

Riots and the Wealden Iron Industry in Sixteenth Century Sussex

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Riots were one of the most prominent forms of popular protest in early modern England, and their context, causes, participation and leadership have been the focus of much historical analysis and historiographical debate, to provide insight into community relations during periods of communal stress. This study examines a series of riots in the Sussex Weald which were related to the region's role as the centre for English iron production in the sixteenth century, to understand the extent to which the area's proto-industrial context may have influenced the causes, forms and focus of the riots and crowd violence experienced and perpetrated by the inhabitants of Wealden communities. This study makes use of source material from cases of riot brought before the court of Star Chamber, in the form of bills of complaint, defendant answers, replications and rejoinders, and depositions. The study finds that the riots in the Sussex Weald related to the iron-industry demonstrated continuity and consistency with many of the attributes and characteristics of rural and agrarian riot observed and analysed elsewhere in England during the period. The riots themselves were predominantly small-scale and highly localised in character, with violence more commonly directed at property rather than individuals (although some more extreme instances of physical violence are detectable). The riots were principally perpetrated by those employed in the Wealden iron-industry, were largely led and orchestrated by yeoman and gentry ironmasters, and were directed almost exclusively against other owners and occupiers of sites related to iron production. The riots also commonly operated alongside legal mechanisms for furthering disputes within the class of Wealden ironmasters. Despite the apparent commonality with the forms of rural and agrarian crowd violence seen elsewhere in England, the Wealden cases serve to illustrate the particular sources of competition and rivalry that could precipitate violent conflicts between those in control of industrial production in the period, and the extent to which conflicts related to iron-making could play into wider intra-gentry feuds in the county.

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1. Introduction

In 1586, John Wildgoose, esquire, Justice of the Peace and Wealden ironmaster, was accused in a complaint brought to the court of Star Chamber by another local landowner and ironmaster, Robert Walsh, of having maintained in his service, 'two very bad and lewde persons', Thomas Chatterton, his iron founder, and Robert Cutson, a collier, and of providing them with a house in which they kept, 'a verie notorious and infamouse woman... bothe of them abusing her at their pleasure under collour that shee was the wiefte of the said Robert Cutson'.¹ Walsh claimed that despite the truth being known to Wildgoose, 'and to the whole country thereaboutes that she was not the wiefte to either the said p(ar)ties',² being, 'most shamefull and grievous to dyvers of your Majesties well disposed subiects inhabitinge those p(ar)tes',³ Wildgoose did nothing to correct the behaviour of his workmen, and even tried to pressure the local minister to marry the 'infamouse and notorious harlot',⁴ to one, or either, of them. The inclusion of such an allegation, clearly designed to shame and discredit Wildgoose, in a series of complaints nominally about an alleged riot orchestrated against a corn mill owned by Walsh, indicates the complexity of early modern riots, and the extent to which riotous disorder could form part of a broader strategy of contestation between local elites.⁵

Riot as an extension of private feuds, however, is just one of the many causes of violence observed by historians in a variety of studies of local disorder in rural communities,⁶ and riots themselves have been so studied by historians precisely because they are one few

¹ TNA, STAC 5/W2/1 (Court of Star Chamber Proceedings, Elizabeth I, Walsh vs. Wildgoose, 1586)

² Ibid

³ Ibid

⁴ Ibid

⁵ R B Manning, *Village Revolts: Social Protest and Popular Disturbances in England, 1509-1640* (Oxford: Clarendon Press, 1988), p.39

⁶ See: P Clark, 'Popular Protest and Disturbance in Kent, 1558-1640', *The Economic History Review*, 29, 3 (1976), pp.365-382; H Falvey, 'The articulation, transmission and preservation of custom in the forest community of Duffield (Derbyshire)' in *Custom, Improvement and the Landscape in Early Modern Britain*, ed. R W Hoyle (Farnham: Ashgate, 2011), pp.65-100; S Hipkin, 'Sitting on his Penny Rent: Conflict and Right of Common in Faversham Blean, 1595-1610', *Rural History*, 11, 1 (2000), pp.1-35; B McDonagh, 'Negotiating Enclosure in Sixteenth Century Yorkshire: The South Cave Dispute, 1530-1536' in *Landlords and Tenants in Britain, 1440-1660: Tawney's Agrarian Problem Revisited*, ed. J Whittle (Woodbridge: The Boydell Press, 2013), pp.52-66; S Sandall, 'Remembering Protest in the Forest of Dean, c.1612-1834' in *Remembering Protest in Britain since 1500*, eds. C J Griffin and B McDonagh (Cham: Palgrave Macmillan, 2018), pp.107-134; A Wood, 'Some banglyng about the customes': Popular memory and the experience of defeat in a Sussex village, 1549-1640', *Rural History*, 25, 1 (2014), pp.1-14.

instances in which the relationships and social dynamics within these communities become visible to the historical record. This study utilises the same categories of source material and avenues of historical enquiry from these previous studies of riot and protest in early-modern England, and applies them to the Sussex Weald in the sixteenth century; a region which formed the centre of English iron-making in the period, and an area of early proto-industrialisation, in which a concentration of comparatively large-scale manufacturing facilities, fabricating commodities for sale outside of the immediate local market, existed alongside traditional forms of agriculture and more domestic handicraft trades and artisanal production.⁷ In particular, this study seeks to evaluate instances of riot related specifically to iron-making in Wealden Sussex, to ascertain whether the character of these riots reveals local social, economic and political dynamics which are distinct from those observable in other examples of rural or agrarian riot. In essence, this study aims to understand whether the specific context of the industrial development of the Weald in the sixteenth-century produced new and unique sources of social tension and conflict, or whether the drivers and forms of local disorder in the region represented continuity with those seen and expressed elsewhere in England.

To understand the extent to which the particular industrial and socio-economic circumstances in the Sussex Weald may have influenced the occurrence and expression of riotous disorder in the region, it is helpful to briefly describe the social and industrial context of the Weald in the sixteenth century, and to outline and situate this study within the wider historiography of rural riot in early-modern England.

1.1 The Wealden iron-industry in the sixteenth century

In the sixteenth century, the Sussex Weald became the centre for iron production in England.⁸ The reasons for the Weald's pre-eminence in English iron-making were multifactorial. The Weald, an area of ancient woodland stretching across large parts of Sussex,

⁷ Zell, M, *Industry in the Countryside: Wealden Society in the 16th Century* (Cambridge: Cambridge University Press, 1994), pp.1-3

⁸ Zell, p.126; J Hodgkinson, *The Wealden Iron Industry* (Stroud: The History Press, 2008), p.73

Kent and Surrey, had many geological, geographical and topographical characteristics that made it attractive for proto-industrial development, in the form of a landscape dissected by narrow valleys and ghylls which provided reliable sources of water for powering mills, and plentiful supplies of wood for the fuelling of industrial processes.⁹ In addition, the poor clay soils across much of the Weald made it ill-suited to arable agriculture, resulting in communities in which animal husbandry predominated, with the consequential freedom afforded to agricultural workers throughout much of the year to pursue other forms of labour.¹⁰ Importantly, the earth of the Weald also held plentiful supplies of iron ore, in the form of clay ironstone (known by contemporaries as iron myne);¹¹ a type of iron ore that was especially suited to iron casting.¹²

As Thirsk has observed, however, such natural advantages were shared by many areas of England, and are not enough on their own to explain the rapid development of the Wealden iron industry in the sixteenth century.¹³ Of equal importance seems to be the nature of landholding in the region, its proximity to key markets and the influence of technological innovation from continental Europe. Similar to many upland wood-pasture regions, seigneurial control in the Weald was relatively weak versus more fertile lowland areas, largely as a result of the comparatively late settlement of the region, and the favourable terms landlords had to offer to induce tenants to settle. This generally meant less stringent labour services, lower rents and less restrictions on the transfer of landholdings.¹⁴ The result was a region typified by a large number of small-holdings with low, fixed rents,¹⁵ and an active land market in which it was comparatively easy for new entrants into the area to establish a household.¹⁶ As with other hitherto marginal pastoral regions in the sixteenth century, this weaker manorial control and pattern of landholding attracted inward migration,¹⁷

⁹ H Cleere and D Crossley, *The Iron Industry of the Weald* (Cardiff: Merton Priory Press, 1995), p.138

¹⁰ Zell, p.3

¹¹ Hodgkinson, p.10

¹² G Hammersley, 'The Charcoal Iron Industry and its Fuel, 1540-1750', *The Economic History Review*, 26, 4 (1973), p.596

¹³ J Thirsk, 'Industries in the countryside' in *Essays in the Economic and Social History of Tudor and Stuart England: In honour of R H Tawney*, ed. F J Fisher (Cambridge: Cambridge University Press, 1961), pp.70-79

¹⁴ Zell, p.6

¹⁵ Hipkin, 'Sitting on his Penny Rent', p.8

¹⁶ Zell, p.7

¹⁷ Wood, A, *Riot, Rebellion and Popular Politics in Early Modern England* (Basingstoke: Palgrave, 2002), p.87

with the population of Wealden parishes increasing at a faster rate than other parts of the South-East from the middle of the century,¹⁸ providing a growing labour pool to serve the developing industries. This industry also benefited from proximity to London's trade and consumers, and access to the coast for the shipping of finished products.¹⁹ As the population of England increased through the sixteenth century, the iron industry saw increased demand for iron goods, to service the expansion in agricultural crafts necessary to feed the growing population, as well as new demands from the Crown for guns and ordnance.²⁰ The ability of the Wealden iron industry to service this demand economically was underpinned by the introduction of the water-driven blast furnace in the late fifteenth century, as a result of the immigration of continental ironworkers.²¹ This transformative technology (an illustration of which is provided in **Figure 1**) permitted longer smelting runs, the creation of higher-quality iron, and enabled the larger-scale casting necessary for gun production.²²

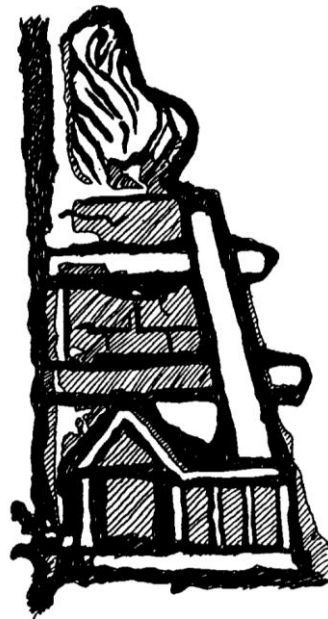


Figure 1: Near-contemporary illustration of a Wealden blast furnace from the Lenard fireback (1636)²³

¹⁸ Zell, p.7

¹⁹ Hammersley, p.596

²⁰ J Goring, 'Wealden Ironmasters in the Age of Elizabeth' in *Wealth and Power in Tudor England: Essays presented to S T Bindoff*, eds. E W Ives, R J Knecht and J Scarisbrick (London: University of London The Athlone Press, 1978), p.204

²¹ Cleere and Crossley, p.118; Hodgkinson, pp.65-71; B G Awty, 'Provisional identifications of ironworkers among French immigrants listed in the Denization Rolls of 1541 and 1544', *Bulletin of the Wealden Iron Research Group*, First Series, 16 (1979), pp.2-11

²² D Crossley, 'The Management of a Sixteenth-Century Ironworks', *The Economic History Review*, 19, 2 (1966), p.277

²³ J S Hodgkinson, 'Contemporary Illustrations of Wealden Furnaces', *Wealden Iron: Bulletin of the Wealden Iron Research Group*, 2nd Series, 14 (1994), p.22

The result of these factors was a Wealden iron industry that saw significant growth from the middle of the sixteenth century, with the number of iron works in the Weald doubling between the 1540s and 1570s, and reaching over 100 furnaces and forges by 1574.²⁴ The vast majority of these ironworks were in Sussex, and were potentially capable of producing 9,000 tons of iron a year.²⁵ As one might imagine, production on that scale had a material impact on the Wealden landscape, not least in its demand for water and charcoal to fuel its industrial processes. The impounding of water in mill ponds, through the use of dams and sluices, was necessary to ensure the reliability of water required to drive furnace bellows. In addition to requiring the flooding of land to create the ponds, with the associated risk of overflowing into neighbouring land, the necessary control over the Wealden streams created competition with other ironworks and industries reliant on the water supplies.²⁶ Similarly, the ironworks had a prodigious demand for fuel that created competition for woodland with other crafts and industries, as well as with the demands for domestic consumption.²⁷ The depletion of Wealden woodland as a result of the iron industry was a concern for contemporaries, as evidenced by letters from the Admiralty expressing unease over the supply of timber for shipbuilding in 1577/8,²⁸ and a variety of petitions from local inhabitants in the latter decades of the century lamenting the loss of wood for domestic consumption and textile production.²⁹ Although some of these concerns may have been overstated – the existence of some ironworks for over a century indicates they were able to establish sustainable sources of fuel, largely through regenerative coppicing³⁰ - it is undoubtedly true that furnaces and forges required significant quantities of wood. As much as 2,500 acres of coppiced wood might be required to supply a single furnace with sufficient charcoal to enable ongoing operation,³¹ whilst the friable nature of charcoal meant this supply usually had to be within five miles of

²⁴ E Teesdale, 'The 1574 lists of ironworks in the Weald: A re-examination', *Wealden Iron: Bulletin of the Wealden Iron Research Group*, 2nd series, 6 (1986), pp.7-41; Cleere and Crossley, p.131

²⁵ Hodgkinson, p.73

²⁶ Cleere and Crossley, pp.138-139

²⁷ S Hipkin and S Pittman, 'A grudge among the people': Commercial Conflict, Conspiracy, Petitioning and Poaching in Cranbrook, 1594-1606', *Rural History*, 24, 2 (2013), pp.104-105; Zell, p.126

²⁸ TNA, SP 12/117, (State Papers Domestic, Elizabeth I, Letters and Papers, 1577/8), no.39; Teesdale, p.8

²⁹ Cleere and Crossley, pp.118,123, 136; Crossley, 'Management of a 16th Century Ironworks', p.287

³⁰ Hammersley, p.597; Cleere and Crossley, p.134

³¹ Hodgkinson, p.608

the furnaces,³² representing considerable taxing of the woodlands immediately surrounding an ironworks.

The pressure on woodland resources from the Wealden ironworks and other industries is perhaps most evident in the movement in prices in the latter half of the sixteenth century, and the efforts ironmasters took to secure supplies of wood. The prices of a cord of wood more than doubled between 1570 and 1590/1, with evidence from Crowhurst suggesting they may have doubled again between 1590 and 1597. Prices of finished charcoal, meanwhile, are estimated to have risen by 400% between 1540 and 1600.³³ Even in the context of rising inflation for commodities in the country writ large,³⁴ the price increases for wood and charcoal in the Weald were significant. To mitigate the impact of this inflationary pressure on what was already a capital-intensive industry, ironmasters pursued a number of strategies. For aristocratic and gentry owners of furnaces and forges, the obvious answer was the use of wood from their own estates to secure a supply of fuel effectively at cost.³⁵ Such an approach was open to only a minority of the wealthiest owners of ironworks, however, and such were the demands of furnaces for fuel that even upper gentry could see their capacity of their woodlands outstripped.³⁶ An alternative strategy pursued by ironmasters with fewer landed resources was to seek long-term arrangements with landowners for the supply of fixed amounts of wood.³⁷ As we shall see, however, these agreements did not always free ironmasters from the commercial realities of operating ironworks in a region in which competition for resources was strong,³⁸ and could become a source of conflict in their own right.

³² D Crossley, 'A Sixteenth-Century Wealden Blast Furnace: A Report of Excavations at Panningridge, Sussex, 1964-1970', *Post-Medieval Archaeology*, 6, 1 (1972), p.61

³³ Cleere and Crossley, p.137

³⁴ S K Land, *Kett's Rebellion: The Norfolk Rising of 1549* (Ipswich: Boydell Press, 1977), p.10; A Wood, *The 1549 Rebellions and the Making of Early Modern England* (Cambridge: Cambridge University Press, 2010), p.31; J Whittle, 'Lords and Tenants in Kett's Rebellion 1549', *Past and Present*, 207 (2010), p.49

³⁵ Goring, p.208

³⁶ Crossley, 'Management of a 16th Century Ironworks', pp.283-286

³⁷ TNA, STAC 5/A2/25 (Court of Star Chamber Proceedings, Elizabeth I, Lord Abergavenny vs. Relfe, Jeffrey et al, 1569); Schubert, H R, 'A Tudor Furnace in Waterdown Forest', *Journal of the Iron and Steel Institute*, 169 (1951), pp.242

³⁸ Hammersley, p.596

1.2 Riot in rural communities

Historians have observed that riots were the pre-eminent form of popular social protest in sixteenth century England.³⁹ The reasons behind the increasing evidence of riot throughout the century have been a subject of much historiographical debate, and the picture is complicated by the fact the causes and manifestations of riots, as well as the composition and social status of their participants, defy simple generalisations.⁴⁰ Popular disorder could vary according to local social and economic circumstances, and its form was frequently shaped by the customs and culture of the local communities in which it occurred.⁴¹ The dynamics of community tensions in the predominantly arable, intensively farmed regions of the Midlands, for example, could be markedly different to those in hitherto marginal, pastoral areas, such as the Derbyshire peaks, East-Anglian fens or Southern Weald. In the former, the intensiveness of the cultivation and the associated premium attached to access to comparatively sparse common pasture, meant that conflict could often arise from attempts to impinge on common land, or undermine customary grazing rights.⁴² In the latter, in which the nature of agriculture and land-holding placed less of a premium on commons, conflicts were more likely to occur as a result of tensions between more long-standing inhabitants and new arrivals, or in opposition to attempts by land owners to intake and cultivate wastes.⁴³ That is not to say, however, that common trends in the causes and character of sixteenth century riots cannot be identified. At the root of many riots lay many of the same socio-economic forces which facilitated the industrial development of the Weald.

Rural communities in the sixteenth century faced considerable economic and social pressures, largely as a result of population growth and escalating inflation, and the impetus these factors provided for changes in agricultural practices to increase yields and buttress

³⁹ Manning, *Village Revolts*, p.27; Wood, *Riot, Rebellion and Popular Politics*, p.86

⁴⁰ J P Bowen, 'Before the breaking of the day, in a riotous manner and with great shouts and outcries: Disputes over common land in Shropshire in the sixteenth and seventeenth centuries', *Rural History*, 26, 2 (2015), p.134

⁴¹ Hipkin, 'Sitting on his Penny Rent', pp.1-2; R W Hoyle, 'Custom, Improvement and Anti-improvement' in *Custom, Improvement and the Landscape in Early Modern Britain*, ed. R W Hoyle (Farnham: Ashgate, 2011), p.37

⁴² J Thirsk, *Tudor Enclosures* (London: The Historical Association, 1989), p.12; Hipkin, 'Sitting on his Penny Rent', pp.1-35; Manning, *Village Revolts*, p.21

⁴³ Wood, *Riot, Rebellion and Popular Politics*, pp.87-88; W Shannon, 'Approvement and Improvement in the Lowland wastes of Early Modern Lancashire' in *Custom, Improvement and the Landscape in Early Modern Britain*, ed. R W Hoyle (Farnham: Ashgate, 2011), p.194

manorial incomes.⁴⁴ The move towards larger scale farming on a commercial basis,⁴⁵ and the engrossing of farms into more coherent units to support agricultural innovation,⁴⁶ meant that land values became increasingly unaffordable for the bulk of the population, and the number of landless poor increased as the century progressed.⁴⁷ These changes were accompanied by related developments in legal theory in relation to real property, which saw a conditional model of property ownership, based on a plurality of simultaneous and contingent use rights, increasingly replaced by a bounded and territorialised model of property, in which the property owner had absolute, exclusive and individualistic possession.⁴⁸ These changes in legal theory had real world implications for the inhabitants of rural England, who increasingly saw their customary use rights under attack from landowners. These attacks formed part of a broader challenge to custom from the mid-sixteenth century, as landlords sought to offset the impact of inflation on their incomes through more extractive practices, in what historians have termed 'fiscal seigneurialism'⁴⁹. This could take the form of increasing entry fines and rents for tenants, the overcharging of common pastures by more prosperous inhabitants of the manor, or the enclosure of land to demarcate it for private use.⁵⁰

In this context, riots could represent a form of violent resistance to encroachment on the customary rights of the community. To early twentieth century historians, the archetype of rural riot was a moment of agency for the more socially and economically subordinate members of a community, who used collective violence, usually directed against the physical representations of their oppression, in what was an innately conservative defence of

⁴⁴ Manning, *Village Revolts*, p.23

⁴⁵ R H Tawney, *The Agrarian Problem in the Sixteenth Century* (London: Longmans Green and Co, 1912), p.230

⁴⁶ Manning, *Village Revolts*, pp.17-18

⁴⁷ J Whittle, 'Introduction: Tawney's Agrarian Problem Revisited' in *Landlords and Tenants in Britain, 1440-1660: Tawney's Agrarian Problem Revisited*, ed. J Whittle (Woodbridge: The Boydell Press, 2013), pp.13-15; N Blomley, 'Making Private Property: Enclosure, Common Right and the Work of Hedges', *Rural History*, 18, 1 (2007), p.2; J Walter, *Crowds and Popular Politics in Early Modern England* (Manchester: Manchester University Press, 2007), p.7

⁴⁸ V Harding, 'Space, Property and Proprietary in Urban England', *Journal of Interdisciplinary History*, 32 (2002), pp.549-569; Blomley, pp.2-3; Manning, *Village Revolts*, p.19

⁴⁹ Manning, *Village Revolts*, p.37

⁵⁰ C Dyer, 'The Agrarian Problem 1440-1520' in *Landlords and Tenants in Britain, 1440-1660: Tawney's Agrarian Problem Revisited*, ed. J Whittle (Woodbridge: The Boydell Press, 2013), pp.23-25; R B Smith, *Land and Politics in the England of Henry VIII: The West Riding of Yorkshire 1530-1546* (Oxford: Clarendon Press, 1970), p.79; Tawney, p.217; Manning, *Village Revolts*, pp.20,33; Walter, pp.90-91

traditional rights and normative practices. Implicit within this characterisation was a hardening of social distinctions, and antagonism between the elite members of a community and the poorer sort (with overtures of class struggle).⁵¹ More recent studies by historians, however, have demonstrated that the reality of sixteenth century riot was more complex and nuanced than this somewhat simple narrative allows. Riots themselves, far from being sporadic outbursts of pent-up and unstructured violence, could be highly symbolic, and carefully planned and executed in pursuit of very specific aims. The removal of hedges and fences from enclosures, for example, was often accompanied by the occupation and conversion of the contested land back to its original uses, as a symbolic reassertion of communal rights and control over space and resources.⁵² In addition, the references to custom and tradition employed by rioters did not necessarily mean conservative. Custom was a dynamic and evolving concept which could be reinterpreted by communities to suit their purposes, or used to confer the authority of the past in legitimating efforts to secure and preserve future prosperity.⁵³ Importantly, riot could also form one part of a broader strategy for contestation, which could involve using riot alongside the 'waging of the law', as a tactic to apply pressure on the targets of riots to settle legal claims.⁵⁴

All this suggests that the instigators and orchestrators of riot were people with the ability to command the support of their communities, and with the knowledge and experience to exploit what could be sophisticated strategies to achieve their aims.⁵⁵ In reality, this largely precluded the poorer members of the community, who lacked the wealth or status necessary to martial a broad base of support, and command the allegiance of their neighbours.⁵⁶ In his analysis of riot cases brought to the court of Star Chamber, Manning observed that 50% of

⁵¹ Tawney, pp.322-325

⁵² Healey, J, 'The Political Culture of the English Commons c.1550-1650', *The Agricultural History Review*, 60, 2 (2012), pp.273-274; Wood, *Riot, Rebellion and Popular Politics*, p.103; Walter, p.22

⁵³ K Wrightson, 'The Politics of the Parish in Early Modern England' in *The Experience of Authority in Early Modern England*, eds. P Griffiths, A Fox and S Hindle (Basingstoke: MacMillan, 1996), p.23; M Griffiths, 'Kirklington Manor Court 1500 – 1659', *Oxfordshire Architectural and Historical Society Oxoniensa*, 45 (2980), p.272; A J L Winchester, *The Harvest of the Hills: Rural Life in Northern England and the Scottish Borders 1400 – 1700* (Edinburgh: Edinburgh University Press, 2000), p.37; Falvey, 'The articulation, transmission and preservation of custom', p.70

⁵⁴ A Wood, *The Politics of Social Conflict: the Peak Country 1520-1770* (Cambridge: Cambridge University Press, 1999), p.201; Hoyle, 'Custom, Improvement and Anti-improvement', p.27

⁵⁵ Blomley, p.14

⁵⁶ Walter, pp.83-91

riots were allegedly led or procured by peers or members of the gentry in the first half of the sixteenth century. Although this proportion fell to 33% for Elizabethan cases,⁵⁷ it was still a sizeable percentage, and indicates both the importance of the gentry in providing leadership in their communities, and the extent to which the gentry could influence and martial popular politics as part of intra-gentry competition.⁵⁸ It is noteworthy, however, that Manning's analysis also indicated the growing importance of the middling sort (i.e. those of yeoman or husbandmen status), in leading riots as the sixteenth century progressed.⁵⁹ There has been debate as to whether this increase reflected a growing willingness on the part of elites to publicly acknowledge the leadership of those below the rank of gentry (indeed, attributing violence to groups the elites considered naturally prone to disorder could have been superficially comforting to the governing class),⁶⁰ or whether it is indicative of the increasing influence of the middling sort in their local communities throughout the sixteenth century.⁶¹ There is certainly evidence from other studies of early modern riot that the middling sort could deploy sophisticated strategies in their disputes, including the manipulation of legal processes, and framing their complaints to reflect the language and preoccupations of the ruling classes.⁶²

The influence of yeoman and husbandmen in the leadership of riots and disputes has been identified in other parts of rural Sussex, and in areas of England which shared many of the features of the Wealden economy. In Petworth, Sussex, a long-running dispute with the Earl of Northumberland in the late 1500s over an emparkment was led by a husbandman, who provided the driving force behind petitions to the Queen, a suit in Chancery, and alleged

⁵⁷ Manning, *Village Revolts*, pp.38-39,64

⁵⁸ Wood, *The 1549 Rebellions*, p.12; A Fletcher and D MacCulloch, *Tudor Rebellions 4th Edition* (Harlow: Addison Wesley Langman, 1997), pp.8-12; McDonagh, 'Negotiating Enclosure', pp.56-58; Bowen, p.141; Wood, 'The Politics of Social Conflict', pp.207-209

⁵⁹ Manning, *Village Revolts*, pp.39,64,85

⁶⁰ H Falvey, 'The Politics of Enclosure in Elizabethan England: Contesting Neighbourship in Chinley (Derbyshire)' in *Landlords and Tenants in Britain, 1440-1660: Tawney's Agrarian Problem Revisited*, ed. J Whittle (Woodbridge: The Boydell Press, 2013), p.83

⁶¹ Dyer, p.29; Manning, *Village Revolts*, p.39; Walter, pp.92-93; B A K McDonagh, 'Subverting the Ground: Private Property and Public Protest in the Sixteenth-Century Yorkshire Wolds', *Agricultural History Review*, 57, 2 (2009), p.198

⁶² Healey, p.273; R W Hoyle, 'Custom, Improvement and Anti-improvement' in *Custom, Improvement and the Landscape in Early Modern Britain*, ed. R W Hoyle (Farnham: Ashgate, 2011), p.37; Thirsk, *Tudor Enclosures*, p.11; S Hindle, *The State and Social Change in Early Modern England, 1550-1640* (Basingstoke: Palgrave, 2002), pp.81-85; Blomley, p.14; McDonagh, 'Negotiating Enclosure', p.65

night time riots to destroy the Earl's fences.⁶³ Similarly, in the forest community of Duffield Frith in Derbyshire in the 1590s and 1630s, resistance to the Duchy of Lancaster's initiatives to survey and enclose the forest was led by manorial jurors and local yeoman and husbandmen.⁶⁴ Finally, Sandall, in his analysis of protest and resistance to Crown encroachment on customary privileges in the Forest of Dean in the early seventeenth century (by that stage a centre for mining and iron production), has demonstrated the extent to which disputes in the region were led or supported by prosperous free-miners, artisans or yeoman, who were able to marshal the collective interest of the forest community.⁶⁵ The insight from these studies leads us to the question of whether the patterns of riot observable in these cases (in terms of their causes, conduct and leadership), and in the broader historical analysis of rural riot in the sixteenth century, can be discerned in the cases related to the iron industry in the Weald.

1.3 Sources used in this study

As already referenced in relation to Manning's seminal study of village revolts in the sixteenth century, one of the principal sources for the evidence of early modern riots are cases from the court of Star Chamber. Star Chamber, which emerged during the reign of Henry VIII, was ostensibly concerned with the punishment of infractions of the public peace, such as sedition, intimidation, assault or riot.⁶⁶ The process in Star Chamber would commence with the submission of a bill of complaint, commonly brought by a private complainant. Answers would then be provided by the defendant, or defendants, and after a further round of replication and rejoinder by the complainant and defendants, the court might commission men of standing within the county in which the dispute took place to examine the defendants and take depositions from witnesses. These depositions were usually taken on behalf of the complainant, and were in response to a series of structured questions

⁶³ P Jerome, *Cloakbag and Common Purse* (Petworth: The Window Press, 1979), pp.70-102; Wood, "Some banglyng about the customes", pp.5,8-9

⁶⁴ H Falvey, 'Marking the boundaries: William Jordan's 1633 pre-enclosure survey of Duffield Frith (Derbyshire)', *The Agricultural History Review*, 61, 1 (2013), pp.1-18

⁶⁵ Sandall, 'Remembering Protest', pp.111-121

⁶⁶ Hindle, *The State and Social Change*, p.69

known as interrogatories, which generally focussed on what had occurred, who was involved and the causes of the conflict.⁶⁷ The nature of this process means that a wealth of material for a given case can be available to the historian. The survival of such material is subject to the vagaries of time as much as any other source, however, with the most obvious limitation being that the records of the court's decisions generally do not survive.

This study has identified eight instances of riot from Star Chamber cases that are related to the iron industry in the Sussex Weald in the sixteenth century, as illustrated in **Table 1** and **Figure 2**. Seven of these cases date from the Elizabethan period; six of which are from the 1580s and 1590s. The earliest cases date from the late 1540s. This profile is perhaps to be expected given the evolution of the court of Star Chamber from the 1530s,⁶⁸ and the fact that the Wealden iron industry reached its peak in the last two decades of the sixteenth century, on the basis that a larger and more competitive industry was likely to present more opportunities for sources of social conflict. Bills of complaint, defendant answers and interrogatories are generally available for all cases, but the survival of depositions is patchier. In general, however, the surviving case documents provide a good basis to start to understand the nature of riots related to the iron industry in the Sussex Weald.

Case title	Year	Location
Bowyer vs. Saunders et al	1547-1553	Hartfield, Sussex
Saunders vs. Bowyer et al	1547-1553	Hartfield, Sussex
Abergavenny vs. Relfe and Jeffrey et al	1569	Rotherfield, Sussex
Slywright vs. Ashburnham et al	1580/81	Ashburnham, Sussex
Hay vs. Snelling and Walsh	1581	Battle, Sussex
Walsh vs. Wildgoose et al	1586	Salehurst, Sussex
Bassett vs. Maynard and Russell et al	1592/93	Withyham, Sussex
Collins vs. May, Walsh, May, Beeching et al	1595	Brightling, Sussex

Table 1: Wealden riot cases in the scope of this study

⁶⁷ H Falvey, 'Relating Early Modern Depositions' in *Remembering Protest in Britain since 1500*, eds. C J Griffin and B McDonagh (Cham: Palgrave Macmillan, 2018), pp.83-84

⁶⁸ Hindle, *The State and Social Change*, p.69

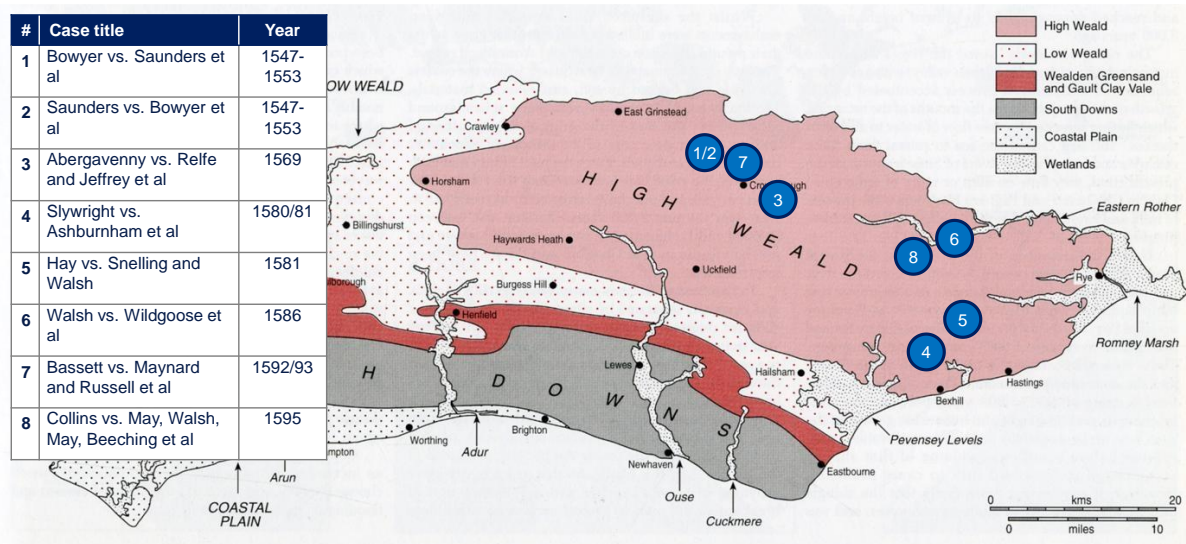


Figure 2: Geographical illustration of the Wealden riot cases in the scope of this study⁶⁹

Star Chamber records, however, are not without their limitations. The sample size of the cases is small, and it is possible that additional riot cases concerning ironworks or iron-making in Sussex exist, but have not yet been catalogued. Given the small sample size, the perceived increase in cases in the Elizabethan period may also simply be due to the survivability of source material, rather than the product of any underlying change in social relations or tensions. Equally, as Wood has proposed, it is highly likely that the bulk of riots in sixteenth century England simply went unrecorded, and there is no reason to suppose that riots in relation to Wealden ironworks would be any different.⁷⁰ As such, much of the genuinely popular reaction to the growth of the Wealden iron industry may simply be lost to history. In addition, as allegations of riot in Star Chamber could be used strategically to discredit defendants, or apply pressure on them to settle existing legal disputes,⁷¹ it is possible that some claims of riot may have been entirely fictitious.

Falvey has also highlighted the extent to which Star Chamber cases, as with other contemporary legal processes, could be formulaic in their construction, through the use of normative tropes and standardised forms of allegations necessary to bring matters into the

⁶⁹ 'East Sussex', The Keep ([East Sussex - What exactly is East Sussex? What makes it like it is? \(thekeep.info\)](https://thekeep.info/)) [accessed: 22/05/2023]; Edits to show case locations, author's own.

⁷⁰ Wood, *Riot, Rebellion and Popular Politics*, p.86

⁷¹ Healey, p.279

court's purview. Similarly, Falvey has advised caution in taking depositions entirely at face value, noting the tendency of some deponent responses to mirror the wording of the interrogatories, potentially creating the risk that what the historian is seeing in depositions are the words of witnesses filtered and mediated through the clerk and the conventions of the court, rather than the authentic voice of the deponent.⁷² Finally, Wood has observed that historians should be careful of blindly accepting contemporary assumptions regarding the leadership of riots alleged in the Star Chamber records. Although contemporaries may have seen gentry participation in riots as gentry leadership of riots, this was not always the case.⁷³ Despite these limitations, however, as long as the Star Chamber sources are used in a considered way, with due regard to their challenges and deficiencies, they can be a valuable resource for understanding the conduct and causes of riot in the sixteenth century, and it is to these dimensions that we now turn.

⁷² Falvey, 'Relating Early Modern Depositions', pp.85-88

⁷³ R W Hoyle, 'Thomas Lord Darcy and the Rothwell Tenants c.1526-1534', *Yorkshire Archaeological Journal*, 63 (1991), p.103

2. The conduct of the riots

As Wood has observed, Star Chamber cases could be notoriously complicated, and often involved more than a single allegation of riot, or allegations of riot alongside accusations of violent assault, trespass, threatening speech and resisting arrest.⁷⁴ The cases identified in this study fit that mould, with each of the bills of complaint generally alleging multiple instances of riotous assembly and attacks on property, alongside instances of violent assault directed against individuals. In this section, the alleged events of each of the riots, as outlined in the bills of complaint and depositions, is briefly summarised, before the patterns of violence revealed by the cases are analysed. This analysis has a particular emphasis on whether it is possible to discern and delineate what may be genuine acts of violence from the more formulaic conventions of alleged violence dictated by the legal procedures of the court of Star Chamber.

2.1 The events of riots

The two earliest of our cases date from the late 1540s, and concern an alleged assault on the ironworks of Denise Bowyer, perpetrated by William Saunders and his son-in-law and servants, and a counter-allegation of riotous assault by Saunders against Bowyer and her ironworkers. In Denise Bowyer's original complaint, William Saunders was accused of an escalating pattern of persecution against Bowyer over a period of at least two years. This included the distraint of her cattle and the breaking up of the ponds necessary to provide power for her blast furnace, and culminated in a riotous and armed attack on her ironworks. In this assault, the rioters were accused of beating and wounding Bowyer's workmen, carrying away the bellows from Bowyer's furnace and smashing-up the bellows frame. Saunders and his servants were also accused of threatening and menacing Bowyer's servants and workmen, or anyone who might have been of a mind to work for Bowyer, such

⁷⁴ Wood, *Riot, Rebellion and Popular Politics*, p.87

that she was unable to restart her furnace and forge.⁷⁵ Seemingly in response to Denise Bowyer's complaint, judging by the references made to her earlier bill of complaint in his replication and her answer, Saunders brought a bill of complaint of his own against Bowyer and her workmen, accusing them of riotous assault on his person and that of his servants, as his men lawfully carried Bowyer's bellows onto Saunders' grounds.⁷⁶

The next case from 1569 concerned an allegation of at least two instances of riot made by Henry Nevill, Lord Abergavenny, against two local ironmasters, William Relfe and Bartholomew Jeffrey, who operated the Cowford furnace on lands they were granted by indenture from Abergavenny, for a period of 10 years, in Waterdown forest near his manor of Rotherfield. The agreement between Abergavenny and the ironmasters permitted them to build a furnace on the land, dig for iron myne, create mill ponds and to take as much wood as was necessary to fuel the furnace, with at least 12,000 cords of wood guaranteed. As part of this agreement, Relfe and Jeffrey were required to give Abergavenny's servants the use of the furnace for five foundry days a year. Other terms of the indenture restricted Relfe and Jeffrey from cutting down trees in which goshawks and lanier falcons were nesting, and permitted them to erect water courses, as long as they did not adversely affect the operation of Abergavenny's corn mill in Rotherfield. In the bill of complaint, Abergavenny accused Relfe and Jeffrey of violating these terms, and asserted that when his servants came to make use of their agreed foundry days, they were violently resisted by Relfe and Jeffrey's workmen, who made an oath to Abergavenny's servants, 'that if any of them wolde in any wise attempt to meadle or worke at the said furnace...they would sley them or be slaine in defence thereof'.⁷⁷ When Abergavenny's servants attempted to prevent the ironmasters' workmen from cutting down wood in Waterdown forest two months later, they were again riotously threatened and menaced by the ironmasters' men; although in their depositions,

⁷⁵ TNA, STAC 2/24/422 (Court of Star Chamber Proceedings, Henry VIII, Bowyer vs. Saunders et al, 1547); TNA, STAC 3/8/38 (Court of Star Chamber Proceedings, Edward VI, Bowyer vs. Saunders, 1547-1553)

⁷⁶ TNA, STAC 2/25/107 (Court of Star Chamber Proceedings, Henry VIII, Bowyer vs. Saunders et al, 1547)

⁷⁷ STAC 5/A2/25

Relfe and Jeffrey's servants allege it was they who were assaulted by Abergavenny's servants.⁷⁸

Violent disputes related to the felling of woodland also occur in the bill of complaint of John Slywright against John Ashburnham, a member of the local gentry and an owner of ironworks in Panningridge, Ashburnham and Penhurst.⁷⁹ Slywright accused Ashburnham of procuring men to assault his charcoal carriers and workmen in early 1580/81, and to intimidate them into refusing to work in Slywright's charcoal works. The violence then escalated the following May when Ashburnham allegedly instructed his brother, another local gentleman, and his servants to assault Slywright's charcoal carriers on the road and break-up their wagon. The following day the rioters were accused of assembling together at Slywright's charcoal works, and using threatening words to scare the workmen away from their labours, such that 'the said coles and woode remayne upon the said grounde much to the losse and hynderance' of John Slywright.⁸⁰

The same year, Thomas Hay, the owner of a furnace in Battle,⁸¹ brought a complaint to Star Chamber against Richard Snelling and Robert Walsh, members of another local iron-making family, alleging riotous trespass onto his property by servants of the two defendants, and various attempts to waylay and assault Hay whilst about his lawful business in August 1581. This culminated on the 3rd of September with a violent attack on the complainant on the road between Dallington and Ashburnham, after which the riotous crowd fled to the house of George May, the defendants' father-in-law and another local ironmaster, to avoid the hue and cry. The defendants were alleged to have procured further riotous assemblies to assault and menace Hay's servants and workmen later in the year, in breach of an order from the Justices of the Peace.⁸²

⁷⁸ Ibid; TNA, STAC 5/N2/31 (Court of Star Chamber Proceedings, Elizabeth I, Lord Abergavenny vs. Relfe and Jeffrey, 1569)

⁷⁹ TNA, SP 12/95/20, (State Papers Domestic, Elizabeth 1, List of iron works and furnaces, 1574), f.50v

⁸⁰ TNA, STAC 5/S26/10 (Court of Star Chamber Proceedings, Elizabeth I, Slywright vs. Ashburnham et al, 1580/81)

⁸¹ SP 12/95/20, f.50v

⁸² TNA, STAC 5/H27/23 (Court of Star Chamber Proceedings, Elizabeth I, Hay vs. Snelling and Walsh, 1581)

Robert Walsh then appeared again in a Star Chamber suit in 1585/86, but this time as a complainant, in a case he brought against John Wildgoose, esquire, and his son, John Wildgoose, gentleman, owners of an iron mill in Salehurst. In the bill of complaint, Walsh alleged that Wildgoose the father was behind a riotous assembly on the 26th of January that broke into his corn mill, which lay upstream from Wildgoose's ironworks, stole various tools and implements, and used them to tear up the dam and penstock of the mill pond, causing the water to drain downstream. Walsh alleged that this incident was but one of a pattern of similar incidents, with Wildgoose the father again inciting a riotous crowd to attack the mill pond the following November, and, as before, commanding them to break open the banks of the mill pond to release the water.⁸³

Access to woodland and water supplies were also factors in the final two riot cases considered in this study. In 1592, William Bassett, an ironmaster with furnaces and forges around the county, brought a complaint against Richard Maynard (who is known to have operated an ironworks in Rotherfield in the early seventeenth century),⁸⁴ for a riotous assault upon Bassett's ironworks in Buxsted in August the previous year. The riot was alleged to have occurred over two days, with the rioters accused of grievously wounding Bassett's collier, and of forcibly taking 112 cords of wood and 12 loads of charcoal.⁸⁵ Analysis of the interrogatories also suggests further riotous events in September which were not set out in the original bill of complaint, including the destruction of a bridge used by Bassett to transport the charcoal to his ironworks, an assault upon one of Bassett's servants, and the beating and wounding of Bassett's cattle.⁸⁶

Finally, Robert Walsh makes another appearance in the records, this time as a defendant again, in a bill of complaint brought by Thomas Collins, the owner of a furnace in Brightling.⁸⁷ In his bill, Collins alleged that Walsh, along with his brother-in-law, Thomas May,

⁸³ TNA, STAC 5/W45/17 (Court of Star Chamber Proceedings, Elizabeth I, Walsh vs. Wildgoose and Chatterton, 1586)

⁸⁴ TNA, PROB 11/133/663, (Records of the Prerogative Court of Canterbury, Will Registers, Will of Richard Maynard, Yeoman of Rotherfield, Sussex, 6 Jan 1618/19, proved 8 Jun 1619)

⁸⁵ TNA, STAC 5/B90/39 (Court of Star Chamber Proceedings, Elizabeth I, Bassett vs. Maynard and Russell et al, 1592/93)

⁸⁶ TNA, STAC 5/B33/22 (Court of Star Chamber Proceedings, Elizabeth I, Bassett vs. Maynard and Russell et al, 1594)

⁸⁷ SP 12/95/20, f.50v; TNA, SP 12/95/79, (State Papers Domestic, Elizabeth 1, List of iron works and furnaces, 1574), f.176

his mother-in-law, Elizabeth May, and diverse other persons, incited a night-time riot against Collin's ironworks in December 1594, in which the dam and dyke of Collin's mill pond were dug up, to drain the water from the pond. Collins' claimed that the furnace, which was in operation on a smelting run when the riot occurred, subsequently 'blew out' as a result of the loss of power to the bellows.⁸⁸ Collins further alleged that the rioters remained near the pond to prevent any of Collin's servants or workmen from repairing the dam, threatening that if, 'any other dyd come stop or goo about to make upp the said dame or dike, that then they would beat'.⁸⁹

2.2 Patterns of violence

Almost of the Star Chamber cases examined in this study occurred at iron works or sites of industry related to ironworks, such as John Slywright's charcoal works, making the relationship between the riots and iron-making an explicit one. In addition, as per Wood's assessment, in almost all the cases, bar the final complaint of Thomas Collins, the Star Chamber suits suggest an escalating pattern of disorder, with allegations of multiple instances of riot, assault, and threatening words and behaviour, rather than a single, seemingly isolated incidence of violence. Within these allegations, however, there are elements that appear somewhat formulaic. This is perhaps most noticeable in relation to the descriptions of the riotous crowds and their motivations, and the weapons they were alleged to have carried. In all cases, the bills of complaint stated that the rioters unlawfully assembled themselves together in a riotous, forcible and warlike manner, or similar, and in most cases ascribed the actions of the rioters, and the motivations of the instigators of the riots, to their malice and hatred toward the complainants. The wording of Robert Walsh's complaint against John Wildgoose is perhaps typical in this regard, when he claimed that the riot was the, 'result of malice and hatred long borne towards the complainant'.⁹⁰ Collin's assertion that the defendants in his bill of complaint, 'malignly intended (his) utter spoil and

⁸⁸ TNA, STAC 5/C52/9 (Court of Star Chamber Proceedings, Elizabeth I, Collin vs. May, Walsh et al, 1594)

⁸⁹ Ibid

⁹⁰ STAC 5/W45/17

undoing',⁹¹ is on a similar theme, as is Thomas Hay's accusation that Richard Snelling and Robert Walsh, being maliciously disposed towards Hay, 'resolved and determined to use and execute some cruel revenge and unlawful violence upon the said complainant'.⁹² The propensity of complainants to attribute the riots to the malice and evil intent of their orchestrators is clearly in the interests of discrediting the defendants of the suits, and the possible origins of the disputes are often only obliquely mentioned in the complaints. It goes without saying that the complainants were, in their bills of complaint and replications, always blameless victims to the events that befell them. It will also surprise no-one that the defendants protested similar levels of innocence in their answers, always claiming that they came peaceably and in a lawful manner, only to be cruelly set upon by the complainant or their servants.

The bills of complaint also share similar descriptions of the arms borne by the rioters. The description from Abergavenny's complaint, which referenced the rioters having, 'bowes and arrowes, long piked staves, pikeforkes and divers other weapones',⁹³ is fairly typical, although swords, daggers, bills and staves were also common,⁹⁴ as were accusations that the rioters came arrayed in armour, or mail coats, with other defensive weapons.⁹⁵ In cases where the rioters were alleged to have dug-up dams or the earth works around mill ponds, they were also described as being armed with shovels, spades and other instruments.⁹⁶ The relative consistency in the weapons rioters were alleged to have carried may have been the product of the legal conventions of Star Chamber, and the accusations of threatening behaviour and violence necessary to bring the offences into the remit of the court. There is commonality in this regard between the Wealden riots and those seen in other regions of England.⁹⁷ The claims that rioters brandished offensive and defensive weapons may also

⁹¹ STAC 5/C52/9

⁹² STAC 5/H27/23

⁹³ STAC 5/S26/10

⁹⁴ STAC 5/B90/39; TNA, STAC 5/S26/10; TNA, STAC 2/24/422; TNA, STAC 5/H27/23; TNA, STAC 5/W45/17

⁹⁵ Ibid; STAC 5/C52/9

⁹⁶ STAC 2/24/422; STAC 5/C52/9

⁹⁷ McDonagh, 'Subverting the Ground', pp.197-200; Bowen, p.142; Wood, *The Politics of Social Conflict*, p.207; C D Liddy, 'Urban Enclosure Riots: Risings of the Commons in English Towns 1480-1525', *Past and Present*, 226 (2015), p.76

have been designed to signal to the court that the violence of the rioters was planned, and that they, and their organisers, had come with violent intent from the outset. Equally, it may simply be that such weapons were common in the period, and, as such, it was natural for the inhabitants of these communities to be armed as a matter of routine. This was certainly the position taken by William Saunders in his answer to Bowyer's complaint, when he observed that, far from coming to Bowyer's ironworks in a warlike fashion, his servants were only arrayed with the weapons they normally carried.⁹⁸ This argument, however, is perhaps less convincing for the 11 foot piked staves the workmen of Relfe and Jeffrey were accused of brandishing in their altercation with Abergavenny's servants, nor the pole axe in the same complaint, or the 'gunnes' the rioters were alleged to have carried in Collins' case; something of an unusual weapon of choice for a Wealden rioter, even in the 1590s.⁹⁹

The broad theme of the Wealden cases is that the alleged threatening behaviour and violence of the rioters was described in the general, rather than the specific, with assaults and damage being inflicted more commonly on property rather than people, in the form of the destruction of dams, banks, furnaces and wagons, or the taking of materials, such as wood and charcoal. Where violence was alleged against people, it usually took the form of general statements relating to the assault or evil treatment of unnamed servants or workmen, frequently with the consequence that they were, 'in greate dangger of their lyves',¹⁰⁰ or similar sentiments. More common were threats of violence, apparently backed-up by force of arms. An example is that of Abergavenny vs. Relfe and Jeffrey, in which the complaint describes at least two instances where threats of violence were used, but no violence appeared to be instigated. The first relates to the incident in which Relfe and Jeffrey's workmen threatened to slay any of Abergavenny's servants should they have attempted to meddle with Relfe and Jeffrey's ironworks. The second instance concerns language used by the ironmasters' men in their altercation with Abergavenny's servants

⁹⁸ TNA, STAC 2/27/30 (Court of Star Chamber Proceedings, Henry VIII, Bowyer vs. Saunders et al, 1547)

⁹⁹ STAC 5/A2/25; STAC 5/C52/9

¹⁰⁰ STAC 5/S26/10

when attempting to cut wood in Waterdown forest, during which one of the woodcutters was alleged to have told one of Abergavenny's servants, 'I would myne axe were as far in they harte as it is in the tree'.¹⁰¹ The importance placed on the words used by the rioters in this case is perhaps underlined by the fact that three of the 14 interrogatories put to the defendants concerned threatening speech, with two of the questions repeating the alleged threats verbatim.¹⁰²

A similar preoccupation with language is observable in the Slywright suit, in which the rioters were alleged to have said, 'that they will rather dye in the place then leave of or surcease this their enterprise', amongst other alleged 'outrageous termes' and 'vyle speache'.¹⁰³ The importance placed on the words used by the rioters in these cases, where violence or assault was otherwise more generally alleged or directed against property, is perhaps reflective of Manning's observation that, to obtain a conviction in Star Chamber, it was not necessary to prove the actual use of violence. Rather, it was sufficient to prove that provocative or intimidating words were accompanied by the bearing of weapons.¹⁰⁴ As Hindle and Shannon have noted, allegations of riot and assault could also be a strategic ploy to bring pressure on defendants engaged in wider disputes, and as threatening words were perhaps easier to allege, and more difficult to disprove, than the actual use of violence, it may be that such allegations should not always be taken at face value.¹⁰⁵

That is not to say, however, that the threats and violence described in the Wealden cases were entirely fabricated, and it is in some of the more unusual details of the cases that we may be able to discern the less formulaic, and perhaps more authentic, aspects of the riots. In this regard, the suits between Denise Bowyer and William Saunders are an interesting case in point. In her original bill of complaint, Bowyer accused Saunders and his men of coming to her ironworks in 'sculls', suggesting a degree of organised

¹⁰¹ STAC 5/A2/25

¹⁰² STAC 5/N2/31

¹⁰³ STAC 5/S26/10

¹⁰⁴ Manning, *Village Revolts*, p.57

¹⁰⁵ Hindle, *The State and Social Change*, p.79; Shannon, 'Approvement and Improvement', p.194

premeditation.¹⁰⁶ Bowyer also alleged that three of her workmen, Christopher Trindall, John Walter and Henry Heyward, were grievously injured by Saunders' servants. The bill states that Trindall was struck upon the head by swords, and that Walters was similarly struck on the head by a staff, with his arms cut and mangled whilst he lay on the ground (presumably whilst attempting to shield himself from blows). The bill also claimed that Henry Heyward was hit by a sword on his left hand, cutting off one of his fingers.¹⁰⁷ Although the complaint goes on to allege more general attacks on various unnamed servants, the fact that these three workmen were named, and their injuries specified, may suggest that these acts of violence were more real than imagined. This supposition may be supported by the fact that, in his answer to Bowyer's complaint, Saunders does not deny that Walter and Heyward may have been injured, only that if they were, it was the result of he and his servants acting in self-defence. Interestingly, Saunders denies any assault on Trindall outright, which may be reflection of the seriousness of the injuries Trindall was alleged to have suffered.¹⁰⁸ Similarly, Saunders does not deny taking the bellows from Bowyer's mill, only stating that he did so peaceably, as he was lawfully allowed to do, and that he inflicted no damage on the bellows frame.¹⁰⁹

In something of a mirror to Bowyer's accusations, in his own bill of complaint, Saunders alleged that Bowyer's workmen attacked his servants, and struck one about the head and broke his buckler, with another shot in the chest with an arrow; although it is perhaps noteworthy that these servants are not named. Saunders also accused John Heyward, another of Bowyer's workmen, of striking at Saunders with a halberd. Saunders very explicitly places Denise Bowyer in the role of chief instigator of the violence, alleging that she repeatedly cried, 'sley hym, sley hyym', and urged her supporters to, 'shoote, shoote... shoote at greyberde'.¹¹⁰ It is possible that these threats, and the accusations of violence, were a fabrication necessary to meet the threshold for Star Chamber convictions,

¹⁰⁶ STAC 2/24/422

¹⁰⁷ *Ibid*

¹⁰⁸ STAC 2/27/30

¹⁰⁹ *Ibid*

¹¹⁰ STAC 2/25/107

but the level of specificity in the allegations of violent assault on people, particularly in Bowyer's complaint, is somewhat exceptional when compared to the other cases examined in this study.

Another interesting aspect of the riots is the times at which they occurred. In six of the eight cases, the riots were carried out during daylight hours, often when the workmen of the defendants were at their labours in the ironworks or related Wealden industries. This is perhaps significant given that, as shall be considered in more detail in Section 4, most of these cases related to disputed rights over the land and resources occupied by the defendants. As historians have observed, one of the most obvious ways of establishing and affirming legitimate use rights in early modern England was to exercise them, similar to the way the perambulation of boundaries cemented claims to land and communal identity, or the breaking down of enclosures asserted rights of common. Importantly, the exercising of these rights had to be public and visible to be a force of legitimisation; which meant during daylight hours.¹¹¹ As such, the public nature of the riots observable in the Wealden suits could be considered as part of a strategy of asserting and legitimating rights on the part of complainants. Conversely, riotous assemblies and assaults at night, when the perpetrators could not be easily identified, had the implication that the actions were more clandestine, disordered or threatening to the peace of the realm, and were therefore more damning against the perpetrators. Two of the Wealden cases are alleged to have occurred in the 'night season',¹¹² and both of these cases concerned the digging-out of mill ponds.¹¹³ One might imagine that the concealment of night would have been useful to those involved in unlawful destruction (although the list of names of those involved in the bill of complaints may speak to the contrary), but it is possible that such a clandestine action was to the detriment of the defendants in the eyes of the court. It is noteworthy however, that these were also two of the cases where the rights of the defendants were seemingly the least

¹¹¹ Healey, pp.274-285; McDonagh, *Subverting the Ground*, p.199; Walter, p.22

¹¹² STAC 5/C52/9

¹¹³ *Ibid*; STAC 5/W45/17

defensible. For example, in the dispute between Wildgoose and Walsh, the actions of the rioters in destroying Walsh's mill pond seemed to be predicated solely on basis that it adversely affected the flow of water to the defendant's ironworks downstream. There was no contestation of legal rights, and bar reference to an earlier alleged agreement regarding the opening of the complainant's sluice gates, the defendant made no claim on the complainant's lands, nor his rights to lawfully impound the water running through it.¹¹⁴ The seeming lack of defensible rights, or claims to legitimate their actions, in these cases at least, may help to explain the clandestine nature of the riots.

2.3 Conclusions

In many respects, the conduct and pattern of the Wealden riots share a great number of characteristics in common with the agrarian riots observed and analysed elsewhere in England. Actual physical manifestations of crowd violence were predominantly targeted against property rather than individuals, with threatening and riotous words and behaviour more common than bodily assault.¹¹⁵ There was also commonality with many of the more formulaic elements of how Star Chambers cases were framed, in the form of repeated accusations of riotous assembly, and the way the rioters, their motivations and their actions were described.¹¹⁶ The targets of the rioters' violence in the Wealden cases, however, are, in many cases, specific to, and reflective of, the particular industrial context of the Weald. To a great extent, the riots were directed against the sites and processes of iron production. They included the disruption of charcoal works, the digging-out and destruction of mill ponds, and assaults upon the infrastructure and apparatus of the furnaces and forges themselves. In this respect, at least, they can be differentiated from other types of agrarian riot, even if the forms of violence used to achieve the rioters' objectives are remarkably consistent. It is also apparent that despite the formulaic ways in which the violence of the rioters is sometimes described, and, as Wood has observed, the tendency on the part of some historians to

¹¹⁴ Ibid

¹¹⁵ Bowen, p.135; Shannon, 'Approvement and Improvement', p.194

¹¹⁶ Sandall, 'Remembering Protest', p.116; Falvey, 'The Politics of Enclosure', p.69; Bowen, p.139

downplay the degree of violence in early-modern riots,¹¹⁷ there is evidence of genuine, and quite extreme, organised violence in at least one of the cases. In this instance, it is likely this reflects the escalation of what had been a long-running and fractious dispute; feuds with a longer duration being more likely to boil over into violence.¹¹⁸ Given the scope of the riots, and the scale of the people involved, it is also likely that even in the cases where crowd violence was more threatened than real, the events would likely have been terrifying for their targets.¹¹⁹

¹¹⁷ Wood, *Riot, Rebellion and Popular Politics*, p.103

¹¹⁸ Healey, p.282

¹¹⁹ Wood, *Riot, Rebellion and Popular Politics*, p.103

3. The leadership and participants of the riots

The wide array of historical studies looking at early-modern riots, and the participants within them, have demonstrated the difficulties in drawing general conclusions about the status and character of those involved in crowd actions.¹²⁰ Riotous crowds reflected the character of the communities they were drawn from, and their leadership was dependent upon local social and political dynamics.¹²¹ Riots could be the product of the bottom-up impetus of popular discontent with a particular aspect of change in their community, but equally this popular politics could be shaped or manipulated by local elites to serve their own purposes. Riots could even be the direct result of socio-economic competition between elites without any discernible popular dimension at all.¹²² This section of this study examines the composition and social status of the participants and leaders of the Wealden riots, to analyse and understand what they reveal about the concerns and preoccupations of contemporary Wealden communities.

3.1 Participants in the riots

The nature of the historical sources for early-modern riot make it challenging to identify the actors and participants involved in the disturbances. Although the more significant, or more active, rioters may be named in the bills of complaint, or in witness depositions, there is, of course, no guarantee that the people named were actually present at the riots. Rather they could be named by the complainant out of a desire to incriminate or discredit particular individuals, or it could be that the complainants considered them to be a driving force in the orchestration of the riot, and therefore worthy of inclusion, even if they were not physically present during the riot. In addition to these named rioters, many of the Star Chamber records refer to 'divers other p(er)sons to the complainant unknown',¹²³ being present at the riots. These claims may reveal the presence of the hangers-on that seemed to

¹²⁰ Bowen, p.134

¹²¹ Hoyle, 'Custom, Improvement and Anti-improvement', p.37

¹²² Shannon, 'Approvement and Improvement', p.194

¹²³ STAC 5/H27/23

be such a feature of early-modern riot, and it may be that many of the rioters were genuinely unknown to the complainant and their witnesses. Riots could, by their nature, be dynamic and unstructured affairs, and it is entirely possible that it was difficult for witnesses to keep track of who was present. This may explain the sometimes suspiciously round numbers of alleged unknown rioters estimated in the bills of complaint; one cannot imagine that they would stop to be counted. Equally, the large numbers of alleged unknown rioters may be a product of outright exaggeration or fabrication by complainants and their clerks, or simply part of the narrative conventions for bringing riot complaints to the court of Star Chamber. Larger numbers of rioters might suggest greater and more serious levels of disorder, and a more significant threat to Her Majesty's peace, and so may have reflected more poorly on the alleged defendants in the eyes of the court.

In their answers to the complaints, defendants almost always refuted the number of people alleged to be present at an incident. An interesting example is the first dispute between Bowyer and Saunders, in which Bowyer alleged almost a dozen men assaulted her ironworks. In Saunders' examination, he claimed that only he, his son-in-law and two of his household servants came into Bowyer's iron mill (it goes without saying, in a 'peaceable manner'), with two other of his servants following after in a wagon.¹²⁴ Similarly, in the case of Walsh vs. Wildgoose, Walsh's allegation that the assault on his mill was perpetrated by six named assailants and, 'divers other malicious and ill disposed p(er)sons unknown', was, in the deposition of Thomas Chatterton, one of the defendants, reduced to himself and John Wildgoose the younger alone, peaceably drawing up the penstock from the mill pond to let some of the water go.¹²⁵ The conclusion from these examples is not that the allegations in the bills of complaint were always contested by the defendants – that is self-evident – but that the motivations and incentives on either side of the dispute may have tended towards the distortion of the number of rioters present, making a critical judgement as to the actual levels of participation in a riot nigh on impossible. Perhaps the only conclusion one may

¹²⁴ STAC 3/8/38

¹²⁵ STAC 5/W45/17

safely draw is that riots with a larger number of alleged participants were probably, on balance, larger than those with a smaller number of alleged rioters.

That being said, the best evidence we have for the scale and participation in riots remains the numbers and names that can be identified from the Star Chamber materials. **Table 2** sets out the information it has been possible to extract from the case records with regard to the participants in the riots. In relation to the occupations and social status of the named participants, these have been identified either from the evidence and statements of the court materials themselves, or from other records where such biographical information is available and discernible (for example, from probate records or the 1574 survey of ironworks). Where it has not been possible to identify the occupations of individuals, these have been marked as unknown. This usually relates to those of lower social status, where the complainants or deponents did not feel it necessary to record their professions, although, as shall see, it may not be entirely unreasonable hypothesis to assume that many of them were likely to have been ironworkers or labourers within ironworks.

The number of alleged rioters varies considerably across the cases. The smallest alleged riot being the group which dug-up Thomas Collins' mill pond at the end of our period, with only five suspected rioters, whilst the largest, the assault against William Bassett's charcoal works, was allegedly the work of over 60 men. The next largest after this is the case of Slywright against Ashburnham, with a supposed 37 rioters, although it is noteworthy that to reach this scale, both Bassett and Slywright's bills of complaint relied heavily on large numbers of unknown rioters. In both these cases however, the complainants and witnesses have identified approximately 20 rioters by name, meaning they would still be the largest of the riots examined as part of this study, even if one were to apply a degree of scepticism about the number of additional, unnamed assailants.

Case title	Year	Named participants	Occupation or rank of named participants	Number of named participants	Number of participants unknown to the complainant	Total number of participants
Bowyer vs. Saunders et al	1547-1553	Thomas Myn Thomas Langley William Couth Henry Rogers Giles Bilge	Gentleman <i>Unknown</i> Servant to William Saunders Servant to William Saunders Servant to William Saunders	5	6	11
Saunders vs. Bowyer et al	1547-1553	John Bowyer Henry Heyward Christopher Trindall John Walters William Clerk Peter Heyward John Good Roger Ball	Son of Denise Bowyer Workman Workman Workman <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i>	8	10	18
Abergavenny vs. Relfe and Jeffrey et al	1569	William Bignoll Stephen Dennett Thomas Weston John Chapel James Genese John Pickford William Usher John Usher Richard Stephenson John Jewell John Homesby John Rigford John Burford	Iron Founder Workman Workman Workman Workman Workman Workman Workman Workman <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i>	13	Referenced but number not specified	13+
Slywright vs. Ashburnham et al	1580/81	Thomas Ashburnham Gregory Gilbert Andrew Eastway Robert Fisher Simon Bray the older Robert Daniel John Swayne John Woodfell Richard Tysehurst Anthony Crowney William Owen John Fowling William Cowper John Smith Richard Master Simon Collman Ralf Sanyte Simon Collingham	Gentleman Mariner / Seaman Mariner / Seaman <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> Furnace builder <i>Unknown</i> <i>Unknown</i>	18	20	38

Case title	Year	Named participants	Occupation or rank of named participants	Number of named participants	Number of participants unknown to the complainant	Total number of participants
Hay vs. Snelling and Walsh	1581	Thomas Barrys Thomas Malebone William Denthall Goddard Russell Abraham Parish William Cratthall	Servant to Robert Walsh <i>Unknown</i> Servant Labourer Hammermaster <i>Unknown</i>	6	Referenced but number not specified	6+
Walsh vs. Wildgoose et al	1586	Thomas Chatterton Robert Gutson Abraham (Abel) Ingleton Thomas Braborne	Iron Founder Collier / furnace filler Workmen / myne drawer <i>Unknown</i>	4	Referenced but number not specified	4+
Bassett vs. Maynard and Russell et al	1592/93	John Walcott John Bense George Hutton Bartholomew Romsey John Russell (otherwise Angel) John Holdeley Edward Holdeley Danniel Post Moses Post George Marchant Henry Tryme Thomas Kenworth Alexander Mudell Thomas Bacton John Marchant Nicholas Stocker James Bomcke Goddard Crittenden Stephen Fummell Peter Coase Alexander Middleton	<i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> Iron worker <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i> <i>Unknown</i>	21	40	61
Collins vs. May, Walsh, May, Beeching et al	1595	Edward Tutty Thomas Willard Robert Beeching Agnes Beeching William Beeching	Labourer / Servant Labourer / Servant Husbandman Wife of Robert, husbandman Labourer, son of Robert (Husbandman in deposition)	5	None referenced	5

Table 2: Participants in the Wealden riot cases, by case¹²⁶

¹²⁶ STAC 3/8/38; STAC 2/24/422/ STAC 2/27/30; STAC 2/25/107; STAC 5/A2/25; STAC 5/N2/31; STAC 5/S26/10; STAC 5/S12/32; STAC 5/H27/3; STAC 5/W45/17; STAC 5/W27/1; STAC 5/W2/1; STAC 5/W26/14; STAC 5/B90/39; STAC 5/B33/22; STAC 5/C1/7; STAC 5/C52/9; STAC 5/C25/10; STAC 5/C43/25; STAC 5/C70/36; SP 12/95/20, f.50v; SP 12/95/79, f.176; SP 12/95/79, f.177

With the exception of these two comparative outliers, the rest of the riots accord with Manning's findings from his analysis of riots in the sixteenth century. Manning found that, in cases where the number of rioters was recorded, 74% of the riots had 30 or fewer participants, as against 75% of the cases examined as part of this study. As such, these Wealden riots can be considered relatively small-scale, highly local affairs, that were largely confined to single communities (or, in some cases, just a small number of households).

For the named rioters for whom it has been possible to ascertain their social status or employment, by far the most common occupation was workman within an ironworks, or a servant to the alleged leader or orchestrator of the riot. Even in instances where the occupation of the rioters is not explicitly identified, such as most of the alleged assailants against Bassett's ironworks, there is anecdotal evidence of familial connections to those known to be employed in the Wealden iron industry, even if it is has not been possible to prove a direct link.¹²⁷ The preponderance of ironworkers in the riots is perhaps unsurprising. As we shall see, all of the alleged leaders of the riots were engaged in the iron trade as owners or occupiers of ironworks, and although estimating the size of the iron-making workforce in the Weald is challenging, not least because the demand for labour varied according to when a furnace was on a smelting run, or what the works were producing, a figure of 60 people or above for each ironworks is not unreasonable.¹²⁸ As such, the ironmasters charged with inciting or procuring the riots would have had a ready source of labour to call upon. All the more so when one considers that many of the ironmasters operated more than one ironworks, or had access to other sources of support, such as the labourers or tenants on the farms and estates they owned outside of iron-making.¹²⁹

¹²⁷ For example, a Hugh Marchant is recorded as an alien serving Sir William Sidney in the 1552 subsidy rolls, most likely in his ironworks at Robertsbridge. John Russell is also recorded as being part of the French Russell family who came from Pays de Bray, the iron working region of Normandy. Similarly, a Muddell (or Muddyll) was recorded as being a hammerman at Sir William Sidney's forge in Robertsbridge in 1542. This raises the prospect that at least some of the unknown rioters supporting Richard Maynard could have had connections to the French ironworking diaspora in the county, or even more local associations with iron-working in Robertsbridge. TNA E179/190/247 *Sussex Lay Subsidy 1552*, transcribed and edited by M J Burchall (Parish Register Transcription Society, 2014), p.54; B G Awty, 'Aliens in the ironworking areas of the Weald: The Subsidy Rolls 1524-1603', *Wealden Iron: Bulletin of the Wealden Iron Research Group*, 2, 4 (1984), pp.13-78; B G Awty, *Adventure in Iron* (Tonbridge: Wealden Iron Research Group, 2019), pp.275,778

¹²⁸ Hodgkinson, p.95

¹²⁹ Goring, p.212

An interesting possible exception to this rule may be the riot allegedly orchestrated by Ashburnham against John Slywright. In the bill of complaint and interrogatories, it is explicitly alleged that at least two of the rioters, Gregory Gilbert and Andrew Eastway, with others whose names were unknown, were mariners recently returned from the sea, with many of the other rioters being, 'masterless and without lyvinges, and not having any places of dwelling or abode, nor usinge anye trades, artes or mysterys, whereby they maye get theyr lyvinges'.¹³⁰ The implication of this statement would have been clear to contemporaries. A rough and disordered mob, with no masters or restraint, and potentially composed of the dangerous sturdy beggars that so captured early-modern perceptions of the itinerant poor,¹³¹ would have been altogether more alarming than a crowd of workmen or husbandmen. Slywright also expressed fears that such overtly deplorable men would, 'sell the said coles and coverte the money to theyr owne uses... or go to sea from whence they came and so were lyke to escape unpuynshed'.¹³² The claims about the origins and status of the rioters may have been exaggerated by the complainant to besmirch and discredit Ashburnham, and to accentuate the risk to the public peace from the private offence, but there are interesting questions from the interrogatories which may give some credence to Slywright's assertions. Ashburnham was asked if Gilbert had previously been suspected of a felony, or some other such notorious crime, and was examined on whether he said he would, 'not leave a ruffian or royster about London, but... will hire him to withstand the said John Slywright'.¹³³ These enquiries suggest that, in this case, we may be seeing evidence of the infamous 'rent-a-mob' in action, although given the extent of Ashburnham's landholdings and ironworks in the region, it would seem surprising that he would need to look elsewhere for manpower, unless it was meant as a deliberate provocation to John Slywright, someone he considered his social inferior.¹³⁴

¹³⁰ STAC 5/S26/10

¹³¹ H Baker, 'Language surrounding poverty in early-modern England: Constructing seventeenth-century beggars and vagrants', *The ESRC Centre for Corpus Approaches to Social Science, Lancaster University: CASS Briefings*, 9 (2014), pp.10-12 ([CASS Beggars \(lancs.ac.uk\)](https://cass.lancs.ac.uk/) [accessed: 28-Aug-2023]).

¹³² STAC 5/S26/10

¹³³ TNA, STAC 5/S12/32 (Court of Star Chamber Proceedings, Elizabeth I, Slywright vs. Ashburnham, 1580/81)

¹³⁴ STAC 5/S26/10

Family connections also appear to have been a small, but significant, element in the participation in riots. Multiple members of the same family can be seen in some of the riots, such as the Heyward's in support of Denise Bowyer, or the Ushers on behalf of Relfe and Jeffrey. These instances may simply reflect patterns of employment (i.e. they worked together in the ironworks), but there are more concrete familial associations at play in relation to Thomas Myn, the son-in-law of William Saunders, and the Beeching family in support of Thomas and Elizabeth May, and Elizabeth's son-in-law, Robert Walsh. The links of association between the Beeching family and the May's is unclear. The Beeching's do not appear to have been involved in ironworking, but one Thomas Beeching is recorded in the 1552 subsidy roll in the hundred of Henhurst, which included the parish of Brightling,¹³⁵ alongside Robert Walsh's father, Goddard Walsh, who was a known ironmaster and the man with the largest subsidy assessment for the hundred in the 1552 roll.¹³⁶ This may suggest that the Beeching's association with the Walsh family was long-standing. Certainly the alleged riotous attack on Thomas Collins' iron works appears to have been something of a tight-knit affair, involving only the May family, their household servants and the Beechings. The Beechings also appear to have been at the heart of the action, with William Beeching apparently having boasted to his half-brother that he and his father had let the water out of Collin's mill pond, and that he, 'did wade upp to the twiste going thither'.¹³⁷ In this example at least, the alleged riot looks more like a targeted act of vandalism than a genuine riotous assault.

3.2 Leadership of the riots

As one might imagine, the Star Chamber records are very concerned with the identification of the individual, or individuals, responsible for leading the riots, and the bills of complaint are always clear in specifying the people the complainant considers responsible

¹³⁵ 'Henhurst Hundred: Hundred in the County of Sussex' in *The English Place Name Society: Survey of English Place-Names (Henhurst Hundred :: Survey of English Place-Names (nottingham.ac.uk))* [accessed: 28-Aug-2023]

¹³⁶ TNA PROB 11/40/115 (Records of the Prerogative Court of Canterbury, Will Registers, Will of Goddard Walshe of Brightling, Sussex, 1 Nov 1557, proved 17 Feb 1557/8); *Sussex Lay Subsidy 1552*, p.52

¹³⁷ TNA, STAC 5/C1/7 (Court of Star Chamber Proceedings, Elizabeth I, Collin vs. May, Walsh, May et al, 1595); TNA, STAC 5/C70/36 (Court of Star Chamber Proceedings, Elizabeth I, Collin vs. Walsh et al, 1595)

for procuring or inciting the riots (as summarised in **Table 3**). This did not always mean the people directing the crowd during their riotous actions, but rather the person responsible for orchestrating the riot in the first place. For example, in Thomas Hay's complaint against Snelling and Walsh, Hay clearly differentiated between the two defendants, who led the riotous company in their assault upon his grounds and person, and George May, Walsh and Snelling's father-in-law, who Hay alleged gave, 'commandment, advice and procurement' to his sons-in-law to, 'assault, grievously wounde and beate' the complainant.¹³⁸ In instances where the alleged leader of the riot was present in the events recounted in the complaints, this suspected leadership appears genuine. In the accusation of riot against William Saunders, for example, given Saunders admitted to being present at the scene of the riot, and the suspected rioters were his son-in-law and servants, who would have been unlikely to act without his consent, if there was a riot, it would seem natural to conclude that Saunders was its chief orchestrator and commander.¹³⁹

In other cases, where the alleged orchestrators of the riot were not present at the events in question, the extent of their leadership is more challenging to ascertain. For example, in Abergavenny's case against William Relfe and Bartholomew Jeffrey, neither of the two ironmasters were present at either of the alleged instances of riotous behaviour. In Abergavenny's complaint, it is assumed that, as the suspected rioters were Relfe and Jeffrey's workmen, the riots were committed by their appointment and commandment. Although this may be a reasonable assumption in relation to the first instance of riotous behaviour – in his deposition, Stephen Dennett answered that he was sent by William Relfe to defend the furnace against the Abergavenny's servants – no such explicit instruction is discernible for the second occurrence of violent conduct.¹⁴⁰ Taking complainant assertions as to the leadership of riots at face value risks perpetuating contemporary assumptions that riots must always have been led by those with the highest social status,¹⁴¹ and potentially

¹³⁸ STAC H27/23

¹³⁹ STAC 2/27/30; STAC 2/24/422

¹⁴⁰ STAC 5/A2/25; STAC 5/N2/31

¹⁴¹ McDonagh, *Subverting the Ground*, pp.198

denies agency to those of lower status. In the Abergavenny case, it is entirely plausible that Relfe and Jeffery's workmen, when faced with interference from Abergavenny's servants which threatened their ability to sustain their livelihoods, might act of their own volition to defend their rights to cut wood in Abergavenny's forest. That being said, the allegations of the leadership and commandment for the other riot cases is perhaps on safer ground. In Ashburnham's case, for example, although he was not present at the alleged riots, his brother was, and it was claimed that the rioters stated that they would occupy John Slywright's charcoal works as long as necessary, and that, 'John Ashburnham esquier will see it discharged whatsoev(er) shall become of it'.¹⁴²

The socio-economic status of the leaders and orchestrators of the riots is not as easy to discern as it first appears, due to the tendency for the individuals to be described as belonging to different ranks in different documents; something Goring has observed applies more generally to Wealden ironmasters.¹⁴³ Robert Walsh, for example, is described variously as yeoman, gentleman and esquire, and by the time of his death in 1612, had even been knighted.¹⁴⁴ The difficulty in drawing firm distinctions between the ranks of the riots' leaders perhaps reflects the social dynamics of a class of people for whom iron manufacture was increasingly becoming a full-time occupation.¹⁴⁵ Ironmasters were not merchants, but nor were they artisans or craftsmen. They could also frequently have furnaces and forges in one place as owner-occupiers, whilst in another could operate ironworks as tenants or leaseholders of another landlord.¹⁴⁶ The changes in the titles attached to the persons named as leaders of the riots could also reflect the social mobility of those successful in the iron-making industry. Some ironmasters, like Robert Walsh, could accumulate large estates and wealth, whilst other gentry ironmasters, such as John Ashburnham, could see their fortunes

¹⁴² STAC 5/S12/32

¹⁴³ Goring, pp.212-213

¹⁴⁴ STAC 5/H27/23; STAC 5/W45/17; STAC 5/C5/10; East Sussex Record Office, SAS-RF/9/63 (Deed of Feoffment), 10 Apr 1611

¹⁴⁵ Goring, p.212

¹⁴⁶ Ibid, p.206

Case title	Named leader(s)	Rank of leader(s)	Named complainant	Rank of complainant
Bowyer vs. Saunders et al	William Saunders ¹⁴⁷	Esquire	Denise Bowyer	Widow of John Bowyer, yeoman ¹⁴⁸
Saunders vs. Bowyer et al	Denise Bowyer John Heyward	Widow of John Bowyer, yeoman Unknown	William Saunders	Esquire
Abergavenny vs. Relfe and Jeffrey et al	William Relfe ¹⁴⁹ Bartholomew Jeffrey ¹⁵⁰	Gentleman Yeoman	Henry Nevill Lord Abergavenny	Magnate
Slywright vs. Ashburnham et al	John Ashburnham	Esquire	John Slywright	Gentleman ¹⁵¹
Hay vs. Snelling and Walsh	Richard Snelling Robert Walsh George May	Gentleman Gentleman / Esquire Yeoman / Esquire	Thomas Hay	Yeoman
Walsh vs. Wildgoose et al	John Wildgoose the father John Wildgoose the son	Esquire Gentleman	Robert Walsh	Gentleman / Esquire
Bassett vs. Maynard and Russell et al	Richard Maynard	Yeoman	William Bassett	Yeoman
Collins vs. May, Walsh, May, Beeching et al	Elizabeth May Thomas May Robert Walsh	Widow of George May, Esquire Gentleman Gentleman / Esquire	Thomas Collins	Yeoman

Table 3: Leaders and complainants in the Wealden riot cases, by case¹⁵²

¹⁴⁷ PROB 11/53/491

¹⁴⁸ PROB 11/33/222;

¹⁴⁹ PROB 11/177/111

¹⁵⁰ M A Lower, *Parochial History of Chiddingly*, Sussex Archaeological Collection, (Lewes: Geo P Bacon, 1862)

¹⁵¹ John Slywright termed himself a gentleman in his replication to John Ashburnham's answer, but he is not addressed as such in any other court documentation. STAC 5/S26/10

¹⁵² STAC 3/8/38; STAC 2/24/422/ STAC 2/27/30; STAC 2/25/107; STAC 5/A2/25; STAC 5/N2/31; STAC 5/S26/10; STAC 5/S12/32; STAC 5/H27/3; STAC 5/W45/17; STAC 5/W27/1; STAC 5/W2/1; STAC 5/W26/14; STAC 5/B90/39; STAC 5/B33/22; STAC 5/C1/7; STAC 5/C52/9; STAC 5/C25/10; STAC 5/C43/25; STAC 5/C70/36

Collapse. When Ashburnham died in 1592, he was in debt and creditors were occupying his ironworks.¹⁵³

The extent of this social mobility, and the tensions it could elicit, is perhaps revealed in one of the bills of complaint brought by Walsh in his dispute with John Wildgoose. In his answer to the complaint, Wildgoose described Walsh as, 'of a meane and inferior callinge', and when Walsh failed to show Wildgoose the reverence he felt he deserved as a Justice of the Peace, Wildgoose complained that the lesser sort should heed their betters.¹⁵⁴ In his replication to Wildgoose's answer, and the doubts Wildgoose had raised about his gentry status, Walsh answered that he only used what rank it pleased others to give him, and noted that Wildgoose himself was 'discended from the wool parke', and, 'was but a yeoman born'.¹⁵⁵ Another, perhaps more crude example, may be visible in the dispute between Slywright and Ashburnham. Although Slywright styled himself a gentleman in his submissions to the court, in his answer to Slywright's complaint, Ashburnham noted that he did not know what state of living Slywright then had, but he knew, 'that he was once a servingman whose master died, and sithence seeketh no house trade to lyve by to the knowledge of the defendant, but is a very likelie fellowe to sett a house on fire and runne away by the light'.¹⁵⁶

Despite such debates over the precise social gradations of the key participants in the disputes, it is reasonably clear that the alleged leaders of the riots, and indeed the complainants (with one notable exception in the form of the magnate Lord Abergavenny), came from the class of yeomanry and lesser gentry that dominated the control of the Wealden iron industry by the late sixteenth century.¹⁵⁷ It is similarly noteworthy that all of the complainants and leading defendants were involved in the Wealden iron industry, either as masters of furnaces and forges, or as suppliers of the raw materials necessary for iron-

¹⁵³ Ibid, pp.213-216

¹⁵⁴ STAC 5/W2/1

¹⁵⁵ STAC 5/W45/17

¹⁵⁶ STAC 5/S26/10

¹⁵⁷ Goring, p.212

making, or both. On one level, this is unsurprising; this study has selected riots related to the Wealden iron industry after all. That both complainants and leaders of the riots should have significant stakes in iron manufacture, however, underlines the extent to which these riots were not popular expressions of discontent with the changes to Wealden communities wrought by industrial development, but rather were products of something arguably more complex, in the form of intra-communal competition. Another noteworthy feature is the extent to which the May family, and Robert Walsh in particular, feature in over a third of the cases examined. Sixteenth century gentry and yeoman were known to be highly litigious,¹⁵⁸ but the prevalence of this family perhaps speaks to the conflicts that could arise as a result of the opportunities for wealth and social mobility created by the iron industry. The industry itself was capital intensive,¹⁵⁹ and success could depend as much on luck as it could on good management.¹⁶⁰ When the margins between success and failure were so thin,¹⁶¹ it is perhaps understandable that iron-making families would be vociferous in defending their commercial interests and pressing for every advantage. The prominence of the May family in the riot cases also speaks to the extent to which iron-making in the Weald in the sixteenth century had a strong hereditary dimension.¹⁶² This created ties of kinship and friendship within the community of ironmasters, but also enabled feuds to perpetuate, as perhaps evidenced by the willingness of the matriarch of the May family, Elizabeth May, to take on leadership of her deceased husband's quarrel with Thomas Collins.¹⁶³

3.3 Conclusions

Analysis of the participants and leadership of the alleged riots identified in this study indicates that, in some respects, they are distinct from many of the agrarian riots seen in many other places in England, such as the enclosure riots in the Yorkshire Wolds,¹⁶⁴ the

¹⁵⁸ Healey, p.269

¹⁵⁹ Zell, p.130; Hodgkinson, p.68

¹⁶⁰ Goring, p.216

¹⁶¹ Zell, p.129

¹⁶² Goring, p.222

¹⁶³ TNA, STAC 5/C25/10 (Court of Star Chamber Proceedings, Elizabeth I, Collin vs. May, Walsh, 1595)

¹⁶⁴ McDonagh, *Subverting the Ground*, p.198; McDonagh, *Negotiating Enclosure*, pp.64-65

disputes over commonable land in Chinley, Derbyshire,¹⁶⁵ the enclosure riots at Faversham Blean in Kent,¹⁶⁶ the Rothwell riots,¹⁶⁷ the forest enclosure riots of Duffield Frith,¹⁶⁸ or even the anti-emparkment riots seen in nearby Petworth.¹⁶⁹ These riots were generally typified by broad representation of their communities, spearheaded by yeoman and husbandmen. In this respect, they more closely resemble Walter's contextualisation of riot as the political manifestation of the will of the community.¹⁷⁰ In contrast, although, as with many riots, those in the Weald shared a reliance on gentry or yeoman to martial the necessary support, the riots examined in this study appear to have more in common with the riots Shannon analysed in his assessment of the intake and improvement of the wastes in sixteenth century Lancashire. Shannon observed that the riots he analysed were predominantly top-down instigated and directed conflicts, involving servants and workmen being used by gentry landowners to threaten and perpetrate violence against competing landlords, to further their own interests.¹⁷¹ This model appears to fit the Wealden riots, only with the role of landlords being substituted for gentry and yeoman ironmasters. The power dynamics and relationships revealed amongst this cadre of ironmasters by the riots are, however, every bit as fascinating as those detected by Shannon in Lancashire, and it is to these facets of the riots that we will now turn.

¹⁶⁵ The Politics of Enclosure', pp.80-81

¹⁶⁶ Hipkin, 'Sitting on his Penny Rent', p.18

¹⁶⁷ Hoyle, 'Thomas Lord Darcy', p.90

¹⁶⁸ Falvey, 'Marking the Boundaries', pp.11-12

¹⁶⁹ Jerrome, p.47; Wood, "Some banglyng about the customes', pp.6-9

¹⁷⁰ Walter, p.22

¹⁷¹ Shannon, 'Approvement and Improvement', p.194

4. The causes of the riots

If the Wealden riots examined as part of this study do not fit the archetype of a popular political movement in the sixteenth century, the obvious question is what precipitated the occurrence of riotous assault and violent self-help on the part of the Wealden ironmasters. Clearly reaching a definitive judgement on this question is difficult, not least because the evidence we have available has been filtered through a judicial process in which each party, the complainant and defendant, has sought to discredit their opponent's argument and undermine the court's trust in their honesty and integrity. At best, this may mean accentuating, if not outright exaggerating, the elements of the case most fitting and beneficial to their narrative, and at worst, may result in the obfuscation of their real agenda. Nevertheless, this section of the study seeks to use evidence from the Star Chamber cases, alongside contextual information and insights from existing studies of sixteenth century riots, to attempt to understand the underlying social, economic and political dynamics which may have driven the riotous action in the Weald.

4.1 Tenant–landlord relations and competition for resources

One of the causes of the riots discernible from the Star Chamber records is tensions arising from the relationships between landowners and their tenants and leaseholders. The ability for landowner-tenant relations to become a source of conflict has been well demonstrated by historians of early-modern England, especially in sixteenth century, when the increasing population and inflationary pressures caused landlords to seek new ways to exploit their customary privileges, and to extract more income from their estates and available resources (the fiscal seigneurialism described in section 1 of this paper).¹⁷² There is some evidence of similar dynamics potentially being at play in at least three of the Wealden riot cases.

¹⁷² Manning, *Village Revolts*, pp.35-37; Wood, *The 1549 Rebellions*, p.14; Hindle, p.81; Hoyle, 'Thomas Lord Darcy', p.95

In the case of Bowyer vs. Saunders, the riots seem to have been the result of a long-running feud as to Bowyer's rights and legitimacy as a leaseholder, in the face of opposition from Saunders as the new landowner. Bowyer had leased the land in which she had erected her ironworks (interestingly implying that Bowyer had driven the enterprise from the outset, rather than continuing her husband's endeavours), about five years before the start of the Star Chamber suit, from one Richard Warner, for a term of ten years. Two years prior to the riots, Bowyer claimed Saunders purchased a reversion on the property from one John Carrell. In Bowyer's account, it would appear that Warner and Carrell had a severance on the property, and that Saunders purchased Carrell's right to title. Bowyer stated that as the reversion or conveyance was transacted after her lease on the property was made, her rights as leaseholder took precedence over Saunders' rights as owner until the end of her lease term. In this respect, Bowyer's claim appears to have been supported by the King's Bench in Weston, where she brought charges of trespass against Saunders for his attempts to expel her from the property.¹⁷³ For his part, Saunders contested Bowyer's argument and claimed he had, 'purchased and bought the right and sole possession of the property, and all such interest, title and right'.¹⁷⁴ Saunders asserted that Richard Warner had no right to grant a lease on the property, and therefore Bowyer's occupation of the premises was unlawful. As such, he maintained that all of his actions in entering the property, destroying the mill ponds, distraining Bowyer's cattle and taking possession of the furnace bellows were within his rights to do so as the lawful owner of the land.¹⁷⁵

Given Bowyer's peaceable occupation of the property for at least three years prior to Saunders' purchase of title (in some capacity), it would appear that the alleged riotous assault against the ironworks represents the culmination of a campaign of intimidation to pressure Bowyer into surrendering her lease. The allegation of further threats against Bowyer's workforce would seem to bear this out, and in this context, Saunders' complaint of

¹⁷³ STAC 2/24/422

¹⁷⁴ STAC 2/27/30

¹⁷⁵ STAC 2/25/107

riot against Bowyer and her workmen would seem to be an attempt to apply further pressure, as well as to discredit Bowyer and complicate her original suit for riot against Saunders.¹⁷⁶ The investments Bowyer had made in the iron mill would have undoubtedly made the property more attractive for Saunders, which may explain his desire to take earlier possession of the property; he appears to have done so eventually, as in his will from 1570 he has ownership of the mill.¹⁷⁷ As such, this case perhaps represents an inversion of the archetypal riot identified by early twentieth century historians (e.g. a rising of the commons in defence of their customary rights against an exploitative landlord),¹⁷⁸ with riot instead used by the landowner to attack and undermine the rights of his leasehold tenant.

Tensions arising from landlord-leaseholder relations also seem to lie behind the dispute between Lord Abergavenny and Relfe and Jeffrey. The ironmasters were granted an indenture for ten years by Abergavenny in 1562, to build an ironworks in his forest of Waterdown, and to make use of the waters and wood within to support their endeavour. The furnace is known to have been in operation from 1563, with tensions between the parties only becoming visible from late 1568, with the occurrence of the initial alleged riot at the ironworks.¹⁷⁹ The dispute seems to have centred on the refusal of Relfe and Jeffrey to allow Abergavenny's servants access to ironworks, along with additional accusations that the ironmasters had broken the other terms of the indenture by cutting down trees in which goshawks nested, and making 'utter spoile' of the wood by cutting down whole trees, rather than coppicing as they should rightly have done.¹⁸⁰ In their answer and examinations, the defendants denied that there had ever been any agreement to allow Abergavenny's servants access to their furnace.¹⁸¹ Whether the right of the Lord to make use of the furnace was in the indenture, but had not been exercised until 1568, or whether Relfe and Jeffrey's financial situation had changed, making them renege on their agreement, or even if Abergavenny had

¹⁷⁶ Ibid

¹⁷⁷ TNA, PROB 11/53/491, (Records of the Prerogative Court of Canterbury, Will Registers, Will of William Saunder of Ewell, Surrey, 2 Oct 1570, proved 10 Nov 1571)

¹⁷⁸ Tawney, pp.325-330

¹⁷⁹ Schubert, p.242

¹⁸⁰ STAC 5/A2/25

¹⁸¹ Ibid; STAC 5/N2/31

simply sought to exercise rights he did not have, is unclear and impossible to determine without access to the original indenture. The conflict, however, very clearly originates in disputed rights between the landlord and his tenants; rights on the part of Abergavenny to have the use of the furnace, and rights on the part of Relfe and Jeffrey to take wood from Abergavenny's forest. In that context, the allegation of riot against Relfe and Jeffrey, which rests more on riotous behaviour and threats of violence rather than actual evidence of violent conduct, may have been an attempt to pressure the defendants into recognising Abergavenny's rights, or cede their own, rather than a genuine riot. In this endeavour, Abergavenny appears to have been successful, as by 1574, Abergavenny is recorded as the owner of the ironworks built by Relfe and Jeffrey.¹⁸²

A similar contestation of rights is visible in the dispute between Ashburnham and Slywright; specifically rights over woodland resources. In essence, the riots were the product of a dispute in which Ashburnham considered his customary rights as lord of the manor to have been infringed in relation to the wardship of one of his tenants. When Thomas Slywright, John Slywright's brother and Ashburnham's tenant, died, his son and heir was only an infant. Although Ashburnham had the right, under the customs of the manor, to the body and lands of the heir as his ward until the heir reached the age of 21, Ashburnham agreed that the heir and his lands could remain in the possession of his mother, Margery Brockett, with compensation for the wardship to be agreed between them.¹⁸³ The heir's lands included 100 acres of wood pasture, and shortly afterward, Margery leased the woodland of her son's estate to her brother-in-law, for the making of charcoal, which Slywright maintained was, 'the greatest benefyte that may be made for the said heire'.¹⁸⁴ In his answer to the complaint, Ashburnham claimed he was acting in the best interests of the heir, as his true patron by custom and law, when he attempted to stop the complainant from making, 'spoyle and havock' of the woods, and profiting at the expense of his nephew.¹⁸⁵ It is

¹⁸² TNA, SP 12/95/20, (State Papers Domestic, Elizabeth 1, List of iron works and furnaces, 1574), f.49

¹⁸³ STAC 5/S26/10

¹⁸⁴ *Ibid*

¹⁸⁵ *Ibid*

perhaps more plausible, however, that Ashburnham was seeking to assert his rights over the woodland. As an ironmaster in his own right, Ashburnham would have understood the value of the forest to his nearby furnaces, and the allusion to the large increases in the price of wood in his answer to the complaint perhaps indicates a financial imperative to exercise control over the woodland. The complainant's reference to the rioters taking the wood and charcoal from Slywright's wagon may support this assumption, as would the accusation in the complaint that Ashburnham's rioters told Slywright's workmen that the riot was, 'but a money matter'.¹⁸⁶ Although both parties in the dispute claimed to be acting in the interests of the heir, in reality it appears that each was seeking to protect their rights to the woodland resources, and the attendant financial advantages they brought. In this respect, similar to the Bowyer case, this riot might appear to be another instance of a gentry landowner using riot and the threat of violence to serve his own economic interests, and to challenge the competing rights of his tenants. That a significant power imbalance existed between the two parties is perhaps indicated by the allegation in Slywright's complaint that he secured a warrant for the arrest of the rioters from a local Justice of the Peace, but that the local headborough was intimidated by Ashburnham and his men into refusing to discharge it.¹⁸⁷

A similar competition for woodland resources seems to have been behind the alleged riot against William Bassett in the 1590s, in which Bassett's wood and charcoal was physically taken by the rioters, and a bridge essential to enabling Bassett to transport his wood and charcoal to his furnaces was taken-up. Unlike the cases mentioned already, however, the root of this conflict lay not in landowner-tenant relations, but rather in a dispute between two parties which competing use rights to Buxsted woods. Both Richard Maynard and William Bassett had purchased rights to take a prescribed quantity of wood from parcels of a forest owned by Sir Thomas Pelham. In the event that neither party was able to take the agreed quantity of wood from their allocated parcel of woodland, they both had rights to take

¹⁸⁶ STAC 5/S12/32

¹⁸⁷ STAC 5/S26/10

any remaining wood required from a third part of Pelham's forest.¹⁸⁸ This shared use of the third parcel of woodland appears to have caused tensions between the two men, perhaps because one, or both, were perceived to be over-charging the woodland to the detriment of the other. The riot itself appears to have been an escalation of a long-running legal dispute in the King's Bench, brought by Maynard against Bassett's servants, workmen and colliers, and a writ of replevin issued out of Chancery for the recovery of Bassett's charcoal impounded by Maynard previously. Maynard was even accused of having attempted to purchase the bonds and deeds of sale for the woodland sold to Bassett, presumably to undermine Bassett's claim to the wood in question. In this example, Maynard's use of riot and threats of violence seems to have been a method of furthering his ongoing dispute with Bassett, and may be understood as what he perceived to be a legitimate protection of his use rights. Equally, it could simply be seen as an attempt to intimidate his rival into surrendering his lawful claim. In either case, the riot looks like an extension to the 'waging of the law'¹⁸⁹ already in existence between the two men. The riot is also perhaps reflective of the extent to which competition for valuable natural resources could become a source of conflict and unrest in rural-industrial communities.¹⁹⁰

In other cases, the causes of the disputes could be more prosaic, such as the complaints brought against the May family by Thomas Collins and Thomas Hay. In the former, the alleged destruction and draining of Collins' mill pond seems to have been the denouement of a long-standing disagreement relating the boundary between his lands, and those held by the May family. Collins claimed that his father, Alexander Collins, made a lawful agreement with the previous owners of the May's land, one William Haye, that permitted Alexander to flood an adjoining field owned by Haye to create the mill pond for his ironworks, for a period of 95 years from the date of the agreement.¹⁹¹ Clearly the May's were less willing to tolerate this intrusion onto their property, and felt no inclination to respect this

¹⁸⁸ STAC 5/B33/22

¹⁸⁹ Healey, p.273

¹⁹⁰ Bowen, p.149

¹⁹¹ STAC 5/C25/10

agreement once they took ownership. No doubt the flooding of their field was made especially irksome by the fact that Collins was a competitor ironmaster. The frustration of the May's was such that the alleged riot was actually the second time they had been accused of having drained Collins' mill pond, with George May having been required by the Privy Council to stop-up the dyke he had made previously, until the law had reached a determination on Collin's right to flood the land.¹⁹² It would seem that the May's had little hope for success in the case given they resorted to self-help once again. Their efforts seemed to do little to deter Thomas Collins either, as the 'waters, pondes, watercourses, ways and easements' for his ironworks were intact enough for him to bequeath them to his son upon his death in 1612.¹⁹³ In the case of Thomas Hay, although Hay ascribed the violence directed against him as a result of his decision to bring charges of trespass against two of Robert Walsh's servants, one can infer that this was just the latest manifestation of what was a long-standing feud between Thomas Hay and the May family, and in particular its patriarch, George May.¹⁹⁴ The causes of this feud are not explicitly discussed in the case documents, but there is conjecture that it may have been part of a long-running campaign of intimidation by George May to take possession of Hay's furnace at Battle.¹⁹⁵ In this respect, both of these conflicts with the May family could be understood as another mechanism or outlet for competition between ironmaster families.

4.2 Walsh vs. Wildgoose: A gentry feud

Although competition between members of the class of Wealden ironmasters appears to have been a significant factor in many of the riots examined in this study – be it for woodland, water suppliers or even ironworks themselves – there is one case in which the competition seems to be of a different degree, if not character, when compared to the other Star Chamber suits. The conflict between Robert Walsh and John Wildgoose is the sole

¹⁹² Ibid

¹⁹³ TNA PROB 11/120/249, (Records of the Prerogative Court of Canterbury, Will Registers, Will of Thomas Collins of Brightling, Sussex, 1 Aug 1612, proved 24 Sep 1612)

¹⁹⁴ STAC 5/H27/23

¹⁹⁵ Goring, p.216

Wealden dispute in this study which can confidently be said to be between two parties of gentry status, and this is reflected in the scope and preoccupations of the conflict and its protagonists. Nominally the alleged riot was the result of the decision of Robert Walsh and his milliner to create a mill pond upstream of Wildgoose's blast furnace, with the result that, in the words of Wildgoose's iron founder, Thomas Chatterton, 'the water which used to, and ought to, maintain the work waxed scarce',¹⁹⁶ such that Wildgoose's furnace was liable to fail and blow-out. In his answer to the complaint, Wildgoose claimed he had an agreement with the milliner to periodically release some of the water from Walsh's pond, and that the alleged riot was fabricated. Wildgoose's answer also revealed the extent of the bad feeling between himself and Walsh, and the longevity of their dispute.¹⁹⁷

In his response to Walsh's original complaint, Wildgoose referred to an incident 13 years prior to the alleged riot, in which Wildgoose, upon returning from an estate he held in Wales, found that Walsh had felled wood on land owned by Wildgoose. Wildgoose sought recompense from Walsh, and even requested that George May arbitrate the dispute. When no recompense was forthcoming, Wildgoose brought a case for trespass against Walsh, and it is this case which seemed to be the source of the enmity between the two men.¹⁹⁸ In his answer, Wildgoose also ascribed Walsh's, 'great malice and mortal hatred' towards him as a result of Wildgoose's willingness to support the cause of poor men, who had complained of Walsh's injurious and tortuous treatment of them; a moral failing Wildgoose attributed to Walsh's, 'intolerable pride and greedily thirsting after the fruit of other mens labours'.¹⁹⁹ Wildgoose also alleged that Walsh was resentful of Wildgoose's role as a Justice of the Peace, in which capacity Wildgoose was required to order searches of Walsh's house for, 'certain shameful, infamous and slanderous books and libels',²⁰⁰ and had issued

¹⁹⁶ STAC 5/W45/17

¹⁹⁷ Ibid

¹⁹⁸ Ibid; STAC 5/W2/1

¹⁹⁹ STAC 5/W45/17

²⁰⁰ Ibid

recognisances for the appearance of certain of Walsh's servants and workmen at the quarter sessions for participation in a riot at an alehouse.²⁰¹

Seemingly in response to Wildgoose's answer, Robert Walsh brought another complaint to Star Chamber, accusing Wildgoose of judicial corruption and the persecution of Walsh by sponsoring and maintaining lawsuits against him, both on his own part, and on behalf of others. Interestingly, in terms of the jurisdiction it implies for the court of Star Chamber, Walsh's bill also alleged moral offences against Wildgoose, in the form of an accusation that Wildgoose maintained and permitted, 'lewd arrangements' within the household of his iron workers, Thomas Chatterton and Robert Cutson, and their keeping of the 'verie notorious and infamouse woman',²⁰² referenced at the start of this study. This included a claim that Wildgoose had pressured the local minister for the parish to marry the woman to one or either of the workmen, and that when Wildgoose refused to bow to the friendly persuasions of his neighbours to remedy the conduct of his men, he was publicly reproved by the minister in the open church, and yet still refused to take any action.²⁰³ Interestingly, Wildgoose alleged that Thomas Chatterton was recommended to him by Thomas May, Walsh's brother-in-law, which might explain Walsh's familiarity with his living arrangements.²⁰⁴

Despite the salacious details of this aspect of Walsh's complaint, on which Wildgoose was subsequently examined, perhaps the more damning of Walsh's claims related to the alleged abuse of Wildgoose's power and authority as a Justice of the Peace. Walsh accused Wildgoose of devising and fabricating excuses for the offenders brought before him to secure their discharge, and of undermining the work of the constable and others who took pains to apprehend the malefactors, by refusing to prosecute charges against those he considered his neighbours.²⁰⁵ As one might expect, Wildgoose refuted all of these

²⁰¹ Ibid

²⁰² STAC 5/W2/1

²⁰³ Ibid

²⁰⁴ Ibid

²⁰⁵ Ibid

accusations, claiming that he ordered Chatterton and the woman to be whipped and expelled from the neighbourhood for their lewd behaviour (although the veracity of this might be doubted given Chatterton was deposed in the original bill of complaint). He also asserted that any appearance of qualification or commutation in the punishment of offenders was solely in the service of getting them to testify against their fellow malefactors, and to disclose further offences their associates may have committed;²⁰⁶ an approach that in some respects resembles the earlier practice of approvement.²⁰⁷

Although the truth of these allegations is, of course, impossible for the historian to verify in either direction, it is apparent that they formed part of a concerted effort to discredit Wildgoose, both in the eyes of the court, and amongst his neighbours and peers within the gentry community in the region. Similarly, Wildgoose's claims against Walsh – in relation to questioning his right to gentry status, the misconduct of his servants and reports that he beat and mistreated the poor men that laboured for him²⁰⁸ – can be understood in the same context. In the same vein, both parties accused the other of maintaining and sponsoring frivolous and vexatious lawsuits against them, with the explicit aim of discrediting them, and to 'debase and weary' the defendants.²⁰⁹ In Wildgoose's case, this included an accusation that he funded lawsuits against Walsh on behalf of others in Chancery and the Sussex assizes, including a case in which Walsh was accused of retaining and the granting of livery.²¹⁰ Walsh also claimed that Wildgoose had procured perjurers against him, and had a lawsuit served on him by a man, 'who manifestly appeared to be newly out of gaol by his countenance and apparel'.²¹¹ For his part, Wildgoose accused Walsh of waiting until he was travelling to London to have his ironworkers, Abel Ingleton and Robert Cutson, arrested and imprisoned, expressly so Wildgoose could not put in place mitigations to enable the ongoing operation of his furnace. He also claimed that Walsh secretly sued his workmen, but never

²⁰⁶ Ibid

²⁰⁷ A Musson, *Crime, Law and Society in the Later Middle Ages* (Manchester: Manchester University Press, 2009), pp.137-138

²⁰⁸ TNA, STAC 5/W27/1 (Court of Star Chamber Proceedings, Elizabeth I, Walsh vs. Wildgoose et al, 1586); STAC 5/W45/17; STAC 5/W2/1

²⁰⁹ STAC 5/W2/1

²¹⁰ STAC 5/W45/17

²¹¹ STAC 5/W2/1

informed them he had done so, such that when they failed to submit to the court, they were declared outlaws.²¹² Finally, he asserted that Walsh had served process against him in the open street, ‘the better to discredit the said defendant’, and exclaimed that Walsh had commenced more unnecessary and frivolous lawsuits against him in the last two years than Wildgoose had brought in his entire lifetime.²¹³ Nor were these accusations the end of the matter, with each replication and rejoinder including a new slew of allegations. Walsh accused Wildgoose of retreating to London to avoid parochial poor rates and other taxes, and of ordering his servants to kill Walsh’s hunting dog.²¹⁴ In response, Wildgoose alleged that Walsh habitually trespassed on his lands whilst hunting and hawking (perhaps indicating the existence of organised poaching which often accompanied gentry rivalries),²¹⁵ and accused Walsh of sending his servants to tread down his hedges. Wildgoose also complained that Walsh grazed his cattle on his neighbour’s lands, and coerced his neighbours to enter onerous bonds and leases, and then forced them to forfeit their lands for breach of those bonds.

Although a real and practical issue seems to have been the immediate cause of the alleged riot – namely securing the supply of water necessary to enable the operation of Wildgoose’s ironworks – it would seem that the riot, and the bringing of the complaint to Star Chamber, were simply one part of a much broader conflict between John Wildgoose and Robert Walsh, with the violence alleged in the riot just another mechanism for pursuing their quarrel. This quarrel appears to have been rooted in their position as rival gentry, and the associated competition for status and pre-eminence between two upwardly mobile individuals. Both had seemingly achieved the transition from yeomanry to gentry status in their lifetimes, and, judging by the accusations and counter-accusations regarding pretensions to status and unmannerly conduct, it would appear that both were acutely conscious of their origins, and fiercely protective of their comparatively new-found prestige. It

²¹² Ibid

²¹³ Ibid

²¹⁴ STAC 5/W45/17

²¹⁵ Manning, *Village Revolts*, p.39; R B Manning, *Hunters and Poachers: A Cultural and Social History of Unlawful Hunting in England 1485-1640* (Oxford: Clarendon Press, 1993), pp.2-3

may be telling also that both Wildgoose and Walsh accused the other of persecuting them through the courts and attacking their enterprises with the aim of forcing them to forsake or quit the county.²¹⁶ This may support the hypothesis that the conflict was about more than just competition between local ironmasters, and that ironworks may have formed just one part of a much larger tableau of competing interests and power bases. Given the apparent enmity between the men, and the breadth of their dispute, it is perhaps a little surprising that there were not more examples of violent conflict (from the other Wealden cases, it is apparent that Walsh was not adverse to direct action), although this may be reflective of the fact that, in this case at least, both Walsh and Wildgoose preferred the courts as their primary field of battle.

4.3 Conclusions

The Star Chamber records suggest that competition for resources was a significant factor in the occurrence of riots related to iron manufacture in the Weald, but not necessarily in the way one might have initially imagined. On the whole, the riots do not appear to have been the product of disgruntled Wealden inhabitants resenting the transformation and destruction of their local environment, and martialling their collective resources to protect their customary rights to Wealden woodland. Instead, the riots seemed to be the result of violence orchestrated and directed by competing ironmasters to serve their economic self-interest, or to protect their rights to land and resources. Some of the cases may fit the pattern observable elsewhere in England of riot as a form of escalation in disputes between yeoman tenantry and overweening and unjust landlords, such as Relfe and Jeffrey's opposition to Abergavenny. Even in these cases, however, it is clear that the tenants or leaseholders concerned were directing their own workmen and servants in support of their own personal interests, rather than establishing a broad base of support against seigneurial oppression. More generally, the riots seemed to be a mechanism to further highly localised disputes between yeoman and gentry ironmasters, and operated alongside other means of

²¹⁶ STAC 5/W45/17; STAC 5/W2/1

applying pressure on disputants; notably the use of legal suits and the manipulation and co-opting of judicial processes in an attempt to compel or intimidate opponents into surrendering their claims.

Most of these Wealden riots seemed to be focussed on achieving specific economic ends, in the form securing rights to woodland, control over ironworks or reasserting territorial boundaries. The possible exception to this general rule appears to be the case of Wildgoose and Walsh, in which the alleged riot seemed to have been but one element of a much broader feud between two gentry landowners and ironmasters, over status and pre-eminence within their community. This dispute spilled out beyond the servants within their direct control, and involved the utilisation of those within their broader affinities to further their ends, as evidenced by the smallholders Wildgoose was alleged to have sponsored to bring suits against Robert Walsh, and Walsh's own appeals to the undersheriff of the county to secure a warrant against Wildgoose.²¹⁷ In this respect, the conflict between Wildgoose and Walsh bears many similarities with the gentry rivalries Manning observed in his broader study of riots and local unrest in the sixteenth century, in which competing gentry utilised riots alongside legal harassment to protect their rights and privileges, and undermine those of their rivals.²¹⁸

²¹⁷ STAC 5/W2/1; STAC 5/W27/1; STAC 5/W45/17

²¹⁸ Manning, *Village Revolts*, pp.39-40,67

5. Conclusion

In a great many respects, the Wealden riots examined in this study represent continuity and consistency with the broad pattern of riot in the sixteenth century, as observed by historians. These include the emphasis on threats and violence directed predominantly against property, rather than individuals, and the size and scope of the riots themselves, being largely small-scale affairs and involving targeted violence confined to a single community, or even a single industrial enterprise.²¹⁹ The social status of the leaders and orchestrators of the riots also conforms to the findings from studies of riot in other English regions, being largely directed by members of the yeoman or lesser gentry class.²²⁰ The extent to which the riots were the product of competition between the members of this class – for privileges, resources and status – is also consistent with the patterns of competition and social relations seen elsewhere in England,²²¹ as is the extent to which riot and violent self-help operated alongside legal disputes and lawful recourses for pursuing conflicts. Even the apparent inversion of the stereotypical model of sixteenth century riots observed in the Bowyer and Slywright cases, in which landowners appeared to use riotous force and crowd action against their tenants, is not wholly unusual. The gentry landowners of East-Anglia, for example, could incite direct action against tenant enclosures to preserve their rights of foldcourse,²²² and numerous instances have been highlighted of landlords or gentry directing their resources and tenantry to resist agricultural changes that threatened their rights and privileges.²²³ There is no doubt, however, that aspects of the riots were shaped by the particular social and economic circumstances of the Weald. The targets of the riots reflected the specific industrial context of the region, and the disputes arising from competition for

²¹⁹ Manning, *Village Revolts*, p.46

²²⁰ *Ibid*, pp.39,64

²²¹ Bowen, p.141; Hipkin, pp.11-18; Shannon, 'Approvement and Improvement', p.194

²²² MacCulloch, D, 'Kett's Rebellion in Context', *Past and Present*, 84 (1979), p.52; Manning, *Village Revolts*, p.40

²²³ Bowen, p.141; Manning, *Village Revolts*, pp.41-43; Liddy, p.60; McDonagh, 'Negotiating Enclosure', pp.56-58; Falvey, 'The Politics of Enclosure', p.79-80

valuable woodland and water courses were indicative of the particular importance of these resources to Wealden iron-making.

What is somewhat surprising about the Wealden riot cases is the apparent absence of a genuine popular element, or expression of popular politics. In the main, the riots were organised and orchestrated by yeoman and gentry ironmasters, and involved them directing those within their immediate affinity – largely servants and workmen – to serve their own economic interests. Although the servants and workmen may well have had interests aligned with those of their employer, and therefore may have been willing participants in the crowds actions, this is different to the model of sixteenth century riot in which a broad cross-section of the community came together as a form of communal endeavour and expression of corporate identity.²²⁴ Given the competition for resources stimulated by the Wealden industries, and its impact on the water courses and woodland of the region, one might have imagined that tensions and conflicts between the inhabitants and ironmasters of the Weald would have been a persistent feature of community relations throughout the sixteenth century. Evidence from studies of other parts of England has demonstrated that the introduction of new industries into upland areas, and the migration such industries attracted, could be sources of inter-communal conflict,²²⁵ as could changes in the use and occupation of previously communal and marginal lands.²²⁶

One might reasonably have expected the Sussex Weald to conform to this pattern, with riot occurring as a response to the development of the iron-industry, and its attendant consumption of resources. There is certainly some evidence of this dynamic at play in the Kentish Weald in the 1590s²²⁷. The absence of this popular element might lead one to conclude that, despite the tensions iron-making elicited between its principal operators, the

²²⁴ Walter, p.22

²²⁵ Wood, 'The Politics of Social Conflict', pp.207-209

²²⁶ Wood, *Riot, Rebellion and Popular Politics*, p.87; Falvey, 'The Politics of Enclosure in Elizabethan England', pp.67-84; Falvey, 'Marking the Boundaries', pp.1-18; Falvey, 'The articulation, transmission and preservation of custom', pp.65-100; Hipkin, 'Sitting on his penny rent', pp.1-35; E H Ash, 'Reclaiming a new world: fen drainage, improvement, and projectors in seventeenth-century England', *Early Science and Medicine*, 21, 5 (2016), pp.445-69

²²⁷ Notably at Cranbrook, although these riots could have been the product of incitement by textile manufacturers competing with local iron-makers for suppliers as wood, as much as the result of genuinely popular agitation. Clark, *Popular Protest*, pp.372-373

communities of the Weald were largely at peace with the industry in their midst, or that the impacts or privations caused by iron-making were, despite the industry's size, less significant than other sources of community tension, such as the clearance of woodland for farmland.²²⁸ The evidence of this study is insufficient to draw such a sweeping conclusion, however, although it perhaps points towards an interesting line of enquiry in the form of a broader survey of riots and unrest in the Sussex Weald.

²²⁸ Hammersley, p.608

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