

The Poll Tax and Census of Sheep, 1549

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(Continued from Vol. 1, p. 15)

IT is in this atmosphere of proposals and estimates that Parliament discussed and approved the Bill which became 2 and 3 Edward VI c. 36. From a suggestion, the poll tax on sheep became law; the cloth levy was imposed; and instead of rough estimates of the sheep population, the Act set up the machinery to take a census of sheep in every parish, only eleven years later than Thomas Cromwell's attempt to number the parishioners by the recording of baptisms, marriages, and burials.¹

The grant of supply to the King did not take any of the conventional forms. The usual *subsidy* (or tax on personalty) was not granted, nor the *tenth-and-fifteenth* (the old, and now conventionalized, local tax). Instead, in view of the danger in which the realm stood, the faithful subjects offered a *Relief* to be paid annually for the three years following.

In view of the close concern which this Relief was to have with sheep, there is a grim irony in the metaphor of sheep and shepherds in the preamble to the Act, akin to the tone in which the Prayer for *Landlords* in the Edwardian Prayer-Book was to ask that landlords should remember themselves to be "Thy Tenants."² This preamble to the *Act for the Relief* in 1549 calls on God to protect "this lytle Realme and us His poore Servants and little flock, takinge to his charge and defence our little Sheparde." The servants were modest about their grants, "besichynge his Grace not to cast his eies upon the smalness of this our simple present."³

Despite the abandonment of the term *subsidy* in favour of *Relief*, the principle of assessment was not basically different in so far as it dealt with the assessment of personal property for tax. Those whose property exceeded ten pounds were to pay one shilling in the pound upon it. Aliens were to pay twice this rate if they possessed property at all: otherwise a poll tax of eightpence. It is necessary to dwell on this part of the Relief of 1549 because the assessment of the amount a man would pay for his sheep was related to the amount he would already have paid on his personal property. The property on which the tax fell was specified in the Act. Stocks of merchandise and sheep were particularly mentioned. Thus a

¹ Cox, *Parish Registers of England*, pp. 2-3.

² Reprinted in Tawney and Power, *Tudor Economic Documents*, III, pp. 62-3.

³ *Statutes of the Realm*, IV, pp. 78 sqq. All the following quotations are from this Act unless otherwise acknowledged.

sheep-owner or a clothier would be assessed at 1s. in the pound (5%) on the value of sheep or cloth. The novel proposals in the second part of the *Act for the Relief* laid much more specific taxes on sheep and cloth.

The principle was the one we have seen in Hales's *Causes*, and a connection can be inferred from the entry in the Commons' Journal: "The Bill for the Relief of Subsidy of Goods, Sheep and Cloths for three years—to Mr. Hales." The three categories of sheep, on each of which a different rate was to be paid, were:

1. Ewes kept on enclosed ground for the greater part of any year, whether the enclosed ground were marsh or pasture: "that is to saye, groundes not comen nor comenlie used to be tilled." The tax on these ewes was three pence a head.
2. A tax of two pence a head on wethers and other shear-sheep on these same enclosed grounds.
3. A lower rate of three halfpence on all sheep on the commons or on enclosed tillage lands.

These rates were higher than Hales had proposed in 1548. The Act also made concessions to the small sheep-owner, although opponents of the Bill were later to argue that "it is to your poor Commons having but fewe sheep in number a great charge."¹ Men with fewer than ten sheep were only to pay a halfpenny a head; those with from eleven to twenty were only to pay a penny a head.

These concessions are the more curious when we take into account another important clause. A sheep-owner only became liable to pay any of the poll tax due on his sheep if his obligation exceeded the sum he had already paid that year on goods. A man whose sheep-tax totalled 10s. would pay nothing unless his relief on goods had been assessed at less than that sum. If his sheep tax did exceed his property tax, then he was only to pay the difference. It is this feat of subtraction before the sheep-owners' obligation was finally known which produced the ruled columns of some of the surviving collectors' accounts, headed:

"Ye sums dew unto the kyng hys maieste for ye furst part of ye releyfe of the pole of sheyp, deducting the releyfe for goods a fore unto ye kyng payd."²

This said very briefly what the statute said longwindedly. The Hunts collectors arranged their figures in six columns tracing the logic of their calculations.³

¹ Preamble to 3 and 4 Edward VI, c. 23, *Stat. Realm*, IV, p. 122.

² Public Record Office, E 179, 122, 143. ³ E 179, 122, 144.

1.	2.	3.	4.	5.	6.
The mens Names	Nombre of Sheepe	Place where they goe	Money due for theym	Whereof payde for goods	Remayneth unpaid.

In another Hunts roll tabulation is replaced by prose.

“Somersham: cc iii^{xx} ii sher sheyp kept by John Castell ye elder, yeoman, most parte of ym yz on the comens.”¹

Castell, having already paid 23s. to the subsidy on goods earlier in the summer, had now to pay only the difference between that sum and the 37s. 9d. due for his sheep-tax: 14s. 9d. (It will be noticed that the sheep are being counted by the old ‘long hundred’ of six score, so that if the collectors wish to indicate a hundred sheep they will write *v^{xx}* and not *c*. Castell’s entry makes this clear. He had 302 sheep by the long hundred (not 262 as the figure may first appear to read) and at three halfpence each (being “on the comens”) 453d. or 37s. 9d. was due.

Such a double assessment and subtraction were not administratively difficult. The Act assumed that the Commissioners who assessed the poll tax on sheep locally would include many men who already served as assessors and collectors for the Relief on goods in the spring. The assessment on goods was to be completed by 20 March 1549, and the tax was expected at the Exchequer by 6 May. The Commissions authorizing the assessment of the poll tax on sheep were to go out five days earlier and the Exchequer wanted the returns from the counties in its hands by 10 October, and the payments by 1 November. The second and third instalments were to follow on the same dates in 1550 and 1551.

Another clause in the Act attempted to provide additional means of catching defaulting graziers. The Commissioners had already been told to empanel the parish priest and other honest villagers to help them: for the poll tax on sheep they were to conduct an annual census in June.

“Yerely durynge the seyd thre yeres on the Tuesdays after the feaste of the Nativity of St John Baptist, there shal be a generall surveye made of all and singular Sheepe in every Parishe, Village and other place . . . chargeable to the payment of this Relief of Sheepe. Every sheepe shalbe taken for a Sheer sheepe that is at the tyme of the surveye of the age of one yere or more, albeit the Sheepe be not at that time shooren.”

The census was thus appointed for 25 June 1549. In his self-defence written later that year, Hales gave no account of the reception of the Relief, but, describing the debate on his unsuccessful Bill to force sheep-masters

¹ E 179, 122, 143.

to keep a proportion of cattle, he referred to a proposal for a Census of sheep similar to that found in the Relief.

“I had thus devysed that the parson or Curat of every parisshe (to whom belongith the tithes) and two honest men shulde yerelye surveye everye mans pasture and shulde not onlie present who dyd transgress this lawe, but who did also observe it.”¹

This proposal was badly received. “This was it that byt the mare by the thomb. Men passe not moche howe manye lawes be made, for they see very fewe put in execution.” We do not know how Parliament was persuaded to accept a similar device in the Act for the Relief. In that stage of the development of an independent spirit in the Commons we cannot be certain that a proposal incorporated in a vote of Supply to the Crown could have been resisted implacably. The concessions on purveyance in 1548 may also have quietened opposition.²

In the event, the most effective opponents of the census seem to have been the census-takers themselves. If the North Riding returns represent what the parish priest and the honest men of the village found that mid-summer, they must have been men who did not know a sheep when they saw one. Only four or five villages in each wapentake were represented at all, and in these the flocks consisted of a hundred sheep or less.

The entries in the Lords' and Commons' Journals for this period are so short and formal that we cannot tell how the proposals were received in debate. I am inclined to think that the concession allowing a man to count the payment of the relief in goods against his sheep-tax was an amendment introduced to appease the opposition. No such suggestion had appeared in Hales's proposals of the previous autumn. Its effect would be to favour the larger property-owner. If his property tax already came to a large sum it would act as a shield against a further charge on his flocks. A man paying a property tax of 40s. could keep a flock of 160 ewes on enclosed pasture (or 320 ewes on the commons) without becoming liable to a penny of sheep-tax. A man assessed on his property for 10s., on the other hand, became liable to sheep tax as soon his ewes exceeded 40 or 80 respectively. (Flocks of fewer than twenty, as we have seen, paid at a lower rate.)

¹ *A Discourse of the Commonweal*, ed. Lamond, 1929, p. lxxv.

² In the same month that the Relief was granted, Purveyance was abolished for three years by 2 & 3 Ed. VI, c.3; and fee farms were diverted from the Exchequer for three years and applied to local schemes of poor relief and public works by 2 & 3 Ed. VI, c. 5. Since the Relief was granted for three years, this savours of a *quid pro quo*.

Parliament rose on 14 March 1549. On 25 June the census of sheep was due to be taken. All that spring and summer the agrarian discontents mounted. Hales strove to dissociate himself and his reforming friends from the violence of the rioters. His opponents blamed his concession as an encouragement to the peasants to attack their landlords. In September, Hales sent the Lord Protector his long *Defence against Certain Slanders*. The first payment of the sheep tax was due at the Exchequer by 1 November.

By that day Somerset was in the Tower and his rival, Northumberland, in the ascendant. Hales had fled abroad for safety. The whole policy of agrarian reform seemed discredited, and on 16 November the new session of Parliament heard "the Bill exhibited by divers clothiers of Devon for remitting the Act of Relief for Making of Cloths,"¹ and on the 18th the Commons began to discuss the "last Relief for Cloths and Sheepe."

This news would not have surprised Hales. In his *Defence* he related the opposition which he had found when he toured the Midlands with the Enclosure Commissioners. Juries had been bribed or packed: landlords hoped that a fine would be the end of the matter, as it had been before; his Bills had been roughly handled in the Commons. "Perchaunce you wolde have saied that the lambe had byn cummyted to the wolfe to custodie." Only that February the Lord Protector's brother, the Lord Admiral Seymour, had expressed views which many of his fellow peers must have shared. The Marquis of Dorset reported that "a little before his apprehension the Lord Admiral, talking of a subsidy granted to the King of 2d. (*sic*) yearly for every sheep, declared that he would never give it."² Now, within a month of the first collection of the tax being due, the Commons were cautiously seeking permission to debate its abolition. Their caution did not stem from any affection for the tax: the difficulty was constitutional. On 18 November

"Mr Speaker with the King's Privy Council of the House and twelve others of the House shall be suitors to know the King's Majesty's pleasure by his Council if, upon their humble suit, they may treat of the last Relief for Cloths and Sheep at four of the clock afternoon."³

There could have been few precedents for a Parliament seeking to back out of a subsidy only just granted for three years. On 20 November Mr Speaker reported that the Commons might "treat for the Act of Relief,

¹ *Commons' Journals*, I, p. 11.

² *Defence against Certain Slanders*, reprinted in Lamond, *op. cit.*, pp. lii-lxvii; Seymour's words: *Hist. MSS. Comm., Salisbury*; I, 1883, p. 71.

³ *Commons' Journals*, I, p. 11. Subsequent dates are from the same source.

having in respect the causes for the granting thereof." The Council was reminding the Commons of the concessions they had received by the abolition of purveyance, and pointing out that the money had to come from somewhere, if not from sheep. On 30 November the Commons sent twelve members to attend the Lords for the 'Answer of the Relief'. Nothing appears about this in the Lords' Journal, but on 11 December a new Bill was introduced which reached its third reading in the Lords by 17 January. It became the statute, 3 & 4 Edward VI, c. 23: "An Acte concerninge the release of the braunches in the laste Acte of Relief for the payment for sheepe and cloths. Also a graunte of a Subsidy to be paid in one year." The poll tax on sheep and the levy on cloth were dead.

The preamble to the Act gave reasons for the repeal of the taxes.

"(The) Relief of Sheepe is to your poor Commons havinge but fewe sheepe in nomber a great charge, and also so comberouse for all your Commissioners and Officers named and appointed for executing the same, that they cannot in manner tell how to serve your Highness therein accordinge to their duties."¹

The cloth levy had also proved "comberouse," it was alleged, so that "such graunts shalbe from the said fourth day of November in [1549] deemed and adjudged voide." The 4th of November is not a date which appears in any of the earlier instructions for collection, so that it may be the date of the petition from the Devon clothiers which the House had heard on 16 November. The petitioners had then been told that they would receive an answer at the return of the Knights of the shire, that is, at the session's end. They were probably well pleased with the news their members brought them, a pleasure clouded only by the news of the extra grant which had been made to recompense the little shepherd for his loss of revenue.

"Another grant, not as any recompense or satisfaction for your most bountiful and liberal release and discharge of your said humble subjects concerning the said Reliefs on Sheep and Cloths . . . but as a token and knowledge of our faithfulness and loving and willing hearts."

More prosaically, Parliament had granted an extension of the Relief on Goods; a fourth instalment was to be paid in April 1552. This is quaintly described by Professor Mackie in the recent volume of the *Oxford History of England* as a "small subsidy."² It was, of course, between £40,000 and £50,000, the size of each of the three previous instalments.

¹ *Statutes of the Realm*, IV, p. 122.

² *The Earlier Tudors*, 1952, p. 500.

Before examining the surviving records of the assessment and collection of the short-lived taxes, a brief comment must be made on the common view, which derives from A. F. Pollard, that Northumberland's rise to power in 1549 marked a wholesale reaction and the end of opposition to enclosure. Pollard did not altogether resist the temptation to ennoble the character of Somerset by blackening that of Northumberland.

There is no need to proceed to the opposite extreme and whitewash Northumberland, or to deny that his policy was more sympathetic to sheepmasters than to those who suffered at the hands of sheepmasters. Yet the record of anti-enclosure measures during his period of office does not entirely support Pollard's thesis. Pollard stated that Northumberland's Parliament of November 1549 set to work to make the yoke of the commons of England less easy and their burden less light. In support of this view he said: "It proceeded to override all the laws passed against enclosures under Henry VII and Henry VIII."¹ Professor Mackie echoes this: "During the rest of the reign there was no further talk of agrarian reform."²

These statements are incorrect. An Act passed in the second of Northumberland's parliaments made it an offence, in the tradition of the Acts of 1489, 1515, and 1536, for any one to convert land to pasture if it had been under the plough since 1509.³ Moreover, a new Commission of Enquiry was set up. Its returns were to be sent to Chancery and thence to the Exchequer to remain on record. It surely cannot be suggested that the Commission was to make these dangerous enquiries in order to do nothing. Nor did Parliament turn its back on all discussion of enclosure matters, as Professor Mackie says. Only a week after the issue of the repeal of the Relief had been raised, the Commons discussed a Bill "for having a Number of Sheep and Farms," no doubt the old issue of over-large flocks and the engrossing of holdings. Three days later they discussed a Bill "for the Commons, Sheep and Farms." On 4 and 13 January they debated a Bill "for the re-edifying of Decayed Houses."⁴

Nor did the prosecution of enclosers cease. I have set out below the number of enclosure prosecutions heard in the Exchequer during the two Protectorates.⁵ These are not intended as measures of all anti-enclosure activity: the prerogative courts were also at work hearing similar cases; but they do show that in this particular court—where the principal attack

¹ Pollard, *England under Protector Somerset*, p. 271.

² Mackie, *op. cit.*, p. 506. He quotes one Act but ignores 5 & 6 Ed. VI, c. 5.

³ 5 & 6 Ed. VI, c. 5; *Statutes of the Realm*, IV, p. 134.

⁴ For all these dates see the *Commons' Journal*, *sub diebus*.

⁵ Cases appearing in E 159 and E 368 (P.R.O.).

under the Henrician statutes had been directed—there was no real difference between the time before and the time after Somerset's fall. However

TABLE 2
Annual figures of enclosure cases in the Court of Exchequer.

Year	For having too-large flocks and engrossing holdings	Other enclosure offences
Somerset's Protectorate		
1547	6	10
1548	11	11
1549	8	14
Northumberland's Protectorate		
1550	16	12
1551	3	16
1552	0	9
1553	1	5

far Northumberland went in persuading graziers to support him against Somerset's measures, it is clear that he had not succeeded in barring the opponents of graziers from the courts.

The surviving returns for the Poll Tax on sheep do not cover the whole country, nor even the whole of that part of the country where the largest flocks were to be found. This imperfect survival of the collector's accounts is characteristic of this class of records of the Exchequer, where the only determinant of what survives is pure chance. There was no contemporary incentive to destroy some records yet keep others. The tax was repealed from 4 November 1549 and any one who had avoided the tax need have had no fears that the record might be used against him in the future.

Although the Act of repeal relieved taxpayers of their obligations from 4 November there is every reason to believe that the Exchequer went further and actually remitted the sums already paid. In any event, no penny from this tax is enrolled at the Exchequer, while the county payments from the Relief on Goods of the same summer are fully recorded in the usual style.¹ This is very odd, in face of the eleven surviving accounts

¹ I have examined enrolled *Views and States of Account* (E 368, 327, Easter term, States, m. 5, and Michaelmas term, States, m. 9, duplicated in E 102, 317) as well as the *Enrolled Subsidies* (E 359, 45). The first collection of the Relief on Goods began to be enrolled during Easter Term, anno tertio. The sums given are exactly the same as in the county collectors' receipts in E 179 with no additions for the Relief on Sheep or the Relief on Cloth. The next tax to appear on the rolls is the second collection of the Relief on Goods one year later.

described below which show that eleven Commissions did return their accounts and their money into the Exchequer as they had been ordered. These accounts show that in seven counties at least the Commissioners had not had the difficulties described in the preamble to the Act of Repeal. "They cannot in manner tell how to serve your Highness therein accordinge to their duties."

I have not been able to trace an order for the repayment of these monies, although such an order may exist. It is therefore possible that the eleven surviving accounts (dated from July to October) represent the only Commissions who had made their returns before the fall of Somerset and the new Parliament put a stop to the work. Hearing of the petitions against the Reliefs (and knowing the temper of the Commons) the others may have thankfully decided to hold their hand and make no return to the Exchequer until an order came. It never came. Whether the eleven Commissions had their collections returned we do not know; whether they redistributed the tax we shall not know unless new documents in connection with this tax come to light in the provinces. In any event, the Exchequer accounts show that the king received nothing.

The collectors' accounts come from five counties. The Public Record Office references for these are: Devon, E179/99/315; Hunts, E179/122/143, 144, and 146; Notts, E179/159/178, 182, and 185; Oxon, E179/162/275; Yorks, E.R., E179/203/251; N.R., E179/213/209; W.R., E179/208/211. Only for Huntingdonshire are they anywhere near completeness. All the four Hundreds of that county have returns, made in September. There are signs at the bottom of the Normancross roll that a second, now lost, membrane was formerly stitched to it. The North Riding of Yorkshire's return seems to be as full a return as the Riding ever made, but the entries are so meagre that the collection must have been superficial. Only one hundred of Oxfordshire has an extant return. Nottinghamshire has three rolls detailed enough to suggest a less superficial assessment.

The rolls vary in legibility and clarity of lay-out. Like all Exchequer accounts of this period, they range from the clearest tabulation to the most unarithmetical prose. In Devon the collectors failed to describe the sheep, giving only a total sum due from each taxpayer. In the other counties the size of the flock is either given explicitly or can be worked out from the sums due from the three categories of animals. Thus, it is no help at all to know that Robert Trobrigge of Crediton paid "pro ovibus suis, ultra xii^s prius solut' pro bonis suis, 6d."¹ But the sums of money given for each

¹ These and the other quotations following come from the appropriate county rolls whose references have been given above.

sheep-owner in the Buckrose area of Yorkshire are accompanied by a note of the category of sheep. Thus, the flock at Skirpenbeck, assessed at £3 5s., was in the three-halfpenny category, so that the size of the flock—520 sheep—can be worked out.

The Act had distinguished between sheep which spent most of their year on enclosed pastures and sheep spending their time on open fields or common pastures. Hales, it will be recalled, had thought that there were about equal numbers of each type. In the small sample offered by these returns the majority were sheep grazing on the commons, but since these paid at the lower rate there was the temptation to declare a flock as a commons' flock. Rare is the occasion—as at Stainforth in the West Riding of Yorkshire—when a taxpayer was put down for both kinds of sheep. The Commissioners elsewhere seem to have been satisfied to make a simple sum of it: John Castell's 262 sheer sheep at Somersham, Hunts, went "moste parte of ym on ye comens."

In Nottinghamshire the sheep were often described as going "in severall pastures and severall marshes." While it is probable that the use of the word marshes does reflect the importance of the low carrs of the Trent valley as grazing grounds, there is the chance that the local Commissioners were standing strictly by the terms of the Act, which used the term "severall pastures and severall marshes." In another Nottinghamshire entry, the sheep on the commons were described more fully in words which do not derive from the Act and which seem genuinely descriptive: "goyng all ye yere in ye comen faldes feld" at Bunney, and at Flintham "in ye comon falowe feld." Instead of "on the commons" or "*in communibus*" the sheep not grazing within hedges were often described simply as "feyld sheep."

The Commissioners had to report any flock-owners who were living out of the county. In the East Riding, for example,

"Yt ys presented that Sylvester Eade late dwelling in the Chepe in London and now dwelling in Stamfordthe in the countie of Lincolne hath goinge in common at Mulforthe . . . eyght hundred sheepe."

Eade's flock was grazing over the site of the former village of Mowthorpe, on the Yorkshire Wolds half way between Duggleby and Kirby Grindalythe. In the Huntingdonshire returns the list of "them that hathe sheyp in the sayd hundred . . . and dwellythe owte of the shyre" had 22 names, as compared with 188 owners living in the county. Of these twenty-two men, all (except two Londoners and a Kentish man) lived in adjoining counties.

How large were the flocks on which tax was paid? Taking the 414 in-

stances which these returns offer we find the size distribution set out in Table 3. One useful method of approach is to group the flocks according to their size, and then see what size of flock was the most common. For example, eight of the 414 flocks for which we have details consisted of twenty sheep or fewer; sixteen flocks had between 21 and 40 sheep in each, and so on In Table 3 the number of flocks in each size group has been expressed as a percentage of all the 414 flocks. Thus the eight flocks numbering twenty sheep or fewer accounted for 2 per cent of all the flocks. Forty-eight per cent (or nearly half) of all the flocks had 140 sheep or fewer. The sample is such a small one that, outside Hunts and Notts, it would be foolish to draw any general conclusions from it. The median size of the flocks in the various county returns are also given for interest below.

TABLE 3
Percentage of flocks in each size-group of flock.

Size-group	%	Size-group	%	Size-group	%
0-20	2	141-160	12	281-300	5
21-40	4	161-180	6	301-400	5
41-60	6	181-200	5	401-500	3
61-80	5	201-220	2	501-600	1
81-100	5	221-240	5	601-700	0
101-120	13	241-260	2	701-800	1
121-140	13	261-280	1	800 +	1

The locale of the 414 flocks for which information is available is set out in Table 4. The only extant certificate for Devon has no details of flock-size. The median size of the whole group was 142 sheep. The median size in each county is shown in Table 5.

TABLE 4
Locality of the 414 flocks.

Huntingdonshire (four Hundreds)	186
Oxfordshire (Bampton Hundred only)	52
Nottinghamshire (four Hundreds)	73
Yorks, N.R. and W.R.	61
Yorks, E.R.	42

TABLE 5

Median size in each county.

Hunts	Hurstingstone Hundred	180
	Normancross Hundred	145
	Leightonstone and Toseland Hundreds	125
Notts		150
Oxford	Bampton Hundred	155
Yorks	E.R.	118§
	N.R. and W.R.	110§

(In the case of the counties marked § the sample is so imperfect that the figures have very little meaning.)

Set well apart from this general experience of a flock of between 110 and 150 sheep are the flocks of the larger sheep-masters. The largest recorded was 1,550 at Slepe (St Ives). There were also flocks of 1,213 (Warboys, Hunts), 1,203 (Abbot's Ripton, Hunts), and 1,094 (Settrington, Yorks, E.R.). The Huntingdonshire commissioners appear to have been most thorough. They taxed one man who had two sheep on the commons of the borough of Huntingdon. At Ramsey one of the commissioners had 252 ewes and 30 wethers on enclosed pastures, together with 377 field sheep. He duly taxed himself.

Nowhere did the commissioners report flocks near the prohibited size of 2,400, although from other sources we know that flocks of that size existed. As one might expect, the names of the sheep-masters and the location of the pastures include well-known figures and places in enclosure history. A flock of 800 sheep grazed over the lost village of East Tanfield, Yorks, N.R. The sheep-owner at Little Gidding, Hunts, was Robert Derwell. He had 600 sheep on the commons there. In 1594 the Court of Exchequer heard that once "the ffieldes and tilladge grounds belonginge to the said towne of Lyttell Giddinge did lye open and not enclosed."¹ It would be on these fields that the 600 sheep fed. In 1566 Derwell enclosed the fields and destroyed the farm-houses in the village.

"The said fieldes are now enclosed with hedges and converted into severall closes, neyther is there now remayning any howses of husbandry nor eny land in Tilladge savinge, yt wch is in the occupation of John Bedell, gent., as farmer unto Humphrey Drewell Esq."

¹ E 134, 35 Eliz., Hunts. Depositions of Henry Stretton, aged 68, and Henry Berridge, aged 60.

In Little Gidding in 1549 Drewell was the only flock-master taxed. There were probably other sheep which escaped, since there were eight farms then in occupation. It is common to find only one name per village in the tax returns, as if the Commission were satisfied with one victim. Occasionally fuller detail is given. At Yaxley, Hunts, William Cony had flocks of 916, 300, 241, and 200 sheep, all in different Huntingdonshire parishes. The flock of 916 was feeding in Elton fields. Three other Yaxley men were taxed: one for 504 sheep; another for flocks of 66 and 75; and the third for 88 and 45. At Conington, another village as shrunken as Little Gidding, Thomas Catton had 771 sheep, and Henry Hull 128. Hull also had 150 at Stukeley.

At the foot of the North Riding account there is a short note which provides the only evidence I have been able to find, other than the mournful complaint of the Devon clothiers in November, that the Relief on Cloth was also being collected that summer. On 26 July the Commissioners for the North Riding wrote as a tailpiece to their roll: "We the Commissioners aforesaid concerning the releyff of cloths . . . we fynde nothinge." A short note on this part of the Relief is given below,¹ but as far as records of collection go, my present report must be that of the Commissioners: I find nothing.

The nine months' events just considered came at something of a turning-point in English agrarian history. They mark the most serious of all the sixteenth-century attempts to check the spread of pasture by legislation and administrative action, set as they were alongside other measures intended to bring down prices and encourage tillage. They failed. The riots frightened Somerset's moderate supporters and robbed the reforming party of political power. The machinery of inspection and enumeration which the reformers hoped to initiate was delicate to handle even in a time of political agreement. Neither sheep nor men could be numbered by the passing of an Act of Parliament. The enumeration of baptisms was to remain sporadic until the institution of register books in 1598. Both muster-rolls and subsidy-lists from this period offer statistical lacunae which are at once the delight and the terror of the demographer.² Even if the first successful census of sheep did not come until 1866 (when there were nearly 17,000,000 in England and Wales)—that is, sixty-five years

¹ Appendix, p. 29 below.

² As witness Professor E. E. Rich, 'The Population of Elizabethan England,' *Econ. Hist. Rev.*, 2nd ser., II, 1950, pp. 247-65.

after the census of men—it is nice to remember that as far as the Statute Book is concerned, a census of sheep was ordered two hundred and fifty years earlier than the census of *homo sapiens*.

Although the agrarian policy of Hales and Somerset reads so gloomily, their goal was attained within a few years by the action of external events. Within three years of Hales's flight the whole aspect of the European demand for English cloth had been changed. Looked at from the standpoint of 1600, the mid-century had marked the peak of cloth exports, to be followed by a period of much lower demand, possibly only three quarters of the quantity at the height of the boom.¹ Economic reality pushed the graziers into action which moral sermons and Acts of Parliament had failed to effect. Calculations of profit and loss began to show that the best course of action was no longer the extension of pasture over tillage-land. Corn-growing began again to seem more profitable than wool-growing.² The great drive against arable in the Midlands was halted. There were still to be enclosures and the area of tillage would ebb and flow with fluctuations in the prices of grain and wool; but never again would the wolf-like sheep be an increasing menace to corn-growing husbandmen. The language of the preamble to the Act of 1597 may read as if depopulating enclosures were abroad again, but their whole scale of operation was tiny compared with the great enclosures of the early Tudor years.³ Indeed, there is good evidence that these were halted even before 1549, but they were near enough in men's memories to encourage the fears of the rioters that summer and to encourage the reformers to lunge desperately at the grazier as the prime social enemy.

¹ For the figures see E. J. Fisher, *Econ. Hist. Rev.*, x, 1939-40, p. 96.

² For a summary of this argument see P. J. Bowden, 'Movements in Wool Prices', *Yorks Bulletin of Econ. and Soc. Research*, iv, 1952, pp. 109-24.

³ 39 Eliz., c. 2 (1597) *Stat. Realm*, iv, p. 893.

Appendix

A NOTE ON THE RELIEF ON CLOTH, 1549

I have failed to discover any documents recording the collection of this tax, perhaps because I have not been able to plumb the unsorted Miscellanea of the Exchequer. The preamble to the Act of Repeal may have been correct in saying that the Relief was too cumbersome. As in the case of the sheep tax Hales proposed to utilize existing machinery. The Commissioners appointed in the Act were travelling very much the same road in their assessments of the Relief on Goods as the Henrician subsidy; for the tax on cloth the aulnagers were brought in.

Clothiers and aulnagers were instructed to keep duplicate books recording the cloths made and sealed during the year. The Commissioners were to take the clothiers' books and the Exchequer the aulnagers'. From the cloths recorded in the books the levy was to be assessed.

This method of recording the cloths manufactured could have been easily abused. To begin with, the number of clothiers—particularly small clothiers—with whom the Commission and the Exchequer would have to deal was large. Nor was the assumption that the aulnagers sealed every cloth manufactured very realistic. The aulnagers had no recent experience in making accurate and detailed returns to the Exchequer. The aulnage (that is, the old cloth tax) was farmed out for a lump sum so that the Exchequer had not needed a genuine annual return.

We have not the exact terms of the petition against the Relief brought to Parliament by the Devon clothiers in November 1549, but we may read something of its terms in the preamble to the Act of Repeal:

“. . . which Relief of cloth appeareth now so comberouse to all cloth-makers, and also so tedious to the same for makinge of their bookes and the accounts thereof, by reason of the lacke of the Alnagers not always present when time requireth . . . that in manner they are discouraged to make any cloth or to set any men on work about the same.”

Tedious and cumbersome it may have been, but it is likely that some attempts were made somewhere to collect the tax, and I have not given up hope of tracing some part of this lost census of cloth production. Even if the central records have gone, there is the chance that some of the Commissioners preserved their copies of the assessments among their family papers.