

*The crown lands, to an aspect of Yorkist and early Tudor government.* by Wolffe, Bertram Percy. Publication date

In particular, it has drawn attention to the crucial influence of the property market on the changing social structure of Tudor and Stuart England. Detailed local studies of land transactions have pursued two main lines of inquiry: The biographical approach has provided much evidence of the problems facing individual landowners and the opportunities open to them, but there are considerable risks involved in extending such an analysis from the particular to the general. The aim of the present paper is to attempt a new approach, namely the consideration of the total land market in a single county during the period of maximum social upheaval which immediately followed the dissolution of the monasteries. It will attempt to put the market for monastic and other Crown lands into perspective, and to suggest that this was only a part, albeit a very important part, of a much wider land market. One result of the preoccupation of historians with the disposal of monastic lands has been a tendency to minimize the size of the land market before. See the judicious summary of the controversy by J. See in particular her *Devon Monastic Lands*: Similar studies have subsequently been made of a number of English and Welsh counties. Finch, *Five Northamptonshire Families, 1540-1640*, Northants. Record Society, 1919. Once again, this pioneer work has stimulated a number of similar studies. Professor Habakkuk has written of the "small and imperfect land market of the early sixteenth century," and of "some frustrated demand for land" before. At first sight the evidence in support of the assertion that the market was starved of land before the Dissolution seems overwhelming. For Devon the mean number of fines levied per annum in the decade 1520 was 7.6. By 1541-50 this had increased more than sevenfold, to 57.7 per annum. Unfortunately this evidence is of very limited value, as the nature of the documents changed during the period. Prior to 1520 the courts held that a final concord could not be used to bar an entail. For this reason purchasers of entailed property preferred to use the more cumbersome and expensive, but legally acceptable, common recovery. In 1520 the courts decided that fines could be employed to bar entails, and this was confirmed by statute in 1534. For this reason it seems more reasonable to consider a combination of fines and recoveries rather than fines alone when assessing the growth in the size of the land market. While five times as many Devon fines were levied in 1550 as in 1520, the combined total of fines and recoveries only trebled. Fines and particularly recoveries are also extremely difficult records to interpret. Many did not record a genuine sale of land, but merely a settlement or an entail, and it is frequently not possible to ascertain this merely from the form of the document. It is also possible that a type of conveyance which required attendance in London may not have been typical. Fortunately an alternative approach is possible--the analysis of original title deeds. These have survived 1/3. There is no preponderance of deeds from any single collection, and there is no reason why deeds dated in a particular year should have had a better chance of survival than any other. Of course, only a minority of deeds have survived, but sufficient have done so for the purposes of analysis. For recoveries dated between 1520 and 1550, see P. The size of the market seems to have increased by between 10 per cent original deeds and 20 per cent. The figure for fines is inflated by the legal changes of 1534, and the new attraction of the fine may have accounted for the temporary fall in the number of original deeds between 1534 and 1550. Probably the increase in the combined fine-recovery index, about 35 per cent, is nearer the true figure. However, a closer examination of the early sixteenth-century land market suggests that in Devon this was true of particular sectors of the market, rather than of the market as a whole. Sales of very small properties were not uncommon before 1520, and they did not greatly increase in number after that date. Nor were purchasers of such small properties greatly affected by monastic land. The legal and administrative costs involved in direct purchase from the Crown were prohibitive, although occasionally, as with the ex-Courtenay manor of Colyton, a large number of villagers grouped together to purchase their holdings from the Crown. Probably the demand of most small farmers was satisfied, particularly if, as has been suggested, it was only the gentlemen farmers who really benefited from the rise in food prices. Only 7 per cent of sales in the original deeds before 1520 concerned manors, compared with 21 per cent between 1520 and 1550. However, it was relatively easy to purchase large manors, as long as one was in a position to know when important absentee landlords wanted to

sell. They rarely appeared on the market, although they were well within the capacity of many merchants, or of one of the multi- 1 For Colyton, see I. Only 7 per cent of purchase prices were in this range before , compared with 18 per cent between and . Such a state of affairs was hardly surprising. Devon was a county of small land- owners, and most of the small manors in the county outside the great insti- tutional estates were owned by gentlemen or esquires. The majority of these men owned only one or two manors, and naturally they were extremely reluc- tant to sell their patrimony.: There is some evidence to suggest that this situa- tion may have been broadly similar in other parts of the country. II Sales of Crown land seem to have complemented the existing land market, rather than to have competed with it. Crown land filled gaps in the existing market. This is confirmed by an analysis of the chronology of the land market between and . Crown sales of property did not depress the private land market, and the level of activity in the two sectors of the market fluctuated in unison. To make this analysis one must consider not only monastic land but all property sold by the Crown in the period. This included a large amount of attained property as well as chantry land. Alto- gether Crown grants of land were made between and . Crown grants and private sales of land followed the same chronological pattern. Indeed, the connection was even closer than these quinquennial figures sug- gest. More than a quarter of all grants of Crown lands in the period were made between and , and these were also the years of peak activity in the private land market. Another peak was reached between and o, with: Based on an analysis of Devon Inquisitions post mortem in the P. T h e y are now either in the P. T h e Act came into force on 3I July I, and the figure for enrolments in takes account of this. This boom was not reflected in the enrolled deeds, but this is probably to be explained by the understandable preoccupation of the Devon justices with the Prayer-Book rebellion in . The land market was at its slackest between and . The number of deeds enrolled in was the fourth lowest annual total in the period, and no sales of Crown land were made in . Most of the best monastic land had already been sold, and Mary had scruples about selling chantry pro- perty. However, the Crown did have available the large Bonvil! How- ever, it is equally possible that this was caused by mere inertia. A booming market for cloth led to general prosperity in the county. Merchants made large profits, and so did the farmers, every one of whom, as John Hooker observed later in the century, had his own flock of sheep? The period was also one of un- usually good harvests. An unbroken series of good harvests marked the years between I and I, and the effect of the very bad harvest of I was softened by the three abundant harvests which followed. The revaluation of T55I ended the cloth boom, and no real recovery occurred during the decade. The harvest of I55I was bad, and worse was to follow with two years of dearth in I and i, and a serious influenza epidemic in I The demand for their product was falling, and at the same time fodder prices were reaching unprecedented levels. This is particularly true of those classes who were most seriously affected by the de- pression. The proportion of enrolled purchases made by merchants fell from 24 per cent in T54t o to t 9 per cent in I This argues against the assertion of G. The share of small farmers, craftsmen, and traders also fell, from 21 per cent to 17 per cent. The gainers were the lawyers, whose share of the market rose from 15 to 20 per cent, and the gentlemen, who often farmed on a large enough scale to be able to ride out or even profit from the bad harvests. Their share of the purchases rose from I I to 19 per cent. III There were few compelling reasons why purchasers should have chosen Crown rather than private land, or vice versa, although Crown land did differ in some important respects from other property. A wider choice was usually available, and it included manors, which were popular for social as well as purely financial reasons. Probably most purchasers were influenced more by the position of a property than by the identity of its seller. If one wished to build up a compact estate, one purchased suitable property as it became available. Between and he purchased eleven manors in the county, all within ten miles of his home. Three manors were purchased directly from the Crown, one was a second-hand monastic manor, and seven had been privately owned. Although sales of Crown land did not take priority over the existing private . The disposal of this Crown property directly stimulated the general land mar- 1 ket in at least three main ways. Firstly, monastic property was often resold ], fairly quickly. Whether or not this represented speculation has been the sub- I J!: In a few cases property was clearly pur- I: C54, Roll , m. A typical case in Devon concerned the resale of property in and near Pilton in north Devon by the lawyers, George Rolle and Nicholas Adams. Ready cash was always in short supply in Tudor England. It might not be possible to raise cash by the levy of entry fines on existing estates, and borrowing,

whether on mortgage or on bond, was expensive. The best solution was to sell land, particularly if one sold small isolated properties which were expensive to administer, and purchased a compact property like a manor. Thus a single purchase of land from the Crown could often lead directly to several land sales on the open market. A typical case in concerned Sir John Fulford, the head of one of the leading Devon families. The larger of the two manors in his home parish, the manor of Dunsford, had been owned by Canonsleigh Priory. This he did in June

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Simple arithmetic forecast that Henry VII would last no more than a decade and that the Battle of Bosworth Field was nothing more than another of the erratic swings of the military pendulum in the struggle between the house of York and the house of Lancaster. What gave Henry Tudor victory in was not so much personal charisma as the fact that key noblemen deserted Richard III at the moment of his greatest need, that Thomas Stanley 2nd Baron Stanley and his brother Sir William stood aside during most of the battle in order to be on the winning team, and that Louis XI of France supplied the Lancastrian forces with 1, mercenary troops. Edmund Tudor, earl of Richmond, was born to Catherine of Valois, widowed queen of Henry V, by her clerk of the wardrobe, Owen Tudor, and the precise marital status of their relationship has never been established. Had quality of Plantagenet blood, not military conquest, been the essential condition of monarchy, Edward, earl of Warwick, the year-old nephew of Edward IV, would have sat upon the throne. Might, not soiled right, had won out on the high ground at Bosworth Field, and Henry VII claimed his title by conquest. The new king wisely sought to fortify his doubtful genealogical pretension, however, first by parliamentary acclamation and then by royal marriage. The day was coming when the successful prince would be more praised than the heroic monarch and the solvent sovereign more admired than the pious one. Henry Tudor was probably no better or worse than the first Lancastrian, Henry IV; they both worked diligently at their royal craft and had to fight hard to keep their crowns, but the seventh Henry achieved what the fourth had not – a secure and permanent dynasty – because England in was moving into a period of unprecedented economic growth and social change. Economy and society By the kingdom had begun to recover from the demographic catastrophe of the Black Death and the agricultural depression of the late 14th century. As the 15th century came to a close, the rate of population growth began to increase and continued to rise throughout the following century. The population, which in may have dropped as low as 2. More people meant more mouths to feed, more backs to cover, and more vanity to satisfy. In response, yeoman farmers, gentleman sheep growers, urban cloth manufacturers, and merchant adventurers produced a social and economic revolution. By they were a chartered organization with a legal monopoly of the woolen cloth trade, and, largely as a consequence of their political and international importance, Henry successfully negotiated the Intercursus Magnus, a highly favourable commercial treaty between England and the Low Countries. As landlords increased the size of their flocks to the point that ruminants outnumbered human beings 3 to 1 and as clothiers grew rich on the wool trade, inflation injected new life into the economy. England was caught up in a vast European spiral of rising prices, declining real wages, and cheap money. Between and , prices in England doubled, and they doubled again in the next generation. In the cost of wheat was what it had been in ; by it had tripled. Contemporaries blamed inflation on human greed and only slowly began to perceive that rising prices were the result of inflationary pressures brought on by the increase in population, international war, and the flood of gold and silver arriving from the New World. Inflation and the wool trade together created an economic and social upheaval. A surfeit of land, a labour shortage, low rents, and high wages, which had prevailed throughout the early 15th century as a consequence of economic depression and reduced population, were replaced by a land shortage, a labour surplus, high rents, and declining wages. The landlord, who a century before could find neither tenants nor labourers for his land and had left his fields fallow, could now convert his meadows into sheep runs. His rents and profits soared; his need for labour declined, for one shepherd and his dog could do the work of half a dozen men who had previously tilled the same field. Slowly the medieval system of land tenure and communal farming broke down. The common land of the manor was divided up and fenced in, and the peasant farmer who held his tenure either by copy a document recorded in the manor court or by unwritten custom was evicted. The total extent of enclosure and eviction is difficult to assess, but, between and , in 34 counties more than , acres , hectares , or about 2. Statistics, however, are deceptive regarding both the emotional impact and the extent of change. The most disturbing aspect of the land revolution was not the

emergence of a vagrant and unemployable labour force for whom society felt no social responsibility but an unprecedented increase in what men feared most—change. Farming techniques were transformed, the gap between rich and poor increased, the timeless quality of village life was upset, and, on all levels of society, old families were being replaced by new. The beneficiaries of change, as always, were the most grasping, the most ruthless, and the best educated segments of the population: Equally dangerous was the persistent myth that the younger of the two princes murdered in the Tower of London had escaped his assassin and that the earl of Warwick had escaped his jailers. The existence of pretenders acted as a catalyst for further baronial discontent and Yorkist aspirations, and in John de la Pole, a nephew of Edward IV by his sister Elizabeth, with the support of 2, mercenary troops paid for with Burgundian gold, landed in England to support the pretensions of Lambert Simnel, who passed himself off as the authentic earl of Warwick. Again Henry Tudor was triumphant in war; at the Battle of Stoke, de la Pole was killed and Simnel captured and demoted to a scullery boy in the royal kitchen. Ten years later Henry had to do it all over again, this time with a handsome Flemish lad named Perkin Warbeck, who for six years was accepted in Yorkist circles in Europe as the real Richard IV, brother of the murdered Edward V. Warbeck tried to take advantage of Cornish anger against heavy royal taxation and increased government efficiency and sought to lead a Cornish army of social malcontents against the Tudor throne. It was a measure of the new vigour and popularity of the Tudor monarchy, as well as the support of the gentry, that social revolution and further dynastic war were total failures, and Warbeck found himself in the Tower along with the earl of Warwick. In the end both men proved too dangerous to live, even in captivity, and in they were executed. The policy of dynastic extermination did not cease with the new century. Financial policy It was not enough for Henry VII to secure his dynasty; he also had to reestablish the financial credit of his crown and reassert the authority of royal law. Medieval kings had traditionally lived off four sources of nonparliamentary income: The first Tudor was no different from his Yorkist or medieval predecessors; he was simply more ruthless and successful in demanding every penny that was owed him. To these essentially statutory steps he added efficiency of rent collection. The increase in customs and land revenues was applauded, for it meant fewer parliamentary subsidies and fit the medieval formula that kings should live on their own, not parliamentary, income. But the collection of revenues from feudal and prerogative sources and from the administration of justice caused great discontent and earned Henry his reputation as a miser and extortionist. Occasionally he overstepped the bounds of feudal decency and abused his rights. In, for instance, he levied a feudal aid tax to pay for the knighting of his son—who had been knighted 15 years before and had been dead for two. To fiscal feudalism Henry VII added rigorous administration of justice. Generally, Henry believed in a good-neighbour policy—apparent in his alliance with Spain by the marriage of Arthur and Catherine in and peace with Scotland by the marriage of his daughter Margaret to James IV in —on the grounds that peace was cheap and trade profitable. In, however, he was faced with the threat of the union of the duchy of Brittany with the French crown; and England, Spain, the empire, and Burgundy went to war to stop it. The administration of justice Money could buy power, but respect could only be won by law enforcement. The problem for Henry VII was not to replace an old system of government with a new one—no Tudor was consciously a revolutionary—but to make the ancient system work tolerably well. He had to tame but not destroy the nobility, develop organs of administration directly under his control, and wipe out provincialism and privilege wherever they appeared. In the task of curbing the old nobility, the king was immeasurably helped by the high aristocratic death rate during the Wars of the Roses; but where war left off, policy took over. Commissions of Array composed of local notables were appointed by the crown for each county in order to make use of the power of the aristocracy in raising troops but to prevent them from maintaining private armies livery with which to intimidate justice maintenance or threaten the throne. Previous monarchs had sought to enforce the laws against livery and maintenance, but the first two Tudors, though they never totally abolished such evils, built up a reasonably efficient machine for enforcing the law, based on the historic premise that the king in the midst of his council was the fountain of justice. Traditionally, the royal council had heard all sorts of cases, and its members rapidly began to specialize. The Court of Chancery had for years dealt with civil offenses, and the Court of Star Chamber evolved to handle alleged corruption of justice intimidation of witnesses and jurors, bribing of judges, etc. The

process by which the conciliar courts developed was largely accidental, and the Court of Star Chamber acquired its name from the star-painted ceiling of the room in which the councillors sat, not from the statute of that recognized its existence. Conciliar justice was popular because the ordinary courts where common law prevailed were slow, cumbersome, and more costly; favoured the rich and mighty; and tended to break down when asked to deal with riot, maintenance, livery, perjury, and fraud. The same search for efficiency applied to matters of finance. The traditional fiscal agency of the crown, the exchequer, was burdened with archaic procedures and restrictions, and Henry VII turned to the more intimate and flexible departments of his personal household—specifically to the treasurer of the chamber, whom he could supervise directly—as the central tax-raising, rent-collecting, and money-disbursing segment of government. By royal government had been extended into the northern counties and Wales by the creation of the Council of the North and the Council for the Welsh Marches. The Welsh principalities had always been difficult to control, and it was not until that Henry VIII brought royal law directly into Wales and incorporated the self-governing lordships into a greater England with five new shires. Only one vital aspect of the past remained untouched, the semi-independent Roman Catholic Church, and it was left to the second Tudor to challenge its authority and plunder its wealth.

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Sir John Wingfield, the father of four daughters and twelve sons, of whom Sir Richard ? He was knighted by Edward IV in , and made a privy councillor. In he was appointed a commissioner to treat with the French ambassadors at Amiens. He died on 10 May He had been on the commission of the peace both for Essex and Suffolk since at least. Charles Brandon, duke of Suffolk [q v. On 28 May he was nominated upon the royal commission for inquiring into illegal inclosures in Suffolk see Leadam, Domesday of Inclosures, , i. He appears to have acted in , together with his eldest brother, Sir John Wingfield [see under Wingfield, Sir Anthony], as a financial agent between the government and the Duke of Suffolk. In and he was a commissioner of subsidy for Suffolk and for the town of Ipswich. On 26 June he was appointed a commissioner of assize for Suffolk, On 5 Feb. On 11 June he was nominated by Wolsey one of a commission of twenty-one lawyers presided over by John Taylor d. In this capacity he, sitting with three other commissioners at Woodbridge, Suffolk, returned a verdict on 19 Sept. He was at the same time high steward of St. Mary Mettingham, another Suffolk college, and under-steward in Suffolk of the estates of St. During his speakership were passed the acts severing the church of England from the. Roman obedience and affirming the royal supremacy. He appears to have received from the crown a salary of l. Parliament was dissolved on 4 April On the outbreak of the northern rebellion in Wingfield was one of the Suffolk gentry upon whom the government relied for aid. He was nominated in a commissioner for the valuation of the lands and goods of religious houses in Norfolk and Suffolk. For these services he was rewarded by a grant in tail male, dated 29 June , of the manors of Netherhall and Overhall in Dedham, Essex, and all the lands in Dedham belonging to the suppressed nunnery of Campsie, Suffolk, also of the manor of Crepinghall in Stutton, Suffolk, and all lands there belonging to the late priory of Colne Comitis Earls Colne in Essex. He was also commissioned to survey the defensive points of the coast when in there were apprehensions of an invasion. He was among the knights appointed to receive Anne of Cleves in January Wingfield died on 23 Oct. His daughter Anne married Sir Alexander Newton.

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The rebels agreed to disband if the King reviewed the demands, a freely elected parliament at York would act on the same, and if the rebels received parliamentary pardon for taking part in the rebellion and for all acts committed during the same. Norfolk received the articles with promises to present them to the King. He also promised a parliament at York and a general pardon to the rebels. Robert Aske announced these promises to the Pilgrims, and the rebels disbanded. Aske visited the King in London, but returned to York in January with nothing more than vague promises. This gave the King an excuse to violently stamp out the rebellion in the North and to renege on the promises made on his behalf by Norfolk. The supremacy of the Church touching "cura animarum" to be reserved to the See of Rome as before. The consecrations of the bishops to be from him, without any first fruits or pension to be paid to him, or else a reasonable pension for the outward defence of the Faith. That lady Mary may be made legitimate, and the former statute therein annulled for the danger of the title that might incur to the crown of Scotland: The suppressed abbeys to be restored to their houses, lands, and goods. To have the tenths and first fruits clearly discharged of the same, unless the clergy will grant a rentcharge in generality to the augmentation of the Crown. To have the Friars Observants restored to their houses. To have the heretics, bishops and temporal, and their sect, to have condign punishment by fire or such other, or else to try the quarrel with us and our part-takers in battle. Riche to have condign punishment, as subverters of the good laws of the realm and maintainers and inventors of heretics. This to be done by Act of Parliament. Layton have condign punishment for their extortions from religious houses and other abominable acts. The statute for inclosures and intacks to be put in execution, and all inclosures and intacks since 4 Hen. To have a parliament at Nottingham or York, and that shortly. The statute of the declaration of the crown by will to be repealed. Pardon by Act of Parliament for all recognisances, statutes and penalties new forfeited during the time of this commotion. The privileges and rights of the Church to be confirmed by Act of Parliament. Priests not to suffer by sword unless degraded. A man to be saved by his book. Peter of York, and such other by Act of Parliament. To have the statute "That no man shall not will his lands," repealed. The statutes of treasons for words and such like made since 21 Hen. That the common laws may have place as was used in the beginning of the reign, and that no injunctions be granted unless the matter has been determined in Chancery. That men north of Trent summoned on subpoena appear at York, or by attorney, unless it be directed on pain of allegiance, or for like matters concerning the King. A remedy against escheators for finding false offices and extorting fees.

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