in parcels of enclosed land and inheritance of established tenements.) This feature also appears in Whittle's figures for the manor of Hevingham, Norfolk.<sup>22</sup> Hence it might be said that the inheritance of land was the norm in Earls Colne, but that there always existed a trade in smaller units of land. We might view this as a market in which the inheritance of larger units was normal, but where the long term possession of smaller units was much less secure. This was a village in which the intra-familial transfer of land was, on one criteria, much more common than in Slaidburn. There, in 17 out of 25 decadal periods, there were more extra-familial transactions than familial ones. In Earls Colne, there is no a single decade in which this is the case and only 8 out of

twenty in which the proportion of extra-familial transfers exceeded 40 per cent of the whole.

These figures differ significantly from those published by Macfarlane.<sup>23</sup> In his figures for 1603-7, in Earls Colne manor only, 11 out of 30 (36.6 per cent) transactions were familial, which suggests a very low level of retention within the family. We find that in the decade 1600-09, in both manors, 50 per cent of transactions were familial and these conveyed 69 per cent of the land. Between 1701-5, Macfarlane reported 18 transactions of which twelve out of 17 (71 per cent) were extra-familial. We find that for the decade starting in 1700 61 per cent of transactions were familial and conveyed 73 per cent of the land passing through the court. These discrepancies may be explained by no more than sampling error, but do suggest that the transformation in the land market which Macfarlane commented upon may be no more than a figment of his statistics.

Another measure of the land market is turnover. This is simply defined as the percentage of the estimated area of land in observation passing through the court in a given decade. It makes no allowance for duplication: if a 10 acre tenement is sold inherited once and sold twice, then 30 acres of land pass through the court in the decade. It is therefore a blunt volume measure: it tells us nothing about how many holdings were neither inherited or sold. Turnover can be expressed as the total turnover of all familial and extra-familial transactions, or as the turnover of each transaction type separately. In Earls Colne total turnover averaged 63.5 per cent of the copyhold land area per decade. As Table 1 and Figure 1 shows, there were wide variations. In some decades total turnover could be as low as 30 per cent while in two decades (1630-9 and 1650-9) an area of land bigger than the total under observation passed through the court. On average, twice as much land passed through the court in the form of familial transactions than as non-familial. However, in one decade (1630-9) something close to parity

was achieved. One might suppose is loosely connected to fluctuating levels of mortality. The conveyance of land between generations (or kin of the same generation) is surely related to the expectation of, if not the fact of, death. Where familial turnover is very high, then one must assume a high death rate: where very low, then lengthened life expectancy. There are a number of decades in which half or more of the land was conveyed familiarly: 1550-9, 1630-9, 1650-9, 1710-9 and 1720-9. Conversely there are decades in which familial turnover was very low: 1660-9 and 1730-9 seeing less than 20 per cent of the manors' land conveyed this way. (Both decades follow decades with very high rates of familial transactions.) The turnover of extra-familial transactions is more likely to reflect economic stress. In twelve decades it falls below 20 per cent of the landed area: in two decades (1630-9 and 1650-9) around half the landed area is transferred through the court. Over our period of enquiry, the sale of land could amount to between 10 and 25 per cent per decade.

There is something to be learnt if the ratio of the turnover of familial transactions to the turnover of extra-familial transactions is calculated and graphed (Figure 2). This proves to have a clear and strangely familiar curve, rising from a very low level (1:0.2) in 1550-9 to a peak of 1:0.86 in 1580-9: then falling back to 1:0.25 in 1610-9 before rising to a peak of 1:1.0 in 1630s. It then falls. The decades after 1670 are all ones in which the ratio is very low (about 1:0.3) except for the 1740s which shows a notable peak. One may suggest that the higher the curve, the greater the economic stress in Earls Colne and so propensity to sell.

So whilst there were wide variations, the average turnover of land was about 60 per cent per decade or 6 per cent a year. Two-thirds of this, 40 per cent per decade or 4 per cent a year, was conveyed by familial transfers although there were marked movements between decades. Hence we could argue that land was inherited every 25 years but sold every 50. In some periods it was

much more likely to be sold than others. Later we will suggest that a turnover of between 10 and 25 per cent of the land area per decade by extra-familial sale is normal and not incompatible with a high level of the retention of land in the family. When we find higher figures of 40-50 per cent we ought to suspect a degree of stress within rural society. The 1630s in particular call for further comment, and this is provided in section V.

### III

It was mentioned earlier how our capacity to produce computer-generated rentals from the database allows for a fine grained analysis of the distribution of land. The difficulty this presents is that the more detailed the analysis, the greater the 'noise' as small movements in the possession of land come to have an exaggerated importance. There is too the danger of taking a single datum year. However, we are interested in long term changes and not small fluctuations and for this reason we have chosen to present data at twenty-five year intervals and not five or ten year intervals (although this data has been computed). Likewise, trial and error has shown that the direction of change in the land market is best illuminated by presenting the data in the five size categories employed in Table 2. It also needs to be recalled that we are measuring the ownership of land in Earls Colne and not the size of economic units of production.

Table 2 shows that Earls Colne has perhaps the most static and unchanging distribution of land of any English settlement yet investigated. It will be observed, though, that there is a clear two-phase cycle in the distribution of land. There is a growth in the number of tenants in the manor to 1650, then the number of tenants falls back to its 1550 level by 1750. The overall growth in the number of tenants is in the range of about a third and is concentrated mainly in holdings of less than five acres. This is evidence that Earls Colne conformed to the now familiar pattern of

the village filling up at the bottom before 1650 but emptying from it after 1650.<sup>24</sup> There are traces of the same cycle in the holdings of five to 20 acres and 20 acres to 50 acres. However, whilst the maximum number of holdings of 20-<50 acres is reached in 1650, that for 5-<20 acres (and the area held by those holdings) comes in 1675. While the number of holdings in both these ranges drifts up in the middle of the period, the numbers overall are remarkably consistent.

There is rather more change in the number and acreage of large holdings, especially if these are divided at 100 acres. The amount of land in this category varies from 25 per cent of the whole to 45 per cent of the whole. As will be seen, the low point comes in 1625 and 1650 when only 26 per cent and 23 per cent respectively of the land area were held by tenements of this size. In fact there were two holdings of over 100 acres in 1575 and 1600 (totalling 21 per cent of the land area) but none in 1625 and only single tenements (of only a little over 100 acres) in 1650 and 1675. By 1750 there were two holdings controlling a little under 300 acres and a further pair amounting to 165 acres. So whilst the period before the Civil War saw the disappearance of large holdings and an increase in the number of small ones, the post-Restoration period saw a limited process of consolidation as the number of tenements overall reduced and the number of large holdings increased. Even so, it would be too much to claim that it was alterations in the number of very large holdings which drove the land market as a whole.

#### IV

The database was designed to compute the period of time that each parcel remained in the hands of a family. This calculation is methodologically simple. The database assembles the landholding history of each parcel: then works backwards and forwards from a given datum through each parcel's history until it comes to either a

transfer inter-vivos or an unredeemed mortgage. It is then a simple task to produce a table giving for each parcel the period for which the land was retained before and after the datum and then to sum this to show how much of the total acreage was still in familial possession x years before or after the datum.

A decay curve similar to those established here has already been published by Sreenivasan but for the period 1599-1750. This was prompted by comments made in our rejoinder to his first paper in which we suggested that the familial retention of land was probably normal in Earls Colne in the first half of the seventeenth century but diminished in the adverse economic conditions in rural society after the Restoration. Sreenivasan was able to show that the 'winnowing' of properties actually took place in the 1630s. This is amply confirmed by our own figures. His graph suggests that by 1629, about 72 per cent of property was still held by the family which held it in 1598, that by 1639 this had fallen to about 35 per cent and stood at only 19 per cent in 1704.<sup>25</sup> Our own figures, computed from a datum of 1 January 1600 would give only 56.2 per cent held by the same family in 1630 and only 26 per cent in 1640. The difficulty with proceeding from a single fixed datum is that an increasingly small proportion of the properties are in view. Sreenivasan's graph therefore represents the severity of the 1630s, but is a poor guide to the retention of land after 1640, for it only describes the loss of land by those who had managed to retain it through the 1630s. We can avoid this by using multiple datums. We can also produce a more fine-grained effect by using frequent datums to look only at the retention of land within individual generations. In Table 3 figures are presented for the familial retention calculated from three points, forwards from 1550, forwards and backwards from 1650 and backwards from 1750. In Table 4 the short term retention is calculated at 10 yearly intervals.

Our own figures show that about 50 per cent of properties held by a family in 1550 were held by the same family in 1600. The



rate of loss is greater if we count backwards from 1750: only about 40 per cent of the property held by families in 1750 had been held by them in 1700. Taking 1650 as a datum, only 22 per cent of land held by farmers in 1650 had been in their hands in 1600: but 40 per cent of land owned by families in 1650 remained in the hands of the same families in 1700. These figures seem high, but it is difficult to assess whether this is so without comparable figures from other manors. We might note though that if we look at the retention of land backwards and forwards from 1650, we find that 33.8 per cent of land was held for less than 50 years, 31.3 per cent for 50-99 years, 27.7 per cent for 100-149 years and 7.2 per cent for 150 years. These figures are heavily coloured by the impact of a few decades, the 1630s in particular, which saw notable turbulence in the land market. Table 4 shows that in 14 out of 20 datums in observation, 80 per cent or more of land remained in the hands of same family throughout that decade. In only one decade does the retention rate fall below 70 per cent, and this is 1630-9 when it falls a little below 60 per cent. If we look at retention after 30 years, then we find that it is perfectly normal for 50 per cent of the land to be held by the same family. The exceptions are those 30-year periods which contain the 1630s (i.e. those beginning in 1610, 1620 and 1630). Post-Restoration land retention is somewhat higher than that for the late sixteenth century. The mean for retention after 30 years for the six decadal datums 1550-1600 is 50 per cent: for the seven decadal datums from 1660-1720, it is 64 per cent. As Table 1 shows, there are certainly some post-Restoration decades in which the land market was relatively inactive. However, this is also true of some decades in the late sixteenth century, such as 1570-9. There are fluctuations in the retention rate decade by decade. These may reflect a degree of sensitivity to economic conditions, but they might also measure essentially random events. This is especially the case when the units of landholding were large and a single sale could easily skew the figures.

Table 3 also shows how a small proportion of land could be retained for a very long period indeed. In fact, a small acreage was held by the same family throughout the period of the database. Of the land held in 1550, 13.1 per cent was held by the same family in 1650 and 7.1 per cent in 1700. Taking 1650 as the datum, 13.0 per cent was held by the same family in 1550 and 20 per cent by the same family in 1750. These figures truncate the length for which land might be held. The land held continuously from 1546 to 1750 by the Cressener family passed through a number of female lines before it was finally sold at auction in 1809. That purchased by Henry Abbott in 1637 remained in the hands of his descendants – again, not of the Abbot name – until sold in 1852.<sup>26</sup>

An alternative approach to the question of the family retention of land is taken in Table 5. This shows for the 347 parcels in the database the frequency with which each parcel *or a part of a parcel* was sold, and the total acreage falling into each turnover category. This is a crude although revealing measure. For reasons already explained, when small units of land were detached from larger ones, they were allowed to retain the same code number. Hence Table 5 tends to exaggerate the frequency with which parcels were sold because a very small number of parcels, usually houses without land, contain several units of ownership where, for instance, yards, curtilages or even single rooms were sold into separate ownership. A parcel divided into three separately owned sub-units might give the impression that the whole unit was sold three times more often than the single unit might have been. Hence in this table there is a tail which extends as far as the single parcel sold 19 times. That said, the 19 parcels with more than 10 sales are an extremely small part of the database, amounting to only 23.3 acres (2.1 per cent) and those with more than 13 sales, 9.5 acres (0.9 per cent). As we saw previously, a small area was never sold at all. A third of the total area in observation was sold only once or twice over 200 years. Sixty per cent of the property was sold no

more than four times in 200 years. A much smaller area was sold much more frequently: 15.0 per cent of the total area was sold eight, nine or ten times.

On the basis of all of these measures we can point to a continuing turnover in the EC land market. That said, the retention of land for long periods was not unusual and would probably seem even more normal if the database were extended after 1750. A curve based on 1650 is, however, asymmetrical. Continuity of landholding was more normal in the later seventeenth than the later sixteenth century, but not so much so as to suggest any great transformation in the principles on which land was held.

## V

If, as we argue, the familial retention of land in Earls Colne over extended periods was quite normal, what happened in the 1630s? A working hypothesis would be that depression in agriculture (or possibly in the textile trades) placed smaller tenants with less viable holdings in a vulnerable position, where they might be picked off by people with money to invest, whether engrossing neighbours, a new generation of outsiders who wished to establish themselves as farmers, or simply men of wealth looking to establish or extend a portfolio of land. The pattern of mortgages would seem to support such a hypothesis. There were over twice as many mortgages in the 1630s as in the previous or following decades. The area of land mortgaged was twice that mortgaged in the 1620s and over four times that mortgaged in the 1640s. The average unit size was small – only 7.2 acres – but this was noticeably in advance of the mean size of mortgages in the 1610s (4.5 acres) and 1640s (3.8 acres) if only a little ahead of the figure for the 1620s (6.5 acres) (Table 1). However the hypothesis is not wholly supported by the evidence.

Table 6 uses computer-generated rentals to compare the distribution of land in Earls Colne in 1630 with that in 1640. There is no evidence here of a process of consolidation. There are in fact slightly more copyholders in 1640 than in 1630, and the proportion of the whole held by larger copyholders is smaller in 1640 than in 1630. There is no sign of a 'winnowing' of smaller tenants. Table 7 describes the fortunes of all copyholds of more than 5 acres from 1630 to 1640, dividing them at 20 acres. In all, 43 holdings are in view (91 per cent of the area of copyhold in observation), of which 30 (69.8 per cent) are in the hands of the same family in 1640 as in 1630. Two of these were mortgaged by 1640 and subsequently sold. The remaining 28 holdings form 62.4 per cent of the total area in observation. So our finding is that only 13 holdings were sold out of the family line which held them in 1630, five of 5-<10 acres, four of 10-<20 acres, and four of  $\geq 20$  acres. The clear propensity for smaller units to be sold may well give some credence to the hypothesis we advanced earlier. But the area of land involved is much too small to account for the high turnover we showed in Table 4. Rather, we have to explain this in terms of coincidences and random events.

The three largest properties in Earl's Colne were all sold in the 1630s. The holding of Rose Partridge (55 acres) was sold to the lord of the manor's younger brother, Roger Harlakenden, in 1633 and then sold on again to his brother in law in 1635. The copyhold of Elizabeth and Thomas Fisher (83 acres) was mortgaged in 1631, again in 1637 and foreclosed by its mortgagee, Henry Abbott (2), later that year.<sup>27</sup> The third and largest holding, of William and Isabel Collins (111 acres) was sold to another Harlakenden brother-in-law, William Neville, in 1633.<sup>28</sup> In all these tenements account for 23 per cent of the copyhold land of the manor and they alone and give a decadal turnover rate of 27.9 per cent before other sales are taken into account. It is hard to see any common reason for these sales. Rose Partridge's sale had been anticipated by several lengthy

court battles with the lords of the manor and an agreement in the court rolls for 1624: she died in late 1634 or early 1635.<sup>29</sup> We can speculate why William Collins sold up in 1633 and the reasons are decidedly non-economic.<sup>30</sup> We have no idea though why Elizabeth and Thomas Fisher should have twice mortgaged – and then lost – their tenement, but it would seem unlikely that they were oppressed by crisis. These three sales account for most of the low retention rate in the 1630s.

The high turnover rate is also to be accounted for partly by the subsequent history of the tenements. Roger Harlakenden, at the end of 1632, held 12 acres of land in the manor, of which 10 acres were a gift from his father. He then bought, in quick succession, the Partridge holding (55 acres), John Bridge's holding (17 acres) and lent money on the mortgage of another 23-acre copyhold (although no sale followed in this case). By the beginning of 1635 he held 85 acres of copyhold. He then sold the Partridge holding to his brother-in-law, Edward Elliston and in April 1636 he placed the remainder of his copyhold land in the hands of Edward Clark to be sold by him at the direction of his elder brother Richard. Roger Harlakenden had joined the migration of alienated East Anglian Puritans to New England.<sup>31</sup>

So part of the landholding history of Earl's Colne must be explained by the religious tastes of a single individual. It must also be explained by reference to other forms of individualistic behaviour. Of the three new tenants of these holdings – Elliston, Abbott and Neville, none made any further purchase in the manor (except for some small parcels by Elliston). Moreover, Abbott and Elliston all retained their holdings in the long term, the Abbots still having their's in 1750 (selling, as we saw, in 1852), the Ellistons selling in 1729 after a failure in the male line (when, oddly enough, much of the lands came to rest with Joseph Abbott, descendant of Henry). The lands purchased by William Neville left his family much sooner, mostly in the late 1650s after Richard Neville died

without male issue. So whilst these were plainly investments for the long term, they were not the nuclei around which larger estates formed. Moreover, the behaviour of both Henry Abbott and William Neville shows that the land was seen as a rent-yielding asset rather than as a unit of production. Henry Abbot, having come to hold 104 acres, left his parental holding (20 acres) to one son and his purchase from the Fishers to another. Neville gave 81 acres of his acquisition to his son and 30 acres to his daughter. This was not unique behaviour. The vicar of Earls Colne before Josselin, John Hawksby, acquired 40 acres of land by purchase between 1622 and 1631: between 1643 and 1648 the land was transferred as four separate holdings to his three daughters and son, so undoing his decade of accumulation. (It might be added that the Harlakendens themselves were not immune from these pressures and broke up the Earls Colne demesne amongst their children in the 1630s.<sup>32</sup>)

The evidence of the heightened number of mortgages and the tenements sold noticed in Table 4 does indicate that the 1630s was a decade of difficulty. But the fact that the three largest tenements were sold gives the figures a heightened prominence and makes the 1630s seem a more stressful decade than it was in reality.

## VI

We can now combine the evidence for the distribution of landholding with that for the retention of land within families and observe that the real significance of Earls Colne is what did *not* happen. No external purchaser entered the Earls Colne land market with the aim of establishing an estate. This purchasing phenomenon which has never been fully explored in the literature, but it is known for instance, that at Terling, Essex's other temple for early modernists, the village was largely bought up and came under the control of a resident landowner in the early eighteenth century.<sup>33</sup> Further afield, another village which features prominently in the literature, Chippenham in Cambridgeshire, was

bought up by a single landlord who demonstrated his dominance over the village by incorporating half of it into his early eighteenth-century park.<sup>34</sup> At Slaidburn, whilst no dominant estate emerged, there was a progressive process of consolidation between the 1660s and 1770s so that c.1665 76 per cent of the land area by rent was held by tenants paying less than £2 in rent where by 1780 much the same area was held by tenants paying more than £2 in rent (and 27 per cent by tenants paying more than £5 in rent).<sup>35</sup> Nothing of this sort happened at Earls Colne. One possible explanation might be that the lords of the manor, the Harlakendens, never had the means to buy up copyhold land for themselves in the seventeenth century except in a very small way. Instead they passed opportunities for acquisition to their brothers-in-law and Josselin. Similarly their heirs never sold the manorial rights to someone who combined the means and ambition to do so.<sup>36</sup> For this reason the familial possession of land was much extended through the eighteenth century when in different circumstances the seventeenth-century copyholding families might all have sold up long before 1750.

The landholding history of Earls Colne might have developed in a very different direction had a dominant figure emerged from amongst the village's own tenants or had it proved a tempting morsel for an outside investor. Whilst we will leave the landholding histories of individual tenants to a future publication, there were tenants who accumulated holdings of 100 or more acres in the early seventeenth century by purchase; but, none of them developed beyond that point. As we saw, there was a marked tendency for these holdings to be shared between children, so that the work of consolidation was finally undone by inheritance practices. Moreover, the tendency was for the descendants of the larger mid-seventeenth century yeomen families of Earls Colne to be non-resident by the first quarter of the eighteenth century. This has two broad results. First, it fossilised the landholding patterns of

the mid-seventeenth century. If a city merchant had expressed an interest, then doubtless much of this land would have been sold to him. As it was, the grandchildren of some of the major Earls Colne copyhold families were content to draw rents from their inherited holdings and to employ them as assets which could be mortgaged.

Second, large areas of the manor were held by subtenants.<sup>37</sup> Except on rare occasions, historians have found the level of subtenancy in a community hard to establish. We would not claim that subtenancy was unknown in either sixteenth- or seventeenth-century Earls Colne, but its scale is hard to assess. From 1722 we have parish rate books which name occupiers, and these can be compared with rentals generated from the database to show, with reasonable confidence, the extent of subtenancy. This has been done for 1730, 1740 and 1750 for holdings greater than 5 acres in size.

In 1730 25 out of 41 holdings (60 per cent by acreage) were subtenanted. In 1740 the figures were 20/39 (43 per cent by acreage) and in 1750 19 out of 38 (again 43 per cent). Subtenancy does not necessarily imply absenteeism. A copyhold might be leased if a widow was left with young children since letting the estate might be an alternative to remarriage. Nevertheless, we find that tenants who were resident in Earls Colne or in one of the adjacent villages rarely sublet their lands except in the absence of an adult male head of the family, and that overall the high level of subtenancy reflects the drift of landholding families away from the village. Within the Earls Colne patterns emerged of subtenants holding lands from more than one copyholder, or of resident copyholders adding subtenanted land to their own holdings. The unit of cultivation in 1750 was therefore somewhat larger than the figures in Table 2 would suggest, and it was by these strategies that the general pressure to increase the size of farms after 1650 was accommodated.



## VII

So we may conclude that the Earls Colne land market was more familial than Macfarlane allowed even if we would not maintain that it had anything in common with the static peasant societies of Eastern Europe. Whilst a key claim in *English Individualism* may be said to have been refuted, the difficulty remains of deciding how we assess our figures. Bas van Bavel has drawn together evidence from a number of English, Dutch and German sources to suggest that land markets normally might have *annual* non-familial turnovers rates (sales) of 1-2 per cent.<sup>38</sup> The figures for Earls Colne fall towards the upper end of that range except for a small number of decades which, as we have seen, might reflect either stress in the property market or random movements in the sale of tenements. As we saw, *decadal* turnover rates ran at about 10-25 per cent per decade. Over 20 decades, the average was 20.9 per cent, but in 10 decades it was less than 15.0 per cent. This is broadly in line with our findings for Slaidburn where the mean non-familial decadal turnover over 230 years was 16.8 per cent. In 20 out of 26 decades, the decadal turnover was between 10-25 per cent.<sup>39</sup> That two very different locations generate such similar figures does suggest that a figure for non-familial turnover per decade of about 20 per cent will be found elsewhere and may in time come to be accepted as entirely normal. It will also be held to be compatible with a high level of the familial retention of land.

There are published examples which suggest much higher turnover rates in the sixteenth century. Glennie's account of Cheshunt north of London, with a turnover rate for sales nearing 5 per cent per annum is clearly in a different league.<sup>40</sup> So too is Dr Whittle's manor of Hevingham in Norfolk.<sup>41</sup> She offers details of the number of transactions and acreage transferred for six 15-year periods between 1444 and 1558.<sup>42</sup> In four of those fifteen, the acreage transferred by all transactions per decade exceeded the total acreage of land in observation, in one period only marginally,

but in three by about 20 per cent giving an annual turnover rate of around 12 per cent. This is a very different situation to the one we have found in Earls Colne and is extreme even by the standards of Dr Glennie's Cheshunt. Only the last of Dr Whittle's periods coincides with our period of investigation: in 1544-58 896 acres was transferred through the court (when the total acreage in observation was 566 acres) making a turnover rate of 105 per cent per decade. Of the transactions, 39 per cent were familial but they transferred 58 per cent of the land passing through the court with a mean transaction size of 12.0 acres. Mean size of non-familial transactions was 5.4 acres giving a non-familial turnover rate of 0.64 per decade. This is not so very different to Earls Colne in the decade 1550-59 where the mean size of familial transactions is 11.8 acres and of non-familial 3.4 acres. What is strikingly different is that the ratio of familial: non-familial transactions. In Earls Colne, 1550-59 about 62 per cent of transactions in Earls Colne are familial. In Slaidburn in the early and mid-sixteenth centuries, the proportion of familial and extra-familial transactions is at about parity although, as we noticed earlier, familial transactions were persistently larger.<sup>43</sup>

Unfortunately a lack of court rolls prohibits the extension of the Hevingham material into the later sixteenth century. Taken with the early sixteenth-century evidence for Cheshunt though, we can see that some manors are far more non-familial (or individualistic) in their attitude to land than Earls Colne. So whilst we would reiterate that turnover rates are a blunt if revealing indicator, we would also reiterate that turnover rates of 1-2 per cent per annum by sale are entirely compatible with a high level of familial retention of land.

These figures all relate to ownership. In the same way as historical demography based on parish registers has been bedevilled by the problem of 'movers' and 'stayers', we have to ask whether the experience of copyhold tenants – small freeholding

proprietors – matches the experience of the population as a whole? There is the obvious point that the ownership of land was becoming progressively less common in the sixteenth century. Population growth, it is acknowledged, produced more landless rather than any redistribution of land, whilst at the same time more occupiers of land held by lease than previously. Where there was no property, debates over the individualistic disposition of that property are plainly besides the point. Is the behaviour of copyholding tenants representative of tenants in the growing leasehold sector? Did they too show a turnover of one or two per cent a year with some families remaining tenants for two, three or more generations?

This is, so far, an unexplored question. We can begin to broach the subject by looking at the other Earl's Colne.<sup>44</sup> The evidence for the Harlakenden's leaseholders on their demesnes and on the cleared woodland of Colne Park is not good. It comes from the notes of lettings and receipts kept by two generations of the Harlakenden family. For them, the financial importance of these lands belies the rather scrappy records which they kept. These leasehold lands formed about 54 per cent of the land area of the two manors in 1598. They were worth about £230 per annum c.1610 and about £280 twenty years later. The copyhold rents were fixed at a little over £51 (they diminished slightly over time as the Harlakendens made small purchases of copyholds). The rent of the demesnes could be raised in accordance with market conditions. There are signs that the Harlakendens were perhaps overzealous in striking hard bargains with their tenants, and this may partially account for a high level of turnover. The lands were let by a mixture of tenancies, mostly leases for 7-9 years, a few for longer terms of 18-21 years. Of 75 identifiable tenancies, 22 lasted for just two years, 10 for seven years but 64 for seven years or less.<sup>45</sup> It could be supposed that the demesnes were used by the copyhold tenants as a pool of land to be called upon when their family size justified the acquisition of more land; but this seems not to have

been the case. Instead, the short term nature of the leasing reflects a pool of tenants who moved from tenancy to tenancy. The average length of tenancy was only 4.8 years. By the 1630s the occupation of land was more stable than before, but the Harlakendens were constantly having to find new tenants to replace these who gave notice and moved on.

This is reflected in the history of the largest of the holdings, Little Lodge. At 320 acres, this was a difficult holding to let. It was broadly a third of the extent of the copyhold lands of the two manors (which should itself give pause for thought). In 1605 it was leased to one John Bird for £120 per annum, but he could not make it pay and the lease was terminated after two years. In 1607 the Harlakendens negotiated with one Nicholas Clark of Finchingfield, but then he finally backed out of the deal. In 1608 they persuaded one of their 'cousins', one Henry Chauncey of Sawbridgeworth in Hertfordshire to take a lease for 10 years of Little Lodge at £128 per annum. Chauncey too was unable to make the property pay, defaulted on his rent, was imprisoned for debt and finally had the lease terminated by an agreement brokered in August 1613 by which Harlakenden acquired much of Chauncey's farm stock in lieu of arrears of rent. Little Lodge was then split with most being absorbed into a directly farmed demesne and a holding of about 80 acres let to one George Wright of Black Notley for 12 years. He surrendered the lease after six.<sup>46</sup>

The significance of this story is that it reveals the existence of a class of men who, (one assumes), had capital or access to capital, but not land, and were prepared to farm on a much larger scale than the copyhold tenants of Earls Colne. Clearly, for them land was a commodity which could be secured on short lets. A lease which proved to be a poor bargain could be cancelled by agreement and a better deal sought elsewhere. Their horizons were not limited to single parishes. We concentrate on the copyholders and ignore the mobile, commercial tenants at our peril. Writing the

history of landholding from the experience of copyholding communities is necessary for entirely pragmatic reasons; but we must be aware that they are always less than representative and, as time goes by, they are increasingly unrepresentative.

## VIII

Whilst it would be dangerous to assert that in the fourteenth and fifteenth centuries the possession of land was universal in rural communities, it is surely true that proportionately more families had inheritable use rights in the land they cultivated in c.1300 than c.1600. The thesis of *English Individualism* (that the disposition of land within the family can reveal something about the emotional temperature of the family) is probably truer for the earlier period than the later: yet even in the high middle ages it should be not be envisaged that individual tenants had a freehand in the devolution of their land. They were bound by the collective norms of their society ('custom') and by the preferences of manorial lords. In the sixteenth century, the devolution of land was a concern to a much smaller proportion of society: a developed market in tenancies allowed men without inherited land to secure a farm. This market arose in part from a landlord preference to maintain their freedom of manoeuvre (to take advantage of rising rents) and, where customary tenancies prevailed, their acceptance of the subletting of copyhold tenancies. This period – which follows the late medieval depression and which we might take as being the late fifteenth and sixteenth centuries - saw the commodification of land.<sup>47</sup>

Another dimension of this commodification was that people could let non-viable holdings to tenants who put several units of ownership together to form a larger, viable, unit of production. This was a force for inertia in land markets because there was no need to sell when a rent could be drawn.

It should not surprise us that land (and leases of land) were bought and sold. Nor should it be surprising that those who had

viable holdings retained them over long periods. No one would deny that the English had the right to buy and sell land without reference to their kin (although they might give them the first option). However we now have some indication of how *often* they sold their land and the answer is not often. Where the land they held did still provided their livelihood, periods of low farm gate prices encouraged some to sell, perhaps out of sheer need. The tenements that entered the market tended, in every generation, to be the smaller ones.

In one respect, the thesis of *English Individualism* can be said to have been refuted. The familial possession of land was much more important in Earls Colne than Macfarlane allowed. In another respect it may be said to have been reasserted. As a description of people's rights, *English Individualism* is surely right. At Hevingham we see a society in which people took the fullest advantage of their freedom to buy and sell. This is at an extreme, but there was always a market in land. This was not merely freehold: but also in leases, and there was an increasing tendency for those who farmed the land to have no interest in it save their lease. For them land was indeed a commodity. Even so, buying and selling, wheeling and dealing, tells us nothing about whether they loved their children, nor does it prove that the English were distinctive in their attitudes. The study of landholding can answer big and important questions: but they are not the big questions posed by *English Individualism*.

*University of Exeter*

*University of Reading*

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Table 1. *Earls Colne: volume of the landmarket by summary transaction type, 1550-1749*

Decade beginning 1 January		1550	1560	1570	1580	1590	1600	11610	1620	1630	1640	1650	1660	1670	1680	1690	1700	1710	1720	1730	1740
Total number of transactions	n	111	108	96	102	101	97	111	100	149	84	132	85	112	74	88	62	80	90	70	94
	a	952.6	984.1	461.8	1084.0	661.0	537.6	1000.5	761.8	1319.8	315.7	1195.4	504.3	678.0	532.8	578.8	525.2	882.8	718.4	1051.6	783.7
	mean	8.6	9.1	4.8	10.6	6.5	5.5	9.0	7.6	8.9	3.8	9.1	5.9	6.1	7.2	6.6	8.5	11.0	8.0	15.0	8.3
Total number of transactions less assignments of leases, escheats leases, mortgages and new grants	n	107	101	92	94	92	94	102	77	134	81	125	84	108	71	88	62	79	83	52	65
	a	917.6	911.2	475.5	945.9	626.6	500.6	892.6	527.3	1157.1	334.5	1177.5	508.9	672.4	482.4	593.7	525.3	882.8	662.3	642.1	361.1
	mean	8.6	9.0	5.2	10.1	6.8	5.3	8.8	6.8	8.6	4.1	9.4	6.1	6.2	6.8	6.7	8.5	11.2	8.0	12.3	5.6
Total familial transactions	n	66	49	39	51	48	45	62	41	68	44	74	42	65	47	50	38	48	57	37	37
	a	777.9	595.5	335.6	509.8	374.9	345.6	712.4	296.9	573.3	188.2	635.9	290.2	510.9	360.8	482.9	382.7	635.0	560.3	492.9	192.3
	mean	11.8	12.2	8.6	10.0	7.8	7.7	11.5	7.2	8.4	4.3	8.6	6.9	7.9	7.7	9.7	10.1	13.2	9.8	13.3	5.2
Total extra-familial transactions	n	41	52	53	43	44	49	40	36	66	37	51	42	43	24	38	24	31	26	15	28
	a	139.7	315.6	139.9	436.1	251.6	155.0	180.2	230.4	583.8	146.3	541.6	218.7	161.5	121.6	110.8	142.6	247.8	102.0	149.2	168.8
	mean	3.4	6.1	2.6	10.1	5.7	3.2	4.5	6.4	8.8	4.0	10.6	5.2	3.8	5.1	2.9	5.9	8.0	3.9	9.9	6.0
Total temporary assignments	n	4	7	4	6	9	1	8	16	14	3	7	1	2	3	0	0	1	7	18	29
	a	38.0	73.2	10.6	191.3	57.3	4.8	107.6	224.4	251.7	23.4	18.0	1.1	24.1	50.4	0.0	0.0	0.1	73.5	409.5	483.8
	mean	9.5	10.5	2.7	31.9	6.4	4.8	13.4	14.0	18.0	7.8	2.6	1.1	12.0				0.1	10.5	22.7	16.7
Total transactions involving lord	n	0	0	0	2	0	2	1	7	1	0	0	0	2	0	0	0	0	0	0	0
	a	0	0	0	2.03	0	47.48	0.8	49.52	0.09	0	0	0	9.76	0	0	0	0	0	0	0
% familial transactions of total F and EF transactions	n	61.7	48.5	42.4	54.3	52.2	47.9	60.8	53.2	50.7	54.3	59.2	50.0	60.2	66.2	56.8	61.3	60.8	68.7	71.2	56.9
	a	84.8	65.4	70.6	53.9	59.8	69.0	79.8	56.3	49.5	56.3	54.0	57.0	76.0	74.8	81.3	72.9	71.9	84.6	76.8	53.3
mean size of EF transaction as % of mean size F transaction.		28.9	49.9	30.7	101.5	73.2	41.2	39.2	88.4	104.9	92.5	123.6	75.3	47.8	66.0	30.2	59.0	60.4	39.9	74.6	115.9
TURNOVER																					
all transactions (%)		84.4	83.8	43.7	87.0	57.6	46.1	82.1	48.5	106.4	30.8	108.3	46.8	61.9	44.4	54.6	48.3	81.2	60.9	59.1	33.2
Familial transactions (%)		71.6	54.8	30.9	46.9	34.5	31.8	65.5	27.3	52.7	17.3	58.5	26.7	47.0	33.2	44.4	35.2	58.4	51.5	45.3	17.7
Extra-familial transactions (%)		12.9	29.0	12.9	40.1	23.1	14.3	16.6	21.2	53.7	13.5	49.8	20.1	14.9	11.2	10.2	13.1	22.8	9.4	13.7	15.5

Ration acreage of EF transactions:F transactions		18.0	53.0	41.7	85.5	67.1	44.8	25.3	77.6	101.8	77.7	85.2	75.3	31.6	33.7	23.0	37.3	39.0	18.2	30.3	87.7

Source: Earls Colne database.

Table 2. *Earls Colne: summary distribution of land calculated from computer-generated rentals, 1550-1750*

		1550	1575	1600	1625	1650	1675	1700	1725	1750
< 1	n	33	31	41	34	42	35	29	24	31
	a	9.7	9.7	11.1	9.1	11.5	8.6	8.7	5.4	8.5
	%	0.9	0.9	1.0	0.8	1.1	0.8	0.8	0.5	0.8
1-<5	n	7	7	15	17	18	13	10	11	8
	a	19.6	20.7	42.2	49.3	45.7	32.2	28	27.3	15.5
	%	1.8	1.9	3.8	4.5	4.2	2.9	2.6	2.5	1.4
5-<20	n	23	23	22	26	29	35	22	23	22
	a	299.9	274.6	264.5	290.0	329.2	367.9	236.7	258.0	254.8
	%	27.4	25.1	24.4	26.5	30.1	33.6	21.6	25.3	23.3
20-<50	n	14	13	12	17	16	12	12	12	12
	a	419.6	377.2	364.3	463.0	454.4	353.9	323.2	348.3	353.4
	%	38.4	34.4	33.1	42.3	41.5	32.3	29.5	31.8	32.3
≥50	n	4	5	5	4	3	4	6	6	4
	a	343.2	413.2	412.9	283.1	253.4	332.4	498.4	455.9	462.9
	%	31.4	37.7	37.6	25.9	23.2	30.4	45.5	41.6	42.3
TOTAL	n	81	79	95	98	108	99	79	76	77
	a	1092.0	1095.4	1095.0	1094.5	1094.2	1095	1095	1094.9	1095.1
	%	99.9	100.0	100.0	100.0	100.1	100.0	99.0	99.9	100.0

Note: Percentage is percentage of acreage *not* holdings.

Source: Earls Colne database.

Table 3. *Percentage of land held in 1550, 1650 and 1750 by retained by families at 10 yearly intervals*

	1550	1650	1750
	%	%	%
1550	100.0	13.2	1.4
1560	89.3	13.7	1.4
1570	70.9	17.6	1.4
1580	61.5	17.6	1.4
1590	55.6	17.7	1.4
1600	53.1	22.3	1.4
1610	45.4	28.7	1.4
1620	37.2	35.4	3.9
1630	27.7	49.7	7.6
1640	16.1	86.5	17.4
1650	13.1	100.0	21.9
1660	9.7	73.6	25.0
1670	9.7	54.7	29.3
1680	7.8	47.4	33.7
1690	7.8	42.8	33.8
1700	7.1	39.9	40.6
1710	3.8	31.7	50.4
1720	3.2	31.1	67.6
1730	3.2	25.6	72.8
1740	3.2	23.0	83.8
1750	2.3	20.1	100.0

Note: calculations are made from 1 January 1550, 1650 and 1750.

Source: Earls Colne database.

Table 4. *Retention of land by families after 10, 20 and 30 years*

		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
		550	560	570	580	590	600	610	620	630	640	650	660	670	680	690	700	710	720	730	740
land retained after:																					
10 years	%	8 9.3	7 1.6	9 1.6	7 6.7	8 2.8	8 5.7	8 4.7	7 7.4	5 8.4	8 6.3	7 3.5	8 0.9	8 7.7	8 8.8	8 9.4	8 7.1	7 9.7	8 9.4	8 3.0	83.8
20 years	%	6 7.4	6 5.3	7 2.6	6 8.6	6 9.5	7 3.5	6 6.3	4 1.4	4 9.6	6 2.4	5 4.6	7 0.5	7 6.7	8 0.6	7 6.8	6 6.5	6 9.4	7 7.7	7 2.8	
30 years	%	6 2.1	5 6.8	6 6.0	5 6.8	5 8.4	5 6.1	3 3.8	3 4.9	3 7.4	4 6.2	4 7.3	6 3.2	7 2.1	6 9.5	5 7.1	5 8.0	5 9.6	6 7.6		

Source: Earls Colne database.

Note: calculations are made from the 1 January of each decade.

Table 5. *Frequency of sales of parcels of land in Earls Colne, 1550-1750*

Number of times a parcel sold		n	acreage	percentage of total area
0		4	14.83	1.3
1		54	180.06	16.4
2		51	169.61	15.5
3		29	111.93	10.2
4		49	169.59	15.5
5		23	48.04	4.4
6		44	149.18	13.6
7		23	64.34	5.9
8		11	21.91	2.0
9		29	118.41	10.8
10		11	23.71	2.2
10+		19	23.36	2.1
TOTAL		347	1095.0	

Source: Earls Colne database.

Table 6. *Distribution of land in Earls Colne, 1630 and 1640*

	1630		1640	
	n	a	n	a
0-<1 acre	35	10.5	38	9.93
1.0-<5 acres	19	50.7	19	51.2
5.0 acres-<20 acres	22	250.8	26	308.1
≥ 20 acres	22	782.8	19	725.8
TOTAL	98		102	

Source: Earls Colne database.

Table 7: *Familial retention of larger tenements in Earls Colne, 1630-1640*

	Holdings 5-<10 acres			Holdings 10-<20 acres			Holdings ≥ 20 acres			Holdings ≥ 5 acres		
	n	acreage	%	n	acreage	%	n	acreage	%	n	acreage	%
<b>Retained in family</b>												
No change	5	34.7	48.6	4	64.1	39.3	10	266.7	35.0	19	365.5	36.7
Holding enlarged by purchase	0	0		1	18.2	11.2	3	81.4	10.7	4	99.6	10.0
Holding diminished by sale	0	0		0			2	65.7	8.6	2	65.7	6.6
Holding divided between co heirs	0	0		0			3	91.8	12.0	3	91.8	9.2
Total	5	34.7	48.6	5	82.3	50.5	18	505.6	66.3	28	622.6	66.3
<b>Not retained</b>												
Sold	5	36.7	51.4	4	56.4	34.6	4	256.4	33.6	13	349.5	33.6
Mortgaged by 1640 and ultimately sold	0	0		2	24.3	14.9	0			2	24.3	4.2
Total	5	36.7	51.4	6	80.7	49.5	4	256.4	33.6	15	373.8	45.5
TOTAL	10	71.4	100.0	11	163.0	100.0	22	762.0	99.9	43	996.4	99.9

Source: Earls Colne database.



Note: 16 acres held by the lord of the manor in 1630 is omitted from consideration.



<sup>1</sup> This paper is a preliminary account of research sponsored by the University of Central Lancashire in 1994-5. The authors still hope to publish a fuller account of Earls Colne, 1550-1750. We are especially to Gill Hoyle who advised on the computing, designed the database and wrote a great many of the queries. We are also grateful to Dr Jane Whittle for reading a late draft of the paper and to the *Review's* referees for helpful comments.

<sup>2</sup> Macfarlane, *English Individualism*, pp.178-180.

<sup>3</sup> One of the authors recalls attending a meeting of the Oxford Peasant Studies Group in the summer of 1989 where some of those present – a decade after the book's publication – remained apoplectic about it whilst still unable to formulate a convincing critique. The present paper has its distant origins in that meeting. For Macfarlane's own assessment of reactions to his book, with a full list of reviews, see Macfarlane, *Culture of Capitalism*, postscript.

<sup>4</sup> Macfarlane, *English Individualism*, pp. 71-2 for a reliance on older writers on the Lake District.

<sup>5</sup> Jane Whittle has recently written that 'Macfarlane's argument that England lacked a peasantry during the late medieval and early modern period is based on an unusually restrictive definition of peasant society and economy, stressing the almost total lack of market relations in peasant society'. She argues that 'the concept of individual property' and land markets were entirely compatible with a peasantry. Whittle, *Development of agrarian capitalism*, pp. 13, 88-9, 92, 177.

<sup>6</sup> Macfarlane, *English Individualism*, pp. 94-8. For current thinking see, for instance, Whittle again: 'The fact that peasant practices and attitudes to land and family change in response to economic conditions is a point that needs to be stressed'. *Development of agrarian capitalism*, p. 88.

<sup>7</sup> Macfarlane, *English Individualism*, pp. 83-4. One instance which was cited came from Lupton in Kirkby Lonsdale (the subject of a parallel and uncompleted project to match that on Earl's Colne) refers to the special circumstances of border service and was, unhappily, misdated by 100 years. *ibid*, pp. 92-3.

<sup>8</sup> Hajnal's thesis was first outlined in 'European marriage patterns in perspective' (1966). It was developed (and publicised) by Laslett, *Family life and illicit love*, ch. 1 (1977), and further developed by Hajnal in 'Two kinds of pre-industrial

household formation system' (1983).

<sup>9</sup> Macfarlane (ed.), *Records of an English village*. The familiar fiche edition is now available online (with additional material) through the Department of Social Anthropology, University of Cambridge's web site: [socanth.cam.ac.uk](http://socanth.cam.ac.uk).

References here are given in the form they appear in the fiche edition (i. e. 111.22222). Archival references are not given (not last because some of those employed in the fiche are no longer current).

<sup>10</sup> Macfarlane, *The savage wars of peace*. In the autobiographical essay which begins this book, Macfarlane claims that he was compelled to write *English Individualism* as a result of his fieldwork in Nepal (p. 4).

<sup>11</sup> See the comments in Hoyle and Sreenivasan, 'Debate: The land-family bond', pp. 170-73.

<sup>12</sup> Spufford, *Contrasting Communities*, ch. 2.

<sup>13</sup> Dr Winchester has recently argued for the 'yeoman dynasties' in Cumbria although without reference to Macfarlane. Winchester, 'Wordsworth's "Pure Commonwealth"'.

<sup>14</sup> Macfarlane was well aware of the distinction between theory and practice: *English Individualism*, p. 84.

<sup>15</sup> *ibid.*, pp. 98-101

<sup>16</sup> *ibid.*, p. 68.

<sup>17</sup> Hoyle, in Hoyle and Sreenivasan, 'Debate: The land-family bond', p. 163.

<sup>18</sup> Sreenivasan, 'The land-family bond at Earls Colne': Hoyle and Sreenivasan, 'Debate: The land-family bond', Hoyle, 'The secret life of biros'.

<sup>19</sup> For convenience, and because the records of the two manors are held in a single database which treats them as one entity, we will refer throughout this paper to 'the manor'.

<sup>20</sup> We were far less successful in our attempt to repeat the Earls Colne database in the Pennine manor of Slaidburn, which lacked a detailed master survey and underwent a largely silent process of open field enclosure, as well as a major moorland enclosure in 1621. For early results from this project, French and Hoyle, 'The land market of a Pennine manor'.

<sup>21</sup> The database describes the history of 1091.9 acres of land from 1546-1600; then 1090.2 acres, then falling by 1630 to 1088.6 acres; from 1660 to the end of the project 1078.9 acres. The fall is due to land being acquired by the lord and no longer being held as copyhold. A further 23 parcels were initially identified and numbered, but no transactions were coded against them.

<sup>22</sup> Whittle, 'Individualism and the family-land bond', p. 29; *Development of agrarian capitalism*, table 3.2. (The same effect can be seen by comparing rows 9 and 10 of her table 3.1.) Between 1274 and 1558, transfers within the family were persistently larger than her category of 'inter-tenant non-family transfers' (the category we call extra-familial transactions). In nine out of ten periods, familial transfers were larger than the mean of all transfers. In 1544-58 the figures were familial, 12.0 acres (which is very high for that manor), extra-familial 5.4 acres, mean (100 instances) 7.8 acres.

<sup>23</sup> Macfarlane, *English Individualism*, p. 99.

<sup>24</sup> For instance, Wrightson and Levine, *Poverty and Piety*, p. 175.

<sup>25</sup> Sreenivasan, 'Debate', pp. 176, fig. on p. 177.

<sup>26</sup> Post-1750 estate histories are based on the annotated rental of 1854 available on the Earls Colne website (see n. 9 above), in this case at 800.00625 and 800.00285.

<sup>27</sup> The fact that this tenement was mortgaged twice distorts the figure we have earlier for mean mortgage size. Recalculated without these two mortgages, we get a mean mortgage size for 61 events of about 4.8 acres.

<sup>28</sup> Neville was also tenant of a 31-acre holding of Earls Colne demesne from 1634: Macfarlane, *Records of an English village*, 233.00228.

<sup>29</sup> *ibid.*, 381.01239; 343.00262.

<sup>30</sup> A slander case of 1620-1 reveals that Collin's wife Isabel had engaged in adulterous relationships with a number of men. (*ibid.*, 700.047-703.405). Collins disappears from the Earls Court homage after 1625 and appears to have left the village. He sold virtually all his land in 1633 although he may still have been living as late as 1645 when a man of that name was fined for not making his suit to the manorial court. In 1655, when Collin's son surrendered some land, the court had reservations about his paternity and his sister, Mary, made the claim

that she was the lawful heir to Isabel Collins (ibid., 349.01294, 01204). William Collins appears to have left the village in the aftermath of the 1620 case, to have never returned and to have sold his lands rather than raking over the whole business of his children's paternity.

<sup>31</sup> Hunt, *The Puritan moment*, p. 197.

<sup>32</sup> VCH *Essex* X, p. 93.

<sup>33</sup> Wrightson and Levine, *Poverty and piety*, pp. 183-4.

<sup>34</sup> Spufford, *Chippenham*, pp. 46-7. Chippenham differs from Earls Colne in that the sixteenth- and early seventeenth-century manorial lords successfully improved the manor and converted some of the copyhold to leasehold (although a large copyhold survived until 1791). ibid., pp. 45, 51.

<sup>35</sup> French and Hoyle, 'Land market of a Pennine manor', tables 2, 3.

<sup>36</sup> The manorial rights were divided between the heirs of Richard Harlakenden jun. from his death in 1677 to 1781. It might be noticed too that the family held the rights until the late 1930s, so they remained in a single family for 350 years. VCH *Essex* X, pp. 92-3.

<sup>37</sup> Subtenancy will be the subject of a chapter in our forthcoming book where the detailed work underpinning these conclusions will be found.

<sup>38</sup> van Bavel, 'Land market in the North Sea area'.

<sup>39</sup> Hoyle and French, 'Land market of a Pennine manor', Table 1.

<sup>40</sup> Glennie, 'In search of agrarian capitalism', p. 20.

<sup>41</sup> The following is based on Whittle, *Development of agrarian capitalism*, tables 3.1 and 3.2. The area under observation is given on p. 102.

<sup>42</sup> Her figures have been multiplied by 0.66 to give a figure per decade.

<sup>43</sup> Hoyle and French, 'Land market of a Pennine manor', Table 1.

<sup>44</sup> The following section is based on the longer account in our forthcoming book, ch. 4.

<sup>45</sup> The records are too unsystematic for absolute confidence to be placed in these figures: but a high turnover is certainly indicated.

<sup>46</sup> The key sources here are to be found at Macfarlane, *Records of an English village*, 29.01154, 226.01965, 226.02119, 229.02203 and Chauncey's suit against Harlakenden, 160.00767, 160.00846.

<sup>47</sup> This is, after all, one of Tawney's key insights. For one revealing example, see Schofield, '*Extraneifs* and the market for customary land', esp. pp. 15-16.