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**A Gloucestershire Postscript to the 'Domesday of Inclosures'**

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# A Gloucestershire postscript to the 'Domesday of Inclosures'

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INCLOSURE of the common fields and wastes, which went on spasmodically from the Middle Ages until the 19th century, has been the subject of many books, theses and articles. One of the best known is *The Domesday of Inclosures of 1517*, edited by I. S. Leadam for the Royal Historical Society and published in two volumes in 1897. In this work were printed nearly all the extant returns of the Royal Commission which in 1517 — evidently by order of Thomas Wolsey, Lord Chancellor, and as urged in More's *Utopia*, published the year before — enquired into depopulation caused by inclosure of arable land for sheep-farming or the creation of private parks.

The presentments printed in Leadam's *Domesday* cover nine counties. Commissioners also operated in Nottinghamshire and Gloucestershire, and the late W. E. Tate, in his *Gloucestershire Enclosure Acts and Awards* (*Trans. BGAS*, Vol. 64), noted that since the *Domesday* appeared the original Chancery certificates for Gloucestershire had been discovered in a more or less fragmentary condition in the Public Record Office, but were still awaiting an editor.

These documents have now been repaired, and although portions are badly damaged and practically illegible, a good deal can be deciphered. As they are apparently the only surviving records of the Inclosure Commission's proceedings in our county, their publication must be of some interest. Although they relate to only a minority of the Gloucestershire hundreds, the landowners concerned include members of leading local families, as well as the monastic houses of Lanthony, Evesham, and St. Peter's, Gloucester.

The royal commissioners for Hereford, Worcestershire and Gloucestershire, named in the Commission of 1517, were the Bishop of Hereford, Sir Maurice Berkeley, Sir Robert Poyntz, Sir Alexander Baynham, Sir William Uvedale, Thomas Poyntz and Thomas Matston or Matson.<sup>1</sup> Of these, all except the Bishop and Sir William Uvedale were Gloucestershire men, and acted in all or most of the sessions recorded. Berkeley, the Poyntzes and Baynham belonged, of course, to well-known county families, while Thomas Matston or Matson<sup>2</sup> was in the Commission of the Peace for Gloucestershire in 1515, besides serving (as did Thomas Poyntz) on a commission of enquiry into waste of deer, timber and wood in 'Barkleyslandis' (1518) and another into the imparking of land in Herefordshire, Worcestershire and Gloucestershire (1517). Matson received a pension of 20s. from the Crown as a 'learned man', of Wotton-under-Edge, in 1521, so presumably he was 'learned in the law'. With Thomas Poyntz, probably another lawyer, he figured in a protest, in April 1517, against the ejection of the Abbot of Kingswood by the Abbots of Forde and Tintern (acting as Visitors or 'Reformators' of the Cistercian Order). The new Abbot appealed to the powerful Duke of Buckingham for help against these 'rioters'.

About four years earlier, 'that great controversy which', as Smith of Nibley tells us,<sup>3</sup> 'had many years been tumbled with variable successe' between Sir Robert Poyntz and the Berkeleys over property, had been settled, so no doubt Sir Robert was able to collaborate amicably with Sir Maurice Berkeley on the Commission. The sessions were held at Cirencester and Chipping

1. *L. & P. Hen. VIII*, II, p. 1055.

2. For whom see *L. & P. Hen. VIII*, II, pp. 190, 1021-2, 1232; III, pp. 499, 512.

3. *Lives of the Berkeleys*, II, 203.

Sodbury (unless others have not survived), the former chosen no doubt because some of the inclosures reported were in the north Cotswolds, the latter perhaps for the convenience of Sir Maurice Berkeley — evidently acting as chairman — who was then living at Yate, dispossessed of his ancestral estates and the Barony of Berkeley through his demented elder brother's conveyance of them to the Crown in return for the title of Marquess.

The juries by whom the presentments were made were presumably drawn from the hundreds in which the alleged inclosures had occurred.

By the terms of the Royal Commission, the commissioners were to enquire: 'Quae et quot ville, quot domus et edificia a predicto festo (Michaelmas 1488) prosternuntur & quot & quante terre que tunc in cultura erant et iam in pastura convertuntur, necnon quot & quanti parci pro feris nutriendis citra idem festum includuntur, et per quos vel per quem, ubi, quando, qualiter & in quo modo, ac de aliis articulis et circumstantiis premissa qualitercumque concernentibus.' Among the documents on the file of presentments is a sheet of questions which are apparently those actually put to the jurors in the vernacular, viz.

First ye shall enquire what townes villages and hamylettes have ben dekaied and laid downe by inclosers into pastures within the Shires conteyned in thys comysson sith the iiiii<sup>th</sup> yere of the reign of King Henry the VII

Item what lond was thenne in tillage at the tyme of the seide inclosure and what was then in pasture

Item (how) many plowes by reason of the same inclosure be lede down

Item how (many) mesis cotages and dwelling howses be falld in deokay and thenhabitauntes of the same be departed from their inhabitacion there by reason of the same inclosures

Item by whome the same inclosures were made and how long agon and yf they were made within the seid tyme

Item who nowe hath the same of enheritaunce and the profittes of the same inclosure

Item how many newe parkys be new made within the seid tyme

Item what erable londes at the tyme of makyng of the seid parkys were imparked within the same

Item how many plowes howses and inhabitacions be dekaied by imparkyng of the seide grownde

Item (how) many parkys within the seide Shire be enlarged sith the seide tyme and how moche of the same grownde was then erable and put in tillage

Item how many plowes howses and inhabitacions be deokayd by reason of the seide imparkyng

Item what fermes of erable londe and pasture be takyn by gentilmen within the seid Shire . And by reason thereof howe many plowes be dekaied and leide downe. And what howses and inhabitacions be desolate by reason of the same and what people be nowe lesse there inhabite (*sic*) thenne were afore the sayde ferme takyng

I now give a translation of the presentments, which are in Latin, on parchment. After the first one, the stereotyped wording 'inclosed with hedges and ditches . . . and converted to pasture' has been abbreviated to 'inclosed &c.'. A few notes on the places and persons involved have been added, following each set of presentments.

*P.R.O. C.47 (Chancery Misc.) Bundle 7, Nos. 2/2/8-12*

8. Inquisition taken at Cirencester 28 Oct., 9 Hen. VIII (1517), before Maurice Berkeley, kt., Robert Poyntz, kt., Alexander Baynham, kt., Thomas Poyntz, esq. and Thomas Matson, commissioners for the county, and by oath of William Benett, Richard Halle, Nicholas Bordeman, Richard Stratford, William Callsell, Richard Trynder, William Raby, Robert Nede, Robert Halle, Richard ?Sewell, John Churchneys, John ?Okewold, Richard ?Clyssald and Richard Dene.

Who say on their oath that Walter Baker, in 12 Hen. VII, at Calne Aylewynes in Gloucestershire, inclosed with hedges and ditches 62 acres of arable land, and converted them to pasture; of the inheritance of the Monastery of St. Peter, Gloucester. And that by reason of this inclosure one house there has become desolate and ruinous, and that five persons have departed. And that one plough has been given up there by reason of the said inclosure. And of whom the said 62a. are held they know not; they are worth 26s. 8d. per annum.

(Sealed by the Commissioners)

Some comments on the Commissioners have already been given. Calne Aylewynes is, of course, Coln St. Aldwyns, in Brightwells Barrow Hundred, a manor of St. Peter's Abbey, Gloucester.

9. At Cirencester, 28 Oct., 9 Hen. VIII, before (same Commissioners), by oath of John Mundy, John ?Tame, Robert ?Beks, Thomas Newman, John Pope, Nicholas Elyett, Thomas Clarke, Nicholas Fedlow, Roger ?Teniell, Thomas Lyvett, Richard ?Colt, Guy Rede, Thomas C. . . . ., and John Smythysend.

Who say on their oath that Thomas Estcort, gent., on 4 February, 3 Hen. VIII (1512), in Cokbury, Glos., inclosed &c. 77 acres of arable; of the inheritance of Lord Lyle. And by reason of the said inclosure two mills are vacant and ruinous, and six persons have departed, and ?one plough has been given up. The said 77a. are held of the Lord King, and are worth 40s. 6d per annum.

Cokbury is presumably Stony Cockbury in Southam Delabere or Rushy Cockbury in Winchcombe, both now farms, — probably the latter, as John, Earl of Shrewsbury, held a tenement called 'Cockburns' in Winchcombe in 38/39 Hen. VI, and 'Lord Lyle', whose inheritance the property is said to have been, must be Shrewsbury's grandson (by his daughter Elizabeth and Sir Edward Grey), Viscount Lisle, nephew of the Viscount Lisle killed by the Berkeley adherents in the Battle of Nibley Green. It is difficult to associate Thomas Estcourt of Estcourt in Shipton Moyne with the Winchcombe area, but the family had extensive possessions at this time.

Further they say that Thomas Hygford, gent., now deceased, in ?24 Hen. VII inclosed &c. in Dykston, Glos., 190 acres of arable; of the inheritance of the said Thomas. And that William Hygford, his son and heir, is a minor and in the wardship of John Hungerford, kt., who holds and occupies the said 190a. by reason of William's minority. And that three houses there are vacant and fallen ruinous. The 190a. are held of the said Sir John Hungerford and are worth £6 per annum.

Dykston is Dixton in the parish of Alderton (Tewkesbury Upper Hundred), where the Higford family were long established. The Hungerfords were of Down Ampney.

10. At Sodbury, 22 Sept., 9 Hen. VIII (1517), before Maurice Berkeley, kt., Robert Poyntz, kt., Thomas Poyntz, esq., and Thomas Matson, commissioners, and by oath of John B. . . . ., gent., Mathew ?Blomfeld, gent., William att Wode, Robert ?Archer, John Berkeley, William Bocher, Walter Straunge, Thomas ?Voels, Roger Coke, Walter Parker, John H. . . . ., . . . . . Albert, Thomas Palmer, John Payne, Thomas Walker and John Westborough.

Who say on their oath that Edward, Duke of Buckingham, on 19 November, 24 Hen. VII (1508), at Thornbury, newly imparked and inclosed with palings, in his park there called le New Parke, 172 acres of divers lands of his own and 96a. of land and 32a. of

pasture which tenants of the said Duke held by copy of court roll and by will of the Duke; of the inheritance of the said Duke. And that three houses there and two corn mills are by reason of the inclosure vacant and fallen ruinous, and twelve persons formerly dwelling in them have departed, and one plough has been given up. They say also that the same Duke, on 10 January, 6 Hen. VIII (1515) enlarged his said parke and (*word illegible*) and inclosed with ditches and palings 116 acres of divers lands of his own there and 47 acres of pasture which tenants of the Duke held by &c (*as above*); of the inheritance of the said Duke. And that two houses are deserted and in ruins and eight persons have departed. Both the aforesaid 300a. inclosed in the New Park and the aforesaid 163a. inclosed in augmentation are part and parcel of the manor of Thornbury, held of the Lord King. And that each acre of arable is worth ?6*d.* per annum.

They say further that the said Duke, on 10 January, 6 Hen. VIII (1515), enlarged his park of Morlewood at Thornbury and ?within the same made an inclosure of 164 acres of arable land, of divers lands of his own and 16 acres held by tenants by &c. (*as above*); of the inheritance of the Duke. And that no houses are deserted nor is there any person less, nor any ploughs. And that the said 180a. of land, pasture, and (*word illeg.*) are part of the manor of Thornbury held of the King, and each acre of arable is worth 4*d.* per annum.

This is a particularly interesting presentment. The creation of Thornbury New Park and the abortive Thornbury Castle were part of the process of aggrandisement by which the foolish Edward, 3rd Duke of Buckingham, aroused the suspicions of Henry VIII, leading to Buckingham's death on the scaffold four years later. The fact that Thornbury was a royal manor may have emboldened the copyholders to complain of the inclosures, which of course must have been common knowledge. H.P.R. Finberg, in his *Gloucestershire (The History of the Landscape)*, p. 75, quotes Leland's remark that 'the inhabitants cursyd the duke for thes lands so enclosed', but adds that the park survived the Duke's death.

11. At Sodbury, 22 September, 9 Hen. VIII, before Maurice Berkeley, kt., Robert Poyntz, kt., Alexander Baynham, kt., Thomas Poyntz, esq., and Thomas Matston, commissioners, and by oath of Walter Wynston, gent., Richard Maltby, Robert Hobbys, William ?Corse, Oswald Bampton, Thomas Kembridge, Richard Dorney, John Brayne, Thomas Thomys, Philip Hall, John Drayne, John Dryver, Christopher Rogers, and Robert Stoke .

Who say on their oath that the Prior of Lantony by Gloucester, in 2 Hen. VIII, at Quadseley, Glos., inclosed &c. 50 acres of land in possession of his monastery, and that one plough is given up and one house decayed, and five persons fewer. The 50a. are worth 40*s.* per annum, but of whom held they know not.

Quadseley is Quedgeley near Gloucester, in Whitstone Hundred. The manor was held by Lanthony Priory until the Dissolution.

Further that Robert Poyntz, kt., in 7 Hen. VIII, increased and enlarged his park of Hyll, at Hyll, Glos., and in the same park inclosed &c and imparked seven several acres of his own lands there, and four several acres of pasture which tenants of his occupied by copy of court roll at the will of the said Robert. No house is desolate nor has any person departed, nor any plough been given up. The 11a. are worth 5*s.* a year and are held of the Lord King as of his manor of Hill.

Hill (Berkeley Hundred), a manor of ancient demesne of the Crown, came into the Poyntz family by marriage early in the 15th century. One can almost hear Sir Robert Poyntz, one of the commissioners, inviting the jury to record this trifling inclosure of his, virtuously conscious of its having caused no depopulation.

They present also that William Denys, esq., in 8 Hen. VIII, at Duram, Glos., newly inclosed &c. 250a. of several lands pastures and woods of his there, and of his own inheritance. No house is desolate nor any person fewer nor any plough given up. The said 250a. are worth £10 per annum, but of whom they know not.

Duram is Dyrham in Grumbalds Ash Hundred. Sir Gilbert Dennys died in 10 Hen. V seized of the entire manor; Sir William Dennys was his grandson, and William, the incloser, perhaps of the next generation.

Further that John Walsh, esq., in 6 Hen. VIII, inclosed &c. at Little Sodbury, Glos., 260 acres, whereof 224a. were pasture, 16a. meadow and 20a. woodland, of his own property and inheritance. No house is desolate nor decayed nor any person departed, nor any plough given up. The said 260a. are worth ?£9 per annum, but of whom held they know not.

Sir John Walsh, of Little Sodbury in Grumbalds Ash Hundred, son and heir of John the incloser, married Sir Robert Poyntz's daughter Anne and was High Sheriff of Gloucestershire in 18 and again in 27 Hen. VIII. It was he who had William Tyndale, translator of the Bible, as his children's tutor.

Further that Richard Howe, esq., in 6 Hen. VIII, at Charfeld, Glos., inclosed &c. 70 acres of land of his own property and inheritance and (? that it remains in pasture). The site of his manor there is desolate and ruinous, (?) persons have departed and two ploughs are given up. The 70a. are in the manor of Charfeld and are held of Edward, Duke of Buckingham, and worth ?£4 per annum.

Charfield manor had passed through various hands, and now, it seems, the manor house was in ruins. I have not identified Richard Howe; the well-known Howe family of Stowell and Chedworth did not arrive in Gloucestershire until the 17th century.

12. At Cirencester, 28 October, 9 Hen. VIII, before (commissioners as in No. 11), and by oath of Thomas Cannyngs, Humfrey . . . . ., Robert Gybbys, Thomas Harryson, Robert Thomys, John Jamys, John Parke, Thomas ?Harrold, William Ashewyn, Thomas George, Thomas Dover, Richard Denfeld, Edward Tayllor and Thomas Watyrs.

Who say on their oath that Edward Grevell, kt., at Weston Mawdytt, Glos., inclosed &c. 240 acres of arable; of his own inheritance. Four ploughs formerly employed there are given up, but up to now the houses there are standing and occupied. But ten persons formerly dwelling there have departed. The said 240a. are worth £10 per annum, but of whom they are held they know not.

Weston Maudit is Weston-on-Avon, now in Warwickshire. The Grevilles of Milcote, descended from the famous wool-merchant William Greville of Chipping Campden, owned this manor from the time of Henry VI.

Further, that Thomas Busshell, at Bradmarston, Glos., in 22 Hen. VII, inclosed &c. 330 acres of land, of which 4 virgates containing by estimation 120a. are of the inheritance of Thomas Andrewes, gent., and 4 more virgates containing 110a. are of the inheritance of William Dabytott, gent. And 3 virgates, part of the said 330a, containing 100a., are of the inheritance of Richard Rychemond. Seven houses are empty and ruinous and 47 persons formerly there have departed, and ?seven ploughs are given up. The said 330a. are worth £16 per annum, but of whom held they know not.

Broad Marston is in Pebworth, now in Worcestershire, and the manor had been held by the Bushell family since at least the time of Sir Alan Bushell, who died in 1245. This is the most considerable and destructive of the inclosures reported, and looks like one carried out by agreement among several of the local gentry. Thomas Bushell's son Edward married Dorothy, the daughter of Thomas Andrewes (see *Visitation of Glos.*, 1623, under Bushell).

They further present that in 4 Hen. VIII Edward Grevell, kt., at Meene, Glos., inclosed &c. 70 acres of arable of his own inheritance. Three ploughs are given up, but the houses are up to now standing and occupied. The land is worth £7 a year, but of whom held they know not.

Further that John Symonds at Meene inclosed &c. 40 acres of arable of his own inheritance. One house is empty and ruinous, and there are ?5 persons fewer. One plough is given up. The land is worth 32s. 4d. per annum, but of whom held they know not.

Further, John Benet at Meene has inclosed ?30 acres of arable, of his own inheritance. One house is desolate and there are five persons fewer. One plough is given up. The land is worth 30s. a year, but of whom held they know not.

Further that John ?Heddys at Meene has inclosed 30 acres of arable, of his own inheritance. One house is desolate and four persons have departed, and one plough is given up. The said 30a. are worth 20s. a year, but of whom held they know not.

Further, Alice Hucheyns, at Meene, inclosed &c. 32 acres. One house is deserted, five persons have departed, and one plough is given up. The said 32a. are worth 26s. ?6d. per annum, but of whom held they know not.

Meene, or Meon, is in Quinton, now in Warwickshire. The local yeomen seem to have followed the example of Sir Edward Greville (whose family held the manor in the 15th and 16th centuries) in inclosing.

Further, the Abbot of Evesham, in (?) Hen. VIII, at Mykilton, inclosed &c. 60 acres of arable. One house is deserted and . . . (*only odd words legible in the continuation*).

Mickleton is in the same area as the other inclosures presented in No. 12. Unless a great deal is missing, or disclosure was prevented by ecclesiastical influence, it does not appear that the religious houses of Gloucestershire, with their great sheep-farming interests, had been active in inclosure at this time.

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