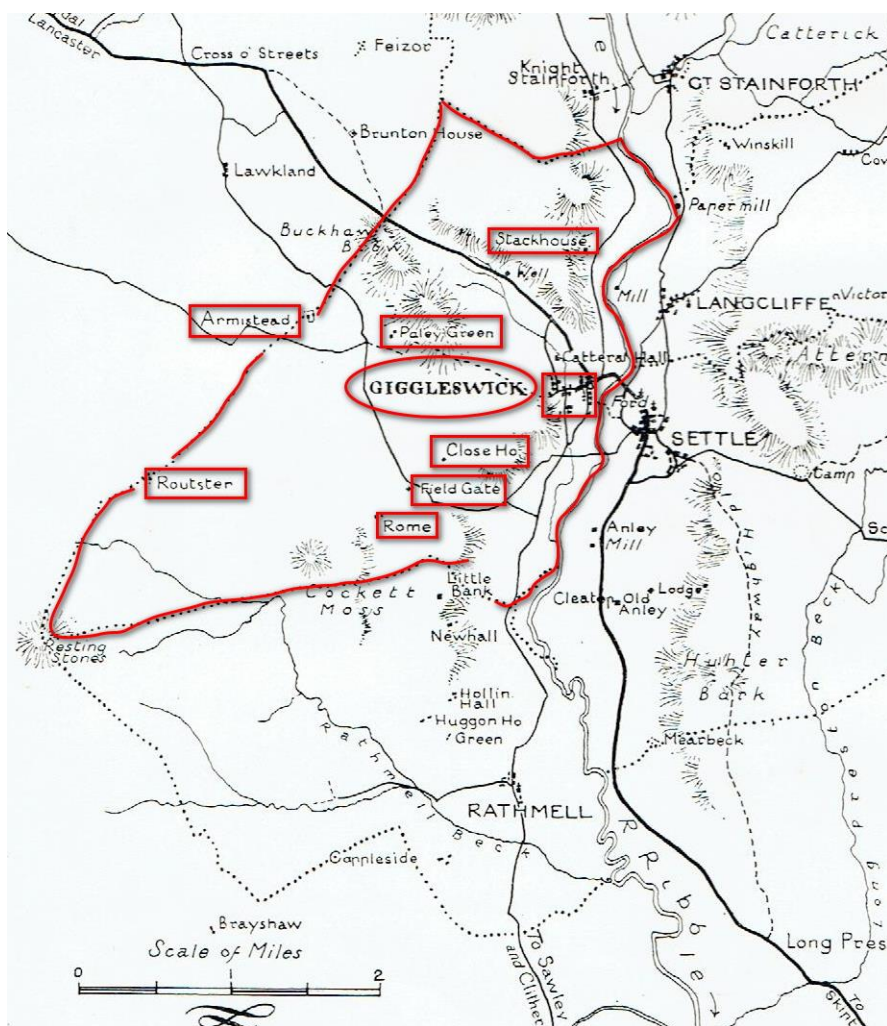


The origins of Giggleswick and its people and paths to freedom

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We can only speculate about how Giggleswick township came into being and when. Originally the Ancient Parish comprised Giggleswick, Langcliffe, Rathmell, Settle and Stainforth townships but Giggleswick became a smaller parish in its own right in 1851. Much of the discussion of village origins is slanted towards southerly parts of England, dominated by Saxon culture. How and when were the Giggleswick village and the outlying farmsteads created? How did national events affect the inhabitants in such a quiet place? Of particular interest here is the nature of society in Giggleswick in historic times, particularly the freedom from control by landlords and the state. The following personal view is a collation of information relying on the scholarship of archaeologists and historians. Understanding of the history of the North West of England is not yet fully developed and indeed is hampered by relative paucity of historical documents. A plausible account is presented here but is subject to future research. Many items in national record offices concerning Giggleswick in the 1400s have yet to be examined.



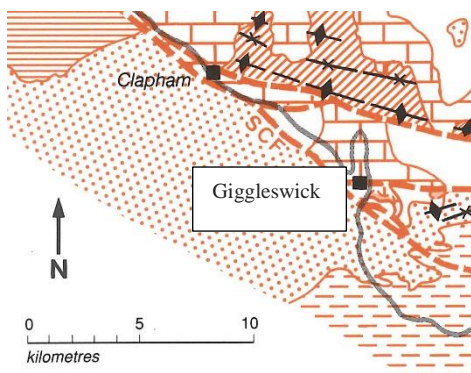
(ex. Brayshaw and Robinson)

A distinction has been drawn by landscape historians between settlement in a pattern of nucleated villages originally surrounded by unfenced strips in open fields, mainly in a north-south central strip of England, and dispersed scattered farmsteads or hamlets mainly on the western and eastern sides of England. Giggleswick has elements of both, development being piecemeal not planned.



Google Earth: Giggleswick village centre around the church, circled

Settlement must depend on the nature of agricultural practicalities, whether mainly arable or pasture farming is most appropriate in a locality. Locally, initial settlement was entirely on the limestone uplands north of the Craven Faults in places with access to water, and self-sufficient. Giggleswick township lies south of and below the South Craven Fault on Millstone Grit/glacial deposits with heavier wetter land, more difficult to farm. Settlement on this lower land probably took place only in the later decades of the 900s; settlement here was among hills but not on them. A gradual drift of peoples from the higher land to the lower is reckoned to have taken place in this time period.



<https://dalesrocks.org.uk> SCF – South Craven Fault (SCF)

Before the Norman Conquest in 1066 and for centuries afterwards most people were tied to the land they lived on which provided them with sustenance. The various immigrant occupiers of England in the first millennium AD are associated with a system of unfree conditions imposed on the population they came to dominate. The paths to freedom of Giggleswick inhabitants are considered here. The term freeman means not being a serf or slave; a freeholder is defined as being a person originally subject to military but not menial labour service to a lord by virtue of the land he occupied. He had an absolute right to sell and transfer his freeholding without reference to his superior lord but he paid rent and was subject other financial impositions not expected of today's freeholders. Common law (Henry II's legislation in the late 1100s) extended to all free tenants, preventing landlords imposing unreasonable rents. In contrast unfree tenants paid rents and fines on starting and finishing a tenancy and were subject to labour services and needed consent to transfer their tenement. Gradually, unfree inhabitants gained the advantage over landlords, replacing services and hated money extortions with controlled money rents for land needed for subsistence. Important causes of change were the scarcity of labour after the Black Death of 1349, a new system of land leasing, the attractions of towns offering a better and more free way of life, and the growing recognition that money rents and hire of labour when needed were more advantageous to the lord than ancient feudal services.

In historic times England was divided into manors held by local lords working the land with tenants, or by an absentee chief lord with a local steward and clerk as in Giggleswick and Settle. There was some demesne land in Giggleswick worked directly by the lord's serfs or employees, but rented out in the 1500s – there was none left by 1579 as reported to the Giggleswick manorial court. A manor included all the land within its boundary - whether freehold or not. The concept of absolute ownership was foreign to common law; some sort of conditional security of tenure was normal.

By the later 1500s unfree peasant tenure was virtually extinct, and with its passing went much of the incentive for a lord to maintain an effective manorial administration. Some non-military services due to the lord were still conditions of leases into the 1700s. In this later period the residents of Giggleswick became more secure in their rights of property ownership and gained freedom from interference by any lord of the manor. Freedom from heavy taxation and state impositions was another matter of concern.

Pre-history

Pre-historic remains have been found in local caves and 'ancient monuments' on the hills so in the ice-free period after 10,000 BC the area of higher ground north of the Craven fault lines was known to early man.

Celtic tribe migrations from central Europe took place, bringing the Bronze and Iron Ages to Britain. Settlement was on drier higher limestone good grassland, not in the lowland woodland. So-called Celtic small square fields can be seen near Stackhouse, neighbouring Giggleswick, high above the river Ribble. There are several burial mounds in the area. The Millstone Grit/Bowland Shales land in the valley along the Ribble was covered with scrub and trees, but not dense forest. Animals for hunting were present; they would come to the river to drink. Permanent settlement was not made on the lower ground on which Giggleswick and Settle sit, but maybe there were seasonal camps for hunting by the river. Fishing in Giggleswick Tarn was also possible. (The ash log boat discovered in the Tarn when drained in 1863 has been dated to about 1335 and was not so ancient as first surmised).

Local Celtic chiefs combined into federations of groups, in our area the British-speaking Brigantes, with a regional overlord or 'king'. The name means 'upland people' or 'hill dwellers'. This name is very appropriate as the Pennines formed the heart of their territory. Only one local name, Cammock, on a drumlin in Settle, is a British one.

The area name Craven perhaps derives from 'crage' - a steep rugged rock or cliff (*archaic word*), alternatively from the Welsh 'craf' - scratch or scrape. A pre-Indo-European root 'carra' (stone or heap of stones) is connected with 'crav'. Early Celtic settlers could have met with or brought the word 'crav-ona' (stony region) with them.

Romans

The troublesome Celtic Brigantes were defeated by the Romans at the Brigantes' tribal capital Stanwick, near Richmond, in 74 AD. The actual presence of Roman mercenary troops must have been very limited in the north-west since there were not enough of them. In Roman Britain the main landowning class in the countryside comprised descendants of the late-Iron Age native Celtic aristocracy, farming their own land. The workforce comprised peasants and their families, with some hired labour, and some slaves.

There are no major Roman roads through the parish but there were routes nearby. One can imagine occasional movement of Roman troops through the region with a possible temporary marching camp at Stockdale above Settle. Numerous Roman artefacts have been discovered in and near local caves. If there were some native inhabitants in the Giggleswick area they were left alone and after 420 AD when the Romans left, the road network decayed and any Roman influence dissipated. Overall the impact of Rome on peasant life in England was very limited – Iron Age conditions continued. There is no trace of any retired soldier, having served his 25 years in the army, taking up residence in Giggleswick or nearby (as in Gargrave).



Roman roads. <http://www.twithr.co.uk/>

Angles, Saxons and Vikings

Craven is thought to have been a British region in the Pennines incorporated into Anglian Northumbria in the mid-7thC as part of a patchwork of British 'kingdoms' or 'chiefdoms' in Celtic Britain.

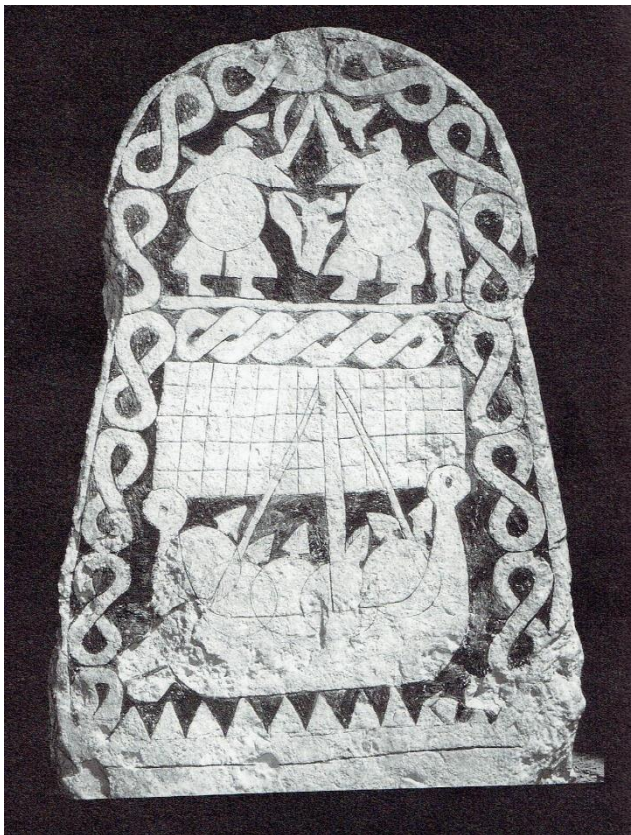
Angles from Denmark started coming in from the east along the Aire valley gap in the 500s and 600s. They can be termed English, a lowland people, mainly arable farmers, living in close-knit communities looking for well-drained sites, as on the higher ground in North

Craven. The Celtic tribes were pushed away west and north. Anglians brought with them heavy iron tools enabling them to clear parts of the lower lands. Stronger ploughs allowed easier preparation of heavier, more fertile soils for agriculture. They brought family and their own bondsmen (slaves) with them. Society became stratified and hierarchical and this persisted for many centuries. Their language developed into Old English (OE).

The Saxons came in from Saxony and predominantly settled further south. Anglo-Saxon royal government eventually embraced the whole of England. In practice the Northumbrians paid tribute to the Mercians in the midlands and acknowledged them as overlords. The Angles and Saxons had a feudal system of governance. Large landed estates were developed with local lords (*thegns*) and subtenants of lords, free and unfree tenants, and slaves.

In the 800s Danish Vikings, speaking Old Norse (ON), also came from the east. Danish kings brought with them an advanced set of laws and hierarchy. The Danish king Guthlac, in the Yorkshire part of the Danelaw, divided the area into *wapentakes*. The wapentake in northern England was the division of a shire for military and judicial purposes, nominally comprising a hundred households and a supply of armed men (hence the analogous Anglo-Saxon term 'hundred' elsewhere). The Anglo-Saxon shire (Old English *scir*, a county) was an administrative division above the wapentake. Giggleswick was in the Western Division of Staincliffe wapentake in Cravenscire in the Domesday book in 1086.

The time period in the north-west of England is best described as Anglo-Scandinavian following these incursions.



In the 900s Norse Vikings approached from the west - from Ireland, Isle of Man, Hebrides and some perhaps from Iceland. They were pastoralists, living in small family groups. They

were looking for land to settle and came to live alongside any British natives and Anglo/Scandinavians rather than dispossess them by force. They also brought family and their own bondsmen and their legal system with them. The century was marked by turbulence between local 'kings' or lords seeking to extend their ownership of land, the source of agriculture and wealth. The ground was contested between Scots, Anglo-Saxons and Vikings.

It is possible that a farmstead existed on the west side of the river Ribble opposite Settle, before any notable drift of farmers to lower land, but also that it grew in size as a nuclear settlement only with the arrival of newcomers with no violent intent. The personal name Gigel, (Gichel or Gikel, an Old English/Old Norse name) is known in early tax rolls of the North Riding and in a Yorkshire charter in the late 1100s. Perhaps Gigel was displaced by violence elsewhere associated with the Norse Viking influx. It can be imagined that Gigel came to prominence late in the 900s with his sons and other kinsmen, together with household dependents and slaves, establishing a community in the place which came to be known as Gigels *wic* (Gigels being the genitive case). The suffix *wic* is common to Old English and Old Norse with its root *vicus* in Latin, meaning a dwelling, farm, hamlet, settlement or estate. The land could then have been more extensively used, made agriculturally productive, and a field system developed. Probably Settle with its supplies of water issuing from below the sheltering limestone cliffs was already occupied, even perhaps from the 600s, since the name meaning 'settlement' is Anglian, but Giggleswick by the river would benefit from being next to a place with social variety and services. Water from the Tems Beck and springs was easily to hand. If Gigel was of Anglo-Scandinavian heritage he could have been or become Christian, leading to the building of a first church in Giggleswick.

Nothing is visible in the township assigned to Anglo-Saxons, Danes or Norsemen. Any remains are non-existent or now covered over. Nevertheless archaeological remains of settlements are gradually being uncovered in the high lands of North Craven dating from the 7th century onwards. Fragments of stonework in St Alkelda's church have been said to be Saxon but caution in dating is needed since the Saxon style in stonework persisted into Norman England times.



A corbel in St Alkelda's Church, Giggleswick, stylistically Celtic but undatable.

The people and their freedoms before the Normans

A legal hierarchy was established by the 900s in which a man's position in society was determined by law and by custom and titles – being free or unfree.

The Norse Vikings constituted a landowning class of farmers (*sokemen*) holding by socage tenure. Socage was one of the non-military feudal duties and land tenure forms in the feudal system; farmers held land in exchange for clearly defined, fixed payments made at specified

intervals to feudal lords. They had greater independence than *ceorls* and had better personal standing. These sokemen regarded their property as their own and property rights ideas were developing.

The *ceorl* was a peasant who formed an important part of society. A few *ceorls* and sokemen prospered but most were driven, first by economic pressure and later by the Norman Conquest, into the class of unfree *villeins* (*nativi in Latin*).

Serfs were essentially slaves partly brought in by the immigrants and some were victims of misfortune.

Every person had a price – *wergild* – and this money-based attitude was applied to all offences. A freeman was worth 200 shillings; a slave was worth nothing. Killing a slave went unpunished but a freeman's family could have recourse to law if he were killed unlawfully. The Norse sagas supply a good illustration of such matters.

Women had almost no place in the feudal scheme and their freedom had to be fought for over coming centuries. Such was the state of the nation at the start of a new millennium in which its people had to strive to gain more freedom in their lives.

Place names

Evidence pointing to Anglo-Scandinavian occupation is found in place names. However, it is unwise to assume that they indicate a date of origin. Places in and near Giggleswick include

Armitstead *ermite* (OE) = hermit + *stede* (OE) = farm, building

Brayshaw *sceaga* (OE) = thicket or copse

Cappleside *kapall* (ON/ME) = nag + *sīde* (OE) or *saeti* (ON) = shieling

Close House *clos* (ME) = enclosure or farm

Giggleswick, personal name, *Gigel* (OE/ON) + *wic* (OE/ON) = dwelling, building, farm

Gildersleets probably a personal name noted in 1066, *Gilder* (Anglo-Saxon) + *sletta* (OWScand) = smooth level field, or *gildri* (ON) = snare

Green *grēne* (OE) = green, grassy (in medieval times used to mean grazing)

Hesley *haesel* (OE) = hazel + *lēah* (OE) = clearing

Holme *holmr* (ON) = water meadow

Huggon probably a personal name (Hugh)

Huntworth *hund* (OE), *hundr* (ON) = hound + *worth* (OE) enclosure

Huntewhaite *hund* (OE), *hundr* (ON) = hound + *thweit* (ON) (clearing)

Lumb *lum(m)* (OE) = pool

Rome possibly *rūm* (OE) = spacious; or *ramm* (OE) = tup

Settle *setl* or *setel* (OE) = seat, dwelling, place

Stackhouse *stakkr* (ON) = ricks + *hus* (OE) = house, dwelling

Swainstead *swīn* (OE) = swine + *stede* (OE) = farm, building

Wham *hwamm* (OE) or *hvammr* (ON) = (marshy) hollow or valley

The mixture of OE and ON names for settlements and farms suggests absorption not dispersal of peoples. Old English and Old Norse words are often combined. Personal names, *Gigel* for example, do not prove the ethnic origin of their bearers since English natives are known to have given their children Scandinavian names. It has been suggested that names associated with woodland and pannage (for pigs) might indicate that they were places where assarting had taken place in medieval times, e.g. Brayshaw, Hesley and Swainstead.

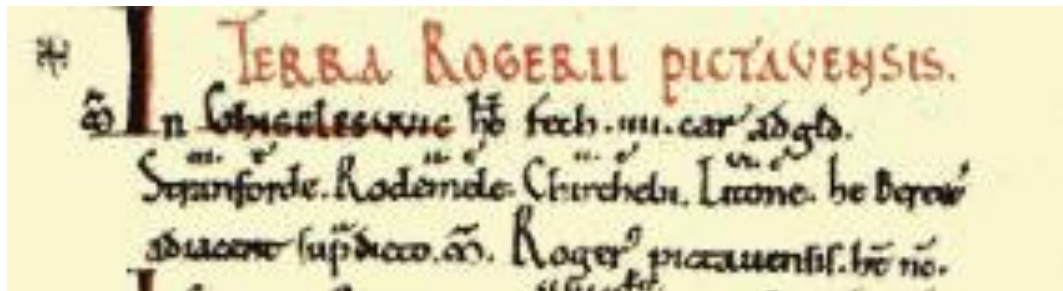
The Norman Conquest and the Domesday Book

The 900s saw an England mainly speaking English under a multitude of kings, importantly Cnut, ‘*ealles Englalandes cyning*’ – ‘king of all England’ (and Denmark, Norway and of part of Sweden). Thereafter a period of turmoil ensued which led to Harold Godwinsson attempting to save England from invasion by Normans. If Harold Godwinsson’s force in 1066 could get from Stamford Bridge to Hastings, nearly 300 miles in 3 weeks, one can presume that people in Giggleswick heard about the invasion and new masters within several weeks. The English army comprised men with a duty to their lord to take up arms when required.

The Normans laid waste to parts of Yorkshire (as did the Romans a millennium before). The Harrying of the North refers to a series of campaigns waged by William the Conqueror in the winter of 1069–70 to subjugate rebellious areas in northern England, particularly Northumbria.

So, it might have been 1086 with the arrival of the Domesday men before Giggleswick residents realized what was to happen to them. The dialect of English spoken in Yorkshire may well have been unintelligible to people from the south of England, let alone Normans speaking French asking for details of landholding. The villagers were a mixture by now of people of varied ancestry – British, Anglian, Danish and Norse. It is likely that each landholder made his return to the commissioners in person, to be checked by a wapentake jury.

The Domesday book entry for Giggleswick is not very revealing. There is no detail recorded compared to the supposed requirement of the Domesday survey to ascertain wealth, landholding, numbers of inhabitants of various ranks, how many freemen, how many sokemen holding land by socage, and much more information. The village seems little developed at that time.



Land of Roger de Poitou

*m̄ (manor) In Ghigeleswic Fech had 4 carucates for geld.
Stainforth 3.car. Rathmell 2.car. Kirkby 2.car. Litton 6.car. These berewicks
belong to the above mentioned manor. Roger de Poitou has (them) now.*

The letter *m̄* means that letters m or n are omitted so the entry means ‘*manerium*’ - a manor.

A berewick (OE) was a detached portion of farmland that belonged to a manor and was reserved for the lord’s own use. In the vill of Giggleswick four carucates of taxable property (.iiii. car. ad gld) was not necessarily an area of land but a fiscal unit. The term *terra ad unam carucam* was used for an arable carucate. The carucate otherwise is an area of land of uncertain extent, being an area which could be ploughed by a team of eight oxen in one season. It is doubted if this could be realised in Giggleswick but elsewhere an area of the

order of 120 acres is assumed. If the land was under cultivation four carucates in Giggleswick might mean sufficient land to provide sustenance for say 32 families and about 140 people but this is only speculation based on landholdings in 1315 as noted below.

In addition, in the manor of Langcliffe Feg (Fech) had 3 carucates for geld. Geld was a national tax paid by all free men, i.e. those who were not serfs or slaves. Fech, Feg, and Feigr are Anglo-Scandinavian personal names as are Feggi, Fegge, Fegga. This is not surprising if Gigel was a predecessor of the same stock.

The Percy family had possession of the lands held by Roger de Poitou after he was banished in 1102. In the Domesday Book the land held in Craven by William de Percy is described as waste (*wastas*). Waste could be uninhabited land not subject to tax, communal not private land, land of no taxable value, or an administrative term for land taken into a new lordship, rather than just land ruined and depopulated by the invaders. The estates named in Domesday contained villas which became manors (a Norman French term).

William de Percy lands in Craven

LOCATION	CARUCATES
Rimington, Crooks, Little Middop, Starkeshergh	11, waste
Bolton-by-Bowland, Raygill Moss, Holme	8, waste
Painley, Gisburn, Paythorne, Newsholme, Ellenthorpe	12 ½, waste
Nappa, Horton	6 ½, waste
Thornton in Craven, Kelbrook	8 ½, waste
Swinden, Hellifield, Malham, Coniston Cold	13 ½, waste
Glusburn and Chelsis	3, waste

The land given to Roger de Poitou which includes Giggleswick, Horton in Ribblesdale, Langcliffe, Rathmell, Selside, Settle, Stainforth and Wigglesworth is not labelled waste. One must question whether it was possible for William's relatively small army to be responsible for the wide-scale devastation imputed to him. There is no local evidence for such wasting, or any hint in charters. Property was not seized by the lower order of invaders; it was the overlords where change ensued.

A system of governance was already in place when the Normans took over and the manorial system of the Normans was imposed, with some accounting for existing practices. People of some standing such as Fech with undocumented rights as freeholders were presumably recognized by way of a token payment to the new overlord or simply by offering allegiance. The status of the rest of the less-privileged population is not clear.

More than a century is likely to have elapsed since Gigel settled in Giggleswick and the Domesday survey men reached the village. It is conceivable that Giggleswick was lorded by son after son over this period until Fech was in place in 1086. Fech (or Feg) (evidently termed a freeholder manorial lord under Roger of Poitou who was now tenant-in-chief) had four taxable carucates of land in the manor of Giggleswick and also held land elsewhere (possibly uninhabited since not taxed). Fech had easy access to his land in Langcliffe, Rathmell and Stainforth but Kirkby (Malham) and Litton are much further away, 6 and 12 miles respectively – perhaps he acquired the land through marriage.

The make-up of the population of Giggleswick at this time is uncertain. By the 1100s and 1200s, any freemen in the village could transfer freely-held land by charter. Henry II's

Assize of Novel Disseisin, c.1160, gave freemen deprived of their holdings for some reason to have redress in the royal courts, against their lords. Seisin described possession of land as opposed to ownership.

Settle does not have the same prominence in Domesday.



m̄ In Anele Bū had iii carucates ad geld. Setel^{iii carucates} ad geld.

Associated names are Bui or Búi derived from the Scandinavian word búa meaning to dwell, or the Old Norse word bú for farm, or the place-name ending -by. Bū or or Bú does not appear to be an Anglo-Saxon name.

Bū was established in Anley, just south of present-day Settle. Later, Richard de Percy (then mesne lord under William de Percy) looked upon Settle as a suitable inheritance for his son Henry and bought properties from Settle landowners to form a demesne. Henry de Percy decided to develop the town (so labelled in the charter) as a secular settlement, to gain a market charter in 1249. When this Henry died, Settle manor reverted to Henry son of William de Percy.

The nineteenth century view was that the Normans found people in a condition of servitude, whose children and effects belonged to the lord. It is likely that the Normans with their feudal system should admit them to fealty, being sworn to their lord, retaining services as they had in their former servitude. Thereafter the tenure adopted was called villeinage. Under the Normans the villein was a tenant who had some rights of inheritance over his home and land, protected by custom. He was a bonded tenant farmer legally tied to a lord. The name originates from those employed by Romans on their villas. The concept of villeinage was to oblige peasants not to leave the land, ever, with consequences of lowering food production if they were free to leave their lord.

Villeins were expected to use some of their time to farm the lord's demesne or provide other services, in addition to a rent of money or goods. These services could be very onerous. Their grain had to be ground at the lord's mill, for a fee. They might be required to pay a fine on the marriage of their daughters outside of the manor, on the occasion of inheritance of a holding by a son, and give a best animal as a *heriot* or inheritance tax at the time of death, for example.

Landlords rarely evicted villeins, because of the value of their labour, even where legally able to do so. Villeins built their own houses on land provided by the lord. The lord needed labour and cash income and the peasant needed land for food-production for his family's needs and money partly raised by selling surplus crops, wool or hides to pay rent and taxes and for a few essential household purchases. Villeins might have employed day-labourers, mostly cottagers and smallholders or live-in house servants. They could become free tenants if their lord agreed to move them to a freeholding with military service due.

Cottagers were peasants who did not have much land but had somewhere to live – a cottage. Employment as day-labourers by villeins or the lord was the norm. However, many cottagers and villeins were also artificers – craftsmen – engaged in weaving, fulling, tanning, dyeing, blacksmithing, milling, brewing, carpentering, wheelwrighting, tailoring, shoemaking, cartwrighting, basket making, and charcoal burning for example.

Even lower in society were the serfs, essentially hereditary slaves who could not leave the land without the landowner's consent. They were required to perform labour, enjoying minimal legal or customary rights. They received board and lodging and a small wage paid annually so had some cash income (to pay taxes if not classed as paupers).

Sometimes the greater physical and legal force of a local magnate intimidated freeholders into dependency. Often a few years of crop failure, a war, or brigandage might leave a person unable to make his own way. There were large regional differences so we cannot say what state Giggleswick was in just after the Conquest.

The growth of Giggleswick

The overlord of Giggleswick manor after 1102 when Roger de Poitou was banished was probably Robert de Lacy followed by the Percy family, all of Norman descent.

The Anarchy was a civil war in England and Normandy between 1138 and 1153, involving Stephen and Matilda, which resulted in a widespread breakdown in law and order but left northern England untouched.

The family 'de Giggleswick' became holders of Fech's Domesday estate. Sir Meldred of Giggleswick, '*dominus Meldricus de Giclisvic*', is named in a charter in King Stephen's time (1135-54). Meldred is an Anglo-Saxon name not Norman. Adam son of Meldred followed. Adam son of Adam was followed by Elias de Giggleswick and his son Adam. By then William de Percy, Lord of the Percy fee, was his overlord. These people feature in many charters.

In about 1255 Elias gave his manor of Giggleswick to Henry de Percy, son of William, now overlord of both Giggleswick and Settle, in return for a pension during his retirement to Sawley Abbey. Ever since there has been no resident lord of the manor of Giggleswick. All this information is gleaned from charters but nothing is known about ordinary people. Compared to the very well-documented history of Kibworth in the midlands, Giggleswick seems to have been a place of little significance at this time with unfree inhabitants and very few freemen. The Hundred Rolls of the 1200s listed occupiers of villages but we do not have information for Giggleswick.

The first documented reference to a church in Giggleswick is in about 1160, when '*Laurentius, persona de Guckilswic*' mentioned the advowson in a charter of William de Percy – '*... servicium de Gikleswic cum advocacione ecclesie ...*'.

Society was changing in nature in the 1200s and 1300s. Serfdom was disappearing and a shift from labour service to money rents was occurring and the feudal order was moving towards capitalism. A burgeoning population and requirement to clear more land for food production was the driving force. A cry for more liberty was also in the air. Magna Carta of 1215 applied to all free men. But villeins and serfs were not free and they gained nothing.

The group labelled sokemen had extensive rights, especially over land possession, since the recognition of hereditary rights gave effective ownership. Sokemen remained an important rural element after the Conquest, buying and selling property, and providing their lords with money rents and court attendance, rather than manorial labour. Under the Normans, they

became free tenants under common law - freemen (*liberi homines*) of 'ancient title' paying fixed 'Ancient rents' and free to marry without permission.

The freeholder rents in place at that time were fixed for centuries partly as a result of the 1215 Magna Carta clause 25 'Every county, hundred, wapentake, riding shall remain at its ancient rent, without increase, except the royal demesne manors'. The basis for the market in freehold land lay in legislation (of which we do not have a record) passed by Henry II (1154-1189), known as the common law, which gave legal protection of the title to freehold property in the royal courts. This was a great advance towards a relatively more ordered society and a more rational means of deciding land titles. Deeds called Feet of Fines or Final concords became a convenient and secure means of conveying freehold estates and provided an incontestable right to a piece of land. The Fine was the agreement document, one for each party, with a Foot of a Fine being a court third copy. The collection by the grantor of freehold of a small cash rent or an article other than money, for an unlimited period of time, noted in a deed, helped to prevent any later wrongful claim for possession of the property. A common 'free rent' of a red rose is found in deeds after 1200 but disappearing from records by about 1500. Rents being in the form of articles of some value such as a pound of pepper or cumin (and many others) are contended to have been paid in kind.

Around Giggleswick any settlements such as Armitstead, Close House, Fieldgate, Huntworth, Paley Green, Rome and Routster probably expanded when the population explosion in the 1200s and 1300s meant that land had to be developed for food production and many peasants were needed to farm the land and have somewhere to live. The adjacent field names do not provide any evidence of clearance. Some have Old English and Old Norse names but this does not signify an earlier creation. They were not all freehold properties in the 1500s. Some landlords, in offering new tenements, perhaps assarted land out of the uncultivated waste (conversion to arable use) and required a tenant to build a house and maintain it in good repair. Or they might have offered freehold tenure for such new land to generate income. The deteriorating economic conditions of the 1300s may have brought such assarting to a temporary end. The lord was free to create a flexible mix of freehold and tenanted land in his manor, for favoured supporters and servile families, and to take back freehold land on occasion.

The Statute of Merton in 1235 stated that the lord had to leave sufficient pasture for his free tenants and not assart waste so much as to reduce the area for common use by villagers. The force of custom of the manor was important. Litigation could ensue if landlords transgressed custom. But in 1285 a further statute allowed that a lord could enclose common lands without the assent of free tenants. Enclosure of waste could lead to loss of access by tenants to wood for building houses, for making farm implements and use as fuel. Tenants were allowed to cut trees to build and repair a house, along with digging for turf, clay, sand and gravel. Wattle and daub, cob, earth and mud were used, and stone if available. The later court rolls show fines for cutting down trees without permission.

The economy was diversifying. Settle gained a market charter in 1249 and provided an adjacent regulated outlet for surplus produce from Giggleswick across the Ribble ford or bridge.

The statute *Quia emptores terrarum* of 1290 made it lawful for every freeman to sell his land and tenements maintaining the same conditions of service and customs. From this date no more manors could be created.

Henry de Percy was in 1311 granted free warren in Setel, Gygleswyk and other local places.

His Inquisition Post Mortem in 1315 has *Gigleswyk* noted as a hamlet with a capital (high status) messuage. The section of the Inquisition for Giggleswick says that there was a capital messuage valued at 5s, 15 acres of land in demesne at 8d per acre, 12 acres of pasture in demesne at 20d. A water mill was rented at 66s 8d. Then follow five free tenants holding tofts, bovates, crofts, and assarts with free rents of one pound of pepper (Laurencius del Banke) and one pound of cumin (Petrus de Keld) respectively. The other free tenants were Adam de Palay, Laurencius Carpentarius and Ricardus de Saileberhg.

Tenants ‘ad voluntatem’, i.e. tenants-at-will, are given next as simply ‘several’ tenants who held nine tofts and eleven bovates valued at 6s each bovate, total 66s so must be eleven tenants. In addition there were three bonded tenants who hold one toft and three bovates, each charged 6s. Finally in Giggleswick several cottagers held five tofts, three bovates and two acres for 60s, presumably also 6s each, making ten tenants.

A tentative total of 31 tenants suggests a population in Giggleswick village of about 140 in 1314. The 1379 Poll tax lists suggests about 200 inhabitants. Only at this point in time with this Inquisition Post Mortem do we have some idea of the make-up of the population of Giggleswick by ordinary people.

Scottish raids

After the battle of Bannockburn in 1314 won by Scots came the plundering of Craven, in 1316, 1318 and particularly in 1319. Eleanor, wife of the late Henry de Percy the overlord, had to tell the king that ‘*the said towns were burnt by the Scots rebels, and the goods and chattels of the men of the aforesaid towns partly destroyed and partly stolen; so that they cannot pay the taxation of the said tenth of those goods.*’ The towns referred to were ‘*Setel, Gigleswick ... Stanford, Langclif and Rowthemell*’. The inhabitants presumably took to the hills while their simple houses were destroyed and animals stolen.

The Black Death, 1349, and the 1379 Poll tax

The Lay Subsidy tax of 1334 gives only the total amount of tax paid communally by Giggleswick (29s) without names of inhabitants. Assuming that each family on average paid a few pennies a population of the order of a few hundred persons can be guessed.

Body lice and fleas on rats caused the Black Death havoc in most of England in 1349. Giggleswick was relatively remote from large population centres but travelling merchants and artisans might have brought the disease to the village, harboured in cloth and clothing. For other places in England the Poll tax lists of 1379 compared to earlier lists enabled the Black Death loss of population to be estimated at around two thirds. Similar estimates of Giggleswick population size in 1315 and 1379 suggest that losses were small or even that the Black Death did not reach Giggleswick. The main impact in England was a labour shortage and pressure on landlords to give way to peasant demands on rent and liberty.

Much land became available. The bargaining power now lay with the peasant – if he had any money. Peasants must have had some cash at their disposal from wages as labourers or sale of goods to have been able to pay taxes. Some very few fortunate survivors might have accumulated land by inheritance and sufficient money to buy their way into free tenant status.

The Poll tax list of 1379 is extant for Giggleswick. There are 53 entries, all charged the standard rate of one groat, 4d, except for Johannes Tailliour and wife 6d, Johannes de Bland and wife 6d, Ricardus de Bank 12d and Laurencius del Armetsted, frankleyn and wife 40d.

Esquires (wealthier yeomen) were rated at 20s, 6s 8d or 3s 4d (40d). There were 11 single persons and 42 were married couples. Only one, Johannes *serviens* Willelmi de Laukland, is named as a servant. Tradesmen and artisans were charged at 6d or 12d. Just a few names are suggestive of their occupation – Walterus Forstr, Robertus Baillieman, Nicholaus Skinner, Johannes Tailliour, Willelmus Clerc, Johannes Hunter, Henricus and Johannes Vicarman – but many were named after their place of origin. Laurencius the frankleyn (free landholder but not noble) is a freeholder renting his farm and rated at 40d – the lowest possible rate for his rank. His name is not seen in the 1420 court roll. It seems unlikely then that any outlying farmsteads at this time were peopled by wealthier families, except for Laurencius at Armitstead.



Armitstead Hall

There is no mention of the lord of the manor as a non-resident in 1379. In addition there must be an unknowable number of persons too poor to pay any tax. The population count is therefore 95 (i.e. 42 couples plus 11 singles) plus the number of children under the age of 16 (50 or so) plus the poor. The number of houses was about 40 to 50 at a reasonable guess and a total population of say 200 to 300.

The poll tax was much hated and very oppressive and the final straw came with a third consecutive demand in 1380. The villagers simply could not pay the tax. The Peasants' Revolt ensued in the south east of the country. It is hard to imagine that Giggleswick folk travelled to London to join the failed protest, to be followed by harsh reprisals.

Taxation in later years mainly involved the few wealthier inhabitants. There were periods of somewhat arbitrary burdensome demands at irregular intervals but there was no freedom from taxation!

The time for change

In early days lordship, tenure and service were dominant concepts but ownership, income, rents and profits gradually became more important. In the 1400s and 1500s the peasants were still clamouring for change.

A late medieval typical manor was usually regulated by three types of court overseeing criminal matters (Court Leet with View of Frankpledge), free tenant/freeholders business (Court Baron) and matters of villein/copyhold tenure (Customary Court). In Giggleswick the court rolls are generally entitled 'Court Leet with view of Frankpledge and Court Baron' in which all agenda items were mixed up.

The old distinction between free and unfree was becoming irrelevant with the classes of yeomen, husbandmen and labourers becoming the norm. Up to 1400s most customary land (i.e. not freehold) was held in 'villein tenure' (unfree tenure) which was a rent package comprising a mixture of cash, payments in kind, and labour services. Servile obligations included the imposition by the lord of the manor of reaping his corn on demand for example which could mean that a tenant lost the opportunity in good weather to reap his own crop, which could sometimes be disastrous for the peasant. Some customary land in Giggleswick was held 'at the will of the lord' (i.e. by at-will tenants) but such tenants had rights of inheritance and could buy and sell land subject to agreed procedures. The tenancy was held year to year without formal written agreement.

The manor court roll for Giggleswick and Settle held in 1420/1 is incomplete and only readable in part but it shows a large number of names, about 70, with no mention of free tenants (on the readable parts). It is not possible to distinguish the tenants of Giggleswick and Settle separately. It also shows that bonded tenants existed, and that the heriot imposition at death of a tenant was demanded:

'And for the price of one cow for the heriot of John Smyth of Giggleswick deceased, who was a bondsman of the lord ...'

Gradually customary land was transformed from villein tenure into copyholds and leaseholds of a more contractual nature with the removal of servile obligations, the copying of transactions into court records as proof of title, and monetarizing of the rent package. The term 'copyhold' is first recorded in 1483, and 'copyholder' in 1511–1512. By the 1500s three forms of copyhold emerged as copyhold of inheritance, copyhold for one or three lives, and tenant-right. *'A bewildering variety of forms and inconsistency of nomenclature'* does not help in clarifying matters. Tenures with rights of inheritance and fixed rents favoured the tenant, while tenures of insecure leases and life tenancies favoured the landlord. In 1922 all copyhold lands were made freehold.

The manor declined as a unit of local control – responsibilities moving to the parish instead – with constables, surveyors of highways and bridges, overseers of the houses and of the poor. Rents were low in the early 1500s since demand for land was low and stable. The lord did not increase the rents of tenants until well into the 1600s when the relationship between lord and tenant made such increases feasible.

A landlord was normally unlikely to end tenancies unless the rent was at risk, for example a widow left on her own to satisfy the conditions of the tenancy. Tenants built houses for their own welfare and comfort and knew that inheritance custom would ensure that the investment was worthwhile. However, landlords required a fine at the end of a lease, and if this could not be paid, the land and house reverted to the landlord. But any unreasonable demand could be challenged in the manorial court as being against custom and practice. Substantial buildings could always be dismantled and removed if there was a threat to the owner.

Riots against enclosure of land by the lord of the manor took place in 1535. In Giggleswick 400 men pulled down dykes and hedges (meaning walls). The term yeoman was coming into use. Yeomen were well placed to exploit land for profit using fixed rents with long leases. The increasing value of wool could also allow generation of wealth and the possibility of buying freehold land if it came onto the market, particularly after the Dissolution of the monasteries in 1536.

There was an inflation spike in the mid-1500s, in part due to the debasement of currency by Henry VIII and Edward VI, leading to concern of landlords dependent on fixed ancient rents to increase income, hence changes in tenures in which rents had been stable for many years. The Giggleswick and Settle manor court rolls for 1543-1598 illustrate the changing state of affairs for the common man.

Freeholders, Free rents and Ancient rents

Freehold land was hereditary or perpetual. The freeholders held their land 'for ever'; in other words there was no known date by which the tenancy would end. The subject of rents they had to pay is a legal minefield. The lord could not arbitrarily increase the rent or fines of a freeholder so could not dispossess any freeholder of his house by this means.

Freeholder is a term first noted in the Domesday book. Free tenants were in possession of freehold property – many owing military (knight) service. In addition they paid small fixed rents of cash, or non-monetary items with non-negligible value such as a pound of pepper (worth 2s in 1579), cinnamon, cumin, white gloves, etc., or items of no monetary but symbolic value such as a red rose. All these were fines of freehold fixed by deed since the 1200s or 1300s. Rent of assise is an ancient term for the small reservation on original grants of freehold where rents were assised by the lord to a fixed value. Money paid in silver was called white rent and the non-monetary items black rent. This 'free rent' was a legal nicety to legalize a rental contract, not necessarily demanded by the lord, part of the developing land law of the time to prove certainty of tenure. Medieval fines had the effect of conveying freehold or copyhold property from one party to another, for a monetary consideration.

Knight service meant liability for wardship, which could be disastrous for an estate (an inheriting minor having his income taken by a ward). Freeholders had duties to serve as voters and jurists as far away as York Assizes which were felt to be onerous. Further issues were the return of property to the lord when the freeholder died without an heir, guardianship of a minor, and control over the marriage of an heir. On death and inheritance all tenants paid a *heriot*, later changed to a relief (*relievium*), which meant creation of a new tenancy paid by the heir. Freeholders were not subject to all the customs of the manor as were other tenants. The requirement to give military service to the lord is exemplified by the Flodden Roll of 1510 which lists 20 men in Giggleswick who might have fought with Lord Clifford in 1513. This number is much larger than the number of free tenants. Robert Stackhouse has a bow, a horse and is fully able (fully equipped) but the 19 others have only a bow or a bill.

These servile conditions (including military service) were gradually negotiated and commuted to annual fixed rent in the 1300s and 1400s becoming known as 'Ancient rent' (*aka* reserved rent, fee farm, chief rent, high rent, rent-service). These are called quit rents if not subject to any services, otherwise called chief rents paid by freeholders. They had to have been paid from time immemorial without change. In 1579 the free rent varied from about 5% to 20% of the ancient rent. The difference between ancient and customary rents is small. These ancient rents persisted for centuries. In 1826 the Duke of Devonshire (who inherited the Percy/Clifford estates) sold the ancient (reserved) rents of Giggleswick to the Revd. John Clapham, two of which also included 1/4 lb of pepper.

The purchase of a freehold property might be made by way of a conveyance (or copy in the manor court rolls). The manorial lord held the freehold of his manor and if he sold freehold tenements to tenants they became freeholders in their own right (at a cost of £5 to £10 perhaps).

Enfranchisement to change a tenure of some tenants to freehold status could be used to raise capital money for the lord or increase his income. But freeholders were subject to some duties which were not all advantageous so freeholding was not sought by all tenants and some sought to exchange freehold for the greater convenience of long leasehold. Some thought it better to be a tenant of a reasonable, good, lord than a freeholder. For example, Thomas Browne of Rathmell had purchased his freehold but then voluntarily relinquished this, *'he being verie poore and unfit to indure the charges and yearlie troubles that freeholders in that County are usually put to that dwell distant from the Assizes at Yorke'*. Presumably he sold his freehold property to his lord or someone else and took on a new tenancy from the lord.

A free tenant had to be available for jury service for the manor court and could be fined a few pence for three consecutive non-appearances at the twice-yearly court sessions. He would wish to be involved in making agrarian by-law so attendance was important. Some named as freeholders in court records are not listed as free tenants – but perhaps held both free and unfree tenancies.

Since 1430 those holding freehold property worth at least 40 shillings a year, and aged 21-70, were able to vote in both local and parliamentary elections. From 1696 they were also liable for jury service at Assizes, Quarter Sessions etc. so parish lists of such forty shilling freeholders were drawn up, with the value of the estate and where it lay. Information on Giggleswick and Settle is unfortunately lost but in the late 1500s few, if any, in Giggleswick were paying 40s or more in rent.

Most freehold land passed down through the generations by inheritance until lack of heirs meant that it could revert to the Crown for sale to someone else. If it passed to another family it was usually through marriages of heiresses. A common description of hereditary freehold land was 'land of inheritance'. There was no real market since there was virtually no supply. There was also a lack of ready money. At the time of Dissolution of the monasteries in 1536 much ecclesiastical land was placed on the market by the Crown and bought at seemingly advantageous rates by speculators with money to hand. However, a land glut then meant that some fingers were burnt. Nicholas Darcy who held Langcliffe manor is a case in point.

The term freeman became associated with apprenticeships via guilds in towns, purchase of freeman status from a guild, and patrimony and was not a meaningful term for those in farming communities. The Welsh custom of *tŷ unnos*, which translates as 'house in one night', was commonly-held folklore across Wales between the 17th and 19th centuries. It held that if a squatter could build a house on common land between dusk and dawn, then the occupier could lay claim to the legal freehold of the property. This notion has no basis in law.

The later court records show that some free tenants disappear from the list, then return, as years go by, suggesting that property changed hands for short periods with a new occupier becoming a freeholder for that period as a result. Despite some onerous obligations the number of freeholders in Giggleswick gradually increased. The same increase was seen in Settle. Where freeholders were living is rarely given. In summary:

1315 5 freeholders out of c.31 tenants (IPM Henry de Percy)
1499/1520 12 out of c.52 (Clifford rental survey)
1572 11 out of c.71 (Clifford rental)
1579 9 out of 82 (Giggleswick court roll Verdict)

1598 23 out of 85 (Court Roll)

1603 14 out of 81 (Court Roll)

Customary tenancies

Records of non-freehold transfers are found in wills, deeds, leases, rentals and court rolls. Customary land tenures with any dues of menial service to the lord were becoming unsustainable after rent increases, national taxes and war aids. The specific rights and duties of copyholders varied greatly from one manor to another and many were established by custom. Those holding customary tenancies in Giggleswick were tenants at-will (*ad voluntatem domini et secundum consuetudinem manerii*; at the will of the lord and to be interpreted by the custom of the manor). The phrase ‘at the will of lord’ did not mean that the land was vulnerable to seizure and tenant eviction on the landlord’s whim, because lords had to, and did, respect the qualifying terms upon which it was held, such as the contractual length of the term or the customary right of an heir to inherit.

In northern England many of the villeins of the middle ages after about 1500 came to have customary tenure in the form of copyhold known as tenant-right. In Giggleswick most tenements from around 1500 were held by tenant-right. Tenant-right involved payment of fixed rents and variable fines with a guarantee that the tenant could hold an inheritable tenancy from someone else. On payment of a fine the tenement could descend to an heir or it could be assigned to another as if the land were freehold without undue formality. The manor court enrolled agreements and fines payable. There was an obligation to undertake some services including border service against the Scots. Usually there was a right to take wood for which they paid a small yearly ‘rent’, typically 2d (*fatetur viridum* - cutting greenwood). As an example the Giggleswick manor court rolls record that in 1598 ‘*Henry Tailor has not done his boon-work in carrying a mill-stone with his oxen*’. In 1587 several tenants ‘*have withdrawn their grain from the lord’s mill without cause or licence. Each fined 3s 4d.*’ John Rayne in his will of 1548 bequeathes ‘*... the title and tennante right of my farmhold with the licence of the lord*’. Similarly Thomas Armistede in 1571 ‘*I give the title and tenant ryghte of my tenemente unto my sonne with the licence of the lord.*’

As long as the copyholder performed his services and paid his dues he had the same permanent interest in his estate as if it were freehold.

After the 17th century tenant-right could not be newly created. As the actual value of fixed rents decreased over time due to inflation, landlords, particularly the Cliffords in debt, were keen to replace tenant-right with the more lucrative leasehold system so there was a steady replacement from the 16th century.

Tenant-right holders of lands worth £10 or more were liable for jury service.

Leases and Warrants

After 1500 leasehold agreements for a given time period became common and were freely negotiated contracts recorded in indentures: the lessee entered into a contractual relationship free of feudal obligations. They more accurately reflected the value of land and gave a family protection against sudden and unexpected fines. Long leases were sought (thousands of years) but short leases were the first steps to purchases.

The pressure for change was felt by the current Henry Percy, lord of the manors of Giggleswick and Settle in the 1540s, who, in order to raise capital altered his tenancies to warrants – fixed rent leases which terminated on the death of tenant or lord but with irregular payment of fines of a few year’s rent. Income from ancient rents was fixed and inflation was

reducing their value. Warrants contained covenants for good behaviour (concerning game poaching), military service when required, and property repairs. Warrants were contractual in nature and allowed the lord to adjust to market circumstances and to control transmission of land between the generations. Tenants had liberty to settle their own affairs in the manor court. The Book of Demise in 1553 shows five out of eleven holdings of messuages or meadow by warrant with entry fines (*gressums*) of 6s to 83s. In 1585 '*Thomas Browne son of Barnard shows the lord's warrant for one messuage etc. at Close House Field in Giggleswick*'. Thomas is listed as a tenant at-will.

Percy and Clifford rentals

The overlord Percy family had a rental survey made in 1499, revised in 1520. The Giggleswick freeholders (*liberi tenentes*) are listed with details of what land and property they held and the free rent paid. Six paid for messuages, and two for cottages. Several persons had more than one residence so sub-letting is evident. The freeholders were John Banke, Rafe Proctor, William Armysted, Thomas Lynsey, Richard Tennant, John Kettlewell, Peter Proctour, Olyver Hermysted, Rychard Stakehouse, William Skarburgh, Roger Newell and William Gaysgill.

Following these are listed the *ad voluntatem* (at-will) tenants. About 40 are listed, paying rent for messuages, granges, lodges, cottages, corn and fulling mills, shops and land. Messuages were houses with a stake in the open or townfields. The lodges were the named farmsteads at Armitstead, Close House, Mewith, Paley Green and Roome and were simply secular small farms. New improvements were also noted for messuages and shops built on the lord's ground. Reynold Jakeson was charged 2d for building a cottage on waste land. Rychard Tennant was charged 22d for two shops built in Giggleswick. Olyver Burton paid 2d for a new cottage built by him. Thomas Bukden was charged 2d for building a house on the lord's ground in Settle containing 30 foot in length and 12 foot in breadth.

In all there are 18 messuages, 21 cottages, 10 lodges and one grange listed. The total of 50 premises suggests a population of about 200 to 250. That there are 10 lodges suggests that all the separate farmsteads now known outside the village were in existence at this time. By comparing tenant names and rents paid in the 1499 Percy rental list and the successor Clifford list of 1579 it is possible to determine the occupiers of these lodges.

Cocket was freehold in 1499 held by William Skarburg and Roger Newell, and by Thomas Browne in 1579.

At-will tenants:

Armistead was held by Thomas Ermysted in 1499 and by William and Roger Armysted in 1579.

Close House was held by the wife of John Browne and Roger Carre in 1499 and Thomas Browne in 1585 and Adam Carr in 1579.

Craven Ridge was held by Emmotte Lyndsey and Richard Carr in 1499 and by James Jacks in 1579.

Fieldgate was held by Sir Thomas Tempest in 1499 and by John Foster in 1579.

Grainhouse was held by Adam Carre in 1579.

Mewith (Routster) was held by Henry Taillor in 1499 and (another) Henry Taillour in 1579.

Mewith (Tipperthwaite) was held by Elyn Wilson in 1499 and William Wilson in 1579.

Paley Green was held by Thomas Paley in 1499 and (another) Thomas Paley in 1579.

Rome Houses was held by Robert Falthropp and Thomas Taillor in 1499

and by Rawlyn Falthropes and (another) Thomas Taillor in 1579 and 1585.

The rental in 1572 shows John Burton holding a cottage for which he pays 2s/a. This was granted to him by James Iveson in return for educating Joan Iveson his daughter during her minority. Furthermore John has paid the lord for a licence to marry Alice Iveson, the late James' wife, and to occupy a tenement in Skipton. (A freeman was free to marry without permission). The same rental also shows that there was a fulling mill in Giggleswick shared by several parties, an 'Oven House' at Hunthwaite (a drying kiln), and a corn mill.

The Clifford rentals from 1550 to 1579 for at-will tenants for different mixtures of messuages, houses, cottages, barns and land range from about 30s down to 1d. A multi-parameter linear (hedonic) data fitting procedure for 174 entries yields a rough guide to rates:

messuages: about 8s to 11s

barns: about 2s

houses: about 2s to 5s

cottages: about 4s 6d to 8s

land: a few old pence per acre

The quality or nature of each of these types of property is unknown so it is not surprising to see large variations. Some houses were rated at only a few pence; what is meant is probably outhouses and animal shelters rather than dwelling places. They may have been of low status since it is implied that in 1579 all *houses* in Hunthwaite had decayed. The acreage is often noted as oxgangs, being 8 per carucate. Oxgangs are variously 14 to 19 acres in these rentals as quality varies.

By listing details for 1572 in order of total rents of at-will tenants there were 14 leases for between 30s and 20s, 16 between 20s and 10s, 6 between 10s and 5s, and 66 for rents less than 5s. This suggests a wide variety of income and wealth of the inhabitants. Those paying the most rented a messuage, a barn, houses and some land.

The 1603 Rental of Clifford Lands shows fourteen entries for freeholders in Giggleswick including '*Christopher Shute clerk and his fellows*' due to pay one pound of pepper. There follow four entries for '*fee farm there*'; 51 by indenture; 6 by warrant; 6 at-will tenants; 14 paying for small improvements. The total is 81 tenancies excepting the small improvements which might mean a population of about 360. By 1825 the population was about 750.

Houses

A capital messuage was noted in Henry de Percy's Inquisition Post Mortem of 1315 but should not be considered to be a manor house in Giggleswick since the lord of the manor lived elsewhere.

The development of buildings meant to last for generations of occupancy may have led to the emerging importance of legally defined property in relation to land holding and inheritance. The sanctity of property was the basis of economic prosperity requiring that property could be held without legal challenge. Eviction of tenants and razing of their houses to allow land to be used for sheep rather than arable farming was carried out elsewhere but there is no evidence for this happening in Giggleswick.

People built their own houses, sometimes with cruck timbers supplied by the lord together with sticks, clay, turf and thatch, straw, bracken or ling or with some stone and slate (smoke diffusing through the roof material, not through a hole). Houses were constructed with the help of neighbours and perhaps experienced carpenters and plasterers.



Cruck construction with two angled timbers

The lord could demand that tenants repaired any houses in decay, providing some timber if necessary. Many of the simple dwellings just fell apart after some years. At Huntewhaite (Huntworth) there are *'no houses for they are all gone and none left, for lack of great timber'* (in 1579).

Tenants might complain of inability to pay for repairs and put pressure on the lord who needed to keep barns and other buildings in good condition to attract any new tenant. Miles Melling (in 1557) had a warrant and was expected to *'repair and sustain his tenement in all ways except timber'*. Richard Brown and the widow of Augustine Wilson were charged 12d each because they *'have had wood called watling delivered to them by the lord's official for the repair of their houses, and therefore they should pay for the wood ...'* (*Wattle: Stakes or rods interwoven with twigs or branches, used in house building and to make hurdles and fences*).

'William Preston did not sufficiently care for the thatche ...'

Crucks were oak timbers (18d a pair) which did not rot easily or quickly so they were likely to be very old before replacement. The manor court records of the 1500s must refer to repair of houses built many years earlier. There were no chimneys before the mid-1500s and no glazing before 1600. In 1596 *'William Hine shall heighten and raise the pipe of his chymney by one yard at least.'* There is a suspicion that he operated a smithy. Wealthier free tenants may well have built cottages for rent on their own land for labourers working for them. A statute of 1589 said that every new house had to be provided with four acres of land for a family.

In the late 1500s the manor court rolls instance cases of house and barn repairs needed with supply of timber and crucks reported by the four elected Overseers of Houses.

'Timbers delivered for repairing the houses of John Howston ...'

'The barn of Thomas Browne of Closehouse is in decay for want of great timbers, that is to say three ribbs and sparres and eylinges for a mow stead and a jetty 21s 1d'

‘The mansion house of Thomas Remyngton is in decay for want of great timbers, that is to say one crock, one astree, certain ribs, sparres and eylinges 2s 6d.’

‘The barn of John Burton at Hunthwaite wants three paier of crockes, ribbs, sparres and eylinges 6s’.

‘They seek that the lord’s woodward deliver the necessary timber’.

William Foster was fined 3s for *‘cutting down three ashes in his garden, from necessity, to repair his house and barn then in decay.’*

A tenant had generally only to present changes of possession to the manor court for approval. In 1598 the manor court roll gives an example of a free tenant recording the sale of his house. *‘William Newhouse, late of Giggleswick, who held freely, of the lord of this manor, diverse lands and tenements in Giggleswick, has, by his deed dated 30 April 39 Elizabeth, given and granted to a certain James Falthrop, his heirs and assigns for ever, One capital house or messuage, late the house of a tenement called Catteralls held at an ancient rent of 34s, two gardens adjacent to the same house, lately in the tenure of Robert Carre, One other house, one garden and barn adjacent to the same capital house, then in the tenure of Richard Browne ...’.* *‘The premises are held of the lord of the manor, as of this manor, for military service.’*

Several wills leave legacies of money, timbers and crucks for use in housebuilding. The will of John Braishey of 1597 (a tenant at-will) says that *‘whereas I have entered to buy... a field house and had bought oak wood whereof certain trees lie at my house and the rest in the west I will that my son Richard shall have the same trees therewith to build the same house.’* A new house and barn built with stone walls, timber and a thatched roof cost almost £7 in 1441.

The manor court records show about 85 tenants in the late 1500s suggesting a population of near 400. The Hearth tax of 1672 indicates the number of houses in the manor. Eight houses had 5 or 6 chimneys, ten had 3 or 4, twenty had 2 chimneys and fifty two had just one. Included are eight people too poor to pay. These 90 houses also suggest a population of about 400 persons. The highest payers with 4 or 5 chimneys were:

Anthony Lister, Thomas Clapham senior and junior, Hugh Stackhouse, William Paley, Lawrence Lawson, William Bankes, Robert Bankes, widow Foster, Thomas Carr, Francis Read, William Palley, Stephen Frankland. The parish register is not helpful in matching the occupants of named houses with these names in 1672, even though the tax was to be paid by occupiers, but some dated doorheads can be associated with the Hearth Tax names. Houses in Giggleswick with dated doorheads first appear in 1642 and more followed in the later 1600s suggesting security of tenure and inheritance.

Education

Giggleswick’s free *‘gramer Schole’* was established by James Carr, chantry priest, in 1507. It was originally intended to train scholars for the universities but by the mid-1500s *‘the education of the abundant youth in those rude parts’* was the norm – an elementary education at no cost was provided. Local boys were lucky to have such opportunity, with some prospect of having a career in the church after university, or in the law by attending the inns of court. Scholarships to Christ’s College Cambridge, and later St John’s were available. Apprenticeships for trades, local and far afield, were a possibility for self-improvement but

both these and further education cost several tens of pounds, perhaps out of reach for many parents.

Literacy was limited; wills needed a signature or mark made in the presence of witnesses and these suggest that in the 1500s and 1600s only a small fraction of men could sign their names with confidence in the presence of others.

Women and children

Apart from Eleanor, wife of Henry de Percy the overlord, in 1319, and Lady Anne Clifford in the 1600s, few women get any mention in the history of Giggleswick. What information we have is gleaned from the parish register, 1558 onwards, a few wills, and records in the court rolls of the unsocial behaviour of some women (amongst many more men).

In the 1500s and 1600s life expectancy was about 30 to 40 years. About 20 to 30% of all children died in the first year of life. Of those who survived, some could live to 80 years old. Married women show a marked peak in deaths between the ages of 30 to 40, probably mainly due to childbirth problems.

Only single women and widows could make wills (i.e. not married women) but could continue a tenancy when their husband died. If the tenancy was taken up by the eldest son provision was usually made in a will for the widow to have a room in the house and to be maintained. Widows rarely held land in their own right but based their title on their husband's or son's warrant. Only with The Married Women's Property Act passed in 1882 did women obtain more freedom in their affairs. Women were excluded from political office and positions of authority.

Inheritance

From earliest times all the land in England belonged to the Crown. The Crown, the tenants-in-chief and the manorial lords all had a financial interest in knowing who was in possession and had uses of land. Before the Norman Conquest inheritance was by the Saxon system *gavelkind* – land being divided between all sons equally, with various social consequences. The Normans developed the use of surnames to ensure inheritance rights.

Land might change hands by sale or by marriage of heiresses but more commonly by inheritance on death. After the Norman Conquest interests in land and property descended automatically to the deceased's heir when he had competent living relatives who survived him, subject to the rules of primogeniture. Primogeniture became the normal rule in northern England – the eldest son inheriting the tenancy. If there were no living relatives, land would escheat to the Crown. The law makes a clear distinction between real property and personal property. Real property is immovable. It includes the land, everything that is permanently attached to it, and the rights that go with the land. Personal property is movable. A testator in his will could choose who should inherit his personal property – but church law required at least one third to the widow and one third to children.

To get around any restriction owners could transfer land to trustees for use and benefit of a specified person. The Statute of Uses in 1535 prohibited this method but the Statute of Wills in 1540 allowed most real property to be bequeathed in a will to anyone of the testator's choosing. In 1661 this applied to all land (Tenures Abolition Act of 1660).

Land possession had its hazards. The death of a wealthy freeholder led to an inquiry (*Inquisition post mortem*) into what estate was held, what it was worth, what conditions of tenure obtained and who was the heir and his or her age. If there was no heir of age to inherit, the Crown (via the Court of Wards) or the lord of the manor could take the income of the estate until the heir came of age (21 for a male, 14 for a female). By which time the estate could have been much wasted. For Giggleswick the only relevant Inquisition extant is that of Henry de Percy, overlord, in 1315. The Court of Wards was abolished in 1660.

Tenures Abolition Act 1660

The Act ended the practice of estates requiring free tenants to provide military or religious service, and most freehold tenures and others were converted into 'free and common socage' - a free tenure of land held by services of an honorable but not spiritual, military, or servient nature. 'Common socage' usually required services only of an agricultural nature, such as ploughing for the lord for some days a year – known as boonworks.

Services and boons due to the resident lord in Rathmell are mentioned in documents of the late 1600s and into the 1700s showing that tenants could have obligations such as mowing, harvesting, carting turf, grinding corn at the mill (mulcture) and similar activities on a few days in the year.

The last vestiges of feudal land tenure were swept away by the Law of Property Act, 1925.

The do's and don'ts

One had to be careful what one said, did, ate and wore for many centuries. The freedom to speak one's mind could be limited. Even the vicar Christopher Shute was fined 3s 4d in 1590 for not scouring the Sowter Close Dike near the vicarage garth. From Norman times the system of 'view of frankpledge' comprised a group of ten or a dozen households in which each member was held accountable for the good conduct of neighbours. One could end up in court with a fine for unsocial behaviour. A sort of (1984) spy system was in place. The practice declined in the 1500s and constables were appointed instead to oversee behaviour. In 1580 Thomas Banks complained about William Rome who said '*Thow Thomas Bankes art a false porkie theyf (fined) 34s 11d*'. In 1595 '*Isabel Waters, now in the hospitality of Hugh Sailbank, is a woman of bad conversation and gestures and a scold, a gossip and a scandal-monger, and disquiets her neighbours and disturbs the peace. Hugh under a penalty to eject her. 3s 4d.*'

What you could wear and what you could eat were subject to legal constraint. Sumptuary laws were passed to maintain a class structure. The improved living standards after the Black Death in 1349 saw '*peasants dressing far better and more fashionably than was right and proper*'. The Act of Apparel was passed in 1363 to stop the lower classes wearing similar fashion to the elite, brought on by the higher wages and wealth of the peasants. But this act was repealed in 1364. A second act followed in 1483. Just about the only person who would be seen in Giggleswick in fine clothes was the lord's steward twice a year when the court met.

A medieval statute forbade men with less than 40s a year to own dogs capable of hunting the King's deer (but not smaller animals).

In 1571 Parliament passed legislation to boost the domestic wool industry, which found itself in dire straits. A law was passed forcing all non-nobles to wear a wool cap on Sundays and

holidays. Lawbreakers faced a 3-farthing fine. This law was absurd even in its day, and Parliament repealed it in 1597. The manor court roll in 1596 records that ‘*various people did not use caps of wool on Sundays and feast days contrary to the form of the statute. (fined) 7d*’. This offence is recorded only rarely by the court. To help the English woollen trade, after 1667 everyone had to be buried in woollen rather than linen shrouds, on pain of a £5 fine. France provided a third of the country’s linen, England’s second biggest import. The law was gradually ignored and the Act was no longer enforced after 1814, although it was only repealed in 1863.

The medieval church restricted the eating of meat on several days, but in 1549 Edward VI re-established Fridays and Saturdays as non-meat days. In 1563 Elizabeth imposed fasting on Wednesdays. Heavy fines for non-compliance could follow. As for eating meat and fish, the inhabitants were lucky to have such meals any day of the week. The laws were mainly ignored and no-one was ever convicted of law-breaking. Such laws were repealed as late as 1782. In 1517 laws spelled out the kinds of meats and number of dishes per meal that each class could serve.

‘ ... no man, of what estate or condition soever he be, shall cause himself to be served in his house or elsewhere, at dinner, meal, or supper, or at any other time, with more than two sources, and each mess of two sorts of victuals at the utmost, be it of Flesh or Fish, with the common sorts of pottage, without sawce or any other sort of victuals’.

Cardinals could serve nine dishes. Dukes, Earls, and bishops could serve seven.

You could have only one fire(place) per tenement except as agreed and paid for so that the lord did not lose rent by sub-letting of part of the house. You could not ‘*lodge or harbour any foreign women beyond three nights*’ (or be fined 6s 8d). Foreign meant from outside the manor. You could not play ‘picture cards’ during the reign of Philip and Mary. In 1598 Thomas Remyngton, shoemaker, was fined for keeping a house of illicit (card) games.



https://commons.wikimedia.org/wiki/File:Adriaen_Rombouts_-_Peasants_drinking_and_playing_cards_in_a_tavern.jpg

Religious freedoms were constrained by the state. Gradually after the Conquest the church claimed more control of everyday life. It shaped marriage and burial arrangements, and moral

behaviour. Immoral behaviour or slanderous speech was subject to investigation and punishment by church authorities. Up to the time of Henry VIII's break from the Church of Rome the population lived their Catholic lives with some stability but with the accession of Edward VI Protestantism turned many lives upside down for 6 years. Then Mary Tudor reversed course with Catholicism for 5 years, followed by Elizabeth in 1558 with a more superficially tolerant approach to religious belief, except where Catholic resistance threatened her throne. Everyone needed to be careful in expressing any religious beliefs in this period of turmoil. In Giggleswick the names of the clergy are known but little is known about their ministries. John Moone was a chantry priest up to 1538 and Christopher Shute was vicar 1576 to 1626. The first was a committed Catholic and the second has a more chequered and perhaps more worldly history, being subject to censure late in the 1500s for not obeying the rules. The wills of the period from 1327 to 1686 are helpful in charting the several periods of change, showing that the people of Giggleswick parish tended to hold to Catholic beliefs to near the end of the 1500s and then showed a changed sentiment towards neutrality or Protestantism.

At the time of the Dissolution of the Monasteries in 1536 a resistance movement, the Pilgrimage of Grace, developed and Giggleswick church was used to announce a muster at Neal's Ing. Local people were much involved, being upset at the threat to destroy Sawley Abbey. Anger persisted when Lord Clifford's son Henry had to flee from the church when he tried to attend mass, confronted by the angry congregation. Inhabitants of Giggleswick took their religious affairs seriously. The lord of the manor was not often seen in Giggleswick but did pass through on his travels between courts and castles.

The introduction of parish registers by Thomas Cromwell in 1538 was felt to be an attack on liberties. He was continually looking for ways to raise money. It was suspected that the registers could be used as a means of taxation. Only after 1558 did the practice of registration become more common across the land and Giggleswick is one of the small number of places for which the register starts in 1558 and survives with only a few blank periods. The information on baptisms, marriages and burials is of great importance to historians.

From pre-Norman times onwards one did not escape taxation after death. The church required mortuaries which were death duties owed to parish priests although supposedly customary gifts. Typically '*my best animal*' or best of other goods owned was given as the mortuary but in the 1500s the phrase '*all that right will*' was normally used in wills. Where a beast was due, the priest often settled for the second-best animal, because the very best was owed to the lord of the manor as a heriot (a duty levied on the estate of a deceased tenant). In 1461 Christopher Altham says in his will '*I leave a horse for my mortuary*'. In 1528, William Tyndale conjured up the image of a poor man's family left destitute by the surrender of their only cow as a mortuary. In 1529 an act of parliament significantly altered these dues to regulate the matter. The number of deaths in the parish per year must have been several dozen so did the priest thereby accumulate a herd of cattle?

The matter of tithes due to the church often caused trouble. The ecclesiastical court in York Cause papers surviving from 1400 to 1857 show cases of very many tithe disputes, breach of faith, validity of marriages and wills, defamation, sexual slander, absence from church, and pew disputes. Since 1552 one had to attend church every Sunday or face a fine. This requirement persisted for perhaps one hundred years but the law seemed theoretically to be in force even in 1842 when the question of prisoners' ability to attend church was raised!

Rights of tithes collection could be bought and sold or leased. Legal disputes continued well into the 1700s. The Tithe Commutation Act of 1836 substituted money payments for tithes in kind and the further Act of 1936 abolished all tithe rent charges.

The period 1642 to 1659 saw civil war and puritanical government by Cromwell. *‘The bulk of the inhabitants (of Giggleswick) seem to have looked on both the contending parties with equal disfavour.’* The peace was disturbed, houses were destroyed and goods stolen by both sides. A return to a more tolerant society must have been welcomed.

A list of 600 -700 seats in Giggleswick parish Church was made in 1677 and amended in 1694. Pew rents helped to raise funds and came into general use in the 17th century as the wealth of a community increased. It is not known what costs were involved but one might suspect that social status was an issue. *‘... pew-rents led to the evolution of freehold pews, kept under lock and key by their purse-proud proprietors, while the unfortunate paupers were crammed into deal benches stuffed into odd corners’.* There are 36 persons named as being of Giggleswick township, some with more than one seat rented for for their family and servants. This suggests a total number of well over 100 Giggleswick township churchgoers with pews, but a number well short of the probable total population size of several hundred.

The lack of freedom to worship as one wished led to religious dissent which was marked in the north of England in the 1600s and Giggleswick was not immune. The rise of religious dissent caused trouble, with a few early Quakers being very harshly treated, including the prevention of education at the English universities. The Methodists similarly were repressed for many years, the treatment of Richard Frankland MA of Rathmell being notable.

By 1603, when Elizabeth I died, Giggleswick inhabitants were free of many irritating menial dues imposed by the landlord or by the Government, and they leased property at rates bargained for according to circumstances. They had freedom to dispose of their property as they saw fit, with some sensible oversight by the manorial court. Although many were involved in agriculture as husbandmen or yeomen, many were artisans such as blacksmith, butcher, carpenter, chapman, cordiner, glover, tailor or weaver. There was a parish church, grammar school, fulling mill, a corn mill, a drying kiln and two inns supporting the community.

Conclusions

An existing small community was perhaps joined by Gigel, an Anglo-Scandinavian with his kinsmen, displaced by turbulence elsewhere in the late 900s, just prior to the Norman Conquest, to become the village of Giggleswick. At the time of Domesday, 1086, Fech is named as the manorial lord but there is no listing of villeins or serfs working the land for him.

After the Black Death of 1349 and heavier taxation in 1379 power shifted away from the manorial lords and tenants clamoured for cash payments to replace onerous services. A class of tenants renting land under conditions of tenant-right developed, overseen by the manor court and local customs. Tenants could buy, sell and lease land, recording the matter in the manor court so that the lord knew who owed rent. Houses were built by tenants themselves and inheritance practice gave security of ownership and prevented lords from dispossessing the owner. Freeholders could not have their rents or fines increased to force them to give up their property. By 1660 most restrictions were lifted by law and freeholding of land became less regulated with more tenants becoming freeholders or having tenure akin to freehold. The various estimates of population suggest a growing number with a few tens at the Conquest

rising to say 400 by 1600. A life expectancy estimate of 30 to 40 years is based on parish register data in the Tudor period, perhaps somewhat lower than the national figure. Famine struck the district in the 1590s leading to temporary low birth and marriage rates together with high death rates. The rate of population growth had been lower than that in England in general and more sustainable as a consequence.

Although in Tudor times one had to behave cautiously to avoid censure and fines by the manor court and church authorities, and told what to eat or wear and when, such restrictions of liberties were mainly ignored or laws repealed as being ineffective.

What remained for several centuries was the fight to secure freedom of worship and for women to play a larger part in society.

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