

## **Introduction**

### **The Background**

This volume is largely concerned with the exploitation of the woodland resource, covering the reigns of Queen Elizabeth I and King James I. It falls within a period of change which began in the early 16<sup>th</sup> century and was finally brought to a conclusion in the latter 17<sup>th</sup> century. During this period the Country was shaking off the remnants of medieval England as it entered the early modern age by way of the Renaissance. Against this background we find growing economic pressures, both in terms of inflation and increasing Crown debts. These problems considerably exercised the minds of government officials, many of whom looked to the Forests as an untapped source of revenue, if only the endemic maladministration of local officials could be brought to an end.<sup>1</sup> During this period government officers began looking at ways to gain greater control over the management of the woodland resource and better preserve them. However, they were to some extent failed by those very officers to whom they committed the care of the woodlands, hence the title of this volume: Preservation and Decay.

Other events of a national and international nature come to light in passing references within the documents. The Dissolution of the monasteries during the 1530s appears through the record of new Crown lessees taking wood in the Forest by virtue of the old rights that belonged to the religious houses which they had since occupied.<sup>2</sup> The Dissolution also created the need for a new system of management, the Court of Augmentations, which later influenced the development of the administrative structure in respect of wood sales. The development of the office of Surveyors General with its parallel administrative structure, the subsequent amalgamation of these two Courts and latterly their absorption by the Exchequer provide examples of the changes taking place at government level.

The split from Rome placed England on a war footing and timber is often recorded as being taken from the Forest for the repair of fortifications. These included those in local towns, on the Isle of Wight and the Channel Islands, and also the new Henrican coastal forts at Hurst<sup>3</sup> and Calshot.<sup>4</sup> These last mentioned forts having been built from stone taken from the dissolved buildings at Beaulieu Abbey. Later, around the time of the Armada, reference is made to the repair of the Beacons at Castle Malwood,<sup>5</sup> near Minstead, at Godshill,<sup>6</sup> and the Nodes, near Dibden.<sup>7</sup>

Despite the naval threat posed by the Armada in 1588 and the later significance of the New Forest for Naval timber little seems to have been felled in the Forest during the reign of Queen Elizabeth I. The sole Elizabethan example was the felling of 200 trees for John Smith, the Navy Purveyor, in 1601/2.<sup>8</sup> It is unlikely that the resource had been overlooked as regular use of Forest timber was being made by the Queen's carpenters throughout her reign. Large-scale Navy felling did of course take place during the reign of King James I, though he still found supplies adequate for an arbour to be built near Linwood to commemorate the killing of his first stag in the New Forest, a place now known as King's Garden.<sup>9</sup> He also ordered the impaling of the 'Green Tree,' presumably the winter leafing oak which later became associated with the death of King William II and was eventually replaced by the Rufus Stone, near Canterton.<sup>10</sup>

### **The Documents**

The central documents in this collection are the Preservators' Returns. They form an extensive but incomplete run from 1570 to 1609; the entire period the office of Preservator existed in its own right. They vary considerably in their physical form and in how the information they contained was recorded. This to some extent reflected the development of the office. Originally, a separate sheet was made out annually for each bailiwick of the Forest. Later, due to a reduction in the number of officers in 1579, each return covered three bailiwicks; later still these separate returns were replaced with a single composite covering the entire Forest (see below).

The returns were duplicates of those kept by the Preservators and which were required by the Exchequer. They were signed and sealed by the Preservators; unfortunately most of these seals have been destroyed with the exception of those on the returns for the years 1570/1<sup>11</sup> and 1571/2.<sup>12</sup> On reaching the Exchequer the Returns were copied into paper books, with the Returns received from other Forests. Only copies from the first four years of the office appear to have survived and it is not clear whether they continued to be copied after that initial period.<sup>13</sup>

The documents held by The National Archives are rather scattered in their distribution but all fall within Class E 101. However, the individual document references do not always reflect the original order, for instance E 101/143/1 includes the Return for the Burley Bailiwick for the year 1572/3

(m.2) which should be with the rest of that years Returns in E 101/142/13. While, amongst the returns of the following year (1573/4), is included an account of repairs for a forest other than the New Forest. Fortunately, this document is included in the Exchequer duplicate book for that year and can be assigned to the Forest of East Bere.<sup>14</sup> Another somewhat stray document is appended to a bundle of Returns made around 1600. This document is an indenture made between William Kynghesmyll, Kt., late Sheriff of Hants, and Frances, Countess of Essex, executrix of the late Lady Ursula ?Passlingham, widow, late Keeper of Freemantle Park, and concerns recovery of expenses laid out by ?Passlingham on the Park before her death.<sup>15</sup>

To place the Returns in perspective, the Commission setting up the office of Preservator, with the Instructions provided to the Preservators, have been included.<sup>16</sup> Two sets of the commission and Instructions exist for the Forest, one for 1567, the other for 1568. The Commission herein provided is that for the year 1567, while the list of Instructions provided is that for the year 1568. The 1568 Instructions were included because this document comprises the standard 13 items as opposed to the 12 items included in 1567. It would seem the inclusion of only 12 items in 1567 was an oversight and that the issue of the second Commission in 1568 was made to rectify this omission. Also included in this volume are two returns, made by the Verderers of the New Forest, notifying the Exchequer of those individuals appointed as Preservators on inauguration of the office in 1570 and of replacements appointed in 1572.<sup>17</sup>

The Preservators' Returns are provided with additional context by the inclusion in this volume of two Accounts made by the Deputy Woodward Francis Bennett. While the former are slightly earlier in origin than the latter the Accounts nevertheless provide additional context for the Returns in that they record similar information but from the viewpoint of an associated officer. The activities of the Woodward were regularly recorded by the Preservators, while the payment of those Regarders undertaking the duties formerly executed by the Preservators is accounted for by the Woodward.

The two Accounts here included cover three years late in the reign of King James I. The first of which, covering two whole years to Michaelmas 1620, is from a private collection and includes the account of the Deputy Woodward for Finckley Forest as well as the New Forest.<sup>18</sup> As the section concerning Finckley Forest is beyond the scope of this series it is to be published elsewhere. The other Account of this period for the year 1623/4

covers the New Forest only. Also appended is an additional Woodward's Account for 1671/2<sup>19</sup> and a Preservators' Return for 1697/8<sup>20</sup> which were identified too late to be included in the Volume 1 of the New Forest Record Series. The Woodward's Account completes a run of such Accounts from 1669/70 to 1672/3,<sup>21</sup> whereas the Preservators' Return provides the latest example of its type that has so far come to light.

Two Decrees have been included in this volume as the information which they contain help to explain the changes that become apparent on the study of the core documents. The first is an Exchequer Decree of 1584.<sup>22</sup> This document has been printed before elsewhere but the sources are difficult to access.<sup>23</sup> The Decree was published in answer to a petition made by the Lord Warden of the Forest, a copy of which, with the Exchequer's notes thereon, is also included as it places the decree in context.<sup>24</sup>

The second Decree is of Royal origin and dates to 1610. Its source can be traced to an inquiry into wastes and spoils of the King's woods in the New Forest ordered in 1609.<sup>25</sup> Also included with the Decree, to place it in context, is a paper by John Norden, Deputy Surveyor General of Woods, which catalogues the abuses affecting the Forest as highlighted in the Inquiry on which he served as one of the commissioners.<sup>26</sup> The Decree seems to have been specifically directed at overcoming the abuses listed by Norden.

Three other anomalous documents relating to the Forest woodlands have also been included as they provide a useful reference point for the other documents in the volume. This first of these is the 1565 Survey of Forest Woodlands by Roger Taverner, then Deputy Surveyor General.<sup>27</sup> This Survey covers the whole Forest by Bailiwick, the woodlands being visited by way of a perambulation; as such, many unidentified place-names can be assigned to certain woodland areas with some degree of certainty. This factor came into play with the place-name Aured in the Bailiwick of Burley. The document is actually an 18<sup>th</sup> century copy of the original, which has not been located. It would appear that the second letter was actually an 'n' but had been transcribed as a 'u'. Thus the correct rendition ought to have been Anred, a contraction of Anderwood, which falls just before 'Batley and Stinking Hedge' a woodland area to the north but almost adjacent to Anderwood.<sup>28</sup>

The complete coverage of and details included in Taverner's Survey provide some interesting material concerning the distribution of trees species in

the New Forest. For instance, once plotted on a map the distribution of Beech appears somewhat more restricted than it is today. This documentary evidence ties in very closely with the distribution of certain rare lichen species.<sup>29</sup> These species are extremely slow to colonise so are still restricted to the historic distribution of Beech. As such they can be used as indicators of ancient Beech woodlands.

The acreages given by Taverner appear to have been estimated for he assigns acreages of 30 acres to both of the Bentley Coppices. However, John Norden writing in 1609 records the contents of North Bentley Coppice as 53 acres and South Bentley Coppice as 44 acres, by a perch of 18 feet.<sup>30</sup> Possibly some of the trees within the coppices had failed and were therefore not recorded by Taverner. However, he makes no mention as to the length of perch he is using and his acreages constantly fall short of Norden's, but not in anyway suggestive of the use of a 20ft Forest perch in the measurement.

The Coppice Survey of 1609 did not cover all the coppices in the New Forest. In a later document Norden listed all the coppices then present in the Forest together with sites suitable for the raising of new coppices.<sup>31</sup> This document has been included in this volume to enlarge upon Sumner's publication of the Norden's Coppice survey.<sup>32</sup>

The last piece of the anomalous material contained in this volume is an extract from a Return of Wood Sales made by an Exchequer commission of 1617.<sup>33</sup> Only that section relating to the New Forest has been included. It is of interest in that it gives an indication of the scale of these Exchequer sales as well as the many place and personal names which it contains, particularly the large number of Forest officers recorded as purchasers.

The introductory section of this volume concentrates largely on the origin and activity of the various administrative bodies and officers involved in woodland management within the Forest. It is hoped to cover the practical management of the Forest woodlands in the introduction to Volume 5 in this Series. That Volume concerns much the same subject and period but from a different viewpoint. Previously published work on that subject has been published by Nicholas Flower<sup>34</sup> and Colin Tubbs<sup>35</sup> particularly as regards the impact of historic management practices on the present day ecology of the Forest.

## **Administrative background**

The documents in this volume derive from the Exchequer, through the office of the Surveyor General of Woods. The development of this office has not received much attention; due, it seems, to the paucity of records. It is hoped that the following paragraphs will demonstrate how the office developed in relation to the New Forest, in particular, and Hampshire in general.

This origin of the office is to be found in the Office of General Surveyors. It came into being during the reign of Henry VII and was formed to better manage the extensive royal estates, many of which had fallen to the King as a result of the Wars of the Roses. Originally the General Surveyors had no specific remit to deal with the woods on those estates, while the management of forests appears to have remained quite separate during this period.

Not until 1512 was a department set up under the General Surveyors, to deal specifically with accounts from the sale of woods.<sup>36</sup> The department was however restricted by a clause to protect the interests of the Justices of the Forests in making wood sales.<sup>37</sup> This section of the act continues to occur in later updates of the Act and in the 27<sup>th</sup> year of Henry VIII (1535/6) the Act was made perpetual.<sup>38</sup>

The earliest known names associated with the office are that of Sir William FitzWilliam, senior and Sir Richard Sacheverell. Both were appointed in 1521 and are described as ‘Surveyors of Woods and Forests this side Trent’.<sup>39</sup> Later, in 1530, they were appointed jointly as Chief Justices of the Forest Trent South.<sup>40</sup> This would suggest a close working relationship between the two authorities until at least 1534 when both men died.

The picture is complicated by the appointment of another pair of officers in 1523; this despite the continuation of FitzWilliam and Sacheverell in their posts. The new officers were Sir John Mordaunt and Sir Roger Wiggeston; they were described as General Surveyors of Woods in all Crown Lands.<sup>41</sup> They continued in post until the summer of 1532, when they were replaced by Thomas Cromwell and Sir William Paulet.<sup>42</sup>

The relationship between the two sets of officers is unclear, possibly the answer is to be found in the formation of the Court of General Surveyors in 1542, which was in reality a reorganization of the pre-existing office of General Surveyors. It included a Master of Woods and a Surveyor of Woods,

the former being the senior officer.<sup>43</sup> It seems likely that FitzWilliam and Sacherevell were actually Masters of Woods. Of course, it is possible that neither set of officers were Masters of Woods; or that the office had not at the time of their appointment come into being. The other officers seem unlikely candidates as Paulet was appointed Master of Woods in June 1541, suggesting that he did not hold the office prior to that date.

Paulet's rise in influence as regards the administration of the Crown's woods is interesting as it demonstrates the crossover that appears to have existed between Forest Justices and the embryonic 'office of woods'. He was actively involved as early as 1526, when he issued a warrant for felling in the New Forest.<sup>44</sup> Presumably he was acting as deputy to the Chief Justice of the Forest at this time. Certainly, he was acting in that capacity by 1534,<sup>45</sup> and probably when giving orders for the New Forest, in September 1537.<sup>46</sup> As mentioned above, Paulet had been appointed a Surveyor of Woods in the summer of 1532, and then Master of Woods in June 1541. Finally, in 1545, he became Chief Justice of Forests, Trent South, which post he probably held until 1550.<sup>47</sup> Similarly Thomas Cromwell was appointed Chief Justice of Forests, Trent North in 1537;<sup>48</sup> he had been a Surveyor of Woods since 1532.

To confuse matters more, the newly established system of chamber administration arose at this time. The first important development being the creation of the Court of Augmentations in 1536 to deal with the lands of the suppressed monasteries, after Henry VIII's break from the Catholic Church in Rome. While this did not impact on the management of woods within the New Forest, it did lead to the creation of a separate wood sales department to deal with the management of the woods of dissolved houses. Also the post of Woodward seems to have become associated with this Court, as indicated below (see page??).

The Court of General Surveyors, formed in 1542,<sup>49</sup> replaced the old office of General Surveyors and as such claimed an interest in the forests. With the creation of this Court the distinction and succession of officers becomes easier to follow. The senior officer was the Master of Woods. The first Master, John Mynne, was appointed in January 1542, though he died in 1543 and was replaced by Robert Henneage. The latter's account for 1543 is interesting in that it lists the arrears due from previous accountants. These dated back to the late 1520s and noted John Mordaunt and Roger Wiggeston,

followed by William Paulet for the period from 1533/4 to 1541/2, ending with John Mynne.<sup>50</sup> It would suggest that the use of titles was somewhat indiscriminate in this early period as Mordaunt and Wiggeston were 'Surveyors', Paulet was a 'Surveyor' first, then later a 'Master', whilst Mynne and Henneage were both described as 'Masters'.

In 1547 the Court of Augmentation, Court of General Surveyors and also the Court of First Fruits and Tenths were united as one court, retaining Augmentations as its name.<sup>51</sup> Despite the fact that both the Court of Augmentations and Court of General Surveyors had wood sales departments no wood sales officers appear to have been dismissed. But, over two thirds of the county officials, mainly auditors and receivers from the Court of General Surveyors, were relieved of their posts.<sup>52</sup> Rather, the officers were divided upon the line of the River Trent, which had been a jurisdictional division throughout the medieval period and was also used as the boundary between the two territories of the Justices of the Forest. South of the Trent the Master of Woods was Sir Thomas Pope until 1549 when he resigned in favour of Sir John York, while the Surveyor of Woods was Sir Geoffrey Gates until his death in 1550 when he was replaced by Sir Francis Jobson.<sup>53</sup> Consideration was certainly given to the number of staff employed by the new Court of Augmentations in an attempt to reduce overheads but little appears to have been done at the time. In 1551, two Masters of Woods, two Surveyors of Woods, 44 County Surveyors and 26 Woodwardes were recorded in the Court.<sup>54</sup>

Major lasting changes were finally made in 1554, when the Court of Augmentations was absorbed into the Court of Exchequer. The posts of Master of Woods and Surveyor of Woods were replaced by a single officer entitled the Surveyor General of Woods. This new post was filled by promoting Sir Francis Jobson, the holders of the other defunct posts being pensioned off. Jobson, however, executed his duties largely through the offices of Roger Taverner as Deputy General Surveyor, who was responsible for the 1565 Survey of the New Forest.<sup>55</sup> He himself became Surveyor General on the death of Jobson in 1573 and remained in post until his death in 1582.<sup>56</sup> He was replaced by his son John, who had gained the reversion of the post in 1572.<sup>57</sup> John died in November 1610,<sup>58</sup> however by 1608 Thomas Morgan appears as Surveyor General for a short period, jointly with Robert Treswell, whose family dynasty became solely responsible for the post for a period from 1610.<sup>59</sup>

Thus the post of Surveyor General of Woods originated in 1554, not in 1542 on the foundation of the Court of General Surveyors as stated by Stagg,<sup>60</sup> though its pedigree certainly extended back that far and further, having its origins in the posts of Master and Surveyor of Woods.

At a local level, within the Court of General Surveyors, the officer of note was the Deputy Surveyor. In Hampshire, from 1542 to 1549 at least, he was Robert Downes.<sup>61</sup> In his accounts he is found executing warrants directed from Henneage, Master of Woods, and also William Paulet, as Deputy Justice of Forests and later as Justice of Forests. The warrants varied and included authorisations for the sale of wood and for felling timber for repairs. Prior to 1542 warrants for work in the Forests appear to have been directed to Forest officers or local individuals of high standing, this suggesting that the post of Deputy Surveyor only came into being with the creation of the Court in 1542. Other than by the execution of warrants this officer seems not to have been involved in day to day management of the Crown forests.

The reorganisation and associated cutbacks made to senior staff in 1554 also impacted on lower level personnel. They appear to have included the County or Deputy Surveyors, who numbered 44 in 1552. Their duties were apparently taken up by the Woodwards whose accounts first show dealings in the Forests from 1554 (see below). The post of Deputy Surveyor next appears early in the 17<sup>th</sup> century. An Exchequer Commission to fell timber for repairs, dated the 12<sup>th</sup> February 1607, describes Augustin Hill as Deputy Surveyor to John Taverner, the Surveyor General.<sup>62</sup> It is likely that he had been Deputy Surveyor to Taverner for some time before that as he is described as servant to Taverner, late in the reign of Elizabeth I, in reference to the somewhat questionable felling and sale of Setthorns Coppice.<sup>63</sup> In 1595, he was granted a lease of Castle Hill, Broadstone and South Bentley Coppices, in the New Forest, for the term of 21 years.<sup>64</sup>

The next major development came in 1567 when an Exchequer decree made the Exchequer officers solely responsible for wood sales in forests at the expense of Justice in Eyre.<sup>65</sup> Not surprisingly, this is the same year in which the commissions to appoint Preservators in the forests was published.<sup>66</sup> Thus, what had originated as a wood sales department involved in the management of Crown woods in general became biased towards forests, particularly as the dissolved lands were granted away and other Crown lands were enfranchised by Elizabeth and James I. However, the control of wood sales was undermined by the lack of judicial control as the forest

courts remained under the direction of the Justice of the Forests.<sup>67</sup> The Exchequer's prosecution of forest officers and other offenders apparently had only limited impact.<sup>68</sup>

A judgement, passed during the early years of the reign of James I<sup>69</sup> seems to be a clarification of the duties required by the imposition of the 1567 Exchequer Decree. While apparently confirming that Decree it also drew particular attention to the continued duties of the Justice of Forests in protecting the woodland resource. It stated that while the Justices in Eyre of the Forests and the King's officers were to be responsible for the preservation of the vert and venison, it was the Exchequer that had the power to sell the wood and timber for profit the Crown. Importantly, each side still retained an interest in the others duties. For example, the Warden's permission was required before any sale was made and the allowance of the Lord Treasurer was required before timber was felled for the repair of forest lodges. This apparently sensible division of duties was, in later years, to provide part of the friction which built up between the departments and became known as the *Divisium Imperium*.<sup>70</sup>

### **The Woodward and his Deputy**

The post of Woodward to be discussed here is that of the King's or County Woodward. However, within forests, during the medieval period, the appellation of Woodward was a given to an officer with a similar roll to that of a forest keeper, but with duties limited to certain private woods within the bounds of a forest. Furthermore, the office was a private appointment; the officer being sworn in the forest courts to preserve the vert and venison within his area of jurisdiction. Within the New Forest such posts continued in existence well into the 18<sup>th</sup> century. Furthermore, estate woodsmen elsewhere were often called Woodwards.

The origin of the post of County Woodward is unclear, certainly the date a Woodward was first appointed in Hampshire is unknown. A Woodward with interests in the New Forest was definitely in post by 1533, for the indented returns of the jury from a commission of enquiry ordered that year were passed to the Woodwards of the Forest having first been signed by the Commissioners.<sup>71</sup>

These returns demonstrate that the office of Woodward predates the formation of both the Courts of Augmentations with which the office later

became associated. It seems most likely, therefore, that the Woodward fell within the department of woods within the office of the General Surveyors. In 1547, on the reconstitution of the Court of Augmentations, it was stated that the Masters and Surveyors of Woods then had full power to appoint the County Woodwards.<sup>72</sup>

The earliest Woodwards so far identified in Hampshire are Edmund Clerke and Roger Tychbourne who held their posts in the early 1540s.<sup>73</sup> They appear returning their accounts to the Court of Augmentations. One account records the appointment of Edmund Clerke and Martin Cowdrey on the 30<sup>th</sup> June 1546.<sup>74</sup> The forests, however, fell within the jurisdiction of the office/Court of General Surveyors and as such the Woodwards would have had little interest in them. After the Court of General Surveyors was subsumed into a reinvigorated Court of Augmentation, in 1547, both sets of relevant officers from each Court remained in post, i.e. the Woodwards from the Court of Augmentations and the Deputy Surveyors from the Court of General Surveyors. In 1551 they numbered 26 and 44 respectively.<sup>75</sup>

At this early stage it appears that the duties of a Woodward were limited to overseeing the sale of wood and provision of fuel wood. After paying fees and repair costs they then passed the profit to the Treasury and later directly to the county receiver.<sup>76</sup>

However, in 1554, when the Court of Augmentations was abolished and the Exchequer took over its responsibilities, the number of officers was drastically reduced. The Deputy Surveyors seem to have been victims of the rearrangement whilst the Woodwards appear to have assumed their duties. Certainly, in the accounts of Henry Heighes for the years 1554/5<sup>77</sup> and 1555/6<sup>78</sup> he is executing warrants, directed to him from the Chief Justice of Forests, relating to business in the New Forest. Similar warrants had previously been directed to the Deputy Surveyor.<sup>79</sup>

At the time of the Exchequer take-over there are two Woodwards with an interest in Hampshire. One, Thomas Wroughtone, was entitled Woodward in the Counties of Southampton and Wiltshire, while the other, Henry Heighes, was Woodward in the Counties of Southampton and Surrey. From the business in his accounts Wroughtone was definitely operating in the Forests of Clarendon and Chute, the latter of which lay partly in Hampshire. This would appear to account for the reference to the County of Southampton, though the full extent of his jurisdiction in Hampshire has not

been considered. The account returned by Heighes includes business in the New Forest and also Windsor Forest part of which lay in Surrey.<sup>80</sup>

How long this division of the County continued is unknown. However, in 1572, when the office of Woodward was granted to John Stockman, it gave him jurisdiction over the Forests of Chute, Pamber, Woolmer, Alice Holt, East Bere and West Bere, and the New Forest, as well as the Manors of Odiham, Romsey, Hook and Worthy Mortimer, and in Odiham Park, all of which lay in Hampshire.<sup>81</sup>

This new arrangement did not necessarily imply that the Woodward of Wiltshire no longer had any interests in Hampshire, for in 1573, Walter Lambert, the Woodward of Wiltshire was named, alongside Stockman, as a Commissioner to inquire into the wastes and spoils made by the Keepers of the New Forest.<sup>82</sup> A later Woodward of Wiltshire, Thomas Dowce, who replaced Lambert,<sup>83</sup> lived in Bramshaw and was Master Keeper of the North Bailiwick from at least 1565 up until 1574.<sup>84</sup> It seems possible that he gave up his post in the New Forest in favour of the post of Woodward of Wiltshire.

While it appears Dowce held the posts of Master Keeper and Woodward consecutively Stockman managed to hold both simultaneously. He had become Keeper of the Bailiwick of Burley in 1570 and was still holding that position in 1580, though by the year 1582/3 William Batten had taken over as Keeper of the Bailiwick which was then held under lease from the Earls of Pembroke.<sup>85</sup> Stockman was appointed Woodward by Exchequer Patent in 1572 and continued in post until 1588.<sup>86</sup> It seems, however, that from 1586/7 Thomas Clerke exercised the duties of the office,<sup>87</sup> possibly on behalf of Stockman for a short time before the patent was surrendered in 1588 in favour of Arthur Swayne.<sup>88</sup> The Woodwards often undertook their duties through the offices of a deputy. William Osland, the Keeper of Melchet Park, in Wiltshire, acted as deputy to Swayne and also to William Christmas, the Woodward from 1595.<sup>89</sup> The accounts of Francis Bennett, another deputy to Christmas, seem to indicate Christmas played little part in his duties as Woodward, certainly the accounts make no claim for expenses on his behalf.<sup>90</sup> Later, in the 17<sup>th</sup> century, Bernard Knapton, Deputy Woodward to Sir John Norton, seems to have been left in almost sole charge of the duties of office, much to the consternation of onlookers. The return of a jury appointed to inquire into the New Forest stated that Norton's disinterest was 'a breach of his trust, a neglect of His Majesty's service and a very great

damage to the Forest'.<sup>91</sup> Norton's replacement, Francis Dickens, appears to have been much more closely involved in undertaking the duties of office, as appears by his claims for expenses in his surviving accounts.<sup>92</sup>

### **The Woodward's Duties**

Central to the Woodward's duty was the execution of warrants. From 1554 it appears that the Woodward was one of the prime officers to whom warrants were directed, whether from the Exchequer itself or, up until 1567, the Justice of the Forest. Certainly Heighes acted on warrants directed from the latter.<sup>93</sup> The Preservators' Returns often record the Woodward acting on warrants from the 1570's onwards. A few copies survive as evidence from a commission of inquiry held in 1596; these were directed to the Woodward by the Exchequer for repairs or sales of wood,<sup>94</sup> the latter being by certificate from John Taverner, the Surveyor General. Presumably, felling by the Queen's Carpenter was undertaken by warrant. However, it seems unlikely the warrants would be addressed to him, rather that he would be acting under instructions directed to the Surveyor General, such as those directed to Robert Treswell, Surveyor General of Woods, in the early 17<sup>th</sup> century.<sup>95</sup>

The warrants can be split into two distinct groups, those for making sales of wood and those for felling timber for works, repairs or specific uses. For the former, the Woodward was responsible for proclaiming the sales, appraising and selling the wood, collecting and accounting for the payments and paying the workmen for the felling and, in respect of coppices, for making a new hedge about the same to protect the re-growth. Most, if not all, felling of timber for general sales appear initially to have been directed to the Woodward, often by certificate of the Surveyor General. However, in the case of later warrants, for works, etc., they were directed to either the Woodward or the Surveyor General, there appears no obvious division between those directed to each officer.

This dual system of administering warrants continued in place until the 1670s by which time the office of Woodward had drifted so far from Exchequer control, that the Exchequer then took the opportunity of revisiting the whole situation. Numerous complaints as to the operation of the system had been received. One example being that although warrants should have been directed to the Woodward and not the Surveyor General, in this particular case the warrant had been directed to the latter, the excuse being that the Woodward 'appears never to have acted and to be wholly a

stranger to the business of the place'.<sup>96</sup> That same year the jury, in answer to a commission of inquiry into the Forest, noted in reference to Sir John Norton, the Woodward, that he 'hath not concerned himself or taken notice of any such orders or warrants'.<sup>97</sup>

In 1676, Norton resigned his post and Francis Dickens took his place, meanwhile the operation of the office remained in the spotlight. In 1678, Treasurer Danby directed that all great works be directed to the Surveyor General's department while lesser works were to be undertaken by the Woodward.<sup>98</sup> This ruling was clearly open to interpretation, and it was not until 1690 that the matter was finally settled. The order made was that all warrants for felling trees in the Forest up to the value of £200 were to be directed to the Woodward, while warrants for felling trees of higher value were to be directed to the Surveyor General, the only exception being the felling of trees to raise money for the payment of officers wages, which at the time amounted to £300 per annum.<sup>99</sup>

A number of the other duties required of the Woodward derive from the orders given by the Exchequer Decree of 1584.<sup>100</sup> Most important was the sale of and accounting for windblown timber (morefalls), which had previously been a perquisite claimed by the Keepers. A duty associated with this was the viewing of browsewood and ime boughs, which remained a fee belonging to the Keepers. A third duty was the payment of £1 6s 8d (four nobles) to the Keeper of each Bailiwick in compensation for their loss of income from the sale of windblown timber. This payment was known as the 'Woodward's Nobles'. Finally, he became responsible for assigning the fuel wood to New Park (50 loads) and to each Keeper (12 loads).

Until the earlier part of the 17<sup>th</sup> century, the inhabitants of the Forest claiming Estovers (a right to take fuel wood), took them 'by the view and allowance of the Foresters'.<sup>101</sup> The Woodward also had a duty to ensure that those taking fuel wood had the right to do so and, of those that did, that they were not abusing those rights. Naturally, the Woodward's interest in illegal activities extended over all manner of offences related to the woodland resource of the Forest and as such he was expected to attend the Forest Courts at Lyndhurst to present any misdemeanours.<sup>102</sup>

In recompense for the duties undertaken, the Woodward received a fixed payment and expenses. In the early period when the Woodwards operated within the jurisdiction of the Court of Augmentations they received £4 per

annum.<sup>103</sup> By 1572, the area of jurisdiction had changed and the pay was increased to £5 per annum.<sup>104</sup> This payment continued unaltered up until 1698,<sup>105</sup> at which time the pay was increased to £150 per annum in lieu of all fees and prerequisites formerly claimed.<sup>106</sup>

Despite the small payment, the value of the office appears to have been considerably higher, at least for those prepared to exploit their position. This was demonstrated, in 1595, by the payment of £300 by Henry Audley to Arthur Swayne for the surrender of his letters patent. Audley then surrendered the patent for a new grant of the office to be made to William Christmas, his 'man'.<sup>107</sup> Amongst the late Elizabethan inquiries into the state of the Forest many questions are raised as to the actions of the Woodwards, one example in the articles of inquiry of a commission dated the 29<sup>th</sup> of August 1602,<sup>108</sup> asked:

'... whether was it not a practice between Henry Awdley, William Christmas and others to deceive the Queen of so many timber trees by that suggestion how many tons of timber and loads of fuel wood did the said trees contain one with another and what were the values thereof?'

The expenses claimed by the Woodwards appear to have remained static over the same period. The accounts of Francis Bennett, Deputy to William Christmas, the Chief Woodward, show him claiming 2s 6d a day.<sup>109</sup> From later 17<sup>th</sup> century accounts the claim appears to be the same and where the Chief Woodward makes a claim it was made at a rate of 5s a day.<sup>110</sup>

Bennett's expenses for the year 1623/4 amounted to £14, £8 of which was claimed for 64 days work at the rate of 2s 6d. In addition to this he requested an allowance of the surplus remaining on his previous account. This was accepted and provided him with £11 18s 4d in addition to any money he received from the Chief Woodward.<sup>111</sup> This allowance of the surplus had been granted at least since 1620, when Bennett received the surplus from the accounts of 1616/17 and 1617/18, providing him with £33 12s 8d.<sup>112</sup> No such allowance appears to have been requested in the surviving accounts of the later 17<sup>th</sup> century.<sup>113</sup>

While the claim for surplusage appears to have been discontinued, claims for other fees appear to have come into being. Whether these fees came about as a replacement for the somewhat variable surplusage is not known. The fees were associated with the work involved in the felling and sale

of trees. Bernard Knapton, Woodward in the early 1670s claimed 4d for marking each tree, and received 1s in the pound from the purchaser of the wood or timber.<sup>114</sup> However, as noted by the Surveyor General, these fees were not bought to account, a situation which clearly worried him. When that situation was taken into consideration by the Exchequer, in 1690, the fees for marking remained at 4d a tree, but the poundage was reduced by half to 6d.<sup>115</sup>

Of more concern to the Exchequer was a perquisite relating to the bark of trees felled in the Forest, all of which was claimed by the Woodward. Again, it is during Knapton's time when the detail becomes apparent. Apparently, he would either take the bark to sell or charge between 6d and 2s as compensation for the loss of income from the bark.<sup>116</sup> Clearly this perquisite was of some value; the Surveyor General, Philip Ryley, stating that in 1664 the value of the bark amounted to £300.<sup>117</sup>

In 1674, Charles Strode, then Surveyor General, raised specific questions as to Knapton's claim of the bark from fuel wood assignments. However, as fuel wood was supposed to be assigned from dead trees 'bearing no green hue'; this would of course be no use to the tanneries. Only by assigning living trees would the Woodward be able to acquire a saleable product. In fact, even when assigning decayed trees, the bark of which would produce no tannins, and from Beech trees, the bark of which was never used for tanning, it was claimed he still took payments from the holders of the fuel wood rights.<sup>118</sup>

As to the origin of this perquisite, in 1690, Dickens stated that it was claimed by Gabriel Lapp, the Woodward, at a Justice Seat held in 1633.<sup>119</sup> The claims made at this court include that made by Gabriel Lapp, but it makes no mention of any fees or perquisites other than the entitlement to £5 per annum. Dicken's statement appears not to have been questioned, but thereafter, the Exchequer officer ruled that the perquisite be bought to an end.<sup>120</sup>

Further evidence of the value of these fees and perquisites can be found in the difficulty Francis Dickens had in claiming them during the 1680s. At a hearing held in 1680 between Dickens and Thomas Agar, then Surveyor General, Dickens was ordered not to obstruct sales on account of the fee he claimed on pain of dismissal. A second warning followed in 1682, but by 1685 Dickens began to make new requests for payment of compensation for

the loss of his fees, which, in 1686, were said to amount to over £1,500 over the six years he had not received them. Finally, at the end of 1686 a warrant was granted to pay him £500 in settlement of his claim.<sup>121</sup>

The 1690 ruling as to the Woodward's fees remained in force until 1698 when Edward Pyle was made Woodward and granted £150 per annum in lieu of all fees and perquisites formerly claimed.<sup>122</sup> In 1768, John Russell, 5<sup>th</sup> Duke of Bedford, then Lord Warden of the Forest, proposed an increase in the Woodward's wages to £200 with £50 for a deputy.<sup>123</sup> His proposals were accepted and warrants made out the following year.<sup>124</sup> Thereafter the office continued along similar lines, though it lost much power to the newly formed Office of Woods, after its creation in 1810. The post finally came to an end with the death of the last Chief Woodward, in 1831.<sup>125</sup>

### **The Preservators**

This office clearly has its origin in the Exchequer's drive towards total control of wood sales on the Crown estates. The commission to set up the office was published in 1567. That same year the Exchequer had gained complete control of wood sales in the Forests.<sup>126</sup> Before that date control was split between the Exchequer and the Justices of the Forest. The former gained its interest from the creation of the wood sales department in the office of General Surveyors, at which time the latter's interest was specifically protected.<sup>127</sup>

The commission of 1567 was accompanied by the articles of inquiry from which the duties of the office were derived. There also exists a second commission, dated 1568, appended with another set of articles. The articles cover the same ground in both cases with one exception. This first set contains 12 articles<sup>128</sup> while the second set contains 13.<sup>129</sup> The explanation would appear to be that the additional article was accidentally missed from the first set so, a second commission was sent out to rectify the situation. Certainly the second set of 13 articles follow the same pattern as those known from other Forests.<sup>130</sup>

The duties of the office can largely be seen as a check on the activities of the Forest officers. All trees felled or fallen for whatever reason had to be viewed by the Preservators and then valued and marked with their axe before being disposed of. This included fee trees claimed by the Forest officers, of which wind blown trees made up part, trees assigned for repair

of Crown lodges and copyhold property and browse wood felled for feeding the deer. Much of this work would have likely been attended to at the monthly view which the Preservators were required to undertake of their area of jurisdiction.

Certainly, it appears that the Exchequer was keen to exert its influence over the Forest officers and reform some of the practices it saw as counter productive to its own aims. How much this new layer of control was seen as unnecessary interference by the Forest officers is not initially clear, though drawing the new officers largely from a core of existing Forest officers may well have been intended to smooth the process.

Other duties included overseeing the management of the coppices and appraising the wood for sale. Duties involved with the sale and assignment of woodland produce would require a close relationship between the Preservators and the Woodward, though there is some evidence that within the New Forest the Woodward did not value the Preservators input.

As would be expected, the Preservators' duties also included powers relating to the unlawful exploitation of the woods, requiring a record to be kept of all illegal activities, by local inhabitants and Forest officers alike. They were even empowered to stop and search wood carts within the Forest and request detail as to the origin of the load. In the case of certain minor offences, the punishment is set out within the articles. Presumably more serious offences were considered within the system of Forest courts. As a balance to legal enforcement, a socially responsible side also appears in that one article deals specifically with the allowance of poor people from the local community to gather dead and dry wood from the woods under the direction of the Preservators.

Importantly, the final article deals with the production of a yearly report, a duplicate of which was to be returned to the Exchequer. By this means the Treasury would have been able to identify the exploitation of the woods and find ways to improve the revenue it could receive by reforming practices it saw as damaging to its interests.

Despite the original commission being published in 1567 it was not until the 14<sup>th</sup> June 1570, with the publication of another commission, that the officers were appointed. These appointments being confirmed by warrant dated the 4<sup>th</sup> October that year,<sup>131</sup> thus allowing the Preservators to make their first

return for the year 1570/1.<sup>132</sup>

The commission ordered the Verderers and Deputy Surveyor of Woods, Trent South, to appoint two men to act as Preservators in each Bailiwick of the Forest, they to be chosen from amongst the Regarders or other inhabitants of the Forest if they were thought to be better suited. It is fortunate that the appointment was not limited to the Regarders in the New Forest as with nine bailiwicks a total of 18 Preservators were required, while Forest Law stated that there should be only 12 Regarders within a Forest.

The Regarders were originally to be of knightly class, however by the 16<sup>th</sup> century they were drawn largely from the yeomanary, though some appear to have been younger sons of local landowners. Soon after their first year in office as Preservators three new officers were appointed by the Verderers under the power conferred by the commission of 1570. These appointments were made to fill vacancies due to death, ill health and, in the case of Charles Whittingstall, negligence.<sup>133</sup>

While the Verderers seem to have taken the new officers seriously, it appears that the Woodward was less inclined to favour them. From the very first instance the Preservators complain that they have not been provided with a marking axe, a state which continued until at least the year 1573/4 in which year the returns draw particular attention to the problem. This apparently rectified the situation as the next extant returns, those for 1575/6, mention the use of their marking axes. The other major complaint directed against the Woodward in particular was the non payment of their fees and expenses. Even when some payment is made the arrears often ran to several years and are irregularly received.

Complaints made of the Forest officers largely focus on the lack of notice given to the Preservators for the viewing and marking of that wood for which they are bound to answer. Similar complaints are made regarding the Woodward and may suggest a certain amount of ill feeling amongst the pre-existing officers as regards the oversight of the new officers who they may have considered as unnecessary or an unwanted interference. A recurring complaint against the Forest Keepers was their exploitation of the coppices. This was clearly already a concern to the Exchequer, for the Preservators' articles of inquiry included one made specifically to remedy this situation.

It was not long, however, before questions were being raised as to the

conduct of the Preservators themselves. It appears that the officers had been 'pleasuring themselves and their friends' through the exploitation of their office. A letter surviving from Burghley, the Lord High Treasurer to the Verderers of Rockingham Forest therefore required the number of Preservators to be reduced from two per bailiwick to two for each forest.<sup>134</sup> That this was a letter applicable to forests in general is demonstrated by the changes at that time occurring in the New Forest. The returns for the year 1582/3, the earliest extant post 1579/80, are grouped differently. For a period, from that time, a pair of Preservators became responsible for a group of three bailiwicks, thereby reducing the establishment of Preservators from 18 to six. Presumably the size of the New Forest made the provision of only two officers for the whole Forest unworkable. This early fall in reputation of the Preservators may well have been encouraged through the poorly attended payment of their dues, similar excuses being made by other officers for exploiting the Forest resources, as illustrated in the review of wages in the Exchequer Decree of 1584.<sup>135</sup> However the exploitation of ones office seems to have been endemic at this period, as in others, throughout the New Forest.

It is not clear when, but sometime following the reduction of the Preservators' numbers, the office became entirely separate from the office of Regarder from which it was derived. By 1609 there were 12 Regarders and 6 separate Preservators. However, the detail has been confused by the apparently interchangeable way in which the titles were used. When making their returns the officers do not use the title Preservator to describe themselves until the third year of their returns. Even then it is by no means standard at that stage. The usual form after this initial stage is to use the description Chief Regarders and Preservators, which apparently remained standard even after the Preservators' office had become separated from that of the Regarders. Furthermore, when only one title is used on the returns the title of Regarder is invariably chosen to describe its author. Within commissions of inquiry made during the period,<sup>136</sup> the terms are used indiscriminately though when the officers are associated with the Woodward the term Preservator is generally used. Where the Preservators are giving evidence, they are described as Regarders. For example, at an inquiry held in 1602 William Webster, although described as a Regarder, goes on to describe his duties which are clearly those of a Preservator.<sup>137</sup> It is little wonder therefore that the class indices held at The National Archives describe the records as 'Certificates of the Regarders' as opposed to 'Preservators' Returns'.

In 1584, the issue of a decree from the Exchequer,<sup>138</sup> in response to a petition from the Lord Warden and Keepers of the Forest, changed arrangements for many officers in the Forest including the Preservators. The Decree tidied up a lot of the uncertainty which surrounded fees and fuel due to the Forest officers. Directions were given to allow a more economic use of the woodland resource, whilst restraints were brought in to limit the increasing demand for fuel wood. Important, from a Treasury viewpoint, was the saving of windblown timber to the Exchequer. Previously, all windblown timber was claimed as a perquisite by the Keepers, but the Decree now limited that claim to windblown wood and timber where no part of the root had been turned up, thus saving the best part to the Exchequer. The impact of this change can be seen in the Preservators' returns wherein the recording of this new income becomes the central emphasis of the returns. This record becoming the main emphasis in the returns even after the post of Preservator became redundant.

The increase in emphasis on windblown timber and the resolution of many practices of uncertain legitimacy is for a number of years indicated in the returns. However, the detailed recording of such items slowly recedes from the returns. From the year 1589/90 the returns are produced as composite documents, i.e. one return covered the entire Forest, though at this time still under individual Bailiwick headings. By the year 1599/1600 the returns have reached their evolutionary climax, beginning with the windblown timber within each Bailiwick, followed by the record of; felling by warrant for repairs or sale; the provision of timber claimed by patent; and offences identified by the Preservators themselves. Much of the work being closely associated with that of the Woodward, the officers are often referred to as the Woodward's Preservators,<sup>139</sup> demonstrating that a close working relationship had developed by this time in contrast to the situation evidenced at the inauguration of the office. In fact, during the mid 1580s John Hooker of Canterton, one of the Preservators acted as Deputy Woodward, to John Stockman, despite such an arrangement being clearly incompatible with the regulatory duties of a Preservator.<sup>140</sup> Presumably Stockman had overcome any reservations he may have had when the Preservators first came into being.

One exception occurs in the returns, in that the return made for the year 1603/4 is once again much more detailed.<sup>141</sup> This may be the direct result of a period of intense interest into the possibility of raising funds for the Crown from the forests. Apart from this, by the early 17<sup>th</sup> century, the office

seems to have entered a terminal decline. At the time the responsibilities of the post seems to have fallen largely to three of the Preservators, whose names occur on the returns with the addition of 'and others' to represent the other Preservators. These named parties also appear more prominently in the Elizabethan and Jacobean inquires of that time, working closely with the Woodward.<sup>142</sup> Indeed, the inquiries seem to suggest that the Preservators had become too close and were exploiting this relationship to benefit themselves. In 1609, John Norden, Deputy to the Surveyor General of Woods, having been involved in a Commission of Inquiry<sup>143</sup> as to spoil of timber in the New Forest, drew attention to the fact that 'the Woodward hath intruded men answerable to his own disposition', before going on to note that by the use of their marking axes they assign timber to their own use without the overview of any other officers.<sup>144</sup>

In fact the evidence against the Preservators was enough to cause the termination of the office. A Royal Decree, based largely on Norden's report on the 1609 Inquiry, then implemented his recommendation that the office be suppressed.<sup>145</sup> It would appear that this outcome was somewhat premeditated as the Articles of Inquiry for the commission asks 'whether be the officers called Preservators necessary or not?', to which the jury answered 'that the office of Preservators is superfluous'.<sup>146</sup>

This did not however spell the end of the Preservators' Return, for Norden also put forward the Regarders as the most proper officers to undertake the duties of the Preservators. Thus, by virtue of the 1610 Decree, two or three of the Regarders were to be chosen yearly to work with the Woodward in the viewing, selling and assigning of wood and timber and certifying the same to the Exchequer.<sup>147</sup> That the changes decreed were implemented is demonstrated by the survival of a number of returns from later in the 17<sup>th</sup> century,<sup>148</sup> and also by the payments to and the assistance of two or three Regarders recorded in the yearly accounts of the Woodward.<sup>149</sup> The last such piece of evidence that has so far come to light being dated 1700.

The evidence given by John Drew, a Regarder, in 1677, further demonstrates the continuance of the duties.<sup>150</sup> In it he states that the Lord Warden ordered three of the Regarders to go one year and three another and so on through all the Regarders, with the Woodward, as Preservators. His other evidence seems to suggest that the reporting of timber offences was part of his duty as a Regarder, although this was clearly a duty of both.

This acquisition of new duties was clearly important in keeping the office of Regarder relevant, as many of their duties associated with the running of the medieval forests were becoming redundant, certainly the production of a Certificate of Regard at Courts of Forest Eyre became obsolete with the last Forest Eyre held for the Forest in 1670.<sup>151</sup>

How long Preservators' Returns continued to be made out is unknown, the last extant example known is for the year 1697/8.<sup>152</sup> However, in 1765, William Samber, a Forest Keeper, included extracts from mid-17<sup>th</sup> century Returns in his report on the state of the Forest, but apparently had no knowledge of similar returns being made at the time he was writing.<sup>153</sup> That the making out of returns had come to an end is confirmed by the depositions of Regarders in 1788, wherein they state their duties, which largely reflect the duties of a Preservator, as opposed to a 16<sup>th</sup> century Regarder, but fail to mention any requirement to make out returns for the Exchequer.<sup>154</sup>

In conclusion, it could be said that the office of Preservator had gone full circle. In the first instance the core members of the office were drawn from the Regarders. But by the early 17<sup>th</sup> century and probably as early as the 1580s they appeared to have become an office distinct from the Regarders. This office being suppressed, in 1610, the duties were passed back to the Regarders to operate in the same fashion which had developed under the Preservators. With the old duties of the Regarders becoming obsolete they became more involved in the oversight of woodland management. These changes saw the Regarders evolve from being Forest officers into Exchequer representatives under the old Forest administrative organisation. Clearly the Exchequer sought to utilise the Regarders for their own purpose, though the way in which developments subsequently unfolded can hardly have been predicted, even if they eventually fell into line with the Exchequer's wishes.

## **The Foresters**

These officers all have their origin in the medieval period and belong to the Lord Warden's department. The office of Forester was the backbone of the Forest system, they were responsible for protecting the 'vert and venison' in their respective areas of jurisdiction. In the New Forest the Foresters operated within Bailiwicks, the distribution of which had become fixed by 1300, though some were much older.<sup>155</sup> The Foresters which occur throughout the records of this publication replaced the Foresters of Fee in

the late 13<sup>th</sup> century. These earlier Foresters held the post by virtue of the hereditary landholding which they occupied within the Forest; however the new Foresters were usually appointed by the Lord Warden and held post during his pleasure.

By the 16<sup>th</sup> century the Foresters were often termed Keepers and their task was largely one of the oversight and direction of the Under Foresters or Groom Keepers in each Bailiwick. Each Bailiwick was provided with one or more lodges for the occupation of the Under Forester; the first set of these lodges having replaced old medieval 'hunting' lodges in the early Tudor period. Later, more lodges were built which allowed the subdivision of the Bailiwicks into Walks, each Walk being under the jurisdiction of an Under Forester.

One Bailiwick was an exception to the above, that being the Bailiwick of Burley. This variation was caused by Richard de Burley, grandson of the last Forester of Fee, petitioning the Crown for grant of the Bailiwick, in 1313, on the same terms as it had been held by his grandfather. This petition was apparently accepted and the grant included not only the Bailiwick but the vaccary<sup>156</sup> which had been held with it, though the hereditary nature of the office appears to have been dispensed with. As vaccaries were substantial parcels of land, the grant was made under Letters Patent direct from the Crown, and thus it continued with the result that the office of 'Bailiff of Burley' included the vaccary, which came into use as the lodge of the Bailiwick, and remained a Crown appointment, as did the Wardenship of the Forest itself. The office also retained a number of medieval rights and perquisites which appear to have been lost to the other Bailiwicks.<sup>157</sup>

By the mid 16<sup>th</sup> century the Foresters appear to have been, at the least, substantial freeholders and often Lords of local manors or their close family, especially where their lands lay close to the Bailiwick in question. A good example is provided by the South Bailiwick, where Richard Ogden<sup>158</sup> was Forester in the 1570s, he held a grant of Roydon Manor, just south of Brockenhurst.<sup>159</sup> He was followed in this post by his son-in-law Cuthbert Ryves, who held lands in Brockenhurst,<sup>160</sup> while in the early 17<sup>th</sup> century Ogdens's stepson Thomas South of Norley, near South Baddesley, became Forester.<sup>161</sup>

The practical work was undertaken by the Under Foresters, also known as Groom Keepers, the direct descendants of the medieval Foot Foresters.

Their main duty was to patrol their Walks to prevent poaching and theft of wood and timber. They were also responsible for drifting the commonable stock to make sure only those with a right to do so depastured stock. This latter duty is now undertaken by the Agisters, but at this early period Agisters were only charged with the collection of certain payments associated with the depasturing of stock. This duty required that the Keepers build pounds for holding ponies, cattle and pigs; the cutting of timber for this requirement often being recorded in the Preservators' Returns.<sup>162</sup>

The documents included in this volume paint a rather different picture as they record the common transgressions made by the Foresters against the woodland resource, whether that involved taking rather more wood than they were allowed by right or depasturing stock within the coppices that fell within their jurisdiction.

Prior to 1584 the Foresters received the fee of £1 6s 8d from the Lord Warden, known as the 'Lord Warden's Nobles'. The petition of the Lord Warden in 1584 also notes that he had at one time two manors at his disposal the profits of which went towards the maintenance of the Foresters.<sup>163</sup> It is probable that these two manors were those of Brockenhurst and Godshill which had been alienated from the Crown during this period.<sup>164</sup>

It is interesting to note the limited amount of browsewood recorded as being cut as feed for the deer in the Preservators' Returns when compared to the much larger amounts recorded at the 17<sup>th</sup> century Forest Justice Seats.<sup>165</sup> Why this should have increased so much probably relates to the changes made to the perquisites allowed to the Foresters. Prior to 1584 the Foresters claimed all windfall wood, browse wood and ime boughs, the most important of which was undoubtedly windfall wood, which could raise quite a sum over the course of a stormy year. However, this income was severely reduced, after 1584. In compensation for this loss the Woodward paid out £1 6s 8d to the Forester of each Bailiwick. General inflation throughout this period meant that officers were often under paid and took compensation, and more, often by exploiting perquisites attached to their positions. Browsewood was just one such perquisite. The wood was cut and carted off to the Rails around each lodge to provide feed for the deer, after which the Forester disposed of it to his own use. Not until 1671 was this perquisite finally done away with, for in that year it was ordered that £560 per annum should be paid to the Warden of the Forest as an allowance to the Foresters 'in lieu of browsewood, breaknecks and eyne boughs formerly taken'. The Keepers

continued to cut browse wood but the wood was thereafter to be sold by the Woodward to the benefit of the Crown.<sup>166</sup> However, by the late 18<sup>th</sup> century the Keepers were once again selling browse wood to their own profit,<sup>167</sup> though this apparent transgression might be explained if the 1671 order only related to browse cut from timber trees, but it is by no means clear.

The Foresters often appear in the Preservators Returns outside their official capacity, such as the purchase of wood felled and sold by warrant, the picture remaining the same during much of the 17<sup>th</sup> century. They also had a substantial amount of wood at their disposal from their fee wood; it is quite clear that the sale of wood was an important source of income for many of their number, even after reductions made to their fees in 1584.

In the early 16<sup>th</sup> century each Bailiwick, under the jurisdiction of a Chief Forester, was provided with a single lodge. The Preservators' Returns preserve the earlier names of two of these lodges; that at Rhinefield was formerly known as Suersbury Lodge, a corruption of Siwardsbury;<sup>168</sup> while Bolderwood was formerly known as Harbarow Lodge, a corruption of Hatheburgh.<sup>169</sup> The Chief Forester oversaw the work of the Under Foresters within his Bailiwick which numbered one to three in number dependant on the size of the Bailiwick. Only one had an official residence, the others having to work from home. Later, a small number of additional lodges were built or became available from other sources. However, in 1608, it seems that the provision of lodgings was reviewed and five new lodges were ordered to be built.<sup>170</sup> Again, in 1610, the situation was reviewed once more and the number of Foresters required in each Bailiwick set down.<sup>171</sup> This apparently led to the creation of further lodges, though it is not until later in the 17<sup>th</sup> century that these additional lodges are mentioned in extant documents.<sup>172</sup> Each lodge then became the centre of administration for a Walk of the same name, the Bailiwicks containing between one and three Walks depending on their size. By the 18<sup>th</sup> century the maximum number of Walks within each Bailiwick was reduced to two, there being nine Bailiwicks containing 15 Walks thereafter until a major period of reorganization made in the mid-19<sup>th</sup> century which came about due to the elimination of deer in the New Forest under the provisions of the Deer Removal Act of 1851.<sup>173</sup> This obviously had major repercussions for the Foresters as their duties revolved about protection of the deer, it was for their office the end of an era, though not the end of their post and the modern day Keepers employed by the Forestry Commission are the direct descendants of the medieval Foresters.

## **The Riding Forester**

The Riding Forester is an officer found in many forests who acted as an intermediate officer between the Forester and his Foot Foresters. They were appointed in larger bailiwicks as deputy to Foresters, his mounted status allowing him to cover the whole bailiwick to oversee the Foot Foresters.

In the New Forest, only one Bailiwick of a size requiring such an office existed: the Lyndhurst Bailiwick. That Bailiwick existed until the late 13<sup>th</sup> century, when it was subdivided into North, East, South and Inn (i.e. Inner) Bailiwicks. The background to this jurisdictional change also explains why the Riding Forester came to be of a higher status than the Forester to whom he was originally a deputy. During the later 13<sup>th</sup> century the Crown began to take a closer interest in the Forest and in 1266 Prince Edward granted his consort Eleanor of Castile the substantial interest he held in the Forest by grant of his father, King Henry III. Eleanor decided to consolidate her interests in the Forest by acquiring the key offices and holdings of the Forest. This was executed in about 1270. Alan de Plokenet, Warden of the Forest had first acquired the Manor and Bailiwick of Lyndhurst from the Forester of Fee, William de Lindhurst, in exchange for the Manor of Rotherfield. Plokenet then surrendered his Wardenship and the Manor and Bailiwick of Lyndhurst to Eleanor in exchange for the Manors of Putney and Werne, thus leaving the future Queen in complete charge of the New Forest at the local level. The sub division of the Lyndhurst Bailiwick probably occurred soon after this acquisition, upon which reorganisation the post of Riding Forest ought to have become redundant. Instead, however, it was retained and granted by Letters Patent from the Crown, thereby making the post of greater status than that of Forester. The latter were generally appointed by the Warden, not directly by the Crown.

As an indication of the status associated with this office, in 1533, the holder of the post was Charles, Duke of Suffolk, the Chief Justice of Forests, Trent South.<sup>174</sup> However, as might be expected from such a high status personage, he executed the duties of office through a deputy. The first Riding Forester recorded in the Preservators' Returns, John Percher, of Canterton, was actually deputy to his uncle Edward Creswell.<sup>175</sup> The succeeding officeholder, Henry Gifford, lived at King's Somborne, about 7 miles from edge of the Forest; his deputy was Jeremy Butt who lived locally at Brook.<sup>176</sup> Presumably Gifford only came to the Forest to attend the Courts or for other important business, leaving the day to day execution

of the post to Butt.

The main duties of the Riding Forester paralleled that of the Foresters but extended over the whole Forest. Other duties apparently included the keeping of a dog gauge for use in the expeditation of dogs, which involved measuring dogs with the gauge and then laming any oversize dogs by the mutilation of a hind paw.<sup>177</sup> The Tudor stirrup which hangs in the Verderers' Hall in Lyndhurst is said to have been the gauge used.

The Riding Foresters were paid in loads of wood taking one load from each Bailiwick at least from the early 16<sup>th</sup> century;<sup>178</sup> that they continued to do so is demonstrated in the Preservators' Returns.<sup>179</sup> This fee wood had the appellation of month boughs. This situation continued until the Exchequer Decree of 1584 brought the practice to an end and paid the compensation of £5 per annum to the office holder.<sup>180</sup> Additional benefits which came with the office included the collection of cheminage, a toll on the transport of goods, during the Fence Month. The Riding Forester also shared in the meals given by the Prior of Christchurch, Prior of Breamore and Abbot of Beaulieu to the Foresters and Lieutenant at Christmas and also the fees paid by the Priors and Abbot to the same officers. How long this custom continued after the Dissolution is unknown, certainly the meal given by the Abbot of Beaulieu had come to an end at that time.<sup>181</sup>

Over time many of the duties of the office became obsolete and as the office was granted to high status individuals as a sign of patronage it became no more than a sinecure. Despite this, by the end of the 18<sup>th</sup> century, the pay associated with this post had been raised to £500 per annum. The end of the office finally came in 1839 with the death of Benjamin Stevenson, the last Riding Forester.<sup>182</sup>

### **The Rangers**

The post of Ranger had been instituted by the early 14<sup>th</sup> century in order to protect the interests of the Crown in areas that had been disafforested under the Forest Charter of 1217.<sup>183</sup> From that date until the accession of King Edward III the boundaries of the Forest were in dispute.<sup>184</sup> However, from the 14<sup>th</sup> century the boundary of the Forest remained static until the passing of the 1964 New Forest Act.<sup>185</sup> Areas which had been disafforested were known as Purlieus, Hale Purlieu and Dibden Purlieu being two examples where the name has continued in use to date. In these areas the Crown

retained rights over the deer and it was the Rangers who were to protect those rights on behalf of the Crown.

The Rangers were, in practice, Foresters with duties outside the bounds of the Forest. Of their specific duties the Rangers were tasked with driving the King's deer back into the Forest from the Purlieu where the landowners were allowed to hunt them.<sup>186</sup> They were also charged with calling the local inhabitants in and around the Forest to help harbour the deer when the King chose to hunt in the Forest. It was the Rangers responsibility to call the townships to appear at the Swainmote Courts and also to transfer prisoners from the Court to the King's Jail at Lyndhurst. Furthermore, it was the duty of the Rangers 'man' to act as Crier of the Forest Courts. By the 16<sup>th</sup> century the Rangers were undertaking their duties through the provision of deputies.<sup>187</sup>

Like the Riding Forester, the Rangers took wood from the Forest as their fees, again one load from each of the nine bailiwicks. Interestingly both officers were responsible, with the Lieutenant of the Forest, for overseeing the Keepers fee wood, a duty which later became the responsibility of the Preservators.<sup>188</sup> With the publication of the Exchequer Decree in 1584 this fee wood was commuted into a yearly payment of £4 each.<sup>189</sup> Another duty from which the Rangers gained a monetary return was the taking of cheminage during the Fence Month.

By the mid 18<sup>th</sup> century the post had become a sinecure. William Samber, writing in 1765, stated that another William Samber, of Watcombe in Brockenhurst,<sup>190</sup> was the last Ranger to execute the post properly; he 'was always ready ... to re-chase the deer out of the purlieu'. Samber records the payment of £3 6s 8d (10 nobles) to each Ranger, with a fee buck and doe yearly.<sup>191</sup> This payment, by the Lord Warden, was still made in 1747, but by 1787 the Rangers only received £2 13s 4d (8 nobles) each. Also only one of the Rangers records the payment of £4 from the Woodward suggesting that this payment was being surreptitiously dropped.<sup>192</sup> By 1847 the only reward of office noted was the £2 13s 4d per annum and a single fat buck yearly.<sup>193</sup> The Rangers were appointed by the Warden of the Forest and so with the death of the last Warden in 1850 the post came to an end.

**Endnotes**

- <sup>1</sup> Pettit, P.A.J. (1968) *The Royal Forests of Northamptonshire – A Study in their Economy, 1558-1714* Northampton Record Society, pp.26-8 & chapter IV; Hammersley, G. (1957) *The Crown Woods and their Exploitation in the Sixteenth and Seventeenth Centuries* In: *The Bulletin of the Institute of Historical Research*, no.30, pp.136-61.
- <sup>2</sup> E.g. TNA:PRO E 101/142/13, m.1 – Preservators’ Return for the Bailiwick of Fritham, 1572/3, see p.42 in this volume.
- <sup>3</sup> E.g. TNA:PRO E 101/142/19, m.4 – Preservators’ Return for 1592/3, see p.143 in this volume.
- <sup>4</sup> TNA:PRO E 101/142/20, m.2 – Preservators’ Return for 1596/7, see p.153 in this volume.
- <sup>5</sup> TNA:PRO E 101/142/18, m.4 & E 101/536/34, m.2 – Preservators’ Returns for the North, Godshill and West Linwood Bailiwicks, 1586/7 & 1587/8, see pp.121 in this volume.
- <sup>6</sup> TNA:PRO E 101/142/18, m.3 – Preservators’ Return for the North, Godshill and West Linwood Bailiwicks, 1585/6, see p.116 in this volume.
- <sup>7</sup> TNA:PRO E 101/142/14, m.3 – Preservators’ Return for the East Bailiwick, 1573/4, see p.64 in this volume.
- <sup>8</sup> TNA:PRO E 101/142/20, m.5 – Preservators’ Return for 1601/2, see p.162 in this volume
- <sup>9</sup> TNA:PRO E 178/3097, m.18 – Depositions made to an Inquiry as the abuses in the New Forest, 1609.
- <sup>10</sup> Brewis, A., Bowman, P. & Rose, F. (1996) *The Flora of Hampshire* Harley Books, p.109; & Account of Francis Bennett, Deputy Woodward, 1618-20, see p.202 in this volume.
- <sup>11</sup> TNA:PRO E 101/535/5 – Preservators’ Returns for the year 1570/1.
- <sup>12</sup> TNA:PRO E 101/142/12 – Preservators’ Returns for the year 1571/2.
- <sup>13</sup> TNA:PRO E 101/136/13 & E 101/136/14 – Exchequer copies of Preservators Returns’ from 1570/1 to 1573/4.
- <sup>14</sup> TNA:PRO E 101/142/14, m.9 – Account of repairs to lodges in the Forest of East Bere; E 101/136/14 – Exchequer copies of Preservators’ Returns for the years 1572/3 & 1573/4.
- <sup>15</sup> TNA:PRO E 101/142/20, m.6 – Indenture concerning Freemantle Park, Hants, dated 10<sup>th</sup> October 1602.
- <sup>16</sup> TNA:PRO E 178/2007 – Commission setting up the office of Preservator with Articles of Inquiry, 1567, see pp.8-14 in this volume.
- <sup>17</sup> TNA:PRO E 101/142, mm.1-2 – Certificates for the Appointment of Preservators, 1570 & 1572, see pp.14-5, 27 in this volume.
- <sup>18</sup> The Account of the Francis Bennett, Deputy Woodward, for two years, 1618/19 and 1619/20, see pp.198-204 in this volume.
- <sup>19</sup> TNA:PRO E 101/603/6 – Account of the Deputy Woodward, 1671/2, see pp.209-225 in this volume.
- <sup>20</sup> TNA:PRO LR 5/1/4 – Composite Preservators’ Return for the year 1697/8, see pp.225-6 in this volume.
- <sup>21</sup> TNA:PRO LR 9/17/897, 898 & 900 – Accounts of the Deputy Woodward, 1669/70, 1670/1 & 1672/3. See Reeves, R.P. (ed.) (2006) *Use and Abuse of a Forest Resource, New Forest Documents, 1632-1700* New Forest Ninth Centenary Trust, pp.31-83.
- <sup>22</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree concerning the petition of the Lord Warden, 1584, see pp.107-10 in this volume.
- <sup>23</sup> *The Fifth Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1789*, appendix no.6; Lewis, P. (1811) *Historical and Topographical Remarks upon the New Forest* T. Payne, pp.184-7 .
- <sup>24</sup> TNA:PRO E 146/1/44 – Petition of the Lord Warden with the Exchequer’s direction thereupon, see pp.106-7 in this volume.
- <sup>25</sup> TNA:PRO E 178/3097, mm.22-26 – Return to an inquiry into waste of woods, 28<sup>th</sup>

November 1609.

<sup>26</sup> TNA:PRO LR 2/194, ff.268-9 – Report as to abuses in the New Forest, and how to reform them, 1609, see pp.178-83 in this volume.

<sup>27</sup> TNA PRO LRRO 5/39 – Survey of Woods by Roger Taverner, 1565. See pp.1-8 in this volume.

<sup>28</sup> *Ibid.*, see p.1 in this volume.

<sup>29</sup> Sanderson, N.A. (1999) *Rare Lichen Monitoring Project* (Catellaria laureri, Parmelia minarum and Enterographa elaborata) Hampshire Wildlife Trust.

<sup>30</sup> Sumner, H. (1929) J. Norden's Survey of Medieval Coppices in the New Forest, A.D. 1609 In: *Papers and Proceedings of the Hampshire Field Club and Archaeological Society Vol.X, Pt.I*, pp.95-117, specifically pp.110-11.

<sup>31</sup> TNA:PRO LR 2/194, f.282 – List of coppices and places fit for coppices, 1609, see pp.176-7 in this volume.

<sup>32</sup> TNA:PRO LR 2/203, ff.1-15 – Survey of Coppices in the New Forest by John Norden, 1609. See footnote 30 above.

<sup>33</sup> TNA:PRO E 178/4343 – Return of Wood Sales made by Exchequer Commission, 1617, see pp.191-8 in this volume.

<sup>34</sup> Flower, N. (1980) The management history and structure of unenclosed woods in the New Forest, Hampshire In: *Journal of Biogeography, Vol.7*, pp.311-28; Flower, N. (1980) Early Coppice Sites in the New Forest, Hampshire In: *Forestry, Vol.53, No.2*, pp.187-94.

<sup>35</sup> Tubbs, C.R. (1964) Early Encoppicements in the New Forest In: *Forestry, Vol.37*, pp.97-105; Tubbs, C.R. (2001) *The New Forest, History, Ecology & Conservation* New Forest Ninth Centenary Trust.

<sup>36</sup> 3 Henry VIII, c.23, pt.VI – Act concerning the office of General Surveyors – pt.VI provides for an office for wood sales.

<sup>37</sup> 3 Henry VIII, c.23, pt.X – Act concerning the office of General Surveyors – pt.X protects the rights of forest officers.

<sup>38</sup> 4 Henry VIII, c.18, pt.X; 6 Henry VIII, c.24; 7 Henry VIII, c.7; 14&15 Henry VIII, c.15; & 27 Henry VIII, c.62.

<sup>39</sup> *Letters & Papers Foreign & Domestic, Henry VIII, Vol.3, Pt.1 (1521)*, no.1244.

<sup>40</sup> *Letters & Papers Foreign & Domestic, Henry VIII, Vol.4, Pt.3 (1530)*, no.6794.

<sup>41</sup> Richardson, W.C. (1952) *Tudor Chamber Administration, 1485-1547* Baton Rouge, p.269.

<sup>42</sup> *Ibid.*, p.270.

<sup>43</sup> 33 Henry VIII, c.39, see particularly parts III & XVIII-XXVI. Act establishing the Court of General Surveyors.

<sup>44</sup> TNA:PRO C 47/7/4, m.5 – Return to a Commission of Inquiry as to wastes in the New Forest, 1533.

<sup>45</sup> TNA:PRO E 101/148/24 – Account of Wood Sales, 30-32 Henry VIII.

<sup>46</sup> Stagg, D.J. (ed.) (1974) The Orders and Rules of the New Forest, A.D. 1537 In: *Hampshire Field Club and Archaeological Society, New Forest Section Report No.13*, pp.35-36.

<sup>47</sup> Turner, G.J. (1903) The Justices of the Forest, South of Trent In: *English Historical Review, Vol.18*, pp.112-16.

<sup>48</sup> *Letters & Papers Foreign & Domestic, Henry VIII, Vol.XII (1537)*, no.473.

<sup>49</sup> 33 Henry VIII, c.39, see particularly parts III & XVIII-XXVI.

<sup>50</sup> TNA:PRO E 101/149/17 – Account of Wood Sales in the Court of General Surveyors.

<sup>51</sup> Richardson, W.C. (1961) *History of the Court of Augmentations, 1536-1554* Baton Rouge, p.37.

<sup>52</sup> Richardson, 1952, p.367.

## Preservation and Decay

- <sup>53</sup> Richardson, 1961, pp.304-5.
- <sup>54</sup> *Ibid.*, p.257. Also see appendix A.
- <sup>55</sup> *Ibid.*, p.308.
- <sup>56</sup> Bindoff, S.T. (ed.) (1982) *The History of Parliament, The house of Commons, 1509-1558, Vol.III, Members N-Z* Secker & Warburg, p.426.
- <sup>57</sup> Richardson, 1961, p.308.
- <sup>58</sup> *The Third Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1788*, appendices 11 & 13.
- <sup>59</sup> TNA:PRO AO1/2485/322 & 342 – Accounts of T. Morgan, Surveyor General of Woods; *The Third Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1788*, appendix 13.
- <sup>60</sup> Stagg, D.J. (1989) Silvicultural Inclosure in the New Forest to 1780 In: *Proceedings of the Hampshire Field Club and Archaeological Society, Vol.45*, p.135.
- <sup>61</sup> TNA:PRO E 101/149/7, 17, 19, 25, 31-33, 37, 39 & 41 – Various Accounts of Wood Sales in the Court of General Surveyors, 33 & 34 Henry VIII to 37 & 38 Henry VIII; SC 6/EdwVI/193 – General Account of late Monastic lands.
- <sup>62</sup> TNA:PRO E 178/3097, m.1 – Commission to fell timber for repairs, 12<sup>th</sup> Feb 1607.
- <sup>63</sup> TNA:PRO LR 2/266, f.257 – Late Elizabethan report concerning the exploitation of timber by Forest officers.
- <sup>64</sup> TNA:PRO LR2/194, f.121 – Return of Woods under lease, 1603x1609.
- <sup>65</sup> TNA:PRO E 123/1A, ff.95v-6 – 1567 Exchequer Decree as to wood sales in forests.
- <sup>66</sup> See section on the office of Preservator below.
- <sup>67</sup> Hoyle, R.W. (1992) Disafforestation and drainage: the Crown as entrepreneur? In: *Estates of the English Crown, 1558-1640* Cambridge University Press, p.356.
- <sup>68</sup> TNA:PRO E 407/168 – Bundle of receipts for fines levied by John Taverner and Roger Taverner, Surveyors General of Woods.
- <sup>69</sup> Nelson, W. (1717) *Manwood's Forest Laws* B. Lintott, R. Gosling, J. Pemberton & E. Ward, pp.371-5. The date of this judgement presumably falls between May 1604, when Thomas Sackville was created Earl of Dorset, and his death, in 1608.
- <sup>70</sup> Stagg, D.J. (1978) The Divisium Imperium In: *Hampshire Field Club and Archaeological Society, New Forest Section Report No.15*, pp.7-15.
- <sup>71</sup> TNA:PRO C 47/7/4 – 1533 Inquiry into the waste of woods over the past 15 years.
- <sup>72</sup> TNA:PRO E 315/17, ff.65-8 – Books of documents concerning the establishment of the 2<sup>nd</sup> Court of Augmentations in January 1547.
- <sup>73</sup> TNA:PRO E 101/149/34-6, 44, 45 – Accounts of Wood Sales in the Courts of Augmentations, 34-37 Henry VIII.
- <sup>74</sup> TNA:PRO E101/149/26 – Account of Wood Sales in the Court of Augmentation, 36 & 37 Henry VIII.
- <sup>75</sup> Richardson, 1961, p.257.
- <sup>76</sup> Pettit, 1968, p.27.
- <sup>77</sup> TNA:PRO E 101/150/32 – Accounts of the Woodwards for one whole year to Michaelmas 1555.
- <sup>78</sup> TNA:PRO E 101/136/11 – Accounts of the Woodwards for one whole year to Michaelmas 1556.
- <sup>79</sup> TNA:PRO E 101/149/37 – Account of Woodsales within the Court of General Surveyors, 36 & 36 Henry VIII. Includes accounts of Robert Downes for works undertaken in the New Forest.
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*New Forest Record Series*

Index Society, vol.297

<sup>82</sup> TNA:PRO E 123/6, f.29v – Exchequer Orders and Decrees.

<sup>83</sup> TNA:PRO E 315/318, f.49 – Exchequer Grants of Office.

<sup>84</sup> TNA:PRO LRRO 5/39 & E 101/142/14, m.1, see pp.1, 49 in this volume.

<sup>85</sup> TNA:PRO E 101/535/5, m.3, E 101/142/16, m.6 & E 101/142/17, m.4, see pp.22, 91, 97 in this volume.

<sup>86</sup> Neal, 2003. *Ut supra*.

<sup>87</sup> TNA:PRO E 101/142/18, m.4, Preservators' Return for 1586/7, see pp.119 in this volume.

<sup>88</sup> Neal, 2003. *Ut supra*.

<sup>89</sup> Various Preservators' Returns published in this volume.

<sup>90</sup> TNA:PRO E 101/536/35 – Account of Francis Bennett, Deputy Woodward, 1623/4, see pp.207-9 in this volume.

<sup>91</sup> Reeves, 2006, p.115.

<sup>92</sup> Reeves, 2006, pp.183, 205 & 221.

<sup>93</sup> TNA:PRO E 101/150/32 & E 101/136/11 – Woodward's Accounts, 1554/5 & 1555/6.

<sup>94</sup> TNA:PRO E 101/178/2047, ms.7-12 – Inquiry as to the waste of woods, 30<sup>th</sup> June 1596.

<sup>95</sup> TNA:PRO LR 2/1, f.70 – fuel for the Alum works of Sir William Clavell, 1613; f.77

– rebuilding Burley Lodge; & f.124 – windblown timber for repairs in Portsmouth.

<sup>96</sup> *Calendar of Treasury Books, Vol.IV*, p.155 (7 June 1673).

<sup>97</sup> Reeves, 2006, p.115.

<sup>98</sup> *Calendar of Treasury Books, Vol.V*, p.844 (2 July 1678).

<sup>99</sup> *Calendar of Treasury Books, Vol.IX*, pp.407-9 (1 Aug 1690).

<sup>100</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree as to the petition of the Lord Warden, 1584, see pp.107-110 in this volume.

<sup>101</sup> Anon. (1853) *Abstract of Claims preferred at a Justice Seat held for the New Forest ... A.D. 1670* H.M.S.O. (NB. the claims follow earlier form; by 1670 fuel wood was being assigned by the Woodward).

<sup>102</sup> TNA:PRO E 101/536/35 – Accounts of Francis Bennett, Deputy Woodward, see p.209 in this volume.

<sup>103</sup> TNA:PRO E101/149/26 – Account of Wood Sales in the Court of Augmentation, 36 & 37 Henry VIII (includes the appointment of Edmund Clerke and Martin Cowdrey).

<sup>104</sup> Neal, 2003. *Ut supra*.

<sup>105</sup> Reeves, 2006, p.220 – Account of the Woodward for the year 1697/8.

<sup>106</sup> *Calendar of Treasury Books, Vol.XIV*, p.213 (8 Dec 1698).

<sup>107</sup> TNA:PRO LR 2/266 – Note of spoils of wood made by Woodward and Forest officers, c.1598.

<sup>108</sup> TNA:PRO E 178/2047, m.18 – Articles of inquiry for a commission in the waste of woods in the New Forest, dated 29<sup>th</sup> August 1602.

<sup>109</sup> TNA:PRO E 101/536/35 – Accounts of Francis Bennett, Deputy Woodward, see pp.207-9 in this volume.

<sup>110</sup> Reeves, 2006, pp.45-8, 65-7, 81-3, 183, 205 & 221; also TNA:PRO E 101/603/9 – Deputy Woodward's Accounts, 1671/2, see pp.207-9, 219-21 in this volume.

<sup>111</sup> TNA:PRO E 101/536/35 – Account of Francis Bennett, Deputy Woodward, 1623/4, see p.207 in this volume.

<sup>112</sup> Account of Francis Bennett, Deputy Woodward, 1619/20, appended to end of that section relating to Finkley Forest.

<sup>113</sup> Reeves, 2006, pp.45-8, 65-7, 81-3, 183, 205 & 221.

<sup>114</sup> Reeves, 2006, pp.122, 154 & 173.

<sup>115</sup> *Calendar of Treasury Books, Vol.IX*, pp.407-9 (1 Aug 1690).

<sup>116</sup> Reeves, 2006, pp.122, 154 & 173.

## *Preservation and Decay*

- <sup>117</sup> *Calendar of Treasury Books, Vol.IX*, pp.407-9 (1 Aug 1690).
- <sup>118</sup> Reeves, 2006, p.122, 154 & 173.
- <sup>119</sup> *Calendar of Treasury Books, Vol.IX*, pp.407-9 (1 Aug 1690).
- <sup>120</sup> TNA:PRO C 99/41, no.243 – Claims of Rights in the New Forest, 1635.
- <sup>121</sup> *Calendar of Treasury Books, Vol.VII*, p.463 & *Vol.VIII*, pp.485, 790, 1012 & 1063 (May 1682-Dec 1690).
- <sup>122</sup> *Calendar of Treasury Books, Vol.XIV*, p.213 (8 Dec 1698).
- <sup>123</sup> Cross, A.L. (ed.) (1928) *18<sup>th</sup> Century Documents relating to Royal Forests, Sheriffs and Smuggling* Michigan University Publications, pp.114-16.
- <sup>124</sup> *Fifth Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1789*, p.16.
- <sup>125</sup> *Report of the Select Committee on the Woods, Forests, and Land Revenues of the Crown, 1848*, House of Commons Report 538, p.302.
- <sup>126</sup> TNA:PRO E 123/1A, ff.95v-6 – 1567 Exchequer Decree as to wood sales in forests.
- <sup>127</sup> Statutes relating to the office of General Surveyors.
- <sup>128</sup> Roberts, P. (2001) Elizabethan Conservators of the New Forest. In: *Proceedings of the Hampshire Field Club and Archaeological Society, Vol.56*, pp.251-3 – set of 12 articles attached to the 1567 commission.
- <sup>129</sup> TNA:PRO E 178/2007– set of 13 articles as attached to the 1568 Commission, see pp.9-14 in this volume.
- <sup>130</sup> Pettit, 1968, Appendix III.
- <sup>131</sup> TNA:PRO E 101/142/12, m.1 – Certificate of appointment of Preservators, 1570, see pp.14-5 in this volume.
- <sup>132</sup> TNA:PRO E 101/535/5 – Preservators’ Returns for the year 1570/1, see pp.16-26 in this volume.
- <sup>133</sup> TNA:PRO E 101/142/12, m.2 – Certificate of appointment of replacement Preservators, 1572, see p.27 in this volume.
- <sup>134</sup> Pettit, 1968, p.30, footnote 50.
- <sup>135</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree as to the petition of the Lord Warden, 1584, see pp.108-9 in this volume.
- <sup>136</sup> TNA:PRO E 178/2047; E 178/2051 & E 178/3097 (to be published in Volume 5 of this Series).
- <sup>137</sup> TNA:PRO E 178/2047, m.15 – Depositions in answer to a Commission of Inquiry as to the waste of woods, 1602..
- <sup>138</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree as to the petition of the Lord Warden, 1584, see pp.107-9 in this volume.
- <sup>139</sup> TNA:PRO E 178/2047 & 2051 – Elizabethan Inquiries into the waste of woods.
- <sup>140</sup> TNA:PRO E 101/142/17, m4 & E 101/536/35, m1 – Preservators’ Returns for the years 1582/3 & 1586-8, see pp.94-5, 124 in this volume.
- <sup>141</sup> TNA:PRO E 101/143/1, mm.3-4 – Preservators’ Return for the year 1603/4, see pp.165-9 in this volume.
- <sup>142</sup> TNA:PRO E 178/2047, 2051 & 3097 – Elizabethan and Jacobean Inquires into the waste of woods.
- <sup>143</sup> TNA:PRO E 178/3097, m.24 – Return of the Commissioners to an inquiry into the waste of woods, 1609.
- <sup>144</sup> TNA:PRO LR 2/194, fos.268-9 – Report as to abuses in the Forest and how to reform them, 1609, see p.165-9 in this volume.
- <sup>145</sup> TNA:PRO LR 2/194, fos.489-94 – Royal Decree as to the New Forest, c.1610, see p.183-91 in this volume.
- <sup>146</sup> TNA:PRO E 178/3097, m.25 – Return of the Jury to an inquiry into the waste of woods,

1609.

<sup>147</sup> TNA:PRO LR 2/194, fos.489-94 – Royal Decree as to the New Forest, c.1610, see p.188 in this volume.

<sup>148</sup> Reeves, 2006, pp.1-13, 16-30 & 182. Also TNA:PRO LR 5/14. See pp.225-6 in this volume.

<sup>149</sup> *Ibid.*, pp.42-5, 65, 80, 183, 204-5, 220-1, 222. Also TNA:PRO E 101/536/36, E 101/603/9 & The Account of Francis Bennett, 1618-20, see pp.199, 202-3, 206-8, 219 in this volume.

<sup>150</sup> *Ibid.*, p.170-2.

<sup>151</sup> Stagg, D.J. (ed.) (1983) *A Calendar of New Forest Documents, The Fifteenth to the Seventeenth Centuries* Hampshire County Council, nos.1545-88.

<sup>152</sup> TNA:PRO LR 5/1/4 – Composite Preservators' Return for the year 1697/8, see pp.225-6 in this volume.

<sup>153</sup> Roberts, P. (ed.) (2006) *Ruin and Reform, New Forest Administration 1739-1769* New Forest Ninth Centenary Trust, p.4.

<sup>154</sup> *The Fifth Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1789*, p.11 & appendices 7, 12, 15, 24 & 25.

<sup>155</sup> Stagg, D.J. (ed.) (1979) *A Calendar of New Forest Documents, 1244-1334* Hampshire County Council, pp.20-2.

<sup>156</sup> In the New Forest, land held by the service of managing a head of cattle on behalf of the Crown.

<sup>157</sup> Anon. (1853) *Abstract of Claims preferred at a Justice Seat held for the New Forest, Hants, in the twenty-second year of the reign of King Charles II. A.D. 1670. ...* H.M.S.O., no.70.

<sup>158</sup> HRO 1594A79/1 – Will of Elizabeth Ogden, widow [of Richard Ogden], of Roydon, Hants.

<sup>159</sup> Various Preservators' Returns from 1570/1 to 1575/6, see under Ogden in the index.

<sup>160</sup> Various Preservators' Returns from 1582/3 to 1584/5, see under Reeves in the index.

<sup>161</sup> TNA:PRO E 178/3097, m.17 – Depositions as to wastes of woods in the New Forest, 1609.

<sup>162</sup> E.g. PRO:TNA E 101/535/5, m.9 – Preservators' Return for the Bailiwick of West Linwood, 1570/1.

<sup>163</sup> TNA:PRO E 146/1/44 – Petition of the Lord Warden with the Exchequer's direction thereupon, 1584, see pp.106, 108 in this volume.

<sup>164</sup> TNA:PRO SP 12/153, ff.124-8 – Inquiry as to the ownership of the Manors of Brockenhurst and Godshill, 24<sup>th</sup> May 1582.

<sup>165</sup> Stagg, 1983, nos.479-85 & 487-90.

<sup>166</sup> *Calendar of Treasury Books, Vol.III*, pp.934 & 1120 (September 1671).

<sup>167</sup> *Fifth Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown*, p.14.

<sup>168</sup> E 101/142/16, m.7 – Preservators' Return for the Bailiwick of Battamsley, 1578/9 & E 101/536/36 – Account of Francis Bennett, Deputy Woodward, 1623/4, see pp.86-7, 207 in this volume; Reeves R.P. (2004) The Domesday Settlement of Sanhest In: *Hampshire Field Club and Archaeological Society, New Forest Section Report No.41*, p.v-vi.

<sup>169</sup> TNA:PRO E 101/142/12, m.9 – Preservators' Return for the Fritham Bailiwick, 1571/2, see p.32 in this volume; Roberts, P. (1993) Harbourough Alias Bolder Lodge In: *Hampshire Field Club and Archaeological Society, Section Newsletters, N.S., No.20*, p.21

<sup>170</sup> *Calendar of State Papers Domestic, James I, 1603-1610*, p.408 (23 Feb 1608).

<sup>171</sup> TNA:PRO LR 2/194, ff.489-94 – Royal Decree as to the management of the New Forest, c.1610, see p.187 in this volume.

<sup>172</sup> See Reeves, 2006 & Stagg, 1983.

- <sup>173</sup> 14 & 15 Victoria, c.76 – New Forest Deer Removal Act, 1851.
- <sup>174</sup> TNA:PRO C 47/7/4 – Inquiry as to spoils of wood in the New Forest, 1533.
- <sup>175</sup> See Preservators’ Returns up to 1575/6 in this volume; and TNA:PRO E 134/4JasI/Mich10 – Inquiry into the payment of tithes from the New Forest, 1606.
- <sup>176</sup> See Preservators’ Returns from 1577/8 in this volume.
- <sup>177</sup> Stagg, 1974, p.34.
- <sup>178</sup> TNA:PRO C 47/7/4 – Inquiry as to spoils of wood in the New Forest, 1533.
- <sup>179</sup> E.g. TNA:PRO E 101/142/17, m.2 – Preservators’ Returns for 1583/4, see pp.98-9 in this volume.
- <sup>180</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree as to the petition of the Lord Warden, 1584, see p.109 in this volume.
- <sup>181</sup> Stagg, 1974, pp.34-5.
- <sup>182</sup> *Report of the Select Committee on the Woods, Forests, and Land Revenues of the Crown, 1848*, House of Commons Report 538, p.302; *Appendix to Report from Select Committee on Woods and Works*, 1848, p.567.
- <sup>183</sup> Stubbs, W. (1962, 9<sup>th</sup> edn.) *Charter of the Forest, A.D. 1217* In: *Select Charters* Clarendon Press, pp.344-8
- <sup>184</sup> Stagg, D.J. (1990) *New Forest Documents, New Forest Boundaries in the Thirteenth Century* In: *Hampshire Field Club and Archaeological Society New Forest Section Report No.28*, pp.7-12 & Stagg, D.J. (1992) *A New Forest Perambulation – A Corrected Dating* In: *Hampshire Field Club and Archaeological Society New Forest Section Report No.30*, p.12
- <sup>185</sup> *New Forest Act 1964* (1964 c.83).
- <sup>186</sup> Roberts, 2006, p.3.
- <sup>187</sup> Stagg, 1974, pp.34-5.
- <sup>188</sup> TNA:PRO E 178/2007 – Articles of Inquiry for the Preservators, see p.10 in this volume.
- <sup>189</sup> TNA:PRO E 123/10, ff.168-9 – Exchequer Decree as to the petition of the Lord Warden, 1584, see p.109 in this volume.
- <sup>190</sup> HRO 11M49/229 – Receipt of payment to William Samber, Ranger, for 3½ years to Michaelmas 1708.
- <sup>191</sup> Roberts, 2006, p.3.
- <sup>192</sup> *Fifth Report of the Commissioners on the Woods, Forests, and Land Revenues of the Crown, 1789*, pp.15 & 54-5
- <sup>193</sup> *Returns to Two Addresses of the Honourable The House of Commons, dated 15<sup>th</sup> & 30<sup>th</sup> April 1847* House of Commons Return 485.