Part 2. Lives of the Common People, HLF project, January 2012 - July 2013

4. Taxation Between 1066 and 1650

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Introduction
The documents concerned with taxation in Hope and Castleton appear in several guises. The two villages are usually listed under Alto Pecco (High Peak) Hundred or Wapentake and may be featured as separate vills. More often both villages appear on the same list and can include the whole of the large Hope ecclesiastical parish with references to Aston, Abney, Bradwell, Brough, Hazelbadge, Shatton, Thornhill etc. It is not therefore possible to draw any idea of population in each village from this data. Indeed disentangling the separate villages is often extremely difficult.

Most of the taxes imposed upon the populace in the early years were levied in order to pay for whichever war the current King and his nobles were waging in France or Scotland. The majority of them would not have affected ordinary people – only those above certain levels of income would have had to pay. It is still interesting to see how taxation might have affected the population of our villages throughout the period.

Domesday
Taxation didn't just start with the Normans. The Domesday survey of 1086 provided William I with information about the value of most towns and villages in the country. The assessment was in geld units, and that was originally an occasional tax levied by the Anglo Saxons to pay for wars against the Norse and was calculated as a number of pence per hide or caracute. Before the Conquest Hope had paid taxes to King Edward as the township was part of royal lands whilst Castleton's were paid to its Saxon overlords.

In the Domesday survey Castleton was assessed as being worth two geld units. The value to the lord in 1066 was £2.00 and in 1086 was £2.5s, an increase in taxable value of 25% payable to King William

Hope's taxable value was assessed as 10 geld units. The value to the lord in 1066 was £30 but in 1086 it was only £10.3s, a drop in valuation by 75% in twenty years (See Chapter 1, *Domesday*).

Information on taxation in the 12th century appear in the Pipe Rolls which are a record of accounts presented to the Exchequer by sheriffs and other local officials and which still followed the system in use in Anglo Saxon times.

The **Geld** continued to be levied on all landowners and free men until 1162. Serfs and slaves were exempt.

Other forms of taxation were usually associated with the neccessity of keeping a well equipped army for the frequent foreign and local wars. The **Heriot** was a tax whereby a lord who had paid to equip a fighting man in his service could on his death claim back the horse, arms and equipment. When knights as a class emerged and were later able to buy their own arms and horses the lord continued to lay claim to property upon death and this claim

sometimes extended to everyone under his control. By the 13C the payment was made either in money or in kind by handing over the best beast or chattel of the tenant on death. With the church claiming the second best beast or chattel as a mortuary tax (See Chapter 3, *Castleton and Hope Parish Churches 1066 – 1650*) death duties could also prove an expensive business for our medieval counterpart.

Scutage was a tax paid on knights' fees – usually money paid by a feudal landowner in place of personal service in the wars. A grant assessment and List of Knights fees of 1428 which we found does not include Hope or Castleton because presumably they were not military fiefs.

These feudal taxes were discontinued in the mid eleven hundreds.

Exchequer Lay Subsidies
From 1188 onwards a new form of taxation was imposed to help pay for the Crusades in the Holy Land. Known as the Saladin tythe, this was a tax on "moveables" and varied from a fortieth to a fourth of the value of personal goods. The latter was exceptional and was imposed to raise money to ransom King Richard in 1193.
This form of taxation became known as an Exchequer Lay Subsidy because the clergy were generally assessed separately.

Moveables were taxable items over and above normal daily needs and covered cattle, sheep and crops in the country and money and stock in trade in the boroughs. Certain people were exempt. Those whose surplus goods amounted to less than 5s in value were not taxed. In the counties armour, riding horses, the jewels and clothes of knights and their wives and of their esquires, together with any vessels of gold, silver and brass were exempt. In the boroughs and market towns a suit of clothes for every man and another for his wife, a bed, a ring and a buckle of gold or silver, a girdle of silk for ordinary use and a drinking cup were free of tax. These were expensive possessions and it is doubtful whether many people in our villages would have had such items. Most of them would have been exempt from tax (Cox 1908).

The method of assessing and collecting the tax is interesting because it continued in use from the time of Henry II until the Tudors. A writ was issued for each county appointing two knights as Commissioners who did not belong to the county. The commissioners selected two or four freemen as assessors in each township. These men took an oath to faithfully assess all goods in field and house and to enroll the same in an indenture delivered to the commissioners. The assessment varied but usually consisted of a sworn declaration of value by the owner of his own stock and of his two nearest neighbours with an assessment by a jury in case of a dispute.   How much neighbourly collusion was there in this, one wonders?

The rate of tax varied. It was a fortieth in 1201, imposed by King John to fund a crusade.

Whilst taxation did not directly affect the common people, as most of them would have been exempt, the means whereby the king received consent to levy a tax lead indirectly to the establishment of Parliament.
In 1232 Henry III and his government sought consent from the nobles for the imposition of a tax on moveables.
In 1254 the nobles advised the king to summon the knights from each shire to help advise on a consent to a new tax. In the 1260's men from towns were included in the consent process

thus forming the beginning of the Houses of Parliament with representatives from the nobility, the counties and the boroughs

In Edward I reign there were many levies to help pay for wars in France and Wales. The tax rate varied from one fifteenth in 1275 and 1276 but in this year there was no collection from those whose goods were valued at less than 15s. It was one twentieth in 1277 to fund the Welsh Wars. In 1283 the tax was levied at one thirteenth from all who had over 6s 8d worth of chattels. From then on the tax seems to have been levied at two separate rates, one for rural areas and one for towns and "ancient desmesnes". In 1294 it was one tenth and one sixteenth, in 1296 one eleventh and one seventh and in 1297 one eighth and one fifth.

A Lay Subsidy Roll of 1327/8 exists for Derbyshire taken during Edward II's reign. The returns are arranged under hundreds and those for High Peak appear on three membranes, the first of which is illegible so that the amount levied has been arrived at by deduction at £65 5s 9 3/4d. Neither Hope nor Castleton appear on the legible part of the High Peak Hundred list – but were perhaps on the unreadable portion! The villages appear on Lay Subsidy Rolls six years later so are unlikely to have been missed out. Over seventy occupations are listed in 1328 (Cox 1908).

By 1334 it was realised that the system of collecting tax on moveables was open to abuse so a new system was introduced. Edward III needed more funds to continue his wars in Scotland and France. The government ceased to concern itself directly with the wealth of individuals and instructed the chief taxers to negotiate and reach agreement with local people on how much each community should pay, as long as it was no less than that paid in 1332. If the sum could not be decided by negotiation then the chief taxers and their clerk were to carry out an assessment on the old lines.

The rate levied in 1332 became the norm, namely one fifteenth in rural areas and one tenth in boroughs or ancient desmesne. The new tax collection system showed how much each vill or township had produced in the past and they were expected to meet this sum from amongst themselves (Glasscock 1975, p xiv-xv).

In the list of taxes from the Wapentake of High Peak in 1334 Castleton and Bradwell were joined together for taxation purposes and £3. 13s 4d was levied at a rate of one fifteenth for a rural area.

Hope was joined to Shatton and the tax was assessed in two parts. That part of Hope and Shatton which was designated "an ancient desmesne" was taxed at the levy of one tenth, and the yield was 5s. 6d – the equivalent of £123 today. The rest of the joint townships were charged at one fifteenth and raised £4.0s 0d (£1,790) (Glasscock 1975, p47).

An "ancient desmesne" was usually a rural manor which had been listed under the heading *Terra Regis* or Kings Land in the Domesday Book, as was Hope.

Poll Tax
In 1348 Black Death (Bubonic plague) decimated the population, with further outbreaks in the 1360's and 70's. Because labour was scarce, people could demand higher wages as a result. Tax on wool exports was a staple means of raising revenue, but by 1377 there was a disruption in the wool trade because of a dispute with Flanders. In order to fund the continuing war against France Parliament levied a poll tax which affected almost 60% of the

population. There were three separate levies – in 1377 1379 and 1381. In 1377 every lay person over the age of fourteen who was not a beggar had to pay a groat (4d) to the crown. In 1379 the lower age changed to fifteen.

The 1381 levy was particularly unpopular as each person over fifteen was, in theory, required to pay one shilling which was then a large amount. Unrest about this tax and concerns that the ruling classes were attempting to restore feudal conditions in rural areas led to the Peasants Revolt, led by Wat Tyler. The peasants demanded the end of serfdom and a moderation of rents. Sadly we do not know whether any local people were involved in the stirring times in London when the young king, Richard II, met the rebels and promised that their grievances would be answered. Once they had dispersed he reneged on his promise and the ringleaders were hunted down and killed.

We do know however who had to pay in Alto Pecco. Only thirteen vills are listed in the Wapentake compared with twenty nine in 1334. The list headed "Castulton" has 335 names in all and appears to include people in Abney, Aston, Bamford, Bradwell, Brough, Hucklow, Thornhill, and Wetton.

There are also familiar Hope and Castleton names on the list, Balguy, Eyre, Woodrowe, Pedder, Burdekin, Bagshaw and "Walter, frater, vicar de Hope" so maybe several vills were amalgamated for this particular levy. The list also includes some peoples' occupations – farmer, glover, tailor, carpenter, smith are a few (Anon. 1334) (See Chapter 11, *Occupations in Castleton and Hope*). After this a poll tax was not introduced again until 1635 in the time of Charles I.

The poll tax record shows that not everyone paid one shilling, with the amounts people paid in the Castleton area varying from 4d to 40d (3s 6d).
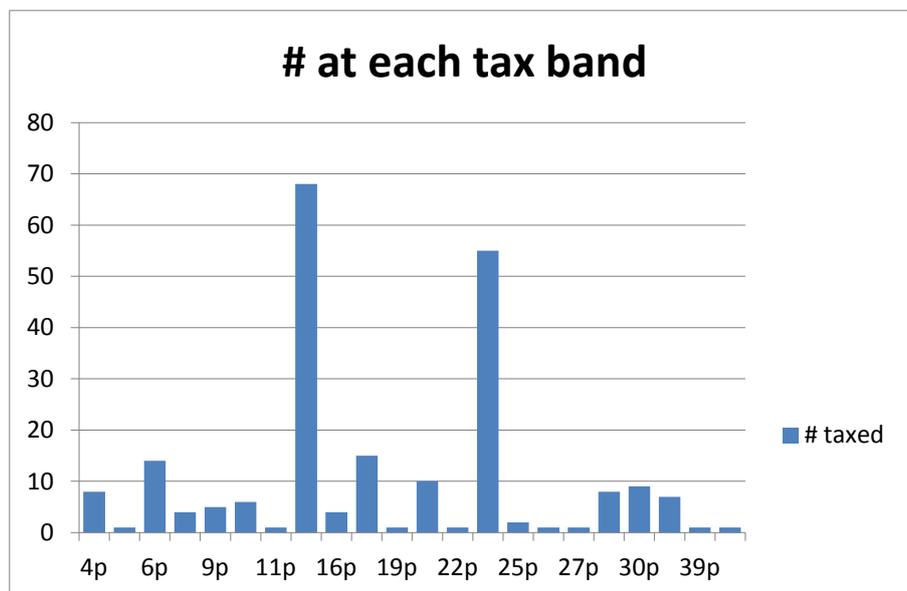

Figure 6. The distribution of taxation levels in the 1381 poll tax (Angela Darlington).

Later Exchequer Lay Subsidies
Exchequer Lay subsidies continued to be levied under the same system into Tudor times. In a series of lists gathered together we find that in 1431 in the reign of Henry VI Nicholas Eyre

of Hope, gent. paid 40s and William Abney of Hope, yeoman, paid 13s 4d. One hundred years later in 1535 Henry VIII assessors collected amounts ranging from ten shillings to eleven shillings and threepence from six people with familiar village names – two Eyres, two Marshalls, a Middleton and a Hague.

From then on the lists contain many known names from both villages. In 1546 George Woodrow headed a list with 40s to pay (over £400 today). Of the other names listed there were five Eyres, four Barbers, two Savages and two Hagues. Balguy, Staley, Hall and Middleton also feature and there are four women included on a list of twenty-eight names. Many were charged 3s 4d (£33.42) and the smallest amount was 4d.

Two subsidies of Edward's reign in 1551 and 1552 are smaller, but still contain the Balguy, Eyre, Barber, Hague, Staley and Savage names with levies of between sixteen shillings and ten shillings in both lists.

In Elizabeth's reign the pattern of names and amounts remains the same. In 1571 fifteen people appear on the list for Hope, (Daniel Thyssen 1870/71).

What is interesting is that the system set up to collect taxes in 1188 under Henry II was still in use in Queen Elizabeth's reign. A document in the Derbyshire Record Office dated 1581 records the collection of a subsidy payment in Alto Pecco "granted unto our Sovereigne Ladye Elizabeth" under the charge of The Earl of Shrewsbury with Anthony Gell and John Manners as the Commissioners. John Parker was the Right Collector for the Hundred and he in turn employed Francis Barker as the Sub Collector. Under the entry for Hope, the names are those that appear continually about this time and include Barbour, Savage and Staley from Castleton and Eyre, Balguy and Marshall from Hope. There are fifteen names in all and the amounts they paid range from £5. 6s 8d from Thomas Balguy to £3.3s from Edward Barbour and four others (Anon. 1581). Here is the noble in charge, two local gentry as Commissioners and two local people to collect the tax just as was laid down in 1188.

Poor Law
In the early sixteenth century there was a dramatic rise in population and the economy of the time could not provide sufficient employment for everyone. Until now the monasteries and hospitals had provided alms and relief for the poor but in 1537 the dissolution of the monasteries had a devastating effect on the poor. We do not know how badly local people were affected when the Hospital of St Mary at Castleton was closed. The Vagabonds Act of 1495 had provided harsh punishments for anyone considered a beggar – the threat of branding, ear piercing and slavery being some of the deterrents. Several acts of Parliament during Edward and Elizabeth's reigns gradually differentiated between the "deserving poor" - young orphans, the elderly and infirm, physically and mentally handicapped, and the unemployed who were genuinely looking for work - and the "undeserving" - "tinkers, beggars, pedlars, workmen on strike, fortune tellers and minstrels." It was hoped that members of the community could be persuaded to contribute voluntarily to Poor Relief, but eventually Justices of the Peace and then later church officials were charged with the office of collecting what became in effect another tax.

The Elizabethan Poor Law Act of 1601 lasted unaltered until 1834. It made each parish responsible for supporting the legitimately needy in their parish. Wealthier citizens were taxed to provide basic shelter, food and clothing for their own needy, but not necessarily for

people from other areas. Parish Constables were charged with seeing that indiginent claimants from other parishes were returned to their home area.

An Assessment for the Relief of the Poor of the parish of Hope for the year 16?? (the last two figures are missing) is stored at the Derbyshire Record Office. The Churchwardens are named as John Shalcross, Esq., Robt. Eyre, Esq., and Henry Balgie, gent. The Overseers are Thomas Eyre, gent., Joseph Eyre, gent., and Ottiwell Bocking, gent. Each of the villages within the ecclesiastical parish of Hope are named together with their collectors – Hope, Bradwell, Woodlands, Aston, Thornhill, Brough, Shatton, Offerton, Stoke and Padley, Abney Grange, Great Hucklow, Little Hucklow, Greenlow, Wardlow and Hazelbadge. The list for Hope has one hundred and one names. These include well known names from Castleton, - Staley, Savage , Barbour – so perhaps the two villages were once again combined. Nine "widdows" are listed, suggesting that the tax applied to each household. Included at the end of the list for Hope are "Tythe for Corn £1. 2s 0d" and "Tythe of Wool and Lamb 3s 0d." so it seems the church was expected to contribute to the relief of the poor (Anon. 16??).

There is a tradition that one of the cottages on Edale Road in Hope was for use by the overseer of the poor. Local charity boards in Hope church also bequeath sums of money to the poor of the village, and later there were private charitable initiatives leaving help for apprentices and poor widows.

Ship Money

A Poll tax always seems to cause trouble for those who try to impose it and for Charles I it was no exception. Ship money was a non parliamentary tax first levied in medieval times by the English crown on coastal cities and counties for naval defence in times of war. It required those being taxed to furnish a certain number of warships or to pay the ship's equivalent in money. In 1629 Charles dismissed Parliament and began eleven years of personal rule. During this time, deprived of Parliamentary sources of revenue, he was forced to use Ship Money as a financial expedient. He extended the basis of the tax to include the possibility of war, rather than a national emergency, and in 1635 included inland towns. It was evident that the king intended ship money to become a permanent and general form of taxation (Chisholm 1911).

Derbyshire in 1635 was "to provide one ship of 350 tons manned with 140 men and double equipage, with munitions, wages and victuals" (Kerry 1897). There seems to be no record of whether this ship was actually built.

In a tax list of that year, John Gell is in charge of collecting this tax from twenty five people in the Hope area. Names include people from Hope and Castleton and from Crookhill, Ashop and Rowlee in Hope Woodlands. The largest amount by far is from Rowland Morewood who pays seven shillings and fourpence, seven people pay three shillings, eleven pay two shillings and five pay one shilling (£4.46 today). The total amounted to fifty eight shillings and fourpence (Anon. 1635a).

The imposition of this tax aroused a great deal of discontent and John Hampden, a Buckinghamshire landowner refused to pay. The case was heard by all the judges of the Court of the Exchequer and Hampden lost by seven to five. However the closeness of the result meant that many others refused to pay and by 1639 only 20% of the tax was being collected. The Long Parliament in 1641 declared ship money to be illegal, but its imposition was one of the causes of the English Civil War.

Lead Taxes
In an area where lead mining was such an important activity any increase in the tax that had to be paid meant hardship for the miners. For full details see *Lead Mining 1066 – 1642*.

Church Tythes
Most of the taxes imposed by the government only affected the better off members of the two villages. However the tythes imposed by the church would affect every member of the community. They were imposed on earnings and produce and the Lesser Tythe paid the vicar's stipend and for the upkeep of the church and the services held there, whilst the Greater Tythe was paid to the Dean and Chapter of Lichfield in the case of Hope and to Vale Royal Abbey for Castleton. Then there were mortuary fees, marriage fees and other payments for the organisation of the church collected by the church wardens. For more details see Chapter 3, *Castleton and Hope Parish Churches 1066 – 1650.*

The tithe was a tenth share annually and we get a good idea of how this worked in practice from a list of the Easter dues for Hope in 1658 which traditionally belonged to the vicar. However throughout the Peak jurisdiction of the Dean and Chapter it had always been the custom for these to be collected by an official and paid directly to Lichfield. These Easter offerings differed widely in amount and character from parish to parish. They were personal tithes and were usually 2d for an adult (over sixteen) and a halfpenny for children and servants. In the Peak parishes a high rate of Easter offering was maintained and the lowest amount was sixpence which was probably the offering for a single adult.

In Hope it was the custom to pay 2d on each cow, 1d on each calf and a penny from every keeper of sheep. Beekeepers paid 2d. This would be separate from the tithes on honey and wax which were part of the vicars tithe – he could also claim every tenth swarm. Plough Alms were also recorded, whereby a penny was paid for every plough-land which was unusual.

The list for Hope township includes seventy eight households. Thomas Burdekin paid one shilling and fourpence for ploughland, two cows, two calves, his sheep and his bees - £5.12s today. Even Anthony Ashton, described as a pauper had to pay tenpence. The smallest amount was sixpence and the total collected from Hope was £2.14s 6d. Young people under the age of sixteen made an offering at the chancel gates of £1. 17s.

The completeness of this roll for the larger parish of Hope is proof that ecclesiastical dues were rigidly enforced during the Commonwealth, though used for other purposes. The sum total of the roll was £35.3s (Cox 1889b).

We have not looked in detail at taxation returns in the National Archives and there is more information available from that source.

Much of the information for this report has come from local Record Offices, particularly Matlock, where many of Hope's records were deposited in the 1960's. This has meant a rather lopsided look at who paid taxes in our two villages as, apart from the Poll Tax of 1381, which listed the taxation centre as Castleton, most lists apply either to the High Peak Wapentake or to Hope, usually including the wider ecclesiastical parish. Research by Rev J.C. Cox and Rev Daniel Thyssen in the nineteenth century have been centred on Hope, using records in the Lichfield Dean and Chapter's archives and William Smith Porter added to this with "Notes from a Peakland Parish" in 1923.

The Civil War
Sir John Gell held the county for Parliament. Papers held at the county archive at Matlock are records of the Constable of Hope during this period. The first of these letters from the Derbyshire Committee for Safety is dated October 1644 when the war was into its second year. During the upheavals of the times it seems that taxes were not being collected. The letter starts:

"Whereas his Majesties, the Queenes and the Princes Revenews have since the beginninge of theise unhappy distracions either not been collected at all or misimployed to their Majesties and the Kingdomes prejudice" (Fisher 1950).

It goes on to describe the future method of taxation. Parliament had instituted a Committee to appoint Receivers to collect taxes and "arrearages". The officers had authority to examine books and accounts in order to make an assessment of tax owed. They were also empowered to punish by fine or imprisonment any farmer or tenant who delayed or refused payment, the fine not to exceed £20 and they could call upon the "trayned Bands, Voluntiers, Constables and Headboroughs" to enforce the ordinance. An exact account was to be kept of all moneys levied with special accounts for any sequestered estates.

The letter then proceeds to the more particular concerns of Hope.

"Theise are therefore to require you not only to collect by Distress or otherwise all such Rents, debts and arrears as any of the Townes within your Constablery have or do stand charged with either for Palfrey silver, Turbary or Pinfield Herbages Wayseleyes increase or Common silver Liberties or any other Rent duties and customs whatsoever, and pay the same unto me or my lawful deputy upon Thursday next by eight of the clock in the forenoone at the house of George Milner in Hayfield."

It ends with a dire warning that all farmers and tenants and those whose estates had been sequestered "fayle not to make payment...... as they will incur the danger of being proceeded against according to the severall Ordinances of the Parliament. Fayle not of your due execucon thereof at your utmost perill."

It was signed by John Bretland the Receiver. The Bill was

"Hope, for palfrey money turbaries wayseleyes and liberties for
two yeares last past in arreare £1 10 10
Aston in arreare 11 4
Offerton in arreare 2 6
Thornhill in arrear 6 4

Palfrey money was a fee payable by custom from tenants who held their land directly from the king, Turbaries were the right to cut peat, Wayseleyes were way leaves over land and Liberties were king's lands passed on to a lord to administer.

The next letter orders that everybody possessed of lands, stocks of money or other goods appear before the Receivers in Chappell in le Frythe to compound with them for a fifth part of their yearly revenue and a twentieth part of their personal estates. Tenants on sequesterd estates were to pay their rents direct to the Receivers. The twentieth and the fifth reflect earlier taxation levies.

A Warrant dated December 28th appoints two tax assessors for each of the townships of Hope, Woodland, Edale, Offerton, Brough and Shatton, Aston, Thornhill, Bradwell and Castleton.
The assessors in Castleton would no doubt have to deal with the sequestration of the Savage family's estate.

The letters make excessive demands on the Constable who was usually an honorary officer for the village and it is obvious that he does not always comply with the demands made upon him. Having waited in vain at Chapel for rents and arrears from Hope to be paid, John Bretland, the Receiver fires off a warning letter to Mr Staley, the Constable.

"I have stayed till friday in the afternoon at Chappell expecting the execucon of your last warrant. Let this letter be delivered to Mr Balgue. I fear I shall be enforced to make you a precedent, for your father's sake I desire not."

From this small extract of the letters held at Matlock it seems that the role of Constable during the Civil War was an unenviable one (Fisher 1950).

5. Crime and Punishment

Angela Darlington

Two texts, the 1281 Derbyshire Eyres (Hopkinson 2000) and extracts from Rolls of the Forest of the Peak (Yeatman 1886) contain a number of interesting examples of crimes and their punishments during medieval times in the High Peak. The following examples specifically relate to Castleton and Hope, with some interpretation of terms and context.

Records of felons in Castleton and Hope as recorded at the Derbyshire Eyre of 1281
The system of "general" eyres was at its height in the middle of the 13th century – they dealt with "common pleas", so distinguishing these courts from e.g. the sessions of justices for forest pleas (or forest eyres). These constituted Crown pleas and Civil pleas that were dealt with by royal justices who as part of a wider circuit made occasional visits to an English county to hear all sorts of pleas belonging to the king's jurisdiction; in some respects they simply held a special session of the county courts. Until 1256 Derbyshire was unique amongst English counties in not having a county court of its own; up until this time all the eyres relating to Derbyshire were held at Nottingham; after 1256 separate Derbyshire eyres were held at Derby. The 1281 Derbyshire eyre was part of a northern eyre circuit headed by John de Vaux as chief justice for which he received 50 marks annually (£33 13s. 4d.). He was accompanied by a team of four junior justices and a chief clerk and record keeper. For the Crown pleas each wapentake or administrative sub-division was represented by a jury that had to take an oath and then make written answers to a total of 143 questions about crime and royal rights (although in practise they may only have answered a fraction of these). The jurors appear to have been knights or substantial freeholders (Hopkinson 2000).

The cases reported here considered by the eyre included murder and other homicides, deaths by misadventure, burglary and theft. Pleas of particular interest to the crown were those concerned with violent death, because the crown was entitled to the chattels of the deceased and fines (amercements) from individuals or communities associated with defaults in their handling of the investigation or suspects. The cases relating to Castleton and Hope that follow are all interesting as they illustrate a number of features associated with the justice system in the 13th century. In the first example, the assailant sought sanctuary in Hope Church:

> "Alan le Seriant of Hope killed Richard son of Abusa with a knife and immediately after put himself in Hope Church, admitted the deed and *abjured* the realm before the coroner. His chattels *10s.*, for which the sheriff is to answer. He was in the frankpledge of Geoffrey son of Brun de Hope which does not have him now, so it is in *mercy*. Agnes widow of Richard, the first finder, has not come, nor is she suspected. She was attached by Simon de Hokelow and Geoffrey son of Brun who do not have her now, so they are in *mercy*. The vills of Asseford, Schacton, Hope and Bradewell valued the chattels falsely before the coroner so they are in *mercy*."
> (Hopkinson 2000, entry 412, p109)

Abjuration was an agreement to leave England for ever in return for one's life. The chattels of the person abjuring the realm were forfeit to the crown. The example above illustrates the wide system of fines in place at the time. Henry de Bracton, an important 13th century jurist, described the concept of "frankpledge" as follows: "every (male) who has reached the age of 12 years must take an oath at the view of frank-pledge that he does not intend to be a thief nor

a party to thieving. All who hold land and house, who are called householders, ought to be in frank-pledge" (Corèdon & Williams 2004). This was based upon the concept that members of a community were responsible for each other's actions (were members of a tithing, or the 10 householders of a frankpledge). Women and boys under 12 could not be outlawed because they were not within a frankpledge. In practise this meant that villagers could be amerced for allowing a felon to escape, or as in this example, for valuing his chattels incorrectly. Amercement for concealing or under-valuing chattels was fairly common.

The second example is interesting as early evidence of there being a mill in Castleton; it is also one of many examples in the roll where the assailant fled and was outlawed.

> "Ellis le Cupere, miller of Castleton, killed Roger Colt of Castleton, fled at once and is suspected, so *he is to be exacted and outlawed*. His chattels *8p*, for which the sheriff is to answer. He was in the frankpledge of William Hall of Castleton which does not have him, so is in *mercy*. The vills of Aston and Thrnovere did not attend the inquest, so they are in *mercy*. The vill of Castleton is in *mercy* because it did not arrest him." (Hopkinson 2000, entry 422, p112)

The chattels of Ellis le Cupere were apparently very few at 8p; he was one out of only 20 felons from all 143 mentioned in the rolls who had chattels of less than 1 shilling. The value is amongst the very lowest recorded in the rolls of this eyre, and it seems surprising given Ellis's description as a miller. According to the roll of fines (estreatments) William Hall (also described as William de Aula) was fined 6s 8d, the standard for frankpledge, and in addition the vill of Castleton was fined £2 for false valuation (vill of Thornovere 10s for the same).

The vill of "Thornovere/Thrnovere" may be an earlier name for Thornhill; "over" derives from the Old English for "place at the ridge or slope" (Mills 2003).

The surname le Cupere may reflect Ellis having an occupation as maker or repairer of wooden casks (Reaney & Wilson 2005) as well as being a miller.

"Englishry" and the concept of "murder"
"Murder" had a special meaning in medieval times. After the conquest, William I had ruled that any murder victim who could not be proved to be English should be assumed a Norman, in which case the hundred in which the crime was committed was to pay a fine or "murdrum". In this context, the coroner at his inquest might cause one or more of the deceased's kinsmen on the side of either parent to appear before him to prove "Englishry". In 1281, 200 years after the Norman conquest this system was still in existence, probably maintained as a convenient method of raising money for the crown, but in 1340 "murdrum" was abolished by statute reflecting the fact that the idea of a distinction between Englishmen and Normans had become obsolete. In the following case, 4 villages of Hope Parish including Hope itself were held responsible for not pursuing the murderer:

> "The jurors present that Robert son of Geoffrey de Bradewell killed William son of William Hally of Schackton (Shatton) in the vill of Schackton, fled at once and is suspected, so *he is to be exacted and outlawed*. He had no chattels. The first finder has died. No Englishry. Judgement: *murder* on the wapentake. The jurors did not mention the first finder on their presentment, so they are in *mercy*. Robert son of Geoffrey was in the frankpledge of Robert Pole of Schacton which does not have him

now, so it is in *mercy*. The vills of Schacton, Bradewell, Hope and Aston did not pursue him, so they are in *mercy."* (Hopkinson 2000, entry 404, p108)

The High Peak wapentake was fined a murdrum of £10, Robert Pole the standard frankpledge fine of 6s 8d and the vills of Shatton, Bradwell, Hope and Aston for allowing the murderer to escape each fined sums between 13s 4d and £1 6s 8d.

The term "in mercy" (at the mercy of the King) applied to anyone required to pay monies to the Crown by way of a fine or amercement.

Peak Castle as a prison
The Rolls of the 1281 Derbyshire Eyre shows that Derbyshire prisoners were normally taken to the sheriff's prison in Nottingham. However as in the example below, Peak Castle of Castleton was also used as a prison. When as in this example the prisoner escaped, the person or community held to be responsible, in this case Roger le Estrange who was then Bailiff of the Honour of the Peak, was fined a standard (and rather harsh) ammercement of £8.

> "Adam, former sergeant of Richard le Ragged, wounded Henry son of Henry le Stanton Leghes in the shin with a sword in the vill of Stanton, so that he died three weeks later. Adam was immediately arrested by Llewellyn, constable of Peak Castle under Rodger le Estrange, and imprisoned in that castle, from which he later *escaped*. So to judgement on Roger le Estrange, keeper of the castle for the king." (Hopkinson 2000, entry 407, p108)

Roger le Estrange was probably able to afford his fine – he held a number of other high status positions during his life including Sheriff of Yorkshire, was Commander of a force to quell a Welsh rebellion in 1288, King's Messenger at the Court of Rome in 1291-2 and eventually became Lord Strange (Richardson 2011).

The incidence of violent crime
In the roll of the 1281 Derbyshire eyre, 22 deaths that today would be described as murder were recorded for the High Peak wapentake, and about 105 across Derbyshire. All these crimes had presumably been committed since the previous eyre in 1269; was this a high crime rate?

Using published calculations for Derbyshire and England in 1290 (Broadberry *et al.* 2011) and numbers for 2010 (Derbyshire County Council 2013), the 1290 populations were approximately one-tenth of their current size (Figure 1).

Figure 7   Populations of Derbyshire and England/UK

Year	1086	1290	1377	1600	2010
Derbyshire	16,249	84,852	43,912	69,791	763,700
England/UK	1,706,436	4,751,489	2,500,000	4,114,891	52,234,000

In 2010/11, there were 600 recorded murders in the UK (Guardian 2011) with a population of 52,234,000. Derbyshire's population in 2010 at 763,700 was approximately 1.5% of UK population. Assuming a constant murder rate per head of population across the UK, in

Derbyshire in 2010 there were a calculated 8.8 murders. In the 12 years between 1269 and 1281 there were 105 killings in Derbyshire recorded in the rolls of the eyre – this also (coincidentally) works out at 8.8 per year. However, given the difference in population sizes in the county, the violent death rate in 1281 was about ten times higher than in modern times. There were of course some distinctive differences in the methods used in medieval times; out of 46 deaths where the method was recorded, the axe was most used (14), followed by knife (13), staff (5), sword (3), arrow (3), strangulation (2 cases – in one case a child and the other a woman), and the remaining cases involved gimlet, stake, spade, and beating. Other types of crimes were recorded in the 1281 Derbyshire eyre, but not in Hope or Castleton; most commonly these were burglary and theft but also included e.g. wounding and battery, mayhem and burning houses.

Punishments and pardons
In 1281, as shown in the example above, where the felon had fled the normal punishment was forfeit of chattels, exactment and outlaw. However, thieves captured in flight whilst in possession of stolen goods could be immediately beheaded by the pursuer, whilst hanging was the sentence for a number of crimes including deaths, and grand larceny.

Pardons for killings were regularly recorded, and some on the face of it were not necessarily well-deserved. For example, Geoffrey Lolle of Micheldevere (Micheldever, a village in Hampshire) was pardoned for the death Walter Hotte of Hope, who was killed before the 26th November 1347. He was also pardoned for earlier crimes so may have been a frequent offender (Great Britain 1903, p219).

In 1393, Thomas, son of Thomas de Castleton (vicar of Wirksworth) was responsible for the death of Henry Smyth of Matlock, killed at "Stepul alias Stepullgrenes" (possibly Steeple Grange) in the parish of Wirksworth. He had friends in high places, probably on account of his father's status, to appeal on his behalf as he was pardoned following the "supplication" of the king's cousin the earl of Rutland (Great Britain 1905b, p324).

Extracts from Court Rolls 1439-1509
The Court Rolls provide some interesting examples of how law and order operated over several centuries in Derbyshire, some later examples of which (specifically relating to Hope and Castleton parishes) are given below. The rolls also contain valuable information about occupations in the villages, and apart from excerpts dealing with obvious crimes (e.g. Robert Balgy the butcher, below) these are dealt with under "Occupations". Most of these cases were dealt with at the Castleton Court, probably held at the castle of the Peak.

1. Plea of debt for services rendered but not paid for:
In 1439, on the Wednesday after the Epiphany, pleas of debt were judged between Nicolas Stanreng and John Cok, of Hope, for stallage and between Thomas Newton and William Hatfield, of Edale, for mowing (Yeatman 1886, p337).

2. Fined for selling bad meat
On 21st September 1439, Robert Balgy, a butcher of Castleton or Hope, was fined 12d for selling corrupt meat (Yeatman 1886, p338). At another court shortly afterwards (Wednesday

after the Feast of the Epiphany, 1440), the Bailiff reported that when he seized carcasses of meat belonging to Robert Balgy levied on him as part of his fine, Robert "carried away and sold the said flesh". As a result he was landed with a bigger fine of 40d.

3. Affray in the open Court of Castleton
In 1442 Thomas Woodruff "made an affray" in the open Court of Castleton, and was fined 4d. (Yeatman 1886, p347).

4. Thefts of livestock in Castleton and Hope
These cases were heard at a court in Glossop on the Feast of St Lawrence in 1463. Arnold Barbur, late of Glossop, and Edward Tymme late of Castleton, both stole horses of Robert Townrowe at Castleton, one worth 13s. 4d, and the other 10s. Also Edward Barber stole the horse of Richard Smyth, worth 10s. at Hope (Yeatman 1886, p360). It is notable that both Arnold Barbur and Edward Tymme were "late"; perhaps they were killed by pursuers trying to retrieve the stolen horses?

In 1472 it was recorded that Christopher Hall, a vagabond of Castleton, stole a cow worth l0s. from Nicolas Bird at Castleton (Yeatman 1886, p363). The specific reference to "vagabond" is interesting; the first major vagrancy law was passed in 1349 to increase the workforce following the Black Death by making "idleness" (unemployment) an offence. By the 1500s the statutes were mainly used as a means of controlling criminals (Wikipedia 2013a)

5. Miscellany of penalties from Castleton Court in the time of Henry VII
At a Castleton court on 23rd April 1509, a few offences were tried (Yeatman 1886, p388), interesting in that they give insights into the responsibilities of tenants and traders in late medieval times, and possible penalties if these were not properly observed.

The village of Hope was fined 40d, for not presenting the brewers and bakers from Pentecost; this relates to the license requirement for those traders to present themselves at court.

The tenants of Castleton were charged "to make hedges"; and the tenants of Bradwall also charged to "keep the common lands within the fields separate till Autumn (till harvest)".

Finally, Christopher Staley, constable of Hope was fined 6s. 8d. "that he should make the stoks fit in all things". Stocks, pillories and cucking stools were used as physical punishments for e.g. brewing or baking misdemeanours (Halsall 1998). According to the "Judgement of the pillory", if a baker or a brewer was convicted because he had not observed the Assize of Bread and Beer, for up to 3 "non-grievous" offences he would be fined, but "if the offence be grievous and often, and will not be corrected", then he would be physically punished, by pillory, tumbrel, or "some other correction". Similar in concept to the stocks, the pillory was a device of wood or metal framework erected on a post with holes for securing the head and hands (Wikipedia 2013b). Cucking-stools or ducking-stools were alternative forms of punishment by public humiliation and used for punishment of disorderly women, scolds and dishonest tradesmen (Wikipedia 2013c). We can be sure that Hope had at least one form of punishment in a set of stocks!

6. Wars and Rumours of War

Ann Price

Introduction
Throughout the earlier part of the medieval period English kings had waged war against France, Ireland, Wales and Scotland as well as taking part in Crusades to the Holy Land. Little is known of local involvement in these activities until the reign of Edward II when we get a glimpse from public documents of the participation of people in the High Peak in the King's battles with the Scots and with his own barons.

Edward II, Rebels and Scots
Robert the Bruce had gradually rid Scottish castles of their English garrisons and eventually defeated Edward II's army at the battle of Bannockburn. The Scots continued to raid deep into English territory and at the same time Edward was having problems with a group of rebel barons who objected to his choice of favourites, such as Piers Gaveston and Hugh Despenser.

In March 1322 Thomas de Fournival the younger was directed to go against the King's rebels and to levy the forces of the Peak in Derbyshire (Great Britain 1904b, p79.). The barons were defeated at the battle of Boroughbridge later that month and in April the king ordered many castles including that of High Peak to "remove a munition of men that the king lately caused to be put therein by reason of the late disturbances in the realm." However the castle was to be kept in a state of readiness and any victuals that would not keep were to be sold and replaced at the castle keeper's own risk (Great Britain 1895, p137).

Having defeated the rebel barons King Edward could now turn his attention to the incursions of the Scots. On September 15th Commissioners were appointed "to array all able men between sixteen and sixty," Oliver de Ingham being responsible for "the parts of the Peck in the county of Derby". There was a mandate for the respective sheriffs to assist and cause men to appear before the commissioners. However the commissioners were afterwards ordered to hasten the business as the Scots had invaded the realm (Great Britain 1904b, p208-9).

This document gives a list of arms and accoutrements for each class of fighter, depending on how much land he held. Every man with £20 worth of land was to have a horse worth 100s, a haketon, (a padded jacket to go under armour), a habergeon, (a sleeveless coat of mail), a basinet with nosepiece, which was a light steel helmet with a visor, gauntlets of steel, a sword, a lance and a knife. Every man with land worth £10 was to have a horse worth 40s and the same arms. If your land or goods were only worth 40s you would receive the padded jacket (haketon), rounded steel plates to protect your armpits (palets), gauntlets, sword, lance and knife. (Wikipedia 2013d)
Anyone worth less was to have a sword, bow and arrows or a lance. The document states that "Views of arms are to be held every Sunday in each parish". Did the men of Hope and Castleton parade each Sunday with their arms?

How many of them were part of the force that was defeated by the Scots under Robert the Bruce at Byland in Yorkshire in October we do not know, nor even if they were present.

Edward continued to keep his troops in readiness for further battles with the Scots. He appointed Walter de Waldeshef as his Commissioner for the High Peak. Walter had been the

king's butler and no doubt Edward would be anxious to have a loyal man in charge of mustering troops in the High Peak area. He certainly kept them moving.

On 10th December 1322 Walter de Waldeshef for the High Peak and other commissioners for Lancashire and Cheshire were ordered to have their levies at Lancaster on the fifth day after the Purification (Great Britain 1904b, p226-7).

In February 1323 Walter de Waldeshef was, with other commisssioners of array, ordered "to be at Chesterfield with their levies by next Thursday to proceed against the Scots who were proposing to enter the county of Lancaster." (Great Britain 1904b, p247).

By March 3rd 1323 the king was at Knaresborough from where he ordered his commissioners, amongst them Walter de Waldeshef of the High Peak "to array all fencible men so as to be ready by Palm Sunday or sooner, after three days notice to march against the Scots, who are preparing to invade the realm." (Great Britain 1904b, p261) . On March 9th Walter was specifically commissioned "to levy 300 archers in the Peak and to lead them to the king at Newcastle upon Tyne by the octave of John the Baptist, to set forth thence at the king's wages against the Scots." (Great Britain 1904b, p264). Two days later Walter has orders "to array all fencible men and to muster the forces at Lancaster at once so as to be able to join the king when required wherever he may be." (Great Britain 1904b, p264).

The next glimpse we have of these events is a note appended to the Calendar of Patent Rolls of 9th March which states "Afterwards, 2nd June, the king being at Thorpe by York and a truce made with the Scots until thirteen years after 12th June following the commissioners should surcease the execution of the premises." Even before the truce was signed the treasurers, barons and chamberlains of the exchequer were on 5th May ordered to pay the wages of the "following footmen, archers and other armed men whom the king has ordered to be chosen in the following counties and ordered to be brought to him for the Scotch war" Amongst these were "from the High Peak in co. Derby, 300 archers" (Great Britain 1895, p645).

The High Peak seems to have been treated as a separate area from the rest of Derbyshire when it came to raising a levy of arms. This was certainly the case during the Scottish wars. That there was at that time a 300 strong company of archers has associations with a tradition that almost one hundred years later, a company of archers from the High Peak fought at Agincourt, under the command of Nicholas Eyre of Hope. The evidence for this is scanty as the Agincourt Rolls which originally contained all the names of those who fought at that historic battle are incomplete. (Smith Porter 1923, p141) There is a field called Abney Butts marked on the 1847 Hope Tythe map. Is that where the archers practiced?

Elizabethan Musters
There are however records of the musters for the very real threat of a Spanish invasion in the reign of Elizabeth, preserved at Belvoir castle and published in the Derbyshire Archaeological Journal in January 1895 (reproduced in Smith Porter 1923, p146).

There were two musters, one in 1585 and one in 1587. The first record written from Derby gives "the names of all such parsons as are appointed to be in readiness in the Heighe Peake by John Manners and Robert Eyre esquire at a muster taken at Backewell the viiith day of November in the xxviith reign of Our Soveraigne Ladie Queene Elizabethe. And a particular note with all of such armor and weapons as every Township has in readiness for the ffurnishinge and settinge forthe of the same."

Robert Eyre of Edall, one of the two men appointed to make the levy, contributed 20 shillings towards providing horses and furnishing one petronell (a kind of large pistol or carbine).

Under Hope, the names recorded were Thomas Slacke, Ralph Glover, Richard Slake, Edward Halle, Thurston Hall, Renolde Purslove, Richard Needham, Robte Arnefeelde, Gilbart Marshall, Robte Marshall of Thornell. Some of these names are familiar from wills and other documentary evidence and apply to people from Castleton as well as Hope. The arms they bore were three *caliver* and three *arquebus*, both firearms, two *corselets* (defensive armour) and two *bills,* a weapon like a billhook with spikes at the top and back.

"From a muster Booke of all the selected men appointed for trayned soldiers made the seconde of November in the xxixth year of Or. Soveraigne Lady Queene Elizabeth 1587". In the Hundred of Highe Peake from Hope towneshippe the following are listed with their arms. Robte Halle; Victor Morten; George Needham, *calivers*; Willm Morten, *arquebus*; Thomas Hall, *muskett;* Gilbart Marshall, *arquebus;* Reignolde Purslove; Charles Hatfield; Willm Stevenson; Robte ffurnesse *corselets*. A note at the foot of the page states that they "all trained in May 1588."

The cost of this muster is also recorded.
"firste of May 1588
Received towards the charge of the trayning of 200 men 3 dayes at Bakewell, vizt for every man 5s
Disbursed as followeth

Soldiers paye for 3 dayes having 12d a day	£30.
ffor 145 lb of powder at 16d the pounde	14s.
ffor 12 lbs of matches at 6d the pounde	6s.
to the leuetennant	40s.
to 4 Serjants	£4.
Clarks	40s.
2 Corporalls	20s.
2 Auncyents (ensigns)	15s.
2 Drumers	15d.
Sum	£50.

(Smith Porter 1923)

The Civil War
During the Civil War Sir John Gell held the county for Parliament. A series of letters to the constable of Hope (in a fragile condition) are stored in the Derbyshire Record Office. They give an insight into Parliamentary procedures for collecting taxes (see "Taxation.") and also what each township was expected to do to support the war effort. A warrant dated 26th February 1644 repeats a demand for fourteen strikes of oats to be delivered weekly to the Quartermaster at John Ward's house in St James' Lane, Derby. This was a large consignment and it appears that the request was ignored. A more moderate demand required only four loads of hay and four strikes of oats to be delivered to Quartermaster Henshaw at Mr Fisher's house by the Jail Side (Fisher 1950).

One letter signed by three local members of the Derbyshire Committee for Safety based at Chappell was written in November 1644.
"To the Constable and Inhabitants of Hope
Whereas Thomas Needham of Castleton has had a fatt cow taken from him and imployed in

the service of the Parliament: Theise are therefore to command and charge you to make an equal assessment within yor township of the sum of foure pounds and pay it unto Thos. Needham for his cow that were imployed in the Parliament service. And hereof faile nott. H. Wigfall, Robt. Eyre, Jo Wigley."

Each township had to answer for the maintenance of a specified number of trained soldiers. We don't know how many soldiers Hope had to support, but a series of letters are concerned with this issue. A notice of June 10th 1645 threatens to distrain for arrears of £61 being the assessment of 21 shillings per week for every trained soldier. Five days later the Constable has to collect 16 shillings for every chargeable soldier to pay for mowing and making hay. It seems the demands of the agricultural year take precedence over civil war. The war in Ireland also had to be paid for and in October of 1645 the constable received a summons for 38 shillings for every trained soldier in the township towards an assessment of £29.3s.4d on Derbyshire for twelve months maintenance of the army in Ireland.

Very little time was given for the Constable to respond to request for aid.
Will Spencer, writing from Tidsall (Tideswell) in May 1645 makes the following demand
"To the Constable and Inhabitants of Hope
Theise are to charge you and command you forthwith upon sight hereof to provide within your Constablery two suffitient horses Mares or Geldings with Bridles, Saddles, Brestplates & Cruppers for ye use of Lord Fairfax his Regmt of horse, and that the charge may be more easy you are to levie an equal assessment in yr Constablery to make satisfaction for the said horses and furniture etc., each man to be charged according to his abilities and the said horses with furniture you are to send to my quarters in Tidsall on Tuesday next by 9 a clock in the morning. Faile not herein or you will answer the contraray at yr utmost peril.
PS In regard of our march to Stoney Middleton you are to send horses and furniture thither tomorrow."

We know that not every one in Hope was a Parliamentarian. Thomas Bocking, the vicar of Hope, had fought in the war on the Royalist side, and was deemed "scandalous" during the Commonwealth. In Castleton the Savage family had their estates sequestered for supporting the king. Loyalties in the valley would have been divided.